

18-25 Park Crescent

in the City of Westminster

planning application no. 14/03306/FULL

Strategic planning application stage II referral

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

The proposal

Demolition and redevelopment of 16-26 Park Crescent and partial demolition of 77-81 Portland Place to provide residential accommodation (Class C3) comprising two basement levels, lower ground, ground and first to fourth floor levels (64 flats); the development of nine mews properties comprising part lower ground, first and second floors within the rear courtyard of Park Crescent Mews; creation of terraces at rear ground, third and fourth floor levels and car parking, refuse storage and plant in the basement of the Park Crescent property; use of part ground, lower ground and basement level 1 and basement level 23 as community use (Class D1). Associated landscaping within the rear courtyard area.

The applicant

The applicant is **PCW Property Holdings Ltd (Jersey)**, and the architect is **Paul Davis + Partners**.

Strategic issues

The strategic issues in this case are **land use, housing and affordable housing, heritage and design, inclusive access, sustainable development** and **transport**.

The Council's decision

In this instance the City of Westminster has resolved to agree a dual recommendation resolving to grant permission but giving delegated authority for officers to refuse permission if the Section 106 agreement is not signed within a specified date.

Recommendation

That the City of Westminster be advised that the Mayor is content for it 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 28 August 2014 the Mayor of London received documents from the City of Westminster 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 Category 1B of the Schedule to the Order 2008:

1B: *“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 in Central London and with a total floorspace of more than 20,000 square metres”.*

2 On 22 October 2014 the Mayor considered planning report D&P/3243, and subsequently advised the City of Westminster that the application did not comply with the London Plan, for the reasons set out in paragraph 54 of the above-mentioned report but that the possible remedies set out in that paragraph could address these deficiencies.

3 A copy of the above-mentioned report is attached. 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. Since then, the application has been revised in response to the Mayor’s concerns (see below). On 16 June 2015 the City of Westminster agreed a dual recommendation resolving to grant permission but giving delegated authority for officers to refuse permission if the Section 106 agreement is not signed within a specified date, and on 6 July 2015 it advised the Mayor of this decision. 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 Council under Article 6 to refuse the application or issue a direction to 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 20 July 2015 to notify the Council of his decision and to issue any direction.

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

Update

5 At the consultation stage the City of Westminster was advised that the application did not comply with the London Plan, for the reasons set out in paragraph 54 of the above-mentioned report, but that the possible remedies set out in that paragraph could address these deficiencies:

- **Land use principle:** While the provision of additional housing is supported, the proposal includes a significant loss of social infrastructure floorspace. Further information on the detail of the retained space and interested parties in hiring this space should be provided to assess the acceptability of the scheme against London Plan Policy 3.16.
- **Housing:** The proposal lacks detail on the affordable housing proposal. Further discussion is required pending the outcome of the independent assessment of the applicant’s viability appraisal regarding the maximum reasonable amount of affordable housing in line with London Plan Policy 3.12. Details of the location, form and timing of any off-site affordable housing offer should also be discussed with GLA officers as soon as possible.
- **Heritage and urban design:** The proposed demolition and replacement of the listed terrace would both sustain and enhance the significance of this internationally-important townscape, making a significantly greater positive contribution to the character and distinctiveness of the Regent’s Park Conservation Area, however, further details of the windows and roof level are required. In order to ensure the proposal is delivered as proposed, a condition will need to be placed on any approval which secures the signing of a building contract prior to the commencement of any demolition.
- **Energy:** The calculations for the reduction in carbon emissions should be recalculated against the Part L 2013 Building Regulations. Confirmation is also required in relation to the incorporation of passive elements, the size of CHP unit and location of the energy

centre. Evidence of discussions to date with the developers of the Euston Road district heating network should also be provided.

- **Transport:** A review of the quantum of car parking on the site should be carried out and confirmation of the number of spaces, including Blue Badge spaces should be provided. A financial contribution of £15,776 is requested to improve signage in the area. Conditions are recommended to cover implementation and monitoring of the Travel Plan, and the submission of a Car Park Management Plan, Construction Logistics Plan, Delivery Servicing Plan and the provision of cycle spaces for the D1 use.

6 Since the initial consultation, further details on the scheme have been provided to the Council which address the points raised above. In addition, since the Mayor saw the scheme at Stage 1, the application has been amended to incorporate the ice house dating from the 1780's which has now been partially excavated beneath the parking area to the south east of the application site. The ice house would remain in situ which has required alterations to the basement proposals and construction methods. Taking each of the outstanding points in turn, the following is noted:

Land Use

7 At consultation stage, issues were raised in relation to the 2,890 sq.m loss of the social infrastructure use (the Civil Justice Centre) on the site, and that no occupier had been confirmed to take up the space that remained in the scheme. Since this time, the applicant has agreed that Business in the Community will take up the remaining 1,762 sq.m of D1 space. The heads of terms include clauses which ensure this space would be secured as a community space in perpetuity and that Business in the Community would have the space at a peppercorn rent for a minimum period of 35 years.

8 While this would still represent a loss of D1 floorspace, given the identified end user and the securing of rent rates, this provision would mitigate the loss of the existing space and in line with the intent of London Plan Policy 3.16.

Housing

9 Since consultation stage, and as a result of reconfiguration of the scheme owing to the discovery of the ice house, the housing offer has changed, and now one additional unit is proposed. The charts below outline the changes:

Stage 1:

Unit Type	No. Units	%
1 bedroom	7	10
2 bedroom	24	33
3 bedroom	22	31
4 bedroom	8	11
5 bedroom	8	11
6 bedroom	3	4
Total	72	

Stage 2:

Unit Type	No. Units	%
1 bedroom	12	16
2 bedroom	21	29
3 bedroom	29	40
4 bedroom	5	7
5 bedroom	6	8
6 bedroom	-	
Total	73	

10 While there is a slight reorganisation of units, the quantum of overall mix remains in line with London Plan policy.

Affordable housing

11 At consultation stage, the Mayor requested further details of the affordable housing offer, noting the requirement of Policy 3.12 to provide the maximum reasonable amount, subject to viability, on site. The applicant contends that the site is unsuitable for on-site affordable housing for a number of reasons. One main constraint is now the identification and retention of the ice house which has resulted in a reduction of gross floor area. In addition, the value of the land is such that only a limited number of units could be provided (five units), and given the layout of the units, no registered provider has presented an interest in managing these units. The City Council have accepted this view noting, in addition, that the heritage requirements of the site also constrain affordable housing opportunities.

12 The applicant has offered an in lieu affordable housing contribution of £13,165,000. This figure would go towards the City Council's affordable housing fund. It is extremely unfortunate that no site or development has been identified by the applicant to build out the affordable housing with this contribution, and disappointing that no details of the City Council's affordable housing fund have been provided to outline how this figure will be used to increase affordable housing provision in London as requested at pre-application stage and in the stage 1 response. However, in this case, given the site constraints, no further objection is raised in this regard.

Heritage and urban design

13 At stage 1, officers requested further details on the roof alteration and proposed windows. While a number of inaccuracies have been found in the original heritage report, the proposed benefits of the scheme, including the reinstated chimneys and front doors would represent substantial public benefit that would outweigh the harm to the heritage asset having special regard to the desirability of preserving the building and the features of special architectural and historic interest which it possesses in line with the Planning (Listed Building and Conservation Areas) act and the NPPF tests. Giving special attention to the desirability of preserving or enhancing the character of the conservation area, the proposal would also be of high quality and offer sufficient public benefit to preserve the character and appearance of the Harley Street and Regent's Park Conservation Area.

14 The City Council have secured a condition which requires a contract for redevelopment to be signed prior to the start of works and secured a clause within the section 106 agreement to secure a figure for the rebuilding of the Park Crescent facade in a bond arrangement prior to the commencement of demolition which will safeguard the development should any issues arise during the course of construction.

Energy

15 At consultation stage, a number of comments were raised in relation to the energy savings proposed. The applicant has now assessed the carbon savings from the scheme against a 2013 building regulations compliant development and provided additional information in relation to overheating. Confirmation has also been provided highlighting that there are no proposed or existing heat networks in the area that the site could connect to, and that the CHP proposed in the scheme is adequately sized and will be efficiently managed.

16 The amendments therefore address the issues raised at stage 1 and the scheme would be in line with London Plan Policy 5.2.

Transportation

17 As requested at consultation stage, the provision of electric vehicle charging points and cycle parking in line with London Plan standards has been secured by condition. The submission of a car parking management plan has also been secured by condition and details of construction plans have been provided.

18 At stage 1 TfL requested a reduction in the car parking provision from 1 space per dwelling. This has not been achieved, and while it is unfortunate that the scheme is not capitalising on the high PTAL of the site, given the City Council's policy in relation to car parking, no further objection is raised in this regard. The restriction for residents to apply for parking permits, a delivery and servicing manage and Travel Plan have also not been secured.

19 TfL also requested a contribution towards Legible London signage to be secured as part of the section 106 agreement. While this has not been secured, give the site's location and the existing way finding opportunities in the area, and the contributions secured towards highway works and the £200,000 public realm contribution, no further objection is raised.

Response to consultation

20 The application was advertised by site and press notices and consultation letters which were sent to 429 of adjoining properties. 91 letters of objection were received. Following an additional round of consultation, nine letters of objection were received raising additional concerns. A final round of consultation was carried out which had five objections. These are summarised as follows:

- Loss of the building results in the loss of a tourist attraction
- The facilities proposed would not benefit the local community
- Proposed accommodation would not be affordable contrary to policy. The affordable housing should be provided on site
- The viability studies should be in the public domain
- Units would be sold overseas and left vacant
- The proposed D1 space is poor quality with no natural light – it is just a gesture
- The reuse of existing buildings would be a more sustainable development
- The demolition of the Grade I building is unacceptable and there is no justification for it
- The additional height would conflict with the other side of Park Crescent and be visible in a number of viewpoints
- The existing appearance of the rear of the building and other defects of the building is not justification for demolition
- The reinstatement of the facade is undermined by the increased height and depth of the building. The height would not enhance the building
- No evidence to support the two storey mews houses at the rear of Devonshire Street
- Unclear if original mews houses are listed or if there is justification for their reinstatement.
- The four storey mews houses proposed would be not be subservient to the surrounding properties or in keeping with prevailing architecture and design. The eight mews houses proposed is an overdevelopment
- Mews houses detract from the setting of the listed building and character of the conservation area. The proposals fails to preserve or enhance heritage assets, contrary to the Planning Act
- The proposal does not meet the test of NPPF paragraph 133 as there is not substantial public benefit and other NPPF tests, including the evidence for development initially
- The two storey blank wall across the width of Devonshire Mews North would be unsightly and out of character with the area
- Harmful impact on setting of adjacent Grade II listed building
- The reconstruction of the crescent falls short of Nash's original design

- There is possible survival of 19th century fabric in 16 Portland Place and 17 Park Crescent
- The proposal would have a harmful impact on parking
- The proposed number of spaces would be inconsistent with parking standards and the underground car park would increase traffic and pollution.
- Parking bays will be suspended to provide load areas for site vehicles
- Vehicles should only enter and exist via Harley Street and not Park Crescent Mews West
The exit onto Marylebone Road should be sealed for vehicular traffic
- The scheme would result in a loss of daylight and sunlight and this should be independently assessed
- There would be overlooking from the mews houses and all rear windows should be removed
- The impact of the mews development and their rear balconies would impact on residential amenity
- There would be a harmful increase in noise from plant, machinery and sub-stations and refuse storage area
- There would be significant noise, dust, dirt, drilling, traffic and nuisance during construction
- Demolition would have severe impact on 22 Park Crescent
- Danger to residents from construction
- The location of the refuse adjacent to the residential accommodation would harm residential amenity
- Existing residents would become homeless
- Impact on basement excavation on London Underground
- Risk that development would not be completed
- Documents are inaccurate and unclear
- The existing gardens should not be altered
- There was insufficient public consultation
- There is a missed opportunity to include 22 Park Crescent in the scheme
- Issues with leaseholder support at 22 Park Crescent and pressure put on some residents
- Basement excavation would impact on subsidence
- Long term harm to plane tree at rear of 12 Devonshire Street
- Dangerous asbestos removal
- Construction Management Plan fails to identify noise mitigation
- Public realm contributions should be secured in the section 106 agreement
- The applicant will make huge financial gain at the expense of others

- The St Marylebone Society – conservation officer’s advice should be noted.
- The Marylebone Association – No objection.

- London and Middlesex Archaeology Society – Object to demolition of the façade of the crescent and the additional development is an over development of the site.

21 Statutory consultees have provided the following comments:

- **London underground:** No objection, subject to conditions.
- **Historic England (Archaeology):** No objection subject to conditions.
- **Historic England:** Scheme is welcomed subject to conditions.

Article 7: Direction that the Mayor is to be the local planning authority

22 Under Article 7 of the Order the Mayor could take over this application provided the policy tests set out in that Article are met. In this instance the Council has resolved to grant permission with conditions and a planning obligation, which satisfactorily addresses the matters raised at stage 1, therefore there is no sound planning reason for the Mayor to take over this application.

Legal considerations

23 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. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected 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.

Financial considerations

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

25 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.

26 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

27 Having regard to the details of the application, the matters set out in the City of Westminster's committee report, consultation responses, the draft conditions and draft S106 agreement, on balance, the scheme is acceptable in strategic planning terms.

for further information, contact GLA Planning Unit (Development & Projects Team):

Colin Wilson, Senior Manager – Development & Projects

020 7983 4783 email colin.wilson@london.gov.uk

Justin Carr, Strategic Planning Manager (Development Decisions)

020 7983 4895 email justin.carr@london.gov.uk

Sarah Scannell, Case Officer

020 7983 5852 email sarah.scannell@london.gov.uk

planning report D&P/3243

22 October 2014

18-25 Park Crescent

in the City of Westminster

planning application no. 14/03306/FULL

Strategic planning application stage 1 referral

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

The proposal

Demolition and redevelopment of 16 - 26 Park Crescent and partial demolition of 77 - 81 Portland Place to provide residential accommodation (Class C3) comprising two basement levels, lower ground, ground and first to fourth floor levels; the development of nine mews properties comprising of lower, ground, first and second floors within the rear courtyard of Park Crescent Mews; creation of terraces at rear ground, third and fourth floor levels and car-parking and plant in the basement of the Park Crescent property; use of part, ground, lower ground and basement level as a community use (Class D1).

The applicant

The applicant is **PCW Planning and Development Limited** and the agent in **DP9**.

Strategic issues

London Plan Policies on **land use, housing, affordable housing, heritage and design, housing quality, inclusive access, sustainable development** and **transport** are relevant to this application.

Recommendation

That City of Westminster be advised that while the application is generally acceptable in strategic planning terms the application does not comply with the London Plan for the reasons set out in paragraph 54 of this report; but that the possible remedies set out in that paragraph could address these deficiencies.

Context

1 On 28 August 2014 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. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor had until 8 October 2014 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view, this deadline has been extended in agreement with the local authority to 23 October 2014. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under Category 1B of the Schedule to the Order 2008: *'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 in Central London and with a total floorspace of more than 20,000 square metres'*.

3 Once Westminster City Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The Mayor of London's statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 The existing building forms the western half of the John Nash Park Crescent facing onto Regent's Park. Park Crescent West is Grade I listed but was wholly rebuilt in 1961-64. It has been occupied by residential, office and Central London County Court uses. The crescent has two residential blocks to the rear. The site development area is defined by Park Crescent, Portland Place with Park Crescent mews with the southern boundary defined by the rear garden wall of properties that face Devonshire Street.

6 The eastern edge of the site is covered by the strategic viewing corridor from Primrose Hill to the Palace of Westminster.

7 The site is bound to the north by Marylebone Road (A501), to the east by Park Crescent (A401) and Portland Place (A401), and to the west by Park Crescent Mews West. Marylebone Road forms part of the Transport for London Road Network (TLRN). The TLRN wraps 20 metres into Park Crescent Mews West and 60 metres into Park Crescent from the junction with Marylebone Road. Park Crescent and Portland Place form part of the Strategic Road Network (SRN).

8 The site is approximately 100 metres from Regent's Park London Underground station, on the Bakerloo Line and 250 metres from Great Portland Street London Underground Station, on the Hammersmith and City and Metropolitan lines. Various other London Underground Stations are located within approximately 1000 metres of the site. National Rail services are available at Euston, approximately 1 kilometre, from the site and there are a number of bus routes within walking distance. As a result, the site has a public transport accessibility level (PTAL) of 6b (on a scale of 1 to 6 where 6b is the most accessible) and this indicates the site has excellent levels of accessibility.

Details of the proposal

9 The application seeks to demolish the buildings on the western side of Park Crescent, retaining 77-81 Portland Place. The existing B1 floor space will be lost, along with the majority of the existing D1 floor spaces, currently occupied by Central London Civil Justice Centre. The scheme proposes the creation of 72 residential units (a net increase of 68 from the existing site) and a D1 offer equating to 1,744 sq.m, with associated parking, refuse and communal areas. The adjoining residential blocks will be retained.

Case history

10 The scheme was presented to GLA officers at the pre-application stage where the principle of redevelopment of the site for residential lead mixed use development was supported. Further details in relation to affordable housing, housing quality, children's play space, access, energy, and transport were requested.

Strategic planning issues and relevant policies and guidance

11 The relevant issues and corresponding policies are as follows:

- Principle of Development *London Plan*
- Housing *London Plan; Housing SPG; Housing Strategy; draft Revised Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context, draft SPG*
- Heritage and design *London Plan; Shaping Neighbourhoods: Character and Context, draft SPG; Housing SPG; London Housing Design Guide; Shaping Neighbourhoods: Play and Informal Recreation SPG*
- Inclusive Design *London Plan; Accessible London: Achieving and Inclusive Environment SPG*
- Sustainable development *London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy*
- Transport and Parking *London Plan; the Mayor's Transport Strategy.*

12 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2013 Westminster City Plan, saved policies of the 2007 Westminster Unitary Development Plan and the 2011 London Plan (with 2013 alterations).

13 The following are also relevant material considerations:

- The National Planning Policy Framework and Technical Guide to the National Planning Policy Framework, and
- The draft Further Alteration to the London Plan (January 2014).

Principle of Development

14 The replacement of the existing office space with 72 units would meet the requirement of London Plan Policy 3.16, and would assist in achieving the boroughs draft Further Alteration to the London Plan housing target of 10,677. Therefore, the principle of housing on this site is supported.

15 London Plan Policy 4.2 outlines the Mayor’s support for the support and management of office provision and recognises the need to address strategic as well as local differences in providing and maintaining office space. The site falls within the Marylebone and Fitzrovia Central Activities Area identified in Westminster City Plan Policy S8. Park Crescent is named as an appropriate location for residential use and the policy highlights the need to preserve and enhance the local distinctiveness of the residential character of the area. Policy S14 of the Plan highlights the priority of residential uses across Westminster stating that conversion of office to residential will be acceptable. The conversion of offices to residential in this case is, therefore, acceptable.

16 The Civil Justice Centre falls within the definition of social infrastructure as set out in the London Plan. Policy 3.16 states that proposals which would result in a loss of social infrastructure in areas of defined need for that type of social infrastructure without realistic proposals for re-provision should be resisted. The policy goes on to state that the suitability of redundant social infrastructure premises for other forms of social infrastructure for which there is a defined need in the locality should be assessed before alternative developments are considered. The proposal would result in the loss of 2,890 sq.m (a loss of 59% space compared to the existing provision) social infrastructure floorspace. At the pre-application stage it was anticipated that the retained social infrastructure floorspace would be specifically designed to house a practice facility for the Royal Academy of Music at lower ground floor and basement levels. This submission does not include justification for the loss, the details of the social infrastructure offer now proposed, or confirmation of interested parties who would be willing to lease this space. Therefore, it is not possible to confirm that the social infrastructure floorspace offer would be acceptable in relation to Policy 3.16. The applicant should provide GLA officers with information demonstrating the detail of the proposed social infrastructure use including evidence of interested future users of this space.

Housing

17 The scheme proposes 72 residential units, as outlined below:

Unit Type	No. Units	%
1 bedroom	7	10
2 bedroom	24	33
3 bedroom	22	31
4 bedroom	8	11
5 bedroom	8	11
6 bedroom	3	4
Total	72	

Affordable Housing

18 Strategic priority is afforded to maximising affordable housing in London Plan Policy 3.12, which states that affordable housing contributions should represent the maximum reasonable amount, ideally provided on site, and based on a detailed and robust financial viability appraisal. The applicant has submitted a financial viability assessment to the Council. This should be subjected to an independent assessment to verify whether the proposed affordable housing provision represents the maximum reasonable amount. The conclusions of the independent assessment should be shared with the GLA prior to the determination of the application.

19 In addition, the applicant has demonstrated that the on-site delivery of affordable housing is not feasible given the proposal to reinstate the Grade I listed Park Crescent facade and the challenges this presents to the internal configuration of homes. While GLA officers are sympathetic to the constraints of the site and the heritage benefits proposed, no confirmation has been provided relating to the location of an off-site location of affordable housing, the nature of this offer, or the timetable for its delivery. Without details of this, and the conclusions of the independent viability review, it is not possible to determine whether this application accords with London Plan Policy 3.12. These outstanding details should be provided to GLA officers as soon as possible.

Tenure

20 London Plan Policy 3.11 establishes a strategic target tenure mix of 60:40 social rent to intermediate housing. The proposal does not include any information relating to the tenure of the affordable housing offer. As outlined above, the details of the affordable offer, the tenure and details of discussions with registered providers on the feasibility of any proposal should be provided to GLA officers.

Housing Choice

21 London Plan Policy 3.8, together with the Mayor's Housing SPG seeks to promote housing choice and seek a balanced mix of unit sizes in new developments, with particular focus on affordable family homes. The submission confirms that a range of unit sizes, including family accommodation, would be provided in the private units. Further detail of the mix of the affordable offer should be provided to GLA officers to assess the proposal against Policy 3.8.

Residential Standards

22 London Plan Policy 3.5 establishes the strategic priority of securing design quality in housing development, with further guidance provided in the Mayor's Housing SPG. Key factors such as floor-to-ceiling heights, orientation, maximising ground-floor individual access points and number of units per core are all essential to achieving high residential quality and are of particular importance when assessing residential quality.

23 The residential quality across the scheme is of a high standard and the design and access statement confirms that it would achieve the majority of the guidance criteria within the Housing SPG. Where they are not achieved; it is generally due to the constraints of the site and the achievement of a high quality historical layouts and would not significantly impact on the quality of the housing proposed. The proposal meets the requirements of Policy 3.5.

Children's Play Space

24 Based on the residential mix and the methodology within the Mayor's Shaping Neighbourhoods: Play and Informal Recreation SPG (2012), GLA officers have calculated a total (minimum) expected child population of 12 with 7 of these being under 5. The applicant should confirm the quantum and detailed layout of the proposed children's playspace and formal recreation to be included to confirm compliance with London Plan Policy 3.6.

Residential Density

25 The site has a PTAL level of 6b and classified as central in character. On this basis, the London Plan density matrix (Table 3.2 in support of London Plan Policy 3.4) suggests a residential density of between 650-1100 habitable rooms per hectare for this site. The density calculation has not been submitted with the submission. The density figure, based on the net residential area, as outlined in Policy 3.4 and paragraph 1.3.47 of the Mayor's Housing SPG should be provided to assess the scheme against London Plan Policies.

Heritage and Design

26 The proposal involves demolition of existing Grade I listed crescent. The NPPF states that '*Substantial harm to or loss of...Grade I...Listed buildings...should be wholly exceptional*' (Section 12.133) and the loss of Grade II listed buildings should be exceptional. Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within chapter seven which addresses both general design principles and specific design issues. London Plan Policy 7.8 requires the identification, conservation, restoration and re-use of heritage assets, also stating that the loss of a designated heritage asset be wholly exceptional.

27 The case of Park Crescent represents a highly unusual and exceptional case. The applicant's architects (Paul Davis & Partners) and their heritage consultants (Donald Insall) have produced a convincing case demonstrating that the war-damaged remains of the crescent were totally demolished following WWII and rebuilt in 1962. Consequently the Grade I listing of the existing crescent is by virtue of its significance as having outstanding townscape value and importance as half of the symmetrical crescent and as a key part of Nash's Regent's Park to St James's planned ensemble of the 1820s, rather than its actual fabric.

28 Whilst the 1960s crescent is an interesting and unusual example of post-war reconstruction of a 19th century terrace, it is not an accurate replica – the heritage statement documents the various flaws to the design including having only five of the original 13 front doors and their associated bridges, the absence of chimney stacks, the one-plan office spaces behind the facade rather than the original modular plan, the painted concrete facades rather than the original stucco and the inaccurate architectural detailing and proportion to features such as the cornices.

29 The proposed redevelopment would remedy these deficiencies and result in a crescent that is far more historically and architecturally authentic when viewed from the public realm. The reinstating of the original complement of front doors and the chimney stacks is particularly welcome. The scale and design of the new-build residential development behind the new facade is considered to be sensitive to its context and represents a significant improvement to the existing 1960s elevations. The same applies to the proposed new-built mews houses, which will occupy nearly the same footprint as those demolished over half a century ago. They are of a contemporary design (employing traditional brick facing materials) but one that relates well to their surroundings. The new courtyard gardens will also enhance the rear aspect of the crescent.

30 While the principle of the demolition and replacement is therefore acceptable, further consideration should be given to the ground floor windows proposed to the crescent, given that the historical evidence suggests that the original 1812 elevations had window openings in the façade at this levels and much lower sills, and that they (and the front windows at the first floor) had side-hung double –opening casements not sashes. In addition, further justification is required to demonstrate that the proposed shallow-pitch slate roof behind the balustrade is an appropriate part of the reconstruction given its very different form from the original Regency roof, and taking into consideration the importance of the relationship with the western half of the crescent with its eastern half. A condition should also be placed on any approval which requires a signed building contact for the new development to proceed prior to any demolition.

31 The proposal sits within the established building height of the existing buildings and those that surrounding it. It will not impact on the strategic view.

32 Subject to further information relating to the detailed elements of the scheme, the replacement building would both sustain and enhance the significant of this internationally-important townscape, making a significantly greater positive contribution to the character and distinctiveness of the Regent’s Park Conservation Area and resulting in a high quality development that is sensitive to its heritage-context, and would be in accordance with Policies 7.4, 7.6, 7.8 ad 7.9.

Inclusive design

33 London Plan Policy 3.8 states that residential units should meet the 16 Lifetime Homes standards and that 10% of new homes are wheelchair accessible and meet the standards set out in GLA’s best practice. The submission confirms that the scheme would meet these requirements and that level access would be provided through the scheme and surrounding landscaping, in accordance with Policy 3.8.

Sustainable Development

34 In accordance with the principles of Policy 5.2 the applicant has submitted an energy strategy for the development, setting out how the scheme proposes to reduce carbon dioxide emissions in accordance with the London Plan energy hierarchy.

35 2% of the overall carbon savings will come from energy efficiency measures, as part of the ‘lean’ stage including passive design features and secondary glazing (owing to heritage significance of building). Further information should be provided on the details of the solar gain minimisation, including evidence of modelling and quantification of cooling demand for the dwellings in order to comply with Policy 5.9. In addition, the applicant should present the results of the efficiency savings against a 2013 baseline and demonstrate that the new build elements of the scheme can meet Part L 2013 by efficiency measures alone.

36 22% of the total carbon savings will come from the ‘clean’ stage of the hierarchy. The applicant has identified that the Euston Road district heating networking is in the vicinity of the development. While the submission suggests that there are no plans to extend this network, connection to the network should continue to be prioritised and evidence of correspondence with the Euston Road network developers should be provided detailing any possible future connection opportunities.

37 The provision of a site heat network which all buildings on site will be connected to is welcomed. The site heat network should be supplied from a single energy centre. Plans identifying the size and location of the network should be provided.

38 A 124 kWe 200 kWth gas fired CHP unit is proposed to be installed to provide domestic hot water and a proportion of space heating. Monthly load profiles for the site should be provided as the system seems oversized relative to the claimed carbon savings. Information should also be provided on the management arrangements and electricity sale strategy for the site. The figures for these savings should also be resubmitted against Part L 2013.

39 3% of the total savings will come from the 'green' stage. The applicant has proposed to install 180 sq.m of façade mounted solar PV. The detailed elevation of the PV installation should be provided demonstrating that this installation can be achieved.

40 Overall, the carbon emissions savings would result in an overall carbon saving of 25% against 2010 Building Regulations. These figures should be resubmitted and savings calculated using Part L 2013 as the baseline, aiming to meet 35% carbon reduction target outlined in Policy 5.2. If, after addressing the comments above, it is demonstrate that there is little potential for further carbon dioxide reductions onsite, in liaison with the borough, the development should ensure the short fall in carbon dioxide reduction is met off-site providing carbon saving elsewhere in the borough.

Transport

Parking

41 There is some discrepancy between the submitted plans and the Transport Statement. Transport for London (TfL) request the application provides further information regarding the level and allocation of parking spaces. Notwithstanding this, the Transport Statement states that the scheme will provide 58 spaces, an average of 0.79 spaces per unit. Although the overall level of parking on site is reduced in this proposed development, considering the location and excellent PTAL of the site, TfL would expect to see a further reduction in the overall provision. It is understood that this level of car parking has been requested by Westminster to reduce the additional pressure of the development on the surrounding area and on-street permit holder bays; however, this could also be achieved through excluding residents from applying for parking permits in the CPZ through a S106 agreement.

42 To accord with London Plan Policy 6.13, one Blue Badge parking space should be provided for every accessible residential unit, and they should be located near the lifts. In addition, these should be provided with 20% as active and further 20% passive Electric Vehicle Charging Points. Details of how the scheme will meet these requirements should be provided.

43 The information provided on Car Clubs in the surrounding area is welcome and TfL requests that the applicant investigates and evidences the demand of the scheme and considers providing further spaces if required. Consideration should also be given to providing free Car Club membership of all residents of the development for a minimum of two years.

44 A car parking management plan (CPMP) should be submitted and secured via the S106 agreement. This should include a mechanism to ensure that the supply and demand of Blue Badge bays for disabled residents and visitors is regularly monitored and provision is reviewed if required.

Cycle Parking

45 The provision of 192 spaces for the residential units is welcome and exceeds the standards set out in the London Plan, and emerging policy within the Further Alterations to the London Plan (FALP). As the details of the D1 use is not finalised, the number of cycle spaces cannot be confirmed. A condition should be attached to any approval to ensure the applicant supplies the minimum number of spaces required in accordance with Policy 6.9 of the London Plan.

Pedestrian Environment

46 There are a number of Legible London signs within the vicinity of the site. TfL considers it necessary and beneficial to the users of the site and visitors to update the wayfinding system. A contribution of £15,776 is required to update nine signs in the surrounding area.

Public Transport

47 The scale of the development means that any impact on the public transport network will be negligible and the minor uplift in trips can be accommodated within existing capacity. The Jubilee line tunnels run directly beneath the site and appropriate controls will need to be placed on any permission to ensure that the development will not result in an unacceptable impact on London Underground Infrastructure.

Travel Planning

48 The framework Travel Plan submitted with the application is welcomed, and the measures should be secured as part of the S106 agreement.

49 The information on proposed servicing, demolition and construction arrangements are also welcomed. A final construction logistic plan and delivery servicing plan, in accordance with TfL guidance should be submitted and secured via condition.

Community Infrastructure Levy

50 The Mayor has introduced a London-wide Community Infrastructure Levy (CIL) to help implement the London Plan, particularly Policies 6.5 and 8.3. The Mayoral CIL formally came into effect on 1 April 2012, and it will be paid on commencement of most new development in Greater London that was granted planning permission on or after that date. The Mayor's CIL will contribute towards the funding of Crossrail.

Local planning authority's position

51 The Local Planning Authority is due to report the application to planning committee at the end of October.

Legal considerations

52 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

53 There are no financial considerations at this stage.

Conclusion

54 London Plan policies on land use principles, housing and affordable housing, heritage and design, housing quality, inclusive access, climate change and transport are relevant to this application. In general, the application complies with these policies, however, further discussion is needed on the following points prior to referring the application back to the Mayor:

- **Land use principle:** While the provision of additional housing is supported, the proposal includes a significant loss of social infrastructure floorspace. Further information on the detail of the retained space and interested parties in hiring this space should be provided to assess the acceptability of the scheme against London Plan Policy 3.16.
- **Housing:** The proposal lacks detail on the affordable housing proposal. Further discussion is required pending the outcome of the independent assessment of the applicant's viability appraisal regarding the maximum reasonable amount of affordable housing in line with London Plan Policy 3.12. Details of the location, form and timing of any off-site affordable housing offer should also be discussed with GLA officers as soon as possible. Further details of child's playspace should also be provided and the net residential density figure should be provided.
- **Heritage and urban design:** The proposed demolition and replacement of the listed terrace would both sustain and enhance the significant of this internationally-important townscape, making a significantly greater positive contribution to the character and distinctiveness of the Regent's Park Conservation Area, however, further details of the windows and roof level are required. In order to ensure the proposal is delivered as proposed, a condition will need to be placed on any approval which secures the signing of a building contract prior to the commencement of any demolition.
- **Energy:** The calculations for the reduction in carbon emissions should be recalculated against the Part L 2013 Building Regulations. Confirmation is also required in relation to the incorporation of passive elements, the size of CHP unit and location of the energy centre. Evidence of discussions to date with the developers of the Euston Road district heating network should also be provided.
- **Transport:** A review of the quantum of car parking on the site should be carried out and confirmation of the number of spaces, including Blue Badge spaces should be provided. A financial contribution of £15,776 is requested to improve signage in the area. Conditions are recommended to cover implementation and monitoring of the Travel Plan, and the submission of a Car Park Management Plan, Construction Logistics Plan, Delivery Servicing Plan and the provision of cycle spaces for the D1 use.

for further information, contact GLA Planning Decisions Unit (Development and Projects Team):

Colin Wilson, Senior Manager – Development & Projects

020 7983 4783 email colin.wilson@london.gov.uk

Justin Carr, Strategic Planning Manager (Development Decisions)

020 7983 4895 email justin.carr@london.gov.uk

Sarah Scannell, Senior Strategic Planner Case Officer

020 7983 5852 email sarah.scannell@london.gov.uk
