

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 13 September 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Westbourne	
Subject of Report	Hathaway House, 7D Woodfield Road, London, W9 2BA,		
Proposal	Demolition of existing buildings and redevelopment to provide buildings of G+4 and G+13 storeys, providing a mixed use development comprising flexible office use (Class B1) and Healthcare (Class D1), and 74 residential units (including 19 affordable units), with associated basement car parking, cycle parking and hard and soft landscaping.		
Agent	Mr Laurence Brooker		
On behalf of	Hathaway House		
Registered Number	16/02091/FULL	Date amended/ completed	August 2016
Date Application Received	8 March 2016		
Historic Building Grade	Unlisted		
Conservation Area	Outside		

1. RECOMMENDATION

<p>1. Does the Committee agree that given the location of the site, low townscape value of the immediate area and limited impact of the tower on the designated heritage assets (conservation areas and listed buildings) in the wider area, a high building is acceptable in this location.</p> <p>2. Subject to 1. above and subject to the views of the Mayor of London, grant conditional permission subject to a S106 legal agreement to secure the following:-</p> <ol style="list-style-type: none"> 1. Provision of affordable housing on-site in the form of 9x1 bedroom and 10x2 bedroom intermediate shared ownership units, with 100% nomination rights to the City Council. 2. Lifetime (25 years) car club membership for the occupiers of the residential units. 3. Car park strategy for the residential carpark spaces provided on an unallocated basis and for the NHS car park spaces. 4. Highways works associated with the development including vehicular crossovers and paving 5. Pedestrian and vehicular access along from Woodfield Road along Elmfield Way to the development site 6. Public access to the 2m depth canal side space via a walkways agreement or other suitable mechanism. 7. A financial contribution of £205,632 as a carbon offset payment (index linked and payable on commencement of development).
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8. A financial contribution of £TBC towards improvements to existing play space provision in the vicinity of the site or towards the provision of new play space provision (index linked and payable on commencement of development).
9. A financial contribution of £TBC towards public realm improvement works in the vicinity of the site which may include works to the waterway and towpath (index linked and payable on commencement of development).
10. A financial contribution of £TBC towards Employment and Training (index linked and payable on commencement of development).
11. A financial contribution of £100,000 towards a cycle docking station within the vicinity of the site. (index linked and payable on commencement of development).
12. Provision of Public Art to the value of no less than £TBC. (index linked and payable on commencement of development).
13. Compliance with Code of Construction Practice
14. Cost on Monitoring the S106 legal agreement

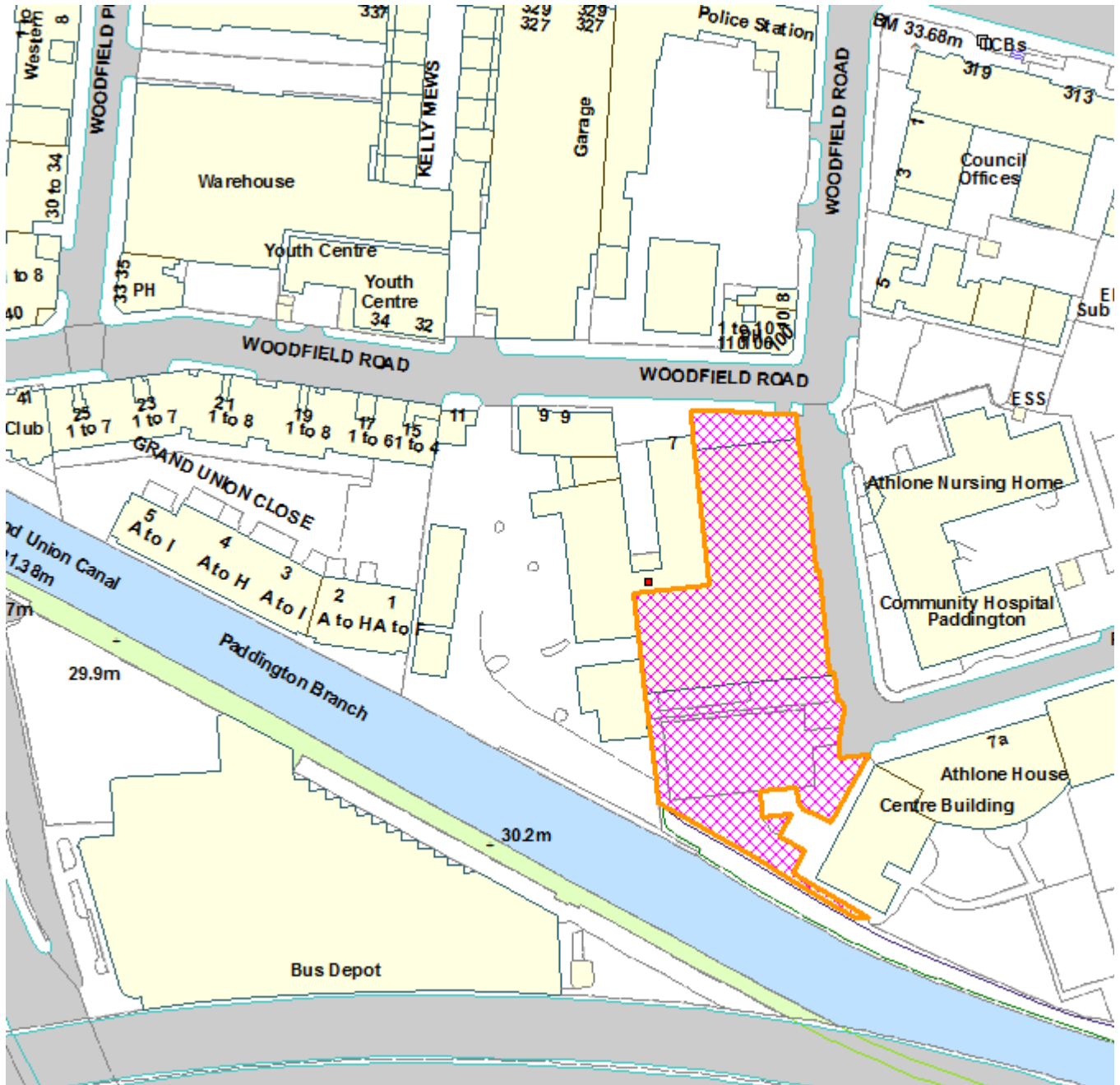
3.If the S106 legal agreement has not been completed within six weeks from of the date of the Committee's resolution then:

- 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

Permission is sought following revisions, for the redevelopment of the site to provide a new development of between 5 and 14 storeys for mixed use purposes including the provision of 19 units of affordable housing units on site. The proposal has brought about significant representation of objection from Ward Councillors, local residents associations and over 100 residents on a number of grounds including the principle of a 14 storey building, impact of the development on residential amenity and the local environment, insufficient affordable housing and open space and failure to address the needs of the local community, among many other grounds. Notwithstanding the objections raised, the proposal is generally considered to be acceptable in planning policy terms, subject to conditions and is considered to generate significant regenerative benefits. The single most key issue relates to the principle of a high building in this location. As such Committee are asked to consider that given the location and impact of the high building, that it is acceptable in this location. Subject to this, the application is recommended for approval subject to a S106 legal agreement to secure planning obligations and subject to appropriate conditions.

3. LOCATION PLAN



4. PHOTOGRAPHS

Front



Rear



CONSULTATIONS

GREATER LONDON AUTHORITY (GLA)

The scheme is broadly supported in strategic planning terms, but the application does yet not comply with the London Plan. The principle of the proposed residential, flexible office, social and community floor space and potential GP hub are supported. The proposed housing windfall site is strongly supported, but additional affordable housing should be proposed, the housing mix confirmed as meeting housing need and a contribution for child play space sought. In urban design terms further information should be sought as to the interface with Elmfield Way to create a more active frontage. Plans should be provided to show details of inclusive access. The carbon dioxide savings, energy and flood risk assessment do not fully accord with the London Plan. More details are required with respect to overheating, cooling demand, district heating, renewable energy and sustainable drainage. Whilst the proposal is broadly acceptable in strategic transport terms further matters require addressing with regard to pedestrian connections, access, transport, car and cycle parking, buses and travel planning.

The following financial contributions are sought; £100,000 towards the installation of a new cycle docking station within the vicinity of the site; Funding for cycle hire membership for 1-3 years (£90 per unit per year); £10,000 towards bus stop improvements. The following conditions are sought; Delivery and Service Plan (DSP); Construction Logistics Plan (CLP); Electrical vehicle charging; blue badge parking; car club membership for at least 3 years; Travel Plan.

TRANSPORT FOR LONDON (TFL)

Level of car parking is below London Plan maximum standards, however Developer should consider car free or car capped development. Car club membership is supported. Electrical Vehicle Charging points and blue badge parking is required. Residents should be exempt from on street parking permits and a car park management plan should be secured. 152 cycle parking spaces are required along with cycle changing facilities. CLP, DSP and Travel Plan are expected. Developer should consider whether the canal can be used for deliveries during post construction. Further comments will be provided to the GLA which may contain a suite of S106 mitigation measures.

HISTORIC ENGLAND

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

HISTORIC ENGLAND – ARCHAEOLOGY

No Archaeology requirement, unlikely to have any significant effect on heritage assets or archaeological interest.

ENVIRONMENT AGENCY,

No comment. There are no constrains which fall within our remit for this application and did not need to be consulted.

THAMES WATER

General comments and advice given, along with request for imposition of Grampian conditions to require a drainage strategy and details of piling.

CANALS AND RIVERS TRUST

General comments and advice given, along with request for informative regarding code of practice for works affecting the Canal and Rives trust and the imposition of conditions to require; survey of potential contamination; survey of adjacent waterway wall, details of hard and soft landscaping to waterside boundary; details of CCTV and lighting; risk assessment and method statement of all works adjacent to the water.

The Trust owns and manages the Grand Union Canal and towpath on the south side. Unusually in this case Trust also own the strip of canalside that lies between the application site and the canal and consider that this relationship could be improved by works to this land. Limited landscaping to land abutting the canal, would like to see the cycle store relocated so that the space can interact with the canalside and more improvement and landscaping of canalside land.

Pleased that the taller element is located away from the canal, keen to ensure no overshadowing of canal. Potential for moorings. The development will bring more people to the towpath (which is one of TFL quietways) which will put additional pressure of the Trusts finances, as such a financial contribution is sought to improve the water way and towpath.

NATURAL ENGLAND

No comment.

METROPOLITAN POLICE – CRIME PREVENTION ADVISOR

No objection. The scheme would benefit from the enhanced standards of the Secured By Design scheme and the developer should make contact to apply for the award.

CENTRAL AND NORTH WEST LONDON FOUNDATION TRUST NHS (CNWL)

Support the planning application, could make a significant contribution to CNWL estate reconfiguration plans. CNWL is one of the largest trusts in the UK, caring for people with physical and mental needs across 150 sites with around 6,500 staff. It owns and provides both in-patience and community based mental health service from the health centre immediately adjacent to the application site. The ground level car park within the planning application boundary is currently owned by CNWL and sale of the site will provide valuable funding. The proposal reprovides the car and cycle parking and also provides the opportunity community use space within the new development. CNWL have acute timescales in terms of when floor space is needed for occupation and the required amount of floor space.

Would be concerned about the inclusion of a publically accessible area of open space adjacent to the site, given the sensitive and confidential nature of the health care provided and potential privacy and disturbance and intrusive behaviour. But support the small, discreet and sufficiently screened area of amenity space fronting the canal for use by local workers and residents.

There is currently no public right of access to the car park land (in CNWL ownership) and no public access to the canal bank (which is not in CNWL ownership).

The sale of the car park is provisional on the re-provision of the car parking spaces including 4 disabled spaces at surface level (re-provision in Elmfield Way or the basement car park is not acceptable) and the re-provision of a cycle parking shed. Elmfield Way is owned by NHS Property Services Limited.

LONDON FIRE AND CIVIL DEFENCE AUTHORITY

Any response to be reported verbally

INLAND WATERWAYS ASSOCIATION

Any response to be reported verbally

WESMINSTER PRIMARY CARE TRUST

Any response to be reported verbally.

NHS CENTRAL LONDON

Any response to be reported verbally

ROYAL BOROUGH OF KENSINGTON AND CHELSEA

Objection, given the strength of the Royal Borough's traditional townscape, the tall 15 storey tower would cause demonstrable harm to the setting of heritage assets as well as the local townscape. In particular, the tower would loom over the borough boundary and the Westway and the visual impact would be harmful in this context. View 8 is of particular concern.

LONDON BOROUGH OF BRENT

Holding response (no further response received)

COUNCILLORS DAVID BOOTHROYD

Whilst welcome the redevelopment in principle and for mixed use purposes (if the CNWL do not require the space it could be used for small businesses and start-ups), the tower relates poorly to the townscape. There has been a palpable shift in the public mood against taller buildings especially point blocks. Applicant seeks to justify the height by reference to other tall buildings which is not a justification. Northern part of the building is bulky in the streetscape context. Excessive density of residential and affordable housing is too low and disappointing that it is provided as intermediate.

Development will have a harmful impact on daylight to Athlone House

Green space and public access to the canal would have been welcomed.

COUNCILLOR HUG

Objection. Revisions represent a small step in the right direction, but do not go far enough to address local residents concerns or to make the development fit comfortably within the councils wider plans for the regeneration of this area. 14 storey tower would still dominate the local landscape, out of keeping with the low rise buildings and overshadowing them. Nature of proposed affordable housing as 100% intermediate rent is insufficient. The lack of public open space is disappointing. Request deadline for making comment be extended due to summer holidays.

COUNCILLORS ADAM HUG, DAVID OOTHROYD AND PAPYA QUERISHI AND KAREN BUCK MP

Objection. Too tall for the area, will dominate skyline. Does not deliver enough or the right mix of affordable housing. Could undermine residential an environmental amenity to surrounding properties. Loss of daylight to Athlone House. Does not provide new offices and relocation of CNWL floor space from elsewhere in London. New office space should be for small businesses and start-ups to provide new jobs and opportunities for local people.

Building on the car park area removes the only potential for accessible public and potentially green space on the north side of the canal. Impact on traffic to Woodfield Road which already experience high levels of traffic. Therefore should seek a car free scheme and canal should be considered for delivery of building material and removal of spoil.

At a strategic level the scheme has the potential to prejudice the slowly emerging Harrow Road Management Plan that would seek to place the site within a more cohesive and integrated planning framework for the area. There is a strong case to delay any development on this site so that any new buildings meet the wider objectives of residents and the council that will be identified over coming months.

NOTTINGHILL EAST NEIGHBOURHOOD FORUM (WESTBOURNE NEIGHBOURHOOD FORUM)

Objection, whilst mindful of the need to build more affordable housing units, the tower has no particular architectural distinction to justify its height and scheme does not exploit the potential of being at the edge of the canal. Would prefer to see more underground space being created in a development of this size.

NORTH PADDINGTON SOCIETY

Comment. Proposed usage I could be improved if it created public access to the canal, increased affordable housing provision and if it included a comprehensive review of the current road usage.

ST JOHNS WOOD SOCIETY

No comment

HYDE PARK ESTATE ASSOCIATION

Any response to be reported verbally

QUEENS PARK COMMUNITY COUNCIL

Any response to be reported verbally

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

Any response to be reported verbally

PADDINGTON WATERWAYS AND MAIDA VALE SOCIETY

Not in our area, please take neighbours views into consideration

WESTBOURNE FORUM

Objection. Development is overbearing and out of scale. 16 and 5 storey buildings are too tall and prominent and harmfully impact on views from the canal towpath. No buildings over 5 stories has been granted in Queens park, Maida hill and Westbourne in at least the last 6 years. Loss of scarce open land with no replacement and limited access to the canal.

Community would have liked the opportunity buy the car park land for use as a public open space. Lack of affordable housing. Will block light to surrounding properties. Emerging neighbourhood plan for Westbourne new development will expect developers to offset impact of large scale developments with public green space. Whilst welcome flexile office floor space this is not the type needed in the area, which is business hubs, small businesses. Large self-contained work space developments have little impact on the local economy as workers stay in their offices for lunch. Impact on demand for street parking and traffic and congestion. Concerned about pollution levels to roof gardens and terraces.

HEAD OF AFFORDABLE AND PRIVATE SECTOR HOUSING

Support revised offer of 19 shared ownership units.

Surprised to see in the original proposal the 15 affordable housing units as intermediate housing, although it is unclear if these are for rent or shared ownership. Applicant was previously advised that 15 intermediate homes should be split between 8x2 bedroom units of social housing and 7x1 bedroom units for intermediate housing use. Whilst there is a high concentration of social housing in Harrow Road there remains a high requirement for social housing. The outcome of the financial viability report will need to be taken into account. In the event that social housing units are not possible then intermediate rent would be required at moderate rent levels.

With respect to the revised proposal for 19 intermediate shared ownership affordable housing units. Given the conclusions of the viability, the alternative affordable housing options, housing support the offer of 19 shared ownership homes over other affordable housing tenure combinations that would result in a reduced number of affordable homes. It is likely that the level of household income required to afford one of these units, will be towards the higher end of Westminster's household income range in excess of £50,000. Will require 100% nomination rights and referrals will be provided from a list of eligible intermediate households registered with the City Council for intermediate housing.

HIGHWAYS PLANNING MANAGER

Undesirable on transportation grounds but could be considered acceptable. The car parking provision for the residential units on an unallocated basis together with car club membership for the occupiers of the residential units is acceptable. The anticipated increase in traffic of 60 movements a day does not raise transport concerns. Cycle provision is acceptable subject to details. Servicing is proposed from street from Woodfield Road and Elmfield Way which is a private road and this is satisfactory given the low number of servicing vehicles and no material change from the existing use, which is also served from street. Recommend car club membership, Works to the highway and unallocated parking is secured through a level agreement and conditions to secure more details of cycle parking and other more minor matters.

CLEANSING

Any response to be reported verbally

ARBORICULTURAL MANAGER

Any response to be reported verbally

PUBLIC PROTECTION AND LICENSING ENVIRONMENTAL SCIENCES

No objection subject to a number of conditions and informatives.

BUILDING CONTROL

General comments made regarding means of escape capacity for the commercial floor space and fire separation, lobbies, staircase design.

CHILDRENS SERVICES

Support mixed tenure housing for strong local communities and pleased that provision has increased to 19 units. It is anticipated that these developments will generate a child yield affecting early years, primary and secondary provision. There are several primary schools

within half a mile and several secondary schools within two miles of the proposed development which will initially absorb any increase in pupil population. The cumulative effect of several schemes in the area on children services is considerable. The response to one scheme may reflect the response to another requiring on site play in one scheme and a financial contribution on another. No premises requirement is currently identified for affordable childcare, there will be added pressure on existing provision and any affordable housing will impact on expansion of the City's 2 year old early education programme for eligible families. Council is also expecting a need to expand early years provision to Little Venice Ward. A financial contribution could be offered in lieu of premise requirements. Due to pressures in the locality and lack of open space it is important that play facilities are included within developments wherever possible. Request that the developers consider allocating funding for existing youth clubs and towards provision of facilities for those with disabilities. Also to increase local opportunities to seek apprentices in construction or business admin, work experience and other employment opportunities.

GO GREEN PROGRAMME MANAGER

Any response to be reported verbally

SPORT AND LEISURE

Any response to be reported verbally

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 3392

Total No. of replies: 141

No. of objections: 132

No. in support: 5

Land use and wider issues

- Commercial speculative development
- Impact on educational and medical facilities
- Does not address community needs (open space, new business start -ups/enterprise hub.
- Lack of affordable housing
- Inappropriate tenure mix of housing
- Inadequate housing mix
- Flats are not affordable
- High density residential development is not appropriate close to the polluted A40.
- A convincing case for regenerative and other benefits has not been made.
- The development does not work for the area.
- Lack of children's play space
- Lack of open space

Design

- Concept of tower unacceptable
- Will block/destroy skyline across a wide area of Westminster
- Not suitable for canal side
- Tower too high
- 5 storey building too high

- Height is out of keeping with the area. The area is predominantly 2-3 storey low rise.
- Impact of height of tower not proportionate to the amount of flats it will provide (only 25 flats above 5th floor level)
- Overbearing and out of scale
- Not in keeping with the architecture of the street
- Poor quality design
- Buildings are of no architectural merit.
- Westminster is under siege from proposals for high buildings
- Detrimental to the setting of the Canal
- Does not comply with Mayors standards

Amenity

- Adverse impact on current and ongoing business operations and future development of LTDA site.
- Development will block daylight and sunlight to surrounding properties and gardens
- Loss of privacy to surrounding properties
- Impact of bulk and overshadowing of development on Woodfield Road and surrounding properties
- Noise pollution
- Impact on Athlone Home care home
- Light pollution
- Increase in street litter from more residents and workers
- Fifth floor green/brown roof will be an eyesore
- Will increase crime

Transport

- Increase in cars
- Increased traffic in Woodfield Road
- Impact on highway safety and traffic
- Cobbled street unsuitable for major development
- No capacity for on-street parking
- No capacity at bus stop or underground station
- Woodfield Road has a 7.5t weight limit.

Environmental

- Loss of trees and impact on ecology and wildlife
- Impact of tower on wind
- Loss of canalside open space
- Development does not provide any open space
- Community would like to have been given the opportunity to buy the NHS carpark land for a gated community garden.
- Will increase problems with Victorian sewer and drainage

Construction

- Impact (security, privacy, noise, vibration, disturbance and health and safety) on offices at No.7 Woodfield Road.
- Already major building works in the area with development of Harrow Road police station
- Continuous building developments in the area over the last 15 years.

Other

- More time is required to consider the proposals
- Insufficient public consultation
- Will set a precedent
- Scheme is contrary to UDP, London Plan and NPPF
- Impact on property values
- The local communities views have not been taken into consideration at all
- Development is contrary to local and London plan policies
- Impact on Westbourne Neighbourhood forum and Maida Hill Neighbourhood Forum from creating a neighbourhood plan.
- Lack of consideration of impact on the LTDA
- Inaccuracies within GLA stage 1 letter
- Redline boundary encroaches on to land in LTDA ownership

Support

- Mixed use development is the only way the area will be rejuvenated
- Need affluent residents and workers to enable businesses to thrive
- There is affordable housing proposed

PRESS ADVERTISEMENT / SITE NOTICE: Yes

5. BACKGROUND INFORMATION

The Application Site

The site is located on the south side of Woodfield Road bound also by Elmfield Way (a private road) to the east and to the rear, close to a corridor of transport infrastructure including the Paddington Branch of the Grand Union Canal (the towpath lies to the south of the canal only), elevated A40 Westway and the railway lines running into and from Paddington Station. The site encompasses, one and two storey buildings known as Hathaway House, which has been used for offices and more recently a variety of temporary uses, together with an area to its rear which is currently owned and used as an open car park by The Central and North West London NHS Trust (CNWL) in connection with their existing adjacent site, accessed via Elmfield Way. None of the buildings within the site are listed and the site lies outside of any conservation area.

The site lies within the designated North West Westminster Special Policy Area (NWWSPA) within our Unitary Development Plan (UDP) and within the North Westminster Economic Development Area (NWEDA) within Westminster's City Plan Strategic Policies (the City Plan). Westbourne Park London Underground Station and Westbourne Park Bus Garage are located west within walking distance and the site has a Public Transport Accessibility Level (PTAL) rating of 5. Harrow Road District Shopping Centre is also within the vicinity. The Grand Union Canal is part of the Blue Ribbon Network. The area is designated as an area of play space deficiency and priority area for additional play space.

Both the buildings and land uses in Woodfield Road are varied and mixed in character with both residential and commercial uses. To the north of the site is No.10 Woodfield Road a residential property and the Grade II Listed Harrow Road police station site which is currently

undergoing residential development and conversion. Further north east is 5 Woodfield Road. Further north-west is 327-329 Harrow Road, a mixed use development. Directly west and sharing a boundary with the site are the offices of City Fleet and The London Taxi Drivers Association (LTDA). Further east are the residential properties of Grand Union Close. To the south beyond the Grand Union Canal lies Westbourne Park Bus Garage and A40 raised Westway and railway lines to Paddington. The borough boundary with the Royal Borough of Kensington and Chelsea lies further south west along part of Great Western Road.

5.1 Recent Relevant History

None relevant

6. THE PROPOSAL

Planning permission is sought for the demolition of the existing buildings on site and redevelopment to provide buildings of ground and 4 storeys and ground and 13 storeys to provide a mixed use development comprising 2419m² of flexible office use (Class B1) and GP hub (Class D1) together with 74 residential units, including 19 affordable housing units, with associated basement car parking, cycle parking and hard and soft landscaping.

The proposal as set out above is an amendment to the originally submitted proposal which sought a taller building of ground and 15 storeys to provide 78 residential units including 15 affordable housing units together with an alternative unit mix.

Re-consultation on the current scheme was undertaken in August 2016.

7. DETAILED CONSIDERATIONS

7.1 Land Use

The principle of the redevelopment of the site for mixed use purposes within the NWEDA is acceptable and accords with policy, COM1, H3 and NWW2 of the UDP and policy S12, S14 and S20 of the City Plan. The site has historically been in commercial use, but currently temporarily occupied for offices, car storage and car wash and clothes bank storage. The loss of these uses is therefore acceptable.

The proposal would introduce residential accommodation on the site where none currently exists which is welcomed under policy H3 of the UDP and S14 of the City plan and meets one of the aims of policy S12 to improve the quality and tenure mix of residential within the NWEDA. The quantum, mix and tenure of the residential units is as set out in the table below:-

Table 1

Tenure	Studio	1 bed	2 bed	3+ bed	Total no.of units	Floor space GEA
Private	8 (14.5%)	19 (34.5%)	14 (25.5%)	14 (25.5%)	55 (74%)	5686m ² (77%)
Affordable	0	9 (47.4%)	10 (52.6%)	0	19 (26%)	1741m ² (23%)
Total	8 (10.8%)	28 (37.8%)	24 (32.4%)	14 (18.9%)	74 (100%)	7427m ²

Mix

The proposed mix of unit sizes range from studios to 3+ bedrooms family sized units, with the 19 affordable housing units proposed as 1 and 2 bedroom units to meet demand and affordability to the satisfaction of the City Council's Housing Manager. The 55 private residential units include 14 family sized units which is 25.5 % of the total number of private units (19% of all units). This quantum of family sized units falls below our policy requirement of 33% under policy H5, although policy S15 seeks a range of unit sizes. The applicant considers the provision to be the optimum for the site given site constraints, the amount of family housing in the locality and given the early stages of planning policy revisions to reduce the requirement for 3+ bedroom units and consideration of larger 2 bedroom units as family sized units. For these reasons it is considered that the mix of unit sizes proposed is appropriate.

Affordable Housing

Given the uplift in residential floor space on site of 7427m², the provision of 35% affordable housing is required under policy H4 of the UDP and policy S16 of the City Plan. Affordable housing is proposed to be provided on site in the form of 19, one and two bedroom, shared ownership units within 1741m² of floor space. This equates to a 23% provision by floor space and 26% provision by unit numbers, which does not satisfy policy H4 of the UDP and S16 of the City Plan. As such the applicant has provided a viability report in support of their original proposed affordable housing provision (15 intermediate rent units) together with further correspondence on viability issues.

This report has been independently assessed by Gerald Eve on behalf of the City Council. The conclusions of this assessment are that the viability of the scheme is marginal if the 15 intermediate rent units are proposed. Alternatively the advisor confirms that the scheme can support a mixed intermediate rented and shared ownership tenure scheme of 15 units or 100% (15 units) shared ownership scheme with an additional payment in lieu of £1.6m or 18 shared ownership units. Following these findings the applicant has increased their affordable housing offer to 19 on-site units.

Whilst all 19 affordable housing units are proposed as shared ownership tenure, the City Council's Housing Manager is supportive of this in order to secure the maximum number of affordable housing units on the site. As the affordable housing provision has been justified by viability and has the support of the City Council's Housing Manager, it is considered to be acceptable.

Play space

Given the quantum of residential, ratio of unit sizes proposed and calculation of child yield the proposal generates a requirement for 80m² of children's play space, based on a child yield of 8. The applicant has indicated that there is not scope to provide this on site. Instead a financial contribution towards existing play spaces or to the provision of new play space as mitigation for the lack of on-site provision is proposed. This approach accords with the London Plan given the low child yield. The proposed contribution is yet to be agreed and will be reported verbally to committee. This approach is considered acceptable in what is an area designated as one of play space deficiency and within a priority area for additional play space in accordance with policy SOC6 of our UDP.

Quality of residential accommodation

The one and two bedroom affordable housing units range between 50-81m² and the private flats between 40m² for a studio to 139m² for a four bedroom unit. All units are of an acceptable size and layout and comply with National Technical Housing Standards. There are a variety of single and duplex units of single, dual and triple aspect. Although it is regrettable that 27 of the 74 flats are of single aspect, 77% of units are dual and or south aspect. Whilst units located at fifth floor and above would receive satisfactory daylight and sunlight, a number of rooms within private units located at 1st-4th floors would receive daylight levels below the British Research Establishment Guidelines. At first floor level, 8 rooms would not receive particularly good levels of daylight, reducing to 1 affected room at fourth floor level. This is mainly due to the location of balconies, other parts of the development itself and also neighbouring buildings.

Almost all (apart from four) units benefit from private balconies and terraces and a large communal roof terrace is also proposed. Whilst two locations on the fifth floor communal terrace and a private balcony on the top floor of the tower were found to have wind conditions unsuitable for long term sitting during winter, given the nature of the use which is unlikely to involve long term sitting out during winter, these findings are considered acceptable. Overall the proposal is considered to provide a satisfactory residential environment for future occupiers.

The quality of the residential environment for future occupiers has also been considered in respect of the potential for noise, vibration and pollution from nearby transport and (raised Westway and railway line) industrial uses (Westbourne Park Bus Garage and Concrete Batching Plant). The City Council's Environmental Health Team has confirmed no objection to the proposal on environmental noise or nuisance grounds subject to conditions to ensure adequate protection for future occupiers. An overheating assessment indicated that overheating of units is not an issue, subject to the installing internal shading in the form of high reflectance blinds.

Accessibility

All residential units are proposed to be built to lifetime homes standards under building regulations and 10% will be wheelchair accessible/ adaptable, lift and staircase access is proposed throughout the building. The commercial floor space is also accessible to all with level access and both stair and lift access, disabled access WC's and is fully DDA compliant. The accessibility of the development is therefore acceptable.

Office/GP Hub

The entire ground floor of the site and the first, second and third floors to the rear building (2419m²) is proposed as flexible office (Class B1) or GP Hub (Class D1) use. The provision of such floor space within the NWEDA is both appropriate and welcome for the potential economic and regenerative benefits that it is likely to bring. The applicant has indicated that it is envisaged that the floor space will be used as either of these uses. The site and this floor space has been identified by Central and North West London Foundation Trust NHS (CNWL) (who occupy adjacent sites to the east of the site) as potentially meeting their requirement for a wider estate management strategy to bring further functions to this site to compliment their existing estate (Refer to letter in background papers). Such uses are encouraged within the NWEDA by policy S18 and S20 of our City Plan.

This floor space is flexible in its design and layout to allow for adaption or subdivision. There is also an associated first floor terrace and external access at ground floor levels for the commercial occupants. Whilst both uses are acceptable in principle in land use terms, there is little detail provided about the operation of the GP Hub, however details would be required prior to any such use commencing to ensure that the amenities of existing and future residents is protected.

Potential Regenerative and Public Benefits

The applicant has submitted a regeneration statement which sets out what they consider to be the likely economic and regeneration benefits resulting from the development, for the neighbourhood impact area, Westminster as a whole and also London. These have been summarised in the table below:-

Table 2

Economic benefit Construction	Economic benefit Operational- approx. figures	Regeneration benefit	Contribution to regeneration policies and priorities	NHS
Construction expenditure approx. £36.5m	Contribution to productivity (GDA) within local economy £800,000 annually	Additional residents in locality-spending in shops, restaurants, services	Contribution of employment floor space	Agglomeration benefits of the provision of additional operations and employment to existing uses in locality
Construction productivity contribution approx. £13m	Business Rate revenue £240,000 annually	Additional workers in locality supporting additional spending	Contribution of private and affordable housing	User benefits of close proximity of range of related services.
Construction employment -147 jobs	Council tax revenue £80,000 annually	Supporting additional local jobs from local spending		New floor space in this location supports aims of trusts strategic priorities.
Construction phase direct and indirect employment locally and across Westminster approx. 132 jobs	New home bonus revenue £1.1 over 6 years	Added activity and vibrancy from additional residents and workers		
	Community Infrastructure Levy (cil) £2m	Potential to attract additional businesses		
	Local annual	Provision of		

	income £2.5m	additional and protection of existing NHS support services in area.		
	Household expenditure £2.9m	Contribution to infrastructure through expenditure of Cil		
	169 direct jobs on site & indirect jobs from retail/leisure	Contribution to investment in Council services (council tax etc.)		
	Over 150 New residents with half of working age			

It is clear that the proposal would bring about a number of positive economic, regeneration and social benefits to the local area which is one of the most deprived areas in England. The application site lies within the most deprived wards within Westminster and the top 12% of the most deprived areas in England (DCLG 2015). This analysis is based on income, employment, health, education, crime, barriers to housing services, living environment and income deprivation affecting children and older people. The benefits from the proposed development set out in the table above would go some way to tackling deprivation, promoting economic activity and improving the quality and tenure of housing on offer in accordance with policy S12 of the City Plan which supports development that tackles deprivation, promotes economic activity and improves the quality and tenure of housing.

7.2 Townscape and Design

Existing Condition

The existing building is unlisted and the site lies outside a conservation area, close to a corridor of transport infrastructure. Within Woodfield Road and the area immediately to the north, the character of the area is mixed, with a high percentage of post-war buildings of limited architectural merit. There are some nineteenth century buildings which survive and the 1911/12 grade II listed former police station at 325 Harrow Road is the only designated heritage asset which is close to the site. The land uses within Woodfield Road, like the buildings, are of a mixed character with both residential and commercial uses. The buildings and uses, combined with the cobbled street, mean that the area has an ill-defined character, but one which evokes an industrial heritage. This is supported by historic maps which suggest that in the nineteenth century the area was composed of residential houses/cottages set immediately adjacent to factories.

With the exception of the former police station there are no other listed buildings in the immediate vicinity, although the grade II* Trellick Tower, within the Royal Borough of Kensington and Chelsea, lies approximately 450m to the west. Similarly there are no immediately adjacent conservation areas, with the Aldridge Road and Leamington Road Villas

Conservation Area, the Westbourne Conservation Area and the Bayswater Conservation Area lying to the south and south-east, with the former being the nearest at approximately 200m away at its closest point. The Maida Vale Conservation Area lies to the east approximately 400m away; and the Queens Park Estate Conservation Area lies to the north-west, approximately 620m away at its closest point. There are also conservation areas within the Royal Borough of Kensington and Chelsea: the Colville Conservation Area (400m to south-west); Oxford Gardens Conservation Area (700m to south-west); and Kensal Green Cemetery Conservation Area (1.2km to the north-west).

It is therefore considered that the area in the immediate vicinity of the site is not one of high quality townscape or of high sensitivity in terms of potential impact upon designated heritage assets, albeit there are some exceptions notably the listed former police station and the canal. However, given the nature of the proposal it is noted that the scheme has the potential to impact on townscape at some distance away and thus the impact on this wider area must also be considered.

Loss of existing buildings

The current buildings on the site are all proposed to be demolished and these are considered to be of poor quality, which do not make a positive contribution to the townscape, their loss and the opportunity to redevelop the site are welcomed.

Proposed buildings

In terms of the proposed replacement buildings these have been broken up into 3 blocks: Block A faces onto Woodfield Road and Elmfield Way and would be a 5 storey office (ground floor only) and residential block (comprising both affordable and private flats), with the top, fourth floor, set back; Block B would be positioned at the back of Block A and would be a 14 storey residential tower of private flats; and finally Block C, which would be located at the southern end of the site and facing towards the canal, and would be a 4 storey building. All would have a solid, masonry character with brick used as the primary facing material. Blocks A and C would be constructed using a blend of three brick colours (red, brown and grey) with red as the dominant tone along Woodfield Road and brown towards the canal. The fourth floor set-back storey to Block A would be clad in reconstituted stone, coloured to complement the red brick tones of the facades below. Block B would be constructed of a pale grey brick, with the west-facing section of the twelfth and thirteenth floors clad in a light grey reconstituted stone. Lintels would feature a combination of exposed aggregate with honed finish or glazed terracotta; and the windows and metal balustrades would be in anodised aluminium. Terraces to the residential blocks would primarily be recessed to Block A and projecting to Block B.

The office block would be set back at ground floor level to provide a terrace at this level which would face towards the canal. The canal-facing façade would also enjoy inward opening doors, with metal balustrades creating balcony areas overlooking the canal.

In terms of layout most of the entrances would be located facing onto Woodfield Road, although there would be access to the basement car park off Elmfield Way; and an office entrance to Block C located off a landscaped area between Elmfield Way and the canal. The private residential entrance off Woodfield Road would connect to Block B via a covered walkway and alongside a small private communal landscaped courtyard. Terraces serving individual units and for communal use would also be provided at upper levels.

Height, Massing and Detailed Design

The prevailing height of buildings within the immediate vicinity of the application site is typically between 3 and 5 storeys and in this context the proposed height of Blocks A and C are considered to be of an acceptable height. Block B, however, at 14 storeys would be of a height which sharply contrasts with the height of its immediate townscape and as such would be considered a high building, under the terms of policy DES 3 of our UDP. The applicant seeks to make the case that the taller block responds to a wider townscape context of a series of tall residential tower blocks which punctuate the skyline and broadly follow the line of the canal and the Westway. These include the 31 storey listed Trellick Tower to the west, Keyham House (20 storey) in the Brunel Estate, the group of six tower blocks (Brinklow House, Gaydon House, Princethorpe House, Wilmcote House, Polesworth House and Oversley House) around Westbourne Green, which are also of 20 Storeys, and finally the 13 storey 1 Torquay Street.

It is considered that the 14 storey tower block can be regarded as being in accordance with policy DES 3 and acceptable in townscape terms. In the first instance the tower would have no impact upon strategic views. It would be visible from a number of conservation areas namely Aldridge Road and Leamington Road Villas, Westbourne and Bayswater, and potentially glimpsed from further away in Kensal Green Cemetery, Queens Park Estate and Maida Vale, but in all cases the impact is not considered to have an adverse impact on the character and appearance of these areas. The tower will have an impact upon the setting of the Grand Union Canal and upon the grade II listed former police station, but in the case of the canal, this impact is not considered harmful as the character of the canal in the stretch between Trellick Tower and Princethorpe House is one that is punctuated by tower blocks. The listed building and the new tower block can be seen in the same view from points along Harrow Road and thus there is an impact on the setting of the listed building. However, the existing police station building sits amidst a townscape of variable quality and the proposed tower would not specifically harm a particularly important viewing point of the police station, thus it is considered that while a degree of harm is caused to the setting, this would fall into the category of less than substantial and it is suggested that it would be at the lower end of this spectrum. In such circumstances any harm caused will need to be weighed against the public benefits.

Beyond consideration of the impact of Block B on heritage assets and rather viewing it in its more general townscape context, the tower will be of an incongruous height with respect to its very immediate setting, but would sit more comfortably with a sequence of taller tower blocks, when wider townscape views are considered. It is worth noting that the City of Westminster High Building Study (EDAW, September 2000), which informed development of Policy DES 3, in undertaking a sieve analysis, effectively ruling out areas suitable for tall buildings, resulted in the omission of all but the north west quadrant of the City, where it was considered that the least harm might result from the development of high buildings. However, this assessment did not go so far as to identify acceptable locations, other than around Paddington Basin, nor did it propose to amend policy to include this wider north-west quadrant as an area where tall buildings could be sited. However, the study, while concluding that Westminster is generally an unacceptable location for high buildings, also considered that the policy approach would not preclude proposals coming forward for individual buildings on an exceptional basis. Given that the current proposal lies within the north-west quadrant of Westminster and in this particular townscape context, it is considered that it can be treated as an exceptional case.

In addition to policy DES 3 part (A), which identifies where high buildings would not be permitted, parts (B) and (C) set out further design criteria which ought to apply in order for a high building to be considered acceptable. Some of these criteria relate to wider planning criteria rather than issues of townscape and architecture, but in terms of the latter the proposed development, including Block B, represents a well-designed and high quality addition to the townscape, which responds to both its immediate and wider townscape context and provides an improved street level environment.

The proposed massing is well considered with the development being subdivided into separate elements and with the lower blocks (A and C) responding to their immediate context. The details and use of brick, provides a degree of cohesion to the group, but by using differing brick colours and variations to façade treatment, each element assumes its own points of interest. Block B is a slender structure, measuring 22m x 12m in plan, and this combined with using a pale grey facing brick and the use of reconstituted stone for the west-facing façade of the upper two storeys, will further lighten its visual impact.

Notwithstanding the comments above, it has to be acknowledged that the height of Block B, does not accord with the height of its immediate townscape context, and this is a concern expressed by many of the objections raised. While the additional height is not considered to have a significantly harmful impact upon heritage assets (both designated and undesignated), it will certainly have a visual impact upon the adjacent townscape. To what extent this impact is harmful and if it is harmful, to what extent the benefits of the scheme outweigh the harm are key to the acceptability or unacceptability of this proposal.

Given the existing townscape quality and bearing in mind the wider townscape context, it is concluded that the proposed tower would not have any significantly harmful impacts upon the character and appearance of the area and instead is capable of defining a site which has regenerative benefits to the wider area.

The immediate townscape is not one, which is particularly sensitive to change and the applicant seeks to make the case that the proposed scheme will have economic and regenerative benefits for the area in terms of providing employment opportunities, introducing office accommodation with attendant benefits to the local economy, additional housing including affordable housing, bringing vibrancy to the area, and bringing higher quality architecture to the area. These factors, which are discussed in detail elsewhere in this report, must be weighed against any perceived harm to the townscape.

A concern expressed by a number of objectors is that the development will result in the loss of the landscaping associated with the car park, including several trees, at the southern end of the site, which are used as an area of public amenity, in an area of open space deficiency. The proposed office building (Block C) will occupy most of this space, leaving only a small area of landscaped land, which will also incorporate accessible parking bays and cycle parking. Policy DES 3 (C) does indicate that where high buildings are considered acceptable, they should include an enhancement of the public realm and publicly accessible areas by the provision of high quality landscaping treatment. While the development, as a whole, offers considerable areas of landscaping, in the form of private gardens and terraces, the extent of publicly accessible amenity space is reduced and this is a deficiency of the scheme. Which is a point also made by the GLA and the Canal & River Trust.

There are some areas of detailed design which are considered to be unresolved, notably the treatment to the blank west-facing wall of Block A and the west-facing wall of Block C. As both

these walls lie close to the plot boundary and facing onto neighbouring property to the west, it is accepted that windows would be inappropriate, but given the prominent aspect of both walls, it is considered that further consideration is given to them, to ensure some visual appeal and interest is provided. This has been undertaken to some extent in the west-facing wall of Block C, but it is considered that further refinement should be pursued. If the scheme is considered acceptable, then these issues are capable of resolution through condition.

Another aspect of the scheme requiring resolution is the provision of public art. Given the nature of the scheme, this is a development where it is considered that public art should be provided and indeed it could be used to improve the public realm and enhance the small area of publicly accessible landscaping, similarly it could be used to address the blank walls referred to above. Again it is considered that if the scheme is considered acceptable then this matter could be addressed by condition and secured by legal agreement.

Design and townscape summary

In design and townscape terms the proposed development is a challenging one, in that it introduces a building height, principally that of Block B, which is out of scale with the immediate townscape and this is one of the primary causes of concern raised by the many objections to the scheme. Set against any harmful impacts and the objections raised to the height are the economic and regenerative benefits of the scheme and the quality of the design. In this case, it is considered that the degree of harm caused to the townscape is not significant and that the scheme can be considered to accord with policy DES 3. If the benefits of the scheme are considered compelling and desirable, then the proposed height and massing are not considered to be reasons to find the scheme unacceptable. The proposed architecture is well considered in terms of materials and details, albeit with areas of further refinement required, but the ambitions of the public realm and landscaping are considered to be one aspect of the scheme which could be improved upon.

7.3 Residential Amenity

The proposal has been assessed in respect of its potential to impact on the amenities currently enjoyed by surrounding residents.

Sunlight and Daylight

The applicant has submitted a Daylight and Sunlight analysis by GVA Schatunowski Brooks, of the potential impact of the development on the amount of daylight and sunlight received by a number of surrounding properties, the conclusions are set out below. In very broad terms the British Research Establishment (BRE) a guide to good practice (2011) (the guidelines) suggests that if vertical sky component (VSC) is greater than 27% then good levels of daylight will be received and that a 20% + reduction resulting in VSC of less than 27% will be noticeable to occupants. In sunlight terms, annual sun of 25% and 5% winter will achieve a good level of sunlight, with 20%+ reduction and loss of value of 4% being noticeable to the occupants.

1-2 Woodfield Road

These properties lies north east of the site and would see no significant loss of daylight or sunlight in accordance with the BRE guidelines.

5 Woodfield Road

This property lies north east of the site with windows facing south. Two windows on the ground floor would see a reduction in daylight to 24.80 and 26.06% VSC (27% is the guideline). However given that high levels of daylight would remain, this is not considered to be significant. No loss of sunlight would occur.

10 Woodfield Road

This property lies directly north of the site with windows facing south. Five windows at ground floor and three at first floor level would see a reduction in daylight to between 21.96 and 26.6% VSC. However as in the case of 5 Woodfield Road, high levels of daylight would be retained and as such the impact is not considered to be significant. No loss of sunlight would occur.

Grand Union Close, 1-2 & 15-17 Woodfield Road

These properties lie west of the site with windows facing north and south. These properties would not see any material loss of daylight or sunlight. In accordance with the BRE guidelines.

327-329 Woodfield Road

These properties lie north-west of the site and would not see any material loss of daylight or sunlight. In accordance with the BRE guidelines.

Waterview Centre, Elmfield Way

This property is part of the CNWL complex, located south east of the site, located adjacent to the existing car park which is to be built upon. Whilst a number of windows would see a reduction in daylight (12 at ground floor level, 8 and first floor level and 7 at second floor level), the daylight values would remain in the high teens and mid to high 20's. Given the retained values together with the use, the impact is not considered to be significant. No material loss of sunlight would occur.

Athlone House, Elmfield Way,

This property is a 23 bed care/rehabilitation facility located directly east of the site. A number of windows would see a significant reduction in daylight at ground, first and second floors, mainly given the height of this property and the height, location and relationship with the proposed development. 12 windows at ground floor level, 15 at first floor level and 7 at second floor level would see significant reductions in daylight levels to levels of single figures and low teens (27% is the guide). This property would also see a significant reduction in sunlight to 25 windows. However, it is understood that the main communal areas face to the rear courtyard garden. Given this and the nature of the use with a typical stay between 1-6 weeks and that given the height, proximity to and relationship of this property to the site, any redevelopment of the site is likely to have significant implications for daylight and sunlight, it is considered that it would be difficult to justify withholding permission on this ground.

Taxi House, London Taxi Drivers Association (LTDA)

This property lies directly west of the site with a shared boundary does not have windows facing east towards the site. As such no material loss of daylight or sunlight would occur. Whilst the LTDA have raised objection to the impact of this development on the future proposals for their won site, no pre application discussions have taken place and no planning application has been submitted. Given the set back of parts of the development it is not

considered that permission could be withheld on grounds of impact of future development that has yet to be brought forward.

Sense of Enclosure

Due to the height and location of the building and its relationship with surrounding properties it is not considered that the development would result in any significant increase in sense of enclosure.

Privacy

Due to the location of the building and the location and design of its windows, balconies and terraces, it is not considered that it would result in any significantly detrimental overlooking to surrounding properties. For the reasons set out above the proposed development is not considered to result in any significantly detrimental impact on the amenities of occupiers of surrounding properties in accordance with policy ENV13 of our UDP and S29 of our City plan.

Overshadowing

Given the height of the proposed development, the applicant was asked to undertake an overshadowing assessment to show the shadow paths of the development and what impact this might have. The assessment indicates that the development would cast some small additional shadow over the communal area between the Grand Union Close buildings (one building faces the canal, the other Woodfield Road) for a short time in the morning up until 10.00am only and would also cast a similar shadow over the open car park area of the LTDA site. The development would also cast a small additional shadow over an area north of the site up until lunchtime. Athlone House and its rear communal garden would experience some slight shadow for 1 hour during late afternoon. Overall the additional shadows cast, due to the limited extent of the shadow, its duration and the nature of the areas affected, is not considered to be significant and accords with BRE recommendations.

Summary of amenity impact

Whilst the proposal will result in some loss of daylight and sunlight and limited overshadowing, which has brought about a number of objections from local residents and businesses. Overall the proposed development is not considered to have such a significant impact in amenity terms to withholding permission.

7.4 Transportation/Parking

Car parking

A basement car park is proposed, via ramped access from Elmfield Way. The car park is to provide 42 residential car parking spaces including 7 disabled access spaces, within standard spaces and double stackers. In addition both active and passive electrical charging points are proposed. The residential parking is to be provided on an unallocated basis and the provision of 42 car parking spaces for 74 residential units is proposed to be supplemented by the provision of lifetime (25 years) car club membership for residents. Subject to these details this is considered acceptable and will not significantly increase demand for on street car parking.

An additional 21 car parking spaces; 17 car parking spaces within the basement and 4 external spaces at street level, are to be allocated for the CNWL NHS Trust to replace those

lost through the redevelopment of their car park. The CNWL has indicated that this must be secured and the importance of the provision of 4 external spaces at street level.

Cycle parking

Four separate areas within the basement car park are proposed for the storage of bicycles with provision for a total of 146 bicycles, 123 for the residential units and 35 for the commercial. Ancillary shower and changing facilities are also provided for the commercial floor space at ground floor level to meet their operational requirements.

Waste and Recycling

Three separate areas within the basement car park are allocated for the provision of storage of waste and recycling. A temporary external waste holding area is also indicated at ground floor level to Elmfield Way. These details are acceptable, however the City Council's Cleansing Manager has indicated that the proposed waste chute between ground and basement level is unacceptable and that its replacement with a lift to the basement or residents to access the waste store in the basement would address this concern. As such full details would be required by condition.

Servicing

Servicing of the site is generally to take place off of the public highway. Whilst not proposed within the site, due to the head height and turning area restrictions for servicing vehicles, it is proposed to take place within designated loading bays on Elmfield Way, a private road.

Woodfield Road Cobbles

The potential for the developer to pay for any damage caused during construction works, to the existing cobbled Woodfield Road is a matter dealt with under the Highways Act.

7.5 Economic Considerations

The application is subject to a viability report which has been independently assessed, and the economic considerations are referred to throughout this report.

7.6 Access

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

7.7 Other UDP/Westminster Policy Considerations

The Basement Revision and Mixed Use Revision to the City Plan were submitted to the Secretary of State in December 2015. The independent examination was held in March 2016. Following the examination, a further consultation was held between 20 April and 5 June 2016, inviting responses to the proposed main modifications. Having considered the responses, none of the matters raised bring forward new issues which were not considered by the Inspector at the examination hearings in March.

Therefore, in accordance with Paragraph 216 of the National Planning Policy Framework, the Council will take the Basement Revision and Mixed Use Revision into account as a material consideration with significant weight in determining planning applications, effective from Tuesday 7 June 2016. One exception applies, in relation to the Basement Revision,

specifically the application of the Code of Construction Practice [Policy CM28.1 Section A2b], which will be applied from the date of publication of the Code of Construction Practice document, likely to be at the end of June.

The implications of the revisions to the City Plan for the development subject of this report are outlined elsewhere in the report

7.8 London Plan

The proposal is preferable to the Mayor of London under category 1c (a building of over 30m in height) and a stage 1 response has been received. The scheme is broadly supported in strategic planning terms, but the application does yet not comply with the London Plan. See consultation section of this report.

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

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

7.9 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.

Planning Obligations

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

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

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

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

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

The City Council introduced its own Community Infrastructure Levy in May 2016

A s.106 legal agreement will be required to secure the following:-

1. Provision of affordable housing on-site in the form of 9x1bedroom and 10x2 bedroom intermediate shared ownership units, with 100% nomination rights to the City Council.
2. Lifetime (25 years) car club membership for the occupiers of the residential units.
3. Car park strategy for the residential carpark spaces provided on an unallocated basis and for the NHS car park spaces.
4. Highways works associated with the development including vehicular crossovers and paving
5. Pedestrian and vehicular access along from Woodfield Road along Elmfield Way to the development site
6. Public access to the 2m depth canal side space via a walkways agreement or other suitable mechanism.
7. A financial contribution of £205,632 as a carbon offset payment (index linked and payable on commencement of development).
8. A financial contribution of £TBC towards improvements to existing play space provision in the vicinity of the site or towards the provision of new play space provision (index linked and payable on commencement of development).
9. A financial contribution of £TBC towards public realm improvement works in the vicinity of the site which may include works to the waterway and towpath (index linked and payable on commencement of development).
10. A financial contribution of £TBC towards Employment and Training (index linked and payable on commencement of development).
11. A financial contribution of £100,000 towards a cycle docking station within the vicinity of the site. (index linked and payable on commencement of development).
12. Provision of Public Art to the value of no less than £TBC. (index linked and payable on commencement of development).
13. Compliance with Code of Construction Practice
14. Cost on Monitoring the S106 legal agreement

The application is liable for both Mayor and Westminster City Council Community Infrastructure Levy (CIL). Westminster's Cil is calculated at around £1.8m.

7.10 Environmental Impact Assessment

An Environmental Impact Assessment was not required for a development of this scale. Other general environmental matters are covered below and elsewhere in this report.

Wind

The impact on the microclimate of the area, is a concern expressed by a number of objectors. Given the height of the proposed development, the applicant was asked to consider the impact of the development on pedestrian wind comfort conditions and microclimate around

the site. As such the applicant has submitted a Wind Microclimate Assessment undertaken by BRE. The results indicate that the wind conditions around the existing site are suitable for all any pedestrian activity at any time of year (summer and winter). For the proposed site, wind conditions around the proposed site are suitable for all pedestrian activity during summer. During winter the conditions are suitable for all pedestrian activity in all but six ground level locations. In these six locations the wind conditions are unsuitable for long term sitting or entrances, but suitable for strolling and other activities. Five of the locations are on Elmfield Way and one on south east corner of the office block. None of the locations are proposed for long term sitting or entrances. Overall the pedestrian comfort levels are considered to be acceptable for their intended use during winter and any uses during summer. As such the proposed development is not considered to result in any significant detrimental impact on the general public's use of the pedestrian areas around the site and accords with BRE guidelines. Furthermore it is not considered that the development will create wind conditions that would adversely affect roads around the site. Therefore it is considered that the wind assessment demonstrates that the proposal will not have an adverse impact upon the microclimate in terms of wind.

Overshadowing

The proposed overshadowing assessment indicates that the proposed development will not cause any overshadowing to the canal. Overshadowing to residential properties is dealt with under the amenity section of this report.

Trees & Landscaping & public realm

The site incorporates to the south the CNWL car park which overlooks the canal. This area is used for open car parking with bays located within a hard and soft landscaped setting with grassed areas and a number of trees. This area is not formal or designated public open space, but private land accessed from Elmfield Way (a private road) and the CNWL could prevent/control access to this space if they so wished. It appears from representations received that the area is frequented by local people for a variety of uses and objections have been received to the loss of this space. Notwithstanding this, given the private nature of the space, it is not afforded protection. However the applicant is proposing that a 2m depth strip of land, running the full width of the site will provide for canal side public access. Whilst this is welcome it is regrettable that a larger area is not proposed as public open space, given the location of the site within a priority area for open space and the significant public support for such provision. The CNWL has indicated in their representation that they would be concerned about the inclusion of a large area of publically accessible open space, due to the sensitive and confidential nature of the health care they provide.

Given the loss of the soft landscaped area of the CNWL car park, the applicant was asked to consider the provision of canal side public open space as part of the development. The applicant has indicated that the incorporation of such space is constrained by the applicants agreement/land deal with the NHS which requires them to provide a quantum of floor space and the re-provide disabled car parking and cycle parking, some of which the NHS require to be at ground level. The applicant has however agreed to allow public access to the canal side 2m strip of land to the rear of the site, which could be extended in the future if adjacent sites were to be brought forward. It is understood that the canal embankment south of the 2m strip of land is in dual ownership between the Canal and River Trust and the LTDA and therefore falls outside of the site. The CRT has requested that a financial contribution is sought from the developer towards waterway and towpath improvement, given the additional use from new

occupiers of the development. The applicant has been made aware of this request and their response will be reported verbally.

There are a number of trees within the southern part of the site all of which are located within the CNWL car park. These trees would be lost through the development with limited space for replacement, although it is noted that planters and green roofs are proposed. The canal embankment adjoining the site to the rear which houses a number of trees falls outside of the site in separate ownership (CRT and LTDA). The proposed building is set back 2m from these trees and they are proposed to be retained and protected. The formal views of the arboricultural manager are awaited and any response will be reported verbally.

The proposal seeks to improve and enhance the public realm to Woodfield Way, by re-designating the area for pedestrian activities only, with vehicle movements (parking and some servicing) relocated to Elmfield Way. A covered pedestrian walkway leading to a cloisters courtyard is proposed for the entrance to the residential part of the scheme and this will be visible from Woodfield Road although it will have limited public impact. Small areas of soft landscaping/planters are also proposed to the residential entrance to Woodfield Road and along the side of the site to Elmfield Way. To the south east corner of the site adjacent to the office entrance is a hard and soft landscaped area incorporating 4 CNWL car parking spaces and their associated bike store with sedum roof and soft landscaping leading to the public canal side space. It is regrettable that additional areas for soft landscaping are not provided.

Flood risk

The site is located in Flood Risk Zone 1 with a low probability risk. A surface water drainage strategy incorporating sustainable urban drainage measures (including green roofs) aims to reduce any risk associated with known local sewer network problems. Further details are required by condition at the request of Thames Water.

Archaeology

Given the proximity of the Grand Union Canal a desk based assessment was submitted. Historic England Archaeology has confirmed that the development is unlikely to have a significant effect on heritage assets of archaeological interest. No further investigation is required.

Energy and Sustainability

Both active and passive sustainable and energy measures are proposed to seek achieve a 35% reduction in Co2 emissions over 2013 Building Regulations. This includes insulation, thermal bridging, energy efficient lighting, ventilation, water usage reduction, sustainable construction methods. Photovoltaic panels are proposed to the roof of the buildings. A green wall to the internal ground floor residential entrance and green roof to the roof of the tower are also proposed. The applicant has indicated that it is not possible to connect to a district heating network and that due to the size of the development a combine heat and power system is not appropriate. The shortfall in carbon offset reduction is therefore proposed as a financial contribution of £205,632.

Plant

Due to the location of transport and industrial uses to the site mechanical ventilation and comfort cooling is proposed for all uses. Plant (air handling units and chiller) is proposed at basement level and to the roof of the tower concealed within a raised parapet. A substation is

proposed to ground floor level. The City Council Environmental Noise Team are satisfied with proposals subject to conditions.

7.11 Other Issues

Future masterplan

The City Council is in the extremely early stages of considering the potential for a Masterplan for this part of the City incorporating sites on Woodfield Road and surrounding roads. Whilst a number of representations have suggested that this application should be delayed to enable the master plan to be brought forward, given that the master plan does not currently exist and therefore holds no weight, there is no justification to delay the determination of this application. The applicant has indicated that over the last year discussions had taken place with the LTDA, (owners and occupiers of the adjoining site) with a view to incorporating the adjoining site into a more comprehensive master plan development looking at options to re-provide for them in the development or relocate them. However to date the applicant has indicated that notwithstanding negotiations and offer the incorporation of this adjoining site into the development proposals has not materialised either through purchase of the site or a joint venture. In contrast, the LTDA indicate that limited meaningful discussion have taken place with them.

Construction impact

A condition will be imposed to ensure that the development complies with the City Council's Code of Construction Practice which will require the developer to provide a Site Environmental Management Plan (SEMP). The S106 agreement will ensure that the funding for the Environmental Inspectorate covers the demolition and construction phase for environmental and traffic monitoring of the development including the advice for the SEMP submission. In addition a Constructions and Logistics Plan and Delivery and Servicing Plan as requested by Transport for London would need to be secured by condition.

Conclusion

The proposal is generally considered to be acceptable and is considered to generate significant regenerative benefits. The regenerative and other public benefits of the scheme including the provision of (albeit limited) publically accessible canal side access are welcome and are material considerations in the determination of the application.

The single most key issue relates to the principle of a high building in this location. As such Committee are asked to agree that given the location and impact of the high building, that it is acceptable in this location. Subject to this agreement, the application is recommended for approval subject to a S106 legal agreement to secure the necessary planning obligations together with appropriate conditions.

8. BACKGROUND PAPERS

1. Application form
2. Letter (Stage 1) from the Greater London Authority dated 27.06.2016
3. Emails from Transport for London dated 19.04.2016 and 09.08.2016
4. Letters from Historic England dated 25.04.2016 and 08.08.2014

5. Letter from historic England – Archaeology dated 19.05.2016
6. Emails from Environment Agency dated 11.04.2016 and 08.08.2016
7. Email from Thames Water dated 28.04.2016
8. Letter from Canal and River Trust dated 27.04.2016 and further email correspondence between them and the applicant dated 23.08.2016
9. Email from Natural England dated 13.04.2016
10. Email from the Metropolitan Police Crime Prevention Advisor dated 27.04.2016
11. Letters from Central and North West London NHS Foundation Trust dated 03.05.2016 and undated.
12. Letter from Royal Borough of Kensington and Chelsea dated 28.04.2016
13. Letter from London Borough of Brent dated 11.04.2016
14. Email from Councillor David Boothroyd dated 25.04.2016
15. Emails from Councillor Adam Hug dated 30.05.2016, 31.05.2016 and 15.08.2016
16. Email from the St John's Wood Society dated 23.08.2016
17. Emails from Paddington Waterways and Maida Vale Society dated 20.04.2016 and 10.08.2016
18. Email from Nottinghill East Neighbourhood Association dated 25.04.2016
19. Email from the North Paddington Society dated 05.05.2016
20. Letter from the Westbourne Forum dated 27.05.2016
21. Emails from Head of Affordable and private Sector Housing dated 06.06.2016 and 18.08.2016
22. Memo from Highways Planning manager dated 03.06.2016
23. Memo from Cleansing Manager dated 19.04.2016 and 16.08.2016 and email dated 01.09.2016
24. Memos from Public Protection and Licensing Environmental Sciences dated 26.04.2016 and 19.08.2016
25. Emails from Building Control dated 04.05.2016 and 1.08.2016
26. Memo from Children's Service undated
27. Letter from Westminster Housing Co Op dated 27.04.2016
28. Emails from occupiers of flat 2, 5 Woodfield Road dated 25.04.2016, 28.04.2016, 12.05.2016, 24.08.2016
29. Emails from the occupiers of flat 3, 5 Woodfield Road dated 03.05.2016 (x2), 08.08.2016, 23.08.2016,
30. Emails from the occupier of flat 4, 5 Woodfield Road dated 27.04.2016 and 26.08.2016
31. Email from the occupier of The Gatehouse, 5 Woodfield Road dated 25.04.2016
32. Emails from the occupiers of 7 Woodfield Road dated 27.04.2016, 28.04.2016 and 08.08.2016
33. Email from the occupier of 8 Woodfield Road dated 15.04.2016
34. Email from the occupier of 14 Western House, Woodfield Road dated 16.05.2016
35. Email from Paddington Arts, 32 Woodfield Road dated 06.06.2016
36. Email from the occupier of Flat b, 1 Grand Union Close, Woodfield Road dated 17.05.2016, 18.05.2016, 23.08.2016
37. Email from the occupier of 1d Grand Union Close dated 27.05.2016
38. Email from the occupier of 1e Grand Union Close dated 23.05.2016 and 15.08.2016
39. Email from the occupier of 2 Grand Union Close dated 02.09.2016
40. Emails from the occupiers of 2a Grand Union Close dated 26.05.2016, 31.05.2016
41. Emails from the occupier of 2b Grand Union Close dated 18.05.2016, 23.05.2016 (x3), 24.05.2016, 01.06.2016 (x2), 02.06.2016 (x2), 01.09.2016, 02.09.2016
42. Email from the occupier of 2c Grand Union Close dated 23.05.2016, 08.08.2016
43. Email from the occupier of 2e Grand Union Close dated 22.08.2016

44. Email from the occupier of 2f Grand Union Close dated 15.08.2016
45. Emails from the occupier of 2g Grand Union Close dated 25.04.2016, 13.05.2016, 23.05.2016,08.08.2016, 22.08.2016
46. Email from the occupier of 3a Grand Union Close dated 10.06.2016
47. Emails from the occupier of 3b Grand Union Close dated 01.06.2016 (x2) 23.08.2016
48. Email from the occupier of 4g Grand Union Close dated 26.05.2016
49. Email from the occupiers of 5b Grand Union Close dated 23.05.2016 (x4), 06.06.2016 (x2) 08.08.2016 (x4)
50. Email from the occupier of 5f Grand Union Close dated 31.05.2016
51. Email from Karen Buck MP dated 23.08.2016 forwarding an email from an occupier of Grand Union Close
52. Email from the occupier of 19 Nuffield Lodge Admiral Walk dated 05.05.2016
53. Email from the occupier of 21 Nuffield Lodge Admiral Walk dated 12.05.2016
54. Email from the occupier of 41 Swallow Court Admiral Walk dated 22.04.2016
55. Email from the occupier of 19 Beech Court Admiral Walk dated 19.04.2016
56. Email from the occupier of 12 Willow Court Admiral Walk dated 14.05.2016
57. Emails from the occupier of 3 Harvey Lodge Admiral Walk dated 25.04.2016, 26.08.2016
58. Email from 13 Truro House dated 13.04.2016
59. Email from the occupier of flat 21 Falcon Lodge Admiral Walk dated 08.07.2016
60. Letter from the occupier of 14 Athens Gardens Harrow Road dated 09.08.2016
61. Email from the occupier of 315 Harrow Road dated 31.05.2016
62. Email from the occupier of flat 3, 319 Harrow Road dated 15.04.2016
63. Email from the occupier of flat 5, 319 Harrow Road dated 12.04.2016
64. Emails from the occupier of flat 10, 327-329 Harrow Road dated 21.04.2016, 25.04.2016, 17.05.2016, 15.08.2016,
65. Email from the occupier of 329 Harrow Road dated 05.05.2016
66. Email from the occupier of 331 Harrow Road dated 02.06.2016
67. Email from the occupier of 41 Kincardine Gardens, Harrow Road dated 23.05.2016
68. Email from the occupier of 423 Harrow Road – 9 russells wharf flats dated 31.05.2016
69. Email from the occupier of 451a Harrow Road dated 06.06.2016
70. Email from the occupier of 22 Westbourne Park Villas dated 15.04.2016
71. Email from the occupier of 60 Westbourne Park Villas dated 26.04.2016
72. Email from the occupier of 95 Westbourne Park Villas dated 15.04.2016
73. Emails from the occupier of 1 Hornead Road dated 08.06.2016, 09.06.2016
74. Emails from the occupier of the first floor 20 Hornead Road dated 31.05.2016 (x2)
75. Emails from the occupier of 35 Hornead Road dated 03.06.2016, 26.08.2016
76. Email from the occupier of 37 Hornead Road dated 06.06.2016
77. Email from the occupier of 43 Hornead Road dated 14.06.2016
78. Email from the occupier of 48 Hornead Road dated 27.05.2016
79. Emails from the occupier of 48a Hornead Road dated 31.05.2016, 01.06.2016 (x2),31.08.2016 (x2)
80. Email from the occupier of 7 Great Western Road dated 31.05.2016
81. Email from the occupier of basement flat 25 Great Western Road dated 18.04.2016, 11.08.2016
82. Email from the occupier of flat 4 30 Great Western Road dated 02.08.2016
83. Email from the occupier of 188 Great Western Road dated 15.04.2016
84. Email from the occupier of studio 11, Great Western Studios 65 Alfred Road dated 19.08.2016
85. Email from the occupier of flat 2, 1 Ashmore Road dated 31.08.2016
86. Email from the occupier of 52 Bassett Road dated 23.06.2016

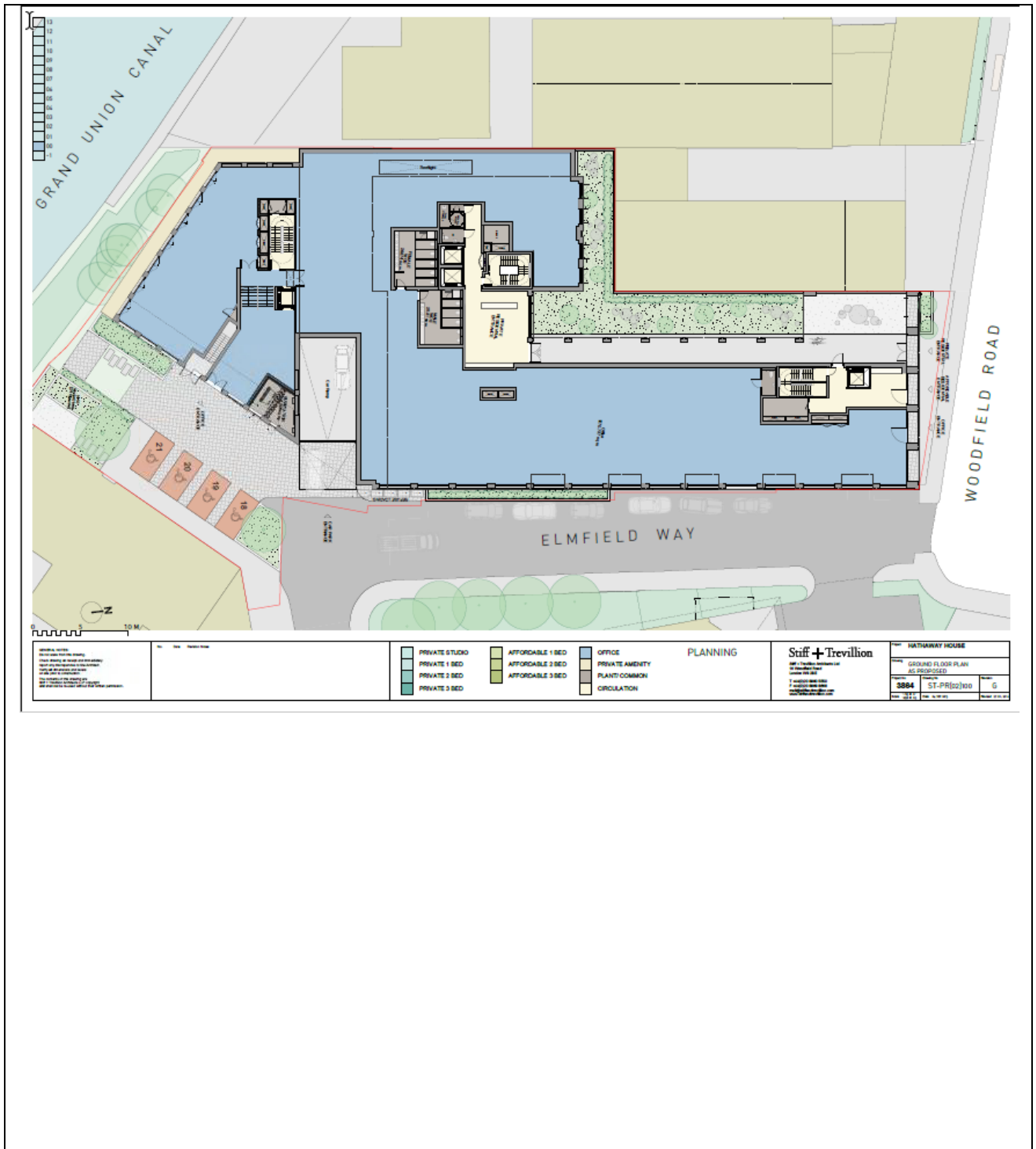
87. Email from the occupier of 25 Blenheim Crescent dated 25.05.2016
88. Email from the occupier of 19 Caird Street dated 19.07.2016
89. Email from the occupier of 17 Chippenham Mews dated 31.05.2016
90. Emails from occupier of 19 Chippenham Mews dated 31.05.2016 (x2)
91. Email from the occupier of 21 Chippenham Mews dated 17.05.2016
92. Email from the occupier of 37a Chippenham Mews dated 31.05.2016
93. Email from the occupier of flat b bottom bell Edbrooke Road dated 31.05.2016
94. Email from the occupier of top floor flat of 30 Edbrooke Road dated 01.06.2016
95. Email from the occupier of flat d, 3 Elgin Avenue dated 18.04.2016
96. Email from the occupier of 106 Elgin Avenue dated 31.05.2016
97. Email from the occupier of 39a Fordingley Road dated 06.06.2016
98. Email from the occupier of 11e Formosa Street dated 27.05.2016
99. Email from the occupier of 46 Galton Street dated 23.05.2016
100. Emails from the occupier of 58 Goldney Road dated 18.04.2016, 03.05.2016, 10.08.2016 (x2)
101. Email from the occupier of 69 Goldney Road dated 16.08.2016
102. Email from the occupier of 29 Holland Road dated 25.07.2016
103. Email from the occupier of 15 Kilravock Street dated 31.05.2016
104. Email from the occupier of flat 1 LEEVE House, 20 Lancefield Street dated 06.06.2016
105. Email from the occupier of 12 Marylands Road dated 06.06.2016
106. Email from the occupier of 72 Marylands Road dated 13.05.2016
107. Email from the occupier of 44 Oakington Road dated 31.05.2016
108. Email from the occupier of 60 Rosemont Road Richmond dated 06.06.2016
109. Email from the occupier of 9 Russells Wharf dated 31.05.2016
110. Email from the occupier of 53 Saltram Crescent dated 03.08.2016
111. Email from the occupier of 12 Stanley Crescent dated 31.05.2016
112. Email from the occupier of 44 Sutherland Avenue dated 31.05.2016
113. Email from the occupier of 7 St Stephens Mews dated 08.08.2016
114. Email from the occupier of 19 Western Mews dated 31.05.2016, 08.06.2016
115. Email from the occupier of 20 Western Mews dated 31.05.2016
116. Email from the occupier of 22 Western Mews dated 31.05.2016
117. Email from occupier of Woodfield Road dated 31.05.2016
118. Email from Pinnacle (City West Homes Limited, 21 Grosvenor Place dated 08.08.2016
119. Email from the occupier of 29 Holland Road dated 19.08.2016
120. Letters from Stratford Planning on behalf of the London Taxi Drivers Association (LTDA) dated 21.04.2016, 20.06.2016, 29.07.2016, 26.08.2016 including Turleys response dated 15.08.2016.

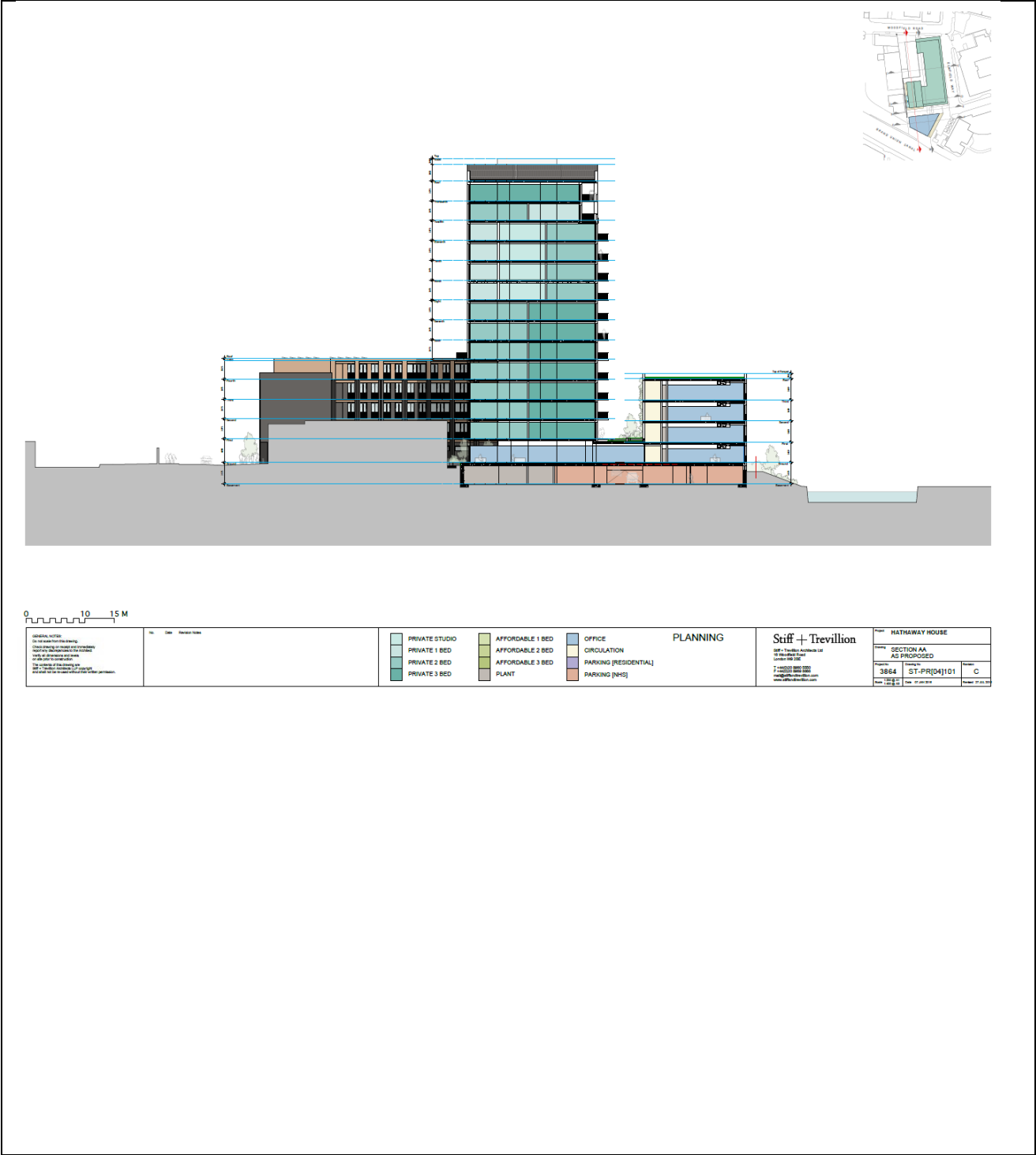
Selected relevant drawings

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

<p>IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: SARAH WHITNALL BY EMAIL AT swhitnall@westminster.gov.uk.</p>
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9. KEY DRAWINGS





0 10 15 M

GENERAL NOTES
 1. Do not scale from this drawing.
 2. Check dimensions on ground and in elevation.
 3. All dimensions are in millimeters unless otherwise stated.
 4. The contractor shall be responsible for all construction details.
 5. All work shall be in accordance with the relevant building codes and standards.

No.	Description

	PRIVATE STUDIO		AFFORDABLE 1 BED		OFFICE
	PRIVATE 1 BED		AFFORDABLE 2 BED		CIRCULATION
	PRIVATE 2 BED		AFFORDABLE 3 BED		PARKING (RESIDENTIAL)
	PRIVATE 3 BED		PLANT		PARKING (MHS)

PLANNING

Stiff + Trevillion
 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

HATHAWAY HOUSE		
SECTION AA AS PROPOSED		
3864	ST-PR[04]101	C
Date: 27.03.2014	Draw: 07.03.2014	Project: 27.03.2014







DRAFT DECISION LETTER

Address: Hathaway House, 7D Woodfield Road, London, W9 2BA

Proposal: Demolition of existing buildings and redevelopment to provide buildings of G+4 and G+13 storeys, providing a mixed use development comprising flexible office use (Class B1) and Healthcare (Class D1), and 74 residential units (including 19 affordable units), with associated basement car parking, cycle parking and hard and soft landscaping.

Plan Nos: ST-EX[00]001 [A] ;ST-EX[02]100 [A]; ST-EX[02]101 [A]; ST-EX[02]102 [A] ;ST-EX[02]103 [A]; ST-EX[03]101; ST-EX[03]102; ST-EX[03]103 ; ST-EX[03]104; ST-EX[04]101; ST-EX[04]102; ST-EX[04]103; ST-DM[00]001 [A] ;ST-DM[02]100 [A]; ST-DM[02]101 [A]; ST-DM[02]102 [A]; ST-DM[02]103 [A]; ST-DM[03]101; ST-DM[03]102; ST-DM[03]103; ST-DM[03]104; ST-DM[04]101; ST-DM[04]102; ST-DM[04]103; ST-PR[00]001 [C]; ST-PR[02]099 [F]; ST-PR[02]100 [G]; ST-PR[02]101 [G]; ST-PR[02]102 [G]; ST-PR[02]103 [G]; ST-PR[02]104 [G]; ST-PR[02]105 [F]; ST-PR[02]106 [F] ;ST-PR[02]107 [F]; ST-PR[02]108 [F]; ST-PR[02]109 [F]; ST-PR[02]110 [F] ; ST-PR[02]111 [F]; ST-PR[02]112 [F]; ST-PR[02]113 [F]; ST-PR[02]116 [F]; ST-PR[03]101 [D]; ST-PR[03]102 [E]; ST-PR[03]103 [D]; ST-PR[03]104 [E]; ST-PR[03]110 [E]; ST-PR[03]111 [E]
 Design and Access Statement March 2016; Planning Cover Letter 21st March 2016;
 Planning Statement 21st March 2016; Arboricultural Report 29th February 2016; Archaeological Assessment March 2016; Draft Construction Management Plan March 2016 (information only); Energy Statement February 2016; Sustainability Statement March 2016
 ;Air Quality Assessment March 2016; Draft Landscaping Strategy 16th march 2016; Geotechnical and Basement Impact Report March 2016; Daylight, Sunlight, Overshadowing Report March 2016; Flood Risk Assessment March 2016; Noise and Acoustic Assessment February 2016; Outline Site Waste Management Plan March 2016
 Regeneration Statement March 2016; Statement of Community Involvement February 2016; Transport Statement February 2016;
 Townscape and Visual Impact Assessment March 2016; Wind and Microclimate Assessment February 2016;Addendum Daylight, Sunlight and Overshadowing Assessment June 2016; Addendum Views June 2016; Addendum Canal Elevation Study June 2016; Addendum Arboricultural Report June 2016; Addendum Planning Clarifications and Additional Information Letter June 2016; Addendum Wind and Microclimate Assessment June 2016;Addendum Views Analysis from Kensal Green Cemetery June 2016;
 Amendment Scheme Townscape and Visual Impact Appraisal August 2016;Amendment Scheme Overshadowing Assessment August 2016;
 Amendment scheme Planning Cover Letter August 2016;
 Amendment Scheme Wind and Microclimate Assessment August 2016;Amendment scheme Daylight & Sunlight Assessment August 2016;Updated drawings register August 2016; Amendment Scheme CGI's August 2016.

Case Officer: Sarah Whitnall**Direct Tel. No.** 020 7641 2929

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 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 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 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.

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

- 7 You must use B1/D1 floor space as offices or a health facility. You must not it for any other purpose, including any within Class D1 of the Town and Country Planning (Use Classes) Order 2015 (or any equivalent class in any order that may replace it). Before commencement of any D1 health facility use, you must provide to us for approval of details of an operational management plan including the following:-

Nature of use and services proposed
 Number of staff and patients
 Hours of use
 Medical waste facilities

You must then carry out the use according to the details approved.

(C10AA)

Reason:

We cannot grant planning permission for unrestricted use within Class D1 because it would not meet, SOC1, SOC4, TRANS1, TRANS2, TRANS3, TRANS20, TRANS21, TRANS22, ENV13, ENV6, ENV7 of our Unitary Development Plan that we adopted in January 2007, and S41, S42, S32, S34 and S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and because of the special circumstances of this case. (R05BB)

- 8 The B1 or D1 use shall only be operational between 07.00 and 20.00 Monday to Friday.
 (C12AD)

Reason:

To protect the environment of people within the development and within neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (July 2016) and ENV 6, ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 9 **Pre Commencement Condition.** You must carry out a detailed site investigation to find out if the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology and general requirements outlined in 'Contaminated land, a guide to help developers meet planning requirements' - which was produced in October 2003 by a group of London boroughs, including Westminster.

You must apply to us for approval of the following investigation reports. You must apply to us and receive our approval for phases 1, 2 and 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed.

Phase 1: Desktop study - full site history and environmental information from the public records.

Phase 2: Site investigation - to assess the contamination and the possible effect it could have on human health, pollution and damage to property.

Phase 3: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate.
(C18AA)

Reason:

To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in STRA 34 and ENV 8 of our Unitary Development Plan that we adopted in January 2007. (R18AA)

- 10 (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.

- 11 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.

- 12 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. Inside bedrooms 45dB L_{max} is not to be exceeded no more than 15 times per night-time from sources other than emergency sirens.

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.

- 13 The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise 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 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development.

- 14 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 10, 11, 12, 13 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.

- 15 You must apply to us for approval of sound insulation measures and a Noise Assessment Report to demonstrate that the residential units will comply with the Council's noise criteria set out in Condition 12 and 13 of this permission. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the details approved before the residential units are occupied and thereafter retain and maintain.

Reason:

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.

- 16 Prior to commencement of construction you must submit for approval by the Local Planning Authority, details of scheme of mechanical ventilation to provide adequate cooling and air quality mitigation to the residential units. The system must ensure the internal noise levels of the residential units do not exceed those outlined in condition 13.

Reason:

To ensure that the internal residential environment is acceptable in accordance with ENV13, ENV5 of our Unitary Development Plan that we adopted in January 2007 (UDP) and S29 and S31 of Westminster's City Plan (July 2016), by contributing to reducing excessive ambient noise levels.

- 17 Notwithstanding that submitted, prior to commencement of development you must submit to the City Council for a approval a revised waste and recycling strategy which replaces the waste chute between ground and basement floors with a lift. You must then provide the the waste store before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the buildings. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose.

Reason:

To protect the environment and provide suitable storage for waste 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. (R14BD)

- 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 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)

- 20 You must provide residential 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)

- 21 You must provide the car parking spaces for the Central and North West London NHS Foundation Trust as shown on the approved drawings and each car parking space shall only be used for the parking of vehicles of people working in the Trusts buildings or calling there for business purposes. (C22AA)

Reason:

To ensure that the existing Central and North West London NHS Foundation Trust car parking is re-provided.

- 22 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.

- 23 Apart from collection of waste and recycling all servicing must take place between 09.00 and 18.00 Monday to Friday. (C23DA)

Reason:

To minimise the impact of servicing on existing and future residents in accordance with policy ENV13 of our Unitary Development Plan that we adopted in January 2007.

- 24 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)

- 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 character and appearance of the area, and to improve its contribution to biodiversity and the local environment. This is as set out in S38 of Westminster's City Plan (July 2016) and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R30BC)

- 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 close to the site located within the canal embankment. 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 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 character and appearance of the area. This is as set out in S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

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

i) typical facade bays.

The sample(s) should demonstrate the colour, texture, face bond, pointing, component interfaces 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 character and appearance of the area. This is as set out in S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 29 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) location and size of movement joints;
- vi) step backs in façade;
- vii) interfaces with windows;
- viii) interfaces with landscaping;
- ix) interfaces with architectural metalwork;
- x) ventilation and other services terminations at façade and roof;
- xi) balconies including method of drainage;
- xii) railings and balustrades;
- xiii) 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 character and appearance of the area. This is as set out in S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 30 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:
- Further design refinement to blank west-facing walls of Blocks A and C to introduce greater relief and visual interest.
- You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 31 You must apply to us for approval of a scheme of public art. You must not start work on the public art until we have approved what you have sent us. Before anyone moves into the building you must carry out the scheme according to the approved details. You must maintain the approved public art and keep it on this site. You must not move or remove it.

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)

- 32 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 character and appearance of the area. This is as set out in S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 33 Before you begin to use you must apply to us for approval of a Travel Plan (in liaison with TFL). The Travel Plan must include details of:
- (a) A comprehensive survey of all users of the building;
 - (b) Details of local resident involvement in the adoption and implementation of the Travel Plan;
 - (c) Targets set in the Plan to reduce car journeys to the site ;
 - (d) Details of how the Travel Plan will be regularly monitored and amended, if necessary, if targets identified in the Plan are not being met over a period of 5 years from the date the new school buildings are occupied.

At the end of the first and third years of the life of the Travel Plan, you must apply to us for approval of reports monitoring the effectiveness of the Travel Plan and setting out any changes you propose to make to the Plan to overcome any identified problems.

Reason:

In the interests of public safety, to avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S41 of Westminster's City Plan (July 2016) and TRANS 2, TRANS 3 and TRANS 15 of our Unitary Development Plan that we adopted in January 2007. (R45AB)

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 :-
 1. Provision of affordable housing on-site in the form of 9x1bedroom and 10x2 bedroom intermediate shared ownership units, with 100% nomination rights to the City Council.
 2. Lifetime (25 years) car club membership for the occupiers of the residential units.
 3. Car park strategy for the residential carpark spaces provided on an unallocated basis and

for the NHS car park spaces.

4. Highways works associated with the development including vehicular crossovers and paving
5. Pedestrian and vehicular access along from Woodfield Road along Elmfield Way to the development site
6. Public access to the 2m depth canal side space via a walkways agreement or other suitable mechanism.
7. A financial contribution of £205,632 as a carbon offset payment (index linked and payable on commencement of development).
8. A financial contribution of £TBC towards improvements to existing play space provision in the vicinity of the site or towards the provision of new play space provision (index linked and payable on commencement of development).
9. A financial contribution of £TBC towards public realm improvement works in the vicinity of the site which may include works to the waterway and towpath (index linked and payable on commencement of development).
10. A financial contribution of £TBC towards Employment and Training (index linked and payable on commencement of development).
11. A financial contribution of £100,000 towards a cycle docking station within the vicinity of the site. (index linked and payable on commencement of development).
12. Provision of Public Art to the value of no less than £TBC. (index linked and payable on commencement of development).
13. Compliance with Code of Construction Practice
14. Cost on Monitoring the S106 legal agreement

- 3 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

24 Hour Noise Team
Environmental Health Service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (150AA)

- 4 Asbestos is the largest single cause of work-related death. People most at risk are those working

in the construction industry who may inadvertently disturb asbestos containing materials (ACM_s). Where building work is planned it is essential that building owners or occupiers, who have relevant information about the location of ACM_s, supply this information to the main contractor (or the co-ordinator if a CDM project) prior to work commencing. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/asbestos/regulations.htm (I80AB)

- 5 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.

- 6 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained.

Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following:

* Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings;

* Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase;

* Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained;

* Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the centre of particularly wide staircases where necessary;

* Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.

- 7 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.
- * Window cleaning - where possible, install windows that can be cleaned safely from within the building.
 - * Internal atria - design these spaces so that glazing can be safely cleaned and maintained.
 - * Lighting - ensure luminaires can be safely accessed for replacement.
 - * Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).
- More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm.

Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)

- 8 You must ensure that the environment within a workplace meets the minimum standard set out in the Workplace (Health, Safety and Welfare) Regulations 1992 with respect to lighting, heating and ventilation. Detailed information about these regulations can be found at www.hse.gov.uk/pubns/indg244.pdf. (I80DB)

- 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 Condition 9 refers to a publication called 'Contaminated land, a guide to help developers meet planning requirements' - produced in October 2003 by a group of London boroughs, including Westminster. You can get a copy of this and more information from our environmental health section at the address given below.

Contaminated Land Officer
Environmental Health Consultation Team

Westminster City Council
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Phone: 020 7641 3153
(I73AB)

- 11 Approval for this residential use has been given on the basis of sound insulation and ventilation mitigation measures being incorporated into the development to prevent ingress of external noise. Occupiers are therefore advised, that once the premises are occupied, any request under the Licensing Act 2003, Environmental Protection Act 1990, Control of Pollution Act 1974 or planning legislation for local authority officers to make an assessment for noise nuisance arising from external sources is likely to be undertaken only if the noise and ventilation mitigation measures installed are in operation. E.g. windows kept closed.