

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 13 September 2016	Classification For General Release	
Addendum 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 private residential accommodation and ancillary communal areas; Building 2 comprising three basement levels, ground and nine 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	July 2016
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

For Committee's consideration:

- 1) Does the Committee consider that the revised scheme has addressed their earlier concerns.
- 2) Subject to 1.above, and subject to any views of the Mayor of London, grant conditional permission, subject to a Section 106 legal agreement to secure the following:
 - a) i)Provision of affordable housing in the form of 139 units of sheltered accommodation for the elderly (Class C3) (3xstudio, 133x1, 3x2) within floors ground to nine of building 1, in perpetuity and at charges made to residents at no higher than target rent levels.
 - ii)option for previous/existing residents to return to building 1 as a first option subject to their needs being met by the new development.

iii) 100% nomination rights on first occupancy of the affordable housing units and to all true voids arising after first occupancy.

- b) Not to occupy building 2 until practical completion of building 1
- c) Highways works to Lodge Road and St John's Wood Road to facilitate the proposed development and including vehicular crossovers and paving.
- d)
 - i) Car park strategy for building 1 to provide 33 car parking spaces on an unallocated basis.
 - ii) Car park strategy for building 2 to provide 48 car parking spaces on an unallocated basis and to carry out the development in accordance with a car lift maintenance and management plan.
- e) A financial contribution of £20,000 towards tree planting to Lodge Road (index linked and payable on commencement of development).
- f) Lifetime Car club membership for the occupiers of Building 1.
- g) Provision of Public Art to a minimum value of £TBC.
- h) The costs of monitoring the S106 agreement

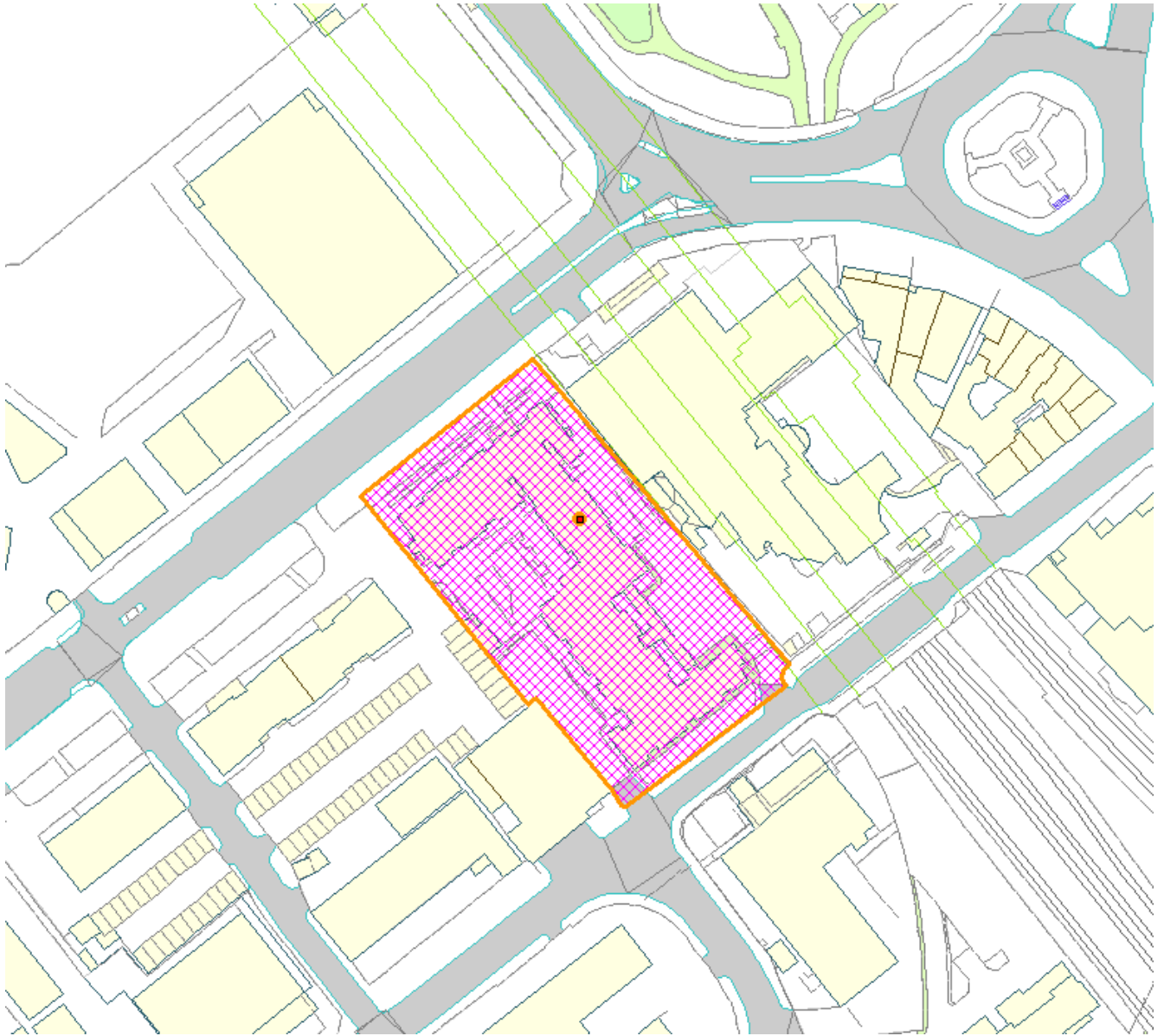
3. If the S106 legal agreement has not been completed within six weeks from the date of the Committee's resolution then:

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

2. SUMMARY

This application was reported to the Planning Applications Committee on 8th March 2016 when the committee resolved to defer making a decision on the application to enable the applicant to address a number of matters including; the height, massing and colour of brickwork of building 2, the provision of soft landscaping across the site, the mix of unit sizes, removal of west facing balconies, confirmation of unallocated parking and details surrounding the mechanism to secure affordable housing and any surplus money from the development. The applicant has sought to address the issues raised by committee, however some revisions made, including the reduction in height and floor space of Building 2 has had a knock on effect to the proposal, leading to further revisions including additional private residential units within building 1. The application is therefore reported back to committee for further consideration.

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

Original representations as detailed in report to committee of 08.03.2016

Additional representations received after report of 08.03.2016 was published and circulated to members prior to the committee meeting (blues):-

Greater London Authority (copy of that set out in original report)- 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.

Network Rail (NR)

No objection, subject to conditions to safeguard NR structures and tunnels.

Cleansing Manager

No objection, subject to conditions.

Applicant and their agent

Details in support of their application and agreeing to our standard occupancy restriction in relation to securing the provision of affordable housing.

Late representations received after report of 08.03.2016 was published and circulated to members at the committee meeting (reds):-

Senior Arboricultural Officer

General comments on revisions. London Plane trees to St John's Wood Road now adequately protected subject to further conditions. However soft landscaping and green roof provision remains meagre in respect of overall areas propose for greening, with insufficient soil depth to support soft landscaping.

Councillor Rigby

Application welcomed in general as existing Dora House is outdated and the applicant performs an excellent role within the community and the new accommodation will provide significant improvements around the size, quality of units and communal areas for residents which are to be commended.

Height and massing of Building 2 is of concern and given its prominent position the material and design need to be sympathetic to the surrounding area.

Dora House Residents Association

Support proposal. All residents of Dora House are part of the residents association and accept that there is a need for a new and better building. Relocation of residents has already taken place and many look forward to returning to this invaluable provision for older people to which they have been involved in the design. The new Dora House will have better sized flats and fantastic communal space and gardens. Without the sale of the private flatted building Central and Cecil will not be able to afford to replace Dora House and this fantastic opportunity would be lost.

Revised draft recommendation from presenting officer
Amendments to draft decision letter reported, resulting in single recommended reason for refusal on grounds of height and massing of building 2.

Applicant's agent

Confirming agreement to soil depths of 60cm to roof gardens and 1.2m at ground floor level and that if committee are unable to approve the application as proposed (at the time of committee on 08.03.2016) that they would like committee to defer their decision to give Central & Cecil time to revise its application.

Representations received following consultation on revised scheme:-

Historic England
No comment.

Environment Agency (Thames Region)
No comment.

London Underground Limited (LUL)
No objection, subject to conditions to safeguard LUL structures and tunnels.

Network Rail (NR)
No objection, subject to conditions to safeguard NR structures and tunnels.

Transport for London
General comments. Cycle parking standards apply to all units which can in part be interchangeable as mobility scooter park. Satisfied that high efficiency Pv's are proposed to maximise on-site carbon savings.

London Borough of Hammersmith and Fulham
No objection.

St John's Wood Society
Support redevelopment of Dora House and note some concerns have been addressed , but continue to have major concerns regarding the design of building 2 (St John's Wood Road). The building occupies a prominent site at the gateway to St John's Wood and will overlook iconic Lords Cricket Ground and Church. This building fails to take into account local context, resulting in inappropriate architectural style and materials. It lacks cohesion and is top heavy, shaped red bricks are not appropriate and bronze treatment of the lower floors is alien to the area. Strongly oppose any loss of social housing.

The St Marylebone Society
Defer to conservation officer.

Affordable Housing Supply Manager
No objection, regret reduction in number of affordable housing units proposed, but accept viability justification.

Building Control
Structural method statement is acceptable.

Highways Planning Manager

Unallocated parking for both parts of the development should be included in the legal agreement. Car and cycle provision remains sufficient.

Arboricultural Section

Suggest contribution of £20,000 towards tree planting in Lodge Road.

Metropolitan Police Designing Out Crime Officer

No further comment.

EH Consultation Team

No objection, subject to conditions and informatives.

Public Protection and Licensing Environmental Sciences

Site Environmental Management Plan required and compliance with Code of Construction Practice.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 709

Total No. of replies: 3

No. of objections: 3

- Reduction in height is welcomed but is insufficient.
- Building looks like an office block and is totally unsuitable for a residential street.
- Busy and distracting design – harsh red glazed bricks are not appropriate, bronze metalwork is garish and reflective.
- Aggressively dominant and top heavy
- Not enough attention has been paid to creating a green and pleasant environment in keeping with historic look and feel of St John's Wood.
- Danubius hotel was a tragic mistake and one that should not be repeated in 2016
- Overdevelopment with insufficient soft landscaping
- Overall impact on the area of this development and other large developments in Lodge Road needs to be reviewed.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

See original report

6.2 Recent Relevant History

See original report

7. THE PROPOSAL

This application was originally reported to the Planning Applications Committee on 8th March 2016 with an officers recommendation to refuse permission on three grounds i) height and massing of Building 2, ii) absence of suitable mechanism to secure the delivery of the proposed affordable housing iii) impact on street trees and insufficient space and conditions for the provision of soft landscaping. Following additional and late representations the presenting officer tabled a revised draft decision letter to delete the recommended reasons for refusal 2 (mechanism to secure affordable housing) and 3 (trees and landscaping), leaving a single recommended reason for refusal on grounds of the height and massing of Building 2.

Notwithstanding the above, Committee resolved that the item be deferred to allow the applicant to reconsider the height and massing of Building 2 and a number of further issues highlighted below:

1. A reduction in the height of Building 2 by approximately one and half floors.
2. A reduction in the number of 3-bedroom units and the omission of 5 bedroom units.
3. The use of alternative brick colour.
4. Production of a viability report to ensure any surplus money generated through the proposed mechanism to secure affordable housing be invested in social housing for elderly.
5. Unallocated car parking
6. Removal of balconies from the west flank of Building 2 between floors 2-8.
7. Further details regarding the landscaping of the site
8. The private residential accommodation in Building 2 to remain unoccupied until practical completion of Building 1.

The applicant has sought to address the above issues and details of their response on each issue is set out below:-

8. DETAILED CONSIDERATIONS

Following the Committee, the applicant had originally sought to justify the height of Building 2 through feasibility/viability, rather than to reduce its height. However, this was not pursued and the height of Building 2 was reduced by one storey to nine storeys above a ground and a triple basement. However due to the reduction in height and as a consequence a reduction in floor space to Building 2, the applicant has indicated that the viability/feasibility of the scheme has been compromised and that it is now necessary for part of floors 10 and 11 and the entire 12th floor of Building 1 to be proposed as private residential rather than affordable housing as originally proposed.

The original scheme reported to Committee, proposed 156 affordable housing units within Building 1 (a building entirely for affordable housing). This is now proposed to be reduced to 139 affordable housing units, with the 17 remaining units proposed as private residential units. In floor space terms the existing Dora House floor space of 10,813m² is re-provided with an additional uplift of 3513m² floor space, a total of 14,326m².

The proposed uplift of private residential accommodation is now 12,466m² (previously 12,494m²), which requires the provision of 35% of floor space (4,363m²), however for the reasons set out above, the uplift in affordable housing floor space has now been reduced to 3513m² floor space. Whilst this is no longer policy compliant, the financial evidence justifies the provision and is verified by our independent consultants and accepted by our Housing Manager as necessary to bring forward the redevelopment of Dora House.

Table A- Comparison of existing, original scheme and proposed scheme

	Existing	Original scheme floor space (GEA)	Original scheme units	Revised scheme floor space (GEA)	Revised scheme units
Existing Dora House	10,813m ² 204 units				
Building 1 (Lodge Road)		15,362	156 AH units 3xstudios 145x1bed 8x2 bed	(total)15,293m ² 14326m ² (AH) 967m ² (Private)	139 AH units 3xstudios 133x1bed 3x2bed 17 private 12x1 bed 5x 2 bed
Building 2 (St John's Wood Road)		12,494	42 private units 10x1bed 10x2bed 20x3bed	11,499m ²	44 private 14x1 bed 14x2 bed 16x3bed

			2x5bed		
Total		27,856	198 units		200

The City Council's independent financial advisor (Gerald Eve) has reviewed the revised scheme and confirmed the applicant's justification, that the conversion of 967m² of the originally proposed sheltered affordable housing floor space to private residential accommodation is required in order for the scheme to be viable.

The City Council's Housing Manager regrets the reduction of proposed affordable sheltered housing from 156 units in the original scheme to 139 units in this current scheme, but accepts that the financial evidence justifies this.

1. A reduction in the height of Building 2 by approximately one and half floors.

The height of Building 2 has been reduced by one storey by the removal of the 10th floor. The 5 bedroom units have been omitted from the proposal and the number of 3 bedroom units has been reduced, which has resulted in an increase in the number of small units. Building 2 now comprises 9 storeys above ground and triple basement to provide 44 private residential flats within 11499m² of floor space compared to 42 flats and 12494m² of floor space originally proposed.

2. A reduction in the number of 3-bedroom units and the omission of 5 bedroom units.

Following the removal of a floor within Building 2 and reduction in the number of larger units, the following mix of unit sizes within Building 2 is now proposed:-

Table 2- Building 2 unit size mix

Unit size	Original	Now proposed	%
1 bedroom	10	14	32%
2 bedroom	10	14	32%
3 bedroom	20	16	36%
5 bedroom	2	0	0%
Total	42	44	100%

The provision of 16x3 bedroom units (36%) within Building 2, meets the requirement (33% family housing) of policy H5 of our UDP and S15 of our City Plan.

3. The use of alternative brick colour.

The principal brick facing material was originally indicated as a colour ranging from light grey to dark teal with blue overtones. It is now proposed that the colour of the brickwork will range from buff, through oranges, reds and greys to dark browns with earthy overtones, to create a complimentary brick palette attributed to different elements of the buildings (bays, recesses, roof dormers, reveals). An imperial size brick is proposed with a Flemish bond, and a slim mortar colour is to be developed to suit the final brick colour. A final tone is to be agreed at a later date following on-site testing, samples and large scale mock ups.

4. Production of a viability report to ensure any surplus money generated through the proposed mechanism to secure affordable housing be invested in social housing for elderly.

The applicant advised just prior to Committee on 8th March 2016 that they are no longer pursuing an alternative mechanism to secure the delivery of affordable housing within Building 1. The S106 legal agreement would therefore through the use of our standard occupancy restriction link the delivery of the affordable housing to the private housing. The applicant has provided a feasibility/viability study which indicates that there is no surplus money generated by the current proposal and this has been verified by the City Council's independent financial consultants.

5. Unallocated car parking

The applicant is agreeable to the provision of unallocated parking and this would be secured through the S106 legal agreement. A total of 33 spaces are proposed for Building 1 along with lifetime car club membership for occupiers of this building and 48 for Building 2. This is acceptable in transportation terms.

6. Removal of balconies from the west flank between floors 2-8.

The originally proposed balconies to the west flank of Building 2 have now been omitted from the proposal and replaced by bronze framed windows.

7. Further details regarding the landscaping of the site

Following additional and late representations from the applicant and the City Council's tree officer the presenting officer tabled a revised draft decision letter to delete the tree and soft landscaping recommended reason for refusal. Notwithstanding this, Committee resolved to require further details regarding the landscaping of the site. The applicant has submitted a landscape document which reviews and provides commentary on their proposal. The front and rear curtilage of Building 1 will accommodate various sized planters and two sedum roofs at first floor level, planters to 10th and 11th floor private terraces and to the communal terraces at 11th and 12th floors. Indicative species have been indicated.

Four trees to the Lodge Road frontage are indicated, however a £20,000 contribution is sought towards this provision has been queried by the applicant. The £20,000 contribution sought to plant 4 new trees in mitigation of the loss of visual amenity from the loss of the existing fastigated oak tree and lack of on-site greenery. The contribution sought is to cover the costs of; removal, trial excavation for new tree planting, pits preparation of planting, watering, early maintenance/tree surgery for the duration of the lives of the trees and as such is considered to be appropriate and reasonable.

In terms of Building 2 the soft landscaping provision comprises various sized planters to the front curtilage of St John's Wood Road and planters to the rear courtyard garden and green roofs to the rear at first floor level.

Whilst some positive progress has been made the City Council's Arboricultural Officer remains disappointed at the soft landscaping and green roof provision and considers the requested financial contribution for street tree planting to be necessary to mitigate the loss of the existing tree and lack of greening of the site.

8. The private residential accommodation in Building 2 to remain unoccupied until practical completion of Building 1.

The applicant advised just prior to committee on 8th March 2016 that they are no longer pursuing an alternative mechanism to secure the delivery of affordable housing within Building 1. The S106 legal agreement would therefore secure through the use of our standard occupancy restriction to link the delivery of the affordable housing to the private housing.

8.1 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. 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.

8.2 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.

8.3 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 introduced its own Community Infrastructure Levy on 1 May 2016 and this application is liable to pay this CIL.

If Committee are minded to grant permission then a S106 legal agreement will be required to secure the following matters:-

- Provision of affordable housing in the form of 139 units of sheltered accommodation for the elderly (Class C3) (3xstudio, 133x1, 3x2) within floors ground to nine of building 1, in perpetuity and at charges made to residents at no higher than target rent levels.
- Option for previous/existing residents to return to Building 1 as a first option subject to their needs being met by the new development.
- 100% nomination rights on first occupancy of the affordable housing units and to all true voids arising after first occupancy.
- Not to occupy building 2 until practical completion of Building 1
- Highways works to Lodge Road and St John's Wood Road to facilitate the proposed development and including vehicular crossovers and paving.
- Car park strategy for Building 1 to provide 33 car parking spaces on an unallocated basis.
- Car park strategy for Building 2 to provide 48 car parking spaces on an unallocated basis and to carry out the development in accordance with a car lift maintenance and management plan.
- A financial contribution of £20,000 towards tree planting to Lodge Road (index linked and payable on commencement of development).
- Lifetime Car club membership for the occupiers of Building 1.
- Provision of Public Art to a minimum value of £TBC
- The costs of monitoring the S106 agreement

NB/ It should be noted that Code of Construction Practice and Site Environmental Management Plan are now dealt with by way of pre-commencement conditions.

8.4 Environmental Impact Assessment

See original report.

8.5 Other Issues

See original report.

9. BACKGROUND PAPERS

1. Report and minutes of Committee dated 08.03.2016, including original representations as detailed in report to committee of 08.03.2016.
2. Additional representations received after report of 08.03.2016 was published and circulated to members prior to the committee meeting (blues):-
 - Letter from the Greater London Authority dated 14.01.2016 (copy of that set out in original report)
 - Email from Network Rail dated 01.03.2016
 - Memo from Cleansing Manager dated 29.02.2016
 - Email/Letter/brochure from applicant and their agent dated 04.03.2016
3. Late representations received after report of 08.03.2016 was published and circulated to members at the committee meeting (reds):-
 - Memo from Senior Arboricultural Officer dated 07.03.2016
 - Revised draft recommendation from presenting officer 08.03.2016
 - Email from the applicants agent dated 08.03.2016
 - Email from Councillor Rigby dated 08.03.2016
 - Letter from Dora House Residents Association dated 17.12.2015
4. Representations received following consultation on revised scheme:-
 - Letter from Historic England (Listed Builds/Con Areas) dated 14.06.2016
 - Email from Environment Agency (Thames Region) dated 17.06.2016
 - Letter from London Underground Infrastructure Protection dated 16.06.2016
 - Emails from Network Rail dated 13.06.2016 and 15.08.2016
 - Email from Transport for London dated 02.09.2016
 - Letter from London Borough of Hammersmith and Fulham dated 23.06.2016
 - Email from The St John's Wood Society dated 14.07.2016 and 25.08.2016
 - Emails from St Marylebone Society dated 28.06.2016 and 09.08.2016
 - Email from Designing Out Crime Officer dated 13.06.2016
 - Emails from Building Control dated 15.06.2016 and 19.08.2016
 - Email from Highways Planning Manager dated 22.07.2016
 - Email from Public Protection and Licensing Environmental Sciences dated 17.08.2016.
 - Email from Arboricultural Section - Development Planning dated 22.08.2016
 - Email from Affordable Housing Supply Manager dated 22.08.2016
 - Email from EH Consultation Team dated 09.08.2016
 - Email from the occupier of 106 Lords view dated 11.07.2016
 - Email from the occupier of 119 Lords view dated 19.07.2016

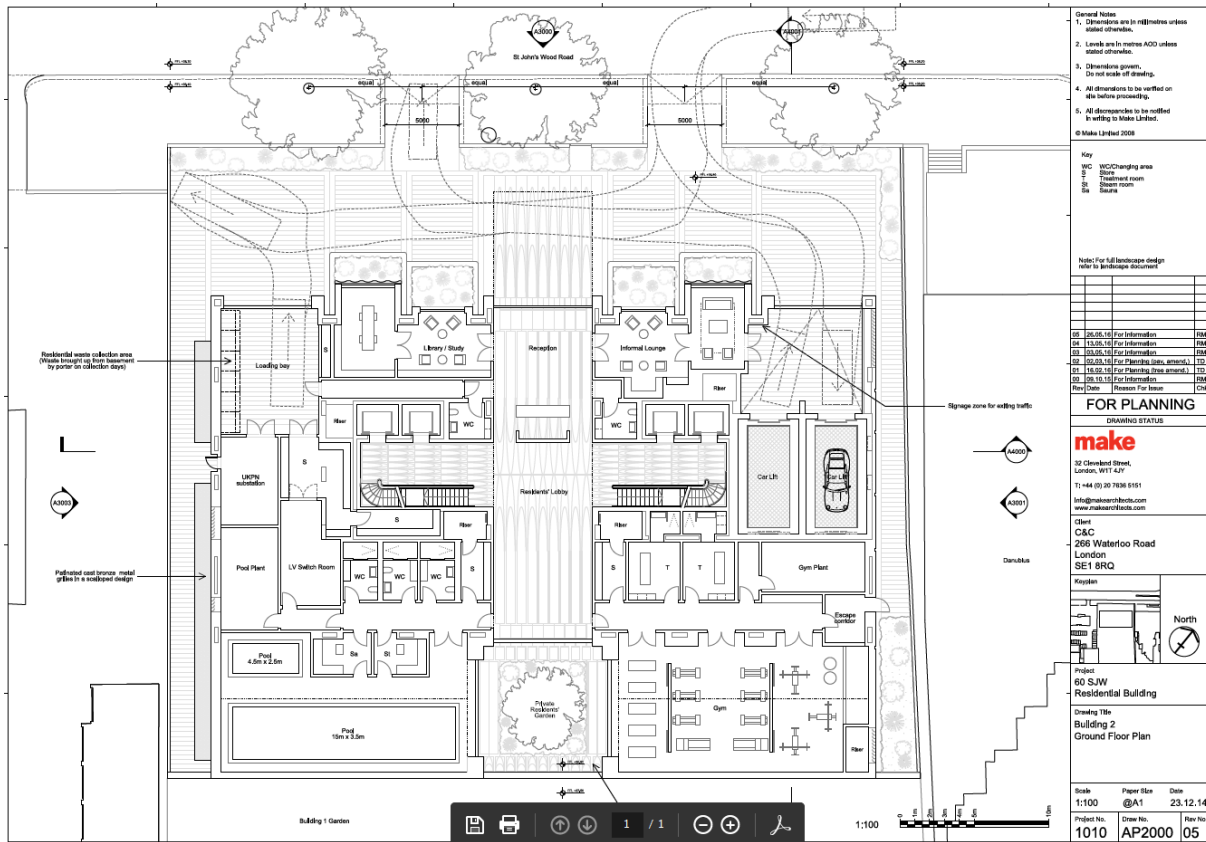
- Email from the occupier of 122 Lords view dated 08.07.2016

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 swhitnall@westminster.gov.uk

10. KEY DRAWINGS





BUILDING 1 – LODGE 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

AS REPORTED TO COMMITTEE ON 08.03.2016 BUILDING 2 – ST JOHN'S WOOD ROAD TOWNSCAPE VIEW WITH ADJACENT DANUBIUS HOTEL AND LORDS VIEW 1.

Colour and Tone

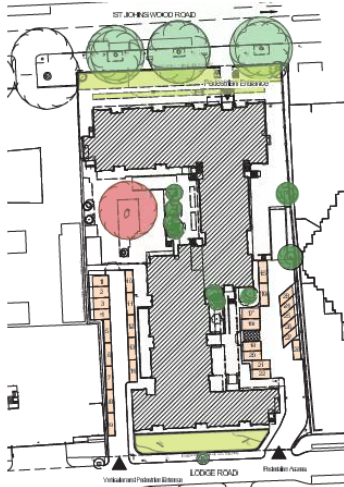
It is key to select a material that relates to the immediate context to visually locate the building within the townscape. However, given the quality of the existing brick buildings along St John's Wood Road, a balance is required to situate it in the broader area while also maintaining a consideration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



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Dora House Regeneration

AS NOW PROPOSED BUILDING 2 - ST JOHN'S WOOD ROAD TOWNSCAPE VIEW WITH ADJACENT DANUBIUS HOTEL AND LORDS VIEW 1.



Existing Site - Landscape Provision

Amenity lawns provided are predominantly considered unusable space due to their location and inaccessibility from the building.

A number of small trees are apparent within the hard standing of the site accompanied with additional raised planters in the central courtyard where the Catalpa bignonioides has been removed.

A number of balconies have private green planting.

No access/greening is provided for at roof level.



Proposed Planning - Landscape Provision (2015)

Transport requirements resulted in the removal of the amenity lawns fronting both the northern and southern facades - replaced in part by raised planters.

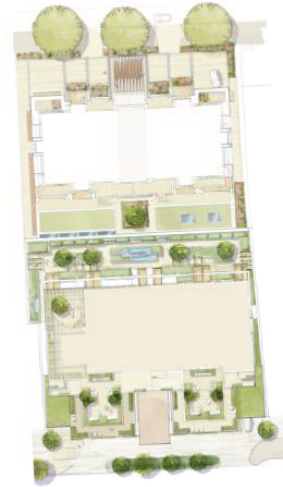
A landscaped courtyard was formed to the rear of the Lodge Road building, with seating, pergolas, water, trees and raised planters.

A central courtyard is provided for 60 SJW with a feature tree and planting to the edge.

Balconies to the building fronting Lodge Road are provided with inbuilt planters, those on 60SJW are provided with space for planters.

Green roofs are provided to the Lodge Road building at 1st floor.

Communal balconies are provided to the Lodge Road building on the upper floors, 10-12.



A review with the planning officer has resulted in amendments to improve the scheme regarding the extent of landscape, as detailed in this document.

Proposed Planning - Landscape Provision (2016)

Transport requirements were reviewed with the extent of raised planters increased to both building frontages - two additional trees have been sited to the Lodge Road building frontage.

The courtyard to the Lodge Road building was simplified and the green landscaping intensified to provide for an increased coverage.

The central courtyard to 60 SJW has been inverted to increase the area of green landscape provided.

Balconies to the building fronting Lodge Road are provided with inbuilt planters, those on 60SJW provided with space for planters.

Green roofs are provided to the Lodge Road building at 1st floor. Green roofs are now also provided at 1st floor to the rear of 60SJW with additional green/brown roofs to the top floor of Lodge Road.

Communal balconies are provided to the Lodge Road building on the upper floors, 10-12.

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 private residential accommodation, ancillary communal areas; Building 2 comprising three basement levels, ground and nine 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.

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 Rev02; AP2001; AP2002; AP2004; AP2008; AP2009; AP2010; AP2011; AP3000; AP3001; AP3002; AP3003; AP3010; AP4000; AP4001 Rev02; AP6001; AP6002; AP6003. SK-HW-020P2. 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; Overheign 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, Email from Raoul Veevers dated 03.03.2016 .

Case Officer: Sarah Whitnall

Direct Tel. No. 020 7641 2929

Unconditional or if an Advert Application only the standard advert conditions

- 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 Except for piling, excavation and demolition work, you must carry out any building work which can

be heard at the boundary of the site only:

- o between 08.00 and 18.00 Monday to Friday;
- o between 08.00 and 13.00 on Saturday; and
- o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 Prior to the commencement of any demolition or construction on site the applicant shall provide evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. (C11CA)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 4 You are required to include specific provisions for securing the following ;
A full SEMP to cover the following:

a. Site Information:

- i. Environmental management structure;
- ii. Location of any potentially sensitive receptors;

b. Environmental Management:

- i. Summary of main works
- ii. Public access and highways (parking, deliveries, loading/unloading, site access and egress, site hoardings)
- iii. Noise and vibration (predictions, managing risks and reducing impacts)
- iv. Dust and Air Quality (risk rating, managing risks and reducing impacts)
- v. Waste management (storage, handling, asbestos, contaminated land)
- vi. Water Resources (site drainage, surface water and groundwater pollution control, flood risk)
- vii. Lighting
- viii. Archaeology and build heritage (if applicable)

- ix. Protection of existing installations (if applicable)
 - x. Urban ecology (if applicable);
 - xi. Emergency procedures;
 - xii. Liaison with the local neighbourhood.
-
- c. Monitoring:
 - i. Details of receptors
 - ii. Threshold values and analysis methods ;
 - iii. Procedures for recording and reporting monitoring results;
 - iv. Remedial action in the event of any non-compliance.

as part of the site environmental management plan or construction management plan required to comply with the Council's Code of Construction Practice referred to in condition 3.

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 5 The development hereby permitted shall not be commenced until detailed ground movement analysis (in consultation with London Underground), has been submitted to and approved in writing which:

Provide details of the ground movement

Accommodate the location of the existing London Underground structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason:

To ensure that the development does not impact on existing London Underground Transport infrastructure, in accordance with London Plan 2015 Table 6.1 and Land for Industry and Transport Supplementary Planning Guidance 2012.

- 6 The development hereby permitted shall not be commenced until the following details, have been submitted to and approved in writing (in consultation with Network Rail):-

- 1. Details of the position of the dead bores / tunnels included on the plans and elevations.
- 2. Details of the piling works on site and also any foundation piles and where these will be sited.
- 3. Details of all excavation and earthworks.

4. Any increase or decrease of loading on the tunnels both temporary and permanent as well as certified proof that the proposal will have no detrimental impact upon the tunnels.
5. Detail of the location and distance of the dead tunnel bores from the site.
6. Confirmation of any tower crane working on site with a method statement and risk assessment (RAMS) for the works.
7. A RAMs for all works including demolition within 10m of Network Rail Land.
8. Drainage plans for the site.
9. A BAPA if required between the developer and Network Rail.
10. Confirmation that all construction works and all maintenance works can be carried out on the developer's land ownership footprint only without any encroachment onto Network Rail land and without over-sailing Network Rails air-space.
11. Network Rail to retain unencumbered rights of access to any existing tunnel shafts.
12. Reimbursement to Network Rail of the cost of any remedial works to damage or deterioration of the tunnel structures caused by any development and in this respect Network Rail reserves the right to carry out any necessary emergency work on the site at the Developer's expense should this become necessary to safeguard the integrity of the tunnel structure.

Reason:

To ensure that the proposed development does not impact on existing Network Rail infrastructure, in accordance with London Plan 2015 Table 6.1 and Land for Industry and Transport Supplementary Planning Guidance 2012.

- 7 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 8 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of

operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (July 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 9 (1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the building use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre

outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm,, and shall be representative of the activity operating at its noisiest.

(2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within the building use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest.

(3) Following completion of the development, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) The location of most affected noise sensitive receptor location and the most affected window of it;
- (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (d) The lowest existing LA90, 15 mins measurement recorded under (c) above;
- (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;
- (f) The proposed maximum noise level to be emitted by the activity.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007 (UDP), so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (July 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 10 The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and

acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

- 11 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Conditions 7, 8, 9, 10 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (July 2016), by contributing to reducing excessive ambient noise levels.

- 12 The development hereby permitted shall not be commenced (including impact piling) until

a) a Drainage strategy detailing any on and /or off site drainage works has been submitted to and approved in writing by the City Council in liaison with Thames Water. No discharge of foul water from the shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

b) 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 of works) has been submitted to and approved in writing by the Local Planning Authority (in liaison with Thames Water). Any piling must be undertaken in accordance with the terms of the approved piling method statement.

c) measures to minimise groundwater discharges into the public sewer.

Reason:

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 and as the proposed works are in close proximity to underground sewerage utility infrastructure which must be protected.

In order to protect Thames Water infrastructure and the environment.

- 13 Prior to occupation of building 2, a Car lift and maintenance operational plan (to include details of the lifts, maintenance regime and breakdown response times) shall be submitted and approved by the local planning authority. The development shall then be carried out in accordance with the details approved.

Reason:

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

- 14 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 part of this development. (C22BA)

Reason:

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

- 15 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 Policy 6.9 (Table 6.3) of the London Plan 2015.

- 16 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 (July 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 17 You must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the buildings. (C14EC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster's City Plan (July 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

- 18 You must provide the access for people with disabilities as shown on the approved drawing(s) and as outlined in the Design and Access Statement before you use the building. (C20AB)

Reason:

To make sure that there is reasonable access for people with disabilities and to make sure that the access does not harm the appearance of the building, as set out in S28 of Westminster's City Plan (July 2016) and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R20AC)

- 19 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 and according to the drawings we have approved. (C29BB)

Reason:

To maintain the setting of the St Johns Wood and Conservation area and Regents Park Conservation Area as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 9 (B) of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29AC)

- 20 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)

- 21 You must apply to us for approval of 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. 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.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the setting of the St Johns Wood Conservation Area and Regents Park Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 22 You must apply to us for approval of 3m x 3m of fabricated sample panels of the following parts of the development:

i) all typical facade bays.

The sample(s) should demonstrate the colour, texture, face bond, pointing and means of construction (including any typical expansion/movement joints). You must not start any work on the superstructure of the development until we have approved the sample panels. You must then carry out the work according to these approved sample(s).

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the setting of the St Johns Wood Conservation Area and Regents Park Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan

that we adopted in January 2007. (R26BE)

- 23 You must apply to us for approval of detailed drawings at 1:5 and 1:20 of the following parts of the development - typical bay details to all new facades to indicate the following:
- i) windows;
 - ii) external doors;
 - iii) cills;
 - iv) reveals;
 - v) fascias and canopies;
 - vi) indicative locations and design principles for display of any signage;
 - vii) location and size of movement joints;
 - viii) step backs in façade;
 - ix) interfaces with windows;
 - x) interfaces with landscaping and details of planters;
 - xi) interfaces with architectural metalwork;
 - xii) ventilation and other services terminations at façade and roof level
 - xiii) balconies including method of drainage;
 - xiv) railings and balustrades;
 - xv) integral lighting.
- You must not start any work on the superstructure of the development until we have approved what you have sent us.
You must then carry out the work according to these approved drawings.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the setting of the St Johns Wood Conservation Area and Regents Park Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 24 You must not paint any outside walls of the building without our permission. This is despite the fact that this work would normally be 'permitted development' (under class C of part 2 of schedule 2 to the Town and Country Planning General Permitted Development (England) Order 2015) (or any order that may replace it). (C26WB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the setting of the St Johns Wood Conservation Area and Regents Park Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 25 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes the number, size, species and position of trees and shrubs and full details of the proposed green roofs including construction method, layout, species and maintenance regime. 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 season 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 settings of the St Johns Wood and Regents Park Conservation Areas, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

- 26 **Pre Commencement Condition.** You must apply to us for approval of a method statement explaining the measures you will take to protect the trees on and close to the site. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. You must then carry out the work according to the approved details.

Reason:

To protect trees and the character and appearance of the site as set out in S38 of Westminster's City Plan (July 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31CC)

- 27 **Pre-Commencement Condition:-** A scheme of public art must be submitted and approved by the City Council prior to commencement of the development. You must not start work on the public art until we have approved what you have sent us. You must then provide the public art according to the approved details, prior to the occupation of the buildings. You must thereafter maintain the approved public art and keep it on this site. You must not move or remove it. (C37AB)

Reason:

To make sure the art is provided for the public and to make sure that the appearance of the building is suitable. This is as set out in DES 7 (A) of our Unitary Development Plan that we adopted in January 2007. (R37AB)

- 28 No development shall take place, including any works of demolition, until the following plans have been submitted to and approved in writing by the City Council as local planning authority in liaison with Transport for London:-

- a) Delivery and Service Plan
- b) Construction Logistics Plan

These documents should detail the traffic impact resulting from construction vehicles and delivery and servicing vehicles on St Johns Wood Road (part of the Strategic Road Network). 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:

In order to appropriately manage any potential adverse effects on the local road network, as requested by Transport for London.

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 (July 2016), 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
 - a) i) Provision of affordable housing in the form of 139 units of sheltered accommodation for the elderly (Class C3) (3xstudio, 133x1, 3x2) within floors ground to nine of building 1, in perpetuity and at charges made to residents substantially below market levels.
 - ii) option for previous/existing residents to return to building 1 as a first option
 - iii) 100% nomination rights on first occupancy of the affordable housing units and to all true voids arising after first occupancy.
 - b) Not to occupy building 2 until practical completion of building 1
 - c) Highways works to Lodge Road and St John's Wood Road to facilitate the proposed development and including vehicular crossovers and paving.
 - d) i) Car park strategy for building 1 to provide 33 car parking spaces on an unallocated basis.
 - ii) Car park strategy for building 2 to provide 48 car parking spaces on an unallocated basis and to carry out the development in accordance with a car lift maintenance and management plan.
 - e) A financial contribution of £20,000 towards tree planting to Lodge Road (index linked and payable on commencement of development).
 - f) Lifetime Car club membership for the occupiers of Building 1.
 - g) Provision of Public Art to a minimum value of £TBC
 - h) The costs of monitoring the S106 agreement

(I55AA)

- 3 With reference to conditions 3 and 4 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work. The Code does require the submission of a full Site Environmental Management Plan or Construction Management Plan as appropriate 40 days prior to commencement of works (including demolition). You are urged therefore to give this your early attention.
- 4 In relation to condition 6 Network Rail advise:
Your attention is drawn to the following Rail Accident Investigation Branch report into 'Penetration and obstruction of a tunnel between Old Street and Essex Road stations, London 8 March 2013', which concluded:
4 The intent of this recommendation is for the British Standards Institution to amend British Standard 5930:1999+A2:2010 to clarify that some railway tunnels are not shown on Ordnance Survey mapping. The British Standards Institution should amend British Standard 5930:1999+A2:2010 'Code of practice for site investigations' to make clear (paragraph 100):
a. that tunnels used by underground railways and associated subterranean structures may not be shown on Ordnance Survey mapping; and b. that rail infrastructure owners should be contacted during desk studies and utility searches where appropriate.
5 The intent of this recommendation is to ensure that the planning approval process reduces the risk to railway infrastructure due to adjacent developments. The Department for Communities and Local Government should introduce a process to ensure that Railway Infrastructure Managers are made aware of all planning applications in the vicinity of railway infrastructure. This process should at least meet the intent of the statutory consultation process (paragraphs 97f and 101).

The site of the two buildings is at the side of the 'dead bores' which start from Lodge Road and run under the Danubius Hotel, St Johns Wood Road and Lords Car Park. The dead bores are two tunnels which are not used for running trains. The running line with trains is adjacent to the two dead bores and goes through Lords Covered Way and St Johns Wood tunnel and is under the footpath next to Lords Car Park and Wellington Road. The dead bores are not under Network Rail ownership/liability, however, our engineers still examine them as they provide lateral support to the running bore, i.e. the tunnel which does have trains running through it. Also advised to carry out investigation into the ownership of the two dead bores and to advise the land owner if they have not done so already. The tower with the three basement levels has raised concerns for Network Rail, also the few drawings from the website do not really give that much information. Looking at the proposed plans without any dimensions/ foundation layout etc, Network Rail believes that the development will be in the zone of influence of the two dead bore tunnels therefore all requirements for working next to the railway will still apply as any piling or foundation works could impact upon the structural integrity of the two bores as well as the structures above. Also should one of the bore collapse then may lead to a second bore collapsing and impacting the active tunnel.

Network Rail will therefore require:

1. The developer to provide details of the position of the dead bores / tunnels included on the plans and elevations.
2. Network Rail will need details of the piling works on site and also any foundation piles and

where these will be sited. Network Rail will need to agree in principle the piling works and the type and method of foundation works on site before any works commence.

3. Network Rail will need to see details of all excavation and earthworks and we will need to agree such excavation works with the developer prior to any works commencing on site.
4. Any increase or decrease of loading on the tunnels both temporary and permanent as well as certified proof that the proposal will have no detrimental impact upon the tunnels.
5. The developer will need to confirm that the dead tunnel bores are further than 5m away from their site.
6. Network Rail will need confirmation of any tower crane working on site with a method statement and risk assessment (RAMS) for the works
7. Network Rail will require a RAMs for all works within 10m of our land boundary (attached is a plan showing Network Rail land ownership shaded in green and the tunnels in yellow). This includes details of the demolition works.
8. Network Rail requires to review drainage plans for the site. All surface water and foul water drainage should be directed away from railway land.
9. The developer should be advised that a BAPA may be required between the developer and Network Rail before works can commence on site.
10. The developer must confirm that all construction works and all maintenance works can be carried out on the developer's land ownership footprint only without any encroachment onto Network Rail land and without over-sailing our air-space.
11. Network Rail to retain unencumbered rights of access to any existing tunnel shafts.
12. The developer is to reimburse Network rail the cost of any remedial works to damage or deterioration of the tunnel structures caused by any development and in this respect Network Rail reserves the right to carry out any necessary emergency work on the site at the Developer's expense should this become necessary to safeguard the integrity of the tunnel structure.

The LPA is advised that that the LPA and the developer (along with their chosen acoustic contractor) engage in discussions to determine the most appropriate measures to mitigate noise and vibration from the existing railway to ensure that there will be no future issues for residents once they take up occupation of the dwellings. Network Rail is aware that residents of dwellings adjacent to the railway have in the past discovered issues upon occupation of dwellings with noise and vibration from the existing operational railway, as a consequence of inadequate mitigation measures for the site, and therefore it is a matter for the developer and the LPA via mitigation measures and conditions to ensure that these issues are mitigated appropriately prior to construction.

Network Rail believes that the comments above are both reasonable and necessary to facilitate the proposal so that the works on site do not impact upon any neighbours. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the tunnel structures nor for any noise or vibration arising from the normal use and/or maintenance of the tunnel. No right of support is given or can be claimed from Network rail's tunnels or railway land.

The developer is to reimburse Network rail the cost of any remedial works to damage or deterioration of the tunnel structures caused by any development and in this respect Network Rail reserves the right to carry out any necessary emergency work on the site at the Developer's expense should this become necessary to safeguard the integrity of the tunnel structure.

Consideration will also be given to the monitoring of the tunnel in the vicinity of any development at regular intervals before, during any works and at completion, the cost of which to be at the

developer's expense. It should be noted that Network Rail as part of its rolling maintenance programme of tunnels will continue to seek access on an annual basis to carry out routine inspections of the land above such tunnels. The developer shall ensure that these requirements are met and provide, for acceptance by Network Rail, sufficient evidence, supported by drawings, calculations and design check certificates. Design check certificates will be subject to an independent check arranged by and at the expense of the applicant.

In the first instance the developer should contact directly the Network Rail Asset Protection Team to discuss the issues raised by this email as a matter of some urgency.

AssetProtectionLNWSouth@networkrail.co.uk

- 5 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 6 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.
- 7 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:

* Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;

* This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

- 8 Your proposals include demolition works. If the estimated cost of the whole project exceeds £300,000 (excluding VAT), the Site Waste Management Plan (SWMP) Regulations 2008 require you to prepare an SWMP before works begin, to keep the Plan at the site for inspection, and to retain the Plan for two years afterwards. One of the duties set out in the Regulations is that the developer or principal contractor "must ensure, so far as is reasonably practicable, that waste produced during construction is re-used, recycled or recovered" (para 4 of the Schedule to the Regulations). Failure to comply with this duty is an offence. Even if the estimated cost of the project is less than £300,000, the City Council strongly encourages you to re-use, recycle or recover as much as possible of the construction waste, to minimise the environmental damage caused by the works. The Regulations can be viewed at www.opsi.gov.uk.
- 9 The design and structure of the development shall be of such a standard that the dwelling is free from the 29 hazards listed under the Housing Health Safety Rating System (HHSRS). However, any works that affect the external appearance may require a further planning permission. For more information concerning the requirements of HHSRS contact:
- Residential Environmental Health Team
4th Floor East, Westminster City Hall
64 Victoria Street
London SW1E 6QP
www.westminster.gov.uk
Email: res@westminster.gov.uk
Tel: 020 7641 3003 Fax: 020 7641 8504.
- 10 The sound insulation in each new unit of a residential conversion should meet the standards set out in the current Building Regulations Part E and associated approved documents. Please contact our District Surveyors' Services if you need more advice. (Phone 020 7641 7240 or 020 7641 7230). (I58AA)
- 11 In relation to condition 12 please discuss with Thames Water:-
- Thames Water Development Services 0800 009 3921 to discuss piling method statement;
Thames Water Risk Management 0203 577 9483 11wwqriskmanagement@thameswater.co.uk
to discuss Ground water discharge
Thames Water Development planning 0203 577 9998
Thames Water Developer Services 0800 009 3921