

GREATER LONDON AUTHORITY
Development, Enterprise and Environment

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Development Planning
Growth, Planning and Housing
Westminster City Council
PO Box 732
Redhill
RH1 9FL

Our ref: GLA/5035/01/SW
Your ref: 19/00114/FULL
Date: 4 March 2019

Dear Mr ██████████

**Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008
Victoria Tower Gardens
Local Planning Authority reference: 19/00114/FULL**

I refer to the copy of the above planning application, which was received from you on 23 January 2019. On 4 March 2019, Jules Pipe, Deputy Mayor for Planning, Regeneration and Skills, acting under delegated authority, considered a report on this proposal, reference GLA/5035/01. A copy of the report is attached, in full. This letter comprises the statement that the Mayor is required to provide under Article 4(2) of the Order.

The Deputy Mayor considers that the application broadly complies with both the London Plan and the draft London Plan.

If your Council subsequently resolves to make a draft decision on the application, it must consult the Mayor again under Article 5 of the Order and allow him fourteen days to decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 to refuse the application. You should therefore send me a copy of any representations made in respect of the application, and a copy of any officer's report, together with a statement of the decision your authority proposes to make, and (if it proposed to grant permission) a statement of any conditions the authority proposes to impose and a draft of any planning obligation it proposes to enter into and details of any proposed planning contribution.

Please note that the Transport for London case officer for this application is Chloe Flower, Tel: 020 7126 4155, Email: archieburton@tfl.gov.uk

Yours sincerely

[Redacted signature block]

PC

Head of Development Management

cc [Redacted] London Assembly Constituency Member
[Redacted] Chair of London Assembly Planning Committee
National Planning Casework Unit, DCLG
Lucinda Turner, TfL
[Redacted] DP9 Ltd, 100 Pall Mall, London SW1Y 5NQ

Victoria Tower Gardens, Millbank

in the City of Westminster

planning application no. 19/00114/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

Installation of the United Kingdom Holocaust Memorial and Learning Centre including excavation to provide a basement and basement mezzanine for the learning centre; erection of a single storey entrance pavilion; re-provision of the Horseferry Playground and refreshments kiosk; repositioning of the Spicer Memorial; new hard and soft landscaping and lighting around the site; and all ancillary and associated works.

The applicant

The applicant is the **Secretary of State for Housing, Communities and Local Government** and the architects are **Adjaye Associates** and **Ron Arad Architects**.

Strategic issues summary

Land use: The provision of a United Kingdom Holocaust Memorial and integrated Learning Centre, which would result in wide-ranging educational, cultural and societal benefits to residents of London and the United Kingdom as a whole, would align with the broad strategic aspirations for the role and growth of London, as set out within the London Plan and the draft London Plan. The loss of open space is offset by improvements to public realm across the site and the wider public benefits of the proposals (paragraphs 17 to 27).

Urban design: The proposed design of the Holocaust Memorial, along with that of the entrance pavilion and the memorial courtyard, is of a high quality. Conditions should be secured to ensure the use of high quality materials and effective maintenance of the site and surrounds (paragraphs 28 to 40).

Historic environment: The proposed development would lead to less than substantial harm to existing heritage assets in and around the application site. However, any harm would be offset by both the heritage benefits of the development and the wider public benefits arising from the proposals (paragraphs 43 to 60).

Inclusive design: In accordance with Policy 7.2 of the London Plan and Policy D3 of the draft London Plan, further detail is required to demonstrate inclusive, safe and unhindered access is provided to each of the entrances (paragraph 41 to 42).

Climate change: The total reduction in carbon emissions for the development falls short of the 35% required by Policy 5.2 of the London Plan, as such the applicant is required to provide further energy efficiency improvements (paragraph 61 to 62).

Transport: The applicant is encouraged to discuss the proposals for vehicular access to the site with the relevant transport authorities given the future aspirations for improved pedestrian movement and safety within the area. (paragraph 63 to 65).

Recommendation

That Westminster Council be advised that the application broadly complies with the London Plan and draft London Plan. However, further consideration should be given to the issues set out in paragraph 69 of this report.

Context

1 On 23 January 2019 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 to provide the City Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 It is understood that the application has been referred under Category 3E of the Schedule to the Order 2008:

- *“Category 3E: Development (a) which does not accord with one or more provisions of the development plan in force in the area in which the application is situated; and (b) comprises or includes the provision of more than 2,500 square metres of floorspace for a use falling within any of the following classes in the Use Classes Order ... (xi) class D1 (non-residential institutions).”*

3 Full clarification on the referral criteria has been sought from Westminster City Council but has not been provided at time of writing.

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

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

Site description

6 The application site is located within Victoria Tower Gardens, a triangular shaped park on the north bank of the River Thames. Victoria Tower Gardens is bound to the north by Black Rod's Gardens and the Parliamentary Education Centre, to the east by the River Thames, to the south by Lambeth Bridge and to the west by Millbank. The park is managed by the Royal Parks and is accessible to the public during daylight hours and accessed through four gated entrances off Millbank and one from Lambeth Bridge.

7 Victoria Tower Gardens is a Grade II Registered Park, first created in the late nineteenth century and extended in 1900. Victoria Tower Gardens is home to a number of listed structures; the Burghers of Calais (Grade I listed); the Buxton Memorial Fountain (Grade II* listed); the Emmeline Pankhurst Memorial (Grade II listed); and the River Embankment from the Houses of Parliament to Lambeth Bridge (Grade II listed) which forms the eastern edge of the Gardens. Victoria Tower Gardens is also adjacent to the Palace of Westminster (Grade I listed) and Westminster Abbey (Grade I listed) which collectively form part of the Westminster World Heritage Site.

8 There are several other designated heritage assets in close proximity to the application site including: Lambeth Bridge (Grade II listed); Victoria Tower Lodge and Gates to Black Rod's Gardens (Grade I listed); Norwest House, Millbank (Grade II listed), The Church Commissioners (Grade II* listed) and Lambeth Palace (Grade I listed) on the opposite side of the River Thames. The application site is located within the Westminster Abbey and Parliament Square Conservation Area and is to the east of the Smith Square Conservation Area.

9 This application site also contains the Horseferry Playground, a refreshments kiosk and the non-designated Spicer Memorial.

10 The site lies in the Central Activities Zone (CAZ) as identified in the London Plan and draft London Plan. Westminster Station is 500 metres to the north of the site (Circle, District and Jubilee Line). There are six bus stops on Millbank North with a bus lane running southbound adjacent to the site. Millbank North is part of the Strategic Road Network (SRN) for which TfL have oversight responsibilities and Westminster City Council is the highway authority. Millbank Roundabout, Millbank South and Lambeth Bridge are part of the Transport for London Road Network (TLRN). The Public Transport Access Level (PTAL) of the site is 6a 'excellent' (on a scale of 0-6b where 6b is the highest).

Details of the proposal

11 The proposals would involve the installation of the United Kingdom Holocaust Memorial within Victoria Tower Gardens including excavation to provide a basement and basement mezzanine learning centre, the creation of a new memorial courtyard and the erection of a single storey entrance pavilion. The proposals would also involve public realm/landscaping works within Victoria Tower Gardens including new and resurfaced footpaths, hard and soft landscaping and lighting. Additionally, the proposals would see the re-provision of Horseferry Playground and refreshments kiosk and the repositioning of the Spicer Memorial. The proposals would see the provision of the following land uses:

Table 1: Proposed land uses and floorspace

Use	Proposed Floor Area (sq.m.)
Learning Centre (Class D1)	3,258
Entrance Pavilion (Class D1)	95
Refreshments Kiosk (Class A1)	41
Total	3,394

12 The operational requirements of the proposals necessitate a secure perimeter around the entrance pavilion which would control access through approximately 7% of the existing 2.5 hectare Victoria Tower Gardens. Entrance to the secure area would be ticketed but is understood that there would be no fee for this entry.

Case history

13 While the application has not been subject to GLA pre-application process, informal discussions have been held in relation to the proposals.

Strategic planning issues and relevant policies and guidance

14 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions to be made in accordance with the Development Plan unless material planning considerations support a different decision being taken. For the purposes of Section 38(6) of the 2004 Act, the development plan in force for the area is the Westminster City Plan (2016): Strategic Policies

(2013) the saved policies in the Westminster Unitary Development Plan (2007, saved 2010) and the London Plan 2016 (Consolidated with Alterations since 2011).

15 The following are relevant material considerations:

- The National Planning Policy Framework;
- National Planning Practice Guidance;
- Draft London Plan (December 2017) and the Minor Suggested Changes to the draft London Plan (August 2018), which should be taken into account on the basis explained in the NPPF;
- Westminster World Heritage Site Management Plan.

16 The relevant issues and corresponding policies are as follows:

- Principle of Development *London Plan; Central Activities Zone (CAZ) SPG*
- Urban design & heritage *London Plan; Shaping Neighbourhoods: Character and Context SPG.*
- Inclusive design *London Plan; Accessible London: Achieving an Inclusive Environment SPG;*
- Climate Change *London Plan; Sustainable Design and Construction SPG; Mayor's Environment Strategy;*
- Transport *London Plan; Mayor's Transport Strategy*

Land Use Principle

17 Policy 2.1 of the London Plan seeks to ensure that London retains and extends its global role as a centre for education and culture. Additionally, Policy GG1 of the draft London Plan seeks to build on the city's tradition of openness, diversity and equality, and help deliver strong and inclusive communities. The provision of a United Kingdom Holocaust Memorial and integrated Learning Centre, which would result in wide-ranging educational, cultural and societal benefits to residents of London and the United Kingdom as a whole, would therefore align with the broad strategic aspirations for the role and growth of London, as set out within the London Plan and the draft London Plan.

18 The proposal would be located within a highly accessible location within the Central Activities Zone (CAZ). Policy 4.6 of the London Plan and Policy HC5 of the draft London Plan support the provision of new cultural venues within CAZ locations and areas of good public transport accessibility. Additionally, Policies 2.10 and 2.11 of the London Plan and Policy SD4 of the draft London Plan seek to promote and enhance the unique concentration and diversity of cultural, arts and tourism functions within the CAZ. Furthermore, the London Plan identifies a number of strategic clusters of cultural, entertainment and visitor attractions. These are shown on Map 4.2 of the London Plan and/or on the CAZ diagram and include: the North Bank, including Millbank, Tate Britain and Somerset House. Policies 4.5 and 2.11 of the London Plan also require boroughs to identify, promote and protect the special cultural, tourism and heritage value of these clusters in their Local Plans and seek to enhance the surrounding environment. The provision of a Holocaust Memorial and Learning Centre adjacent to this strategic cultural cluster would therefore broaden the offer within this cluster and align with the aspirations for this part of the Central Activities Zone.

19 At the local level, Westminster City Plan Policy S1 states that the Council will encourage development which promotes Westminster's World City functions, manages its heritage and environment and supports its resident, working and visiting populations. It is considered that the proposed development would strongly promote Westminster's World City functions - which are

heavily reliant on unique and varied cultural, social and community uses - while successfully managing its heritage and environment.

Open space

20 In relation to open space, Paragraph 97 of the NPPF states that existing open space, sports and recreational buildings and land including playing fields should not be built on unless:

(a) An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

(b) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

(c) The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

21 At London level, London Plan Policy 7.18 and draft London Plan Policy G4 seek to protect open space, noting that the loss of protected open space must be resisted unless equivalent or better quality provision is made within the local catchment area.

22 As noted in paragraph 11 above, the proposals would result in restricted access to approximately 7% of the existing open space at Victoria Tower Gardens. However, it is considered that the proposed wider improvements to the quality of the remaining open space provision at Victoria Tower Gardens, which are discussed in further detail in paragraph 35 below, would meet the requirements set out within Paragraph 97 of the NPPF, Policy 7.18 of the London Plan and Policy G4 of the draft London Plan.

Local Plan open space policy

23 Policy S35 of the Westminster City Plan and saved UDP Policies ENV14, ENV15 and DES12 relate to open space within the City of Westminster and seek to protect and enhance these open spaces. Of specific relevance to the proposals is saved Policy ENV15, which states that planning permission will not be granted for development on, or under public or private open space of amenity, recreational or nature conservation value, unless the development is essential and ancillary to maintaining or enhancing the land as public open space.

24 It is therefore noted that the proposed development, and specifically the construction of the entrance pavilion, the memorial courtyard, and both the above ground and below ground elements of the Holocaust Memorial and Learning Centre, would fail to accord with the requirements of saved UDP Policy ENV15. It is understood that the application has been referred to the Mayor owing to the conflict with this policy.

25 In this instance, there are significant and wide-ranging material planning considerations that GLA officers consider should be taken into account in making a determination on the proposed development. These material considerations arise from the unique scope of the proposal, and the associated educational, cultural and wider public benefits that would arise from the construction of a UK Holocaust Memorial and Learning Centre.

26 Furthermore, the location of the memorial has been subject to a detailed selection process as set out within the application documentation. It is considered that selection of this specific site, adjacent to the pre-eminent building of political power within the UK, would add additional status to memorial. This is considered by GLA officers to further enhance the benefits of the scheme.

27 While the proposed development would deviate from the development plan, specifically saved UDP Policy ENV15, GLA officers consider that the significant material considerations that exist in this instance would offset any policy conflict and, accordingly, planning permission should not be refused on this basis.

Urban design

28 The design principles in chapter seven of the London Plan and chapter 3 of the draft London Plan place expectations on all developments to achieve a high standard of design which responds to local character, enhances the public realm and includes architecture of the highest quality that defines the area and makes a positive contribution to the streetscape and cityscape.

29 The proposed development is composed of four distinct but interconnected elements; namely, the entrance pavilion; the sunken courtyard; the memorial; and the learning centre.

Entrance pavilion

30 The entrance pavilion, which would be located at the south of the site, would be a single storey rectangular building incorporating triangular forms into its roof profile and northern facade. Given that the primary purpose of the pavilion would be to regulate visitor flows and safeguard the security of visitors to the Memorial and Learning Centre, the understated design approach employed for this element of the proposals is supported. The simple form and materials would act to minimise visual intrusion within the gardens whilst also providing a clear break from the prevailing atmosphere of the public gardens.

Memorial courtyard

31 The memorial courtyard, which would be sunken below the level of the existing Victoria Tower Gardens, would act as both a transitional space between the entrance pavilion and memorial, and as an area for contemplation. The grey stone paving at the base of the courtyard would slope down gently into a series of terraces as visitors approach the memorial with the same grey stone being employed within the courtyard retaining walls. It is noted that care has been taken to ensure appropriate gradients and inclusive access throughout this courtyard space.

32 The courtyard would be enclosed by a series of bronze rails, decorative hedges/vegetation and elements of glazing. Whilst these would act to impede pedestrian flows through this part of Victoria Tower Gardens, these boundary treatments are key to ensuring the appropriate management of visitors to the memorial and learning centre. The selected material palette for the above elements is supported and conditions should be attached to ensure these high-quality materials are used in the final development.

UK Holocaust Memorial

33 The Holocaust Memorial would stand at the northern end of the memorial courtyard and would comprise 23 patinated bronze fins which are spaced in order to create 22 ravine-like pathways into the Learning Centre below. The 22 pathways would correspond to the number of countries in which Jewish communities were devastated during the Holocaust.

34 The functional use of the 22 pathways would be split as follows: 8 pathways would contain steps down to the learning centre; 2 of the pathways lead into a fully-accessible lift again leading down to the learning centre; 3 pathways would constitute the ramped means of egress from the learning centre; 4 would be used for servicing/auxiliary access; 1 pathway would

constitute the emergency means of escape; and the remaining 4 pathways would sit outside the memorial's secure perimeter, blending into the wider landscape.

35 In addition to facilitating access/egress into the learning centre, the bronze fins would also play a structural role in supporting the modulated green space which would sit above. The resulting sloping hill form would be publicly accessible up to a defined boundary near its southern edge, forming part of the existing Victoria Tower Gardens.

Learning centre

36 Accessed via the memorial, the 3,258 sq.m. learning centre would be built below the existing gardens and laid out over basement and basement mezzanine levels. The central element of the learning centre would be the permanent interpretation/exhibition to be located within a generously sized 8m high space. Space would also be provided for temporary exhibitions as well as various front-of-house and back-of-house functions.

Landscaping and public realm

37 The proposals would also involve significant works of landscaping which would act to enhance the wider offer of Victoria Tower Gardens. Aside from the relaying and general works to improve planting and levels of vegetation within the gardens, the proposals would also include relaying and regrading pathways which would act to improve accessibility throughout the gardens. Additionally, the proposals would include the provision of new raised walkways with ramped access to facilitate improved views of the river, the Palace of Westminster and beyond. Finally, the child play space at Horseferry Playground and the existing kiosk at the southern end of the site would be reprovided and enhanced with the playground providing a varied range of play facilities for young children.

38 Overall, these proposals would significantly enhance the quality of the remaining open space and its attractiveness for visitors and residents of the area and, as such this element of the proposals is strongly supported. Additionally, and in accordance with London Plan Policy 7.3 and Policy D10 of the draft London Plan, security and resilience measures have been implemented through the design of perimeter hedges with incorporated railings.

Trees

39 The proposed excavation comes close to the existing Plane trees that line the gardens on the Millbank and River frontages. These trees play a significant role in defining the character and interest of Victoria Tower Gardens and as such conditions should be secured to ensure the retention of these trees and that excavation does not adversely impact on the root spread of these trees, in accordance with Policy 7.21 of the London Plan and Policy G7 of the draft London Plan.

Design conclusion

40 The proposed design concept for the site is well-considered and would result in a high-quality development in terms of form, appearance and materiality. The proposals would serve to successfully introduce a varied function to the well-used open space whilst not undermining its existing use. Robust conditions should be secured so as to ensure the high-quality concept is delivered throughout the various phases of the development and construction. Additionally, the variety of materials and design elements introduces a significant level of maintenance requirements and further conditions ensuring appropriate management of the proposed development and wider site should be secured.

Inclusive design

41 Inclusive design principles should be embedded into the development and design process from the outset. The aims of London Plan Policy 7.2 and draft London Plan Policy D3 are to ensure that proposals achieve the highest standards of accessibility and inclusion.

42 Accordingly, the Design & Access Statement sets out how the needs of disabled people have been integrated into the proposed development and how this inclusion will be maintained and managed. The development should ensure the highest standards of accessibility and inclusion and this must be secured by conditions. Further detail should also be provided to demonstrate inclusive and unhindered access is provided to each of the entrances to the memorial courtyard, and to the new raised walkways adjacent to the river.

Historic environment

43 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should *“have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”* and in relation to conservation areas, special attention must be paid to *“the desirability of preserving or enhancing the character or appearance of that area”*.

44 The NPPF states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset’s conservation, and the more important the asset, the greater the weight should be. Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset’s physical presence or its setting. Where a proposed development will lead to ‘substantial harm’ to or total loss of the significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development will lead to ‘less than substantial harm’, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

45 With respect to heritage assets, London Plan Policy 7.8 and Policy HC1 of the draft London Plan require that developments affecting the setting of heritage assets - including conservation areas, listed buildings, scheduled monuments and World Heritage Sites (WHS) should conserve their significance. Additionally, London Plan Policy 7.10 and Policy HC2 of the draft London Plan state that development should not cause adverse impacts on WHS or their settings, and, in particular, should not compromise the ability to appreciate Outstanding Universal Value (OUV), integrity, authenticity or significance.

46 The submitted Built Heritage, Townscape and Visual Impact Assessment (BHTVIA) considers the impact of the proposal on the Westminster WHS and its OUV, as well as a number of other designated heritage assets in close proximity to the application site. Views assessed include strategic views of the WHS (LVMF views 18A.1, 18A.2, 19A.1, 19A.2, 22A.1, 22A.2 and 22A.3) and locally designated views including those identified Westminster City Plan (2016), as well as the Smith Square Conservation Area Audit and Westminster Abbey and Parliament Square Conservation Area Audit. The BHTVIA is considered to assess an appropriate range of views of the Westminster WHS and nearby heritage assets.

World Heritage Site

47 The Westminster WHS is one of London's four WHS, and its history, development and significance are widely recognised and form the basis of the site's OUV. This OUV is derived from the site's collection of pre-eminent governmental and ecclesiastical buildings, which form an internationally recognised symbol of the British State. While Victoria Tower Gardens does not form part of the Westminster WHS, the open space provided by the gardens is an important element in the setting of the WHS.

48 The open character of the northern half of Victoria Tower Gardens, which is that closest to the WHS, would remain unaltered by the proposals and while the proposed monument and entrance pavilion would be visible in views of the WHS from the south, their modest scale ensures that any impacts on these views are negligible. Additionally, the proposals would not have any noticeable impact on the strategic views of the WHS (LVMF views 18A.1, 18A.2, 19A.1, 19A.2, 22A.1, 22A.2 and 22A.3) owing to their modest scale and location.

49 The proposals are therefore considered to preserve the character and significance of the WHS and consequently would not compromise the ability to appreciate the OUV of the site. Accordingly the proposals would comply with London Plan Policy 7.10, Policy HC2 of the draft London Plan and the objectives of the Westminster WHS Management Plan. In accordance with this conclusion, it is also noted that the proposed development would preserve the settings of the principal buildings within the WHS, notably the Grade I listed Palace of Westminster and the Grade I listed Westminster Abbey.

Victoria Tower Gardens

50 Victoria Tower Gardens was created following a gift of money from the Rt Hon WH Smith in 1879 which went towards laying out the gardens for public use to the south of the Houses of Parliament following the recent embankment of the River Thames. The gardens were later extended in 1900 as far as the newly created Lambeth Bridge and a children's play area and sandpit was placed at this western end of the park. The principle function of the gardens was public recreation and to enable long open views towards the southern elevation of the Houses of Parliament and towards the Thames.

51 In the late 1940s, the gardens were re-planned to accommodate the relocated memorials and statues commemorating the Abolition of Slavery, Burghers of Calais and Emmeline Pankhurst. These plans were implemented in 1956. The new layout placed these monuments and statues at key focal points within the redesigned landscape aligning with entrances to the park off of Millbank. The statues were also designed to be publicly accessible, being placed on circulation routes around the park and with pathway access to all sides.

52 The Gardens were formerly registered in 1987 on the Historic England Parks and Gardens of Special Historic Interest in England list as Grade II. Key elements of the significance of the gardens include; the public nature of the gardens; the simple landscape design – mainly grass, trees and sweeping pathways; the views towards the Palace of Westminster and through the trees towards the Thames and Millbank; and as a place of memorial to historical figures that have influenced political change.

53 The proposals would, to some extent, impact on the key elements of significance of Victoria Tower Gardens outlined above through; increased areas of hard standing and new structures into what is predominantly a green space; the change in levels and the associated small impositions on views across the gardens; and the introduction of the secure perimeter which would partially impede public access across certain parts of the gardens. Any harm caused is considered to be less than substantial in NPPF terms.

54 Notwithstanding the above, it should also be noted that the proposed Holocaust Memorial and Learning Centre would act to strengthen the Gardens' association with the social and political history of the United Kingdom thereby contributing to a key element of its significance. Furthermore, the level changes would result in improved vantage points from which to appreciate the River Thames and the Palace of Westminster.

Buxton Memorial Fountain

55 The Buxton Memorial Fountain is a Grade II* listed monument built to celebrate the abolition of slavery and commemorate the work of the MP Thomas Buxton. The monument was first installed on the edge of Parliament Square in 1865. However, it was moved to Victoria Tower Gardens in 1957 where it occupies a prominent site, at the termination of an axial view through from Dean Stanley Street to the west.

56 The proposals would have a noticeable impact on the setting of the Buxton Memorial Fountain due to the introduction of boundary structures directly adjacent the memorial and the creation of retaining wall to the excavated memorial courtyard immediately to the west of the Buxton Memorial Fountain. The proposed boundary structures and retaining wall to the sunken courtyard will feature in many views of the Buxton Memorial Fountain, including views 13, 16, 17, 18, 20, 21 and 22 as assessed within the BHTVIA. Nevertheless, the location of the bronze fins to the proposed Holocaust Memorial have been designed and positioned so that the visual connection from Dean Stanley Street to the Buxton Memorial Fountain, identified as important view within the Smith Square Conservation Area Audit, is retained.

57 Given the proximity of the proposals to the Grade II* listed Buxton Memorial Fountain, and in particular the introduction of the retaining wall and boundary treatment to the memorial courtyard which would sit directly adjacent to the Buxton Memorial Fountain, it is considered that the proposals would result in some harm to the setting of this designated heritage asset. However, any harm would be considered to be less than substantial in NPPF terms.

Other heritage assets

58 As set out in paragraphs 6 and 7 above, the site and surrounding area include a significant number of designated heritage assets over and above those discussed in detail above. This includes the Burghers of Calais (Grade I listed); the Emmeline Pankhurst Memorial (Grade II listed); and the River Embankment from the Houses of Parliament to Lambeth Bridge (Grade II listed); Lambeth Bridge (Grade II listed); Victoria Tower Lodge and Gates to Black Rod Garden (Grade I listed); Norwest House, Millbank (Grade II listed), The Church Commissioners (Grade II* listed).

59 In relation to the heritage assets noted above, it is considered that, by reason of the small scale of the proposals, there would be no noticeable impacts on the setting or significance of these heritage assets and therefore their character and appearance would be preserved.

Overall assessment of harm

60 Where a development will lead to 'less than substantial harm', paragraph 196 of the NPPF states that this harm should be weighed against the public benefits of the proposal. In GLA officers' view, the public benefits of the proposed Holocaust Memorial and Learning Centre would be significant and wide ranging and would include, but are not limited to, educational, cultural and societal benefits. These public benefits are considered to outweigh the above identified harm to the Grade II Registered Park and the Grade II* listed Buxton Memorial Fountain.

Climate change

61 The applicant has followed the energy hierarchy and the proposed strategy is generally supported. The proposed development is estimated to achieve a reduction of 15 tonnes of CO₂ per year in regulated emissions compared to a 2013 Building Regulations compliant development, equivalent to an overall saving of 17%. The carbon dioxide savings fall short of the target within Policy 5.2 of the London Plan. The applicant should consider the scope for additional measures aimed at achieving further carbon reductions.

Flood risk and drainage

62 The approach to flood risk management for the proposed development complies with London Plan Policy 5.12 and draft London Plan Policy SI.12. Additionally, the surface water drainage strategy for the proposed development complies with London Plan Policy 5.13 and draft London Plan Policy SI.13. The approach to water use within the proposed development generally meets the requirements of London Plan Policy 5.15 and draft London Plan Policy SI.5.

Transport

63 The applicant is encouraged to discuss the proposals for vehicular access to the site with the relevant transport authorities given the future aspirations for improved pedestrian movement and safety within the area.

64 Cycle parking is to be provided in line with draft London Plan standards with visitor parking proposed on the western side of Millbank and must be secured by condition. The site will not provide car parking which is supported.

65 Refuse collection is proposed off-street via Gate 3 in accordance with Policy T7 of the draft London Plan. Servicing and delivery arrangements should be discussed with the relevant transport authorities in line with the future aspirations for wider area as noted in paragraph 53. A Delivery and Servicing Plan, Travel Plan and Construction Logistics Plan should be provided and secured by condition.

Local planning authority's position

66 It is understood that Westminster City Council officers are likely to report this application to the planning committee in April 2019. The recommendation of Council officers is not known at this time.

Legal considerations

67 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. 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

68 There are no financial considerations at this stage.

Conclusion

69 London Plan policies on land use principle, urban design, heritage, access, climate change and transport are relevant to this application. The below issues must be addressed to ensure the proposal complies with the London Plan:

- **Land Use:** The provision of a UK Holocaust Memorial and Learning Centre would accord with wide ranging policy aspirations relating the role and growth of London. Additionally, the provision of such a facility within a highly accessible CAZ location is strongly supported by the London Plan and draft London Plan. The loss of open space is offset by improvements to public realm across the site.
- **Urban Design:** The proposed design of the Holocaust Memorial, along with that of the entrance pavilion and the memorial courtyard, is of a high quality. Conditions should be secured to ensure the use of high quality materials and effective maintenance of the site and surrounds.
- **Heritage:** The proposed development would lead to less than substantial harm to existing heritage assets in and around the application site. However, any harm would be offset by both the heritage benefits of the development and the wider public benefits arising from the proposals.
- **Inclusive Design:** In accordance with Policy 7.2 of the London Plan and Policy D3 of the draft London Plan, further detail is required to demonstrate inclusive and unhindered access is provided to each of the entrances safely.
- **Climate Change:** The total reduction in carbon emissions for the development falls short of the 35% required by Policy 5.2 of the London Plan, as such the applicant is required to provide further energy efficiency improvements or robust justification for this shortfall.
- **Transport:** The applicant is encouraged to discuss the proposals for vehicular access to the site with the relevant transport authorities given the future aspirations for improved pedestrian movement and safety within the area.

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

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