

31 London Street, Paddington

in the City of Westminster

planning application no. 15/11219/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

Full planning permission sought for comprehensive redevelopment of site comprising a 72 storey residential tower (282 m AOD) to contain between 329-349 units; two commercial buildings (7 and 10 storeys) fronting Praed Street and Winsland Street to contain retail, cafe/restaurant, and offices; public realm works comprising new piazza, re-profiled and re-aligned London Street, new underground station entrance, Bakerloo Line Ticket Hall, with associated infrastructure and interface highway/ transport works for underground and rail connections, car parking and cycle parking, and ancillary works.

(Listed building consent also sought for works associated with curtilage of Paddington Station)

The applicant

The applicant is **Great Western Developments Ltd** and the architect is **Renzo Piano Workshop**.

Strategic issues

The principle of a high density, mixed use development in a highly accessible location is supported in terms of contributing to the objectives of the **Paddington Opportunity Area** and **Central Activities Zone** for additional jobs and homes.

The provision of a world class **landmark tower** in this location would be a welcomed contribution to London's skyline providing a focal point for Paddington Station that brings significant benefits by virtue of its public realm design and station interchange improvements, including the future Crossrail Station.

The scheme would be significantly visible in local and wider townscape views and where there are **heritage assets** that are adversely affected, the harm caused is justified in light of the substantial public benefits. The scheme would not compromise any LVMF strategic views.

An off-site **affordable housing** solution is proposed, which is appropriate in this instance but is still the subject of discussion in order to demonstrate that it delivers the maximum reasonable provision.

There are some technical aspects of the scheme for which further information and discussion is required, including **sustainability** and **inclusive design**.

Transport is a key strategic issue in terms of the station works and there are detailed aspects that will need to be considered, and TfL will need to be a signatory to any section 106 legal agreement.

Recommendation

That Westminster City Council be advised that while the application is generally acceptable in strategic planning terms there are elements of the scheme that require addressing in order to ensure full compliance with the London Plan, as set out in paragraph 129 of this report.

Context

1 On 16 December 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 must 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, and 1C, and 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(c)- Development which comprises or includes the erection of a building or buildings in Central London and with a total floorspace of more than 20,000 square metres;

1C(b) - Development which comprises the erection of a building that is more than 30 metres high and is outside the City of London;

3E – Development which does not accord with one or more provisions of the development plan in force in the area and includes the provision of more than 2,500 sq.m. of Class A1/A3/A4/B1 uses;

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 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 application relates to a 0.8 ha broadly rectangular site bounded by London Street to the west, opposite Paddington Station and the former Great Western Hotel. Praed Street is located to the south and Winsland Street to the north. Beyond that and to the east of the site are buildings associated with St Mary's Hospital. Winsland Mews dissects the site between London Street and St Mary's Hospital. The site includes the arrival ramp leading to the entrance of Paddington Station from Praed Street and also the section of London Street, north of its junction with Praed Street. This is the primary vehicle and pedestrian route linking Praed Street with St Mary's Hospital and Paddington Basin.

7 The site presently contains three buildings that make up the former Royal Mail Centre and sorting office, with post officer counter operations, now vacant. Block A fronts London Street and Winsland Street and is an original Edwardian 3-storey building constructed in the 1890s with a later extension in 1907; Block B is a modern 1980s 4-storey building to the east of Block A; Block C is a 1980s in-fill office development with ground floor retail and entrance/frontage to Praed Street. There is an elevated enclosed corridor across Winsland Mews connecting the two buildings. The site is above, and connected to the Mail Rail tunnel system that runs to Whitechapel. The site currently comprises 19,851 sq.m. (GIA) floor space, which includes 700 sq.m. of exhibition space.

8 The site is located within the Paddington Opportunity Area (OA) and is also within the Central Activities Area (CAZ). Part of the site is within the Praed Street District Centre. The site falls within the Bayswater Conservation Area (CA), and whilst none of the buildings on the site are listed, the CA appraisal identifies Block A as an unlisted building of merit, for which a certificate of immunity applies until November 2016. There are also a number of designated heritage assets nearby, including Paddington Station (Grade I), Great Western Hotel (Grade II), Mint Wing of St Mary's Hospital (Grade II), Paddington District and Circle Line Station (Grade II), and the Clarence Memorial Wing of St Mary's Hospital (Grade II).

9 Paddington Station is served by the Bakerloo, District, Circle and Hammersmith and City London Underground (LU) lines. First Great Western, Heathrow Connect and Heathrow Express services start and terminate at Paddington offering services to west of London, Reading and beyond and Heathrow Airport. Paddington will also benefit from Crossrail and in late 2018, the first Crossrail services will start through the central London tunnelled sections. Eight bus routes, four of which are 24 hour together with a further two night bus services, operate primarily from Praed Street and Eastbourne Terrace and offer services to a wide variety of destinations. Taxis can also be accessed from a dedicated taxi rank at Paddington station. There are two cycle hire docking stations located near to the site in Winsland Street and South Wharf Road which are in the top 5 and 10 percent respectively for cycle hire use.

10 The site has an excellent public transport accessibility level (PTAL) of 6b, on a scale where 1 is lowest and 6 is highest. The nearest Transport for London Road Network is the A40 Westway which is approximately 400m north of the site. The A4209 Sussex Gardens forms part of the Strategic Road Network and is approximately 200m south of the site. There are 64 car parking spaces in the basement, accessed from a ramp on Winsland Street.

Details of the proposal

11 The applicant, Great Western Developments Ltd proposes demolition of the existing buildings and single storey basement to enable the comprehensive redevelopment of the site. Three buildings in total are proposed. Firstly, a 72 storey tower (281.85 metres AOD or 304.8 m to top of mast) would be located in the centre of the site, accommodating between 329 and 340 residential units together with office space at floors 1-7, and restaurant/viewing garden at roof top level. Two separate office blocks of 7 storeys (54.9 m AOD) and 10 storeys (65.7 m AOD) are proposed for either side of the tower, with retail at mezzanine level.

12 In total, there would be 72,792 sq.m. (GEA) of floor space provided, made up of 47,279 sq.m. residential floor space on levels 11-67 of the tower, 16,519 sq.m. of office floor space and 8,994 sq.m. (GEA) of retail and cafe/restaurant uses across all three buildings, including the top two floors of the tower below the sky garden.

13 The scheme includes a large forecourt/piazza at the entrance to Paddington Station off Praed Street. In total 6,857 sq.m. of public realm is proposed, including at street and concourse level. The sky garden would provide 657 sq.m. of accessible open space.

14 Below ground, there would be three levels of basement that would provide the retail space and restaurant uses at and a new Bakerloo line/Crossrail connection, including new Bakerloo Station and associated pedestrian link tunnels. Open access to Paddington Rail station would be provided, accessible via escalators from the mezzanine level, or from the Circle and District, and Bakerloo levels via the Paddington Concourse. Lifts within the residential and office block would also provide access to the LU platforms and Crossrail. The basement would also contain a car stacker for 110 vehicles and plant space.

15 Two way vehicular access via London Street would be retained following realignment and provision of a new bridge over the concourse level. Servicing and residential car parking access would be from Winsland Street via a new single access point.

16 Listed building consent is also being sought for demolition of the retaining wall between the station arrivals ramp and London Street, and the pedestrian entrance stairs to the Bakerloo Line, which forms part of the listed Paddington Station.

Case history

17 The only strategic planning application for this site dates back to 2011, when the former owners, Royal Mail Group submitted a planning application for redevelopment of the site to provide 141 residential units, office space, and retail space within buildings up to 9 storeys. The scheme retained the 1907 London Street facade and conversion of the Praed Street building and provided passive provision to allow future provision of the Bakerloo line ticket hall. The Mayor provided a Stage 1 response in July 2011 (ref PDU/2696/01) where the principle of the development was accepted in principle. The scheme was recommended for approval by Westminster City Council in November 2012 however, the application did not proceed to Stage II referral and the s.106 was never signed, or decision issued.

18 The current proposals were presented to the Mayor in July 2015, with subsequent officer led pre-application discussions held in the lead up to the submission of the planning application. No written advice was provided but general support was expressed for the principle of regeneration of the Paddington Station area through delivery of a tall building and public realm improvements.

Strategic planning issues and relevant policies and guidance

19 The relevant issues and corresponding policies are as follows:

- Land use principles *London Plan; London Planning Statement; draft CAZ SPG; Land for Industry and Transport SPG*
- Housing *London Plan; Housing SPG; draft interim Housing SPG; Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context SPG*
- Affordable housing *London Plan; Housing SPG; draft Housing SPG; Housing Strategy;*
- Density *London Plan; Housing SPG; draft interim Housing SPG*
- Tall buildings/views *London Plan, London View Management Framework SPG*
- Historic Environment *London Plan;*
- Urban design *London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG;*
- 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/parking *London Plan; the Mayor's Transport Strategy; Land for Industry and Transport SPG*
- Crossrail *London Plan; Mayoral Community Infrastructure Levy; Use of planning obligations in the funding of Crossrail and the Mayoral Community infrastructure levy SPG*

20 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 Westminster Council City Plan (2013): Strategic Policies (2013), Westminster's Unitary Development Plan (2007), and the 2015 London Plan consolidated with alterations since 2011.

21 The following are also relevant material considerations:

- The National Planning Policy Framework and National Planning Policy Guidance;
- Westminster City Management Plan (CMP) revision: City management policies revision and policy topic papers;
- Interim note on Affordable Housing Provision (March 2011);
- Westminster CIL – draft charging schedule (2015).

Land uses - offices, retail and regeneration

22 As set out in paragraph 14, the scheme proposes a mixed of uses including residential, offices and retail floor space. The scheme delivers an uplift in employment generating floor space of over 4,000 sq.m. compared to existing. This in turn increases job capacity on the site – from the 800 that RMG previously employed to over 1,100 in the proposed commercial uses. Over 460 construction jobs during build out are estimated. This is accordance with London Plan policies for the Paddington Opportunity Area, which sets a target of 5,000 new jobs and a minimum of 1,000 new homes to 2013. The Mayor's draft CAZ SPG also sets out objectives in relation to promoting the CAZ as a competitive business location, with guidance on the approach to retail, housing, the environment, heritage and transport.

23 The scheme proposes high quality, flexible office floor plates that would suit a range of potential occupiers. The scheme would make a welcomed contribution towards the office supply pipeline in the CAZ, in accordance with the objectives of the London Plan and Mayor's draft CAZ SPG, which notes that there is a tightening of supply relative to demand in central London. Westminster's City Plan, also notes that Paddington remains the most appropriate location for large-floorplate office space.

24 The scheme proposes approximately 5,900 sq.m. (NIA) ground floor retail (Class A1) and restaurants (Class A3), fronting on to the public spaces and pedestrian routes. This creates an active frontage with uses to serve the new residential and office population, as well as visitors to and through the site to Paddington Station. Indicatively 32 units are shown, ranging from 22 sq.m. to over 400 sq.m. with approximately half being below ground to serve commuters using the new underground ticket hall. Flexibility is sought over the split between the uses but it is envisaged that there would be half retail and half restaurants. This is acceptable in strategic planning terms, although the Council should ensure that there is no opportunity to amalgamate units to create large floorplates by imposing a condition that sets a maximum sizes threshold to ensure no single large retail anchor stores occupy the space.

25 The applicant has submitted a retail impact assessment (RIA), as part of the site is outside of the district centre although noting there is up to date planning policy that supports retail in this CAZ and OA location, the applicant has stated that one is not strictly required in this instance. The RIA does however, set out the benefits that the scheme would bring to the district centre, providing better links and permeability between Praed Street and Paddington Station, and offering modern floor space that would appeal to a range of retailers. The RIA concludes that the scheme would complement the existing retail offer of the district centre rather than compete with it, taking into account the growing demand from commuters, workers and residents, including from the application site itself.

26 GLA officers agree that the scheme would make a welcome contribution towards the retail offer for users of Paddington Station and LU in particular, and the office workers and residents in the scheme itself, and those of other recently completed office and residential developments within the OA, including Paddington Basin. The retail offer would also make a sizeable contribution towards employment targets for the OA and meets CAZ objectives for retail uses. It is understood that the Council is presently having the RIA independently reviewed in order to understand the impact that the retail uses proposed would have upon the existing shops on Praed Street in particular. The outcome of this should be shared with the GLA.

27 The London Plan – in the CAZ and OA policies, supports regeneration in these locations and recognises the scope for further high density, good quality business and housing development that compliments the existing character of the CAZ, whilst enhancing environmental quality. Westminster's City Plan policies also seek significant infrastructure projects and public realm improvements for Paddington to improve legibility and connectivity for pedestrians within and to/from the area and enhanced integration between the various modes of transport. New public open space is also expected. The delivery of the scheme, including the new offices, homes piazza, links, routes and transport improvements proposed are in accordance with the regeneration objectives for Paddington.

Housing

28 The scheme proposes up to 339 residential units, made up of 36 studio (10.6%), 108 1-bed (31.9%), 100 2-bed (29.5%) and 95 3-bed (28%). The principle of residential development of the site (within a mixed use scheme) is supported, noting CAZ and OA policies that seek residential development in such areas of good transport accessibility. Noting Westminster's annual monitoring target is 1,068 additional homes per year, the proposal represents over a third of the Council's annual provision. It also contributes a third of units to the Paddington Opportunity Area targets and is therefore a strategically important contribution.

Affordable housing

29 The applicant is not proposing any on-site affordable housing for this scheme. Instead, it is pursuing an off-site affordable housing solution, for which an application has recently been submitted to Westminster City Council. The proposed development is at Chesterfield Lodge Almhouses in St Johns Wood, which currently accommodates 19 almhouses built in the 1970's, and in need of replacement. The applicant is proposing to erect a new four storey building to provide 42 units for the charity that runs the existing Lodge. The applicant has confirmed that these would comprise studio and one-bed units to meet the profile of the charity's beneficiaries, which are typically single or couple occupancy. The units would be provided as intermediate rent, with rental cost above social rent but below market levels for eligible households whose needs are not met by the market. The applicant has allocated the £12 million it would cost to deliver this off-site scheme in its financial viability appraisal (FVA), and has stated that this is the maximum reasonable amount of affordable housing contribution that is viable.

30 The London Plan sets out that affordable housing provision is normally required on site as such provision generally gives the greatest certainty of actual provision as well as meeting the Plan's policies on mixed and balanced communities. However, as set out in paragraph 3.74 and in the Housing SPG, there are exceptional circumstances where it may be provided off-site or through cash in lieu contribution ring fenced and if appropriate 'pooled', to secure efficient delivery of new affordable housing on identified sites elsewhere. These exceptional circumstances include those where having secured an alternative site, it would be possible to secure a higher level of provision, better address priority needs (especially for family housing), or secure a more balanced community. It is also appropriate if it will better sustain strategically important clusters of economic activities, especially in parts of the CAZ (housing swaps/credits).

31 In this instance, it is acknowledged that the property values that would be generated by this scheme would be very high, given the central location, elevated position and panoramic views afforded. Coupled with the single core proposed and associated service charges, it is accepted that the provision of genuinely affordable units on this site would be challenging and would not be as attractive to registered providers. Furthermore, these values mean that the £12 million currently allocated for affordable housing would not deliver the quantum of affordable housing on-site that is being proposed by the off-site solution, particularly given the nature, form, and design of this development.

32 At this stage, the principle of an off-site solution as proposed appears to be the most sensible and appropriate means of delivering affordable housing for this site but it is acknowledged that discussions are still on-going on this aspect of the scheme. This is noting that the applicant's FVA is still under review by the Council's independent surveyor in order to establish if the £12 million suggested, and the proposed scheme, delivers the maximum reasonable provision in accordance with policy 3.12 of the London Plan. It is also noted that the planning application for the off-site scheme has only just been submitted and its acceptability or otherwise (including amount of development) has not been agreed by the Council to date. In assessing the applicant's FVA, this review will need to give detailed analysis of the complex construction costs and residential sales values in particular and also verify the assumptions that have been made in relation to rent levels, development programme and returns, for example.

33 In considering the FVA, it is also noted that there are also a number of other significant costs to the scheme, including the transport and public realm improvements, and the provision of the sky garden for instance, which place a significant cost burden on the scheme's viability and impact upon the amount of affordable housing that can be delivered. As set out under Policy 8.2(D) of the London Plan, affordable housing and funding of Crossrail and other public transport improvements should be given the greatest priority. In this instance, it is considered that an appropriate balance has been struck between the various demands and policy requirements. There may be some need to review the contributions in light of comments below regarding the Bakerloo line fit out, if any surplus is identified in the FVA review, and also depending on the adoption timeframes of Westminster's CIL. Further discussion between the GLA/TfL, applicant and the Council is required on this in order to inform any s.106 drafting.

34 The Council's independent assessment of the FVA, including specialist cost analysis, together with a draft of the section 106 legal agreement will need to be provided to the GLA prior to the Stage 2 referral. This will need to include links to the off-site affordable housing delivery, including fit out and occupation clauses. If there is further scope for affordable housing contributions, the Council will need to consider how this is secured, in terms of off-site contributions, for instance. Given the long build out programme and time that is likely to pass between appraisal and sale/build out, the Council should consider a review mechanism for the scheme to establish if there is any surplus available for more affordable housing.

Housing mix

35 The scheme proposes approximately 10% studio flats, 32% one-bed, 30% two-bed, and 28% three-bed units. The development is skewed towards studio and one bed units. It is acknowledged that in this central location, with the density of development proposed and values, that the mix is likely to contain a higher proportion of smaller units and would be largely market driven, noting the values of larger units in particular.

Residential quality

36 The proposal complies with the space standards set out in table 3.3 of the London Plan, with units arranged around a central core to benefit from panoramic views across London. Winter gardens are proposed for all units, and communal amenity spaces provided at levels 8 and 9 with a link to an external terrace on the roof of the northern office building proposed. For the most part there are no more than 8 units per floor proposed and whilst there are instances of 10 units per floor (where studios are proposed) this is less than 10% of floors overall. Given the outlook and high residential quality otherwise, with natural ventilation, absence of single aspect north facing units, the layout and residential quality proposed for the tower is considered to meet London Plan policy and guidance set out in the Housing SPG.

Density

37 The site is centrally located and has a high public transport accessibility (PTAL) of 6B. Crossrail's arrival in 2018 will improve the area's connectivity further. The applicant has not calculated the density, but based on net residential area this is estimated to be being over 2,000 habitable rooms per hectare (hrha). Whilst this significantly exceeds the density range of 650-1,100 hrha, the London Plan is clear that the density matrix should not be applied mechanistically. In light of the location within the CAZ, Paddington Opportunity Area, its high quality design and significant contribution that the scheme is making to place shaping, the proposed density is appropriate.

Children's play space

38 Approximately 45 school age children are estimated to reside within the residential element of the development based on the Mayor's Play and Informal Recreation SPG. This sets a benchmark of 10 sq.m. of useable child playspace to be provided per child, with under-5 child playspace expected to be provided on-site.

39 In this instance, with a single tower proposed, on a constrained site that is delivering significant public realm and a sky garden, the applicant is not proposing dedicated on-site play space but there is a terrace proposed on the roof of the northern office building, accessed via a bridge link from level 9, which would be for the exclusive use of residents. Whilst public, future on-site residents would also benefit from use of the sky garden (albeit not for exclusive for children's play space use). The nearest dedicated play space is in Hyde Park, a 10 minute walk away, which together with the roof terrace and amenity levels is considered to be an appropriate solution for this scheme, given the relatively low child yield and tenure of the scheme.

LVMF Strategic views

40 The applicant's townscape and visual impact assessment (TVIA) includes views of the scheme (either in render or wireline) and with cumulative views that include adjacent schemes such as Merchant Square (42 storeys). There are eight LVMF river prospect views that have been assessed – Tower Bridge (10A.1), Southwark Bridge (12A.1), Blackfriars Bridge (14A.1), Jubilee Gardens (21B.1) and from Albert Embankment (22A.1-3). The site does not fall within any

protected vistas, but the applicant has assessed the view of the skyline from the Primrose Hill panorama (LVMF 4A).

41 Of these assessed LVMF views, the scheme would not be visible from Jubilee Gardens or Albert Embankment, sitting behind Whitehall Court and the Houses of Parliament respectively. From Tower Bridge, it would sit behind the mast of HMS Belfast and be barely discernible. From Southwark Bridge, the proposed tower would be visible in the centre of the view, but its slender profile, materiality and relative distance would see it read as a backdrop feature along the skyline, together with other buildings such as Centre Point, and other more dominant foreground features such as the Tate Chimney and South Bank Tower. In the case of Blackfriars Bridge, this view gives a wide panoramic view from Royal Festival Hall to Temple Gardens. Again, the tower would read as part of the varied skyline. GLA officers concur with the applicant's conclusions that where the proposed development is visible in LVMF river prospects, it would not appreciably encroach on any features such as St Paul's and by virtue of its slender form would read as another non-intrusive built form on the skyline.

42 From Primrose Hill, as noted by the applicant, the proposed tower would appear in the backdrop of the view along with other existing buildings on the skyline. Whilst significantly taller, its slender form and architectural design would provide an appropriate focus, sitting alongside the approved Merchant Square towers for the Paddington cluster. There is no impact upon the protected vista, which is directed towards the Palace of Westminster to the east.

Heritage and townscape impact/local views

Policy context

43 The Planning (Conservation Areas and Listed Buildings) Act 1990 sets out the duties for decision makers when they are considering developments which affect heritage assets. Considerable weight should be given in planning decisions to the preservation of listed buildings or their setting and to the preservation or enhancement of the character or appearance of conservation areas. If harm is caused to heritage assets the onus is on the applicant to demonstrate that there are sufficient material considerations to justify that harm.

44 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. Recent judgements have provided detailed consideration of the duty imposed on local planning authorities. The Court of Appeal in *Barnwell Manor* held that a finding of harm to a listed building or its setting is a consideration to which the decision-maker must give considerable weight, and that there should be a strong presumption against granting permission that would harm the character or appearance of a conservation area.

45 London Plan Policies 7.8 'Heritage assets and archaeology', 7.9 'Heritage-led regeneration', and 7.10 'World Heritage Sites' set out the Mayor's approach to London's built heritage. London Plan Policy 7.8 identifies that London's heritage assets and historic environment "*should be identified, so that the desirability of sustaining and enhancing their significance and of utilising their positive role in place shaping can be taken into account.*"

The Mayor's view on the role that London's heritage plays is summarised in paragraph 7.29 of the London Plan: *"ensuring the identification and sensitive management of London's heritage assets in tandem with promotion of the highest standards of modern architecture will be key to maintaining the blend of old and new that gives the capital its unique character."*

46 As part of the environmental statement (ES), the applicant has identified and assessed the heritage assets and townscape views that are potentially affected by the proposal. In total there are 122 listed buildings within 500 metres of the site, including Paddington Rail Station, St Mary's Hospital Mint Wing and Clarence Memorial Wing, the Great Western Hotel, and Praed Street Underground Station, which are immediate neighbours, as well as a series of unlisted buildings of merit within the Bayswater Conservation Area (within which the site sits) and the Grade II St James's Church. There are also over 20 conservation areas in the vicinity of the site and further afield there are a number of Grade I historic parks and gardens, including Hyde Park, Kensington Gardens, Regents Park, and St James's Park and the Green Park.

47 The TVIA that forms part of the ES considers the impact of the scheme on the wider townscape as well as designated and non-designated heritage assets. The applicant's appraisal sets out the sensitivities of the affected built heritage assets, landscape assets, conservation areas and townscape, and the magnitude of change or extent/nature of impact of the proposed scheme upon them. The LVMF views have been considered in paragraphs 40 to 42 above. Given the long list of views considered in the TVIA, rather than discuss them in their entirety, this report highlights some of the more key views and those views that are considered to cause harm to heritage assets.

Buckingham Palace and Palace of Westminster

48 Given the proposed tower's height, the TVIA views consider a number of longer range views to test the potential impact on major London landmarks and heritage assets, such as the Palace of Westminster and Buckingham Palace (Views 6 and 7). Of these views, the tower would be hidden behind the existing tree line in views from the Albert Embankment opposite the Palace of Westminster and would be similarly hidden in views towards Buckingham Palace from south of the Queen Victoria Memorial. Consequently it would not impact on the setting of the Palace of Westminster World Heritage Site or the Grade 1 listed Palace or the setting of the Grade 1 listed Buckingham Palace.

South of Hyde Park

49 The alignment of the grids of the Belgravia and South Kensington estates means that the tower would appear at the end of some of the street vistas. The tower would be visible from the south west of the Belgrave Square, where it would appear in the backdrop of the listed Grade 1 Georgian terraces (View 11). The Park Tower Hotel also appears partially in this view. Given that the tower would only form a smaller element of the view, and would be read as being a background element in the view, clearly distant from the foreground, the tower would not be visible from the majority of the remainder of the Square. Whilst not a major element in the view the tower would cause some slight harm to the character of the conservation area and associated listed buildings but this would be less than substantial.

50 The tower would appear at the northern end of Exhibition Road, with the Georgian terraces to the right of the view and the Foster and Partner's extension to Imperial College to the left (View 13). In this view, the tower would sit comfortably within the townscape, appearing to terminate the terrace and having a good proportionate relationship to the terrace and the Royal Geographic Society building opposite, the tower would give a clear indication of the city beyond Hyde Park, without dominating this view. It is not considered that the tower would harm the setting of the listed buildings within the view or harm the character and appearance of the conservation area.

Hyde Park

51 The tower would be visible from a number of locations within Hyde Park. One of the most challenging is its appearance within the setting of the Albert Memorial (View 14). The memorial was conceived of as part of the grand north-south axis that runs through the Royal Albert Hall and south to Imperial College. The Memorial is exceptional, being based on a medieval reliquary design but at a much larger scale. Its setting and formal axial arrangement differs from the informal and picturesque design principle that informs the layout of the majority of Hyde Park.

52 In both views from Kensington Road (which are often obscured by heavy traffic) or from within the park itself (where the views are largely uninterrupted), the tower would have an impact in that it would upset the symmetry of the view and appear incongruous and intrusive in the axial view of the monument. For that reason it is considered to substantially harm the setting of the listed building and the setting of the historic park in this particular view. This harm then needs to be held in the balance with other impacts of the tower and the public benefit of the scheme, which is considered in the summary of this section of the report.

53 In other views from Hyde Park, the tower appears against a more informal landscape backdrop, or in the case of the view from the Round Pond (View 18) in a view that was originally designed to have greater formality to match the symmetrical nature of the pond, but is incomplete or in the process of being restored. From the Round Pond, the tower appears as a singular and elegant addition to the skyline and a counterpoint to the strong horizontality of the tree line, and would enhance the setting of the park. This would also be the case in the view from Kensington Palace (View 19). In other views from the park, such as from the Physical Energy Statue, the views to the tower are largely obscured by heavy and mature planting (View 20).

54 As is the case with the Round Pond, the open space of the Serpentine also affords views towards the proposed tower, particularly from the elevated position of the Serpentine Bridge (View 21). The tower would be visible as a dramatic and singular object on the skyline, both from the bridge and from the south of the Serpentine, where again its verticality would serve as a counterpoint to the horizontality of the tree line and lake. The wider panorama (View 23) shows that the tower would be visible in a similar way to the Hyde Park Hotel to the east of the lake and the Hyde Park Barracks Tower to the south. The greenery of the park would continue to dominate, whilst the occasional punctuation of the skyline by taller towers provides an indication of the city within which the parks sits and adds positively to its picturesque nature.

55 The applicant has illustrated further views from the Reformers Tree and Parade Ground (View 25 and 27), and whilst the tower is undoubtedly of a different scale to other tall buildings currently visible from Hyde Park, such as the Barracks, the Royal Lancaster Hotel and the Marble Arch Tower, it is of a far higher architectural quality and finer proportion. GLA officers consider that it would add positively to those views and would enhance the setting of the listed Park and the character and appearance of the conservation area.

Regent's Park

56 The TVIA considered a series of views from within the park, including winter and night time. Having considered these views, GLA officers consider that the tower would have a similar impact on views within Regent's Park as it does in Hyde Park, such as from the Regents Park Hub, where the tower appears a single tall and elegant structure within a view dominated by the park (View 30). The applicant has shown that the tower would only be slightly visible over the grand Grade 1 listed Nash Terrace, that forms part of the framing of Regent's Park (View 34). The extent to which it is visible would be barely discernible and would not harm the setting of the listed buildings.

57 To the north of Regent's Park, Primrose Hill affords one of the most popular places to appreciate London's dramatic and changing skyline. As set out in the LVMF section above, the tower would add positively to this view and would enable Londoners to clearly identify Paddington, and its associated cluster of tall buildings within the wider cityscape.

Marylebone

58 In a similar manner to the Belgravia Estate, the grid structure of the Portman Estate also results in the tower appearing along the axes of major streets, although in this case it is the east west axes, rather than the north south. In views along Crawford Street and Bryanston Street (Views 37 and 38) the tower has larger presence than it has in the views from within Belgravia and South Kensington as a consequence of the development site being far closer. Whilst in the view along Crawford Street there aren't any tall buildings currently visible, tall buildings can be seen in other views along Georgian Streets in London and the settings of those streets are not necessarily harmed (such as the view of the listed Milbank Tower from Albemarle Street). The tower would sit well within the formality of the setting of these listed buildings and would be a good example of the blend of the old and new that contribute so much to London's unique character and to its world wide appeal.

Local views

59 In closer views of the tower from Paddington and Bayswater, it exhibits some of the characteristics of the view from the estate to the west and south of the site, where it appears along the axes of the Georgian grid layout. For instance, in Cleveland Square where it would form a striking termination of the perspective along the listed terrace (View 53). The materiality of the tower, with its white/grey colouration would reflect the colour tones of the stucco terraces and would provide a positive juxtaposition of old and new that would not harm the setting of the listed buildings or Bayswater Conservation Area.

60 However the tower will also appear above the roof lines of some of the set piece Georgian plan layouts and in particular that of Sussex Gardens (View 40). This was conceived, along with Westbourne Terrace, as one of the two main axes for the estate development to the south of Paddington. The two streets comprise wide boulevards with the gardens flanking the road way along their length with the formal axes of Sussex Gardens being terminated by St James Church. The tower would appear behind the roofline of the northern side of the terrace. However if the viewer were to turn around in this location they would see the mid-rise development and towers of the 1960's Monipro development behind them, located around Cambridge and Oxford Squares'. Whilst the original formality of the plan has been retained, the height of buildings has already changed to the south of this viewpoint. This in itself does not necessarily justify the scale of development proposed in this view, and it is acknowledged that there would be some harm to the setting of listed buildings in this view and to the character of the Bayswater Conservation Area, but given the changes that have occurred within the wider context, this would be less than substantial.

61 There are other views in which the tower would appear above mid terrace rooflines, but to a lesser degree than at Sussex Gardens, such as at Craven Hill Gardens (View 51) and Bayswater Road (View 46). This would create some harm to the setting of listed buildings in those views, appearing in what are relatively uninterrupted roof profiles. But given the robustness of scale of the historic built form this is not considered to be substantial harm to those settings.

62 In some local views such as at Sussex Place and its junction with Sussex Gardens (View 43), and within Sussex Gardens the extant mature tree cover largely obscures views of the tower, albeit it is in relatively close proximity to this viewpoint. Within these views, GLA officers

consider that the development would not harm the setting of the listed terraces at Sussex Gardens or of St James Church or the Bayswater Conservation Area.

63 In the Victoria Gate view (View 41), the tower would appear above the listed terraces of Hyde Park Gardens. In this view, the observer is not far from the Royal Lancaster Hotel which is to the west of Victoria Gate, and would already be aware of contemporary development within the context of the listed buildings and the Hyde Park Conservation Area. The tower, of a far better proportion and design than the Royal Lancaster would not harm the setting of the listed buildings or the conservation area.

64 Finally there are the more immediate views of the tower provided – in particular from the south and the north, such as along Craven Road from its junction with Westbourne Terrace and Spring Street, towards the frontage of the listed Paddington Station Hotel (Views 48 and 49). In the former, the building is seen in the context of the listed buildings and sits behind the two roof towers of the hotel. Its scale clearly marks the station, but does not overwhelm the hotel building or its wider setting, and is considered to provide a vertical emphasis that sits well with the horizontal emphasis of Craven Road.

65 In the more immediate views from the junction with Conduit Mews, the building sits immediately behind the roofline of the listed hotel. The latter has been altered over the years and is not as ornate as the original, but it clearly reads as it was intended to with the two towers flanking the central range of the building. That clear roof profile would be lost in this view however, as the viewer moves closer to the building at the junction with Craven Road (View 47) they would again gain a sense of the formal order of the building as the tower's relationship to the hotel changes and sky space opens up between the western most tower and the development. In this view, there is also a very clear sense of the extent to which poor public realm and road junction layouts already detract from the setting of the listed building. Nonetheless there would be some harm caused to the setting of the listed hotel building and the Bayswater Conservation Area, given the scale of the development, but this is considered to be less than substantial.

66 In the views to the north of the station from Bishops Bridge Road (View 56), the development is considered to enhance the setting of the listed train sheds – its dramatic and simple curved form complementing that of the listed structures. Similarly the tower would have a positive impact on views along the towpath to Paddington Canal Basin from beneath Bishops Bridge (View 59) and from the canal bridge at Formosa Street and Blomfield Road (View 61) where the tower would appear at the focal point of the view along the axis of the canal.

Demolition of existing RMG buildings

67 The existing RMG sorting office is made up of several connected buildings, dating back to 1892. The Edwardian building and its 1907 extension (Block A) are unlisted but is identified by Westminster City Council as an unlisted building of merit within the Bayswater Conservation Area, with a civic and landmark presence. It is noted that demolition (with facade retention to London Street) has previously been granted for the site, and the building has been granted a Certificate of Immunity from Listing until November 2016.

68 The applicant notes that this is a modest example of the post office buildings of its time and concludes that given the change which has already been permitted and carried out, the complete removal of the former RMG Sorting and Post Office would not be a significant loss of heritage significance. The Certificate of Immunity prevents the statutory listing of the building at this time.

69 Previous proposals for redevelopment of the site by RMG included demolition of the building, with facade retention. In considering the acceptability of the current proposals, it is acknowledged that the wholesale demolition of an unlisted building within the CA would amount to some harm to the Bayswater CA particularly where it relates to the 1890's element and facade that was previously proposed to be retained. However, it is acknowledged that the nature of the proposals and scheme aspirations for opening up the public realm and addressing the level changes to the platforms mean that the retention of the building is not possible. When considered against the public benefits of the scheme, achieved through the public realm improvements in particular, it is concluded that the harm caused by the loss of the building would be less than substantial and would be outweighed by the overall public benefits of the scheme. These public realm benefits could not be delivered through retention of the building or its facade.

Listed building consent

70 The scheme proposes the demolition of the curtilage listed brick retaining wall to Paddington Station, between London Street and Arrivals Road. It is Grade I listed, but this is due to it being in the curtilage of the Grade I listed Paddington Station, and its attachment to Span 4. It is agreed that these structures hold little architectural or historic interest in themselves, noting the main purpose of the listing is the architecture, engineering and interior of Paddington Station itself. To the contrary, the setting of the station would be enhanced through the creation of the new public piazza and public realm improvements that come from the redesign of the arrivals ramp and London Street. It is agreed that there would be no harm caused to the fabric of the heritage asset from this demolition work.

Conclusion on heritage and townscape

71 In summary there is one location where the development would create substantial harm to the setting of a listed building (The Albert Memorial) and a limited number of locations where the development would cause less than substantial harm to the settings of conservation areas and listed buildings outlined above. In addition there are locations in which the development would have a positive impact on its setting. Given that there are substantial public benefits associated with this scheme outlined elsewhere in this report, GLA officers consider that the harm caused to heritage assets are justified.

Tall buildings and urban design

72 At 72 storeys and 240 metres tall (its overall height rather than AOD), the proposal would be one of the tallest buildings in West London. A building of such metropolitan scale must be rigorously scrutinised and carefully considered against relevant tall building policies in terms of its impacts. In particular, Policy 7.7 of the London Plan sets out the policy approach to the location and design of tall and large scale buildings.

73 London Plan Policy 2.13 identifies the Paddington Opportunity Area, with a strategic policy direction stated in Table A1.1 as: *"Significant office and residential development provision has already been made in the Area and there is scope for further high density, good quality, business and housing development. This should complement Paddington's distinct canal side character, enhance environmental quality, support low car use and integrate with surrounding neighbourhoods"*. The site is located within the CAZ and the Paddington OA and has excellent access to public transport, being a major London transport hub, a national rail terminus and one of London's primary points of access to and from Heathrow for international travellers. Therefore, in strategic planning terms, this location is appropriate for tall buildings in principle.

74 Under 7.7A it states that *“tall and large buildings should be part of a plan-led approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate location. Tall and large buildings should not have an unacceptably harmful impact on their surroundings”*. Policy 7.7C(a) that *“tall and large buildings should generally be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport”*. Policy 7.7C sets out a number of criteria that such proposals should respond to. Any new tall building has a wide-ranging and long-lasting impact on the skyline of London, on the legibility of the city and on the dynamics of the local urban context. Given these considerations, any proposal should successfully address the relevant policy criteria set out in Policy 7.7. These are examined in detail below in the order in which they are set out in the policy. London Plan Policies 7.4 ‘Character’, 7.5 ‘Public Realm’ and 7.6 ‘Architecture’ state policy requirements more widely in relation to these topics, although these are largely reflected in Policy 7.7, if more specifically related to tall and large buildings.

75 Since the submission of the application, it is noted that Historic England has published an advice note (4) on tall buildings, with emphasis on their impacts on designated heritage assets. Noting the applicant is intending to submit further information under Regulation 22, it should ensure that it cross references this guidance and provide an assessment of the scheme against this more recent Advice Note.

Scale, public realm and permeability

76 London Plan Policy 7.7C(b) states that *“tall and large buildings should only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building”*. It also sets out at Policy 7.7C(c) that *“tall and large buildings should relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level”*. London Plan Policy 7.7C(f) sets out that *“tall and large buildings should have ground floor activities that provide a positive relationship to the surrounding streets”*. Policy 7.7C(g) states that *“tall and large buildings should contribute to improving the permeability of the site and wider area, where possible”*.

77 The proposed design carefully considers the composition of the new buildings in the context of their immediate surroundings, including a number of conservation areas and listed buildings, the LVMF and local views, and their location in this high profile central London location. Whilst the tower would be significantly taller than surrounding buildings, and is located in a sensitive environment with a number of heritage assets, these have been thoroughly assessed above, and GLA officers are satisfied that the scheme accords with relevant tall building and heritage policies. Whilst there would be an impact due to the scale of the tower, it would not cause substantial harm, and the public benefits outweigh any such harm caused. This is further assisted by the slender nature of the tower and its materiality and architecture.

78 A key benefit of this scheme is the public realm improvements that it brings both to the station area and Central London. Currently there is a small narrow exit from the London Underground that spills out directly onto Praed Street, running between the Paddington Station arrivals ramp and London Street, which services St Mary’s Hospital. It is mean and inadequate for the levels of passenger movement here. There is poor legibility at present and large numbers of tourists, residents and commuters move through the area, in addition to service vehicles, causing significant congestion and conflict between pedestrians and moving vehicles. With the arrival of Crossrail and the continued development of the other Paddington OA sites, pedestrian activity will continue to grow.

79 This scheme has been designed specifically to deliver improved access between Paddington railway station, the underground stations and the surrounding area, including London Street and Praed Street, the hospital and Paddington Basin. The realignment of London Street enables a new arrivals space for Paddington Station to be created off Praed Street, comprising an expanded open station forecourt, with a stepped piazza. Servicing and emergency vehicles would be accommodated on the newly created station forecourt, but discussions with Network Rail are progressing regarding the provision of an alternative servicing solution via the main station (car park at western end of Platform 1). This would significantly reduce the amount of vehicles that would rely on this space. The applicant and Network Rail are encouraged to continue discussions on this aspect of the scheme, given the very significant interchange and public benefit this would achieve overall.

80 A new Bakerloo Line station entrance within the site is included, with new pedestrian link tunnels, and step and lift access that would provide direct links between the station concourse and London Street, and to Paddington Station across the new piazza. Together, this provides nearly 7,000 sq.m. of public realm and landscaped space, to be managed and maintained by the developer. A new bridge would be provided in the place of London Street to enable two-way vehicle access and continued servicing of St Mary's Hospital, whilst also future proofing should hospital redevelopment proposals come forward, and also enabling new routes through to Paddington Basin to be opened up. Winsland Street would be used for servicing and provide access to the residential car parking spaces in the basement. Winsland Mews is also future proofed to enable continued servicing of St Mary's Hospital, enabling a new route for when redevelopment of the hospital complex takes place. Retail uses front directly on to the public realm at street level, concourse and basement station level, providing covered, legible routes for pedestrians. Seating and landscaped spaces are intended to allow people to dwell in the space, something which is currently lacking.

81 Whilst there are complexities around various users, servicing requirements and rights of ways, the public realm strategy successfully delivers a comprehensive and unified solution that would animate the area, which is currently congested, poor and unattractive. It will address servicing and access requirements and provide permeability and new routes for pedestrians. This helps delivers a transformational change for Paddington Station environs and represents one of the key benefits of the scheme at an important Central London terminus and gateway.

Skyline

82 London Plan policy sets out at Policy 7.7C(d) that *"tall and large buildings should individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate, and enhance the skyline and image of London"*. As set out above the development would make a significant contribution to the permeability of the site and wider area. The tower would clearly emphasise the location of a major national and international rail station, a point of significant civic importance, and a terminus which is itself one of London's iconic landmarks. Like other tall buildings at major transport interchanges such as the Shard at London Bridge it would add to city wide legibility and the understanding of the structure and geography of the city. Its ambition and scale echo those of the original Paddington Station development and it would through the elegance of its proportion and detailed design enhance the skyline and image of London of a major world city.

Architecture and sustainability

83 The London Plan sets out at Policy 7.7C(e) that “*tall and large buildings should incorporate the highest standards of architecture and materials, including sustainable design and construction practices*”. The applicant has submitted details of the building’s construction which show that they are committed to delivering the highest quality of materials and to resolving the buildings detailing to the high degree required to ensure that its impact on the skyline is a positive one. This has certainly been the case in respect of the Shard, which was completed by the same developer/architect team. The sustainability aspects of the proposals are covered in paragraphs 75 to 82 of this report.

84 The scheme proposes floor to ceiling opaque and translucent glass facade panel and louvre effect, arranged in a ship lap to give the facade articulation that achieves the curved building form. The crystalline glazed appearance is reminiscent of the Shard building, and the applicant/architect’s recently approved Fielden House. This gives an indication of the design quality and detailing which would be delivered.

85 The lower office buildings are 7 and 10 storeys, located to the north and south of the main tower. The facade treatment is similar to the tower, but the scale and character relates to the surrounding context. There is stone banding introduced to the internal elevations, with balconies to provide external amenity space for the offices and to articulate the elevations. The Praed Street elevation aligns with the Mercure Hotel frontage and is of a scale and form that is appropriate for the location. These elements of the scheme are an appropriate design response.

86 In order to ensure that the design quality and architectural vision set out in the application documents carries through, the Council should include a s.106 obligation that retains the architect through the detailed design and build out stages and sets out the terms for the use of the sky garden. This should be clarified prior to Stage II referral.

Regeneration

87 London Plan sets out at Policy 7.7C(i) that “*tall and large buildings should make a significant contribution to local regeneration*.” Paddington Central has been developed to the north of this site by British Land over the last 15 years and that development and other developments along the Paddington Canal Basin, which include a number of tall buildings, as well as the opening of the new Hammersmith and Fulham and Circle Line station entrance have transformed the perception of the area adjacent to the canal. New bridges and public realm have been put in place and investment by Westminster City Council on pedestrian crossings of the Harrow Road have reduced the sense of separation of North Paddington and Maida Vale from Paddington, and encouraged activity along the canal that relatively recently didn’t exist.

88 The exception to this sea change has been the Praed Street frontage, which despite investment in the refurbishment of the Paddington Station hotel frontage has remained much as it was – a tired and rather unwelcoming “front door” for the development and regeneration achieved to date in the remainder of the OA. As set out in paragraph 28 this scheme would generate approximately 1,100 jobs in the proposed commercial uses. In addition to the jobs created directly on the site, the scheme would also complete a vital and missing part of the overall Paddington regeneration, not the least of which would be the new Bakerloo Line Station entrance). In doing so, it would have beneficial impacts to the wider area in terms of increasing confidence in the redevelopment of the St Marys Hospital site and other sites in the wider OA.

Publically accessible upper floors

89 In accordance with London Plan policy 7.7C(l), the scheme is proposing a publically accessible sky garden and two floors of restaurant space below it. The details of the accessible roof space will need to be secured in the s.106 agreement, setting out the terms and conditions on which it is provided.

Microclimate

90 London Plan Policy 7.7D(a) states that *“tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference.”* The acceptability of a tower in this location also requires an assessment of wind and microclimatic impact. The applicant has submitted an assessment of the wind effects as part of the ES. Wind tunnel testing of the existing site, proposed development, and the proposed development with cumulative surrounds has been undertaken, which suggest that conditions at ground and concourse level would largely be suitable for sitting and standing activities throughout the summer but that there would be some impact upon thoroughfares to the north and south of the tower in particular ground and concourse level, and generally during strong gusts that will require mitigation. The applicant has confirmed that further wind studies and mitigation measures are currently being investigated and further information will be submitted to the Council in due course regarding potential mitigation measures, such as canopies that may be required. This should be confirmed and appropriate conditions secured to ensure satisfactory conditions for pedestrians and a successful public realm.

Westminster City Council policy

91 Westminster City Council’s policy approach to the plan lead location of tall buildings has been informed by the London Plan and a tall building study that was undertaken in 2000. Whilst that study is now 15 years old and pre dates 3 iterations of the London Plan and a fundamental change in the population and economic challenges that London and City of Westminster face, its key conclusion was that the most appropriate location for tall buildings in Westminster was the Paddington Opportunity Area as there was *“very limited scope for new tall buildings in the rest of Westminster, due to the settled character of the townscape and significant concentration of heritage assets.”*(Heritage Views and Tall Buildings 2015, page 29).

92 The adopted Westminster City Plan includes a spatial analysis of where tall buildings in Westminster may be appropriate and directs these to the Paddington and Victoria Opportunity Areas. The adopted plan makes a distinction between “Tall Buildings” (i.e. over 25-30 storeys) and “Higher Buildings” (i.e. other buildings that are higher than their surroundings). Of the two Opportunity Areas, as set out in Policy S3, only one location in Paddington is identified as suitable for a very tall landmark (at 1 Merchant Square). However the Westminster City Plan recognises that there may be potential for further large scale development in both of these Opportunity Areas with detailed guidance on building heights having been set out in planning briefs.

93 In 2015, Westminster City Council published a number of informal consultation booklets in advance of a review of the City Plan, one of which addresses Heritage Views and Tall Buildings and sets out a recommended direction of travel for tall building policy. New Policy SX (Tall Buildings) states that *“Westminster is not generally appropriate for tall buildings”* (buildings over 25-30 storeys). It goes on to state that *“higher buildings will be permitted in appropriate areas subject to the criteria below. Tall and higher buildings ...will not have a harmful impact on...”* heritage assets, views, significant open spaces amenity and character. It then states that *“Where the principle of a tall or higher building is considered acceptable then it will be of the highest sustainable architectural and urban design quality...”* The recommended policy direction then sets out 10 criteria that tall or higher buildings will need to meet and highlight two in particular, townscape at ground level and overshadowing. Of the former it notes *“successful tall buildings are those that create meaningful public realm, interacting positively with surrounding buildings and spaces. This includes contributions to permeability and connectivity, defining edges that reinforce existing building lines and give coherent form to open space, and providing active ground floor frontages and a stimulating and inclusive public realm.”*

94 The general approach to the future direction of tall building policy recognises that significant new business and residential floorspace is needed in the city, and that in some locations, buildings which are higher than their surroundings will be an appropriate solution. The new policy would be applied on a case by case basis *“to determine whether higher buildings are appropriate in particular locations.”* This is a potential change in approach to tall building policy in Westminster away from the very site specific formulation of the current plan. Nonetheless the adopted policy S3 does identify the Paddington OA as being suitable for a single landmark, high quality building and that in other locations within the Opportunity Area, the Council considers that high buildings could not be accommodated without detriment to the surrounding townscape. As such, this application has been advertised as a “departure” to adopted local policy.

95 The applicant’s assessment sets out its justification for the proposed tower, stating that whilst there is a tall building already approved in Paddington, at 1 Merchant Square, the slender form and high quality design of the proposed building would enhance the townscape and setting of Paddington Station rather than be detrimental. It sets out that an exception to Policy S3 should be made, with the proposed solution being the only realistic solution for the site to delivery all of the stated public benefits. GLA officers note the direction of travel for Westminster’s tall building policy that each application should be considered on its own merits, and concur with the applicant that having met the London Plan policy requirements for tall buildings, through its location, design and delivery of the public realm improvements and other benefits, including a new station entrance that an exception to local adopted policy can be made for this scheme. As local planning authority, Westminster City Council will also need to consider the scheme against this national, regional and local policy and guidance and reach a conclusion.

Access and inclusive design

96 The application is accompanied by an access statement, which covers the principles of inclusive design, access across the site, pedestrian routes, drop off points, and a commitment to meet Building Regulation M and wheelchair housing standards, which is welcomed. The complexities of the site are noted, and the various challenges of changing levels, poor connectivity and permeability, and demands on the public routes and spaces from the high number tourists, passing pedestrians, hospital servicing are noted. The transformation of the site to deliver a new civic space and transport interchange is welcomed in principle to address key access concerns.

97 The applicant has submitted a detailed public realm accessibility report that describes the access provisions of the scheme using a sequential journey from the defined ‘gateways’ into the public realm, across the site to another gateway to leave the site or to the building entrances

within the development. This is welcomed. Given the civic function of the site, the scheme has recently been presented to the London Strategic Access Panel for review. From consideration of the submitted plans, the improved number of routes out of the station is supported by the Panel, noting the poor pedestrian environment and illogical routes at present

98 Key to the success of the public realm, shared surfaces and new transport interchange facilities will be ensuring safe and easy movement for all users, including disabled, elderly, visually impaired and children. The access panel has raised concerns about design elements of the public realm proposals, including the use of shared surfaces, the presence of street furniture and bollards, tapering steps, seating and stair design in particular. Whilst it is noted that steps and escalators between concourse levels are accompanied by nearby lifts and represent a major improvement compared to existing, there were concerns raised about the size of the lift and that it may be necessary to provide a larger or second lift. Maintenance of the lift (noting it is an external lift) will need to be secured. The Panel has also asked that consideration be given to public toilets, changing places toilet and a shop-mobility scheme within the development.

99 Further discussion on these aspects of the scheme would be welcomed, and the applicant is encouraged to involve an access champion in the scheme as it develops, particularly at detailed design stage. Appropriately worded conditions and/or s.106 obligations will be necessary to secure these details.

Sustainability

Energy strategy

100 The applicant has submitted an energy strategy that broadly follows the Mayor's energy hierarchy, concluding that the scheme could achieve 29% saving in regulated emissions compared to a 2013 Building Regulations compliant development, which falls short of London Plan targets.

101 Of this, 9% savings would come from energy efficiency measures, with 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 low energy lighting and mechanical ventilation with heat recovery. The demand for cooling will be minimised through solar control glazing. The results of the applicant's dynamic overheating modelling show that with windows open, the relevant CIBSE requirement can be met. Noting that there are also noise impacts that need to be taken into account, the applicant is proposing mechanical cooling. The applicant should provide information on the control strategy for ensuring that any air conditioning system installed on site is only used when needed, for instance how ventilation from the MVHR unit will be prioritised before mechanical cooling.

102 It is noted that the applicant has carried out investigations into district heating networks, and that the Westbourne Green network is in the vicinity. The applicant would be expected to look at facilitating the delivery of the Westbourne Green Heat network through discussion with Westminster Council and provide evidence of correspondence. This is also noting Westminster's City Plan, which seeks the development of a heat and power network for Paddington, including on-site energy generation capacity. The space limitations of the energy centre is noted, however, the potential space requirements should still be discussed with Westminster along with requirements for future proofing i.e. location of safeguarded pipe route to site boundary. The commitment to allowing future connection should be secured in the s.106 agreement. The applicant is proposing to install a site heat network linking all apartments and non-domestic building uses will be connected to the site heat network, which is welcomed. The site heat network will be supplied from a single energy centre. This will be 1,000 sq.m. in size and located roof level of the north office building.

103 The scheme would achieve 20% savings from the use of a 140 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. GLA officers note that the carbon dioxide emission savings from the CHP appear high for the size of engine proposed. For instance, it is expected that a reduction in the order of 130-180 tonnes per annum for a CHP running around 6,000 hours. The applicant should therefore confirm the system efficiencies based on gross fuel input and anticipated running hours for the system.

104 The applicant has investigated the feasibility of a range of renewable energy technologies, and whilst PV would be complimentary to the CHP led heating network, the applicant has concluded that there are no areas within the building that could accommodate it. The conclusion is that overall carbon emission reduction is unlikely to be significant in the context of the size of the building and the applicant is therefore not proposing to install any renewable energy technology for the development.

105 To conclude, while it is accepted that there is little further potential for carbon dioxide reductions onsite, in liaison with the Council, the developer should ensure the short fall in carbon dioxide reductions, equivalent to tonnes of carbon dioxide per annum, is met off-site through contributions.

Climate change adaptation

106 The applicant has submitted a sustainability statement, setting out measures to reduce overheating and the urban heat island effect. Low energy lighting, high performance building fabric, and metering are proposed. Through the planting and landscaping proposed, including in the sky garden, there would be a net gain in terms of urban greening in the CAZ, in accordance with the London Plan. BREEAM excellent is being targeted for the offices and the housing would be monitored against the emerging Home Quality Mark (to replace Code for Sustainable Homes).

107 The site is within Flood Zone 1 and is at limited risk of surface water flooding however, noting the new entrance to the Bakerloo Line, the applicant is proposing a 324 sq.m. attenuation tank at basement to reduce surface water discharge rates by 50%. The discharge rate is however, considered high and the applicant is asked to provide clarification about discharge rates and achieving reductions towards greenfield rates. The commitments towards rainwater harvesting should be secured by condition, together with other sustainability measures.

Transport

Transport Improvements – Piazza and London Underground Bakerloo Line Station Entrance

108 The most significant transport improvements proposed by this application are the transformation of the approach to Paddington Station, its interchange with the Bakerloo Line and the proposed works to create a new Bakerloo Line station entrance as detailed above. On the basis that these proposals can be successfully delivered, they represent a “step change” improvement for the benefit of the travelling public and are warmly welcomed by Transport for London (TfL). The scheme also includes Step Free Access to the Bakerloo Line platforms with resilience provided by a second lift.

109 The applicant has had a constructive engagement with TfL/ London Underground (LU) and the principle of the station design is accepted. It will be imperative to progress this design from the indicative drawings accompanying the planning application to a detailed engineering scheme for the design and delivery of these works satisfactorily demonstrating TfL / LU’s scope and design

requirements can be met. The design, infrastructure protection, legal and other related costs associated with the design work must be met by the applicant.

110 The applicant has set out terms for the improvements to the Bakerloo Line Station that it will deliver as part of the proposed development. This includes the construction of the ticket office level and all of the public accesses to it; essentially the ticket hall level up to the station gateline. Beyond the gateline through to the platforms the applicant will carry out, at their cost, the structural works to an agreed specification. The proposals do not however, include the full fit out costs of the station box, which will be the responsibility of TfL. The applicant has prepared a costings schedule estimating these fit out costs to be in the order of £17 million and is presently proposing a s.106 contribution of £8.5 million towards these works. LU is reviewing the estimates provided by the applicant and there are a number of exclusions from the figures that still need to be costed. The applicant's offer is a necessary contribution to make the development acceptable in planning terms, directly related to the development.

111 The delivery of the Bakerloo Line Station works will need to be finalised through the s.106 drafting process and agreed with all parties. Given the nature and extent of the station works proposed, it is appropriate for TfL to be a signatory to the s.106 agreement; the principal of which has been accepted by applicant and officers at Westminster City Council. The applicant has also confirmed an undertaking for TfL's legal fees associated with the s.106 drafting, which is welcomed.

112 The transport modelling, in the submitted transport assessment (TA) and confirmed by TfL, shows Paddington Station experiencing increasing passenger numbers now and into the future. The proposals are therefore consistent with the aspirations as set out in London Plan policy 6.3; the scheme will help address not only the increased demand from the future occupiers of the development using the network, but will also assist in accommodating the future demands on the station from rising passenger numbers, the cumulative impact of development envisaged for the wider Paddington area. It also has the potential to better accommodate any future development of the St Mary's hospital site, as detailed above, which will impact on both Paddington Station and the Bakerloo Line.

Local Highway Network

113 The highway network adjacent to the station is the responsibility of Westminster City Council as the local highway authority. In this respect TfL has not commented on these aspects of the submission, including the movement of people outside the station, which will need to be discussed in detail with the Council. There will however, be construction management issues that will require agreement with TfL if they impact on TfL bus and cycle hire services in particular. The development does provide for public realm improvements and the new link from Praed Street.

114 The redesign of London Street creates a greater sense of shared space and but will still be required to accommodate a fair number of vehicle movements, for the foreseeable future on the basis that the highway layout will change with the re-masterplanning of the adjoining St Mary's hospital site. TfL has raised a number of queries with the Council on this issue, possible London Street / Praed Street junction re-design, signal timings and how these issues are factored into the design

Bus network

115 There will be a requirement for buses to operate along Praed Street and the provision of the bus stop adjacent to the development site in Praed Street will be retained. This not only serves the development but the adjacent St Mary's Hospital Site.

Cycle Parking/Cycle Hire

116 Overall, the scheme is proposing 752 Long Stay and 146 Short Stay spaces, which is consistent with London Plan policy 6.9 and should be secured by condition.

117 There are two existing cycle hire docking stations near the site - Winsland Street with 15 docking station points (rather than 14 as stated in the TA) and South Wharf Road with 16 docking station points (rather than 11 as stated in the TA). During the pre- application discussions, the need to provide for additional docking station points was raised. The TA indicates the possibility of additional docking station expansion, which needs to be explored in more detail as it is anticipated that demand for cycle hire use is likely to increase arising from this development.

118 Additional cycle hire docking station points, either through an extension to the existing docking station(s) or a new docking station, and the necessary funding to deliver these works which would be in the order of £200,000 which should be secured through a s.106 agreement.

Car Parking

119 For central sites such as this, car free developments are encouraged, although it is accepted that the 110 spaces proposed represents 0.32 residential car parking provision, which is consistent with London Plan policy. The car parking should nevertheless provide for electric vehicle charging points at a ratio of 1 in 5 spaces (both active and passive).

120 The valet car parking bay, in some instances, would involve reversing movements into the path of oncoming traffic, which is undesirable. The detail of the vehicle drop off and concierge parking arrangements will be reliant on the applicant ensuring appropriate measures are in place on a 24/7 basis and will need to be secured by condition and / or s.106 agreement.

121 The TA sets out that a minimum of 11 spaces (or 10%) of the car parking provided will be retained for any disabled residents who purchase a wheelchair accessible unit and require a parking space, with visitors using the existing disabled on street parking bays in Winsland Street, London Street and South Wharf Road. It is noted that the applicant proposes to monitor the availability of parking spaces for disabled people. This commitment should be secured through any s.106 agreement.

Taxi / private hire

122 Reference is made in the TA to taxis but the scheme does not address the likely increase in taxi pick up and drop off and private hire vehicles that are likely to be generated by the development. Whilst it is noted that there is the existing rank at Paddington Station, the development is likely to generate further demand for taxi pick up and drop off. This aspect needs to be explored further; including how it will be managed and opportunities that may exist in the immediate area for future a future rank that may serve this and any future redevelopment of the St Mary's hospital site. The opportunity for improving visibility and wayfinding would help in directing occupiers of the development and others wishing to access taxis at the existing station existing rank.

Delivery, servicing and construction management

123 In terms of freight operations, TfL acknowledges that the uptake of FORS as set out in the application documents reflects London Plan Policy 6.14. Ultimately the success or not will be down to the management of the delivery and service arrangements for the existing building and accommodating the requirements for St Mary's hospital including "blue light" access, the existing requirements for deliveries and services required by neighbouring developments and the station.

124 As set out above in paragraph 81, the applicant advises that discussions are still ongoing with Network Rail about the use of the existing Car Park 1 servicing area at the western end of Platform 1 to enable it to be used for retail and station deliveries. It is not clear how these proposals will be linked to the current planning application, either by s.106 agreement or formally submitted as part of the current proposals, but this is an important issue which needs to be agreed as it will have a significant bearing on how the site operates and the acceptability of the development. Further discussion on this aspect is required.

Community Infrastructure Levy (CIL)

125 The site falls within the Crossrail Central London Contributions Area where the Mayor's s.106 charging regime operates and is applicable to this site. In this instance, the contribution payable under the s.106 will be offset against Mayoral CIL which applies to all uses within the development; the details of which will need to be agreed with Westminster City Council.

Local planning authority's position

126 Westminster City Council has undertaken a series of pre-application discussions with the applicant and is understood to be supportive of the scheme in principle. The scheme is scheduled to be reported to its Planning Committee on 8 March 2016.

Legal considerations

127 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

128 There are no financial considerations at this stage.

Conclusion

129 There are a number of London Plan objectives and policies that are relevant to this application. This includes policies on opportunity areas, CAZ, employment, social infrastructure, heritage, strategic views, tall buildings, urban design, access, sustainability and transport. It is recognised that this proposal represents a very significant development for the area and impacts upon the skyline and heritage assets. The proposal broadly complies with the London Plan however, further information and/or confirmation, as detailed below is required

- **Land use principles:** The principle of a high density, mixed use redevelopment of the site, to include residential flats, retail, and office in the Paddington Opportunity Area and within the Central Activities Zone, makes the best use of the site, and is consistent with the overall policy objectives for spatial development and regeneration.

- **Design, views and heritage:** The scheme meets the relevant guidance in relation to tall buildings and view management, demonstrating a high standard of architecture, materials and design that would make a positive contribution to London's skyline. Through its layout, routes, active ground floor uses and public realm works, the scheme contributes towards improving the legibility and permeability of Paddington, without resulting in any negative microclimatic or other local conditions. A detailed assessment has been made of the significance of heritage assets impacted by the development, including their settings and townscape impacts and any harm is outweighed by the significant public benefits of the scheme.
- **Inclusive design:** Further discussion should take place pending the findings of the panel discussions and appropriately worded conditions that set out the detailed requirements for the scheme will be necessary, given its civic function.
- **Sustainability:** The scheme falls short of the carbon savings sought by the London Plan, and a carbon off-set contribution is sought, together with some further technical information. The sustainability measures proposed should be secured by condition.
- **Transport:** The scheme is supported in terms of its transformation of the approach to Paddington Station, interchange with the Bakerloo Line and proposed works to create a new Bakerloo Line station entrance. The scheme proposes an acceptable amount of car parking and cycle parking, with conditions/obligations required in relation to these, parking management, delivery and servicing, construction impact, car park management, and cycle parking and cycle hire. Further information is required in relation to the proposed new servicing arrangements, taxi/private hire pick up and drop off. Disabled / blue badge parking management and its acceptability needs to be confirmed. It is noted that TfL will need to be a signatory to the s.106 agreement.

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