

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 9 th July 2019	Classification For General Release	
Report of Executive Director Growth Planning and Housing		Ward(s) involved Regent's Park	
Subject of Report	Dora House, 60 St John's Wood Road, London, NW8 7HN,		
Proposal	Demolition of the existing building and redevelopment to provide two buildings: Building 1 comprising one basement level, ground and thirteen upper floors containing car parking, plant, affordable sheltered accommodation and market sheltered accommodation (Class C3), ancillary communal areas; Building 2 comprising sub-basement, two basement levels, ground and eleven upper floors containing plant, car parking, residential accommodation (Class C3) and ancillary leisure; reconfigured vehicular and pedestrian access together with landscaping and other works in association with the development.		
Agent	DP9 Ltd		
On behalf of	Regal WL Ltd		
Registered Number	19/01284/FULL	Date amended/ completed	26 February 2019
Date Application Received	19 February 2019		
Historic Building Grade	Unlisted		
Conservation Area	Outside of a conservation area, the St John's Wood and Regent's Park Conservation Areas run along St John's Wood Road and Park Road respectively.		

1. RECOMMENDATION

Subject to any views of the Mayor of London, grant conditional permission, subject to a Section 106 legal agreement to secure the following:

- a)
 - i) Provision of affordable housing in the form of 153 units of sheltered accommodation for the elderly (Class C3) (3 studios, 146 one bedroom, 4 two bedroom) within floors ground to nine of building 1, in perpetuity and at charges made to residents at no higher than target rent levels.
 - ii) option for previous/existing residents to return to building 1 as a first option subject to their needs being met by the new development.

iii) 100% nomination rights on first occupancy of the affordable housing units and to all true voids arising after first occupancy.

b) Early and Late Stage viability reviews

c) Not to occupy building 2 until practical completion of building 1.

d) Highways works to Lodge Road and St John's Wood Road to facilitate the proposed development and including vehicular crossovers and paving.

e)

i) Car park strategy for building 1 to provide 33 car parking spaces on an unallocated basis.

ii) Car park strategy for building 2 to provide 78 car parking spaces on an unallocated basis and to carry out the development in accordance with a car lift maintenance and management plan.

f) A financial contribution of £20,000 towards tree planting to Lodge Road

g) Lifetime Car club membership for the occupiers of Building 1.

h) Provision of Public Art to a minimum value of £60,000

i) Carbon Off-set payment £ 268,493.40

j) Tree protection methodology including details of arboricultural supervision and monitoring to off-site trees.

k) The costs of monitoring the S106 agreement

All contributions are to be index linked and paid on commencement of development.

3. If the S106 legal agreement has not been completed within six weeks from the date of the Committee's resolution then:

a) The Director of Place Shaping and Town Planning shall consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this is possible and appropriate, the Director of Place Shaping and Town Planning is authorised to determine and issue such a decision under Delegated Powers; however, if not

b) The Director of Place Shaping and Town Planning shall consider whether permission should be refused on the grounds that it has not proved possible to complete an agreement within an appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that would have been secured; if so the Director of Place Shaping and Town Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2. SUMMARY

Planning permission is sought by Regal Homes in association with Central and Cecil Housing Trust for the redevelopment of the existing building known as Dora House, which provides affordable housing in the form of sheltered accommodation for the elderly, and the construction of two new buildings to provide a new "Dora House" in building 1 facing Lodge Road and new private residential accommodation in building 2 facing St John's Wood Road.

This applicant has advised that following a review of a similar redevelopment in 2017 that the size and scale of the proposed residential units within Building 2 was no longer viable in current market conditions and did not optimise the housing potential of the site. Architects Squire & Partners were

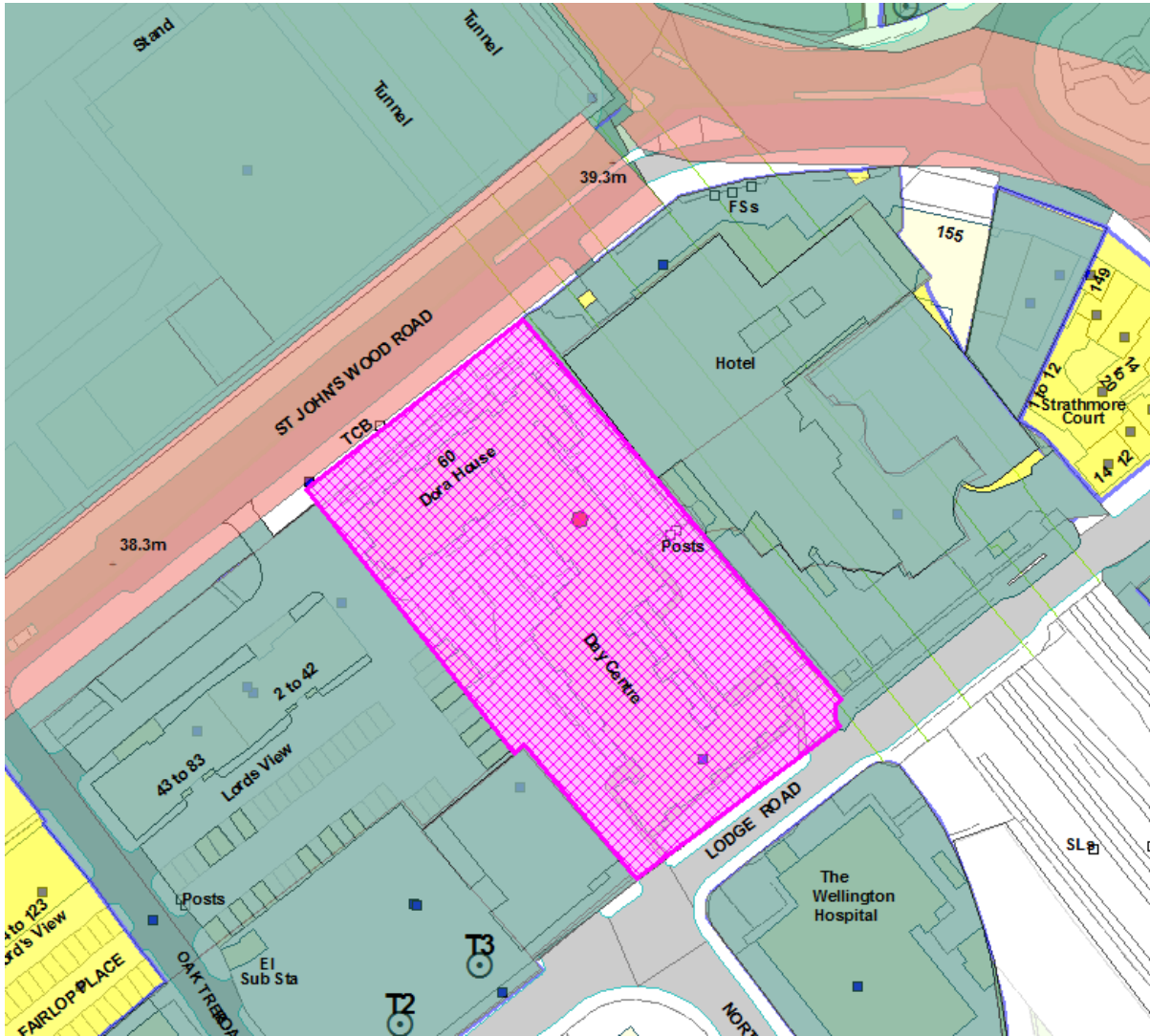
subsequently appointed to redesign the residential building fronting St John's Wood Road (Building 2), the detailed design has significantly changed and floor to ceiling heights were streamlined to enable further floors of accommodation, more than doubling the number of residential flats to be provided, broadly within the height and massing of the building granted in 2017.

Similarly building 1 to Lodge Road has also be streamlined to provide additional affordable sheltered accommodation and some minor revisions to its rear elevation are proposed.

The Greater London Authority (GLA), whilst support the proposal in principle, remain concerned at the quantum of car parking to serve the development and require further clarifications with respect to energy. Ongoing discussions have and continue to take place in order to seek to address these outstanding matters prior to the GLA providing their stage 2 report. The St John's Wood Society support scheme improvements to the 2017 scheme. Three representations of objection have been received from occupiers of Lords View I, concerned mainly with respect to over-development, the cumulative impact with other developments in the vicinity and on highways grounds.

For the reasons set out in this report, the proposal is considered acceptable, meets with the relevant Unitary Development Plan and City Plan policies, and is recommended favourably, subject to conditions and a S106 legal agreement to secure a number of planning obligations.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Existing St John's wood elevation



Existing St John's wood elevation



Existing Lodge Road elevation



Existing Lodge Road elevation

5. CONSULTATIONS

GREATER LONDON AUTHORITY

Comment. Support principle of development and urban design. The application does not yet comply with the London Plan and draft London Plan. However possible remedies stated could address these deficiencies: The development should be car-free (except for Blue Badge parking) and cycle parking should be increased. The applicant should identify and commit to the delivery of improvements in line with the Healthy Streets indicators and Vision Zero. The closure of the TLRN footway for the duration of construction works is unacceptable. Further information is required on the energy strategy. (Discussions have and continue to take place and a number of original concerns have been addressed)

HIISTORIC ENGLAND

No comment.

HISTORIC ENGLAND ARCHAEOLOGY

No objection, subject to condition to require Written Scheme of Investigation to secure a watching brief as a precaution during site investigation works.

ROYAL PARKS

Any response to be reported verbally.

THE GARDENS TRUST

Any response to be reported verbally.

NATURAL ENGLAND

No comment.

THAMES WATER

No objection, subject to condition and informatives.

NETWORK RAIL

Original holding objection removed. Discussion of the scheme in more detail is taking place to ensure that the operational railway and the tunnel are protected both during construction works and as a permanent arrangement.

LONDON UNDERGROUND LIMITED

No comment. Advise to contact Network Rail if they have assets close by,

TRANSPORT FOR LONDON

Objection. Retain objection to the current level of car parking, as the development should be car-free. St John's Wood Road highway alterations will be subject to a Stage 2 Road Safety audit. A closure of the footway for the duration of construction works is not considered acceptable and this should be reviewed. The applicant should address the above issues satisfactorily before the development becomes acceptable in strategic terms. (A number of original concerns have now been addressed)

WESTMINSTER PRIMARY CARE TRUST

Any response to be reported verbally

ADULT AND COMMUNITY SERVICES

Any response to be reported verbally

HOUSING MANAGER

Support proposal, subject to affordable sheltered units provided in perpetuity, Rents charged at target rents or London Affordable Rents, Council retains 100% nomination rights, at initial letting, and subsequent relets, except for returnees.

CRIME PREVENTION

Request for applicant to contact them directly.

ENVIRONMENTAL HEALTH

No objection, subject to conditions

HIGHWAYS PLANNING

No objection, subject to conditions and S106 obligations to highways works, car park management plan (un-allocated spaces and lift maintenance) and car club membership for the occupants of sheltered accommodation.

BUILDING CONTROL

Further structural details required.

ARBORICULTURAL OFFICER

Concerns with regard to reduction in soft landscaping and tree planting and retrograde landscaping arrangements.

WASTE PROJECT OFFICER (WASTE)

No objection to revised storage arrangements, subject to conditions.

ST JOHNS WOOD SOCIETY

Support. Scheme improvements made to the previously consented scheme.

ST MARYLEBONE SOCIETY

No comment. Defer to St John's Wood Society.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 905

Total No. of replies: 3

No. of objections: 3

No. in support: 0

Objections from three occupiers of Lords View I on all or some of the following grounds:

- Overdevelopment of site and cumulative impact of high buildings in vicinity
- Height and bulk should be reduced.
- Vehicular access to St John's Wood Road dangerous due to fast traffic from the roundabout
- Traffic congestion. Lodge Road is too narrow for the additional vehicles (cars and delivery vans) to use the street, which is already heavily used by those visiting Lords Cricket Ground and the Regent's Park Mosque.

- Considerable effect on the general amenity of the area and shows a lack of consideration for existing residents.
This application should be considered with other applications in the vicinity.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The site known as Dora House, 60 St John's Wood Road, is owned & operated by Central & Cecil (C & C) as sheltered accommodation for the elderly (over 55's). The part 8/part 4 storey unlisted building extends to frontages on both St John's Wood Road and Lodge Road. Whilst located outside of a conservation area, the St John's Wood and Regent's Park Conservation Areas run along St John's Wood Road and Park Road respectively.

To the north of the site lies Lords Cricket Ground (Nursery end), to the south, the Platinum Medical Centre which is part of Wellington Hospital. To the east is the Danubius Hotel and to the west lie Lords View 1 and the Royal Mail Sorting Office at 30 Lodge Road.

There are Network Rail lines and London Underground lines (Metropolitan and Jubilee) that run beneath the adjacent Danubius Hotel around 25-40m away. In addition, there is a Thames Water Sewer beneath (10m) the western corner of the site.

The building is currently occupied by property guardians and the applicant has been advised to make a planning application for this temporary use.

6.2 Recent Relevant History

Dora House, 60 St John's Wood Road Extant Planning permission for redevelopment

Conditional planning permission was granted on 5th July 2017 (15/09769/FULL) for demolition of the existing building and redevelopment to provide two buildings: Building 1 comprising one basement level, ground and twelve upper floors containing car parking, plant, affordable sheltered accommodation and market sheltered accommodation (Class C3), ancillary communal areas; Building 2 comprising three basement levels, ground and nine upper floors containing plant, car parking, residential accommodation (Class C3) and ancillary leisure; reconfigured vehicular and pedestrian access together with landscaping and other works in association with the development.

This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to

- a) i) Provision of affordable housing in the form of 139 units of sheltered accommodation for the elderly (Class C3) (3xstudio, 133x1, 3x2) within floors ground to nine of building 1, in perpetuity and at charges made to residents substantially below market levels

- ii) option for previous/existing residents to return to building 1 as a first option
- iii) 100% nomination rights on first occupancy of the affordable housing units and to all true voids arising after first occupancy.
- b) Restriction on building/occupation of Building 2 to coincide with construction of building 1
 - 1. A contract let for demolition and fixed price tender prior to demolition of existing buildings,
 - 2. A contract for construction let 3 months prior to commencement of Building 1,
 - 3. Construction of Building 2 will not commence until a contract has been let for the construction of Building 1,
 - 4. Not to occupy any of Building 2 until Building 1 has been completed up to golden brick,
 - 5. Not to occupy more than 50% of Building 2 until construction of the 5th floor of Building 1,
 - 6. Not to occupy more than 80% of Building 2 until completion of the structural frame of Building 1.
- c) Highways works to Lodge Road and St John's Wood Road to facilitate the proposed development and including vehicular crossovers and paving.,
- d) i) Car park strategy for building 1 to provide 33 car parking spaces on an unallocated basis., ii) Car park strategy for building 2 to provide 48 car parking spaces on an unallocated basis and to carry out the development in accordance with a car lift maintenance and management plan.,
- e) A financial contribution of £20,000 towards tree planting to Lodge Road (index linked and payable on commencement of development).,
- f) Lifetime Car club membership for the occupiers of Building 1.,
- g) Provision of Public Art to a minimum value of £60,000,
- h) The costs of monitoring the S106 agreement.
- i) Compliance with Code of Construction Practice,
- j) Restriction in the occupation of all units in building 1 to people aged over 55 with no right to remain for partners under 55 years.

The above application was originally reported to the Planning Applications Committee on 8th March 2016 when the committee resolved to defer making a decision on the application to enable the applicant to address a number of matters including; the height, massing and colour of brickwork of building 2, the provision of soft landscaping across the site, the mix of unit sizes, removal of west facing balconies, confirmation of unallocated parking and details surrounding the mechanism to secure affordable housing and any surplus money from the development. The applicant had sought to address the issues raised by committee, however some revisions made, including the reduction in height and floor space of Building 2 had a knock on effect to the proposal, leading to further revisions including additional private residential units within building 1. The application was therefore reported back to committee for further consideration and

determination on 13th September 2016, when it was resolved to grant planning permission subject to completion of a S106 legal agreement. The legal agreement was completed and the decision issued on 5th July 2017. (15/09769/FULL)

Request for Screening Opinion

Application for Request for Screening Opinion pursuant to Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 to determine whether an Environmental Impact Assessment is required for Demolition of the existing building and redevelopment to provide two buildings: Building 1 comprising one basement level, ground and thirteen upper floors containing car parking, plant, affordable sheltered accommodation and market sheltered accommodation (Class C3), ancillary communal areas; Building 2 comprising two basement levels, ground and eleven upper floors containing plant, car parking,, residential accommodation (Class C3) and ancillary leisure; reconfigured vehicular and pedestrian access together with landscaping and other works in association with the development. Decision was that EIA Not required.(18/10278/EIASCR).

30 Lodge Road (Royal Mail Sorting Office)

On 26.01.2015 the Planning Applications Committee granted conditional planning permission, subject to a S106 legal agreement, for the redevelopment of the existing vacant sorting office and associated hard-standing on site and the erection of 10 storey building comprising 49 residential units and ancillary floorspace (Class C3), provision of 54 car parking spaces, waste management areas, cycle parking and combined heat and power facility within the basement, public realm works and access to car lifts from Lodge Road (15/08211/FULL) The development has been built.

Lords View 1, St John's Wood Road

Conditional planning permission was granted on 13.02.2012 for the removal of the existing rooftop plant room and erection of two storey roof extension at eleventh and twelfth floor levels to create 4x3 bedroom flats with terraces, living green roof and solar panels. Re-landscaping in connection with the provision of seven additional car parking spaces (11/12325/FULL).

Lords Cricket Ground

The Planning Applications Committee resolved on 27.10.2015 to grant conditional planning permission and listed building consent, subject to a S106 legal agreement for the demolition of the existing Tavern Stand, Allen Stand, Thomas Lord Building, MCC Office Building and Scorers' Box and redevelopment comprising the erection of new stand, new Thomas Lord Building with an expanded basement and relocated public house, new Harris Garden Building, new Scorers' Box, internal and external alterations to the Pavilion, a new shop in the Bowlers' Annexe together with relocation of the floodlight, hard and soft landscaping, servicing facilities and all necessary ancillary and enabling works, plant and equipment.(15/07111/FULL & 15/07112/LBC)

36-44 Lodge Road

On 12.08.2013 the Planning Applications Committee granted planning permission, subject to a S106 legal agreement, for demolition of existing structures and development of buildings extending between five and 12 storeys comprising 132 self-contained private and affordable residential flats (85 private and 47 intermediate affordable housing units), ancillary leisure and gym facility, 103 car parking spaces and 258 cycle spaces with associated landscaping and ancillary works.(09/09773/FULL). This was followed by a number of amending applications.

Two identical planning applications have been submitted for the Redevelopment of land at 36 St John's Wood Road for an extra care facility, ancillary medical and rehabilitation facilities, landscaping, car and cycle parking, and the redevelopment of 38-44 Lodge Road for a care home and residential units along with landscaping, car and cycle parking. (Application 1 18/08088/FULL and Application 2 18/08105/FULL). An appeal against non-determination has been submitted in respect of Application 2.

7. THE PROPOSAL

This application follows the grant of planning permission for a similar redevelopment in 2017, at this time the applicant was Central and Cecil. Central & Cecil were established in the 1930's and are a Housing Trust providing housing and care within sites they own & operate throughout Central London, including Dora House, Edna House and Aida House within Westminster. These 1960's buildings are reaching the end of their lifetime and their size, layout and function are outdated and inconsistent with modern ways of older people living. As such C&C are embarking on a programme of asset redevelopment and improvement within Westminster, the first stage of which is the redevelopment of Dora House.

The current applicant (Regal Homes Ltd in collaboration with Central and Cecil) has advised that following a strategic review of the 2017 permission, it was concluded that the size and scale of the proposed residential units within Building 2 was no longer viable in current market conditions and did not optimise the housing potential of the site.

Squire & Partners Architects were subsequently appointed to redesign the residential building at 60 St John's Wood Road (Building 2) and introduces a different design, albeit respecting the consented envelope. The Lodge Road building (Building 1) is by the same architects (Ryder) as the previous permission and maintains much of the design character and appearance previously approved. In both cases additional storeys of floorspace is created by reducing floor-to ceiling heights.

Planning permission is now sought for a new proposed redevelopment of the existing building (Dora House) to provide two new buildings, one to re-provide the affordable sheltered accommodation in a new Dora House and a second to provide private residential accommodation.

Building 1

The Lodge Road building is to re-provide sheltered accommodation for the over 55's. It is designed by Ryder Architects and comprises a single basement level, ground and part 12, part 13 upper storeys to provide 153 units of affordable sheltered accommodation and 17 units of market sheltered accommodation.

Building 2

The proposed St John's Wood Road building is designed by Squire and Partners and comprises a triple basement, ground and 11 upper storeys to provide 112 private flats.

The table below sets out some of the key changes when compared to the extant permission.

	Extant PP Building 1	Proposed Building 1	Extant PP Building 2	Proposed Building 2
Floorspace	15,239m ²	15,574m ²	11,499m ²	12,385m ²
Storeys	1 basement, ground and part 11/12 upper storeys	1 basement, ground and part 12/13 upper storeys	Triple basement, ground and 9 upper floors	Two level (plus sub-basement) ground and 11 upper storeys
Architecture	Ryder Architects	Ryder Architects with minor revisions	Make Architects	Squire and Partners new design approach
Unit numbers	139 affordable sheltered units 17 private sheltered units	153 affordable sheltered units 17 private sheltered units	44 private flats	112 private flats
Car Parking	33 spaces	33 spaces	48 spaces	78 spaces

The optimisation of the use is broadly within the envelope of the buildings consented. The servicing and access arrangements also remain in accordance with the consented scheme and whilst there is an increase in car parking provision to serve the development this takes place within the site. As such it is not considered that the proposed development comprises of over-development.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The principle of redeveloping the site to provide additional residential accommodation in the form of both new private self-contained flats and the re-provision of improved and fit for purpose affordable sheltered accommodation for over 55's currently provided within Dora House, remains acceptable in land use terms.

The existing, consented and proposed provision is summarised below:-

Tenure	Existing	Extant PP	Proposed	Uplift
Affordable sheltered	10,813m ² (204 units)	14,326m ² (139 units)	14,602m ² (153 units)	3789m ²
Private Sheltered	None	967m ²	972m ²	972m ²
Private flats	None	11,499m ²	12,385m ²	12,385m ²
Total	10,813m²	26,792m²	27, 959m²	17,146m²

Given the differing nature of the two types of residential use, located in different buildings, it is considered appropriate to assess them separately.

Affordable Sheltered Accommodation for the elderly (Class C3) - Building 1

Sheltered accommodation for the elderly is residential accommodation falling within Class C3 (Residential) of the Town and Country Planning Use Classes Order 2015. In this case it is considered a type of specialist provision of affordable housing, as charges made to residents are substantially below market levels. This arrangement would be secured through a S106 legal agreement to ensure affordability in perpetuity.

The existing 204 self-contained units of accommodation comprise of 160 studio flats, 41 one-bedroom flats and two 3-bedroom flats. The building and units have become outdated and the substandard size of units particularly the studios, layout and facilities are inconsistent with modern ways of older people living and are no longer fit for purpose.

This application (as did the extant permission) seeks to provide significantly better quality accommodation for occupiers within a new purpose built building with ancillary facilities and which is designed to be flexible to meet future requirements of its occupiers. As such units are fully interchangeable and designed to be able to be reconfigured to alter the layout to meet potential future needs of occupiers.

The principle of the re-provision of affordable sheltered housing units for people over 55 years of age is supported by policies H4 and H6 of the UDP and S15 and S16 of the City Plan and policy 3.8 of the London Plan.

The new building would provide a significant increase in floor space, but due to a significant improvement in the size and quality of the units and introduction of ancillary communal facilities (cafe and lounge areas, external garden, roof terraces, treatment zones, respite and rehabilitation areas, and a studio for exercise classes/events), the proposal would result in an overall reduction in the number of units on site from 204 to 153, but an increase compared to the extant PP(139 units). It is however, considered that the overall reduction in the number of such units on site, is justified by virtue of the increase in floor space in order to provide overall good quality and fit for purpose accommodation that meets the need of Westminster's older population.

The distance between buildings 1 and 2 is just under 20m, with the distance between the closest balconies just under 15m. The occupiers of the sheltered accommodation would therefore be provided with sufficient outlook and privacy. The communal garden has been assessed in respect to sunlight and in accordance with the British Research

Establishment (BRE) Guidelines, over half of the garden area would receive at least 1-2 hour a day of sunlight. Overall the quality of accommodation proposed is a significant improvement upon that existing and previous occupiers of the existing Dora House, who have or are to be relocated, are to be given the option to return to the new Dora House.

Private Residential Accommodation (Class C3)- Building 2

A total of 13,357m² (12,385m² flats + 972m² private sheltered accommodation) new private residential floor space is proposed, comprising 118 self-contained flats (8 studios, 42x 1bedroom, 44x 2bedroom and 18x3bedroom units) and 17 sheltered accommodation units. All flats would benefit from a private balcony or terrace and associated communal facilities (concierge, drawing room, study, gym and swimming pool at ground floor level).

All proposed residential units would be of sufficient size. The proposal would also provide an appropriate residential mix of unit sizes with 18 of the 112 new private self-contained flats (16%) proposed as family housing. Policies H5 of our UDP and S15 of our City Plan allows flexibility in the provision of 30% family housing and the thrust of the emerging City Plan (2019-2040) is towards a reduction in the requirement of family homes to 25% and the provision of up to 10% studios. Whilst the emerging City Plan holds very limited weight, it provides an insight into the emerging policy. Notwithstanding this, the mix of unit sizes is considered acceptable in this instance.

All proposed residential units would be of sufficient size, satisfying the National Technical Housing Standards and would receive satisfactory daylight and sunlight as set out within the BRE Site Layout Planning for Daylight and Sunlight- a guide to good practice 2011 (second edition. Overall providing a good living environment for future occupiers with a proportion designed to be wheelchair adaptable.

In terms of external amenity space, the flats would be provided with private external amenity space in the form of gardens, balconies or terraces. This provision is welcomed in principle, in terms of providing adequate amenity space.

Play and open space

The proposal would result in 112 private residential units and 170 sheltered units of accommodation. Given the nature of the sheltered units of accommodation for people over 55 years of age, the small number of family sized private residential units proposed (less than 25 family sized homes) and the satisfactory provision of private amenity space, the lack of provision of play and open space and community facilities is acceptable in this instance under policies H10 and SOC6 of our UDP.

Affordable housing

This proposal results in a total uplift of residential floor space on site, of 17,146m² (private and affordable). The actual uplift in private residential accommodation is 12,385m², which requires the provision of 35% of floor space) to be affordable housing. For the purpose of calculating the required affordable housing floor space to offset the uplift in residential floor space, the re-provision of the existing affordable housing floor space within Dora House, is not included. (It is of note that if it were to be included then the proposal would deliver 52% affordable housing)

The applicant is seeking to provide the affordable housing provision in the form of the “bigger and better” new Dora House, providing affordable sheltered housing accommodation for the elderly, which increases affordable housing floorspace on site by 3789m².

Sheltered residential accommodation for the elderly is considered a specialist provision of affordable housing, where charges made to residents are substantially below market levels (as is existing and proposed here). The nature and type of affordable housing proposed here, is supported by our Housing Manager. This is due to the specifics and circumstances of the site, housing need and the acknowledgment of the lack of public subsidy available to bring forward such affordable housing redevelopments.

The proposed uplift of private residential accommodation is now 13,357m² (12,385 + 972m²), an increase from the previous 12,466m²., which requires the provision of 4375m² of affordable housing floor space, whereby only 3789m² is being provided. However, the financial evidence justifies the provision and is verified by our independent consultants and accepted by our housing manager as being the maximum quantum of affordable housing that the proposal can viably afford.

For the above reasons the affordable housing provision is policy compliant and accords with policy H4 of the UDP and S16 of our City Plan. This floor space will need to be secured in perpetuity as affordable housing, through a S106 legal agreement and to ensure that charges made to residents are substantially below market levels. An early and ate stage viability review is also to be secured.

Officers are suggesting that building 1 is built and made ready for occupation before building 2 is occupied. Whilst the extant permission made provision for an alternative bespoke arrangement to secure the affordable housing, this was due to the special circumstances at the time and on the basis that Central and Cecil (the applicant to the 2017 extant permission) had not at that time secured a development partner. However, the applicant is now Regal Homes, working with Central and Cecil and in the absence of sufficient justification for this approach, it is considered that our standard approach should prevail.

8.2 Townscape and Design

Dora House is an irregular shaped unlisted building which faces onto both St John’s Wood Road and Lodge Road and lies outside a conservation area. The nearest conservation areas to the site are the St John’s Wood Conservation Area which lies immediately to the north (north of St John’s Wood Road) and the Regent’s Park Conservation Area to the east (east of Park Road). Virtually all the buildings which face onto Lodge Road are post-war in date and unlisted, the exceptions to this being the 1830s grade II listed Church of Our Lady, at the junction of Lodge Road with Lisson Grove and some 290m to the west of the application site; and the 1930s Strathmore Lodge at the junction with Park Road, which is an unlisted building and lies approximately 70m to the east of the application site. To the north of the site on St John’s Wood Road lies Lord’s Cricket Ground, which contains three listed buildings/structures comprising the grade II* late nineteenth century Pavilion, the grade II 1920s Grace Gates and the grade II 1930s relief sculpture by Gilbert Bayes on the boundary wall (at corner of Wellington Road and St John’s Wood Road). To the east lies the grade II* listed Church of St John the Baptist (dated 1813-14 and by Thomas

Hardwick); to the east of the church is the grade II listed St John's House, which was built as the curate's house and is contemporary with the church; on the roundabout at the junction of Wellington Road, St John's Wood Road etc. there is the grade II war memorial with sculpture of St George and the Dragon (dated 1925-30 by C L Hartwell). Also to the east of the site, is the recently listed Islamic Cultural Centre and The London Central Mosque, which was listed at grade II* on 9 March 2018. There are other listed buildings further to the east and north such as the grade I Nuffield Lodge in Regent's Park; and the grade II listed buildings in Cavendish Avenue / Cavendish Close / Wellington Place on the north side of the cricket ground.

Dora House itself is a post-war building of limited architectural merit, with an irregular plan form. It ranges in height between 8 storeys (facing St John's Wood Road) and 4 storeys (facing onto Lodge Road). As with other buildings in St John's Wood Road and Lodge Road the building line is set back from the footway and the property boundary, with areas of soft landscaping between the building and its roadside boundary.

The character and townscape contribution of the two sides to the site differs. In the case of Lodge Road, minimal architectural coherence is a term that could be applied to this road as a whole. As already indicated it is largely faced by buildings of post war date, but added to this, the scale and use of buildings on the street is varied, with the overall effect being a very disjointed street of relatively low townscape merit. The recently completed development at 30 Lodge Road, known as The Compton, is a new addition to the townscape and is a high quality new building, which lies immediately adjacent to the Dora House site. In the case of St John's Wood Road, specifically the south side of the street in the immediate context of the application site, while the architectural quality of the buildings is variable and generally of modest distinction, the buildings are more consistent in their function (mainly residential other than the Danubius Hotel) and have a quite consistent height. Indeed, at present the existing Dora House is the exception to the street façade being lower than its neighbours (this is readily seen in View 14 of the applicant's 'Design and Access Statement'). While most of the buildings in St John's Wood Road are set back from their property boundary, the existing Dora House building line is forward of its neighbours to the west (Lord's View One and Two) and is also forward of the taller element of the Danubius Hotel.

The proposal is to demolish the current building on the site and to divide the site to provide two replacement residential buildings. Building 1 will face towards Lodge Road and will form the re-provided sheltered accommodation; while Building 2 will face towards St John's Wood Road and will be private residential accommodation. The developments will be independent of each other and different architects have been commissioned for the two sites. This application follows on from the previous approval for this site, granted permission on 5 July 2017. This previous permission was very similar to the current scheme, indeed the Lodge Road building (Building 1) is by the same architects as the previous permission and maintains much of the design character and appearance previously approved. Building 2, which faces onto St John's Wood Road, is by different architects to that of the consented scheme and introduces a different design, albeit respecting the consented envelope. It is proposed to address each building in turn and to then consider their merits and impacts both separately and collectively.

Building 1

This building comprises a basement storey, ground floor and part 12 and part 13 upper storeys. It features a main east-west aligned block and two forward projecting pavilion bays. Both the main block and the bays step up in height from west to east. The top floors of the two projecting pavilion bays are set back from the façade. The new building line maintains the existing one and thus allows a landscaped area to the front of the building, which will also feature a vehicle drop off area.

The front, south-facing, Lodge Road façade features a primary grid and frame of reconstituted stone, with a secondary grid of brickwork making up the other principal facing materials. The stone will have a light, white stone colour and it is proposed to use a light grey brick. The set-back storeys to the projecting pavilions will be clad in bronze-coloured powder-coated aluminium and this same material and finish will be used for most of the other metalwork to the facades. The flanks of the building have a more solid reconstituted stone treatment, although still punctuated by window openings and also featuring a decorative relief treatment to the stone.

The open stone framework to the projecting pavilions contains projecting balconies and planter boxes, all of which will again be finished in bronze-coloured powder-coated aluminium. At ground floor level the stone framework comes to the ground and forms a shallow colonnade behind which are spaces used for a café and a treatment/hairdresser unit, both of which are accessed from the street as well as from within the development. The main entrance is clearly defined and centrally placed with a projecting bronze-coloured metal canopy. Further interest and animation to the ground floor is provided by public art components, initially conceived as decorative lighting pendants within the colonnade and a decorative relief panel in front of the servicing bay area at the western end of the façade.

The rear façade is of a simplified but similar design, with the same restrained material palette. The projecting stone grid does not extend across the whole façade but is deployed as a series of vertical elements associated with bronze-coloured balconies projecting beyond the stonework, creating a greater degree of informality. At ground floor to the rear will be a private walled landscaped garden, which will be a communal facility for residents of the new building. There will be further communal garden / terrace areas at high level including one which will be located at 12th floor, which will partly be an external roof terrace and partly an enclosed winter garden; a further small terrace is at 13th floor level. The roofs where there are no terraces will mainly be covered with PV panels, although there will be 2 lift overruns and a plant enclosure to the tallest part of the site.

The differences between this building and that approved on 5 July 2017 are quite modest in terms of the design, height and massing. The main change has been the incorporation of an additional storey of residential accommodation, which has been achieved by reducing floor to floor build ups. This has resulted in a very modest overall height increase, in the order of 200mm. Externally the main design change has been to the rear (north) façade where the projecting stone frame has been reduced in extent and the balcony design has been modified to omit planters and introduce a greater solidity. On the roof of the 12-storey part of the building an additional plant enclosure is proposed, which will be set-back from the facades and will be lower than the 13-storey element.

As was the case with the consented scheme from July 2017 the proposal is considered acceptable in design terms. While the proposed building is substantially taller than the existing building on the site, the proposal should be considered in the context of a very varied area of townscape and a changing context. The proposed building would lie to the east of the redevelopment scheme at 36-44 Lodge Road which is approved to have an 8 storey building (62.30m AOD) and immediately adjacent to 30 Lodge Road, which is recently completed and is a 10 storey building (72.78m AOD). Immediately to the east of the application site is the Danubius Hotel, which is approximately 14 storeys in height (77.89m AOD). Finally on the south side of Lodge Road is Wellington Hospital Platinum Medical Centre, which is approximately 7 storeys in height (58.85m AOD). In this townscape context where there is no prevailing building height and where recent permissions have accepted a larger scale of development, the proposed 12-13 storey building (77.5m - 80.95m AOD) is considered acceptable.

In terms of detailed design and materials, it is considered that the proposal is well resolved with clearly defined components and a visually stimulating design. The materials take their cue from the wider area, but are utilised in a contemporary fashion. In the current townscape of Lodge Road, with its variety of building ages, uses, heights and materials, there is considered scope for innovative architecture which can introduce a new point of interest to the street.

The application has included a series of verified townscape views and this has demonstrated that Building 1 will not have an adverse impact on designated heritage assets (i.e. listed buildings and conservation areas). When viewed from Regent's Park (and within the Regent's Park Conservation Area) the building would not project above the tree line and would appear lower than the Danubius Hotel. A viewpoint and consideration which differs from the consented scheme is the view of the development from Regent's Park, with the London Central Mosque in the foreground (View 6). When the previous scheme was assessed the mosque was an unlisted building, but the Sir Frederick Gibberd and Partners' building (1970-77) has subsequently been listed at grade II* (date of listing – 9 March 2018). The list description includes the following remarks about the exterior: "...from outside the building is partly screened by trees, but its golden dome and white minaret, both topped with a crescent finial, rise above the tree line, signalling its presence and purpose." In View 6, which is a winter view, this shows that Building 1 will appear between the minaret and the Danubius Hotel, however, it will appear no higher than the Danubius and will largely lie below the tree line. It will not harmfully impact upon the important skyline profile of the mosque. View 15 is another important view of the mosque from within the park, but in this view the profile of the listed building is entirely unaffected with the new development set to one side and screened by trees.

Finally, because the proposed building is lower than Building 2 and sits behind the Danubius Hotel, the views from the north (within the St John's Wood Conservation Area) would be negligible, because where the building can be glimpsed it will appear lower than most of the buildings which face onto St John's Wood Road.

Building 2

This building, which will face onto St John's Wood Road, comprises three levels of a basement, a ground floor and eleven upper floors. The building again maintains the same building line as the existing building, thus providing a landscaped area to the front of the building and also providing vehicle access and drop off.

The architectural approach is a relatively simple one, clearly expressing a base, middle and top to the building. The facades have a horizontal emphasis, with expressed bands of concrete set in a two-storey registration, with a buff brick used for other masonry elements. A series of part-recessed and part-projecting balconies with decorative metal railings will provide further relief to the facades. A bronze-coloured finish is proposed for metal elements such as railings, balconies and window frames.

The distinction of the base is subtle, with the projecting balconies to the flank facades not featuring to the lower two storeys, the floor height of the ground floor being slightly greater and to the front façade a greater extent of glazing is introduced. The top of the building features a tenth floor which is expressed as a distinct attic storey, with a different rhythm to the vertical subdivision and recessed balconies with a larger extent of glazing onto them. Above this the eleventh (top) floor is expressed as a roof storey, slightly set-back and clad in bronze-coloured metal with a distinctive angled profile to the front and flank facades. Above this storey are areas of private and communal gardens, as well as plant enclosures.

As with Building 1 there will be landscaped areas to the front entrance, also a series of small sunken private gardens will be located to the rear and set at basement level 1. The floorplate of the building extends to the rear of the boundary plot in the south-east corner of the site to accommodate plant at basement level 1 and an internal swimming pool and gym at ground level. The roof of this low-level projection is used for 3 private terraces, which are set well-back from the boundary wall.

While the height, massing and building lines of this building are broadly similar to the building consented in July 2017, the architecture is very different. The current proposal introduces a greater horizontal emphasis and overall is a less complex façade. As with Building 1 while the height of the consented scheme has been respected, an additional two storeys of residential accommodation have been introduced, by reducing floor-to-floor heights.

This building is also considered acceptable in design terms. Its height and massing respects the consented scheme and integrates with its immediate townscape context. In regard to the architectural approach and choice of materials, it has a quieter and calmer character when compared with the consented scheme, but this complements its neighbours, notably Lord's View One and Two. It is a very well articulated and crafted building and in the profiled roof form, will provide distinction and visual interest.

In terms of the wider townscape impact and the impact upon the setting of designated heritage assets, while visible within the setting of several designated heritage assets, notably the St John's Wood Conservation Area, its scale and detailed design complement the prevailing townscape and have no adverse impact. This assessment is shared by the GLA in their consultation response and Historic England indicated they did not wish to comment.

Design Conclusion

In conclusion, both buildings introduce greater height to the site, but given the scale of neighbouring buildings and the emerging context of taller buildings in this immediate location, and because the scheme is similar in many respects to the consented scheme, it is considered that the height and massing proposed is acceptable. In the case of Building 1 this is very similar to the consented scheme and its design remains acceptable, while Building 2, although of a quite different appearance compared to the consented scheme, is nevertheless a well resolved design, which responds well to its context.

The proposal is considered to accord with design policies S25 and S28 of our City Plan; and DES 1, DES 4, DES 9, DES 10 and DES 12 of our UDP.

Given these conclusions it is not considered that the changing context of the area and the cumulative impact of this development would comprise over-development.

Public Art

The provision of public art is proposed to a minimum value of £60,000. Details of the public art are to be required by condition and the provision required under s106 legal agreement.

8.3 Residential Amenity

The applicant has provided a daylight and sunlight report in support of their proposal. This indicates that the proposed development would not result in any significant changes to the impact on surrounding properties, when compared to the extant permission. This is because there are no significant changes to the height, massing and bulk of the proposed buildings 1 and 2.

However, for completeness, an assessment of the impact of this proposed development is set out below in full.

Lords View 1

Lords View One, a residential block of 125 flats is located directly west and northwest of the site. Its rear elevation as well as its eastern flank contains a number of windows to individual flats. Whilst none of its rear (south facing) windows would see any significant reduction in daylight, all 12 windows located (1 per floor) within the eastern flank of this building would see a significant reduction in daylight and 1 room at lower ground level within this flank would see a reduction in sunlight (annual and winter) above the tolerances of the BRE guidelines. These windows predominantly serve dual aspect rooms. Whilst regrettable, it is considered likely that any significant development of the site would see a reduction in daylight to these flank windows. Given this and the dual aspect of the rooms which these windows serve, the impact is not considered so severe in which to withhold permission on this ground.

The 10 storey St John's Wood Road Building (Building 2) would be located around 11.5-12.5m away from the side elevation of Lords View I which contains secondary windows (which could be considered unneighbourly in themselves given their side location), and would project further to the rear and front by between 3-7m. The building has been designed with significant fenestration and balconies to all elevations, which is not particularly neighbourly and is disappointing given the footprint and scale of the development. Whilst some windows in the flank of the proposed new building facing the flank of Lords View 1 may be acceptable, the introduction of external terraces is particularly unneighbourly and unacceptable in this location in close proximity to this neighbouring building.

The applicant had been made aware of officer's concerns, but do not accept them, on the basis that the balconies are semi recessed and the flank windows to Lords View 1 are located towards the southern end of the building. Other reasons cited for not omitting these balconies are that they are positive amenity and design features, and their removal would be detrimental to the architectural composition of the building and would have a negative impact on the daylight levels and aspect of the affected rooms. Notwithstanding this justification, officers remain unconvinced by the balconies on the west flank of the building and propose to seek their removal at 2nd to 8th floor levels, through an amending condition. Given that these are secondary balcony/terraces to the proposed flats, this is not considered to significantly compromise their amenity space.

It is likely that any redevelopment of this site, due to its proximity to Lords View I, would result in some loss of daylight to flank windows to Lords View 1, especially given its location close to the application site.

Given the location of the proposed development, its height and scale and the detailed design, subject to the omission of west facing balconies, it is not considered to result in any significant unacceptable amenity implications for occupiers of this adjoining building.

It is recognised that the proposal is the third such recent development in the immediate area (see history section) and that as a consequence the townscape particularly to Lodge Road will change considerably. The particularly low rise townscape will be replaced with higher buildings rising from 8 storeys up to 12 storeys adjacent to the 14-storey Danubius Hotel. Whilst residents outlook will inevitably change, it is not considered that the cumulative impact will be significantly detrimental to the amenities currently enjoyed by occupiers of these residential flats in terms of sense of enclosure, daylight and sunlight or privacy.

Lords View II & Pavilions

These buildings are located a sufficient distance from the application site such that they are not affected by the proposed redevelopment.

Strathmore Court and Beverley House, 133 Park Road and 14 Lodge Road

These buildings are located around 65-70m east of the application site and would see no significant reduction in daylight or sunlight and are sufficiently distant of the application site so as not to impact on sense of enclosure or privacy.

36-44 Lodge Road

This site has planning permission for a residential redevelopment comprising of buildings of between 5-12 storeys located around 20-25m+ west of the application site (beyond the Post office sorting office) with both north and east facing windows. The proposed development would result in a loss of daylight to some of its windows. Five bedroom windows within its rear elevation (set back element) would see a reduction in daylight however; these bedrooms are 1 of 3 bedrooms within these flats and due to their location, already receive low levels of daylight. In addition, 1 or 2 windows to 7 living/kitchen dining areas within its flank elevation would see a reduction in daylight. However, these flank windows are obscure glazed and the room is served by a number of windows, in many cases including 2 rear facing windows, or front facing windows, which are unaffected.

Other affected windows are rear facing living rooms and bedrooms to ground floor level, 3 living rooms at first, second and third floor levels, and 2 bedrooms to 5th floor and a further 2 flank bedroom windows in the other building, all of which have overhangs (projection or balcony above) which already adversely affect the current levels of daylight they receive.

Overall, whilst the loss of daylight is regrettable, it is not considered to be so significant to warrant withholding permission on this ground.

The Danubius Hotel

The hotel lies directly east of the site and as with the application site extends from St John's Wood Road to Lodge Road, with west facing windows. The unusual design of the building is such that its windows face the boundary with this site and from which it relies on light and air, which is not particularly neighbourly. Notwithstanding the Danubius Hotel's request, given the hotel use, the applicant has not undertaken an assessment of the potential impact of the proposal on the daylight and sunlight currently received by windows serving hotels rooms. Notwithstanding this, the applicant's overshadowing assessment indicates a significant increase in overshadowing to the hotel. Given the design of the hotel building, the orientation of its windows and its proximity to the site, it is inevitably also likely to suffer from a significant loss of daylight and sunlight. However, as a commercial use, hotel rooms are not afforded the same protection as residential properties and as such whilst regrettable, the loss of daylight and sunlight and overshadowing, is not considered a sustainable reason in which to withhold permission.

The proposed Building 2 relies on significant fenestration to all of its elevations, including its eastern flank with the Danubius Hotel. As in the case with its flank with Lords View 1, this is disappointing, however given the commercial hotel use, this would be difficult to sustain as unacceptable. However, the applicant should be aware that given the location of this fenestration is unlikely to be afforded significant protection in the event of any future redevelopment of the hotel.

Lords Cricket Ground

The Nursery Ground part of Lords Cricket ground, which includes the indoor cricket school and gym, offices, shop and hospitality building, lies directly north of the application site, on the opposite side of St John's Wood Road. The applicant has submitted an assessment of the impact of the proposed development on

sunlight/overshadowing to open space within this part of Lords Cricket ground. This assessment indicates that most of the external area (84%) of this part of the grounds will continue to receive 5 hours or more of sunlight, which is acceptable and in accordance with the BRE guidelines. In terms of overshadowing, the proposal will result in a slight increase in overshadowing to the south and south east corner of Lords Cricket grounds (junction of Wellington Road and St John's Wood Road) during the morning. Furthermore, it is not considered that the impact of this proposal will significantly impact upon any future proposals for the site.

The Comptons, 30 Lodge Road

At the time of the assessment of the extant 2017 permission, this Royal Mail sorting office building was vacant, but had planning permission for residential redevelopment. However, the potential impact of this proposed development on the future occupiers of this building had been considered and Regal Homes, the owner and developer of this adjacent site had written in support of the proposal. This 10-storey residential building has now been built and therefore the daylight and sunlight assessment has taken this into account more fully. The proposal would not have any significant impact on this development when compared to the extant 2017 permission.

Overall, despite the limited loss of daylight and sunlight and increase in overshadowing to some surrounding identified sites, the impact is not considered so significant to justify withholding permission and the proposal is generally compliant with policy ENV13 of our UDP and S29 of our City Plan.

In assessing the development granted under the extant 2017 permission, it was concluded that overall, despite the limited loss of daylight and sunlight and increased overshadowing, to some surrounding identified sites, the impact was not considered to be so significant to justify withholding permission and the proposal was generally compliant with policies ENV13 of our UDP and S29 of our City Plan. There are no material considerations, which would provide reason to come to a different conclusion for this proposal, which would have the same impact.

8.4 Transportation/Parking

Building 1

The vehicular and pedestrian entrance is proposed from Lodge Road. An on-site access road and vehicular drop off /collect area with a separate entrance and exit is proposed for residents and allows space for an ambulance and other vehicles to drop or collect residents at the entrance if required and also enables waste to be collected from within the site. To the eastern part of the building, an internal vehicular access ramp leads to a single basement car park for 33 cars.

The provision of 33 car parking spaces for 170 sheltered housing units for the elderly, generally accords with policy TRANS 10 which applies a standard of 1 space per 10 units (although not as a maximum or minimum).

Given this policy and the ratio of spaces associated with the existing building (30 spaces for 204 units) the provision is considered to be acceptable in this case, on the basis that they are associated with sheltered accommodation for the elderly and are offered on an un-allocated basis which would need to be secured through a s106 legal agreement along with lifetime car club membership for occupiers.

Furthermore, conditions are recommended to secure disabled access spaces and electrical charging points. The City Council's Highways Planning Manager has indicated that a change in the nature of the type of affordable housing from sheltered accommodation for the elderly to general affordable housing would necessitate a reconsideration of the car parking provision. However if planning permission were to be granted, it would be specifically for sheltered accommodation secured through a s106 legal agreement.

Provision is made for 84 standard cycle parking spaces within the basement, together with 10 larger cycle spaces. A further 6 large cycle spaces are proposed at ground floor level. In addition, 162 flats would have the ability to store cycles within their flat. Given the nature of use, this provision is considered acceptable.

Provision for waste and recycling is provided at basement and ground floor levels, however further details are required to ensure that the provision is satisfactory and meets the requirement of our Cleansing Manager.

Building 2

The vehicular and pedestrian entrance is proposed from St John's Wood Road. An on-site access road and vehicular drop off area with a separate entrance and exit is proposed to provide access to the integral double car lift at ground floor level leading to the basement car park for parking of 78 cars.

The access road also provides access to the separate internal loading bay for off street waste collection. The provision of off street servicing of the building is welcomed in accordance with policy TRANS20 of our UDP. The vehicular access to St John's Wood Road will be designed further as part of a stage 2 Road Safety Audit, to ensure that it meets with the GLA's requirements. As such the concern raised by a resident with respect to road safety is not supported.

The provision of 78 off street car parking spaces for 112 private flats within the basement is considered acceptable in light of policy TRANS23. It is expected that these will be provided on an un-allocated basis and this is proposed to be secured through a s106 legal agreement together with a car lift management and maintenance plan. Furthermore, conditions are recommended to secure disabled access car parking spaces and access to electrical vehicle charging points.

Provision for 198 cycle parking spaces within the basement is acceptable in accordance with the London Plan.

Provision for waste and recycling is provided within the level 1 basement with an internal collection point at ground floor level. However as in the case of building 1, further details are required. In addition, is considered to be sufficient to serve the building.

The Highways Planning Manager has raised the issue of pedestrian accessibility through the site, in so far as it is regrettable that the proposal does not incorporate a pedestrian link from building 1 (sheltered accommodation) on Lodge Road, through the site and grounds of building 2 to St John's Wood Road. However, there is no policy requirement for such an access arrangement. Consequently, residents of Building 1 wanting to get to St John's Wood Road will need to walk via Park Road or Oak Tree Road, which is not unreasonable.

Notwithstanding TFL's objection to the quantum of car parking proposed, for the reasons set out above, the proposed facilities for both buildings 1 and 2 are considered acceptable and satisfy transport policies and our highways planning manager

This is subject to conditions/S106 legal agreement to secure the provision of car parking on an unallocated basis, cycle parking and waste and recycling., lifetime car club membership for occupiers of building 1, a management and maintenance plan for the double car lift to building 2, as well as associated highways works to facilitate the development including vehicular access crossovers to both Lodge Road and St John's Wood Road, the latter of which requires consultation with Transport for London, as St John's Wood Road is part of the Transport for London Road Network.

8.5 Economic Considerations

The economic considerations raised by this proposal are set out in the land use section of this report.

8.6 Access

Accessibility considerations are set out throughout the report and specifically within the land use and transportation sections.

8.7 Other UDP/Westminster Policy Considerations

Noise & vibration

London Underground tunnels (Metropolitan and Jubilee) and National Rail over-ground lines, which are used by freight trains, run beneath the adjacent Danubius hotel to the east of the site. However, Environmental Health has confirmed that the proposed residential accommodation at ground floor level and above would not be adversely affected by noise or vibration from these tube and rail lines.

The proposed plant associated with the development would be located within the basement and roof of Building 1 and the basement, roof and ground floor (including the car lift) of building 2. In addition UKPN substations are proposed at ground floor level within both buildings. Environmental Health are satisfied with the proposal, subject to conditions to ensure that any mechanical plant meets the City Council's standard noise conditions to prevent noise disturbance to existing and future residents. Subject to the imposition of conditions the proposal would comply with Policy ENV6 and ENV7 of our UDP and policy S32 of our City Plan

Trees and soft landscaping

All 19 trees within the boundary of the site are proposed to be removed. These are predominantly small trees and evergreen shrubs including cabbage palm, yew and silver birch trees. None of these trees are of sufficient quality to insist on their retention and therefore their loss is acceptable subject to suitable replacements.

However, there are also a number of trees outside of but in close proximity of the application site. These are 3 mature London Plane trees directly outside of the site on the pavement, along St John's Wood Road, which are owned and managed by TFL, and a Fastigiata Oak on Lodge Road. As such, the protection of these trees will need to be secured through a S106 legal agreement.

The principle of soft landscaping as part of the development from ground to roof level is encouraged in principle in biodiversity terms and the financial contribution of £20,000 for planting of street trees will go some way to mitigate against the modest tree planting within the proposal (as in the case of the extant 2017 permission). However, unfortunately, due to some changes to the proposed soft landscaping and tree planting, compared to the extant 2017 permission, the proposals are considered to be retrograde and have brought about objection from our arboricultural officer. Discussions are taking place to resolve this and to ensure that the proposed soft landscape and tree planting strategy is equivalent to or an improvement on the extant permission, with respect to the following:-

- Proximity of basement slab/boundary to and protection of London Plane Trees on St John's Wood Road .
- Proposed tree planting and soft landscaping and nature/size of planters, soil volume and depth, quantum of soft landscaping and clarifications

An update on this matter will be reported to committee with a view to satisfying policies DES1, ENV16 and ENV17 of our UPP and policy S38 of our City Plan.

Sustainability

Policy 5.2 of the London Plan refers to Minimising Carbon Dioxide Emissions and states that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

1. Be lean: use less energy
2. Be clean: supply energy efficiently
3. Be green: use renewable energy

City Plan Policy S40 considers renewable energy and states that all major development throughout Westminster should maximise on-site renewable energy generation

The application is accompanied by a Sustainability Statement and Energy Strategy, which sets out the sustainability credentials of the building. The applicant proposes a combination of roof mounted Photovoltaic (PV) panels, high efficiency gas fired condensing boilers and air source heat pumps.

The applicant has also provided a commitment to ensuring that the development is designed to allow future connection to a district heating network, although is not linking the energy strategy for two proposed buildings.

Through enhanced energy efficiency standards the development is set to achieve an overall reduction in regulated CO2 emissions and a carbon offset payment of £268,493.40 (based on £60 per tonne over 30 years) is proposed to offset the shortfall.

Furthermore, ongoing discussions are taking place between the applicant and the technical officer of the GLA and any update will be reported verbally.

8.8 Westminster City Plan

The City Council is currently working on a complete review of its City Plan. Informal consultation on the first draft of Westminster's City Plan 2019-2040 took place between Monday 12 November 2018 and Friday 21 December 2018. Following this informal consultation, the draft plan has been revised and formal consultation is now being carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between Wednesday 19 June 2019 and Wednesday 31 July 2019. In the case of a draft local plan that has been published for consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012, including a second revision Regulation 19 plan, it remains at a pre-submission stage (i.e. has yet to be submitted to the Secretary of State for Examination in Public) and therefore, having regard to the tests set out in para. 48 of the NPPF, it will generally attract very limited weight at this present time.

8.9 Neighbourhood Plans

Not relevant to this location.

8.10 London Plan

Given the proposed height of the building (over 30m) and number of residential units proposed (over 150), the application has been referred to the Mayor. The Mayor's Stage 1 letter indicates that whilst the proposal is generally acceptable in strategic terms it does not fully comply with the London Plan 2015 and draft London Plan. Further information/confirmation is required in respect of climate change and transport.

If the City Council resolves to make a draft decision on the application, it must consult the mayor again (stage 2) and allow 14 days for his decision as to whether to direct a refusal, take it over for his own decision to allow the City Council to determine it itself.

8.11 National Policy/Guidance Considerations

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

Further to the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the City Council cannot impose a pre-commencement condition (a condition which must be discharged before works can start on site) on a planning permission without the written agreement of the applicant, unless the applicant fails to provide a substantive

response within a 10 day period following notification of the proposed condition, the reason for the condition and justification for the condition by the City Council.

All conditions have and continue to be discussed with the applicant and any further response will be reported to committee.

8.12 Planning Obligations

On 6 April 2010 the Community Infrastructure Levy (CIL) Regulations came into force which make it unlawful for a planning obligation to be taken into account as a reason for granting planning permission for a development, or any part of a development, whether there is a local CIL in operation or not, if the obligation does not meet all of the following three tests:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

Policy S33 of the City Plan relates to planning obligations. It states that the Council will require mitigation of the directly related impacts of development; ensure the development complies with policy requirements within the development plan; and, if appropriate, seek contributions for supporting infrastructure. Planning obligations and any Community Infrastructure Levy contributions will be sought at a level that ensures the overall delivery of appropriate development is not compromised.

From 6 April 2015, the Community Infrastructure Levy Regulations (2010 as amended) impose restrictions on the use of planning obligations requiring the funding or provision of a type of infrastructure or a particular infrastructure project. Where five or more obligations relating to planning permissions granted by the City Council have been entered into since 6 April 2010, which provide for the funding or provision of the same infrastructure types or projects, it is unlawful to take further obligations for their funding or provision into account as a reason for granting planning permission.

These restrictions do not apply to funding or provision of non-infrastructure items (such as affordable housing) or to requirements for developers to enter into agreements under Section 278 of the Highways Act 1980 dealing with highway works. The recommendations and detailed considerations underpinning them in this report have taken these restrictions into account.

The City Council has consulted on the setting of its own Community Infrastructure Levy, which is likely to be introduced in Spring 2016. In the interim period, the City Council has issued interim guidance on how to ensure its policies continue to be implemented and undue delay to development avoided. This includes using the full range of statutory powers available to the Council and working pro-actively with applicants to continue to secure infrastructure projects by other means, such as through incorporating infrastructure into the design of schemes and co-ordinating joint approaches with developers.

For reasons outlined elsewhere in this report, the following matters are required to be secured by way of a S106 legal agreement:-

- a)
 - i) Provision of affordable housing in the form of 153 units of sheltered accommodation for the elderly (Class C3) (3 studios, 146 one bedroom, 4 two bedroom) within floors ground to nine of building 1, in perpetuity and at charges made to residents at no higher than target rent levels.
 - ii) option for previous/existing residents to return to building 1 as a first option subject to their needs being met by the new development.
 - iii) 100% nomination rights on first occupancy of the affordable housing units and to all true voids arising after first occupancy.
- b) Early and Late Stage viability reviews
- c) Not to occupy building 2 until practical completion of building 1.
- d) Highways works to Lodge Road and St John's Wood Road to facilitate the proposed development and including vehicular crossovers and paving.
- e)
 - i) Car park strategy for building 1 to provide 33 car parking spaces on an unallocated basis.
 - ii) Car park strategy for building 2 to provide 78 car parking spaces on an unallocated basis and to carry out the development in accordance with a car lift maintenance and management plan.
- f) A financial contribution of £20,000 towards tree planting to Lodge Road
- g) Lifetime Car club membership for the occupiers of Building 1.
- h) Provision of Public Art to a minimum value of £60,000
- i) Carbon Off-set payment £ 268,493.40
- j) Tree protection methodology including details of arboricultural supervision and monitoring to off-site trees.
- k) The costs of monitoring the S106 agreement

All contributions are to be index linked and paid on commencement of development.

The estimated Mayoral and Westminster City Council CIL payment is £8.5m, based on the following:

- Mayoral CIL £1.75m
- WCC CIL £13.75m
- Anticipated social housing relief of £7m

8.13 Environmental Impact Assessment

8.14 Environmental Impact issues have been covered throughout the report.

8.15 Other Issues

Conditions

The applicant has been in discussions with a number of parties with respect to seeking to provide relevant information to enable compliance conditions to be attached to the draft decision rather than pre-commencement conditions (e.g. Code of Construction Practice, Construction Logistics Plan etc. At the time of writing this report it was not possible to agree to this as discussions had not reached conclusions. However any update on this will be reported to Planning Applications Committee and it is also considered appropriate to seek to agree this where appropriate if matters are concluded post resolution and before completion of any s106 legal agreement.

The applicant has also requested that consideration be given to the imposition of an additional condition to allow some flexibility to amend the unit mix/residential layout of building 2 at a later date should this be required, for example a minimum of 100 units and maximum of 112 units. However, officers consider that there are already procedures in place for the applicant to seek amendments to a planning permission, by making an application for a non-material amendment or minor material amendment and that such a condition is not appropriate.

Building Control

The City Council's building control officer has requested further structural details, in order to fully support the proposal. An update on this will be presented to committee

Construction impact

The applicant has submitted a Code of Construction Practice Appendix A, confirming their agreement to join and be bound to Westminster's code of Construction Practice. This is to be required by condition.

The City Council's code of Construction Practice and associated Environmental Inspectorate have been developed to mitigate against construction and development impacts on large and complex development sites.

Crime and security

The scheme does not raise any significant issues with regard to crime and security and the applicant is in discussions with the Crime Prevention Design Officer.

Community involvement

The applicant has provided a statement of community involvement, which indicates that they have engaged with the local community and have undertaken pre-application consultation.

(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: SARAH WHITNALL BY EMAIL AT swhitnall@westminster.gov.uk.

9. KEY DRAWINGS

BUILDING 1- Lodge Road

3.1.3 Additional Floor Analysis



Consented Scheme

- Current building rises to a height of ground plus 12 storeys
- Ground floor areas provide space for communal activities with active frontages along both Lodge Road to the south and communal gardens to the north

Materiality

- The building has been conceived as a modern interpretation of a mansion block synonymous with the St John's Wood area
- Materials have been chosen which contextualise with its surroundings including reconstituted stone, bronze effect metalwork and light faced brickwork

Upper Levels

- Approach to the upper floors includes providing significant areas of outdoor terracing for residents to enjoy
- Plant zones are located within the basement of the building and in roof areas not accessible to residents



Proposed Scheme

- Building increased to a height of ground plus 13 storeys. Additional height achieved by reducing floor to floor build-ups whilst maintaining 2.5m floor to ceiling height in habitable rooms
- Ground floor areas unchanged providing space for communal activities with active frontages along both Lodge Road to the south and communal gardens to the north. Additional height achieved by reducing height within these areas to 3m

Materiality

- The approach to materiality across all elevations of the building remains unchanged

Upper Levels

- All terraces within the development have been retained and are accessible to residents
- Plant zones has been retained within the basement and in roof areas not accessible to residents albeit plant has been increased due to changes in legislation relating to energy, since planning permission was granted.

BUILDING 1- Lodge Road

3.1.4 North Facade Frame Redesign



Consented Scheme

- Current north facing elevation designed to ensure all residents have access to private amenity space
- Balconies designed with planters to increase privacy as properties overlook adjacent residential developments
- Frame included to support balconies whilst also adding visual interest

Materiality

- Use of materiality is in keeping with the south elevation however the design approach is more playful. This enhances the environment between this and adjacent developments



Proposed Scheme

- Frame removed from all areas other than those wrapping the protruding balconies. Frame retained around balconies to provide support, give residents a sense of enclosure and add visual interest to the facade
- Balconies designed with end panels to increase privacy as properties overlook adjacent residential developments. The planters have been removed, due to concerns over maintenance and upkeep of these

Materiality

- External frame clad in reconstituted stone as per consented scheme. This retains the concept whilst allowing the savings to be incorporated into delivering more affordable homes on the site
- Balcony elements clad in powder coated aluminium to match window surrounds and spandrel panels

BUILDING 1- Lodge Road



BUILDING 1- Lodge Road

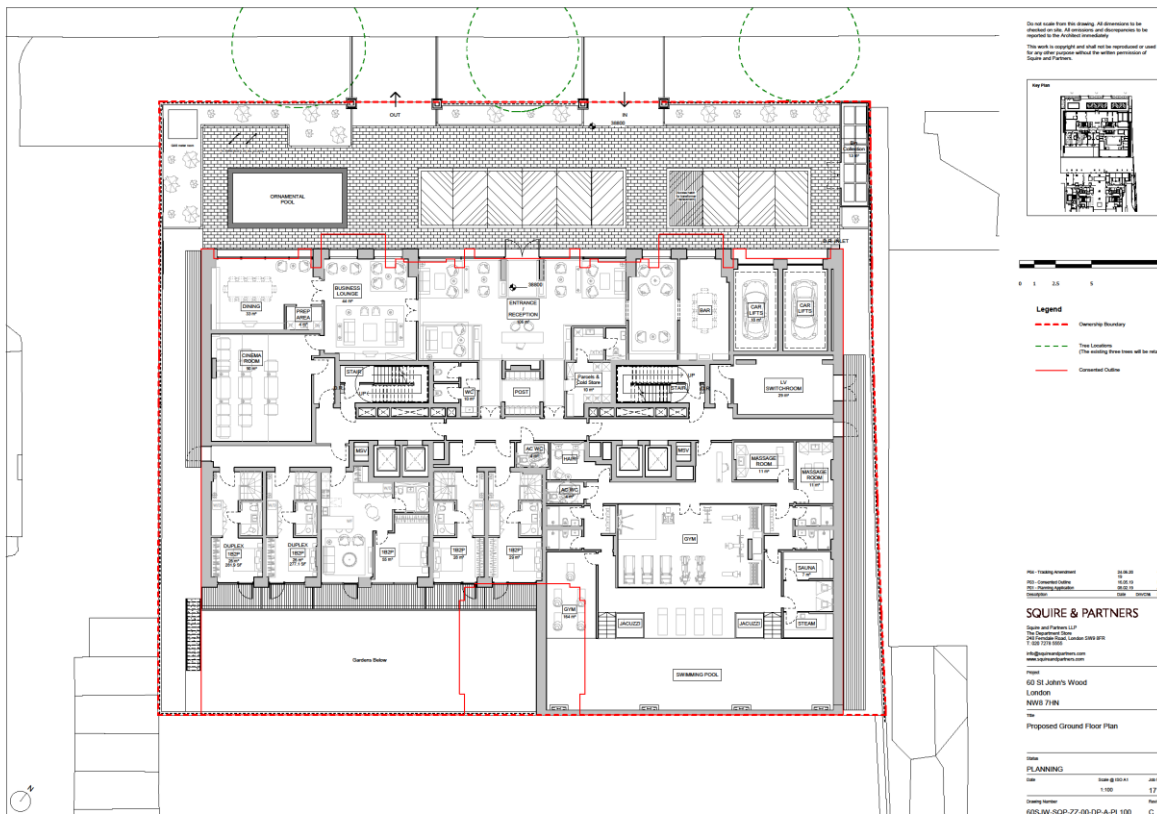


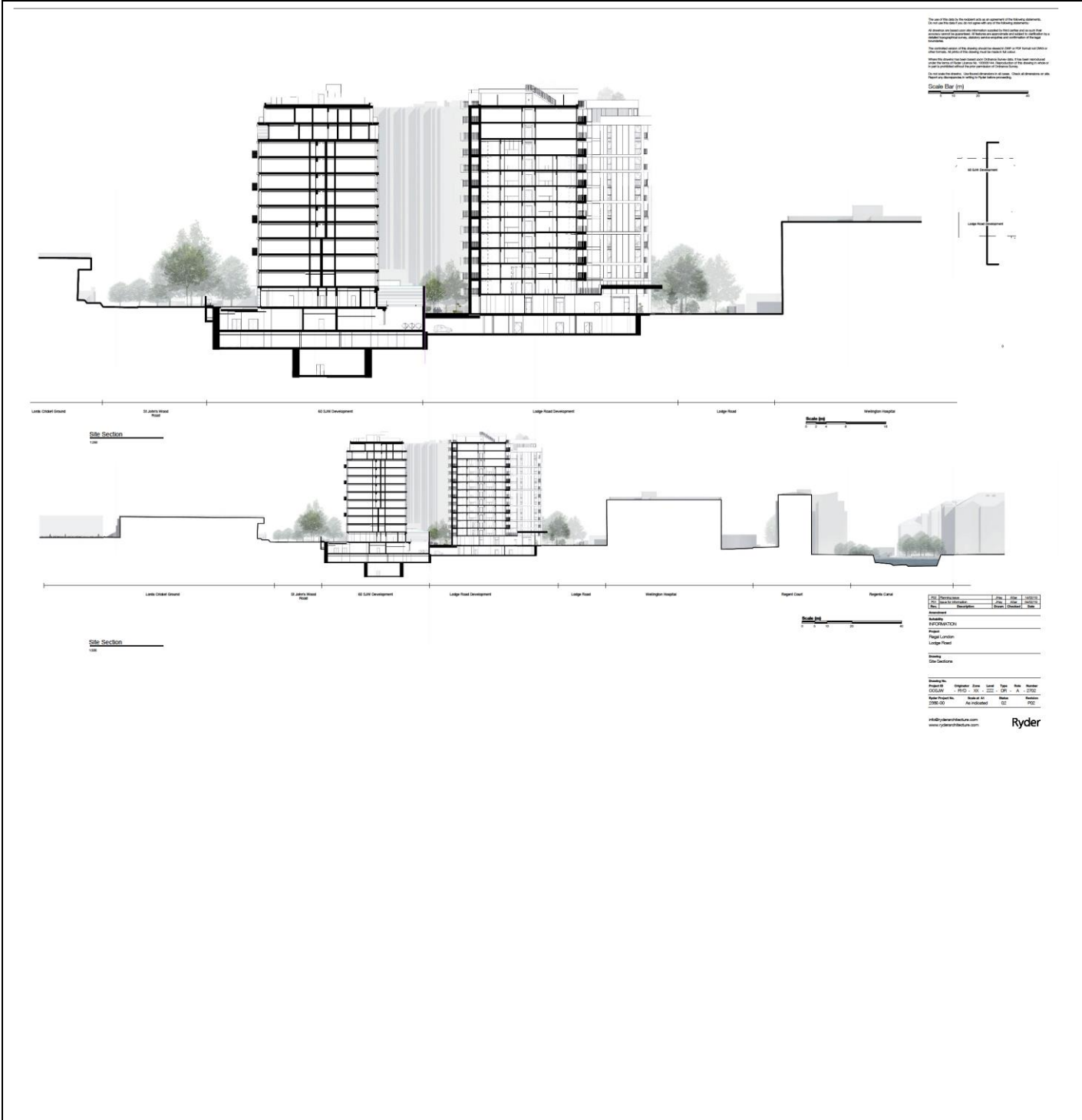
BUILDING 2 – St John’s Wood Road

5.0
Verified Views



BUILDING 2- St John's Wood Road

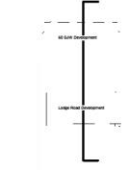




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Scale Bar (m)

0 5 10 15



Rev	Description	Date	By	App'd
01	Issue for Information	15/09/2021	AM	AM
02	Issue for Approval	15/09/2021	AM	AM
03	Issue for Construction	15/09/2021	AM	AM

Project Information
 Project: Rydon Lorton
 Location: Rydon Lorton
 Drawing: Site Section
 Scale: 1:100
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DRAFT DECISION LETTER

- Address:** Dora House, 60 St John's Wood Road, London, NW8 7HN,
- Proposal:** Demolition of the existing building and redevelopment to provide two buildings: Building 1 comprising one basement level, ground and thirteen upper floors containing car parking, plant, affordable sheltered accommodation and market sheltered accommodation (Class C3), ancillary communal areas; Building 2 comprising sub-basement, two basement levels, ground and eleven upper floors containing plant, car parking, residential accommodation (Class C3) and ancillary leisure; reconfigured vehicular and pedestrian access together with landscaping and other works in association with the development.
- Reference:** 19/01284/FULL
- Plan Nos:** CCSJW-RYD-XX-ZZZ-DR-A-2001-P03, CCSJW-RYD-XX-ZZZ-DR-A-2002-P02, CCSJW-RYD-XX-ZZZ-DR-A-2701-P02, CCSJW-RYD-XX-ZZZ-DR-A-2702-P02, CCSJW-RYD-XX-099-DR-A-3009-P09, CCSJW-RYD-XX-100-DR-A-3010-P05, CCSJW-RYD-XX-101-DR-A-3011-P02, CCSJW-RYD-XX-102-DR-A-3012-P02, CCSJW-RYD-XX-103-DR-A-3013-P02, CCSJW-RYD-XX-104-DR-A-3014-P02, CCSJW-RYD-XX-105-DR-A-3015-P02, CCSJW-RYD-XX-106-DR-A-3016-P02, CCSJW-RYD-XX-107-DR-A-3017-P02, CCSJW-RYD-XX-108-DR-A-3018-P02, CCSJW-RYD-XX-109-DR-A-3019-P02, CCSJW-RYD-XX-110-DR-A-3020-P02, CCSJW-RYD-XX-111-DR-A-3021-P03, CCSJW-RYD-XX-112-DR-A-3022-P03, CCSJW-RYD-XX-113-DR-A-3023-P02, CCSJW-RYD-XX-114-DR-A-3024-P02, CCSJW-RYD-XX-ZZZ-DR-A-3601-P03, CCSJW-RYD-XX-ZZZ-DR-A-3602-P04, CCSJW-RYD-XX-ZZZ-DR-A-3603-P04, CCSJW-RYD-XX-ZZZ-DR-A-3604-P04, CCSJW-RYD-XX-ZZZ-DR-A-3801-P03, CCSJW-RYD-XX-ZZZ-DR-A-3802-P03, CCSJW-RYD-XX-ZZZ-DR-A-4901-P02, CCSJW-RYD-XX-ZZZ-DR-A-4902-P02, CCSJW-RYD-XX-ZZZ-DR-A-4903-P02, CCSJW-RYD-XX-ZZZ-DR-A-4904-P03, CCSJW-RYD-XX-ZZZ-DR-A-4910-P02, CCSJW-RYD-XX-ZZZ-DR-A-4911-P01, CCSJW-RYD-XX-ZZZ-DR-A-3520-P02, CCSJW-RYD-XX-ZZZ-DR-A-3521-P03, CCSJW-RYD-XX-ZZZ-DR-A-3522-P02, 60SJW-SQP-ZZ-00-DP-A-PL100-C, 60SJW-SQP-ZZ-01-DP-A-PL101-A, 60SJW-SQP-ZZ-02-DP-A-PL102-A, 60SJW-SQP-ZZ-03-DP-A-PL103-A, 60SJW-SQP-ZZ-10-DP-A-PL110-A, 60SJW-SQP-ZZ-11-DP-A-PL111-A, 60SJW-SQP-ZZ-12-DP-A-PL112-A, 60SJW-SQP-ZZ-12-DP-A-PL113-A, 60SJW-SQP-ZZ-B1-DP-A-PL114-B, 60SJW-SQP-ZZ-B2-DP-A-PL115-B, 60SJW-SQP-ZZ-B3-DP-A-PL116-A, 60SJW-SQP-ZZ-ZZ-DE-A-PL400-A, 60SJW-SQP-ZZ-ZZ-DE-A-PL401-A, 60SJW-SQP-ZZ-ZZ-DE-A-PL402-A, 60SJW-SQP-ZZ-ZZ-DS-A-PL650-A, 60SJW-SQP-ZZ-ZZ-DS-A-PL651-A, 60SJW-SQP-ZZ-ZZ-DD-A-PL850-A, 60SJW-SQP-ZZ-ZZ-DD-A-PL851-A, 60SJW-SQP-ZZ-ZZ-DD-A-PL852-A, Design and Access Statement dated February 2019, Air Quality Assessment dated February 2019, Noise and Vibration Impact Assessment dated February 2019, Daylight, Sunlight and Overshadowing Report dated February 2019, Sustainability Statement dated February 2019, Surface Water Drainage Assessment dated February 2019, Ecology Statement dated February 2019, Transport Statement dated 2019, Arboricultural Report: Assessment of trees date February 2019, Written Scheme of Investigation for an Archaeological Watching Brief dated May 2019 (CgMs Ref: CC/25529), Assessment of Impact of Redevelopment on Thames Water

Assets, Revision 2, dated May 2019 (Report no. 18000001) , Energy Report for Planning, Revision A, dated May 2019, Email dated 29.05.2019 and attachment from DP9 to TfL, Email dated 21.06.2019 and attachments from DP9 to GLA regarding energy, Email dated 27.06.2019 and attachments regarding trees ,

Case Officer: Sarah Whitnall

Direct Tel. No. 020 7641 2929

Recommended Condition(s) and Reason(s)

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

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only: , o between 08.00 and 18.00 Monday to Friday; , o between 08.00 and 13.00 on Saturday; and , o not at all on Sundays, bank holidays and public holidays. , , You must carry out piling, excavation and demolition work only: , o between 08.00 and 18.00 Monday to Friday; and , o not at all on Saturdays, Sundays, bank holidays and public holidays. , , Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC),

- 3 Prior to the commencement of any:, (a) demolition, and/or, (b) earthworks/piling and/or , (c) construction , on site you must apply to us for our written approval of evidence to demonstrate that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of the relevant completed Appendix A checklist from the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Sciences Team, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of the relevant stage of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval through submission of details prior to each stage of commencement. (C11CD)

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and of our Unitary Development Plan that we adopted in January 2007. (R12AC)

You are required to include specific provisions for securing the following ; , A full SEMP to cover the following: , , a. Site Information:; i. Environmental management structure; ; ii. Location of any potentially sensitive receptors; , , b. Environmental Management:; i. Summary of main works; ii. Public access and highways (parking, deliveries, loading/unloading, site access and egress, site hoardings); iii. Noise and vibration (predictions, managing risks and reducing impacts); iv. Dust and Air Quality (risk rating, managing risks and reducing impacts); v. Waste management (storage, handling, asbestos, contaminated land); vi. Water Resources (site drainage, surface water and groundwater pollution control, flood risk); vii. Lighting; viii. Archaeology and build heritage (if applicable); ix. Protection of existing installations (if applicable); x. Urban ecology (if applicable); xi. Emergency procedures; ; xii. Liaison with the local neighbourhood.; , c. Monitoring:; i. Details of receptors; ii. Threshold values and analysis methods ; ; iii. Procedures for recording and reporting monitoring results; ; iv. Remedial action in the event of any non-compliance.; , , as part of the site environmental management plan or construction management plan required to comply with the Council's Code of Construction Practice referred to in condition 3.

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC),

- 5 The development hereby permitted shall not be commenced until detailed ground movement analysis (in consultation with London Underground), has been submitted to and approved in writing which: , , Provide details of the ground movement , Accommodate the location of the existing London Underground structures and tunnels.; , The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason:

To ensure that the development does not impact on existing London Underground Transport infrastructure, in accordance with London Plan 2015 Table 6.1 and Land for Industry and Transport Supplementary Planning Guidance 2012.

- 6 The development hereby permitted shall not be commenced until the following details, have been submitted to and approved in writing (in consultation with Network Rail):- , , 1. Details of the position of the dead bores / tunnels included on the plans and elevations. , , 2. Details of the piling works on site and also any foundation piles and where these will be sited. , , 3. Details of all excavation and earthworks.; , 4. Any increase or decrease of loading on the tunnels both temporary and permanent as well as certified proof that the proposal will have no detrimental impact upon the tunnels.; , 5. Detail of the location and distance of the dead tunnel bores from the site.; , 6. Confirmation of any tower crane working on site with a method statement and risk assessment (RAMS) for the works. , , 7. A RAMs for all works including demolition within 10m of Network Rail Land. , , 8. Drainage plans for the site. , , 9. A BAPA if required between the developer and Network Rail.; , 10. Confirmation that all construction works and all maintenance works can be carried out on the developer's land ownership footprint only without any encroachment onto Network Rail land and without over-sailing Network Rails air-space.; , 11. Network Rail to retain unencumbered rights of access to any existing tunnel shafts.; , 12. Reimbursement to Network Rail of the cost of any remedial works to damage or deterioration of the tunnel structures caused by any development and in this respect Network Rail reserves the right to

carry out any necessary emergency work on the site at the Developer's expense should this become necessary to safeguard the integrity of the tunnel structure.

Reason:

To ensure that the proposed development does not impact on existing Network Rail infrastructure, in accordance with London Plan 2015 Table 6.1 and Land for Industry and Transport Supplementary Planning Guidance 2012.

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

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration. (R48AA)

- 8 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., , (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., , (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:, (a) A schedule of all plant and equipment that formed part of this application;, (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;, (c) Manufacturer specifications of sound emissions in octave or third octave detail;, (d) The location of most affected noise sensitive receptor location and the most affected window of it;, (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;, (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;, (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;, (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;, (i) The proposed maximum noise level to be emitted by the plant and equipment.

Item No.
1

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R46AB)

- 9 (1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm,, and shall be representative of the activity operating at its noisiest., (2) Where noise emitted from the proposed internal activity in the development (building A or B) will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within the residential use hereby permitted within building A and B, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest., (3) Following completion of the development, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include: (a) The location of most affected noise sensitive receptor location and the most affected window of it; (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location; (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures; (d) The lowest existing LA90, 15 mins measurement recorded under (c) above; (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition; (f) The proposed maximum noise level to be emitted by the activity.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007 (UDP), so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R47AB)

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

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise. (R49AA)

- 11 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant within buildings A and B will comply with the Council's noise criteria as set out in Conditions 7, 8, 9, 10 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. (R51AB)

- 12 The development hereby permitted shall not be commenced (including impact piling) until , , a) a Drainage strategy detailing any on and /or off site drainage works has been submitted to and approved in writing by the City Council in liaison with Thames Water. No discharge of foul water from the shall be accepted into the public system until the drainage works referred to in the strategy have been completed., , b) a Piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme of works) has been submitted to and approved in writing by the Local Planning Authority (in liaison with Thames Water). Any piling must be undertaken in accordance with the terms of the approved piling method statement., , c) measures to minimise groundwater discharges into the public sewer.

Reason:

In order to protect Thames Water infrastructure and the environment.

- 13 Prior to occupation of building 2, a Car lift and maintenance operational plan (to include details of the lifts, maintenance regime and breakdown response times) shall be submitted and approved by the local planning authority. The development shall then be carried out in accordance with the details approved.

Reason:

To provide parking spaces for people living in the residential part of the development as set out in STRA 25 and TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R22BB)

- 14 You must provide each car parking space shown on the approved drawings for both building A and B and each car parking space shall only be used for the parking of vehicles of people living in the relevant building of the development (Building A or B). (C22BA)

Reason:

To provide parking spaces for people living in the residential part of the development as set out in STRA 25 and TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R22BB)

- 15 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2016 (R22FA)

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

Reason:

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

- 17 A. The provision for the storage of waste and recyclable materials, must be provided accordance with the details shown on drawing numbers CCSJW- RYD-XX-ZZZ-DR- 3520 Revision P01, CCSJW- RYD-XX-ZZZ-DR- 3521 Revision P01 and CCSJW- RYD-XX-ZZZ-DR- 3522 Revision P01, and as set out under this condition., clearly mark the stores and make them permanently available to everyone using the relevant building (Building A or B) and thereafter used for no other purpose., , B. Waste management, storage and servicing must be carried out in accordance with the Design and Access Statement (DAS) section 3.9.1 Refuse and Recycling., , C. Prior to Commencement of development of the relevant building, a chute servicing and management plan must be submitted to the City Council indicating periodical cleaning, servicing and maintenance schedule of the chute system to include details of:, , oThe details must include alternative action plan to store and manage waste collection on site in any event of chute breakdown., , oQuarterly Records and logs of servicing and maintenance of the chutes must be kept for a minimum of two years., , oIn any event of chute breakdown, the chute must be repaired within 28 days. , , D. Two separate chutes (one for waste and the other for recycling) measuring 600mm in diameter must be installed in each cluster of the development., , E. No waste or bins should be left or stored on the public highway pending collection., , ,

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

Item No.
1

- 18 You must provide the access for people with disabilities as shown on the approved drawing(s) and as outlined in the Design and Access Statement before you use the building. (C20AB)

Reason:

To make sure that there is reasonable access for people with disabilities and to make sure that the access does not harm the appearance of the building, as set out in S28 of Westminster's City Plan (November 2016) and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R20AC)

- 19 You must not carry out demolition work unless it is part of the complete development of the site. You must carry out the demolition and development without interruption and in its entirety and according to the drawings we have approved. (C29BB)

Reason:

To maintain the setting of the St Johns Wood and Conservation area and Regents Park Conservation Area as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 9 (B) of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29AC)

- 20 You must put a copy of this planning permission and all its conditions at street level outside the building for as long as the work continues on site., , You must highlight on the copy of the planning permission any condition that restricts the hours of building work. (C21KA)

Reason:

To make sure people in neighbouring properties are fully aware of the conditions and to protect their rights and safety. (R21GA)

- 21 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located for , A) Building 1, B) Building 2 , You must not start any work on the relevant parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the setting of the St Johns Wood Conservation Area and Regents Park Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

You must apply to us for approval of 3m x 3m of fabricated sample panels of the following parts of the development: A) all typical facade bays to building 1, B) all typical facade bays to building 2. The sample(s) should demonstrate the colour, texture, face bond, pointing and means of construction (including any typical expansion/movement joints). You must not start any work on the relevant building until we have approved the sample panels. You must then carry out the work according to these approved sample(s).

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the setting of the St Johns Wood Conservation Area and Regents Park Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 23 You must apply to us for approval of detailed drawings at 1:5 and 1:20 of the following parts of the development - A) typical bay details to all new facades to building 1, B) typical bay details to all new facades to building 2, to indicate the following: i) windows; ii) external doors; iii) cills; iv) reveals; v) fascias and canopies; vi) indicative locations and design principles for display of any signage; vii) location and size of movement joints; viii) step backs in façade; ix) interfaces with windows; x) interfaces with landscaping and details of planters; xi) interfaces with architectural metalwork; xii) ventilation and other services terminations at façade and roof level, xiii) balconies including method of drainage; xiv) railings and balustrades; xv) integral lighting. You must not start any work on the relevant building until we have approved what you have sent us. You must then carry out the work according to these approved drawings.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the setting of the St Johns Wood Conservation Area and Regents Park Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 24 You must not paint any outside walls of building A or B without our permission. This is despite the fact that this work would normally be 'permitted development' (under class C of part 2 of schedule 2 to the Town and Country Planning General Permitted Development (England) Order 2015) (or any order that may replace it). (C26WB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the setting of the St Johns Wood Conservation Area and Regents Park Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 25 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes the number, size, species and position of trees and shrubs and full details of the proposed green

roofs including construction method, layout, species and maintenance regime for :- , A) Building 1, B) Building 2 , , You must not start work on the relevant part of the development (site of building 1 or site of building 2) until we have approved what you have sent us. You must then carry out the landscaping and planting within 1 planting season of completing the relevant building (building 1 or building 2) (or within any other time limit we agree to in writing)., , If you remove any trees or find that they are dying, severely damaged or diseased within 5 years of planting them, you must replace them with trees of a similar size and species. (C30CB)

Reason:

To improve the appearance of the development, to make sure that it contributes to the settings of the St Johns Wood and Regents Park Conservation Areas, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

- 26 **Pre Commencement Condition.** You must apply to us for approval of a method statement explaining the measures you will take to protect the trees on and close to the site. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved in writing what you have sent us. You must then carry out the work according to the approved details. (C31CC)

Reason:

Pre Commencement Condition. You must apply to us for approval of a method statement explaining the measures you will take to protect the trees on and close to the site. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved in writing what you have sent us. You must then carry out the work according to the approved details. (C31CC)

- 27 **Pre-Construction Condition:-** A scheme of public art must be submitted and approved by the City Council prior to commencement of the construction of the development (excluding demolition). You must not start work on the public art until we have approved what you have sent us. You must then provide the public art according to the approved details, prior to the occupation of the relevant building. You must thereafter maintain the approved public art and keep it on this site. You must not move or remove it. (C37AB)

Reason:

To make sure the art is provided for the public and to make sure that the appearance of the building is suitable. This is as set out in DES 7 (A) of our Unitary Development Plan that we adopted in January 2007. (R37AB)

- 28 No development shall take place, including any works of demolition, until the following plans have been submitted to and approved in writing by the City Council as local planning authority in liaison with Transport for London:-, , a) Delivery and Service Plan , b) Construction Logistics Plan , , These documents should detail the traffic impact resulting from construction vehicles and delivery and servicing vehicles on St Johns Wood Road (part of the Strategic Road Network). You must not start work until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

Reason:

In order to appropriately manage any potential adverse effects on the local road network, as requested by Transport for London.

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, neighbourhood plan (where relevant), supplementary planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- 2 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to:-, , a) i) Provision of affordable housing in the form of 153 units of sheltered accommodation for the elderly (Class C3) (3 studios, 146 one bedroom, 4 two bedroom) within floors ground to nine of building 1, in perpetuity and at charges made to residents at no higher than target rent levels., , ii) option for previous/existing residents to return to building 1 as a first option subject to their needs being met by the new development. , , iii) 100% nomination rights on first occupancy of the affordable housing units and to all true voids arising after first occupancy., , b) Early and Late Statge viability reviews, , c) Not to occupy building 2 until practical completion of building 1???, d) Highways works to Lodge Road and St John's Wood Road to facilitate the proposed development and including vehicular crossovers and paving., e) , i) Car park strategy for building 1 to provide 33 car parking spaces on an unallocated basis., ii) Car park strategy for building 2 to provide 78 car parking spaces on an unallocated basis and to carry out the development in accordance with a car lift maintenance and management plan., f) A financial contribution of £20,000 towards tree planting to Lodge Road (index linked and payable on commencement of development)., g) Lifetime Car club membership for the occupiers of Building 1., h) Provision of Public Art to a minimum value of £60,000, i) Carbon Off-set payment £ 268,493.40 , j) Tree protection methodology including details of arboricultural supervision and monitoring to off site trees. , k) The costs of monitoring the S106 agreement , , All figures are to be index linked and paid on commencement of development.

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.