

18 February 2016

St John's Wood Delivery Office, 30 Lodge Road

in the City of Westminster

planning application nos.15/08211/FULL

Strategic planning application stage II referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Demolition of the vacant former post office sorting building and associated hardstanding on site. Erection of a ten-storey building comprising 49 residential units and ancillary car parking spaces, and public realm works and access to car lifts from Lodge Road.

The applicant

The applicant is **Regal Homes**, and the architect is **Simon Bowden Architects**.

Strategic issues

Outstanding issues in relation to **housing mix, affordable housing, urban design, inclusive design, energy** and **transport** have been resolved satisfactorily.

The Council's decision

In this instance the City of Westminster Council has resolved to grant permission.

Recommendation

That the City of Westminster Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal or direct that he is to be the local planning authority.

Context

1 On 16 September 2015 the Mayor of London received documents from City of Westminster Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under Category 1C of the Schedule to the Order 2008: "*Development which comprises or includes the erection of a building of one or more of the following descriptions – (c) more than 30 metres high and is outside the City of London.*"

2 On 27 October 2015 the Mayor considered planning report D&P/3764/01, and subsequently advised City of Westminster Council that the application did not comply with the London Plan, for the reasons set out in paragraph 59 of the above-mentioned report; but that the possible remedies set out in that paragraph of the report could address these deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. Since then, the application has been revised in response to the Mayor's concerns (see below). On 26 January 2016 City of Westminster Council decided that it was minded to grant planning permission for the revised application, and on 5 February 2016 it advised the Mayor of this decision. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged, direct Council under Article 6 to refuse the application or issue a direction to City of Westminster Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application and any connected application. The Mayor has until 18 February 2016 to notify the Council of his decision and to issue any direction.

4 The decision on this case and the reasons will be made available on the GLA's website www.london.gov.uk.

Update

5 Since the consultation stage, the planning application has been revised in terms of provision of 49 new residential units superseding the previous proposal for 52 units, increase in the proportion of family units, provision of cycle parking and contribution towards affordable housing.

6 At the consultation stage City of Westminster Council was advised that the application did not comply with the London Plan, for the reasons set out in paragraph 59 of the above-mentioned report; but that the possible remedies set out in that paragraph of the report could address these deficiencies:

- **Principle of development:** The loss of existing sorting office (sui generis) is acceptable and the proposed housing development is supported provided it complies with local, strategic and national planning policies.
- **Housing mix:** The housing mix offers a range of housing choices. However, the Council is encouraged to seek more family housing units.
- **Affordability housing:** There is no offer for affordable housing onsite. The scheme is designed with an off-site payment in lieu due to constraints, however GLA officers believe the constraints should not be obstacles at least to provide intermediate units. Westminster City Council should have the applicant's viability assessment independently reviewed and the findings should be shared with GLA officers prior to stage 2 referral.
- **Density:** The proposed density is higher than what is recommended in the London Plan. However, given that the site is in the CAZ and taking into account the high quality design with generous individual private balconies and communal amenity space, provision of on-site residents only gym (ground floor), and the site's close proximity to public open space, the proposed density is acceptable, in this instance.
- **Children and young person's play:** The applicant has provided 48sqm of playable space at roof level for resident children as part of the 148sqm communal amenity space. This is welcomed.
- **Urban design:** The design is a high quality. However, the layout for the ground floor needs to be revisited so that passive surveillance is enabled. The Council should secure details of architectural principles and facing materials to ensure the highest possible standards of design and place-making are delivered.
- **Access:** The design & access statement confirms that the residential development will provide 10% wheelchair accessible units and this is welcomed. The applicant should however demonstrate where these will be located on floor plans. All these should be secured.

- **Energy:** No major strategic concern. However, as the overheating assessment suggests that the units may not overheat, the applicant should consider omitting the air conditioning in order to maximise the carbon savings; the level of savings appears high for the size of CHP proposed, information on how the CHP system will operate including running hours, suitable monthly demand profiles and plant efficiencies should be provided. The applicant has stated that due to the small size of the CHP the facilities management company will likely run the CHP, further information should be provided on the management arrangements, including anticipated costs, given that the management and operation of small CHP systems can significantly impact their long term financial viability.
- **Transport:** Travel plan, delivery and service plan (DSP) and construction logistics plan (CLP) to be secured by condition. Cycle parking should be increased to a minimum of 89 spaces in total and including short stay visitor provision. The travel plan should also secure funding for cycle hire membership for each residential unit. TfL would encourage a reduction in car parking provision preferably to car free or car capped. Provision of Blue Badge parking and of electric vehicle charging points (EVCPs) must be in accordance with London Plan (2015) standards. Residents should be exempt from applying for parking permits (except for blue badge holders). Car club membership should be secured for each new residential unit and a car park management plan will be required. A payment of £50 per square metre should be secured for CIL.

Housing mix

7 The scheme has been revised and 49 new residential units will now be provided, across a mix of units (15 x one-beds, 28 x two-beds and 6 x three-beds). The original mix was (17 x one-beds, 32 x two-beds and 3 x three-beds). Therefore, although it is short of the local and London Plan policy requirements, the increase in the proportion of family housing from 6% in the original proposal to 12% in this amended scheme is welcomed.

8 Given the constrained footprint of the site (5,600sqm), the direction of travel of the City Council's emerging policy to potentially reduce the levels of family sized units in new developments from 33% to 25% and taking into account of two bedroom units as provision for homes for smaller families within Westminster, the overall mix of unit sizes is acceptable in this particular case.

Affordable housing

9 The applicant's financial viability report prepared by Gerald Eve LLP has been assessed by independent consultants - Lambert Smith Hampton (LSH) acting on behalf of the City of Westminster Council. The report has been shared with the GLA as requested.

10 The independent consultants concluded that in considering the opportunity to provide affordable housing on site, it is possible that the scheme could cross fund 3 x three-beds affordable housing units on site or alternatively that the scheme could afford a financial contribution of £5,439,000 in lieu of the provision of affordable housing. The City Council's Housing Manager has advised that such a contribution could allow the City Council to deliver considerably more affordable units, around 10-20 units, rather than 3 on site and on this basis and in this case, he supports the provision of a payment in lieu. For the reasons set out above, the Council has considered the affordable housing offer meets the Council's policy requirements.

11 Given the constraints of the proposed development (the small footprint of the site and the East and West site boundary being party wall makes constructing a double core scheme difficult and creates a number of inefficiencies resulting in the design of the residential units accessed via a single staircase and lift core, potential management of units, service charges and overall financial viability, and further that there are no available or appropriate donor sites for off-site provision) and that the Council has confirmed the aforementioned affordable housing offer meets their policy requirements, the provision of a payment in lieu is accepted, in this instance.

Urban & inclusive design

12 The layout for the ground floor has been revised and passive surveillance is enabled. The private front garden boundary is clearly defined with railings; low wall and the front doors located securely within the building with 24 hour concierge service and monitored CCTV. Shrubs have been selected to have a mature growth height of 1m allowing a clear field of vision out. The Council has secured details of facing materials to ensure the highest possible standards of design and place-making are delivered.

13 The plan for the first floor (P1010 Rev 03) now includes wheelchair accessible logo for the wheelchair accessible units (i.e. four x 2-beds and two x 1-beds units). This amount of provision translates into 12% of the total 49 residential units, which is welcomed.

Sustainable development/energy

14 The applicant has not provided further clarification in relation to the GLA's stage one comments, this is disappointing. However the development has demonstrably followed the Mayor's energy hierarchy approach and is achieving a 33% reduction in regulated carbon dioxide emissions beyond Part L of the 2013 Building Regulations. Based on the evidence provided it is accepted there is little further potential for emissions reductions on site.

15 The Council's Committee report section 8.7 states "given the viability of the scheme, it is considered that all available contributions should be made to the affordable housing fund." As a result, whilst it is disappointing that the carbon shortfall contribution (£7,560) is diverted to the affordable housing, on balance, this is considered to be acceptable.

Transport for London's comments

16 At Stage 1, Transport for London (TfL) asked that various London Plan policy issues be addressed in addition to requesting a reduction in parking provision preferably to car free or car capped.

17 The agreed conditions and S106 Heads of Terms have secured, as requested, a travel plan, construction logistics plan and a delivery and service plan. Whilst the level of car parking is unchanged, a car park strategy and car park management plan is secured to appropriately manage what would be an unallocated car park. The provision of London Plan policy compliant electric vehicle charging points and Blue Badge spaces are also conditioned.

18 There is uplift in cycle parking, however the level of provision still falls 4 short of the minimum London Plan (2015) standards. Whilst it is disappointing that cycle parking is below London Plan standards, on balance, it is considered that a refusal on this ground alone would not be justified.

Response to consultation

19 The Council using its consultation procedures (advertisement / site notice / letters), has consulted 710 adjoining owners / occupiers.

20 Responses from local residents: 4 responses (2 from Lords View, 1 from the Pavilions, 1 from Central & Cecil of Dora House). Some concerns were raised in regard to overdevelopment, amenity, overlooking, impact on the conservation area, and traffic congestion. There were also some letters in support favouring the redevelopment of the site for housing and that the current application is a welcome addition to Lodge Road offering high quality housing in the wider area regeneration context.

21 Statutory/External consultees:

- Historic England: Application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.
- Thames Water: Require details of a drainage strategy for any on and off site drainage work and piling method statement to be agreed in liaison with Thames Water. Request applicant informed of the following, encouraged to incorporate a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage

network may surcharge to ground level during storm conditions and Groundwater Risk Management Permit from Thames Water will be required for discharging ground water into a public sewer. General advice on water pressure. No objection to water infrastructure capacity.

- Environment Agency: No response.
- St Johns Wood Society: No objection.
- St Marylebone Society: No objection, defer to City Council Conservation officer.

22 The Council has confirmed that no replies have been received from The Royal Parks, The Gardens Trust (Garden History Society), and Ward Councillors.

23 The issues raised above have been dealt within this and the stage 1 GLA's reports, the Council's committee report and appropriate conditions are imposed in the draft decision notices.

Article 7: Direction that the Mayor is to be the local planning authority

24 Under Article 7 of the Order the Mayor could take over this application provided the policy tests set out in that Article are met. In this instance the Council has resolved to grant permission with conditions and a planning obligation, which satisfactorily addresses the matters raised at stage 1, therefore there is no sound planning reason for the Mayor to take over this application.

Legal considerations

25 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction.

Financial considerations

26 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government guidance in Circular 03/2009 (*'Costs Awards in Appeals and Other Planning Proceedings'*) emphasises that parties usually pay their own expenses arising from an appeal.

27 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

Conclusion

28 Outstanding issues in relation to family housing, affordable housing, urban design, inclusive access, energy and transport have been resolved satisfactorily. The redevelopment of existing

vacant post office sorting building for housing development is supported in terms of good strategic planning in Greater London.

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27 October 2015

St John's Wood Delivery Office, 30 Lodge Road

in the City of Westminster

planning application no. 15/08211/FULL

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Demolition of the vacant former post office sorting building and associated hardstanding on site. Erection of a ten-storey building comprising 52 residential units and ancillary car parking spaces, and public realm works and access to car lifts from Lodge Road.

The applicant

The applicant is **Regal Homes**, and the architect is **Simon Bowden Architects**.

Strategic issues

This application raised concerns in relation to **housing, urban design, access, sustainability/energy**, and **transport**, which should be addressed.

Recommendation

That Westminster City Council be advised that while the application is generally acceptable in strategic planning terms the application does not comply with the London Plan, for the reasons set out in paragraph 59 of this report; but the possible remedies set out could address these deficiencies.

Context

1 On 16 September 2015 the Mayor of London received documents from Westminster City Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 27 October 2015 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under Category 1C (building height) of the Schedule to the Order 2008:

- '1C: Development which comprises or includes the erection of a building of one or more of the following descriptions: (c) the building is more than 30 metres high and is outside the City of London.'

3 Once Westminster City Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The Mayor of London's statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 The application site is located in a built up urban area to the south of Lord's Cricket Ground. It comprises a vacant post office sorting building extending to two commercial storeys of Sui Generis floor space on a site of approximately 0.08ha. The site sits adjacent to the St John's Wood and Regent's Park Conservation Areas. It is currently used on a temporary basis in connection with infrastructure works in the area. The existing office is constructed of a steel structure with brick cladding and a flat roof. It has a setback building line in order to facilitate the loading and unloading requirements.

6 The site is bounded to the north by ground floor car parking associated with Lords View, to the east by Dora House, to the south by a medical facility and the power station opposite on Lodge Road, and to the west by a cleared site that has approval for the development of an 8-12 storey building, known as the Landseer development.



Aerial photo of the application site in context: Source – applicant's design and access statement.

7 The site has direct frontage to Lodge Road, which forms part of the local road network. The nearest part of the Transport for London Road Network is approximately 150m (Park Road) and 500m (St John's Wood Road), respectively, from the site. The nearest cycle hire docking station is opposite the site along Lodge Road, St John's Wood. Measured on a scale of 1a – 6b where 6b is the highest, the public transport accessibility level (PTAL) is 4, which is considered good. There are approximately thirteen bus services servicing the site whilst National Rail and London Underground stations are outside the PTAL walking distance.

Details of the proposal

8 The planning application seeks full planning permission for the following development:

- Demolition of the existing vacant former post office sorting building;
- Erection of a ten-storey residential development;
- Excavation of a two-storey basement car park to accommodate automated car park to accommodate 54 car parking spaces,
- Ancillary residential floor space to include residents' gym and on-site management office;
- Provision of 42 cycle spaces;

- New quality public realm space; Private amenity space to serve each residential apartment and Communal amenity terraces at roof level.

Case history

9 The application proposals have not been subject to a GLA/TfL pre-application advice.

Strategic planning issues and relevant policies and guidance

10 The relevant issues and corresponding policies are as follows:

- Central Activities Zone *London Plan; draft Central Activities Zone SPG;*
- Housing *London Plan; Housing SPG; Housing Strategy; draft interim Housing SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context SPG;*
- Affordable housing *London Plan; draft interim Housing SPG; Housing SPG; Housing Strategy;*
- Density *London Plan; draft interim Housing SPG; Housing SPG;*
- Urban design *London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG; draft interim Housing SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG;*
- Inclusive access *London Plan; Accessible London: achieving an inclusive environment SPG;*
- Sustainable development *London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy;*
- Transport *London Plan; the Mayor's Transport Strategy;*

11 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2013 Westminster City Plan: Strategic Policies; the 2007 Westminster Unitary Development Plan Saved Policies; and the London Plan (Consolidated with Alterations since 2011).

12 The following are also relevant material considerations:

- The National Planning Policy Framework, Technical Guide to the National Planning Policy Framework and National Planning Practice Guidance.
- Draft Minor Alterations to the London Plan (2015).
- The Mayor's Draft Central Activities Zone (CAZ) Supplementary Planning Guidance (SPG) – on public consultation (15 September to 8 December 2015).
- Draft Mixed Use Revision to Westminster City Plan – (Regulation 19, consultation stage).

Principle of development

Loss of existing sorting office

13 The existing sorting office is categorised as Sui generis. There are no policies within either the development plan that seek to retain commercial sorting office uses (sui generis) in the borough.

14 Therefore the principle of the redevelopment of the application site for alternative uses including housing, subject to complying with other development control policies in the London Plan, Local plan and the NPPF, is acceptable.

Housing

Housing mix

15 London Plan Policy 3.8 encourages a full range of housing choice. This is supported by the London Plan Housing SPG, which seeks to secure family accommodation within residential schemes, particularly within the social rented sector, and sets strategic guidance for Councils in assessing their local needs. Policy 3.11 of the London Plan states that within affordable housing provision, priority should be accorded to family housing.

Table: proposed unit mix.

Total	Residential Units	%
1 bedroom apartment	17	33
2 bedroom apartment	32	61
3 bedroom apartment	3	6
TOTAL	52	100%

16 The applicant is proposing 52 market housing and as shown above in the Table, the housing mix incorporates 17 one-bed, 32 two-bed and 6 three-bed units. Although, this housing mix offers a range of housing choices, the Council is encouraged to seek more family housing units.

Residential space standards

17 As shown in the Table below, the submitted planning statement confirms that all dwellings will comply with the minimum space standards established by London Plan Policy 3.5 (Table 3.3). This and other components of residential quality are considered below in the urban design section of this report.

Table: Proposed residential space vs London Plan residential space requirements.

	London Plan Policy 3.5 Minimum Internal Space Requirement (m ² GIA)	Development Proposals (m ² GIA)
1 bed units	37-50	53
2 bed units	61-70	73-75
3 bed units	74-99	119-137

Housing density

18 For this application site which is an urban/central location the London Plan density matrix as set out in Table 3.2 allows a density of 200-700 habitable rooms per hectare (70-260u/ha), whilst central locations should accommodate a normal range of 650-1,100 habitable rooms per hectare (215-405u/ha). As the site area is 0.08ha and 142 habitable rooms in 52 units are proposed, this equates to 1,775hr/ha or 650u/ha.

19 The proposed density is higher than what is recommended in the London Plan. However, given that the site is in the CAZ that promotes the optimisation of such sites and taking into account the high quality design (see details in the design section below) with dedicated private balconies (average 12sqm/unit) and communal amenity space at roof level, provision of on-site residents only gym (ground floor), and the site's close proximity to public open space (Regent's Park is only 200mts from the site), the proposed density is acceptable, in this instance.

Children & young person's play

20 Policy 3.6 of the London Plan sets out that "development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs." Using the methodology within the Mayor's supplementary planning guidance 'Providing for Children and Young People's Play and Informal Recreation' it is anticipated that there will be approximately five children within the

development (based on the proposed housing mix). The guidance sets a benchmark of 10sqm of useable child play space to be provided per child, with under-5 child play space provided on-site.

21 Although the London Plan and the SPG do not require children's play space for a child population of less than ten, the provision of 48sqm of playable space at roof level for resident children as part of the 148sqm communal amenity space, is welcomed.

Affordable housing

22 London Plan Policy 3.12 seeks to secure the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed use schemes. Part C of this policy makes clear that affordable housing should normally be provided on-site unless there are exceptional circumstances that dictate otherwise.

23 The Westminster City Council's affordable housing requirement set by its Core Strategy policy CS4 is for 40% as a starting point for negotiations in all developments. WCC City Plan Policy S16 seeks that proposals for housing developments of either 10 or more additional units or over 1,000sqm additional residential floor space will be expected to provide a proportion of the floor space as affordable housing. Where provision on-site is not practical or viable, the affordable housing should be provided off-site in the vicinity.

24 The planning statement sets out that the scheme is designed with an off-site payment in lieu as preference in this context, but the applicant is committed to exploring this element of the scheme fully in discussion with the Council. In the financial viability assessment the constraints on the ability to deliver the full provision of affordable housing on-site have been set out. They are in relation to: the management of notional affordable units within the scheme; the service charge which would be payable by the RP; the affordability of units; and the availability of suitable alternative sites in the vicinity, the applicant has the view that provision on-site is not practical or viable, and upon looking at whether affordable housing can be provided off-site in the vicinity the applicant has also concluded that there are no viable or practical sites or units available.

25 That said, GLA officers having assessed other consented housing schemes in the area believe that the above mentioned constraints should not be obstacles at least to provide intermediate units.

26 The applicant has submitted a viability report prepared by Gerald Eve Consultants to Westminster City Council for independent review. Once scrutinised, this will inform affordable housing negotiations and the nature of any affordable housing offer that is ultimately to be secured. GLA officers will provide an update on the findings of the viability review, and the affordable housing provision secured, at the Mayor's decision making stage.

Urban design

27 Good design is central to all objectives of the London Plan, in particular the objective to create a city of diverse, strong, secure and accessible neighbourhoods to which Londoners feel attached whatever their origin, background, age or status. Policies contained within chapter seven specifically look to promote development that reinforces or enhances the character, legibility, permeability and accessibility of neighbourhoods by setting out a series of overarching principles and specific design policies related to site layout, scale, height and massing, internal layout and visual impact.

Layout, space standards and residential quality

28 As discussed above, all the proposed dwellings will comply with the minimum space standards established by London Plan Policy 3.5 (Table 3.3). 10% of all the residential units will be wheelchair accessible and that all units will be 100% Lifetime homes compliant.

29 As shown below, the residential floor plans have no single aspect, north facing units and all of the units are dual aspect, with each proposed floor plan being arranged around a central

core shared by 6 units. Whilst this is welcomed, the applicant needs to consider the public realm interface, the building layout at the ground floor for the gym with no windows and the adjacent 1-bed room flat with no easterly window. The proposed ground floor layout apart from the front elevation does not ensure passive surveillance; it presents a blank frontage to the other three elevations.

30 The proposed units would be situated a sufficient distance from neighbouring residential habitable windows and would be significantly in excess of the Mayor's indicative separation distance of 18-21m from habitable room to habitable room. The residential unit layout seeks to minimise corridors and maximise living space. Habitable rooms in all apartments meet or exceed the minimum height of 2.5m between finished floor levels and finished ceiling levels, thus allow sufficient natural light penetration into the apartments. In addition, generous private and communal amenity spaces will be provided in the form of balconies and at the rooftop, respectively.

31 The above proposals are welcomed and it is concluded that the overall design is carefully thought to deliver high residential quality.



Aerial view of typical floor layout of the scheme: Source- applicant's design and access statement.

Height, scale and massing

32 The proposed massing is broadly supported and the scale of the building sits comfortably with its immediate context - when the proposed height of 31mts of the scheme is compared with existing and consented adjacent schemes with height of above 35mts. It is considered that the applicant has worked to form an appropriate roofline treatment that will positively contribute to the streetscape by adding visual interest to the scene through the use of articulated bays and balconies, and contrast with the solidity of the surrounding elevations.

33 Although the site sits adjacent to St John's Wood and Regent's Park Conservation Areas, given that the proposed elevations are not visible from these areas it is considered that the proposal will have neutral impact.

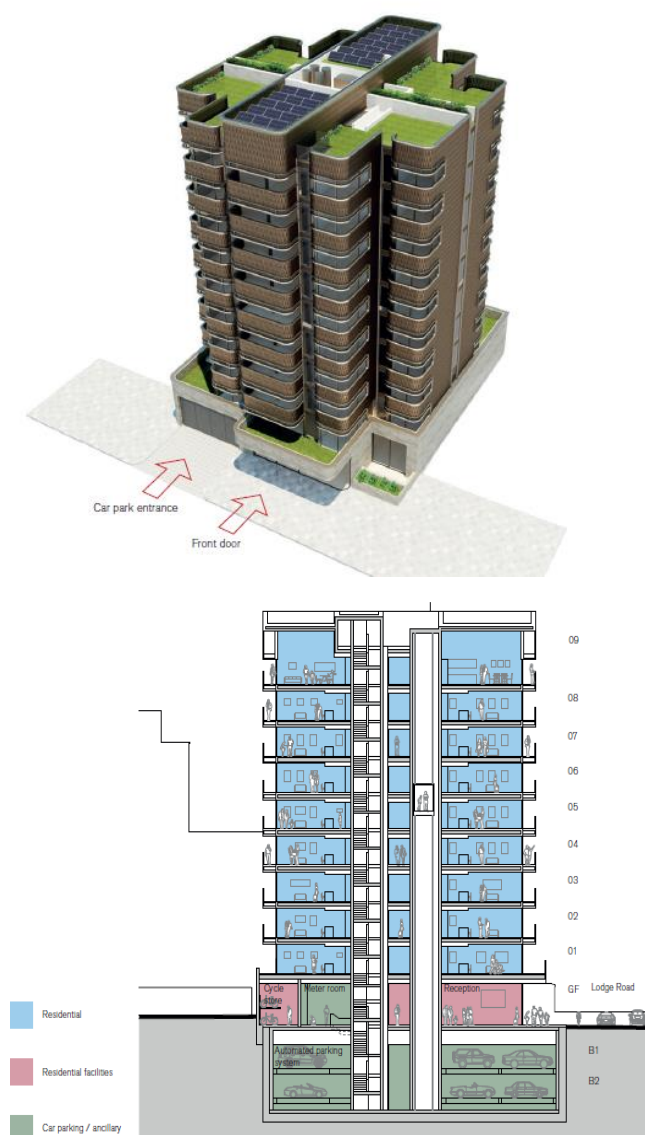
Appearance and materials

34 The material expression of the building envelope is informed by the orientation of the plan form and the internal configuration of the apartments. The envelope consists of a full-height

glazed bi-folding door system on the north and south facades which open onto private balcony spaces.

35 The design and access statement proposes that the main facades will be clad in cast metal rail screen panels and at ground level the plinth will be of a high quality brick, selected to complement the cast metal. However, the applicant acknowledges that a number of the elements of the design, including particulars of the cladding, lighting, security and landscaping will be finalised at the detailed design stage and therefore will be the subject of planning conditions to be agreed with Westminster City Council.

36 That said, the Council is encouraged to secure details of architectural principles and facing materials to ensure the highest possible standards of design and place-making are delivered.



Elevation and vertical organisation of the proposed development, respectively: Source - applicant's design and access statement.

Access

37 Inclusive design principles if embedded into the development and design process from the outset help to ensure that all people, including older people, disabled people, children and young people, can use the places and spaces proposed comfortably, safely and with dignity. The aim of London Plan Policy 7.2 is to ensure that proposals achieve the highest standards of accessibility and inclusion (not just the minimum).

38 The applicant has confirmed that 10% of all the residential units will be wheelchair accessible and the design and access statement provides assurance that all units will be 100% Lifetime homes compliant. Whilst these are welcomed, the applicant should however demonstrate on floor plans and drawings, at which floors these wheelchair accessible units will be located.

39 The design and access statement demonstrates that there will be 54 car parking spaces at the two level basement provided by a fully automated parking system. The car lift will comprise an entrance/exit lift with an allocated space for a vehicle to park off the carriageway/footway whilst waiting for the lift to become free. The statement confirms that the cabin size will be Disability Discrimination Act (DDA) compliant and will allow sufficient space (over 3,300mm) for a wheelchair to pass the stationary vehicle and that every car parking space within the proposed development has the potential to be a disabled space. Whilst this approach is welcomed, the applicant needs to indicate on plans and drawings at least 5 dedicated Blue Badge parking spaces preferably closer to the car lift. All the proposals need to be secured.

Sustainability/energy

Energy efficiency standards

40 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development.

41 The demand for cooling will be minimised through solar control glazing and external shading. A dynamic overheating study using CIBSE TM52 guidance and TM49 weather files has been undertaken to inform the strategy. This is welcomed. The results of the analysis indicate that all areas will meet the CIBSE requirements. As the overheating assessment suggests that the units may not overheat, the applicant should consider omitting the air conditioning in order to maximise the carbon savings.

42 The development is estimated to achieve a reduction of 4 tonnes per annum (7%) in regulated CO₂ emissions compared to a 2013 Building Regulations compliant development.

District heating

43 The applicant has confirmed there are no existing or planned district heating networks within the vicinity of the proposed development. The applicant has, however, provided a commitment to ensuring that the development is designed to allow future connection to a district heating network should one become available. This should be secured. The building will be supplied from a single energy centre located in the basement, which is welcomed.

Combined Heat and Power (CHP)

44 The applicant is proposing to install a 5.5 kW_e gas fired CHP unit as the lead heat source for the site heat network. The CHP is sized to provide the domestic hot water load, as well as a proportion of the space heating. A reduction in regulated CO₂ emissions of 13 tonnes per annum (22%) will be achieved through this second part of the energy hierarchy. This level of savings appears high for the size of CHP proposed. The applicant should provide information on how the system will operate including running hours, suitable monthly demand profiles and plant efficiencies. The applicant should note that the plant efficiencies used when modelling carbon savings should be the gross value for fuel input rather than the net values often provided by manufacturers.

45 The applicant has stated that due to the small size of the CHP the facilities management company will likely run the CHP. The applicant should provide information on the management arrangements proposed for the system, including anticipated costs, given that the management and operation of small CHP systems can significantly impact their long term financial viability.

Renewable energy technologies

46 The applicant is proposing to install a 6.44kWp Photovoltaic (PV) array on the roof of the development. A roof layout showing the location of the PV panels has been provided. A reduction in regulated CO₂ emissions of 2 tonnes per annum (3%) will be achieved through this third element of the energy hierarchy.

Overall Carbon Savings

47 Based on the energy assessment submitted at stage I, the table below shows the residual CO₂ emissions after each stage of the energy hierarchy and the CO₂ emission reductions at each stage of the energy hierarchy.

Table: CO₂ emission reductions from application of the energy hierarchy:

	Total residual regulated CO₂ emissions	Regulated CO₂ emissions reductions	
		(tonnes per annum)	(%)
Baseline i.e. 2013 Building Regulations	58		
Energy Efficiency	54	4	7%
CHP	41	13	22%
Renewable energy	39	2	3%
Total		19	33%

48 A reduction of 19 tonnes of CO₂ per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected, equivalent to an overall saving of 33%.

49 The on-site carbon dioxide savings fall slightly short of the targets within Policy 5.2 of the London Plan. While it is accepted that there is little further potential for carbon dioxide reductions onsite, in liaison with the Council the developer should ensure that the short fall in carbon dioxide reductions, equivalent to 1.3 tonnes of CO₂ per annum, is met off-site.

Transport for London's Comments

Network impact

50 While TfL is satisfied that the development proposals are unlikely to have a negative impact on the capacity of either public transport or the TLRN, there are however, a few issues which need to be addressed, as further detailed below.

Road network

51 TfL would expect a delivery and service plan (DSP) and a construction logistics plan (CLP) to be secured by condition to appropriately manage any potential adverse effects on the local road network.

Walking and cycling

52 To comply with London Plan (2015) standards, cycle parking should be increased to a minimum of 89 spaces in total and including short stay visitor provision. The travel plan should also secure funding for cycle hire membership for each residential unit for a period of three years (£270 per unit) and to be secured in the S106 agreement.

Car parking

53 Car parking is proposed for the residential component of the scheme at a ratio of 1:1. Given the good public transport accessibility of the site TfL would encourage a reduction in provision preferably to car free or car capped. Notwithstanding this provision for disabled people (for wheelchair accessible housing and lifetime homes provision) and of electric vehicle charging points (EVCPs) must be in accordance with London Plan (2015) standards. Residents should be

exempt from applying for parking permits (except for blue badge holders). Car club membership should be secured for each new residential unit and a car park management plan will be required.

Travel planning

54 The travel plan should be secured through the s106 agreement. It should contain ambitious targets particularly relating to the uptake of cycling and should be secured, enforced, monitored and reviewed as part of the S106 agreement.

Community Infrastructure Levy (CIL)

55 In accordance with London Plan policy 8.3 the Mayor commenced CIL charging for developments on 1st April 2012. Within Westminster the charge is £50 per square metre. More details are available via the GLA website <http://london.gov.uk/>.

Local planning authority's position

56 WCC planning officers have yet to confirm their position.

Legal considerations

57 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

58 There are no financial considerations at this stage.

Conclusion

59 London Plan policies on housing, affordable housing, urban design, children and young person's play, inclusive access, energy, and transport are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Principle of development:** The loss of existing sorting office (sui generis) is acceptable and the proposed housing development is supported provided it complies with local, strategic and national planning policies.
- **Housing mix:** The housing mix offers a range of housing choices. However, the Council is encouraged to seek more family housing units.
- **Affordability housing:** There is no offer for affordable housing onsite. The scheme is designed with an off-site payment in lieu due to constraints, however GLA officers believe the constraints should not be obstacles at least to provide intermediate units. Westminster City Council should have the applicant's viability assessment independently reviewed and the findings should be shared with GLA officers prior to stage 2 referral.

- **Density:** The proposed density is higher than what is recommended in the London Plan. However, given that the site is in the CAZ and taking into account the high quality design with generous individual private balconies and communal amenity space, provision of on-site residents only gym (ground floor), and the site's close proximity to public open space, the proposed density is acceptable, in this instance.
- **Children and young person's play:** The applicant has provided 48sqm of playable space at roof level for resident children as part of the 148sqm communal amenity space. This is welcomed.
- **Urban design:** The design is a high quality. However, the layout for the ground floor needs to be revisited so that passive surveillance is enabled. The Council should secure details of architectural principles and facing materials to ensure the highest possible standards of design and place-making are delivered.
- **Access:** The design & access statement confirms that the residential development will provide 10% wheelchair accessible units and this is welcomed. The applicant should however demonstrate where these will be located on floor plans. All these should be secured.
- **Energy:** No major strategic concern. However, as the overheating assessment suggests that the units may not overheat, the applicant should consider omitting the air conditioning in order to maximise the carbon savings; the level of savings appears high for the size of CHP proposed, information on how the CHP system will operate including running hours, suitable monthly demand profiles and plant efficiencies should be provided. The applicant has stated that due to the small size of the CHP the facilities management company will likely run the CHP, further information should be provided on the management arrangements, including anticipated costs, given that the management and operation of small CHP systems can significantly impact their long term financial viability.
- **Transport:** Travel plan, delivery and service plan (DSP) and construction logistics plan (CLP) to be secured by condition. Cycle parking should be increased to a minimum of 89 spaces in total and including short stay visitor provision. The travel plan should also secure funding for cycle hire membership for each residential unit. TfL would encourage a reduction in car parking provision preferably to car free or car capped. Provision of Blue Badge parking and of electric vehicle charging points (EVCPs) must be in accordance with London Plan (2015) standards. Residents should be exempt from applying for parking permits (except for blue badge holders). Car club membership should be secured for each new residential unit and a car park management plan will be required. A payment of £50 per square metre should be secured for CIL.

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