

# Balmoral Castle Pub/Darwin House Proposals

Equality Impact Assessment - February 2023 Update  
Westminster City Council

February 2023

## Quality information

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# 1. Introduction

## 1.1 Purpose

AECOM has been commissioned by Westminster City Council ('the Council') to undertake an Equality Impact Assessment (EIA) of the Balmoral Castle Pub and Darwin House Proposals.

As a public sector organisation, the Council has a duty under the Equality Act 2010 and the associated Public Sector Equality Duty (PSED) to ensure that the proposals do not lead to unlawful discrimination (direct and indirect), and that they advance equality of opportunity and foster good relations between those with a protected characteristic<sup>1</sup> and all others. An EIA is often used by public sector organisations to demonstrate how this duty has been discharged. It is the Council's policy that EIAs are undertaken and updated for projects throughout their development.

An EIA is a systematic assessment of the effects of plans, policies, or proposals on groups with protected characteristics as defined by the Equality Act 2010 as well as low income households. The purpose of this EIA is to consider how the development of the Balmoral Castle and Darwin House sites contributes to the realisation of equality effects on residents and the community in the area affected by the development.

This EIA supports the Council to fulfil its equality duties in relation to the PSED for the proposals. It provides a consideration of potential direct and indirect equality impacts (both adverse and beneficial) associated with the construction and operational phases of the proposed development. The approach draws on evidence from secondary data sources as well as feedback from consultation and engagement processes and information from design and assessment work undertaken for the project. This report provides an update to the initial EIA report which was produced in September 2020 prior to the submission of the planning application in October 2020. The update considers the actions taken to date to minimise identified potential negative impacts and enhance benefits of the development. It is also intended to identify any further impacts prior to start of construction on site in Spring 2022.

## 1.2 Context

A planning application<sup>2</sup> for the redevelopment of three adjacent brownfield sites Darwin House, Balmoral Public House and 23 Single storey garages was approved on the 8<sup>th</sup> November 2021. These sites are situated within the administrative boundary of Westminster City Council (WCC) and comprise a site area of approximately 0.4ha. The site is located to the south west of Pimlico and forms part of the wider Churchill Gardens Estate.

Darwin House is a sheltered housing complex comprising 30 community supported housing units and one warden flat. This complex is no longer considered to be of a sufficient standard to meet the needs of current residents due to the condition of the property and the increased needs of ageing residents.

The former Balmoral Castle Pub, owned by the Council, is a building of heritage significance but is derelict having remained empty since circa 2005. Over recent years there have been calls by the community and local groups to refurbish the pub for housing purposes. This culminated in a petition received by the Council in August 2018. Following this as part of the proposals for the redevelopment, the Council made the following commitments:

- To provide an 100% affordable housing scheme;
- To ask Darwin House residents to only move once;
- To support any residents through the moving process;
- To phase works to minimise disruption;

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<sup>1</sup> Protected characteristics are defined under the Equality Act 2010: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation and marriage/civil partnership.

<sup>2</sup> Planning application reference 20/06899/COFUL <https://idoxpa.westminster.gov.uk/online-applications/search.do?action=simple&searchType=Application>

- That all new homes will be covered by the Local Lettings Plan;
- That residents will be at the heart of the design and development; and
- That the designs will respect the heritage design of the conservation area.

Following three stages of consultations with the public and stakeholders that lasted through to Summer 2020, planning permission was put forward and granted for:

*“Redevelopment of the site on a phased basis. Phase 1 - Demolition of garages and former public house. Phase 2 - Erection of a part seven storey, part six storey and part five storey building to provide community supporting housing (Class C3). Phase 3 - Demolition of Darwin House. Phase 4 - Erection of part five storey and part four storey building to provide housing (Class C3). All together with new public open space, hard and soft landscaping, car parking, cycle parking, plant and other associated works in each phase.”<sup>3</sup>*

As part of the consultation undertaken with residents, the Council has committed to a phasing strategy for the proposed scheme. The aim of phasing is to minimise disruption to existing residents alongside enabling a single house move for the existing Darwin House Residents. The phasing strategy for the scheme is set out below:

- Phase 1 – Demolition of garages and public house;
- Phase 2 – Erection of a part seven storey, part six storey and part five storey building to provide community supported housing (Block A). Darwin House residents to move into Block A;
- Phase 3 - Demolition of Darwin House;
- Phase 4 – Erection of part five storey and part four storey building to provide general need housing; and
- Phase 5 – Complete landscaping works.

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<sup>3</sup> Westminster County Council (2020) Balmoral Castle & Darwin House Planning Statement. Available at: <https://idoxpa.westminster.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QJ0J36RP02T00>

Figure 1-1 Timeline of key milestones and activities





## 1.3 Report structure

Following on from this introduction section, the remainder of the report is structured as follows:

- **Section 2: Methodology** – setting out the approach to collecting evidence and assessment of impacts;
- **Section 3: Policy and legislation review** – providing context through review of relevant national, regional and local policy and legislation associated with equalities and housing regeneration;
- **Section 4: Summary of proposals** – an overview of the proposals for the site;
- **Section 5: Consultation** – a summary of consultation undertaken to date and feedback received by the Council;
- **Section 6: Equalities baseline** – using secondary data sources such as Census 2011 data to form an understanding of residents living within the area;
- **Section 7: Assessment of potential equality effects** – an appraisal of impacts and equality effects of the proposals using the evidence gathered. This includes an update since the initial EIA developed in 2020; and
- **Section 8: Conclusions and next steps**– conclusion of equality impacts and the Council's due regard to the PSED. This section also contains continued actions recommended for enhancing positive equality impacts and minimising potential negative impacts based on available evidence to date.

## 2. Methodology

### 2.1 Introduction

This section sets out the approach to assessing the equality effects of the development proposals for the Balmoral Castle/ Darwin House site. The assessment considers how the proposals could impact (both positively and negatively) current residents who share protected characteristics within and surrounding the site of the proposed development. In considering the direct effects of the development proposals, this EIA takes a 'worst case scenario'.

The approach for undertaking this EIA and compiling this report follows a three-stage process:

1. Desk-based review - including review of relevant national, regional and local policies and legislation, the proposal documents and secondary datasets relating to groups with protected characteristics;
2. Appraisal of potential impacts - informed by a consideration of the policy context, consultation responses, equalities baseline data; and
3. Providing recommendations and conclusions.

This EIA update also includes an update of actions associated with the recommendations for actions to minimise negative impacts and enhance benefits.

The approach is based on our understanding of the Equality Act 2010, particularly section 149 regarding the PSED, and supporting technical guidance produced by the Equality and Human Rights Commission (EHRC) as well as AECOM's in-house approach to conducting EIAs.

### 2.2 Desk-based review

In addition to a review of recent relevant national, London-wide and local policies and legislation, the desk-based review included the following:

- Review of all relevant documentation regarding the planning application including design information, relevant assessment work and construction management plan information;
- Review of national and local datasets to develop an equalities baseline profile of groups with protected characteristics within and surrounding the site including Census 2011 data; and
- Review of the consultation and engagement activities to date in relation to the proposals undertaken by the Council to identify any issues of relevance to this EIA.

### 2.3 Assessment of impacts

The assessment of equality impacts takes into account the information gathered through the above activities. A judgement is made as to how the proposals would contribute to the realisation of effects for people with protected characteristics as defined in the Equality Act 2010. These protected characteristics are:

- **Age:** this refers to persons defined by either a particular age or a range of ages. This can include children (aged under 16), young people (aged 16-25), older people or pensioners (i.e. those aged 65+), the elderly/very old (i.e. those aged 85+);
- **Disability:** a disabled person is defined as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. It can also include people who have progressive conditions such as HIV, cancer, or multiple sclerosis (MS) - even where someone is able to carry out day to day activities;
- **Gender reassignment:** this refers to people who are proposing to undergo, are undergoing, or have undergone a process for the purpose of reassigning their gender identity;
- **Marriage and civil partnership:** marriage or civil partnership can be between a man and a woman or between two people of the same sex;
- **Pregnancy and maternity:** pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth;

- **Race:** the Equality Act 2010 defines race as encompassing colour, nationality (including citizenship) and ethnic or national origins;
- **Religion or belief:** religion means any religion a person follows. Belief means any religious or philosophical belief, and includes those people who have no formal religion or belief;
- **Sex:** this refers to a man or to a woman or a group of people of the same sex, while gender refers to the wider social roles and relationships that structure men's and women's, boys' and girls' lives;
- **Sexual orientation:** a person's sexual orientation relates to their emotional, physical and/or sexual attraction and the expression of that attraction.

Although income is not classed as a protected characteristic under the Equality Act 2010, the assessment also considers equality implications from the perspective of low income households.

The assessment considers both disproportionate and differential impacts on groups with protected characteristics. A disproportionate equality effect arises when an impact has a proportionately greater effect on protected characteristic groups than on the general population overall at a particular location. For the purposes of this EIA, disproportionality arises:

- where an impact is predicted for the study area, where protected characteristic groups are known to make up a greater proportion of the affected resident population than their representation in Westminster or London; or
- where an impact is predicted on a community resource which is predominantly or heavily used by protected characteristic groups (e.g. primary schools attended by children; care homes catering for elderly people).

A differential equality effect is one which affects members of a protected characteristic group differently from the rest of the general population because of specific needs, or a recognised vulnerability associated with their protected characteristic.

In some cases, protected characteristic groups are subject to both disproportionate *and* differential equality effects. The EIA considers impacts on groups of people and not those on specific individuals.

The criteria used to determine disproportionate or differential impacts with respect to protected characteristics groups include:

- People who share a protected characteristic form a disproportionately large number of those adversely affected by the proposals;
- Amongst the population affected by the proposals, people who share protected characteristics are particularly vulnerable or sensitive to a possible impact in relation to their possessing a specific protected characteristic;
- The proposals may either worsen or improve existing disadvantage (e.g. housing deprivation or economic disadvantage) affecting people who share a protected characteristic;
- People with shared protected characteristics amongst the affected population may not have an equal share in the benefits arising from the proposals. This can be either due to direct or indirect discrimination or where the groups experience particular barriers to realising such benefits, unless suitable mitigations are proposed to overcome those barriers; and
- The proposals may worsen existing community cohesion amongst the affected local population or exacerbate conflicts with community cohesion policy objectives.

## 2.4 Conclusions and next steps

The final section of this report sets out conclusions on the equality impacts as well as setting out recommendations for mitigating against any residual or newly identified adverse impacts and opportunities for enhancing equality of opportunity.

## 3. Policy and legislation context

### 3.1 Legislation

#### 3.1.1 Equality Act 2010 and the Public Sector Equality Duty (PSED)

The Equality Act 2010 is a major piece of UK legislation which provides the framework to protect the rights of individuals against unlawful discrimination and to advance equal opportunities for all. Section 149 of the Equality Act sets out the PSED to which Westminster City Council, as a public body, is subject to in carrying out all its functions.

Those subject to the PSED must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not.

These are sometimes referred to as the three aims or arms of the PSED. The Act explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and
- Encouraging people from protected characteristics groups to participate in public life or in other activities where their participation is disproportionately low.

The Act states that meeting different needs involves taking steps to take account of disabled people's disabilities. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others.

The duty covers the following eight protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation as described Section 2.5 of this report.

Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status. This means that the first arm of the duty applies to this characteristic, but that the other arms (advancing equality and fostering good relations) do not apply.

#### 3.1.2 Compulsory Purchase Order (CPO)

Compulsory purchase powers are provided to enable acquiring authorities to compulsorily purchase land to carry out a function which Parliament has decided is in the public interest. Anyone who has land acquired is generally entitled to compensation. Local authorities have CPO powers under the Acquisition of Land Act 1981, the Town and Country Planning Act 1990 and other specific Acts of Parliament in order to promote development and regeneration such as the Planning and Compulsory Purchase Act 2004. The CPO process comprises a number of stages, including Resolution, Inquiry, Decision and Compensation stages. The acquiring authority does not have the powers to compulsorily acquire land until the CPO is confirmed by the relevant Government minister. However, they can acquire by agreement at any time and the general presumption is that they should endeavour to do so before acquiring by compulsion.

Government guidance on the CPO process<sup>4</sup> includes an explanation of how the PSED should be taken into account. The guidance confirms that in exercising compulsory purchase powers, public sector acquiring authorities must have regard to the effect of any differential impacts on groups with protected characteristics.

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<sup>4</sup> Ministry of Housing, Communities & Local Government (2018) Guidance on Compulsory purchase process and the Crichel Down Rules available at <https://www.gov.uk/government/publications/compulsory-purchase-process-and-the-crichel-down-rules-guidance>

The guidance acknowledges that an important use of compulsory purchase powers is to help regenerate run-down areas. Although low income is not a protected characteristic in itself, it is not uncommon for people from ethnic minorities, the elderly or people with a disability to be over-represented in low income groups. As part of the PSED, acquiring authorities must have due regard to the need to promote equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This means that the acquiring authority may need to develop a process which promotes equality of opportunity by addressing particular problems that people with certain protected characteristics might have (e.g. making sure that documents are accessible for people with sight problems or learning difficulties and that people have access to advocates or advice).

## 3.2 National policy

### 3.2.1 National Planning Policy Framework (July 2021)

The National Planning Policy Framework (NPPF)<sup>5</sup> was originally published in March 2012, with revisions in July 2018, February 2019 and most recently in July 2021. The NPPF reconsolidates the economic, social and environmental objectives of the Government's planning system. While the NPPF does not contain specific guidance on equalities, it does emphasise the importance of sustainable development and the need to support a healthy and just society. This is reflected in the key dimensions of sustainable development which relate to the economic, social and environmental roles of the planning system:

- The economic role contributes to building *“a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure”*;
- The social role supports strong, vibrant and healthy communities by *“ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being”*; and
- The environmental role contributes to protecting and enhancing the *“natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy”*.

The NPPF identifies key principles that local planning authorities should ensure that they consider, including:

- Local strategies to improve health, social and cultural wellbeing for all;
- The delivery of sufficient community and cultural facilities and services to meet local needs; and
- The requirement to plan for the needs of different groups within communities, including how the size, type and tenure of housing should be assessed and reflected in planning policies.

In Chapter 8, the NPPF outlines how planning policy should help promote healthy communities by taking a positive and collaborative approach to enable development to be brought forward. The NPPF emphasises that planning policies and decisions should aim to create places which offer: opportunities for social interaction and meetings between members of the community through the delivery of mixed-use developments, strong neighbourhood centres and active street frontages; safe and accessible environments which include social, recreational and cultural facilities and services the community needs; a sufficient choice of school places to meet the needs of existing and new communities; and access to high quality open spaces and opportunities for sport and recreation.

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<sup>5</sup> Ministry of Housing, Communities & Local Government, (2021) National Planning Policy Framework available at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

## 3.3 Regional policy

### 3.3.1 The London Plan 2021

The London Plan 2021<sup>6</sup> is a new plan aiming to be more ambitious and focused than previous London Plans. It is underpinned by the concept of Good Growth – growth that is socially and economically inclusive and environmentally sustainable. As the overall strategic policy framework for London, it sets out integrated economic, environmental, transport and social goals for the development of the capital over the next 20-25 years. A number of policies outlined in the Plan are relevant to the proposed regeneration, including tackling deprivation, promoting equality and inclusivity, and enabling different groups to share in the benefits of development, specifically:

- GG1 'Building strong and inclusive communities' requires early engagement with stakeholders and local communities in the development of proposals, ensuring London continues to generate economic and other opportunities that are beneficial to everyone. Continue to support and promote the creation of a London where all Londoners including children and young people, older people, disabled people and people with other protected characteristics, can move around with ease and enjoy the opportunities the city has to provide.
- GG4 'Delivering the homes Londoners need' understands that for many Londoners the type of home they want, and should reasonably be able to expect, is out of reach – and this consequently has implications for the makeup and diversity of the city. Creating a new housing market in which all those involved in planning and development must: support the delivery of the strategic target of 50% of all new homes being genuinely affordable, and create inclusive communities where houses meet high standards of design and provide for identified needs.
- Policy SD10 'Strategic and local regeneration' requires Boroughs to identify Strategic areas for Regeneration in Local Plans and develop policies that are based on a thorough understanding of the demographic of the communities, their needs and local circumstances. In order for regeneration initiatives to contribute to Good Growth it is important they tackle poverty, disadvantage, inequality and the causes of deprivation, address social, economic and environmental barriers and they benefit existing residents and businesses in an area. Regeneration initiatives must be undertaken in collaboration with local communities, involving a broad spectrum of groups, people and businesses to develop a shared vision of the area.
- Policy D4 'Inclusive design' requires Boroughs to support the creation of inclusive neighbourhoods by embedding inclusive design and collaborating with local communities to ascertain needs. An inclusive design approach helps to ensure the diverse needs of all Londoners are integrated into Development plans and proposals from the outset.
- Policy H1 'Increasing housing supply' sets out Boroughs ten year housing targets which must be included in their Development Plan Documents (Westminster's ten year target for net housing completion is 9,850).
- Policy H4 'Delivering affordable housing' outlines the strategic target for 50% of all new homes delivered across London to be genuinely affordable. The London SHMA (Strategic Housing Market Assessment) identified that 65% of London's need is for affordable housing; this policy therefore aims to maintain and advance the opportunity for all members of society to access
- Policy H8 'Loss of existing housing and estate development' requires that loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace. Boroughs, housing associations and their partners must also consider alternatives before considering the demolition and replacement of affordable homes. Regardless of whether an estate regeneration project includes the demolition and replacement of affordable homes, it is important that all such schemes are delivered with existing and new residents in mind.

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<sup>6</sup> Greater London Authority (2021) The London Plan. The Spatial Development Strategy for Greater London. Available at: [https://www.london.gov.uk/sites/default/files/the\\_london\\_plan\\_2021.pdf](https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf)

### 3.3.2 Inclusive London: Mayor's Equality, Diversity and Inclusion Strategy (2018)

The Mayor's Equality, Diversity and Inclusion Strategy<sup>7</sup> (EDIS) was published in May 2018. The strategy sets out how inequalities, barriers and discrimination experienced by groups protected by the Equality Act will be addressed by tackling issues such as poverty and socio-economic inequality.

The strategy sets out 33 equality, diversity and inclusion objectives which include working with councils and other partners to:

- Increase the supply of homes that are genuinely affordable to buy or rent.
- Improve property conditions, management standards, security and affordability for private renters. This includes supporting the growing numbers of households with children in private rented homes, as well as groups who are more likely to live in the sector.
- Better protect Londoners living in social housing, including those affected by estate regeneration projects, to ensure that their views are properly heard and acted upon.
- Improve the supply of homes available to meet Londoners' diverse housing needs, including for accessible and adapted housing, specialist and supported accommodation, and Gypsy and Traveller sites.
- Regenerate the most deprived parts of London in a way that supports good growth and opens up opportunities for the most disadvantaged groups.
- Protect and provide the social infrastructure needed by London's diverse communities.
- Promote the use of inclusive design through planning, procurement and commissioning of projects and programmes.
- Support effective ways to involve communities in the development of their neighbourhoods and the wider city.

Objectives also include working with employers, education and skills providers, and voluntary and community organisations so that as many Londoners as possible can participate in, and benefit from, employment opportunities in London. This includes providing employability and skills support for those who are disadvantaged in London's skills, enterprise and jobs market and increasing the diversity of the workforces in vital sectors in London. These include the digital, construction, creative and the built environment sectors.

The strategy aims to encourage inclusive growth in London through better planning and provision of business support, including access to finance for people from ethnic minority groups, women and disabled-led businesses, and to help save and sustain diverse cultural places and spaces by promoting good growth.

### 3.3.3 London Housing Strategy (2018)

This strategy's central priority is to build many more homes for Londoners - particularly genuinely affordable homes. This includes policies for:

- Identifying and bringing forward more land for housing;
- Improving the skills, capacity and building methods of the industry;
- Ensuring homes are genuinely affordable;
- Working towards half of new homes built being affordable;
- Protecting London's existing social housing;
- Well-designed, safe, good quality, and environmentally sustainable homes; and
- Meeting London's diverse housing needs.

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<sup>7</sup> GLA (2018); Mayor's Equality, Diversity and Inclusion Strategy <https://www.london.gov.uk/what-we-do/communities/mayors-strategy-equality-diversity-inclusion>

### 3.3.4 Better homes for local people - The Mayor's Good Practice Guide to Estate Regeneration (February 2018)

The Mayor's Good Practice Guide to Estate Regeneration sets out the expectations for how local authorities and housing associations should engage with residents as part of all estate regeneration schemes, whether or not they include the demolition of homes. The guide outlines the Mayor's three Better Homes for Local People principles, specifically:

- **An increase in affordable housing** - Local authorities should consider alternative options for demolition. Should demolition be pursued then like-for-like provision of floorspace for affordable housing on estate regeneration projects should be provided. Gap funding is available through GLA housing grants to ensure financial viability of affordable housing provision if required. Where possible, local authorities should also endeavour to increase the density of estates to maximise potential for an increase in affordable homes. Landlords should adopt local lettings policies for new affordable homes for rent to help ensure that local people benefit from the additional homes being built.
- **Full rights to return or remain for social tenants** - Where estate regeneration plans involve the demolition of existing homes, councils and housing associations should seek to phase projects wherever possible, with the aim of ensuring that households can remain on the estate by moving no more than once. Social tenants who have to move as a result of estate regeneration plans, either through a single move or a temporary move off the estate, should be:
  - provided with a full right to a property on the regenerated estate of a suitable size, at the same or a similar level of rent, and with the same security of tenure. Households who are currently overcrowded should be offered homes large enough for their needs. Households who under-occupy their current homes should not automatically qualify for a new home with the same number of bedrooms. For example, landlords may choose to limit the number of bedrooms offered to under-occupiers to a maximum of one greater than their need.
  - awarded high priority in the local allocations policy should they need to move into a new home temporarily as a result of estate regeneration. Any offer of alternative accommodation should be reasonable, in that it meets the needs of the household in terms of the number of bedrooms and any special requirements (such as wheelchair accessibility or adaptations).
  - offered the maximum home loss compensation permitted by legislation by landlords if they meet the statutory criteria and are displaced from their homes due to estate regeneration.
  - awarded 'disturbance costs' of moving home by the landlord. This means paying the reasonable costs of moving, such as removal costs, telephone and utility connection and installation costs, and the provision of new carpets and curtains. Tenants who must move more than once should receive home loss payments for each move.

Furthermore, councils and landlords should work together to make sure that private tenants on estates being considered for regeneration are aware of their options and rights, including signposting them towards alternative housing options. Councils may also have duties towards private tenants under homelessness legislation. Additional support and assistance should be offered to more vulnerable households living on estates, regardless of their tenure. In some cases, this may mean that they want to move out of the area or into specialist accommodation.

Where councils or housing associations propose to let homes on short-term tenancies, they should ensure that new tenants are fully informed about any plans to regenerate the estate and are aware of their rights, including how they differ from those on secure tenancies. Short-term tenants should be reminded of these differences to avoid confusion at a later stage. They should also be given as much advance notice as possible of planned regeneration, so that alternative accommodation can be found if necessary.

- **A fair deal for leaseholders and freeholders** - Leaseholders and freeholders affected by estate regeneration should be treated fairly and fully compensated if their homes are to be demolished. Where it is necessary to acquire homes owned by leaseholders and freeholders, landlords should:
  - always seek to do so by negotiation in the first instance to help avoid a compulsory purchase process, which creates uncertainty for the household and can lead to significant delays.
  - offer market value (plus home loss payments where appropriate) in the first instance. Where compulsory purchase is required, the rights of resident and non-resident leaseholders and freeholders



are set out in legislation. The purchase should be based on a value of the home undertaken by an independent valuer, paid for by the landlord if requested by the leaseholder or freeholder. The valuation must reflect the value of the property before the impact of any regeneration or proposed regeneration is taken into account.

- consider enabling resident leaseholders and freeholders to combine market value and home loss payments towards the purchase price for a new home.
- consider paying for other costs that might be borne by resident leaseholders and freeholders, such as the cost of moving home or setting up new utility connections.

Councils and housing associations are also encouraged to consider other ways to support resident leaseholders and freeholders including:

- support to use their equity to buy a home on the open market in the local area, with the council or housing association owning the difference between the value of this equity and the market price of the home (either on a shared equity or shared ownership basis).
- offer the right to a new home on the regenerated estate through shared equity or shared ownership basis.
- Enable home swaps, or early buy-back arrangements.
- Provide assistance throughout any process of buying a new home.

## 3.4 Local policy

### 3.4.1 City Plan 2019 – 2040 Regulation 19 Publication Draft (June 2019)

The Council submitted the City Plan 2019-2040<sup>8</sup> to the Secretary of State on 19 November 2019. As of June 2020, the 'Examination in Public' has now started, which is one of the last stages in the plan-making process.

The City Plan 2019 – 2040 contains a number of policies which are relevant to promoting equality and tackling existing disadvantage, and to the renewal of Westminster, including:

- **Objective 1** of the City Plan is to “increase the stock of high-quality housing and provide variety in terms of size, type and tenure to meet need and promote mixed and inclusive communities, with a clear focus on affordability and family homes.”
- **Objective 2** of the City Plan is to “ensure those from disadvantaged backgrounds benefit from the opportunities [job growth] presents.”
- **Objective 8** of the City Plan is to “promote quality in the design of buildings and public spaces ensuring that Westminster is attractive and welcoming”
- **Policy 1 Westminster’s spatial strategy** sets out the ambition for the Borough to grow, thrive and inspire by:
  - Supporting intensification and optimising densities in high quality new developments that showcase the best of modern architecture and integrate with their surroundings, to make the most efficient use of land.
  - Delivering 22,222 homes with 35% of new homes affordable.
- **Policy 7 Managing development for Westminster’s people** requires development to be ‘neighbourly’: considering daylight, sense of enclosure and privacy, protecting and enhancing the local natural and historic environment, not overburdening local infrastructure, contributing to greening, improving sustainable infrastructure and making appropriate waste management arrangements.
- **Policy 8 Stepping up housing delivery** requires the number of new homes to be built in Westminster to exceed 22,222 over the plan period. Existing housing will be protected, except where redevelopment or affordable housing would better meet need.

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<sup>8</sup> Westminster Council (2019) City Plan 2019 – 2040 Regulation 19 Publication Draft  
<https://www.westminster.gov.uk/cityplan2040>

- **Policy 9 Affordable housing** requires that the affordable housing provision will be divided between 'intermediate' affordable housing for rent and sale (60%) and social and affordable rent (40%). The Council will maximise the provision of additional affordable housing in designated housing renewal areas.
- **Policy 11 Housing for specific needs** sets out that residential development will provide a housing mix to secure mixed and inclusive communities and contribute towards meeting Westminster's housing needs for different groups.
- **Policy 13 Housing quality** proposes that all new homes be designed to a standard that ensures the safety, health and well-being of its occupants.

The EIA for the City Plan outlines some measures for helping to mitigate the impact of intermediate housing affordability criteria:

- *Households on the council's social housing register have high priority for intermediate housing.*
- *Targets will be set to ensure a proportion of new intermediate housing is affordable to households on the register with lower quartile incomes – and so may be affordable to households also registered for social housing.*
- *Westminster Employment Service also helps homeless households into employment which will help homeless households to be eligible for intermediate housing. (Currently c50% of homeless households are in some form of employment).*

### 3.4.2 Westminster Housing Renewal Strategy (2010)

In 2010, the Council published a Housing Renewal Strategy<sup>9</sup> that set out plans for housing renewal over a number of years and a number of programmes are underway. The key objectives of the strategy are to:

- Increase the supply and quality of affordable homes to meet a variety of local needs, including housing for families;
- Improve the quality of the local environment with outstanding green and open spaces and housing that promotes low energy consumption and environmental sustainability;
- Promote a high quality of life for people of all ages and backgrounds, in safe, cohesive and healthy neighbourhoods, supported by a range of high-quality housing and excellent community facilities;
- Enable people to maximise economic opportunity in Westminster with support for training, employment and enterprise, and housing tenures which help those in work to remain in the city; and
- Create a more distinct sense of neighbourhood, ending the physical divide between Westminster's estates and surrounding local streets.

### 3.4.3 Housing Strategy: Direction of Travel Statement (2015)

In 2015, a Housing Strategy Direction of Travel Statement was published, which set out the Council's intentions to deliver existing housing renewal programmes and to work towards housing renewal becoming business as usual. The strategy built on the draft Housing Strategy that was consulted on in June and July 2015. It sets out the direction that the Council intends to take with regards to new affordable housing, intermediate housing, disposal of affordable properties, reviewing CityWest<sup>10</sup> homes, the private rented sector and energy efficient homes.

It also provides a direction for residents' health, housing and support for vulnerable people, older peoples' housing, flexibility in allocating social housing and homelessness.

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<sup>9</sup> Westminster Council (2010) Westminster Housing Renewal Strategy  
[http://transact.westminster.gov.uk/docstores/publications\\_store/wcc\\_housing\\_renewal\\_report2010\\_lowres.pdf](http://transact.westminster.gov.uk/docstores/publications_store/wcc_housing_renewal_report2010_lowres.pdf)

<sup>10</sup> CityWest Homes provides housing services for over 12,000 social housing tenants and 9,000 leaseholders for Westminster City Council. It was set up as an arms-length management organisation (ALMO) in 2002 and returned to Council control in September 2018

### 3.4.4 Policy for Tenants in Housing Renewal Areas (August 2019)

The Council's Policy for Tenants in Housing Renewal Areas<sup>11</sup> sets out the rehousing options, headline financial compensation and the general processes that will be followed when homes occupied by council tenants need to be acquired. It also sets out the general approach to be taken when homes occupied by other tenants (including private and temporary accommodation) need to be acquired.

The policy states that all tenants will be supported by a named officer and have access to an independent advisor. Additional assistance will be provided to vulnerable tenants and the Council may work with third parties, including family members, social services and health practitioners to identify and address any special needs. Tenants will be entitled to claim two sorts of financial payment:

- **A home loss payment** – a statutory payment amount set by the Government to compensate them for having to move at a time which is not of their choosing; and
- **A disturbance payment** – to cover all the reasonable costs of moving. If a tenant has opted to return to the Housing Renewal Area but needs to move away temporarily while the new homes are built, they will be entitled to two disturbance payments.

Council tenants, including secure<sup>12</sup> or flexible<sup>13</sup> or those in community supportive housing (sheltered housing), have the right to a new social home in the Housing Renewal Area. They have the following options:

- Option 1: Move straight into one of the new social homes, if this is possible; or
- Option 2: Move into another social home in Westminster for a temporary period, but then move into one of the new social homes in the Housing Renewal Area once these are ready.

Tenants that don't want to move into one of the new homes can also take the following option:

- Option 3: Move into another social home in Westminster, this might be in the same general area, or in another part of Westminster. They could also move into community supportive housing if they are eligible and 60 or over.

For tenants that want to become homeowners:

- Option 4: Tenants will have high priority for any new intermediate homes built in the housing Renewal Area and which are for sale, so they can get on the housing ladder. To qualify for this option, tenants will need to be eligible for 'intermediate housing'<sup>14</sup> and be able to afford to buy the new intermediate homes.

The policy sets out the rehousing process for tenants as follows:

- Stage 1: The Housing Needs Survey – at this stage the tenant considers their options and the Council finds out about who is in the household, the type of new home needed and any particular needs the tenant has.
- Stage 2: The Assessment – at this stage a detailed assessment is undertaken of the size and type of new home needed.
- Stage 3: Rehousing begins – at this stage the option chosen is confirmed in writing and generally cannot be changed. Rehousing will then start.

All homeless households that have been placed in temporary accommodation by the Council will be visited and advised of the relevant timescales, such as when they will need to move and the processes that will be followed. They will generally be offered alternative temporary accommodation but households in temporary housing do not have a right to remain in or return to the Housing Renewal Area and the above options do not apply to them. Temporary accommodation can be in different locations and some is outside London. All households in temporary accommodation in Housing Renewal Areas will be prioritised for alternative temporary accommodation in London. Households with the highest needs will always be prioritised for temporary accommodation in Westminster and adjoining boroughs. In order to avoid households moving twice, where a household in temporary accommodation

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<sup>11</sup> Westminster Council (2019) Policy for Tenants in Housing Renewal Areas

[https://www.westminster.gov.uk/sites/default/files/policy\\_for\\_tenants\\_in\\_housing\\_renewal\\_areas\\_2019\\_final.pdf](https://www.westminster.gov.uk/sites/default/files/policy_for_tenants_in_housing_renewal_areas_2019_final.pdf)

<sup>12</sup> A tenancy that can only be bought to an end by the landlord by a court order and an order will only be granted by the court if one of the statutory grounds for possession is made out and other statutory tests are met.

<sup>13</sup> A flexible tenancy is a form of secure tenancy with a fixed term

<sup>14</sup> Intermediate housing refers to housing for working people that aren't eligible for social housing but can't afford market housing. This is let through the Council's intermediate housing service called Homeownership Westminster.

is estimated to be within twelve months of being able to successfully bid or be made offers for social housing, they will be awarded additional priority to bring this forward.

The policy states that every effort to communicate will be made by the Council with private tenants as early as possible to explain what is happening and when. All private tenants will be visited at least once and informed as to where they can get further advice, particularly if they are at risk of being homeless as a result of housing renewal. Those at risk of homelessness will be referred to the Council's Early Intervention Trailblazer Service<sup>15</sup>. Additional support will be offered to vulnerable households where it is needed.

The policy was consulted on in January and February 2019 and was also subject to an EIA.

### **3.4.5 Westminster's equality objectives 2016 – 2020**

Under the Equality Act 2010, local authorities must prepare and publish one or more objectives to help deliver the aims of the PSED. The aim of the equality objectives is to help focus attention on the priority equality issues within an organisation in order to deliver improvements in policy making, service delivery and employment. Objectives should be updated at least every four years, be specific and measurable and published in a way that is accessible to the public. Westminster City Council's corporate equality objectives<sup>16</sup> are to:

- Minimise loneliness, maximise independence and improve mental and physical wellbeing of older people;
- Better understand the needs of our diverse communities to improve our approach to tackling discrimination;
- Communities lead healthy lifestyles through increased participation in sport and physical activity;
- Promote equality of opportunity across the city by tackling barriers to employment;
- Create an environment where all children have an equal opportunity to succeed in life; and
- Improve the diversity of our workforce.

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<sup>15</sup> <https://www.crisis.org.uk/ending-homelessness/resources-for-practitioners/prs-database/westminster-city-council-housing-solutions-trailblazer-service/>

<sup>16</sup> Westminster City Council [2016] Equality objectives [online] available at: <https://www.westminster.gov.uk/equality-and-diversity#our-equality-objectives>

## 4. Summary of the development

### 4.1 The current site

The development site (outlined in Figure 4-1) is situated within the Churchill Gardens estate within Pimlico in the south west of Westminster. Grosvenor Road, adjacent to the River Thames borders the site to the south, Churchill Gardens Road borders the site to the North and Telford Terrace to West. Buildings adjacent to the site include the Council-owned Shelley House and Maitland House and the Pimlico District Heating Undertaking Tower. Note there are several privately-owned properties bordering the site on Grosvenor Road.

Figure 4-1 Site of the Balmoral Castle/Darwin House proposals



Located on the site are:

- **The Balmoral Castle pub** – the building has heritage merit but is not listed. It has been derelict for 20 years and is currently supported by scaffolding. It is owned by the Council;
- **Twenty-three garages** owned by the Council and available for hire to local residents on a weekly basis;
- **Darwin House** – a community supported housing block of 30 studio style units for people aged over 55 and one warden flat. The building is no longer considered fit for purpose.

### 4.2 Planning application

The approved planning application<sup>17</sup> includes the following:

- The demolition of the existing buildings and structures on Site, including the Balmoral Castle Public House, Darwin House, a four-storey purpose accommodation and 23 single storey lock up garages;
- The redevelopment of the Site to provide 52 residential units across two blocks ranging between heights of four to seven storeys;
- The delivery 34 community support dwellings which achieve HAPPI standards within Block A;

<sup>17</sup> Planning application reference 20/06899/COFUL <https://idoxpa.westminster.gov.uk/online-applications/search.do?action=simple&searchType=Application>

- The delivery of 18 affordable one-bedroom units within Block B, which fronts the Grosvenor Road;
- The provision of 80 cycle spaces, 10 car parking spaces including 6 accessible wheelchair parking spaces and one designated ambulance drop off space; and
- The delivery of public realm and landscape works including the creation of a new green space within the centre of the development and a new high quality pedestrian route between Churchill Gardens Road and Grosvenor Road.

#### 4.2.1 Community supported housing

The proposals for the site include 34 new one-bedroom community supported dwellings within Block A, all on Social Rents to be managed by WCC – these are to replace the 30 studio style units and warden flat currently at Darwin House. All current residents of Darwin House will be guaranteed a home in the new development. The new homes will:

- Be built to modern care standards, using the Housing for Ageing Population Panel's (HAPPI) framework;
- Provide a substantial uplift in affordable housing floorspace including separate bathroom, bedroom, and living area;
- Have spacious balconies with views of the new landscaped area;
- Include flexible living areas with a space that could be used as a study or second bedroom for a carer or family member;
- Be designed to be safe and easy to use, dementia-friendly and fully accessible; and
- Be designed to Passivhaus standards and are close to net zero carbon (subject to detailed design)

#### 4.2.2 Affordable housing for intermediate rent

The proposals include plans to provide 1,326 sqm of residential accommodation (GIA) delivered through 18 residential homes within Block B - on the site of the existing Darwin House. These will be:

- Retained by the Council and available for intermediate rent;
- Comprised of 1 bedroom units; and
- Allocated through a Local Lettings Plan (LLP) which will ensure that households in the Churchill Gardens Estate have top priority.

#### 4.2.3 Landscaping and public realm

The proposals also include improvements to the landscaping and public realm on site. This includes:

- Maximised parking provision for community supported housing residents including the required disabled parking to the community supported housing block;
- Provision of 78 cycle parking spaces;
- A new pedestrian, step free access route between Grosvenor Road and Churchill Gardens Road; and
- A courtyard area consisting of:
  - A piazza area - a hard landscaped area between the buildings with street furniture to encourage people to dwell and meet.
  - A lawn area - providing a much less structured area for relaxation alongside biodiversity benefits.
  - A separate garden for community supported housing, designed to dementia friendly criteria.

#### 4.2.4 Works

The proposals will be built through a phasing approach in which the community supported housing building will be built and Darwin House residents will move into the new building before the demolition of the existing Darwin House. This allows Darwin House residents to move to their new homes without the need to move more than once and avoid temporary relocation of residents to accommodation off-site.

## 5. Consultation

This section presents a summary of the consultation activities undertaken by the Council in relation to the proposals as well as feedback from stakeholders and the public pertinent to the EIA.

### 5.1 Consultation activities to date

#### 5.1.1 Phase 1: July – October 2019

An initial consultation was undertaken between July and October 2019 with residents in Churchill Street Gardens. This included 10 drop-in sessions with local residents to develop early design ideas for the proposals. The feedback from this consultation activity was used to develop more detailed designs.

#### 5.1.2 Phase 2: January/February 2020

A second consultation activity took place in January and February 2020 on further detailed design. A series of preliminary meetings were held with key stakeholders initially to present the latest designs and gather feedback. These stakeholders included:

- Cabinet Member for Finance, Property and Regeneration;
- Churchill Ward Councillors;
- Churchill Gardens Residents' Association;
- Darwin House residents;
- C20 Society; and
- Historic England.

The public consultation activities took place in February 2020 and comprised three public drop-in sessions to which over 1,800 residents across the estate and surrounding area were invited. In total 92 residents attended the public drop-in sessions.

#### 5.1.3 Phase 3: June/July 2020

Due to the Covid-19 pandemic the planned consultation for spring 2020 necessitated modification and postponement to allow for safe and socially distanced engagement whilst remaining inclusive and accessible. Therefore, the consultation period was moved to a three week period during June and July 2020. In the week prior to the consultation start date the following publicity materials were delivered to residents and key stakeholders in the local area;

- Letters and booklets to 201 households in Darwin House, Maitland House, Shelley House, and Grosvenor Road, including S105 tenants; and
- Letters and fridge flyers to 1,801 households across the rest of Churchill Gardens Estate and the neighbouring area

Meetings also took place in the weeks leading up to the consultation and at the beginning of the consultation period with key stakeholders from across the estate and wider area to discuss the proposals and gather their feedback on the plans. Stakeholders included Churchill Ward Councillors, Churchill Gardens Residents' Association Regeneration Committee, C20 Society and Grosvenor Road residents.

Consultation activities for Phase 3 included:

- Launch of a user-friendly consultation microsite which details the proposals and feedback from previous consultation etc. This received 726 unique views;
- Online survey receiving 34 responses. Responses to any questions asked about the scheme on the online forms were also provided on a case by case basis by the project team;
- A free phone line direct to the project team with the opportunity to schedule phone interviews;

- Calls to residents of Darwin House, Maitland House, Shelley House, and Chaucer House to talk through proposals. A total of 169 people (85% response rate) were reached through this activity
- Social media engagement (Twitter, Facebook, Instagram, YouTube and LinkedIn), resulting in 808 interactions; and
- A dedicated monitored email address from which 89 incoming emails were received. Some emails contained feedback and others contained questions about the scheme which the project team responded to individually;
- Three online webinar sessions with presentations from the architect team and answers to frequently asked questions (FAQs). These were attended by 19 people in total; and
- Paper comment forms - 12 completed forms were received by post.

Over the three week consultation period 86 formal pieces of feedback were received from residents. The majority of responses (57%) were supportive of the proposals, 33% were negative towards the proposals and the remaining 10% were neutral. Questions were addressed in responses to feedback where possible, and some common queries, such as requests to view CGIs of the community supported housing building from Shelley House, questions about garages, and the definition of affordable rent were answered in a newsletter summarising the feedback from the consultation.

## 5.2 Feedback from consultation

Overall, consultation responses indicate strong support for the new proposals from residents outside those living in Shelley House. This section summarises the key issues raised throughout consultation activities and is organised around key themes, with a particular focus on issues associated with groups with protected characteristics.

Theme	Feedback/Issue
Community Supported Housing (Darwin House)	<ul style="list-style-type: none"> <li>• People were in favour of improving the accommodation for community supported housing residents on the estate.</li> <li>• Residents expressed support for more affordable homes being available to local people, and an increase in the number of community supported homes on the estate.</li> <li>• Concern expressed amongst Darwin House residents about whether or not the development would actually happen. Residents want formal reassurance that the Council was committed to the development.</li> <li>• Darwin House residents were supportive of the new community supported housing design, with many commenting positively on the features of HAPPI design and saying they thought it would be better than where they currently live.</li> </ul>
Intermediate Rent Housing	<ul style="list-style-type: none"> <li>• Many residents said they were supportive of intermediate housing and knew people who would benefit from this tenure.</li> <li>• Positive comments on keeping the homes for local people.</li> <li>• Some people asked for bigger homes to be considered for social rents to alleviate the overcrowding in some properties on the estate and to keep local families in the area.</li> <li>• People were also unsure of the idea of affordable housing. Several said the proposals should be 100% social rent, and others believed that affordable housing is still too expensive for local people.</li> <li>• Parking was also a key issue for people opposed to the proposals at the latest phase of consultation activities. People were concerned that no parking was being provided for the new residents and mentioned that parking stress was already an issue in the area.</li> <li>•</li> </ul>
Public Realm	<ul style="list-style-type: none"> <li>• Positive comments were received on the green space proposals.</li> <li>• Concerns expressed about parking spaces and the loss of garages.</li> </ul>



Theme	Feedback/Issue
	<ul style="list-style-type: none"><li data-bbox="375 235 1455 302">• The design was well received by residents, with people mentioning that they felt the designs were good quality and sympathetic to the local area.</li><li data-bbox="375 324 1455 358">• Some people did not think that the proposals fit the architecture of the estate.</li><li data-bbox="375 380 1455 448">• Residents liked the proposals for new landscaping and green space, and the access route to Grosvenor Road was well-received.</li></ul>
Neighbouring residents	<ul style="list-style-type: none"><li data-bbox="375 504 1455 604">• Many people liked or agreed with the idea of developing on the proposed site, with some residents asking for even more extensive development such as including more units or including Maitland House as part of the site.</li><li data-bbox="375 627 1455 728">• Shelley House residents remained broadly unsupportive of the designs, in particular the height of the proposed community supported housing building. Many supported the idea of providing better homes for community supported housing residents but did not want to lose their views, daylight, or sunlight.</li><li data-bbox="375 750 1455 840">• Residents close to the intermediate block are concerned about the proximity of the building to their homes, and the impact the modern architecture may have on the heritage of the terrace of homes along Grosvenor Road.</li><li data-bbox="375 862 1455 929">• Environmental impact and energy efficiency were referenced, with people asking what was being done to address these issues.</li></ul>
Consultation and Engagement	<ul style="list-style-type: none"><li data-bbox="375 929 1455 996">• Many residents consulted by phone during Phase 3 expressed their gratitude for the chance to share their thoughts, particularly those who we spoke to using a translation service.</li><li data-bbox="375 1019 1455 1086">• The consultation indicated there was a consensus that strong and continued community engagement and involvement in the development proposals was needed.</li><li data-bbox="375 1108 1455 1171">• Some comments mentioned that they did not believe the consultation process was listening to them and did not trust that we were taking resident feedback on board.</li></ul>

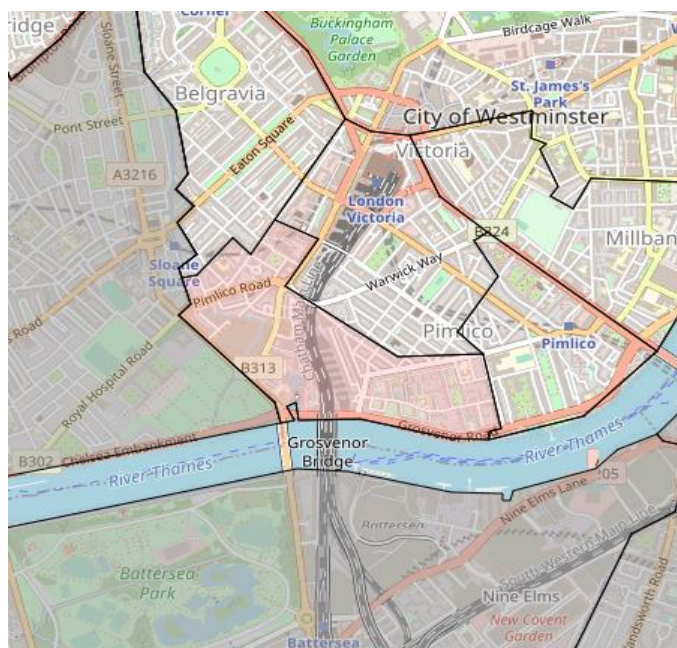
## 6. Equalities baseline

### 6.1 Introduction

A baseline profile of the population living within and around the site is necessary to enable an assessment to be made as to the potential level of impact the proposals may have on groups with protected characteristics.

The section outlines the equalities baseline relevant to the proposals. This includes analysis of Census 2011<sup>18</sup> data and other datasets from the Office for National Statistics (ONS) for the Churchill ward (see Figure 6-1), for Westminster Borough and for London. Wherever possible the most recently available data is presented at all geographical levels relevant to the study area.

**Figure 6-1 Churchill ward boundary**



Source: ONS 2011

### 6.2 Protected characteristics

#### 6.2.1 Population

According to the most recent data available, Churchill Ward is home to 11,240 people. As shown in Table 6-1, the population of Churchill Ward has grown at a steady rate (34%), broadly comparable to the growth rate of Westminster and London, although the difference between these two is at a greater disparity.

**Table 6-1 Population growth 2001 - 2020<sup>1920</sup>**

Year/Population	Churchill	Westminster	London
2001	8,391	181,286	7,172,036
2011	9,618	219,396	8,173,941
2020	11,240	269,848	9,002,488
% Change (2001-2020)	+34%	+48%	+26%

<sup>18</sup> It should be noted that although the most recent Census for England and Wales took place in March 2021, the full census data outputs are not scheduled for release until March 2023.

<sup>19</sup> ONS (no date): Census 2011: Population Density 2011 (Table QS102EW); Population Density 2001 (Table UV02)

<sup>20</sup> ONS (2021) Estimates of the population for the UK, England and Wales, Scotland and Northern Ireland Mid-2020. Available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/populationestimatesforukenglandandwalesscotlandandnorthernireland>

Source: ONS 2001 and 2011 Census and Mid-year population estimates, 2020

## 6.2.2 Age

Table 6-2 outlines age breakdown across the different geographical areas. This shows that Churchill Ward has a high proportion of children and older people. The proportion of residents aged 0 – 15 years old across the Churchill ward (21.0%) is higher than for Westminster (16.7%) and London (20.5%) and the proportion of residents over 65 is also the highest (13.2%) among the different geographical areas.

**Table 6-2 Age breakdown by different geographical areas**

Age (years)	Churchill	Westminster	London
0-15	20.5%	16.9%	20.6%
16-64	66.0%	70.5%	67.2%
65 and over	13.5%	12.6%	12.2%

Source: ONS Mid-year population estimates, 2020

Greater London Authority (GLA) Population Projections<sup>21</sup> estimate that, by 2040, the greatest population increase is expected in the 65 and over age group, which will increase by 76% in Churchill Ward compared with 43% for Westminster. The population aged 85+ is projected to double in the same timeframe at both the Ward and Borough level.

## 6.2.3 Disability

The proportion of residents at ward level in the 2011 Census who reported that their day-to-day activities were limited a lot (8.9%) was slightly higher than the Westminster average of 7.9% and the London average of 8.0%. The proportion of residents with day-to-day activities limited a little is also moderately higher (9.3%) than across the Borough (8.0%) and London (8.8%). Correspondingly, the proportion of residents who reported that their day-to-day activities were not limited is lower than that reported for London.

**Table 6-3 Limiting long-term illness or disability by different geographical areas**

Level of disability	Churchill	Westminster	London
Day-to-day activities limited a lot	8.9%	7.9%	8.1%
Day-to-day activities limited a little	9.3%	8.0%	8.8%
Day-to-day activities not limited	81.9%	84.0%	83.2%

Source: ONS, DC3602EW - Long-term health problem or disability by NS-SeC by sex by age<sup>22</sup>

## 6.2.4 Gender reassignment

There are no official statistics relating to gender reassignment and the UK Census currently only collects data relating to sex (gender assigned at birth). The Office for National Statistics (ONS) has identified a need for information about gender identity for policy development and service planning with these requirements strengthened by the need for information on those with the protected characteristic of gender reassignment as set out in the Equality Act 2010. Work is currently being undertaken to identify the ways of capturing this information within the 2021 Census.

## 6.2.5 Marriage and Civil Partnership

In Westminster, 44.8% of the population who are over the age of 16 are married or in a registered same-sex civil partnership comparable to 46.8% nationally. The 2011 Census also indicates that there were 1539 people in registered civil partnerships in Westminster – which accounted for 6% of all people living in same-sex couples in London, and 2% of all people living in same-sex couples in England. The proportion of those in a registered same-sex civil partnership in Churchill Ward is 0.7%.

<sup>21</sup> GLA population projections (2016) <https://data.london.gov.uk/dataset/a713a4be-0891-42f0-b5d4-3bcb7e7525a0>

<sup>22</sup> ONS, (2011); DC3602EW - Long-term health problem or disability by NS-SeC by sex by age, available at: <https://www.nomisweb.co.uk/query/construct/summary.asp?reset=yes&mode=construct&dataset=676&version=0&anal=1&initiel>

## 6.2.6 Pregnancy and maternity

Census 2011 data showed that 9.4% of households within Churchill Ward were lone-parent households with dependent children. Of these households, 93.9% were female lone parent households. 62.9% of total lone parent households were not in employment.

## 6.2.7 Race

Table 6-4 show the breakdown for different ethnic groups by geographical area. Overall, the figures show a high proportion of Black African, Bangladeshi and Arab residents in Churchill Ward compared with London.

**Table 6-4 Ethnic groups by different geographical areas**

Ethnic group		Churchill	Westminster	London
White	British	39.9%	35.3%	44.9%
	Irish	2.5%	2.3%	2.2%
	Gypsy or Traveller	0.0%	0.03%	0.1%
	Other	18.2%	24.1%	12.7%
Mixed/ Multiple Ethnic Groups	White/ Black Caribbean	1.2%	0.9%	1.5%
	White and Black African	1.4%	0.9%	0.8%
	White and Asian	1.1%	1.6%	1.2%
	Other	1.6%	1.8%	1.5%
Asian/ Asian British	Indian	1.4%	3.3%	6.6%
	Pakistani	0.9%	1.1%	2.7%
	Bangladeshi	5.1%	2.9%	2.7%
	Chinese	1.6%	2.7%	1.5%
	Other	5.3%	4.6%	4.9%
Black/ African/ Caribbean/ Black British	African	6.7%	4.2%	7.0%
	Caribbean	1.7%	2.0%	4.2%
	Other Black	1.4%	1.3%	2.1%
Other Ethnic Group	Arab	5.8%	7.2%	1.3%
	Other	4.1%	3.9%	2.1%

Source: ONS DC2101EW - Ethnic group<sup>23</sup>

<sup>23</sup> ONS, (2011); DC2101EW - Ethnic group by sex by age, available at: <https://www.nomisweb.co.uk/query/construct/summary.asp?reset=yes&mode=construct&dataset=651&version=0&anal=1&initse1>

Council data for Churchill Gardens social housing tenants shows a diverse range of main spoken and written languages as show in in Table 6-5.

**Table 6-5 Main languages of Churchill Garden Estate social housing tenants**

Main spoken languages	Churchill tenants (known only) %	Main written languages	Churchill tenants (known only) %
English	56%	English	62%
Other	19%	Other	10%
Arabic	8%	Arabic	9%
Bengali	6%	Portuguese	5%
Portuguese	4%	Bengali	5%
Spanish	2%	Albanian	2%
Other	5%	Other	7%

### 6.2.8 Religion or belief

Christianity is the most prevalent religion in Churchill Ward (52.3%), in line with Westminster (44.6%) and London (48.4%). The proportion of Muslim residents in Churchill Ward (20.6%) is significantly higher than across London (12.4%), while all other religions are generally less represented. The proportion of atheist residents (15.8%) is about three-quarters of what is observed in the other areas.

**Table 6-6 Religion or belief by different geographical areas**

Religion	Churchill	Westminster	London
Christian	52.3%	44.6%	48.4%
Buddhist	1.1%	1.5%	1.0%
Hindu	0.6%	1.9%	5.0%
Jewish	0.6%	3.3%	1.8%
Muslim	20.6%	18.3%	12.4%
Sikh	0.1%	0.2%	1.5%
Other religion	0.3%	0.6%	0.6%
No religion	15.8%	20.3%	20.7%
Religion not stated	8.5%	9.4%	8.5%

Source: ONS, KS209EW - Religion<sup>24</sup>

### 6.2.9 Sex

Churchill has a slightly higher proportion of female residents (51.8%) compared to males (48.2%). A similar trend is observed nationally (Census 2011). Life expectancy in the ward for women is 83 and 81 for men.<sup>25</sup>

### 6.2.10 Sexual orientation

London as a region has the largest proportion of adults identifying as Lesbian, Gay, or Bisexual (LGB), at 2.6% (with other regions in the UK ranging from 1.0% in the East Midlands to 1.8% in the South East). Estimates relating to numbers of people identifying with a specific sexual orientation are not available at Borough level or below, due to the small sample size of this dataset.

<sup>24</sup> ONS, (2011); KS209EW - Religion, available at:

<https://www.nomisweb.co.uk/query/construct/summary.asp?reset=yes&mode=construct&dataset=616&version=0&anal=1&initse1>

<sup>25</sup> <https://www.westminster.gov.uk/sites/default/files/churchill-ward-profile.pdf>

## 6.3 Socio-economic profile

The socio-economic profile of the area considers several factors including levels of deprivation, employment, education, health, housing, transport and connectivity; access to services and facilities; public realm and open space; safety, security and well-being; and community cohesion.

These factors are pertinent to those with protected characteristics and inequality and, as such, provide additional baseline information relevant to the assessment of equality effects.

### 6.3.1 Deprivation

According to the English Indices of Deprivation 2019 (IoD 2019), the Balmoral Castle pub/Darwin House site<sup>26</sup> is primarily located in one of the 20% most deprived Lower Super Output Areas in England and Wales. It is also within the top 10% in terms of employment deprivation which measures the proportion of the working age population in an area involuntarily excluded from the labour market.

Furthermore, in terms of income deprivation, the area is amongst the top 10% most deprived nationally. Supplementary indices for deprivation also rank the area:

- In the top 10% most deprived areas nationally for Income Deprivation Affecting Older People Index (IDAOPI) which measures the proportion of those aged 60+ who experience income deprivation; and
- In the top 20% most deprived areas nationally for Income Deprivation Affecting Children Index (IDACI) which measures the proportion of all children aged 0 to 15 living in income deprived families.

### 6.3.2 Employment

According to 2011 Census data, 66.8% of Churchill Ward residents are economically active, 5.5% are unemployed and 7.6% are retired. Levels of unemployment in Churchill Ward are slightly greater than in Westminster (4.5%) and England (4.4%).

Table 6-7 presents a detailed breakdown of employment sectors by geographical area. This highlights that there are a relatively higher proportion of employee jobs in caring, leisure and service, sales and customer service and elementary occupations. Proportionally Churchill Ward has an occupational skillset more in line with London than Westminster Borough.

**Table 6-7 Employee jobs by broad sector group across different geographical areas**

Occupation	Churchill	Westminster	London
Managers, directors, senior officials	14.3%	20%	12%
Professional occupations	20.8%	27%	22%
Associate professional & technical occupations	17.7%	23%	16%
Administrative & secretarial occupations	11.4%	9%	12%
Skilled trades occupations	6.3%	4%	8%
Caring, leisure & other service occupations	8.2%	5%	8%
Sales & customer service occupations	7.3%	5%	7%
Process plant / machine operatives	3.8%	2%	5%
Elementary occupations	10.2%	6%	10%

Source: ONS, KS608UK – Occupation

<sup>26</sup> For the purpose of this report deprivation in Churchill will refer to the Lower Super Output Area (LSOA) named Westminster 024A

The Universal Credit claimant rate in May 2020 for all residents aged 16-64 for Churchill ward was 7.4%, compared with 5.1% for Westminster.

In 2017, the median income for Churchill ward was £33,100 and the lower quartile income was £21,700. The ward's median income was significantly lower than that of Westminster (£42,800).<sup>27</sup>

### 6.3.3 Education

Educational attainment (Table 6-8) at ward level for Churchill shows a higher percentage of residents with no qualifications (19.1%) relative to London (17.6%) and Westminster (12.8%).

Correspondingly, the proportion of residents with level 4 qualifications and above in Churchill (38.4%) is just higher than the London average (37.7%) but lower than Westminster (50.3%).

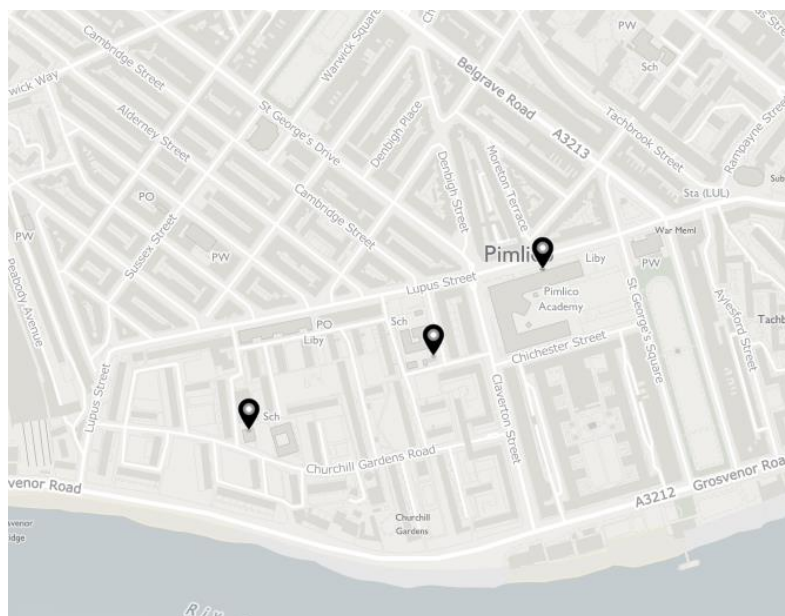
**Table 6-8 Educational attainment by different geographical areas**

Educational attainment	Churchill	Westminster	London
No qualifications	19.1%	12.8%	17.6%
Level 1 qualifications	9.6%	6.6%	10.7%
Level 2 qualifications	10.3%	7.8%	11.9%
Apprenticeship	1.2%	0.8%	1.6%
Level 3 qualifications	9.4%	9.2%	10.5%
Level 4 qualifications and above	38.4%	50.3%	37.7%
Other qualifications	12.1%	12.6%	10.0%

Source: ONS, LC5102EW - Highest level of qualification by age

There are no schools within the immediate regeneration site, however there are three schools located within close proximity: St Gabriel's CofE Primary School, Churchill Gardens Primary Academy and Pimlico Academy. The locations of these are shown in Figure 6-2.

**Figure 6-2 Location of schools in Churchill Gardens**



Source: London Datastore

<sup>27</sup> <https://www.westminster.gov.uk/sites/default/files/churchill-ward-profile.pdf>

### 6.3.4 Health

The health of people in Westminster is varied. Westminster is one of the 20% most deprived local authorities in England and about 27% (6,900) of children live in low-income families. Between 2014 and 2016 life expectancy for both men and women was better than the national average.<sup>28</sup>

However, life expectancy in Westminster can vary dramatically depending on where people live. Men living in the least deprived areas live nearly 17 years longer than men living in the most deprived areas. For women this gap is nearly 10 years.<sup>29</sup>

In terms of health issues within the Borough, rates of childhood obesity, incidence of tuberculosis, and sexually transmitted infections, are all significantly worse than the England average.

In terms of health facilities in the Ward there are several practices: Dr Shakarchi's Practice, Dr Victoria Muir's Practice, The Lister Hospital, Marven Medical Practice (also an opticians). There are no dental practices and one dedicated optician: Pimlico Eye Care.

### 6.3.5 Housing

There are approximately 4,968 properties located in Churchill ward.<sup>30</sup> The majority of households in Churchill ward are in the social housing sector (49.8%). This proportion is significantly higher than observed across both London (24%) and the Borough (25%).<sup>31</sup>

Census (2011) data indicates that only 23.6% of Churchill ward households own their home, significantly lower than the London average (48%). The median price paid for a property in Churchill ward in 2017 was £745,000.<sup>32</sup>

Table 6-9 below shows occupancy rates (based on the ONS definition - number of bedrooms occupied) derived from 2011 Census data. Within Westminster Borough, 10.9% of households are considered overcrowded, although this is slightly lower than the London average of 11.3%. By contrast, Churchill shows marginally higher levels of overcrowding (12.0%).

**Table 6-9 Household overcrowding and under-occupation<sup>33</sup>**

	Overcrowded			All households	% overcrowded
	1 below standard	2+ below standard	Total		
<b>Churchill</b>	466	81	547	4,561	12.0%
<b>Westminster</b>	9,709	1,804	11,513	105,772	10.9%
<b>London</b>	301,325	69,206	370,531	3,266,173	11.3%

Source: ONS, QS412EW - Occupancy rating (bedrooms)

Within Churchill Gardens estate there are 1,681 properties, split between 49.7% owned and 50.3% rented. In regard to size, 21% are studios, 11% are 1 bed flats, 44% are 2 bed flats, 23% are 3 bed flats and less than 1% (4 dwellings) are 4 bed flats. At least 190 (23%) of properties have two more occupiers than bedrooms and are likely overcrowded. 18 properties have at least 4 more residents than bedrooms. 60% of tenants have lived in the estate for 10 years or more, almost half have lived there for 20 years.

### 6.3.6 Transport and connectivity

Churchill suffers from poor public transport accessibility compared to other areas of London. The nearest tube station is Pimlico, which lies to the north east of the Ward. The station provides access to the Victoria Line. Sloane Square tube station lies to the north west of the Ward, approximately a 20-minute walk from the site, and provides access to the Circle and District Lines. The nearest major rail station is Victoria to the north, which is

<sup>28</sup> Public Health England, (2018); *Westminster Health Profile 2018*. Available at: [https://fingertips.phe.org.uk/profile/health-profiles/area-search-results/E12000007?search\\_type=list-child-areas&place\\_name=London](https://fingertips.phe.org.uk/profile/health-profiles/area-search-results/E12000007?search_type=list-child-areas&place_name=London)

<sup>29</sup> Joint Strategic Needs Assessment for Westminster & Kensington and Chelsea (2018); *Highlight Reports*. Available at: <https://arcg.is/Of4jDu>

<sup>30</sup> Valuation Office Agency (2017)

<sup>31</sup> ONS, KS402EW - Tenure

<sup>32</sup> ONS, (2017)

<sup>33</sup> This analysis uses the 'bedroom standard' measure of overcrowding, which determines how many bedrooms households need based on the ages, genders and relationships of members. Households are overcrowded if they have fewer bedrooms than they need. They are under-occupying if they have more bedrooms than they need.

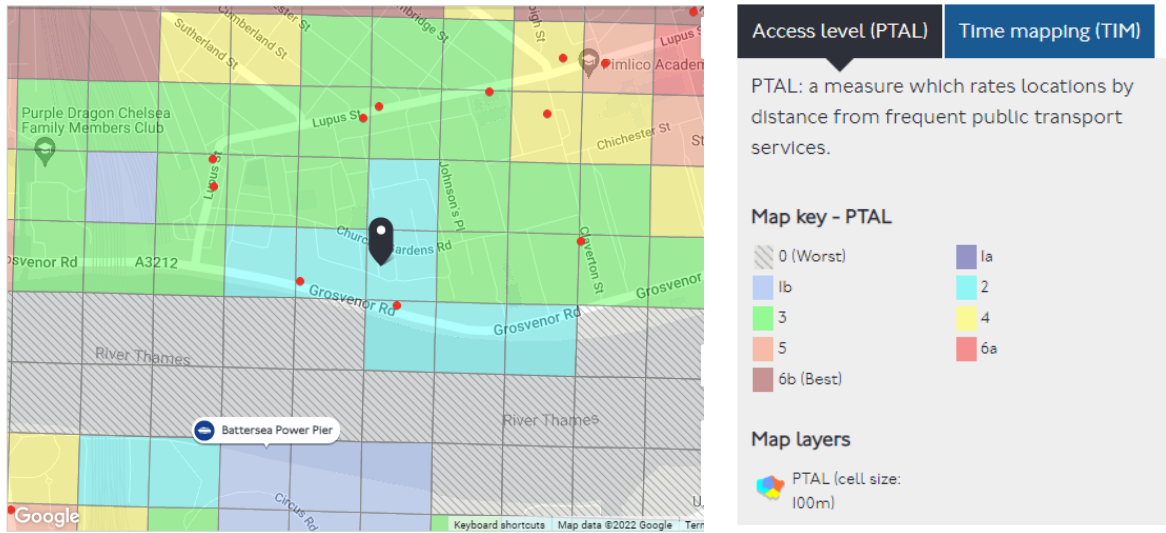


also a 20-minute walk from the site. Victoria tube station provides access to the Circle, District and Victoria Lines while Victoria Rail Station a terminus of the main line to Gatwick Airport and Brighton and the main line to Ramsgate and Dover via Chatham. The nearby Victoria Coach Station is the largest in London and serves as the terminus for numerous medium to long distance coach services in the UK.

Several bus routes operate throughout the Ward, including the 24 (Pimlico to Hampstead Heath), 360 (Royal Albert Hall to Elephant and Castle) and C10 (Canada Water to Victoria Coach Station).

The site has a Public Transport Accessibility Level (PTAL) rating of 2, which is relatively low considering the 0-6 scale.<sup>34</sup> Figure 6-3 indicates that Churchill has unusually low levels of accessibility compared to the surrounding area.

**Figure 6-3 PTAL access levels**



Source: TfL, 2022

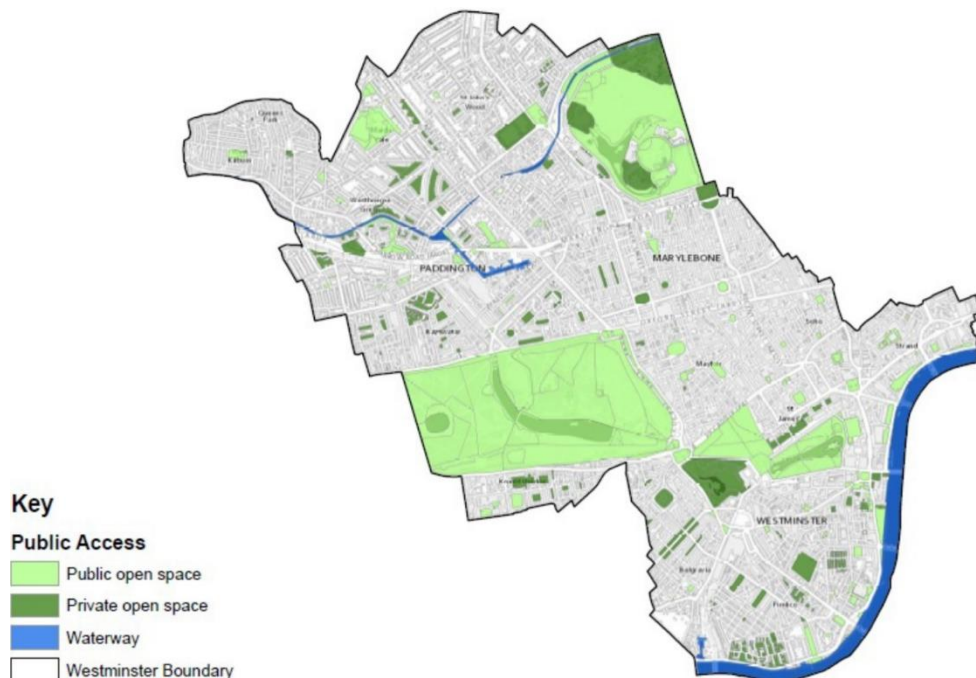
### 6.3.7 Public realm and open space

The closest open spaces to the site are St George’s Square (0.5km east), Warwick Square (0.5km north), Ranelagh Gardens (0.5km west, beyond the rail line) and Battersea Park (0.5km south west, over the Thames). There is also a private open space located within the site. Grosvenor Road, directly south, provides a nearby walking and cycling route as well as views over the River Thames.

The open and green spaces are listed in the Appendix 1 of the Partnership Approach to Open Spaces and Biodiversity, reproduced below in Figure 6-4.

<sup>34</sup> Transport for London, (2019); Public Transport Accessibility. Available at: <https://tfl.gov.uk/info-for/urban-planning-and-construction/planning-with-webcat/webcat?Type=PTAL&lat=51.52465&lon=-0.17053&locationId=ChIJCyq5s7AadkgR9jqLBFdtbQ&scenario=Base%20Year&input=NW8%20LN&zoomLevel=15&places=Stations%20stops%20and%20piers>

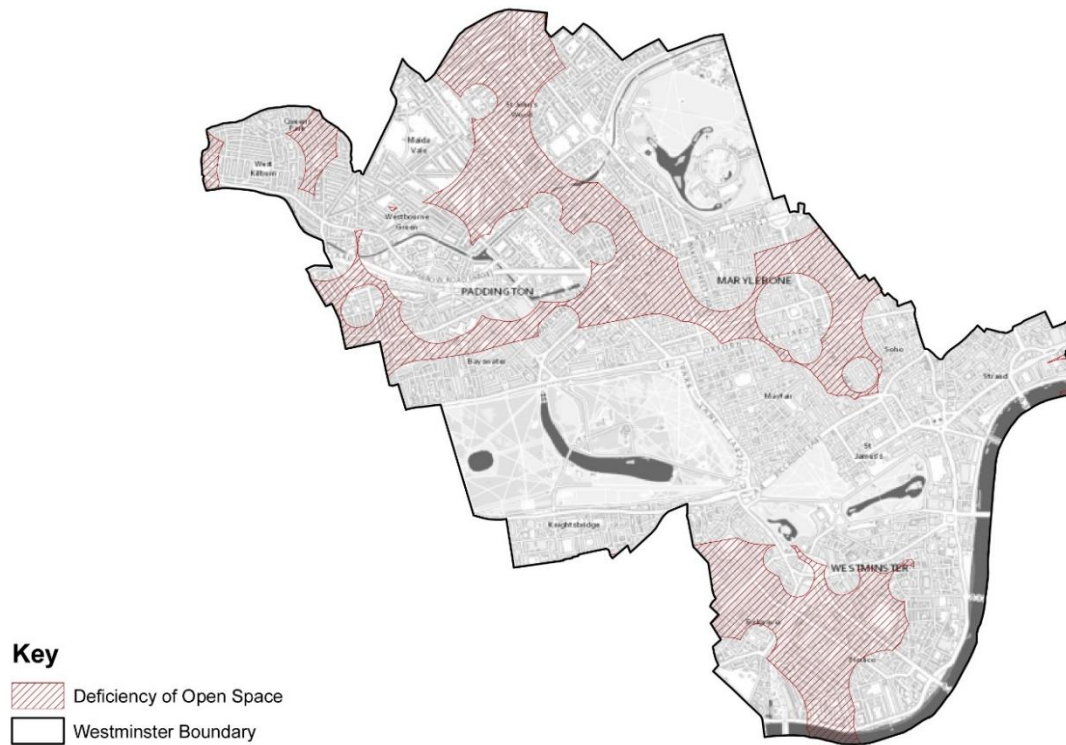
Figure 6-4 Westminster map of open and green spaces



Source: Partnership Approach to Open Spaces and Biodiversity, 2019

As shown in Figure 6-4, a large swathe of the Ward is classed as being deficient in access to open space, as noted in the Partnership Approach to Open Spaces and Biodiversity in Westminster.

Figure 6-4 Westminster map of open space deficiency areas



Source: Partnership Approach to Open Spaces and Biodiversity, 2019

### 6.3.8 Safety and security

The top three reported crimes within Churchill in May 2020 were classed as violence (17 instances) followed by harassment (14 instances), and assault without injury (12 instances). Churchill had a rate of 30 crimes per 1000 residents within the monthly report period, as opposed to 9 across the Borough and 8 across London.<sup>35</sup>

### 6.3.9 Community cohesion

To ensure healthy communities which are functional, safe, and enjoyable places to live and work, it is important to promote community cohesion and good relations between different groups. Encouraging civic engagement and ensuring dialogue with all people in the community; particularly those belonging to protected characteristic groups, is an important step in working towards community cohesion. For people belonging to protected characteristic groups, their feelings of a lack of cohesion (or exclusion) may be more acute than those of other people.

According to the City Survey 2017, 97% of the community within Churchill Ward say that people from different backgrounds get on well. 19% of the residents spend time helping to improve the community and 20% are interested in helping more to improve the community.<sup>36</sup>

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<sup>35</sup> Metropolitan Police Crime Statistics. Available at: <https://www.met.police.uk/a/your-area/met/westminster/church-street/?tab=Overview>, accessed June 2020.

<sup>36</sup> <https://www.westminster.gov.uk/sites/default/files/churchill-ward-profile.pdf>

## 7. Assessment of potential equality effects

### 7.1 Introduction

The assessment of equality effects considers the potential impacts on affected people sharing protected characteristics arising from the Balmoral Castle/Darwin House site proposals. It considers:

- Direct and indirect impacts of the proposals; and
- The adverse and beneficial impacts for current residents and the wider Churchill Gardens community.

The assessment is based on the proposals as set out in the planning application. This is a high-level impact assessment based on the legislation and policies, information and data sources reviewed in this report and addresses impacts relevant to the key equality themes set out in the framework in Table 7-1.

**Table 7-1 EIA assessment framework**

Theme	EIA objectives
Housing	<ul style="list-style-type: none"> <li>• Increase in affordable housing for local people</li> <li>• Enable older people to live independent lives</li> <li>• Minimise disruption of relocation for residents</li> <li>• High-quality housing meeting the diverse needs of residents</li> </ul>
Neighbourhood and Community	<ul style="list-style-type: none"> <li>• Clear, transparent, inclusive and meaningful engagement with local residents, stakeholders and the local community</li> <li>• Provide employment and educational opportunities, for disadvantaged and underrepresented groups</li> <li>• Support good access to existing and new community infrastructure and facilities for new and existing residents, mindful of the potential for community needs to change over time</li> </ul>
Health and wellbeing	<ul style="list-style-type: none"> <li>• Improve the physical and mental health and wellbeing of residents and reduce health inequalities</li> <li>• Minimise loneliness and improve mental and physical wellbeing of older people</li> <li>• Identify residents who may need support through an unsettling and difficult process – particularly those with vulnerabilities and health issues</li> <li>• Minimise environmental impacts of construction development on local residents</li> <li>• Provide a safe, secure, accessible and inclusive environment during construction</li> </ul>

### 7.2 Housing

#### 7.2.1 Potential beneficial impacts

##### 7.2.1.1 Affordable housing provision

The scheme proposes the delivery of a 100% Affordable Housing Scheme, delivering 34 units of Community Support Housing for over 55s at Social Rents and 18 Intermediate Affordable Housing Units within Block B.

Block A will range between five and seven storeys and will provide 34 community supported dwellings, all on Social Rents managed by WCC. Rents will be determined in line with Government Rent calculation formula for social rent. The 34 community supported dwellings can rehouse all existing Darwin House residents and provide additional accommodation for new residents.

An executed Section 106 is in place dated 8<sup>th</sup> November 2021 which states that all affordable housing units should be occupied as Intermediate Rented Housing or Social Rented Housing. Intermediate Rent means housing to be provided as 5 Lower Quartile Rented Housing and 13 London Living Rented Housing to eligible Intermediate Rented Households in Block B; of the 18 intermediate homes for rent, none will have rents exceeding London Living Rent (LLR) levels. LLR is the form of intermediate rented housing supported by the GLA. In addition, a proportion of these 18 homes (up to 25%) will have intermediate rents set at less than LLR levels to ensure a range of household incomes can afford these properties.

##### 7.2.1.2 Net increase in intermediate rent housing

The proposal includes provision for 18 new affordable one-bedroom homes which will be available for intermediate rent.

Specific groups with high needs for access to housing and high representation amongst those living in Westminster include people from a black ethnic background and people aged 25-44.<sup>37</sup> These groups particularly stand to potentially benefit from new housing associated with the proposals, except where affordability barriers could limit these opportunities<sup>38</sup>. The median annual income in Churchill ward is £33,100 compared with £42,800 for Westminster and, as such, intermediate rent housing in the area may be beyond the means of many local residents. The Council has yet to determine the rent levels for the new housing and it is recommended that this should include a mix of lower rental quartile and London Living rent<sup>39</sup> to help to make it more affordable to local people.

These homes will be retained by the Council and made available through the intermediate housing waiting list. The Council has also committed to developing a Local Lettings Plan (LLP) for the new intermediate rent housing supply which prioritises those living in Westminster. Proposed principles for the LLP are set out in the Supply and Allocation of Social Housing 2018/19 Cabinet Report<sup>40</sup>. It is recommended that the Council also consider additional criteria in the LLP for the new intermediate rent housing supply to prioritise those living in overcrowded households - for example, young adults still living with parents and unable to afford private rents in the local area. Evidence shows that 23% of homes on the Churchill Gardens estate are overcrowded compared with 12% of Churchill ward homes and 10.9% of homes across Westminster.

### 7.2.1.3 Net increase in community supported housing provision

The proposals will result in a net increase of three community supported housing units. The population aged 65 and over is projected to increase significantly over 20 years in Churchill Ward and in Westminster. An increase in the number of elderly people will require appropriate housing that meets their needs. Housing implications include increased demand for both specialist accommodation for older people and for services and home adaptations to enable older people to remain 'at home' living independently. This will also have implications for the types of development and services that will be required to meet the needs of society, including people with disabilities. As such, the increase in the number of units at Darwin House provides a benefit that can be shared by older people living in the local area.

It is recommended that the LLP for the site includes Darwin House. This should prioritise Churchill Gardens residents (and in particular Shelley House residents where possible) when allocating the additional units and for available units in the future.

### 7.2.1.4 Improved quality community supported housing on the site

The Darwin House complex is no longer considered to be of a sufficient standard to meet the needs of residents due to the condition of the property and the increased needs of ageing residents.

The Council has stated that the units in the new community supported housing will be designed in accordance with the HAPPI framework and be dementia-friendly. The new units will comprise one-bedroom flats with separate living areas, spacious balconies and adaptable space for changing needs as well as private amenity space. Furthermore, the scheme will provide six wheelchair apartments within Block A which have been designed to be compliant with Part M4 (3) of the London Plan.<sup>41</sup> The building will also be of Passivehaus design incorporating solar panels, air heat pump systems, triple glazed windows, insulation, cross ventilation systems and built-in shade to reduce the need for colling in summer. This will require less energy to heat and is thereby

<sup>37</sup> Westminster Council (2019) City Plan 2019 – 2040- Equality Impact Assessment  
[https://www.westminster.gov.uk/sites/default/files/core\\_007\\_equalities\\_impact\\_assessment\\_-\\_addendum\\_to\\_the\\_ia\\_wcc\\_november\\_2019.pdf](https://www.westminster.gov.uk/sites/default/files/core_007_equalities_impact_assessment_-_addendum_to_the_ia_wcc_november_2019.pdf)

<sup>38</sup> Human City Institute (2017) Forty Years of Struggle: A Window on Race and Housing, Disadvantage and Exclusion  
<https://humancityinstitute.files.wordpress.com/2017/01/forty-years-of-struggle.pdf>

<sup>39</sup> London Living Rent levels are derived from average local incomes and ward-level house prices using a multi-stage process. Broadly, the rent for a 2-bedroom property is based on one-third of the local median household income, and across London as a whole comes to around £1,030 a month, or two thirds of the median monthly market rent in London of £1,500 reported by the Valuation Office Agency for 2018/19. Rents for LLR homes vary according to their number of bedrooms. Using the two-bedroom rents for each ward as a benchmark, the rent for a 1-bedroom home is 10% lower, for a 3-bedroom home 10% higher and for a 4-bedroom home 20% higher. As a final affordability safeguard, the rent for any individual unit must be at least 20% below its assessed market rent. <https://www.london.gov.uk/what-we-do/housing-and-land/improving-private-rented-sector/london-living-rent>

<sup>40</sup> Westminster Council (2018) Cabinet Report: Supply and Allocation of Social Housing 2018/19  
[https://www.westminster.gov.uk/sites/default/files/social\\_housing\\_supply\\_and\\_allocations\\_2018-19.pdf](https://www.westminster.gov.uk/sites/default/files/social_housing_supply_and_allocations_2018-19.pdf)

<sup>41</sup> City of Westminster Planning Applications Sub Committee (2021) Darwin House, 104 Grosvenor Road, London, SW1V 3L. Available at: <https://committees.westminster.gov.uk/documents/s42374/ITEM%2002%20-%20DARWIN%20HOUSE%20104%20GROSVENOR%20ROAD%20LONDON%20SW1V%203LH.pdf>

expected to reduce heating bills. In addition, there is likely to be health benefits through 'cleaner' heating systems. This is a benefit that can be shared by older people as they are more vulnerable to heating charges and adverse health impacts.

The population aged 65 and over in the local area is increasing which is leading to a greater demand for both specialist accommodation for older people and for services and home adaptations to enable older people to remain 'at home' living independently. This will also have implications for the types of development and services that will be required to meet the needs of society, including disabled people. Although there are only three additional units to cater for increasing demand, the new units provide more spacious accommodation than the existing units. The improvements in living accommodation are likely to have a beneficial impact on current residents of Darwin House who are all aged over 55 including those with disabled people as well as older disabled people in the local area and Westminster requiring specialist accommodation in the future.

## 7.2.2 Potential adverse impacts

### 7.2.2.1 Potential increase in rent and other costs for Darwin House residents

Rents at Darwin House will be set in line with national formulae so any potential rent increases as a result of the development should not be significant and will be at equivalent social rent levels. However, even a small increase can be significant for those with low incomes and the Council need to consider current rents paid and the likely impact of an increase for current residents. If the proposed affordable housing provisions are not met, then increased rent may also be exacerbated by higher service charges and this is noted as a potential negative impact in the EIA for the Council's Policy for Tenants in Housing Renewal Areas.

The combination of potential increases in rent and higher service charges is likely to affect older people on low incomes currently living in Darwin House. However, it is acknowledged that many tenants of Darwin House will receive some form of housing benefit that contributes to their rent and service charge payment and, as such, the effects of a rent increase on these groups could be limited to those who do not receive benefits. It is recommended that the Council identify the proportion of residents in receipt of housing benefit to help gauge the impact.

There is potential that additional costs such as furnishing a one-bedroom apartment (as opposed to a studio) may be difficult for some residents. The Council has committed to assisting Darwin House residents with financial costs of moving home and it is recommended that continued engagement is undertaken to understand the needs of residents and engage with them at all stages of the relocation process.

### 7.2.2.2 Relocation of community supported housing (Darwin House) residents

The proposals will require the relocation of current residents of Darwin House to homes in the new building on site. Moving can be particularly stressful for older people and it is recommended that frequent ongoing and appropriate engagement with Darwin House residents takes place to reduce anxiety and uncertainty around moving.

The Council has made a commitment that Darwin House residents will only have to move once. Construction plans have been phased so that Darwin House residents can remain in their current accommodation until the new Darwin House is completed.

The decant process will follow the same policy as the Council's policy for housing renewal areas.<sup>42</sup> This includes a Decant and Rehousing Officer working alongside and supporting tenants before and on the day of the move. The policy also states that 'where a tenant is identified as an older person who is particularly vulnerable due to physical, sensory or mental health impairment and likely to have difficulty with a move, they will be provided with extra support during the decant process. This may include packing and helping on the day of the move'. Additional follow up support is also recommended to ensure that residents have settled into their new accommodation.

Residents should be supported financially, physically and emotionally where required to ensure that anxiety is minimised and that the health and wellbeing of the residents is considered. It is recommended that a monitoring programme be set up to evaluate the move process from pre-application to completion of the move to the new Darwin House so that the Council can identify and act on any lessons learned for future similar housing projects.

<sup>42</sup> Westminster Council (2015) Westminster City Council's Tenant Decant Policy for Renewal Areas  
[http://transact.westminster.gov.uk/docstores/publications\\_store/housing/tenant\\_decant\\_policy.pdf](http://transact.westminster.gov.uk/docstores/publications_store/housing/tenant_decant_policy.pdf)

### 7.2.2.3 Potential adverse effects on properties with respect to loss of light

Neighbouring properties including Shelley House, Maitland House and a listed terrace house on Grosvenor terrace that have been identified as potentially experiencing loss of light as a result of the construction of the new housing.

The City Council 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: a guide to good practice'. Two methods of measurement are recommended to measure daylight impacts in the BRE Guidelines: (1) Vertical Sky Component (VSC); and (2) Daylight Distribution (DD). VSC assesses the quantum of skylight falling on a vertical window and DD (also referred to as No Sky Line or NSL) measures the distribution of direct skylight in a room space.<sup>43</sup>

Two Daylight and Sunlight reports were prepared for the scheme. The Daylight assessment tested properties along Grosvenor Road as well as Accumulator Tower, Anson House, Chancer House, Maitland House and Shelley House – in total 793 windows and 597 rooms were tested by both VSC and DD methods. Overall, the Daylight distribution test demonstrated that of the 597 rooms tested only 5 fall short of their targets (ignoring non-habitable commercial rooms) – giving a compliance rate of about 99%.

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% of due south and it receives at least a quarter of annual probable sunlight hours (APSH), including 5% of APSH during the winter months (winter PSH). The results of the Annual Probable Sunlight Hours test (APSH) demonstrate that of the 665 windows tested for sunlight 5 fall short of their requirements, giving a compliance rate of around 99%.

## 7.3 Neighbourhood and Community

### 7.3.1 Potential beneficial impacts

#### 7.3.1.1 Community engagement and consultation

Equality legislation emphasises the importance of supporting positive relations between different groups, whilst local community cohesion policy supports group interaction, fair treatment, equal opportunity, and a sense of common belonging, including empowering local communities to shape decisions affecting their lives.

Churchill Gardens is an area of deprivation and among the top 10% most deprived wards nationally, creating a complex and nuanced range of community needs. The extent to which benefits of the proposals are shared amongst all members of the community, including people with protected characteristics will depend in part on engagement efforts to reflect their views in the planning process.

Equality effects may be experienced during engagement activities. For example, young people, ethnic minority people and those from the LGBTQ+ community can face barriers to taking part in engagement processes effectively and therefore be underrepresented in such activities. Furthermore, there is a high percentage of children living in the area and a significant number of impacts affecting this group. The need to engage with children with regards to the proposals is important and further consideration should be given as to the best approach to engagement.

As part of the development of the proposals, regular and effective engagement and consultation has been undertaken with affected parties. Improvements to the engagement strategy have been made after original proposals received negative feedback and local residents felt that the Council was not being transparent in its communications about the proposals.

Continued engagement with residents at Darwin House in particular should be frequent, interactive and transparent. Consultation materials and engagement activities should also take into account the various language needs of residents living in the local area, including those born outside of the UK who do not have English as their first language. Language barriers can add to difficulty with engagement and add to anxieties of residents who are uncertain about proposals.

A Construction Liaison Group (CLG) has been set up for the project with the first meeting held in January 2022 and meetings are planned to be held every 4-6 weeks. The meetings provide residents with the opportunity to

<sup>43</sup> City of Westminster Planning Applications Sub Committee (2021) Darwin House, 104 Grosvenor Road, London, SW1V 3L. Available at: <https://committees.westminster.gov.uk/documents/s42374/ITEM%2002%20-%20DARWIN%20HOUSE%20104%20GROSVENOR%20ROAD%20LONDON%20SW1V%203LH.pdf>

meet the Project Team and contractors and gain a better understanding of the work being undertaken for the project. The meetings also provide a platform to review and discuss the monitoring of dust, noise and vibration levels from the site and helps to ensure the Council that the contractors are working to the highest standard while keeping disruption to a minimum. The terms of reference for the CLG are included as Appendix A.

The contractor has also designated a Resident Liaison Officer to be the main point of contact for queries, concerns, or complaints regarding the project and was introduced at the CLG. The Resident Liaison Officer will be on site 2-3 times per week and will be contactable by phone or email at all other times.

A community engagement strategy for continued engagement should be developed incorporating all of the groups mentioned above with a specific plan for Darwin House residents (who are most affected by the proposals) and Shelley House residents (who are least in favour of the proposals). This should include a baseline study used for undertaking regular diversity monitoring to assess the impact of the development on groups with protected characteristics.

### **7.3.1.2 New landscaping and public realm**

Open space and the public realm offer opportunities for active and passive recreation, places to meet, and can help to improve health, wellbeing, and community cohesion. Safe and accessible spaces should cater to the needs of all people, and provide places which people of different ages, gender, ethnicities, and abilities can all enjoy.

The proposals include new landscaping and the creation of new areas of outdoor space for use by both residents and the public.

The new community supported housing block will also have its own garden area, attached to the common space in the building. This will include:

- a terrace attached to the common room, with views overlooking the river
- raised planting boxes for a communal vegetable garden
- dementia-friendly design features, including a circular path around the space
- seating under archways with climbing plants
- shaded grassed areas under existing trees
- low hedges to connect the space to the wider area.

. Assuming that the landscaping and open space is well designed, there is likely to be improvements in feelings of safety, actual safety and security, inclusive access to open space. Well-designed landscaping can also help to promote walking and healthier active transport modes and improve air quality. Disabled and elderly people are likely to particularly benefit from inclusive access improvements, enabling them to share the benefits (such as physical and mental health benefits) of the proposals. Other groups may also particularly benefit from access, safety and security improvements, in relation to needs /priorities associated with their protected characteristics. The proposals will also provide improvements to the pedestrian experience by introducing a new route between Grosvenor Road and Churchill Gardens Road. This will result in increased accessibility to community facilities situated on and around Churchill Gardens Road including the community centre.

The new landscaping will potentially result in benefits that can be shared by all groups with protected characteristics through the creation of an improved environment. There are also potential benefits of increased safety and improved security if planning guidance on designing out crime is followed<sup>44</sup>.

Effective engagement should also be undertaken to identify specific needs including walking audits undertaken with community members. Inclusive design standards should be developed and followed for landscaping improvements.

### **7.3.1.3 New parking provision including disabled parking provision**

The proposals including provision for 10 new car parking spaces for Darwin House residents including six disabled parking spaces as well as reprovision of an ambulance bay. This is an increase in current parking provision and will provide benefits for those residents who have mobility impairments and rely on private vehicles for some of their journeys.

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<sup>44</sup> Designing Out Crime in Westminster SPG (1997)  
<http://transact.westminster.gov.uk/spgs/publications/Designing%20out%20crime.pdf>



Also included in the proposals are 78 new cycle parking spaces for residents. Intermediate housing tenants will also be offered car club membership. These are benefits that can be shared by those from protected characteristics groups.

There is currently no mention of the provision for storage of mobility scooters and, as such, it is recommended that provision of safe and accessible storage and charging of mobility scooters is considered and integrated into the designs going forward.

#### **7.3.1.4 Creation of new construction-related employment opportunities**

The area has low levels of educational attainment and high levels of unemployment. Equality effects may arise where employment or training is not available to groups with protected characteristics, for example where recruitment criteria or policies make it harder for some groups to access opportunities. The proposals create an opportunity for construction-related jobs and there is potential for those seeking work to benefit from this employment. This includes young people, especially those from ethnic minority backgrounds who suffer from disproportionately higher rates of unemployment.<sup>45</sup>

It is recommended that, as part of the procurement process for a contractor for the works, that a commitment be made to developing an Employment, Education and Skills Plan setting out measures for working with schools and young people in the area. This should include recruiting new apprentices/ workers from the Churchill Gardens Estate. The contractor should also provide evidence of their commitment to equal opportunities with regards to employment, for example as a Disability Confident Status employer.

### **7.3.2 Potential adverse impacts**

#### **7.3.2.1 Loss of garages on site**

There are currently 23 Council-owned garages on the site that can be hired on weekly basis by local residents. These garages will be demolished as part of the proposals with no plans to replace them. The loss of garages may have a differential effect on people with disabilities who potentially hire the garages for storing vehicles or other equipment that provide disability assistance. One member of the public has stated that they hire their garage for charging a mobility scooter (with permission from the Council).

The Council own alternative garages in the area as well as a Garage Decant Strategy which it will adhere to for the scheme. As such, any equality impacts associated with the loss of the garages should be minimal.

However, as there is a concentration of older people living in the area, it is recommended that space for the storage and charging of mobility scooters should be incorporated into the design proposals. This would provide a benefit that could be shared by people with disabilities and older people living in the area.

## **7.4 Health and Wellbeing**

### **7.4.1 Potential adverse impacts**

#### **7.4.1.1 Uncertainty and anxiety for current residents**

A key stakeholder consultation event took place with Darwin House residents in January 2020. Most attendees were very supportive of the proposals and wanted to see them progress. However, there was some concern about whether the proposals would go ahead and residents wanted formal reassurance that the Council was committed to the development. Other residents outside of Darwin House have also voiced concerns about the proposals including those living in Shelley House.

The planning application has now been approved with works starting on site in Spring 2022 and as such, this should provide residents with confidence that the development is taking place.

A Resident Liaison Officer from the Contractor (Wates) has been appointed and will be the main point of contact for queries, concerns, or complaints regarding the project during construction of the project. The team will be organising a coffee morning amongst other opportunities to meet. The Resident Liaison Officer will be on site 2 to 3 days per week and will also be contactable by email or phone outside of those times.

The EIA for the Council's Policy for Tenants identified potential negative impacts around lack of information on timing and detail for tenants. This might particularly impact on vulnerable tenants. A clear strategy for Darwin

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<sup>45</sup> ONS (2018) Annual Population Survey <https://www.ethnicity-facts-figures.service.gov.uk/work-pay-and-benefits/unemployment-and-economic-inactivity/unemployment/latest>

House residents should be developed to include details on financial, physical and emotional support for residents as well as a timetable for relocation.

The Council's Relocation team currently offer comprehensive support to tenants before, during and following a move and provide one-to-one engagement and the proposals will follow the Council's Decant Policy for Housing Renewal Areas which sets out support for before and during the move.

#### **7.4.1.2 Environmental impacts of construction works**

The construction works associated with the proposals are likely to result in environmental impacts such as noise, vibration and dust from demolition and construction activities. Some residents will be more sensitive to the effects of these construction impacts than others. For example, those who spend more time at home will be subjected to longer periods of adverse noise impacts. These residents include older people, some people with disabilities and long-term limiting illnesses and pregnant women/ women on maternity or those caring for small children. Some groups with protected characteristics also have differential sensitivity to noise. For example, people with dementia have an increased sensitivity to noise and light.<sup>46</sup> Children are also susceptible to increased noise levels in some instances particularly with regards to cognitive impairment.<sup>47</sup> Autistic children can be particularly sensitive to their environment and, in some cases, can be extremely distressed by loud noise. Children may also be more sensitive to health effects arising from poor air quality and dust concentrations, as well as older people and adults and children with limiting illnesses such as chronic lung or heart conditions<sup>48 49</sup>.

The demolition and construction works associated with the proposals are likely to last for a period of circa three years. During this time Darwin House residents will be living on site either in the existing Darwin House building or in the new building once complete. There are also other properties in close proximity to the site including those on Grosvenor Road and in Shelley House. These may be home to people who are particularly sensitive to impacts as outlined above.

The Construction Management Plan for the development provides mitigation to minimise significant environmental impacts. This includes but is not limited to noise emission limits for on-site equipment, acoustic barriers and ongoing monitoring of noise levels. The Council has committed to working with residents in the area on the Construction Management Plan to agree working hours and also provide contact details at the Council for any questions or concerns.

The CLG has been set up to enable the Project Team to provide an update on upcoming works and for members of the community to discuss any issues, concerns or matters that may arise throughout the redevelopment. It will endeavour to foresee and overcome issues and strive to keep residents well informed and involved in the project from beginning to end. The group will act as a sounding board for the residents of Churchill Gardens and surrounding streets throughout the construction of new homes. Members of the group will have the opportunity to raise questions or matters of concern and receive responses from the City Council and their contractors.

In addition, a Resident Liaison Officer from Wates has been appointed and will be the main point of contact for queries, concerns, or complaints regarding the project. The team will be organising a coffee morning amongst other opportunities to meet. The Resident Liaison Officer will be on site 2 to 3 days per week and will also be contactable by email or phone outside of those times.

#### **7.4.1.3 Safety, security and accessibility during construction**

The construction phase is estimated to last circa three years. During this time tenants will be living in the area whilst the demolition and construction of other residential buildings takes place.

Churchill ward has relatively high levels of crime with a rate of 30 crimes per 1000 residents, as opposed to 9 across the borough and 8 across London. Poor safety and security on site could result in adverse effects for those who are most vulnerable to the risks including children, women (including pregnant women), older people, people with disabilities, young people, ethnic minority groups and people from the LGBT community.

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<sup>46</sup> Social Care Institute for Excellence – Dementia Friendly Environments <https://www.scie.org.uk/dementia/supporting-people-with-dementia/dementia-friendly-environments/noise.asp>

<sup>47</sup> World Health Organisation Children and Noise <https://www.who.int/ceh/capacity/noise.pdf>

<sup>48</sup> Defra (2013), Short-term effects of air pollution on health. Available online at: <https://uk-air.defra.gov.uk/air-pollution/effects?view=short-term>.

<sup>49</sup> WHO (2006), What are the effects of air pollution on children's health and development? Available online at: <http://www.euro.who.int/en/dataand-evidence/evidence-informed-policy-making/publications/hen-summaries-of-network-members-reports/what-are-the-effects-of-air-pollutionon-childrens-health-and-development>.

There is a need to balance safety and security with accessibility needs during construction. It is important to ensure that the direct and indirect risks of physical danger associated with construction are minimised. This also includes avoiding security risks through the creation of secluded or isolated areas through construction hoardings.

Footpath diversions could have an adverse impact on those with mobility issues, in particular older people, some disabled people (including those with visual impairments, limited mobility and wheelchair users), pregnant women and people with pushchairs.

A Construction Management Plan has been developed and the Contractor has signed up to the Council's Code of Construction..

Key walking routes and crossing points in the area should be maintained or appropriately diverted where possible and CCTV or manned security provided where natural surveillance has been limited. A section 106 has been produced and includes a requirement to develop a Walkways Agreement prior to commencement of the development. Engagement with Darwin House staff and residents with regards to diversions including involving them in safety audits and walking audits would help to maintain a safe, secure and accessible walking environment on site.

Awareness and education as to the dangers of playing on construction sites should be provided in local schools and the youth and community centres to discourage children from entering construction areas.

Community collaboration is taking place on an art project with St Gabriel Primary School students as well as local artists submitting their work to be featured on the construction hoardings once erected.

## 7.5 Summary of potential impacts

Table 7-2 provides a summary of the potential construction and operational impacts of the proposals. This provides an assessment of groups with protected characteristics who are likely to be disproportionately or differentially affected by each of the impacts. As defined in section 2 of this report:

- A *disproportionate* equality effect arises when an impact has a proportionately greater effect on protected characteristic groups than on the general population overall at a particular location.
- A *differential* equality effect is one which affects members of a protected characteristic group differently from the rest of the general population because of specific needs, or a recognised vulnerability associated with their protected characteristic.

In some cases, protected characteristic groups are subject to both disproportionate *and* differential equality effects.

The table also provides a brief overview of planned mitigation to minimise adverse impacts as well as activities in place to enhance opportunities resulting from beneficial impacts. High level recommendations provided in the initial EIA are also included as well as progress against planned and recommended mitigation to date.

It is envisaged that this table can be used to monitor equality effects as the development progresses.

Table 7-2 Summary of potential equality impacts of Balmoral Castle/Darwin House proposals

Impact	Disproportionately/Differentially Affected Protected Characteristic Groups <sup>50</sup>												Overview of potential effects	Planned mitigation/ Recommendations in 2020 EIA report	2022 update	
	Age			Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity	Low Income Households					
	Children	Young People	Older People													
<b>Housing</b>																
<b>Beneficial</b>	Net increase of 18 housing units for intermediate rent.		✓		✓									Intermediate rent housing is likely to benefit those on middle incomes. Groups who are highly represented on WCC's affordable housing waiting list include people from black ethnic backgrounds and those aged 25-44 years old.	<p><b>Planned Mitigation:</b></p> <p>Local Letting Plan to be developed to prioritise applicants living on the Churchill Gardens Estate</p> <p><b>2020 EIA Recommendations:</b></p> <p>The LLP should also prioritise (where criteria are met): applicants from Churchill Gardens Estate including those residents from overcrowded households who cannot afford private rent.</p> <p>The rent levels for the new housing should include a mix of lower rental quartile and London Living rent to help to make it more affordable to local people.</p>	The Council are purchasing the new housing units to rent out at intermediate rent levels. Tenants from Churchill Gardens Estate are to be prioritised for immediate housing.
	Increase in community supported housing units on site.			✓			✓					✓	Older people living in Westminster.	Additional housing units should be prioritised for Westminster residents with initial priority given to those from Churchill Gardens.	Church Gardens Estate's residents will be given priority for units in Darwin House.	
	Improved quality of community supported housing on site.			✓			✓						✓	Older people living at Darwin House will experience an improvement in living conditions.	<p><b>Planned Mitigation:</b></p> <p>Homes will be designed in accordance with the HAPPI framework and be dementia-friendly. Passivehaus design.</p> <p><b>2020 EIA Recommendations:</b></p> <p>Plan to be developed for support from transitioning from studio style to one bedroom apartment i.e. costs of furniture, housekeeping and maintenance etc.</p>	The Council continue to support all residents with the cost and physical support in moving homes, including furnishings etc.
<b>Adverse</b>	Potential increase in rent and other costs for Darwin House residents.			x			x						x	Residents of Darwin House who are all aged 55+ could experience an increase in rent, service charges and other costs.	<p><b>Planned Mitigation:</b></p>	The Council continue to support all residents with the cost and physical support in moving homes, including furnishings etc.

<sup>50</sup> As there are no disproportionate or differential effects identified for marriage/civil partnership this protected characteristic has not been included in the table. Low income is not a protected characteristic but is considered as part of the EIA process by the Council.

Impact	Disproportionately/Differentially Affected Protected Characteristic Groups <sup>50</sup>											Overview of potential effects	Planned mitigation/ Recommendations in 2020 EIA report	2022 update			
	Age			Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity	Low Income Households						
	Children	Young People	Older People														
			x				x					x	Residents of Darwin House who are all aged 55+ will be subjected to relocation of housing.	<p>The Council's Policy for Tenants in Housing Renewal Areas set out options for tenants. Rents will also be set in line with national formulae.</p> <p><b>2020 EIA Recommendations:</b></p> <p>More information to be gathered on impact of additional costs on existing residents.</p> <p>Support and help with additional costs to furnish new, larger homes.</p>			
Relocation of community supported housing (Darwin House) residents.			x				x					x	Residents of Darwin House who are all aged 55+ will be subjected to relocation of housing.	<p><b>Planned Mitigation:</b></p> <p>Decant policy for Housing Renewal Areas to be used for Darwin House.</p> <p><b>2020 EIA Recommendations:</b></p> <p>Support and help with additional costs to furnish new, larger homes.</p>	The Council continue to support all residents with the cost and physical support in moving homes, including furnishings etc		
Potential adverse effects on properties with respect to loss of light.							x						Groups with protected characteristics living within these properties especially those who may be subject to a differential effect. This is currently unknown but may include people with dementia who are more sensitive to changes in light.	<p><b>2020 EIA Recommendations:</b></p> <p>Further check the extent and nature of the rights affected and attempt to negotiate a private agreement or determine whether the scheme can be altered to avoid interfering with the affected property's Right of light (ROL).</p>	RoL consultant has been commissioned. Rights of lights implications have been determined through assessment		
<b>Neighbourhood and Community</b>																	
Effective consultation and community engagement with affected groups to contribute to sharing benefits of the proposals.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	All groups including those with protected characteristics who are traditionally 'hard to reach' in terms of engagement. This can include young people and ethnic minority groups.	<p><b>Planned Mitigation:</b></p> <p>Ongoing consultation in line with Section 105 of the Housing Act (1985) has been undertaken in the development of the proposals.</p> <p><b>2020 EIA Recommendations:</b></p>	A Construction Liaison Group (CLG) has been set up for the project enabling residents to meet the project team and issue any concerns. Minutes from these meetings are published on the Council's website.	Wates has appointed a dedicated Resident Liaison Officer who will be on site 2-3 times per	

Impact	Disproportionately/Differentially Affected Protected Characteristic Groups <sup>50</sup>												Overview of potential effects	Planned mitigation/ Recommendations in 2020 EIA report	2022 update
	Age			Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity	Low Income Households				
	Children	Young People	Older People												
														Develop engagement strategy for continued engagement with groups affected by the proposals. This includes specific plans for Darwin House and Shelley House residents.  Diversity monitoring should be taken for all engagement activities where possible.	week and contactable by phone , email at all other times.  A newsletter is published with information about the project  The Council website has dedicated pages to the project. <a href="https://www.westminster.gov.uk/balmoral-darwin">https://www.westminster.gov.uk/balmoral-darwin</a>
New landscaping and public realm.	✓	✓	✓				✓						Disabled people, older people, women and other groups in terms of accessibility, health, wellbeing and safety benefits.	<b>2020 EIA Recommendations:</b> Inclusive design standards should be developed and followed for public realm improvements.  A safety and walking audit undertaken with representatives of Darwin House and local community to establish important walking routes	Local residents have been asked to submit designs to decorate construction hoardings.
New parking provision including disabled parking spaces.			✓				✓						Older people living in Darwin House include those with disabilities.	<b>Planned Mitigation:</b>  10 new parking spaces including 6 disabled parking spaces.  <b>2020 EIA Recommendations:</b>  Investigate potential provision for secure storage and charging of mobility scooters on site or within local area.	Parking spaces continue to be included as part of the development.

Impact	Disproportionately/Differentially Affected Protected Characteristic Groups <sup>50</sup>											Overview of potential effects	Planned mitigation/ Recommendations in 2020 EIA report	2022 update	
	Age			Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity	Low Income Households				
	Children	Young People	Older People												
Creation of new construction-related skills, employment and education opportunities.		✓			✓							✓	<p>Young people, especially those from ethnic minority groups who experience disproportionately higher levels of unemployment.</p>	<p><b>2020 EIA Recommendations:</b></p> <p>A procurement policy should be produced to include a requirement for contractors to adhere to national or local schemes to promote employment amongst under-represented equality groups, e.g. Disability Confident Employer.</p> <p>An employment, education and skills plan should be developed to provide benefits for young people (including those from ethnic minority groups) living locally including school engagement and apprenticeship scheme.</p>	This is currently being reviewed as part of procurement process.
Loss of garages on site.							x						<p>People with disabilities who use the garages for storing vehicles or other equipment for disability assistance.</p>	<p><b>Planned Mitigation:</b></p> <p>Council's Garage Decant Strategy to be adhered to for the scheme.</p> <p><b>2020 EIA Recommendations:</b></p> <p>Investigate potential provision for secure storage and charging of mobility scooters on site</p>	
<b>Health and Wellbeing</b>															
Uncertainty and anxiety for existing residents of Darwin House and nearby residents.			x		x		x						<p>Older people, people with health issues affecting mental health or who might require more support and assistance with the move.</p>	<p><b>Planned Mitigation:</b></p> <p>Decant Policy for Housing Renewal Areas to be adopted for the decant process associated with Darwin House.</p> <p><b>2020 EIA Recommendations:</b></p> <p>Develop ongoing engagement strategy to include regular engagement with Darwin House residents and staff and residents of Shelley House.</p> <p>Moving policy/strategy for Darwin House residents to be developed to include details</p>	<p>A Construction Liaison Group (CLG) has been set up for the project enabling residents to meet the project team and issue any concerns. Minutes from these meetings are published on the Council's website.</p> <p>Wates has appointed a dedicated Resident Liaison Officer who will be on site 2-3 times per week and contactable by phone, email at all other times.</p> <p>A newsletter is published with information about the project</p>

Impact	Disproportionately/Differentially Affected Protected Characteristic Groups <sup>50</sup>											Overview of potential effects	Planned mitigation/ Recommendations in 2020 EIA report	2022 update	
	Age			Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity	Low Income Households				
	Children	Young People	Older People												
													on financial, physical and emotional support for residents as well as a timetable for relocation.	The Council website has dedicated pages to the project. <a href="https://www.westminster.gov.uk/balmoral-darwin">https://www.westminster.gov.uk/balmoral-darwin</a>	
Environmental impacts of construction works.	x		x				x				x		Groups who are more vulnerable to increased noise levels either due to an increased sensitivity to noise or because they are more likely to be at home during the day. This includes children, older people, some people with disabilities such as dementia.	<p><b>Planned Mitigation:</b></p> <p>Construction Management Plan to include measures for construction noise mitigation.</p> <p><b>2020 EIA Recommendations:</b></p> <p>Establish community liaison role within appointed contractor to meet with representatives from Darwin House and local community on a regular basis prior to and throughout construction period.</p>	<p>Construction management Plan has been developed.</p> <p>A Construction Liaison Group has been established with regular meetings held.</p> <p>Wates has appointed a dedicated Resident Liaison Officer who will be on site 2-3 times per week and contactable by phone, email at all other times.</p> <p>Contractor has signed up to the Council's Construction Practice</p>
Safety, security and accessibility issues during construction.	x	x	x	x	x	x	x	x	x	x	x		Groups who are more vulnerable to poor security including young people, older people, disabled people, ethnic minority groups, transgender and non-heterosexual people. Accessibility issues are more prevalent amongst those for who mobility is an issue including older people, disabled people, pregnant women and children. Safety around construction is of particular concern to children and young people as well as those with mobility issues as described above.	<p><b>Planned Mitigation:</b></p> <p>A Construction Management Plan and Code of Construction to be implemented.</p> <p><b>2020 EIA Recommendations:</b></p> <p>A safety and walking audit undertaken with representatives of Darwin House and local community to establish important walking routes. Key walking routes and crossing points in the area should be maintained or appropriately diverted where possible with appropriate security provided where natural surveillance has been limited.</p> <p>Awareness and education as to the dangers of playing on construction sites should be provided in local schools, youth clubs and community centres to discourage children and teenagers from entering construction areas.</p>	Progressing.



## 8. Conclusions and next steps

### 8.1 Conclusions

The Balmoral Castle/Darwin House development will contribute to improvements for the Churchill Gardens Estate through a net increase in community supported and affordable housing, new employment opportunities associated with the construction, new landscaping and green space. This EIA assessment has identified potential beneficial equality effects of the proposed development as follows:

- A net increase of 21 residential properties on-site. These include:
  - 18 new properties for intermediate rent. The net increase in intermediate rent housing should benefit people with priority for affordable housing, and all should be done to make sure that those who are in most need benefit from the new development. Affordability barriers may make it harder for certain groups, including young people and people from ethnic minority groups; and
  - Three additional community supported homes.
- Improvements in quality of community supported housing for current residents of Darwin House.
- Construction will provide direct employment opportunities which can be shared by groups with protected characteristics. A local procurement commitment and an Employment, Education and Skills Plan will help to provide opportunities for local people.
- Improved landscaping, open space and footpaths for residents providing benefits in terms of safety, accessibility and connectivity. People with protected characteristics are likely to be able to share in these benefits.

The Council and Contractor have demonstrated due regard to the PSED through a number of targeted actions since the initial EIA report produced in 2020. These include:

- Securing planning approval for the development and setting out a programme for works with initial construction activities taking place on site in Spring 2022. This will provide reassurance and increased certainty associated with the development and reduce levels of anxiety and stress for residents living in Darwin House and the wider community;
- A Construction Management Plan has been developed for construction works associated with the proposals. This should be developed with involvement from local residents and take into account:
  - Accessibility issues in the vicinity of construction sites and communications with local schools regarding the dangers of construction sites. This should include community involvement in carrying out walking and safety audits to ensure diversions are appropriate.
  - Details of developed mitigation against increased noise levels and air pollution associated with construction works.
  - Ongoing engagement throughout the construction phase.
- Darwin House residents continue to receive regular communication from the Council and will be helped with the financial, emotional and physical burdens associated with moving;
- A Right to light assessment has been undertaken and a Right to Light consultant has been appointed. Right to light injuries will occur in identified properties neighbouring the development site. A high-density scheme in a close urban setting which is replacing buildings predominantly two-storeys in height will result in impacts on neighbouring properties which cannot realistically be avoided. Property owners will be entitled to compensation for any reduction in the value of their property caused by the development. It is acknowledged where occupiers are tenants, they may not be the beneficiary of the compensation and that some tenants have protected characteristics that could make them more vulnerable to negative effects. The extent of this impact will be reviewed as more direct engagement takes place;
- A Construction Liaison Group (CLG) has been set up enabling residents to liaise with the project team and issue any concerns at bi-monthly meetings. All residents are invited to attend and minutes from these meetings are published on the Council's website. The effects of Covid-19 on the ability to hold public engagement activities should be considered ensuring that those without access to the internet are still engaged and still able to participate in activities.

- The Contractor has appointed a dedicated Resident Liaison Officer. The officer will be on site 2-3 times per week and can be contacted by residents via email and phone;
- Project details and progress updates are also provided via the Councils website and through a dedicated newsletter;
- The Council has sought to encourage positive community participation by setting up a local competition for the decoration of construction hoardings.

## 8.2 Next Steps

The key issues identified through this EIA for different groups with protected characteristics are summarised alongside provisional high-level recommendations in Table 7-2.

This identifies priority groups for which there are differential or disproportionate impacts as a result of the proposals including older people, younger people, children, people from ethnic minority groups, pregnant women and people with certain disabilities. Furthermore, there are groups affected by the proposals with multiple protected characteristics for which the cumulative impacts of the proposals could have an exacerbated effect.

The following paragraphs provide a summary of suggested recommendations and continued actions for enhancing the benefits and minimising adverse equality effects of the development.

- Clear diversity monitoring of engagement events and activities should be undertaken to ensure equal representation. Further targeted engagement should be undertaken with residents of Darwin House and Shelley House as these are the residents that will experience the highest level of impact from the proposals.
- Further information should be collated on the impacts of potential rent and service charge increases on the residents of Darwin House. Tenancy agreements will remain the same for residents and the decant process will be covered under the policy for renewal areas. However, those residents who are not in receipt of benefits could suffer from increased living costs. Additional costs such as furniture, maintenance and bills could also stretch some of the residents beyond their means.
- Jobseekers in the area should be able to share in newly created employment opportunities in the construction of the development and be supported to ensure that they are aware of job opportunities in the area. A carefully designed procurement process would help to ensure that recruitment involving contractors during the construction stage is inclusive and that opportunities are available to all groups with protected characteristics. This should include a requirement for contractors to adhere to national or local schemes to promote employment amongst under-represented equality groups, e.g. Disability Confident accreditation and Fairness, Inclusion and Respect criteria.
- The development of a contractor-led local Employment, Education and Skills Plan could help to provide some benefits to local groups including children and young people. Examples of how contractors could support the plan include:
  - Providing a guaranteed apprenticeship(s)/roles for jobseekers from the Churchill Gardens Estate;
  - Volunteering at local schools such as St Gabriel's Primary School and Churchill Gardens Primary Academy<sup>51</sup> to provide 'expert talks' in assemblies, STEM clubs and/or online learning materials etc;
  - Mentoring students as part of the education enrichment programme at Pimlico academy; and
  - Donating tools and staff CSR/volunteer days to help support the gardening/maintenance activities of Churchill Gardens residents association and other local groups.
- A Local Lettings Plan (LLP) is being developed for the letting of the new homes on site including both affordable homes and community supported housing. Priority is being given to those living on the Churchill Gardens Estate including those from overcrowded households i.e. young adults living with families but unable to afford private rents. It is also recommended that rent levels for the new housing should include a mix of lower rental quartile and London Living rent to help to make it more affordable to local people.
- Monitoring of equality impacts should be included as part of a Monitoring and Evaluation Plan for the proposed development. This should use Table 7-2 of this report as a basis on which to track and update impacts throughout continued design, development and construction. The Monitoring and Evaluation Plan should also seek to review how the proposed benefits of the scheme will be realised by groups with protected characteristics. This could draw on the experience of Darwin House residents with regards to their

<sup>51</sup> <https://www.cgpacademy.org.uk/page/?title=Extra%2DCurricular&pid=20>

involvement in the design proposals, the decant process and their experience of the new housing. It is recommended that a member of the project team is given responsibility for tracking and updating the equalities actions within the monitoring plan.

The proposals will require the continued procurement of services for the construction of the new housing and landscaping improvements. The PSED will apply to the procurement process because it is a non-delegable duty and procurement is a 'function' of the Council. Therefore, in circumstances where the Council chooses to "contract out" part or all of a function (for example construction of the housing) to another entity (for example a contractor), the Council cannot absolve itself from its responsibility to fulfil the PSED.

The Council should ensure that compliance with PSED is factored in throughout the procurement process, for example;

- In the PIN and OJEU notices;
- As part of the criteria to be assessed at the selection stage, the evaluation methodology should be designed with the EIA in mind and tenderers' soft and hard proposals on how to address issues identified in the EIA should be clearly set out; and
- As a contractual condition of the Contract entered into with the developer, ensuring that the condition is properly monitored and the terms of the Contract are enforced.

Guidance on embedding the PSED into the procurement process from the Equality and Human Rights Commission<sup>52</sup> states will be that the Council will be able to factor in a potential contractor's ability to fulfil contractual obligations related to the PSED in its evaluation of tenders and has the right not to award the contract to the most economically advantageous tender where the Council has established that the tender would not comply with current obligations in environmental, social or employment law.

The EIA is a predictive assessment and considers the effects of the CPO on groups of people rather than on individuals. The recommendations outlined are therefore suggested to minimise effect on recognised groups with protected characteristics living in the area at the time of the assessment.

This EIA should be considered as a live document, and should be updated, refreshed and the actions within it monitored on a regular basis. This should include a monitoring update on the status of identified potential impacts and associated mitigation. This may result in updates both to assessment of the impacts and to the recommendations relating to the proposed mitigation measures.

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<sup>52</sup> Equality and Human Rights Commission (2013) Buying Better Outcomes: Mainstreaming equality considerations in procurement - A guide for public authorities in England  
[https://www.equalityhumanrights.com/sites/default/files/buying\\_better\\_outcomes\\_final.pdf](https://www.equalityhumanrights.com/sites/default/files/buying_better_outcomes_final.pdf)

## Appendix A Construction Liaison Group Terms of Reference

### Balmoral Castle and Darwin House

#### Construction Liaison Group

##### Terms of Reference

##### Purpose and Principles of the Construction Liaison Group (CLG)

The CLG will be in place to enable the Balmoral and Darwin House Development Team to provide an update on upcoming works and for members of the community to discuss any issues, concerns or matters that may arise throughout the redevelopment. It will endeavour to foresee and overcome issues and strive to keep residents well informed and involved in the project from beginning to end. The CLG is not a decision-making body.

The group will act as a sounding board for the residents of Churchill Gardens and surrounding streets throughout the construction of new homes. Members of the group will have the opportunity to raise questions or matters of concern and receive responses from the City Council and their contractors.

##### Responsibilities & Commitments of the CLG

CLG members will be responsible for and commit to:

- Making themselves available to attend meetings
- Feedback key information to wider residents
- Give opinions and suggestions to Council officers and Contractors
- Work collaboratively to develop solutions and options for identified issues
- Respect each other's opinions and consider views of each member to be of equal importance

Discussions are intended to keep members informed of project progress and to acknowledge and seek input into minimising and/or mitigating construction impacts on the local community.

After each meeting an action list will be generated with actions issued to those responsible to complete and update back at the next meeting.

##### Group Membership

Membership will consist of:

- Council officer(s)
- Members of the Wates Construction team

- Residents from Churchill Gardens
- Representatives from the estates Residents Association

#### Meeting Frequency and Minutes

- The Construction Liaison Group will meet every 4-6 weeks. Meeting dates will be advertised and coordinated by the City Council project team
- Meeting minutes will be circulated to the group for review and comment no later than 5 working days after the meeting.
- The CLG will have the opportunity to comment on the notes before the final draft is agreed.
- Minutes will then be distributed once approved and made available on the website for public viewing within a week of the meeting minutes being finalised.

#### Issue resolution

- In order to track progress against actions, a list will be generated with a traffic light scoring system
- A complaints log will be assembled to ensure lessons are learnt
- Where actions are not completed, they will be escalated to the contract manager and programme director

#### Ensuring Effectiveness of CLG

A review of the CLG and how it functions will take place every 6 months to assess its effectiveness and propose opportunities for improvements. Members of the CLG are able to provide suggestions for improvements to the running of the CLG at any time.

