

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 7 November 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Vincent Square	
Subject of Report	84-99 Ashley Gardens , Thirleby Road, London, SW1P 1HH		
Proposal	Use from student hostel to 30 residential flats (Class C3).		
Agent	Savills		
On behalf of	University of Westminster		
Registered Number	17/04832/FULL	Date amended/ completed	23 June 2017
Date Application Received	2 June 2017		
Historic Building Grade	Unlisted		
Conservation Area	Westminster Cathedral		

1. RECOMMENDATION

1. Does the Sub Committee agree that the case made by the University of Westminster for the loss of student hostel accommodation is acceptable in this instance?
2. Subject to 1. above refuse permission on the basis of the lack of on-site affordable housing.

2. SUMMARY

The application site comprises Wigram House which is an eight storey late-Victorian mansion block designated an Unlisted Building of Merit within the Westminster Cathedral Conservation Area. The site is located outside the Core CAZ.

The application property comprises student hostel accommodation for the University of Westminster with 174 single rooms.

Permission is sought by the University of Westminster to use the building as 30 residential flats (Class C3) arranged as 7 x one bed, 13 x two bed, 8 x three bedroom and 2 x four bedroom units.

Student accommodation is protected by Policy S15 of the City Plan. However the UoW has provided supporting justification for the loss of the student hostel set out in the 'Student Residential Framework Strategy 2015-20' and the 'Student Accommodation Viability Appraisal'. These documents are assessed in detail in the main report and the Sub Committee is asked to consider

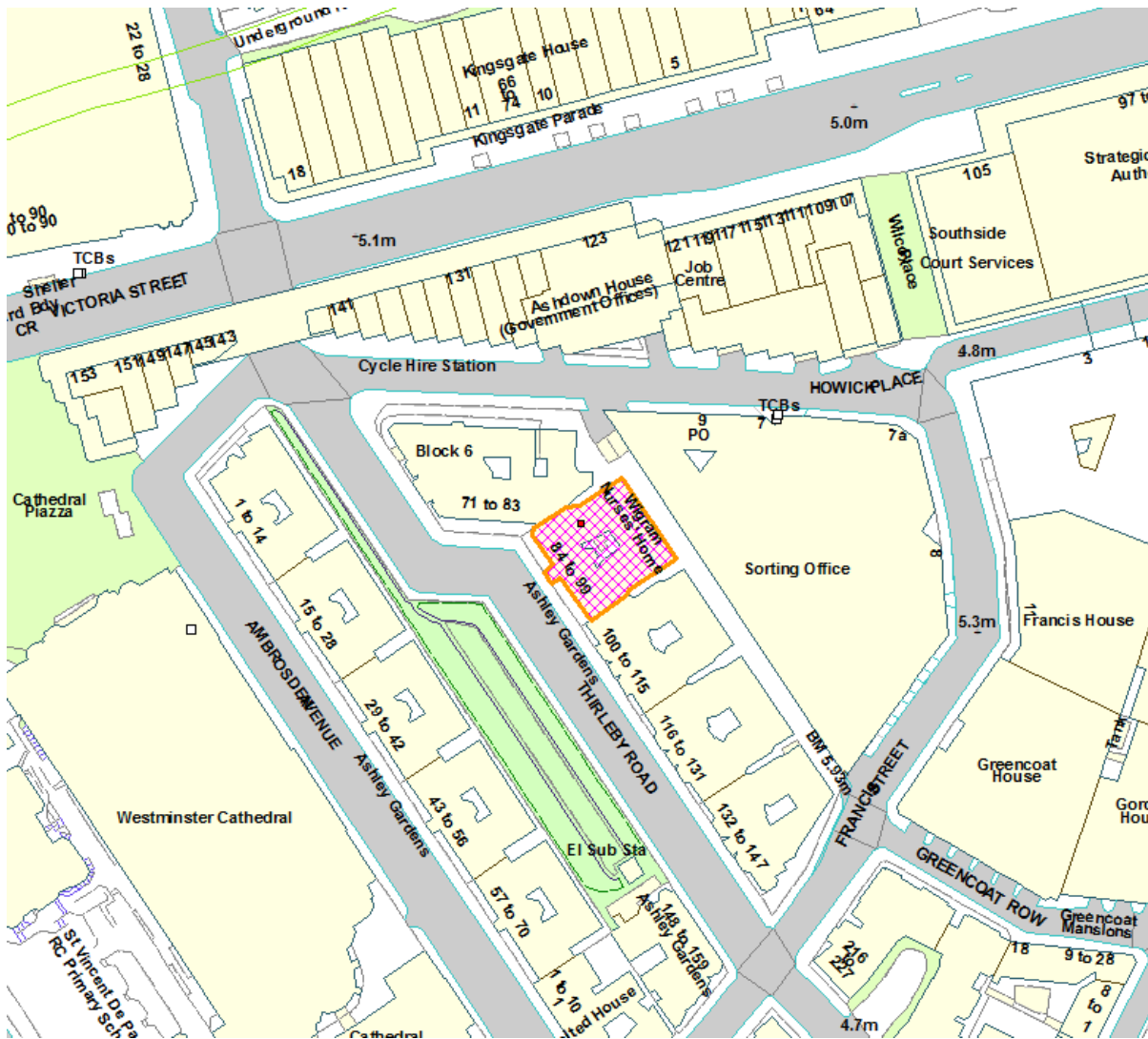
whether the case made by the University for the loss of student hostel accommodation is acceptable in this instance.

Under Policy S16 of the City Plan the scheme requires the provision of 11 affordable housing units on site. The applicant states that on-site provision would not be practicable or appropriate bearing in mind the layout of the building and the single entrance. However no evidence has been provided to support this position. Instead the applicant proposes to address the affordable housing policy through a policy compliant payment in-lieu of £4,326,467. However officers consider that without any evidence to demonstrate why the affordable housing cannot be provided on site the application is contrary to Policy S16 and should be refused.

The scheme does not propose any off-street car parking for the 30 residential flats. The Highways Planning Manager has objected to the scheme on this basis on the grounds that the development could increase parking stress..

The council has received 19 letters of support and 2 letters of objection. The principle of the change of use is generally supported however concerns are expressed in a number of letters about the impact of the scheme on on-street parking and some residents are seeking an assurance that the council will prevent future occupiers of the flats from obtaining respark permits. Officers do not consider that a refusal on parking grounds could be sustained at appeal and restricting parking permits for future occupiers is not supported as the council does not have a policy to secure this.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

Highways Planning Manager

Recommend that permission is refused. The introduction of increased residential in this area without off-street parking or on-street parking restraint is likely to increase the stress levels. Insufficient cycle parking is provided.

Cleansing

Further details of waste and recycling storage are required.

Westminster Society

This is a project of merit which warrants approval by the council. Although no parking is proposed, the access to public transport, including taxi service, should not present any real difficulties and the restoration of the building to what is in effect its original use is welcome.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 128

Total No. of replies: 23

No. of objections: 2

No. in support: 19

Neither supporting nor objecting: 2

Ashley Gardens Residents Association

Supports the scheme in principle but conditions should be attached to any approval to address the following issues: no parking permits to be issued to the new occupiers of the flats with the exception of the three and four bed units, the development should maintain the conservation area, surveys should be done of the building prior to any works commencing and the lane at the rear of the site should not be used for construction work.

Cathedral Area Residents' Association

Support the application but are disappointed that there is no detail about how the building is to be refurbished. Conditions should be used to safeguard the building's external appearance. The Association supports the use of a covenant by the applicant to prevent residents' in the redeveloped property from applying for on-street parking permits. subject to the following concerns being addressed:

The other letters of support welcome the restoration of the building as private residences which will be in keeping with the street and the rest of the conservation area but concerns regarding the impact on on-street parking and construction working hours have been raised. A large number of the letters of support consider that residents' permits should not be granted to residents of the development or should be available to the larger flats. The views of Ashley Gardens Residents Association are supported.

The two letters of objection raise concerns about the impact on residents parking. Appropriate parking limitations should be used otherwise congestion in Thirleby Road will become unbearable.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site comprises Wigram House which is an eight storey late-Victorian mansion block designated an Unlisted Building of Merit within the Westminster Cathedral Conservation Area. The site is located outside the Core CAZ.

The application property comprises student accommodation for the University of Westminster with 174 single rooms. It is understood that Wigram House closed to students in the summer of 2016.

6.2 Recent Relevant History

16/05034/FULL

Use of a building as 30 self contained residential units (Class C3).

Application Withdrawn 2 August 2016

7. THE PROPOSAL

The application proposes to change the use of the building from a student hostel to residential flat use (Class C3). The scheme will provide 30 residential flats arranged as 7 x one bed, 13 x two bed, 8 x three bedroom and 2 x four bedroom units. Refuse storage and cycle parking is shown located in the pavement vaults. The scheme does not propose any external alterations to the building.

The existing and proposed floorspace for this development is set out in the table below.

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Hostel	3875	0	-3875
Residential	0	3875	+3875
Total	3875	3875	0

8. DETAILED CONSIDERATIONS

8.1 Land Use

Student accommodation is a form of specialist housing. The relevant policy for the assessment of this application is S15 of the City Plan. [Meeting Housing Needs]. This policy states 'All specialist housing floorspace and units will be protected to meet those specific needs except where the accommodation is needed to meet different residential needs as part of a published strategy by a local service provider. Where this exception

applies, changes of use will only be to residential care or nursing homes, hostel, Houses in Multiple Occupation or dwelling houses use.'

The applicant has provided detailed information in support of their application and specifically to address Policy S15. The applicant's key arguments are that the closure of Wigram House is part of the University's published strategy for student accommodation, that the refurbishment of Wigram House for like for like student accommodation would not be viable and that the proceeds from the sale of Wigram House will release significant capital that will be re-invested in Westminster.

Student Residential Framework Strategy 2015-2020

This document sets out that the University currently provides 2,384 bed spaces for students (approximately 16% of full time students). Bed spaces are provided through a mixture of University owned accommodation (50%), private nomination agreements (30%) and referral agreements (20%). (i.e. using accommodation provided by other specialist student housing providers). The University expects that the number of spaces it will provide for students will remain close to 2,500 in 2020 and that the number of bed spaces owned and provided directly by the University will remain close to c. 1000 beds. This they advise will give the University control over rents and management.

Within the existing University's portfolio the report advises that sites in Lambeth, at its Harrow Campus in Wells Street could be redeveloped. Because of high refurbishment costs Wigram House does not form part of its 2015-2020 strategy for University provided accommodation.

In summary the overall objective of the University is to reinforce the teaching facilities within the main campuses in Westminster and Harrow and to disperse student accommodation outside central London where it is argued better, more modern accommodation can be delivered at a lower price point.

Wigram House Viability Appraisal

The University appointed Savills to undertake a review of the refurbishment options of Wigram House as student accommodation.

The viability report states that Wigram House is in poor condition and provides poor quality accommodation with single bedrooms, communal kitchens and separate bathrooms provided on each floor. The rooms range from approximately 9m² to 12.5m² and include a small wash basin, single bed and basic furnishings. The report advises that the rooms are small in comparison to the wider student accommodation market where most purpose built schemes provide en-suite cluster rooms ranging in size from 12.5m² to 14.5m². In addition the number of students sharing the separate WCs, bathroom and showers at Wigram House is very high at 5:1, 8:1 and 6:1 respectively.

The report advises that refurbishment works would be significant and because the building has inherent flaws in terms of floor layout, non-suite rooms, poor natural light to rooms facing the internal lightwell and the poor ratio of bathroom facilities, the University would not be able to recoup the costs of the refurbishment through higher rents.

Furthermore the refurbished accommodation would remain non-ensuite and would not meet current student expectations. In order to achieve a positive land value the report argues that the building would need to be converted to an all studio scheme.(92 studios)

and charge much higher rents. It is argued that the small scale of the development is unlikely to meet modern student operator requirements who generally manage much larger schemes.

Use of capital receipts from sale of Wigram House

The University advises that the sale of Wigram House will release capital that can be invested to improve the student experience within Westminster at its New Cavendish Street site. To reinforce this, the applicant has advised that it is willing to enter into a s106 Agreement that the proceeds from the sale of Wigram House will be entirely re-invested within Westminster.

Assessment of proposal against Policy S15

The proposal does not comply with policy S15 which seeks to protect specialist housing. The student hostel is not required to meet different residential needs as part of a published strategy by the University. The key argument put forward by the applicant is that the existing student accommodation is obsolete and does not meet current student expectations. In addition a like-for-like refurbishment would not be financially viable and in any case accommodation with small single bedrooms that do not have private bathrooms is still unlikely to meet current student expectations. Modern student developments offer more social space with better facilities and rooms that are arranged in clusters of 8 to 20 with communal kitchens. An enhanced refurbishment scheme at Wigram House may be able to offer something similar but the applicant argues that to achieve a financially viable scheme a direct let student provider would need to create a high specification studio scheme that will charge high rents and appeal to wealthy international students. In any case the applicant argues that a direct let student provider is unlikely to take on a small scheme of this size (92 studios) as most modern student accommodation is on a much larger scale.

The council has received a large numbers of letters of support for the principle of changing the use to private residential flats. It would appear that whilst the students have been relatively good neighbours, local residents consider that the use of the property as flats would be more in keeping with the residential character of the area, the conservation area and the status of the application site as an unlisted building of merit.

The applicant has advised that the only alternative hostel use would be a non-student hostel operator who would be prepared to use the site in its current poor condition.

Members views are therefore sought on whether the case the case made by the University of Westminster for the loss of student hostel accommodation is acceptable in this instance.

Affordable housing

Policy S16 states that 'Proposals for housing developments of either 10 or more additional units or over 1,000sqm additional residential floorspace will be expected to provide a proportion of the floorspace as affordable housing'. Based on the council's 'Interim Guidance Note: Affordable Housing Policy' for sites outside Core CAZ the affordable housing floorspace requirement is 880m² or 11 units.

Policy S15 goes on to state that 'The affordable housing will be provided on-site. Where the council considers that this is not practical or viable, the affordable housing should be provided off-site in the vicinity.'

London Plan policy 3.12(C) states 'Affordable housing should normally be provided on-site. In exceptional cases where it can be demonstrated robustly that this is not appropriate in terms of the policies in [the London Plan], it may be provided off-site. A cash in lieu contribution should only be accepted where this would have demonstrable benefits in furthering the affordable housing and other policies in [the London Plan]

The application does not propose on-site nor off-site affordable housing. Instead the applicant proposes to address Policy S16 by making a policy compliant payment in lieu of £4,326,467. No evidence has been provided to demonstrate that on-site affordable housing is neither practical or viable (the two tests required by Policy S15). Instead the applicant advises that on-site provision would not be practicable or appropriate bearing in mind the layout of the building and the single entrance. Officers accept that there is only one entrance to the building but that does not in itself preclude the provision of on-site affordable housing. It is therefore recommended that the proposal is refused for the lack of on-site affordable housing contrary to S16 of Westminster's City Plan (November 2016), London Plan policy 3.12 and the Mayor's Affordable Housing and Viability SPG.

Residential standards

The flats comply with the National Space Standards and when the internal lightwell is taken into account many of the flats could be considered to be dual aspect. The overall provision of three and four bedroom family units is 33% which complies with adopted policy. The flats are not considered to be oversized with an average flat size of 95m² (gross internal area). Details of the provision of adaptable and wheelchair dwellings have not been provided but had the application been supported this could have been dealt with by way of condition.

8.2 Townscape and Design

The application does not propose any modifications to the building so there are no townscape and design implications. It is noted that some local residents are concerned that the exterior of the building is not to be refurbished however this is not something that the council can insist upon. Any future modifications to the building would be assessed against our Townscape and Design policies in the City plan and UDP.

8.3 Residential Amenity

The change of use to residential is unlikely to raise any specific residential amenity concerns given that the site is located in a primarily residential area.

8.4 Transportation/Parking

The scheme does not propose any off street parking for the 30 residential flats. The Highways Planning Manager has objected on this basis. The letters of representation also raise concerns or objections to the lack of off street parking.

Policy TRANS23 states that 'For any new residential development including residential extensions and conversions the City Council may take into account the likelihood of additional demand for on-street parking arising from the development. The City Council will normally consider there to be a serious deficiency where additional demand would result in 80% or more of available legal on-street parking places being occupied during the day (i.e. parking bays) or at night (i.e. parking bays and single yellow lines) in the vicinity of the development. In these circumstances, the City Council will normally seek to resist development unless the potential impact of additional cars being parked on-street in the vicinity is mitigated.'

The evidence of the Council's most recent daytime parking survey in 2015 indicates that the parking occupancy of Residents' Bays and Shared Use Bays within a 200 metre radius of the development site is 81.0% (consisting of 248 Residents' Bays, 201 of which were occupied. (There are also 5 Shared-Use bays but these were all suspended at the time of the survey). Overnight the pressure on Residents' Bays is exactly the same, although residents can also park free of charge on metered parking bays or single yellow line in the area.

The introduction of increased levels of residential in this area without off-street parking or on-street parking restraint is therefore likely to increase the stress levels.

The applicant proposes to mitigate any potential on-street parking pressure by offering all occupants of the proposed flats lifetime (25 years) Car Club membership and by placing restrictive covenants in the leases of the 20 one and two bedroom apartments to prevent the occupants from applying to Westminster City Council for respark permits so that only occupants of the 10 family sized three bedroom apartments would be able to apply for them. Whilst the car club is an acceptable form of parking mitigation, the council does not have a policy restricting future occupiers from being able to apply for respark permits.

The concerns of the Highways Planning Manager and local residents about parking stress levels are understood. However the site is well served by public transport with buses, tube and trains all within a short walking distance. Had the application been supported then lifetime car club membership could have been secured through a s106 agreement. It is considered that with this measure in place, and taking into account the excellent public transport, a refusal on the lack of off street car parking would not be justified. .

It is considered that had the application been supported a condition could have been used to secure the additional cycle storage required to comply with London Plan policy.

8.5 Economic Considerations

It is not considered that the scheme will have significant economic considerations.

8.6 Access

All flats will benefit from lift access.

8.7 Other UDP/Westminster Policy Considerations

Refuse /Recycling

The scheme proposes to use the vaults for refuse and recycling storage. The applicant argues that this is the same arrangement as the next door property.

The concerns of the Cleansing Manager about the refuse arrangements are noted however had the application been supported a condition could have been used to secure the revisions required.

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

Had the application been supported then draft 'Heads' of agreement would have been recommended to cover the affordable housing contribution and lifetime car club membership.

The estimated Westminster CIL payment for the proposal is £1,550,000.

8.11 Environmental Impact Assessment

The scheme does not raise any environmental impact issues.

8.12 Other Issues

A number of letters of representation raise concerns about the potential for construction disturbance. Had the application been considered acceptable then the standard working hours condition would have been recommended. The scheme is not considered sufficiently major to warrant the involvement of the Environmental Inspectorate.

9. BACKGROUND PAPERS

1. Application form
2. Memorandum from Highways Planning Manager dated 18 August 2017.
3. Memorandum from Cleansing dated 12 July 2017.
4. Response from Westminster Society, dated 29 June 2017
5. Letter from occupier of 80A ASHLEY GARDENS, THIRLEBY ROAD, dated 14 July 2017
6. Letter from occupier of 103a Ashley Gardens, Thirleby Road, dated 19 July 2017
7. Letter from Ashely Gardens Residents' Association dated 21 July 2017
8. Letter from occupier of 103 Ashley Gardens, Thirleby Road, dated 19 July 2017
9. Letter from occupier of 71 Ashley Gardens, Thirleby Road, dated 24 July 2017
10. Letter from occupier of 110 Ashley Gardens, Thirleby Road, dated 18 July 2017

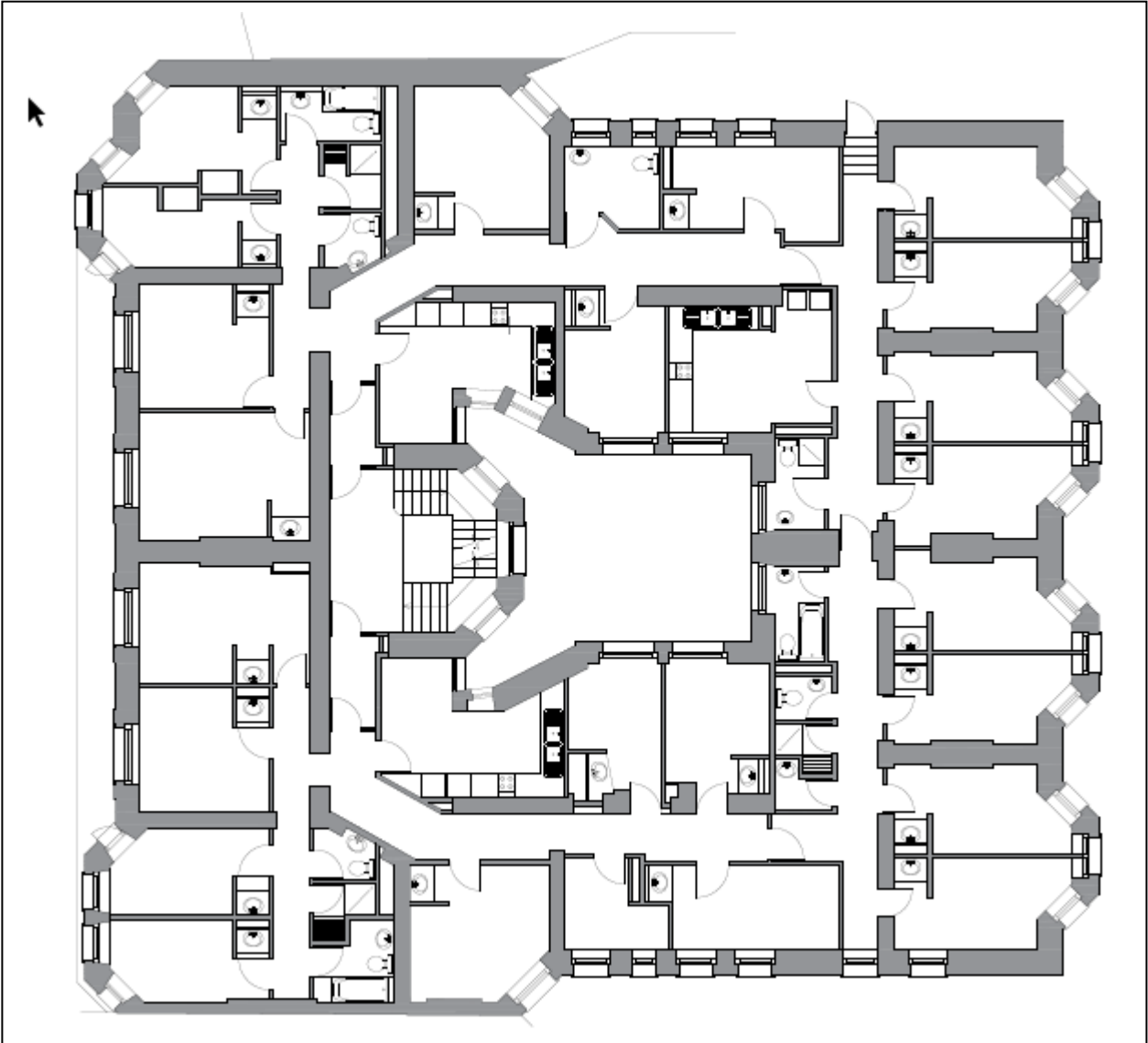
11. Letter from occupier of 83A Ashley Gardens, Thirleby Road, dated 13 July 2017
12. Letter from occupier of 82a Ashley Gardens, London, dated 12 July 2017
13. Letter from occupier of First Floor Flat, 47-49 Strutton Ground, dated 8 August 2017
14. Letter from occupier of 82b Ashley Gardens, Thirleby Road, dated 14 July 2017
15. Letter from occupier of 120A Ashley Gardens, Thirleby Road, dated 21 July 2017
16. Letter from occupier of 18 Dartmouth Road, Hayes, dated 9 August 2017
17. Letter from occupier of 23 Ashley Gardens, Ambrosden Ave, dated 22 July 2017
18. Letter from occupier of 129A Ashley Gardens, Thirleby Road, dated 19 September 2017
19. Letter from occupier of 43 Ashley Gardens, Ambrosden Avenue, dated 20 and 21 July 2017

20. Letter from occupier of Flat 7, Dean Abbott House, 70 Vincent Street, dated 8 August 2017
21. Letter from occupier of 132B Ashley Gardens, Thirleby Road, dated 16 July 2017
22. Letter from occupier of 129a Ashley Gardens, Thirleby Road, dated 23 July 2017
23. Letter from occupier of 78 Ashley Gardens, Thirleby Road, dated 13 July 2017
24. Letter from occupier of 108a Ashley Gardens, Thirleby Road, dated 6 July 2017
25. Letter from occupier of 3C Carlisle Place, London, dated 21 July 2017
26. Letter from occupier of Block 9, 121 Ashley Gardens,, London, SW1, dated 2 August 2017
27. Letter from occupier of 62 High Street, Meldreth, dated 17 July 2017
28. Letter from University of Westminster dated 24 May 2017.

(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 THE PRESENTING OFFICER: **MATTHEW MASON** BY EMAIL AT MMASON@WESTMINSTER.GOV.UK.

10. KEY DRAWINGS



Existing Typical Floor Plan
(showing individual student rooms)



Proposed Typical Floor Plan
(showing individual flats)

DRAFT DECISION LETTER

Address: 84-99 Ashley Gardens , Thirleby Road, London, SW1P 1HH

Proposal: Use from student hostel to 30 residential flats (Class C3).

Reference: 17/04832/FULL

Plan Nos: Location Plan – 600 Rev A.
Existing – 100 Rev A, 101 Rev A, 102 Rev A, 103 Rev A, 104 Rev A, 105 Rev A, 106 Rev A, 107 Rev A and 108 Rev A.
Proposed - 300 Rev A, 301 Rev A, 302 Rev A, 303 Rev A, 304 Rev A, 305 Rev A, 306 Rev A, 307 Rev A and 308 Rev A.
For information purposes only: Planning Statement, Design and Access Statement, Viability Report, Student Residential Framework Strategy 2015 – 2020, Central London Car Parking Uptake Report.

Case Officer: Matthew Mason

Direct Tel. No. 020 7641 2926

Recommended Condition(s) and Reason(s)

The proposal does not include on-site affordable housing and no evidence has been provided to demonstrate why it is neither practical nor viable for the required amount of affordable housing to be provided on-site. This would not meet S16 of Westminster's City Plan (November 2016), London Plan policy 3.12 and the Mayor's Affordable Housing and Viability SPG.

Informatives

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 so far as practicable. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition further guidance was offered by the case officer to the applicant during the processing of the application to identify amendments to address those elements of the scheme considered unacceptable. You are therefore encouraged to consider submission of a fresh application incorporating the material amendments set out below which are necessary to make the scheme acceptable.

Required amendments:

Provision of on-site affordable housing or evidence to demonstrate why it is neither practical nor viable for the required amount of affordable housing to be provided on-site.

Item No.

3
