

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 6 July 2021	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Maida Vale	
Subject of Report	45 Kilburn Park Road & Peebles House, 40 Carlton Vale, London, NW6		
Proposal	Redevelopment of site to provide ‘Extra Care’ residential facility (Use Class C3) ranging between 3-6 storeys with terraces and courtyard and a building ranging between 2-6 storeys to provide residential dwellings (Use Class C3); together with the provision of associated communal facilities including café and hairdressers, podium level car parking and landscaping.		
Agent	Chris Hicks		
On behalf of	Westminster City Council		
Registered Number	20/08040/FULL	Date amended/ completed	16 December 2020
Date Application Received	16 December 2020		
Historic Building Grade	Unlisted but adjacent to grade I listed St Augustine’s Church		
Conservation Area	Outside but adjacent to the Maida Vale Conservation Area, which is to the south.		

1. RECOMMENDATION

1. Grant conditional permission under Regulation 3 of the Town and Country Planning General Regulations 1992, subject to the completion of a Unilateral Undertaking to secure the following obligations:
 - i. Provision of 100% affordable housing in the form of 65 'Extra Care' units for people aged 55 and over, and 22 "general needs" residential units.
 - ii. A financial contribution of £66,405 towards Carbon Offset Payments (index linked and payable on commencement).
 - iii. Lifetime Car Club membership (25 years minimum) for all 87 units within the development.
 - iv. Car parking is leased and not sold.
 - v. Highways works to facilitate the proposed development, including reinstatement existing vehicle access as footway and creation of a new vehicle crossover plus adjoining footway in Kilburn Park Road, Carlton Vale and associated work (legal, administrative and physical).
 - vi. Prior to commencement of development, the provision of an employment training, skills and

- apprenticeships opportunities for residents of Westminster in relation to the construction and operational phases of the development.
- vii. Payment of a contribution of £31,149.04 (index linked) to support the Westminster Employment Service prior to commencement
 - viii. Tree planting contribution of £10,000 (index linked) to be used for the purpose of tree planting and maintenance within the vicinity, provided prior to commencement.
 - ix. The costs of monitoring the Unilateral Undertaking payable on completion of the deed.
2. If the Unilateral Undertaking has not been completed within 3 months 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) If it has not been possible to complete the Unilateral Undertaking within an appropriate timescale, the application shall be reported back to Sub-Committee.
 3. That Sub-Committee authorises the making of a draft order pursuant to s247 of the Town and Country Planning act 1990 for the stopping up of parts of the public highway to enable this development to take place.
 4. That the Director of Place Shaping and Town Planning, or other such proper officer of the City Council responsible for highway functions, be authorised to take all necessary procedural steps in connection with the making of the orders and to make the orders as proposed if there are no unresolved objections to the draft orders. The applicant is to cover all costs of the Council in progressing the stopping up orders.

2. SUMMARY

This application relates to the redevelopment of a low rise building set over ground and first floor levels, last used as a nursing home (Use Class C2). The site is bounded by residential buildings with those on the other side of Kilburn Park Road to the west, Carlton Vale to the south and an area of green space to the east. St Augustine's Kilburn Church is grade I listed and located to the north east.

It is proposed to demolish the existing Care Home (45 Kilburn Park Road) and residential block (Peebles House) in order to construct Block A, an "Extra Care" facility with 65 units with ancillary café, hairdressers, central courtyard and communal terraces at first, third and fourth floor levels; a podium single storey car park; and Block B a 2-6 storey building to provide 22 "general needs" residential units. Each of the units within the development has a private terrace. Both blocks are classified as Use Class C3. 100% of the units are to be affordable, with the Extra Care units being means tested against council criteria and the general needs having a mix of social and intermediate units.

During the course of the consideration of this application, the City Council adopted in April 2021 the City Plan 2019-2040. This is now the sole development plan to which applications are considered against and supersedes the previous UDP (adopted 2007) and City Plan (adopted 2016).

Objection has been received from adjacent occupiers and the Church and congregation to the north. These are summarised within section 5 of this report, but include land use, design, highways and amenity concerns.

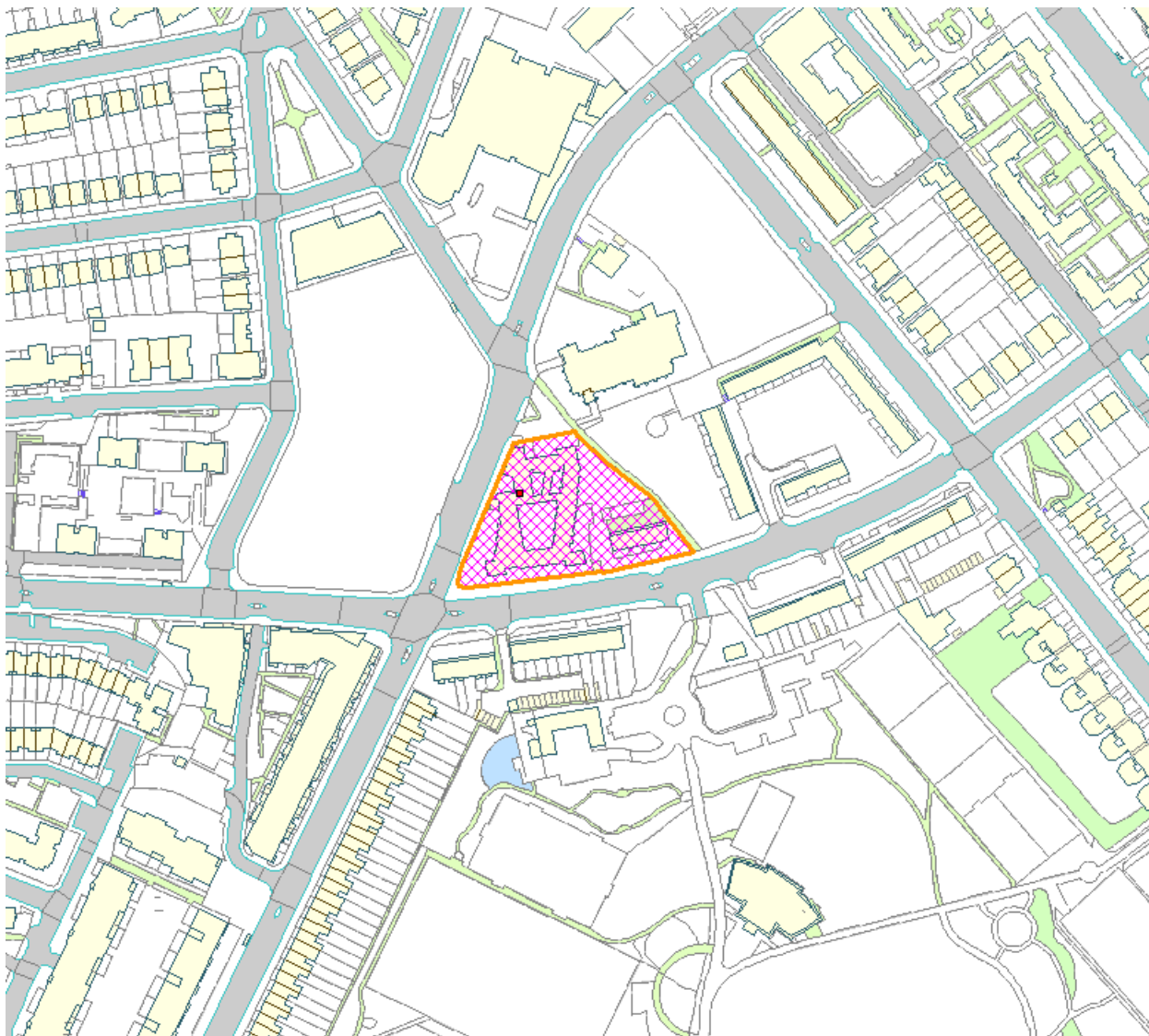
The key considerations of this case are:

- The acceptability of the proposals in land use terms;
- The impact of the new development on the townscape and the setting of the adjoining conservation area and Grade I listed church;
- The impact of the development on the amenity of adjacent occupiers;
- The acceptability of the proposed landscaping and loss of existing trees;
- The impact of the development on the highway network.

The proposed development is considered against the policies within the City Plan 2019-2040. It is considered that the public benefits, including a new extra care facility, new affordable residential units and improved relationship between the site and church, the proposal is considered acceptable in terms of its impact on the designated heritage assets.

As set out within this report, the proposals do not strictly accord with parking and servicing policies. However, given the benefits of the scheme to provide much needed accommodation in the form of both flats and specialist accommodation for older persons, all of which is proposed as affordable housing, and particular considerations relevant to this application, the development is recommended for approval subject to the conditions set out on the draft decision letter and the completion of a unilateral obligation.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Views south: Above: St Austines Church on left, site central, Kilburn Park Road right
Below: Kilburn Park Road central, site left, Brent development right





View west down Carlton Vale (site right, Carlton Tavern left)



View North: Kilburn Park Road left; Carlton Vale Right; Site central

Item No.
1

5. CONSULTATIONS

WARD COUNCILLORS

Any response to be reported verbally.

KAREN BUCK MP

Request for objector to be provided with advice and assistance

LONDON BOROUGH OF BRENT

Raise no objection. Note that any negative impact in light terms to New Gloucester House would need to outweighed by the benefits of the scheme.

PADDINGTON WATERWAYS & MAIDA VALE SOCIETY

Any response to be reported verbally.

HISTORIC ENGLAND

Summarise their comments as follows “Historic England considers that this scheme would introduce a taller urban development onto this site, and thus has the potential of having impacts on the historic environment. We consider the proposals would cause harm to the significance of St Augustine’s Church through development within its setting. We do however recognise the proposals do include some heritage benefits though the improvements to the church’s immediate environs. It will therefore be for your Authority to consider whether the relevant policy tests have been met in consultation with your Council’s Conservation colleagues.”

HISTORIC ENGLAND ARCHAEOLOGY

No objection. “The proposal is unlikely to have a significant effect on heritage assets of archaeological interest”

THE VICTORIAN SOCIETY:

Raises concerns regarding the proposals. While they note the benefits the redevelopment brings, they consider the proposals lack sensitivity, particularly given the proximity to the significant Grade I listed 19th Century church. They consider due to its bulk the development would adversely affect views towards the church particularly from the south. Concerns in relation to light entering the church are also shared and also possible damage from construction works. Concern that they were not consulted.

THAMES WATER

No objection. Comments provided in relation to Waste and Water.

NATIONAL GRID

Any response to be reported verbally.

DESIGNING OUT CRIME

Raise objection on the grounds of the shared café / entrance to the Extra Care block and requirement for Blocks A and B to be compartmentalised. Comments also provided in relation to doors and window ratings, bin stores, bike stores, post and CCTV

LONDON FIRE SERVICES

Any response to be reported verbally.

PARKS & GARDENS

Any response to be reported verbally.

ENVIRONMENTAL SCIENCES OFFICER

No objection, comment as follows:

- Dust generation during construction can be addressed within CoCP
- No objection to development in relation to Air Quality
- No objection in relation to contaminated land, recommend part 1 of the standard condition is discharged, phases 2-4 remain outstanding
- No objection in relation to plant equipment noise, however supplementary acoustic report required to confirm compliance once plant has been selected
- No objection in relation to internal noise subject to standard condition
- No objection to proposals for kitchen flue at roof level subject to condition

ADULT & COMMUNITY SERVICES

Any response to be reported verbally.

WASTE PROJECT OFFICER

Following the receipt of revised plans, no objection raised

HIGHWAYS PLANNING MANAGER

Raise objection due to insufficient car parking. While no objection on cycle parking grounds, disappointing that more is not being provided. Note that changes to on street parking will require separate Highways approval via a Traffic Management Order and that should permission be recommended an updated servicing management plan is required to ensure servicing associated with the development has no significant impact on other highway users. S106 required to secure highway works and car club membership.

BUILDING CONTROL

No comment on this type of application.

ARBORICULTURAL SECTION

Raise objection the grounds of the loss of trees, impact on retained trees, inadequate replacement trees and further information requested about site level changes. Should permission be recommended conditions and informatives have been provided.

WCC ECONOMY TEAM

A financial contribution of £31,149.04 is required.

GO GREEN PROGRAMME

Any response to be reported verbally.

HOUSING MANAGER

No objection.

LOCAL FLOOD AUTHORITY

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 595

Total No. of replies: 72

No. of objections: 72 objections raising some or all of the following issues:

Land Use:

- Café and hair salon and Extra Care entrance will have negative impact on church and public realm
- Café and shop should be open for public access
- Development too dense

Amenity:

- Loss of daylight and sunlight to adjacent occupiers and church
- Increased sense of enclosure
- Loss of privacy from terraces
- Increased noise from terraces

Design:

- Too big and bulky and negative impact on the area
- Should be designed more akin to Victorian type squares
- Taller and not in keeping with existing or historic bulk in this area
- Too many high rise buildings in around the Kilburn regeneration area, which are soulless and spoiling the Maida Vale Conservation Area, which should be protected.
- Lack of detail of proposed materials
- Design should reflect Westminster, not the opposite Brent development
- Negative impact on the Grade I listed Church and grounds
- Development should include upgrade of public realm adjacent to church and site. The Local Authority is required by the NPPF 2020 section 8 (paragraph 92) to 'plan positively for the provision of shared use of shared spaces and this needs to be addressed in this application. The references to the 'Public Area' in the application without including it in particulars or in a second Planning Application is highly concerning and may in itself be contrary to legislative requirements.
- Negative impact on light and air of adjacent park

Highways:

- More traffic and its impact on quality of the road (increased cracking / potholes)
- Loss of on-street parking
- Reduced safe environment for pedestrians
- Impact of ambulances

Other:

- Brent side development already creates a canyon of noise and pollution which will be worsened.
- Paddington Rec should be improved
- Noise, dust (including to organ), pollutants, health and disruption from construction works
- Impact of construction vibrations on adjacent buildings, particularly the listed church
- Impact of development on the daily operation and servicing of the church and its functions such as daily worship, baptisms, weddings and funerals, particularly given location of entrance of the site to north.

- Loss of income for the church as it will not be able to hire out facilities due to the construction works.
- Lack of consultation, public notices and consultations documents only available online
- Paper plans should be made available for consultation
- The noise report has not taken into consideration the full peel of the church bells
- A geological survey is required in order to ensure the development does not impact on the adjacent church due to the clay soil and pre-existing cracks.
- Structural concerns and query location of underground line
- Impact on 'rights to light'
- Queries in relation to use of S106 funding to fund the development.
- Historic England should be consulted
- Impact of construction works on the St Augustine's C Of E School
- Bad state of repair of adjacent estate and paths and continued disruption to residents
- Increased density could result in additional conflict
- Impact of change of area on adjacent school
- Request for wider improvements to pavements and estates

No in Support: 1 fully in support and many part in support stating the following:

- Sensible redevelopment of the site and offers a good mix of housing for the community.
- Welcome the benefits of providing mixed affordable housing and older people housing

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site occupies a triangular plot with Carlton Vale to the south, Kilburn Park Road to the west and a pedestrian footpath to the east. The site contains Carlton Dene, which is a 1960s residential care home of two storeys and Peebles House, also dating from the 1960s and is a three storey residential block. Carlton Dene is arranged around a central courtyard and there is green space to the north of Peebles House. The application site is not listed and is not located within a conservation area.

To the immediate north of the site lies the Grade I listed Church of St Augustine. To the south of the site the boundary of the Maida Vale Conservation Area runs behind the blocks fronting Carlton Vale, but incorporates the entrance to Paddington Recreation Ground, immediately opposite the application site. Further to the north lies the South Kilburn Conservation Area, which is within the Borough of Brent.

The wider setting of the site includes 1960 residential blocks to the south, these are predominantly six storeys in height and have a strong horizontal emphasis. Further south down Kilburn Park Road, the Victorian terraces remain. The area to the east and north of the site has formed part of a Brent redevelopment scheme, which is nearing completion.

The residential blocks range in height, with those opposite the site being six storeys. To the east lies an area of green space between the site and Strome House, another residential block

6.2 Recent Relevant History

45 Kilburn Park Road:

Various applications for minor alterations to the care home and the following in relation to minor changes of use:

94/02426/COFUL – permission granted on 16 June 1994 for change of use of 1st floor former matrons flat to offices for social services staff, installation of patio doors to 1st floor balcony.

94/05928/COFUL – Permission granted on 27 October 1994 for change of use of managers redundant flat to offices for use by domiciliary care staff

95/02975/COFUL – Permission granted on 9 June 1995 for conversion of part of residential home to day centre for elderly including formation of vehicle access from Carlton Vale

95/04707/COFUL – Permission granted on 12 October 1995 for conversion of part of residential home to day centre for elderly people

Peebles House:

15/11538/COFUL – Permission granted on 17 February 2016 for the Installation of a secure bike hanger for 6 bikes.

97/04774/COFUL – Permission granted on 14 August 1997 for the enclosure of stair/entrance lobbies to the block, for the purposes of door entry system installation.

95/03120/COFUL – Permission granted on 6 June 1995 for Installation of perimeter balustrading to main roof.

7. THE PROPOSAL

Table 1: Existing and proposed floorspace figures

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Care Home (C2)	1,358	0	-1,358
Residential (C3)	416	2,297	+1,881
Residential Extra Care (C3)	0	5,716	+5,716
Total	1,774	8,013	+6,239

It is proposed to demolish Carlton Dene (42 bedroom Residential Care Home, Use Class C2) and Peebles House (9 residential flats, Use Class C3) and for the redevelopment of the site to provide two main blocks, 'Block A' a new 'Extra Care' residential building for people aged 55 and over (Use Class C3) ranging between 3-6 storeys to provide 65 flats

(1bed and 1bed+) and 'Block B' a residential building, ranging between 2-6 storeys to provide 22 dwellings (Use Class C3). A podium single storey building links the two buildings and provides 8 car parking spaces and ancillary service areas. All of the proposed units are to be affordable through a mix of social and intermediate units (more info below).

Block A: Extra Care

The extra care facility will surround a central communal courtyard at ground floor level, which provides access to the northern entrance to the flats and ancillary facilities including a café with kitchen, which will also provide meals to residents who require them, a hair salon and the offices to the development. A communal terrace is also proposed at fourth floor level on the southern side of the development.

Extra Care is discussed within Policy H13 of the London Plan for older persons with a minimum age of 55. Paragraph 4.13.6 also sets out attributes for this type of housing such as who provides care and who for. Footnote 73 refers to guidance by the Care Quality Commission, 2015, which notes that this form of care is where:

- *"People live in their own home and receive care and support to promote their independence.*
- *Care and support can be continuous or periodic, but is always tailored to meet the supported person's individual needs. It should enable people who need personal care to live as independently as possible in accommodation that is genuinely 'their own'.*
- *There is a real separation between the care a person receives and their accommodation. The legal agreements for the provision of care and accommodation are separate."*

100% of the 65 Extra Care units will be social rent and will be made up of 33x1 bed units and 32x1 bed plus units, which are flats that have an over-sized double bedroom that can be split to create an extra room (e.g. study) if the occupiers wish. Within the Extra Care facility, ancillary facilities are proposed including a café/dining room, Lounge, kitchen, activity room and a hairdressers, which will all be managed by the main facility. The Café will also be open to the general public. Residents will have access to 24/7 care services. 6 of the units will be wheelchair accessible.

Block B: General Needs Housing

The general needs housing will be set on the other side of the podium to the east of the extra care block, and will reduce in height as it goes north towards the area of open space and St Augustine's Church.

100% of the General needs housing will also be affordable, broken down into the following tenure: 15 social (68%) and 7 intermediate (32%) and the following mix: 4x1 bed; 9x2 bed; and 9x3 bed. Two of the units will be wheelchair accessible.

8. DETAILED CONSIDERATIONS

8.1 Land Use

8.1.1 Residential Care (Class C2) & Extra Care (Class C3)

The existing building was last in use as a residential Care Home (Class C2), however is

now vacant as the care home has closed. There are two other planning applications which form part of the consideration of this scheme. Firstly, the completion of a purpose built 84 bed new residential care home at 111 Shirland Road, as approved in August 2017 (under application referenced 16/10952/COFUL). Secondly the redevelopment of another residential care home at 4 Tavistock Road for general needs housing (application referenced 20/05708/COFUL), which was resolved to grant at planning permission at committee on 16 March 2021. The decision has yet to be issued as the associated legal agreement has not yet been completed.

Existing residents of this site and 4 Tavistock Road facilities have been rehoused (or offered to be re-housed) into the 111 Shirland Road new facility, which was designed to be able to house all of the residents from both sites should they wish to move.

Policy context:

Policy 10 of the City Plan relates to Housing for specific groups including Older People's housing, it states in para. 10.7 that "The protection of existing, and encouragement of new accommodation that meets an identified need is therefore particularly important to ensure inclusivity and maintain Westminster's rich diversity." It continues in para. 10.9 that the council will only accept the loss of specialist housing where there is no interest from another provider and the housing has been marketed for 18 months. 10.8 notes that the loss of specialist housing may be acceptable to meet changing housing requirements and to optimise the use of housing sites.

Policy 10 notes that housing for older people has additional requirements compared to other forms of accommodation, such as being designed with features suitable for dementia sufferers (inside and out), on-site care and support, specialist storage options, adaptability of the units for differed future needs.

Policy 17 relates to and protects community infrastructure and facilities. The Glossary notes that such facilities include health facilities and social service uses, and therefore the existing care home is considered to fall within this category. The policy states that uses will be protected other than where it is demonstrated that the use is being reconfigured and/or upgraded to meet a published strategy to meet an identified need.

London Plan Policy H13 relates to Specialist older persons housing and seeks to encourage boroughs to identify sites suitable for such accommodation. It also sets requirements of how the housing should be secured.

Assessment:

Unlike the site at 4 Tavistock Road, which was being redeveloped for general needs housing (with on-site affordable housing), this site proposes to provide both an 'extra care' facility, and general needs housing. All of the proposed accommodation is affordable. However, it is notable that the existing use class is C2 (residential institutions), and the proposed is C3 (dwelling houses). While the proposed use is C3, the applicant has set out that it will be limited to older person housing aged 55 or over as Extra Care. Extra care is described in the Glossary of the City Plan under Specialist housing as "catering for old or vulnerable people who have an existing or foreseeable physical, sensory, cognitive or mental health impairment – a range of facilities may be provided e.g. 24-hour access to emergency support, resident's lounge, a guest room, laundry room, day centre activities, a restaurant or some kind of meal provision, fitness

facilities and classes and a base for health care workers, domiciliary care”.

Staffing for this development will be 1-2 persons overnight; and 2 to 10 people during the day, depending on the amount of care required. The applicant has confirmed that the Extra Care block will be provided in accordance with Policy H13 B, namely it will be affordable, accessible, have inclusive design, provide storage for mobility scooters and has suitable vehicle drop-off.

The applicant has submitted a document in relation to the loss of the C2 use. They note that while the site has not been marketed for 18 months to seek a new operator, the building is not safe or compliant with fire and other regulations and is therefore no longer likely to be able to legally operate as a care home without substantial investment. The justification for the loss of the care home is summarised as follows:

- The existing care home no longer meets modern standards and requires significant investment to maintain occupation.
- The proposals include the provision of a 65 bed, 100% social rent Extra Care facility for older people and is distinct from traditional sheltered or retirement housing by offering a range of onsite services including 24/7 care, to meet the varied needs of Westminster residents.
- Existing care home residents have been offered alternative accommodation in the purpose built replacement accommodation at 111 Shirland Road.
- This re-provision formed part of the wider Council strategy drafted back to 2007 (and approved in 2012) known as the Specialist Housing Strategy for Older People Programme (SHSOP). The Council’s published research shows that there is a need for Extra Care housing, to delay entry to a conventional care home for as long as possible.
- 111 Shirland Road resulted in an uplift of 570sqm of C2 floorspace. While the demolition of Carlton Dene and Westmead care homes will result in the loss of C2 floorspace, there is still a net gain in floorspace and no loss in terms of the number of residential care bedrooms.
- Approval granted for closure of the Carlton Dene facility at Cabinet in March 2019.
- Business case for the redevelopment of Carlton Dene noted at Cabinet Meeting in February 2020.
- Reports into the physical suitability of maintaining the existing building to meet future needs were undertaken by Savills for Westminster in 2009 and 2014. These identified that considerable investment both internally, externally and structurally was required, in the region of £500k.
- The site can be redeveloped to meet the requirements for Extra Care and also general needs housing.

It is clear from the requirement of the policies, that a wholistic approach is required in terms of the assessment of applications which relate to the loss of specialist housing such as the existing care home. Such proposals need to be weighed in accordance with a wider programme of delivery of a range of housing types, which have been researched as part of a formal document of evidence to confirm what is required across the borough. This has come about through the councils SHSOP, which has confirmed a requirement for the provision of and development of additional extra care facilities, which will better meet the requirements of the aging population. It does however also confirm that the residential care facilities do still provide an important function.

Through the development of the Shirland Road new care home, the existing residents have been able to be rehoused into a modern, purpose built facility. The Carlton Dene redevelopment, will provide a considerable amount of additional floorspace, providing a new extra care facility. The SHSOP identifies the need for such facilities within Westminster to meet changing needs and to delay the requirement for people going into fulltime care, by providing a greater level of flexibility and independence, due to the self containment of the flats, with on-site facilities.

It is also accepted that the existing facility at Carlton Dene is no longer fit for purpose, being out of date, and requiring significant investment in order to bring it up to current standards. While it is noted that there are objections from residents to the loss of the care home, given that there is a clear programme of delivery of both replacement and additional care provision within the locality, it is not considered that the loss of the existing facility in this location can reasonably be restricted, with the requirements of the policies largely met.

The proposals provide a purpose built, 100% affordable (means tested), extra care facilities, with 65 units, therefore able to house in excess of 65 residents, and 22 general needs housing of mixed size and tenure. This is welcomed and considered to help meet the future needs of the borough.

8.1.2 Residential use

Quality of accommodation Blocks A & B:

The applicant has undertaken a daylight and sunlight assessment to demonstrate the internal lighting for the proposed residential units are in line with BRE guidelines. This guidance states that different rooms have different requirements in terms of daylight (Average Daylight Factor ADF). For instance, a kitchen has a recommended ADF of 2%, a living room of 1.5% and a bedroom of 1%. The level of light depends on factors such as the size of window, room depth and if the room has multiple aspects.

The submitted study does identify that not all rooms will meet the requirements of the BRE, however it does score well with 92% of the habitable rooms passing the ADF test (190 of the 206 rooms). The report notes that there are 13 LKD's located at first to third floor levels that deviate from the BRE targets (of 1.5%), with levels of between 0.4 and 1.4%. Six of the kitchens only fall marginally below the BRE requirement by 0.1-0.3%. The reason for the low levels of light within these rooms is due to limited sky visibility where the windows serving the living spaces are overhung by balconies and the kitchen areas positioned beneath access decks. The daylight specialist has undertaken a further test removing the kitchen, which allows a further 5 living areas passing the BRE requirements. One bedroom at first floor level also fails with an ADF of 0.7% therefore 0.3% below the BRE Target of 1%.

While there are rooms which fail the guidance, the vast majority of the rooms pass (92%). The rooms which fail are as a result of balconies, which in themselves provide a significant benefit to the units, providing outside amenity space, and meeting other requirements for outside space for units. On balance, the proposals are therefore considered acceptable in terms of daylight for future residents.

All of the units will meet the London Plan and Nationally Described Technical Housing

Standards (March 2015). The units are all dual aspect to increase daylight and encourage the use of natural ventilation. Overheating has been investigated for all residential areas in accordance with CIBSE TM59 (Chartered Institute of Building Services Engineers assessment of overheating risk in homes), which has required the provision of Fan Assisted Heat Pump Convectors within each flat, along with passive measures such as shading to provide cooling.

Two of the units within Block B (10%) are designed to be wheelchair accessible in accordance with London Plan policy, which will be secured by condition.

In order to ensure that the new residential accommodation does not suffer from excessive noise from either external or internal noise sources, the Environmental Sciences Office (ESO) has recommended Westminster's standard noise conditions, which are considered acceptable.

Housing Mix (Block B):

Policy 10 of the City Plan states that 25% of units will be family sized (3 bed or more). The table below sets out the tenure and mix of units proposed. Policy 8 of the City Plan relates to housing delivery to meet Westminster's Housing targets. It seeks to optimise density to help meet these needs.

Table 2: Unit size and tenure mix of 22 general needs units

No beds	Social Rent Units	Intermediate Units	Total
1 Bed	4 units	0 units	4 units (18%)
2 Beds	2 units	7 units	9 units (41%)
3 Beds	9 units	0 units	9 units (41%)
Total	15 units (68%)	7 units (32%)	22 units

As is apparent from the table above a considerable number of larger units is proposed. This is in part due to the level of affordable housing that is proposed, which generally require larger units for families.

The Housing Manager has raised no objection to the proposals which will help meet the Council's housing targets and help to provide homes for residents on the housing list.

Affordable housing

The new residential floorspace prompts a requirement for the provision of affordable housing under the terms of Policy 9 of the City Plan, which requires housing developments with site areas of 0.5 hectares or more, 10 or more additional units or over 1,000sqm additional residential floorspace will be expected to provide a proportion of the floorspace as affordable housing. Given that the site is in public ownership, and in accordance with the London Plan, 50% should be affordable housing.

Policy 9 stated that 60% of the units will be 'intermediate' affordable and 40% will be social rent. The whole scheme is proposed as 100% affordable. The Extra Care is 100% social rent; and the General Needs housing is split (by unit numbers) 68% social rent; and 32% intermediate). This tenure mix is proposed to meet the identified need and the Housing Manager has raised no objection.

The provision of 100% affordable accommodation is welcomed and will help to deliver much needed affordable homes within the Borough. This is to be suitably secured via the Unilateral Undertaking.

8.2 Townscape and Design

POLICY

The key legislative requirements in respect to designated heritage assets are as follows: Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

Whilst there is no statutory duty to take account of effect on the setting of a conservation area, Policy 39 in the City Plan 2019-2040 states that features that contribute positively to the significance of conservation areas and their settings will be conserved and opportunities taken to enhance conservation areas and their settings.

Furthermore Chapters 12 and 16 of the NPPF require great weight be placed on design quality and the preservation of designated heritage assets including their setting. Chapter 16 of the NPPF clarifies that harmful proposals should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, taking into account the statutory duty to have special regard or pay special attention, as relevant. This should also take into account the relative significance of the affected asset and the severity of the harm caused.

The relevant policies for the consideration of this application are 34, 38, 39 and 40 of the City Plan 2019-2040.

HERITAGE ASSETS AND THEIR SIGNIFICANCE

A detailed heritage appraisal has been submitted with the application. This identifies the heritage assets within the setting of their site, their significance and the impact the proposals will have on their significance.

The Church of St Augustine lies immediately to the north of the site and fronts Kilburn Park Road and the junction with Rudolph Road. The church was designed by John Loughborough Pearson and was built between 1870 and 1877, with the spire and tower completed in 1898. The Church was listed Grade I in 1951, being described as Parsons best work and as one of the best examples of its type and age. Also notable is the church spire, which is considered to be the tallest in London at 254 feet. The significance of the Church derives from, but is not limited to, its architectural and historic interest and its association with figures of historical importance, including Pearson. The church yard is also considered to contribute to the significance of the heritage asset, not only as it has a direct impact on the setting of the church, but also because it demonstrates the siting of the church within an urban environment.

Further to the north of the site lies the South Kilburn Conservation Area, which is located within Brent. The conservation area is located in South Kilburn’s historic quarter and is

part of the historic Kilburn Park Estate, which dates from 1861-1873. The significance of the area stems from its origins in the development of this part of London and the architectural forms, most of which are 19th century villas. It is the quality and intactness of the formal villas which is considered to be of the greatest significance. The conservation area is now surrounded by twentieth century redevelopment, including taller buildings.

The Maida Vale Conservation Area lies to the south of the site and incorporates Paddington Recreation Ground. The interest in the conservation area derives from its layout along avenues and streets as well as the built form being stuccoed houses with shared communal gardens and mansion blocks. The area is characterised by its architectural styles, material palette and link with the Regent's Canal. Between the application site and the conservation area boundary lies the taller buildings which were erected during the twentieth century redevelopment of the area. Therefore views from within the conservation area specially of the site are limited; the church spire however can be seen in oblique views.

PROPOSAL

The application proposes the demolition of the existing buildings on the site and its redevelopment with a building of three to six storeys. Whilst a single building, connected at ground floor level, the site will appear as two blocks; one housing the extra care provision and the second a residential block. Both buildings are primarily 6 storeys in height, with the central part of the elevation fronting Carlton Vale visually being 4 storeys and the height staggered to the rear of the residential block. The visual separation of the blocks responds to an existing view of the St Augustine's Church Spire from Carlton Vale.

Where the buildings rise to six storeys, the upper levels have been set back and treated differently materially. Additional set backs at the upper levels have been introduced to better reveal views of the church and spire. Subtle material changes have also been proposed to the lower blocks to the east in order to create a feel of individual units, reflective of terraces, and around the main entrances.

With primary frontages on the south and west sides of the site, the principal frontage of the extra care block has been reoriented to the north, fronting the church. The introduction of retail/commercial units within this part of the building has sought to make this part of the building more active in association with wider landscape improvements, which may come forward separately. The main entrance to the residential block is on Carlton Vale, opposite the entrance to Paddington Rec.

Architecturally the elevations have been treated as a series of bays with a regular fenestration pattern and balcony siting. The regularity is slightly deviated from at ground floor level and is defined as the base by the use of reconstituted stone around the entrances and recessed detailing within the brickwork. The central part of the elevation will be a buff multi brick, with the upper two storeys being a pale off-white smooth brick. Separation is created by the use of double brick soldier coursing. Further articulation is proposed by the use of metal work, including sliding window shutters and recessed panels. The extra care block is set around an internal courtyard, where deck access overlooks the space on all levels.

Greenery is proposed through the use of green roofs on the rear blocks to the residential block and the roof of the ground floor car park entrance, as well as through planting on the terrace at third floor level.

ASSESSMENT OF IMPACT AND DESIGN CONCLUSIONS

The existing buildings are not considered to make a positive contribution to the townscape and unsuccessfully address the frontages they face. As such, the demolition of the existing buildings and the redevelopment of the site is acceptable in design terms.

The footprint of the building creates an urban block with elevations which address the street to the south, north and west. Relocating the primary entrance to the north addresses the current issues associated with the 'back of house' operations of the existing building and creates an active frontage which is welcoming. The creation of visually individual units on the east elevation addresses the existing green space in a softer way than the street elevations, creating a private and local experience which is considered to be a successful approach. Therefore the footprint of the proposed buildings and how they respond to their immediate setting is considered to be acceptable and in accordance with the aims of policy 40.

A number of the objections relate to the height of the building, with concern being raised with the height proposed. Historic England share this concern, noting that the development will result in a visual hardening of the setting of St Augustine's Church, particularly in mid-range views. At six storeys the height of the buildings is in keeping with those in the immediate setting, including the existing blocks to the south and the new buildings to the west, some of which are taller than six storeys. The separation of the blocks on the Carlton Vale frontage and the lowering of the height to the central part of the building on this elevation is considered to create relief in the massing and therefore reducing the prominence of the height. It is recognised that the increased height will be evident primarily in views of the site from the south and from the east, and therefore will have an impact on the appreciation of the church, however the existing views are considered to be fortuitous owing to the low height of the existing building. Historic images show terraced buildings between 3 and 4 storeys in this location, with the spire of the church rising behind and therefore a degree of mass formed part of the historic setting. The appreciation of the church in views from the south has sought to be increased by setting the upper storeys back, particularly on the north corner. Additionally the location of the separation between the blocks has been informed by the view of the church from Carlton Vale. In considering the requirements of policy 40, which seek for new development to respect prevailing heights and massing of adjacent buildings, the proposal is considered to accord.

Architecturally the building is considered to be appropriate for its setting. The building responds to the existing built form, including taking inspiration of the detailing found on the church, as well as the ongoing development to the west. The use of brick as the primary material is in keeping with the material found locally, with the use of a lighter brick to the upper levels considered to soften the appreciation of the upper levels. The proposed detailing to reinforce the appreciation of a base, middle and top, aids in defining the proportions of the building, which respond to local heights and therefore assists in connecting the building to its setting. The use of greening where possible is supported and is considered to be a benefit of the scheme.

Impact on the identified heritage assets

Historic England consider the proposals to result in low-moderate harm to St Augustine's Church. Public consultation responses have also raised concerns with the impact of the proposals on the setting and appreciation of the church. The existing relationship between the church and the application site is undesirable, with the 'back' of the building facing the church entrance. Furthermore the historic loss of the terraces surrounding the site has altered the setting of the church, albeit along the historic road layout and as such the church is now appreciated within a modern urban setting. However the church remains a focal point for the area owing to the height of the existing built form and the views primarily from the south and west.

The proposal will increase the built form to the south of the church, resulting in perceived height and mass within its setting. A number of consultation responses note the impact of the increased height on views of the Church as a concern. One response raises particular concern with the loss of light through the stained glass windows as a result of the increased mass (the loss of light is discussed separately in Section 8.3.1). The impact has sought to be addressed by the staggered building heights of the buildings fronting the park in order to reduce their visual prominence when viewing the church from the west, which is considered to be the primary view of the heritage asset. Furthermore the upper levels of the building on the west elevation have been stepped back and recessed to allow for the spire to remain prominent in the mid-range views of the church to the south. It is noted that light levels into the church may be reduced, however there is no direct impact on fabric and so, whilst this is regrettable it is not considered to be a reason to withhold permission. Whilst the impact on the setting of the church has sought to be mitigated by the scale, form and massing of the building, the setting of the Church will be affected by the development. The view given by Historic England that the proposal will result in low-moderate harm is agreed with.

This harm would fall within the category of 'less than substantial' and thus in accordance with the NPPF, this harm should be weighed against the public benefits of the proposal. This weighing exercise must still be undertaken being mindful of the statutory duty to have special regard to the desirability of preserving the setting of the listed building. The applicants have cited numerous public benefits associated with the proposed scheme including improving the relationship between the site and the church through the relocation of the primary entrance, enhanced care facilities and additional housing.

In considering the impact on the South Kilburn Conservation Area and the Maida Vale Conservation Area, the proposal is not considered to have a visibly adverse effect on the character and appearance of the conservation areas, owing to the limited views of the site from within the conservation areas and its setting within twentieth century development. The proposal is therefore considered to accord with the aims of policy 39 and are not considered to result in harm to these designated heritage assets.

As such, whilst being mindful of policies 34, 38, 39 and 40 of the City Plan 2019-2040, given the substantial public benefits that would be delivered, which comprise an enhanced extra care facility, new affordable residential units and improved relationship between the site and church the proposal is considered acceptable in terms of its impact on the designated heritage assets. Therefore, the recommendation to grant conditional permission is compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8.3 Residential Amenity

Development that could result in a change to the amenity of neighbouring occupiers are assessed against Policy 7 of the City Plan 2019 - 2040. The policy seeks to prevent unacceptable impacts in terms of losses of daylight and sunlight, privacy and increases in sense of enclosure and overshadowing. Policies 33 and 38 C are also relevant, which seek to make sure that quality of life and health and wellbeing of existing and future occupiers, including considerations such as noise, odour and construction impacts. The applicant has submitted in support of the application a daylight and sunlight assessment by eb7 which sets out the surrounding buildings which have been tested.

Objections have been received from local residents on the grounds of loss of light as a result of the proposed development including to the St Augustine's Kilburn Church. A supplementary report has been submitted in relation to the impact on the church.

8.3.1 Sunlight and Daylight

Daylight

For daylight matters, VSC is the most commonly used method for calculating daylight levels. It is a measure of the amount of light reaching the outside face of a window. This method does not rely on internal calculations, which means that it is not necessary to gain access to affected properties. If the VSC is 27% or more, the Building Research Establishment (BRE) advises that the window will have the potential to provide good levels of daylight. It also suggests that reductions from existing values of more than 20% should be avoided as occupiers are likely to notice the change.

The BRE stresses that the numerical values are not intended to be prescriptive in every case and should be interpreted flexibly depending on the circumstances. This is because expectations may be different in rural or suburban situations compared to a more densely developed urban context. The guidance acknowledges that although these values should be aimed for, it may be appropriate in some locations such as in urban areas to use more realistic values. Properties that are affected by reduced daylight that see retained VSC values in the mid-teens are therefore considered to have a reasonable amount of daylight in the context of this particular urban location. This approval is supported by policy D6 of the recently adopted London Plan, which sets out that the design of a development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context.

The applicant has undertaken VSC studies for both with and without balconies for some of the properties, which have recessed or projecting balconies. The BRE states "Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction may result in a large relative impact on the VSC, and on the area receiving direct skylight. One way to demonstrate this would be to carry out an additional calculation of the VSC and area receiving direct skylight, for both the existing and proposed situation, without the balcony in place. For example, if the proposed VSC with the balcony was under 0.8 times the existing value with the balcony, but the same ratio for the values without the balcony was well over 0.8, this would show that the presence of the balcony, rather than the size of the new obstruction, was the main factor in the relative loss of light."

In addition to the removal of balconies, the daylight report has also included another alternative light target through a 'mirror-image' test, which takes into account the large new development on the other side of Kilburn Park Road, in Brent. This test sets out what the daylight and sunlight results on an adjacent property would be like if the bulk and mass of that development was mirrored onto the application site, and then the difference compared. Both of the alternative methods are referred to within the BRE guidance.

The BRE notes that where room layouts are known, then the no sky contour (NSC) can be calculated. The NSC method describes the distribution of daylight within rooms by calculating the area of the 'working plane' which can receive a direct view of the sky and hence 'sky light'. If following the construction of a new development, the NSC moves so that the area of the existing room, which does receive direct skylight, is reduced to less than 0.8 times its former value this will be noticeable to occupants, and more of the room will appear poorly lit. It states that this does however also need to be applied flexibly.

Sunlight:

In terms of sunlight to an existing dwelling, the BRE advises it may be adversely affected if the centre of a main window: receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours (APSH) between 21 September and 21 March; and receives less than 0.8 times its former sunlight hours during either period; and has a reduction in sunlight received over the whole year greater than 4 % of annual probable sunlight hours.

8.3.2 Assessment:

Each of the affected properties will be taken in turn. A full table of existing and proposed VSC results can be found at the end of this report (Appendix A). The headings within the tables indicate comparisons of 'with and without balconies' and also where 'mirror image' testing has been used. The figures shown in this section are only where the window breaches the BRE targets in terms of VSC to windows and where the NSC also does not meet the BRE guidelines (less than 0.8 its former value) and where the rooms are habitable,

Gloucester and Durham House

This recently completed development is located to the west, on the other side of Kilburn Park Road, set over 6 above ground floor levels. The buildings have recessed balconies across the elevation. Due to its height and location the applicant has undertaken a mirror massing study to see how the development compares to if the massing of this building was replicated on the development site.

Table 3: Gloucester and Durham House VSC and NSC figures.

Floor	Window	Use				Mirror Image			NSC retained
			Existing	Proposed	% loss	Existing	Proposed	% loss	
Ground	W6	Kitchen	15.1	9.6	-36.4	5.7	9.6	68.4	0.6
	W7	Kitchen	16.5	7.2	-56.4	5.8	7.2	24.1	0.4
	W9	Bed	19.2	10.1	-47.4	7.4	10.1	36.5	0.6
	W11	Kitchen	16	7.5	-53.1	5.4	7.5	38.9	0.3

	W12	Kitchen	16	5.1	-68.1	5.7	5.1	-10.5	0.2
	W14	Bed	18.4	6.8	-63.0	7	6.8	-2.9	0.3
	W16	Kitchen	16	6.7	-58.1	5.9	6.7	13.6	0.2
	w17	Kitchen	14.9	5.3	-64.4	6.3	5.3	-15.9	0.2
First	w11	Bed	35.4	25.8	-27.1	23	25.8	12.2	0.5
	w12	Bed	35.4	25.4	-28.2	22.9	25.4	10.9	0.6
	w13	Bed	35.5	25	-29.6	22.8	25	9.6	0.7
	w14	Bed	35.5	24.5	-31.0	22.8	24.5	7.5	0.5
	w15	Bed	35.5	24	-32.4	22.8	24	5.3	0.5
	w16	Bed	35.5	23.7	-33.2	22.8	23.7	3.9	0.5
	w17	Bed	35.4	23.5	-33.6	22.9	23.5	2.6	0.4
	w18	Bed	35.3	23.4	-33.7	23	23.4	1.7	0.4
	w19	Bed	35.2	23.2	-34.1	23.2	23.2	0.0	0.5
	w20	Bed	35.2	23.2	-34.1	23.4	23.2	-0.9	0.4
	w21	lkd	10.2	0.3	-97.1	0.9	0.3	-66.7	0.1
	w22	Bed	35	23.7	-32.3	24.6	23.7	-3.7	0.5
	w23	Bed	11.5	4	-65.2	4.5	4	-11.1	0.6
	w24	Bed	9.5	3	-68.4	3.2	3	-6.3	0.2
second	w7	lkd	14.1	10.2	-27.7	6.7	10.2	52.2	0.7
	w11	lkd	13.7	7.4	-46.0	5.9	7.4	25.4	0.6
	w14	Bed	14.4	6.8	-52.8	6.5	6.8	4.6	0.5
	w15	Bed	14.5	6.9	-52.4	6.7	6.9	3.0	0.4
	w16	Bed	36.8	26.4	-28.3	25.9	26.4	1.9	0.6
	w17	Bed	36.8	26.3	-28.5	26	26.3	1.2	0.6
	w18	lkd	14	5.3	-62.1	6	5.3	-11.7	0.3
	w19	Bed	36.6	26.1	-28.7	26.3	26.1	-0.8	0.6
	w20	Bed	36.6	26	-29.0	26.4	26	-1.5	0.6
	w21	Bed	13.2	5.7	-56.8	6.7	5.7	-14.9	0.3
	w22	lkd	14.6	6	-58.9	7.1	6	-15.5	0.3
	w23	Bed	12.7	5.5	-56.7	6	5.5	-8.3	0.6
	w24	Bed	10.4	4.4	-57.7	4.9	4.4	-10.2	0.5
third	w14	Bed	15.3	9.2	-39.9	9.1	9.2	1.1	0.7
	w15	Bed	15.2	9.1	-40.1	9.1	9.1	0.0	0.7
	w18	lkd	15	8	-46.7	8.7	8	-8.0	0.5
	w21	Bed	13.8	7.7	-44.2	8.7	7.7	-11.5	0.7
	w22	lkd	15.3	8.4	-45.1	9.3	8.4	-9.7	0.5

It is clear from the table above that the impact of the development on Gloucester and Durham House will be significant, with many windows experiencing a loss of light far in excess of what would usually be allowed under the BRE guidelines, with many windows with VSC figures of under 10. The most affected window is a window at first floor level which serves a living kitchen diner (W21), with losses of 97.1% of its former VSC.

The Mirror Image test is useful here, as it shows that the majority of these windows, would actually be less impacted by the development compared to if the massing of the Brent development was mirrored onto the application site. This is demonstrated by the proposed figures seeing greater levels of light than the 'existing' (where the existing is the mirrored mass). W21 is the only window which would breach the BRE guidance using this method, however this is because the 'existing' level of light is already exceptionally low, and therefore any further losses would have a high percentage change.

It is also apparent from the figures above, that while the windows may breach the BRE, many do retain good levels of light, in excess of a VSC of 20. All of the figures in bold have retained levels of VSC below 20 (with only 2 windows just above 10), and as can be seen have high percentage changes of light. The daylight sunlight report notes that many of the worst affected rooms are as a result of being set back behind inset balconies.

While the development will result in levels of light to rooms being below what is recommended by the BRE, the mirror massing indicates that the development is comparable and indeed better than such a scheme in many cases. It is also noted that many of the rooms are disadvantaged by existing locations below balconies and some windows with existing low levels of light, which negatively skews the results.

Sunlight:

48 rooms lose in excess of 20% of their sunlight, however when using the mirror masing approach, again a lot of rooms see an improvement in terms of sunlight, with only 2 rooms failing, one serving a kitchen and one a hallway.

The applicants report also notes that using the mirror massing method, all main living spaces meet the BRE criteria.

Franklin House & 1-57 Hollister House

Located to the south west of the site on the other side of Carlton Vale and Kilburn Park Road, this building is part 6, part 7 stories tall and includes numerous projecting balconies and windows which look obliquely towards the site.

Table 4: 1-38 Franklin House & 1-57 Hollister House VSC figures

Floor	Window	Use	With Balconies			Without Balconies		
			Existing	Proposed	% loss	Existing	Proposed	% loss
ground	w6	hall	3	2.1	-30.0	-	-	-
first	w11	hall	0.5	0	-100.0	-	-	-
	w12	hall	0.7	0.2	-71.4	12.2	11.2	-8.2
	w13	bed	1.8	0.8	-55.6	17.9	16.9	-5.6

The table above shows that all of the windows which fail the BRE have very low levels of existing light, which disproportionately skews the results, showing high percentage changes. It also shows how much the windows are affected by the large projecting balconies, with the existing levels of light improved from 0.7-12.2 and 1.8-17.9. The losses are then within the tolerances of BRE guidance.

Sunlight:

The report notes that the majority do not face south, and all windows meet the BRE guidance.

1-15 Melrose House

This purpose built residential block is located on the south of Carlton Vale and faces the development site and is set over six floors. The units are arranged as maisonettes with recessed access walkways at ground, second and fourth floor levels leading out from a central stair core. The windows at these levels are set beneath the projecting accommodation above, which will restrict light, and therefore the results below include results for with the 'balconies' removed. The majority of the affected rooms are halls, and so this data has been removed (but can be viewed in appendix 1).

Table 5: 1-15 Melrose House VSC and NSC figures

Floor	Window	Use	With Balconies			Without Balconies			NSC retained
			Existing	Proposed	% loss	Existing	Proposed	% loss	
second	w10	RESI	2.6	1.6	-38.5	5.8	4.4	-24.1	1

In terms of VSC, the losses of light are well in excess of what the BRE recommends, however it is apparent that this is due to the existing levels of light being poor. With the balconies removed, it demonstrates their impact with the existing levels of light being increased to very high levels, often over 30. With the balconies removed, all but one window pass the BRE test, W10, which shows a 24.1% loss, however as mentioned, this has an existing low level of light. However, all windows which fail the VSC test pass the NSC test and therefore the daylight distribution with the rooms will remain largely as existing in accordance with the BRE.

Sunlight:

The affected windows do not face within 90degrees of due south and are therefore not relevant for testing.

1-27 Keith House

This property is also located on the south side of Carlton Vale and is similar in terms of its design and appearance to Melrose House, which is adjacent to the west. It similarly has recessed access walkways.

Table 6 1-27 Keith House VSC and NSC figures

Floor	Window	Use	With Balconies			Without Balconies			NSC retained
			Existing	Proposed	% loss	Existing	Proposed	% loss	
ground	w25	resi	4.8	1	-79.2	33.9	27.4	-19.2	0.7
	w26	resi	0.2	0	-100.0	34	27.6	-18.8	0.7
	w27	resi	6.2	1.3	-79.0	31.9	25.4	-20.4	0.7
	w28	resi	5.3	0.8	-84.9	33.4	27.1	-18.9	0.7
	w29	resi	4.4	1	-77.3	33.1	27	-18.4	0.7

	w30	resi	0.2	0	-100.0	34	28	-17.6	0.7
	w31	resi	6.5	1.8	-72.3	31.4	25.4	-19.1	0.7
second	W9	resi	2	0.3	-85.0	31.2	26.3	-15.7	0.7
	W10	resi	11.9	7.3	-38.7	35	30	-14.3	0.7

Alike with Melrose House, it is clear how the location of the windows set beneath the projecting maisonette negatively impacts the levels of daylight, such as W26, which has an existing VSC of 0.2, which increased to 34 with the balcony removed. It is apparent with the balconies removed that all of the windows would have access to good levels of light, in excess of 20. When considering in the true situation with the balconies, the existing levels of light are poor as existing and therefore the losses are very high due to a high percentage loss. While the table does indicate that there are a number of windows which will fail in terms of both VSC and NSC, the levels of daylight distribution in the NSC figures is only a minor deviance from what the BRE recommends with a retained VSC of 0.7, rather than 0.8. Given the restriction from the balconies and the good retained NSC levels the impact is considered acceptable.

Sunlight:

The affected windows do not face within 90degrees of due south and are therefore not relevant for testing.

The Carlton Tavern

All windows pass the BRE requirements in terms of daylight and sunlight.

1-18 Strome House

This is a four storey purpose built residential block located to the east of the site on the other side of an area of open space.

Table 7 1-18 Strome House VSC results

			With Balconies		
Floor	Window	Use	Existing	Proposed	% loss
1-9 Peebles House & 1-18 Strome house					
ground	w7	living	9.8	6.9	-29.6
	w23	living	7.2	3.8	-47.2
	w26	living	7	3.9	-44.3
	w28	living	6.9	4.1	-40.6
	w30	living	7	4.5	-35.7
second	w31	living	10	7.6	-25.5

For each of the windows above which fail in terms of VSC, the room to which the window serves has other windows which pass the BRE tests and pass if a mean level is taken for the room. It is also pointed out that the 'real world' impact on these rooms will be less given the mature trees within the area of open space, which would reduce the levels of light to these rooms. It is therefore not expected that the impact would be noticeable.

Sunlight:

All windows meet the requirement of the BRE in terms of sunlight.

St Augustine's Church

This grade 1 listed church is located to the north of the site, fronting onto Kilburn Park Road and set within garden grounds adjacent to the area of open space and Strome House. Due to the orientation of the church, it does not have any windows which look directly towards the site, however the clerestory windows in the south east facing and south west facing windows will have oblique 'views' towards the site. Objections have been received in relation to the impact that the development will have on the daylight and sunlight to these windows, particularly the main Rose Window, situated in the western elevation, and the south facing windows facing the naïve.

Given the significance of the church, the applicant has asked their daylight and sunlight consultant to look into the impact further, who confirm that the relationship has been accurately modelled utilising survey information, which has been supplemented by an internal inspection of the church along with additional plans and images provided by Father Amos, reverend for the church.

The addendum report has looked into the Rose Window and the south windows which serve the nave, chapel and alter. The report confirms that all the windows meet the requirements of the BRE.

Daylight:

From the originally submitted daylight assessment one ground floor window (W1) would experience a loss of VSC from 14.9 to 11.1 (25.5% loss). The report also confirms that there would be no loss of NSC to this window and therefore the impact is considered acceptable.

Rose window:

The report notes that the losses of VSC for each part of the window will be minor, with the biggest loss being a 6.4% loss to pane W18. The average loss across all 22 panes of the window is 3.2%, which would be unnoticeable and in accordance with the BRE guidance.

South windows – nave:

All of these windows meet the requirements of the BRE, with the % changes ranging from 4.8-12.5%. All of the windows retain a VSC in excess of 22.5 with the exception of window 13 which received 18.3. The upper windows retain a very high level of light with an average VSC of 32.7%. This is considered acceptable.

South windows – chapel and alter:

All of these windows retain very good levels of light in excess of 27%, with the biggest loss being 5.6%, which is well within the tolerance of the BRE.

Sunlight:

From the originally submitted daylight assessment, all windows would retain good levels of sunlight, except W30 at ground floor level, which would reduce winter hours of sunlight from 27 to 17, however its total annual hours would be within BRE tolerance reduced from 90-80 hours, which is considered acceptable.

Rose window

The addendum report confirms that 16 of the 22 elements would experience no change and the remainder would experience a change of 3% or less and would also therefore be unnoticeable.

South Windows – nave:

The upper floor windows provide the streaming sunlight, which has been highlighted by the objector, with concerns that this would be negatively affected by the development proposals. The Addendum confirms that all of the upper windows would not experience changes of more than 4%, so would be unnoticeable. Due to their lower level, the lower windows receive less sunlight as existing, however the report noted that the retained levels of light are very good, with no losses in excess of what would be acceptable by the BRE, with all windows retaining at least 0.9% their former value (where the BRE recommends not lower than 0.8%). The proposals are in accordance with the BRE

South windows – chapel and alter:

The addendum confirms only very small changes with only a 1% shift from existing levels, with all windows retaining very good levels if sunlight.

8.3.3 Open Space:

The area of open space to the east of the site, will be affected by the proposals. The BRE sets out that for a space to appear well-sunlit through the year, at least 50% of the area should receive 2 hours or more of sunlight on the 21st March, in both existing and proposed situations. The submitted report confirms that 100% of the space will receive two or more hours of sunlight on the 21st of March assessment date and is therefore considered acceptable and in accordance with the BRE guidance.

There is also outdoor amenity spaces for the new Extra Care facility in the form of a large central courtyard at ground floor level, a small terrace at first floor level and a large terrace at third floor level to the south of the site. The two terraces will receive good levels of sunlight in accordance with the BRE guidance. Due to the nature of the ground floor courtyard, surrounded by the development and its low level, it does not received as much sun, with 37% of the space receiving a minimum of 2 hours of sunlight on 21 March. Given the variety of spaces and as large amounts of the space will receive excellent levels of light, this is considered acceptable.

8.3.4 Daylight and Sunlight Conclusions:

It is apparent from the data within the submitted daylight and sunlight report and as summarised above, the development will have a significant impact, with some considerable losses demonstrated. However, it is also apparent that the considerable changes are due to the low height of the existing building. The alternative method testing methods of the mirror massing and removal of balconies has been useful, to demonstrate comparable figures, and to put the development proposals into context of its adjacent neighbours and the impact of in-build restrictions such as the recessed balconies, which limits light. It is also apparent that unlike many windows fail in terms of VSC, the windows largely retain good levels of daylight distribution (NSC).

The BRE notes that their guidelines should be applied flexibly and having regard to the context of the site. In this location, windows currently have very open aspects due to the existing low level building. As such, any development on this site will have a noticeable and significant impact.

While the losses to surrounding properties are regrettable, they are considered acceptable, given the urban context, current very low level of development on the site and the considerable regeneration and benefits that this scheme will deliver in terms of 100% affordable housing for both general housing and older person housing.

8.3.5 Sense of Enclosure

Alike with daylighting issues, given the low rise nature of the existing building, the proposed replaced development will have a significant impact on the outlook of adjacent residents. Objections have been received on these grounds.

The most affected properties will be those on the other side of Kilburn Park Road in Gloucester House and Durham House, as these dwellings will face onto the largest and broadest section of the development, which face onto the street. The proposed building has a sheer ground to fourth floor and then slightly recessed 5th and 6th floor elements. While the impact to these residents will be significant, particularly to those at lower levels, the impact will be mutual given that the bulk of the affected building is comparable to that proposed. In addition the site sits on the other side of the road and is characteristic of an urban setting, with large buildings facing onto a road. The relationship is therefore considered to be acceptable.

To the south, the properties over Carlton Vale will also be affected, however the bulk is articulated on this frontage, with the single storey podium, which separates the older person housing from the general needs housing and also a lowered section in the southern block, which allows light into the development and courtyard. This helps to break up the mass on this frontage, which again is considered to be characteristic of its urban location and acceptable.

The impact to the church and Strome House is softened by the area of open space, and also with the development stepping down to the north eastern side. The church also does not have windows which look directly at the site, with only oblique views. The impact on these occupiers is therefore considered to be acceptable in this context.

8.3.6 Privacy

The proposed blocks include windows and projecting and inset balconies on all sides. These will result in a loss of privacy to surrounding occupiers. Similarly, the adjacent residential blocks have windows balconies/terraces and therefore there will be a degree of mutual overlooking as a result of the proposals. In relation to the proposed balconies, the benefits of providing these outside areas for the proposed flats is considered to outweigh the harm from potential noise, disturbance and overlooking. The impact in terms of increased overlooking from windows will be similar to many an urban context and is not considered unacceptable in this location.

Communal terraces are proposed within the Extra Care block to the south at third floor level and at fourth floor level at the north western end of the block, adjacent to the 'orangery'. The third floor terrace is partially screened as it features a dummy storey when observed from the south elevation, with openings which match the window pattern below. In order to prevent large gatherings of people congregating at night on these communal terraces, it is recommended that a condition is applied to ensure that they are not used, besides for access purposes, past 10pm daily.

8.3.7 Amenity Conclusion

While it is appreciated that the development will result in a loss to residential amenity to the surrounding occupiers, given the urban context, and the benefits of providing affordable additional housing (both general and older person housing) to meet the councils housing targets, these impacts are on balance considered acceptable.

8.4 Transportation/Parking

The site has a PTAL level of 6a which represents an 'excellent' level of public transport accessibility. The site is 260 metres from Kilburn Park Underground Station (Bakerloo Line), 540 metres from Kilburn High Road (London Overground) and 900 metres from Queens Park Station (London Overground). There are five bus services (31, 316, 328, N28, N31) including two-night services that stop on the bus stop on Kilburn Park Road immediately adjacent the site.

There are 4 existing staff parking spaces to the north of the site.

Cycle Parking

Long stay cycle parking will support active travel options by residents and staff. Long term cycle parking must be secure, accessible and weather proof. 64 cycle parking spaces are proposed, and storage for scooters and wheelchairs. The space is indicated as being flexible to meet the needs of the residents. No objection has been received from the Highways Planning Manager.

65 'extra care' units are proposed, which is classified as a C3 use. The London Plan Policy T5 requires 1 space per 1 bed (1 person) unit; 1.5 spaces per 1-bedroom unit and 2 spaces per 2+ bedroom unit. For Care Homes (a C2 use) no spaces are required for residents, with 1 space required for each 5 fulltime members of staff.

The application proposes 64 cycle spaces. The Highways Planning Manager has noted that this is a shortfall of 34 spaces if using the C3 standard and notes that there is no evidence that future occupants would not be able use a bicycle to access local amenities and services. While the provision of space for mobility scooters and wheelchairs is welcomed, they do not consider this sufficiently off-set the short fall in cycle parking provision.

For the "general needs" units 38 long term cycle parking spaces would be required to meet the London Plan requirements, 40 spaces are proposed.

Separate additional cycle parking is made for staff use, including those associated with the café use (which is open to the public). This is welcomed. The provision of short stay cycle parking near the residential entrances is also welcomed.

In conclusion, the level of cycle parking is considered acceptable, given that in excess of the requirement is provided for the short stay parking, and given that a considerable level of flexible parking is provided for the extra care facility, which can be adapted to meet the needs of future residents. It is not a 'classic' C3 development, with the proposals restricted through legal agreement to be solely for the over 55's, who are likely to have less requirement for cycle parking. The applicant has noted that the average age

of people within Westminster's extra care facilities is 80.

Car Parking Provision

During the course of the determination of this application, the Council has adopted the City Plan 2019-2040 and is therefore the Local Development Plan, superseding policies within the UDP (2007) and City Plan (2016). Policy 27 relates to Parking and states that parking should be in accordance with the London Plan (Policies T6 and T6.1). These policies seek for development to be predominantly car free in areas such as this with a high PTAL rating. It does however note in paragraph 27.5 of the City Plan that where parking is known to be over stress levels, mitigation should be provided such as car club membership for residential occupiers.

Eight car parking spaces are provided within the podium. Concerns have been raised by the Highways Planning Manager in relation to the parking, with only 1 space being designed for disabled standards. They query that parking for a Care Home (Use Class C2) would need to be justified on an operational need basis, and general needs housing should provide disabled parking only, in order to meet the London Plan requirements (10%).

This does lead to a slightly confused offer with the applicant referring to existing operational needs of the existing care home, with 4 existing spaces for visiting doctors and nurses. As submitted the proposal has 7 standard parking spaces and a disabled parking space. The applicant has noted that the 7 parking spaces have been designed so that the spaces are 2.6m wide, which meets recent Extra Care Car Parking guidance. During the course of the application the parking layout has been amended to adapt a standard bay to provide an additional disabled bay.

The provision of 6 parking bays and 2 disabled bays is not in accordance with the London Plan or the City Plan. The plans require that when parking is provided it should be secured so that it is not sold, and that it allows for electric charging. However the proposed Extra Care facility is not the same as standard C3 general needs housing, as it is to be secured for people aged 55 and over, however residents may still own a car. Given this proposed use does not readily fall within a use class, a common sense approach is recommended, securing the provision of the two disabled parking bays and ensuring that the remaining spaces are only used by residents (of either the extra care or general needs housing) or visitors (such as doctors and nurses) of the development as a whole. The parking can then be allocated with demand. In line with Policy 27 and London Plan, it is also recommended that the parking is secured to include electric charging and that any parking associated with the residents is leased rather than sold (through the legal agreement) and linked to individual addresses.

The Highways Planning Manager has noted that the site is within an area with high take up of on street parking, with nighttime ResBays within a 200m radius being 84% used. The applicant has noted that this reduces to 71% at night through the use of single yellow lines and pay by display bays. Given that occupants of the units may be able to drive for both proposed types of units, lifetime car club membership is considered the strongest mechanism that is likely to reduce car ownership of the future residential occupiers and assist in not increasing on-street parking stress further in accordance with the City Plan. During the course of the application Car Club Membership has been offered for all of the units, which is welcomed and will be secured through the Unilateral

Undertaking.

It is stated that the proposal includes 4 Electric Vehicle Charing Points. This is consistent with The London Plan requirements. However, these are not indicated on the submitted drawings and will be secured by condition.

Vehicle tracking has been provided to demonstrate the revised car parking layout is functional. Further detail design of the vehicle access is required to demonstrate suitable visibility splays are provided and shall be secured by condition.

Servicing and Vehicle Access

Policy 29 requires off-street servicing, or where this is not possible that, development minimise adverse effects on other highway users. The proposal includes no off-street provision, to which the Highways Planning Manager has highlighted concern.

While ground floor holding areas are provided for the refuse bins, no holding area is allocated for deliveries off-street. Deliveries, goods, and waste collection on the highway create an obstruction to pedestrians and other venerable highway users and have an adverse impact on the improvements to the public realm. Delivery vehicles stopping on the highway can also result in localised congestion to other motorists. Concerns in relation to where ambulances will stop has been received. The applicant notes that ambulance access will be similar to existing and will need to use street parking.

The Highways Planning Manager notes the applicants reliance on on-street servicing does not account for increased servicing requirements (both number of vehicles plus length of time they are present) due to the intensification of the development on the site. They applicant notes that only 3 additional delivery vehicles will visit the site above existing.

To accommodate on-street servicing (and new vehicle access), the applicant is proposing alterations to the existing on-street residential car parking provision. While the applicant suggests that spaces could be relocated, the new locations do not appear to fully consider the need for other highway users, including vehicles turning into/from existing vehicle access points, impact on informal crossing points and/or impact on adjoining junctions. While the Highway Authority would work to relocate on-street parking, it is likely that there would be a reduction in the number (up to 5) of on-street spaces available due to the proposed development.

A Servicing Management Plan (SMP) has been provided. The document is technical in nature, repeats information found in the Transport Statement and only contains many overarching principles on how servicing will be managed. It is not considered to be a practical document for ongoing day to day use. The submitted SMP lacks detail on how any of these commitments will be delivered or the processes that will be followed to ensure servicing associated with the permitted use has no significant impact on other highway users. A robust SMP must identify process, storage locations, scheduling of deliveries and staffing arrangements; as well as how delivery vehicle size will be managed. It should clearly outline how servicing will occur on a day to day basis, almost as an instruction manual or good practice guide for the future occupants. A basic flow chart mapping the process may be the easiest way to communicate the process, accompanied by a plan highlighting activity locations. The idea of the SMP is to ensure

that goods and delivery vehicles spend the least amount of time on the highway as possible and do not cause an obstruction to other highway users, including vehicles and pedestrians, contrary to Policy 29. In order to help mitigate impacts, a condition is recommended for the submission of an updated SMP.

Traffic Management Orders

The proposed changes to on-street restrictions will be subject to the formal Traffic Management Order process. This is a separate legal process, involving consultation, under the Roads Traffic Regulation Act 1984. As discussed above, there may be a reduction in on-street car parking as a result of the proposed development.

It is worth noting that the final decision on on-street parking is for the Council as Traffic Authority. As it a separate legal process, their outcome cannot be guaranteed – as all representations will need to be carefully considered. This is emphasised by the separate statutory process under the Road Traffic Regulation Act 1984. The changes the applicant wish to make are outside the control of the applicant and therefore require agreement of the Traffic Authority. The commencement of the development should therefore not occur until all the Traffic Orders had been confirmed and will be secured by Unilateral Undertaking

Any costs associated with the proposed changes will need to be covered by the applicant. The process can only be undertaken by the Council, as Highway and Traffic Authority.

Highway Works and Wider Public Realm

The remove of the redundant vehicle crossover at the Kilburn Park Road/northern frontage is welcomed and is considered to improve pedestrian environment. These works, along with the new vehicle access, will need to be secured via unilateral undertaking and need to be completed prior to occupation of the development.

There have been a considerable number of objections in relation to the lack of consideration to the impact on the public realm, particularly adjacent to the church. There are aspirations for improvements to the public realm at the existing small roundabout in front of St Augustine's Church. These do not form part of this application, which stands alone, with any such improvements considered separately. Objectors consider that this should be considered as part of the development proposals. As this area of public realm lies outside of the red line and as the proposals are currently only aspirational, the development must be considered as submitted. It must be able to integrate into the existing arrangement, as it is not known if these alterations will be brought forward. The alterations to the highway would also not require planning permission, but would be subject to consultation and approval through Highways legislation and a likely S278 application. While it may have been beneficial for this are to be included within the red line, as this has not been offered, the development proposals must be considered on their own. As mentioned, and proposals in the future would be considered separately.

Trip Generation

It is accepted that the majority of trips associated with the site (excluding servicing activity) will be via public transport or other sustainable modes (eg walking, cycling). Trip generation modelling indicates that the proposed development will not have a

significantly detrimental impact on the safety or operation of the highway network.

Travel Plan

Given the sites proposed uses and location, a travel plan is not required.

8.5 Economic Considerations

Westminster Economy Team have indicated that the scheme triggers a requirement for a payment towards Westminster Employment Service of 31,149.04, which will be secured by Unilateral Undertaking.

Any economic benefits that the scheme delivers are most welcomed including a clause within the unilateral undertaking for the provision of an employment training, skills and apprenticeships opportunities for residents of Westminster in relation to the construction phase of the development and operation of the care facility.

8.6 Access

The accommodation for the extra-care is accessed via main entrances to the north of the site, whilst the general needs housing primary access is via Carlton Vale. A number of family homes will have direct access from the path to the east of the site.

8.7 Other Westminster Policy Considerations

8.7.1 Plant equipment

The proposals include plant enclosures on the roof to include cooling equipment and also kitchen extraction equipment for the kitchen within the Extra Care block.

An acoustic report was provided with the application however the Environmental Sciences Officer has commented that a supplementary acoustic report will be required once plant equipment has been selected in order to demonstrate compliance with Westminster's standard noise conditions. They have also requested a condition for full details of the ventilation system to be provided for the Extra Care facilities kitchen to be provided. Subject to these conditions the proposals are considered acceptable to safeguard the amenity of adjacent occupiers.

8.7.2 Refuse /Recycling

During the course of the application amended ground floor plans have been provided to address officers concerns in relation to waste storage proposed. The revised proposals are considered acceptable and will be secured by condition.

8.7.3 Trees & Biodiversity

Policy 34 relates to Green infrastructure and seeks to protect and enhance the city green infrastructure. Part H notes that trees of amenity, ecological and historic value which contribute to the character and appearance of the townscape will be protected.

Existing trees:

The arboricultural officer raises objection to the proposals which include the loss of nine of the twelve trees on the site and the likely impact on the three trees retained. They

note that all but one of the trees is of a high amenity value (a Norway Maple 6) and that the three lime trees which are proposed to be retained (9,11 and 14) are at risk of damage from construction and also will likely need removal in the future due to their proximity to the development.

Additional information has been requested in relation to level changes and sections to show the relationship of the new trees with the building frontage. The trees on Kilburn Park Road have subsequently been removed and sections provided.

New trees and landscaping:

Ten new trees are proposed: Four are proposed within the Extra Care's central courtyard; four are proposed along the southern boundary; one tree to the eastern boundary; and for the replacement for the Maple (6) on the corner of Carlton Vale and Kilburn Park Road. The replacement of the Maple is considered acceptable and welcomed. The four within the Extra Care courtyard are also considered acceptable. The remaining 5 trees are within close proximity to the building facades. Despite the submission of sections to show the relationship, the Arboricultural officers concerns remain that they would impinge on the future resident's amenity and would unlikely be able to be planted. Given the Arboricultural officer's objection to the loss of the existing trees, and the concerns of likelihood of the replacement trees being unfeasible, funds to plant trees within the vicinity is considered to be the best method to promote greenery and biodiversity and mitigate against the tree losses. A figure of £10,000 has been requested by the tree officer and is to be secured by unilateral undertaking. A condition is also recommended to secure the landscaping details for the development as a whole, and further discussions can take place regarding the replacement planting at a later date. It is regrettable that existing trees are being lost, but this has to be weighed in the light of the benefits of the scheme, and it is considered that funding for additional tree planting and conditions to reserve landscaping are considered to mitigate this harm.

Biodiversity

Policy 34 also relates to biodiversity. It states that developments will contribute to greening, incorporating green walls, roofs, rain gardens and other features. Brown and extensive (sedum) and intensive (living roof) green roofs are proposed along with bird and bat boxes. These are to be secured by condition. It is recommended that details of the green roofs are provided to ensure that they are as intensive as is possible (with sufficient soil depths) to help boost greenery and provide biodiversity improvements and to include how they will be maintained. The condition will also require details of why the main roof cannot also be green (rather than brown) to increase Biodiversity, as green roofs can work well around the base of PV panels.

The submitted ecological appraisal has noted that the existing site is of limited value for species of commuting and foraging bats, however, offers a suitable habitat for common species of nesting birds and foraging hedgehogs. Mitigation and enhancement are recommended within the submitted Ecological Appraisal to protect any species during demolition and construction, these are to be secured by condition.

8.7.4 Sustainability

Westminster City Council declared a climate emergency in September 2019 and committed to becoming climate neutral as a borough by 2040. Energy efficiency and low

carbon design are therefore key considerations for developments across the borough. This is reflected within the Environment Chapter of the new City Plan 2019-2040.

An Energy and Sustainability Statement has been submitted with the application. It notes how the development has sought to reduce its impact and improve efficiencies through targeting Passive House. While this has not been possible for design reasons for the Extra Care Facility, the general needs block is showing compliance. The Extra Care facility is however seeking to achieve an alternative PHI Low Energy standard. Heating and hot water is to be provided using an Air source heat pump and ventilation though heat recovery units. Flat roof space has also been used to maximise the amount of PhotoVoltaics.

As noted within the Land Use section of this report, it has not been deemed possible to refurbish the existing building, due to the amount of investment required. The demolition and rebuilding of the site will better maximise the use of the space and provide much needed housing.

Despite the above measures taken to ensure the most sustainable, energy efficient building is provided, the scheme needs to comply with the Zero Carbon Homes requirement, as defined by the current London Plan. The remaining regulated carbon emissions need to be offset through a carbon offsetting contribution to the value of approximately £66,405. This is based on the recommendations of the Greater London Authority of a carbon offset fund of £95/tonne for a period of 30 years. This is to be secured via Unilateral Undertaking.

8.8 Westminster City Plan

The City Plan 2019 - 2040 was adopted at Full Council on 21 April 2021. Therefore, in accordance with s.38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan adopted in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 8.9). As set out in s.38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

8.9 Neighbourhood Plans

The site is located outside of an area with an adopted Neighbourhood Plan.

8.10 London Plan

This application is considered to be in accordance with the London Plan unless otherwise outlined within this report.

8.11 National Policy/Guidance Considerations

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

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.

During the course of this application a notice was served relating to the proposed imposition of a pre-commencement conditions to secure the applicant's adherence to the following:

- Code of Construction Practice during the demolition/excavation and construction phases of the development
- Contaminated Land
- Tree protection
- Site supervision of tree works
- Servicing management plan

The applicant has agreed to the imposition of the conditions

8.12 Planning Obligations

The draft 'Heads' of unilateral undertaking are proposed to cover the following issues:

- i. Provision of 100% affordable housing in the form of 65 'Extra Care' units for the over 55's and 22 "general needs" residential units.
- ii. A financial contribution of £66,405 towards Carbon Offset Payments (index linked and payable on commencement).
- iii. Lifetime Car Club membership (25 years minimum) for all 87 units within the development.
- iv. Parking is leased and not sold.
- v. Highways works to facilitate the proposed development, including reinstatement existing vehicle access as footway and creation of a new vehicle crossover plus adjoining footway in Kilburn Park Road, Carlton Vale and associated work (legal, administrative and physical).
- vi. Prior to commencement of development, the provision of an employment training, skills and apprenticeships opportunities for residents of Westminster in relation to the construction and operational phases of the development.
- vii. Payment of a contribution of £31,149.04 (index linked) to support the Westminster Employment Service prior to commencement
- viii. Tree planting contribution of £10,000 (index linked) to be used for the purpose of tree planting and maintenance within the vicinity, provided prior to commencement.
- ix. The costs of monitoring the Unilateral Undertaking payable on completion of the deed

The Community Infrastructure Levy helps to fund infrastructure such as transport schemes and schools which the council and local community and neighbourhoods require and helps to accommodate new growth from development. The Levy is spent on area wide needs, apart from 15% (or 25% if a neighbourhood plan is adopted) which goes to the neighbourhood.

The CIL payments associated with the development will be provided on application by Westminster CIL officer, however it is estimated at:

- Westminster - £3,148,946.67
- Mayoral CIL2 - £510,640

8.13 Environmental Impact Assessment

The application is not EIA development. It is not considered to meet the threshold and criteria to constitute EIA development and the proposed development does not exceed the threshold set out for its category in Schedule 2 is not actually in one of the “sensitive areas” and is not considered likely to have a significant effect on the environment under The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. However, environmental impacts are assessed where relevant elsewhere in this report.

8.14 Other Issues

8.14.1 Construction impact

A considerable amount of concern has been raised from objectors in relation to the impact of the development on the adjacent Church (and its organ) and its operation both as a church and also a venue (and therefore its income). Concerns have also been raised in relation to general disturbance from noise, dust and disturbance to other adjacent occupiers.

Given the scale of the proposed development, it will inevitably have an impact on the surrounding environment, however this is not a ground for refusing planning permission. In order to mitigate the construction impacts the Council has adopted its Code of Construction Practice, which requires developments of this nature to submit details of how the construction phase of the development will be managed. This is to be secured by condition. It is also recommended that the applicant is advised of the Considerate Contractors scheme by way of an informative, which also seeks to ensure that developments are undertaken in a way as to reduce their impact and to work with surrounding occupiers. Subject to this condition and informative, the proposals are considered acceptable.

Concerns have also been raised in relation to the lack of detail of ground conditions and potential impact on Church and Underground line. In relation to the underground, the tube line and buffer zone are located off to the east under Randolph Gardens and therefore are not considered relevant to this application. Given that the application is for a full redevelopment, the proposals will need to be considered against building regulations. This is a separate process, and planning permission could not be withheld on these grounds.

8.14.2 Crime and security

Meetings have been held with the Metropolitan Police at both pre-application and application stage in order to achieve Secure By Design (SBD) accreditation. Police have raised concerns in relation to a number of points but the main objections are in relation to the following:

1. Concerns with linkages between shared communal facilities, mainly the café and the main entrance to the extra care facility.

2. Compartmentalisation should be made between floors
3. Other advice is provided in relation to access and doors to bike and bin stores, post boxes and CCTV.

Following these ongoing discussions the applicant has made a number of changes to the scheme, including:

- Dwellings re-planned and escape doors at ground floor onto street omitted.
- Secondary entrance from Carlton Dene omitted.
- Amendments made to bin and bike stores.
- Amendments made to post and delivery provision.
- Inclusion of access control on upper floors within Block A to provide additional flexibility in the future.
- Reconfiguration and monitoring of secondary staff entrance areas.
- A dividing partition within the entrance to the Extra Care block and the café.

Given the objections, it is unlikely that the scheme will achieve SBD, however given the proposed use for older people, as well as general needs housing, a condition is recommended to secure the security measures offered. Should the applicant wish to amend the scheme to achieve SPD, these would not be material changes and could be agreed outside of the planning process.

8.14.3 Statement of Community Involvement

The applicant has submitted a statement of community involvement, which indicates that they have undertaken consultation with stakeholders and local residents, namely via sending out materials in the post, calls, emails, webinars and online.

A significant number of objections have been received in relation to the public engagement with the church, who comment that the development was presented with proposed alterations to the public realm between the site and the Church being shown. The development proposals were therefore considered to have been presented disingenuously. As mentioned within the Highways section of this report, these works are not being progressed as part of this application. Highways alterations generally do not require planning permission, and may well be brought forward separately, however the applicant has not included them in the scope of this application. It has therefore been considered without these alterations.

8.14.4 Fire safety

The applicant has confirmed that the proposals will meet Part B 'Fire Safety' of the Building Regulations. A Fire Strategy Report and Fire safety details have been provided within the Design and Access Statement. The Building Control Officer has noted that they are not statutorily required to comment on this element at this stage. The submitted details are considered acceptable at planning stage, with any further details being scrutinised as part of buildings regulations approvals.

8.14.5 Children's Play Space

The site is not located within an area of identified Children's Play Space deficiency. While no designated area for children's play space is provided, the site is located directly adjacent to Paddington Recreation Ground, and therefore this is not considered a requirement.

8.14.6 Air Quality

Concerns have been raised by objectors in relation to pollution and air quality, however this seems to be largely in relation to construction impacts such as dust and particulates.

The site is not within a designated Air Quality Management Area, however in accordance with Policy 32 “Air Quality” an air quality assessment has been provided with the application, which assesses the air quality during both construction and occupation phases. It notes that the effects are considered ‘not significant’ overall and do not conflict with national or local policies. It includes a number of mitigation measures. It is recommended that these are secured by condition. No objection has been received from the ESO on these grounds.

8.14.7 Contaminated Land

The ESO has provided comments in relation to the phase 1 risk assessment provided with the application and recommended the councils standard contaminated land condition to secure these details. Phases 2-4 will require further details to be submitted and considered in accordance with the Councils standard condition.

8.14.8 Other

Application Consultation:

Concerns have been raised in relation to lack of consultation and also lack of a site notice. Consultation letters were sent out to all the properties which surround the site, along with multiple site notices. The development proposals were also advertised within a local newspaper. It is considered that the council has undertaken suitable consultation with residents, in excess of what is statutorily required.

Impact on Church:

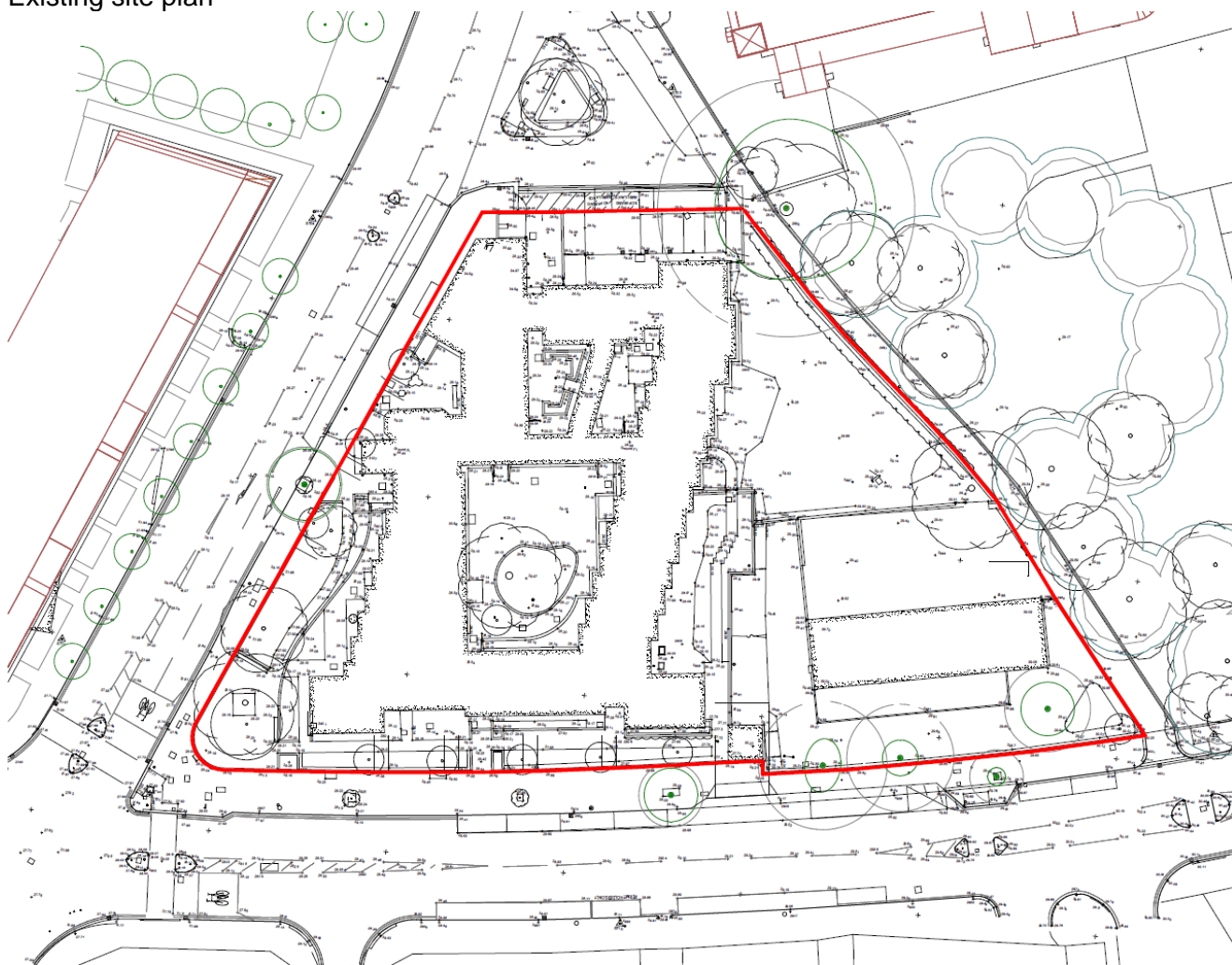
Comments have been received that the proposals will impact on the operation of the church and loss of earnings from special events. As outlined above, the council has adopted its Code of Construction Practice, which aims to limit the impact of development sites on adjacent occupiers and work with them as far as possible and reduce the impact. While these comments are noted, to go further than this would be unreasonable in terms of considering the planning application.

(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: **RUPERT HANDLEY** BY EMAIL AT rhandley@westminster.gov.uk

9. KEY DRAWINGS

Existing site plan



Proposed Ground floor plan





Proposed Third Floor plan





3D visual illustration looking north

Building heights



(Heights in storeys)

3D visual illustration looking south west

DRAFT DECISION LETTER

Address: 45 Kilburn Park Road, London, NW6 5XD,

Proposal: Redevelopment of site to provide 'Extra Care' residential facility (Use Class C3) ranging between 3-6 storeys with terraces and courtyard and a building ranging between 2-6 storeys to provide residential dwellings (Use Class C3); together with the provision of associated communal facilities including cafe and hairdressers, podium level car parking and landscaping.

Plan Nos: CAR-LB-ZZ-00-DR-A-103000 C01; CAR-LB-ZZ-XX-DR-A-104000 C01; CAR-LB-ZZ-XX-DR-A-104001 C01; CAR-LB-ZZ-XX-DR-A-104002 C01; CAR-LB-ZZ-ZZ-DR-A-300004 C02; CAR-LB-ZZ-00-DR-A-120000 C04; CAR-LB-ZZ-00-DR-A-120001 C02; CAR-LB-ZZ-00-DR-A-120002 C02; CAR-LB-ZZ-00-DR-A-120003 C02; CAR-LB-ZZ-00-DR-A-120004 C02; CAR-LB-ZZ-00-DR-A-120005 C02; CAR-LB-ZZ-00-DR-A-120006 C03; CAR-LB-ZZ-RF-DR-A-101000 C01; CAR-LB-ZZ-RF-DR-A-110000 C01; CAR-LB-ZZ-RF-DR-A-110001 C01; CAR-LB-ZZ-XX-DR-A-130000 C02; CAR-LB-ZZ-XX-DR-A-130001 C02; CAR-LB-ZZ-XX-DR-A-130002 C02; AR-LB-ZZ-XX-DR-A-130003 C02; CAR-LB-ZZ-XX-DR-A-130005 C03; CAR-LB-ZZ-XX-DR-A-140000 C01; CAR-LB-ZZ-XX-DR-A-140001 C01; CAR-LB-ZZ-ZZ-DR-A-300000 C02; CAR-LB-ZZ-ZZ-DR-A-300001 C02; CAR-LB-ZZ-ZZ-DR-A-300002 C02; CAR-LB-ZZ-ZZ-DR-A-300003 C01; CAR-LB-ZZ-ZZ-DR-A-300004 C02; 100 F; 120 B; 125 A; Air Quality Assessment Rev 1 by rps; Energy and Sustainability Statement Rev E by Etude; Phase 1 Preliminary Risk Assessment from RPS dated 26th October 2020 version 3; Preliminary Ecological Appraisal report 3 by rps.

For information only:

Acoustic Design Statement Rev 1 by rps; Air Quality Neutral assessment rev 1 by rps; Arboricultural Impact Assessment & Method Statement V3 by rps; Built Heritage Statement dated November 2020 by rps; Case to justify loss of care home use (C2) 1.0 by rps; CoCP Appendix A; Daylight and Sunlight Statement dated 28/10/2020 by eb7; Daylight and Sunlight effects to St Augustine's Church dated 20 April 2021; Delivery Service Plan Version 05a by rps; Design and access statement dated November 2020 by rps; Flood Risk Assessment 2 by rps; Flood and surface water drainage assessment 1.0 by rps; Letter dated 16 December 2020 from rps; Planning Statement dated 15 December 2020 by rps; Statement of Community Involvement November 2020 by WCC; Transport Statement Version 02a by rps; Trial Trench Technical Note by rps; Utilities Statement P02 by rps; UXO Desk Study Rev 00 by rps; Fire Strategy Report by RPS.

Case Officer: Rupert Handley

Direct Tel. No. 07866036401

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

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

Reason:

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

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

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

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

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 3 **Pre Commencement Condition.** 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 neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 4 **Pre Commencement Condition.** You must carry out a detailed site investigation to find out if the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology and general requirements outlined in 'Contaminated Land Guidance for Developers submitting planning applications' - produced by Westminster City Council in January 2018.

You must apply to us for approval of the following investigation reports. You must apply to us and receive our written approval for phases 2 and 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed but before it is occupied.

Phase 1: Desktop study - implemented in accordance with the Phase 1 Preliminary Risk Assessment from RPS dated 26th October 2020 version 3.

Phase 2: Site investigation - to assess the contamination and the possible effect it could have on human health, pollution and damage to property.

Phase 3: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate.

Reason:

To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in Policy 33(E) of the City Plan 2019 - 2040 (April 2021). (R18AB)

- 5 The development **shall not be first occupied** until the mitigation measures outlined within Chapter 7 of the Air Quality Assessment by rps Rev 1 have been implemented, unless otherwise agreed first in writing by the Local Planning Authority. These measures must be retained for the lifetime of the development.

Reason:

To safeguard air quality as set out in Policy 32 of the City Plan 2019 - 2040 (April 2021).

- 6 You must apply to us for approval of details of the ventilation system to get rid of cooking smells, including details of how it will be built and how it will look in respect of Block A. You must not begin the Extra Care use allowed by this permission until we have approved what you have sent us and you have carried out the work according to the approved details. (C14AB)

Reason:

To protect the environment of people in neighbouring properties as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R14AD)

- 7 (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 in writing 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 in writing 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 written 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 LA90, 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. (C46AC)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Noise Technical Guidance Note (November 2019), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R46AC)

- 8 Any emergency plant and generators installed on the roof shall only be used for the purpose of public safety and life critical systems and shall not be used for backup equipment for commercial uses such as Short Term Operating Reserve (STOR). The emergency plant and generators shall be operated at all times in accordance with the following criteria:

- (1) Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the LA90, 15 mins over the testing period) by more than 10 dB one metre outside any premises.

- (2) The emergency plant and generators hereby permitted may be operated only for essential testing, except when required in an emergency situation.
- (3) Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays. (C50AC)

Reason:

Emergency energy generation plant is generally noisy, so in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Noise Technical Guidance Note (November 2019), a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby. (R50AC)

- 9 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition(s) 7 & 8 of this permission. You must not start work on this part of the development until we have approved in writing what you have sent us. (C51AB)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Noise Technical Guidance Note (November 2019), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and by contributing to reducing excessive ambient noise levels. (R51AC)

- 10 The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night. (C49AA)

Reason:

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 as set Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Noise Technical Guidance Note (November 2019). (R49AB)

- 11 The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night. Inside bedrooms 45 dB L Amax is not to be exceeded more than 15 times per night-time from sources other than emergency sirens. (C49BB)

Reason:

To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development, as set out Policies 7 and 33 of the City Plan 2019 - 2040

(April 2021) and the draft Noise Technical Guidance Note (November 2019). (R49BB)

- 12 You must apply to us for approval of sound insulation measures and a Noise Assessment Report to demonstrate that the residential units will comply with the Council's noise criteria set out in Condition(s) 10 & 11 of this permission. You must not start work on this part of the development until we have approved in writing what you have sent us. You must then carry out the work according to the details approved before the residential units are occupied and thereafter retain and maintain. (C51BB)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Noise Technical Guidance Note (November 2019), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and by contributing to reducing excessive ambient noise levels. (R51AC)

- 13 **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:

To protect trees and the character and appearance of the site as set out in Policies 34 and 38 of the City Plan 2019 - 2040 (April 2021). (R31CD)

- 14 You must apply to us for our approval of details of an auditable system of arboricultural site supervision and record keeping prepared by an arboricultural consultant who is registered with the Arboricultural Association, or who has the level of qualifications and experience needed to be registered. The details of such supervision must include:

- i) identification of individual responsibilities and key personnel;
- ii) induction and personnel awareness of arboricultural matters;
- iii) supervision schedule, indicating frequency and methods of site visiting and record keeping;
- iv) procedures for dealing with variations and incidents.

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 what you have sent us. You must then adhere to the approved supervision schedule.

You must produce written site supervision reports after each site monitoring visit, demonstrating that you have carried out the supervision and that the tree protection is being provided in accordance with the approved scheme. If any damage to trees, root protection areas or other breaches of tree protection measures occur then details of the incident and any mitigation/amelioration must be included. You must send copies of each written site supervision record to us within five days of the site visit.

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in Policies 34 and 38 of the City Plan 2019 - 2040 (April 2021). (R31AD)

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

If you remove any trees that are part of the planting scheme that we approve, or find that they are dying, severely damaged or diseased within 3 years of planting them, you must replace them with trees of a similar size and species. (C30CC)

Reason:

To improve the appearance of the development and its contribution to biodiversity and the local environment, as set out in Policy 34 of the City Plan 2019 - 2040 (April 2021). (R30AD)

- 16 Notwithstanding what is shown on the drawings hereby approved, detailed drawings and a bio-diversity management plan shall be submitted to the Local Planning Authority indicating the areas of roof which shall be used as green roofs, including construction method, layout, species and maintenance regime.

Works must not commence on the relevant part of the development until The Local Planning Authority has approved these details in writing. The work must then be carried out in accordance with the approved details and thereafter retain and maintain in accordance with the approved maintenance regime.

Reason:

To reduce the effect the development has on the biodiversity of the environment, as set out in Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43AC)

- 17 You must apply to us for approval of any planned alterations to the existing ground levels, including reducing or building up the existing surface levels within the root protection areas of any trees shown to be retained on the submitted plan. You must not carry out any changes in levels until we have approved what you have sent us. Any work which we subsequently approve shall be carried out by hand or by tools held in the hand, including removal of the existing surfacing and installation of any new surfacing.

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in Policies 34 and 38 of the City Plan 2019 - 2040 (April 2021). (R31AD)

- 18 **Prior to occupation of development** a Servicing Management Plan (SMP) must be submitted to and approved by the Local Planning Authority. The plan must identify process, freight consolidation, internal storage locations, scheduling of deliveries and staffing as well as a clear process for transporting of goods between sites. All servicing must occur from within the off-street servicing area, including refuse collection. The SMP must thereafter be maintained and

followed by the occupants for the life of the development unless a revised strategy has first been agreed by the Local Planning Authority.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in Policy 29 of the City Plan 2019 - 2040 (April 2021). (R23AD)

- 19 Prior to commencement of work on this part of the development, the detail design of the vehicle entrance and exit and adjoining walls shall be submitted for approval to ensure adequate visibility splays can be achieved to other highway users, including pedestrians.

Reason:

In the interests of public safety and to avoid blocking the road as set out in Policies 24 and 25 of the City Plan 2019 - 2040 (April 2021). (R24AD)

- 20 **Prior to first occupation** of the development, a minimum of 50% active Electric Vehicle Charging Points shall be provided and thereafter retained in working order.

Reason:

To provide electric parking spaces for people using the development as set out in Policy 27 of the City Plan 2019 - 2040 (April 2021). (R22AC)

- 21 All vehicles must enter and exit the site in forward gear.

Reason:

In the interests of public safety and to avoid blocking the road as set out in Policies 24 and 25 of the City Plan 2019 - 2040 (April 2021). (R24AD)

- 22 Capacity for a minimum of 64 long stay spaces for the "extra care" residential units, 38 long stay spaces for the "general needs" residential units plus 10 short stay spaces for the residential units shall be provided **prior to occupation of the development** and thereafter maintained for the life of development for residential occupier cycle parking. All long stay cycle parking must be secured, weather proof, accessible and within the development site.

Reason:

To provide cycle parking spaces for people using the development in accordance with Policy 25 of the City Plan 2019 - 2040 (April 2021). (R22FB)

- 23 **Prior to the occupation of the development**, the 2 disabled car parking spaces shall be provided for residential occupiers of the development only, with a maximum of 1 space per residential unit. All the car parking spaces shall be retained and maintained for the lifetime of the development and only used for the parking of motor vehicles.

Reason:

To provide parking spaces for people using the development as set out in Policy 27 of the City

Plan 2019 - 2040 (April 2021). (R22AC)

- 24 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 Policies 24 and 25 of the City Plan 2019 - 2040 (April 2021). (R24AD)

- 25 You must apply to us for approval of samples / photos of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved materials. (C26BD)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 26 You must not paint any outside walls of the building without our written 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 (as amended) (or any order that may replace it). (C26WC)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 27 Structures such as canopies, fences, loggias, trellises or satellite or radio antennae shall not be placed on the roof terraces unless otherwise shown on the approved drawings. (C26NA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 28 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building unless they are shown on the approved drawings. (C26KA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 29 **Prior to occupation of the development**, the energy efficient measures including the photovoltaic panels shall be provided on the roof as shown on the approved roof plan and within the Energy and Sustainability Statement Rev E by Etude, unless otherwise agreed first by the Local Planning Authority. The energy efficient measures and PV panels shall be maintained and retained for the lifetime of the development.

Reason:

To minimise the impact of the development on the environment as set out in Policies 36 and 38 of the City Plan 2019-2040 (April 2021)

- 30 **Prior to occupation of the development**, the separate stores for waste and materials for recycling shown on drawing number CAR-LB-ZZ-00-DR-A-120000 Rev C04 or any other drawing first approved first in writing by the Local Planning Authority, must be provided. They must be clearly marked and made available at all times to everyone using the development.

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)

- 31 The roofs of the development must not be used for sitting out or for any other purpose, unless otherwise marked as a terrace on the drawings hereby approved. They can be used for maintenance or in the event of an emergency.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out Policies 7 and 38 of the City Plan 2019 - 2040 (April 2021). (R21AD)

- 32 A minimum of 6 extra care units within Block A and 2 of the residential units within Block B shall be wheelchair accessible.

Reason:

In accordance with Policy D7 of the London Plan (March 2021).

- 33 The 65 'Extra Care' and 22 'General Needs' residential units as shown on the drawings hereby approved must be provided **prior to first occupation**, with a minimum of 9 family units (3 bedroom+).

Reason:

In order to build flexibility into the development proposal whilst maintaining optimisation of the site for residential purposes and an appropriate mix of unit sizes, including provision for family sized units, in accordance with Policies 8 and 10 of the City Plan 2019-2040 (April 2021).

- 34 **Prior to the occupation of the development** details of bird and bat boxes shall be submitted to the Local Planning Authority (LPA) for approval. The boxes shall then be installed and

maintained in accordance with these details prior to the occupation of the flats, unless otherwise agreed first in writing by the LPA.

Reason:

To increase biodiversity, as set out in 34 of the City Plan 2019-2040 adopted April 2021.

- 35 The communal terraces within the Extra Care facility (Block A) at third (south) and fourth (north) floor levels shall not be used outside of the hours of 6am and 10pm daily. They can however be used in the event of an emergency or for maintenance outside of these hours.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in Policies 7, 33 and 38 of the City Plan 2019 - 2040 (April 2021). (R21BD)

- 36 Prior to any demolition and/or construction work, the mitigation and enhancement measures identified in section 5 of the Preliminary Ecological Appraisal report 3 by rps shall be implemented, and retained for as long as required, unless otherwise agreed first by the Local Planning Authority.

Reason:

To reduce the effect the development has on the biodiversity of the environment, as set out in Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43AC)

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, the City Plan 2019 - 2040: Intend to Adopt version (March 2021), 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 **HIGHWAYS LICENSING:**
Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please visit our website at www.westminster.gov.uk/guide-temporary-structures.

CONSIDERATE CONSTRUCTORS:

You are encouraged to join the nationally recognised Considerate Constructors Scheme. This

commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

BUILDING REGULATIONS:

You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website at www.westminster.gov.uk/contact-us-building-control

- 3 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please email AskHighways@westminster.gov.uk. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority).
- 4 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. For further information on how to make an application and to read our guidelines on street naming and numbering, please visit our website: www.westminster.gov.uk/street-naming-numbering (I54AB)
- 5 Please email our Project Officer (Waste) at wasteplanning@westminster.gov.uk for advice about your arrangements for storing and collecting waste.
- 6 The term 'clearly mark' in condition 30 means marked by a permanent wall notice or floor markings, or both. (I88AA)
- 7 In relation to condition 16, you are advised that the details of the green roofs should show intensive roofs wherever possible, and provide justification where this is not possible. This should also include details of any walkways required. Green roofs should also be provided with the Photovoltaic panels at main roof level. The proposals should be considered along with the Mayors 'Urban Greening' guidance.

8 Trees:

You must ensure that the details you submit to satisfy the tree protection conditions (13 & 14) are prepared in conjunction with a construction management plan/ site logistics, as adequate protection of trees on/ adjacent to the site will rely heavily on an appropriate means of construction.

The information submitted to comply with condition 17 will require a detailed design including plans and section drawings showing existing and proposed levels, and existing and proposed surface profiles. The design must address the requirements to meet threshold levels and must provide sufficient detail in the design to demonstrate that the removal and installation of surfacing or any other changes in levels can take place without causing harm to the trees and their roots.

- 9 With regard to condition 18, a robust SMP must identify process, storage locations, scheduling of deliveries and staffing arrangements; as well as how delivery vehicle size will be managed. It should clearly outline how servicing will occur on a day to day basis, almost as an instruction manual or good practice guide for the future occupants. A basic flow chart mapping the process may be the easiest way to communicate the process, accompanied by a plan highlighting activity locations. The idea of the SMP is to ensure that goods and delivery vehicles spend the least amount of time on the highway as possible and do not cause an obstruction to other highway users, including vehicles and pedestrians.

10 Thames Water Waste comments:

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

The proposed development is located within 15 metres of our underground waste water assets and as such we would like the following informative attached to any approval granted. "The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB

manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc may be required before the Company can give its consent. Applications should be made at <https://wholesale.thameswater.co.uk/Wholesale-services/Business-customers/Trade-effluent> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

As per Building regulations part H paragraph 2.21, Drainage serving kitchens in commercial hot food premises should be fitted with a grease separator complying with BS EN 1825-:2004 and designed in accordance with BS EN 1825-2:2002 or other effective means of grease removal. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Please refer to our website for further information : www.thameswater.co.uk/help

11 Thames Water Water Comments

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater. There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk

Item No.
1

12 Bird, Bat and Hedgehog protection:

Breeding birds are protected by the Wildlife and Countryside Act 1981 (as amended). Under this legislation it is an offence to intentionally kill, injure or take the birds or their eggs, or to intentionally destroy or disturb a nest, when it is in use or being built.

All species of bat present in the UK receive full protection under The Conservation of Habitats and Species Regulations 2017, and the Wildlife and Countryside Act 1981 (as amended). A number of bat species are also listed in Section 41 of the NERC Act 2006. These include the widespread species Soprano Pipistrelle *Pipistrellus pygmaeus* and Brown Long-eared bat *Plecotus auritus*, and the rarer woodland species such as Bechstein *Myotis bechsteinii* and Barbastelle *Barbastella barbastellus*.

It is considered possible that hedgehogs, a Section 41 species (NERC Act), forage on site as it contains suitable foraging habitat. Condition 36 seeks to protect these.

APPENDIX A: Daylight results where VSC losses of are in excess of 20% their former value

Lkd = living kitchen diner

			With Balconies			Mirror Image			
Floor	Window	Use	Existing	Proposed	% loss	Existing	Proposed	% loss	NSC retained
Gloucester and Durham House									
Ground	W2	Hall	18	14	-26.1	8.5	14	60.0	1
	W4	storage	20	13	-34.5	8.4	13	53.6	0.6
	W5	Hall	15	6.5	-55.5	4.8	6.5	35.4	0.5
	W6	Kitchen	15	9.6	-36.4	5.7	9.6	68.4	0.6
	W7	Kitchen	17	7.2	-56.4	5.8	7.2	24.1	0.4
	W8	Hall	21	11	-46.2	8.1	11	38.3	0.4
	W9	Bed	19	10	-47.4	7.4	10	36.5	0.6
	W10	Hall	15	4.5	-69.2	4.9	4.5	-8.2	0.1
	W11	Kitchen	16	7.5	-53.1	5.4	7.5	38.9	0.3
	W12	Kitchen	16	5.1	-68.1	5.7	5.1	-10.5	0.2
	W13	Hall	15	6.8	-54.1	5.1	6.8	33.3	0.1
	W14	Bed	18	6.8	-63.0	7	6.8	-2.9	0.3
	W15	Hall	20	8.8	-56.7	8.2	8.8	7.3	0.2
	W16	Kitchen	16	6.7	-58.1	5.9	6.7	13.6	0.2
	w17	Kitchen	15	5.3	-64.4	6.3	5.3	-15.9	0.2
	w18	Hall	14	5.6	-60.6	5.1	5.6	9.8	0.2
	w19	storage	19	7.4	-60.0	8.7	7.4	-14.9	0.2
	w20	Hall	16	7.3	-53.2	8.7	7.3	-16.1	0.2
	w21	Bed	19	9.6	-48.7	12	9.6	-19.3	1
	w22	Bed	16	6.9	-56.6	9.5	6.9	-27.4	1
First	w6	lkd	14	9.9	-27.2	5.5	9.9	80.0	1
	w8	lkd	13	8	-40.3	4.1	8	95.1	0.9
	w11	Bed	35	26	-27.1	23	26	12.2	0.5
	w12	Bed	35	25	-28.2	23	25	10.9	0.6
	w13	Bed	36	25	-29.6	23	25	9.6	0.7
	w14	Bed	36	25	-31.0	23	25	7.5	0.5
	w15	Bed	36	24	-32.4	23	24	5.3	0.5
	w16	Bed	36	24	-33.2	23	24	3.9	0.5
	w17	Bed	35	24	-33.6	23	24	2.6	0.4
	w18	Bed	35	23	-33.7	23	23	1.7	0.4
	w19	Bed	35	23	-34.1	23	23	0.0	0.5
	w20	Bed	35	23	-34.1	23	23	-0.9	0.4
	w21	lkd	10	0.3	-97.1	0.9	0.3	-66.7	0.1

	w22	Bed	35	24	-32.3	25	24	-3.7	0.5
	w23	Bed	12	4	-65.2	4.5	4	-11.1	0.6
	w24	Bed	9.5	3	-68.4	3.2	3	-6.3	0.2
	w25	lkd	5.5	2.9	-47.3	3.1	2.9	-6.5	1
	w26	lkd	35	25	-29.1	27	25	-6.4	1
	w27	lkd	35	25	-28.3	27	25	-8.1	1
	w28	lkd	35	25	-27.6	28	25	-9.6	1
second	w7	lkd	14	10	-27.7	6.7	10	52.2	0.7
	w11	lkd	14	7.4	-46.0	5.9	7.4	25.4	0.6
	w14	Bed	14	6.8	-52.8	6.5	6.8	4.6	0.5
	w15	Bed	15	6.9	-52.4	6.7	6.9	3.0	0.4
	w16	Bed	37	26	-28.3	26	26	1.9	0.6
	w17	Bed	37	26	-28.5	26	26	1.2	0.6
	w18	lkd	14	5.3	-62.1	6	5.3	-11.7	0.3
	w19	Bed	37	26	-28.7	26	26	-0.8	0.6
	w20	Bed	37	26	-29.0	26	26	-1.5	0.6
	w21	Bed	13	5.7	-56.8	6.7	5.7	-14.9	0.3
	w22	lkd	15	6	-58.9	7.1	6	-15.5	0.3
	w23	Bed	13	5.5	-56.7	6	5.5	-8.3	0.6
	w24	Bed	10	4.4	-57.7	4.9	4.4	-10.2	0.5
	w25	lkd	36	27	-25.0	29	27	-5.9	1
third	w11	lkd	14	9.3	-34.5	8.2	9.3	13.4	0.8
	w14	Bed	15	9.2	-39.9	9.1	9.2	1.1	0.7
	w15	Bed	15	9.1	-40.1	9.1	9.1	0.0	0.7
	w18	lkd	15	8	-46.7	8.7	8	-8.0	0.5
	w21	Bed	14	7.7	-44.2	8.7	7.7	-11.5	0.7
	w22	lkd	15	8.4	-45.1	9.3	8.4	-9.7	0.5
	w23	Bed	13	7.5	-43.6	8.1	7.5	-7.4	0.9
	w24	Bed	11	6	-44.4	6.5	6	-7.7	0.9
fourth	w20	lkd	15	10	-32.5	11	10	-6.3	0.9
	w25	Bed	14	9.8	-29.5	10	9.8	-5.8	1
	w26	Bed	11	7.6	-30.9	8.1	7.6	-6.2	1
			With Balconies			Without Balconies			
Floor	Window	Use	Existing	Proposed	% loss	Existing	Proposed	% loss	
1-38 Franklin House & 1-57 Hollister House									
ground	w6	hall	3	2.1	-30.0				1
first	w11	hall	0.5	0	-100				0
	w12	hall	0.7	0.2	-71.4	12	11	-8.2	0.4
	w13	bed	1.8	0.8	-55.6	18	17	-5.6	0.8

			With Balconies			Without Balconies			
Floor	Window	Use	Existing	Proposed	% loss	Existing	Proposed	% loss	
1-15 melrose house									
GROUND	W1	RESI	3.5	1.6	-54.3	30	26	-12.6	0.9
	w2	hall	0.1	0	-100	23	20	-15.5	1
	w3	hall	5.4	2.3	-57.4	31	27	-12.0	1
	w4	hall	4.1	1.4	-65.9	31	27	-11.8	1
	w5	RESI	3.3	1.7	-48.5	31	27	-11.0	1
	w6	hall	0.2	0	-100	23	20	-13.7	0.7
	w7	hall	5.2	2.5	-51.9	31	28	-10.6	0.7
	w8	hall	0.3	0.1	-66.7	24	21	-13.1	0.7
	w17	hall	4.3	2.8	-34.9	31	28	-8.1	1
	w18	RESI	3.7	2	-45.9	31	28	-7.9	1
	w21	hall	4	2.8	-30.0	30	28	-6.9	1
	w22	RESI	3.5	2	-42.9	30	28	-6.7	1
	w26	RESI	3.2	2	-37.5	29	28	-5.5	1
second	w1	RESI	5.5	3.5	-36.4	33	30	-9.5	1
	w2	hall	0.6	0	-100	25	22	-11.6	0.6
	w3	hall	6.4	3.5	-45.3	33	30	-9.1	0.6
	w4	hall	0.8	0.1	-87.5	27	24	-10.3	0.6
	w5	RESI	5.4	3.7	-31.5	34	31	-8.1	1
	w6	hall	0.6	0.1	-83.3	27	24	-9.0	0.7
	w7	hall	6.3	3.8	-39.7	34	31	-7.5	0.7
	w8	hall	0.8	0.1	-87.5	29	26	-8.4	0.7
	w10	RESI	2.6	1.6	-38.5	5.8	4.4	-24.1	1
	w12	hall	0.4	0.3	-25.0	26	24	-7.2	1
	w13	RESI	0.4	0.3	-25.0	33	31	-5.7	1
	w14	RESI	5.7	3.9	-31.6	33	31	-5.2	1
	w16	hall	0.4	0.3	-25.0	26	24	-6.2	1
	w18	RESI	5.4	3.9	-27.8	33	31	-4.6	1
fourth	w2	hall	1	0.1	-90.0	27	25	-6.7	0.9
	w4	hall	1.5	0.4	-73.3	30	28	-5.7	0.9
	w6	hall	0.9	0.2	-77.8	29	27	-5.2	0.9
	w8	hall	1.6	0.6	-62.5	32	30	-4.7	0.9
	w12	hall	0.7	0.4	-42.9	28	27	-3.9	1
	w16	hall	0.6	0.4	-33.3	28	27	-3.5	1
			With Balconies			Without Balconies			

Floor	Window	Use	Existing	Proposed	% loss	Existing	Proposed	% loss	
1-27 Keith House									
ground	w1	resi	4.6	0.6	-87.0	27	20	-24.3	0.9
	w2	hall	0.3	0	-100	30	24	-22.2	0.7
	w3	hall	12	4.9	-57.4	29	22	-23.4	0.7
	w4	resi	4.7	0.7	-85.1	31	25	-21.4	1
	w5	resi	0.2	0	-100	31	24	-21.8	0.9
	w6	resi	6.4	1.6	-75.0	31	24	-22.1	0.9
	w7	resi	7.4	2.3	-68.9	32	26	-20.7	0.9
	w8	resi	4.8	0.9	-81.3	33	26	-20.1	0.9
	w9	hall	0.2	0	-100	33	26	-19.6	0.4
	w10	hall	6.4	1.8	-71.9	30	24	-21.1	0.4
	w11	hall	0.2	0	-100	28	22	-19.9	0.4
	w12	hall	25	18	-26.4	24	17	-28.4	0.8
	w16	hall	0.1	0	-100	27	21	-23.7	0.3
	w17	hall	5.9	1.3	-78.0	30	23	-21.6	0.3
	w18	resi	5.3	1.1	-79.2	33	27	-19.5	0.9
	w19	hall	0.2	0	-100	28	21	-23.1	0.5
	w20	hall	6.2	1.4	-77.4	31	25	-21.0	0.5
	w21	resi	5.3	0.9	-83.0	34	27	-19.4	0.9
	w22	hall	0.2	0	-100	32	26	-20.1	0.7
	w23	hall	6.6	1.5	-77.3	32	26	-20.5	0.7
	w24	resi	5.7	0.9	-84.2	34	27	-19.2	0.8
	w25	resi	4.8	1	-79.2	34	27	-19.2	0.7
	w26	resi	0.2	0	-100	34	28	-18.8	0.7
	w27	resi	6.2	1.3	-79.0	32	25	-20.4	0.7
	w28	resi	5.3	0.8	-84.9	33	27	-18.9	0.7
	w29	resi	4.4	1	-77.3	33	27	-18.4	0.7
	w30	resi	0.2	0	-100	34	28	-17.6	0.7
	w31	resi	6.5	1.8	-72.3	31	25	-19.1	0.7
	w32	resi	5.2	1	-80.8	34	28	-17.6	0.8
	w33	hall	0.2	0	-100	34	28	-16.6	0.3
	w34	hall	6.3	1.9	-69.8	31	26	-18.3	0.3
	w35	resi	5.1	1.2	-76.5	33	28	-16.7	0.8
second	w1	resi	7.7	2.3	-70.1	31	26	-16.9	0.9
	w2	hall	1.2	0.2	-83.3	30	25	-17.8	0.7
	w3	hall	7.1	2	-71.8	33	28	-16.3	0.7
	W4	resi	8	2.8	-65.0	35	30	-15.3	1
	W5	hall	1.2	0.1	-91.7	32	26	-16.8	0.6
	W6	hall	7.8	2.6	-66.7	35	30	-15.1	0.6

	W7	resi	8.2	3.3	-59.8	36	31	-14.6	1
	W8	hall	7.9	2.9	-63.3	36	31	-14.3	0.3
	W9	resi	2	0.3	-85.0	31	26	-15.7	0.7
	W10	resi	12	7.3	-38.7	35	30	-14.3	0.7
	W11	hall	1.1	0.1	-90.9	32	27	-14.9	0.6
	W12	hall	8.6	3.8	-55.8	36	31	-13.8	0.6
	W13	resi	8.3	3.8	-54.2	36	31	-13.5	1
	W14	hall	1.1	0.1	-90.9	32	27	-14.9	0.7
	W15	hall	7.9	3.2	-59.5	36	31	-13.8	0.7
	W16	resi	8.3	3.5	-57.8	36	31	-13.5	1
	W17	hall	1.2	0.1	-91.7	32	27	-15.0	0
	W18	resi	7.7	2.9	-62.3	35	30	-13.9	0.9
	W19	hall	1.1	0.1	-90.9	31	26	-15.2	0.4
	W20	hall	14	9	-34.3	36	31	-14.1	0.4
	W21	resi	8.1	3.3	-59.3	36	31	-13.3	0.9
	W22	hall	1	0.1	-90.0	31	26	-14.6	0.5
	W23	hall	7.7	3.3	-57.1	35	31	-13.1	0.5
	W24	resi	8.1	3.6	-55.6	36	31	-12.6	0.9
	W25	hall	1	0	-100	31	27	-13.4	0.4
	W26	hall	7.5	3.5	-53.3	35	31	-12.3	0.4
	W27	resi	7.9	3.8	-51.9	36	31	-11.5	1
FOURTH	W1	resi	7.9	4.7	-40.5	38	34	-8.8	1
	W2	hall	1.9	0.5	-73.7	37	34	-8.5	0.8
	W3	hall	12	8.9	-26.4	37	34	-9.1	0.8
	W4	resi	8.5	5.4	-36.5	38	35	-8.7	1
	W5	hall	1.9	0.4	-78.9	37	34	-8.4	0.9
	W6	hall	9.4	6.2	-34.0	38	34	-8.8	0.9
	W7	resi	8.5	5.6	-34.1	38	35	-8.5	1
	W8	hall	1.9	0.4	-78.9	37	34	-7.8	0.6
	W9	hall	10	7.1	-30.4	38	35	-8.2	0.6
	W11	resi	7.8	5.7	-26.9	37	35	-7.5	1
	W12	resi	1.7	0.3	-82.4	36	34	-7.4	1
	W13	resi	9.1	6.3	-30.8	37	35	-7.5	1
	W14	resi	8.3	5.8	-30.1	38	35	-7.7	1
	W15	hall	1.7	0.3	-82.4	36	34	-7.7	1
	W16	hall	9.1	6.3	-30.8	37	35	-7.8	1
	W17	resi	8.3	5.6	-32.5	37	35	-7.8	1
	W18	hall	1.6	0.2	-87.5	36	34	-7.7	1
	W19	hall	9	6.3	-30.0	37	34	-7.8	1
	W20	resi	8.4	5.6	-33.3	37	35	-7.8	1
	W21	hall	1.6	0.2	-87.5	36	34	-7.7	1

	W22	hall	8.9	6.2	-30.3	37	34	-7.8	1
	W23	resi	7.7	5.2	-32.5	37	34	-7.5	0.9
	W24	hall	1.5	0.2	-86.7	36	33	-7.3	0.7
	W26	resi	8	5.4	-32.5	37	34	-7.3	1
	W27	resi	7.6	5.5	-27.6	37	34	-7.1	1
	W28	resi	1.4	0.2	-85.7	35	33	-6.8	1
	W29	resi	8.5	6.1	-28.2	37	34	-6.8	1
	W30	resi	8.1	5.6	-30.9	37	35	-6.8	1
			With Balconies						
Floor	Window	Use	Existing	Proposed	% loss				
1-9 Peebles House & 1-18 Strome house									
ground	w7	living	9.8	6.9	-29.6				1
	w23	living	7.2	3.8	-47.2				1
	w26	living	7	3.9	-44.3				1
	w28	living	6.9	4.1	-40.6				1
	w30	living	7	4.5	-35.7				1
second	w31	living	10	7.6	-25.5				1
			With Balconies						
Floor	Window	Use	Existing	Proposed	% loss				
St Augustines Church									
ground	w1		15	11	-25.5				1