

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 4 June 2019	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Vincent Square	
Subject of Report	Townsend House, Greycoat Place, London, SW1P 1BL,		
Proposal	Demolition of existing building and redevelopment to provide a building of basement, ground and five upper floors with plant enclosure at roof level, comprising a retail unit and office reception at ground level, offices at first to fourth floors and two residential (Class C3) units at fifth floor; ancillary plant, cycle and refuse storage at basement level.		
Agent	Miss Hannah Willcock DP9		
On behalf of	ITC Properties (Townsend House) Company Ltd		
Registered Number	18/10755/FULL	Date amended/ completed	20 December 2018
Date Application Received	20 December 2018		
Historic Building Grade	Unlisted		
Conservation Area	None		

1. RECOMMENDATION

1. Grant conditional permission subject to a S106 legal agreement to secure the following:

- i) Carbon offset payment of £24,085 (index linked) to be paid on commencement of development.
- ii) All highway works immediately surrounding the site required for the development to occur, including changes to footway levels, on-street restrictions, reinstatement of redundant vehicle crossovers and associated work (legal, administrative and physical)
- iii) A financial contribution towards employment, training and skills of £95,966 (index linked) payable on commencement of development.
- iv) Car club membership for residents (for a minimum of 25 years)
- v) Monitoring costs.

2. If the legal agreement has not been completed within six weeks of the date of the Committee resolution, then:

a) The Director of Place Shaping and Town Planning shall consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this is possible and appropriate, the Director is authorised to determine and issue such a decision under Delegated Powers; however, if not

b) The Director of Place Shaping and Town Planning shall consider whether permission should be refused on the grounds that it has not proved possible to complete an agreement within the appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Director is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2. SUMMARY

The proposal involves the demolition and redevelopment of Townsend House to form a new building comprising basement, ground and 5 upper floors. The building will comprise retail at ground floor level along with the entrances for the office and residential uses. First to fourth floors comprise office floorspace, and the fifth floor is residential (2 x 3 bed flats).

The key issues for consideration in this application are:

- The loss of the existing building.
- The suitability of the replacement building in conservation and design terms.
- The impact of the new building upon the amenity of surrounding residential occupiers.
- The impact of development on the local highway network.

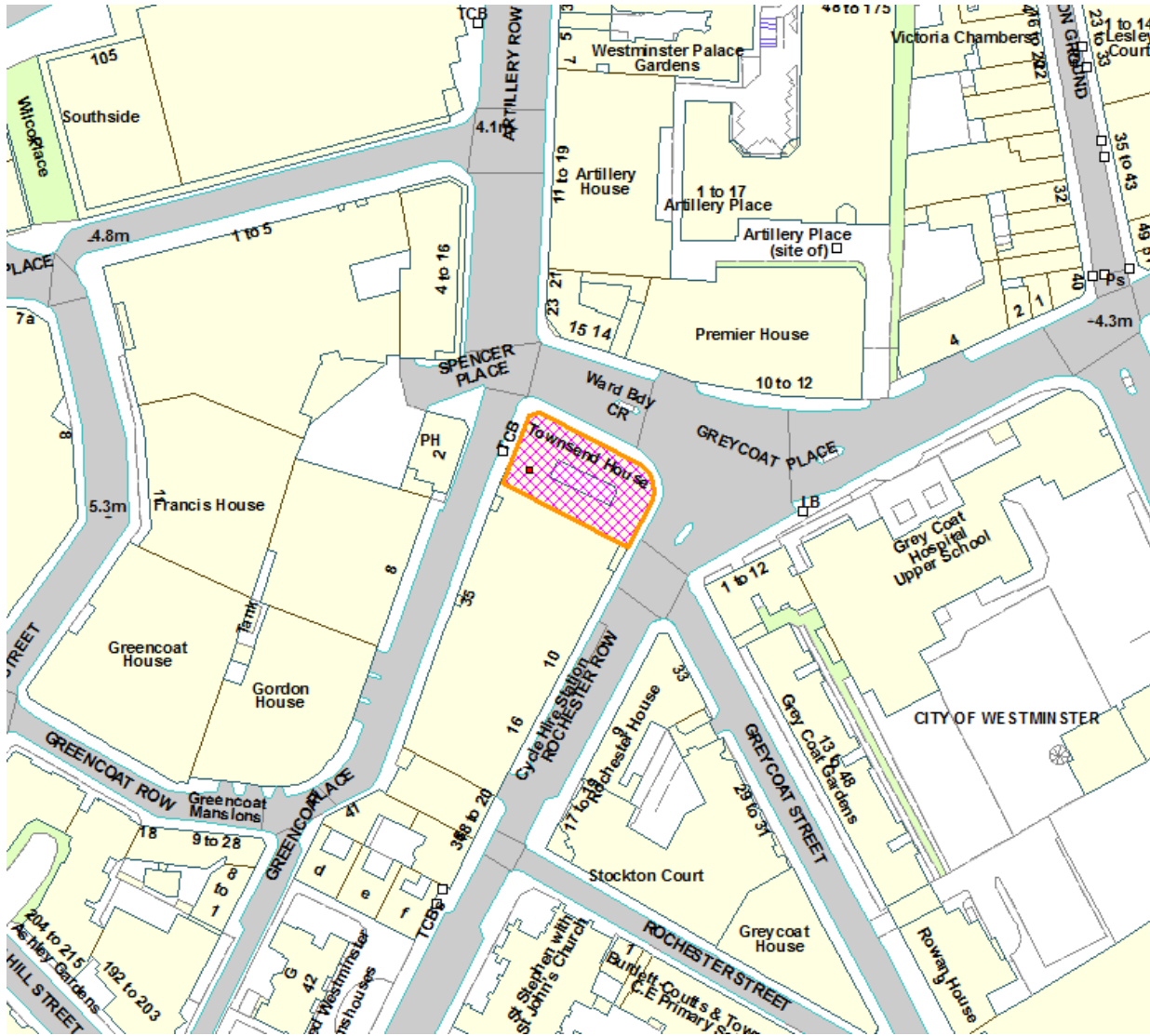
Significant objection has been received from local residents and consultees. These objections concentrate primarily upon the principle of the loss of the existing building and the design quality of its proposed replacement, as well as the impact on the amenity of surrounding residents and impact upon the local highway, in particular, the availability of on street parking.

It is considered that the loss of the existing building, and the loss of the view of the Cathedral Campanile from Greycoat Place are regrettable impacts, but nevertheless the proposed new building is of sufficient architectural merit in its own right to outweigh that harm. This design quality also generally moderates the townscape impacts of the larger scale and bulk of the new building, but some impacts do remain, including to the setting of the adjacent Greycoat Hospital School as a listed building.

In amenity terms, whilst there are some significant impacts on daylight, these are concentrated on lightwell windows not serving the primary living spaces of those flats and on balance the application is acceptable in amenity terms.

By virtue of its design quality and land uses strongly supported by the site's location in the Core CAZ and Victoria Opportunity area, the application is acceptable in land use, amenity and design terms.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Townsend House – view from Greycoat Place across to Rochester Row



Long view from Victoria Street

5. CONSULTATIONS

HISTORIC ENGLAND

Acknowledge that they have limited remit to comment on the demolition of Townsend House. However, they consider that the loss of the building would be regrettable and that the blocking of the view of the campanile of Westminster Cathedral from the surroundings of the application site causes harm to the significance of Westminster Cathedral.

If the council agrees that the building is a non-designated heritage asset, the loss of significance should be weighed as part of a balanced judgement in determining the application as set out in the NPPF.

HISTORIC ENGLAND (ARCHAEOLOGY)

Recommend a pre commencement condition to secure a written scheme of archaeological investigation.

TWENTIETH CENTURY SOCIETY

Objection. This is substantial harm to a non designated heritage asset. The development will also affect the setting of surrounding heritage assets including the listed Greycoat Hospital School and former Westminster Fire Station. There has been insufficient assessment of the impact of the loss on the setting of the listed buildings and significance of the conservation areas.

The loss of the sympathetic and contextually designed building by architects of note will be detrimental to the surrounding conservation areas and listed buildings; the council should resist demolition unless substantial public benefit outweighs the harm. There have been no relevant changes to the situation with Townsend House since the appeal decision in 2001. There is no reason to doubt that it remains fit for purpose.

WESTMINSTER SOCIETY

Supports the design of the proposed building, but suggests that the top storey could be set back so the parapet appears more aligned with 10 Rochester Row adjacent.

THORNEY ISLAND SOCIETY

No objection, this is an improvement on the previous iterations. Disappointed that the corner of the building facing Victoria Street is not 'celebrated' more.

CATHEDRAL AREA RESIDENTS GROUP

Object. The reasons for refusal of planning permission in 2000 remain a valid consideration and are stronger now due to the encroachment of contemporary buildings in this area. The façade jars with the historic buildings in the area, the materials are not appropriate. There is a significant impact on the townscape in Greencoat Place. The proposed development will put pressure on the availability of on-street parking. There will be an unacceptable impact on the amenities of residents within 10 Rochester Row.

HIGHWAYS PLANNING MANAGER

Generally acceptable, however suggests that the applicant should consider finding alternative off-street parking locally as there is significant on street car parking pressure during the day. A more robust servicing management plan is required.

WASTE PROJECT OFFICER

Requests clarification regarding capacities of refuse storage.

ENVIRONMENTAL HEALTH

No objection subject to conditions.

BUILDING CONTROL

No objection – the basement is to be formed using piling and traditional underpinning – the consulting engineer is considered to be of sufficient experience to ensure that such alterations will address our usual concerns.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 468

Total No. of replies: 41 letters of objection (and attachments) and one representing all occupiers of 10 Rochester Row.

No. in support: None.

The objections are raised on the following grounds:

DESIGN/HERITAGE

- The building is an important historic, architectural and aesthetic part of the area – its loss is unacceptable.
- The building sits comfortably in its setting and should be retained. Its loss detracts from the remaining historic references in Greycoat Place and surroundings.
- The fire station, Greycoat Hospital, Greycoat Gardens and Townsend House all complement each other
- The façade should be retained with any new development sitting behind it.
- The planning inspector on appeal in 2001 considered that the new building at that time would have an unacceptable impact on the character and appearance of the area and surrounding listed buildings - there is no good reason why the City Council should take a different view on the demolition/replacement building than it did in 2000.
- The proposed building is too large for the plot size; the current feel is open and light.
- The plaques commemorating the Girls' Friendly Society have been defaced.
- Design of the building better suited to Victoria Street.

- Proposed building blocks views of surrounding conservation areas and Westminster Cathedral campanile.
- Detailed design of the new building has a sandstone fascia which is more in keeping with the area, but it is still in stark contrast to its surroundings and does not acknowledge the building it replaces.
- At the very least, the proposal should be amended to have a softer roof line, be more in proportion with other buildings and not have floor to ceiling windows.
- The proposed scheme is an improvement but the design is 'boringly reminiscent of the new buildings of Buckingham Gate and Artillery Row'.
- The new building will make Artillery Row an urban canyon.
- There was a missed opportunity for public art on the north façade of 10 Rochester Row. Redeveloping this site would take that opportunity away.

AMENITY

- Loss of light and privacy to Greycoat Gardens – lowering the height does not make it any more satisfactory.
- The new building will result in a severe sense of enclosure to the lightwell windows in 10 Rochester Row, and will result in extreme light loss.
- Loss of sunlight and privacy to 10 Artillery Row – the additional height of the building will block winter sunlight to flats 5 to 11 and in summer, flats 1-8.
- Acknowledge that the BRE guide should be applied flexibly, but this should not be taken to mean that daylight should be disregarded altogether. Daylight should be safeguarded where possible and this could be achieved by having a larger lightwell to the application site, allowing more daylight into the lightwell at 10 Rochester Row. A mirrored lightwell approach is not an unreasonable expectation. Without any revision the application should be refused.

HIGHWAYS

- Residents' parking is already overstretched in the area, the development will exacerbate this.
- The cycle store is only accessible by lift or stairs – cyclists would have to go through 3 doors and dog leg corridors.
- Waste storage – the ground floor holding area is inadequate and would lead to rubbish being left on the street for long periods, the area appears inadequate for wheelie bins.

LAND USE

- The retail unit is out of place.
- No demand for more flats given the other developments in the area.

- The existing building would be perfectly suited to office users if it was refurbished.

OTHER

- The area has been subject to ongoing development for many years; additional development here will impinge upon quality of life due to noise/dust/disturbance from building works.
- The basement excavation would cause huge disruption.
- Construction management plan is poorly considered.
- Previous applications have been refused or withdrawn due to opposition from local residents.
- Inadequate consultation by developer and council
- Purchasers of property built after the planning appeal decision would not expect Townsend House to be demolished.
- There is no community benefit associated with the development.
- ITC properties purchased the site speculatively for profit on the basis of demolition and redevelopment, not thought has been given to re-use of the building.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site occupies a prominent position at the junction of Rochester Row, Greencoat Place, Greycoat Place and Artillery Row. It adjoins a large 9 storey apartment block known as Ten Rochester Row to the south. The application site itself is a building of ground and three upper floors, with elevations to Rochester Row, Greencoat Place and Greycoat Place. The building dates from 1924 – 1926, designed by Wills and Kaula. For some time it was the headquarters of the 'Girls Friendly Society', a charity set up to support girls and young women – still functioning today though the offices are in the City of London. Townsend House derives its name from Mary Townsend, the founder of the charity.

The site is located within the Core Central Activities Zone, the Victoria Opportunity Area, and is outside of any designated Conservation Area, although the boundary of the Westminster Cathedral Conservation Area runs along the rear of the site to Greencoat Place, and the Vincent Square Conservation Area lies to the south.

There are several listed buildings in the vicinity including Grade II listed Greycoat Hospital Upper School building, the former Westminster Fire Station (Grade II), Artillery House and Westminster Palace Gardens.

The surrounding area is largely comprised of residential and office buildings, along with some retail at street level. The Greycoat Hospital school is located to the east of the site on Greycoat Place.

6.2 Recent Relevant History

Application site

A similar application for the redevelopment of the site with a building of basement, ground and six storeys was withdrawn in December 2018: The application included a restaurant at ground floor, offices at upper floors, along with 5 flats and off street parking. There was significant objection from local residents to the loss of the existing building, the impact of the new building on the setting of nearby listed buildings and conservation areas, issues of detailed design, bulk and height of the new building, impact on amenity, along with land use issues largely relating to the restaurant, and highways objections primarily in relation to the positioning of the crossover to access the car park.

Prior to the withdrawn application, the most pertinent history is an application for the redevelopment of both the application site and the former car park at 10 Rochester Row adjacent.

On 11 June 2001, an application was refused for the redevelopment of Townsend House and Emanuel House to provide a part seven/part nine storey building to comprise 26 residential units, office space, retail, basement car parking and associated plant.

The application was refused on 3 grounds – i) the loss of Townsend House itself; ii) the height, bulk and detailed design of the new building and its effect on the surrounding townscape and upon the setting of the Greycoat Hospital Upper School building and iii) the mix of residential units.

At the subsequent public inquiry, the parties agreed that some amendments to the application dealt with the third reason for refusal (mix of units) which had the effect of reducing the number of residential units to 22.

In relation to the first reason for refusal – the loss of Townsend House – the Inspector commented that *“because the building is not listed and is not in a Conservation Area it enjoys no statutory protection and, as the appellants point out, no consent is needed for its demolition. It could therefore be removed at any time regardless of the outcome of this appeal... I consider that this particular reason for refusal cannot be sustained.”*

The Inspector, however, considered that the proposed replacement building was not appropriate and found that it would have an unacceptable impact on the character and appearance of the area and would harm the setting of the Grade II listed Greycoat Hospital School.

10 Rochester Row

In 2005, permission was granted for the *“redevelopment of office block, multi-storey car park and petrol filling station to provide a nine storey building plus basement comprising retail and office uses (Class A1, A2 and B1) at ground floor level with 56 residential units on the upper floors and 40 car parking spaces at basement level”*. This scheme (with

some subsequent variations) was built out, and now forms Ten Rochester Row, the large building sharing its northern boundary with the rear of Townsend House.

7. THE PROPOSAL

It is proposed to demolish Townsend House and construct a replacement building comprising basement, ground and five upper floors with screened plant at roof level. The ground floor will comprise a retail unit, along with the office and residential reception areas. The basement contains refuse storage, cycle storage and plant. The first to fourth floors comprise Class B1 offices, and finally there are 2 x 3 bedroom residential units at fifth floor level

8. DETAILED CONSIDERATIONS

8.1 Land Use

A summary of the existing and proposed floorspace by use is provided below:

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Offices	2108	2813	+705
Residential	0	663	+663
Retail	0	148	+148
Total	2108	3624	+1516

Offices

The proposed offices are located at first to fourth floors, accessed from the entrance on the junction of Greycoat Place/Rochester Row. The floorplates are large and well suited to office occupiers. The quantum of office floorspace is increased by 705 square metres GIA.

Objectors make the point that the existing building could be refurbished to provide modern office accommodation. Whilst this may be feasible, a refurbishment option is not the application before the City Council for determination and it should be noted that the structural composition with internal supporting columns and a smaller floor to ceiling height than is common with modern offices would provide a different type of internal environment than would be achieved by a redevelopment.

Policy S4 relates to the Victoria Opportunity Area. One of the main aims within Opportunity Areas is to provide growth in the form of new jobs and dwellings, and to 'maximise opportunities that exist for redevelopment, retail, employment provision, creating a more vibrant mix of uses...'. S18 reiterates that Core CAZ is the priority area for commercial growth. The provision of additional office accommodation within the

Core CAZ and the Victoria Opportunity Area is supported by Policies S4, S6, S18 and S20 of the City Plan and by London Plan Policy 4.2.

Mixed use policy

Policy S1 of the City Plan aims to secure a mix of uses within the Central Activities Zone. It requires the provision of residential floorspace where certain floorspace thresholds are met for additional office accommodation.

In this case, part 3(b) of policy S1 applies, which states that where the net additional floorspace (of all uses) is between 30% and 50% of the existing building floorspace, and more than 400sqm, residential floorspace or an equivalent payment in lieu will be provided, equivalent to the net additional B1 office floorspace less 30% of the existing building floorspace.

The net additional B1 floorspace here is 705 square metres GIA. The proposal is required to provide residential floorspace on site equivalent to the net additional B1 office floorspace less 30% of the existing building floorspace. As such, 72.6 square metres is required to be provided. The proposals include two residential units with a GIA of 663 square metres, exceeding the residential floorspace required under policy S1.

Retail

Policy S6 identifies the Core CAZ as an appropriate location for a range of commercial and cultural uses, whilst S4 (Victoria Opportunity Area) encourages mixed use development with active frontages at ground floor. Policy S21 states that new retail floorspace will be directed to the designated Shopping Centres. In terms of the UDP, saved Policies SS4 and SS5 are relevant. SS4 requires developments within CAZ to include 'shop type premises' at street level, and should provide the same amount of retail floorspace as was there before. SS5 relates primarily to protecting Class A1 retail within the CAZ, and restricting the introduction of non-A1 uses at street level, basement and first floors.

The application includes a retail unit at ground floor, accessed from the corner of Greencoat Place/Artillery Row. The current building presents a rather blank and unengaging façade at street level and the inclusion of some animation through the proposed retail use is welcomed. The retail unit comprises approximately 148 square metres GIA, and is considered to be an appropriate size and will contribute towards the aim of providing active frontages within the Core CAZ and the Opportunity Areas.

Residential

The proposals include 2 x 3 bedroom flats on the top floor of the building, designed to comply with the national space standards and those set out in the London Plan. There is a separate residential entrance from Greencoat Place, the units being accessed via lift or stairs from the ground floor lobby. Refuse storage and cycle storage is located at basement level. Both flats are dual aspect.

No amenity space is proposed. Whilst amenity space for new flats is encouraged, it is considered that the provision of roof terraces in this location would cause additional

harm to the amenity of residents at 10 Rochester Row adjacent and on this occasion the flats are considered acceptable without the provision of terraces.

The flats are mechanically ventilated, although windows will be openable. The mechanical ventilation heat recovery units are ducted to outside (rooftop) for the supply of fresh air which is then filtered. Environmental Health officers require further information regarding the overheating strategy. It is considered this aspect can be effectively dealt with by condition as set out in the draft decision letter

The size and configuration of the residential units is acceptable and is in accordance with City Plan policies S1, S14 and S15, saved UDP policies H3 and H5 and the London Plan.

8.2 Townscape and Design

Architectural, historic and townscape significance

Townsend House is an unlisted inter-war building forming the southern side of the junction between Greycoat Place, Rochester Row, Greencoat Place and Artillery Row. It does not fall within a conservation area, but lies immediately east of the Westminster Cathedral Conservation Area, and close to the boundaries of the Broadway and Christchurch Gardens Conservation Area, Peabody Estates (South Westminster) Conservation Area and the Vincent Square Conservation Area.

The Greycoat Hospital School to the east of the application site is a Grade II listed building, as is Artillery House to the north (fronting Artillery Row). In 2001 an appeal Inspector found that the application site contributed positively towards the setting of the Greycoat School as a listed building.

Situated a number of streets to the west, but in fact only around 250 metres away ('as the crow-flies') is the Grade I listed Westminster Cathedral. Due to the height of its campanile tower it is visible from Greycoat Place over the roof of the application site; this viewpoint is not within a conservation area but is nevertheless one of the townscape views demonstrated by the applicant's submission. It is a brief and incidental view rather than a designed view. The campanile was designed to project the presence of the Cathedral generally over a wide area, resulting in a large number of such views – brief and impressive but with no real specific 'design' to each viewpoint, nor with any order or sequence as one approaches the Cathedral. As such, whilst all views of it should be considered to be valuable to the appreciation of the significance of the Cathedral, this is more of a collective and cumulative matter – each view should be preserved if it can, but is by no means sacrosanct.

The existing building is built of brick and stone over four storeys, the top floor being set within a double-mansard covered with clay pantiles pierced by regular spaced flat-topped dormer windows. It is a carefully proportioned and detailed neo-Georgian building built in 1924-26 to a design by Wills and Kaula, a firm of some note from that period.

The building was built as the offices for the Girls' Friendly Society, a notable charitable movement for the care and education of working class girls and young women between the late 19th century and the present day. The building's role in women's history is an added component of the building's historic significance deserving consideration by this application. However, the apparent lack of intact interiors severely limits the understanding of this history beyond a documentary record that this was its originally intended use. Due also to the removal of plaques externally noting this history, no visual evidence remains that it was anything other than a well-designed office of the interwar period.

The existing building is not considered to be of sufficient architectural or historic significance to satisfy national listing criteria for this period and type of building. No suggestions that it should be nationally listed have been received from the principal heritage objectors (the Twentieth Century Society and Historic England), despite substantive submissions from each. No nominations have been submitted to Historic England to request its assessment for listing, and as such it may be safely presumed that these objectors are accepting that the building is not listable.

Whilst not explicitly designated in any way, either nationally or locally, the existing building is nevertheless considered to be of sufficient architectural quality that it should, under the terms of the NPPF, be considered to be a 'non-designated heritage asset' in its own right. This means that the preservation of its architectural or historic significance should be carefully considered and given weight as part of any development proposals affecting it.

The surrounding area is very mixed in character, but with a noticeable change in the scale of buildings between Artillery Row and Greycoat Place. That scale then varies again further south and to the west of the site. The layout of streets is jumbled and consists mainly of narrow side streets leading off secondary routes such as Artillery Row, Greycoat Place and Horseferry Road which connect in turn with Victoria Street to the north, and more distant with Millbank to the south. Greycoat Place itself is a complex junction of five streets, and acts as a gateway between the larger scale of buildings to the north, and the lower scale buildings to the south. Buildings are also very mixed, in date, style, size and function. There is a good proportion of higher quality buildings of all dates, with a general material prevalence of brick, intermixed with terracotta and stone.

Legislation, policy and guidance

When determining applications affecting the setting of a listed building, or for development within a conservation area, the decision-maker is required by Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special regard / attention to the desirability of preserving the setting of the listed building, and of preserving or enhancing the character and appearance of the conservation area. Section 66 is relevant to this case in that it has been identified that the site falls within the setting of a number of nearby listed buildings. Section 72 does not apply in this case as the site is not within a conservation area; there is no statutory duty to consider the setting of a conservation area.

Sections 12 and 16 of the NPPF (2018) require that great weight be placed on design quality and on the preservation of designated heritage assets (listed buildings and conservation areas) including their settings, and also that weight is given to the preservation of undesignated heritage assets. This means that harmful proposals should only be approved where the harm caused would be clearly outweighed by the benefits of a scheme. This should take into account the relevant significance of the affected assets, and the severity of the harm caused.

Locally, UDP Policies DES 1 (urban design / conservation principles), DES 4 (infill development), DES 9 (conservation areas) and DES 10 (listed buildings) apply to the consideration of the application proposals, whilst S26 and S28 of the City Plan provide the strategic basis for the application. Relevant London Plan (2016) Policies include 7.4 (Local Character), 7.6 (Architecture), 7.7 (Location and design of tall and large buildings), and 7.8 (Heritage assets and archaeology). There is no adopted Neighbourhood Plan for this part of the city.

Objections relating to design, heritage or townscape issues

Significant objections have been received in response to the application, including on the grounds of the loss of the existing building, and also in relation to the proposed replacement building's design and scale. This includes concerns raised by Historic England in relation to the loss of the existing building and to the loss of views of the Cathedral Campanile.

A more overt objection has been received from the 20th Century Society, who seek the retention of the existing building, and assert that its loss, and the scale / design of the new building remains harmful to the setting of nearby listed buildings and conservation areas.

A substantial neighbour objection, produced by a Heritage Consultant, has also been submitted on behalf of the residents of 10 Rochester Row. Many of the points raised by these objections are noted and are not in themselves disputed, but it is considered that the conclusions made fail to give the necessary *great* weight required by the NPPF to the potential contribution of high quality new architecture. This is a critical perspective on these proposals, and must be carefully weighed against the significance of the existing building.

The existing building *is* considered worthy of preservation in its own right, but not at the cost of a potentially greater quality of new building. Townsend House is a good building with an interesting history, but it is not 'distinguished' or one of the best examples of the architects' work as is claimed by the objectors. Nevertheless it remains correct that, if a suitably meritorious new building is not proposed, then the existing building should be kept. If the council believes that this requirement is not met, and that other planning benefits do not then outweigh the remaining harm caused, then permission should indeed be refused.

Much of the focus of the submitted objections has been to refer back to a now somewhat dated council refusal and subsequent dismissed appeal for the site's redevelopment from 2001 in which the Inspector found that the loss of Townsend House harmed the setting of adjacent listed buildings and conservation areas, and that the new design

harmed those settings. Whilst this decision continues to carry some weight, this is limited by a number of factors. Firstly, that scheme was for the redevelopment of the whole block, including Emanuel House and what is now 10 Rochester Row; it would have produced a much bigger building, both in height and volume. 10 Rochester Row has subsequently been separately re-developed, producing the tall flank wall now referred to by the applicants – the backdrop of the application site has changed significantly as a result. Secondly, the proposed design in 2001 was very different to that now proposed, despite the use of the same firm of architects, being based on a steel and glass façade which undoubtedly was less contextually relevant to the area than the existing building. Thirdly, the planning regime has significantly changed in the intervening 18 years, most particularly in relation to the adoption of the NPPF in 2012.

Whilst some of the main issues raised the appeal remain relevant, including the loss of Townsend House and the scale of the new building, it is considered unreasonable to suggest that there has been no response by the applicant to the issues raised by the appeal, and it is considered that the current proposals and site context are sufficiently different to the 2001 appeal scheme to enable a decision to be made today without being unduly led by the findings of the Inspector at that time.

Design, heritage and townscape impacts

The application proposes to demolish Townsend House in its entirety, and to replace it with a new, larger building. This evidently results in the total loss of the building's architectural and historic significance as a non-designated heritage asset, and would remove the positive manner in which it currently contributes to the local townscape including the setting of adjacent conservation areas, and to the setting of nearby listed buildings.

The proposed new building would be notably taller than the existing, standing at six storeys (compared with the existing four), plus a set-back plant enclosure. This would be slightly but not noticeably taller than the adjacent 10 Rochester Row, and lower in height than the larger scale buildings on the northern side of Artillery Row, including some which are listed buildings. Notably it is two storeys lower than the 2001 appeal scheme, which would have risen to 8 storeys. The proposed increase in vertical scale from the existing four storeys would alter the visual prominence of this corner in views along Artillery Row and Greycoat Place. The new building would relate more to the scale of the developments which characterise Artillery Row, extending this somewhat southwards towards the lower scale of Greycoat Place.

This is however a very mixed area, and includes buildings of a wide range of scales and styles. Whilst this added scale would not be insignificant, it would equally not be such that it would notably change the character of the area, it would simply reshape one (albeit prominent) corner, and would sit somewhere between in scale between those to the north and those to the south. Significantly, since the 2001 appeal this context has changed with the addition of 10 Rochester Row, which rises to 9 storeys – the proposed scale of the new building would help conceal this somewhat abrupt flank wall – whilst not a reason to approve the demolition of the existing building in itself, this is a point worthy of consideration in the overall balancing exercise.

Whilst a small positive of the scheme would be the moderating effect it would have on the somewhat more bluntly designed 10 Rochester Row, more importantly the added height would cause the view of the Cathedral Campanile from Greycoat Place to be lost. This would delete one of a number of such incidental views which contribute positively towards the quality of the local townscape, and which extend the architectural and perhaps social reach of the Cathedral around the local streets. However, this view is considered to be of low contributory significance to the overall architectural and historic significance of the Cathedral and its surrounding conservation area; it is a pleasant but not individually important townscape view for this part of the city.

The quality of the design of the new building is considered to be significant, and is by a well-proven and highly influential firm of architects. Proposed to be built of a natural red sandstone, the building's architecture is based on a simple grid of sculpted masonry columns and metal spandrels, set between a firm base at the ground floor, and a neatly defined and carefully articulated top (fifth) floor. Windows would project to align with the masonry façade, but from within a recess between the columns, such that they would add further visual interest and detail to the building's curved facades. The building's design is carefully crafted but subtle in character, and its composed solidity and detail would sit comfortably amidst the smart but very varied architecture of the surrounding area. It is considered that it is architecturally capable of adding to the character of the area despite its consequent loss of the existing building.

Summary

It is considered that the loss of the existing building, and the loss of the view of the Cathedral Campanile from Greycoat Place are regrettable impacts, but nevertheless the proposed new building is of sufficient architectural merit in its own right to outweigh that harm. This design quality also generally moderates the townscape impacts of the larger scale and bulk of the new building, but some impacts do remain, including to the setting of the adjacent Greycoat Hospital School as a listed building.

8.3 Residential Amenity

Policy S29 of the City Plan relates to health, safety and wellbeing, stating that the Council will resist proposals that would result in an unacceptable material loss of amenity. Policy ENV13 of the UDP relates to protecting amenities, daylight and sunlight, and environmental quality. Policy ENV 13 (D) states that the City Council will resist proposals which result in a material loss of daylight/sunlight, particularly to existing dwellings and educational buildings. Policy ENV 13 (E) goes on to state that developments should not result in a significant increase in sense of enclosure, overlooking, or cause unacceptable overshadowing, particularly on gardens, public open space or on adjoining buildings, whether in residential or public use. Policy ENV 6 seeks to protect noise sensitive properties from noise disturbance. Objectors are very concerned that the extension will result in loss of daylight and sunlight, and will be overbearing.

Sunlight and Daylight

The City Council generally has regard to the standards for daylight and sunlight as set out in the Building Research Establishment (BRE) 'Site Layout Planning for Daylight and Sunlight' (as revised 2011). The applicant's consultant, Delva Patman Redler, has carried out the necessary tests using the methodology set out in the BRE guidelines on

residential properties surrounding the site. The assessment considers the impact of the development on the vertical sky component (VSC) and daylight distribution (no sky line) available to windows in these properties. VSC is a measure of the amount of sky visible from the centre point of a window on its outside face. If this achieves 27% or more, the BRE guidelines state that the window will have the potential to provide good levels of daylight. The BRE guidelines state that reductions of over 20% of existing daylight levels are likely to be noticeable.

In respect of sunlight, the BRE guide suggests that a dwelling will appear reasonably well sunlit provided that at least one main window wall faces within 90 degrees of due south and it receives at least a quarter of annual probable sunlight hours (APSH), including 5% of APSH during the winter months. As with the tests for daylighting, the guidelines recommend that any reduction below this level should be kept to a minimum; if a window will not receive the amount of sunlight suggested, and the available sunlight hours is less than 0.8 times their former value, either over the whole year or just in winter months, then the occupants of the existing building will notice the loss of sunlight.

The properties tested for daylight and sunlight levels comprise:

- Ten Rochester Row
- Greencoat Boy PH
- 4-16 Artillery Row
- 15 Greycoat Place
- Artillery Mansions (part)
- Greycoat Gardens
- Rochester House (33 Greycoat Street)

There are no material impacts upon the daylight or sunlight received by residential windows in the majority of residences surrounding the site. However, where there are material impacts, these are substantial and are set out below.

Ten Rochester Row

There is a large central lightwell to 10 Rochester Row, which is open to the southern boundary of Townsend House. The lightwell is covered by a glazed atrium up to 3rd floor; from 4th to 6th floors the lightwell is open to the elements. There are residential windows to the east elevation of the lightwell at 4th, 5th and 6th floors. To the eastern elevation, the windows serve open plan living/kitchen/dining spaces, which also each have a window to the Rochester Row elevation. To the west elevation of the lightwell, there are two windows to each flat at 4th, 5th and 6th floors – one serving a hallway and the other serving a second bedroom or study. The windows to the bedrooms/study have an unusually open aspect given their location in a lightwell and having a relatively open view over the application site; they receive a very good level of light for an urban location. The main reception rooms and master bedroom to these 2-bed flats look out over Greencoat Place.

The daylight and sunlight assessment sets out the following impacts on VSC and daylight distribution to the windows described above:

Floor	Room use	Window ref	Existing VSC	Proposed VSC	% loss VSC	% loss daylight distribution
4	Living/kitchen	W2	18.82	6.27	66.7%	1.05%
5	Living/kitchen	W2	22.4	10.36	53.74%	2.28%
6	Living/kitchen	W2	27.08	18.54	31.51%	3.83%
4	Bedroom	W4	20.31	6.23	69.33%	83.18%
5	Bedroom	W4	24.36	10.27	57.86%	66.59%
6	Study/bedroom	W4	29.07	18.36	36.84%	45.84%

Whilst there are material losses of light to the lightwell windows to the living/kitchen/dining areas at 4th to 6th floors, these rooms also have an outlook over Rochester Row and the overall daylight distribution is not materially affected.

The main issue here is considered to be the impact on those single aspect second bedrooms/studies at 4th to 6th floors.

Greencoat Boy PH

The affected windows are located in the second floor flat above the pub. There is a loss of VSC and daylight distribution to three windows facing the application site.

Floor	Room use	Window ref	Existing VSC	Proposed VSC	% loss VSC	% loss daylight distribution to room
2	Unknown	W2	16.32	11.85	27.39%	22.73%
2	Unknown	W3	18.24	11.29	38.11%	63.6%
2	Unknown	W4	20.39	11.91	41.57%	65.76%

There is also a material impact upon the amount of sunlight received by windows W3 and W4 at second floor.

Other buildings

Occupiers of both 10 Artillery Row and Greycoat Gardens have objected on the basis of a loss of daylight, the analysis undertaken by the applicants daylight surveyor shows that there are no material impacts either in terms of VSC or daylight distribution. In terms of sunlight there is an impact to the amount of winter sunlight received to 7 windows at first to third floors of 10 Artillery Row. Four of these windows have other large window panes to them which are not affected. Of the three remaining affected windows two retain reasonable winter sunlight levels above the 5% referenced in the BRE guidance. One window at first floor would receive 3% of the available sunlight hours in winter, the recommended level being 5%.

The daylight consultants acting for affected residents at 10 Rochester Row suggest that a reasonable approach would be to provide a similar lightwell within the redeveloped Townsend House, mirroring the lightwell in 10 Rochester Row. The applicants state that to do so would strike through the lift/stair core areas and render the upper floors unviable. The applicants have provided an indicative massing diagram to show the

volume of building that would need to be removed to achieve compliance with the BRE guide, showing the loss of just over one third of the 4th to 6th floors to the Rochester Row frontage. A large chunk of the building removed in this location would not be acceptable in urban design terms, but it does serve to demonstrate that it would be difficult to develop this site any higher without some impact on daylight to the lightwell windows at 10 Rochester Row.

Notwithstanding the above, the City Council needs to assess the proposed scheme and whether the impacts on daylight/sunlight are within acceptable limits. In terms of the retained levels of VSC, all the affected windows, whilst experiencing significant losses, retain VSC levels typical of a densely developed urban location. If the application site is to be developed to a height and bulk similar to its context, then some degree of light loss, particularly to those lightwell windows is inevitable. Had the daylight loss to the lightwell windows been to the principal living areas, then it is unlikely the proposals would be considered acceptable. However, given the affected windows are second bedrooms and studies, it is not considered that these can be afforded the same level of protection as living rooms (as referred by the BRE guide).

The degree of impact to sunlight is considered to be within reasonable limits given the density of development in the area. In terms of winter sunlight in particular, given the low angle of the sun in the sky, it is very difficult to develop in an urban context without some degree of impact to winter sunlight. Given the majority of windows retain reasonable levels, it is not considered that the proposals result in an unacceptable impact in this respect.

On balance, the application is acceptable in terms of its impact on the daylight and sunlight received by surrounding residential windows.

Sense of Enclosure

Residents immediately opposite the site on Greycoat Gardens and Artillery Row, as well as those with views into the lightwell at 10 Rochester Row are very concerned over a sense of enclosure (and consequent loss of view) as a result of the height and bulk of the proposed building. Townsend House by virtue of its height and bulk lends a relatively open aspect to many flats in the area as it is a relatively low rise building at a junction over which many residential windows have views.

The proposed building is a substantial increase in height compared to the existing Townsend House. It is, however, comparable with other nearby examples on Rochester Row, Artillery Row and Greencoat Place and in terms of other buildings in the immediate area, it would not be unusually tall. Notwithstanding the conservation and design considerations of the replacement of Townsend House, it is reasonable to expect a new building to be of a similar height to its closest neighbours, certainly in terms of considering what a reasonable impact would be on daylight, sunlight and sense of enclosure to affected windows.

The new building will change the outlook of many residential windows; however given that it is a comparable height to others in the vicinity and that there is a full street width between the buildings, it is not considered that the proposed building height and scale would result in a degree of 'enclosure' to those windows opposite the site which is unacceptable in an urban context.

Turning to the impact upon the lightwell windows at 10 Rochester Row, the objections are well understood and the change to outlook will be extreme. However, it is pertinent to note that these are lightwell windows which also 'borrow' light and outlook from the space above Townsend House, and are not serving as main windows to living areas. Whilst the degree of enclosure experienced by the lightwell windows is regrettable, it is not considered that a reason for refusal on amenity grounds could be sustained in this location.

Privacy

There are no proposed windows facing the lightwell with 10 Rochester Row. The windows facing the street elevations are at least a full street width away from any other residential windows and are therefore at a distance where one may reasonably expect there to be windows in a building opposite. In this respect the application is acceptable.

8.4 Transportation/Parking

Car parking

UDP policies TRANS 22 and TRANS 23 set out the City Council's standards for car parking across different land uses.

No car parking is proposed on site for either commercial or residential uses.

Whilst the Highways Planning Manager raises no objection to the commercial uses having no parking; he does not consider that this is appropriate for the residential element given that the City Council's most recent on-street occupancy surveys show that the streets surrounding the site are near saturation point for legal on-street spaces both overnight and during the day and overnight – our most recent surveys indicate 77% respark bay occupancy overnight and 80% during the day. Policy TRANS23 expects that where appropriate and practical, off street parking is provided on the basis of a maximum provision of one space per unit of 1-2 bedrooms, and a maximum of two spaces for dwellings with three or more bedrooms. The aggregate provision should not exceed more than 1.5 spaces per 3+ bedroom dwelling. Applying these standards to the development would generate a requirement for a maximum of 3 spaces.

It should be noted that these requirements are maximum figures. The previous application included a crossover on Greencoat Place to an off street car parking bay (stacker system). Officers did not consider it appropriate in terms of highways safety to allow a crossover for vehicular access from Greycoat Place and there were not considered to be any other locations where it would be reasonable or safe to provide off street vehicular access. As such, it would be unreasonable to expect there to be any off street parking on site for this building containing just two residential units.

TRANS 23 does allow for alternative provision where it is accepted no car parking can be provided on site. Whilst no alternative locations for off street parking have been offered, the applicant has agreed to provide car club membership for occupiers of the flats (at no cost to residents) for a minimum period of 25 years.

Given that there are only two residential units proposed, and the site is very accessible by public transport, it is considered on this occasion that the car club membership for

residents of the flats is considered sufficient to overcome the concerns of the highways planning manager.

Servicing

Policy S42 deals with servicing, seeking to ensure that developments are managed in a way that minimises adverse impacts on the highway. TRANS20 requires convenient and safe access to premises for servicing, and generally requires that servicing is undertaken off street.

As discussed in the car parking paragraphs above it is not considered appropriate to provide any vehicular crossovers on the highway outside this site. As such, the building is proposed to be serviced from the street in line with existing single yellow line restrictions on either side of Greycoat Place. There is a holding space within the building at street level for the delivery of goods, and for the temporary storage of refuse before being left on the street for collection. On balance, the highways planning manager considers this arrangement acceptable. It is recommended a delivery and servicing management plan is secured by condition. The highways planning manager is concerned that the version submitted with the application contains insufficient detail; an informative will set out what is required by the SMP.

Cycle storage

London Plan policy 6.9 requires 1 space per 1 bedroom unit and 2 spaces for all other dwelling sizes, 1 space per 175 square metres of retail use and 1 space per 90 square metres of office use. Using this formula, 4 spaces are required for the residential units along with 31 for the offices and 1 for the retail. The basement layout shows 38 spaces for non residential uses and 4 for the flats. The storage is acceptable.

8.5 Economic Considerations

The economic benefits generated by the provision of new office, retail and residential accommodation are welcomed.

8.6 Access

The development would be fully accessible to those with disabilities, with level access to all buildings proposed as part of the scheme in accordance with saved policies TRANS27 and DES1 of the UDP.

8.7 Other UDP/Westminster Policy Considerations

Noise/plant

Environmental Health officers are satisfied that the plant is capable of complying with the City Council's noise standards; residential units must also be constructed to achieve the relevant internal noise standards as set out in Policy ENV6 and ENV7 of the UDP. Appropriate conditions are attached to the draft decision notice.

Refuse /Recycling

Policy ENV12 requires the provision of suitable facilities for waste storage and recycling in new developments. Refuse storage is provided at basement level, with an internal holding area at ground floor before the bins are put on the street for collection. Appropriate conditions to secure the arrangements are attached.

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 applicant has submitted an energy strategy setting out the measures incorporated into the proposed development in the context of sustainable design principles.

In terms of addressing the GLA's 'energy hierarchy', the applicant commits to maximising the energy performance through passive measures within the design including insulation and high performance facades to the new build.

The energy strategy has explored various options for the use of renewable technologies. It is proposed to use an array of photovoltaic panels at roof level as well as air source heat pumps. If the measures described above are implemented, then the applicant states there will be an overall carbon saving of 25% over baseline carbon emissions per year. The development fails to achieve the target set out in the London Plan. Policy 5.2 of the London Plan states:

“The carbon dioxide reduction targets should be met on-site. Where it is clearly demonstrated that the specific targets cannot be fully achieved on-site, any shortfall may be provided off-site or through a cash in lieu contribution to the relevant borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere”.

It is therefore appropriate in this case to secure a carbon-offset contribution which is based on a shortfall of 13 tonnes of CO₂ per year for a period of 30 years at a rate of £60/tonne as set out in the London Plan. This equates to a contribution of £24,085. This will need to be index linked and payable on commencement of development.

The development is targeting BREEAM 'excellent'.

Air Quality

The applicants have submitted an air quality assessment. It identifies short term impacts from construction (dust/particulates) which can, to a degree, be managed. In the longer term, the impact of energy plant emissions is likely to be negligible. Environmental Health officers are satisfied with the conclusions of the report and as such the development is in line with policy S31 which seeks to minimise static and traffic based sources of air pollution in developments.

Employment and skills

The City Council published an interim guidance note in May 2019 on the interpretation of policy S19. Policy S19 contains scope for financial contributions collected through Section 106 agreements to be used to secure the aims of the policy. Financial contributions will be used to support the Westminster Employment Service and will address the limitations highlighted above by:

- Helping residents access a wide range of opportunities in a range of employment sectors. For example, retail, hospitality, facilities management connecting to the end use of a development.
- Supports developers to deliver their agreed targets through a service with a proven track record. In the past 2 years the Westminster Employment Service has delivered over 1500 jobs for Westminster residents.

The note sets out how contributions will be calculated according to the type of development proposed. In this case, the commercial floorspace (office and retail uses) attracts a contribution of £95,966 to which the applicant has agreed.

8.8 Westminster City Plan

The City Council is currently working on a complete review of its City Plan. Informal consultation on the first draft of Westminster's City Plan 2019-2040 started on Monday 12 November 2018 and closed in December 2018. Following this informal consultation, any representations received will be considered and the draft plan will be revised in advance of formal consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012. Given the very early stage of the consultation process and having regard to the tests set out in para. 48 of the NPPF, the policies of the emerging draft City Plan are given little to no weight at the present time.

8.9 Neighbourhood Plans

There is no neighbourhood plan adopted for this area.

8.10 London Plan

This application raises no strategic issues; the relevant London Plan policies are referred to throughout the report.

8.11 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.

Further to the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the City Council cannot impose a pre-commencement condition (a condition which must be discharged before works can start on site) on a planning permission without the written agreement of the applicant, unless the applicant fails to provide a substantive

response within a 10 day period following notification of the proposed condition, the reason for the condition and justification for the condition by the City Council.

During the course of this application a notice was served relating to the proposed imposition of pre-commencement conditions to secure the following:

- i) The applicant's adherence to the City Council's Code of Construction Practice during the demolition/excavation and construction phases of the development.
- ii) A written scheme of archaeological investigation.
- iii) A desktop study, site investigation, remediation strategy and validation report to assess the risk of contaminated land and how it is treated before development can begin.

The applicant has accepted the conditions.

8.12 Planning Obligations

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

The Council's own Community Infrastructure Levy was introduced on 1 May 2016. The Westminster CIL payable will be approximately £427,500 along with Mayoral CIL for Crossrail 2 (MCIL 2 introduced in April 2019) of £250,100. These figures are provisional and may be subject to any relief or exceptions which may apply in accordance with the Community Infrastructure Levy Regulations 2010 (as amended).

In addition, for reasons outlined elsewhere in this report, a S106 legal agreement will be required to secure the following:

- i) Carbon offset payment of £24,085 (index linked) to be paid on commencement of development.
- ii) All highway works immediately surrounding the site required for the development to occur, including changes to footway levels, on-street restrictions, reinstatement of redundant vehicle crossovers and associated work (legal, administrative and physical)
- iii) A financial contribution towards employment, training and skills of £95,966 (index linked) payable on commencement of development.
- iv) Car club membership for residents (for a minimum of 25 years)

v) Monitoring costs.

Officers consider that these 'Heads' satisfactorily address City Council policies and the CIL Regulations subject to detailed resolution of the relevant trigger dates.

8.13 Environmental Impact Assessment

It is not considered that the proposal warrants an Environmental Statement (ES) under the EIA Regulations (2011). The applicant has submitted various studies relating to the principal environmental issues raised by the development including noise, archaeology, air quality, energy and recycling. The issues raised can reasonably be dealt with by conditions attached to the permission. The principal environmental effects requiring further clarification or work through conditions and mitigation are examined in the relevant sections of this report.

8.14 Other Issues

Archaeology

The site is within a Tier 3 archaeological priority area (Pimlico). In line with Policy DES11, an archaeological mitigation strategy has been prepared and agreed in principle with officers and Historic England. The archaeological investigation can be secured by condition.

Construction impact

Objectors have raised concern regarding the impact of the construction process on amenity and the local environment generally.

City Plan policy S29 requires projects which have significant local impacts to mitigate their effects during construction through compliance with the Code of Construction Practice.

The City Council's Code of Construction Practice and associated Environmental Inspectorate have been developed to mitigate against construction and development impacts on large and complex development sites. The new Code of Construction Practice was adopted in July 2016 and is designed to monitor, control and manage construction impacts on sites throughout Westminster. It applies to all major developments and schemes involving basement excavation. In recognition that there is a range of regulatory measures available to deal with construction impacts, and that planning is the least effective and most cumbersome of these, the Council's approach is for a condition to be imposed requiring the applicant to provide evidence of compliance with the CoCP before starting work. Compliance is monitored by the Environmental Inspectorate.

A condition is also recommended to protect the amenity of the surrounding area by ensuring that core working hours are kept to 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturday. The condition states that noisy work must not take place outside these hours except as may be exceptionally agreed by other regulatory regimes such as

the police, by the highways authority or by the local authority under the Control of Pollution Act 1974.

Basement

The proposals involve the excavation of a deeper basement than currently exists. The applicant has provided a structural engineer's report explaining the likely methodology of excavation. Any report by a member of the relevant professional institution carries a duty of care which should be sufficient to demonstrate that the matter has been properly considered at this early stage. The purpose of such a report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the site, existing structural conditions and geology. It does not prescribe the engineering techniques that must be used during construction which may need to be altered once the excavation has occurred.

The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act. We are not approving this report or conditioning that the works shall necessarily be carried out in accordance with the report. Its purpose is to show, with the integral professional duty of care, that there is no reasonable impediment foreseeable at this stage to the scheme satisfying the Building Regulations in due course. This report will be attached for information purposes to the decision letter. It is considered that this is as far as we can reasonably take this matter under the planning considerations of the proposal as matters of detailed engineering techniques and whether they secure the structural integrity of the development and neighbouring buildings during construction is not controlled through the planning regime but other statutory codes and regulations as cited above. To go further would be to act beyond the bounds of planning control.

Public art

Some objectors have raised the issue of a missed opportunity for public art on the north (party wall) façade of 10 Rochester Row which had been mentioned as an opportunity in a tender document written by the City Council around 15 years ago. This has no bearing on the appropriateness or otherwise of the principle of redeveloping the application site.

8.15 Concluding comments

City Plan policy S47 and the NPPF have a presumption in favour of sustainable development. As set out in this report, the application will involve the loss of an undesignated heritage asset and there will be some harm to the setting of the Greycoat Hospital School.

The benefits of the scheme include the provision of new office floorspace, 2 residential flats and a retail unit, all of which are strongly supported by the City Council's land use policies for the Central Activities Zone, Victoria Opportunity Area and policies supporting commercial growth (S1, S4, S6, S18, S19 and S20). The impact upon the amenity of neighbouring residents is finely balanced, but ultimately it is not considered that the application could reasonably be refused on the loss of daylight to non principal rooms facing a lightwell.

On balance, the application is acceptable in the context of the NPPF, the London Plan and Westminster's City Plan and UDP policies subject to the conditions and terms of the

Item No.
2

legal agreement set out in the recommendation and draft decision letter.

(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: LOUISE FRANCIS BY EMAIL AT lfrancis@westminster.gov.uk
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9. KEY DRAWINGS



View from Greycoat Place (existing above and proposed below)





Artillery Row view – existing (above) and proposed (below)

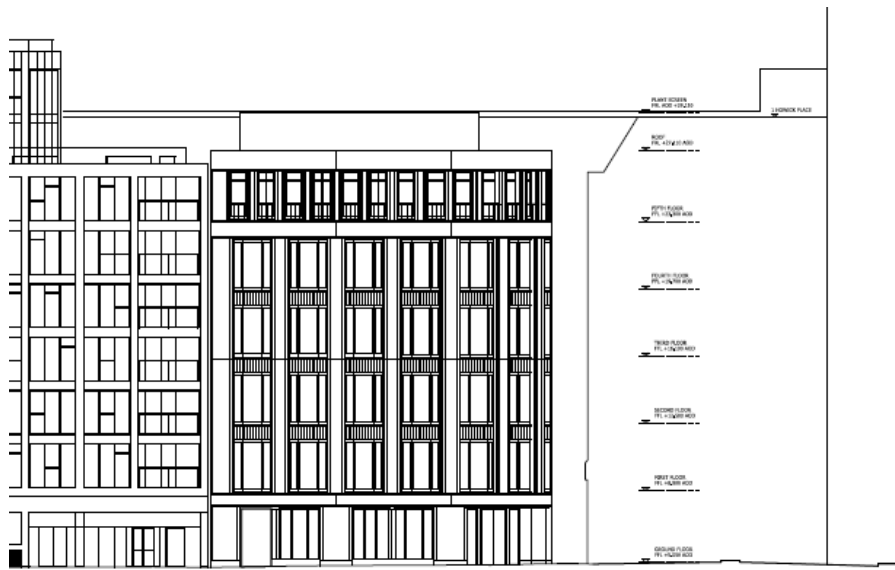




10 Rochester Row

Townsend House

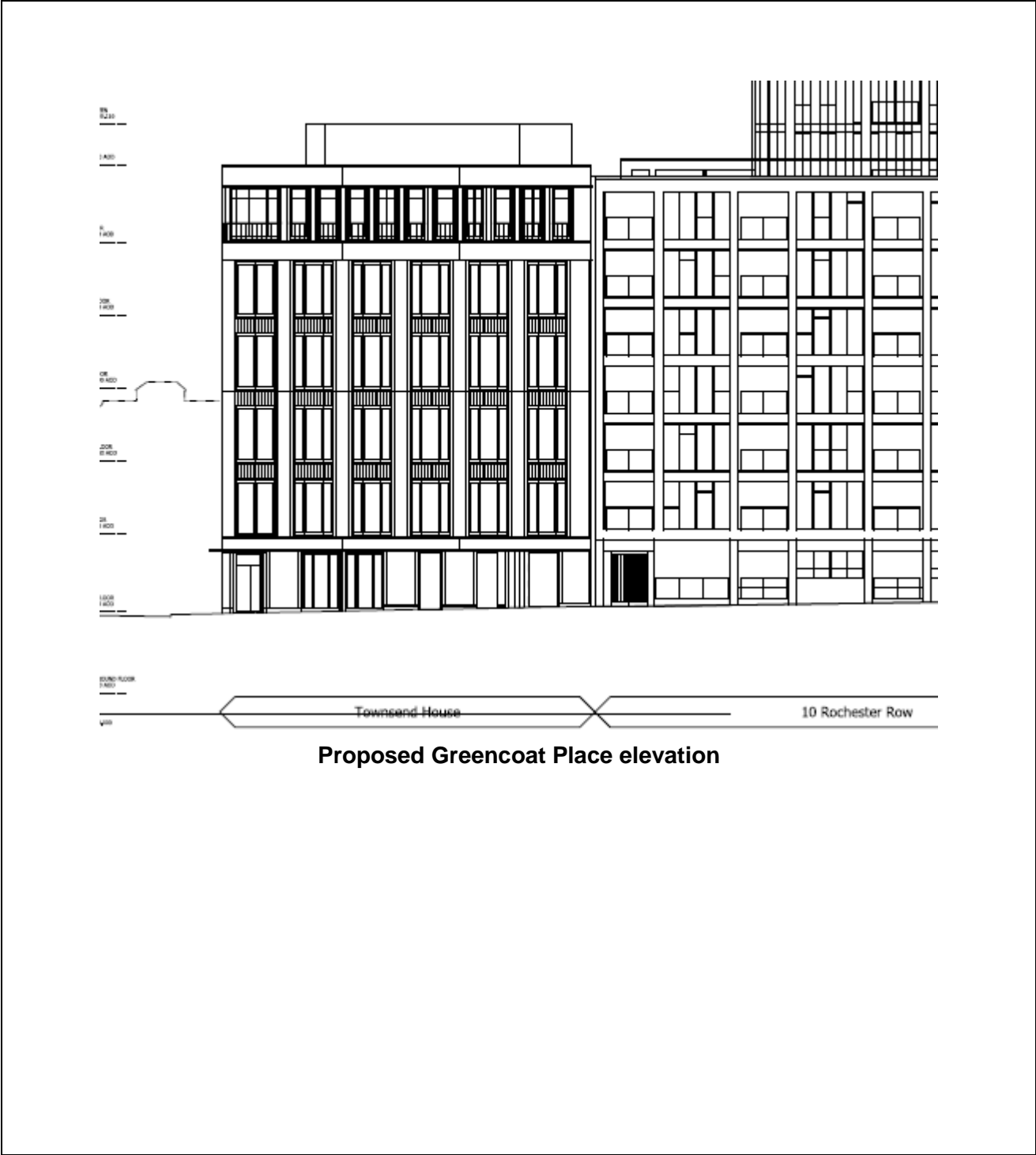
Existing Rochester Row elevation

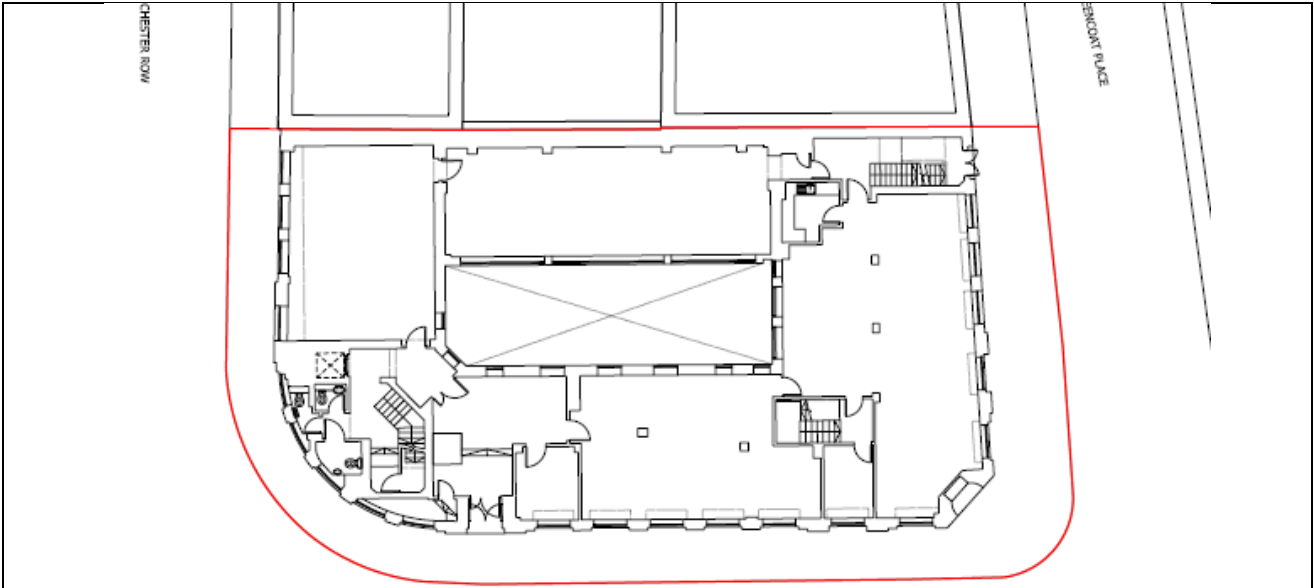


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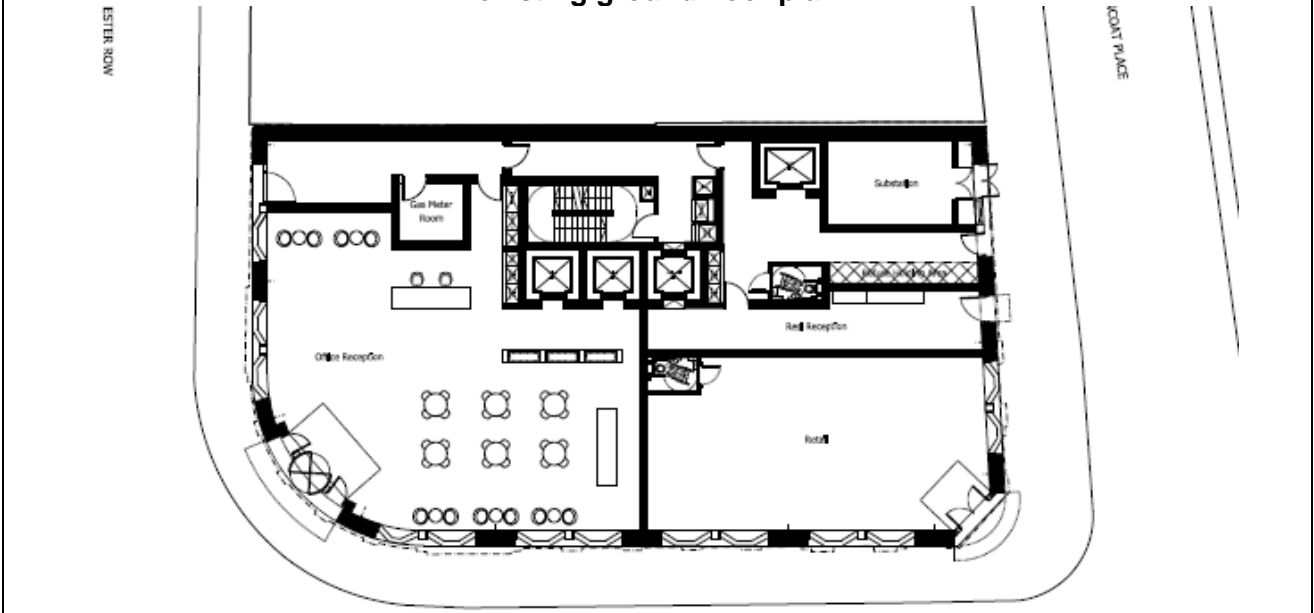
Townsend House

Proposed Rochester Row elevation



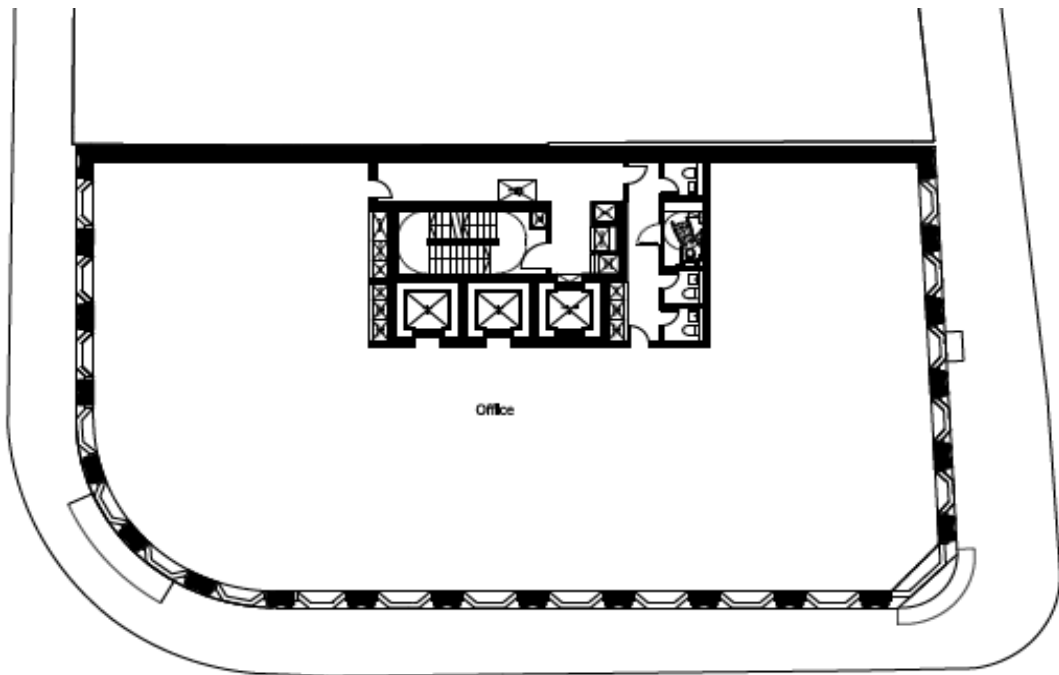
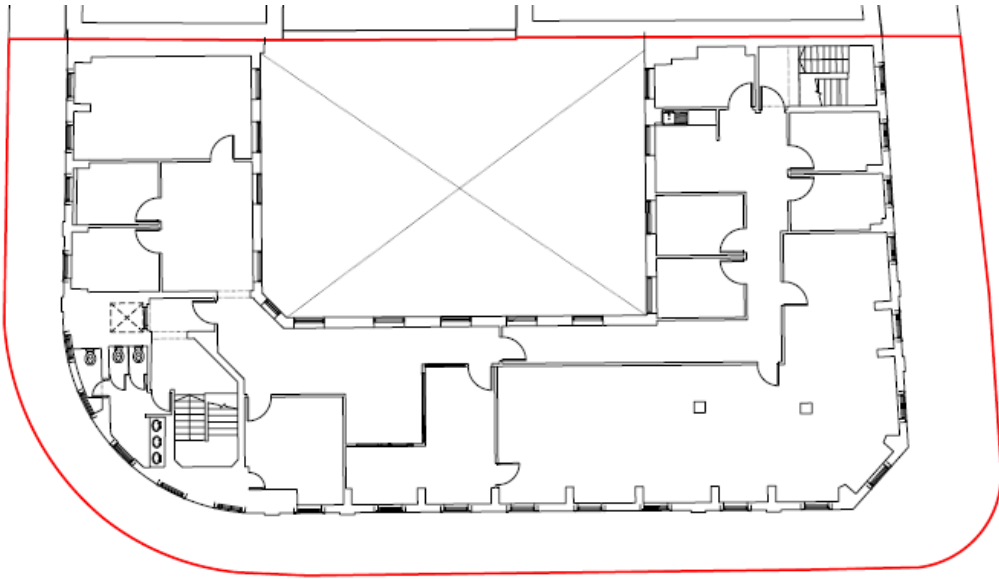


existing ground floor plan

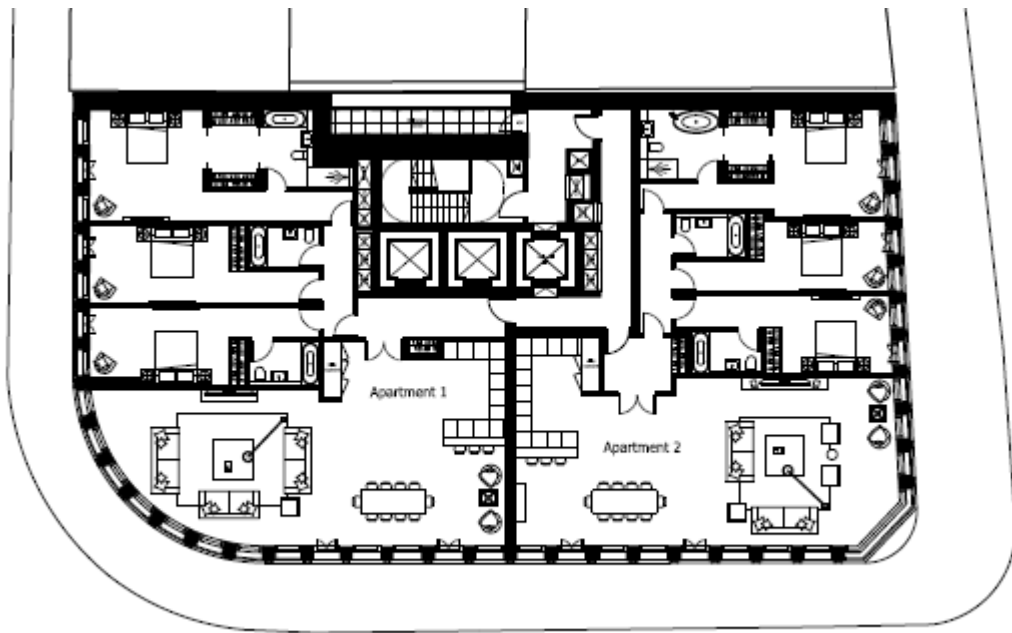


Proposed ground floor plan

Existing 3rd floor



Proposed typical office floor



Proposed 5th floor plan

DRAFT DECISION LETTER

Address: Townsend House, Greycoat Place, London, SW1P 1BL.

Proposal: Demolition of existing building and redevelopment to provide a building of basement, ground and five upper floors with plant enclosure at roof level, comprising a retail unit and office reception at ground level, offices at first to fourth floors and two residential (Class C3) units at fifth floor; ancillary plant, cycle and refuse storage at basement level.

Reference: 18/10755/FULL

Plan Nos: C645_P_AL_001; C645_E_E_001A; C645_E_N_001A; C645_E_W_001A; C645_P_00_001A; C645_P_B1_001A; C645_P_T1_001A; C645_P_05_001A; PRF_001A; C645_S_AA_001.

for information only: existing drawings; design and access statement (Squires, December 2018); Air Quality Assessment (Hoare Lea, revision 7 December 2018); Structural Methodology Statement (Heyne Tillett Steel ref 1759); Archaeological Assessment (Mills Whipp projects); basement impact review letter (RSK ref 371610 L01 (00)); daylight and sunlight assessment (Delva Patman Redler December 2018); Energy Strategy (Hoare Lea rev 04); Acoustic Report (Hoare Lea rev 04); draft servicing plan (Velocity); sustainability statement (Hoare Lea rev 05); Townscape and Visual Impact Assessment (Peter Stewart Consultancy December 2018 and March 2019); Transport Statement (Velocity December 2018); Planning Statement (DP9 December 2018); existing building report (Squire and Partners March 2019).

Case Officer: Louise Francis

Direct Tel. No. 020 7641 2488

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 piling, excavation and demolition 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 piling, excavation and demolition 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 unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety).

3 Pre commencement condition

Prior to the commencement of any:

- (a) demolition, and/or
- (b) earthworks/piling and/or
- (c) construction

on site you must apply to us for our written approval of evidence to demonstrate that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of the relevant completed Appendix A checklist from the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Sciences Team, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of the relevant stage of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval through submission of details prior to each stage of commencement. (C11CD)

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

4 Pre Commencement Condition.

(a) You must apply to us for approval of a written scheme of investigation for a programme of archaeological work. This must include details of the suitably qualified person or organisation that will carry out the archaeological work. You must not start work until we have approved in writing what you have sent us.

(b) You must then carry out the archaeological work and development according to this approved scheme. You must produce a written report of the investigation and findings, showing that you have carried out the archaeological work and development according to the approved scheme. You must send copies of the written report of the investigation and findings to us, and to the Greater London Sites and Monuments Record, Greater London Archaeological Advisory Service, Historic England, 4th floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA.

(c) You must not use any part of the new building until we have confirmed in writing that you have carried out the archaeological fieldwork and development according to this approved scheme. (C32BC)

Reason:

To protect the archaeological heritage of the City of Westminster as set out in S25 of Westminster's City Plan (November 2016) and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32BC)

- 5 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 Guidance for Developers submitting planning applications' - produced by Westminster City Council in January 2018.

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

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)

- 6 (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 LA90, 15 mins measurement recorded under (f) above;
 - (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
 - (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R46AB)

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

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration. (R48AA)

- 8 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(s) 6 and 7 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 (November 2016), by contributing to reducing excessive ambient noise levels. (R51AB)

- 9 (1) Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10 dB one metre outside any premises.

(2) The emergency plant and generators hereby permitted may be operated only for essential testing, except when required by an emergency loss of power.

(3) Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays.

Reason:

As set out in S32 of Westminster's City Plan (November 2016) and ENV 7 (B) of our Unitary Development Plan that we adopted in January 2007. Emergency and auxiliary energy generation plant is generally noisy, so a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing and other non-emergency use is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby. (R50AB)

- 10 The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB

L_{Aeq} 16 hrs daytime and of more than 30 dB L_{Aeq} 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. (R49AA)

- 11 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 L_{Aeq} 16 hrs daytime and of more than 30 dB L_{Aeq} 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development. (R49BA)

- 13 You must apply to us for approval of details of a ventilation strategy for the residential properties to mitigate against overheating. The ventilation scheme installed, with windows closed, to prevent overheating must show compliance to at least the Overheating Standard of CIBSE Guide A (2006), specifically; for living rooms, less than 1% of occupied hours are over an operative temperature of 28 degrees celcius; for bedrooms, less than 1% of occupied hours are over 26 degrees celcius. You must not start work on this part of this development until we have approved what you have sent us and you must carry out the work in accordance with the approved details, to be retained for the life of the development.

Reason:

To safeguard the amenity of the future occupiers of the properties, provide an appropriate living environment and ensure appropriate air quality in accordance with the aims of policies S29, S31 and S32 of the Westminster City Plan, November 2016.

- 14 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number C645_P_B1_001/A. You must clearly mark them and make them available at all times to everyone using the building. (C14FB)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 15 You must not use the roof of the building for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21AA)

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 (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

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

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2016 (R22FA)

- 17 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 18 You must not carry out demolition work unless it is part of the complete development of the site. You must carry out the demolition and development without interruption and according to the drawings we have approved. (C29BB)

Reason:

To maintain the character of the area as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 9 (B) of our Unitary Development Plan that we adopted in January 2007.

- 19 You must provide, maintain and retain the following energy efficiency measures before you start to use any part of the development, as set out in your application.

photovoltaic panels

You must not remove any of these features. (C44AA)

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 (November 2016). (R44AC)

- 20 You must submit a written and photographic schedule of the proposed facing materials, cross referenced to the approved elevations, and where necessary with other conditions imposed on this permission, and including a record of samples / trial panels prepared on-site for our inspection. 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 works according to the approved details.

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 (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 21 You must apply to us for approval of detailed drawings of the following parts of the development:

- a) Typical bay studies at 1:20, including windows, non-shop doors, canopy, stonework, exposed rainwater goods, and rooflines.
- b) Shopfronts at 1:20;
- c) Metal spandrels and railings at 1:10;
- d) Plant enclosure at 1:20.

All submitted drawings should be cross-referenced against the approved elevations, and where necessary with other conditions imposed on this permission. You must not start work on each of these parts of the development until we have approved what you have sent us. You must then carry out the work according to the approved details.

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 (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 22 You must apply to us for approval of a detailed servicing management plan. The plan shall identify process, storage locations, scheduling of deliveries and staffing.

You must not occupy any part of the building until we have approved what you have sent us.

The servicing management plan shall be maintained for the life of the development unless a revised strategy is agreed in writing by us.

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 (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 23 Notwithstanding the provisions of Class A1 of the Town and Country Planning (Use Classes) Order 1987 as amended April 2005 (or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order) the retail accommodation hereby approved shall not be used for food retail purposes (i.e. a supermarket).

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 (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

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 (November 2016), Unitary Development Plan, neighbourhood plan (where relevant), supplementary planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- 2 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to:
- i) Carbon offset payment of £24,085 (index linked) to be paid on commencement of development.
 - ii) All highway works immediately surrounding the site required for the development to occur, including changes to footway levels, on-street restrictions, reinstatement of redundant vehicle crossovers and associated work (legal, administrative and physical)
 - iii) A financial contribution towards employment, training and skills of £95,966 (index linked) payable on commencement of development.
 - iv) Car club membership for residents (for a minimum of 25 years)
 - v) Monitoring costs.
- 3 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 4 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.
- 5 With reference to condition 3 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work.
- Your completed and signed Checklist A (for Level 1 and Level 2 developments) or B (for basements) and all relevant accompanying documents outlined in Checklist A or B must be submitted to the City Council's Environmental Sciences team (environmentalsciences2@westminster.gov.uk) and the checklist must be countersigned by them before you apply to the local planning authority to discharge the above condition. The full Site Environmental Management Plan (Levels 1 and 2) or Construction Management Plan (basements) must be submitted at least 40 days prior to commencement of works (which may include some pre-commencement works and demolition).
- You are urged to give this your early attention as the relevant stages of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval of each of the relevant parts, prior to each stage of commencement.
- Where you change your plans after we have discharged the condition, you must re-apply and submit new details for consideration before you start work. Please note that where separate contractors are appointed for different phases of the project, you may apply to partially discharge the condition by clearly stating in your submission which phase of the works (i.e. (a) demolition, (b) excavation or (c) construction or a combination of these) the details relate to. However please note that the entire fee payable to the Environmental Sciences team must be paid on submission of the details relating to the relevant phase.

Appendix A or B must be signed and countersigned by Environmental Sciences prior to the submission of the approval of details of the above condition.

- 6 Please make sure that the lighting is designed so that it does not cause any nuisance for neighbours at night. If a neighbour considers that the lighting is causing them a nuisance, they can ask us to take action to stop the nuisance (under section 102 of the Clean Neighbourhoods and Environment Act 2005). (I39AA)
- 7 In relation to the requirements of condition 13, the ventilation scheme (with windows closed) should achieve compliance to at least the Overheating Standard is recommended to be devised using the following cooling hierarchy:
 - i. Minimise internal heat generation through efficient design:
 - ii. Reduce the amount of heat entering a building in summer through shading, light colouration, albedo, fenestration, insulation and green roofs and walls;
 - iii. Manage the heat within the building through exposed internal thermal mass and high ceilings and particularly from heat sources not directly under the control of the occupiers eg any communal hot water distribution systems;
 - iv. Passive ventilation;
 - v. Mechanical ventilation (eg MVHR (with summer override) giving at least 4 air changes per hour(ach)); and finally,
 - vi. Active Cooling Systems in the following order of preference:
 - a. Free cooling technologies;
 - b. Mechanical active cooling systems (ensuring the system used is the lowest carbon option, will achieve the agreed temperature range, and will not deliver unnecessary cooling).
- 8 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)
- 9 This permission is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council and as a consequence we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.

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.