

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 6 December 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Abbey Road	
Subject of Report	Chesterfield Lodge, 75 St John's Wood Terrace, London, NW8 6LF,		
Proposal	Demolition of existing building and the erection of a four storey building to accommodate 44 residential dwellings (Class C3) and associated works including landscaping and the provision of car parking.		
Agent	Mr Graham Oliver, Gerald Eve		
On behalf of	The Trustees of the St Martin in the Fields Almshouse Charity		
Registered Number	16/00492/FULL	Date amended	9.11.2016
Date Application Received	20 January 2016		
Historic Building Grade	Unlisted		
Conservation Area	Outside a Conservation Area, although the boundary of the St John's Wood Conservation Area lies to the east.		

1. RECOMMENDATION

1. Subject to no new issues being raised when the consultation period on the revised proposal formally expires on 9 December 2016, resolve to grant conditional permission
2. Do Members agree that this proposal can be treated as an affordable housing credit to be secured by a Memorandum of Understanding (MOU). This Almshouses Memorandum of Understanding will set out the terms of this funding mechanism and shall be regarded as a material planning consideration from the date of this resolution and shall last for a period of ten years.

2. SUMMARY

This proposal relates to the redevelopment of Chesterfield Lodge a two storey almshouse comprising of 19 flats built in the late 1970's which is located just outside the St John's Wood Conservation Area. It is proposed to demolish the existing building and erect a new four storey building comprising of 44 residential flats for the St Martins-in-the-Fields Almshouse Charity (SMFAC) to provide subsidised rented social housing for the elderly and keyworkers.

The planning application has been amended in respect of the detailed design of the new building, and to alter the materials from re-constituted stone to brickwork. As a result of a number of changes to the internal layout, the number of affordable flats for rent has increased from 42 to 44 (26 x 1 bedroom 1 person flats, 8x 1 bed 1 person studio and 8x 1bed 2 person flats)

Objections have been received from Councillor Karen Scarborough (as a Trustee of the neighbouring St Marylebone Almshouse) and local residents. The objections relate to the over development of the site, the height and design of the new four storey building, the loss of residential amenity and lack of car parking. The Council's Arboricultural Officer also objects to the removal of two trees (oak and a birch) fronting onto St John's Wood Terrace. The St John's Wood Society generally supports the proposal but raise concerns regarding it being used as an affordable housing credit.

This application when originally submitted was intended to be the off -site affordable housing for the No 31 London Street development (known as the 'Paddington Pole') which was later withdrawn. Although a fresh application has been submitted for redevelopment of No 31 London Street (Ref 16/09050/FULL) this application no longer proposes an off-site residential component, therefore, this proposal to redevelop Chesterfield Lodge is now a stand-alone planning application, and the applicant is requesting whether the City Council will treat this scheme as an affordable housing credit. The applicant has put forward a funding mechanism in a Memorandum of Understanding (MOU) which will allow monies in lieu of affordable housing from other developments to contribute towards the delivery of the Almshouse redevelopment.

The key issues are:

- The acceptability of the proposal in land use terms.
- Whether the proposal represents an overdevelopment of the site.
- The lack of family sized housing and whether the circumstances of this case allow policy H5 to be applied more flexibly.
- The scale and massing of the new four storey building, and its overall design quality and its impact on the setting of the St John's Wood Conservation Area.
- The impact on the amenities of adjoining residents, in particular to the St Marylebone Almshouses, Turner House, 33-35 Townshend Road and houses in Woronzow Road in terms of their daylight, sunlight, outlook and privacy, and whether these breaches of daylight and sunlight are outweighed by the benefits of providing additional social housing.
- The impact on on-street parking in the vicinity, given only 3 off street car parking spaces are being provided, and whether there is sufficient capacity on street to accommodate the parking demands a development of this nature and size may generate .
- The loss of existing trees and whether this loss be mitigated by replacement planting.
- And whether Members agree to this scheme being used as an affordable housing credit which other future developments can draw down against controlled with a Memorandum of Understanding.

Overall, there are no objections in principle to the demolition and redevelopment of this site, and this

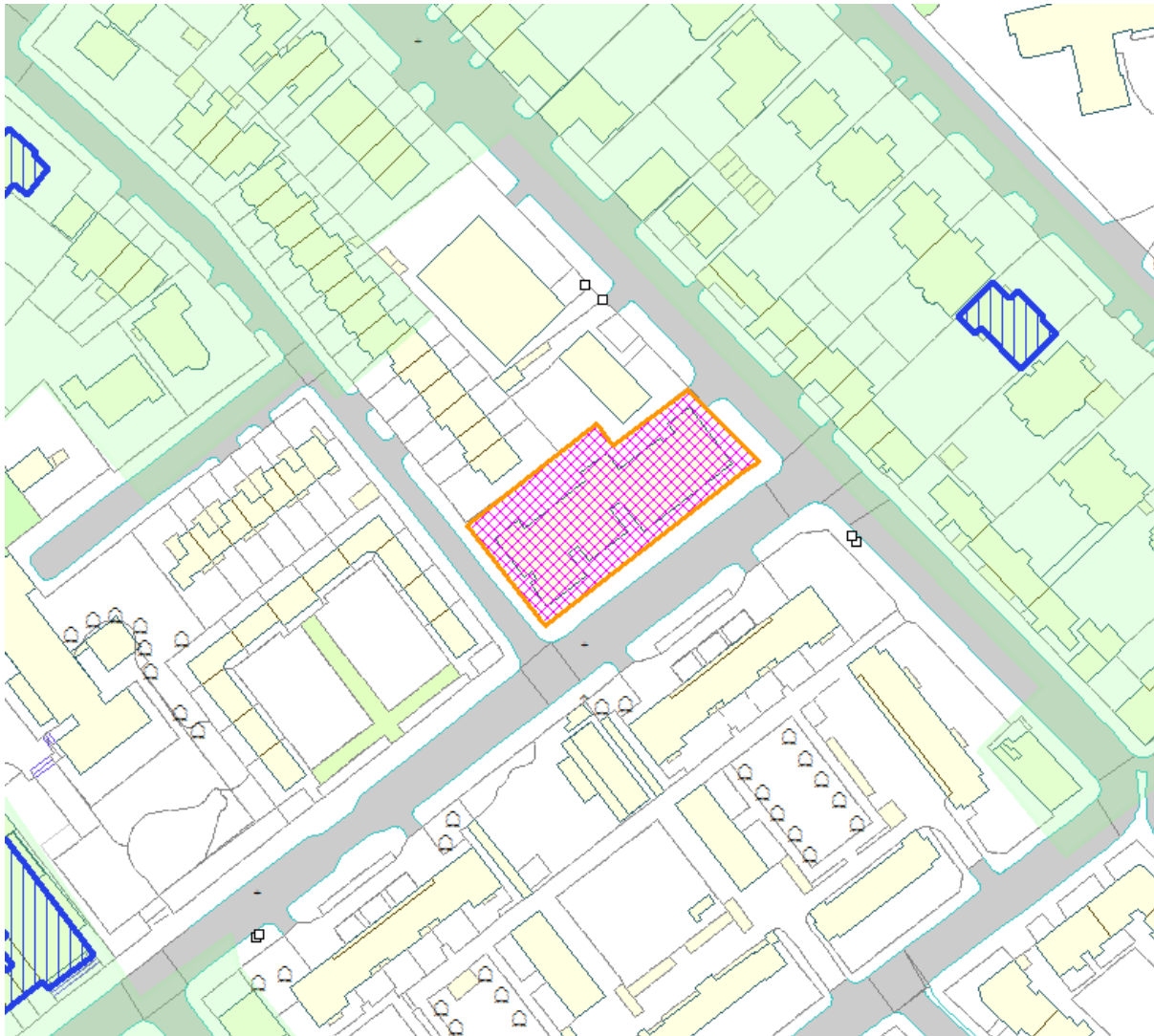
proposal will create an uplift in the number of affordable units, and therefore meets a specified housing need .It is accepted that the residential mix comprising of 1 bedroom(1 and 2 person) flats and 1 person studios fail to meet the Council's policy H5 in terms of family sized units, but given these flats are aimed at the elderly and key workers, it is considered that this policy can be applied flexibly in this case, and this proposed mix is appropriate in this case.

Despite the objections received, the proposed four storey building is considered appropriate in townscape terms, and the detailed design and use of materials have been amended following discussions with officers to ensure a high quality replacement building which will not harm the setting of the adjacent conservation area .It is accepted that the new building will affect the daylight/sunlight, outlook and privacy of neighbours and that a number of properties will experience losses in excess of the BRE guidelines. However, it is considered that on balance these losses are outweighed by the benefits of providing additional affordable housing in the borough.

The Highways Planning Manager advises that there is on street parking capacity to accommodate the parking needs this proposal may generate, and therefore the proposal complies with policy TRANS 23.The loss of the existing two trees is regrettable , but it is considered that this loss could be compensated by replacement planting and better landscaping.

The City Council does not have a current adopted policy to allow this development to be treated as an affordable housing credit, although the Council has accepted credits in respect of The Passage in Victoria. Officers consider that this innovative funding would enable the provision of additional affordable housing units which would otherwise not be delivered. Therefore Members views are sought as to whether in granting this scheme, they are content for this scheme to be an affordable housing credit. This credit will be a material planning consideration and last for 10 years from the date of this resolution.

4.1 LOCATION PLAN



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PHOTOGRAPHS



Taken on the corner of St John's Wood Terrace and Townshend Road



Taken from St John's Wood Terrace looking east

4. CONSULTATIONS

COUNCILLOR KAREN SCARBOROUGH :(written in as a trustee of the St Marylebone Almshouses) on the grounds that they have not been notified of the planning application.

HISTORIC ENGLAND: no comments to make.

ST JOHN'S WOOD SOCIETY: We do not object to the re-development of this site in principle and we consider that the proposed building has architectural merit.

Raise the following concerns:

- i) Request that the case officer ensures that loss of amenity, in particular to the elderly residents of the St Marylebone Almshouse and the pupils of Robinsfield School, is mitigated during demolition and construction by carefully controlling the hours of work and the direction of construction traffic.
- ii) Cycle Superhighway 11, if implemented as proposed, will cause significant disruption to traffic in the area and this needs to be carefully considered along with the impact of the St John's Wood Square development on Ordnance Hill, HS2 development at Swiss Cottage and the recently approved 24 storey tower development at 100 Avenue Road.
- iii) There will be overlooking and loss of light issues for neighbours on Woronzow Road.
- iv) Query the parking provision.
- vi) This application raises a number of issues about the acceptability of using this site as a credit against the currently withdrawn "Paddington Pole "site and we ask that Members views are sought on this. The existing Almshouse is occupied by beneficiaries of the St. Martin in the Fields Almshouse Charity which is administered, through its Trustees, under a scheme approved and sealed by the Charity Commissioners. It does not operate in the same way as affordable housing. The sole aim of the Trustees is to provide as good accommodation as possible for those eligible under the Scheme and the existing building's main function is to operate as an Almshouse. We consider that any planning permission for a replacement building on this site should condition that an equal part of the new building will continue to be run as an Almshouse under the Charity's scheme so as to safeguard the interests of current and future needy and vulnerable elderly residents of Westminster. We do not consider that this application should be viewed only in terms of affordable housing provided by a developer to obtain planning permission for a scheme elsewhere.

ARBORCULTURAL MANAGER : Object to the removal of two trees of high amenity value –the oak(No 2) on the corner of St John's Wood Terrace and Townshend Road and the birch(No 3) on St John's Wood Terrace .Both trees are of high amenity value and not protected by a Tree Preservation Order .Both merit a Tree Preservation Order, and the loss of these trees would cause detriment to the appearance of a well tre-ed character of St John's Wood and cause harm to the character and appearance of the adjacent St John's Wood Conservation Area .Recommend refusal of permission. Without a TPO the trees could be removed at any time .The overall scale of tree loss and the lack of space in the proposed development is dismal and if intend to recommend approval, recommend conditions.

CLEANSING : Request revisions to the ground floor layout to address storage capacity for recyclable materials, general waste and food waste , distance to travel to the bins is 41 m which is in excess of 30 m recommended as the maximum travel distance .

AFFORDABLE HOUSING MANAGER: To be reported verbally.

ENVIRONMENTAL HEALTH: No objections subject to conditions.

HIGHWAYS PLANNING MANAGER: There is capacity on street to accommodate the additional parking demands this application will generate and the proposal will not breach policy TRANS 23 .Insufficient cycle parking which fails to meet London Plan standards and this needs to be addressed by the applicant and/or by condition .

METROPOLITAIN POLICE DESIGNING OUT CRIME OFFICER: Requested to look at the original design by Council officers to advise on the bi-folding/concertina doors into the residential apartments .Requested more information from the agent. Although the immediate area is not subject to high levels of crime, the surrounding streets do suffer from significantly more crime and therefore request a planning condition to cover Secure by Design (SBD) accreditation.

THAMES WATER: No response received.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 306

Total No. of replies: 12

No. of objections: 11

No. in support: 1

The grounds of objection are summarised below:

Land Use

Whilst welcome the principle of development, the proposal will harm local residents. Increasing from 19 to 42 habitable units is a massive over-development of this small site. Not clear what type of accommodation is being proposed, is it to create more dwellings for elderly or are these family dwellings?

Townscape/Design

- The proposed height is unsuitable for the area and its neighbours and not in keeping with the area .
- Its scale is overpowering and overshadows neighbouring two storey houses in Woronzow Road and Henstridge Place.
- Proposal will not add to the street scene and provides no environmental benefits. Development should be restricted to two storeys and be for fewer units.
- The proposed design has garage doors at ground floor which are out of keeping .

Amenity

- Loss of light to the St Marylebone Almshouses. Applicant's Daylight and Sunlight calculations underestimate the losses of light, privacy and overall amenity to residents in these flats. Proposal should be lower at 2 storeys to protect light.
- Loss of light to the rear garden of No 2 Woronzow Road new building will cast a shadow over the garden. Result in the loss of morning sunlight to rear garden and new building will cast a significant shadow over the garden.

- Loss of light to residents in Turner House, in particular on the second floor. Disagree with the applicant's Daylight and Sunlight Report as light will be severely affected and suggest their assessment is inconclusive.
- Overlooking into rear garden of No 2 Woronzow Road, the proposed balconies on the rear garden will cause loss of privacy.
- Loss of privacy to residents in Turner House.
- Loss of view and outlook for residents in Turner House .The proposal will reduce views of skyline and no longer be able to see the greenery of Primrose Hill.
- Loss of privacy and residents in Turner House, will be able to see directly into the new flats.
- Impact on the quality of life for residents of the St Marylebone Almshouses who are elderly.
- There should be no Saturday working.

Transportation

- Concerned about increased parking pressures generated by the proposal. Increased volumes of traffic generated by the additional units.
- Adverse impact on on-street parking of a development of this scale, existing provision is already overstretched, especially at the weekends when residents lose their right to park and pressures from parking associated with visitors to Regents Park, Lords and St John's Wood .
- There should be at least two underground parking spaces per flat.
- The applicants Construction Management Plan (CMP) proposes significant volume of construction traffic turning off Wellington Road into St John's Wood Terrace past the shops, and this route is already congested.
- Site workers should be encouraged to use public transport.
- Suggest build a lower ground floor level to provide underground parking for the new flats.

Other Matters

- The Trustees of the St Marylebone Almshouses and a resident in Woronzow Road have not been consulted.
- Proposal does not appear to address the impact on the welfare of the elderly residents in respect of hours of building work and heavy traffic.
- Loss of property values.
- Demolition and construction noise will affect residents for over a year .Increased traffic associated with construction and pressure on limited residents parking bays.
- Elderly residents and those staying at home with small children will be the most affected by construction noise, and potentially cause health problems for residents.
- Many of the background papers are not on line.
- Suggest that the existing building is refurbished and upgraded rather than redeveloped.

One letter of support from a resident in Abbey Gardens.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

Revised Design (increased number of units from 42 to 44 as a result of internal changes, changes to the elevations, materials and revised refuse arrangements)

COUNCILLOR KAREN SCARBOROUGH: To be reported verbally

ST JOHN'S WOOD SOCIETY: To be reported verbally.

CLEANSING MANAGER: No objections subject to a condition.

HIGHWAYS PLANNING MANAGER: To be reported verbally

METROPOLITAN POLICE DESIGNING OUT CRIME OFFICER: To be reported verbally

ADJOINING OWNERS/OCCUPIERS: No consulted 318 No Replies 6
4 objections and 2 letters in support received to date
Grounds of objection are as follows:

Design

- The proposed four storey building is too high and not in keeping with the feel of the neighbourhood.
- Agree that the existing buildings are ugly but hope that Westminster has a far reaching view for provision of housing rather than slavishly allowing more high rise buildings in already built up areas.

Amenity

- Results in the loss of light and outlook to neighbours
- Proposed balconies will overlook the gardens in Woronzow Road.

Traffic /Parking

- During construction of our roads will be the subject to more lorries and vans and be for more than one year.
- No parking being provided .Although the existing residents are aged and therefore do not have cars, the new residents will own cars and therefore potentially 40 cars which will need to be accommodated on the street. Strongly object unless sufficient underground parking is provided
- The use of underground parking is crucial but will not mitigate the increased use of roads which are increasingly busy .This, alongside the redevelopment of the Barracks will change forever the area and not for the better.

Other Matters

- Not enough time to view the revised documents .

ADVERTISEMENT/SITE NOTICE: Yes the advertisement in the local paper expires on 9 December 2016, 3 days after the Committee date)

3. BACKGROUND INFORMATION

3.1 The Application Site

This application site comprises of 19 residential flats (Class C3) in a two storey brick building known as Chesterfield Lodge located on the north side of St John's Wood Terrace between its junctions with Townshend Road to the east and Woronzow Road to

the west .The building which dates from the late 1970's is occupied by the beneficiaries of St Martins in the Fields Almshouses Charity (SMFAC). There are currently 16 one bedroom flats and 3 studio flats which are rented at subsidised rental levels to the elderly and keyworkers, in addition to communal ancillary facilities such as residents lounge and laundry facilities.

The application site is located outside a conservation area, although the boundary of the St John's Wood Conservation Area lies immediately to the east of the application site the surrounding buildings are mixed in terms of their style and height. To the south is Turner House as seven storey block of 42 flats .To the east and west are more domestic properties of two and three storeys in height in Townshend Road and Woronzow Road and the architecture is varied .Immediately to the west are the attractive two storey St Marylebone Almshouses which were originally built in 1836 and rebuilt in 1965 .At the rear of the application site are the three storeys houses and gardens in Woronzow Road and the four storey block of flats at No's 33-35 Townshend Road.

There are two vehicular access points, one in Townshend Road to the east and Woronzow Road to the west, which provide limited off-street parking for staff. The application site has a PTAL rating of 3, and St John's Wood Underground Station is a short distance away approximately 5 minutes away, and there are bus routes to the south along Prince Albert Road and to the west in Wellington Road. The application lies outside the Central Activities Zone (CAZ).

3.2 Recent Relevant History

The existing building was approved on 15 December 1977 and was for the redevelopment of No's 69-77 St John's Wood Terrace to provide 30 one bedroom sheltered housing units plus ancillary accommodation .It appears over the years, internal alterations have taken place in the building to amalgamate a number of these smaller flats into larger flats, and there are currently 19 units on site .These internal works although resulted in a reduction in the number of units did not require planning permission at the time the works took place and are lawful.

Permission granted in 2001 for replacement of existing windows with aluminium windows, replacement of four ground floor doors with windows and minor alterations to first floor window openings.

4. THE PROPOSAL

This proposal is for the demolition of the existing building comprising of 19 flats(1509 sq.m GIA) and the erection of a four storey building to accommodate 44 residential dwellings(approximately 3,513 sq.m, representing an uplift of floorspace just over 2,000 sq.m / 25 additional residential units)

SMFAC is one of the oldest charities in the country and has provided almshouses for elderly people since the sixteenth century. It is a means tested charity which seeks to provide accommodation in Westminster for people who cannot afford their own home. The existing accommodation in Chesterfield Lodge was originally intended to house poor elderly spinsters and widows who are residents in the City of Westminster .In 2006, the

scheme was varied to allow elderly men and couples who have either lived or worked in Westminster to apply for residency under certain circumstances. The charity has recently widened its remit to accommodate key workers such as health workers and teachers. The existing flats are rented at subsidised rents.

This planning application when it was originally submitted to the City Council was linked to the application at No 31 London Street (known as the Paddington Pole Ref 15/11219/FULL). It was anticipated that the redevelopment of Chesterfield Lodge would be the off-site affordable housing provision for this mixed use development and be funded by the Paddington developer (approximately £12m) however the planning application for the Paddington Pole was later withdrawn.

A fresh planning application has been submitted for this redevelopment of No 31 London Street (Ref 16/09050/FULL) which is due to be considered by Planning Committee on 6 December 2016. The Paddington developer is no longer offering a financial contribution towards off site affordable housing. The developer states that it is not viable to do so and policy S3 in the City Plan allows the requirement for residential floorspace to be applied more flexibly in the Paddington Opportunity Area where the Council considers that this is necessary in order to deliver substantial planned public transport and/or public realm improvements which are also of benefit to the local community.

This revised application is now a stand-alone application by SMFAC, and the applicants are proposing a funding mechanism to allow this planning application to redevelop the Almshouses to be used as an affordable housing credit.

The proposed new building is conceived as 4x four storey villas which largely follow the footprint of the existing building. Each villa is separated by a recessed glass link which houses the main circulation spaces and three lifts which serve each floor. Each flat is independent with the exception of the shared access and staircase; social and administrative functions, the communal laundry and external garden spaces, the flats on the upper levels will have an enclosed bay window which provides an extension of the living area and also an external balcony.

The existing vehicular crossover in Woronzow Road will be retained and will serve 1 staff parking and a visitor/delivery/maintenance parking bay, and the existing Townshend Road vehicular access will provide access for staff parking space, a total of 3 spaces. There is also cycle spaces proposed and a mobility scooter store which can accommodate 6 scooters and charging equipment. A new substation is also proposed to serve the new building.

The application has been amended; as a result of a number of changes to the internal layout the number of residential units has increased from 42 to 44 (8x1 bedroom 2 person flats; 26x1 bedroom 1 person flat and 8x 1 bedroom 1 person studio flats)

The main changes relate to the external appearance of the building. It was originally proposed that the building be clad in reconstituted stone cladding and this has been replaced with a pale buff grey brickwork with traditional lime mortar joints. The brickwork will be composed a subtle range of tonal variations with different use of bonds. Bay windows and balconies are proposed to the front elevation.

The originally submitted scheme had a curved roof form to each villa, and following discussions with officers, the design has been amended with more traditional hipped roofs which sit behind the parapet walls. As a result of these changes, there has been a slight reduction in the height of the roofs by 150mm and a reduction of 500mm from the height of the two rooftop plant rooms. The previously proposed lift over runs have been omitted. The applicant has also included an additional refuse store to address the comments made by the Cleansing Manager.

5. DETAILED CONSIDERATIONS

5.1 Land Use

It is recognised that the SMFAC is not registered with the Homes and Community Agency (HCA) or as Private Registered Provider, but the Charity does deliver affordable housing on a voluntary basis. The tenants are chosen by the Charity on the basis that their needs are not met by the market. They are people in housing need, either residents of the City Council, or employees who have worked in the City of Westminster for 10 years or more. The Charity not only provides low cost social housing for elderly people in housing need but also accommodates key workers such as health workers and teachers.

This proposal will not only replace the 19 existing units which are substandard but also increase the number of residential units. The applicant has confirmed that prior to construction works taking place, alternative accommodation will be offered for the existing tenants.

The proposal is 100% affordable housing for rent, which meets policy s16 in the City Plan, and H4 in the UDP. The formal views of the Affordable Housing Manager are awaited on the revised proposal and will be reported verbally to Members.

It has been raised with the applicant whether they are willing to enter a legal agreement to ensure that at least 19 units be offered to the elderly, but the applicant is unable to enter into a S106 legal agreement which ties them down to nominating 19 of the new homes to a specific group in the future, however they remain committed to continue with their charitable objective of providing all their new housing to individuals in need of affordable housing.

Affordable Housing Credit

The City Council does not currently have a formalised credit policy in the City Plan, but a possible credit system to deliver affordable housing was published for public consultation in 2015 Booklet No 17. Credit schemes have been carried out in Westminster on an ad-hoc basis (such as the Passage in Victoria which was agreed by the Planning and City Development Committee on 7 May 2013) and are provided for in the London Plan.

Affordable housing credits are where affordable housing is built and are used against a planning requirement generated by a later scheme elsewhere in the City. Credits can be an innovative funding mechanism and be material planning considerations. Such credits are normally controlled by a Memorandum of Understanding (MOU) and normally last for a period of ten years.

The applicant has submitted a draft MOU which is set out in the Background Papers. This MOU will cover the total costs of the development minus the contribution costs of the applicant and this will need to be independently assessed by a consultant appointed by the City Council and paid for by the applicant. The credit will be based on the Council's affordable housing contribution formulae applicable at that time and the credit will be expressed as currency and not as an equivalent number of housing units which can be purchased by developers and used to off-set the requirement for affordable housing for future residential and commercial developments.

It is recognised that the Charity is not a traditional Registered Provider of affordable housing, and the City Council will not have any nomination rights. However the Charity does deliver affordable housing on a voluntary basis. The tenants are chosen by the Charity based on their needs, residents or employees which have worked in Westminster for 10 years or more. The Charity has been providing affordable housing for people in need for many centuries. The build quality of the current building is poor and the Charity are spending significant sums on repairing and maintaining the building and the building's failing services and fabric means that the up-keep is becoming increasingly disproportionate to the Charity's revenue. An affordable housing credit will allow the delivery of 44 new affordable units and without this credit these new units will not be delivered and the existing 19 units will become obsolete.

Therefore Members views are sought whether this scheme could be treated as a credit secured by a MOU using the Council's affordable housing financial contribution formulae. These credits are expressed as currency and not as an equivalent number of housing units which could be purchased by developers and used to offset the requirement for affordable housing.

Residential Mix

The originally submitted scheme for 42 flats (8x1 bed 2 person, 30x1 bedroom 1 person and 4x studio flats). The revised scheme has increased the number of flats by two to 44 and as a result the mix has changed to 8x1 bedroom 2 person flats; 26x1 bedroom 1 person flat and 8x 1 bedroom 1 person studio flats.

The proposed mix is not in accordance with policy H5 in the UDP which seeks that 33% of units to be family sized 3 bedrooms or more. The applicant argues that this is an unique proposal providing almshouses accommodation for single or couple occupancy, and this type of housing plays a key and important role within the affordable housing sector as recognised by London Plan policy 3.8 which states that consideration should be given to housing types and sizes that meet an identified need.

The proposal given that it will continue to provide accommodation for older people and key workers is considered to address a particular housing need. St John's Wood is characterised by a high proportion of family housing and it is considered that this proposal represents an exceptional circumstance to allow this policy to be applied flexibly.

Standard of Residential Accommodation

The proposed new flats are designed to a high standard, and in terms of their size exceed the London Plan minimum size standards. The 1 bedroom 1 person studio flats range in size from 46.2 to 52.5 sq.m, and the 1 bedroom 1 person flats range from 43.2

to 48.9 sq.m .The London Plan advises that the minimum size for 1 bed 1 person studio is 39 sq.m , and all the 1 person units are in excess of this size.

The London Plan advises that a 1 bedroom 2 person flats should be a minimum size of 50 sq.m and the proposed flats range from 62 to 67.9 sq.m. in excess of London Plan requirements. A detailed schedule of the proposed flats is set out in the Background Papers.

There is a communal garden area at the rear and many of the flats will have private amenity space in the form of balconies to the units on the first to third floors. There is also a large communal lounge/dining room, a laundry, and meeting rooms available to the residents.

Environmental Health have raised that there is the potential for noise transmission between the communal areas such as the hall and laundry on the ground floor and the flats above and this has not been addressed in the applicant's noise report and this will need to be controlled by condition .

In respect of lighting levels to the proposed residential accommodation, the majority of the flats will receive good levels of daylight and sunlight, but there are three rooms which fall just short of the BRE guidance, two are ground floor and serve a lounge windows and one first floor serving a bedroom .This respects a very small percentage of the habitable rooms in this development, and the overall daylight amenity is good.

Density

A number of the objections received cite that the proposed redevelopment represents a gross over development of the site and fewer flats should be provided .The originally submitted proposal for 42 units will provide 74 habitable rooms across a site area of 0.19 hectare. This equates to a density range of 389 habitable rooms per hectare (h.r.h). The revised scheme for 44 units has resulted in 78 habitable rooms and increased the density to 411 hrh .

The designated range for this part of St John's Wood in the adopted UDP is 120-350 h.r.h and the London Plan identifies that densities of 200-450 habitable rooms is considered acceptable in urban areas with a PTAL rating of .3.

This proposal at 411hrh is above the City Council's suggested density range but within the London Plan's range .Therefore this density of development is considered acceptable, and therefore the objections received on overdevelopment grounds cannot be supported.

5.2 Townscape and Design

Demolition of the Existing Building

The applicant argues that the existing building constructed in the late 1970's is in a poor condition, is costly to repair and is substandard in terms of the size of the flats which now fail to meet London Plan space standards .

In design terms, the existing brick building is not considered to be of any architectural merit, and there are no objections to its demolition , nor will its demolition have an

adverse impact on the setting of the adjoining St John's Wood Conservation Area. The key issues are the height, massing and design quality of the replacement building in terms of its visual impact on the street scene and whether it will preserve or enhance the setting of the adjacent St John's Wood Conservation Area (the designated heritage asset.)

Massing of the New Building

Objections have been raised to the proposal on grounds of its increased bulk and height, the four storey building is considered to be too high and out of context with the surrounding domestic townscape, and any redevelopment should be for a lower building. The objectors do not consider that the revised design has overcome their initial objections that the proposal is not in keeping with the local area.

The Council's policies relating to new infill developments are set out in policy DES 4 of the UDP and in determining this application regard has also been had to policies DES1 and DES9, and policies S25 and S28 in the City Plan and the advice set out in the NPPF.

This site is located outside the St John's Wood Conservation Area albeit is clearly visible from views within the conservation area in Townshend Road. It is considered that the surrounding townscape is varied, ranging from the seven storey post war Council block Turner House, the 4 storey block of flats at No's 33-35 Townshend Road, the two and three storey townhouses in Townshend Road and Woronzow Road and the two storey St Marylebone Almshouses. It is not a unified townscape of significant quality. In areas of low quality varied townscape, policy DES4 requires that new developments should positively improve the quality of the area. The opportunity exists to generate new compositions and points of interest. High quality innovative modern architecture may be acceptable in such locations provided that it respects the scale and form of their surroundings.

The proposed almshouses follows a similar footprint to the existing building retaining the existing walled garden. The proposed new building is two storeys higher than the existing building and is broken down into 4x four storey villa blocks (ground and three upper floors) which seek to mediate between the varying scales of the surrounding residential developments. The form of the new building is influenced by the typical semi-detached St John's Wood villa which is characteristic of the area, and the aim of the applicant is to create a new almshouse form which is a series of related houses with separate entrances, rather than a single institutional building. The massing of the new building is broken down by the recessed links with a filigree of bay windows and balconies as decorative elements add visual interest to the elevations. These enclosed bay windows and balconies also provide solar shading to the front elevation which faces south.

It is accepted that the proposal is two storeys taller than the St Marylebone Almshouses and one storey higher than the three storeys houses in Woronzow Road, but along this part of St John's Wood Terrace, there is scope to increase height when looking at the prevailing heights/storeys and massing of adjacent buildings which include the 7 storey Turner House opposite. Therefore in townscape terms, there are no objections in principle to a 4 storey replacement building and its rectangular form.

Officers did have concerns regarding the originally submitted curved roof forms as they were not considered to be a characteristic feature of St Johns' Wood .The design has been amended to tapering hipped roofs which define each villa set behind a parapet, and this has resulted in a very small reduction in height by 150mm .This new hipped roof form helps to reduce the perceived mass of the new building when viewed from the surrounding streets .The proposed two roof plant rooms which are set well back from the front elevation in order to reduce their visual impact have been reduced in height by 0.5 m and the projecting lift overruns have been deleted .

Detailed Design/Use of materials

Officers raised initial concerns to the detailed design in respect of the proposed use of reconstituted stone cladding and the curved roof forms and the solidity of the elevations and the fully glazed links.

Given the prevailing material in this part of St John's Wood is brick, the applicant was requested to amend the materials to brick. It is proposed to use a buff/grey traditional brickwork with lead roofs which will assist in replicating a domestic scale .It is proposed to use the brick in different ways to express different structural components of the building , through the use of different bonds which will provide visual interest and ornament to the building .A lighter-weight filigree of painted steel and brickwork will be used for the ornate balconies to the front façade of the building .The glazed link spaces have been amended to introduce more solidity.

New boundary treatment is being proposed with a low plinth wall with railings above and new landscaping to the front and rear garden areas .

It is considered that the revised brick building will now sit comfortably within its surroundings and create points of visual interest in the local townscape .It is considered to be a much superior building architecturally than the building it replaces, and will enhance the character and appearance of the adjoining Conservation Area.

The revised proposal therefore accords with policies DES1, DES4 and DES9 in the UDP and S25 and S28 in the City Plan .

5.3 Residential Amenity

A number of objections have been received from neighbouring flats and houses on the grounds that the proposed 4 storey building will result in a material loss of daylight and sunlight. Policy ENV13 in the UDP states that the Council will resist proposals that would result in a material loss of daylight/sunlight, particularly residential dwellings and that development should not result in significant increase sense of enclosure , overlooking or cause unacceptable overshadowing .Policy S29 in the City Plan also aims to protect the amenity of residents from the effects of development .The application site is located in a residential street characterised by houses and flats , and given that neighbours overlook a two storey building , any proposal to erect a higher building will affect neighbours light and outlook . In assessing the impact , in addition to visiting some of the affected properties regard has also been had to the advice set out in the Building Research Establishment's publication 'Site Layout planning for daylight and sunlight(second addition 2011) The applicant has also undertaken a daylight and sunlight assessment in accordance with the BRE Guidelines .This assessment was based on the originally proposed scheme , the revised scheme has resulted in small reductions in the height of the new building.

Sunlight and Daylight

Turner House is a 7 storey block of flats located on the opposite side of St John's Wood Terrace, and a total of 56 windows which face north have been tested by the applicant in terms of their loss of daylight.

In testing losses of daylight, the Vertical Skylight Component (VSC) is the most commonly used method for calculating daylight levels and is a measure of the amount of sky visible from the centre point of a window on its outside face. If the VSC achieves 27% or more, the BRE Guide advises that the windows have the potential to provide good levels of daylight. However, if the light received by an affected window with the new development in place, is both less than 27% and would be less than 0.8 times (i.e. a loss of 20%) of its existing values, then the reduction in daylight to that room will be noticeable. For the purposes of assessing light, the City Council only takes into account those windows serving habitable rooms, and will also take into account if a room is served by other secondary windows.

The No Sky Line (NSL) is also used, which measures the daylight distribution within a room, calculating the area of working plane inside the room that has a view of the sky. The BRE advises that a room may be adversely affected if the area of the room beyond the NSL is less than 0.8 times its former value.

The applicant's daylight and sunlight report advises that 48 of the 56 windows in Turner House will pass the skylight visibility (VSC) and daylight distribution, and losses will be within 0.8 times the existing values in accordance with the BRE guidelines. Therefore the objection received on grounds of loss of daylight to the second floor of Turner House cannot be supported.

The worse affected windows are those located on the ground floor and first floors which serve small kitchens. These windows already have fairly low baseline VSC figures to start with given their location under walkways and balconies, therefore any further diminution of daylight will be expressed as high percentage losses above 20%. The table below sets out these losses.

Table 1: Loss of Daylight to Turner House

Window	Room	Existing VSC	Proposed VSC	Loss of VSC	% Loss
W7/60 Ground	Kitchen	11.86	7.66	-4.20	35.41
W14/60 Ground	Kitchen	13.30	8.88	-4.42	33.23
W15/60 Ground	Kitchen	11.85	8.91	-4.41	33.11
W22/60 Ground	Kitchen	11.85	8.08	-3.77	31.81
W4/61 First	Kitchen	12.48	8.96	-3.52	28.21
W11/61 First	Kitchen	13.99	10.29	-3.70	26.45
W12/61 First	Kitchen	13.98	10.31	-3.67	26.25
W18/61 First	Kitchen	12.16	9.04	-3.12	25.66

It is recognised that these 8 kitchen windows will experience losses of daylight in excess of the BRE Guidelines. However given that Turner House is located 32 metres away

from the application site and the worse affected windows are located under walkways and balconies, therefore it is not considered that these losses are so material to warrant refusal of permission. In terms of daylight distribution (NSL) to these rooms there is no alteration with the development in place.

St Marylebone Almshouses

This two storey building is located to the west of the application site and there are a number of windows in the side elevation at ground, half landing level and first floor facing onto Woronzow Road which will be affected by the new four storey building. These windows serve kitchens, bathrooms and hallways. There are 36 windows serving 31 rooms, and in respect of daylight and sunlight assessment non-habitable rooms such as bathrooms and hallways are not tested.

There are a number of windows which will experience losses of daylight ranging from 20-25% of their former value, and as set out in the table below, these windows receive a high level of daylight. A number of the affected flats have been inspected, given the objections received.

Table 2 Loss of Daylight St Marylebone Almshouses

Window	Room	Existing VSC	Proposed VSC	Loss VSC	%Loss
W2/80		31.36	24.86	-6.50	20.73
W3/80		31.33	24.85	-6.48	20.68
W4/80		31.37	25.05	-6.32	20.15
W1/81		25.42	19.53	-5.89	23.17
W2/81		25.41	19.22	-6.19	24.36
W3/81		25.39	19.46	-5.93	23.26
W4/81		25.41	19.82	-5.59	22.00

The losses of daylight to these windows is just in excess of the BRE Guidelines and the affected rooms will continue to receive VSC values of between 19.22 and 25.05% and relatively good daylight distribution levels for sheltered accommodation. Although objections have been raised to the proposal on loss of daylight grounds, it is not considered that these objections can be supported.

2-4 Woronzow Road

These three storey houses are located directly to the north of the application site. No 2 has a conservatory extension to the side of the house which is very close to the rear garden boundary with Chesterfield Lodge. The conservatory due to its close proximity will be affected in terms of loss of daylight, sunlight and outlook. The applicant's Daylight and Sunlight Report has tested this conservatory structure in terms of its loss of daylight, and whilst the losses to this glazed structure vary between 17-46% reductions in daylight, overall given that it is fully glazed structure the loss of daylight is not considered to be so severe to warrant refusal.

33-35 Townshend Road

This is a 4 storey block of flats, and the majority of the rear facing windows will comply with the BRE Guidelines in terms of their loss of daylight. There are a number of windows which will experience losses of more than 20% and these are set out in the table below.

Table 3 Loss of Daylight to 33-35 Townshend Road

Window	Existing VSC	Proposed VSC	Loss of VSC	% Loss
W4/500	29.96	22.81	-7.15	23.87
W6/500	29.28	20.32	-8.96	30.60
W6/501	33.40	23.18	-10.22	30.60
W6/ 502	35.89	26.59	-9.30	25.91

Despite the losses, it is not considered that the losses are so great to warrant refusal of permission, as the windows will still receive good levels of daylight for a suburban central London location. The worst affected room's daylight distribution levels will be reduced by 5.5% which is within the BRE guidelines.

Other properties

Losses of daylight to No's 1, 2 a, 4, 4A and 6 Woronzow Road are within the BRE guidelines and the same comment applies to No's 34, 36, 36 a, 38, 40 and 42 Townshend Road. There the impact on these houses will be within acceptable limits and accord with policy.

Sunlight

Windows which face within 90 degrees of due south are tested in respect of their loss of sunlight. The BRE Guidelines use Annual Probable Sunlight Hours (APSH) as a method for calculating sunlight levels when a 25 degree section line is breached. The BRE recommends that the APSH in the proposed situation should be at least 25% of the annual total of which 5% should be in the winter months. When the proposed value falls short of this standard the reduction should be within 0.8 times its former value and the BRE advises that sunlight to living rooms is the most important.

In respect of the loss of sunlight, the worst affected property is No 2 Woronzow Road and in particular its conservatory extension. This conservatory will lose a significant amount of its APSH with the development in place. This loss of sunlight will be noticeable by the occupant of this house, and there will also be loss of sunlight to the rear garden. This loss of sunlight is not ideal especially when coupled with an increase in the sense of enclosure to this house. However, the loss of sunlight to this house has to be weighed against the benefits of providing more affordable housing on this site, and it is considered on balance that these losses of sunlight to this house are acceptable.

In respect of the flats at No's 33-35 Townshend Road, the rear windows have also been tested, and 21 of the 24 rooms will be fully BRE compliant. The remaining three ground and first floor windows will experience reductions to their levels of winter sunlight in breach of the BRE guidance. The worst affected windows will lose between 25% to 87% of their winter sunlight, but these windows currently receive low levels of winter sunlight and therefore the proposed reductions in sunlight will be expressed as high percentage figure. These rooms, however will retain total ASPH levels in excess of 28% which is above the recommended limit.

Sense of Enclosure

The worst affected properties are the Almshouses flats whose windows are in the side elevation which overlook the application house, the houses in Woronzow Road whose gardens are adjacent the site and the flats in 33-35 Townshend Road which are located to the east of the application site. It is accepted that these neighbouring residents will be

affected in terms of their outlook as a result of the four storey building. However , it is not considered that their outlook will be so adversely affected to justify the refusal of permission on this ground alone , and again this has to weighed against the overall public benefits this scheme will generate.

Privacy

Objections have been raised on the loss of privacy to residents in Turner House .Given that 32 metres separate the proposed new building from Turner House there will be no material loss of privacy to these residents and the proposal complies with policies S29 and ENV13.

In respect of loss of privacy to St Marylebone Almshouses, the side elevation of the new building has limited openings; and again given the distance that separate these buildings, it is not considered to result in a material loss of privacy .

At either end of the new building at the rear are the enclosed bay windows and balconies and given their position there will be no direct overlooking into 2 Woronzow Road or 33-35 Townshend Road . There are balconies proposed to the rear elevation of the rest of the building , and it is accepted that they will afford views into neighbouring gardens and windows in Woronzow Road, the rear windows and communal rear garden of 33-35 Woronzow Road .It is recognised that some of these will be oblique views but there will be direct overlooking into the rear garden . It is considered that additional screening could be created by the erection of trellis panels to the existing garden walls and more robust planting to the boundaries .

5.4 Transportation/Parking

Car Parking

Objections have been received to the lack of car parking for the proposal, and local residents are naturally concerned about the increased pressure on on-street parking.

There are currently no off street parking for existing residents in Chesterfield Lodge and the applicant advises that current residents do not own cars due to their economic circumstances and due to their age and do not have any residents parking permit .There is only one residents parking permit at the property.

The applicant's Transport Assessment states that this residential development will be car free and that non car ownership with be a condition of tenancy for future residents The City Council planning policies do not support car free developments, and although the applicant has given an undertaking in the tenancy agreements that tenants will not be able to have a car, the City Council in dealing with this application has to take into account that given the nature of the proposal which includes key workers(who may be car owners) this is likely to result in additional demand on on-street residents parking bays .

The proposed development will have three off-street car parking spaces, which two spaces will be used by members of staff (warden and a clerk) and one visitor/disabled space

Policy TRANS 23 states that for any new residential development including residential extensions and conversions, the City Council may take into account the likelihood of additional demand for on-street parking arising from the development .The City Council will normally consider there to be a serious deficiency where additional demand would result in 80% or more of the available parking spaces being occupied during the day(i.e. parking bays) or at night(i.e. parking bays and single yellow lines) in the vicinity of the development .

The Highways Planning Manager advised in respect of the original proposal that 42 affordable flats is likely to result in 14 car parking spaces .In respect of the availability of on street car parking within 200m radius of the site , the most recent car parking survey (2015) revealed an occupancy rate of Residents Bays and Shared Use Bays of 73.6% (consisting of 186 Residents and 45 Shared Use Bays of which 135 and 35 were occupied respectively) .The Highways Planning Manager considers there is capacity on street to cope with the additional demands this development may generate without breaching the 80% threshold set out in policy TRANS 23 .In addition, the site is well served by public transport .

At night time, pressure on residents and shared bays increases to 86.1 % but residents can also park free of charge on metered bays and single yellow lines and therefore this figure reduces to 60% also below the 80% threshold.

The revised scheme incorporates two additional units but again there is capacity on street to accommodate any additional parking demands. The formal views of the Highways Planning Manager in respect of the revised scheme will be reported verbally to Committee

Whilst it would have been preferable to accommodate more off street parking than the 3 spaces currently being proposed , it is recognised that this is a relatively small site and the need to maximise the number of affordable units whilst at the same time preserving the amenities of neighbouring residents and providing outdoor amenity space .The proposed level of parking is considered appropriate and it is not considered that any additional mitigation measures such as car club membership are required .

Traffic Generation

A number of objectors have raised the increased traffic generated by a development of this size and nature .The applicant's Transport Assessment advises that there will be a negligible impact on the local highway network and the Highways Planning Manager concurs with this view. There is off street parking proposed to accommodate staff and visitor parking and servicing requirements. It is not considered that servicing will have any adverse impact on the operation of the local highway network and will accord with policies TRANS20 and S42 .

No changes are proposed to the existing Townshend Road vehicular access, and in order to ensure that a large car and delivery /maintenance vehicle, it is proposed to extend the current dropped curb southwards for a distance of approximately 8.5 m .This extended drop kerb will not affect the existing street tree or impact on on-street parking as due to the limited width of the carriageway, it is only possible to park on one side of the road.

Refuse collection will remain on street on the same basis as the existing building. It is accepted that during the construction, there will be increased vehicular movements and the routes for construction vehicles will be addressed in the CMP, which will also take into account other developments taking place such as St John's Wood Barracks.

Cycle Parking

The Highways Planning Manager advises that a cycle rack (10 spaces) at the rear of the building was not large enough to accommodate the cycle needs of future residents and significantly below the London Plan standards of 1 cycle space per residential unit of 1 bedroom or fewer and 2 spaces per unit of 2 bedrooms or more. It is considered that amended increased cycle parking provision could be addressed by condition.

Other Highways Issues

It was raised with the applicant by officers whether the keep clear area in St John's Wood Terrace could be replaced with residents parking bays. However, the applicant wishes to retain this facility for drop off in case of an emergency.

Public Transport

It is not considered that a development of this scale will have any adverse impact on public transport.

5.5 Economic Considerations

The proposal will increase the amount of low cost affordable housing available for keyworkers in Westminster and this is of economic benefit to the City.

5.6 Access

There is level threshold access and three lifts providing access to all floors, with communal facilities provided at ground floor. A total of 6 units (14%) will be provided a wheelchair adaptable which is in excess of the policy H8 which requires 10%. There is also a designated disabled parking space, and the drop off facility at the front in St John's Wood Terrace remains.

5.7 Other UDP/Westminster Policy Considerations

Air Quality

It is not considered that a development of this size will have any adverse impact on air quality.

Land Contamination

Environmental Health has advised that this area has high levels of lead in gardens and recommend that an informative is added regarding unexpected contamination. Given the existing building was built in the late 1970's; it is not considered necessary to impose a land contamination condition and deal with this by way of an informative.

Substation

A substation is proposed within the building and Environmental Health recommends that a condition is attached requiring confirmation that the required electromagnetic frequency levels will be in line with current guidance in order to safeguard the amenities of future and neighbouring residents.

Noise/Plant

Environmental Health are satisfied that plant associated with the new building will comply with the Council's Noise standards, however given the detailed design has not been fully resolved at this stage, it is recommended to impose the standard noise conditions and a supplementary acoustic report condition, in order to protect the amenities of surrounding residents. This supplementary acoustic condition will also address low frequency noise from the substation within the new building.

Given the new building faces south, the issue of possible overheating has been raised given that the original design included a large amount of glazing, especially given that a number of future occupants will be elderly. The revisions to the design are considered to mitigate against overheating to the flats on the upper floors and all flats will benefit from opening windows.

Refuse /Recycling

The Cleansing Manager has raised an objection to the refuse and recycling arrangements, but again this can be reserved by condition. The applicant has submitted a revised layout and the Cleansing Manager is withdrawn his objection.

Trees/Biodiversity

The Arboricultural Officer objects to the loss of two trees, an oak on the corner of St John's Wood Terrace and Townshend Road and a birch on the St John's Wood Terrace. These two trees are considered to be of high amenity value, but given that neither tree is located within a Conservation Area or protected by a Tree Preservation Order, the applicant could remove the trees at any time. The Arboricultural Officer considers these trees merit protection by a Tree Preservation Order (TPO) as their loss would be detrimental to the character of this part of St John's Wood and the adjacent conservation area.

It is accepted that these trees do have amenity value, and their loss as part of this development is regretted. However, it is considered that this loss could be compensated by replacement planting (to be secured by condition) and the loss of these trees has to be viewed in the light of the overall benefits of providing affordable housing.

The revised application includes the removal of another street tree in Woronzow Road T13 (crab apple) which is good specimen and there is no reason to agree to its removal. The street tree is not part of the red line of the application site and the applicant is being advised that the removal of this tree has not been agreed by the City Council.

It is considered that the currently submitted landscaping scheme is a bit sketchy and the applicant is being advised by informative that more work is required to reach a standard acceptable, and to consider more robust tree planting along the frontage to compensate for the two trees being lost. Conditions are also recommended to secure bird and bat boxes, and the applicant will need to ensure that the trees to be retained are protected during the building works, and for the street trees to be protected.

Sustainability

Policy S28 in the City Plan requires development to incorporate exemplary standards of sustainable and inclusive urban design and architecture. Policy S40 considers renewables. The design of the scheme has sought to maximise its environmental

performance, and the applicant's Energy Assessment seeks to achieve CO2 reductions of more than 35% over Building Regulations Part L 2013 and the design of the new building incorporates measures to minimise water use and urban drainage. Sustainable drainage will be incorporated during the detailed design stage and this is considered to address Council policy and London plan policies. The scheme therefore accords with City Council policies.

5.8 London Plan

This application raises no strategic issues.

5.9 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

5.10 Planning Obligations/Community Infrastructure Levy(CIL)

It is not considered that a planning obligation is required having regard to policy S33 in the City Plan.

If Members do agree to grant conditional permission, the next issue is whether there is an agreement for this scheme to be treated as an Affordable Housing Credit, and securing this credit via Memorandum of Understanding. The applicant's draft MOU is set out in the Background Papers.

This MOU will set out the precise terms of the funding mechanism to be put in place to enable monies in lieu of affordable housing to contribute to the delivery of the Almshouses redevelopment .It is anticipated that the current costs of this development is approximately £12 million, although it still needs to be fully costed .

The MOU will cover the following key points

- a) The project will be fully costed by the applicant and will include all contingencies and fees but exclude land values and development profit
- b) The total cost will be evaluated by independent consultants appointed by the Council and paid by the applicant
- c) The applicant will provide evidence of the funding gap by showing what funds are available from other sources
- d) The agreed total costs(ATC) will be total cost minus the contribution by the applicant and will be the full amount available for offsets .In such a case, the estimated capital costs of developing and improving the facility and the services offered by that facility could be converted into a credit using the Council's affordable housing contribution formulae .these credits expressed as currency and not as number of housing units could be purchased by developers and used to offset the requirement for affordable housing , as dictated by Council planning policies, for future residential development
- e) The ATC will be index linked
- f) Landowners and developers would make contributions to the ATC which would be regarded as a contribution offset and will register this contribution with the Council
- g) Where the Council agrees after the proper appraisal of any development by a contributor that a commuted sum is appropriate, this sum may be drawn down in part against the ATC.

- h) The development intending to draw down against the ATC can be situated anywhere in Westminster.
- i) The offsets can be traded between contributors.
- j) The memorandum talks effect from the date of the Committee resolution and lasts as a material consideration for 10 years
- k) The applicant will pay all reasonable monitoring costs of the City Council with monitoring undertaken in the same way as a formal S106 resolution.

Community Infrastructure Levy

The City Council adopted its own Community Infrastructure Levy on 1 May 2016 and is chargeable on the uplift in residential floorspace .Various forms of affordable housing may be eligible for relief from both the Mayor's and Westminster City Council CIL .

This site is located in Prime Residential Area of Westminster and CIL is currently £550 per sq.m and the CIL payment would be in the region of £1,102, 200 and the Mayor's CIL approximately £100,200 but as this scheme is for affordable housing, the development will be eligible for relief .All reliefs must be applied before the commencement of development and the applicant is being reminded of this by way of an informative.

5.11 Environmental Impact Assessment

This scheme is not of sufficient scale to require an Environmental Impact Assessment (EIA)

5.12 Other Issues

A number of the objectors have requested that the scheme is redesigned to accommodate basement/lower ground floor so that more car parking can be provided for the 44 flats .As set out in Section 6.4 of this report, there is the capacity on-street to accommodate the parking demands this affordable housing development will generate. The provision of additional on-site parking will considerably increase the construction costs and affect the overall viability and deliverability of this affordable housing scheme. Given the Highways Planning Manager is satisfied that there is the capacity on street and the very low car ownership levels a development of this type will generate the provision of additional off street parking is not necessary. Therefore these objections cannot be supported.

Construction impact

It is recognised that the demolition of the existing building and the construction of the new building poses amenity issues for the neighbouring residents and in particular the elderly residents in St Marylebone Almshouses .The applicants have submitted an outline Construction Management Plan to mitigate the impact on surrounding residents .Although this proposal does not include a basement , given the unusual circumstances of elderly residents next door, it is considered necessary to reserve this CMP with a condition. The applicant is being advised by way of an informative to discuss possible quieter working times with the Board of Trustees for the St Marylebone Almshouses before any construction takes place on site.

The applicant's state in the Design and Access Statement that to ensure a high quality finish and to reduce construction time, off-site fabrication is to be used.

Crime and security

The Designing Out Crime Officer in respect of the original design was asked to comment on the originally proposed bi-folding/concertina doors to the residential apartments. As a result, the detailed design of the ground floor was amended to remove these bi-folding doors.

Although the immediate area is not the subject of high levels of crime, the surrounding streets do suffer significantly more crime, the Designing Out Crime officer has requested that a planning condition be imposed to ensure Secure By Design (SBD).

Conflict of Interest

The St John's Wood Society have raised a possible conflict of interest in respect of Councillor Freeman given he is a Ward Councillor and Chairman of the Chesterfield Lodge Almshouses and Chairman of the Planning Committee .This application is being reported to Committee No 1 and Councillor Freeman does not sit on this Committee .Nor has Councillor Freeman made any formal representations in respect of this planning application .Therefore it is not considered there is any conflict of interest.

Lack of Public Consultation

Councillor Scarborough has raised the lack of public consultation with residents of the St Marylebone Almshouse flats, however neighbour letters were sent to all these flats. The applicant has also undertaken consultation with the local community in advance of submitting the planning application which is set out in their Statement of Community Involvement.

In respect of the revised planning application, over 300 letters have been sent to neighbouring residents .The revised application has been advertised in the local newspaper and site notices erected on site .The advertisement does not expire in the local newspaper until 9 December 2016 which is three days after the Committee date. If any comments are received after the Committee date which are not already addressed in this report, this application may need to be reported back to Committee in January 2017.

Loss of property values is not a ground to refuse planning permission.

6. BACKGROUND PAPERS

1. Application form
2. Email from Councillor Scarborough dated 1.3.2016 and responses from the Council dated 1.3.2016
3. Response from Historic England (Listed Builds/Con Areas), dated 9 February 2016
4. Responses from St John's Wood Society dated 10 March 2016 including copy of St Martin-in-the-Fields Almshouse Charity Beneficiary's Handbook
5. Response from Environmental Health dated 29 February 2016
6. Response from Cleansing dated 15 February 2016
7. Response from Highways Planning Manager dated 29 April 2016
8. Response from Arboricultural Officer dated 22 April 2016
9. Response from Metropolitan Police Designing Out Crime Officer dated 10 March 2016
10. Email from 38 Townshend Road, London NW8 , dated 9 February 2016
11. Email from 2 Woronzow Road London NW8 dated 22 February 2016

12. Email from 13 Turner House, St. John's Wood Terrace NW8 ,dated 21 February 2016
13. Email from 6 Melina Place, London NW8 , dated 1 March 2016
14. Email from 5 Henstridge Place, St John's Wood,NW8 dated 2 March 2016
15. Email from 21 St Marylebone Almshouses, 80 St John's Wood Terrace, dated 27 February 2016
16. Email from 4 Woodside Avenue, London(on behalf of the Trustees of St Marylebone Almshouses at No 80 St John's Wood Terrace) dated 9 March 2016
17. Email from Flat 21, Cruickshank House, London NW8 dated 9 February 2016
18. Email from 7 Melina Place St John's Wood London NW8 (Former Chairman of the Board of St Marylebone Almshouses) dated 12 March 2016
19. Email from 19 St Marylebone Almshouses 80 St John's Wood Terrace London NW8 dated 10 March 2016.
20. .Email from 20 Turner House Townshend Estate London NW8 dated 16 May 2016.
21. Letter in support from 30 Abbey Gardens London NW8 dated 20 April 2016

Revised Scheme

22. Email from 51 Townshend Road London NW8 dated 20.November 2016
23. Email from 38 Townshend Road London NW8 dated 20.November 2016.
24. Email from 46 Townshend Road London NW8 dated 22 November 2016
25. Letter in support from 26 St Ann's Terrace London NW8 dated 21 November 2016
- 26 Schedule of the Proposed Units submitted by architect .
- 27.Letter in support from 30 Abbey Gardens London NW8 dated 21 November 2016.
- 28 Memorandum from Cleansing Manager dated 21 November 2016.
- 29.Email from 4 a Woronzow Road London NW8 dated 24 November 2016.

Selected relevant drawings

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT RUPERT HANDLEY ON 020 7641 2497 OR BY EMAIL AT rhandley@westmsinter.gov.uk

7. KEY DRAWINGS



Visual of the front elevation (draft version)



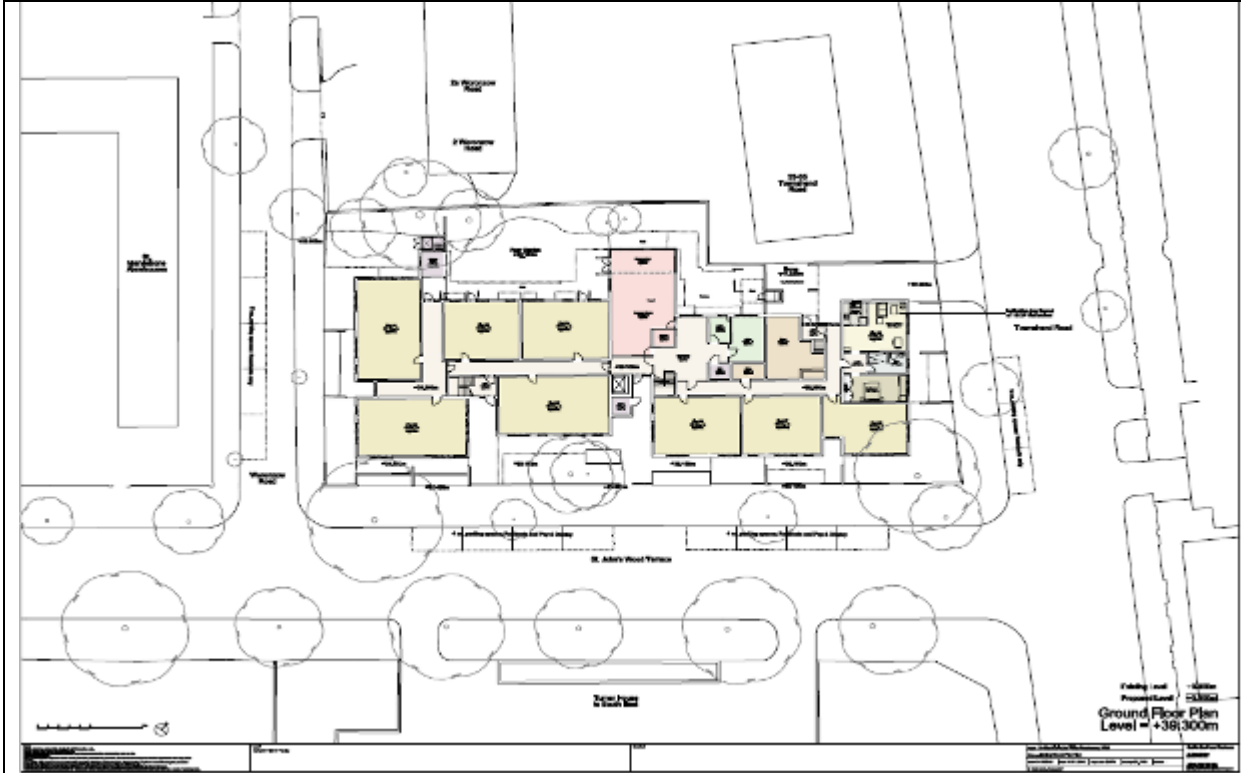
Visual from St John's Wood Terrace /junction with Woronzow Road looking east (draft version)

Detailed elevation(in part)



sketch of typical Villa front Facade to St. John's Wood Terrace



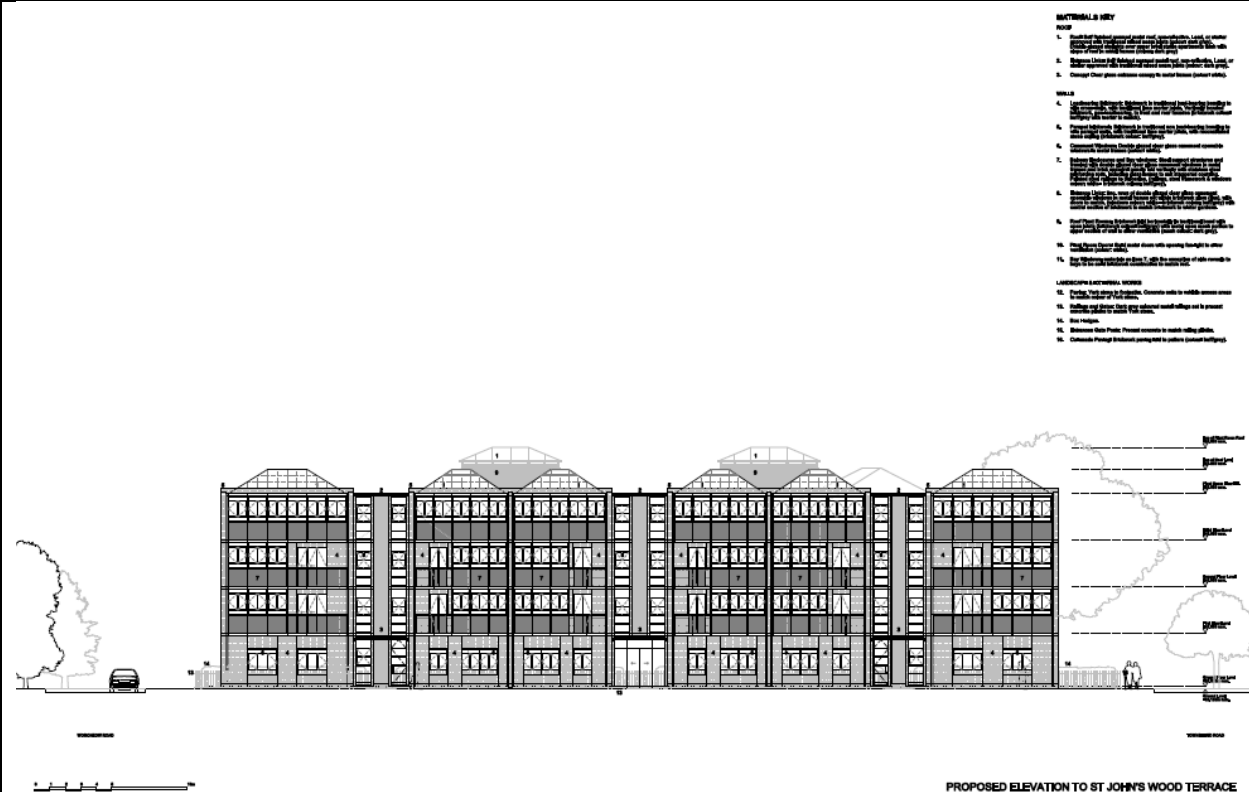


Existing ground floor plan

Existing Front Elevation



Proposed Front Elevation



- MATERIALS KEY**
- ROOF**
1. Asphalt/Flt Shingles (per local code requirements). Lead or copper flashing (per local code requirements) and 2" x 4" rafters (per local code requirements).
 2. Asphalt/Flt Shingles (per local code requirements). Lead or copper flashing (per local code requirements) and 2" x 4" rafters (per local code requirements).
 3. Asphalt/Flt Shingles (per local code requirements). Lead or copper flashing (per local code requirements) and 2" x 4" rafters (per local code requirements).
 4. Asphalt/Flt Shingles (per local code requirements). Lead or copper flashing (per local code requirements) and 2" x 4" rafters (per local code requirements).
- WALLS**
1. 8" CMU (per local code requirements). 1/2" gyp board (per local code requirements). 1/2" gyp board (per local code requirements).
 2. 8" CMU (per local code requirements). 1/2" gyp board (per local code requirements). 1/2" gyp board (per local code requirements).
 3. 8" CMU (per local code requirements). 1/2" gyp board (per local code requirements). 1/2" gyp board (per local code requirements).
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PROPOSED ELEVATION TO ST JOHN'S WOOD TERRACE

<p>PROJECT INFORMATION</p> <p>Project Name: [Redacted]</p> <p>Client: [Redacted]</p> <p>Address: [Redacted]</p>	<p>DATE</p> <p>Issue: [Redacted]</p>	<p>DESIGNER</p> <p>Project No: [Redacted]</p> <p>Scale: [Redacted]</p>	<p>CLIENT</p> <p>Project No: [Redacted]</p> <p>Scale: [Redacted]</p>
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Existing Rear Elevation



EXISTING ELEVATION TO REAR GARDEN

<p>PROJECT INFORMATION</p> <p>Project Name: [Redacted]</p> <p>Client: [Redacted]</p> <p>Address: [Redacted]</p>	<p>DATE</p> <p>Issue: [Redacted]</p>	<p>DESIGNER</p> <p>Project No: [Redacted]</p> <p>Scale: [Redacted]</p>	<p>CLIENT</p> <p>Project No: [Redacted]</p> <p>Scale: [Redacted]</p>
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Proposed Rear Elevation



- NOTE
- 1. All work shall be in accordance with the approved plans and specifications.
- 2. All materials shall be of the highest quality and shall be approved by the Architect.
- 3. All work shall be completed within the specified time frame.
- 4. All work shall be done in accordance with the applicable codes and regulations.
- 5. All work shall be done in a professional and workmanlike manner.
- 6. All work shall be done in accordance with the applicable laws and regulations.
- 7. All work shall be done in accordance with the applicable standards of practice.
- 8. All work shall be done in accordance with the applicable industry practices.
- 9. All work shall be done in accordance with the applicable trade practices.
- 10. All work shall be done in accordance with the applicable local, state, and federal laws and regulations.
- 11. All work shall be done in accordance with the applicable building codes and regulations.
- 12. All work shall be done in accordance with the applicable fire codes and regulations.
- 13. All work shall be done in accordance with the applicable health and safety codes and regulations.
- 14. All work shall be done in accordance with the applicable environmental codes and regulations.
- 15. All work shall be done in accordance with the applicable accessibility codes and regulations.
- 16. All work shall be done in accordance with the applicable energy codes and regulations.
- 17. All work shall be done in accordance with the applicable sustainability codes and regulations.
- 18. All work shall be done in accordance with the applicable green building codes and regulations.
- 19. All work shall be done in accordance with the applicable smart building codes and regulations.
- 20. All work shall be done in accordance with the applicable resilient building codes and regulations.

PROPOSED ELEVATION TO REAR GARDEN

PROJECT INFORMATION	OWNER	DATE	SCALE	DESIGNER
1234567890	ABC COMPANY	2023	1/8" = 1'-0"	XYZ ARCHITECTS

DRAFT DECISION LETTER

- Address:** Chesterfield Lodge, 75 St John's Wood Terrace, London, NW8 6LF,
- Proposal:** Demolition of existing building and the erection of a four storey building to accommodate 44 residential dwellings (Class C3) and associated works including landscaping and the provision of car parking.
- Reference:** 16/00492/FULL
- Plan Nos:** Covering letter dated 20.1.2016 ,Planning Statement dated 19th January 2016 , , Daylight and Sunlight Report , Construction Management Plan dated 18.1.2016;Noise Impact Assessment dated 18.1.2016 ;Transport Assessment dated 18.1.2016 Energy Statement dated 18.1.2016 ;Arboricultural Report , Statement of Community Involvement
Existing Drawings
SK-SP02 , SK_P01 ;SK-P02, SK-P00, SK-P01, SK-E01, SK-E02, SK-E03,,SK_E04
- Revised covering letter dated 10 November 2016, Revised Design and Access Statement Rev A 18TH November 2016 ; Proposed drawings: SK_ P20 REV A SK_SP12 REV A ; SP-P13 REV E;SP-SP14 REV B ; SK_P10 REV H ; SK-P11REV H;SK_P12 REV H ; SK_P13 REV H ;SK-P14 REV H;SK-P15 REV H; SK_D11 REV C SK_E 11 REV J ; SK_E 12 REV H ; SK-E13 REV H ; SK_E14 REV H ; SK_S11 REV H ;SK_S12 REV H; SK_D12 REV A ; SK-D13

Case Officer: Amanda Coulson

Direct Tel. No. 020 7641 2875

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
- o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and
 - o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control

of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (July 2016) and DES 1 and DES 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

- 4 You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. (C27DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (July 2016) and DES 1 and DES 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

- 5 You must apply to us for approval of detailed drawings at a scale 1:20 of the following parts of the development
- i) Entrance canopy.
 - ii) New casement windows including the projecting bays and balconies
 - iii) Roof top plant room
 - iv) Boundary treatment including new railings
 - v) a communal satellite dish

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these approved details. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (July 2016) and DES 1 and DES 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

- 6 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building facing the street unless they are shown on drawings we have approved. (C26MA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (July 2016) and DES 1 and DES 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

- 7 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings, or permitted under Condition 5 (v).

Reason:

Because these would harm the appearance of the building, and would not meet S25 or S28, or both, of Westminster's City Plan (July 2016) and DES 1 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R26HC)

- 8 **Pre Commencement Condition.** You must not start any demolition work on site until we have approved either:

- (a) a construction contract with the builder to complete the redevelopment work for which we have given planning permission on the same date as this consent, or
- (b) an alternative means of ensuring we are satisfied that demolition on the site will only occur immediately prior to development of the new building.

You must only carry out the demolition and development according to the approved arrangements. (C29AC)

Reason:

To maintain the character and setting of the adjoining St John's Wood Conservation Area as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and DES 9 (B) of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29AC)

- 9 The new building shall be designed to achieve optimum energy performance and will incorporate the design features set out in the Energy Statement dated 18th January 2016, unless an alternative scheme has been submitted to and approved by the City Council as local planning authority .

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan (July 2016). (R44AC)

- 10 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes the number, size, species and position of trees and shrubs. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping and planting within one planting season of completing the development (or within any other time limit we agree to in writing).

If you remove any trees or find that they are dying, severely damaged or diseased within 5 years of planting them, you must replace them with trees of a similar size and species. (C30CB)

Reason:

To improve the appearance of the development and its contribution to biodiversity and the local environment, as set out in S38 of Westminster's City Plan (July 2016) and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R30AC)

- 11 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number SK_P10 Revision H. You must clearly mark them and make them available at all times to everyone using the building. (C14FB)

Reason:

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

- 12 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 5 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your

submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

As set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(2) of our Unitary Development Plan that we adopted in January 2007 (UDP), so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (July 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

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

Reason:

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

- 14 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 12 of this permission. You must not start work on this part of the development until we have approved what you have sent us.
Particular attention shall be given to the issues of low frequency noise and situation through Structure-Borne pathways and the design and mitigation shall also ensure that room modes(standing waves) are not created within the new residential dwellings as a result of low frequency noise from the substation .

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (July 2016), by contributing to reducing excessive ambient noise levels.

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

Reason:

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

- 16 At least three months prior to occupation , detailed drawings of a revised cycle parking in accordance with London Plan standards and parking for mobility scooters shall be submitted to and approved by the City Council as local planning authority .The approved cycle parking and mobility parking shall be provided prior to occupation and shall not be removed unless agreed by the City Council.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

- 17 The residential flats hereby approved must not be occupied until you have carried out and sent us a post-commissioning Electro Magnetic Frequency(EMF) exposure survey in respect of the proposed substation and we have approved the details of the survey in writing following consultation with Environmental Health .The post-commissioning EMF exposure survey must demonstrate that EMF levels are in line with current guidance .

Reason:

To safeguard the future occupants of the flats and to ensure that EMF exposure levels are within acceptable limits.

- 18 The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

- 19 The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the

development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

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

- 20 **Pre Commencement Condition.** You must apply to us for approval of details of a security scheme for the new flats You must not start work until we have approved what you have sent us. You must then carry out the work according to the approved details before anyone moves into the building. (C16AB)

Reason:

To reduce the chances of crime without harming the appearance of the building as set out in S29 of Westminster's City Plan (July 2016) and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R16AC)

- 21 Details of the mobility scooter store and charging points will need to be submitted to and approved by the City Council three months prior to occupation .
The approved scooter store shall be provided prior to occupation and shall be retained unless approved by the City Council as local planning authority.

Reason:

To ensure adequate mobility scooter provision to meet the requirements of future elderly residents within this development .

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (July 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at:
www.westminster.gov.uk/cil

Responsibility to pay the levy runs with the ownership of the land, unless another party has

assumed liability. If you have not already you must submit an **Assumption of Liability Form** **immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**

CIL forms are available from the planning on the planning portal:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

Forms can be submitted to CIL@Westminster.gov.uk

Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.

- 3 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 4 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)
- 5 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)
- 6 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 7 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

- 8 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.
- 9 Conditions 12 and 13 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 10 The development will result in changes to road access points. Any new threshold levels in the building must be suitable for the levels of neighbouring roads. If you do not plan to make changes to the road and pavement you need to send us a drawing to show the threshold and existing road levels at each access point.

If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and the development. You will have to pay all administration, design, supervision and other costs. We will carry out any work which affects the road. For more advice, please phone 020 7641 2642. (I69AA)

- 11 You are advised that according to Environmental Health this area is known to have high levels of lead in rear gardens. As the proposed end use is residential with soft landscaping, there may be unexpected contamination. As this development involves demolishing the buildings on the site, we recommend that you survey the buildings thoroughly before demolition begins, to see if asbestos materials or other contaminated materials are present - for example, hydrocarbon tanks associated with heating systems. If you find any unexpected contamination while developing the site, you must contact:

Contaminated Land Officer
Environmental Health Consultation Team
Westminster City Council
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Phone: 020 7641 3153
(I73CA)