

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 8 March 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Regent's Park	
Subject of Report	Dora House, 60 St John's Wood Road, London, NW8 7HN,		
Proposal	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.		
Agent	Mr Raoul Veevers		
On behalf of	C&C		
Registered Number	15/09769/FULL	Date amended/ completed	6 November 2015
Date Application Received	15 October 2015		
Historic Building Grade	Unlisted		
Conservation Area	Outside of a conservation area, the St John's Wood and Regent's Park Conservation Areas run along St John's Wood Road and Park Road respectively.		

1. RECOMMENDATION

Refuse permission- i) height and massing of Building 2, ii) absence of a suitable mechanism to secure the delivery of the proposed affordable housing iii) impact on street trees and insufficient space and conditions for provision of soft landscaping.

2. SUMMARY

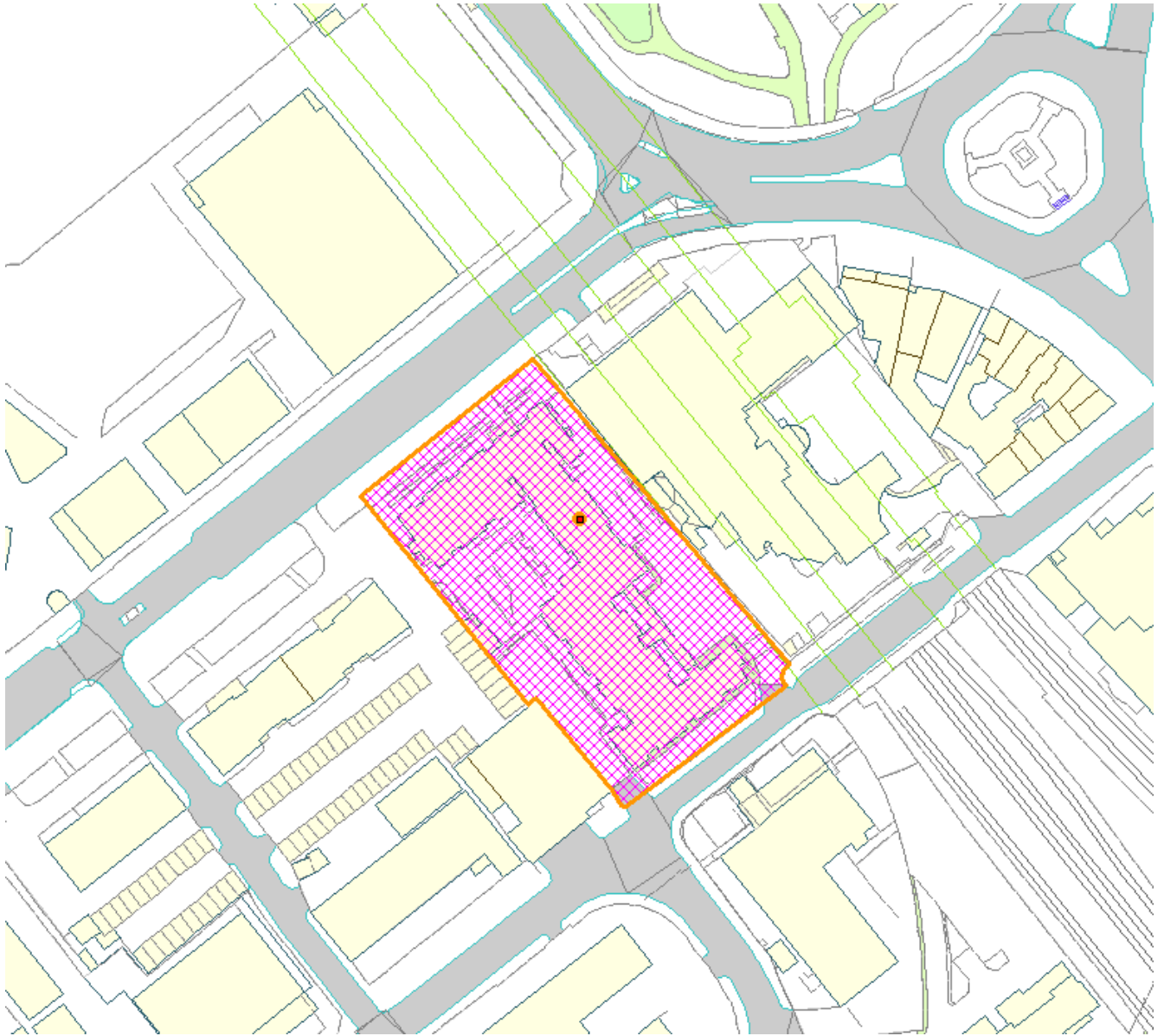
Planning permission is sought by Central and Central for the redevelopment of the existing building known as Dora House, which provides affordable housing in the form of sheltered accommodation for the elderly, and the construction of two new buildings to provide a new "Dora House" in building 1 facing Lodge Road and private residential accommodation in building 2 facing St John's Wood Road.

The proposal has brought about concerns from a number of external bodies with respect to specific aspects and details of the application. The St John's Wood Society has raised concern over the height and detailed design of the buildings and associated soft landscaping.

Three local residents within Lords View 1 consider the proposal to represent over development of the site and find the architecture and materials proposed for building 2 to St John's Wood Road unsuitable in this locality. The Danubius Hotel and Marylebone Cricket Club have also raised concern with respect to relationships between them and the site, impact upon daylight and sunlight and phasing, demolition and construction. In contrast six representations of support have been received by previous occupiers of Dora House.

The redevelopment of the existing post war building which is of limited architectural merit and which is no longer fit for purpose is welcomed in principle. However the height and massing of building 2 facing St John's Wood Road is of concern, due to its significant height above that of both adjacent buildings (Lords View 1 and the Danubius Hotel) which is exacerbated by its forward projecting building line and its visibility within the townscape and nearby St John's Wood Conservation Area. Furthermore the applicant is not agreeable to the use of our standard mechanism to secure the delivery of affordable housing, instead suggesting an alternative unorthodox method which places the risks associated with the delivery of the affordable housing directly with Westminster and which are considered by officers too great to bear. Finally the proposal does not adequately protect the existing high amenity value street trees or provide suitable space and conditions for the provision of suitable soft landscaping to mitigate against the loss of 19 trees from within the site. As such, for these reasons, the application is contrary to development plan policies and is consequently recommended for refusal.

3. LOCATION PLAN



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4. PHOTOGRAPHS



EXISTING ST JOHN'S WOOD ROAD ELEVATION



EXISTING LODGE ROAD ELEVATION



EXISTING ST JOHN'S WOOD ROAD TOWNSCAPE

5. CONSULTATIONS

Greater London Authority (GLA)

The application broadly complies with the London Plan, however further information and or confirmation is required in respect of land use, housing, design, inclusive design, climate change and transport.

Historic England (Listed Builds/Con Areas)

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

Historic England (Archaeology)

Any response to be reported verbally.

The Royal Parks

Any response to be reported verbally.

The Gardens Trust

Any response to be reported verbally.

Network Rail

Building 2 with the triple basement raises concerns for Network Rail due to the location of dead bores (2 tunnels which are not used for running trains), that run beneath the Danubius Hotel, St John's Wood Road and Lords Car park and adjacent to the running line for trains. The dead bores are not under Network Rail ownership/liability, but are examined by NR engineers as they provide lateral support for the tunnel used for trains. Consider that the development will be within a zone of influence and require significant details of excavation, earthworks, demolition, foundations, piling, loading, drainage and impact of noise and vibration from tunnels to the new buildings. A further ground movement document remains under review and details of the developer's tunnel monitoring proposal is required along with an amended basic asset protection agreement (BAPA) to include access for a tunnel survey and monitoring equipment in the tunnel.

London Underground Limited

No objection in principle, but there are a number of potential constraints of the redevelopment due to proximity to underground tunnels (Metropolitan line) and infrastructure. Request pre-commencement condition to secure details of ground movement and to accommodate the location of existing structures and tunnels.

Thames Water Utilities Ltd

Request pre-commencement conditions with respect to drainage strategy, piling method statement and water related informatives.

Environment Agency (Thames Region)

No comment.

St John's Wood Society

Cumulative impact of a number of proposed development in the immediate area.

Overdevelopment of the site, large plot sizes.

Materials including colour unacceptable.

Quality of outside space for building 1.

Design and materials of building 2 reflect a lack of understanding of the history and character of the area around it, particularly with reference to Lords.

Concern about triple basement, and detailed design of building 2 and impact on trees.

Impact of construction traffic, especially during match days.

The St Marylebone Society

Defer to St John's Wood Society and Conservation Officer.

Affordable Housing Supply Manager

Welcomes proposal to redevelop Dora House to better address the Council's future needs for older person housing. The development will not attract grant funding from either the GLA or HCA (Homes and Communities Agency) and therefore financing of the redevelopment of Dora House is solely dependent upon the cross subsidy that can be achieved from the open market sale of the St John's Wood site with the benefit of permission for 42 market housing units. In view of the particular circumstances and the nature of C% C as a small registered provider (RP) without the necessary financial muscle enjoyed by larger developing RPs, are sympathetic to C&C's requirement for flexibility to be applied to Westminster's standard s106 requirements in this instance only.

Adult & Community Services

General comments made.

Highways Planning - Development Planning

Generally acceptable in transportation terms, subject to a S106 legal agreement and suggested conditions and informatives.

Cleansing - Development Planning

Objection raised, further details required.

EH Consultation

Objection raised on grounds of remote rooms for fire safety. Conditions recommended in respect of noise (external, facade mitigation and plant), vibration and ventilation of basement garage.

Building Control - Development Planning

The structural method statement is acceptable. Negligible likelihood of local flooding or adverse affects on the water table, approach to basement construction appropriate.

Arboricultural Section - Development Planning

Objection raised, detrimental impact on street trees, insufficient space and conditions for soft landscaping and tree planting to mitigate against loss of 19 existing trees.

Designing Out Crime

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 709

Total No. of replies: 12

No. of objections: 5

- Over-development
- Cumulative impact of development in locality needs to be assessed in terms of microclimatic conditions.
- Lodge Road is becoming a mini Manhattan
- Detailed design more akin to an office and unsuitable for this residential location
- Too high density
- Materials inappropriate
- Amenity impact
- Impact on daylight and sunlight to Danubius Hotel and Lords Cricket Ground.
- Impact of the existing Danubius Hotel operations on future occupiers to be assessed.
- Transportation impact on traffic, parking etc
- Demolition, Construction and phasing impact on Danubius Hotel and Lords Cricket Ground (ours, noise and vibration)

No. in support: 7

- Owner and developer of 30 Lodge Road (adjoining site) welcomes development and has been in collaboration with the applicant.
- Members of Dora House residents association and previous occupiers all support proposal for replacement Dora House

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The site known as Dora House, 60 St John's Wood Road, is owned & operated by Central & Cecil (C &C) as sheltered accommodation for the elderly (over 55's). The part 8/part 4 storey unlisted building extends to frontages on both St John's Wood Road and Lodge Road. Whilst located outside of a conservation area, the St John's Wood and Regent's Park Conservation Areas run along St John's Wood Road and Park Road respectively.

To the north of the site lies Lords Cricket Ground (Nursery end), to the south, the Platinum Medical Centre which is part of Wellington Hospital. To the east is the Danubius Hotel and to the west lie Lords View 1 and the Royal Mail Sorting Office at 30 Lodge Road.

There are Network Rail lines and London Underground lines (Metropolitan and Jubilee) that run beneath the adjacent Danubius Hotel around 25-40m away. In addition there is a Thames Water Sewer beneath (10m) the western corner of the site.

6.2 Recent Relevant History

Dora House, 60 St John's Wood Road & 30 Lodge Road

Under a 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, an Environmental Impact Assessment was not required on 02.12.2013 (13/11559/EIAOP)

30 Lodge Road (Royal Mail Sorting Office)

On 26.01.2015 the Planning Applications Committee granted conditional planning permission, subject to a S106 legal agreement, for the redevelopment of the existing vacant sorting office and associated hard-standing on site and the 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 combined heat and power facility within the basement, public realm works and access to car lifts from Lodge Road (15/08211/FULL)

Lords View 1, St John's Wood Road

Conditional planning permission was granted on 13.02.2012 for the removal of the existing rooftop plant room and erection of two storey roof extension at eleventh and twelfth floor levels to create 4x3 bedroom flats with terraces, living green roof and solar panels. Re-landscaping in connection with the provision of seven additional car parking spaces (11/12325/FULL).

Lords Cricket Ground

The Planning Applications Committee resolved on 27.10.2015 to grant conditional planning permission and listed building consent, subject to a S106 legal agreement for the demolition of the existing Tavern Stand, Allen Stand, Thomas Lord Building, MCC Office Building and Scorers' Box and redevelopment comprising the erection of new stand, new Thomas Lord Building with an expanded basement and relocated public house, new Harris Garden Building, new Scorers' Box, internal and external alterations to the Pavilion, a new shop in the Bowlers' Annexe together with relocation of the floodlight, hard and soft landscaping, servicing facilities and all necessary ancillary and enabling works, plant and equipment.(15/07111/FULL & 15/07112/LBC)

36-44 Lodge Road

On 12.08.2013 the Planning Applications Committee granted planning permission, subject to a S106 legal agreement, 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.

7. THE PROPOSAL

Planning permission is sought for the redevelopment of the existing building (Dora House) to provide two new buildings, one to re-provide the affordable sheltered accommodation in a new Dora House and a second to provide private residential accommodation.

Building 1

The Lodge Road building is to re-provide sheltered accommodation for the over 55's. It is designed by Ryder Architects and is proposed as part 11 and part 12-storeys above a ground and single basement to provide 156 units of accommodation within 15,362 m2 of floor space.

Building 2

The proposed St John's Wood Road building is to provide new private residential accommodation. Designed by Make Architects it is proposed to comprise of 10 storeys above a ground and triple basement to provide 42 private residential flats within 12,494m2 of floor space.

The Applicant & special form of application

C& C were established in the 1930's and are a Housing Trust providing housing and care within sites they own & operate throughout Central London, including Dora House, Edna House and Aida House within Westminster. These 1960's buildings are reaching the end of their lifetime and their size, layout and function are outdated and inconsistent with modern ways of older people living. As such C&C are embarking on a programme of asset redevelopment and improvement within Westminster, the first stage of which is the redevelopment of Dora House.

C&C indicate that the redevelopment and re-provision of Dora House is reliant upon funding from redeveloping part of the site for private residential development and as such are proposing a two phase planning permission. They have indicated that it is their intention to build and occupy the new sheltered accommodation (Building 1) and have already commenced the process to procure a demolition and contractor partner. However in order to maximise funds to build the new Dora House, C&C are proposing to sell the front part of the site (Building 2) with unfettered planning permission (in respect of affordable housing obligations) in order to raise the necessary funds to construct the affordable housing (Building 1).

8. DETAILED CONSIDERATIONS

8.1 Land Use

The principle of redeveloping the site to provide additional residential accommodation in the form of both new private self-contained flats and the re-provision of improved and fit for purpose affordable sheltered accommodation for over 55's currently provided within Dora House, is acceptable in land use terms. The existing and proposed provision is summarised below:-

Tenure	Existing	Proposed	Change
Sheltered Affordable	10,813m2 (204 units)	15,362m2 (156 units)	4,549m2 (-48 units)
Private	None	12,494m2 (42 units)	+12,494m2 (+42 units)
Total	10,813m2	27,856m2	+17,043m2

Given the differing nature of the two types of residential use, located in different buildings, it is considered appropriate to assess them separately.

Affordable Sheltered Accommodation for the elderly (Class C3) - Building 1

Sheltered accommodation for the elderly is residential accommodation falling within Class C3 (Residential) of the Town and Country Planning Use Classes Order 2015. In this case it is considered a type of specialist provision of affordable housing, as charges made to residents are substantially below market levels. This arrangement would be secured through a S106 legal agreement to ensure affordability in perpetuity.

The existing 204 self-contained units of accommodation comprise of 160 studio flats, 41 one bedroom flats and two 3 bedroom flats. The applicant has indicated that both the building and units have become outdated and the substandard size of units particularly the studios, layout and facilities are inconsistent with modern ways of older people living and are no longer fit for purpose. It is therefore proposed to provide significantly better quality accommodation for occupiers within a new purpose built building with ancillary facilities and which is designed to be flexible to meet future requirements of its occupants. As such units are fully interchangeable and designed to be able to be reconfigured to alter the layout to meet potential future needs of occupiers.

However the introduction of significant residential convalescent/nursing home type use where the resident is not able to live independently and relies on significant care, is a use that falls outside of the C3 use class and into the C2 use class and would therefore be a material change of use in planning terms. The City Council's Adult Social Care Commissioning Team support the principle of flexibility, if changing needs support this and the current projection is that there is likely to be a need for additional extra care housing provision. Therefore whilst the design flexibility is welcomed any proposed change in the nature of the use would be subject to assessment in light of proven need at that time and detailed specifications. Furthermore the Adult Social Care Commissioning Team has questioned the need for the three ancillary respite units within the building, but has stated that the local clinical commissioning group are currently reviewing local reablement.

The principle of the re-provision of affordable sheltered housing units for people over 55 years of age, is supported by policies H4 and H6 of the UDP and S15 and S16 of the City Plan and also policy 3.8 of the London Plan.

The new building would provide a significant increase in floor space (4,549m²), but due to a significant improvement in the size and quality of the units and introduction of ancillary communal facilities (cafe and lounge areas, external garden, roof terraces, treatment zones, respite and rehabilitation areas, and a studio for exercise classes/events), the proposal would result in an overall reduction in the number of units on site from 204 to 156. It is however, considered that the overall reduction in the number of such units on site, is justified by virtue of the increase in floor space in order to provide overall good quality and fit for purpose accommodation that meets the need of Westminster’s older population. This is notwithstanding that four open plan living/dining/kitchens of four separate flats at first and second floor levels do not quite meet minimum standards for daylight. Whilst regrettable, these units open onto a private balcony and would be a significant improvement on the amenity of existing units. As such this minor shortfall is not considered so severe to warrant withholding permission on this ground.

The distance between buildings 1 and 2 is just under 20m, with the distance between the closest balconies just under 15m. The occupiers of the sheltered accommodation would therefore be provided with sufficient outlook and privacy. The communal garden has been assessed in respect to sunlight and in accordance with the British Research Establishment (BRE) Guidelines, over half of the garden area would receive at least 1-2 hour a day of sunlight. Overall the quality of accommodation proposed is a significant improvement upon that existing and previous occupiers of the existing Dora House, who have or are to be relocated, are to be given the option to return to the new Dora House.

The following table shows the currently proposed type, size and location of units-

Table 1

Type of unit	1 bedroom	2 bedroom	DDA	Rehabilitation/Respite
No of units	129	8	16	3
Location	Floors 1-11	Floors 9-11	Floors 1-8	Ground floor

Given the existing number and size of units within Dora House (204 studio units) and the nature of the proposed replacement sheltered accommodation for the over 55’s as a type of affordable housing, the proposed mix of unit sizes of predominantly 1 bedroom units, DDA units, an element of 2 bedroom units and 3 ancillary rehabilitation/respite units, is considered appropriate and justified given the nature of the accommodation and housing need. Consequently it is supported by our Housing Supply Manager and Adult Social Care Commissioning Team. It is therefore considered that the mix of unit sizes is justified in this instance as a departure from policy H5 of our UDP and S14 and S15 of our City Plan.

Private Residential Accommodation (Class C3)- Building 2

A total of 12,494m² new private residential floor space is proposed, comprising 42 self-contained flats (10x1bedroom, 10x2bedoom, 20x3bedroom and 2x 5 bedroom units). All units would benefit from a private balcony or terrace and associated communal facilities (concierge, drawing room, study, gym and swimming pool at ground floor level).

The proposal would provide an appropriate residential mix of unit sizes with 22 of the 42 new private self-contained residential units (over 33%) proposed as family housing in accordance with policy H5 of our UDP and S15 of our City Plan.

All proposed residential units would be of sufficient size ranging between 62m² for a 1 bedroom unit to 591m² for a 5 bedroom duplex penthouse apartment. The largest units are 132m² (1 bedroom), 164m² (2 bedroom), 203m² (3 bedroom) and 591m² (5 bedroom). The Greater London Authority (GLA) has raised concern with respect to the generous size of the private units in light of the requirement to optimise the number of housing units and have requested justification of the current layout. The applicant has sought to address this concern and has provided indicative alternative layouts with increased number of units, which indicate that such an increase in unit numbers would significantly reduce the quality of the units with respect to room shape, aspect, internal bathrooms, daylight and sunlight and also impact on the hierarchy of fenestration to the building. Whilst the units would be larger than the minimum internal floor areas set out in the National Technical Housing Standards, their size is comparable to other units in the locality and are considered to be acceptable.

Overall, over 98% of rooms within residential units would receive satisfactory daylight and sunlight as set out within the BRE Site Layout Planning for Daylight and Sunlight- a guide to good practice 2011 (second edition). However whilst four rooms would not meet minimum standards, two are open plan living/kitchen dining rooms with access to balconies at 2nd and 3rd floor levels of 1 bedroom apartments to the rear, and two are third bedrooms to large dual aspect units at 4th floor level. Whilst regrettable, overall the units would provide for a good living environment for future occupiers.

The applicant has provided an additional document during the course of the application detailing the potential location for accessible apartments (one, two and three bedroom units), with the exact number and location deferred to detailed design stage, although 43% of units will be designed to be wheelchair adaptable. This will need to be secured by condition to ensure provision.

In terms of external amenity space the flats would be provided with private external amenity space in the form of gardens, balconies or terraces. This provision is welcomed in principle, in terms of providing adequate amenity space. However a number of secondary west facing balconies are considered to be unneighbourly (refer to amenity section of report).

The City Council's Environmental Health Officer has raised concerns with respect to a number of rooms within the proposed development being remote rooms in terms of fire escape. This is a matter for Building Regulations and may be addressed through use of a sprinkler system.

Play and open space

The proposal would result in 42 private residential units and 156 sheltered units of accommodation.

Given the nature of the sheltered units of accommodation for people over 55 years of age and the number of private residential units proposed (less than 50 units and less than 25 family homes), there is no requirement to provide play space or open space under policies H10 and SOC6 of our UDP.

Affordable housing

This proposal results in a total uplift of residential floor space on site, of 17,043m² (12,494m² private and 4,549m² affordable). The actual uplift in private residential accommodation is 12,494m², which requires the provision of 35% of floor space (4,372m²) to be affordable housing. For the purpose of calculating the required affordable housing floor space to offset the uplift in residential floor space, the re-provision of the existing affordable housing floor space within Dora House, is not included.

The applicant is seeking to provide the required affordable housing provision in the form of the “bigger and better” new Dora House, providing affordable sheltered housing accommodation for the elderly, which increases affordable housing floorspace on site by 4,549m².

Sheltered residential accommodation for the elderly is considered a specialist provision of affordable housing, where charges made to residents are substantially below market levels (as is existing and proposed here). The nature and type of affordable housing proposed here, is supported by our Housing Manager and also our Adult Social Care Commissioning Team. This is due to the specifics and circumstances of the site, housing need and the acknowledgment of the lack of public subsidy available to bring forward such affordable housing redevelopments.

For the above reasons the affordable housing provision is policy compliant and accords with policy H4 of the UDP and S16 of our City Plan. This floor space will need to be secured in perpetuity as affordable housing through a S106 legal agreement and to ensure that charges made to residents are substantially below market levels.

The GLA has questioned the need for the applicant to provide affordable housing specifically in relation to the private development (Building 2) and has requested that the applicant submit a viability report in support of their proposed affordable housing provision. Although it is accepted that the number of units within the proposed new Dora House (Building 1) is less than the number of units within the existing Dora House, the new Dora House is nearly 5,000m² larger and provides for good size units, when compared to the existing sub-standard units. Therefore the focus is on quality rather than quantity. Given the above and that the affordable housing provision is policy compliant in floor space terms a viability report has not been pursued on this point.

Proposed Mechanism to secure delivery of affordable housing

The applicant has put forward an unorthodox mechanism for seeking to secure the delivery of the proposed affordable housing in Building 1.

They have requested that the City Council's standard S106 delivery mechanism, that is normally applied to ensure the delivery of affordable housing through the prevention of occupation of private flats before the affordable housing is built and made ready for occupation, should not apply to Building 2, in the case of this application.

The applicant has indicated that the delivery of the replacement affordable housing relies on C&C selling part of the site (Building 2) with unfettered planning permission (in respect of affordable housing obligations) in order to raise sufficient funds to construct the affordable housing (Building 1).

As such the applicant is proposing a two phase planning permission, to allow both buildings to be delivered independently of each other, likely by different developers and more specifically to uncouple the affordable housing obligations from Building 2 and link them solely to Building 1. In effect this would mean that the front part of the site (Building 2) would be sold unfettered to a private development to build the 42 private units without any affordable housing obligations or links to the provision/delivery of Building 1. This is in order to optimise the funds from the sale and achieve the necessary cross funding required to build the new affordable housing.

In seeking to justify why our standard occupancy restriction to secure affordable housing should not be applied in this case, the applicant has provided details of risks associated with four delivery options 1) standard occupancy restrictions approach 2) Joint Venture 3) Bond and 4) Charge on the Land.

The applicant has indicated that our standard occupancy restriction to link the delivery of the affordable housing to the private housing would result in considerable and unacceptable financial and associated regulatory intervention risks to C & C to the point where their board will not accept them and the redevelopment of Dora House would not be brought forward. Other risks cited include loss of quality control and control over programme delivery.

Options 2 and 3 (Joint Venture or Bond) have been dismissed as being too risky to both parties. The preferred option of C&C is option 4, Westminster City Council having a charge on the land associated with Building 1. In this scenario, once planning permission is issued, C&C would sell Building 2 with an unfettered planning permission (in respect of affordable housing obligations), demolish the existing Dora House and commence construction of Building 1 (affordable housing). The applicant has stated their commitment to deliver the affordable housing by already starting the procurement process for demolition and construction.

The risk to the City Council in the delivery of the affordable housing (Building 1), surfaces, in the event that problems are encountered after planning permission is issued. In such scenarios as C&C cease to exist, reprioritise their estate development/finances; insufficient funds from the sale of building 2 to fund the cost of construction of Building 1; spiralling build/unforeseen costs/delays, especially given the Network Rail and London Underground tunnels and rail lines, Building 1 (affordable housing) may not be built or completed. With the proposed charge on the land, the City Council could take ownership of the land, but not any finances to fund the build or complete construction.

Whilst another registered provider could potentially take over the development, it too would need to have the finances available for the build. There would be no guarantee that Building 1 would be delivered.

C&C have not sought to provide a viability report to justify this option or to provide any comfort of the cost margins between the sale of building 2 and the cost to construct building 1. A consequence could be that the private flats (building 2) are built and occupied whilst the affordable housing (building 1) is not delivered. As such after significant discussions and careful consideration, whilst officers are sympathetic to C&C's request, are unfortunately for the reasons/risks set out above, not in a position to support this option.

During the course of the application, officer's requested that the applicant reduce the height of Building 2 in order to address significant design and townscape concerns (see design section of this report). However the applicant has intimated that such a reduction in floor space may render the development unviable. This statement has not been substantiated with a viability report and therefore no weight has been given to the applicant's justification.

8.2 Townscape and Design

Dora House is an irregular shaped unlisted building which faces onto both St John's Wood Road and Lodge Road and lies outside a conservation area. The nearest conservation areas to the site are the St John's Wood Conservation Area which lies immediately 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 290m to the west of the application site; the 1930s Strathmore Lodge at the junction with Park Road, which is an unlisted building and lies approximately 70m to the east of the application site; and finally the 1930s former Postal Sorting Office, which lies immediately to the west of the application site. To the north of the site on St John's Wood Road lies Lord's Cricket Ground, which contains three listed buildings/structures comprising the grade II* late nineteenth century Pavilion, the grade II 1920s Grace Gates and the grade II 1930s relief sculpture by Gilbert Bayes on the boundary wall (at corner of Wellington Road and St John's Wood Road). To the west and north-west of the application site lies the grade II* listed Church of St John the Baptist (dated 1813-14 and by Thomas Hardwick); to the east of the church is the grade II listed St John's House, which was built as the curate's house and is contemporary with the church; on the roundabout at junction of Wellington Road, St John's Wood Road etc. there is the grade II war memorial with sculpture of St George and the Dragon (dated 1925-30 by C L Hartwell). There are other listed buildings further to the east and north such as the grade I Nuffield Lodge in Regent's Park; and the grade II listed buildings in Cavendish Avenue / Cavendish Close / Wellington Place on the north side of the cricket ground.

Dora House itself is a post-war building of limited architectural merit, with an irregular plan form. It ranges in height between 8 storeys (facing St John's Wood Road) and 4 storeys (facing onto Lodge Road).

As with other buildings in St John's Wood Road and Lodge Road the building line is set back from the footway and the property boundary, with areas of soft landscaping between the building and its roadside boundary.

The character and townscape contribution of the two sides to the site differs. In the case of Lodge Road, minimal architectural distinction and coherence is a term that could be applied to this road as a 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. In the case of St John's Wood Road, specifically the south side of the street in the immediate context of the application site, while the architectural quality of the buildings is variable and generally of modest distinction, the buildings are more consistent in their function (mainly residential other than the Danubius Hotel) and have a quite consistent height. Indeed at present the existing Dora House is the exception to the street façade being lower than its neighbours (this is readily seen in View 14 of the applicant's 'Heritage, Townscape and Visual Impact Assessment'). While most of the buildings in St John's Wood Road are set back from their property boundary, the existing Dora House building line is forward of its neighbours to the west (Lord's View One and Two) and is also forward of the taller element of the Danubius Hotel.

The proposal is to demolish the current building on the site and to divide the site to provide two replacement residential buildings. Building 1 will face towards Lodge Road and will form the re-provided sheltered accommodation; while Building 2 will face towards St John's Wood Road and will be private residential accommodation. The developments will be independent of each other and different architects have been commissioned for the two sites. It is proposed to address each building in turn and to then consider their merits and impacts both separately and collectively.

Building 1

This building comprises a basement storey, ground floor and part 11 and part 12 upper storeys. It features a main east-west aligned block and two forward projecting pavilion bays. Both the main block and the bays step up in height from west to east. The top floors of the two projecting pavilion bays are set back from the façade. The new building line maintains the existing one and thus allows a landscaped area to the front of the building, which will also feature a vehicle drop off area.

The front, south-facing, Lodge Road façade features a primary grid and frame of reconstituted stone, with a secondary grid of brickwork making up the other principal facing materials. The stone will have a light, white stone colour and it is proposed to use a light grey brick. The set-back storeys to the projecting pavilions will be clad in bronze-coloured anodised aluminium and this same material and finish will be used for most of the other metalwork to the facades. The flanks of the building have a more solid reconstituted stone treatment, although still punctuated by window openings and also featuring a decorative relief treatment to the stone.

The open stone framework to the projecting pavilions contains projecting balconies and planter boxes, all of which will again be finished in bronze-coloured anodised aluminium.

At ground floor level the stone framework comes to the ground and forms a shallow colonnade behind which are spaces used for a café and a treatment/hairdresser unit, both of which are accessed from the street as well as from within the development. The main entrance is clear defined and centrally placed with a projecting bronze canopy. Further interest and animation to the ground floor is provided by public art components, initially conceived as decorative lighting pendants within the colonnade and a decorative sculptural relief panel in front of the servicing bay area at the western end of the façade.

The rear façade broadly follows the same design, with the same restrained material palette, but has a greater degree of informality with bronze-coloured balconies projecting beyond the stone and brick grid. At ground floor to the rear will be a private walled landscaped garden, which will be a communal facility for residents of the new building. There will be further communal garden / terrace areas at high level including one which will be located at 11th floor, which will partly be an external roof terrace and partly an enclosed winter garden; a further small terrace is at 12th floor level. The roofs where there are no terraces will mainly be covered with PV panels, although there will be 2 lift overruns and a plant enclosure to the tallest part of the site.

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 to the east of the redevelopment scheme at 36-44 Lodge Road which is approved to have an 8 storey building (62.30m AOD) and immediately adjacent to 30 Lodge Road, where permission has recently been granted for a 10 storey building (72.78m AOD). Immediately to the east of the application site 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 recent permissions have accepted a larger scale of development, the proposed 11-12 storey building (77.1m - 80.75m AOD) is considered acceptable.

In terms of detailed design and materials, it is considered that the proposal is well resolved with clearly defined components and a visually stimulating design. The materials take their cue from the wider area, but are utilised in a contemporary fashion. In the current townscape of Lodge Road, with its variety of building ages, uses, heights and materials, there is considered to be scope for innovative architecture which can introduce a new point of interest to the street.

The application has included a townscape and visual impact assessment and this has demonstrated that Building 1 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 appear lower than the Danubius Hotel. Finally, because the proposed building is lower than Building 2 and sits behind 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.

Building 2

This building, which will face onto St John's Wood Road, comprises three levels of a basement, a ground floor and ten upper floors. The massing is relieved by a series of steps and set-backs to the facades and at roof level. The building again maintains the same building line as the existing building, thus providing a landscaped area to the front of the building and also providing vehicle drop off.

The front façade, facing towards St John's Wood, is a complex composition which seeks to reflect the different types of residential unit in the differing arrangements of fenestration. It also seeks to establish a defined base, middle and top to the composition, through the articulation of openings, the use of set backs and the choice of materials.

The roofscape of the building, particularly its silhouette is seen by the applicants as a key component of the architecture. The building will have an irregular silhouette with taller and lower elements, intending to reflect the playful and picturesque roofs of some of the mansion blocks and park-facing buildings in the area. This will contrast with the relatively flat and consistent rooflines of the neighbouring buildings in St John's Wood Road. The roof form will feature projecting brick 'gables' which rise above the main brick parapet, but the main rooftop facing material will be cast glass, utilising a scalloped, concave form.

The principal facing-material is proposed to be brick, the colour of which is indicated as ranging "from light grey to dark teal with blue overtones". The accompanying design statement indicates the intention for the brickwork to be a rich and visually stimulating component of the façade, with the intended use of imperial bricks in a Flemish bond, with careful consideration given to setting out, embellishment to the surrounds of windows and the use of special bricks to define edges, parapets and for the high-level dormer structures. The use of textured and lightly glazed brick is also proposed in certain locations to accentuate components of the façade and to provide depth and variation. Within window reveal and recessed balconies a much lighter glazed brick is proposed, again providing accent and contrast, while at the same time having a lighter reflective quality. The use of cast glass is also found in the front façade with two vertical alignments of projecting cast glass bays, again utilising a scalloped form, defining both winter gardens and internal spaces.

Solid cast bronze is proposed as the primary material for all balconies and balustrades, with a bespoke contemporary design, utilising a scalloped form, intended for all of these elements. Garage doors and the central entrance canopy will be designed to complement the detailing of the metal balconies. This central canopy will be a prominent ground floor feature projecting approximately 7m from the main building line.

As with Building 1 there will be landscaped areas to the front entrance, also a small rear courtyard garden, with the two being connected via a central lobby.

The proposal does raise design concerns in terms of its height and bulk. It rises to 83.41 AOD at its highest point, which is approximately 5.5m higher than the main parapet to the tallest part of the Danubius Hotel and approximately 11.5m higher than the main parapet of Lords View One. Also because its building line is forward of these neighbouring buildings, this only makes the building appear larger still within its immediate context. Finally, adding to the concern about its height and massing is the fact that this part of St John's Wood Road is highly visible, due to the low rise of the cricket ground opposite and as such the differing height of this building is clearly apparent within the townscape.

Unquestionably a great deal of attention has been paid to the design quality of the facades and the attention to detail is not at issue. If anything the dynamic and visually stimulating nature of the design, including somewhat innovative (in context of surrounding townscape) facing materials, such as cast glass and glazed bricks will only make the building assume an even more assertive role.

The height and massing of Building 2 are considered to be contrary to policy DES 4 of the Council's UDP. This indicates that the overall height and massing of a new development should preserve or consolidate the prevailing character, where relevant. In this case where the scale of development facing St John's Road is so readily visible and where there is currently a very uniform scale to the buildings, the application of this policy is considered relevant.

In terms of the townscape impact and the impact upon the setting of designated heritage assets, Building 2 will have an impact. In the views from the north, such as views 9, 11 and 14, which are all from within the St John's Wood Conservation Area, the scale of the building allied to its assertive design, will be readily appreciated and introduces a discordant streetscape, which is considered to have a harmful impact on the setting of the conservation area. While it is considered that this harm is certainly less than substantial, there are nevertheless no compelling public benefits to outweigh this harm.

In conclusion, both buildings introduce greater height to the site, but given the scale of neighbouring buildings and the emerging context of taller buildings in this immediate location, it is considered that there is scope for taller buildings on this site, than currently exist. In the case of Building 1, the scope for a building of greater height is considered to be easier to accommodate as the impact of this building on the townscape is more limited and less impactful upon designated heritage assets. However, in the case of Building 2, the case is a harder one to make and is made all the more challenging by a forward building line and a very assertive design. It is considered that the scale and massing of Building 2 would not accord with our relevant design policies or with section 12 of the NPPF.

In terms of density the proposed development provides just over 1000 habitable rooms per hectare (hrph). Policy H11 of our UDP designates this location as an area here a density range of between 250-500 hrph is appropriate, compared to the London Plan which stipulates 650-1100 hrph. Given the specific nature and predominant small units associated with the sheltered accommodation, the density figure is slightly skewed. However it is accepted that the proposed density of the proposed development is high. In such cases it is expected that the proposal meets other complimentary policies including townscape and design, residential amenity etc.

In this case the townscape and design policies are not met for the reasons set out elsewhere in this report and it is clear that building 2 has been designed to maximise potential value, over and above good design principles.

8.3 Residential Amenity

Amenity

Lords View 1

Lords View One, a residential block of 125 flats is located directly west and northwest of the site. Its rear elevation as well as its eastern flank contains a number of windows to individual flats. Whilst none of its rear (south facing) windows would see any significant reduction in daylight, all 12 windows located (1 per floor) within the eastern flank of this building would see a significant reduction in daylight and 1 room at lower ground level within this flank would see a reduction in sunlight (annual and winter) above the tolerances of the BRE guidelines. These windows predominantly serve dual aspect rooms. Whilst regrettable, it is considered likely that any significant development of the site would see a reduction in daylight to these flank windows. Given this and the dual aspect of the rooms which these windows serve, the impact is not considered so severe in which to withhold permission on this ground.

The 10 storey St John's Wood Road Building (Building 2) would be located around 11.5-12.5m away from the side elevation of Lords View I which contains secondary windows (which could be considered unneighbourly in themselves given their side location), and would project further to the rear and front by between 3-7m. The building has been designed with significant fenestration and balconies to all elevations, which is not particularly neighbourly and is disappointing given the footprint and scale of the development. Whilst some windows in the flank of the proposed new building facing the flank of Lords View 1 may be acceptable, the introduction of external terraces is particularly unneighbourly and unacceptable in this location in close proximity to this neighbouring building.

The applicant had been made aware of officer's concerns, but do not accept them, on the basis that the balconies are semi recessed and the flank windows to Lords View 1 are located towards the southern end of the building. Other reasons cited for not omitting these balconies are that they are positive amenity and design features, and their removal would be detrimental to the architectural composition of the building and would have a negative impact on the daylight levels and aspect of the affected rooms. Notwithstanding this justification, officers remain unconvinced by the balconies on the west flank of the building and propose to seek their removal at 2nd to 8th floor levels, through an amending condition. Given that these are secondary balcony/terraces to the proposed flats, this is not considered to significantly compromise their amenity space.

It is likely that any redevelopment of this site, due to its proximity to Lords View I, would result in some loss of daylight to flank windows to Lords View 1, especially given its location close to the application site.

Given the location of the proposed development, its height and scale and the detailed design, subject to the omission of west facing balconies, it is not considered to result in any significant unacceptable amenity implications for occupiers of this adjoining building.

It is recognised that the proposal is the third such recent development in the immediate area (see history section) and that as a consequence the townscape particularly to Lodge Road will change considerably. The particularly low rise townscape will be replaced with higher buildings rising from 8 storeys up to 12 storeys adjacent to the 14-storey Danubius Hotel. Whilst residents outlook will inevitably change, it is not considered that the cumulative impact will be significantly detrimental to the amenities currently enjoyed by occupiers of these residential flats in terms of sense of enclosure, daylight and sunlight or privacy.

Lords View II & Pavilions

These buildings are located a sufficient distance from the application site such that they are not affected by the proposed redevelopment.

Strathmore Court and Beverley House, 133 Park Road and 14 Lodge Road

These buildings are located around 65-70m east of the application site and would see no significant reduction in daylight or sunlight and are sufficiently distant of the application site so as not to impact on sense of enclosure or privacy.

30 Lodge Road

This building is the currently vacant Royal Mail sorting office. It has planning permission for residential redevelopment. As such the potential impact of this proposed development on the future occupiers of this building has been considered. Regal Homes, the owner and developer of this adjacent site has written in support of the proposal and have stated that they have worked collaboratively with C&C throughout the design process to provide a joined up approach to the development. They are consequently satisfied that the proposed development will not cause any daylight or sunlight issues to the building proposed for 30 Lodge Road.

36-44 Lodge Road

This site has planning permission for a residential redevelopment comprising of buildings of between 5-12 storeys located around 20-25m+ west of the application site (beyond the Post office sorting office) with both north and east facing windows. The proposed development would result in a loss of daylight to some of its windows. Five bedroom windows within its rear elevation (set back element) would see a reduction in daylight however these bedrooms are 1 of 3 bedrooms within these flats and due to their location, already receive low levels of daylight. In addition 1 or 2 windows to 7 living/kitchen dining areas within its flank elevation would see a reduction in daylight. However these flank windows are obscure glazed and the room is served by a number of windows, in many cases including 2 rear facing windows, or front facing windows, which are unaffected.

Other affected windows are rear facing living rooms and bedrooms to ground floor level, 3 living rooms at first, second and third floor levels, and 2 bedrooms to 5th floor and a further 2 flank bedroom windows in the other building, all of which have overhangs (projection or balcony above) which already adversely affect the current levels of daylight they receive.

Overall, whilst the loss of daylight is regrettable, it is not considered to be so significant to warrant withholding permission on this ground.

The Danubius Hotel

The hotel lies directly east of the site and as with the application site extends from St John's Wood Road to Lodge Road, with west facing windows. The unusual design of the building is such that its windows face the boundary with this site and from which it relies on light and air, which is not particularly neighbourly. Notwithstanding the Danubius Hotel's request, given the hotel use, the applicant has not undertaken an assessment of the potential impact of the proposal on the daylight and sunlight currently received by windows serving hotels rooms. Notwithstanding this, the applicant's overshadowing assessment indicates a significant increase in overshadowing to the hotel. Given the design of the hotel building, the orientation of its windows and its proximity to the site, it is inevitably also likely to suffer from a significant loss of daylight and sunlight. However, as a commercial use, hotel rooms are not afforded the same protection as residential properties and as such whilst regrettable, the loss of daylight and sunlight and overshadowing, is not considered a sustainable reason in which to withhold permission.

The proposed Building 2 relies on significant fenestration to all of its elevations, including its eastern flank with the Danubius Hotel. As in the case with its flank with Lords View 1, this is disappointing, however given the commercial hotel use, this would be difficult to sustain as unacceptable. However the applicant should be aware that given the location of this fenestration is unlikely to be afforded significant protection in the event of any future redevelopment of the hotel.

Lords Cricket Ground

The Nursery Ground part of Lords Cricket ground, which includes the indoor cricket school and gym, offices, shop and hospitality building, lies directly north of the application site, on the opposite side of St John's Wood Road. The applicant has submitted an assessment of the impact of the proposed development on sunlight/overshadowing to open space within this part of Lords Cricket ground. This assessment indicates that most of the external area (84%) of this part of the grounds will continue to receive 5 hours or more of sunlight, which is acceptable and in accordance with the BRE guidelines. In terms of overshadowing, the proposal will result in a slight increase in overshadowing to the south and south east corner of Lords Cricket grounds (junction of Wellington Road and St John's Wood Road) during the morning. Furthermore it is not considered that the impact of this proposal will significantly impact upon any future proposals for the site. The concern raised by Marylebone Cricket Club is therefore unsustainable.

Overall, despite the limited loss of daylight and sunlight and increase in overshadowing to some surrounding identified sites, the impact is not considered to be so significant to justify withholding permission and the proposal is generally compliant with policy ENV13 of our UDP and S29 of our City Plan.

8.4 Transportation/Parking

Building 1

The vehicular and pedestrian entrance is proposed from Lodge Road. An on-site access road and vehicular drop off /collect area with a separate entrance and exit is proposed for residents and allows space for an ambulance and other vehicles to drop or collect residents at the entrance if required and also enables waste to be collected from within the site. To the eastern part of the building, an internal vehicular access ramp leads to a single basement car park for 33 cars.

The provision of 33 car parking spaces for 156 sheltered housing units for the elderly, generally accords with policy TRANS 10 which applies a standard of 1 space per 10 units (although not as a maximum or minimum). Given this policy and the ratio of spaces associated with the existing building (30 spaces for 204 units) the provision is considered to be acceptable in this case, on the basis that they are associated with sheltered accommodation for the elderly and are offered on an un-allocated basis which would need to be secured through a s106 legal agreement along with lifetime car club membership for occupiers. Furthermore conditions are recommended to secure disabled access spaces and electrical charging points. The City Council's Highways Planning Manager has indicated that a change in the nature of the type of affordable housing from sheltered accommodation for the elderly to general affordable housing would necessitate a reconsideration of the car parking provision. However if planning permission were to be granted, it would be specifically for sheltered accommodation secured through a s106 legal agreement.

Provision is made for 28 cycle parking spaces within the single basement. Given the nature of use, this is considered to be acceptable.

Provision for waste and recycling is provided at basement and ground floor levels, however further details are required to ensure that the provision is satisfactory and meets the requirement of our Cleansing Manager.

Building 2

The vehicular and pedestrian entrance is proposed from St John's Wood Road. An on-site access road and vehicular drop off area with a separate entrance and exit is proposed to provide access to the integral double car lift at ground floor level leading to the level 2 and 3 basement car park for parking of 48 cars.

The access road also provides access to the separate internal loading bay for off street waste collection. The provision of off street servicing of the building is welcomed in accordance with policy TRANS20 of our UDP.

The provision of 48 off street car parking spaces and motor cycle spaces for 42 private flats within basement levels 2 and 3 is considered acceptable in light of policy TRANS23. It is expected that these will be provided on an un-allocated basis and this is proposed to be secured through a s106 legal agreement together with a lift management and maintenance plan. Furthermore conditions are recommended to secure disabled access car parking spaces and access to electrical vehicle charging points.

Provision for 92 cycle parking spaces within the level 1 basement is acceptable in accordance with the London Plan.

Provision for waste and recycling is provided within the level 1 basement with an internal collection point at ground floor level. However as in the case of building 1, further details are required. and is considered to be sufficient to serve the building.

The Highways Planning Manager has raised the issue of pedestrian accessibility through the site, in so far as it is regrettable that the proposal does not incorporate a pedestrian link from building 1 (sheltered accommodation) on Lodge Road, through the site and grounds of building 2 to St John's Wood Road. However there is no policy requirement for such an access arrangement. Consequently residents of Building 1 wanting to get to St John's Wood Road will need to walk via Park Road or Oak Tree Road, which is not unreasonable.

For the reasons set out above the proposed facilities for both buildings 1 and 2 are considered acceptable and satisfy transport policies.

This is subject to conditions to secure the provision of car parking on an unallocated basis, cycle parking and waste and recycling. A s106 legal agreement will also need to secure lifetime car club membership for occupiers of building 1, a management and maintenance plan for the double car lift to building 2, as well as associated highways works to facilitate the development including vehicular access crossovers to both Lodge Road and St John's Wood Road, the latter of which requires consultation with Transport for London, as St John's Wood Road is part of the Transport for London Road Network.

8.5 Economic Considerations

The economic considerations raised by this proposal are set out in the land use section of this report.

8.6 Access

Accessibility considerations are set out throughout the report and specifically within the land use and transportation sections.

8.7 Other UDP/Westminster Policy Considerations

Noise & vibration

London Underground tunnels (Metropolitan and Jubilee) and National Rail overground lines which are used by freight trains, run beneath the adjacent Danubius hotel to the east of the site. However Environmental Health has confirmed that the proposed residential

accommodation at ground floor level and above would not be adversely affected by noise or vibration from these tube and rail lines. The proposed plant associated with the development would be located within the basement and roof of Building 1 and the basement, roof and ground floor (including the car lift) of building 2. In addition UKPN substations are proposed at ground floor level within both buildings. Environmental Health has indicated that insufficient information has been submitted with respect to potential plant noise. Such further details could be required by condition to ensure that any mechanical plant meets the City Council's standard noise conditions to prevent noise disturbance to existing and future residents. Subject to the imposition of conditions the proposal would comply with Policy ENV6 and ENV7 of our UDP and policy S32 of our City Plan

Trees and soft landscaping

All 19 trees within the boundary of the site are proposed to be removed. These are predominantly small trees and evergreen shrubs including cabbage palm, yew and silver birch trees. None of these trees are of sufficient quality to insist on their retention and therefore their loss is acceptable subject to suitable replacements. However, there are also a number of trees outside of but in close proximity of the application site. These are 3 mature London Plane trees directly outside of the site on the pavement, along St John's Wood Road, which are owned and managed by TFL, and a Fastigate Oak on Lodge Road.

Given the triple basement and vehicular access crossovers and construction activity associated with Building 2, concern is raised by the City Council's Arboricultural Manager, as to the potential impact on the mature London Plane street trees to St John's Wood Road. The proposed basement is located around 3m of the London Plane trees which have been evidenced to root within the front curtilage of the existing Dora House. The City Council's tree officer has suggested a reduction in the size of the basement and set back from the boundary to accommodate the Plane trees. Further concern is raised in relation to the proposed reduction in levels to accommodate the vehicular access to the basement, which lacks any detailed tree information. Furthermore insufficient detail has been provided in respect of the impact with the tree canopies.

The principle of significant soft landscaping as part of the development from ground to roof level is encouraged in principle in biodiversity terms. However, unfortunately the proposed soft landscaping scheme lacks any meaningful detail. Together with the limited space given over to soft landscaping, insufficient soil depth and volume over basements, overall inadequate details have been provided in respect of ground and roof level planting. As such it is considered that there is insufficient space or soil volume to replace new trees in mitigation of those 19 trees proposed to be removed as part of the redevelopment.

For the reasons set out above the proposal is considered to fail to minimise the impact on existing street trees which are of significant visual amenity value or to provide suitable space and conditions for new soft landscaping and tree planting within the site.

Given the significant development proposed on site, the protection of street trees and suitability of the site to accommodate adequate and suitable soft landscaping and tree planting is important to the setting of the buildings within the townscape and in views from the adjacent conservation area. In addition, it is important to the quality and biodiversity of the gardens and curtilage areas of the new buildings and their future residential occupiers.

Given these fundamental concerns the applicant has during the course of the application provided additional information with a view to addressing these concerns. However following a review of this information the City Council's Arboricultural Manager maintains her objections. The proposal is therefore contrary to policies DES1, ENV16 and ENV17 of our UPd and policy S38 of our City Plan

Sustainability

Policy 5.2 of the London Plan refers to Minimising Carbon Dioxide Emissions and states that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

1. Be lean: use less energy
2. Be clean: supply energy efficiently
3. Be green: use renewable energy

City Plan Policy S40 considers renewable energy and states that all major development throughout Westminster should maximise on-site renewable energy generation to achieve at least 20% reduction of carbon dioxide emissions, and where feasible, towards zero carbon emissions, except where the Council considers that it is not appropriate or practicable due to the local historic environment, air quality and/or site constraints.

The application is accompanied by a Sustainability Statement and Energy Strategy which sets out the sustainability credentials of the building. The applicant proposes a combination of roof mounted Photovoltaic (PV) panels, high efficiency gas fired condensing boilers and air source heat pumps. The applicant has also provided a commitment to ensuring that the development is designed to allow future connection to a district heating network, although is not linking the energy strategy for two proposed buildings.

Through enhanced energy efficiency standards the development is set to achieve an overall reduction of 21.8% (16.52% for building 1, and 31.15% for building 2) in regulated CO2 emissions compared to a 2013 Building Regulations compliant scheme. This falls short of the London Plan target of 40%. The GLA has requested further clarification of energy issues and that the shortfall is mitigated off site. The Council does not have a policy on carbon off setting and it is not considered appropriate to refuse the scheme for this reason.

8.8 London Plan

Given the proposed height of the building (over 30m) and number of residential units proposed (over 150), the application has been referred to the Mayor. The Mayor's Stage 1 letter indicates that whilst the proposal is generally acceptable in strategic terms it does not fully comply with the Further Alterations to the London Plan 2015. Further information/confirmation is required in respect of land use, design, inclusive design, climate change and transport.

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 a refusal, take it over for his own decision to allow the City Council to determine it itself.

The proposal is liable for the Mayoral Community Infrastructure Levy (CIL) in Westminster of £50 per sqm.

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 6 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; and
- (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 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 the overall delivery of appropriate development is not compromised.

From 6 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 6 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 Spring 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.

For reasons outlined elsewhere in this report, had the application been considered acceptable a S106 legal agreement would have been required to secure at least the following matters:-

- Provision of 15,362m² (156 units) of affordable housing within Building 1, in the form of sheltered accommodation for the elderly (Class C3), in perpetuity and at charges made to residents substantially below market levels.
- Highways works to Lodge Road and St John's Wood Road to facilitate the proposed development and including vehicular crossovers and paving.
- Provision of car parking spaces on an unallocated basis within both buildings 1 and 2.
- To carry out the development in accordance with a car lift maintenance and management plan to be submitted, in association with building 2.
- Lifetime (25 years) Car club membership for occupiers of building 1.
- Option for previously existing residents of Dora House to return to occupy building 1.
- The applicant to comply with the Council's Code of Construction Practice, provide a Site Environmental Management Plan prior to commencement of development and provide a financial contributions per annum during demolition and construction to fund the Environmental Inspectorate and monitoring by Environmental Sciences officers.

8.11 Environmental Impact Assessment

Environmental Impact issues have been covered throughout the report.

8.12 Other Issues

Construction impact

The applicant has submitted a Construction Management Plan (CMP) by Arup which sets out a preliminary construction methodology, along with assumed construction logistics strategy for the works which estimates a build programme of 36-40 months per building. However the principle contractor is yet to be appointed for either building. As such the submitted plan lacks detail, and a more detailed CMP would be required by condition.

It would be expected that in liaison with those affected adequate provision would be made to minimise the impact on local residents as well as the operation of the Danubius hotel and Lords Cricket ground.

The City Council's code of Construction Practice and associated Environmental Inspectorate have been developed to mitigate against construction and development impacts on large and complex development sites. It is recommended that the necessary contribution to ensure compliance with the Councils Code of Construction Practice, and secure monitoring expertise of the Councils Environmental Sciences Team, the latter of which controls noise, dust, vibration emanating from the site through a site specific site environmental management plan (SEMP), should be secured through a S106 legal agreement.

Network Rail and London Underground have both raised concern with respect to potential impact of the development on their infrastructure of railway lines and tunnels and in respect to other effects of construction (see consultation responses). In both cases they have requested a number of pre-commencement conditions in which to seek further specific details with respect to excavation, earthworks, demolition, foundations, piling, loading, drainage and impact of noise and vibration from tunnels to the new buildings, ground movement, tunnel monitoring and amended basic asset protection agreement (BAPA) to include access for a tunnel survey and monitoring equipment in the tunnel.

Crime and security

The scheme does not raise any significant issues with regard to crime and security.

Community involvement

The applicant has provided a statement of community involvement which indicates that they have engaged with the local community and have undertaken pre-application consultation with the Greater London Authority, Transport for London, Royal Parks, Ward Councillors, the St John's Wood Society and local residents and businesses (including Lords and Danubius Hotel). The design of the new Dora House has been subject to a co design with a residents working group (Dora Designers) and including residents newsletter, design studio and presentations by Central & Cecil).

9. BACKGROUND PAPERS

1. Application form
2. Letter (Stage 1) from the Greater London Authority dated 14.01.2016
3. Response from Historic England (Listed Builds/Con Areas), dated 16 November 2015
4. Responses from Network Rail dated 11.11.2015 and 03.02.2016
5. Response from London Underground Limited dated 25.11.2015
6. Response from Thames Water dated 11.11.2015
7. Response from Environment Agency dated 11.11.2015
8. Response from Housing Supply Manager dated 01.02.2016
9. Response from Adult Social Care Commissioning Team dated 29.01.2016

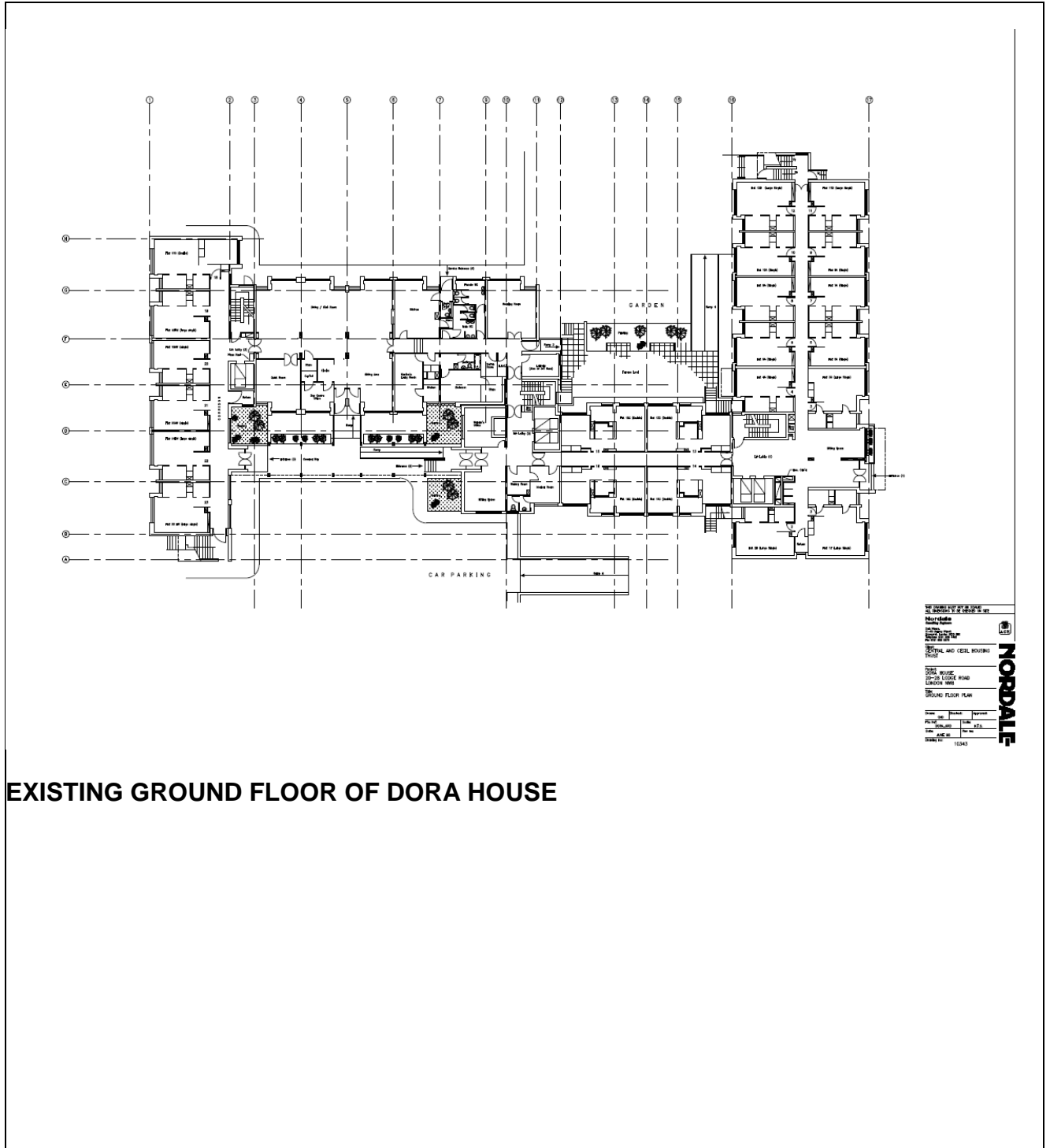
10. Responses from Highways Planning Manager dated 19.01.2016 and 22.01.2016
11. Response from EH Consultation, dated 15 January 2016
12. Response from Building Control - Development Planning, dated 24 November 2015
13. Response from Cleansing - Development Planning, dated 30 November 2015
14. Responses from Arboricultural Manager dated 22.12.2015 and 22.02.2016
15. Response from St John's Wood Society dated 16.12.2015
16. Response from The St Marylebone Society, dated 22 November 2015
17. Letter from Regal Homes, developer of 30 Lodge Road dated 04.01.2016
18. Email and Letter from Rolfe Judd on behalf of owner of Danubius Hotel dated 25.01.2016
19. Letter from occupier of Marylebone Cricket Club,, Lord's Ground dated 14 December 2015
20. Letter from occupier of 106 Lord's View, St John's Wood Road, dated 4 December 2015
21. Letter from occupier of 119 Lords View, St. John's Wood Road, dated 8 January 2016
22. Letter from occupier of Flat 122 Lords View, St. Johns Wood Road, dated 4 December 2015
23. Letter from occupier of 10 Chesterton Court, Eaton Rise. Ealing, dated 30 November 2015 (previous occupier of Dora House)
24. Letter from occupier of Flat 13, Ada Court, 10-16 Maida Vale, dated 2 December 2015 (previous occupier of Dora House)
25. Letter from occupier of 29 Fairhall Court, King Charles Road, Surbiton dated 07.12.2015(previous occupier of Dora House)
26. Letters from two members of the Dora House Residents Association dated 27.01.2016
27. Letter from occupier of 513 Dora House, 60 St John's Wood Terrace, dated 15 December 2015

Selected relevant drawings

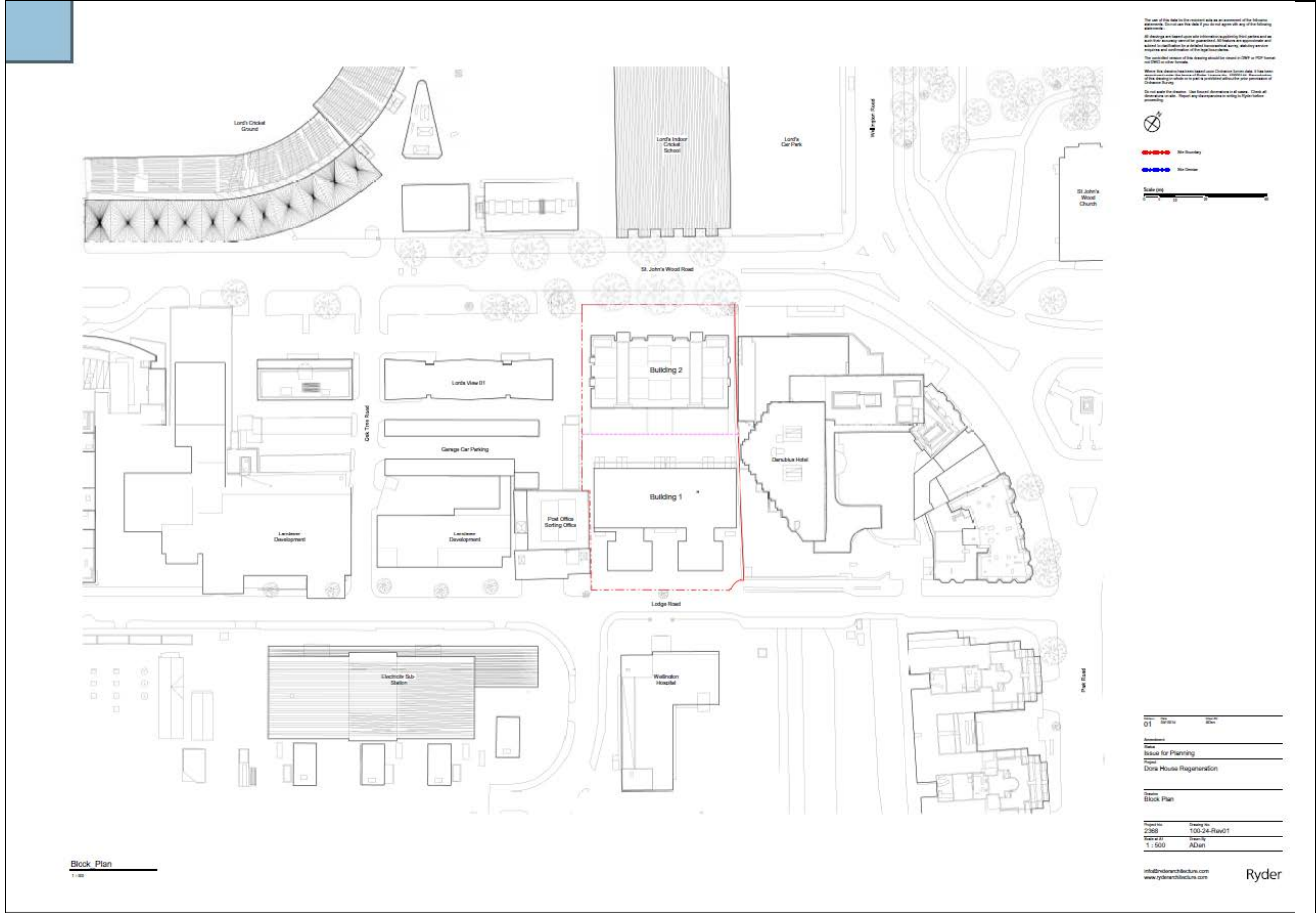
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

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

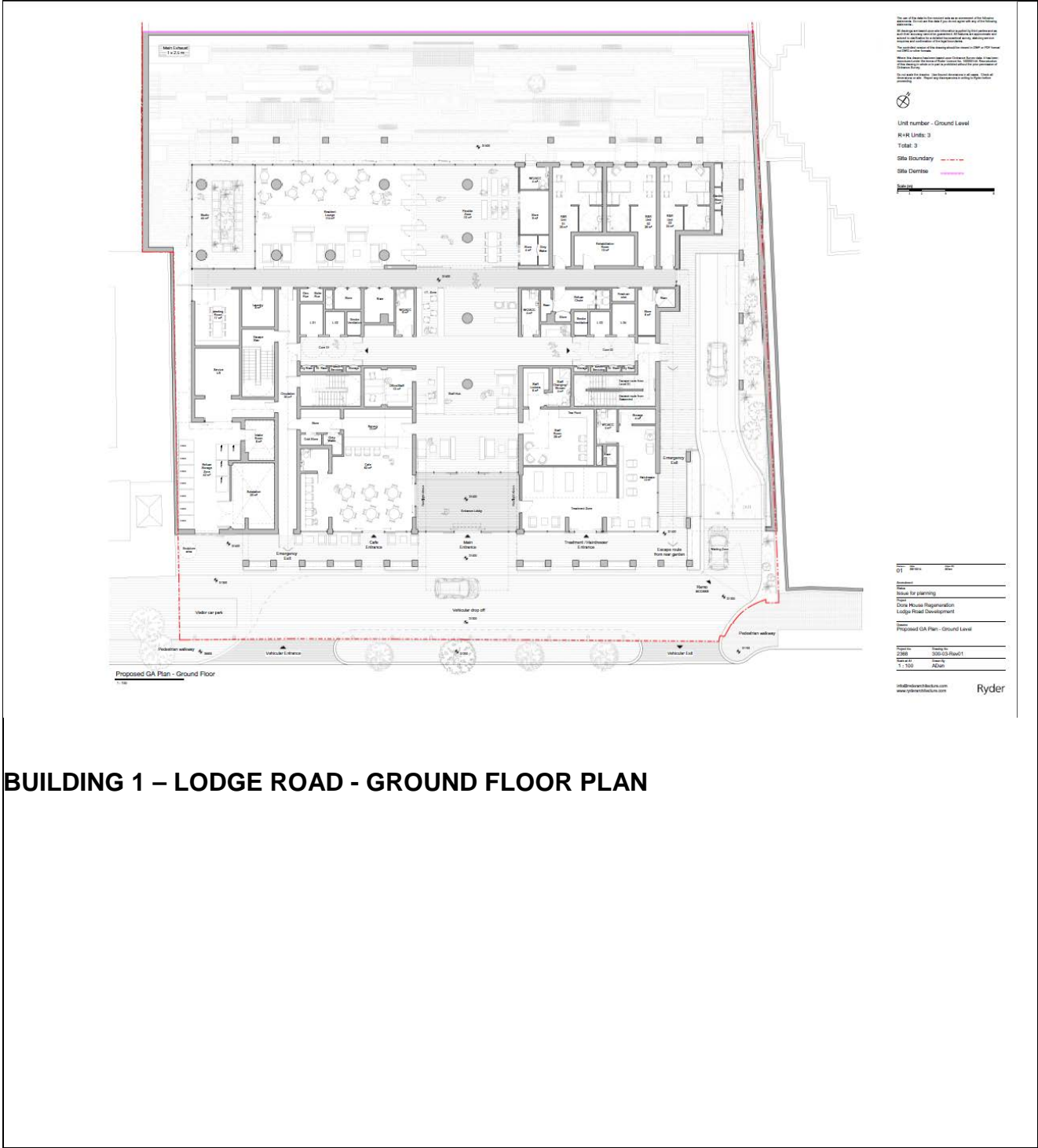
10. KEY DRAWINGS



EXISTING GROUND FLOOR OF DORA HOUSE



PROPOSED BLOCK PLAN



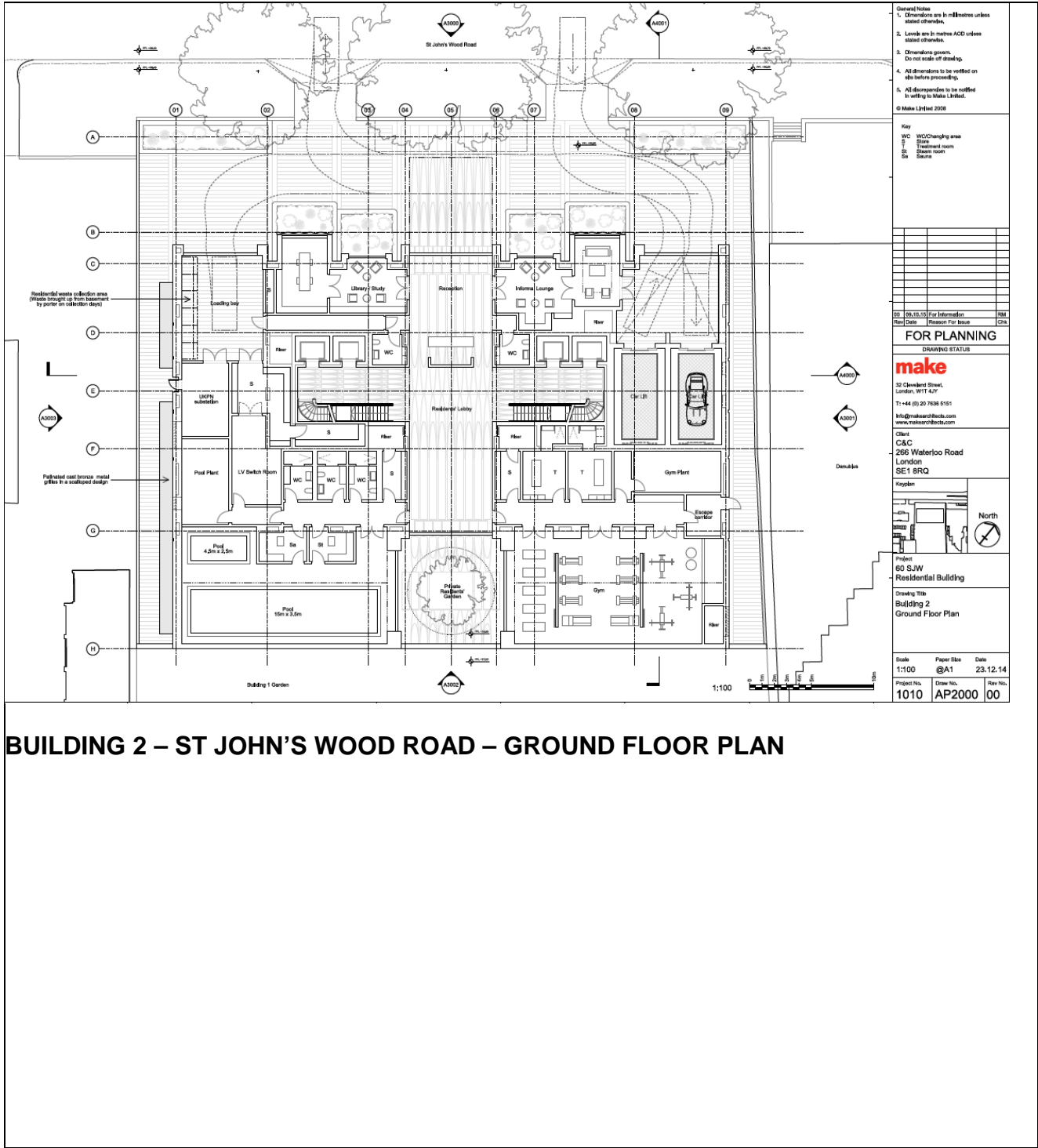
BUILDING 1 – LODGE ROAD - GROUND FLOOR PLAN



BUILDING 1 – LODGE ROAD – FRONT ELEVATION



BUILDING 1 – LODGE ROAD – REAR ELEVATION



General Notes

- Dimensions are in millimetres unless stated otherwise.
- Levels are to mean AOD unless stated otherwise.
- Dimensions given. Do not scale off drawing.
- All dimensions to be verified on site before proceeding.
- All discrepancies to be notified in writing to Make Limited.

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Key

- WC WC/Charging area
- T Store
- SR Steam room
- SE Sauna

Rev	Date	Reason For Issue	By
01	09.10.13	For Information	JM
02			Chk

FOR PLANNING

DRAWING STATUS

make
 22 Cleveland Street,
 London, W1T 4JY
 T: +44 (0) 20 7638 5151
 info@makearchitects.com
 www.makearchitects.com

Client
 C&C
 266 Waterloo Road
 London
 SE1 5RQ

Location
 Kingston

Project
 60 S/JW
 Residential Building

Drawing Title
 Building 2
 Ground Floor Plan

Scale	Paper Size	Date
1:100	A1	23.12.14

Project No.	Draw No.	Rev No.
1010	AP2000	00

BUILDING 2 – ST JOHN’S WOOD ROAD – GROUND FLOOR PLAN



BUILDING 2 –ST JOHN’S WOOD ROAD – FRONT ELEVATION

Colour and Tone

It is key to select a material that relates to the immediate context to visually locate the building within the townscape. However, given the quality of the existing brick buildings along St John's Wood Road, a balance is required to situate it in the broader area while also maintaining a consideration for its immediate surroundings. A brick will be chosen that respects the dark tone of the site's immediate context while simultaneously injecting a subtle element of colour and variation. The colour of the brickwork will range from light grey to a dark teal with blue overtones.



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Dora House Regeneration

BUILDING 2 – ST JOHN'S WOOD ROAD TOWNSCAPE VIEW WITH ADJACENT DANUBIUS HOTEL AND LORDS VIEW 1.

DRAFT DECISION LETTER

Address: Dora House, 60 St John's Wood Road, London, NW8 7HN,

Proposal: 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.

Reference: 15/09769/FULL

Plan Nos: 10343 (floorplans); LNBS0127_E01, 1 of 3, 2of 3 and 3of 3; 100-02-Rev01; 100-24-Rev01; 120-12-Rev01; 120-11-Rev01; 300-02-Rev01; 300-03-Rev01; 300-18-Rev01; 300-19-Rev01; 300-20-Rev01; 300-21-Rev01; 300-22-Rev01; 300-23-Rev01; 300-24-Rev01; 300-25-Rev01; 300-26-Rev01; 300-27-Rev01; 300-28-Rev01; 300-9-Rev01; 300-30-Rev01; 360-01-Rev01; 360-02-Rev01; 360-03-Rev01; 360-04-Rev01; 365-01-Rev01; 365-02-Rev01; 365-04-Rev01; 365-03-Rev01; 370-01-Rev01; 370-02-Rev01; 375-01-Rev01; 375-02-Rev01; AP1997; AP1998; AP1999; AP2000; AP2001; AP2002; AP2004; AP2008; AP2009; AP2010; AP2011; AP3000; AP3001; AP3002; AP3003; AP3010; AP4000; AP4001; AP6001; AP6002; AP6003. Design and Access Statement; Planning Statement, Transport Statement; Ecology Statement; Noise Impact Assessment; Air Quality Assessment; Arboricultural Report; Archaeology Report; Archaeological Desk Study and Watching Brief; Construction Management Plan; Energy Strategy; Overhaighn Analysis; Structural Methodology Statement; Sustainability Statement; Sustainable Drainage Report; Geotechnical Desk study Report; Geotechnical Study Report; Daylight and Sunlight Report; Site investigation Report; Statement of Community Involvement. Email dated 19.02.2016 and attachments regarding trees; Letter dated 01.02.2016 and appendices in response to consultation representations; Letter dated 24.02.2016 to GLA; GLA considerations and responses dated 19.02.2016; WCC considerations and responses dated 19.02.2016.

Case Officer: Sarah Whitnall

Direct Tel. No. 020 7641 2929

Recommended Condition(s) and Reason(s):

Reason:

- 1 Because of its height and massing, Building 2 would harm the immediate townscape and fail to maintain or improve (preserve or enhance) the setting of the neighbouring St John's Wood Conservation Area. This would not meet S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 4 and DES 9 (F) of our Unitary Development Plan that we adopted in January 2007.

Reason:

- 2 In the absence of a suitable mechanism to secure the delivery of the proposed affordable housing (sheltered accommodation for the elderly) on site, the proposal fails to provide the affordable housing and consequently fails to provide housing for those Westminster residents in housing need, contrary to policy H4 of the Unitary Development Plan (UDP) adopted January 2007 and policy S16 of Westminster's City Plan: Strategic policies which we adopted November 2013.

Reason:

- 3 The development fails to minimise the impact on existing street trees which are of significant visual amenity value, and fails to provide suitable space and conditions for new soft landscaping and tree planting within the site to mitigate for the loss of 19 existing trees and to create a suitable setting for the buildings. This is detrimental to the existing street trees and to the setting of the buildings within the townscape and in views from the adjacent conservation area, and is also detrimental to the overall quality of space and bio diversity of the gardens and curtilage areas of the site, contrary to policy S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007.

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.