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| CITY OF WESTMINSTER | | | |
| PLANNING APPLICATIONS SUB-COMMITTEE | Date 8 August 2017 | Classification For General Release | |
| Report of Director of Planning | | Ward(s) involved Lancaster Gate | |
| Subject of Report | Dev. Site At 103-131 Queensway, 8-16 Moscow Road, 1, 3, 4A And 6 Salem Road And, 24 - 32 Queen's Mews, London, W2 | | |
| Proposal | <p>Redevelopment comprising four phases:</p> <p>(i) Demolition of 127A-131 Queensway and replacement with a 5 storey plus basement building to provide ground and basement A1 and A3 units and 12 flats on the upper floors. use of first floor of Nos.115a, 117 and 119 Queensway as dentists surgery (Class D1)(relocated from No.129) and associated alterations to 103-131 Queensway, including replacement of shop fronts, demolition and replacement of 4th floor level of Nos.123-127 to provide 3 reconfigured flats at third floor level and 3 new flat at fourth floor level. Associated public realm improvement comprising widening of footpath of public highway outside Nos.127A-131 Queensway by setting back of shop units.</p> <p>(ii) Erection of mansard roof extensions to Nos.24-32 Queen's Mews and use as 3 flats at Nos.24-25 and 7 duplex flats over first and second floors at Nos.26-32.</p> <p>(iii) Demolition Nos.8-14 Moscow Road and 4a Salam Road and replacement with new building ranging between 4 and 6 storeys to Moscow Road, Salam Road and Queens Mews incorporating the existing building at No.16 Moscow Road and including basement car parking to provide an A1/A2/A3 unit at ground floor level to Moscow Road and 27 flats. Use of Nos.1-3 Salam Road as 3 dwellinghouses, with associated alterations, including addition of third floor roof extension and side extension. Alterations to the rear of Nos.103-131 Queensway along Queens Mews, including provision of green wall and provision of new public realm in Queens Mews.</p> <p>(iv) Erection of single storey roof extension to No.6 Salem Road for Class B1 use. Together with associated works including mechanical plant, cycle storage and waste storage, for each phase.</p> | | |
| Agent | Montagu Evans | | |
| On behalf of | GMS Estates | | |
| Registered Number | 16/09461/FULL | Date amended/ completed | 14 October 2016 |
| Date Application Received | 16 September 2016 | | |
| Historic Building Grade | Unlisted | | |

Conservation Area

Queensway and Bayswater Conservation Areas

1. RECOMMENDATION

Does the Sub-Committee agree that:

1. In light of the conclusions of the independent viability assessment, four affordable housing units should be provided on-site within the development and a financial contribution of £282,000 be made to the Affordable Housing Fund (subject to potential amendments dependent upon points 2 to 6 below).
2. The mix of unit sizes should be amended so that the scheme provides 33% of all units as family sized residential units containing 3 or more bedrooms.
3. The bulk and height of the rear element of the of the Moscow Road block, where it extends along the west side of Queens Mews, should be reduced and detailed design amended to lessen the impact of this part of the development on neighbouring residential properties in Salem Road and Queensway in terms of loss of daylight, increased enclosure and overlooking.
4. The design of the roof of the proposed Queensway block should be altered to include party wall upstands and chimney stacks, at intervals to replicate the party wall upstands and chimney stacks to the Edwardian properties in the same terrace to the south.
5. The detailed design of the rear of the Queensway block should be amended to reduce the size of the window openings so that they more closely replicate the dimensions of window openings found to the rear of buildings to the south in the same terrace.
6. The rear (north elevation) of the mansard roof extension to No.24 Queens Mews should be amended from a sheer elevation to a pitched mansard roof slope to match the proposed roof extensions to the other buildings in Queens Mews.
7. A soil depth compliant with basement development policy in the City Plan adopted in November 2016 and the 'Basement Development' Supplementary Planning Document adopted in October 2014 should be provided where the basement floor of the Moscow Road block extends beyond the footprint of the proposed building.

2. SUMMARY

The application proposes a number of separate developments all located within the same street block. To Queensway it is proposed to demolish the existing buildings at Nos.127A-131 Queensway and replace them with a 5 storey plus basement building to provide ground and basement A1 and A3 units and 12 flats on the upper floors. This would also provide a widened footpath along the public highway in Queensway at the junction with Porchester Gardens. Also to the Queensway frontage of the site it is proposed to use of first floor of Nos.115a, 117 and 119 Queensway as dentists surgery (Class D1),

demolish and rebuild the 4th floor level of Nos.123-127 to provide 3 reconfigured flats and 3 new flats and alter and replace the shop fronts along the whole street block in Queensway.

The second element of the scheme comprises the erection of mansard roof extensions on Nos.24-32 Queen's Mews and use of the upper floors of the enlarged mews buildings as 3 flats at Nos.24-25 and 7 duplex flats over first and second floors at Nos.26-32.

The third element of the scheme proposes the demolition of Nos.8-14 Moscow Road and No.4a Salam Road and their replacement with new building ranging between 4 and 6 storeys, with facades in Moscow Road, Salam Road and Queens Mews. The proposed building would incorporate the retained existing building at No.16 Moscow Road and would provide basement car parking, a Class A1/A2/A3 retail unit at ground floor level in Moscow Road and 27 flats on the upper floors. In Salam Road it is proposed to use Nos.1-3 Salam Road as 3 dwellinghouses, with associated alterations to these buildings, including the addition of third floor roof extension and a side extension. This element of the scheme would also deliver alterations to the rear of Nos.103-131 Queensway along Queens Mews, including changes to the level of Queens Mews (to allow access to the basement car park) and provision of a green wall and new public realm in Queens Mews.

The final element of the scheme comprises the erection of single storey roof extension to No.6 Salem Road, to provide additional Class B1 floorspace on this site.

The key issues in this case are:

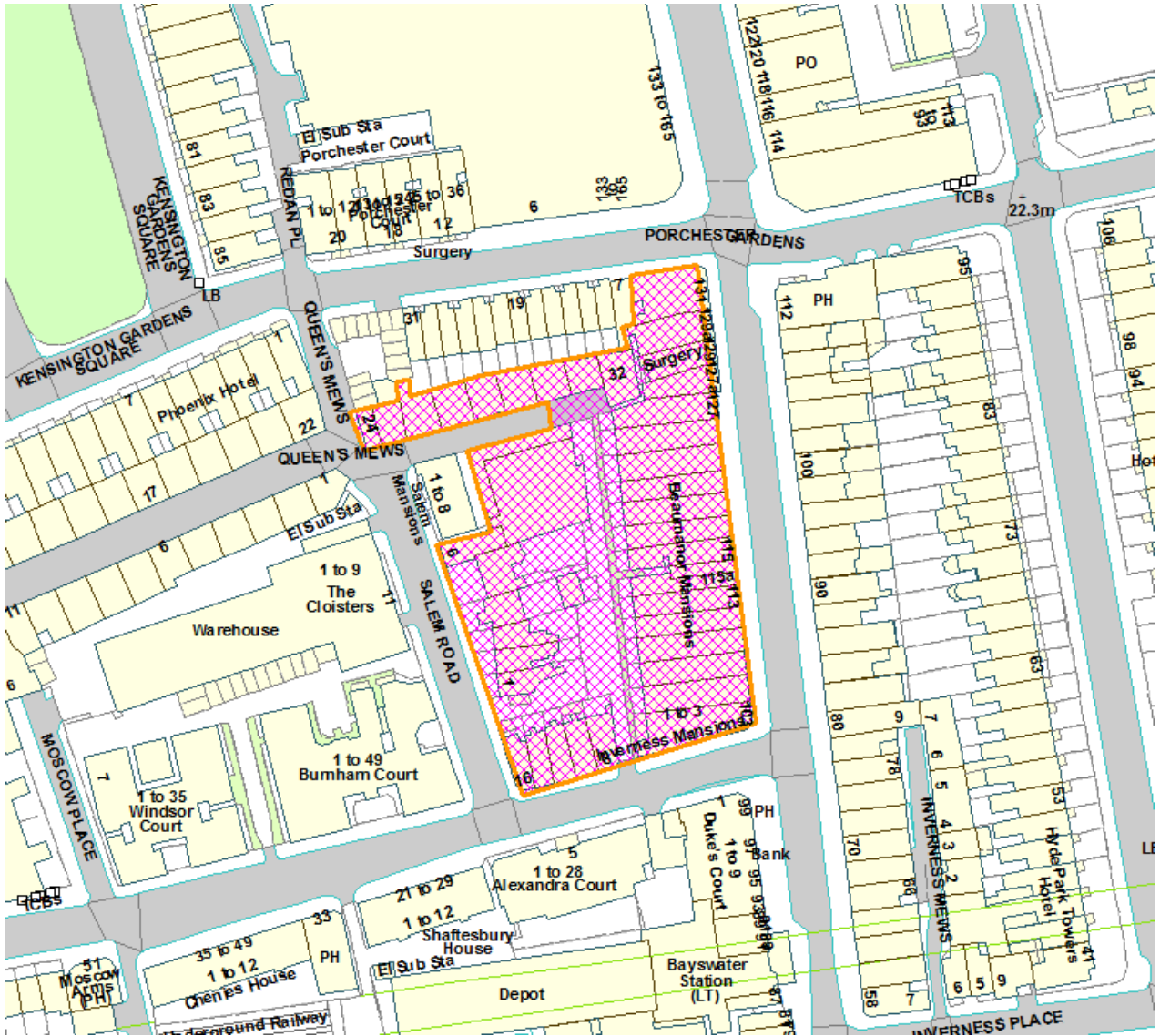
- The acceptability of the proposed affordable housing provision.
- The standard and mix of residential accommodation that would be provided.
- The acceptability of the substantial demolition proposed within the Queensway and Bayswater Conservation Areas.
- The impact of the proposed development on the character and appearance of existing the Queensway and Bayswater Conservation Areas.
- The impact of the proposed development on the setting of neighbouring listed buildings.
- The impact of the proposed development on the amenity of neighbouring residents.
- The acceptability of the proposed parking and servicing arrangements.
- The impact on trees on or close to the application site.
- The compliance of the development with the basement development policy in the City Plan.

Officers sought to negotiate amendments to the application in early 2017 and following discussions with the applicants, amendments were submitted to the initially submitted scheme, which were the subject of reconsultation in June 2017. However, the amendments made by the applicants to date have failed to adequately address many of the concerns initially expressed by officers and therefore a significant number of concerns remain, as captured in the officer recommendation in Section 1 of this report.

The Sub-Committee are therefore invited to consider whether they concur with officers that the scheme is currently unacceptable in affordable housing, land use, design, amenity and basement extent terms for the detailed reasons captured in the officer recommendation. The Sub-Committee's resolution will then inform future discussions between officers and the applicants on these aspects of the application, with the application being reported back to the Sub-Committee in due course for its further consideration and determination.

It should be noted that this report does not cover all aspects of the assessment of the application, but rather generally focuses on the aspects of the application where the Sub-Committee's views are being sought. Other aspects, such as energy strategy and sustainability, are to be reported to the Sub-Committee when the application is reported back for its further consideration in due course.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Northern end of Queensway terrace to be demolished and replaced (top) and view of whole Queensway terrace from southern end (bottom).



View of site in Moscow Road (top) and view along Queen's Mews from Moscow Road (bottom).



View of site looking north along Salem Road (top) and view along Queen's Mews from Salem Road (bottom).

5. CONSULTATIONS

5.1.1 Consultation on Initially Submitted Scheme (November 2016)

WARD COUNCILLORS (LANCASTER GATE)

Any response to be reported verbally.

BAYSWATER RESIDENTS ASSOCIATION

Broadly support application. Currently examining the plans in detail and will provide further comments in due course. Have one initial concern regarding the raising of the height of the low rise terrace in Moscow Road and consider this will have an overbearing effect on the streetscape. It would be preferable to keep to the height of the present buildings in Moscow Road.

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

Strongly object on following grounds (further comments may be made in due course):

- Northern (side) and rear elevations of building proposed in Queensway at junction with Porchester Gardens are inappropriately detailed. North elevation is too messy and needs to be simplified. Rear elevation is totally wrong and opposed to balconies. The facades of the building should neighbour buildings in same terrace, including dividing parapet walls at roof level.
- Too many Class A3 uses in Queensway and therefore new A3 unit at corner of Queensway and Porchester Road should be resisted.
- Hours of opening for Class A3 uses should be limited to not more than licensing Core Hours.
- Proposed shop front fronts need traditional design in new block and some mechanism to improve shop fronts and signage in rest of units in Queensway. Design of shopfronts in Queensway should be varied though.
- Question what level of financial contribution is being offered towards public realm improvements in Queensway.
- Regret loss of existing buildings in Moscow Road as they have a lot of charm.
- New building proposed will spoil Salem Road street scene and if a replacement building is allowed it should be lower.
- Happy to have a Class A1/A2/A3 use in Moscow Road, but hours of opening need to be controlled to no more than licensing Core Hours and a shop front/ signage strategy should be required.
- Proposed hours of deliveries and refuse /recycling need to be controlled across the development.
- There should be controls on 'take away' sales and 'home deliveries' for the new Class A3 units.
- Trust there will be some affordable housing and controls on short term letting.

HEAD OF AFFORDABLE AND PRIVATE SECTOR HOUSING

Concerned about the lack of affordable housing provision associated with the development, including the lack of a payment in lieu of on-site provision. Note that the policy compliant level of on-site provision would be 1,320m² (circa 16 or 17 homes). Questions whether the applicant's financial viability assessment and the Council's own Independent Viability Consultant agree this position.

ARBORICULTURAL MANAGER

Note there are some small trees and shrubs in the front of Nos.3-5 Salem Road, but does not consider the impact on these trees is objectionable. Street trees are shown in Queensway, some shrub planting is proposed to the on the Salem Road frontage and a green roof and trees at the rear of Salem Road above basement car parking are proposed. Also proposed are green roofs on buildings in Queens Mews and Moscow Road and a green wall in Queens Mews. Objection to the amount of proposed landscaping that would be on top of or attached to the proposed building. Not acceptable to use potable water for irrigation and a sustainable a system of rainwater harvesting and storage needs should be provided. No objection in terms of the impact on surrounding trees, objection to tree protection and landscaping conditions. I would also urge conditions to establish details regarding the sustainability of the biodiversity features included in the proposal.

BUILDING CONTROL

No objection. Structural methodology is appropriate for the ground conditions that have been surveyed on this site.

CLEANSING MANAGER

No objection, subject to clarification as to where food waste would be stored for the Class A3 units proposed and to confirm the travel distance to the bin stores from the residential flats. This should not exceed 30 metres.

DESIGNING OUT CRIME ADVISOR

Any response to be reported verbally.

ENVIRONMENTAL HEALTH

Advice on likely fit out requirements for Class A3 food premises. No objection to ventilation from basement car park. Condition recommended to require submission of further assessment of the site in terms of possible contamination. No objection to principle of mechanical plant but details, including an acoustic report will be required by condition. Conditions recommended to ensure internal residential environment within the development is acceptable. Advice provided on the required kitchen extract ventilation for Class A3 units.

HIGHWAYS PLANNING MANAGER

Any response to be reported verbally.

HISTORIC ENGLAND

Objection raised on the following grounds and conclude that the planning benefits of the scheme do not outweigh the harm that would be caused:

- The proposals for replacement of Nos.123 - 131 Queensway would cause some harm to the special character and appearance of the Queensway Conservation Area. No objection per se to the replacement building, but object to the loss of existing multi-phased buildings. The phasing these buildings display is an important part of the reason for which they are considered to make a positive contribution to the conservation area; enabling an observer to understand and appreciate past patterns of use and development.

- The development in Moscow Road would result in the loss of buildings that make a strong positive contribution to the special character and appearance of the Bayswater Conservation Area. Replacement building with retained corner building at the junction with Salem Road would fail to match, or improve upon, the contribution made by the existing buildings and would permanently change the scale and grain, which are such an important feature of this site.
- The proposals to introduce mansard style roof extensions to Nos. 24 - 32 Queen's Mews would result in some harm to the character and appearance of the Bayswater Conservation Area. Mansard roofs are associated with purpose-built residential properties and are not traditionally a designed feature of historic stable mews buildings. Given the whole terrace does not currently have any extension at roof level, any extension at roof level would cause some harm and should be resisted.

HISTORIC ENGLAND (ARCHAEOLOGY)

No objection, but note that the site is within an area of archaeological interest and suggest a condition and informative to secure further written investigation and on site evaluation of any archaeology on the site.

LONDON UNDERGROUND

No objection, subject to condition to secure method statements that provide details of the piling rig and plant to be used on the southern section of the site and demonstrate that existing London Underground structures and tunnels below the site have been accommodated.

THAMES WATER

Objection unless a condition is imposed requiring further details of a drainage strategy to be submitted and approved prior to commencement of development. Informatives also recommended.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 514.

Total No. of replies: 8.

No. of objections: 6.

No. in support: 0.

8 objection letters/ emails received from 6 respondents raising objection on all or some of the following grounds:

Land Use

- A larger number of smaller residential units should be provided.

Design

- Loss of period buildings in Moscow Road and replacement with 'a block size structure killing off the intimate atmosphere of Moscow and Salem Road'.
- Object to provision of mansard roof extension on Nos.24-32 Queen's Mews.

Amenity

- Loss of daylight and sunlight from Moscow Road/ Queen's Mews development and roof extension to No.6 Salem Road.

- Note material losses of daylight, above BRE Guidelines, caused to properties opposite in Moscow Road.
- Increased sense of enclosure as a result of Moscow Road/ Queen's Mews development.
- Overlooking from rear windows and balconies of Moscow Road/ Queen's Mew development.
- Noise disturbance from rear courtyard access to Moscow Road/ Queen's Mews development.
- Increased overshadowing of neighbouring windows
- Ask that the planning officer visits neighbouring properties (properties in No.4 Salem Road were visited by the case officer).
- Loss of light to existing Queen's Mews flats if roof extension is built over existing skylight.

Highways/ Parking

- Increased pressure on parking in Queen's Mews if more residential accommodation provided.

Other Matters

- Adverse impact on biodiversity of neighbouring gardens.

ADVERTISEMENT/ SITE NOTICE: Yes.

5.1.2 Consultation on Revised Scheme (June 2017)

Amendments that were subject to reconsultation were comprise (i) additional information on shopfront replacement in Queensway; (ii) revised north and west elevation to Queensway block; (iii) amendments to detailed design of Queensway block in terms of window sizes and omission of rear balconies; (iv) removal of extensions from Nos.1-3 Salem Road to increase rear garden areas; (v) reduction in height of office roof extension at No.6 Salem Road by 300mm and alterations to detailed design; amendments to detailed design of Moscow Road block including additional windows; (vi) amendments to windows and rooflights to Queens Mews mews buildings.

WARD COUNCILLORS (LANCASTER GATE)

Any response to be reported verbally.

BAYSWATER RESIDENTS ASSOCIATION

Any response to be reported verbally.

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION (SEBRA)

Concerns expressed on the following grounds:

- Cannot seem to find a cover letter or similar summarising the amendments made (this has since been provided to SEBRA by the case officer).
- Amendments to the north elevation of the Queensway block facing Porchester Gardens are an improvement, but note that some of their original concerns, such as roof ridges/ chimneys between each building have not been provided. Comment that it is essential these are incorporated.

- Note that there are no changes to the Moscow Road block in terms of its height, which SEBRA previously considered to be too high.
- Note there have not been any changes to the large block of flats (to the rear of the Moscow Road frontage, in middle of development).
- Is any affordable housing proposed on-site? Note policy requirement is for around 25-35% to be provided on-site and expect this form of provision.
- Support shop front strategy, but unclear how it will be delivered if some shop units have existing tenants.
- Consider that the applicant's record on the provision of shop front improvements is not good given various shop front alterations being carried out previously without permission.
- Note that one Class A1 unit and one larger Class A1 or A3 unit are proposed and this will increase non-A1 use in the District Centre.
- Question what are proposed hours of use will be for the retail units and suggest they should be no later than Licensing Core Hours.
- Question what are servicing arrangements (especially for A3 use) are as it would be located at the junction and there are possible public realm improvements proposed, which would widen pavement on west side of Queensway meaning servicing would need to be from the rear.
- New area of forecourt created by setting back of shop front should be controlled to prevent obstruction.
- Question how CIL would be paid on a scheme such as this where the development is split in to standalone sections.

HIGHWAYS PLANNING MANAGER

No objection in principle, subject to (i) car parking should be provided on an allocated basis; (ii) electric car charging points should be shown on plan and secured by condition; (iii) additional details of cycle parking should be provided, particularly in respect of commercial uses; (iv) set back of building line in Queensway and Porchester Gardens should be dedicated as highway; (v) would like to see reduction in reliance on on-street servicing for commercial uses; and (vi) not clear what the refuse storage arrangements for the Class B1 and D1 uses are and these should be clarified. Detailed comments provided, including suggested conditions and informatives.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 514.

Total No. of replies: 12.

No. of objections: 12.

No. in support: 0.

Twelve emails received raising objection on all or some of the following grounds:

Amenity

- Revised plans make no difference to the loss of light that would be caused to properties in Salem Road.
- Do not consider daylight and sunlight assessment that has been submitted to be accurate.
- Site visit should be undertaken by interested parties to see affected flats.

- Loss of daylight to flats in Alexandra Court as a result of building of increased height in Moscow Road.
- Design should be amended/ height of building facing Moscow Road reduced so there would not be a material loss of daylight to flats in Alexandra Court.
- Appreciate that development may improve the Queensway area, but this should not be at the expense of neighbouring occupier's amenity.
- Loss of sunlight to windows in Alexandra Court due to narrow width of Moscow Road.
- The loss of daylight to flats in Alexandra Court would exceed the Building Research Establishment (BRE) Guidelines when measured using the Vertical Sky Component (VSC) method of assessment.

Other Matters

- The submitted construction management plan would necessitate construction vehicles turning around in Moscow Road using the entrance to Queens Mews and this would cause noise and disruption for the occupiers of neighbouring properties.

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site comprises almost an entire street block bounded by Queensway, Moscow Road, Salem Road and Porchester Gardens. In Queensway the existing buildings are between four and five storeys in height above ground level and comprise retail uses at ground and basement levels, with residential accommodation on the upper floors. The red brick buildings to the southern end of the terrace form an early 20th Century Edwardian terrace, with the northern end of the terrace between No.127A to No.131 Queensway comprising a more irregular and smaller scale terrace of earlier 19th Century buildings that appear to be constructed pre 1870. This is with the exception of No.129, which is an Edwardian infill of the former Queensway entrance to east/ west section of Queen's Mews to the rear.

The parts of the terrace in Queensway that are proposed to be altered and extended or redeveloped currently comprise 14 residential flats on the upper floors (3x studio unit, 2x1 bedroom unit, 6x2 bedroom unit, 2x4 bedroom unit and 1x5 bedroom unit). At basement and ground floor levels the buildings are in use as a Class A1 retail shop at No.127A, a Class A1 hairdresser's salon at No.129, a Sui Generis mixed retail and treatment rooms use at No.129A and a Class A1 retail shop No.131. These retail units form part of the Core Frontage of the Queensway/ Westbourne Grove District Centre.

In Moscow Road the three storey stucco fronted buildings pre-date 1870 and represent one of the earliest phases of development within this part of Bayswater. The four storey stucco fronted building at the junction of Moscow Road (No.16) is a later 19th Century building. The buildings comprise retail uses at ground and basement levels comprising a Class A1 travel agents at No.8, a Class A3 restaurant at Nos.10-12, a Class A1 grocers at No.14 and another Class A1 grocers at No.16, with 9 residential units on the upper floors (6xstudio units, 2x1 bedroom units and 1x2 bedroom units). These retail units form part of the Core Frontage of the Moscow Road Local Centre.

Along Salem Road the proposed development involves alterations and extensions to Nos.1-3 and 6, as well as demolition of the two storey cottage building to the rear of No.4, which is in use as a 2 bedroom dwellinghouse known as No.4a. Nos.1-3 are a short terrace of three stucco fronted dwellinghouses, with various alterations to the side and rear elevations. These buildings are currently in use as two dwellinghouses (with 3 and 5 bedrooms respectively) and 2xstudio units and 1x1 bedroom unit). Like the smaller scale buildings in Moscow Road, this short terrace appears to date to the mid 19th Century and the earliest phase of development in this part of Bayswater, with the alignment of the terrace reflecting the original alignment of Salem Road, which has since moved slightly to the west.

No.6 is a three storey Class B1 office building set back from Salem Road, with a single storey entrance in Salem Road between No.5 Salem Road and Salem Mansions. Like the buildings around it on this part of the site, the building at No.6 Salem Road appears to date from the early part of the 20th Century. The larger three storey brick faced element of the building to the rear is largely obscured from public view in shorter views, but is visible in longer views along Queen's Mews and from Porchester Gardens.

Queen's Mews in its current arrangement appears to be an Edwardian arrangement, with the existing mews buildings along the northern edge of the east/ west section of the mews dating from the early 20th Century. The painted brick fronted buildings are limited to two storeys with flat roofs, rather than more traditional valley or hipped roofs, hidden behind the front parapet. The buildings contain a range of commercial uses at ground floor level, with 8 residential units on the upper floors comprising 4x1 bedroom units and 4x2 bedroom units.

The Queensway frontage of the site is located within the Queensway Conservation Area, with the remaining parts of the site to the west located within the Bayswater Conservation Area. None of the buildings on the site are listed, but there are a number of Grade II listed buildings to the north in Porchester Gardens, including the southern end of the Whiteley's former department store building, which directly faces the north eastern corner of the site at the junction of Queensway and Porchester Gardens.

Whilst none of the buildings on the site are statutory listed, the Queensway Conservation Audit (2008) identifies all of the buildings facing Queensway as Unlisted Buildings of Merit, with the exception of the building at the northern end of the terrace at No.131, which is identified as being of neutral impact on the character and appearance of the conservation area; albeit this assessment in respect of No.131 appears to have been reached on the misapprehension that it is a post war building, which is not the case.

In terms of land use, the Queensway frontage of the site forms part of the Core Frontage of the Queensway/ Westbourne Grove District Centre, whilst the frontage of the site in Moscow Road forms part of the Core Frontage of the Moscow Road Local Centre. Both frontages in Queensway and Moscow Road are located within the Queensway/ Bayswater Stress Area, within which greater controls are placed on new or expanded entertainment uses.

6.2 Recent Relevant History

None relevant to the site as a whole. Where there is relevant planning history relating to particular buildings within the application site, this is referenced in the main body of this report.

7. THE PROPOSAL

The application seeks approval of a scheme comprising a number of separate developments all located within the same street block. The applicant's intention is to build out the scheme, should permission be forthcoming, in a phased manner with separate elements being constructed independently of one another at different times; albeit the order in which the phases would be constructed has not been definitively confirmed by the applicant to date. Further discussion with the applicants on this issue is required to ensure that planning obligations, such as affordable housing, would be provided at the appropriate point in time during the implementation of the phased development.

To Queensway it is proposed to demolish the existing buildings at Nos.127A-131 Queensway and replace them with a 5 storey plus basement building to provide ground and basement A1 and A3 units and 12 flats on the upper floors. This would also provide a widened footpath along the public highway in Queensway at the junction with Porchester Gardens. Also to the Queensway frontage of the site it is proposed to use of first floor of Nos.115a, 117 and 119 Queensway as dentists surgery (Class D1), demolish and rebuild the 4th floor level of Nos.123-127 to provide 3 reconfigured flats and 3 new flats and alter and replace the shop fronts along the whole street block in Queensway, with the exception of a small number of shop units that already have good quality timber framed shop fronts, which are to be retained.

The second element of the scheme comprises the erection of mansard roof extensions on Nos.24-32 Queen's Mews and use of the upper floors of the enlarged mews buildings as 3 flats at Nos.24-25 and 7 duplex flats over first and second floors at Nos.26-32.

The third element of the scheme proposes the demolition of Nos.8-14 Moscow Road and No.4a Salam Road and their replacement with new building ranging between 4 and 6 storeys, with facades in Moscow Road, Salam Road and Queens Mews. The proposed building would incorporate the retained existing building at No.16 Moscow Road and would provide basement car parking, a Class A1/A2/A3 retail unit at ground floor level in Moscow Road and 27 flats on the upper floors.

In Salam Road it is proposed to use Nos.1-3 Salam Road as 3 dwellinghouses, with associated alterations to these buildings, including the addition of third floor roof extension and a side extension.

This element of the scheme would also deliver alterations to the rear of Nos.103-131 Queensway along Queens Mews, including provision of a green wall and new public realm in Queens Mews.

The final element of the scheme comprises the erection of single storey roof extension to No.6 Salem Road, to provide additional Class B1 floorspace on this site.

The overall floorspace changes proposed by the development are set out in Table 1 below.

Table 1 – Existing and Proposed Uses by Area (GIA)

| | Existing GIA (m2) | Proposed GIA (m2) | +/- |
|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|-------------------|--------|
| Residential (Class C3) | 2,571 | 6,577 | +4,006 |
| Office (Class B1) | 247 | 448 | +201 |
| Retail (Classes A1-A3) | 1,267 | 879 | -388 |
| Dentist (Class D1) | 141 | 238 | +97 |
| Total | 4,226 (Excluding existing Class B1 office floorspace at No.6 Salem Rd, which is to be retained, as no figures provided in application). | 8,142 | +3,916 |

8. DETAILED CONSIDERATIONS

8.1 Land Use

8.1.1 Proposed and Reconfigured Residential Use

The proposed development would deliver 4,006m² (GIA) of additional residential floorspace, an uplift from 2,571m² as existing to 6,577m² as proposed. The principle of providing additional residential floorspace in this location within the City, which is outside the Central Activities Zone, is acceptable in land use terms and in accordance with Policy S13 in the City Plan, provided the additional residential floorspace would not have a materially adverse impact on the provision of retail floorspace at ground and basement level within the Queensway/ Westbourne Grove District Centre and the Moscow Road Local Centre (see assessment of the retail elements of the scheme in Section 8.1.3).

At present, the buildings to be demolished and altered on the application site provide 37 residential units and therefore the scheme delivers an uplift of 21 residential units. These units are to be provided in the mix set out in Table 2.

Table 2 – Mix of Existing Residential Units on the Application Site

| | Studio | 1 Bed Units | 2 Bed Units | 3+ Bed Units | Total Units |
|-----------------------|--------|-------------|-------------|--------------|-------------|
| Queensway Buildings | 3 | 2 | 6 | 3 | 14 |
| Moscow Road Buildings | 6 | 2 | 1 | 0 | 9 |
| Salem Road Buildings | 2 | 1 | 2 | 2 | 6 |

| | | | | | |
|-----------------------------|---------------------|--------------------|---------------------|--------------------|-----------|
| Queens Mews Buildings | 0 | 4 | 4 | 0 | 8 |
| Total Units (%) | 11 (30%) | 9 (24%) | 13 (35%) | 5 (14%) | 37 |

The proposed development, when all of its separate elements are considered in totality, would deliver 58 new residential units (an increase of 21 units), with the mix proposed as set out in Table 3.

Table 3 – Mix of Proposed Residential Units on the Application Site

| | Studio | 1 Bed Units | 2 Bed Units | 3+ Bed Units | Total Units |
|------------------------------------------------|-------------------|------------------------|------------------------|-------------------------|------------------------|
| Proposed Queensway Block | 0 | 10 | 8 | 0 | 18 |
| Proposed Moscow Road Block | 0 | 3 | 20 | 4 | 27 |
| Extended & Altered Salem Road Properties | 0 | 0 | 0 | 3 | 3 |
| Extended Queens Mews Properties | 0 | 1 | 5 | 4 | 10 |
| Total Units (%) | 0 (0%) | 14 (24%) | 33 (57%) | 11 (19%) | 58 |

The proposed units would all comply with the Government's 'Technical Housing Standards' (2015) and Policy 3.5 in the London Plan in terms of their GIA floor area. The proposed units would not be excessive in terms of their floor area and would therefore optimise the use of residential floorspace within the development in accordance with Policy S14 in the City Plan. In terms of daylight, the applicant has demonstrated that the levels of natural light within the proposed residential units would exceed the minimum standards set out in the Building Research Establishment (BRE) Guidelines (2011).

Access to the residential parts of the development is generally acceptable. The residential units within the Moscow Road block would be accessed from an entrance lobby on Salem Road, with occupants then required to exit the lobby into the external rear courtyard of the development to reach the three residential cores. This would require occupants to infrequently pass the windows of the ground floor units facing the courtyard. Whilst this relationship is not ideal and some form of private amenity space or defensible space in front of the ground floor units would be preferable; given the low footfall past the ground floor units and as the courtyard space is within the development itself, it is not considered that this access arrangement is objectionable.

Given the need to design new buildings on this site that sit within the historic townscape that surround it, the opportunity to provide balconies to the street facades of the buildings

is limited. Nevertheless, some of the residential units would be provided with external amenity space and given the constraints of the site the extent of external amenity space proposed is acceptable.

Accordingly, the standard of residential accommodation that would be provided by the proposed residential units is acceptable.

In terms of mix of units, Policy H5 in the UDP sets out that 33% of residential units within developments should be family sized and contain 3 or more bedrooms. The requirement for a reasonable proportion of family sized units in new developments is one that is consistently applied across the City; albeit with flexibility in busy and noisy locations, to ensure that all sizes of residential accommodation are provided to ensure flexibility in the City's housing stock, even where units of particular sizes may be less commercial desirable for developers to provide.

As existing, 14% of the units on the application site contain 3 or more bedrooms. Whilst this would rise to 19% of the units in the replacement residential accommodation, this would still fall substantially below the policy expectation of 33% of all new residential units. The applicants contend that they need to be able to match the mix of units within the development to the rental demand in the area (they intend to retain the units for rental purposes), which is different to that for units offered for sale. However, no substantive evidence of rental demand in the vicinity of the site is provided in the application to support this assertion and it is unclear if the applicant's concern relates primarily to the rental yield they can achieve from larger flats, rather than actual demand for them. The application site, though close to the Queensway/ Westbourne Grove District Centre is an appropriate environment for larger family sized accommodation and it is noted that the applicant does not argue that it is not.

In the context of the preceding paragraph, the mix of units proposed is considered to be unacceptable as currently proposed, as it would fail to deliver a range of housing sizes that would provide a flexible and responsive housing stock in this part of the City in accordance with Policy H3 in the UDP and S14 in the City Plan. However, given the very low existing level of family size housing on the site, officers consider that a revised scheme that provides a significantly higher proportion of 3 bedroom units, but not necessarily in full accordance with the threshold set out in Policy H5, may be difficult to resist. The Sub-Committee's views are therefore sought on the residential unit mix that is proposed.

8.1.2 Affordable Housing

The applicants initially submitted a viability assessment set out that they considered the development to be insufficiently viable, after payment of CIL and provision of planning obligations for public realm works (£750k) and car club membership (£24k), to provide any affordable housing, either on-site, off-site or as a payment in lieu of physical provision (note that the public realm works contribution suggested by the applicant cannot be accepted as public realm improvements are infrastructure that must be funded through the CIL).

The applicant's viability assessment has been independently assessed on behalf of the City Council by Carter Jonas. They conclude that with the adoption of allocated parking, the scheme can deliver either 4 on-site affordable housing units and a financial

contribution of £281,554 to the Affordable Housing Fund or a financial contribution of £2,298,060 to the Affordable Housing Fund. The policy presumption set out in Policy H4 in the UDP, S16 in the City Plan and the Interim Guidance Note on Affordable Housing (November 2013) is for the affordable housing provision to be provided on site. The applicant asserts that this would be unlikely to be attractive to an affordable housing provider/ registered social landlord (RSL), but to date no evidence of discussions between the applicant and any RSLs has been provided to substantiate this. Given two elements of the scheme comprise redevelopment of existing buildings, where affordable housing could be designed to be independently accessed, it is not considered that a convincing argument has been advanced to date as to why four affordable housing units could not be accommodated on site.

In the letter from Montagu Evans dated 26 July 2017 (see copy in the background papers), the applicants have offered to provide 'all of the units' (presumed to refer to all 58 units in the development) for a period of 15 years as Discounted Market Rent units in accordance with the Mayor's draft Supplementary Planning Guidance 'Affordable Housing and Viability' (2016) (i.e. to provide the development as a 'Build to Rent' scheme). This is though a draft SPG, issued for consultation, which has yet to be adopted by the Mayor and therefore has limited weight. Furthermore, the applicant has not specified the discounted market rent levels that are proposed (the draft Mayoral SPG expects the units to be let at the London Living Rent), how the units will be managed and the tenancy lengths proposed. Therefore a fresh viability assessment would be required in relation to this affordable housing offer. The Head of Affordable and Market Housing's comments have been sought on the applicant's 'Build to Rent' affordable housing offer and his will be reported verbally to the Sub-Committee.

8.1.3 Proposed Retail Uses

The proposed development would result in the loss of retail floorspace in both the Queensway/ Westbourne Grove District Centre and the Moscow Road Local Centre, as set out in Table 4.

Table 4 – Existing and Proposed GIA Retail Floorspace Figures

| | Existing (m2) | Proposed (m2) | +/- | % |
|------------------------------------------------------------------|---------------|---------------|-------------|-------------|
| Queensway | 904 | 715 | -189 | -21% |
| Moscow Road (figures exclude retained Class A1 unit at No.16) | 363 | 161 | -202 | -55% |
| Total | 1267 | 876 | -391 | -31% |

In Queensway, whilst the overall quantum of retail floorspace would fall, the scheme would create two larger retail units and the loss in terms of net area would be less (130m²) as the layout and structure of the retail units within the proposed building would be more efficient. This is reflected in the net (NIA) area at ground floor level, which would increase from 421m² to 425m². On this basis the loss of GIA retail floorspace within the Queensway/ Westbourne Grove District Centre is acceptable in principle in land use terms.

In terms of the mix of uses proposed, one double fronted retail shop unit is proposed (Unit 1) and triple fronted café/ restaurant unit (Class A3) is proposed at the corner with Porchester Gardens. The existing parade currently comprises three Class A1 retail units and a Sui Generis mixed retail and treatment premises, which is vacant. The proposed retail uses would increase the non-A1 frontage within this section of the Core Frontage of the District Centre, but a large retail shop unit would be retained and overall this parade is predominantly comprised of Class A1 retail shops. The proposal wouldn't result in two consecutive non-A1 units in the parade or reduce the range of local convenience shops. Accordingly it is not considered that the proposed retail uses would harm the vitality or viability, or character or function of the parade, frontage or centre and they would accord with Policy SS6 in the UDP and S21 in the City Plan.

Subject to conditions to restrict hours of opening to the City Council's standard Core Hours for licenced premises and to control the hours of servicing, which is to be carried out at the rear in Queens Mews, it is not considered that the proposed 381m² Class A3 unit would have a significant impact on the amenity of neighbouring occupiers given that neighbouring residential windows above would be recessed from the shop frontage and the properties directly opposite are in use as a public house and a hotel. Accordingly, despite the location within the Queensway/ Westbourne Grove Stress Area, the proposed Class A3 unit would be in accordance with Policy TACE9 in the UDP and Policies S13 and S24 in the City Plan.

In Moscow Road the proposed redevelopment would replace the existing group of a Class A1 travel agents, double fronted Class A3 restaurant and two Class A1 grocers with a single retained Class A1 grocers shop and a 161m² Class A3 restaurant at ground floor level. The proposal would therefore result in the loss of 142m² of existing Class A1 floorspace in the Core Frontage of the Moscow Road Local Centre. However, whilst the loss of Class A1 floorspace within the Core Frontage would normally be resisted, in this case the travel agent use presents a dead frontage to the street and has previously been used between 2013 and 2015 as a Class A2 use for a temporary period of two years under permitted development (RN: 13/10744/TFU) and the other retail shop unit to be lost is a grocers, which replicates the retail shop use that is to be retained at No.16 Moscow Road. Accordingly, the losses of retail shop floorspace proposed would not result in any loss of local convenience shops that are not replicated within the retained retail offer within this parade.

To enable the provision of an increased quantum of residential floorspace on the upper floors of the site, it is accepted that some retail floorspace would need to be lost on the Moscow Road site to create a residential core to access the upper floors. In this context, given the assessment in the preceding paragraph, and as the proposed restaurant unit would be only 22m² larger than the existing restaurant on this site, the loss of Class A1 retail floorspace from the Core Frontage of the Local Centre is considered to be acceptable having regard to the potential wider benefits of the development in terms providing an increased quantum of residential accommodation (subject to resolution of concerns expressed elsewhere regarding the mix of units and delivery of affordable housing). For these reasons it is considered that an exceptional circumstance can be made for the loss of existing Class A1 floorspace and the proposal is therefore compliant with Policy SS7 in the UDP and S21 in the City Plan.

The proposed restaurant use in Moscow Road would be within the Queensway/ Westbourne Grove Stress Area, but would replace an existing lawful restaurant use in the same location with a similar floor area and therefore the provision of a replacement restaurant in this location is not objectionable in terms in terms of Policy TACE9 in the UDP and Policies S13 and S24 in the City Plan. Whilst the proposed restaurant would be serviced from Moscow Road, given this is the existing arrangement, this is not objectionable. The hours of opening would be limited by condition to the City Council's standard Core Hours for licenced premises and the hours of servicing would also be controlled to prevent late night and early morning servicing given that this activity would take place on-street, close to neighbouring residents.

Where the application recommended for approval, a condition would be recommended for both proposed restaurant uses to prevent the operation of delivery or collection services from the premises to prevent noise disturbance to neighbouring residents. A further condition would also be recommended to prevent the use of the Class A1 retail shop as a mini supermarket use, given the more intensive servicing requirements have, which has an adverse impact on the amenity of neighbouring residents.

8.1.4 Other Proposed Uses (Class B1 and Class D1 Floorspace)

Policy S20 in the City Plan directs office growth to the Opportunity Areas, Core Central Activities Zone, Named Streets and North Westminster Economic Development Area. The aim of the policy is to focus substantive office and other Class B1 floorspace growth within these areas and it does not specifically exclude consideration of new office floorspace in other locations. In this case the proposed office floorspace would comprise a modest 201m² extension to the existing established office accommodation at No.6 Salem Road. Given the limited additional floorspace proposed and as it would enlarge an existing office use, which is considered to supports the nearby District and Local Centres, the provision of additional office accommodation is considered acceptable.

Currently the existing building at No.129 includes a 141m² dentist's surgery at first and second floor levels, which is accessed from Queensway at ground floor level Relocation of Class D1 ok in District Centre given overall uplift in residential. Need to ensure new residential delivered before or concurrently with the relocated D1 and loss of existing residential. To facilitate the redevelopment of the buildings between Nos.127A and 131 Queensway, it is proposed to relocate the dentist's surgery to the first floor of Nos.115A, 117 and 119 Queensway, with access from Queensway via a doorway at No.119. The entrance and access to first floor level would be narrow and stepped and this is not ideal; however, this replicates the access arrangements to the existing surgery and therefore on balance the means of access is not considered to be objectionable. The proposed surgery would be increased in size to 238m² and the retention and enlargement of this social and community use would accord with Policies SOC1 and SOC4 in the UDP and S34 in the City Plan. The dentist surgery would displace an existing large family sized flat; however, this is acceptable given that there would be an overall uplift in residential floorspace across the development and as replacement family sized accommodation is to be provided elsewhere within the development (subject to resolution of officer's concern on the proposed unit mixed that are expressed elsewhere in this report).

Conditions would be necessary to prevent noise transference from the proposed dentist's surgery to neighbouring flats and to control the hours of opening.

8.2 Townscape and Design

8.2.1 Assessment of Existing Buildings

The application site straddles two conservation areas with Nos.103-131 Queensway facing onto Queensway and lying within the Queensway Conservation Area and the remainder of the site lying within the Bayswater Conservation Area. The buildings within the site are all unlisted and range in date from the early/ mid nineteenth century through to the early years of the twentieth century. Immediately to the north of the site lies the former Whiteley's department store which is a Grade II listed building; and also Porchester Court, which is a group of former terraced houses which are Grade II listed.

The proposal includes retention and alteration of Nos.103-127 Queensway, Nos.25-32 Queens Mews, Nos.1-3, No.6 Salem Road and No.16 Moscow Road. Whilst Nos.129-131A Queensway, Nos.8-14 Moscow Road and No.4A Salem Road are all proposed to be demolished. The conservation area audit for Queensway identifies Nos.103-129A Queensway as unlisted buildings of merit, while the Bayswater Audit (an older document) is less helpful and does not clearly identify the contribution made by individual buildings; however, on the basis of assessing these buildings using Historic England's Advice document 'Conservation Area Designation, Appraisal and Management', it is considered that all of the buildings on the site can be regarded as positive contributors to the conservation area and therefore unlisted buildings of merit.

When considered in design terms, the proposed development breaks down into a number of discreet component parts, which are considered in turn in the following sections.

8.2.2 Queensway Buildings

The proposal is to take the form and height of Nos.103-121 and to extend this across the rest of the street façade up the junction with Porchester Gardens. This would mean adding an extension at fourth floor level to Nos.123-127 and the demolition and rebuilding of nos. 129-131A. Nos.103-121 are a group of mansion block flats referred to as Beaumanor Mansions and Inverness Mansions, which date from the early twentieth century. While they have a broadly consistent appearance, closer inspection reveals slight differences in detailing and is a likely indicator of piecemeal development. All have projecting ground floor shop units and then rise to fourth floor height in red brick, there is a regular rhythm of canted bays (rising to second floor level at Nos.103-109; and then rising to third floor level at Nos.111-127) and eaves level pediments. The windows are all one-over-one white-painted timber sash windows. Above shopfront level there are no changes proposed to this group, although the drawings submitted to date (existing and proposed) are inaccurate and do not show the roof level chimney stacks and party wall upstands to all of the properties in this terrace giving a false impression of the degree of uniformity of the roofs of these buildings.

Nos.123-127 Queensway are of a similar design to Nos.103-121 in that they have projecting ground floor shop units with red brick upper floors with three-storey canted bays and white-painted sash windows. However, instead of a sheer fourth floor with pediment above these buildings have an attic fourth floor set within a pitched roof with pairs of

dormer windows. The proposal for this group is to remove the roof structure and re-build the fourth floor so that it matches the detailing of the group to the south.

Nos.127A-131 Queensway represent a more irregular and older end to this Queensway street block. They again have projecting shopfronts (slightly further forward than their neighbours to the south) and rise to third floor level in a mixture of styles. Nos.127A and 129A are in yellow stock brick with a first floor bay and stucco dressings and are probably of late nineteenth century date; No.129 has more similarities with the rest of the Queensway block being in red brick with a full height canted bay; while No.131 is a pair of probably nineteenth century buildings which have been heavily altered. The proposal in this case is to completely demolish this group and rebuild with the shopfronts brought back in line with the rest of the terrace to the south and for the upper floors to match the detailing of the rest of the block (i.e. red brickwork, three storey canted bays, white painted sash windows and terminating in brick pediments). The end façade to No.131, which faces onto Porchester Gardens has been amended during the course of the application and seeks to complement the front façade and features a central alignment of tripartite sash windows, with brick apron details, pilasters and string courses. The main walls will be clad in a terracotta panel featuring a relief pattern.

The rear of the Queensway block is faced in a yellow London stock brick and is more utilitarian in character with projecting closet wings that rise to third floor level. The alterations to Nos.123-127 broadly maintain the same architectural appearance but extend the closet wings to fourth floor level. The rear of Nos.127A-131 will be entirely new building and will be visible in views from Porchester Gardens. The rear façade will be flat with no projecting wings and will be faced in a yellow stock brick. The design has been amended during the course of the application and now features a series of vertical alignments of French doors with Juliette balconies; and with simple red brick detailing.

The other main proposal for the Queensway buildings is to replace or modify many of the shopfronts, so as to restore traditional detailing. The proposed changes to the shopfronts are intended to occur when opportunities arise when leases come up for renewal.

As described above, the proposals in Queensway will require the demolition of Nos. 127A-131, some of which are identified as unlisted buildings of merit within the Queensway Conservation Area Audit. Policy DES 9 of the UDP indicates that buildings, which are identified as having architectural or historic interest within adopted audits, will enjoy a general presumption against demolition. However, the policy acknowledges that the demolition of unlisted buildings may be permitted if the design quality of the proposed development would result in an enhancement of the conservation area's overall character or appearance.

In this case the proposed alterations and new building elements seek to complement and complete the Edwardian mansion block which occupies most of this street block. However, as Historic England have observed, while Nos.103-127 are of the same date and are "recognisably part of the same family", they do have subtle variations which provides a sense of rhythm and grain to the urban block. In terms of the overall character of the Queensway Conservation Area it does, for the most part, divide into two main building types: either Victorian terraces, which have a relatively fine grain; or larger and later twentieth century mansion blocks, often occupying whole street blocks. The proposed changes to the Queensway buildings have both harmful impacts and potentially

beneficial impacts. The loss of the buildings at the north end of the block and the erosion of fine grain that the variety of buildings provide is considered to have a harmful impact upon the character and appearance of the conservation area. In the terms of the NPPF that level of harm is considered to be less than substantial harm.

In terms of the replacement building, this would for the most part replicate the Edwardian detailing found elsewhere in the block, particularly to the Queensway and Porchester Gardens facades and thus in principle the design approach would not adversely affect the conservation area. However, there are elements of the proposed design which are unresolved and reduce the quality of the replacement building, most notably the design of the roof, which fails to include any chimney stacks or party wall upstands and thus appears as a single roof form. The impact of this is to introduce a very discordant roof form, which does not follow the regular rhythm of chimney stacks evident to the rest of the block and harmfully reduces the former plot width character and grain that is a characteristic of the urban block. While the introduction of chimney stacks and party walls would only have an aesthetic function, this does not devalue their importance.

The rear elevation to the new Queensway building could also benefit from further refinement. It is highly visible from Porchester Gardens and at present the design and size of the window openings still jar with the more scholarly treatment to the rest of the building.

Set against the harmful and unresolved elements of the Queensway part of the scheme, the intention to re-instate traditional shopfronts along this section of terrace is most welcome and could potentially lead to a notable enhancement of the conservation area. The detailing and strategy set out in the application documents is well-intentioned and acceptable in design terms. The one concern with this part of the scheme is that there is no clear timeframe for when these benefits could be delivered. It is suggested that these changes will occur when leases expire, but there is no clarity as to when and to what extent this will occur. As such, the benefits that these changes could deliver has to be considered in the context that they may not be deliverable for some time.

8.2.3 Moscow Road Buildings

This group of five buildings are likely to date from the mid-late nineteenth century, although map evidence would suggest they were altered during the late nineteenth century and early twentieth century, with changes to road layout and alignments. Nos. 8-14 have ground floor shop units with two upper floors, with stucco facades and tripartite sash windows. No.16 at the corner with Salem Road is taller (ground plus three upper storeys), but also has a stucco finish to the main facades. There is evidence that further alterations to these buildings have taken place in the twentieth century, with all having flat roofs and rear extensions. The proposed development would result in complete demolition of Nos.8-14 and retention and modification of No.16. The proposed replacement building would be broadly 'L'-shaped in plan form with an arm extending much further north, running parallel to the service road which runs north-south behind the Queensway buildings. This north-south wing of the new building will also require the demolition of No.4A Salem Road, which is a two storey detached brick cottage occupying a backland site to the rear of the properties in Queensway and Salem Road. The cottage would appear to be of mid-late nineteenth century date.

The new Moscow Road building presents a ground plus five upper storeys block towards Moscow Road, with the top, fifth floor, set back. It then progressively steps down in height as it extends northwards, terminating in a block with is ground plus three upper storeys, again with the top storey recessed.

The tallest, Moscow Road-facing block incorporates No.16 by extruding its height by a further storey and balances this with a chalk brick-faced brick bay at the eastern corner and together these frame a central grid of red brickwork behind which are a series of contained balconies, which have decorative metal balustrades and limestone reveals. A continuous limestone cornice and parapet unifies the elements. The set-back roof storey is clad in geometric metal panels. A series of new retail shopfronts will form the base to this block.

A new access road will run to the west of this new block and will ramp down to the new basement storey, allowing vehicle access into the proposed underground parking. Pedestrian access to the new building will be from Salem Road and will be via a new entrance pavilion which will sit between the rear of No.16 Moscow Road and No.1 Salem Road. An enclosed courtyard will then allow access into the individual blocks of the new Moscow Road building.

As the new building returns northward the chalk coloured brick of the Moscow Road frontage returns to distinguish the tallest block, the facing material then alternates as the building steps down in height, with a grey brick being the alternative cladding to the chalk brick. Each block has a set-back top storey and this is clad in the same geometric perforated metal panels as for the frontage block. The fenestration is regularly distributed and aligned and includes recessed balconies and winter gardens.

The buildings at Nos.8-14 Moscow Road are an example of one of the earliest phases of development in Bayswater and are consequently considered to make a positive contribution to the character and appearance of the Bayswater Conservation Area. No.16 is a later building (late 19th Century) relating to the realignment of Moscow Road, but it nonetheless makes a positive contribution. These assessments of the value of the existing buildings are shared by Historic England. Therefore, the complete demolition of Nos.8-14 Moscow Road and the partial demolition and substantial amendment and extension of No.16 Moscow Road would have a harmful impact upon the character and appearance of the conservation area. In the terms of the NPPF that level of harm is considered to be less than substantial harm. Policy DES 9 in the UDP states that demolition of unlisted buildings in a conservation area may be permitted if the design quality of the proposed development would result in an enhancement of the conservation area's overall character or appearance.

The demolition of No.4a Salem Road is less contentious in design terms. This building is set back from Salem Road behind No.5 Salem Road and is accessed from the service road behind the Queensway buildings. Given its location and simple form, notwithstanding the value attached to it by Historic England, it is considered to make a lesser contribution to the conservation area than the frontage buildings in Moscow Road and as such, its demolition is acceptable as part of an appropriate redevelopment scheme for the site.

The proposed development is considered to be of appropriate height and scale in design terms with the top storey recessed appreciably from the floors below. It would have a

height and scale to Moscow Road which would form a comfortable transition between the terrace facing Queensway to the east and Burnham Court to the west.

To the rear the bulk and height of the rear 'wing' running along the west side of the north-south service road is more challenging, but would be largely screened in public views by Queensway buildings and by the frontage buildings along Salem Road (Nos.1-6). There would be some limited views from Salem Road, but these would be limited to over the single storey entrance block proposed between the rear of No.16 Moscow Road and Nos.1-3 Salem Road. Given its limited visibility in public views it is not considered that the overall bulk, height and form of the Moscow Road block would harm the character and appearance of the conservation area.

The incorporation of the existing building at No.16 Moscow Road in to the proposed residential block is a particularly challenging architectural approach to redevelopment of the site and is one which the applicant has adopted in an apparent attempt to acknowledge the architectural and historic value of the existing frontage buildings on the site. Given the challenge this presents, the resultant street façade, incorporating the retained building at No.16, is a competent, coherent and ordered architectural composition. The chamfered corner of No.16 is mirrored at the south eastern corner of the proposed building, but without reliance on an exact copy of No.16 to the south eastern end of the front façade. The choice of materials and the detailed design of the front façade, as described previously in this section of the report, are successful in harmonising with the retained and extended building at No.16 without resorting to being a pastiche of it.

The rear 'wing' of the proposed block would be finished in varying grey brickwork with a simple regular pattern of windows and balconies. This order and palette of materials would be consistent with the front façade to Moscow Road and is considered to be appropriate in design terms.

The proposed residential entrance to the Moscow Road block would comprise a single storey structure between the rear of No.1-3 Salem Road and No.16 Moscow Road. This block replaces an existing open yard of little townscape value at ground floor level, albeit the yard does provide a townscape gap between the buildings in Moscow Road and Salem Road. However, by limiting the entrance block to a single storey the appreciation of this townscape gap would be retained, whilst also improving the street frontage in this part of Salem Road. Accordingly the entrance structure is not objectionable in design terms.

To facilitate access to the basement car park a reduction in the level of the service road is proposed, with resultant amendments to the rear of Nos.103 to 131 Queensway to maintain pedestrian access. The resultant appearance of this private road would be one which has a more evident character of a service road. However, the ramped north-south section of this road would be screened by a gate at its southern end and contained by buildings on either side. As such, it is not considered that this aspect of the scheme would detract significantly from the character and appearance of the area.

Overall in design terms, the proposed Moscow Road block is an appropriately scaled addition, having regard to the surrounding townscape in this part of the Bayswater Conservation Area. The principal street frontage elevations are well considered, having regard to the challenge of retaining and incorporating the existing building at No.16. While the replacement building is not considered to have a harmful impact upon the

conservation area, it must be remembered that the loss of the existing buildings does result in a degree of harm and therefore, in such circumstances, there remains a need to ensure that the public benefits of the scheme as a whole outweigh this harm.

8.2.4 Buildings at Nos.1-3 Salem Road

These buildings are a group of three terraced properties, which are brick built and three storeys in height. They are likely to date from the second half of the nineteenth century. The buildings appears to have been modified over time with ground floor bay windows added to the front and roofs which have certainly been recovered and may have been replaced as they are relatively flat in profile. There are also various rear and side extensions which have been added or altered over time. These houses form a group with Nos.4 and 5 Salem Road, although these other buildings appear to be of later date.

The proposals for this group involve demolition of the rear and side extensions / wings, the widening of No.1 so that it is the same width as the other two buildings in the terrace, the addition of a new full width ground floor extension and half-width first floor extension to each property, as well as a new mansard roof. All of the extensions are intended to be carried out in a traditional style with traditional materials.

The addition of a roof extension to this group of three buildings is considered to be acceptable given the degree of previous alteration they have undergone. Whilst the roof extension proposed would be sheer to the rear, it would be screened by the proposed Moscow Road block, such that in design terms the sheer brick elevation of the roof extension would not have a harmful impact on the character and appearance of the Bayswater Conservation Area. The mansard style front elevations of the roof extension would be appropriately detailed with the dormer windows aligned with the fenestration on the lower floors.

The proposed alterations to the rear and side elevations are also acceptable in design terms and would serve to 'tidy up' the elevations of the buildings. The altered facades would be finished in materials to match those used in the existing buildings.

8.2.5 Building at No.6 Salem Road

This large building on the south side of Queen's Mews appears to date from the early part of the twentieth century and is described as an Electricity Sub-Station on the 1950's Ordnance Survey map. It has an industrial character to it and is constructed in yellow stock brick with red brick and stone detailing. Its roof is slate clad and comprises a series of pitched roofs, with rooflights. The north-facing façade is arguably the most embellished including low-arched pediments and circular window openings. The entrance is via a single storey link structure with access from Salem Road. The proposal for this building is the addition of a set-back roof extension. The extension would be a contemporary addition with a powder-coated aluminium patterned cladding interspersed by large glazed openings. A perforated geometric patterned balustrade would contain a terrace area created by the set back.

The proposed roof extension would be a striking addition, deliberately at odds with the detailed design and materiality of the existing building. However, given the obvious light industrial character of the existing building, with traditionally detailed windows, but on a

larger than domestic scale, and the limited single storey scale of the proposed roof extension, it is not considered that it would appear out of place or out of scale with the host building. Rather the proposed roof extension would convey a commercial character, as per the existing building, but in a contemporary design language.

In terms of wider townscape impact, No.6 Salem Road is set back from Salem Road and whilst the proposed roof extension would be visible in glimpsed views from Salem Road and from Porchester Gardens, it would not be prominent and would not detract from the character and appearance of the Bayswater Conservation Area.

8.2.6 Buildings at Nos.24-32 Queens Mews

This is a group of nine mews buildings which date from the 1870's. The buildings are two storey in height, constructed in brick with large mews-style openings to the ground floor and smaller windows to the upper floor. A dentil cornice runs above the first floor windows. The mews properties have been altered over the years, with some poor-quality windows inserted and some non-traditional replacements to the large mews doors. The roofs also appear to have been replaced as all are now flat roofs with rooflights to some. The cobbled road surface in front of the mews adds considerably to their character.

The proposals for this mews are to add a mansard roof extension to the whole group. The mansard will be traditionally detailed in slate and lead, with dormer windows aligned with fenestration at first floor level and party wall upstands dividing the roof. Inappropriate modern doors and windows will be replaced with more traditionally detailed elements. The mansard roofs will be double-pitched to both front and rear, with the exception of Nos.24 and 25 where the rear is proposed as a sheer extension at roof level. It is also proposed to change the west-facing façade of No.24 by replacing the large ground floor opening with traditional sized openings.

The principle of adding mansard roof extensions to this terrace of mews buildings is acceptable in design terms given they lack historic roof forms and as the entire terrace is to be consistently altered and extended. Generally the design approach to the proposed mansard roof extensions and the front elevation alterations are acceptable and consistent with the Supplementary Planning Guidance document 'Mews – A Guide to Alteration'. However, the sheer northern rear elevation to No.24 is of concern as it presents a particularly stark and tall end wall that would be a prominent and discordant feature in views from Porchester Gardens over the low level garages adjacent to the site. It is considered that this would be harmful in views within this part of the Bayswater Conservation Area.

The applicant considers that the high sheer northern elevation is justified on the basis that the adjacent garages may be redeveloped in the future, thereby screening the northern elevation. However, officers consider that future redevelopment of the garages to the north cannot reasonably be relied upon and is therefore not a sufficient reason to allow a harmful sheer northern elevation to No.24 Queens Mews. The Sub-Committee's views on the acceptability of this aspect of the scheme are therefore sought.

8.3 Residential Amenity

8.3.1 Daylight and Sunlight

The proposed development would cause a material loss of light to a significant number of neighbouring windows using the Vertical Sky Component (VSC) method of assessment. The location of the materially affected windows is summarised in Table 5.

Table 5 – Locations of windows that would suffer a material loss of daylight and sunlight.

| | No. of Windows Suffering a Material Loss of Daylight | Degree of Daylight Loss (max. percentage loss of existing VSC) |
|----------------------------------------------------|------------------------------------------------------|----------------------------------------------------------------|
| Nos.103 to 127 Queensway (rear elevation) | 23 | Up to 68% |
| No.4 Salem Road (rear elevation) | 6 | Up to 60% |
| No.5 Salem Road (rear elevation) | 7 | Up to 59% |
| Alexandra Court (front elevation) | 50 | Up to 42% |
| Burnham Court (front elevation, facing Salem Road) | 5 | Up to 25% |
| Total | 91 | |

The submitted Daylight and Sunlight Report identifies that the increased bulk and massing of the proposed Moscow Road block would result in a material loss of daylight to 5 windows in Burnham Court. However, though the impact on the windows would be material in terms of daylight loss, it is their position, either at the back edge of the pavement or within a lightwell facing Salem Road that exacerbates the losses that they would suffer. Furthermore, the losses that would be caused to windows in Burnham Court would be between 21% and 25% of their existing VSC value, which is only marginally above the 20% VSC threshold below which the Building Research Establishment (BRE) Guidelines (2011) advise that daylight losses are unlikely to be noticeable to occupiers of the affected rooms.

To the rear of Nos.4 and 5 Salem Road the proposed Moscow Road block part of development would cause a material loss of daylight to 13 windows serving 9 rooms. To the rear of No.5 material losses would occur to the ground floor kitchen and living room windows, with the main living room window reduced from 24.28 VSC to 9.97 VSC (59% reduction). There would be similar reductions to the ground floor kitchen window, with losses of 50% and 53% respectively, resulting in VSC levels of 11.09 and 10.73. The impact on the principal first floor bedroom window would be significant with a reduction from 28.66 to 15.28 VSC, a reduction of 47%. Both this room and the ground floor living room would also suffer a material loss of daylight in terms of the extent of a room that will receive daylight at the working plane.

At No.4 Salem Road there are three flats, one on each floor. The top floor flat, though materially affected, would not lose such a significant proportion of its light (losses are limited to between 25% and 30%, with resultant VSC levels of 22 or more), and therefore permission could not be withheld on the basis of the impact on this flat in terms of daylight. The impact on the lower flats at ground and first floor level, which are well daylit at present, would be more severe. The rear kitchen and bedroom windows of the ground floor Flat (the bedroom is also used as a study/ office space) would suffer 60% and 53% reductions in VSC respectively with their resultant VSC levels reduced to 10.2 and 12.17. The losses at first floor level would be marginally less, owing to its more elevated position, with losses of VSC between 41% and 46% of existing VSC values. The applicant has carried out a No Sky Line assessment for the rooms served by the rear windows of No.4 Salem Road and the rooms at ground and first floor level would also suffer material reduction in the extent of a room that will receive daylight at the working plane, such that the impact of the development in terms of daylight loss would be readily apparent to the occupiers of these flats.

The proposed Moscow Road block would result in a material loss of daylight to 50 windows in the front elevation of Alexandra Court between ground and fourth floor level (between 9 and 11 windows on each floor). The affected windows on each floor level serve one kitchen/ living/ dining room to the east end of the front façade (three windows on each floor), with the other windows serving bedrooms. The percentage losses of existing VSC values would be relatively consistent across the whole front façade, with losses generally between 20% and 40%; albeit the resulting VSC levels on the upper floors would be greater than those on the lower floors. The impact would be greatest on the bedrooms that are directly opposite the main bulk of the proposed Moscow Road block, with the living/ kitchen/ dining room windows to the eastern end of the front elevation of Alexandra Court least affected. Given the proposed Moscow Road block would broadly mirror the height of Alexandra Court, with the exception of the set back roof storey at fifth floor level, and as the proposed building would be consistent with bulk and height of other street frontage blocks in the vicinity, it is not considered that permission could reasonably be withheld on the basis of the impact it would have on daylighting levels to Alexandra Court. Accordingly, it is not considered that the objections raised in specific reference to the impact on this neighbouring building cannot be supported.

The daylight losses that would be caused to the rear of Nos.103 to 127 Queensway would be primarily focused on the windows at first and second floor level, which are used as residential bedrooms and with a small number of kitchens. The windows at first floor level would be worst affected with significant material losses caused of between 30% and 67% to 12 windows serving 10 bedrooms. Of these, the greatest losses would be caused to the windows in the rear elevations of the closet wings, which would be closest to the rear 'wing' of the proposed Moscow Road block where it runs alongside the north-south service road to the rear of the terrace. The losses caused would leave the affected windows with low daylight level, with three bedrooms also suffering a significant a loss of light in terms of the 'No Sky Line' method of assessment (i.e. the extent of a room that will receive daylight at the working plane).

To the opposite side of Queensway, the properties on the east side of the street would be sufficiently distant from the enlarged replacement building at the northern end of the street block between Nos.103 to 131 so as not to suffer any material loss of daylight.

The roof extension to the roof of No.6 Salem Road would be sufficiently limited in height and set back from the rear elevation of Salem Mansions so as not to cause a material loss of daylight to the rear windows of flats in this neighbouring mansion block. Similarly the roof extensions to Nos.1-3 Salem Road would not have any materially adverse impact in daylight terms.

The proposed roof extensions to Nos.24-31 Queens Mews would not result in a material loss of daylight in terms of loss of VSC to the dwellinghouses to the rear at Nos.7-31 Porchester Gardens (i.e. all losses would be less than 20% of existing VSC values). The applicants have also assessed the rear windows of these properties in terms of No Sky Line and this confirms that whilst some minor loss of daylight received at the working plane within the rooms would be experienced, this would not be so significant so as to be noticeable to the occupants of these properties (i.e. the impact would be non-material).

In terms of loss of sunlight, the BRE Guidelines (2011) set out that if a living room window of an existing dwelling has a window facing within 90 degrees of due south and the proposed development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window, then the window should be tested to assess whether a material loss of sunlight would occur as a result of the development. In this case there are relatively few windows serving living rooms that face within 90 degrees of due south (for example the living room windows in Alexandra Court are north facing). Those which are would not suffer a material loss of sunlight having regard to the BRE test for sunlight loss (Annual Probable Sunlight Hours – APSH). As such, the impact of all parts of the proposed development in terms of sunlight loss is acceptable.

In summary, the Sub-Committee are specifically asked to consider whether they concur with officers that the impact of the development, principally the proposed Moscow Road block, on the daylight received by neighbouring windows to the rear of properties in Queensway and Nos.4 and 5 Salem Road is unacceptable.

8.3.2 Sense of Enclosure

The proposed Queensway block and associated alterations and extensions to the roof of adjoining buildings in the terrace would be sufficiently remote from neighbouring windows so as not to cause a material increase in enclosure.

Similarly the roof extensions proposed to Nos.24-31 Queens Mews would be sufficiently modest in height and scale and set back sufficiently from the rear windows of Nos.7-31 Porchester Gardens so as not to cause a materially increased sense of enclosure. The rear gardens of Nos.7-31 Porchester Gardens are already significantly enclosed by the blank rear wall of Nos.24-31 Queens Mews and the proposed roof extension would be set behind the existing parapet and sloped back from it, such that it would not worsen the existing relationship of the mews buildings and these neighbouring gardens.

The roof extension to the existing office building at No.6 Salem Road would be limited to a single storey and set back from the rear of Salem Mansions sufficiently to allow views from the rear windows of this neighbouring property to remain relatively unobstructed. As such, the roof extension to No.6 Salem Road would be acceptable in sense of enclosure terms.

Similarly, the roof extension to Nos.1-3 Salem Road would not significantly enclose any existing residential windows.

The impact of the proposed Moscow Road block is more contentious in sense of enclosure terms. The rear wing of this block running alongside the north-south service road would be between 4 and 6 storeys in height (between 12.1m and 18.2m above ground level), with the height stepping down to the north. Currently this part of the application site comprises ground level car parking, with a small mews scale dwellinghouse at No.4a Salem Road.

The rear of the proposed block would be 7.8m from the rear closet wings of the Queensway Terrace between Nos.103-119 Queensway (at first floor level) and 16m from the main rear elevation of this terrace. To the west, the 4-6 storey rear wing would be 7m from the rebuilt rear elevations of Nos.1-3 Salem Road, between 7.6 and 8.7m from the rear elevation of No.4 Salem Road and between 5.5 and 10m from the rear elevation of No.5 Salem Road. At these short distances and given the height and bulk of the proposed rear wing of the Moscow Road block, this element of the development would have a significant enclosing impact on the outlook from neighbouring residential windows. To the rear of existing residential properties it is considered that a reasonable degree of outlook should be maintained. In this case, the degree of the impact in terms of increased enclosure would be such that, whilst the windows affected are generally not living room windows (with the exception of one at No.5 Salem Road), it would be sufficiently severe so as to harm the amenity of the occupiers of these neighbouring properties.

Whilst the proposed Moscow Road block would also increase the sense of enclosure to properties opposite in Moscow Road (primarily Alexandra Court), the increased enclosure caused would serve to mirror the degree of enclosure caused to the application site by the existing properties opposite. Furthermore, the relationship that would be formed would be a common one where buildings face each other across a main street (i.e. excluding mews streets and service roads).

In terms of increased sense of enclosure, the Sub-Committee is therefore asked to consider whether they concur with officers that the bulk and height of the rear of the proposed Moscow Road block, and its relationship to the windows of neighbouring residential properties in Salem Road and Queensway, results in the occurrence of an unacceptably increased sense of enclosure.

8.3.3 Privacy/ Overlooking

In overlooking terms the proposed Queensway block would not cause a material increase in overlooking to neighbouring residential windows. To the front (east) and side (north) elevations, the building would be separated from its neighbours by the public highway, whilst to the rear the development will afford views on to the blank side and rear elevations of properties in Porchester Gardens and Queens Mews.

The proposed roof extensions to Nos.24-31 Queens Mews would not have any windows in their rear elevations and as such it would not give rise to any overlooking of the dwelling houses to the rear at Nos.7-31 Porchester Gardens. The dormer windows in the front elevation would look out on Queens Mews and the flank elevation of the office building at

No.6 Salem Road and therefore the dormer windows would not give rise to any significant increase in overlooking.

The proposed roof extension to the office building at No.6 Salem Road is proposed to have a terrace around it on all four sides. However, to the western elevation, facing the rear of Salem Mansions, this would give rise to overlooking of the windows in the rear elevation of this mansion block. Therefore should the application be recommended for approval in due course, a condition will be recommended to require the omission of the terrace to the western elevation and to ensure the windows in the western elevation are obscure glazed and fixed shut.

The proposed Moscow Road block is again more contentious than other elements of the scheme in overlooking terms. This is because the rear 4-6 storey wing along the north-south service road would be particularly close to existing residential windows on either side (see distances in Section 8.3.2) and at these short distances the proposed development would introduce multiple sources of overlooking, both from windows and terraces to existing windows in the rear elevations of properties in Salem Road and, to a lesser extent, Queensway. The impact in Salem Road would also be such, given the height and proximity of the development that it would result in overlooking to the remaining garden areas of Nos.4 and 5 Salem Road. Whilst Nos.1-3 Salem Road are to be heavily altered as part of the development, the close proximity between their remodelled rear elevations and the rear wing of the proposed Moscow Road block is also of concern in terms of the degree and proximity of overlooking between the two.

The impact in terms of overlooking is exacerbated by the lack of any architectural devices or modelling of the form of the proposed building to attempt to angle or screen windows and balconies within the proposed Moscow Road block such that they would not cause overlooking or at least had a lesser impact on the privacy of existing neighbouring properties.

To the front elevation of the proposed Moscow Road block the scheme would introduce additional windows and this would lead to a perception of increased overlooking in properties on the opposite side of Moscow Road. However, mutual overlooking at this distance across a public highway is typical and the overlooking that would be created would not therefore be so severe so as to warrant withholding permission.

As with the impact of the rear of the proposed Moscow Road block in terms of loss of daylight and increased sense of enclosure, the impact it has in terms of overlooking is considered to be significant and would be detrimental to the amenity of neighbouring occupiers, contrary to ENV13 in the UDP and S29 in the City Plan. The Sub-Committee are therefore asked to consider whether they concur with the concerns expressed regarding this aspect of the proposed development.

8.4 Transportation/Parking

8.4.1 Car Parking

The proposed basement floor below the Moscow road block would provide 26 off-street car parking spaces for residential occupiers of all parts of the proposed development. In

addition the applicant has offered life time (25 year) car club membership for each residential unit.

The most recent night time parking survey in 2015 indicates that parking occupancy of on-street residents parking within a 200 metre radius of the site is 61%. During daytime hours occupancy of on-street residents parking spaces is at 78%. At these levels and having regard to existing car ownership levels in this part of the City and the accessibility of public transport, the Highways Planning Manager is content that the number of parking spaces proposed would be sufficient if they were provided on an un-allocated basis, along with car club membership, to prevent additional pressure being placed on on-street parking spaces and this accords with Policy TRANS23 in the UDP.

As set out in Section 8.1.2, it is considered that having regard to the wider benefits of the scheme, in terms of improving development viability and consequently increasing the public benefit that can be achieved in terms of affordable housing provision, it is preferable for the car parking to be provided on an allocated basis (the Independent Viability Assessment concluded that unallocated parking would limit affordable housing provision to 2 on-site units and a financial contribution of £214,617, whilst allocated parking would increase affordable housing provision to 4 on-site units and a financial contribution of £281,554). Accordingly, whilst the Highways Planning Manager's desire for un-allocated provision of car parking is understood, it is considered that on balance the increased quantum of planning obligations that can be achieved by provision of parking on an allocated basis outweighs the marginal increase in pressure on on-street parking that this may result in.

No parking is proposed for the non-residential uses within the development and this is acceptable and in accordance with Policies TRANS21 and TRANS22 in the UDP.

The applicant proposes electric car charging points in accordance with the requirements of the London Plan (i.e. 20% active provision of EV points and 20% provision of passive EV points). Should the application be recommended for approval in due course, these will be secured by condition.

8.4.2 Cycle Parking

The applicant has undertaken to deliver cycle parking in accordance with the London Plan requirements and this undertaking is welcomed by the Highways Planning Manager. Policy 6.9 in the London Plan requires 1 cycle parking space for a 1 bedroom residential unit and 2 spaces per residential unit of 2 or more bedrooms and this equates to a minimum of 100 cycle parking spaces, which are indicated on the application drawings.

The location and number of commercial cycle parking spaces is less clear from review of the application drawings and further clarification on the number and position of the cycle parking spaces (both long and short stay spaces) will be secured from the applicants and reported to the Sub-Committee when the application is reported back to it in due course for its further consideration and determination.

8.4.3 Building Line/ Dedication of Highway

The proposed Queensway block includes setting the building line on Queensway and Porchester Gardens back in line with the existing parade of shops. This amendment is welcomed and would significantly improve the highway given the increased width of pavement passable by pedestrians in accordance with Policy S41 in the UDP and Policy TRAN3 in the UDP. Retaining a chamfered corner is also seen as advantageous in assisting with accommodating pedestrian flows.

The Highways Planning Manager considers that to ensure this benefit of the scheme is retained the area of the setback should be dedicated as highway prior to the first occupation of the development. However, the applicant does not propose dedication and instead wishes to retain this area as private forecourt as it would have a basement structure below it. Whilst the lack of a commitment to dedicate this land as public highway is regrettable, it is considered that the benefit sought by the Highways Planning Manager could be secured alternatively by a condition preventing tables and chairs or any other retail paraphernalia on the forecourt area so that pedestrians can utilise this additional footpath width past the site.

8.4.4 Servicing

The Highways Planning Manager has concerns regarding the means of servicing proposed for non-residential uses (retail and dentist surgery) to the Queensway and Moscow Road frontages of the site. However, whilst the Highways Planning Manager's servicing concerns are understood, the servicing arrangements proposed are not materially worse than the existing situation. The proposed Queensway block would be serviced from the service road/ Queens Mews to the rear; whereas the existing retail units in this location are serviced from Queensway. The other retail units in Queensway and the relocated dentist's surgery would be serviced from Queensway, but this is no different to the existing servicing arrangements for these uses.

The restaurant and retail shop in Moscow Road would be serviced from Moscow Road, but again, this is the same as the existing servicing arrangement for the current retail units in this frontage. Accordingly, where possible off-street servicing (i.e. on a private road – Queens Mews) has been incorporated and the applicant has sought to comply, where feasible, with policy. Nevertheless, given that the scheme will potentially introduce more intensively serviced uses, such as the enlarged dentists surgery in Queensway and restaurant in Moscow Road, which will rely on on-street servicing, it is recommended that a Servicing Management Plan that demonstrates that on-street servicing can be managed in a way as to minimise the impact on other highway users, including pedestrians, is secured by condition.

8.5 Economic Considerations

The economic benefits of the proposed development are welcomed, subject to the resolution of the outstanding areas of concern identified in the recommendation in Section 1 of this report.

8.6 Access

The proposed residential accommodation would benefit from level access in the two new build elements of the development (i.e. the new blocks to Queensway and Moscow Road)

and the office accommodation within the roof level office extension would be provided with lift access. The retail units will be provided with step free access from the public highway.

The replacement dentist's surgery would not be provided with step free access. However, as set out in Section 8.1.4, given this represents a replacement facility for an existing dental practice, which is currently accessible by stairs at first floor level, this access arrangement is not considered to be a ground on which permission could reasonably be refused.

Other elements of the scheme comprise refurbishment and extension of existing private housing stock and therefore the lack of step free access to these parts of the scheme, though regrettable, is not a ground on which permission could reasonably be withheld.

8.7 Other UDP/ Westminster Policy Considerations

8.7.1 Basement Development and Construction Impact

The proposed development includes a basement below the Moscow Road block to accommodate car parking and other ancillary space, such as plant and services.

The applicant has submitted a detailed structural method statement and Building Control are satisfied that this has appropriately assessed the ground conditions on this site and recommended the appropriate method of construction. The applicant is also content for a condition to be imposed, should the application be recommended favourably in due course, requiring compliance with the Code of Construction Practice adopted in July 2016 and for monitoring to be carried out at the applicant's expense. In addition, subject to a condition requiring further details of piling and basement design to satisfy London Underground, the proposed basement would not harm local infrastructure and the applicant has demonstrated that flood risk on the site would not be exacerbated.

In terms of archaeology, whilst the site is not within an Archaeological Priority Area, it is identified by Historic England as a site where archaeological remains of interest may remain in respect of a 19th Century Baptist Church. As per Historic England's recommendation a condition can be used to ensure the potential archaeological interest on this site is fully investigated.

For the reasons in the preceding two paragraphs, the proposed basement is considered to be compliant with Part A of Policy CM28.1 in the City Plan.

Parts B and C of Policy CM28.1 set out restrictions on the extent and design of basements to ensure that they do not harm the character and appearance of the area in which they are constructed and to ensure their design does not have any adverse environmental effects. Whilst the proposed basement would be compliant with many elements of Parts B and C of the policy, it would not be covered by any soil depth where it extends beyond the footprint of the proposed Moscow Road block (the policy compliant approach is the provision of 1m of soil and a 200mm drainage layer). As a result, the communal courtyard/ rear garden access area of the Moscow Road block would not be capable of supporting any substantive soft landscaping. As proposed, the landscaping in the scheme at ground level is limited to eight trees within small and shallow planters. The proposed planters would limit soil depth and volume for the proposed trees to a maximum of 0.6 x 1.0 x 1.0m

and the soil depth show is only 0.3m deep. The success of this approach is likely to be limited and the size of the trees that the planters would be able to support is unlikely to contribute significantly to the visual amenity of the area. The Arboricultural Manager has advised verbally that the canopy of trees in the planters is likely to be limited to approximately 1.2m. Accordingly, it is considered that the proposed basement would fail to comply with Parts (B) and (C) of Policy CM28.1 in the City Plan. The applicants argue in their letter dated 26 July 2017 that the provision of soil depth over the basement would necessitate additional basement excavation, resulting in longer construction times greater traffic movement and greater build costs. In light of the non-compliance with Policy CM28.1 and the applicant's position, the Sub-Committee's consideration of the acceptability of the proposed basement is sought.

8.7.2 Mechanical Plant and Ventilation

Environmental Health do not object to the proposed mechanical plant to be accommodated on the roofs of the new Queensway and Moscow Road blocks, subject to further details of the operational noise level of the mechanical plant being submitted pursuant to a condition once the mechanical plant to used has be specified.

Environmental Health note that the kitchen extract ducts should terminate 1m above the ridge height of the roof (there is a duct proposed in both the Queensway and Moscow Road blocks). In the case of the Queensway block, this could be incorporated into a chimney stack should the scheme be amended to incorporate chimney stacks and party wall upstands at roof level.

8.7.3 Waste and Recycling Storage

The Cleansing Manager is content that the proposed bin storage arrangements appear sufficiently large to accommodate the waste and recycling from the various elements of the proposed development, subject to a condition to secure further details of the commercial waste store and to confirm the travel distances for residents to their respective bin stores would be less than 30m. The proposed waste and recycling arrangements would therefore be compliant with Policy ENV12 in the UDP.

8.8 London Plan

This application does not raise any strategic issues and is not of a scale that is referable to the Mayor of London. Where relevant London Plan policies are referred to elsewhere in this report.

8.9 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.

8.10 Planning Obligations

Given that the applicant has yet to make a detailed affordable housing offer that meets the Independent Viability Consultant's assessment of the scheme, it has not been possible to confirm the full package of planning obligations that are to be secured by a S106 agreement to mitigate the impacts of the development. It is likely that the following obligations will need to be secured to mitigate the impact of the development; however, it should be noted that the list below will be subject to further negotiation:

- Provision of affordable housing (subject to further negotiation with the applicant).
- Highway works to facilitate access to the development/ to accommodate the highway.
- Provision of support for employment, skills and training.
- Monitoring of the S106.

The estimated CIL liability for the development (including Mayoral and Westminster CIL), based on the applicant's floorspace figures, is £1,775,324. However, it should be noted this amount will be subject to any exemptions or reliefs that may be applied following determination of the planning application.

8.11 Environmental Impact Assessment

The energy strategy and sustainability of the development remain under consideration and will be reported to the Sub-Committee for its consideration when the application is reported back for its further consideration and determination in due course.

8.12 Other Issues

None relevant.

9. BACKGROUND PAPERS

1. Application form.
2. Letter from Montagu Evans on behalf of the applicant dated 26 July 2016.

Responses to Consultation on Initially Submitted Scheme (November 2016)

3. Email from the Bayswater Residents Association dated 22 November 2016.
4. Email from the South East Bayswater Residents Association dated 13 December 2016.
5. Letter from Thames Water dated 19 October 2016.
6. Letter from London Underground dated 1 November 2016.
7. Email from Building Control dated 1 November 2016.
8. Memo from the Cleansing Manager dated 2 November 2016.
9. Letter from Historic England (Archaeology) dated 8 November 2016.
10. Letter from Historic England dated 16 November 2016.
11. Email from Environmental Health dated 24 November 2016.
12. Memo from the Arboricultural Manager dated 22 December 2016.
13. Email from the Head of Affordable and Private Sector Housing dated 4 January 2017.
14. Letter and email from the occupier of the Ground Floor Flat, 4 Salem Road dated 23 September 2016 and 21 October 2016.
15. Letter and email from the occupier of Flat 3, 4 Salem Road dated 26 September 2016 and 24 October 2016.

16. Email from the occupier of 29 Queens Mews dated 24 October 2016.
17. Email from the occupier of Flat 7, Alexandra Court, 5 Moscow Road dated 30 October 2016.
18. Email from the occupier of 6 Shaftesbury House, 23 Moscow Road dated 7 November 2016
19. Email from the occupier of Flat 15, Alexandra Court, 5 Moscow Road dated 16 November 2016

Responses to Consultation on Revised Scheme (June 2017)

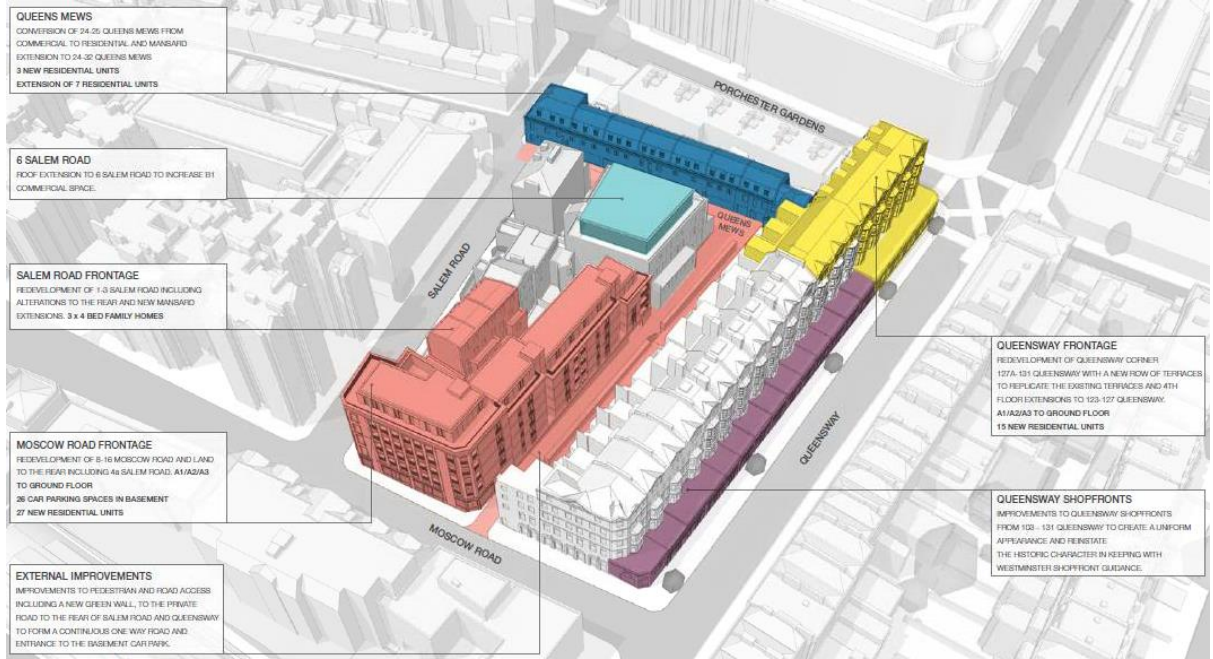
20. Email from the South East Bayswater Residents Association dated 25 June 2017.
 21. Memo from the Highways Planning Manager dated 31 July 2017.
 22. Email from the occupier of Flat 1, 4 Salem Road dated 26 June 2017.
 23. Email from the occupier of Flat 2, Alexandra Court, 5 Moscow Road dated 4 July 2017.
 24. Email from the occupier of 22 Alexandra Court, 5 Moscow Road dated 4 July 2017.
 25. Email from the occupier of 14 Alexandra Court, 5 Moscow Road dated 5 July 2017.
 26. Email from an occupier of 10 Alexandra Court, 5 Moscow Road, dated 5 July 2017.
 27. Email from an occupier of 10 Alexandra Court, 5 Moscow Road dated 5 July 2017.
 28. Email from the occupier of Flat 18 Alexandra Court, 5 Moscow Road dated 6 July 2017.
 29. Email from the occupier of Flat 3 Alexandra Court, 5 Moscow Road dated 7 July 2017.
 30. Email from the occupier of Flat 1, Alexandra Court, 5 Moscow Road dated 8 July 2017.
 31. Email from the occupier of 5 Moscow Road London, dated 13 July 2017.
 32. Email from the occupier of Flat 15 Alexandra Court, 5 Moscow Road dated 13 July 2017.
 33. Email from the occupier of 28 Alexandra Court, 5 Moscow Road dated 26 July 2017.
34. Letter on behalf of the applicant from Montagu Evans dated 26 July 2016.
35. Per unit floorspace schedule for all proposed residential units by Emrys Architects.

(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 THE PRESENTING OFFICER: OLIVER GIBSON BY EMAIL AT ogibson@westminster.gov.uk.

10. KEY DRAWINGS

3D Development Overview



Queensway Block



Proposed Queensway elevation.

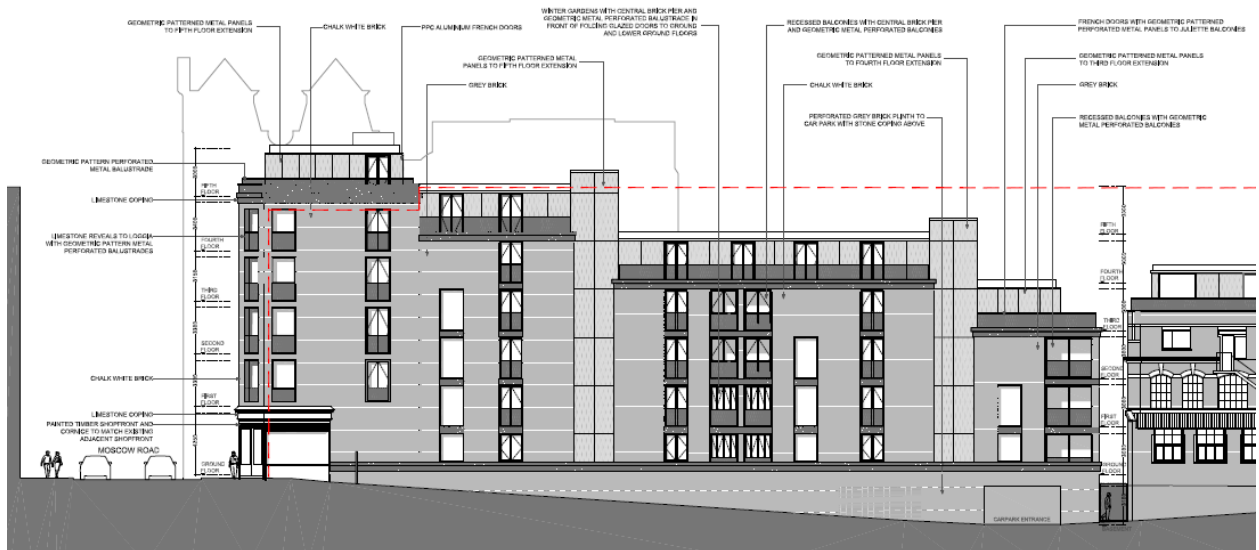


Proposed Porchester Gardens elevation (top) and proposed rear elevation (bottom).

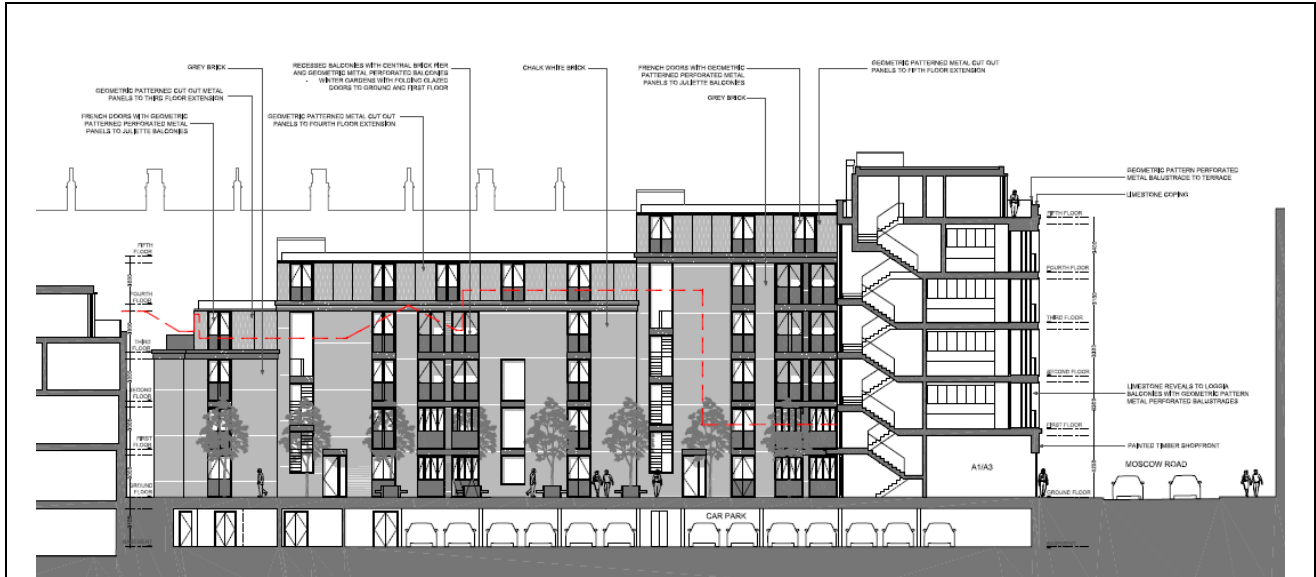


Photomontage of proposed Queensway and Porchester Gardens elevations (top) and photomontage of rear elevation (bottom).

Moscow Road Block



Proposed Moscow Road elevation (top) and Queens Mews elevation (bottom).



7.05.01 Moscow Road Bay Study

MATERIALS KEY

1. Limestone coping
2. Geometric pattern metal perforated balustrades
3. Geometric patterned out metal panels
4. Dark grey PPC aluminium French doors and window
5. Traditional white painted timber sash windows to match existing
6. White Stucco render to fourth floor extension to match existing
7. Limestone reveals to loggia
8. Red Brick to match existing buildings
9. Geometric metal perforated balcony balustrade
10. Existing shopfront painted



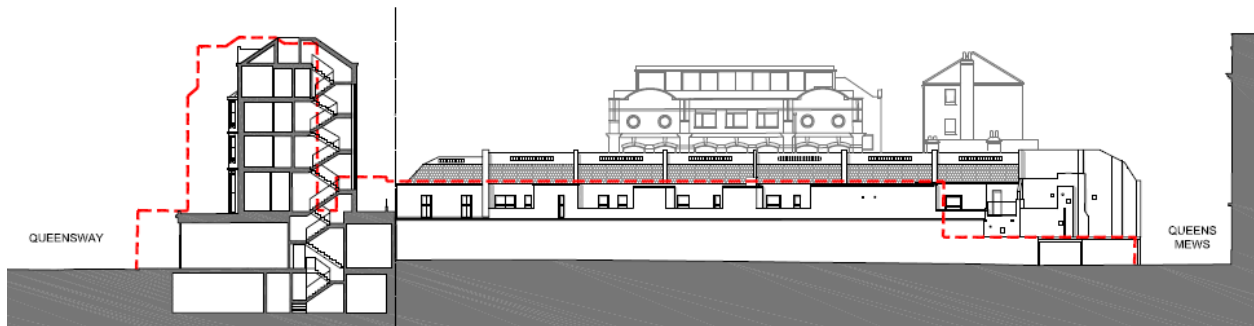
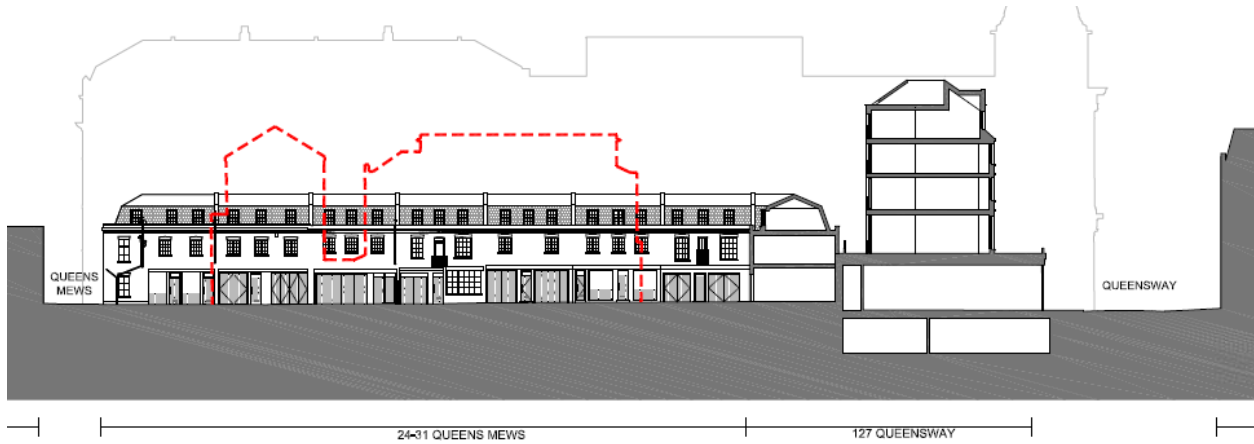
Fig 01 | Moscow Block Front Elevation

Proposed west elevation (top) and proposed front elevation with materials annotated (bottom).



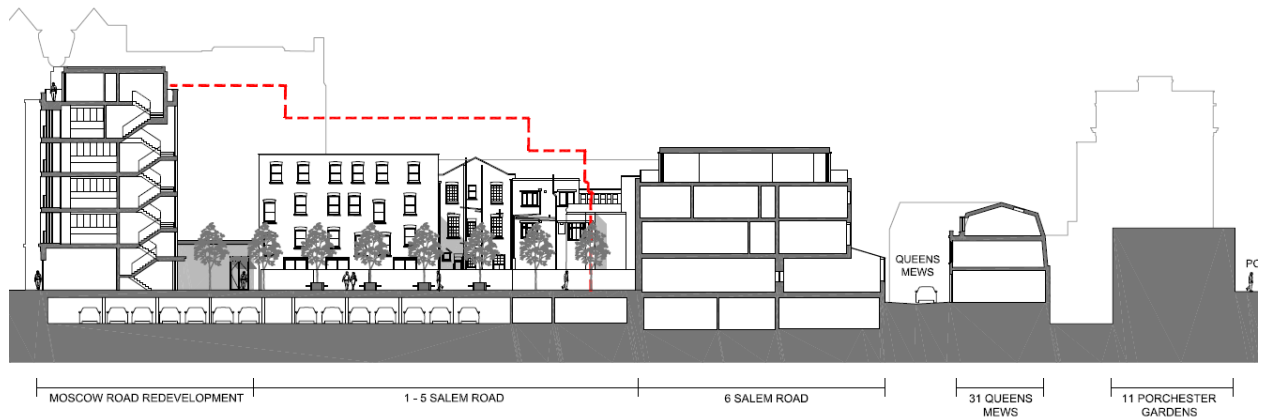
Photomontage of proposed Moscow Road elevation (top) and photomontage of proposed rear elevation (bottom).

Queens Mews Roof Extensions and Alterations



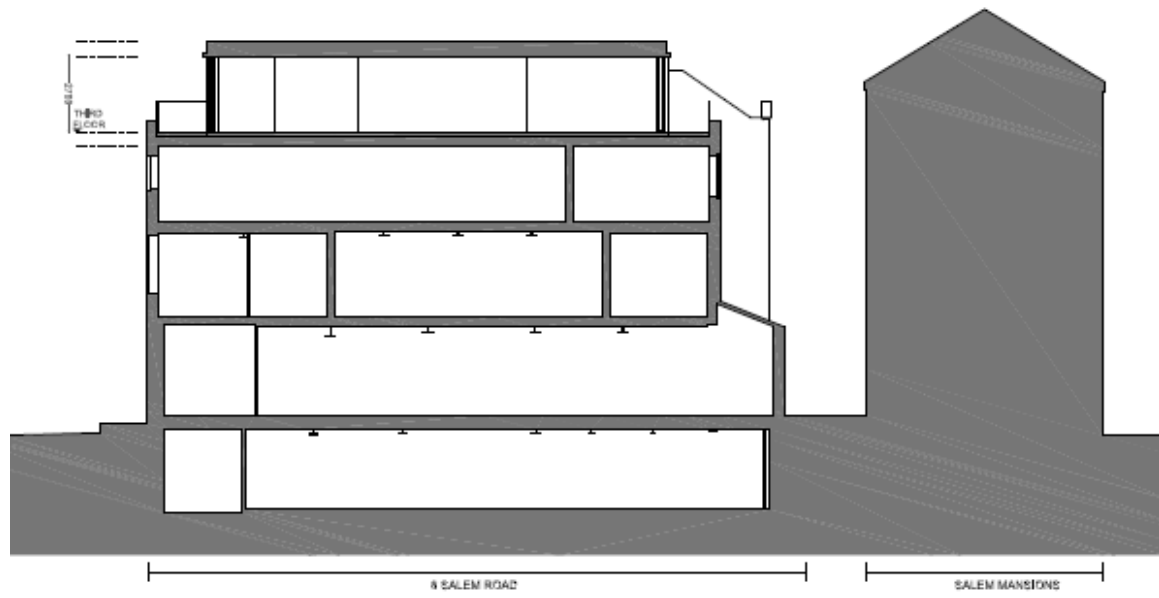
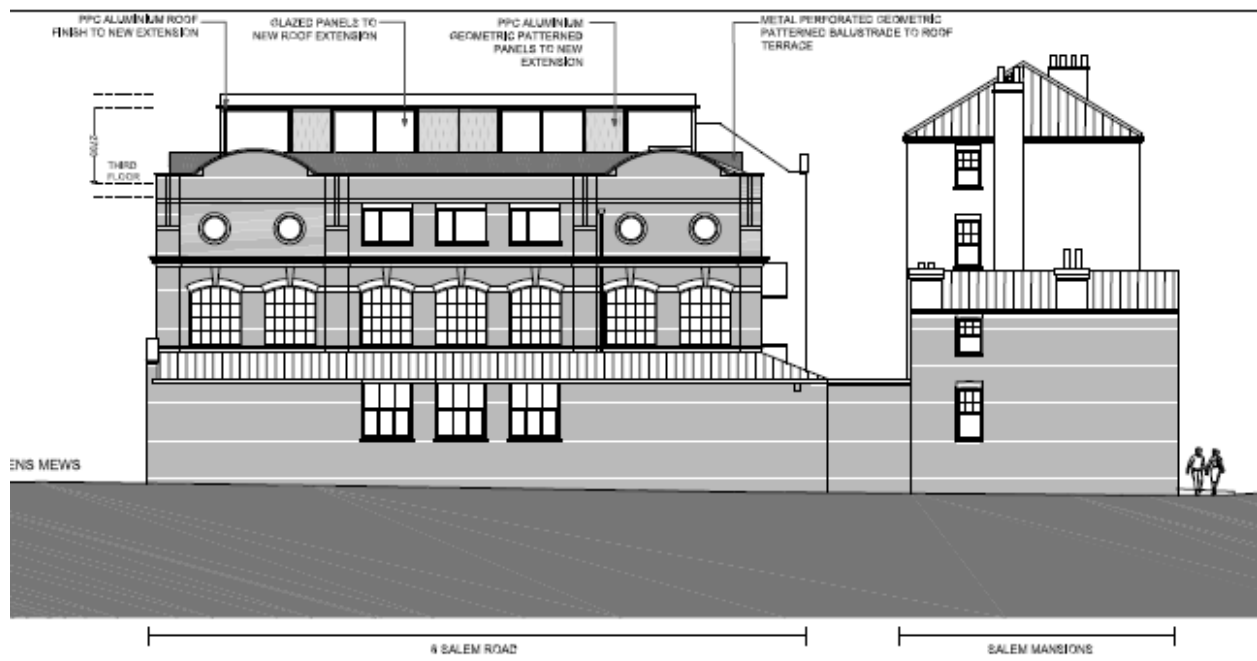
Proposed front and rear elevations.

Roof Extensions and Alterations to Nos.1-3 Salem Road



Proposed front and rear elevations (also showing Nos.1-3 in context with proposed Moscow Road redevelopment block).

No.6 Salem Road Office Roof Extension



Proposed north elevation (top) and proposed section (bottom).

DRAFT DECISION LETTER

- Address:** Dev. Site At 103-131 Queensway, 8-16 Moscow Road 1, 3, 4A And 6 Salem Road And, 24 - 32 Queen's Mews, London, ,
- Proposal:** Redevelopment comprising four phases: (i) Demolition of 127A-131 Queensway and replacement with a 5 storey plus basement building to provide ground and basement A1 and A3 units and 12 flats on the upper floors. use of first floor of Nos.115a, 117 and 119 Queensway as dentists surgery (Class D1)(relocated from the No.129) and associated alterations to 103-131 Queensway, including replacement of shop fronts, demolition and replacement of 4th floor level of Nos.123-127 to provide 3 reconfigured flats at third floor level and 3 new flat at fourth floor level. Associated public realm improvement comprising widening of footpath of public highway outside Nos.127A-131 Queensway by setting back of shop units. (ii) Erection of mansard roof extensions to Nos.24-32 Queen's Mews and use as 3 flats at Nos.24-25 and 7 duplex flats over first and second floors at Nos.26-32. (iii) Demolition Nos.8-14 Moscow Road and 4a Salam Road and replacement with new building ranging between 4 and 6 storeys to Moscow Road Salam Road and Queens Mews incorporating the existing building at No.16 Moscow Road and including basement car parking to provide an A1/A2/A3 unit at ground floor level to Moscow Road and 27 flats. Use of Nos.1-3 Salam Road as 3 dwellinghouses, with associated alterations, including addition of third floor roof extension and side extension. Alterations to the rear of Nos.103-131 Queensway along Queens Mews, including provision of green wall and provision of new public realm in Queens Mews. (iv) Erection of single storey roof extension to No.6 Salem Road for Class B1 use. Together with associated works including mechanical plant, cycle storage and waste storage, for each phase.
- Reference:** 16/09461/FULL
- Plan Nos:** 1310-0100-AP-000/PL01, 1310-0100-AP-101/PL01, 1310-0100-AP-102/PL01, 1310-0100-AP-103/PL01, 1310-0100-AP-104/PL01, 1310-0100-AP-105/PL01, 1310-0100-AP-106/PL01, 1310-0100-AP-107/PL01, 1310-0100-AP-202/PL01, 1310-0100-AP-203/PL01, 1310-0100-AP-302/PL01, 1310-0100-AP-303/PL01, 1310-0100-AP-304/PL01, 1310-0100-AP-305/PL01, 1310-0100-AP-306/PL01, 1310-0100-AP-402/PL01, 1310-0100-AP-403/PL01, 1310-0100-AP-404/PL01, 1310-0100-AP-405/PL01, 1310-0100-AP-501/PL01, 1310-0100-AP-502/PL01, 1310-0100-AP-503/PL01, 1310-0100-AP-504/PL01, 1310-0100-AP-601/PL01, 1310-0100-AP-602/PL01, 1310-0100-AP-603/PL01, 1310-0100-AP-604/PL01, 1310-0100-AP-605/PL01, 1310-0100-AP-606/PL01, 1310-0100-AP-607/PL01, 1310-0200-AP-101/PL02, 1310-0200-AP-102/PL02, 1310-0200-AP-103/PL02, 1310-0200-AP-104/PL02, 1310-0200-AP-105/PL02, 1310-0200-AP-106/PL02, 1310-0200-AP-107/PL02, 1310-0200-AP-108/PL02, 1310-0200-AP-202/PL02, 1310-0200-AP-203/PL02, 1310-200-AP-301/PL01, 1310-0200-AP-302/PL02, 1310-0200-AP-303/PL02, 1310-0200-AP-304/PL02, 1310-0200-AP-305/PL02, 1310-0200-AP-306/PL02, 1310-0200-AP-307/PL02, 1310-0200-AP-308/PL02, 1310-0200-AP-402/PL02, 1310-0200-AP-403/PL01, 1310-0200-AP-404/PL02, 1310-0200-AP-405/PL02, 1310-0200-AP406/PL02, 1310-0200-AP-500/PL02, 1310-0400-AP-001/PL02, 1310-0400-AP-002/PL02, 1310-0400-AP-003/PL02, 1310-0400-AP-004/PL02, 1310-0400-AP-005/PL02, 1310-0400-AP-101/PL02, 1310-0400-AP-102/PL02, 1310-0400-AP-103/PL02, 1310-0400-AP-104/PL02,

1310-0400-AP-105/PL02, 1310-0400-AP-106/PL02, 1310-0400-AP-107/PL02, 1310-0400-AP-108/PL02, 1310-0400-AP-109/PL01, 1310-0400-AP-110/PL02, 1310-0400-AP-111/PL02, 1310-0400-AP-112/PL02, 1310-0400-AP-113/PL02, 1310-0400-AP-114/PL02, 1310-0400-AP-115/PL02, 1310-0400-AP-116/PL02, 1310-0400-AP-117/PL02, 1310-0400-AP-118/PL02, Design and Access Statement dated 08.09.2016 (as amended by 'Planning Revisions document dated 31.03.2017, Heritage Statement dated October 2016, Historic Environment Assessment (August 2016), Planning Statement dated September 2016, Shopfront Design Code dated 31.03.2017, Drainage Strategy and SuDS Statement (August 2016 - Rev.-2), Air Quality Assessment (09.09.2016), Arboricultural Report (24 August 2016), Daylight and Sunlight Report dated 24 January 2017, Transport Statement dated September 2016, Acoustic Report dated 24 August 2016 (Version 02), Utility and Ventilation Extract Statement dated August 2016, Statement of Community Involvement dated August 2016 and Structural Statement dated August 2016.

Case Officer: Oliver Gibson

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Recommended Condition(s) and Reason(s)

N/A (Application reported for a Sub-Committee Steer).

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.