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FAO: Matthew Mason

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Our ref: JCW/GBR/AROB/J8038

Your ref: 20/03307/FULL & 20/03308/LBC

Dear Sir

Development site bound by Ebury Street, Pimlico Road, Avery Farm Row, Ebury Square and Cundy Street, known as 'Cundy Street Quarter'

Full Planning and Listed Building Consent application references: 20/03307/FULL & 20/03308/LBC – Proposed Amendments

We write on behalf of our client, Grosvenor Estate Belgravia (hereafter referred to as 'the Applicant'), to provide updated application documentation regarding the pending full planning and listed building consent applications which seek the proposed redevelopment of the Cundy Street Quarter (ref: 20/03307/FULL and 20/03308/LBC). The proposed scheme changes seek to respond to comments provided by the City Council's Planning (Major Applications) Sub-Committee on 16 February 2021.

Executive Summary

At the City Council's Planning (Major Applications) Sub-Committee on 16 February 2021, the following decision was made:

"to defer the application to allow for officers to discuss with the Applicant the implications of reducing the height of Building A1 by a storey. The purpose of reducing the height of Building A1 being to reduce the levels of harm to the residential amenity of the neighbouring residents (with particular reference to daylight and sunlight gains). Following a substantial debate on this item the Committee generally considered the application to be acceptable in all other respects save for the identified harm caused by the height of Building A1"¹.

Following the committee meeting, the Applicant has undertaken a detailed review to understand the implications of removing the top floor of Building A1, this was with particular regard to design, daylight / sunlight levels at neighbouring residential buildings and scheme viability.

Removing the top floor of Building A1 would result in daylight and sunlight benefits to properties on Ebury Street but the resultant loss of senior living accommodation would lead to the loss of 15 affordable homes in order to achieve a financially neutral position (this would be the conversion of intermediate rent homes in phase two). One of the key benefits to the original proposals was the

¹ Text taken from the City Council's minutes of proceedings dated 16 February 2021

significant delivery of affordable homes and the Applicant did not want to propose the loss of 15 affordable homes.

The Applicant has therefore worked with the architect, wider design team, City Council officers and Ebury Street residents to find a design which can achieve very similar daylight / sunlight benefits but mitigate the loss of affordable housing. This approach has been supported by the Ebury Street residents that the Applicant has met with following the committee meeting. Having gone through several iterations, the revised scheme has been fixed and a summary of the changes is set out building by building as follows:

Building A

- The fifth floor of Building A1 has been set back from the Ebury Street frontage and the architectural typology changed to a pavilion;
- An external terrace would be provided at the fifth floor of Building A1 and there are subsequent changes to the extent of the green roof;
- The design of the mansard roof at the fourth floor of Building A1 has been adjusted to reflect the omission of the fifth floor upper mansard;
- The design of the roof form at Building A2 has been changed to be consistent with the revised rooftop pavilion at Building A1;
- The structural slab thicknesses have been reduced across the whole of Building A, resulting in an overall reduction in building height of circa 150 mm.
- An additional floor of accommodation is proposed at the Cundy Street wing which connects Buildings A1 and A2.

Building B

- On the 7th and 8th floor of Building B2/3 five intermediate rent homes (all 1 x bedrooms) will be converted to market homes. There would be no external changes as a result of this.

Building C

- The structural slab thicknesses have been reduced across the whole of Building C, resulting in an overall reduction in building height of circa 300 mm.

A combination of these design changes has resulted in achieving a very similar benefit to daylight and sunlight levels as removing the entire fifth floor whilst only seeing the loss of five x 1 bedroom intermediate flats, rather than 15. At the same time, there have been a series of small architectural changes to Building A which helps ensure the building better responds to the masterplan and to the massing changes. It is this revised scheme which forms the basis of the revised application material.

Additional daylight / sunlight analysis prepared by GIA forms part of this submission and explains that the revised massing would result in materially similar improvements to the position were the fifth floor of Building A1 to be removed in full, with the exact same number of windows achieving 15% or greater Vertical Sky Component (VSC) levels. Where this level is not achieved and there are differences between these options, the difference does not exceed 0.1% VSC.

In terms of viability, the independent assessor acting on behalf of the City Council had previously confirmed that the scheme provided the maximum reasonable quantum of affordable housing and indeed that the final return would be below the agreed targeted financial return. Reducing the

massing at the fifth floor of Building A1, where private senior living units were proposed, would reduce the financial return even further. Therefore, to maintain the equivalent viability position, despite the review of a number of alternative options, the quantum of affordable housing would need to reduce. To ensure financial neutrality, it is proposed that five units in Building B convert from affordable (intermediate rent) to market housing. The reduction in affordable housing would have been more significant (15 units) were the full fifth floor at Building A1 to be removed. The proposed changes with regard affordable housing do not impact the social rent provision which ensures that Walden House residents will still have the option to move straight into their new homes in the first phase of the development.

This submission of substitute information follows several meetings with both Ebury Street / Mozart Terrace residents as well as with City Council officers. Meetings with planning and design officers took place on 9 March, 30 March and 22 April 2021. The Applicant is committed to ongoing consultation with local residents and is currently in the process of establishing a Community Forum.

As set out within the original application documents, these development proposals seek to significantly benefit a much broader part of the Belgravia and Westminster community. The plans would provide 88 affordable homes on the site including the same number of new social rent homes for Walden House residents as previously proposed, with the option to move just once into their accommodation. Alongside much needed new housing the proposals would provide new amenities for local people, the creation of up to 260 permanent jobs, investment in new and existing public spaces and buildings which produce 90% less carbon emissions when they are being used.

Proposed Amendments

The proposed changes to the scheme which was presented to the Planning (Major Applications) Sub-Committee on 16 February 2021 are as follows:

i. Reduction in massing at Building A1

The principal changes to the proposals include a revised fifth floor at Building A1, which would be expressed as a set-back rooftop pavilion. The pavilion would be built from a zinc material which would match the materiality and tone of the fourth-floor mansard. In front of the pavilion a roof terrace would be provided which would be accessible to senior living residents.

In effect, this change in massing would roughly halve the area at the fifth floor of Building A1 and would result in the provision of three independent living units rather than six which were originally proposed.

Alongside the setback rooftop pavilion, a revised and more traditional mansard roof form at the fourth floor is proposed to reflect the change at the fifth floor.

ii. Other changes at Building A

To partially mitigate the loss of area as a result of the set-back of the fifth floor from Ebury Street, additional massing is proposed at seventh floor level at the Cundy Street wing which connects Buildings A1 and A2. This would be set back from the street frontage and a communal terrace would be provided on the roof at the eighth floor. The configuration of the senior living accommodation would also change at the upper levels of this building to reflect the revised massing.

Following design development, the slab thicknesses at each floor of Building A have been reduced, which would lead to a reduction in the height of the building of circa 150mm.

With the exception of the slab thicknesses, there would be no massing changes with regard Building A2 but the architectural treatment at the top two levels would be amended to reflect the new roof pavilion which is proposed at Building A1. The London stock brick treatment would be extended to the eighth floor and the two-storey roof element would be reduced to one storey, in the form of a pavilion.

iii. Change of housing tenure in Building B

To ensure financial neutrality with the scheme which was subject to the committee decision on 16 February 2021, given the loss of senior living accommodation at Building A it is proposed that five units in Building B2/B3 convert from affordable (intermediate rent) to market housing. On the seventh floor, three units (all 1 x bedroom) would transfer to market housing whilst at the eighth floor the two x 1 bedroom units would transfer to market flats. As a result of this Building B2/B3 would become a mixed affordable (intermediate tenure) and market housing block.

The revised scheme would therefore, in total, provide 75 market homes, 44 intermediate homes and 44 social homes, as shown in table 5.1 in Appendix A. The revised scheme areas are also provided at Appendix A.

iv. Building C

At Building C, which like Building A1 also fronts Ebury Street, it is also proposed to reduce the slab thicknesses which would result in an overall reduction in building height of circa 300mm. This would lead to further daylight / sunlight improvements to properties along Ebury Street.

Assessment of changes

Design

The main design change to the scheme is the set back of the fifth floor of Building A1 from Ebury Street and the conversion of this element to a roof pavilion. The line of the pavilion has been established by making sure that it would not be visible from the majority of facing properties on Ebury Street to ensure that the levels of daylight and sunlight to these windows would be materially similar to if the full fifth floor was removed.

Due to the set-back the pavilion level would not be visible in the majority of street views, in particular from both Orange Square to the southwest and further up Ebury Street to the northeast. Whilst this element would be visible from sections of Eaton Terrace, the set-back would help it read as a separate element to Building A1 and its form would ensure that it would successfully tie into the other roof pavilions at the site – including the revised top floor of Building A2.

A Townscape, Visual and Above Ground Heritage Setting Assessment Addendum forms part of the additional information enclosed with this letter and this includes updated verified views where the proposed changes would be visible, along with associated commentary by Tavernor Consultancy. With regard the view from the junction of Eaton Terrace and Chester Row, Tavernor Consultancy comment that the revised scheme would appear slightly less prominent.

Daylight / sunlight

A Daylight and Sunlight Addendum has been prepared by GIA and submitted as part of the updated application documentation. It sets out how the proposed changes to Building A and associated minor changes to Buildings B and C would increase the levels of daylight and sunlight which would be provided to neighbouring residential dwellings when compared against the scheme which went before the City Council's planning committee. It also includes a comparison between the revised scheme and position were the fifth floor to be removed in its entirety.

In terms of the original scheme, when considering the properties immediately adjacent, 391 windows of the total 547 meet the VSC 15% target. Whereas for a scheme which removed the fifth floor in its entirety, two additional windows at 170 Mozart Terrace and one window at 162 Mozart Terrace would meet the 15% target. This would result in a total of 394 windows of the total 547 assessed meeting the target of 15% VSC, an increase of three windows. The revised scheme which sets back the fifth floor so that this forms a pavilion would result in the same number of windows (394) achieving a minimum of 15% VSC.

Of the 153 windows which would experience retained VSC levels of less than 15%, the majority (147 windows) would experience either no change or a small improvement (0.1-0.3%) when compared to the removal of the entire fifth floor. The six remaining windows would retain 0.1% less VSC when compared against removal of the full fifth floor, a level of change which is considered to be immaterial.

Full VSC, NSL and APSH results for each neighbouring property are included within the accompanying Daylight and Sunlight Addendum. The position with regard the NSL and APSH results is materially similar to what has been explained in relation to VSC.

The GIA results demonstrate that the proposed set-back of the fifth floor of Building A1 would lead to improvements to daylight and sunlight levels to properties along Ebury Street and that these would be very similar to where the fifth floor of Building A1 to be removed in full.

Viability

A Financial Viability Appraisal (FVA) prepared by Quod formed part the original submission. Following discussions with the independent assessor working on behalf of the City Council it was agreed that the scheme which was presented to committee would result in a profit on Gross Development Value (GDV) of 11.11%. This was below the agreed return threshold of 17.8%.

The removal of the fifth floor at Building A1 would have led to a reduction in senior living floorspace of 815 sqm GIA and the number of senior living habitable rooms would have reduced by 14. The FVA Addendum, taking into account values, construction costs and planning payments, explains that 15 intermediate rent units would need to be converted to private sale in Building B2/B3 to achieve a financially neutral result.

The reduction in private senior living floorspace in Building A1 as a result of reducing the massing at the fifth floor of Building A1 but retaining a pavilion element, as is proposed, would lead to a loss of 212 sqm WCC GIA (see Appendix A, Table 5.5) and five habitable rooms (see Appendix A, Table 5.2). The FVA sets out that five intermediate rent units would need to be converted to private sale in Building B2/B3 to achieve a financially neutral position. On this basis it is proposed that five units in Building B, at floors seven and eight, convert from affordable (intermediate rent) to market housing.

Revised figures in relation to areas, unit numbers and habitable rooms are provided at Appendix B of this letter.

The FVA explains that the 44 social rented homes, the same as what was originally proposed, and 44 intermediate homes, reduced from 49, is the maximum reasonable level of affordable housing that the scheme can support recognising the previously agreed viability position and the design changes proposed to improve the daylight and sunlight impact on neighbouring properties along Ebury Street.

To reiterate, the proposed changes to affordable housing provision do not impact the social rent proposals which ensures that Walden House residents would still have the option to move straight into their new homes in the first phase of development. This is something which has been communicated to Walden House residents as part of a consultation session which took place on 7 April.

Environmental Statement

As part of the full planning application an Environmental Impact Assessment (EIA) was undertaken by Avison Young. The findings of the EIA were reported in the Environmental Statement (ES) (the 'May 2020 ES'). The May 2020 ES identified the likely significant environmental effects of the proposed development both during the enabling, demolition and construction phases, and once completed and operational.

Given the scheme changes which have been explained within this letter, further EIA work has been undertaken to ensure that all likely significant environmental effects of the revised scheme have been identified and reported within the accompanying ES addendum. The May 2020 ES and the ES Addendum therefore form the Environmental Statement for the revised scheme. Appendix B of this letter sets out the sections of the original ES which are to be either substituted or supplemented.

The accompanying ES Addendum concludes that the likely significant environmental effects, mitigation measures and resultant likely significant residual environmental effects remain substantially unaltered from the May 2020 ES.

Consultation

As set out above, Avison Young has reviewed in detail the changes proposed as part of this substitution and has prepared an ES Addendum, which has been submitted as part of the accompanying application documents.

Regulation 20 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 also covers the consultation period required where an environmental statement is submitted after the planning application. Part 8 of regulation 20 states that where an applicant indicates that it is proposed to provide an environmental statement, the relevant planning authority must suspend consideration of the application until receipt of the environmental statement and must not determine it during the period of 30 days beginning with the last date on which the environmental statement and the other documents so mentioned are published in accordance with the regulation.

On this basis, we would request that further formal consultation takes place as required for the period of 30 days.

Supporting Information

The table below sets out the documents which are proposed to be updated as part of this substitution and form part of this submission:

Table 1 – Amended documents schedule²

Document	To be substituted	Substitute / Additional document
CIL form	CIL Form dated 22 May 2020	CIL Form dated 23 April 2021
Design & Access Statement	n/a	Design & Access Statement Addendum no. 2
Affordable Housing Statement	n/a	Affordable Housing Statement Addendum dated April 2021
Financial Viability Assessment	n/a	Financial Viability Assessment Addendum dated April 2021
Daylight and Sunlight (impact on neighbouring properties)	n/a	Daylight / Sunlight Addendum letter dated 22 April 2021
Proposed Site Plan	288-P20.003	288-P20.003 B
Proposed First Floorplan	288-P20.101	288-P20.101 A
Proposed Second Floorplan	288-P20.102	288-P20.102 A
Proposed Third Floorplan	288-P20.103	288-P20.103 A
Proposed Fourth Floorplan	288-P20.104	288-P20.104 A
Proposed Fifth Floorplan	288-P20.105	288-P20.105 A
Proposed Sixth Floorplan	288-P20.106	288-P20.106 A
Proposed Seventh Floorplan	288-P20.107	288-P20.107 A
Proposed Eighth Floorplan	288-P20.108	288-P20.108 A
Proposed Ninth Floorplan	288-P20.109	288-P20.109 A
Proposed Tenth Floorplan	288-P20.110	288-P20.110 A
Proposed Roof Plan	288-P20.111	288-P20.111 A
Proposed Ebury Street Elevation	288-P30.001	288-P30.001 A
Proposed Cundy Street Elevation	288-P30.002	288-P30.002 A
Proposed Elizabeth Place Elevation	288-P30.005	288-P30.005 A
Proposed Five Fields Row Elevation	288-P30.006	288-P30.006 A
Proposed Building A Internal Courtyard Elevations	288-P30.007	288-P30.007 A
Proposed Building C Elevations	288-P30.009	288-P30.009 A
Proposed Site Section AA	288-P40.001	288-P40.001 A
Proposed Site Section BB	288-P40.002	288-P40.002 A
Proposed Site Section CC	288-P40.003	288-P40.003 A
Proposed Building C Section	288-P40.005	288-P40.005 A

² Amendments to the Environmental Statement are listed at Appendix B

Summary

In summary, the Applicant has sought to respond positively to the comments provided by the Planning (Major Applications) Sub-Committee on 16 February 2021. Its main objective has been to propose a reduction to the massing at the fifth floor of Building A1 which would provide a very similar level of daylight and sunlight benefit than were this top floor to be removed entirely, which would partially mitigate the loss of floor area and therefore the loss of affordable housing, meanwhile ensuring that the design architecturally responds to the design change and context.

This letter provides a planning assessment of the changes and sets out the information which is sought to be substituted into the application. On this basis we would request that further formal consultation takes place as required and that the revised submission is taken to the City Council's Planning (Major Applications) Sub-Committee which is scheduled for 8 June 2021.

If you require any further information or clarification in respect of these details, please do not hesitate to contact James Wickham or Gary Brook.

Yours faithfully



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Encs. As above

Appendix A – Area tables to substitute from Planning Statement dated May 2020

Revised Table 5.1 - Proposed Residential Class C3 Provision

	Studio	1 bed	2 bed	3 bed	4 bed	5 Bed	Total
Number of market units C3	5	10	35	25	0	0	75
Number of intermediate units C3	0	28	12	4	0	0	44
Number of social rent units C3	0	11	13	16	3	1	44
Independent Senior Living units C3³	3	25	7	0	0	0	35
Total	8	74	67	45	3	1	198
Approx. % of Total	4%	37.4%	33.8%	22.7%	1.5%	0.5%	

³ As shown in Indicative Design Scheme for Building A

The summary tables 5.2 – 5.4 below / overleaf demonstrate the breakdown of accommodation by habitable rooms, by floorspace and by units numbers in the Maximum Assisted Living, Indicative Design Scheme and Maximum Independent Living schemes, respectively.

Revised Table 5.2 – Proposed habitable rooms, by use

	Maximum Assisted Living	Indicative Design Scheme	Maximum Independent Living
Habitable rooms in Blocks B & C (Class C3)	484	484	484
Habitable rooms in Independent Living in Block A (Class C3)	49	74	225
Habitable rooms in Assisted Living in Block A (Class C2)	130	112	0
Total	663	670	709

Revised Table 5.3 – Proposed floorspace, by use (WCC GIA sqm)

	Maximum Assisted Living	Indicative Design Scheme	Maximum Independent Living
Floorspace in Blocks B & C (conventional Class C3)	23,047	23,047	23,047
Floorspace in Independent Living in Block A (Class C3)	5,169	6,780	18,187
Assisted Living in Block A (Class C2)	13,018	11,407	0
Total	41,234	41,234	41,234

Revised Table 5.4 – Proposed units, by use

	Maximum Assisted Living	Indicative Design Scheme	Maximum Independent Living
Units in Blocks B & C (conventional Class C3)	163	163	163
Units in Independent Living in Block A (Class C3)	24	35	90
Assisted Living in Block A (Class C2)	115	100	0
Total	302	298	253

Revised Table 5.5 - Land Use Area Schedule (WCC GIA)

Land Use	Existing Floorspace (RICS GIA) sqm	Proposed Floorspace (RICS GIA) sqm	Net Change (RICS GIA) sqm
Market Housing (Class C3)	9,058	13,128	+4,070
Affordable Housing (Class C3)	3,283	9,919	+6,636
Senior living (Class C2 and C3)	0	18,187	+18,187
Retail (Class A1)	50	874	+824
Retail/Restaurant/Drinking establishments (Class A1/A3/A4/B1)	0	1,952	+1,952
Community (Class D1)	0	154	+154
Cinema (Class D2)	0	846	+846
Total	12,391	45,060	+32,669

Appendix B – Environmental Statement Addendum Structure

ES Addendum Structure	Supersedes or Supplements Corresponding May 2020 ES Component?
ES Addendum – Volume 1 - Main Text and Figures	
Chapter 1: Introduction	Supplements the May 2020 ES Chapter 1: Introduction
Chapter 2: Environmental Impact Assessment Methodology	Supplements the May 2020 ES Chapter 2: Environmental Impact Assessment Methodology
Chapter 3: Existing Land Uses and Activities	Supplements the May 2020 ES Chapter 3: Existing Land Uses and Activities
Chapter 4: Alternatives and Design Evolution	Supplements the May 2020 ES Chapter 4: Alternatives and Design Evolution
Chapter 5: The Revised Development	Supplements the May 2020 ES Chapter 5: The Development
Chapter 6: The Works	Supplements the May 2020 ES Chapter 6: The Works
Chapter 7: Socio-Economics	Supplements the May 2020 ES Chapter 7: Socio-economics
Chapter 8: Direct Effects to Above Ground	Supplements the May 2020 ES Chapter 8: Direct Effects to Above Ground Heritage Assets
Chapter 9: Archaeology	Supplements the May 2020 ES Chapter 9: Archaeology
Chapter 10: Transport and access	Supplements the May 2020 ES Chapter 10: Transport and access

Chapter 11: Air Quality	Supplements the May 2020 ES Chapter 11: Air Quality
Chapter 12: Noise and Vibration	Supplements the May 2020 ES Chapter 12: Noise and Vibration
Chapter 13: Wind Microclimate	Supplements the May 2020 ES Chapter 13: Wind Microclimate
Chapter 14: Daylight, Sunlight and Overshadowing	Supersedes and replaces the May 2020 ES Chapter 14: Daylight, Sunlight and Overshadowing
Chapter 15: Effect Interactions	Supplements the May 2020 ES Chapter 15: Effect Interactions
ES Addendum - Volume 2 - Townscape, Visual and Above Ground Heritage Setting Assessment	
Townscape, Visual and Above Ground Heritage Setting Assessment Addendum	Supplements the May 2020 ES Townscape, Visual and Above Ground Heritage Setting Assessment
ES Addendum – Volume 3 - Appendices	
Appendix 5.1a: Detailed Planning Application Drawings Relevant to the Revised Development	Supersedes the May 2020 ES Appendix 5.1 Detailed Planning Application Drawings
Appendix 11.6a: Air Quality Neutral Calculations	Supersedes and replaces the May 2020 ES Appendix 11.6: Air Quality Neutral Calculations
Appendix 14.1a: Baseline Daylight and Sunlight Results	Supersedes and replaces the May 2020 ES Appendix 14.1: Baseline Daylight and Sunlight Results
Appendix 14.2a: Drawings showing Existing (Baseline) and Proposed Conditions (Daylight and Sunlight)	Supersedes and replaces the May 2020 ES Appendix 14.2: Drawings showing

	Baseline and Revised Development Daylight and Sunlight Conditions
Appendix 14.3a: Daylight and Sunlight Assessment	Supersedes and replaces the May 2020 ES Appendix 14.3: Daylight and Sunlight Assessment
Appendix 14.4a: Overshadowing Assessment	Supersedes and replaces the May 2020 ES Appendix 14.4: Overshadowing Assessment
Appendix 14.5: Daylight and Sunlight Area Context Study	Not Applicable. Remains unchanged from Appendix 14.5 contained within the May 2020 ES but is provided for completeness to aid the reader
ES Addendum - Volume 4 - Non-Technical Summary	
Non-Technical Summary	Supersedes and replaces the May 2020 ES Volume 4: Non-Technical Summary