

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 27 March 2018	Classification For General Release	
Addendum Report of Director of Planning		Ward(s) involved Marylebone High Street	
Subject of Report	1-18 York Terrace East, London, NW1 4PT,		
Proposal	Use of buildings as 28 residential units (Class C3) including 26 flats and two single dwelling houses; removal and replacement of roof, floors, non original stairs; retention of all facades and spine walls and reinstatement of the properties as individual dwellings; excavation of an additional basement beneath existing buildings and extending underneath the rear gardens facing Regents Park.		
Agent	Savills		
On behalf of	c/o agent		
Registered Number	17/06973/FULL & 17/06974/LBC	Date amended/ completed	15 February 2018
Date Application Received	4 August 2017		
Historic Building Grade	Grade I		
Conservation Area	Regent's Park		

1. RECOMMENDATION

1) Do Members consider that the revised applications for 26 flats and 2 houses address their concerns with regard to;

- i) the failure to optimise the use of the buildings
- ii) the failure of the applicant to justify the loss of the existing student accommodation and
- iii) the lack of affordable housing on site
- iv) The benefits of the revised proposal now outweigh the less than substantial harm to these Grade I listed buildings.

2) Subject to the 1) above, if Committee agrees these concerns have now been addressed resolve to grant conditional permission subject to the satisfactory completion of a legal agreement to secure the following

a) Provision of 44 affordable housing units at Chesterfield Lodge via the implementation and completion of planning permission dated 30th January 2017(reference 16/00492/FULL).

b) Agreement to the following phasing:

o The proposed development at 1-18 York Terrace East will not be occupied until the development at Chesterfield Lodge is completed.

c) Any under-spend from the £15million cost as set out in the Cast Cost Plan for Chesterfield Lodge will be given to the Council's affordable housing fund

d) Designation of 28 car parking spaces within the basement level car park located beneath 24-41 York Terrace East, for use by residents of the proposed development for the lifetime of the development.

e) An employment and training strategy for the construction and operational phase of the development.

f) S106 monitoring costs.

3) If the S106 legal agreement has not been completed within six weeks of the date of the Committee resolution, then:

a) The Director of Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorised to determine and issue the decision under Delegated Powers; however, if not;

b) The Director of Planning shall consider whether the permission should be refused on the grounds that the proposals are 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.

4) Subject to 1), grant conditional listed building consent.

5) Agree the reasons for granting conditional listed building consent as set out in Informative 1 attached to the draft decision letter.

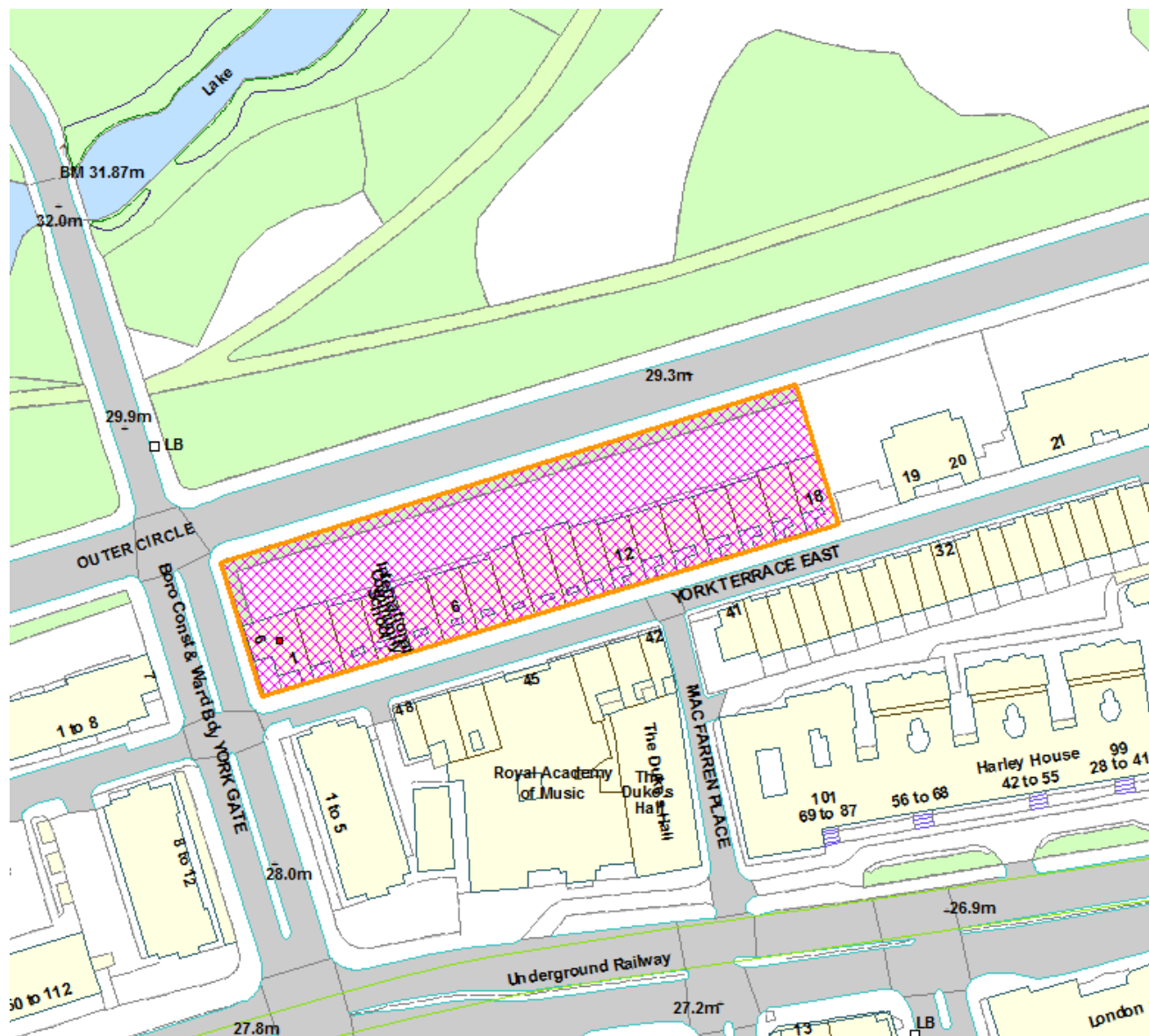
2. SUMMARY

A proposal to convert these buildings into 13 townhouses was presented to Sub-Committee on 23rd January 2018. Members resolved that the scheme was unacceptable as it failed to provide on-site affordable housing (our consultants had indicated that 17.3% was viable), failed to maximise the useage of the site as all the units proposed were large dwellings; and the applicants had failed to justify the loss of the student accommodation. Members also considered that in respect of the applicant's original offer to pay for the redevelopment of Chesterfield Lodge to provide 44 affordable housing units offsite and a payment in lieu of £7.6million was not an acceptable alternative. Members advised the applicant to consider amendments within two months of the Committee resolution to address their concerns and advised that if they failed to do so, the applications were to be refused under delegated powers.

The applicant has revised scheme and now proposes 26 flats and two houses. The applicant still states that it is not viable to provide any on- site affordable housing, but they maintain their offer to pay for the construction of 44 affordable housing flats at Chesterfield Lodge. The applicant has also provided further information to justify the loss of the student accommodation.

The applications are therefore reported back to committee for consideration.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Aerial view of application site as seen from north (over Regents Park)



Subject site as seen from York Terrace East

5. CONSULTATIONS

ADDITIONAL REPRESENTATIONS RECEIVED AFTER REPORT FOR 23 JANUARY 2018 MEETING WAS PUBLISHED AND CIRCULATED TO MEMBERS PRIOR TO THE COMMITTEE MEETING (BLUES)

St Martins in the Field Almshouse Charity

Letter in support of applications proposal to provide 44 new units at Chesterfield Lodge.

LATE REPRESENTATIONS RECEIVED AFTER REPORT FOR 23 JANUARY 2018 MEETING WAS PUBLISHED AND CIRCULATED TO MEMBERS AT THE COMMITTEE MEETING (REDS)

Two further letters on behalf of the applicant in support of application and the affordable housing package offered, including emails from two registered housing providers stating that they would not take on a property with the limitations outlined by the applicant.

REVISED SCHEME CONSULTATION (26 Flats and 2 houses)

WARD COUNCILLORS FOR REGENT PARK

Any response to be reported verbally.

WARD COUNCILLORS FOR MARYLEBONE HIGH STREET

Any response to be reported verbally.

HISTORIC ENGLAND

The application should be determined in accordance with national and local policy guidance.

THE ST MARYLEBONE SOCIETY

Any response to be reported verbally.

MARYLEBONE ASSOCIATION

Any response to be reported verbally.

FRIENDS OF REGENTS PARK & PRIMROSE HILL

Any comments to be reported verbally.

CHILDREN'S SERVICES

Any comments to be reported verbally.

LONDON UNDERGROUND

No comment

TRANSPORT FOR LONDON

Provision of 28 car parking spaces excessive in an area with excellent PTAL rating contrary to London Plan. Cycle storage area at lower ground floor level is neither convenient nor accessible.

Item No.
3

CROWN ESTATE PAVING COMMISSION

Any response to be reported verbally.

THE GEORGIAN GROUP

Any response to be reported verbally.

THE VICTORIAN SOCIETY

Any response to be reported verbally.

SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS

Any response to be reported verbally.

COUNCIL FOR BRITISH ARCHAEOLOGY

Any response to be reported verbally.

TWENTIETH CENTURY SOCIETY

Any response to be reported verbally.

ANCIENT MONUMENTS SOCIETY

Any response to be reported verbally.

BUILDING CONTROL

No objection

CLEANSING

No objection subject to condition requiring details of waste storage provision.

ARBORICULTURAL SECTION

Construction Management Plan is contradictory and unclear in terms of the likely impact on

HIGHWAYS PLANNING

Objection if off-site car parking provision in the vicinity is associated with existing residential units resulting in the loss of spaces contrary to TRANS23. Proposal would be policy compliant if no parking provided because on street parking occupancy is below the specified threshold.

ENVIRONMENTAL HEALTH

Any response to be reported verbally.

AFFORDABLE HOUSING SUPPLY MANAGER

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 482

Total No. of replies: 3

No. of objections: 2

No. of letters of support: 1

The letter of support is from the St Martin-in-the-fields Almshouse Charity on the grounds that the revised proposal would enable the delivery of affordable housing at the Chesterfield Lodge site.

Two objections on the following grounds;

Land Use

Object to change from previous proposal of 13 houses to large number of unsuitable flats.

Transport/Parking

Proposal puts extra strain on already limited street parking available for other residents on the street.

Increased number of flats would add congestion in terms of cars and deliveries in Regents Park.

Other Matters

Should be in interests of Westminster to attract users who will pay maximum taxes with minimum services requirement.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

See original report.

6.2 Recent Relevant History

See original report.

7. THE PROPOSAL

Following the resolution of the Committee on 23 January 2018 the applicant has made amendments to the scheme. Revisions now propose to convert these listed buildings into 26 flats and 2 houses. This involves changes to the proposed internal layout to subdivide the properties. The extent of basement excavation remains the same as does the external alterations and roof alterations proposed.

Table 1: The existing and proposed uses are set out in the table below:

	Existing Floorspace (sqm GIA)	Proposed Floorspace (sqm GIA)	Change (+/- sqm GIA)
Private School	672	0	-672
Rotary Club	218	0	-218
Student Accommodation	7,150		-7,150

Residential	0	10,248	+10,248
Total	8,040	10,248	+2,208

The size and mix of the proposed residential units is set out below:

Table 2 : Residential Mix

Unit No	No. of Bedrooms	Floorspace (sqm GIA)
1	3	443
2	2	423
3	2	163
4	2	153
5	2	319
6	2	118
7	2	119
8	1	57
9	1	56
10	1	55
11	2	140
12	2	140
13	2	109
14	2	114
15	2	114
16	1	60
17	3	202
18	3	263
19	4	648
20	2	105
21	3	290
22	3	310
23	3	444
24	3	511
25	4	661
26	3	478
27	5 (house)	1147
28	5 (house)	923
Common circulation and amenity	n/a	904

The current proposal involves a slight reduction in floorspace (10,248sqm whereas the previous committee report a total floorspace of 10,318sqm (GIA) which is a result of the conversion to a flatted scheme.

No on-site car parking is proposed. However, the applicant still proposes using 28 spaces in the basement level car park beneath 24-41 York Terrace East for the proposed units.

No on-site affordable housing is proposed as the applicant states it is not viable. The applicant is repeating their offer to pay for the construction of 44 off-site affordable units at Chesterfield Lodge St John's Wood Terrace. The redevelopment of this property to provide 44 affordable flats has been granted under application ref: 16/00492/FULL.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Loss of Student Accommodation

Most of the building is currently in use as student accommodation operated by "International Students House" (ISH) which is a charitable organisation that offers accommodation at below market rates for British and International Students.

The City Plan specifies that student accommodation is a form of specialist housing and that it will be protected under policy S15. Similar protection is also afforded under policy H6 of the Unitary Development Plan which states that permission for changes of use from hostels (including student accommodation) will only be permitted where it is surplus to the requirements of the existing operator and there must be no demand from another organisation for a hostel in that location.

The applicant has indicated that ISH have decided to move because of their current leasehold arrangement, the listed nature of the building and the significant cost of refurbishing and maintaining this property. ISH advise that their interests be better served by selling the property and applying the proceeds to acquiring a replacement property, which could provide a greater number of student accommodation units at a modern standard. The applicant contends that ISH's reasoning would apply to any other hostel provider.

The Planning Applications Committee of the 23rd January 2018 resolved that the applicant had failed to justify the loss of the existing student accommodation use, contrary to policy S15.

The applicant has stated that since that Committee they have engaged further with ISH and been provided with information relating to the marketing campaign and eventual sale of the property. The applicant has produced a letter from Knight Frank, the agents appointed by ISH to market the property, to support their justification for the loss of the student accommodation use (This letter is included as background paper No.3).

This letter states that it would have cost at least £21m to refurbishing the existing accommodation and more than double that amount to deliver economically viable student accommodation largely due to the listed nature of the buildings. The letter also states that as the property was held on a 52- year lease and therefore a significant payment would need to be made to the Crown Estate to extend the lease. As a result of these factors, ISH decided to dispose of the property and re-invest in a purpose built freehold student block.

Knight Frank also state in their letter that they consulted with their specialist student housing and institutional teams whose feedback was that the property would not be suitable for a student (accommodation) buyer because the property is not purpose built for this use, the significant cost of refurbishing and maintaining a listed building and complications with negotiating a lease extension. Although Knight Frank state that informal conversations were had with key operators, investors and developers in the market of student or institutional buyers echoed these issues.

Knight Frank states that no open marketing process took place with regard to the building because ISH wished to explore a discreet sales process, which did not jeopardise the ability for the business and property to function as normal.

Members are asked for their views as to whether the additional information provided by the applicant addresses their earlier concerns about the lack of justification for the loss of the protected student accommodation and in the light of the fact that more housing is provided on site.

Loss of Social and Community Use

Members on 23rd January 2018 raised no land use objections to the loss of the small rotary club and nursery school.

Proposed Residential use

The Committee considered that the earlier proposal for 13 houses failed to optimise the use of these buildings, contrary to policy S14 of the City Plan. The amended proposal involves over double the amount of units as 28 are proposed (an increase in of 15), in the form of 26 flats and 2 houses. The applicant contends this is the maximum amount of units, which can be viably provided on site.

All units meet the nationally described minimum space standard. There remains a number of very large units including a 1147sqm (GIA) and a 923sqm (GIA) 5 bedroom house. The largest unit is still 8.5 times the minimum space standard (as specified in the Technical Housing Standards for a 8 person, 5 bedroom house. The two 4 bedroom units are 661 and 648sqm (GIA), the eight three bedroom units range in size from 202sqm to 511 sq.m and a 661sqm (GIA), the twelve two bedroom units from 105 to 423 sq.m (GIA) and the four one bed units from 55 to 60 sq.m (GIA). The density proposed would still fall well below the units per hectare standard in this location, as set out in table 3.2 of policy 3.4 of the London Plan. The lowest density range suggested for a central area with a high PTAL rating of between 4 and 6 such as this is 140-290 units per hectare. The density proposed is 63 units per hectare based on the total site area detailed in the applicants planning statement.

It is however recognised that there has been a significant increase in the number of units proposed by the development (an increase of 15) and this is considered an improvement compared to the originally proposed 13 large townhouses. The applicant claims that any further subdivision could potentially result in compromised units in terms of natural light due to them becoming single aspect. They also put forward the argument that the current subdivision was arrived at by carefully considering the historic fabric of the

building and avoiding the insertion of inappropriate partitions, multiple breaks through the party wall and seeking to retain all the historic staircases.

Members views are sought as to whether the applicants proposed increase in the number of residential units to 28 addresses their earlier concerns in respect of optimisation.

The revised proposal is for 28 residential units comprising 26 flats and two single dwelling houses. 12 of those units are family sized (as shown in the earlier proposals table). Accordingly, the proposed development would satisfy the unit mix requirements of policy H5 of the UDP.

Affordable housing

Members considered that the earlier proposal for 13 houses was unacceptable in light of the Council's affordable housing policy, the applicants offer to pay for the delivery of 44 units at Chesterfield Lodge, and £7.6m payment in lieu was not acceptable.

This revised scheme for 26 flats and 2 houses is required under policy S16 and Council's Interim Guidance Note on Affordable Housing (November 2013) to provide 35% of the total residential floorspace on site (i.e. 3,587 sq.m.). This equates to 45 units affordable units. The applicants state that a flatted scheme or more units is less viable than the originally proposed 13 townhouses and cite that it is not viable to provide any on site affordable provision. They maintain their earlier offer to pay for the delivery of 44 units at Chesterfield Lodge, but the flatted scheme is unable to offer the same payment in lieu due to viability.

The applicants revised viability report has been independently tested, and our consultants, GVA now conclude that the predominantly flatted scheme has reduced the overall value of the site and it is not viable to provide on-site affordable housing.

Officers accept that that in increasing the number of units, this does affect the overall viability and concur that it is not viable to provide on-site affordable housing.

Policy S16 does allow the consideration of offsite provision. In this case, the applicant is offering to pay for the construction of 44 units at Chesterfield Lodge. This scheme for the St Martins in the Fields Charity has already been granted planning permission, and when Committee Members agreed there granted permission were exceptional circumstances to justify this scheme being treated as an affordable housing credit controlled by a memorandum of understanding (MoU). This MoU is valid for 10 years from the Committee resolution.

It is recognised that the applicant's offer to pay for this off site scheme will result in the early delivery of this developed which a single developer will fund. The Chesterfield Lodge development would deliver approximately 3,513 sq.m of floorspace, only slightly less than the policy compliant 35% (3,587 sq.m) required for this proposal. Members' views are therefore sought regarding the acceptability of this off site offer.

8.2 Townscape and Design

It is not proposed to repeat the history and description of the site, or a detailed description of all the works or a detailed assessment of significance, all of which were contained within the original committee report dated 23 January 2018, which is included as a background paper to this report.

The comments below focus on the amended scheme and an assessment of impact on the significance of the affected heritage assets. The important considerations in assessing the proposals are the statutory duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990 and the relevant national and local policy context. Section 16 (2) of the Act states that “In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

Section 66 states that “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

Section 72 of the same Act states that “In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

In terms of the NPPF the key considerations are addressed in Chapter 12 with paragraphs 133 and 134 specifically addressing the issues of harm to designated heritage assets, which in the case of this application, the designated heritage assets would comprise the building itself, its neighbouring listed buildings and the Regent’s Park Conservation Area.

The main development plan policies of relevance are S25, S28 and CM28.1 of our City Plan; and DES 1, DES 5, DES 6, DES 9 and DES 10 of our UDP.

The Revised Proposals

The revised scheme introduces a greater number of units within the terrace, rising from 13 large houses to 23 units comprising a combination of houses and apartments. In terms of the impact on the listed building, the design changes in the revised scheme are almost entirely confined to an internal re-organisation of the spaces while maintaining a similar level of intervention into the historic fabric. As with the earlier scheme, it is proposed to retain the external facades, the party walls (including chimney breasts), basement vaults and the original staircases and their compartments. It is also proposed to dismantle, retain and re-use the surviving historic roof structures. Otherwise, most of the interior fabric including floor structures and partition walls are to be removed, including sections of the north wall at lower ground floor level, which has been internalised by the 1960s/70s work. The main additional internal changes, within the

current scheme, which will include a number of apartments laid out as lateral units extending across several former houses, are that there will be some additional openings within party walls and there will be some greater subdivision of the floor plans. Thus, a re-instatement of the original historic floor plans would not be achieved. The modern staircases between second and third floors would be removed and not replaced in this revised design. However, historic room proportions will still be re-instated for the most part in terms of room widths to principal floors (in rooms facing the park) and the revised layouts will mean that the proposed new lifts will not in most cases extend to full height and thus will have less interference with the re-instated roof forms.

As with the earlier scheme, in terms of external works/alterations, the principal north-facing palace façade will remain largely unaltered, other than works of repair and refurbishment.

On the rear (south-facing) façade it is proposed to re-position some windows and this relates to correcting modern alterations, so that where new staircases are being located in historic locations, the windows are to be re-positioned to their original half landing positions. Refurbishment of the brickwork to this façade is also proposed to provide a more cohesive appearance. Also on this south façade, it is proposed to restore the primary and secondary entry doors, so that they will once again become useable entrances. The roofs to these lobby structures are to be replaced with large flat rooflights. The courtyards to the side of these entrance lobbies will be rebuilt and incorporate a lightwell to the lower ground floor.

At roof level, it is proposed that all roof finishes and modern structure are removed and that original roof structure is temporarily dismantled. It is then proposed to reform these roofs so that M-profile roofs are re-formed to nos.1, 3, 5, 6, 13, 14, 15, 16 and 17, albeit with a flat platform in the valley to accommodate low-level plant. The roofs of houses 2, 4, 7, 8, 9, 10, 11, 12 and 18 would feature roof terraces behind front and rear pitched roofs, accessed by low-level sliding roof access points. The chimney stacks and pots to the party walls would all be re-instated.

The main enlargement of the terrace is in the form of a basement extension which would be formed beneath all the terrace and extend beneath the north lightwell and under a part of the communal garden (other than to nos.17 & 18, where the basement would only be beneath the house). The construction of the basement will involve the demolition of the northern lightwell, although this is to be re-instated to its existing dimensions.

It is proposed to remove, refurbish and reinstate historic metalwork, including the railings to the communal garden. In the case of the latter a stone plinth would be introduced, to address changes in ground levels. Metal railings would also be introduced to the rebuilt north lightwell, in place of the existing metal grilles.

In terms of the new interiors, the proposals will broadly seek to reinstate historic detailing including replacement historic staircases in places and appropriate Regency detailing with particular emphasis on the houses, where a full hierarchy of historic spaces can be re-created. The detailing to the apartment interiors will include some traditional detailing where appropriate, although final details of such elements will need to be agreed by condition.

Between ground and lower ground floors, the existing stairs are not original and are to be removed and new stone-finished concrete stairs would be re-instated. Where historic handrails survive, these would be re-used and new ones would feature a timber handrail with simple metal balustrades. These stair details would then be matched in the new flight of stairs from lower ground floor to the new basement floor and would continue the stair down.

Assessment of Impact and Design Conclusions

As with the earlier scheme, for the most part the proposals will have a benign or beneficial impact upon the significance of this grade I listed terrace. The fabric and features of highest significance are retained, refurbished and better presented; and even areas of lesser significance, such as the interiors, will be enhanced and benefit from the residential use. The improvements and repair work to the roofscape, the railings and the facades, particularly the treatment of the rear façade will enhance and complement not only the building but also its surrounding Regency townscape. Overall, the scheme offers the potential to secure a long-term sustainable use for the building, alongside conserving its significance.

There will be some harm to significance with the loss of floor structures and some original wall structure, mainly at lower ground floor level. This harm would fall within the category of 'less than substantial' and thus in accordance with the NPPF, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. This weighing exercise must still be undertaken being mindful of the statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The applicants have cited numerous public benefits associated with the proposed scheme including the following:

- *“Provision of 28 high quality private residential dwellings which seek to optimise the delivery of residential dwellings within this Grade I listed building*
- *Return of the grade I terrace to its original residential use and reinstatement / retention of numerous historical features;*
- *Comprehensive landscaping scheme based upon Nash’s original vision for this part of the Regents Park Master plan*
- *Provision of 44 off site affordable housing units within close proximity to the application site.”*

While there are numerous enhancements to the buildings, the extent to which these result in public benefits is somewhat ambiguous and some aspects of the interior works are more closely aligned to private benefits and works which would inevitably occur with any refurbishment scheme. Nevertheless, the proposed works of enhancement and refurbishment to the exterior, including repairs to railings, the south-facing façade and the re-instatement of chimney stacks and chimney pots; alongside the re-use of the original entrances to serve a residential use, would certainly amount to a quantum of public benefit.

In circumstances where the proposed scheme is acceptable in land use terms, it is considered, mindful of our statutory duties, that the benefits of the scheme can be regarded as being of sufficient magnitude to outweigh the identified harm. The elements of the terrace which are of the highest significance will be enhanced and many of these enhancements, will also have a beneficial impact upon the Regent's Park Conservation Area and upon the setting of neighbouring listed buildings. As such the proposals are acceptable and in accordance with referenced policy and legislation.

8.3 Residential Amenity

The amended scheme does not involve any changes which would change the impact on neighbouring amenity in terms of loss of light, sense of enclosure, privacy or noise. Whilst it is recognised that this revised scheme is for more residential units, this is not considered to adversely affect the living conditions of nearby residents or adversely affect the character and appearance of this part of the Conservation Area .

8.4 Transportation/Parking

Objections have been received to the amended proposal on the grounds that the additional units will put extra strain on already limited street parking available for other residents on the street and would add congestion in terms of cars and deliveries in Regents Park.

Although no off-street parking is provided on the site itself. The applicant proposes that 28 car parking spaces would be secured at 24-41 York Terrace East. The applicant has confirmed that the car parking spaces do not serve existing residential properties. The car park at 24-41 York Terrace East where the applicant is securing the 18 spaces currently contains 66 spaces of which 35 are currently offered to rent to the student accommodation occupying the application site.

The Highways Planning Manager has confirmed that if these spaces are not attached to existing residential properties then no objection would be raised and the proposal would be policy compliant. Notwithstanding the above the Highways Planning Manager has stated that the proposal would be policy compliant if no car parking were proposed for the new units because the on street car parking spaces in the vicinity are below the 80% occupancy stress level according to the most recent parking survey.

Transport for London have objected to the proposal on the basis that the proposed level of 18 car parking spaces excessive and contrary to policy 6.13 of the London Plan. It is not considered sustainable to refuse the application on this basis, as the provision of 18 car parking spaces would meet the standard set out in local plan policy TRANS 23 of the UDP.

Transport for London have also commented that the proposed cycle parking provision is neither convenient or accessible contrary to policy 6.9 of the London Plan. However, appropriate cycle parking could be secured by condition.

8.5 Economic Considerations

No new issues are raised.

8.6 Access

No new issues are raised.

8.7 Other UDP/Westminster Policy Considerations

See original report

8.8 London Plan

See original report

8.9 National Policy/Guidance Considerations

See original report

8.10 Planning Obligations

The applicant has submitted a revised draft 'Heads' of agreement as set out below

a) Provision of 44 affordable housing units at Chesterfield Lodge via the implementation and completion of planning application reference 16/0492/FULL

b) Agreement to the following phasing:

i) The proposed development at 1-18 York Terrace East will not be occupied until the development at Chesterfield Lodge is completed.

ii) Any under-spend from the £15million cost as set out in the Cast Cost Plan will be given to the Council's affordable housing fund

c) Designation of 28 car parking spaces within the basement level car park located beneath 24-41 York Terrace East, for use by residents of the proposed development

d) An employment and training strategy for the construction of the development.

e) S106 monitoring costs.

If the revised proposal is considered acceptable by Members , the above planning obligations would be secured by a legal agreement.

8.11 Environmental Impact Assessment

The proposal does not require an Environmental Impact Assessment. No changes to the extent of basement excavation are proposed when compared to the previous proposal.

9. BACKGROUND PAPERS

1. Application form
2. Minutes of Meeting with Cabinet Member and Chair of Planning Committee dated 2 November 2017
3. Letter from Knight Frank dated 20th February 2018.
4. Report and minutes of Committee dated 23.01.2018, including original representations as detailed in report to committee of 23.01.2018.
5. Additional representations received after report of 23.01.2018 was published and circulated to members prior to the committee meeting (blues):-
 - Letter from St Martins in the Field Almshouse Charity undated
6. Late representations received after report of 23.01.2018 was published and circulated to members at the committee meeting (reds):-
 - Letter from Belgrave Communications
 - Letter from applicants agent
 - Email from Peabody
 - Email A2 Dominion
7. Representations received following consultation on revised scheme:-
 - Response from Historic England (Listed Builds/Con Areas), dated 7 March 2018
 - Response from London Underground Limited, dated 6 March 2018
 - Response from Transport for London, dated 13 March 2018
 - Response from Building Control - Development Planning, dated 3 March 2018
 - Response from Cleansing - Development Planning, dated 9 March 2018
 - Response from Arboricultural Section - Development Planning, dated 8 March 2018
 - Letter from occupier of 35, York Terrace East, dated 7 March 2018
 - Letter from owner of 20, 28 and 29 York Terrace East received 26th February 2018 (dated 8th January 2018)
 - Letter from St Martins in the Fields Almshouse Charity undated.

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

<p>IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: KIMBERLEY DAVIES BY EMAIL AT kdavies1@westminster.gov.uk</p>

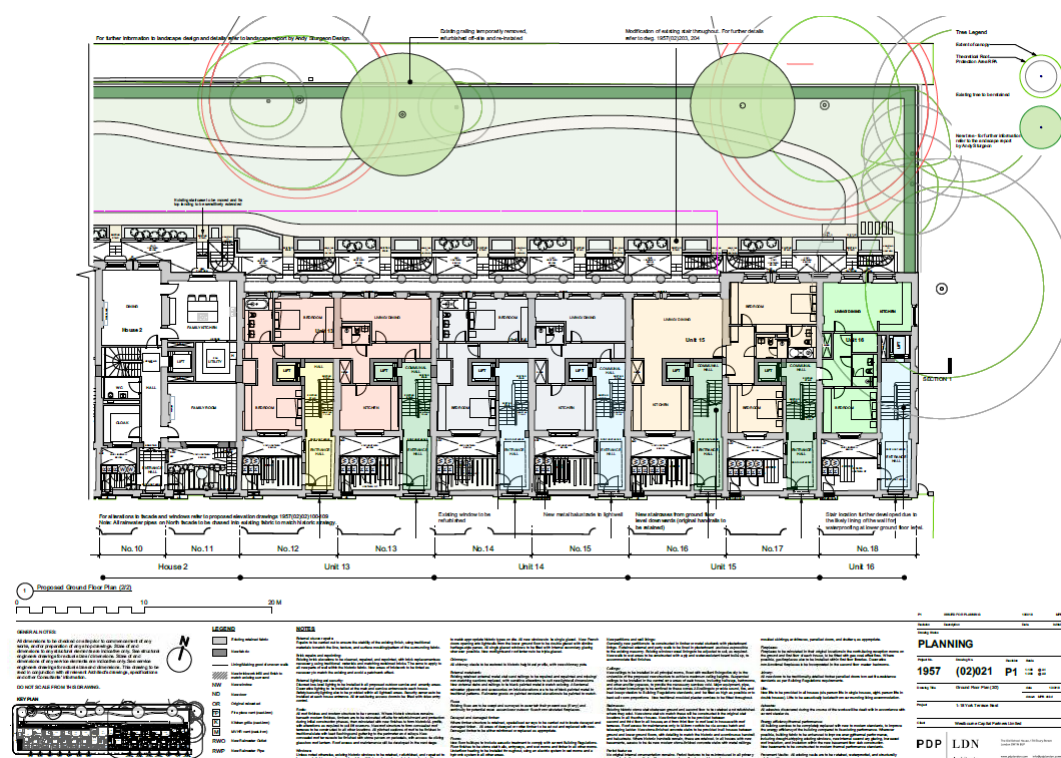
10. KEY DRAWINGS



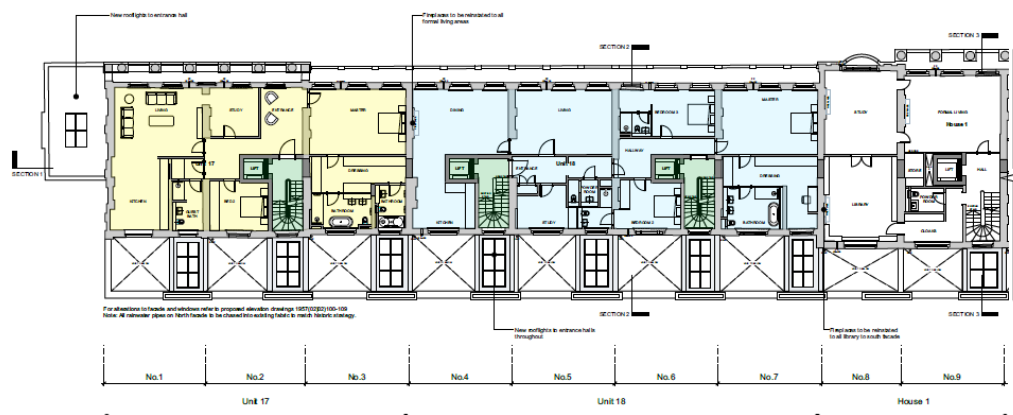
Revised Proposed Basement Floor Plans



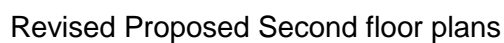
Revised Proposed Lower Ground floor plans

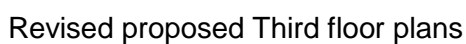


Revised Proposed ground floor plans



Revised Proposed First floor plans





DRAFT DECISION LETTER

Address: 1-18 York Terrace East, London, NW1 4PT,

Proposal: Use of buildings as 28 residential units (Class C3) including 26 flats and two single dwelling houses; removal and replacement of roof, floors, non original stairs; retention of all facades and spine walls and reinstatement of the properties as individual dwellings; excavation of an additional basement beneath existing buildings and extending underneath the rear gardens facing Regents Park. Linked to 17/06974/LBC

Reference: 17/06973/FULL

Plan Nos: 1957(00)000-P1; 1957(00)001-P1; 1957(00)003-P1; 1957(00)004-P1; 1957(00)05-P1; 1957(00)006-P1; 1957(00)007-P1; 1957(00)008-P1; 1957(00)009-P1; 1957(00)010-P1; 1957(00)011-P1; 1957(00)012-P1; 1957(00)013-P1; 1957(00)014-P1; 1957(00)100-P1; 1957(00)101-P1; 1957(00)102-P1; 1957(00)103-P1; 1957(00)104-P1; 1957(00)105-P1; 1957(00)106-P1; 1957(00)107-P1; 1957(00)108-P1; 1957(00)109-P1; 1957(00)201-P1; 1957(00)202-P1; 1957(00)203-P1; 1957(00)204-P1; , 1957(01) 018-P2; 157(01) 019-P2; 1957(01) 020-P2; 1957(01) 021-P2; 1957 (01) 022P1; 1957(01) 023P1; 1957(01) 024-P1; 1957(01) 025-P1; 1957(01) 026-P1; 1957(01) 027-P1; 1957 (01) 028-P1; 1957(01) 029-P1; 1957(01) 100-P3; 157(01) 101-P3; 1957(01) 102-P2; 1957(01) 103-P2; 1957(01) 104-P2; 1957(01) 105P2; 1957(01) 105-P2; 157(01) 106P2; 1957(01) 107-P2; 1957(01) 108-P2; 1957 (01) 109-P2; , 1957(02)016-P1; 1957(02)017-P1; 1957(02)018-P1; 1957(02)019-P1; 1957(02)20-P1; 1957(02)021-P1; 1957(02)022-P1; 1957(02)023-P1; 1957(02)024-P1; 1957(02)025-P1; 1957(02)026-P1; 1957(02)027-P1; 1957(02)028-P1; 1957(02)029-P1; 1957(02)100-P3; 1957(02)101-P3; 1957(02)102-P3; 1957(02)103-P3; 1957(02)104-P3; 1957(02)105-P3; 1957(02)106-P3; 1957(02)107-P3; 1957(02)108-P2; 1957(02)109-P2: 1957(02)201-P3; 1957(02)202-P3; 1957(00)203-P4; 1957(00)204-P4; , Covering letter from Savills 13.2.18; and Access Statement 12th Feb 2018; Preliminary Ecological Appraisal; Theoretical Assessment 13th Feb 2018; Below Ground Historic Environment Data based Assessment; Landscape Report; Environmental Noise Survey 9.2.18; Structural Method Statement Rev03, December 2017 (for information only); Historic Building Report Feb18; Planning Statement; Sustainability Statement 13.2.18; Energy Strategy 13.2.18; Preliminary Ground Movement Assessment (for information only); Construction Sequence (for information only); Drainage Strategy Feb18 (for information only); Air Quality Report; Arboricultural Impact Statement Rev 4 December 2017; Construction Management Plan 13.02.18.

Case Officer: Richard Langston

Display No. 020 7641 7923

Recommended Condition(s) and Reason(s)

Item No.
3

Informative(s):