

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 29 March 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Maida Vale	
Subject of Report	Site At 221-235 Lanark Rd, Land To North Of 235 Lanark Rd And Land At Scottish Towers, Maida Vale, London, W9,		
Proposal	Redevelopment of site spanning 221-235 Lanark Road and land to the north of 235 Lanark Road, involving demolition of existing buildings and erection part 3, part 4, part 5 storey building, plus lower ground floor, containing a community/sports building (Use Class D1/D2) and associated plant at the north end of the site, and 67 residential units (Class C3) (private and affordable) across the remainder of the site and across the top floor of the proposed community/sports building, together with car parking, landscaping and associated works. Reconfiguration of front curtilage of the Scottish Towers (Glasgow House, Falkirk House, Edinburgh House) to provide additional parking, re landscaping and associated works. Removal of existing trees and replacement tree planting.		
Agent	Gerald Eve		
On behalf of	DOLPHIN SQUARE CHARITABLE TRUSTEE		
Registered Number	15/11007/FULL	Date amended/ completed	2 December 2015
Date Application Received	25 November 2015		
Historic Building Grade	Unlisted		
Conservation Area	Adjacent to Maida Vale and St John's Wood Conservation Areas		

1. RECOMMENDATION

Grant conditional permission, subject to a S106 legal agreement to secure:

- i) Provision of 44 on-site affordable housing units.
- ii) Provision on site of Community/Sports floorspace.
- iii) A financial contribution of £32,000 per annum (index linked) toward monitoring of the construction project by the City Councils Environmental Inspectorate.
- iv) A financial contribution of £5000 (index linked) toward tree planting in the vicinity of the site.

- v) Car club membership (25 years) for each flat.
- vi) Unallocated parking for residential development
- vii) Cost of highways works necessary to facilitate the development including the reinstatement of pedestrian highway.
- viii) A financial contribution of £113,400 (index linked) to go towards the City Council's Carbon off-set fund
- ix) The costs of monitoring the aS.106 legal agreement.

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

a) The Director of Planning shall consider whether it would be possible and appropriate to issue permission with additional conditions attached to secure the benefits listed above. If so, the 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 a S106 planning obligation within an appropriate timescale, and that the proposal is unacceptable in the absence of the benefits which would have been secured; if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2. SUMMARY

The site is currently in the ownership of City Council and is occupied by the Maida Centre, North Paddington Youth Club and some temporary off-site education use by St Georges School. The existing community facilities are popular and well used community assets that are in need of modernisation. Permission is sought by Dolphin Square Charitable Trust who are in the process of acquiring a long lease from the City Council to deliver a mixed use scheme providing a new replacement Sports and Community facility as well as 67 new residential units. The scheme has brought about 110 representations, plus petitions, and objections from Ward Councillors Crockett and Begum. The Community benefits are considered to be significant in this scheme and whilst there will be some impact upon the surrounding residential properties, there are sufficient mechanisms to mitigate this harm which are detailed in the report and recommended conditions, and the application is recommended for approval.

3. LOCATION PLAN



4. PHOTOGRAPHS



5. CONSULTATIONS

Ward Councillors for Maida Vale

WARD COUNCILLER BEGUM

Current Youth facilities are in need of upgrading, proposed centre would have significant local benefits particularly for young people. Provision of affordable housing is welcome. The proposals however would cause significant problems in terms of privacy, overlooking, and losses of light for Carlton Vale and Randolph Avenue. Proposals suffered lack of public consultation. Westminster City Council should look at possibility of using affordable housing fund to assist in delivery of Lanark Road scheme.

WARD COUNCILLER CROCKETT

Support the refurbishment of Council properties on Lanark Road which are dilapidated and in need of upgrading. Social and intermediate housing needed in Maida Vale. Large number of legitimate concerns from residents; scale and density of development with impacts on parking, surrounding trees and character of Maida Vale Conservation Area, overlooking, losses of light and sense of enclosure. Suggested site visit to assess proposals.

HIGHWAYS PLANNING MANAGER

No objections subject to unallocated parking, secured as part of section 106 agreement.

ENVIRONMENTAL HEALTH

No objection to proposal on environmental and nuisance grounds provided recommended conditions and informatives are included.

ARBORICULTURAL MANAGER

Objection to loss of trees, encroachment of setting of Scottish Towers for car parking

AFFORDABLE HOUSING SUPPLY MANAGER

Housing tenure and mix has been prepared in consultation with Affordable Housing Manager to meet the Boroughs identified housing need. Scheme provides 68% affordable housing (above 35% minimum sought through policy).

SPORTS AND LEISURE

Support the scheme.

ADULT AND COMMUNITY SERVICES

Any response reported verbally.

DESIGNING OUT CRIME

No objection.

BUILDING CONTROL – DEVELOPEMNT PLANNING

No objection to structural statement. Without benefit of fire strategy, plans do not appear to comply with building regulations with respect to travel distances, open plan flats with cooling facilities adjacent to exit points, inner rooms without means of escape.

ENVIRONMENT AGENCY (THAMES REGION)

No constraints which fall within Environment Agencies remit for comment.

CHILDREN'S SERVICES

Welcome proposals.

PADDINTON WATERWAYS AND MAIDA VALE SOCIETY**Objection**

Supportive of the proposals for sports and youth club facilities however the mass and scale of development will cause irreversible harm in terms of character on adjacent Conservation Area, unacceptable level of enclosure to all properties surrounding site, retaining wall to create amenity space likely to cause fatal harm to the tree root system.

Widening of footpath necessary to accommodate increased density on site.

Construction management plan to be sympathetic to school so teaching is not impacted

Elevation design treatment does not sit comfortably in contrast to Conservation Area

THAMES WATER

Scheme should incorporate sustainable drainage and SUDS (Sustainable urban drainage) to limit surface water runoff from the site.

TRANSPORT FOR LONDON – BOROUGH PLANNING

Any response to be reported verbally

SPORTS ENGLAD

Supportive of scheme.

LONDON BOROUGH OF BRENT

Any response to be reported verbally.

ST JOHN'S WOOD SOCIETY

Any response reported verbally.

CLEANSING – DEVELOPEMNT PLANNING

No objections.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 764

Total No. of replies: 124

No. of objections: 110 + 7 x template type letter objections with multiple signatures and additional comments. Listed in background papers

Character and Appearance

Overdevelopment

Unsympathetic with surrounding area

Density of scheme is too great

Loss of street trees unacceptable

Poor quality of accommodation proposed

Lack of dedicated onsite playspace

Amenity

Sense of enclosure for adjoining occupiers

Overlooking of neighbouring properties

Loss of light to adjoining properties

Highways

Lack of parking

Congestion as a result of increased activity

Floodrisk

Lack of SUDS, risk to neighbouring properties

Other

Inaccurate tree survey relating to existing trees

Lack of public consultation

Lack of participation in preparation of scheme

No. in support: 7

Affordable housing needed in the area

Community facilities in need of upgrading

Youth centre provide activities your young people, reduce crime

Design of scheme is high quality

ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION**6.1 The Application Site**

The site is located on the western side of Lanark Road at its northern end, extending from adjacent to No.201 Lanark Road to where it abuts the rear of 1 Carlton Vale (on the corner of Carlton Vale and Lanark Road). The site comprises of a number of (5) smaller sites/buildings/uses including i) an external car parking area (6 spaces approximately), operated by City West Homes to local residents, ii) the Maida Centre; iii) Sports hall; iv) North Paddington Boys club (NPYC) and v) portacabins used by St Georges School.

The Maida Centre to the south is a community building, mainly serving the local residents and community groups; the facility provides a meeting place for local residents and a number of regular classes for local children such as ballet and Taekwondo. The facility can also be booked for private social events. The facility includes a hall, kitchen and an office which is used by the Residents Association. The Centre is available for bookings from 9am to 9pm on weekdays and to 11pm at weekends. City West Homes standard rates apply which are £12ph for community groups, 15-18ph for statutory use and £25ph for private functions. To the south of the Maida Centre is a small car park (approx. 6 spaces) operated by City West Homes.

The NPYC sits within a two storey building with semi basement in the middle of the site. The Youth Centre provides an informal educative service to the young people of Maida Vale and surrounding areas. The facilities include a kitchen, an I.T. Suite, a manager's office, a gymnasium, a nursery area, a music room, a multi-purpose room (used for games, toilets, showers, a sports hall, a multiple-purpose area (used for pool, table tennis), a multiple-purpose room used for group work sessions. The users are primarily young people aged between 11 -19. There is also a Junior Club which works with children aged 8 – 11. The youth provision operates from Wednesday to Sunday. Wed & Thurs- 6.30 - 9.30, Fri - 7.00 - 10.00, Sat - 6.00 - 9.00 and Sun- 4.00 - 7.00

The St George's School site sits directly opposite the main school site. It has been used as a temporary ancillary site for St George's School providing a range of uses including decant teaching space and site offices to enable the improvement and expansion of St George's School under the Building School's for the Future (BSF) programme commenced in 2009.

In addition to this main site on the opposite side of Lanark Road the external car parking and landscaping areas to the residential tower blocks of Edinburgh, Falkirk and Glasgow Houses, also form a secondary part of the proposed site.

None of the buildings within the site are listed and the site falls outside of a Conservation, although lies between and therefore adjacent to both the Maida Vale and St John's Wood Conservation Areas.

The site is surrounded predominantly by residential properties including those on Randolph Avenue to the rear (west), Carlton Vale to the north, Lanark Road dwellinghouses to the south and on the opposite side of Lanark Road the residential tower blocks of Edinburgh, Falkirk and Glasgow Houses and St Georges School. To the north west of the site is a small community landscaped green.

6.2 Recent Relevant History

Lanark Road Planning History Schedule

North Paddington Youth Club

Reference	Address	Description of development	Decision	Decision Date
2865/N	235 Lanark Road	Erection of a building to house sports play area.	Granted	24/08/1982
TP/2865	235 Lanark Road, W.9.	The use of the North Paddington Boys' Club No. 235 Lanark Road, W.9. as a private day nursery	Granted	12/09/1967
TP/79289/W	231-243 (odd) Lanark Road, Paddington	Erection of a Boys' Club on sites of Nos. 231-243 (odd) Lanark Road, Paddington.	Granted	25/02/1965

St Georges RC School Portacabin Site

Reference	Address	Description of development	Decision	Decision Date
02/07892/COFUL	St Georges RC Secondary School Lanark Road London W9 1RB	Erection of a single storey temporary building to house a Behaviour Management Team.	Granted	02/04/2003
7002	St Georges School, Lanark Road, W9	The extension of existing temporary classroom accommodation by the addition of one additional classroom at St Georges School, Lanark Road, W9	Granted	16/08/1977
7009	St Georges School, Lanark Road, W9	The erection of 2 temporary classrooms at St Georges School, Lanark Road, W9	Granted	1976

Maida Centre and Covered Tennis Courts

Reference	Address	Description of development	Decision	Decision Date
08/04354/COFUL	221 Lanark Road	Installation of access to fire escape including retaining wall and concrete path.	Granted	02/07/2008
05/03545/COFUL	221 Lanark Road	Graded tarmac ramp and handrails to front elevation of Maida Centre Tenants Hall.	Granted	27/07/2005
04/09312/COFUL	221 Lanark Road	Addition of two new ramps and handrails to side and front of tenant's hall (Council's Own Development).	Granted	18/01/2005

Scottish Towers Car Parking Area

Reference	Address	Description of development	Decision	Decision Date
No applications of relevance				

7. THE PROPOSAL

Permission is sought for the redevelopment of the site, consisting of the demolition of existing buildings on site and the erection of a mixed use development comprising, replacement sports and community facilities and a residential scheme providing 67 self contained residential units. The scheme also proposes the reconfiguration of the existing parking area within the forecourt of the Scottish Towers to provide additional parking for the residents of the new development.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Community uses

The new sports and community uses have been designed in consultation with the NPYC and Maida Centre to design replacement facilities that best fit their current and future needs. The specific uses within the building are specified in section 14 of the Design and Access Statement. The principle of the redevelopment of the site to provide a replacement purpose built sports and community facility of increased floorspace (2385sqm compared to 1827sqm) together with 67 new residential units (private and affordable) is acceptable, in accordance with Policy S34 of Westminster's City Plan: Strategic Policies, and SOC1 of the UDP.

In terms of the continued function of the uses during the development period, the demolition and construction programme is anticipated to commence in the last quarter of 2016, and be completed

in the last quarter of 2018, lasting approximately 2 years. It is understood that City West Homes are providing assistance to the NYPC to temporarily re-locate to the St Augustine's Sports Centre in Kilburn, whilst it is not known if the resident's group users in the Maida Centre will be seeking temporary occupancy somewhere else.

Residential Accommodation

A total of 67 new residential units are proposed across a range of tenure, private, social rent and intermediate rent.

Table 1 – Mix of proposed residential units size

Unit Type	Social Rent	Intermediate rent	Private	Total	% unit mix
1-bed 1 person	0	7	0	7	10%
1-bed 2 person	0	13	7	20	30%
2-bed	3	10	10	23	34%
3-bed	7	4	6	17	25%
Total	10	34	23	67	

The development proposes a mix of sizes whilst only 25% are family sized (policy requires 33%). The mix of units has been developed with the City Council's Housing Manager and reflects the current need in the Borough. Within the context of the site, this mix of unit sizes is considered acceptable.

The density of the proposed development is 934 habitable rooms per hectare (hr/ha). The recommended density in the UDP is 250 – 500 hr/ha whilst London Plan policy 3.2 provides a higher density range for development of between 650 – 1100 hr/ha for urban locations with a good Public Transport Accessibility Level. The Ptal level for the site is 5.

Whilst the density for the proposed development is higher than the UDP range, it is within the London Plan range and therefore is not grounds to withhold permission.

Affordable housing Provision

A total of 44 of the 67 residential units proposed is as affordable housing, in the form of social and intermediate rent (34 units). This provision exceeds the policy requirement that 35% of the floor space should be provided as affordable housing.

Whilst the tenure split proposed; 23% social rent and 77% intermediate rent, differs from our policy requirement under Policy H4 of the UDP which seeks a 60:40 split, the City Councils Housing Manager is satisfied that the proposed Affordable Housing tenure reflects the Councils Housing need and justifies a flexible approach to this policy.

Quality of Residential Accommodation

All units within the development comply with the National Housing Technical Standards with respect to internal floor area. Most units have access to private external amenity space, with the exception of 7 x 1 bed intermediate units. This shortfall is disappointing.

Whilst 98 % of the rooms within the proposed development would be provided with adequate daylight – some flats would contain rooms that do not meet the BRE guidelines for minimum levels of daylight. Whilst regrettable, these rooms experience only a marginal deviation on the standard and serve predominantly secondary bedrooms.

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

8.2 Townscape and Design

The application site lies on the west side of Lanark Road. It is not within a conservation area, but lies on the boundary with the Maida Vale Conservation Area, with the buildings to the north, south and west all within the conservation area. The St John's Wood Conservation Area lies to the east on the east side of Maida Vale. There are no listed buildings within the immediate vicinity of the site

The section of Lanark Road between Elgin Avenue and Carlton Vale is largely a product of post war (1960s and later) development, with the earlier Victorian villas and terraced houses, which formerly existed, having been swept away. It has quite an open and green character, with the tower blocks to the east set within landscaped grounds and the semi-detached villa style properties on the west side separated by generous gaps, with views into the gardens beyond. The soft landscaping, street trees and many of the trees within private gardens make a significant contribution to the character of the area.

The existing buildings on the site are of relatively utilitarian character and low quality and the principle of their demolition is uncontentious in townscape terms.

The proposal effectively comprises two attached buildings occupying a relatively narrow and elongated plot. The northern part of the site includes the community/sports hall, which has a deeper floor plan and the remainder of the site contains the residential flats. The residential element of the scheme has a lower ground floor and is then mainly 5 storeys in height (i.e. ground plus four upper storeys), although it steps down to 3 storeys at its southern end. The community/sports hall is the same height as the 5 storey residential element and includes a storey of residential accommodation over sitting the sports and community facilities.

The predominant facing material is brick, with the two buildings being distinguished by using a stock brick for the residential element and a light grey brick for the community / sports hall. Set-back rooftop elements, infill panels and the stair and lift cores (to the rear) will be in anodised aluminium.

The massing of the residential element as it faces Lanark Road is broken up into brick bays, distinguished by differing heights, recessed balconies and a set-back roof storey for part of façade. The community / sports hall is more monolithic in massing, although some relief to the

Lanark Road façade is provided by upper level panels of brick and slot windows. The relief and modelling to the front façade does not extend to the rear façade, where the treatment is flatter.

In terms of height and massing, the building is considered to be acceptable in height terms, although some further work to relieve the massing to the rear would improve the design. The scale of buildings in the immediate vicinity is variable, ranging from the four storey 'villa style' flats to the south of the site to the very tall tower blocks on the east side of Lanark Road. The proposed building is more closely aligned in height with the buildings in Randolph Avenue to the west and St George's School to the east. This height is considered to be consistent with the wider Maida Vale townscape and thus in design terms is considered acceptable.

The massing of the proposed building is more challenging in that it introduces to the street a long, uninterrupted development in a street which has a more open character. Nonetheless the proposal maintains the historic building line and would effectively re-establish the continuous run of buildings, that formerly existed on the site, when Victorian terraced houses ran the full length of this side of the street. Also in streets such as Randolph Avenue, which reflect more typically the character and appearance of the surrounding townscape and of the Maida Vale Conservation Area, the nature of the massing is generally one of a continuous run of terraced houses or flats and thus the proposal responds to this wider context. Nevertheless, the long runs of buildings within the conservation area, still have relief within their facades, brought about by various architectural devices, such as bay windows, projecting bays etc. and it is considered important that the new building should also break up its massing. This has been relatively successfully done to the Lanark Road elevation where the modelling has created a vertical emphasis to match the elongated massing and also provided some depth to the façade. The rear is less successful and as a consequence has a more monolithic appearance.

In terms of the choice of facing materials it is considered that brick is entirely appropriate as the principal facing material and that the proposal to use differing brick types for the two main building elements is equally appropriate. The type of brick and the bond of brick are all considered to be key factors in ensuring design quality, and further details to secure mock-up samples will be sought. Similarly, the use of anodised aluminium is considered acceptable as the main metal cladding component, but the detailing and finish of this also needs to be resolved by way of condition.

The façade treatment to Lanark Road is ordered and has an acceptable proportion and rhythm, but the rear façade is less successfully resolved. It is considered that there is merit in seeking amendments to the rear façade to secure a more successfully resolved design, which would seek to reduce the monolithic nature of the design and introduce greater verticality and order. An amending condition is recommended to secure greater order by way of elevation design treatment.

The roof of the building is shown as maintaining the metal cladding onto the flat roof surface. It is understood a large proportion of the roof will be used for the placement of photovoltaic panels to improve the buildings onsite renewable energy generation.

Overall and with some refinement suggested, the proposal is considered acceptable in design terms and the scheme would not harmfully effect the setting of the nearby conservation areas. The proposal would accord with design policies S25 and S28 of our City Plan; and DES 1, DES 4 and DES 9 of our UDP.

8.3 Residential Amenity

Sunlight and Daylight

Randolph Avenue

Daylight

All 21 properties on Randolph Avenue were assessed, 11 properties between Nos. 222 – 242 experience no significant reduction daylight in accordance with the BRE guide. The remainder of the terrace would see losses of daylight above and beyond that set out in the BRE guide. Affected windows are mainly lower ground level within closet wing at ground level.

Table 2 – daylight reductions (Randolph Avenue)

Loss of daylight				
Property	Window	Existing VSC	Proposed VSC	% loss
244 Randolph Avenue	Lower ground	28.5	21.3	30%
	Lower ground	8.5	6.3	30%
246 Randolph Avenue	Lower ground	22.7	16.3	30%
248 Randolph Avenue	Lower ground	13.7	9.9	30%
250 Randolph Avenue	Lower ground	26.3	18.1	30%
	Lower ground	22.3	15.9	30%
252 Randolph Avenue	Lower ground	19.2	14.0	30%
254 Randolph Avenue	Lower ground	11.2	7.2	30%
	Ground	33.6	23.8	30%
256 Randolph Avenue	Lower ground	11.2	7.2	40%
	Ground	33.6	24.0	30%
258 Randolph Avenue	Lower ground	11.6	7.5	40%
	Ground	33.4	24.5	30%
260 Randolph Avenue	Lower ground	11.6	7.5	40%
262 Randolph Avenue	Lower ground	11.1	7.1	40%

The greater losses of daylight are predominantly to lower ground and ground floor rear facing closet wing windows within Nos. 252 – 262. The rear building line of these properties are closer to the development site boundary, between 10m – 15m, compared with the remainder of the terrace which is a distance of some 22m. These properties are split level maisonettes spread across ground and lower ground floor level. The affected rooms are user for bedrooms and study's. Given that that the principle ground floor windows would be unaffected with only ground floor

secondary closet wing windows and lower ground floor windows experiencing a loss, overall these small deviations are considered acceptable within the context of the scheme.

Sunlight

The surrounding properties have also been assessed for sunlight. Nos. 252 – 262. Only 3 windows at first floor within Nos. 254, 256 and 262 Randolph Avenue would see a reduction in sunlight.

Table 3 – Reductions in sunlight (Randolph Avenue)

Loss of Sunlight Annual/Winter					
Property	Window	Existing	Proposed	% Annual loss	% Winter loss
254 Randolph Avenue	First floor	16	11	31.3%	50%
256 Randolph Avenue	First floor	14	9	35.7%	50%
262 Randolph Avenue	First	16	11	31.3%	50%

In terms of impact upon the rear gardens, the proposal would not result in any significant changes.

1 – 7 Carlton Vale & 201 Lanark Road

These properties would see no significant reduction in daylight, sunlight or overshadowing of rear garden area.

Sense of Enclosure

The proposed building spans the length of the site at a height of 13m (taken from the rear garden level), with an additional set back storey adding a further 3m onto the height. The existing buildings on site range in height from 3m at the north end of the site, 5.5m in the middle for the main building and sports building, and 4.6m for the lower rise building at the south of the site, measured from the same point. The proposed buildings would clearly result in a substantial increase in scale when viewed from these rear gardens along Randolph Avenue and the rear gardens of Carlton Vale.

With regards to Nos. 222 – 250 Randolph Avenue, the development would retain a separation of approximately 27m between the facing rear facades. The difference in height between the proposed and existing buildings on part of the site would be between 4.1m – 7.2m owing to the existing taller buildings on this part of the site. At the south end of the site the building is stepped down to part 3, part 4 storeys. Whilst the impact would be significant, these site characteristics lessen the impact in terms of enclosure.

With regard to 252 – 262 Randolph Avenue, the development would retain a separation of between 11.5m – 15.2m to the site boundary, and occupiers would experience a greater impact in terms of enclosure, given they are closer to the building and currently face the most low lying part of the development site. Similarly the rear elevations of adjoining Carlton Vale properties are a distance of 18.7m to the flank elevation of the sports and community building.

Overall these surrounding properties would see a significant increase in sense of enclosure, compared to the existing situation which is regrettable.

Overlooking/ Privacy

Objections have been received on grounds of overlooking arising proposed residential habitable room windows and balconies on the rear elevation facing Randolph Avenue properties, some of which are single aspect units. Concerns have also been raised from the Governor of St George's School on grounds of future residents having views toward classrooms within the School.

With regard to the Randolph Avenue properties, it is acknowledged that the proposed development will alter the current situation, introducing a large number of windows and balconies at upper levels where presently the existing buildings have little if any fenestration to the rear. The site is constrained in that its long and thin form does not provide adequate space for a substantial rear garden that could provide a greater buffer between the rear facades and the rear garden boundaries. The building is set back 4.5m from the boundary.

Notwithstanding this, the proposed building, being a linear development across the length of the site, has vertical symmetry in terms of the distribution of flats, which responds to the pattern of terrace housing, most of which are now flats, found on Randolph Avenue to the rear of the site. With distances up to 27m separating directly facing facades between 222 – 250 Randolph Avenue, and 18m separating the edge of balconies on top of the sports and community building with the rear façade of those 252 – 262 Randolph Avenue, the separation is not unlike other traditional terraced streets with facing gardens found in the area, nor the original terraced house layout of the site which existed prior to its development in the 1950's. In addition, the existing tree canopy at the rear of gardens in Randolph Avenue provides an element of screening. Measures are sought through planning conditions (35) to seek to reduce this overlooking

8.4 Transportation/Parking

Car Parking – residential use

Car parking is provided across the road from the main development site through the reconfiguration of the existing off street parking within the forecourt of the existing Scottish Towers. A total of 87 car parking spaces are proposed; 41 for the proposed 67 residential units, and 40 car parking spaces for the existing Tower Block residents.

The site has a high level of public transport accessibility (PTAL level 5), although households with 1 or more car in the Madia Vale Ward is 44% (2001 Census figures). This indicates that residents in the area do own cars, along with the fact that during the day on street residential bays have a high level of occupancy.

Based on the ward car ownership figure, it is expected that 67 residential units in this location would generate 30 vehicles. The proposed parking provides 41 car parking spaces, meaning 11 additional car parking spaces for the new residential units. The applicant has confirmed that the 41 spaces for the new residential units would be provided on an unallocated basis.

The revised Car Parking Management Plan and Landscape/Parking layout plan explain that the 41 parking spaces for new residents of the development will be demarcated within the parking area and secured for new residents only, on an unallocated basis, through the provision of bollards which residents will have a communal key to enable them to access. Similarly, the remaining spaces for existing Scottish Tower residents will be secured with bollards. These provisions safeguard sufficient levels of off street parking for future residents on an unallocated basis and safeguard existing parking for Scottish Tower residents. It is acknowledged that this parking arrangement may have its difficulties in practice owing to residents having to unlock respective bollards before parking their cars, however it is considered to an acceptable arrangement within the constraints of the site and is considered consistent with TRANS23. The details will be secured through legal agreement.

Six disabled parking spaces are provided within the proposed 41 spaces which is consistent with London Plan policy

Car Parking – Non-residential uses

The community uses are indicated to have a capacity of approximately 180 people (including staff). The existing site provides 6 off street parking spaces at the south end of the site. This is reduced to 2 disabled parking spaces within the site although these are reserved for the residential use. No car parking is proposed for the non-residential uses. Given the sites good public transport accessibility and cycle parking as discussed below, this is welcomed and consistent with TRANS21 and TRANS22.

Arboricultural / Landscaping consideration

Main site

The submitted tree removal/retention plan, identifies trees that would be required to be removed as a result of the development inside and outside the site. There is no objection to the removal of trees occupying the main site shown to be removed their removal is integral to enabling the development.

A Group of trees identified as G10 in the rear gardens of 252 – 262 Randolph Avenue are shown to be removed. There is some confusion regarding which trees within the group are to be felled owing to a discrepancy on the plans. This discrepancy was reported to the applicants who clarified that it is the northern part of the group G10 is to be felled only, and not the southern section.

The City Council Tree Officer objects to the felling of these trees owing to their value in amenity and townscape terms. The appointed Arboricultural Consultants response to these objections is that trees provide a lack of effective screening as they are deciduous, and lack of function as are not native. The City Council advises that whether the loss of these trees is justified will ultimately be determined by the Planning Committee.

Further to the protection of trees adjacent to the site, the City Council's Tree Officer advises that the likely damage and loss of trees will be greater than anticipated on the proposals, listing the following at risk;

- Rear of 252-262 Randolph Avenue: 7, 10, 11, all of G10
- Rear of 1-5 Carlton Vale: 13, 14, 15,

The appointed Arboricultural consultant disagrees with the potential scope of damage to trees, referring to the trial pit excavations as informing the design of the footprint of the scheme and selective felling.

The evidence put forward by the Arboricultural consultant with regard to tree removal and retention is comprehensive and benefits from multiple bore hole testing surveys results. The discrepancy in the existing site survey with regard to group G10 is acknowledged however the response clarifies that it is only trees in its north section, which would be felled. In the context of the entire scheme and weighing up the community benefits it would result in, and with sufficient tree replacement secured through the section 106 agreement, the loss of selected trees within this range is considered to be on balance acceptable. Precise details will need to be secured through planning condition to address any discrepancy. Moreover, the removal of any tree outside of the site will be subject to a separate process outside of the planning application and would require the owners consent.

With regard to trees on Lanark Road, the City Council Tree Officer advises that trees would have to undergo substantial pruning to accommodate the construction activity and that accurate sections showing the street tree canopies in relation to the proposed building would assist in assessing the likely impact. The Arboricultural consultant identifies that a good number of the Columnar pear trees on Lanark Road have been trimmed back to the street boundary without damage.

The City Council's Tree Officer maintains that the impact is likely to be substantial. Notwithstanding this, a further Arboricultural Method Statement has been recommended to be sought through planning condition, as well as a supervision schedule for a suitably qualified Arboricultural professional. With such provision secured the trees are considered to be afforded sufficient protection.

In terms of landscaping on the site itself, the full coverage on the site presents little opportunity for ground floor landscaping. A green roof was considered however this would conflict with the provision of PV panels which are necessary to achieve the required level of onsite renewable energy generation. The provision of private amenity space for the individual units accords with London Plan private open space requirements. Further details of landscaping within these spaces site will be secured by planning condition.

Glasgow, Falkirk and Edinburgh House

A walnut (29), a whitebeam (40) and a Cherry (41) are proposed to be removed to accommodate car parking. Their loss would have limited impact on amenity and these are not objected to, subject to suitable replacements which will be secured through planning condition.

In terms of landscaping, the parking arrangement will occupy a portion of the existing setting for the Scottish Towers. The Towers however will retain a large portion of undeveloped setting

commensurate with their scale, whilst the proposed parking is integral to the holistic development of the site for housing. The provision is therefore considered necessary.

In terms of detailed design, the proposed hedging and tree planting was regarded by the City Council's Tree Officer to be somewhat uniform and regimented, in addition proposing an unrealistic number of replacement trees. A revised landscaping/parking plan was provided reducing the number of proposed replacement trees to a realistic amount, although the overall landscaping approach remained the same. The overall layout is considered to be acceptable in terms of the setting of the parking spaces, subject to further detail which will be secured through planning condition.

8.5 Economic Considerations

The economic benefits of the proposed development are welcome, in that the development contributes to economic and social regeneration of this part of the City.

8.6 Access

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

8.7 Other UDP/Westminster Policy Considerations

Plant

No objection to proposal on environmental and nuisance grounds provided recommended conditions and informatives are included.

Refuse /Recycling

Cleansing manager is satisfied with the arrangement for refuse and recycling.

Sustainability

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

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

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

The application is accompanied by a Sustainability Statement and Energy Strategy which sets out the sustainability credentials of the building.

The applicant proposes a combination of roof mounted Photovoltaic (PV) panels, and a CHP system in the plant room within the Sports and Community Use plant room . The applicant has

also provided a consideration of allowing future connection to a district heating network, although is not considered appropriate for a development of this scale.

Through enhanced energy efficiency standards the development is set to achieve an overall reduction of 25% in regulated CO2 emissions compared to a 2013 Building Regulations compliant scheme. This falls short of the London Plan target of 35%. The applicant has agreed to a payment of £113,400 to go toward the Council's Carbon off setting fund. This is calculated on the basis of a 15tCO2 per annum shortfall in relation to the 35% target, and the Westminster City council's current rate of £7,560/tCO2.

In terms of onsite renewables, the scheme will deliver a 12% saving in regulated CO2 emissions compared to a 2013 Building Regulations compliant scheme. This is considered to be a realistic proportion of the roof space so is acceptable and will be subject to further details through planning condition.

The residential component of the development is listed as achieving equivalent Code for Sustainable Homes level 4 in relation to the standard accreditation. This is acceptable pursuant to raising the environmental performance of the building, however as the Code for Sustainable Homes has been withdrawn by Communities and Local Government, this cannot be secured through planning condition or legal agreement.

In terms of the non residential uses, the application is accompanied by a sustainability statement and BREEAM pre assessment which scores the development as achieving 'Very Good' status. This will be secured through planning condition.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

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

8.10 Planning Obligations

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

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

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

From 06 April 2015, the Community Infrastructure Levy Regulations (2010 as amended) impose restrictions on the use of planning obligations requiring the funding or provision of a type of infrastructure or a particular infrastructure project. Where five or more obligations relating to planning permissions granted by the City Council have been entered into since 06 April 2010 which provide for the funding or provision of the same infrastructure types or projects, it is unlawful to take further obligations for their funding or provision into account as a reason for granting planning permission. These restrictions do not apply to funding or provision of non-infrastructure items (such as affordable housing) or to requirements for developers to enter into agreements under section 278 of the Highways Act 1980 dealing with highway works. The recommendations and detailed considerations underpinning them in this report have taken these restrictions into account.

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

Heads of Terms

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

- i) Provision of 44 on-site affordable housing units.
- ii) Provision on site of Community/Sports floorspace.
- iii) A financial contribution of £32,000 per annum (index linked) toward monitoring of the construction project by the City Councils Environmental Inspectorate.
- iv) A financial contribution of £5000 (index linked) toward tree planting in the vicinity of the site.
- v) Car club membership (25 years) for each flat.
- vi) Unallocated parking for residential development
- vii) Cost of highways works necessary to facilitate the development including the reinstatement of pedestrian highway.
- viii) A financial contribution of £113,400 (index linked) to go towards the City Council's Carbon off-set fund
- ix) The costs of monitoring the aS.106 legal agreement.

Statement of Community Involvement

The objections received have criticised the lack of participation and public consultation prior to the submission of the application. A statement of Community Involvement has been submitted with the application which outlines participation with the community and key stakeholders including meetings with members of the Maida Centre, the North Paddington Youth Club and Ward Councillors. Two public exhibitions were held on the 7th and 9th November 2015 and surveys were undertaken to gauge public opinion. The Council encourages public consultation on major developments prior to the submission of the application although this falls outside of the statutory application period. In terms of the application, the City Council have undertaken consultation with surrounding residents, posted site notices in multiple locations and put an advert in the local newspaper. Additional consultation was undertaken to advise on some minor revisions to the proposals and additional supporting information that was provided by the applicant over the course of the application. Officers have uploaded revised details onto the public website when received.

Construction impact

The applicant has submitted a Construction Management Plan (CMP) prepared by Arcadis which sets out a preliminary construction methodology along with an assumed construction logistics strategy for the works. It is proposed that the principle contractor (when appointed) would use the plan as a basis for further development, agreement and implementation of a working logistics strategy. The construction programme is proposed to take around 28 months. The plan sets out sufficient details of the construction process to help mitigate the impacts of construction on the surrounding area. Representatives from St George's School have commented that the construction period may conflict with proposed development of the school site. It is considered this could be revisited at a later date as advised in the plan if future developments come forward simultaneously.

With regards to the structural method statement, this has been reviewed by the City Councils Building Control department who raise no objection to its detail.

Crime and security

The scheme has been developed in consultation with Metropolitan Police to incorporate 'designing out crime' elements. The City Council's Designing out Crime consultant raises no objection to proposals subject to conditions to secure the scheme for Secure by Design (section 2 and 3 (part compliance)).

Flood Risk

The flood risk assessment identifies the site as being in flood risk zone 1 and is less than 1 hectare in size. The Environment Agencies identifies the site as being within a medium to high surface water runoff location. Thames water have advised that the site should include measures to mitigate surface water runoff such as sustainable urban drainage. The response provided by consultants Price and Myers advise that due to the sites coverage including the basement, the site is not capable of providing SUDS. Notwithstanding this, the level of impermeable surface on the site is already extensive and the proposed development would have a neutral impact in this

respect. Given the neutrality of the proposed situation in comparison to the existing, the impact is considered acceptable.

8.11 Conclusion.

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

BACKGROUND PAPERS

1. Application form
2. Response (x2) from Plant And Equipment, dated 30 December 2015, 26 February 2016
3. Response (x2) from Waste and Servicing Team, dated 17 December 2015, 17 December 2015
4. Email from Saeed Oluwadipe (waste Planning), dated 18 February 2016-03-11
5. Response (x2) from Tree Section dated 26 January 2016, 08 March 2016
6. Response from Highways Planning Manager, dated January 2014
7. Response from Public Protection and Licensing, dated 20 January 2016
8. Response from Building Control - Development Planning, dated 13 January 2016
9. Response from Designing out Crime, dated 12 January 2016
10. Response from Paddington Waterways and Maida Vale Society, dated 24 December 2015
11. Email (x2) from Energy Strategy Officer dated 27 January 2016, 17 February 2016
12. Email from Children's Services, dated 14 December 2015
13. Email from Sports England, dated 8 December 2015
14. Response from Brent Council, dated 8 December 2015
15. Email from Environment Agency dated 7 December 2015
16. Response from Cllr Crockett, dated 6 January 2016
17. Response from Cllr Begum, dated 8 February

18. Letter from occupier of 246a Randolph Avenue, London, dated 9 December 2015
19. Letter from occupier of 240A Randolph Avenue, London, dated 14 December 2015
20. Letter from occupier of 240 Randolph Avenue, London, dated 14 January 2016,
21. Letter from occupier of 220 Randolph Avenue, London, dated 14 December 2015
22. Letter from occupier of 220 Randolph Avenue, London, dated 15 December 2015
23. Letter from occupier of 220 Randolph Avenue, London, dated 15 December 2015
24. Letter from occupier of Glendower, Cokes Lane, dated 15 December 2015
25. Letter from occupier of 1 Elgin Mews North, Maida Vale, dated 16 December 2015
26. Letter from occupier of 238B Randolph Avenue, London, dated 17 December 2015
27. Letter from occupier of 2nd storey FLAT D, 1 Carlton vale, dated 19 December 2015
28. Letter from occupier of 6 Edinburgh House, 155 Maida Vale, dated 21 December 2015
29. Letter from occupier of Flat 1, 236 Randolph Avenue, London, dated 21 December 2015
30. Letter from occupier of 250 Randolph Avenue, London, dated 21 December 2015
31. Letter (x2) from occupier of Flat 1, 236 Randolph Avenue, dated 21 December 2015
32. Letter from occupier of 236a Randolph Avenue, London, dated 23 December 2015
33. Letter from occupier of 177c, Randolph Avenue, London, dated 23 December 2015
34. Letter from occupier of 246 Randolph Avenue, Maida Vale, dated 14 January 2016
35. *Letter on behalf of occupiers of 256, 260 and 262 Randolph Avenue, London, dated 23 December 2015
36. Letter from occupier of 1B Carlton Vale, dated 1 January 2016
37. Letter from occupier of 197c Lanark Road, 197c, dated 2 January 2016
38. Letter from occupier of 21 Elgin Mews North, Maida Vale, dated 2 January 2016
39. Letter from occupier of 192B-192E Randolph Avenue, London, dated 3 January 2016
40. Letter from occupier of 250 Randolph Avenue, London, dated 5 January 2016

41. Letter from occupier of Flat 1, 236 Randolph Avenue, dated 6 January 2016
42. Letter from occupier of 254B Randolph Avenue, LONDON, dated 6 January 2016
43. Letter from occupier of 224A Randolph Ave, Maida Vale, dated 8 January 2016
44. Letter from occupier of 240A Randolph Avenue, London, dated 8 January 2016
45. Letter from occupier of Flat 1, 236 Randolph Avenue, London, dated 9 January 2016
46. Letter from occupier of Flat 1, 236 Randolph Avenue, dated 10 January 2016
47. Letter from occupier of 197B Lanark Road, London, dated 10 January 2016
48. Letter from occupier of 197B Lanark Road, London, dated 10 January 2016
49. Letter from occupier of 22 Helmsdale House, 43 Carlton vale (Maida Vale Estate Residents Association), dated 11 January 2016
50. Letter from occupier of Essendine mansions, London, dated 11 January 2016
51. Letter from occupier of 236 Randolph Avenue, London, dated 11 January 2016
52. Letter from occupier of 81 Falkirk House, Lanark Road, dated 11 January 2016
53. Letter from occupier of 254a Randolph Avenue, London, dated 11 January 2016
54. Letter from occupier of 216 E Randolph avenue, London, dated 11 January 2016
55. Letter from occupier of 83 Warrington Crescent, W9 1EH, London, dated 11 January 2016
56. Letter from occupier of 218a Randolph Avenue, Maida Vale, dated 11 January 2016
57. Letter from occupier of 42 Southwold Mansions, Widley Rd, dated 11 January 2016
58. Letter from occupier of 129 Randolph Avenue, London, dated 11 January 2016
59. Email from Lanark Road resident, dated 12 January 2016
60. Letter from occupier of 183a Lanark Road, London, dated 12 January 2016
61. Letter from occupier of 8 Stafford House, Maida Avenue, dated 12 January 2016
62. Letter from occupier of 36 Edinburgh House, 155 Maida Vale, dated 12 January 2016
63. Letter from occupier of 238A Randolph Avenue, London, dated 12 January 2016
64. Letter from occupier of 181D Lanark Road, London, dated 12 January 2016
65. Letter from occupier of 6a Elgin Gardens, Seaford, dated 13 January 2016
66. Letter from occupier of Flat 1, 232 Randolph Avenue, dated 13 January 2016
67. Letter from occupier of Flat 4, 236 Randolph Avenue, London, dated 13 January 2016
68. Letter from occupier of Flat 6, Oxford Court, dated 13 January 2016
69. Letter from occupier of 12 Ashworth Mansions, Elgin Avenue, dated 13 January 2016
70. Letter from occupier of 191c Lanark Road, London, dated 13 January 2016
71. Letter from occupier of 60 Edinburgh House, 155 Maida Vale, dated 13 January 2016
72. Letter from occupier of 14 Denbigh Road, London, dated 13 January 2016
73. Letter from occupier of 219, Elgin Avenue, dated 13 January 2016
74. *Petition letter template (1) from occupiers of 3C Carlton Vale (1 occupier), 3D Carlton Vale (1 occupier), 5b Carlton Vale (1 occupier), 5a Carlton Vale (3 occupiers) dated 14 January 2016
75. *Letter on behalf of occupiers (6 occupiers) of 240 Randolph Avenue, London, dated 14 January 2016
76. Letter from occupier of 94 Edinburgh House, Lanark Road, dated 14 January 2016
77. Letter (x2) from occupier of 246a Randolph Avenue, Maida Vale, dated 14 January 2016
78. Letter from occupier of 2 Carlton mansions, 217 Randolph Ave, dated 14 January 2016
79. Letter from occupier of 242a Randolph Avenue, Maida vale, dated 15 January 2016
80. Letter from occupier of 212 Randolph Avenue, London, dated 15 January 2016
81. Letter from occupier of 238D, Randolph Ave, dated 17 January 2016
82. Letter from occupier of 242A Randolph Avenue, London, dated 18 January 2016
83. Letter from occupier of 216 E Randolph Avenue, London, dated 21 January 2016
84. Letter from occupier of 114 Hamilton Terrace, London, dated 21 January 2016
85. *Letter on behalf of 5 occupiers of 258 Randolph Avenue, London, dated 22 December 2015
86. Letter from occupier of 22 Lauderdale mansions, Lauderdale Road, dated 22 January 2016
87. Letter from occupier of First Floor Flat, 172, Randolph Avenue, dated 22 January 2016
88. Letter from occupier of 12a Union Street, Edinburgh, dated 23 January 2016
89. Letter from occupier of 19 Falkirk House, 165 Maida Vale, dated 24 January 2016
90. Letter from occupier of 12 Ashworth Mansions, Elgin Avenue, dated 25 January 2016
91. Letter from Governor of St George's RC School, Lanark Road, dated 26 January 2016
92. Email from Chairman of St George's School, dated 9 February 2016

93. Letter from occupier of 56 Falkirk house, 165 Maida Vale, dated 28 January 2016
94. Letter from occupier of Flat 12 Lampard House, 8 Maida Avenue, dated 31 January 2016
95. Representation forwarded to Officers by Cllr Prenergast, dated 2 February 2016
96. Letter from occupier of 258A Randolph Avenue, London, dated 3 February 2016
97. Letter from occupier of 1 Croxley Road, London, dated 3 February 2016
98. *Petition letter template (2) from occupiers of Nos. 65, 79, 81, 87, 94, 95, 102, 104 Falkirk House, dated 3 February 2016
99. *Petition letter template (3) on behalf of Nos. 75, 84, 90, 91, 92 Glasgow House, dated 3 February 2016 dated 3 February 2016
100. *Petition letter template (4) on behalf of Nos. 19, 22, 24, 27, 29, 38, 47, 51 67, 74, 79, 84, 85, 85, 97Endinburgh House, and Basement Flat 244 Randolph Avenue dated 4 February 2016 and 26 February 2016
101. Letter from Head teacher of St George's School, Lanark Road, dated 4 February 2016
102. Letter from occupier of 80 Ashworth Mansions, London, dated 6 February 2016
103. Letter from occupier of 12 Denholme Rd, London, dated 6 February 2016
104. Letter from occupier of 108 Dibdin house, Maida vale, dated 6 February 2016
105. Letter from occupier of 117 Lanark Road, London, dated 11 February 2016
106. Letter from occupier of 78 Shirland Rd, London, dated 11 February 2016
107. Letter from occupier of 238, Randolph Avenue, dated 11 February 2016
108. Letter from occupier of 238 B, Randolph Avenue, dated 11 February 2016
109. Letter from occupier of Landlord (Octavia Housing) of 248 Randolph Avenue, dated 12 February 2016
110. Letter from occupier of 250 Randolph Avenue, London, dated 12 February 2016
111. Letter from on behalf of occupier of un numbered ground floor flat on Randolph Avenue, dated 13 February 2016
112. Letter from occupier of 42 Grove Avenue, London, dated 13 February 2016
113. Letter from occupier of 26 Leith mansions, Grantully Road, dated 14 February 2016
114. Letter from occupier of 82 Edinburgh House, London, dated 14 February 2016
115. Letter from occupier of 218c Randolph Avenue, London, dated 15 February 2016
116. Letter from occupier of Flat 1, 292, Elgin Avenue, dated 15 February 2016
117. Letter from occupier of 180a Sutherland Aveue, London, dated 15 February 2016
118. Letter from occupier of Flat 73, John Aird Court, London, dated 16 February 2016
119. Letter from occupier of Calle Andalucia, 91, Nerja, Malaga, dated 16 February 2016
120. Letter from occupier of Flat 8, Atholl house, 125 Maida Vale, dated 16 February 2016
121. Letter from occupier of Flat 73, John Aird Court, London, dated 16 February 2016
122. Letter from occupier of 32 Abinger Mews, London W9 3SP, dated 17 February 2016
123. Letter from occupier of 110 Sutherland Avenue, dated 17 February 2016
124. Letter from occupier of Flat A 14 Northwick Terrace, London, dated 18 February 2016
125. Letter from occupier of 66 Welbeck Road, Barnet, dated 19 February 2016
126. Letter from occupiers of 258 Randolph Avenue, dated 24 February 2016
127. Letter from occupier of Flat 5, 192 Randolph Avenue, dated 25 February 2016
128. Letter from occupier of 260 a Randolph avenue, London, dated 26 February 2016
129. Letter from occupier of 223 Elgin avenue, London, dated 26 February 2016
130. Letter from occupier of 220 Randolph Avenue, London, dated 26 February 2016
131. Letter from occupier of 46 Carlton Mansions, 207 Randolph Avenue, dated 27 February 2016
132. Letter from occupier of 256b, Randolph Avenue, dated 29 February 2016
133. *Petition letter template (5) on behalf of occupiers of Nos. 223a Randolph Avenue, 119 Hamilton Terrace, Melrose Avenue, 119 Hamilton Terrace, 88 Falkik House, 204 Randolph Avenue, 204 Randolph Avenue, 222 Randolph Avenue, 256b Randolph Avenue, dated 1 March 2016
134. Letter from occupier of 5 Carlton Vale, London, dated 1 March 2016
135. Letter from occupier of 200 Randolph Avenue, Flat 5, dated 6 March 2016
136. *Petition letter template (6) on behalf of occupiers of Nos. 199A Lanark Road, 197B Lanark Road, 199A Lanark Road,

- 137. Letter from occupier of 207 Randolph Avenue, dated 10 March 2016
- 138. Letter from occupier of 12 Elgin Mews, dated 14 March 2016
- 139. Letter from occupier of 59 Carlton Mansions , dated 14 March 2016
- 140. Letter (x3) from occupier of 258 Randolph Avenue, dated 15 March 2016
- 141. Letter from occupier of 80 Southwold Mansions, dated 15 March 2016

Selected relevant drawings

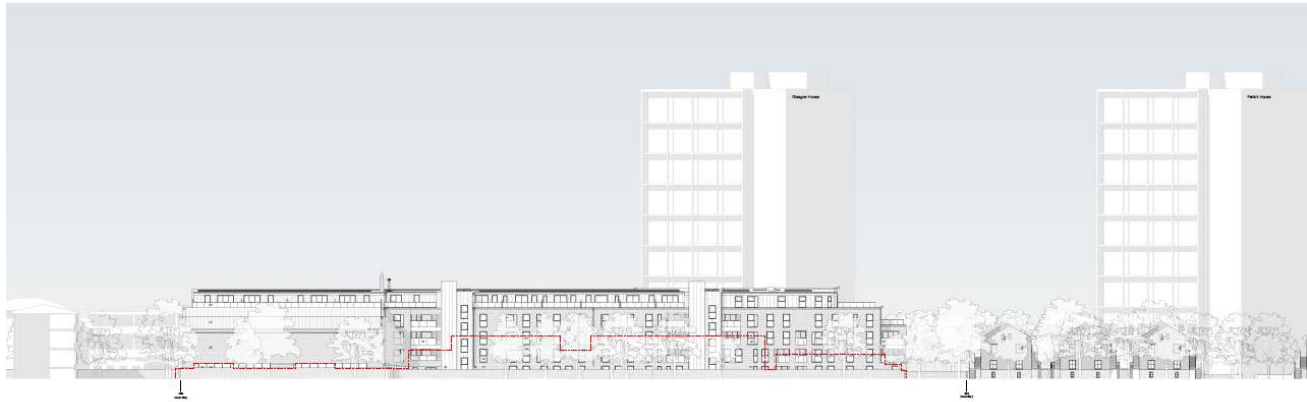
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT SAMUEL GERSTEIN ON
020 7641 4273 OR BY EMAIL AT sgerstein@westminster.gov.uk

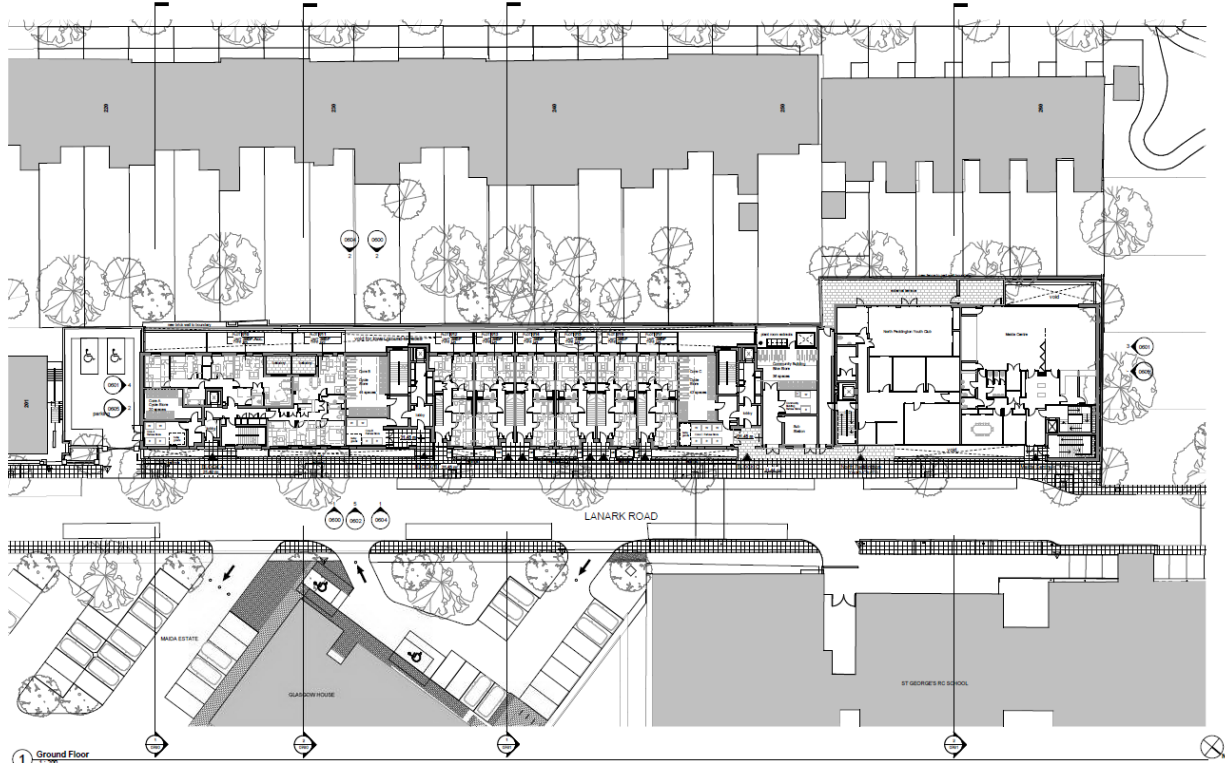
6 KEY DRAWINGS



Comparative East Elevation



Comparative West Elevation



1 Ground Floor
1:200

DRAFT DECISION LETTER

Address: Dev Site At 221-235 Lanark Rd, Land To North Of 235 Lanark Rd And Land At Scottish Towers, Maida Vale, London, W9,

Proposal: Redevelopment of site spanning 221-235 Lanark Road and land to the north of 235 Lanark Road, involving demolition of existing buildings and erection part 3, part 4, part 5 storey building, plus lower ground floor, containing a community/sports building (Use Class D1/D2) and associated plant at the north end of the site, and 67 residential units (Class C3) (private and affordable) across the remainder of the site and across the top floor of the proposed community/sports building, together with car parking, landscaping and associated works. Reconfiguration of front curtilage of the Scottish Towers (Glasgow House, Falkirk House, Edinburgh House) to provide additional parking, re landscaping and associated works. Removal of existing trees and replacement tree planting.

Reference: 15/11007/FULL

Plan Nos:

0100	A, 0101	A, 0102	B, 0103	B, 0104	A, 0105	A,
0106	A, 0108	A, 0109	B, 0110	B, 0111	B, 0112	B,
0113	B, 0200	D, 0201	C, 0202	C, 0203	C, 0204	C,
0205	C, 0206	C, 0210	B, 0600	B, 0601	C, 0602	A,
0603	A, 0604	B, 0605	B, 0700	B, 0701	B, 0800	A,
0801	A, 0802	A, 0803	A, 0804	A, 0805	A, 0806	A,
0807	A, 0808	A, 0809	A, 0810	A, 0811	A, 0812	A,
0813	A, 0814	A, 0815	A, 0816	A, 0817	A, 0818	A,
0819	A, 0820	A, 0821	A, 0822	A, 0823	A, 0824	A,
0825	A, 0826	A, 0827	A, 0828	A, 0829	A, 0830	A,

0831 A, Planning Statement prepared by Gerald Eve, Design and Access Statement prepared by Cartwright Pickard, Design and Access Statement Refuse Strategy Amendment dated February 2016, Statement of Community Involvement prepared by FTI, Planning Noise Report prepared by AECOM, Operational Management Plan prepared by Dolphin Living, Daylight and Sunlight Report prepared by EB7, Daylight and Sunlight Addendum Report prepared by EB7 dated January 2016, Transport Statement prepared by Iceni Projects, Construction Management Plan prepared by Arcadis and Iceni Projects, Environmental Sustainability Benchmarking Report prepared by AECOM, Energy Strategy prepared by AECOM (revised dated 12 February 2016), Structural Methodology Statement prepared by Price and Myers, Flood Risk Assessment prepared by Price & Myers, Historic Environment Assessment (Archeology) prepared by MoLA, Arboricultural Impact Assessment Report prepared by Landmark Trees, Landscape Layout (L100 rev Q), Parking note dated prepared by Iceni Projects dated March 2016, Affordable Housing Statement dated 15 January 2016, Letter dated 19 January 2015 NTH/HMU/SRO/J7280, Landmark Trees additional letter DSF/LNK/AIA/Ltrr/01b, Air Quality Report date February 2016 prepared by Air Quality Consultants

Case Officer: Samuel Gerstein

Direct Tel. No. 020 7641 4273

Recommended Condition(s) and Reason(s):

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

Reason:

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

- 2 Except for basement excavation work, you must carry out any building work which can be heard at the boundary of the site only:, * between 08.00 and 18.00 Monday to Friday;, * between 08.00 and 13.00 on Saturday; and, * not at all on Sundays, bank holidays and public holidays., , You must carry out basement excavation work only:, * between 08.00 and 18.00 Monday to Friday; and, * not at all on Saturdays, Sundays, bank holidays and public holidays., , Noisy work must not take place outside these hours. (C11BA)

Reason:

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 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. (C26BC)

Reason:

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

- 4 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme;, , Revised rear elevation design treatment to introduce greater verticality and order., , 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. (C26UB)

Reason:

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

- 5 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:

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

- 6 You must apply to us for approval of details of public art (as set out in your design and access statement) including drawings, materials, samples etc and any other supporting documents as appropriate. You must not start work on the relevant parts of the development until we have approved what you have sent us. You must then carry out the work in accordance with these details and you must install the public art in accordance with the details approved prior to occupation, unless we approve an alternative timeframe in writing.

Reason:

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

- 7 You must apply to us for approval of a external lighting strategy for the development. This must include drawings (plans and elevations), manufacturers specification, and lighting level details, to show the location, position, appearance (including material) and lighting levels of all external light fixtures, including hours of operation. 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 in accordance with the details the we approve.

Reason:

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

- 8 **Pre Commencement Condition.** You must apply to us for approval of details of suitable security measures for the development. You must not start work until we have approved what you have sent us. You must then carry out the work according to the approved details before anyone moves into the building.

Reason:

To reduce the chances of crime without harming the appearance of the building as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R16AC)

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

Reason:

To protect trees and the character and appearance of the site as set out in S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31CC)

- 10 Notwithstanding the details submitted, you must apply to us for approval of detailed drawings of a hard and soft landscaping scheme for all parts of the site at ground and lower ground level that are not covered by buildings, including the parking areas within the curtilage of the Scottish Towers. This should include the number, size, species and position of trees and shrubs and details of any hard surfacing. 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 one year 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 five years of planting them, you must replace them with trees of a similar size and species.

Reason:

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

- 11 (a) You must arrange for an arboricultural consultant who is registered with the Arboricultural Association, or who has the level of qualifications or experience (or both) needed to be registered,

to supervise the development. You must apply to us for our approval of the details of such supervision including;

- o identification of individual responsibilities and key personnel.,
- o induction and personnel awareness of arboricultural matters.,
- o supervision schedule, indicating frequency and methods of site visiting and record keeping,
- o procedures for dealing with variations and incidents.

You must not start any work until we have approved what you have sent us. You must then adhere to the approved supervision schedule.

(b) You must produce written site supervision reports as detailed in part (a) after each site monitoring visit, demonstrating that you have carried out the supervision and that the tree protection is being provided in accordance with the approved scheme. If any damage to trees, root protection areas or other breaches of tree protection measures occur then details of the incident and any mitigation/amelioration must be included You must send copies of each written site supervision record to us within five days of the site visit.

Reason:

To make sure that the trees on and adjacent to the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 12 You must not use the Class D1/D2 floorspace for any purposes other than those listed on the Page 21 (section 14) of the submitted Design and Access Statement. You must not use it for any other purpose, including any other uses within Class D1 or Class D2 of the Town and County Planning (Use Classes) Order 2015 or any equivalent class in any order that may replace it. (C05AB)

Reason:

Insufficient information has been submitted to demonstrate in land use and amenity terms the acceptability of unrestricted Class D1 and Class D2 uses. In the absence of such information the City Council considers that it would be premature to allow unrestricted Class D1 or D2 within the development. This is in accordance with S3, S29 and S34 in Westminster City Plan: Strategic Policies that we adopted in November 2013 and ENV6 and SOC1 in the Unitary Development Plan that we adopted in January 2007.

- 13 Customers shall not be permitted within the Sports and Community uses buildings before 07:00 or after 23:00 each day.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of

Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 14 The plant/machinery hereby permitted shall not be operated except between 7:00 hours and 23:00 hours daily.

Reason:

To safeguard the amenity of occupiers of noise sensitive properties and the area generally by ensuring that the plant/machinery hereby permitted is not operated at hours when external background noise levels are quietest thereby preventing noise and vibration nuisance as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.

- 15 You must apply to us for approval of an operational management plan to show how you will prevent customers who are using the facilities and or arriving at or leaving the Sports and Community buildings, from causing nuisance for people in the area, including people who live within the development and within surrounding buildings. You must not operate the Sports and Community Building until we have approved what you have sent us. You must then carry out the measures included in the operational management plan at all times that the Sports and Community Building is in operation. (C05JB)

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6, SOC1 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 16 **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)

- 17 All servicing must take place between 07:00 - 21:00 on Monday to Saturday and 07:00 - 19:00 on Sunday. Servicing includes loading and unloading goods from vehicles and putting rubbish outside the building. (C23DA)

Reason:

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

- 18 (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 (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: Strategic Policies adopted November 2013, 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.

- 19 (1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the IN; use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 5 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest., , (2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within the IN; use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest., , (3) Following completion of the development, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:; (a) The location of most affected noise sensitive receptor location and the most affected window of it;; (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;; (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted, in conformity to BS 7445 in respect of measurement methodology and procedures;; (d) The lowest existing L A90, 15 mins measurement recorded under (c) above;; (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;; (f) The proposed maximum noise level to be emitted by the activity.

Reason:

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 nearby noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, 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.

- 20 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.

- 21 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 Condition 18 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: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels.

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

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

- 23 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 inside bedrooms 45 db L Amax 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 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.

- 24 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 Conditions 22 and 23 of this permission. Particular attention shall be given to the issues of low frequency noise and vibration through Structure-Borne pathways and the design and mitigation shall also ensure that room modes (standing waves) are not created within the new residential dwellings as a result of low frequency noise from the substation. 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 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.

- 25 You must not occupy the residential properties, until you have provided for our approval, a statement from a suitably qualified engineer to confirm that the Electro Magnetic Frequency (EMF) levels associated with the substation are in accordance with current legal requirements and/or appropriate guidance.

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013.

- 26 The external areas associated with the community and sports facilities shall not be used between

the hours of 09:00 - 21:00 and there shall be no live or recorded music played that can be heard within the external areas, at any time.

Reason:

To protect neighbouring residents from noise and disturbance as set out in S29, S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV6 and SOC1 of our Unitary Development Plan that we adopted in January 2007.

- 27 The design of the separating wall should be such that the received value in the residential habitable spaces, with music playing, should be 10 dB below that measure without music events taking place, at the quietest time of day and night, measured over a period of 5 minutes and in the indices of Leq & LfMax in the octave bands of 63 Hz & 125 Hz.

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.

- 28 Before anyone moves into the development, you must provide the separate stores for waste and materials for recycling shown on drawing number 627-CPA-ZZ-GF-DR-A-0200 Rev D. You must clearly mark them and make the respective waste stores available at all times to everyone occupying the residential accommodation and non-residential uses within the development. (C14 FB)

Reason:

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

- 29 Prior to occupation of the development a car parking strategy shall be submitted for approval and shall include:-, , A car parking plan to show the location of car parking access arrangements and 81 car parking spaces., Details of the location, appearance (including manufacturers specifications) and operation, of any car park barriers, signal systems etc. , Details of the location of 41 unallocated car parking spaces for the residential occupiers of the development. , Details of the location of 40 unallocated car parking spaces for residents of the Scottish Towers., Details of the location of car parking spaces (A minimum of 20%) with access to electric vehicle charging points. , , The car parking and access arrangements shall be provided prior to occupation of the residential part of the development and thereafter be maintained for such use., ,

Reason:

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

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

Reason:

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

- 31 Prior to the commencement of this part of the development, you must submit for approval in writing by the City Council, details of the location and appearance of the photo voltaic panels. The development shall thereafter be carried out in accordance with these approved details and maintained in situ.

Reason:

To ensure the development achieves carbon reduction through the use of onsite renewable technology, in accordance with S40 in Westminster's City Plan: Strategic Policies that we adopted in November 2014.

- 32 The non residential parts of the development shall achieve BREEAM 'very good' rating of higher (or any such national measure of sustainability for non residential design that replaces that scheme of the same standard). You must not occupy the non - residential units within the buildings until a copy of a Building Research Establishment (or equivalent independent assessment) Final post Construction Stage Assessment and Certification, confirming that the non-residential building has achieved BREEAM 'Very Good' rating or higher, has been submitted to an approved by us.

Reason:

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

- 33 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the

programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason:

To prevent increased risk of flooding and improve and protect water quality in accordance within Policy S30 in Westminster's City Plan: Strategic Policies that we adopted in November 2013.

- 34 Prior to commencement of development, you must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme, , Alterations to the rear elevation to incorporate measures to reduce overlooking to neighbouring properties to the rear in Randolph Avenue., , You must then carry out the work according to the approved drawings. (C26UB)

Reason:

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

- 35 The development shall be carried out in accordance with the Construction Management Plan, by Dolphin Living dated November 2015, unless otherwise agreed in writing by the City Council.

Reason:

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

- 36 You must not put up satellite dishes or aerials without our permission. This is despite the provisions of Classes H; of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development (England) Order 2015 (or any order that may replace it).

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

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