

30 December 2015

8-10 Broadway (New Scotland Yard)

in the City of Westminster

planning application no.15/07497/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

The demolition and redevelopment of the site to include residential, office and retail floorspace provision in buildings to a maximum height of 75.45 metres.

The applicant

The applicant is **BL Developments Ltd**, the architect is **Squire & Partners** and the agent is **Bilfinger GVA**.

Strategic issues

The principle of a mixed use development of the site for the proposed uses is accepted, but issues in relation to affordable housing, urban design, children and young person's play, energy and transport should be addressed by the applicant before stage 2 referral.

Recommendation

That Westminster 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 86 of this report; but the possible remedies set out in that paragraph could address these deficiencies.

Context

1 On 27 October 2015 the Mayor of London received documents from Westminster 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 30 November 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 1A, 1B(b) and 1C(c), of the Schedule to the Order 2008:

1A . Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.

1B(b). Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings in Central London (other than the City of London) and with a total floorspace of more than 20,000 square metres”; and

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

3 Once Westminster 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 environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 has been taken into account in the consideration of this case.

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

Site description

6 The site is a triangular shaped block bounded by Victoria Street, Broadway and Dacre Street, located approximately halfway between Victoria Station and Parliament Square. There is an entrance to the St James’s Park LUL station on the opposite corner of Broadway and Dacre Street to the north of the site, and a small park, Christchurch Gardens, located to the west of the site along Victoria Street just past Broadway. To the north and west of the site are listed buildings; to the north above the St James’s Park LUL station, the Grade 1 listed 55 Broadway, and to the west, the grade II listed St Ermin’s Hotel on Caxton Street near the junction of Broadway. The site is not within a Conservation area, however is bounded to the north and west by the Broadway and Christchurch Gardens Conservation Area.

7 Public transport accessibility (PTAL) at the site is classified as 6b (excellent) on a scale of 1-6b where 1 is deemed poor and 6 is excellent. This reflects the fact that the site is very well served by public transport, with some 10 local bus services running in close proximity to the site, varying in frequency from 18 buses per hour to 8 buses per hour.

8 St. James’s Park London underground station is opposite the site, with District and Circle Line services, whilst Westminster station brings District, Circle and Jubilee Line services and is located only 6-7 minutes away. London Victoria offers National Rail services as well as District, Circle and Victoria Line Underground trains and is just a 5-6 minute walk from the site.

Details of the proposal

9 The proposal is for the demolition of the New Scotland Yard Headquarters building and the redevelopment of the site for a mixed use residential, office and development with a maximum height of 75.45 metres. Key aspect of the design proposals are:

- The creation of two development blocks separated by a new shopping street.
- Ground floor consisting of retail use, residential and office entrances; second to fourth floor office use; with two separate podium levels that will accommodate six residential towers.
- The development proposes an arcaded edge facing Victoria Street.

- Three basement levels accommodating plant, car & cycle parking, gym and swimming pool.
- Podium level shared amenity space.



Case history

10 The application proposals have been subject to a pre-application meeting and a report D&P/3440/JA Pre-app was issued on 16 June 2015.

Strategic planning issues and relevant policies and guidance

11 The relevant issues and corresponding policies are as follows:

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|---------------------------|---|
| • Historic Environment | <i>London Plan; World Heritage Sites SPG; Circular 07/09</i> |
| • Mix of uses | <i>London Plan, draft CAZ SPG, draft Interim Housing SPG</i> |
| • Housing | <i>London Plan; Housing SPG; Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context SPG</i> |
| • Affordable housing | <i>London Plan; Housing SPG draft Interim Housing SPG; Housing Strategy;</i> |
| • Retail/town centre uses | <i>London Plan; Town Centres SPG</i> |
| • Density | <i>London Plan; Housing SPG</i> |
| • Urban design | <i>London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG; London Housing Design Guide; Shaping Neighbourhoods: Play and Informal Recreation SPG</i> |
| • Tall buildings/views | <i>London Plan, London View Management Framework SPG</i> |

- 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; Land for Industry and Transport SPG*
- Parking *London Plan; the Mayor's Transport Strategy*
- Crossrail *London Plan; Mayoral Community Infrastructure Levy; Crossrail SPG*

12 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 2011 Westminster City Council Core Strategy, saved policies of the 2007 Westminster Unitary Development Plan and the 2011 London Plan (with 2013 alterations).

13 The following are also relevant material considerations:

- The National Planning Policy Framework and Technical Guide to the National Planning Policy Framework
- Westminster Council Planning Obligations SPG (2008)
- Draft Further Alterations to the London Plan (January 2014)

Principle of land use

14 The applicant is proposing to replace the existing office floorspace (New Scotland Yard HQ) with a mixed-use redevelopment of the site incorporating residential, office and retail use (table 1) with a total floorspace of 70,755 sq.m.

Table 1; Land use mix

Land use	Existing GIA Sq.m.	Proposed GIA Sq.m.	Change GIA Sq.m.
Office	46,617	14,201	-32,416
Retail	0	3,869	3,869
Residential (private)	0	43,342	43,342
Residential (affordable)	0	1,114	1,114
Plant	5,114	10,008	4,894
Car Park/facilities	3,988	13,411	9,423
Total	55,719	85,945	30,226

Office

15 The proposal will result in the replacement of a large office building with a mixed use development. In considering this change of use from office to a mixed use site development London Plan policy 2.10 (CAZ strategic priorities) and policy 4.2 (offices) are particularly relevant. London Plan policy 2.10 states:

“the Mayor, Boroughs and relevant strategic partners should ensure that: (e) in appropriate parts of the CAZ and the related area in the north of the Isle of Dogs ensure that development of office provision is not strategically constrained and that provision is made for a range of occupiers especially the strategically important financial and business services”.

16 London Plan policy 4.2 (Offices) states:

‘the Mayor, Boroughs and relevant strategic partners should ensure that:

a support the management and mixed use development and redevelopment of office provision to improve London’s competitiveness and to address the wider objectives of this Plan, including enhancing its varied attractions for businesses of different types and sizes including small and medium sized enterprises.

b recognise and address strategic as well as local differences in implementing this policy to:

– meet the distinct needs of the central London office market, including the north of the Isle of Dogs, by sustaining and developing its unique and dynamic clusters of ‘world city’ and other specialist functions and business environments, and

– consolidate and extend the strengths of the diverse office markets elsewhere in the capital by promoting their competitive advantages, focusing new development on viable locations with good public transport, enhancing the business environment including through mixed use redevelopment, and supporting managed conversion of surplus capacity to more viable, complementary uses

c encourage renewal and modernisation of the existing office stock in viable locations to improve its quality and flexibility

d seek increases in the current stock where there is authoritative, strategic and local evidence of sustained demand for office-based activities in the context of policies 2.7, 2.9, 2.13 and 2.15–2.17.’

17 The applicant proposed 14,201 sq.m. of office floorspace or 20% of a mixed use development of 85,945 sq.m, that also incorporates 3,869 sq.m. of retail and 44,456 sq.m. of residential floorspace. The office floorspace is proposed over three floors (levels 2-4) with a ground floor entrances, but the applicant has indicated the floorspace provision could be adjusted. This quantity and proportion of office floorspace appears reasonable given the improvement in quality of floorspace compared to the existing New Scotland Yard building. Notwithstanding this GLA officers require a steer from Westminster Council on how this scheme fits with its recent policy Statements (Statements 18 March 2015 and 22 July 2015) preventing loss of office floorspace in the CAZ and whether this scheme will fall under exceptional circumstances.

Retail/residential

18 The mixed use proposals will incorporate 3,869 sq.m. retail floorspace with a focus on high quality designer fashion retail stores. This use is supported by CAZ policy 2.11A(f) strategic functions (f) which states developments will be supported that:

‘The Mayor, Boroughs and relevant strategic partners should ensure that: (f) support and improve the retail offer of CAZ for residents, workers and visitors especially in Knightsbridge and the West End as global shopping destinations.’

19 The residential proposals in the mixed use development are for 251 residential units (52, 178 sq.m.) this forms a substantial proportion of the development floorspace (73%), this use is supported policy 2.11A(a) states :

‘The Mayor, Boroughs and relevant strategic partners should ensure that: (a) development proposals to increase office floorspace within the CAZ and the north of the Isle of Dogs Opportunity Area include a mix of uses including housing, unless such a mix would demonstrably conflict with other policies in this plan.’

20 Furthermore policy 4.3 Mixed Use Development and Offices encourages residential use within mixed use development, this support is subject to the development not conflicting with other London Plan policies such as design quality.

Conclusion

21 The principle of mixed-use development of the New Scotland Yard site is supported by London Plan CAZ policy as a reasonable amount of high quality office space is re-provided and this creates a good quality mixed use development with complimentary residential and retail use. Notwithstanding this, GLA officers require a steer from Westminster Council on how this scheme fits with its recent policy Statements (Statements 18 March 2015 and 22 July 2015) preventing loss of office floorspace in the CAZ and whether this scheme will fall under exceptional circumstances indicted in its policy statement letters.

Housing

Housing mix

22 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. Also relevant is Policy 1.1, part C, of the London Housing Strategy, which sets a target for 42% of social/affordable rented homes to have three or more bedrooms.

Table 1: housing mix (apartments)

Unit Type	Market	Affordable	Total
1 bed	65	5	70
2 bed	102	5	107
3 bed	55		55
4 bed	7		7
5 bed	7		7
Total	236	10	246

23 The housing mix includes 28% larger 3+ bed units with 43% two bed units this housing offer is supported as it provides for a reasonably balanced with a fairly even split across unit types and is supported by London Plan policy.

Affordable housing

24 London Plan policy 3.11 Affordable Housing Targets requires borough councils to “seek the maximum amount of affordable housing”. In order to give impetus to a strong and diverse housing sector, 60% of affordable housing provision should be for social rent and affordable rent and 40% for intermediate rent or sale. Priority should also be given to affordable family housing.

25 Furthermore the London Plan (Consolidated Alterations since 2011) policy 3.12 section C states: *‘Affordable housing should normally be provided on-site. In exceptional cases where it can be demonstrated robustly that this is not appropriate in terms of the policies in this Plan, it may be provided off-site. A cash in lieu contribution should only be accepted where this would have demonstrable benefits in furthering the affordable housing policies in this Plan and should be ring-fenced and, if appropriate, pooled to secure additional affordable housing either on identified sites elsewhere or as part of an agreed programme for provision of affordable housing.’*

26 The Westminster Council affordable housing requirement set by its Core Strategy policy CS16 states: *‘The council will achieve at least 22% of new homes to be affordable to 2012, and exceed 30% for the remaining of the plan period, and will work with its partners to facilitate and optimise the delivery of new affordable homes.’*

27 The applicant has made an initial affordable housing offer of 10 units (4%) consisting of 5 one bed and 5 two bed these are located in the eastern residential block and is supported by a housing viability assessment. The ten units are proposed following advice from registered provider Ocatvia Housing, an affordable housing provider in central London to ensure that they meet the median eligibility criteria for the borough. This offer is very low given the likely sales values achieved in this part of Central London and the applicant’s affordable housing viability assessment should be independently assessed on behalf of Westminster Council, having regard to the fact that the purchase price should reflect the Council’s policy requirements, including 30% affordable housing.

Children and young person’s play

28 Children and young people need free, inclusive and accessible spaces offering high-quality play and informal recreation opportunities in child-friendly neighbourhood environments. Policy 3.6 of the London Plan seeks to ensure that all children and young people have access to such provision. The challenge facing boroughs and their partners in play provision will be to find opportunities to retain and increase the provision of play and informal recreation, particularly in housing developments.

29 The applicant has completed an assessment of child yield from the development and this indicated a need to provide for 30 children requiring 300 sq.m. of which 170 sq.m. for under 5 age group and this is welcome

30 The applicant landscape strategy demonstrates that consideration has been given to provide sufficient in accordance with the expected child population of the completed development accounting for all age groups. Doorstep play provision for under 5s will be provided in the podium level shared courtyards. Given the nature of the development proposals, for older age groups the applicant has identified existing facilities in the immediate area and the applicant should make and a financial contribution to the provision, or improvement, of off-site play facilities as part of s106 contributions negotiated with Westminster Council.

Urban design

31 The design of the scheme is of an outstanding quality and the design approach contributes to both the permeability of the area and substantially enhances the local streetscape.

Layout

32 The development layout is based on a single route across the site to create two separate development blocks. This approach improves the site permeability and focuses pedestrian activity on new spaces and frames 55 Broadway Grade I listed building. It creates good sized blocks that mainly internalise back of house and service uses away from the public realm

33 At the pre-application stage issues were raised over the provision of the retail pavilion at the end of this route and its impact of the size of the public space. The applicant has since relocated this building to the eastern edge of the public space, this change is on balance supported as it contributes to the activation of the new space and Dacre Street. The new space will itself will be well enclosed by the two proposed blocks to the south and would be visible from Caxton Street as well as forming the setting for 55 Broadway.

Public realm interface

34 The distribution of retail, office and residential lobby's around each block creates a good amount of active frontage to all streets. Although overall ground floor layout is supported it is officer opinion that there is an opportunity to improve the active elevations of the building by relocating plant rooms to the basement level and increasing the area of retail units or relocating the security maintenance offices to have a street frontage.

35 The adoption of a colonnade on Victoria Street echoes those further west up this road and is a long-established architectural feature in London, the double-height nature of this arcade is welcome, and should avoid the less than appealing character of the 1970s colonnades to the west either side of the catholic cathedral plaza.

Residential quality

36 The residential quality of the scheme is high, with a large proportion of dual aspect units, a maximum of six units per core and generous sizes. Whilst normally officers would expect each core to be accessed directly from the street, given the otherwise good distribution of uses at ground level, this is not considered necessary.

Height, massing & scale/LVME & WHS

37 The massing of a podium with six medium-rise residential towers above the retail and office floors creates a good street edge and an elegant collection of buildings above and is supported. The proposed 19 storey height of the taller elements is similar to Windsor House to the west and that of the existing building on the site which is visible in the views from The Queen's Walk on the South Bank and the view from St James's Park. The proposed development does not harm these views or the setting the listed park spaces or buildings within these views see below.

Appearance & materials

38 The building appearance is both striking and of a character that contributes to improving Victoria Street and the immediate surrounding area. The facade treatment of the residential floors is influenced by Art Deco patterns which wrap around the buildings with a repeating double storey of precast or GRC hexagonal pattern or diamond pattern (which evolve as they go up the building)

with solid bronze coloured mesh infill panels or insulated glass panels, aluminium cladding spandrel panels and window frames and inset balconies.

39 The podium is on four levels occupied by retail and office uses and continues the Art Deco pattern to ground level by stripping back the pattern down to simple vertical lines with a high degree of glazing in cutbacks and recesses with a colonnade on Victoria Street.

Tall buildings / LVMF views/ heritage assets

LVMF views

40 London Plan (2011) policy 7.7, which relates to the specific design issues associated with tall and large-scale buildings, are of particular relevance to the proposed scheme. This policy sets out specific additional design requirements for tall and large-scale buildings, which are defined as buildings that are significantly taller than their surroundings and/or have a significant impact on the skyline and are larger than the threshold sizes set for the referral of planning applications to the Mayor. Policies 7.10 and 7.11, which set out the Mayor's approach to protecting the character of strategic landmarks as well as London's wider character, are also important considerations.

41 The TVIA provided by that applicant includes Accurate Visual Representations (AVRs) of the proposals as seen from each of these views supports the assessment.

42 The site is considered appropriate for a tall building and the high quality design has responded to specific strategic and local historic views constraints, however the development does have an overall minor impact on the following strategic views:

- LVMF 18A.2 Westminster Bridge - upstream at the centre of the Bridge: no effect.
- LVMF 21A.1 - Jubilee Gardens between Westminster and Hungerford Bridge: compared to the existing building with its prominent plant and communications masts the proposed building is barely noticeable in the long views and only in telephoto views can a small slither of building be identified either side of Westminster Abbey's north tower. The overall impact is minor and beneficial as there are no prominent plant areas compared to the existing New Scotland Yard building.
- LVMF 18A.1 Albert Embankment - opposite the Palace of Westminster at the foot of Westminster Bridge: A tiny part of the proposed development is visible and is hardly noticeable in views and has a minor impact.
- LVMF 22A.3 & 22A.2 Albert Embankment - opposite the Palace of Westminster axial to the central lobby: No effect.
- LVMF 22a.1 - Albert Embankment opposite the Palace of Westminster approaching Lambeth Palace: Above the tree line to the west of Palace of Westminster a tiny portion of the upper levels is observable. Very minor /neutral impact.

Historic environment- World Heritage Sites OSUV and designated heritage assets

43 London Plan Policy 7.8 'Heritage Assets and Archaeology' states that development should identify, value, conserve, restore, re-use and incorporate heritage assets where appropriate. The proposal in its immediate vicinity will have a potential impact on designated assets in the form of Palace of Westminster and St Margaret's Church (WHS)/Outstanding Universal Value (OUV).

44 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should *“have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”* and in relation to conservation areas, *special attention must be paid to “the desirability of preserving or enhancing the character or appearance of that area”*.

45 The NPPF states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset’s conservation, and the more important the asset, the greater the weight should be. Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset’s physical presence or its setting. Where a proposed development will lead to ‘substantial harm’ to or total loss of the significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development will lead to ‘less than substantial harm’, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

46 The site is not located in a conservation area but there a number in close proximity to the development. The applicant has provided an Environmental Statement, which includes a Townscape and Visual Impact Assessment (TVIA), including wirelines and fully rendered views. These set out a clear analysis of the potential heritage impacts of the development proposals.

Analysis of WHS OUV impact

47 The applicant has provided in its Environmental Statement Townscape and Visual Impact Assessment (TVIA), including wirelines and fully rendered views of views relating to Palace of Westminster and St Margaret’s Church WHS.

48 The development will have very limited impact on the elements that provide the setting which contribute to the heritage significance or OUV of the WHS. It is only visible from limited parts within the WHS – these are in views from Broad Sanctuary and Parliament Square – the latter being outside the WHS boundary.

49 In the identified views the development proposals will appear as a minor addition within the existing post war development to the west of the WHS that include Windsor House and Portland House.

50 The development proposals are most visible from Westminster Abbey West Gate (view 23); Westminster Abbey, green to the north (view 25); St Margaret’s Church (view 26); Parliament Square, entrance to New Palace Yard (view 27); looking across Parliament Square (view 28); Westminster Bridge, west (view 29). In all these locations the building will be a noticeable improvement on the existing New Scotland Yard slab block form and its more prominent rooftop plant areas.

Conservation area impacts

Broadway & Christchurch Gardens Conservation Area

51 Four ‘Local views of importance’ are identified in conservation area. Those impacted on by the proposed development are: views east along Victoria Street (View 8) where the build form improve is beneficial as it improves the street profile; the view looking west from Tothill Street (view 19) where the slab block profile is replaced by narrow end block with beneficial impact of opening the vista down the street by removing the overbearing slab block. Overall the removal of

New Scotland Yard (nos. 8-10 Broadway) building and its replacement with the proposed development is beneficial to the conservation area.

Bird Cage Walk Conservation Area

52 A number of local views, those of relevance to the Proposed Development include a view from Birdcage Walk/Spur Road and a view from Birdcage Walk opposite Queen Anne's Gate (view 11) is obscured by other buildings and so has no effect.

Peabody Estates: South Westminster & Peabody Avenue Conservation Area

53 No identified local views that are impacted on by the development.

Westminster Abbey & Parliament Square Conservation Area

54 A number of local views of potential relevance to the proposed development in or around Parliament Square and Westminster Abbey; Westminster Abbey, green to the north (view 25) – although the building is moved closer to the Abbey the step profile is beneficial to the silhouette of the memorial and has a medium/low impact; Parliament Square, entrance to New Palace Yard (view 27) –small portion of the building can be seen emerging from trees with a medium/low impact; Portcullis House, looking across Parliament Square (view 28) – the top of the building fits with sits as part of the roofscape with low/medium impact on the Abbey; Westminster Bridge, west (view 29) –development is largely obscured by trees and will have very little impact and is not considered to be harmful.

Westminster Cathedral Conservation Area

55 No identified local views are impacted on by the development.

Vincent Square Conservation Area

56 Local views of relevance to the proposed development including views from Vincent Square, Udall Street, and Bloomburg Street (views 5, 6 and 7) Impacts are minor and beneficial due to the enhanced quality of architecture of the proposed scheme compared to the existing slab block form of the New Scotland Yard building.

Medway Street Conservation Area

57 No identified local views are impacted on by the development.

Page Street Conservation Area

58 No identified local views are impacted on by the development.

Smith Square Conservation Area

59 No identified local views are impacted on by the development.

Whitehall Conservation Area

60 The proposed development will have impact on only one view relating to Horse Guards Road (Views 21 and 22) both show the development stepped form as less prominent than the existing slab block which is beneficial to the setting of Horse Guards Parade.

Lambeth Palace Conservation Area

61 Identifies views from Lambeth Palace Road and the Albert Embankment towards the Westminster WHS, taking in the Palace of Westminster (views 36,37, 38, 39, 40 and 40.1). In these views the development proposals will have either no effect or improve the view due to less prominent massing.

South Bank Conservation Area

62 A number of views from within the conservation area towards the north bank of the Thames. Of relevance to the proposed development are views towards the Houses of Parliament from Queen's Walk, both to the north and south of Westminster Bridge (views 31, 32, 33, 33.1, 34 and 35). In view 31 the development proposals the building will step away from the Elizabeth Tower with a lighter appearance as the prominent plant area (forming a dark band) of the existing New Scotland Yard has been removed. In view 32 (County Hall) there is very minor piece of the building visible behind Parliament, the removal of the New Scotland Yard building mass between Elizabeth Tower will greatly improve this view. In relation to views 33 and 33.1 (LVMF 21A.1), 34 (LVMF 18A.1) and 35 (22A.3) see previous text above).

Conclusion

63 The applicant has provided sufficient analysis of LVMF views, heritage impacts and on the The Palace of Westminster and St Margaret's Church WHS OUV to enable an assessment and acceptability of the impact of the proposals as being reasonable. It is clear that there are substantial benefits associated with these proposals, including the delivery of an outstanding high quality design that contributes to the public realm through increased pedestrian realm and provides an active frontage with office and retail uses. The proposal will not cause harm to historic assets or the OUV of the WHS.

Access

64 In line with London Plan policy 3.8 (Housing Choice) the applicant has demonstrated that all residential units will meet Approved Document Part M design requirements and meet (the not phased out) 16 Lifetime Home standards, whilst 10% of the apartments are designed to be easily adaptable for wheelchair accessibility. The applicant has also demonstrated on plan the location of these units together with typical flat layouts and that they are accessible by two lifts and this is welcome.

65 The applicant's design and access statements shows in its public realm layouts and landscape design how disabled people access to each of the buildings safely, including details of levels, gradients, widths and surface materials of the paths. Within the car parking provision the development includes spaces for Blue Badge holders.

Energy

66 The applicant has broadly followed the energy hierarchy and sufficient information has been provided to understand the proposals as a whole. The proposals are broadly acceptable; however, further information is required before the carbon savings can be verified.

67 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include energy efficient lighting. The demand for cooling has been minimised by use of passive measures such as balcony over-shading however TM52 assessment has indicated that high

efficiency cooling will be necessary. The development is estimated to achieve a reduction of 116 tonnes per annum (9%) in regulated carbon dioxide emissions compared to a 2013 Building Regulations compliant development.

68 The applicant has identified that the Whitehall district heating network is within the vicinity (less than 500 metres) of the development and although connection is currently not feasible this could be possible in future. Connection to the network should continue to be prioritised and evidence of correspondence with the network operator should be provided.

69 The applicant should, however, provided a commitment to ensuring that the development is designed to allow future connection to a district heating network should one become available. The applicant is proposing to install a site heat network. However, the applicant has confirmed that all apartments and non-domestic building uses will be connected to the site heat network. A drawing showing the route of the heat network linking all buildings on the site has been provided. The site heat network will be supplied from a single energy centre in the basement of the development. Further information on the floor area of the energy centre should be provided

70 The applicant is proposing to install a 160 kWe 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 carbon dioxide emissions of 161 tonnes per annum (13%) will be achieved through this second part of the energy hierarchy.

71 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install 200 m² of solar photovoltaic (PV) panels on the south side of the roof of Building 3. A reduction in regulated carbon dioxide emissions of 10 tonnes per annum (1%) will be achieved through this third element of the energy hierarchy.

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

73 A reduction of 287 tonnes of carbon dioxide per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected, equivalent to an overall saving of 23%.

74 The on-site carbon dioxide savings fall 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 borough the developer should ensure the short fall in carbon dioxide reductions, equivalent to 150 tonnes of carbon dioxide per annum, is met off-site.

Transport

Network impact

75 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

76 All servicing will be on site via Dacre Street and Broadway, which is acceptable to TfL, subject to Westminster's consideration as highway authority. 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, which should include cyclists' safety.

Walking and cycling

77 TfL supports the creation of a north south pedestrian link through the scheme linking Victoria Street and Broadway. However to further enhance permeability the pedestrian link should also be designed to accommodate cyclists and the connection should be compliant with the London Cycle Design Guidance (2015). It should be open for public use 24/7 secured via the Section 106 (s106) agreement.

78 TfL requests that the sum of £8,909 is secured as part of the s106 agreement payable to Westminster for Legible London signage. In addition given the likely demand from this development especially in the context of existing pressures; TfL considers that a site specific s106 contribution of £200,000 for a 36 dock cycle hire station is justified.

79 TfL also requires that land is secured on site for a docking station. The travel plan should also secure funding for cycle hire membership for each residential unit for a minimum of one year (£90 per unit) and the developer should consider extending this to three years. Overall 723 cycle spaces are proposed, which exceeds London Plan (2015) minimum requirements. Cyclist facilities (showers, lockers and changing areas) should be provided for staff of the commercial uses. It is noted in the TA that two lifts will be provided for cyclists accessing the basement level cycle parking. The dimensions of the lift should accord with the London Cycle Design Guidance (2014).

Car parking

80 Car parking is proposed for the residential component of the scheme at a ratio of 0.77 per dwelling. Given the excellent public transport accessibility of the site, TfL would encourage a reduction in provision preferably to car free or car capped except for that for disabled people and the car club. The latter parking spaces and their appropriate management should be secured by condition. Electric vehicle charging points (EVCPs) and blue badge parking should also be secured by condition and be in accordance with London Plan (2015) standards. Residents should be exempt from applying for parking permits (except for blue badge holders). It is understood that the first occupier of each unit will be provided with a car club membership. This initiative is welcomed by TfL and should be secured as part of the s106 agreement.

Travel planning

81 The travel plan 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.

The Mayor's CIL

82 The Mayor has introduced a London-wide Community Infrastructure Levy (CIL) to help implement the London Plan, particularly Policies 6.5 and 8.3 towards the funding of Crossrail. The CIL rate for the City of Westminster is £50 per square metre. The required CIL should be confirmed by the applicant and Council once the components of the development or phase have been finalised.

Local planning authority's position

83 No known at time of report preparation.

Legal considerations

84 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

85 There are no financial considerations at this stage.

Conclusion

86 London Plan policies on CAZ, offices, mixed use, housing mix, affordable housing, children & young person's play, urban design, tall building, LVMF views, heritage, 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:

- **Principal of land use:** The principle of mixed-use development of the New Scotland Yard site is supported by CAZ policy as a reasonable amount of high quality office space is re-provided and this creates a good quality mixed use development with complimentary residential and retail use. Notwithstanding this, GLA officers require a steer from Westminster Council on how this scheme fits with its recent policy Statements (Statements 18 March 2015 and 22 July 2015) preventing loss of office floorspace in the CAZ and whether this scheme will fall under exceptional circumstances indicated in its policy statement letters.
- **Housing mix:** The housing mix includes 28% larger 3+ bed units with 43% two bed units this housing offer is supported as it provides for a reasonably balanced with a fairly even split across unit types and is supported by London Plan policy.
- **Affordable housing:** The applicant has made an initial affordable housing offer of 10 units (4%) consisting of 5 one bed and 5 two bed these are located in the eastern residential block and is supported by a housing viability appraisal. This offer is very low and unacceptable given the likely sales values achieved in this part of inner London and the applicant affordable housing viability assessment should be independently assessed on behalf of Westminster Council, having regard to the fact that the purchase price should reflect the Council's policy requirements, including 30% affordable housing.
- **Children and young person's play:** The applicant has completed an assessment of child yield and will provide podium level doorstep play areas for the under 5 age group and this is welcome. A financial contribution to the provision, or improvement, of off-site play facilities should be considered as part of s106 contributions negotiated with Westminster Council for older age groups.

- **Urban design:** The design of the scheme is of an outstanding quality and design approach contributes to both the permeability through the removal of the existing New Scotland Yard that due to operational needs lacked strong active street frontages. But further consideration should be given to ground floor layouts to reduce blank areas of street frontage.
- **Tall buildings / LVMF views/ heritage assets:** The applicant has provided sufficient analysis of LVMF views, heritage impacts and on the The Palace of Westminster and St Margret's Church WHS OUV to enable an assessment of the acceptability of the impact of the proposals. The proposal would not harm historic assets or the OUV of the WHS.
- **Access:** Issues relating to access have been addressed in the applicant's design and access statement.
- **Energy:** The on-site carbon dioxide savings fall 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 borough the developer should ensure the short fall in carbon dioxide reductions, equivalent to 150 tonnes of carbon dioxide per annum, is met off-site. Further verification information is also required before the carbon savings can be verified. The applicant should provide the required information before stage 2 referral.
- **Transport:** The applicant should respond in full to the issues relating to network impact, road network, car parking walking and cycling, and travel planning.

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