Strategic planning application stage 1 referral (new powers)


The proposal

Redevelopment of site, comprising a 13-storey building to contain hostel accommodation with 157 rooms, together with wardens flat, associated parking and servicing.

The applicant

The applicant is London Hostel Association and the architect is MJP Architects.

Strategic issues

The principle of replacement hostel accommodation is acceptable in strategic planning terms, however further clarification is required in relation to the nature and operation of the hostel use in order to be satisfied that affordable housing policies are not applicable.

The principle of a tall building and the design approach is acceptable, subject to clarification over the robustness and maintenance of the materials. Assurances that an acceptable standard of accommodation can be achieved is required, together with confirmation regarding adaptable rooms, the energy centre and district heating strategy and resolution of transport issues, in order for the scheme to be wholly acceptable in strategic planning terms.

Recommendation

That Westminster City Council 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 61 of this report; but that the possible remedies set out in paragraph 63 of this report could address these deficiencies.

Context

1 On 21 June 2011 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 has until 1 August 2011 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for
The application is referable under Category 1C of the Schedule to the Order 2008:

“Development which comprises or includes the erection of a building of …more than 30 metres high and is outside the City of London.”

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.

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

**Site description**

The site is located on Torquay Street, between Westway to the south and Harrow Road to the north. Torquay House, the four-storey building occupying the site, was constructed in the 1950’s and was granted use as a hostel for the homeless in 1986. In 1998, a condition of that consent was removed, to allow occupation for other hostel uses such as students and young workers, which the building is currently being used for.

The site also incorporates an access route to St Mungo’s, a 4 storey homeless shelter and hostel to the east of the site, and also a single storey drill hill building, owned by the Ministry of Defence. A small wedge of land beside the Westway, on which a number of advertisement hoardings are placed, is outside of application site.

To the north of the site is a petrol filling station, on the corner of Torquay Street and Harrow Road. To the south, under the Westway, is a skate park. The area around Harrow Road comprises a mix of commercial and residential uses, with a range of building heights and styles. Of particular prominence, is Brinklow House (21 storeys) to the west and a series of other tower blocks beyond that.

Torquay House fronts onto Torquay Street, a road with no through route accessed from Harrow Road (A404). The nearest Transport for London Road Network (TLRN) is the A40 flyover, adjacent to the site’s southern aspect, however no direct access is available. The nearest Strategic Road Network (SRN) is the A404, 70 metres to the north east of the site.

![Figure 1: Site location (source: submitted Design and Access Statement)](image-url)
The nearest London Underground station is Royal Oak, located approximately 300 metres away (equivalent to a four minute walk), served by both the Hammersmith and City and Circle Lines. Bus routes 18 and 36 can be accessed from Harrow Road less than 50 metres to the north east of the site, with services to New Cross, Sudbury and Harrow Station and Euston Station.

The public transport accessibility level (PTAL) of the site is 3, where 6 is most accessible. This equates to a moderate level of accessibility.

Details of the proposal

The scheme proposes the demolition of the existing building and erection of a part-five, part thirteen storey building to accommodate a 157 bedroom hostel.

The five storey section would sit closest to the Westway at the southern end of the site, rising up to thirteen storeys adjacent to the northern boundary with the petrol station.

The building would occupy the full extent of the site, with one on-site disabled parking bay proposed.

The applicant owns and manages twelve hostels in Central London, six of which are in Westminster.

Case history

Pre-application discussions were held with GLA officers in March 2011, where the principle of a replacement building of the height proposed was deemed acceptable, subject to satisfying a number of issues regarding use, detailed design, sustainability, and transport.

Strategic planning issues and relevant policies and guidance

The relevant issues and corresponding policies are as follows:

- Land use: London Plan;
- Student Housing: London Plan; PPS3; Housing SPG
- Urban design: London Plan; PPS1
Inclusive design and access  
London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)

Energy and climate change  
London Plan; PPS1, PPS1 supplement; PPS3; PPG13; PPS22; draft PPS Planning for a Low Carbon Future in a Changing Climate; the Mayor’s Energy Strategy; Mayor’s draft Climate Change Mitigation and Adaptation Strategies; Mayor’s draft Water Strategy; Sustainable Design and Construction SPG

Transport  
London Plan; the Mayor’s Transport Strategy; PPG13;

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 2007 City of Westminster Unitary Development Plan, the Council's 2011 adopted Core Strategy, and the London Plan (2011).

Hostel accommodation

London Plan (2011) policy 3.14 resists the loss of housing unless the housing is replaced at existing or higher densities with at least equivalent floor space. This includes hostel accommodation that meets an identified need, unless the existing floorspace is satisfactorily re-provided to an equivalent or greater standard. The scheme proposes the replacement of the existing hostel building, and an increase in floor space from approximately 1,400 sq.m. to 5,300 sq.m., with a net increase of 51 bed spaces. The principle of a providing a replacement hostel, with larger, better equipped and more modern accommodation is welcomed in principle.

The applicant advises that the new hostel would offer both self contained and shared accommodation, catering for those in employment and students looking for short term affordable accommodation. London Plan policy 3.8, which applies to student housing, is therefore also of relevance, given that the applicant positively targets students. This states that strategic and local requirements for student housing meeting a demonstrable need are to be addressed by working closely with higher and further education agencies and without compromising capacity for conventional homes. The London Plan requires consideration of both supply and demand, together with a more dispersed distribution and different forms of provision. Addressing these demands should not compromise capacity to meet the need for conventional dwellings, especially affordable family homes, or undermine policy to secure mixed and balanced communities. There is a requirement that unless student accommodation is secured through a planning agreement for occupation by members of specified educational institutions for the predominant part of the year, it will normally be subject to the requirements of affordable housing policy.

The applicant advises that its business model is to provide accommodation for those who are in need of short term accommodation, filling a gap in the market due to the flexibility on length of stay and short notice period. Whilst not affiliated to specific institutions, residents are required to show proof of employment or study in order to ensure they fulfil occupancy qualifications set by the applicant. The applicant states that approximately 40% of the hostel’s capacity is student uptake, and thus represents a relatively small net increase over the existing provision.

It is accepted that as a hostel facility rather than a specific student housing development, it would be difficult to secure occupation of rooms members of specified educational institutions. It does, however need to be make clear how the scheme would differ from permanent residential accommodation, to which affordable housing policies would apply. Further discussion is required regarding the operation of the hostel, access criteria for people wishing to stay in the hostel, and the length of time residents are eligible to stay, and if there are any terms of occupation or caps on the length of stay. Further discussion will also be required with the Council over the possibility of securing the operator end users by way of section 106 legal agreement, should the principle of
Urban design and tall buildings

22 Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within chapter 7 of the London Plan, which address both general design principles and specific design issues. Policy 7.1 sets out a series of overarching design principles for development in London, with new development required to have regard to its context, and reinforce or enhance the character, legibility and permeability of the neighbourhood. Other design policies in this chapter and elsewhere in the London Plan include specific design requirements relating to maximising the potential of sites, the quality of new housing provision, tall and large-scale buildings, built heritage, views, and the Blue Ribbon Network.

Layout

23 The arrangement of development on a site impacts on the quality and use of the streets and spaces surrounding it. Development should always be laid out to provide enclosure, overlooking and activity to the public realm, making it feel safe, well used and attractive.

24 The proposed development is laid out along the back of the footway and parallel to Torquay Street. This approach provides a continuous building line and good enclosure to the street as well as the potential to provide overlooking and activity to make the public realm feel safe and well used.

25 The ground floor of the proposal is well laid out to maximise the potential for the development to provide overlooking and activity to the public realm. Active uses such as kitchen, reception and bedrooms look on to the street and less active uses such as plant rooms and cycle storage are to the rear of the building. A small set-back from the footway ensures that this arrangement does not impact on the privacy of these uses.

26 It is unclear whether there is public access under the A40. If so, consideration should be given to how the proposed development can address this space and provide activity and overlooking at ground floor level to the southern side of the development.

Scale, Height and Massing

27 London Plan policy 7.7 relates to the specific design issues associated with tall and large-scale buildings, are of particular relevance to the proposed scheme. These policies set out specific additional design requirements for tall and large-scale buildings, which are defined as buildings that are significantly taller than their surroundings and/or have a significant impact on the skyline and are larger than the threshold sizes set for the referral of planning applications to the Mayor.

28 The proposal is made up of a part-five and part-13 storey building. Whilst the five storey element is in keeping with the overall context height of buildings in the area, the taller element is more than two times higher than this. There are however, six 21-storey buildings in the immediate vicinity of the site that play a significant role in the character of the area, so although the new building is higher than overall building height, it will not stand alone in the skyline and does not raise any strategic concerns.

29 The height of the development however, increases its visual prominence and puts more emphasis on the requirement for this to be an attractive and well built building. The elevations
Appearance

30 The proposed development will have a number of very visible elevations that, combined with the height of the building, will have a strong visual impact on the surrounding area.

31 Unconventionally, the elevations at the rear and side of the building are as visible as the front as a result of the large number of vehicles that drive along the A40. The proposed design of the elevation respond well to the differing conditions and even the windowless elevations have been designed to articulate scale and provide interest.

32 Choice of material will play a significant role on how well this prominent development will age and the amount of maintenance and cleaning that it will be required. The design and access statement outlines how careful attention has been given to this, however, as noted above, this issue is of particular concern, given the proximity to the A40. The Council, through the imposition of appropriately worded condition, should secure details regarding the robustness of the materials, the maintenance requirements and if need be, a review of the choice of materials at detailed design stage, in order to be satisfied that a high quality finish is provided and maintained.

Internal layout and quality of accommodation

33 The GLA does not have standards for hostel accommodation, however it is still important that, as a type of housing, that the scheme demonstrates that rooms will provide a reasonable level of habitation for occupiers.

34 Approximately 80% of the rooms comprise micro-flats, with kitchenette and en-suite. These rooms measure approximately 17 sq.m. The balance comprises smaller cluster rooms, which share kitchen and dining space. There is also one double room. There are ten adapted rooms, for wheelchair uses, measuring 24 sq.m. The floor plan is arranged logically, with communal space provided throughout and a larger space at ground floor level. The green roofs at levels five and twelve would be accessible, and there are also study areas and a small gym proposed. The applicant advises that the layout has been designed to accord with the Council’s standards for homes in multiple occupation and have been discussed with its Environmental Health officers.

35 The applicant has been required to factor in consideration of noise and pollution, given the proximity to the Westway. The site moves into noise Category D, as set out in PPG24 (Planning and Noise), which states that planning permission should normally be refused on the premise that the noise is too great. It is acknowledged that as the scheme comprises temporary hostel accommodation, and that this use currently exists on the site, that a refusal on this grounds may not be warranted. The scheme has been designed to avoid bedroom windows facing the Westway, and the extent of glazing is restricted, with mechanical ventilation proposed. The Council will need to ensure that satisfactory conditions are imposed that ensure comfortable living arrangements for occupiers.

Inclusive design and accessibility

36 Inclusive design principles if embedded into the development and design process from the outset help to ensure that all of us, including older people, disabled and deaf people, children and young people, can use the places and spaces proposed comfortably, safely and with dignity. The aim of London Plan policy 7.2 is to ensure that proposals achieve the highest standards of accessibility and inclusion (not just the minimum), the applicant should therefore seek to provide a
37 As an absolute minimum, such developments are required to meet Part M of the Building Regulations. For Building Regulations purposes, hostel accommodation requires one in twenty rooms to be wheelchair accessible. For London Plan purposes, as a form of residential development and also being akin to hotel accommodation, in accordance with policy 3.8 and 4.5, ten per cent of bedrooms should be wheelchair accessible or easily adaptable for occupation by a wheelchair user. Best practice standards as set out in the revised British Standard BS 8300: 2009 recommends that 5% of rooms are fully accessible (i.e. meet the standards set out in the building regulations) and that 5% are capable of being adapted at a later date if needed (i.e. with more space to allow use of a mobile hoist, wider doors, walls capable of supporting grab rails and drop down support rails). Ideally the 5% fully accessible rooms should be designed so that they are capable of having a fixed ceiling track hoist installed if needed.

38 The access statement submitted with the application indicates that a total of ten adapted accessible bedrooms would be provided (6.4%), each with their own accessible en-suite bathroom, kitchen and living facilities. These are shown on plan, with the layout indicated accordingly. An additional six rooms would be capable of being adapted, however the location of the adaptable rooms are not indicated, and there is a concern that due to the size of the units, that it would not be possible to adapt the rooms, should the need arise. In order to address these points, the applicant should demonstrate how the adaptable rooms could be provided, clearly showing what features could be retrofitted on request. A commitment to produce a full accessibility management plan that demonstrates how this will be achieved should be secured by condition.

39 Otherwise, the scheme features level entrances, and dual lifts, and routes to amenity areas are step free and accessible, with the one parking bay proposed being for Blue Badge parking. These commitments are welcomed, and subject to confirmation of the adaptable rooms, ensure compliance with London Plan policy 7.2.

**Sustainability and climate change**

40 The London Plan climate change policies as set out in chapter 5 collectively require developments to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions, adopting sustainable design and construction measures, prioritising decentralised energy supply, and setting out ways in which developers must address mitigation of, and adaptation to, the effects of climate change.

**Energy – climate change mitigation**

41 Policy 5.2 of the London Plan requires a reduction in a development’s carbon dioxide emissions through the use of passive design, energy efficiency and renewable energy measures. The London Plan requires developments to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions, adopting sustainable design and construction measures and prioritising decentralised energy, including renewable technologies.
Energy efficiency standards

42 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameter will be improved beyond the minimum backstop values required by building regulations. Other features include low energy lighting fittings and controls. Overall, the development is estimated to achieve a reduction of 26 tonnes per annum (12%) in regulated carbon dioxide emissions compared to a 2010 Building Regulations compliant scheme.

District heating

43 The applicant states that the scheme could link to a district heating system in the future, should one become available. In this respect, the applicant should investigate whether there is any existing or planned nearby heat networks to which the proposed scheme could connect to. For this purpose the applicant should contact Westminster Council.

44 The applicant should clarify how the heating infrastructure proposed to supply the development with heat would permit the use of an external source of heat, should this be available the future, to supply all of the heat requirements of the proposed development, i.e. space heating, hot water and pre-heating of the ventilation air.

45 The applicant should also provide further information on the footprint and precise location of the energy centre that would be required to allocate the proposed heat generating plant.

Combined Heat and Power

46 The applicant is proposing to install a gas fired CHP unit of 30W electrical capacity as the lead heat source for the development. A reduction in regulated carbon dioxide emissions of 74 tonnes per annum (37%) will be achieved through this second part of the energy hierarchy.

Cooling

47 Passive design measures have been proposed to minimise unwanted solar gains. They include external shading systems, internal blinds and high performance windows.

48 No active cooling has been proposed.

Renewable energy technologies

49 Overall the strategy applies the energy hierarchy in accordance with emerging London Plan policy and demonstrates a reduction in carbon dioxide emissions of 44% compared to a 2010 Building Regulations compliant development, thus meeting the target within the London Plan. Consequently, no renewable technologies have been proposed. Given the scale of savings in carbon dioxide emissions achieved through the first two stages of the energy hierarchy, the strategy is acceptable.

Climate change adaptation

50 Policy 5.3 of the London Plan promotes and support the highest standards of sustainable design and construction in development, requiring development minimise carbon dioxide emissions; minimising overheating and contribute to heat island effects; minimise solar gain in summer; applying sustainable drainage; minimising water use; and protect and enhance green infrastructure. London Plan policy 5.11 requests that major developments incorporate living roofs and walls where feasible. Policy 5.13 seeks to ensure that surface water run-off is managed as
The applicant proposes a highly insulated external wall, water efficient system, rainwater attenuation and harvesting. Accessible green roofs, planting bird and bat boxes are proposed. The applicant notes that given the constraints of the site in relation to proximity to the motorway, that noise and pollution result in mechanical ventilation with heat recovery is required. The constraints of the site are acknowledged and the measures proposed are commensurate to this. These measures, together with the applicant’s commitments for BREEAM rating should be secured by way of condition.

**Transport**

No transport assessment has been included within the submission documents however owing to the scale of development, in this instance a full assessment is not required on this occasion.

Overall, the proposals will not have a detrimental impact on either the public transport or local highway network and therefore the proposals are in conformity with London Plan policy 6.3.

The scheme will be effectively car free, with one disabled parking space proposed. This is supported, and subject to being secured by planning obligation would ensure conformity with London Plan policy 6.13.

A total of forty cycle parking spaces are proposed in line with TfL’s standards, to cater for both staff and residents. Additional visitor cycle parking however, will also need to be included, details of which should be provided before the application is reported back at Stage 2.

Further discussion is required between the applicant and TfL to determine appropriate measures to facilitate the expansion of the Mayor’s Cycle Hire scheme in the local area to encourage sustainable transport. Confirmation on the above will be necessary to ensure conformity with London Plan policy 6.9.

To promote inclusive accessibility to all users of the proposed development and encourage bus use, TfL requests that the two nearest bus stops (1095 and 1096) are upgraded, and accordingly, a contribution of £20,000, to be secured within the section 106 agreement. This will ensure conformity with London Plan policy 6.7.

**Local planning authority’s position**

It is understood that Westminster City Council’s planning committee is due to consider the application in early August. Officers have advised of concern regarding the height of the building and the nature of the accommodation, and have yet to make a decision on the likely recommendation.

**Legal considerations**

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
Financial considerations

60 There are no financial considerations at this stage.

Conclusion

61 London Plan policies on the principle of development, student housing, urban design, inclusive design, climate change and transport are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Land use**: This is acceptable in principle; however order to comply with policy 3.8G, details of the occupation of the hostel accommodation requires clarification and will need to be secured by way of section 106 agreement.

- **Urban design**: The height, bulk scale and massing of the scheme is broadly acceptable, subject to more detailed consideration being given to appearance and materials, and an assurance that acceptable standard of accommodation can be achieved in relation to noise and air quality.

- **Inclusive design and accessibility**: The scheme has made effort to integrate inclusive design, however further information is required in order to demonstrate that the scheme fully accords with London Plan policy 7.2.

- **Climate change mitigation**: The applicant has broadly followed the energy hierarchy. Sufficient information has been provided to understand the proposals as a whole and the proposal is broadly acceptable, however, further information is required before the carbon savings can be verified and the scheme can be considered in accordance with London Plan energy policies.

- **Climate change adaptation**: The applicant’s commitments are welcomed, and ensure compliance with London Plan policies 5.3, 5.9, 5.10, 5.11, 5.13 and 5.15. These commitments should be secured by way of condition.

- **Transport**: The proposal is broadly acceptable in transport terms however further discussion and information is required in order to ensure full compliance with the London Plan.

62 On balance, the application does not comply with the London Plan.

63 The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- **Hostel accommodation**: Further information and conditions are required to secure the hostel accommodation, so as to be clear that it would not revert to more permanent residential accommodation, to which affordable housing policies would apply.
• **Urban design:** The Council needs to give further consideration to detailed design to ensure an acceptable appearance and standard of accommodation.

• **Inclusive design and accessibility:** Further information is required before the application is reported back at Stage 2 in relation to the design and layout of the adaptable units that are proposed.

• **Climate change mitigation:** Further information and commitments are required before the application is reported back at Stage 2 in relation to any planned heat networks, any proposed heating infrastructure and details of the energy centre.

• **Transport:** Further information and discussion is required before the application is reported back at Stage 2 in relation to the Mayor’s Cycle Hire scheme, bus stop upgrades and introduction of visitor cycle parking on the site.

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