

Ebury Bridge Estate

Local Planning Authority: City of Westminster
local planning authority reference 20/04366/COOUT

Strategic planning application stage II referral

Town and Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town and Country Planning (Mayor of London) Order 2008.

The proposal

A hybrid application for a mixed-use development comprising an outline scheme of up to 781 residential units, up to 3,018 sq.m. of retail, community, leisure and workspace uses in nine blocks up to 19 storeys in height, and a detailed scheme for 226 residential units within two blocks 17 and 18 storeys in height; together with the provision of basement; access; amenity; landscaping, car and cycle parking.

The applicant

The applicant is **Westminster City Council**, and the architect is **astudio**.

Key dates

Pre-application meeting: 15 October 2019, 24 March 2020 and 27 May 2020.

Stage I report: 14 September 2020.

Committee meeting: 20 April 2021.

Strategic issues

Principle of estate regeneration: As set out at Stage 1, the proposed development would secure a net increase in existing affordable housing floorspace on a like for like tenure basis and would accord with London Plan Policy H8 and the Mayor's key principles for estate regeneration schemes. As such, the comprehensive redevelopment of the existing affordable housing can be supported

Land use principle: The optimisation of land and contribution towards increased housing delivery is supported. The inclusion of non-residential land uses, including community uses, is appropriate in strategic planning terms, and the objectives of the CAZ.

Affordable housing: The scheme proposes 781 residential units. All 198 existing social rented tenants on long-term secure tenancies would be offered the right to return to the site. The unilateral undertaking has secured 64% affordable housing within Phase 1 and overall, the scheme would deliver a minimum of 38% London Plan compliant affordable housing units. The scheme has followed the Viability Tested Route; the submitted viability information has been scrutinised by Council and GLA officers and the proposal is accepted as the affordable housing offer represents the maximum viable level. Early, mid and late stage viability review mechanisms and affordability levels have been secured.

Design and heritage: The tall buildings proposed within the site are accepted in strategic planning terms. A design code has been secured to ensure the quality of the environment for residents of the future scheme. The proposal will result in less than substantial harm to the setting of designated heritage assets, and substantial harm to non-designated heritage assets which is outweighed by public benefits.

Transport: The proposals, on balance, comply with the transport policies in the London Plan.

Other strategic planning issues relating to **energy, air quality, flood risk, sustainable drainage and water efficiency** have been, on balance, resolved, and relevant conditions and obligations secured.

The Council's decision

In this instance, Westminster City Council has resolved to grant permission, subject to conditions, the completion of a unilateral undertaking and the Stage II referral to the Mayor of London.

Recommendation

That Westminster City Council be advised that the Mayor is content for the Council to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal, or direct that he is to be the local planning authority.

Context

1 On 22 July 2020, the Mayor of London received documents from Westminster City Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under Categories 1A, 1B and 1C of the Schedule to the Order 2008:

- 1A(1) - Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.
- Category 1B(1c) – “Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres.”
- 1C(1c) - Development which comprises the erection of a building that is more than 30 metres high and is outside the City of London.

2 On 14 September 2020, the Mayor of London considered planning report GLA/2020/6100/S1/01 (link to report [here](#))¹, and subsequently advised Westminster City Council that the below issues must be addressed to ensure the proposal complied with the London Plan and the Mayor’s then Intend to Publish London Plan:

- **Principle of estate regeneration:** The proposed development would secure a net increase in existing affordable housing floorspace on a like for like tenure basis and would accord with the Mayor’s key principles for estate regeneration schemes. As such, the comprehensive redevelopment of the existing affordable housing can be supported (paragraphs 24 to 48).
- **Land use principle:** The optimisation of land and contribution towards increased housing delivery is supported. The inclusion of non-residential land uses, including community uses, is appropriate in strategic planning terms, and the objectives of the CAZ. Clarification in respect of the reprovision of the existing multi-use games area is required (paragraphs 51-64).
- **Affordable housing:** The scheme proposes 758 residential units of which 56% is proposed as affordable housing, by habitable room (51% by unit), with a tenure split of 81% social rent to 19% intermediate housing. Discounting the affordable housing reprovision requirement, this equates to 55% affordable housing on the uplifted accommodation, with a tenure split of 65% low cost rent and 35% intermediate housing. The submitted viability information is being scrutinised to ensure the maximum quantum and affordability of affordable housing. Early, mid and late stage viability review mechanisms, and affordability levels for the various affordable housing tenures should be confirmed and secured (paragraphs 67-78).

¹ <https://planning.london.gov.uk/pr/s/planning-application/a0i4J000002RmHdQAK/20206100>

- **Design and heritage:** The height, massing and architecture do not raise strategic concern. However, the lack of private outdoor amenity for some units within the detailed phase, and the provision of an alternative access core, should be further explored. The design code should be secured to ensure a high-quality environment for future residents. Further consideration of the play strategy is required. The report details that the proposal will result in less than substantial harm to the setting of designated heritage assets, which is outweighed by public benefits, subject to resolution of the affordable housing position (paragraphs 82-137).
- **Energy:** Further information is required in respect of a number of elements of the energy strategy. Detailed technical comments in respect of energy have been circulated to the Council under a separate cover to be addressed in their entirety.
- **Air quality:** The full development traffic should be modelled using EFT emissions factors and backgrounds appropriate to the first year that the development will be operational. The height of the Ebury Bridge road link used for modelling purposes should be revisited. A condition should be imposed requiring that a site-specific air quality monitoring survey (for nitrogen dioxide) is carried out to establish baseline air quality condition across the site, and conditions should be imposed in relation to the construction phases of the scheme.
- **Flood risk and drainage:** The proposals do not give appropriate regard to residual flood risks, and the need for resilience and emergency planning measures. A Flood Warning and Evacuation plan should be prepared and submitted in support of the proposed development. This needs to be addressed. Further details on how SuDS measures at the top of the drainage hierarchy will be fully included in the development and how greenfield runoff rate will be achieved should be provided. Additional attenuation storage volume calculations should be provided.
- **Urban greening:** The applicant should review the urban greening proposed to increase the UGF to meet the target score of 0.4. Following any design review, a drawing showing the surface cover types and accompanying UGF calculation should be submitted prior to stage 2. The applicant should prepare the UGF based on the total site area, using the illustrative scheme masterplan for the outline parts of the site to demonstrate an UGF of 0.4 is achievable.
- **Transport:** Cycle hire mitigation is required. TfL must be consulted in regard to the proposed bus stop location. Construction logistics, deliveries, servicing travel plans, and cycle parking should be secured by conditions and obligations.

3 The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report.

4 On 20 April 2021 Westminster City Council decided that it was minded to grant planning permission for the application subject to planning conditions and conclusion of a unilateral undertaking. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged; direct Westminster City Council under Article 6 to refuse the application; or, issue a direction to Westminster City Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application and any connected application. The Mayor has until 7 September 2021 to notify the Council of his decision and to issue any direction.

5 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 has been taken into account in the consideration of this case.

6 The decision on this case, and the reasons, will be made available on the GLA website: www.london.gov.uk

Update

7 Since consultation stage GLA officers have engaged in joint discussions with the applicant, the Council and TfL officers with a view to addressing the above matters. Furthermore, as part of the Council's draft decision on the case, various planning conditions and obligations have been secured. An update against the issues raised at consultation stage is set out below.

8 The application has changed since Stage 1 following viability review and local housing requirement discussions and now proposes an illustrative net increase of 781 residential units rather than the 758 originally proposed. In spite of this increase, due to the reconfigured unit sizes there is a net illustrative reduction from 2,182 habitable rooms to 2,139 habitable rooms. This is considered further in the affordable housing section of this report.

Strategic planning policy and guidance update

9 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Westminster City Plan 2019-2040 which was adopted and became part of the statutory development plan on 21 April 2021, and the London Plan 2021 which was published and became part of the statutory development plan on 2 March 2021.

Principle of estate regeneration

10 As detailed in the Mayor's initial Stage 1 consultation response, the application complies with the requirement to ensure the like for like replacement of affordable housing floorspace on a tenure basis, in accordance with Policy H8 of the London Plan. Overall, there would be a net increase in the quantum of low-cost rent accommodation (Social Rent/London Affordable Rent) on site on the basis of floorspace, units and habitable rooms, as summarised below.

Table 1 – Existing and proposed housing in social rent tenure (*illustrative masterplan*)

	Existing	Proposed	Difference
Units	198	239	+41
Habitable Rooms	548	786	+238
Floorspace	11,352 sq.m.	19,241 sq.m.	+7,889 sq.m.

11 All 198 existing social rented tenants on long-term secure tenancies would be offered the right to return to the site. This minimum quantum of social rent re-provision is secured in the unilateral undertaking, together with 41 additional social rented units.

12 While a ballot has not been undertaken as GLA grant funding has not been sought in respect of the proposed scheme, the public consultation approach accords with the key principles set out in the Mayor's Good Practice Guide to Estate

Regeneration (GPGER) in terms of full and transparent consultation and meaningful ongoing involvement.

Conclusion – principle of estate regeneration

13 The proposed development would ensure a significant quantitative increase in the level of social rented accommodation in terms of floorspace, units and habitable rooms and therefore complies with the relevant requirements of the London Plan and key principles set out in the GPGER.

Land use principle

Flexible non-residential land uses

14 As set out at Stage 1, the proposals would result in a mix of uses that provide a balance between ensuring that the provision of commercial floorspace on the site does not impact the locally oriented uses of this CAZ location, as well as ensuring there are services, facilities and employment opportunities on the site for the development's new residents.

15 As requested at Stage 1, the delivery of the community hall proposal (158 sq.m. to be provided within Building 5, Phase 2a) has been secured within the grant of any planning permission via the unilateral undertaking and a condition also secures the provision of a management plan for the community space.

16 At Stage 1, GLA officers noted that the 23 sq.m. community garden building will not be reprovided within the scheme, however community gardening activities within the proposed development will be supported through the provision of community herb gardens on the podiums of the blocks and through the utilisation of Social Value funding to employ local residents in the maintenance of the soft landscaping in the new public realm. While the provision of herb gardens within the podiums is supported in principle, noting that the podium levels will have access restricted to those residents who live outside the corresponding block, GLA officers requested that further consideration be given to whether this separation of gardening facilities sufficiently offsets the existing community facility, or if a gardening facility/garden which would be accessible to all units within the new estate would be more appropriate for purposes of social cohesion and delivery of community benefits. The applicant advised that the existing garden building was used for storage and for gatherings of the gardening club, and was not a curated, centrally managed community offer and wider residents were not otherwise able to come in and grow their own food and that the gardening spaces behind the existing blocks were accessed via a locked gate with access from the gardening club only.

17 Following GLA officers comments, the scheme has been updated to ensure that herb/food growing areas will be provided across all proposed podiums and terraces in order to offer the prospect of gardening and food production to a wider number of residents across the estate. Additionally, following GLA officers comments, Blocks 7 and 8 were updated to include the provision of store cupboards adjacent to each communal outdoor space, enabling the storage of gardening tools. The presence of storage cupboards across the outline scheme will emerge as part of the future reserved matters applications.

18 At Stage 1, GLA officers supported the inclusion of B1 accommodation within this CAZ location, however requested clarification, noting that the introduction of B1(c) accommodation could have noise implications. A condition has been secured that ensures the B1 land use is provided as office workspace, and it is further noted that a condition secures suitable noise conditions for residential land uses.

19 At Stage 1, GLA officers noted that the equalities statement sets out that existing businesses will be offered the first right of refusal on the new units available within the redevelopment and stated that this should be secured within a legal agreement. While GLA officers understand that the right of first refusal has been offered to all longstanding business owners on Ebury Bridge Road, this has not been secured within the unilateral undertaking. The applicant has advised that the site is not located in an area of the borough where this is a requirement and that while the applicant would welcome the occupation of the new retail floorspace by small and independent retailers, this would be subject to market forces and demand, and it does not consider it desirable to impose any restrictions on the new retail units that prioritise certain occupiers over others.

20 At Stage 1, GLA officers requested that consideration be given to Policy E3 of the London Plan in respect of the provision of affordable workspace, to strengthen economic opportunities. GLA officers also requested that management of the workspace be secured by a workspace provider. However, there is no local plan policy requirement to provide affordable workspace and this has not been pursued or secured by the Council. In line with London Plan Policy E9, at Stage 1, GLA officers also asked the applicant to commit to the provision of shops for small or independent retailers and to include a proportion of affordable retail space to strengthen and promote the retail offer. The applicant however advised that while it would welcome the occupation of the new retail floorspace by small and independent retailers, this would be subject to market forces and demand, and no restrictions on the new retail units that prioritise certain occupiers over others has been imposed.

21 Hence, whilst desirable, given the applicant's unwillingness to support such initiatives and the lack of local and strategic planning policy to require such provision, this position is noted and accepted.

Multi-use games area (MUGA)

22 As requested at Stage 1, further information has been provided to assess the proposals in the context of Policies S4 and S5 of the London Plan.

23 The existing MUGA (namely the "Ebury Bridge Sports Pitch") is approximately 578 sq.m. in size, has a tarmac surface and is enclosed on all four sides with fencing. The facility is managed by the council, with the access gates to the enclosure opened daily from 9am - 8pm during the summer months and from 9am-4pm during the winter months, with no booking system in place. It is locked outside these times.

24 The replacement MUGA is approximately 450 sq.m. and partially fenced. The Design and Access Statement set out that the porous boundary also doubles as seating, to increase the flexibility of the space for use by all age ranges. The space provides both a goal and hoop to support football and basketball (with associated fencing). The proposed surfacing will be a rubberised material that is also an all-weather

surface. It will also not operate with a booking system so residents and groups would be free to use it when they want.

25 As set out at Stage 1, Policy S4 of the London Plan states that development proposals for schemes that are likely to be used by children and young people should not result in the net loss of play provision unless it can be demonstrated that there is no ongoing or future demand. Where published, a borough's play and informal recreation strategy should be used to identify ongoing or future demand for play provision. Furthermore, Policy S5 of the London Plan states that existing sports and recreational land (including playing fields) and facilities for sports and recreation should be retained unless an assessment has been undertaken which clearly shows the sports and recreational land or facilities to be surplus to requirements (for the existing or alternative sports and recreational provision) at the local and sub-regional level. Where published, a borough's assessment of need for sports and recreation facilities should inform this assessment; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

26 At Stage 1, while GLA officers recognised the proposed development seeks to reprovide a MUGA of a higher and more useable quality than the existing MUGA, noting that there would be a loss of 128 sq.m. GLA officers therefore stated that the existing MUGA space must be re-provided in addition to the play space requirement generated by the scheme itself.

27 The applicant carried out usage surveys in the lead up to the design stage of the planning application over four separate days, and found that the existing MUGA was mainly used as an informal play area by younger children and not as a formal ball court. While Westminster City planning officers state the use survey carried out by the applicant indicated a low uptake on use of the existing MUGA and no occurrences of 'sports' were recorded, GLA officers consider that the use surveys over four days do not satisfy the requirements of Policies S4 and S5 of the London Plan in order to justify the loss of quantum of sports facilities and play space, and that an assessment of need for sports, recreation and play facilities should have informed this assessment.

28 While GLA officers accept that the existing ball court would be replaced by an equivalent or better one in terms of quality, and that the benefits of the proposed MUGA are apparent as the rubberised material, all-weather surface can be used for a wide range of sports and play (and the provision of a goal and hoop supports football and basketball), thereby providing an overall benefit, there has been no further information provided in respect of identified need of sports facilities and play space within the City of Westminster, or more locally in the vicinity of Ebury Bridge Estate, in order to address the loss play space.

29 It is noted that Westminster City Council's planning committee report sets out that the loss of the existing MUGA and its replacement with a less formal multi-use space is accepted and that the applicant has demonstrated that the replacement MUGA would meet the needs of future and existing residents and the wider community.

30 However, while the applicant has not demonstrated that the loss of 128 sq.m. of play space accords with Policies S4 and S5 of the London Plan, noting that the new facility is of a higher quality and provides for a wider range of recreational benefits, as

well as noting the other public benefits of the proposed scheme (including the regeneration of the area, re-provision and uplift in affordable housing, housing, community land use, public realm, and creation of jobs during construction and operation in a high-quality development), this aspect of the scheme, is, on balance, accepted.

31 The play space requirements for the proposed residential element of the scheme are further discussed in the urban design section of this report.

Housing

32 The revised scheme would deliver up to 781 new residential units which would contribute positively to Westminster’s housing targets. The principle of the optimisation of the site for residential development remains strongly supported. Affordable housing is discussed in the subsequent section of this report.

Affordable housing

33 Table 2, below, provides a breakdown of the phase 1 (Blocks 7 and 8) and the illustrative masterplan. It is noted that this table reflects the Council’s definition of intermediate tenure affordable housing rather than the GLA’s definition of genuinely affordable housing which is addressed below:

Table 2: Unit and habitable room details for the Phase 1 (Blocks 7 and 8) and illustrative masterplan

Unit status	Tenure	No. Units (Habitable rooms)	% Split by habitable room	Floorspace (GIA For detailed area and illustrative outline)
Existing units to be demolished	Social rent	198 (548 hr)		11,352 sq.m.
	Intermediate	0 (0 hr)		0 sq.m.
	Private	138 (411 hr)		9,014 sq.m.
Proposed Units	Social rent	239 (786 hr)	53%	19,241 sq.m.
	Intermediate	125 (351 hr)		8,692 sq.m.
	Private	317 (1002 hr)	47%	25,501 sq.m.
Net gain	Social Rent	41 (238 hr)	50%	+7,889 sq.m.
	Intermediate	125 (351 hr)		+8,692 sq.m.
	Private	279 (591 hr)	50%	+16,487 sq.m.
TOTAL new build flat (replaced + uplift)		781 (2,139 hr)		53,434 sq.m. (+Ancillary

		Residential 53,834 sq.m.)
Affordable Total	364 (1,137 hr)	27,933 sq.m.
Affordable Net Gain	+ 166 (589 hr)	16,581 sq.m.

34 While it is noted that unilateral agreement states that it secures as 50% affordable housing across the scheme by habitable room (including re-provision), with the uplift secured as 30-40% Social Rented units / 60-70% Intermediate units, as detailed further below, not all the intermediate products meet the GLA's definition of affordable housing. Specifically, the Discount Market Rent housing does not accord with the London Plan's definition of genuinely affordable housing. While the illustrative scheme has demonstrated that 47% London Plan compliant affordable housing is deliverable, when the London Plan definitions are used, the minimum level of London Plan compliant affordable housing secured by the unilateral undertaking is 38% (based on a total habitable rooms figure of 2,139). However, if all the intermediate housing within the future outline phase is delivered as London Living Rent, then the upper limit of London Plan compliant affordable housing would be increased.

35 Table 3, below, provides a breakdown of the Phase 1 (Blocks 7 and 8) only, as secured through the unilateral undertaking.

Table 3: Phase 1 (Blocks 7 and 8) housing, by tenure

Tenure	Units	Habitable Rooms (HR)	Percentage (by HR)
Social Rent	98	324	48%
London Living Rent	28	64	9%
Shared Equity units and Equity Loan units	16	47	7%
Private	84	241	36%
Total	226	676	100%

36 As the scheme includes the demolition and replacement of affordable housing and doesn't fully meet London Plan Policy H6 which requires a minimum of 30 per cent intermediate products which meet the definition of genuinely affordable housing, the scheme is required to follow the Viability Tested Route in accordance with Policy H8 of the London Plan. A financial viability assessment was provided with the application which was scrutinised by GLA and Council officers in accordance with Policy H5 of the London Plan. The conclusions of the assessment have determined the viability of the scheme to be acceptable on the basis that further discussions would not yield a higher contribution level; and on that basis, GLA officers accept the offer is the maximum viable level of affordable housing the scheme could provide.

37 The social rented housing has been secured within the unilateral undertaking as affordable housing owned by local authorities and Registered Providers and let at Returning Tenants Social Rent Levels, Target Rents or the Mayor of London or City Council's equivalent social rented product.

38 The intermediate housing is provided as London Living Rented housing, Discount Market Rent housing, Equity Loan housing and Shared Equity housing to Eligible Intermediate Rented Households. The affordability of the intermediate affordable housing products is secured within the draft unilateral agreement.

39 The London Living Rent units have been proposed to be secured at rents charged to Eligible Intermediate Rented Households subject to the controls detailed within the GLA Affordable Homes Programme 2016 – 21 Funding Guidance and where permitted rents are published by the GLA on an annual basis and where these rents will apply to the London Living Rent Housing Units (provided always that some of the units can be rented at less than London Living Rent). The rent levels are inclusive of service charge, are subject to change and will be adjusted annually in line with CPI+1% for tenanted properties or by the GLA for new lettings in accordance with the Mayor's Funding Guidance and which shall be provided on the basis that average annual housing costs, including service charges must not exceed 28 per cent of the relevant annual gross income upper limit (such 28 per cent being equivalent to 40 per cent of net income, with net income being assumed to be 70 per cent of gross income) specified in the London Plan Annual Monitoring Report.

40 The Discount Market Rent units would be made available to people who live or work in the City of Westminster at rents that are 80% of market value, provided that the household income of eligible persons doesn't exceed £90,000. This does not comply with the London Plan which requires that for intermediate rented affordable housing has an income cap of £60k..

41 The Shared Equity units have been secured within the unilateral undertaking as housing which is funded by up to a 20% equity loan provided to local residents provided that the household income of eligible persons shall be less than the GLA income threshold of £90,000 (or such other greater threshold as may be published from time to time in the London Plan Annual Monitoring Report prepared by the GLA or such other replacement document) and on the basis that average annual housing costs, including service charges and mortgage payments (assuming reasonable interest rates and deposit requirements) must not exceed 28 per cent of the relevant annual gross income upper limit (such 28 per cent being equivalent to 40 per cent of net income, with net income being assumed to be 70 per cent of gross income) specified in the London Plan Annual Monitoring Report.

42 The Equity Loan units are provided by way of a loan provided by the City Council which will be in the sum of not less than equal to the difference in the New Value less the Current Value and Homes Loss Value and the Equity Loan Basis shall be construed accordingly and on the basis that average annual housing costs, including Service Charges and mortgage payments (assuming reasonable interest rates and deposit requirements) must not exceed 28 per cent of the relevant annual gross income upper limit (such 28 per cent being equivalent to 40 per cent of net income, with net income being assumed to be 70 per cent of gross income) specified in the London Plan Annual Monitoring Report.

43 Early, mid and late Stage viability review mechanisms are secured within the draft unilateral undertaking in accordance with Policy H5 of the London Plan and the Mayor's Affordable Housing and Viability SPG.

44 It is recognised that not all of the intermediate units proposed as part of the illustrative masterplan would comply with the London Plan’s definition of the genuinely affordable housing which does not fully accord with London Plan Policy H6. However, the scheme would reprovide all existing housing and affordable housing and result in an uplift in affordable housing in accordance with Policy H8 of the London Plan. This quantum and approach has also been accepted as the maximum viable affordable housing offer. The scheme would also deliver other benefits as set out in this report. In these circumstances, the affordable housing offer is, on balance, acceptable on this occasion.

Housing mix

45 At Stage 1, GLA officers noted the proposed housing mix comprises a range of unit sizes including 1-beds, 2-beds and 3-beds, 4-beds and 5-beds, which was supported in principle.

46 Westminster City Council planning officers noted that the illustrative Masterplan, which provides a minimum of 19% family units (149 units) (of which, in terms of the uplift in residential units, 20% (90 units) are family units), falls below the 25% required by Policy 10 of the City Plan 2019-2040: Intend to Adopt version. The applicant sought to justify this in light of site constraints, whereby the estate’s highly accessible and central location within the CAZ, bounded by a railway to the east and a main road to the west, generally makes it less suited for a high proportion of family units. Further, the applicant set out that the design of the blocks within the scheme have been developed with the objective of enabling family units to be focused at the lower levels of the buildings, with easier access to the outdoor amenity areas.

47 While these justifications were not supported by Westminster City Council planning officers, the proposed housing mix was accepted, on balance, noting that the scheme provides a significant quantum of family housing, of which 31% of the illustrative masterplan would be delivered as affordable family accommodation, of which is most needed, as well as noting the wider public benefits arising from the estate renewal.

48 The residential mix for the development has been secured by condition, as outlined in Table 4, below:

Table 4: Overall residential dwelling mix masterplan-wide

	Studios	1-Bed	2-Bed	3-Bed	4-Bed	5-Bed
Unit split	0-10%	30-35%	40-50%	10-25	0-5%	0.5%
				19% minimum		

49 The residential mix for the detailed phase of the development are set out in Table 5, below. This has been accepted by the Council planning officers as it is compliant with the ranges set out in Table 4, above.

Table 5: Blocks 7 and 8 residential dwelling mix

	1-Bed	2-Bed	3-Bed	4-Bed	5-Bed	Total
Block 7	35	49	26	2	0	112
Block 8	33	51	25	4	1	114

Total Provision	68	100	51	6	1	226
Percent	30%	44%	26%			100%

50 On the basis of the above assessment and rational, the proposals, on balance, are acceptable.

Urban design

Height massing and architecture

51 London Plan Policy D9 states that based on local context, Development Plans should define what is considered a tall building for specific localities, the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey. It goes on to state that Boroughs should determine if there are locations where tall buildings may be an appropriate form of development, subject to meeting the other requirements of the London Plan, and should include engagement with neighbouring boroughs that may be affected by tall building developments in identified locations. It also states that any such locations and appropriate tall building heights should be identified on maps in Development Plans, and that tall buildings should only be developed in locations that are identified as suitable in Development Plans. Policy D9 then goes onto identify the requirements for tall buildings to identify visual impacts, including at different distances; aiding legibility and wayfinding; having exemplary architecture and materials; avoiding harm to heritage assets; not causing adverse glare; and minimising light pollution. Functional impacts should consider internal and external design; servicing; entrance capacity; area and transport capacity; maximise benefits to the area; and not interfere with communications. Environmental impacts should consider wind, daylight, sunlight, and temperature; air movement (dispersal of pollutants); and noise creation. Cumulative impacts should also be considered.

52 Within Westminster's City Plan 2019-2040, Policy 41 defines tall buildings as buildings of twice the prevailing context height or higher or those which will result in a significant change to the skyline. With respect to locational principles, Policy 41 indicates that development of tall buildings may be acceptable within the Housing Renewal Areas, of which the Ebury Bridge Estate is one, provided the proposal also accords with the general principles of 41B and Policy 42.

53 In terms of London Plan Policy D9, the proposals clearly include tall buildings, with buildings up to nineteen stories in height. The site is identified as a Housing Renewal Area within the local plan which specifies that tall buildings may be acceptable. However, no specific height is specified. The application therefore fails to comply with London Plan Policy D9 Part B2.

54 As per Policy D9 Part C, development proposals should address the visual, functional, environmental and cumulative impacts of the tall buildings proposed. GLA officers accordingly note the following points which are relevant in the overall assessment of the scheme's design:

- The proposal is a well-considered design including an appropriate and rational arrangement of layout, height and massing;
- The quality of architecture, materials and landscaping established within the design codes and exemplified within the detailed scheme is of a high standard;
- The detail of the outline phase of the development has been secured within the design code, and the materiality of the scheme has been secured by condition. The proposals will change the local townscape and for the most part these changes are beneficial;
- The scheme is sited in a location with good transport infrastructure;
- The proposals introduces a significantly enhanced public realm;
- The proposals have sought to optimise layout to improve local environmental conditions, while also taking account of wider townscape impacts;
- Whilst the scheme will have some adverse impact on some designated heritage assets and on non-designated heritage assets (as discussed below), in all cases the degree of harm to the designated heritage assets is deemed to be at the lower end of 'less than substantial', and all harm would be outweighed by the public benefits that the scheme would deliver;
- Both the detailed and outline areas appear to provide a good level of adherence to daylight and sunlight guidelines for a dense housing development;
- Overall, the impact on overshadowing to amenity spaces is considered acceptable given the dense urban context of the application site.
- Overall, the proposed buildings within the outline area have been sensitively positioned to have a neighbourly relationship with existing properties.
- In order to ensure there is no harmful light pollution impact on neighbouring occupiers, details of external lighting have been secured by condition for Blocks 7 and 8 within the detailed area. For the outline area, details of external lighting would form part of the reserved matters application.
- Subject to compliance with recommended conditions, planning obligations secured through the unilateral undertaking and Building Regulations approval, fire safety, servicing and management arrangements would be acceptable;
- The proposed design of tall buildings in Phase 1 is sufficiently high-quality and the Design Code should ensure the delivery of a high-quality scheme for future phases of the outline scheme;
- The cumulative effects of the scheme, when considered alongside committed development, would be, on-balance, acceptable.

55 The daylight and sunlight assessment prepared by the applicant was modelled on the submitted outline parameter plans and applied maximum building heights, demonstrating a 'worst case scenario' of the likely affects. The applicant's assessment was independently reviewed by Delva Patman Redler on behalf of the council, who were generally satisfied that it is in accordance with the BRE Guidelines.

56 The daylight and sunlight assessment concluded that the proposal would result in a material worsening of daylighting standards for some neighbouring properties. For some properties there would be significant reductions in daylight beyond the recommended BRE Guidelines criteria for VSC and NSL. There would also be reductions beyond the alternative 15% VSC retained value. With the development in place the applicant's daylight assessment indicates unacceptable levels of daylight for a number of properties. These reductions in daylight would be noticeable to occupants and more of the affected rooms will appear poorly lit. There would also be

sunlight losses to neighbouring properties that breach the BRE Guidelines. These impacts have been outlined and considered in detail in the Westminster City Council planning committee report, which sets out that the only means of protecting substantively the existing daylight and sunlight conditions would be to look at alternative development options, and it is noted that the consideration of alternative lower density options would mean that the housing growth benefits in the scheme in relation to the delivery of market and affordable housing might not be realised.

57 As discussed in the heritage section of this report, the Stage 1 report and the Westminster City Council planning committee report, it is further noted that the less than substantial harm to heritage assets that would arise is outweighed by the public benefits that are secured. The Westminster City Council planning committee report noted that while some harm to designated and non-designated harm is identified, and from some locations the townscape impact, as a consequence of the dramatic scale change, is an uncomfortable one, there are large parts of the Georgian and Victorian townscape of Belgravia and Pimlico which are fully respected and will witness little to no change as a consequence of the proposals.

58 As required by Policy D9, the proposals generally meet all other design requirements of the London Plan and Westminster City planning officers concluded the proposals were acceptable in terms of design, townscape and visual impact, and heritage impact.

59 Accordingly, GLA officers conclude that whilst not in full accordance with London Plan Policy D9, noting local support for the proposals and taking account of other material considerations, this non-compliance is outweighed by public benefits and, on balance, buildings of the proposed heights in this location are accepted in strategic planning terms.

Public realm and landscaping

60 As requested by GLA officers at Stage 1, further detail on landscape proposals for both the outline and detailed phases of the scheme have been secured by condition. Details of safety features have also been secured to avoid conflicts between various users of the public realm.

61 At Stage 1, GLA officers requested that the Council should secure the cycle and pedestrian access through the site with a clear and legible route, and that suitable wayfinding signage should be secured. While suitable wayfinding signage has not been secured (with the exception of signage for the road system to indicate a one-way operation), a Walkways Agreement to safeguard a publicly accessible route through the site has been secured as part of the unilateral agreement. It is also noted that to ensure a safe and convenient form of development and to safeguard the amenities of the area generally, the Council has secured details of the security measures (incorporating lighting, among other measures) which are to accord with the principles of Secure by Design by condition.

62 The Council has secured the Environmental Statement as part of the planning permission, securing the wind mitigation measures as recommended within the Environmental Statement.

63 At Stage 1, GLA officers set out that in line with Policies D8 and S6 of the London Plan, the Council should secure the provision of free drinking water within the public realm and freely accessible public toilets suitable for a range of users, including 'Changing Places' toilets within the grant of any planning permission which have not been secured within the draft permission. The applicant has however stated there is no local requirement for accessible public toilets given the scheme will not attract large numbers of visitors. The applicant has however updated its plans to include a water fountain adjacent to the proposed MUGA, but advised that as the cost of operation and maintenance of the fountain would come from residential service charges, in the interests of transparency, it advised as part of the consultation process in advance of the future submission of a Reserved Matters Application for this area, the prospect of a water fountain in this location will be presented to residents to gauge their preference.

Residential quality

64 The detail proposed within the submitted design code provides the basis of assessment of quality of the residential elements proposed within the outline scheme. The design code has been secured with the draft planning permission, securing the future residential quality for the dwellings and communal spaces delivered in the outline phases of the scheme.

Cores

65 As requested at Stage 1, further information has been provided to address the provision of natural daylight and ventilation within the cores of Blocks 7 and 8, as well as address GLA officers request that an alternative stairwell and access into the buildings is explored. Specifically, the applicant stated that *“Cores have been designed to offer a spatial and technical upgrade from the existing provision. In particular, all cores will be mechanically ventilated which, in turn, will be coordinated with enhanced fire systems. On a lower typical floor layout; an enhanced protected lobby connects with two adjacent lobbies either side which each serve 4 flats respectively. The oversized cores have been designed to accommodate the likely population and provide improvements on the fire regulations. On the typical upper floor layout, the mechanical/enhanced fire systems strategy continues, though it is the reduction of units per core to below 8 at this level that allows for a window and natural light to enter. Given the central core approach where, on the lower levels, there is a need to ensure core efficiency with a maximum of 8 units from each; quality of homes has taken priority over natural light to cores”*.

66 GLA Officers maintain the view that noting the high usage of the proposed cores and lobbies, an additional core would provide an enhanced residential quality of the communal areas of Blocks 7 and 8. Notwithstanding, noting the above response from the applicant and noting that the proposals have been accepted by the Council, as well as noting other public benefits the scheme will deliver, including affordable housing, this approach is on balance accepted..

Aspect, privacy and private amenity space

67 At Stage 1, GLA officers also requested that the further justification be given as to why six (oversized) residential units would have no private outdoor amenity space. In response, the applicant advised that *“if balconies were provided they would have to*

be bolt-on for reasons of construction and maintenance and be highly susceptible to exposure, with the potential for the creation of uncomfortable and underutilized outdoor spaces. Accordingly, the emphasis has been placed on providing additional and more useable internal space alongside openable bifold doors to a Juliet balcony. This will create an inset balcony quality”.

68 GLA officers maintain the view that the provision of Juliet balconies and additional internal space does not comply with The London Plan’s residential amenity standards and this approach does not offset the need for private outdoor amenity space. However, noting that the majority of the units in the scheme have private amenity space, as well as noting other public benefits the scheme will deliver, including affordable housing, this approach is on balance accepted.

Play space

69 The indicative masterplan proposal includes a total of 2,945 sq.m of play space, falling short of the total of 3,955 sq.m. required to achieve Policy S4 of the London Plan. Within the existing estate there is 1,836 sqm of play provision, which includes the publicly accessible MUGA and a community garden. A number of queries were raised at Stage 1 in respect of the play space proposals. Notwithstanding the overall loss of sporting facilities from the site (as discussed in the land use section of this report), across the Masterplan there is a surplus of play provision for 0-4yrs (+199 sq.m.) but a shortfall of 570 sq.m. and 639 sq.m. for 5-11yrs and 12-17 year, respectively.

70 The applicant advised that providing more play provision would be detrimental to the other functions that the public realm has to provide, namely defensible space for residential flats at ground and podium level, landscape features; the need for pedestrian and cycle routes and the need for vehicle access routes. For children aged 12-17yrs the applicant considers that there is high quality play provision in the vicinity within Battersea Park, approximately 800 metres from the site. As the applicant has not proposed any play spaces at Battersea Park (creation of new play provision, improvements to existing play facilities and/or an appropriate financial contribution), and has not demonstrated that there is sufficient capacity at Battersea Park to meet the play requirements of existing and future residents of the site and wider area, this justification is not supported by GLA officers. Similarly, Westminster City planning officers did not fully support the applicant’s justification for not fully meeting the London Plan play space requirement.

71 In accordance with Policy S4 of the London Plan, all play provision within the public realm will be shared by all residents regardless of tenure and that the podium level play provision will be accessible to all residents within the respective blocks regardless of tenure. This has been secured by condition, and the long-term retention, access to and maintenance of any play space within the development is secured as part of the unilateral undertaking.

72 As requested at Stage 1, details of the safety features and details of play equipment are secured by condition for the detailed area of the scheme, noting that the two of the play facilities located within public squares at the northern end of the site can be circumnavigated by vehicles,

73 As noted at Stage 1, the existing MUGA to the south of the estate will remain in situ as Blocks 7 and 8 are built out and occupied. The provision of an interim play space strategy has been secured by condition, securing the provision of any temporary play space during construction works, following the removal of existing play space provision from the estate.

74 The quantum and quality of play spaces to be delivered as part of future phases of the outline scheme has been secured by condition.

75 While the quantum of play space proposed within the scheme does not accord with Policy S4 of the London Plan, noting that the scheme will deliver high-quality publicly accessible playable spaces including an all-weather MUGA, as well as other public benefits including affordable housing, overall, the play space proposals are accepted, on balance.

Fire strategy

76 Following Stage 1 comments, the submitted fire statement has been updated to include the qualifications of the assessor who prepared it (CEng, MIFireE) and to state the fire strategy has been developed by a competent engineer with relevant experience of fire safety in residential buildings, and that all work has been signed off by a Chartered Fire Engineer. This aligns with the GLA's Draft Fire Safety Guidance and accords with Policy D12 Part B.

77 In response to comments made by GLA officers in respect of the fire strategy for the detailed area of the scheme (Blocks 7 and 8) at Stage 1, the fire strategy statement has been revised to state that any changes to the building design or use type will need to be assessed with regards to the proposed fire strategy to ensure the strategy satisfies the functional life safety requirements of the Building Regulations 2010 (as amended). In addition, the statement confirms that one lift per core has been designed as a suitably sized evacuation lift.

While it is noted that the fire statement does not specifically address Policy D12 nor D5 of the London Plan, nor is set out with a clear structure that addresses the criteria set out in London Plan Policy D12 as sought by GLA's Draft Fire Safety Guidance, on the basis that the statement has been prepared by a suitably qualified assessor and states that *"the life safety standards required for compliance with the Building Regulations can be achieved within Blocks 7 and 8 of the Ebury Bridge Estate through the fire strategy solution outlined in this report"*.

78 As requested by GLA officers at Stage 1, the Council has secured the provision of fire strategy for future phases of the outline scheme and a suitable information required that this in accordance with Policy D12 (part B,1-6) of the London Plan, and that where lifts are installed, a minimum of one lift per core (or more subject to capacity assessments) should be secured as a suitably sized fire evacuation lift.

79 On the basis of the above, the proposals generally accord with Policies D5 and D12 of the London Plan.

Heritage

World Heritage Site

80 As requested at Stage 1, additional wire lines and viewpoints have been compiled by the applicant to test the effects of the proposed development on the Palace of Westminster and Westminster Abbey (including St Margaret's Church). These conclude that the proposed development will have no effect on the views, setting or significance of the World Heritage Site. Accordingly, the Outstanding Universal Value of these assets and the ability to appreciate them will be preserved in line with policy.

Designated heritage assets

81 The proposed height and layout of the scheme (both the outline area and the detailed area) will have a wide visual and townscape impact, which will affect many of the designated heritage assets in the vicinity. As identified within the planning application, the Stage 1 report and also the Westminster City planning committee report the proposals will have an adverse impact on some designated heritage assets, specifically with visual impact on the setting of some listed buildings and conservation areas.

82 In all cases the degree of harm on designated heritage assets is assessed to be less than substantial and for the most part at the low end of this.

Non-designated heritage assets

83 Although not designated heritage assets, the Westminster City planning committee report identifies that the pre-war 1920s and 30s parts of the estate subject to the planning application are considered to be of historic and architectural interest, representing good examples of inter-war social housing delivered by a local authority. As such, they are considered to be non-designated heritage assets.

84 In addition to the estate buildings within the application site and 1 Ebury Bridge Road and Cheylesmore House which are considered to be non-designated heritage assets; the Westminster City planning committee report identifies that there are a number of other non-designated heritage assets in the vicinity of the site, which are largely identified within the HTVIA and are typically unlisted buildings within the nearby conservation areas, for example the low-rise, nineteenth century, two storey terraced houses in St Barnabas Street. These non-designated heritage assets are buildings, structures and spaces that are not statutorily protected but which are of historic interest. Many of the unlisted buildings within the Pimlico and Belgravia Conservation Areas, such as the buildings in St Barnabas Street and the buildings lining Westmoreland Place, would fall into this category.

85 The degree of impact to non-designated heritage assets, as set out in the application and as discussed in the Westminster City planning committee report ranges from complete loss of significance – in the case of the estate buildings, which are to be demolished, through indirect and harmful impact to their setting), and then in many cases there is no or negligible impact.

Heritage conclusions

86 The application conflicts with London Plan Policy HC1 and the NPPF heritage balance assessment would be engaged. Where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Any harm must be given considerable importance and weight.

87 With respect to non-designated assets the NPPF requires a balanced judgement to be made having regard to the scale of any harm or loss and the significance of the heritage asset. In respect of the existing non-designated heritage assets that form part of the application site, as the scheme comprises the total demolition of all buildings on the site and therefore the total loss of these non-designated heritage assets. The harm to these on-site non-designated heritage assets is considered substantial. The impact of the development of the non-designated heritage assets that sit outside the site is assessed as less than substantial harm.

88 As identified at Stage 1, the scheme proposes a number of public benefits including the regeneration of the area, re-provision and uplift in affordable housing (subject to the independent verification of the viability position), housing, community and leisure land uses, public realm, and economic benefits, and creation of jobs during construction and operation in a high-quality development. At Stage 1, GLA officers concluded that while further information was requested in respect of the World Heritage Site, subject to the independent verification of the viability position, GLA officers are satisfied that the less than substantial harm identified within this report is outweighed by the public benefits of the proposal.

89 As discussed in the affordable housing section of this report, GLA officers have engaged in viability discussions with the applicant and the Council to resolve the viability position; early, mid and late stage review mechanisms have been secured and affordable housing has been secured.

90 In addition to the public benefits identified at Stage 1, further public benefits are now recognised and have been secured including improvements to the quality and energy efficiency of homes, an enhanced Ebury Bridge Local Centre through the provision of proposed Class A1-A4 uses along Ebury Bridge Road and enhanced connectivity and new public route through the site. GLA officers agree with Westminster City planning officers that the public benefits of this scheme are significant.

91 As such, having regard to the statutory duties in respect of listed buildings and conservation areas in the Planning (Listed Buildings and Conservation Areas) Act 1990, and NPPF requirements in relation to listed buildings, structures and conservation areas, GLA officers are satisfied that the less than substantial harm to designated heritage assets and substantial harm to non-designated heritage assets is outweighed by public benefits of the proposals.

92 The scheme has secured a design code and the materiality of the scheme by the scheme. While the scheme is not entirely sympathetic to the form, scale, materials and architectural detail of the surrounding context, as it will result in visual impacts to the setting of a number of nearby designated heritage assets and non-designated heritage assets (as discussed above, within the Stage 1 report and within the Westminster City planning committee report), as well as the total demolition of the

existing non-designated heritage assets located on the application site, GLA officers are satisfied that the less than substantial harm is outweighed by public benefits of the proposal.

Inclusive design

93 At Stage 1, it was noted that 90% of the new dwellings were designed to meet Building Regulations Approved Document M4(2) and 10% to meet Part M4(3), and that this was included within the design code.

94 As requested at Stage 1, the Council has secured the delivery of 90% of the new dwellings to meet Building Regulations Approved Document M4(2) and 10% to meet Part M4(3) by condition across both the detailed and outline phases.

95 The Council should ensure policy compliant levels of accessible dwellings are carried through to the detailed design and delivery stages and that the proposed M4(3) units are provided across a variety of housing typologies, tenure and locations within the scheme to give disabled and older people similar choices to non-disabled people.

96 Conditions have secured the provision of 42 disabled persons car parking spaces for the parking of vehicles of people living in the development. Conditions also require further details for the children's play facilities within the detailed phase, requiring consideration to play accessibility for all abilities. A fire evacuation lift has been secured within Phase 1. In addition, for the outline phases of development, conditions have reserved consideration of further inclusive design matters, including means of access, submission of fire strategy, submission of a Flood Warning and Evacuation Management Plan, children's play space details, cycle storage details and submission of an Operational Waste Management Strategy.

97 On the basis of the above assessment, the inclusive design proposals are accepted.

Environment

Energy

98 At Stage 1, further information was required in respect of a number of elements of the energy strategy, including information on *Be Lean, Be Clean and Be Green measures*, as well as overheating, carbon performance and carbon offsetting. Since Stage 1, the applicant has provided additional information to address queries raised by GLA officers. These discussions are summarised in the following paragraphs of this report.

99 The applicant has identified a number of district heating networks within the vicinity of the development and has conducted a feasibility study for connecting to each of the identified networks. Technical issues for establishing connections have been detailed/evidenced and it has been concluded that the most suitable connection is with the Chelsea Barracks development energy centre. Evidence of correspondence with the developer of the Chelsea Barracks scheme has been provided who confirms that due to technical constraints on expanding the proposed

energy centre that connection to off-site heat loads are not be further investigated. The applicant has also investigated using localised waste heat sources on-site, including underground ventilation exhausts; however, the timescales and likelihood of a waste heat source becoming available is not feasible at this time. As such, the proposals future proof the heating infrastructure to allow for district heating connections and utilisation of waste heat sources, which accords with Policy SI3 of the London Plan.

100 Heat pumps are proposed in the form of a (centralised) Hybrid Air Source Heat Pumps (ASHP) and Water Source Heat Pump (WSHP) solution with the potential to utilise an open loop Ground-Source Heat Pump (GSHP) should this be viable. Gas-fired boilers have been removed from the scheme in the interests of minimising on-site fossil fuels, with resilience to be provided through an electric solution (additional ASHP/WSHP or electric boiler).

101 The applicant has justified the provision of two energy centres within the site, and this has been accepted by GLA officers. A condition has been secured requiring the applicant to demonstrate as part of any reserved matters applications that the number of energy centres has been minimised and that a single point of connection to a wider network has been enabled.

102 PV panels are not proposed on Blocks 7 and 8 (the detailed phases). A condition, however, is included on the decision notice requiring that photovoltaic panels are maximised on each future phase, ensuring that future phases of the development align with Policies SI2 and SI3 of the London Plan.

103 The carbon dioxide savings exceed the on-site target set within the London Plan for both domestic and non-domestic uses. Whilst this does not achieve the overall zero-carbon target on-site, these reductions are in excess of the 35 per cent beyond Building Regulations required by Policy SI2 of the London Plan. A financial contribution is proposed (£282,928 (index linked)) towards the City Council's Carbon Off Set fund for the detailed area (payable prior to commencement of development), which will offset the shortfall of the on-site detailed scheme against the 100 per cent savings required. An updated energy plan for the outline area to be submitted prior to commencement of relevant phase of development. Where a net zero-carbon shortfall for any individual building with a development phase is identified, the carbon offset contribution is required to be paid prior to commencement of the relevant phase.

104 The submission of a GLA Carbon Emission Reporting Spreadsheet for each Reserved Matters Application that will provide up to date and specific data on each block coming forward has been secured by condition.

105 Further information has been provided to address queries raised by GLA officers in respect of overheating. The unilateral undertaking has secured a commitment by the applicant to issue a Building User Guide to occupants which sets out strategies on minimising overheating risk in line with the cooling hierarchy, including guidance on use of blinds, natural ventilation and the active cooling systems provided.

106 The development has been designed to enable post construction monitoring and the information required by the 'be seen' guidance will be submitted to the GLA's

portal at the appropriate reporting stage. This has been secured through the unilateral undertaking.

107 Overall, information has been provided to the satisfaction of officers and the proposals generally accord with Policy SI2 of the London Plan.

Whole life carbon

108 A condition has secured compliance with whole life carbon obligations.

Air quality

109 At Stage 1, while it was recognised that the scheme was air quality neutral and in compliance with Policy SI1(B)(2a) of the London Plan, and that the submitted air quality assessment has demonstrated that future residents will not experience air quality exceeding the relevant objective levels and will therefore experience acceptable air quality, conditions were recommended and further information was requested to ensure that the proposed development complies with relevant London Plan policies.

110 It is noted that the air quality assessment demonstrated that there is potential for adverse air quality impacts as a result of construction traffic, as well as adverse impacts during the operational phase. Given the possibility of such adverse impacts, GLA officers requested that suitable mitigating measures are implemented over and above the standard emissions controls implemented by construction sites, as well as details of how these impacts will be mitigated during operational phases.

111 The applicant advised that these include a number of sustainable transport mitigation measures which have been incorporated into the scheme including the 'car-lite' approach with only disabled parking being provided and 50% of these spaces being for electric charging, which is above minimum policy compliance, with passive provision for all spaces. There is also car club and TfL cycle hire facilities proposed, providing additional mitigation.

112 While the conditions recommended by the GLA air quality officer have not been secured as part of the draft decision notice, it is recognised the submission of a Low Emission Strategy is secured by condition, and the construction and demolition works are bound by the Council's Code of Construction Practice, as secured by condition.

113 Overall, additional information was provided to the satisfaction of GLA officers, and suitable conditions to mitigate air quality impacts during operational and construction phases have been agreed and secured.

114 As such, the proposal is, on balance, in general accordance Policy SI1 of the London Plan.

Flood risk,

115 At Stage 1, GLA officers noted that the Flood Risk Assessment provided for the proposed development did not give appropriate regard to residual flood risks, and the need for resilience and emergency planning measures, and did not comply with

planning policy. Since Stage 1, the applicant has engaged with GLA officers and a summary of these discussions is outlined below.

116 With regards to flood resilient and resistant design required to provide a 'safe haven' during a flood, flood barriers or similar temporary defence systems will be used at all ground floor entrances during the flood warning period and that this will be included in the Flood Warning and Evacuation Management Plan, which has been secured for Phase 1 and all subsequent phases by conditions. GLA officers stated that temporary measures such as flood barriers should not be relied upon at the design stage and passive flood resilient/resistant measures are always preferable, and that this could include (but is not limited to) raised electrics and water-resistant flooring. GLA officers stated the applicant needs to be able to demonstrate that critical services and plant are protected during a flood event. Details of how utility services within the development are designed to remain operational under flood conditions has been secured by condition, and a planning condition secures that the finished floor levels for all sleeping accommodation within the development must be set no lower than 4.5 metres above Ordnance Datum.

117 Subject to compliance with relevant conditions, the approach to flood risk management complies with Policy SI12 of the London Plan.

Sustainable drainage

118 At Stage 1, the surface water drainage strategy for the proposed development does not comply with relevant strategic policies, as it does not give appropriate regard to the drainage hierarchy and greenfield runoff rate. Further details were requested as to how sustainable urban drainage system (SuDS) measures at the top of the drainage hierarchy will be fully included in the development, and how greenfield runoff rate will be achieved should be provided. Additional attenuation storage volume calculations were also requested.

119 Information has been provided to the satisfaction of GLA officers. Estimated greenfield run-off calculations were provided and micro drainage calculations for the detailed portion demonstrate compliance with the 1 in 1 and 1 in 100-year greenfield runoff rate. For the outline planning portion of the site a similar micro drainage model will be developed at the appropriate design stage and included in future detailed planning applications, and this has been secured by appropriate conditions.

120 Subject to compliance with relevant conditions, the proposed development's approach to sustainable drainage generally accords with Policy SI12 of the London Plan.

Water efficiency

121 As set out at Stage 1, the proposed dwellings will have a maximum indoor water consumption of 105 l/person/day, in line with the optional standard in Part G of the Building Regulations, and compliant with Policy SI5 of the London Plan. This has been secured by condition,

122 Water efficiency information for the non-residential components of the development was requested at Stage 1. The exact uses of the commercial units are not known at this stage and a Shell and Core BREEAM assessment has not been undertaken as the buildings containing commercial uses are submitted in outline only.

The applicant has advised that the design proposals include rainwater harvesting with a linked rainwater attenuation system (blue roofs).

123 As part of the future reserved matters phases, a condition has been secured requiring the applications which include non-residential units demonstrate compliance with the water consumption targets set out in Policy SI5 of the London Plan.

Urban greening and trees

124 The submitted planning application outlined that an Urban Greening Factor (UGF) score of 0.2 was calculated based on the detailed element of the scheme. At Stage 1, GLA officers noted that this UGF score is below the target of 0.4 for residential development and requested that the proposed urban greening should be reviewed, seeking to improve the quality or quantity, to increase the UGF of the proposed development.

125 Further information was provided to demonstrate the UGF score for the detailed element of the scheme is 0.3. The UGF score for the whole site is 0.25 and therefore substantially short of the 0.4 target set for residential development. The applicant has justified the shortfall in urban greening as cost of implementation and maintenance, and health and safety of roof maintenance. Whilst such factors are important, London Plan Policy G5 is clear that urban greening should be considered a fundamental element of design, and GLA officers maintain the view that these considerations could have been resolved early in the design process.

126 Overall, insufficient justification has been provided for the 0.25 UGF score, and the scheme is not compliant with Policy G5 of the London Plan.

Circular economy

127 The proposal has considered circular economy principles, as required by Policy SI7 of the London Plan and technical comments provided by GLA officers in respect of circular economy have generally been satisfactorily addressed during application stage.

128 The provision of a circular economy statement for each phase or plot within the outline scheme has been secured by condition. The provision of a Circular Economy Post Completion Report has also been secured by condition.

129 On this basis, the scheme generally accords with Policy SI7 of the London Plan.

Transport

130 The hybrid planning consent and phased nature of the development build-out means that the cycle parking details and subsequent compliance with Policy T5 of the London Plan and Chapter 8 of the London Cycle Design Standards will be provided prior to the occupation of each relevant building. This has been secured by planning condition.

131 A car park management plan will be provided as part of the Estate Management Strategy. An informative has been included to ensure that this will comply with TfL's guidance on car parking management and car park design' and the principles within London Plan Policy T6.

132 The cycle hire docking station on Ebury Bridge Road is proposed to be extended as requested at Stage 1. The unilateral undertaking includes an obligation for the cycle hire location to be agreed by both parties before first occupation. All costs associated with the cycle hire extension must be covered by the developer, and this has been secured within the unilateral undertaking.

133 The relocation of a bus stop on Ebury Bridge Road to accommodate the development has been agreed in principle. The unilateral undertaking secures that the final location must be agreed by TfL and all costs associated with the relocation should be met by the applicant.

134 A Construction Logistics Plan (CLP) for phase 1 and for each further phase of the outline development has been secured. The submission of a Delivery and Servicing Plan has been secured by condition meeting the aims of London Plan Policy T7. Condition 57 requiring a Travel Plan for non-residential uses and residential uses has been secured in line with London Plan Policy T4. An informative has been included on the decision notice requiring that TfL is consulted in line with London Plan Policy T7.

135 On balance, the transport elements of the proposals are acceptable.

Local consultation process

136 Westminster City Council undertook consultation and publicised the application by sending 1,498 notifications to adjoining owners and occupiers and issuing site and press notices. The relevant statutory bodies were also consulted. Copies of all responses to public consultation, and any other representations made on the case, have been made available to the GLA.

Responses to neighbourhood consultation

137 Follow the neighbourhood consultation process Westminster City Council received a total of 32 responses were received. A representation was also received from the Westminster Society. The reasons for objection and support raised as part of the neighbourhood consultation process are collectively summarised, below:

Land uses

- Social housing should remain the majority tenure on the estate;
- Focus should be entirely on social housing and affordable homes which would produce a smaller size and scale of development;
- Lack of demand for market rent and market sale properties due to changes in society and working practices as a result of the pandemic and the large number of other new residential developments nearby;
- Play areas, green spaces and community facilities should be open to all not just residents of the estate;
- An assessment of the cumulative impact of this development, the Cundy Street Quarter and Chelsea Barracks, on local transport and social infrastructure including healthcare should be undertaken; and
- Density of development will place an additional burden on parking and school places.

Design

- Existing estate buildings are attractive and historic;

- New buildings will be an eyesore;
- Height, scale and massing of new buildings will have negative impact on the London skyline and is out of character with the surrounding area;
- Overbearing impact on the terrace of small Grade II listed houses on Ebury Bridge Road;
- Height of blocks is not compliant with the Westminster Building Height Study 2019.

Amenity

- Loss of daylight to Cheylesmore House;
- Loss of daylight and sunlight to 1 Ebury Bridge Road;
- Loss of daylight and sunlight to Moore House, Wentworth and Caro Point (Grosvenor Waterside);
- Loss of daylight to Ebury Place, 1B Sutherland Street;
- Increased sense of enclosure and overshadowing due to increased height and proximity of new buildings;
- Loss of privacy, increased over- looking and noise disturbance due to proximity of new buildings and balconies/roof terraces;
- Noise disturbance due to increased vehicle movement, servicing and deliveries;
- Light pollution;
- Effective sound insulation essential due to noise from trains.

Other

- Lack of transparency in pre-application engagement with residents
- Response to public consultation on the planning application will be low because there are few residents remaining on the estate
- Statement of Community Engagement and the Estate Regeneration Statement – fail to show major support for the development from estate residents and no evidence that the scheme has changed in response to concerns raised by residents either.
- Lack of demand for market rent and market sale properties due to changes in society and working practices as a result of the pandemic
- Likely that new homes will be vacant second homes and investment properties

Responses from local community groups and organisations

138 The representation was received from the Westminster Society is summarised, below:

- **Westminster Society:** No objection to the current detailed application and the outline masterplan subject to comments and recommendations for the subsequent building out of the whole scheme. Not convinced that the townscape study from the surrounding conservation areas did inform the massing of the scheme – the heights of the taller buildings along the railway are too uniform in height, creating from certain views a uniform wall of accommodation; the Ebury Bridge Road elevation is too uniform and lacks the visual breaks seen in the existing street scape. The impact of the increase in height on Ebury Bridge Road (from 5 storeys and roof to 6-8 storeys) on views from St Barnabas Street (View 23) is of concern. Height should be transferred

from Ebury Bridge Road frontage to the railway side of the development to minimise impact on closer views from the Belgravia Conservation Area.

- The appearance of the scheme is quite generic and formulaic and the presence of a 'Design Code' infers that subsequent phases of the development will be the same or alternatives within given parameters. Concerned that the scheme when fully built-out will be too uniform in appearance given its scale and that minor changes to the colour of buildings or the design of balconies will not be enough to break down the scale of the development.
- However, at this stage, the housing benefits of the scheme are considered to outweigh concerns about the overall appearance.

139 The representation received from the Ebury Bridge Community Futures Group is summarised, below:

- **Ebury Bridge Community Futures Group:** The Community Futures Group (CFG) has written to confirm their support for the planning application. Since 2017, the Ebury Bridge Community Futures Group (CFG) have provided a strong resident voice in key decisions leading to the submission of this planning application. The group have met 39 times and have been, and continue to be, a consistent presence throughout the selection of the preferred scenario 7, the initial design process and most recently the pre-planning consultation. The members of the CFG have represented their fellow residents and neighbours in the engagement process. The group acknowledge that the decision to redevelop and re-build the existing Ebury Bridge estate has not been welcomed by the whole community and they continue to work closely with the regeneration team to ensure that everyone continues to be supported throughout any move they need to make, before they finally move to their new home. The CFG have worked with the design team on the key parts of the plans such as the improved community spaces, the size of apartments and new shops. The group welcomes the truly mixed tenure nature of the scheme, with shared entrances and facilities making the new neighbourhood fully integrated and cohesive

Responses from statutory bodies and other organisations

140 The following organisations responded to consultation as summarised as follows:

- **Environment Agency:** The developer has assessed the risk from a breach in the Thames tidal flood defences and has not proposed any sleeping accommodation below the tidal breach flood level. In the event of flooding, there is no safe means of access/egress to an area wholly outside the floodplain however, safe refuge within the higher floors of the development is possible. To improve flood resilience, recommend that where feasible, finished floor levels are set above the 2100 breach flood level of 4.4m AOD. This has been secured by condition.
- **Natural England:** No objection.
- **Historic England.** Raise concerned with the impact of the proposed development on the surrounding designated heritage assets, most notably the

Grade I listed Royal Hospital, Chelsea; recommend that the taller elements of the scheme are reduced in height to address these concerns. The scale and massing of the proposed development will impact the setting of the Belgravia and Pimlico Conservation Areas causing less than substantial harm to their significance. Harm may also be caused to the significance of the Grade I listed Church of St Barnabas through development in its setting; further testing of the impact on winter views from Orange Square is required. The impact of the development as appreciated from Orange Square (view 21) was considered in the context of listed buildings and the harm caused to St Barnabas Church (as well as the Belgravia Conservation Area). The impact of the development on the surrounding historic environment is discussed in detail in the heritage section of this report, the Stage 1 report, as well as the Westminster City Council planning committee report.

- **Historic England (Archaeology)(GLAAS):** The development could cause harm to archaeological remains – post-medieval/industrial archaeological remains of the 19th century Grosvenor Canal and 1720's Chelsea Waterworks and wharves but this can be managed by pre-commencement condition requiring the submission and approval of an archaeological written scheme of investigation (WSI). This has been secured by an appropriately worded condition.
- **Royal Borough of Kensington and Chelsea:** No objection but construction work should be properly managed to mitigate any significant negative impacts on the local environment, residential amenity and the safe function of the highway.
- **Network Rail:** Due to the close proximity of the proposed development to Network Rail land and operational railway, the applicant/developer must liaise closely with Network Rail's Asset Protection Team to ensure that the works can be carried out safely and may also be required to enter into an Asset Protection Agreement.
- **Crossrail:** No comment. The application site is outside the limits of land subject to the Crossrail Safeguarding Direction dated 24 January 2008.
- **Crossrail 2:** The application site is within the limits of land subject to the Crossrail 2 Safeguarding Direction dated 24 March 2015. Request that a condition is attached requiring the submission and approval of detailed design and method statements for all the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent). An appropriately worded condition has been secured.
- **Thames Water Authority:** The development is within 15 metres of a strategic water main; a condition should therefore be attached requiring the submission and approval of a piling method statement prior to any piling taking place. There is some capacity within the existing water infrastructure network to serve 99 new dwellings on the site but beyond that upgrades to the water network will be required. The development should not outpace the delivery of essential infrastructure and therefore request that a condition requiring that no more than 99 dwellings shall be occupied until all water network upgrades required

to accommodate the additional flows to serve the development have been completed or a development and infrastructure phasing plan has been agreed with Thames Water. Westminster Council has confirmed that in ongoing discussions with Thames Water and the applicant, that the Thames Water cap applies to additional dwellings on the site, so this cap should be 349 units when existing units numbers are included. A suitable condition has been secured.

- **Metropolitan Police (Designing Out Crime Office):** As currently proposed, the development will not secure a Secured by Design Award for several reasons:
 - Concerned about level of permeability the design offers. Preferable to have a less accessible site to reduce the opportunities and fear of crime and anti-social behaviour. The design actively encourages people off Ebury Bridge Road and into a residential area. The layout will generate anti-social behaviour and crime issues due to the permeability.
 - The amount/extent of the commercial element is of concern. Ground floor areas are predominantly commercial with little natural surveillance below first floor level and some residential entrances are recessed and positioned between bin stores, plant and commercial spaces; residents should have a clear line of sight to the main entrance door.
 - The communal amenity spaces on the podiums and terraces including the children's play area are likely to cause anti-social behaviour issues, noise nuisance and security issues for those residents living nearest these spaces.
 - Cycle stores should be accessed from within the development and not positioned to the rear of the building where there is no natural surveillance. If residents do not feel safe, they will take their bikes into their flats and the cycle store will become an unauthorised dumping ground for rubbish and large broken white goods and furniture. GLA and Westminster Planning officers agree that the design of the cycle store entrance does not raise significant security considerations however it is noted the applicant will address these concerns through an updated estate management strategy for the detailed area which has been secured by condition.
 - There must be clear demarcation between public and private spaces and the landscaping proposals should be reviewed and carefully planned – e.g. large trees can reduce natural surveillance allowing crime and anti-social behaviour issues to develop, planters can be used to conceal drugs and weapons.
 - The new MUGA should be fenced off with a booking system in place otherwise it could become subject to anti-social behaviour and gang 'take-overs'. Notwithstanding these comments of the Metropolitan Police (Designing Out Crime Office), the proposed MUGA will not operate with a booking system so residents and groups would be free to use it when they want,

141 GLA officers agree with Westminster planning officers that many of the concerns by the Metropolitan Police (Designing Out Crime Office) raised about potential anti-social behaviour can be dealt with through natural surveillance. Masterplan wide, the rear blocks have been designed to maximise active frontages to allow for natural passive surveillance of the site with duplex units at ground floor (except Block 7), B1 use and D1 community space in Block 5, the Management Hub in Block 7 and D1/D2/A3 in Block 9. In addition, measures such as the 'zig zag' arrangement of the blocks which provides a larger amount of inward facing façade and balconies will maximise visual amenity towards the public squares and therefore natural surveillance. For the detailed area, the requirement for refuse stores, cycle parking, car parking and plant and machinery means that natural surveillance cannot be achieved across the entire ground floor. However, Block 7 will have the Management Hub at ground floor level, and Block 8 will have three residential units which all overlook the public realm. In response to the concerns raised by the Design Out Crime officer, the residential entrance lobby to Block 7 has been redesigned and made larger. A condition has been imposed in relation to both the detailed and outline schemes requiring the submission of details of the security measures which are to accord with the principles of Secure by Design and incorporate defensible spaces, lighting, controlled entry and exit points to the buildings and security measures for the cycle storage area.

Representation to the Mayor

142 The Mayor has received one written representation directly from a member of the public, who queried the Stage II process and confirmed they had raised issues with the Council in respect of the planning application. This representation, which raised issues in regard to public consultation process, daylight and sunlight impacts, impact on listed buildings and conservation areas, lack of play space, safety and security concerns, street parking problems, lack of green infrastructure proposed, drainage strategy and public health.

Response to public consultation - conclusion

143 Having considered the local responses to public consultation, Westminster City Council has sought to secure various planning obligations, conditions and informatives in response to the issues raised. Having had regard to these GLA officers are satisfied that the statutory and non-statutory responses to the public consultation process, do not raise any material planning issues of strategic importance that have not already been considered in this report, or in consultation stage report GLA/2020/6100/S1/01.

Section 106 Unilateral undertaking

144 The draft unilateral undertaking includes the following provisions:

Affordable housing

- Provision of 142 x affordable housing units within the detailed area (Blocks 7 and 8) made up of:
 - 98 x social rent tenure and 44 x intermediate tenure (comprising 28 London Living Rent units and 16 Intermediate Ownership Units).
 - The market units within Blocks 7 and 8 not to be occupied until all 142 affordable housing units are ready for occupation.
 - The obligation to be subject to an early and late stage review.

- Provision of a minimum of 50% affordable housing (as defined by the undertaking) when measured in habitable rooms Masterplan wide.
 - Of those affordable habitable rooms across the Masterplan that are an uplift against the existing provision, 60-70% should be provided as intermediate and 30-40% should be provided as social rent.
 - The market units within each subsequent phase not to be occupied until all affordable housing units are ready for occupation.
 - The obligation to be subject to an early, mid and late stage review.

Transport and highways

- Undertaking of highways works on Ebury Bridge Road for each phase of development including access, parking bays, bus stop relocation and associated traffic management orders.
- A Walkways Agreement to safeguard a publicly accessible route through the site.
- Car club membership for the occupiers of all residential units for a period of 25 years.
- The space for a Cycle Hire Docking Station extension within the private public realm (not on highway) at a location to be agreed with the City Council and TfL, to provide before first occupation of the adjoining building and retain for the life of the development.
- Provision of a minimum of 2 car club spaces to be provided within the site and made available to a car club operator at no cost to them prior to occupation of the phase within which they are located.
- The dedication of part of the site on Ebury Bridge Road as public highway prior to first occupation of the relevant phase of development.

Employment

- An Employment and Skills Plan and a contribution of £190,993.96 (index linked) to support the Westminster Employment Service including measures for Ebury residents (payable on a pro rata basis and submitted prior to the commencement of the relevant phase of development)

Energy strategy

- Payment of £282,928 (index linked) towards the City Council's Carbon Off Set fund for the detailed area (payable prior to commencement of development).
- An updated energy plan for the outline area to be submitted prior to commencement of relevant phase of development. Where a net zero-carbon shortfall for any individual building with a development phase is identified, the carbon offset contribution is required to be paid prior to commencement of the relevant phase.

Play and community space

- The long-term retention, access to and maintenance of any play space within the development.
- The provision of a 158 sq.m. (minimum) community space facility to be provided within the relevant phase of development. The space to be provided in perpetuity at a peppercorn rent and made ready for occupation prior to occupation of market units within the same phase of development.
- The costs of monitoring the S106 unilateral undertaking.

Legal considerations

145 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. Mayor also has the power under Article 7 to direct that he will become the local planning authority for the purposes of determining the application. The Mayor may also leave the decision to the local authority. In directing refusal, the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction.

146 The Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Mayor as Local Planning Authority), that the Mayor as a public authority shall amongst other duties have due regard to the need to a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.

147 At Stage 1, GLA officers noted that an equalities statement has been provided with the planning application that details a number of potential equalities impacts arising from the proposed redevelopment of the site. Identified impacts on residents during redevelopment relate to social infrastructure and access to services, access to finance and affordable housing, appropriate and accessible housing, health effects, safety and security, accessibility and mobility in the area and information and communication. Identified impacts on businesses during redevelopment relate to loss of business and/or employment, impact of redundancy on health and wellbeing, difficulty accessing commercial finance and reduced job satisfaction. Identified impacts on the community following redevelopment relate to improve housing provision, provision of community resources and improved social cohesion, improved public realm and green space, tackling crime and disorder, improved access mobility and navigation and new employment opportunities. The equalities statement includes a range of recommendations to avoid, remedy or mitigate negative impacts and secure and improve positive impacts. The equalities impact assessment has been secured on the draft decision notice and the Council has secured the provision of an updated equalities statement for each phase of the development via condition, which will refresh the Equalities Impact Assessment submitted with this application and update the position on how identified impacts have been assessed, monitored and/or resolved, and will update as to how the 'Action List' provided in the Final Equalities Impact Assessment Report continues to be implemented with each phase.

148 In addition to the above, GLA officers note that consideration has been had to the provision of wheelchair accessible units within the scheme, as well as inclusive access throughout the development. Taking in to account these matters, as well as the provision of housing for which there is a local identified need and the delivery of affordable dwellings, GLA officers consider that the development would not result in significant negative impacts on the protected characteristic of any protected characteristic, that have not been reasonably mitigated. This is proposed to be assessed, monitored and resolved through future phases of the scheme. As such, due regard to the public sector equality duty has been demonstrated.

Financial considerations

149 Should the Mayor direct refusal, he would be a principal party at any subsequent appeal hearing or public inquiry. National Planning Practice Guidance emphasises that parties usually pay their own expenses arising from an appeal.

150 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

151 Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation. He would also be responsible for determining any reserved matters applications (unless he directs the Council to do so) and determining any approval of details (unless the Council agrees to do so).

Conclusion

152 While the response to some strategic issues raised by GLA officers, including tall buildings, urban greening, private amenity space standards, play space and the small loss of existing sports facilities, are not demonstrably compliant with the London Plan, the strategic issues raised at consultation stage regarding principle of development, housing, affordable housing, equalities, urban design, heritage, fire safety, energy, air quality, flood risk, sustainable drainage and water efficiency and transport have been addressed, and conditions and obligations within a unilateral undertaking secured. The less than substantial harm to designated heritage assets and substantial harm to non-designated heritage assets is outweighed by the public benefits of the proposal. As such, the application, on balance, complies with the London Plan. There are no sound reasons for the Mayor to intervene in this case. It is therefore recommended that Westminster City Council is advised to determine the case itself, subject to any action that the Secretary of State may take.

for further information, contact the GLA Planning Team:

Emily Leslie, Senior Strategic Planner (Case Officer)

Emily.Leslie@london.gov.uk

Lyndon Fothergill, Team Leader – Development Management

Lyndon.Fothergill@London.gov.uk

Allison Flight, Deputy Head of Development Management

Alison.Flight@london.gov.uk

John Finlayson, Head of Development Management

John.Finlayson@london.gov.uk

Lucinda Turner, Assistant Director of Planning

Lucinda.Turner@london.gov.uk
