

Item No.
1

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 21 April 2015	Classification For General Release	
Report of Director of Planning		Wards involved St James's	
Subject of Report	Broadway Complex, 55 Broadway, London, SW1H 0AZ		
Proposal	Change of use of 55 Broadway from offices to private residential (89 units) including extensions at tenth floor level and reconfiguration of ground floor retail. Part demolition and redevelopment of 100 Petty France and Wing Over Station to provide affordable residential accommodation (35 units) and associated car parking (43 spaces).		
Agent	CBRE		
On behalf of	Transport for London, for and behalf of London Underground		
Registered Number	14/10496/FULL 14/10497/LBC	TP / PP No	TP/8401
Date of Application	20.10.2014	Date amended/ completed	23.10.2014
Category of Application	Major - Largescale		
Historic Building Grade	Unlisted		
Conservation Area	Broadway And Christchurch Gardens		
Development Plan Context - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Within London Plan Central Activities Zone Within Central Activities Zone		
Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

1. Grant conditional permission subject to a S106 legal agreement to secure the following:

- provision of affordable housing on site;
- all highway works surrounding the site required for the development to occur including vehicle crossovers, changes to on-street restrictions and footway repaving;
- a financial contribution to the Councils' Environmental Inspectorate to monitor compliance with the Construction Environmental Management Plan;
- costs of monitoring the S106 agreement.

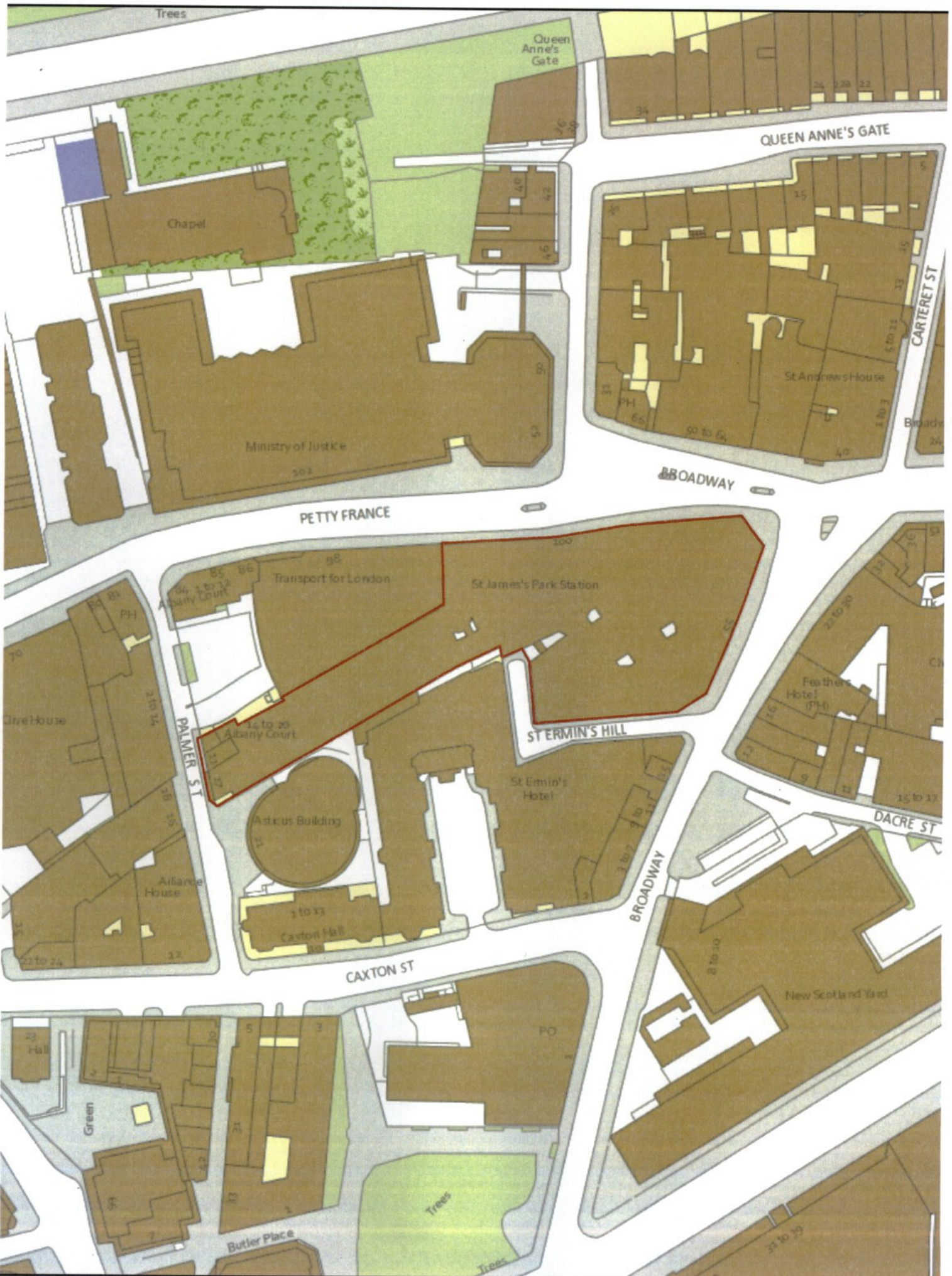
2. If the S106 legal agreement has not been completed within two months of the date of this resolution then:

a) The Director of Planning shall consider whether it will be possible or appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorised to determine and issue the decision under Delegated Powers; however, if not;

b) The Director of Planning shall consider whether the permission should be refused on the grounds that the proposals are unacceptable in the absence of benefits which would have been secured; if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

3. Grant conditional listed building consent subject to referral to the Secretary of State

4. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.





Broadway Complex, 55 Broadway, SW1

2. SUMMARY

The application site comprises 55 Broadway, 100 Petty France and Wing Over Station collectively known as the 'Broadway Complex'.

55 Broadway is a Grade I listed building designed by Charles Holden as the Headquarters of London Transport (now Transport for London) and completed in 1929. 100 Petty France was rebuilt and extended following bomb damage sustained in WWII. This building is internally connected to 55 Broadway and to Wing Over Station which was built in the 1920s. All three buildings are currently occupied as offices by TfL.

The applications have been submitted on behalf of TfL who have taken the decision to vacate the buildings and relocate their staff to other TfL offices. The proposals include the change of use of 55 Broadway from offices to residential to provide 89 private/market flats; demolition of 100 Petty France to create a new entrance courtyard linking through to St Ermin's Hill; alterations and extension to Wing Over Station to create 35 affordable flats and 43 car parking spaces.

Objections have been received on land use, design, historic building, highways and amenity grounds.

The key issues in this case are:

- The appropriateness of the buildings for residential use.
- The impact of the change of use and associated alterations on the appearance and historic integrity of the Grade I listed building
- Changes to the vehicular access arrangements.
- The impact on amenity of existing and future residential occupiers.

The conversion of these office buildings to provide new residential accommodation including affordable homes is supported under London Plan and Westminster City Plan and UDP policies.

The proposed conversion to residential will have minimal impact on elements of significance within the Grade I listed 55 Broadway. The alterations to the ground floor retail units and arcade are a positive enhancement, as is the opening up of views of the west wing of the building through the demolition of 100 Petty France. The new pavilions at 10th floor level are the most significant intervention and while they will be visible in street views, it is considered that any harm is greatly outweighed by the benefits the scheme brings to the listed building and its setting.

The conversion of these buildings to provide new housing within this part of the Central Activities Zone (CAZ) complies with the City Council's land use, design, highways and amenity policies and the applications are accordingly recommended for approval subject to a S106 legal agreement to secure the provision of the affordable housing, highway works required for the development to occur, a financial contribution to the Council's Environmental Protectorate to monitor compliance with the Construction Environmental Management Plan and monitoring costs.

3. CONSULTATIONS

HISTORIC ENGLAND (FORMERLY ENGLISH HERITAGE)

Welcome the re-instatement of free flowing public access at ground floor level which will significantly enhance the historic plan form and function and public enjoyment and appreciation of the finest public space of the building; the loss of 100 Petty France and associated rebuilding will enhance the setting and visibility of 55 Broadway; the creation of

residential apartments within the current office spaces will change their character and appearance but will not cause harm to this character and appearance; the creation of pavilions at high level will have an impact on the architecture and visual impact of the building and will cause harm to its established and outstanding architectural and historic interest however the degree of harm will be 'less than substantial' and this is outweighed by the considerable public benefits of the scheme; the proposed external blinds require further consideration and the comprehensive inventory of fixtures and fittings will be used to inform further detailed discussion of this aspect.

TWENTIETH CENTURY SOCIETY

Object to the change of use of the building and to the extensions at 10th floor level. The building was designed as offices and has been used as such for over 80 years; though it may need updating the Society believe that the building's best use remains its original use as offices for London Underground. The proposed 10th floor extensions are overly extensive and unsympathetic to the external integrity of the building. The extensions will change the profile of the building and alter the skyline which is a vital aspect of this building.

ENVIRONMENT AGENCY

The proposed change of use will result in a 'more vulnerable' use within flood Zone 3. The applicant's Strategic Flood Risk Assessment and the EA's own most recent studies show the site to be outside of the areas impacted by flooding if there was to be a breach of defences. Therefore, consider the development to be at low risk of flooding.

THAMES WATER

No objection with regard to sewerage infrastructure or water infrastructure capacity.

TRANSPORT FOR LONDON LTD (COMMISSIONER OF TRANSPORT)

Fully support the proposals. While 55 Broadway is an iconic building which will forever have an association with London Underground, the existing office accommodation is inefficient and no longer meets modern office layout requirements. Significant financial investment would be required to bring the existing office space back in line with these requirements. Such expenditure is not affordable particularly by an organisation funded from the public purse and so TfL have taken the decision to vacate the buildings. Believe that the proposed scheme is the most appropriate alternative use which will enable TfL to realise a best-value return with all proceeds being invested back into the public transport network in London.

LONDON UNDERGROUND INFRASTRUCTURE PROTECTION

No comment.

WESTMINSTER SOCIETY

A meritorious project that is fully worthy of the Council's support. The proposed extensions will have little real impact on the appearance of the Grade I listed building. The demolition of 100 Petty France offers short and long term benefits, particularly the creation of a new pedestrian route through to St Ermin's Hill. The use of the main building for private residential accommodation is especially welcomed and the on-site provision of affordable housing in the Wing Over Station block can only be a good thing. Strongly urge the Council to approve the application.

THORNEY ISLAND SOCIETY

Object for two reasons: 1) the exterior of this Grade I listed building should not be altered by the addition of tenth floor pavilions to create big penthouse apartments which do not serve the housing needs of the vast majority of Londoners and 2) would like to see a more mixed use development with the possibility of public access to the fine interior spaces particularly on the seventh floor.

HEAD OF AFFORDABLE AND PRIVATE SECTOR HOUSING

Welcomes the provision of affordable housing in this location and has informed the location and design of these affordable homes through consultation with the applicant. Of the 35 affordable homes proposed, 18 are intended for social rented housing and 17 for intermediate housing use. The overall level of affordable housing proposed is 22.1% slightly below the 25% policy requirement level. The mix of social to intermediate housing is 51:49 which does not equate to the London Plan guidance of 60:40. A higher proportion of intermediate housing is acceptable provided that the majority of the intermediate housing is made affordable to households on low to moderate incomes. Affordable rent levels for the social housing and affordability criteria for the intermediate housing should be secured by S106.

ENVIRONMENTAL HEALTH

Recommend conditions are attached to ensure compliance with the Council's noise standards. Satisfied with the proposed low level kitchen extraction duct on the basis that it will be an improvement on the current situation as it will include new odour control measures where none exist at present.

HIGHWAYS PLANNING MANAGER

The scheme provides 43 car parking spaces but 40 of these are for the 89 private residential units and only three disabled parking spaces for the 35 affordable units. The lack of parking for the affordable housing is unacceptable. 40 spaces for the 89 private units might be considered sufficient provided these are unallocated. The stacking system does not allow vehicles to be parked independently and so the valet parking arrangement should be secured by condition.

Large servicing vehicles, including refuse vehicles, will have to reverse into St Ermin's Hill as they will not be able to undertake the right-angled turn to be able to exit out onto Petty France. This is not an ideal situation but acceptable given that the building is wholly serviced in this way at present. A Servicing Management Plan is required to control the timing of vehicle arrivals and minimise conflicts.

CLEANSING MANAGER

No objection in principle subject to conditions to ensure the continued provision of the waste storage facilities and more particularly the agreed arrangements for transferring waste from the Wing Over Station basement storage area to the shared collection store in St Ermin's Hill.

GO GREEN PROGRAMME MANAGER

Further details of some aspects of the Energy Strategy are required; sustainability standards for the scheme should be secured by condition; a bio-diversity management plan should be submitted.

METROPOLITAN POLICE DESIGNING OUT CRIME

Supportive of the development overall. Opportunities for crime and anti-social activity will be minimal provided the recommendations of the Metropolitan Police Service are incorporated within the development.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 767; Total No. of Replies: 8.

Letters of objection raising the following issues:

Land Use

- Loss of offices.
- Large luxury residential units inappropriate.
- Public access to the building should be retained/secured.
- Conversion to hotel use would be preferable.

- Loss of small retail/café units.
- Café/restaurant outdoor seating needs to be carefully considered.

Design

- Change of use from offices to residential would be harmful to character and integrity of historic building.
- 10th floor pavilions harmful to appearance and integrity of historic building.
- Iconic building should remain intact and unaltered.
- Design of two-storey podium (NW quadrant) inappropriate.

Highways

- Car park should be omitted in favour of a car free development.
- Potential conflict between delivery/servicing vehicles, cars and pedestrians within new space created between 55 Broadway and 100 Petty France.

Amenity

- Noise from roof plant.
- Noise from car park.
- Loss of daylight/sunlight.
- Loss of existing 10th floor roof gardens.

Other

- Disruption/noise/nuisance /potential damage to adjoining buildings caused by demolition and construction work.
- Extent of planning application site boundary.

ADVERTISEMENT/SITE NOTICE: Yes

4. BACKGROUND INFORMATION

4.1 The Application Site

The application site comprises 55 Broadway, 100 Petty France and Wing Over Station, collectively known as the 'Broadway Complex'.

No. 55 Broadway was built 1927-1929 to the designs of Charles Holden as the Headquarters of London Transport (now Transport for London). The building has a cruciform plan. The ground floor of the building is traversed by three publicly accessible arcades accessed from the street facing sides of the building (north, east and south) and consists of a number of small retail shops (sandwich bars, coffee shops, newsagents/convenience shops), the foyer entrance to Transport for London's offices on the upper floors to which there is no public access and the ticket office to St James's Park Underground station below. The building sits above St James's Park Underground Station which has a concourse running east-west under the building.

No. 100 Petty France is a six storey 1970s office building located directly adjacent to 55 Broadway to the west. This building was built for London Transport as an extension to their office premises in 55 Broadway and replaced Electric Railways House built in 1899 for the District Railway Company.

Wing Over Station (WOS) was built as extension to Electric Railways House in 1922-24, to designs by Sir Albert E Richardson in association with Charles Lovett Gill. WOS is utilitarian in appearance but was innovative for its time as an early example of rafting over transport infrastructure to provide accommodation above. The six storey building is in use as offices.

No. 55 Broadway is listed Grade I. The building was designed by one of Britain's best C20th century architects, Charles Holden, and is of exceptional architectural interest. It also presents a showcase of interwar British sculpture with ten avant-garde style sculptures carved into the Portland stone around the outside of the building by artists including Jacob Epstein, Eric Gill and Henry Moore. 100 Petty France is listed by virtue of connection to 55 Broadway but is not considered to be of any historic or architectural significance. WOS is also listed by virtue of attachment to 100 Petty France and 55 Broadway but is of little architectural significance.

No. 55 Broadway and 100 Petty France are both located within the Broadway and Christchurch Gardens Conservation Area. WOS is located adjacent to the boundary of the conservation area. The buildings are all located within the Lundenwic and Thorney Island Area of Special Architectural Priority.

The buildings are also all located with the Core Central Activities Zone (CAZ) as defined within Westminster's City Plan.

4.2 Relevant History

1.5.1965 – planning permission granted for erection of building on site of Electric Railway House, Petty France as an extension to the offices of London Transport at 55 Broadway (100 Petty France).

February 1975 – planning permission granted for alterations during the course of construction of 100 Petty France for construction of connecting passage linking the new building with 55 Broadway.

5.1.1979 – planning permission granted for plant on roof of Wing Over Station.

20.10.1987 – planning permission and listed building consent granted for alterations and re-arrangement of part ground floor of 55 Broadway to provide new reception area for London Transport offices; retail shopping within a new mall and re-instatement of the East entrance.

19.10.1987 – listed building consent granted for construction of demountable pergolas on roof terraces and landscaping works at 10th floor level of 55 Broadway.

3.5.1989 – planning permission granted for generator on roof of WOS.

8.12.1994 – planning permission granted for installation of additional emergency generator and housing on roof of WOS.

28.8.1996 – planning permission granted for installation of water chiller on roof of WOS.

12.7.2000 – planning permission granted for installation of air-conditioning plant and acoustic screen on roof of WOS.

5. THE PROPOSAL

The applications have been submitted on behalf of Transport for London (TfL) and London Underground Ltd (LUL). TfL have taken the decision to vacate the buildings and are currently in the process of relocating staff to other TfL offices.

The proposed scheme involves:

- the change of use of the upper floors of 55 Broadway from offices to residential including extensions at 10th floor level to create 89 private/market flats (5 x studio flats, 27 x 1B flats,

40 x 2B flats, 14 x 3B flats and 3 x 4B flats) with ancillary swimming pool and gym in the basement and meeting room, bar and cinema at first floor level;

- reconfiguration of the ground floor to create two larger retail units (one Class A1 and the other Class A3) and two small Class A1 units;
- demolition of 100 Petty France to create an open courtyard space off Petty France linking through to St Ermin's Hill;
- alterations and extensions to WOS to provide 35 affordable residential units consisting of 18 social rent flats (8 x 2B and 10 x 3B) and 17 intermediate flats (12 x 1B and 5 x 2B) with 43 car parking spaces on ground and first floors;
- access to the private/market housing in 55 Broadway and the affordable housing and car park in WOS would be from the new courtyard. St Ermin's Hill would continue to be used to service the development (refuse vehicles/large delivery vehicles) as is the present situation. The entrances/exits to the underground station remain unchanged

6. DETAILED CONSIDERATIONS

6.1 Land Use

Summary Table of Land Uses M2 (GEA)

Use	Existing	Proposed	Change
Office (B1)	26, 387	0	-26, 387
Residential	0	21,190	+21,190
Retail (A1)	710	1,217	+507
Restaurant/café (A3)	0	498	+498
Other (plant)		2,570	+2,570
TOTAL	27,097	25,475	-1,622

Offices

The proposed development involves the loss of 26, 387m² of B1 office floorspace as a result of the change of use of the upper floors of 55 Broadway, the demolition of 100 Petty France and the change of use of WOS in order to provide 21,190m² of new residential floorspace (89 private/market residential units in 55 Broadway and 35 affordable units in WOS). TfL, who are the applicant and landowner, consider that the existing office accommodation is outdated and no longer fit for purpose and that it would not be financially viable for them to upgrade the building to meet the requirements of modern offices.

There have been a number of objections to the proposed development on the grounds that the buildings should be retained as offices. The City Council does not currently have a policy which protects existing office floorspace and therefore the loss of the existing office accommodation is considered acceptable. Furthermore, UDP Policy H3c states that inside the CAZ proposals to convert buildings in office use to permanent housing will be generally acceptable.

One objector suggests that the fact that the City Council successfully secured an exemption to recent changes to national permitted development rights allowing changes of use from offices to residential within the CAZ demonstrates that there is a need and a will to protect offices within the CAZ. The City Council sought the exemption because it is considered important to be able to continue to have control and to consider the merits of any proposal on a case by case basis so that a balance can be struck between the loss of offices and the increase in housing supply. In this instance the provision of new housing including on-site affordable housing is considered sufficient to outweigh the loss of offices on this site.

Retail/Restaurant

Policies S7 and S21 of the Westminster City Plan: Strategic Policies adopted November 2013 provide support for retail within the Core Central Activities Zone (CAZ) and protect existing retail. Policies SS3, SS4 and SS5 of the Unitary Development Plan (UDP) adopted January 2007 seek to protect and maintain A1 retail uses in the CAZ.

Policies S6 and S24 of the City Plan and TACE8-10 of the UDP seek to control the location, size and scale of activity of entertainment uses in order to safeguard residential amenity, local environmental quality and the character and function of the area.

Holden's original ground floor plan was designed as the point of entry for office workers and station users alike with the cruciform plan form a key characteristic of the space. As a result of alterations carried out in the 1980s the central core, used as a reception space by TfL, is no longer accessible to the public, nor is the staff canteen space in the south wing. The majority of the ground floor is divided up into small retail units which lead the public around the central core to and from St James's Park Underground station.

The proposed scheme will open up the central core and reopen the original north to south pedestrian flows through the building. This will enhance the public's appreciation of Holden's design and allow pedestrians to move directly through the building. The existing small retail units will be removed to create larger floorspace areas for the new retail units. There will be an overall increase in Class A1 retail floorspace from 710m² to 1217m² (+507m²) which will be formed of one larger unit, two smaller units and a small kiosk.

It is also proposed to introduce a Class A3 restaurant unit (498m²) on the south-east side of the ground floor. Retail storage, bin stores and the restaurant kitchen are to be provided at basement level. After initial concerns about the proposed low level kitchen extract duct (St Ermin's Hill elevation) Environmental Health are now satisfied that with appropriate odour control measures this will be an improvement on the existing kitchen extract arrangement from TfL's staff canteen. Cleansing and the Highways Planning Manager are satisfied with the waste storage and servicing arrangements which will take place from St Ermin's Hill. Accordingly, subject to conditions to control the hours of opening (07.00 to 24.00 hours Monday to Saturday and 08.00 to 23.30 hours on Sunday and Bank Holidays), to restrict the size of the restaurant bar and to ensure that the bar is only used by restaurant diners it is not considered that the provision of a new restaurant in this location would be harmful to the amenity of the future residents of the upper floors of the building or the quality of the surrounding local environment.

There is also a small retail kiosk (13.2m²) proposed at ground floor level of the 'new build' eastern end of WOS fronting on to the new courtyard space.

Residential

Policies S14, S15 and S16 of the City Plan and H3, H4, H5, H8 and H10 of the UDP are relevant to the consideration of this application.

The proposed scheme provides for 89 new private/market residential units with ancillary meeting room, bar and cinema at first floor level and gymnasium and swimming pool at basement level of 55 Broadway. These flats will be accessed from the new courtyard space via a separate residential entrance and reception area within the west wing of the building.

The proposed number and mix of unit sizes of the new private/market residential flats are as follows:

Dwelling size	Number of units
studio	5 (6%)
1 bedroom	27 (30%)
2 bedroom	40 (45%)
3 bedroom	14 (16%)
4 bedroom	3 (3%)
TOTAL	89 (100%)

The optimisation of housing delivery is a key strategic objective for the Council. The provision of new residential accommodation is supported under Policies S14 of the Westminster City Plan: Strategic Policies and H3 of the Unitary Development Plan (UDP).

Westminster City Plan Policy S15 and UDP Policy H5 require the provision of an appropriate mix of units in terms of size in new housing schemes. Policy H5 requires at least 33% family-sized (i.e. 3+ bedrooms) of which at least 5% should have five or more habitable rooms but does allow for some flexibility with regard to the overall mix. Paragraph 3.74 of the UDP acknowledges that a lower level of family accommodation may be acceptable in some circumstances.

The scheme provides 19%, 17 units of family-sized accommodation which is well below the policy requirement of 33% or 30 units in this case. TfL suggest that the scheme has been specifically designed to deliver housing for Londoners to live in rather than extremely large luxury flats aimed at the overseas market. 81% of the private/market flats are studio, 1 bedroom or two bedroom units. These smaller flats are generally on the lower levels of the building with the larger three bedroom and four bedroom flats occupying the upper floors. The new 10th floor pavilions (one on each of the four wings of the building) form part of 2 x 3 bedroom duplex flats, 1 x 4 bedroom duplex flat and a four bedroom penthouse which occupies several levels of the building including the central tower. Given the Grade I listed status of 55 Broadway and the constraints imposed by the existing building fabric and floorplates the proposed mix of unit sizes is considered acceptable.

The City Council requires new housing to be of a sufficient habitable standard and expects all new housing units to meet the Lifetime Homes Standard (UDP Policy H8). The private/market flats have been designed to exceed the minimum size standards set out in the Mayor of London's Housing Design Guide (LHDG). 10% of the private/market flats would be wheelchair adaptable.

The applicants have carried out a Noise and Vibration Assessment which assesses the suitability of the Broadway Complex for residential use. Given the location of the buildings above St James's Park Underground station and the tube lines, a survey was undertaken which assessed vibration, structure borne noise and external noise.

Environmental Health are satisfied that the mitigation measures proposed to deal with re-radiated noise and vibration from underground train movements below the buildings are robust and appropriate. The mitigation measures include reduction at source e.g. under-sleeper/soffit pads to the rails, the introduction of secondary glazing and additional concrete screed or timber floors on resilient batons where required. Conditions are recommended to ensure that these measures are designed and installed to the highest standard.

Environmental Health are satisfied with the proposed facade (external noise) mitigation measures (additional double glazed secondary glazing). The flats are to be mechanically ventilated with heat recovery units so there should be no overheating issues. Full details of the plant and machinery required are not known at this stage so a condition requiring the submission of a supplementary acoustic report is recommended. Openable windows will mean that residents are also able to purge ventilate the flats at night if required.

Environmental Health are however concerned that the applicant's noise report contains insufficient information with regard to internal noise transmission and in particular amplified music from the retail and restaurant units on the ground floor of 55 Broadway and the new flats above, particularly those on the first floor. Whilst the measures to reduce underground train noise may also increase attenuation from ground floor retail/restaurant noise, it is recommended that conditions are attached to ensure that the Council's residential internal noise standards are achieved. Similarly with regard to the WOS there is no detailed information provided on the car stackers and car lift and the control of noise to adjoining residential dwellings. Accordingly a condition requiring full details of this equipment and the design of measures required to mitigate any adverse impact is recommended.

Policy H10 of the UDP expects housing developments to include the provision of amenity space. Within the CAZ this can be in the form of balconies and roof terraces subject to satisfactory design and amenity issues. These should be provided for 25% of the units and should mainly be in association with the family size units. Policy H10 does acknowledge that this level of provision may be difficult to achieve where the building is listed. The studio and one bedroom flats on the first floor of 55 Broadway do not have any form of private amenity space. Some of the other flats at second floor level and above have access to a private terrace or balcony however due to the constraints of the listed building these are generally very small. The larger three and four bedroom flats at seventh floor level and above have larger private terraces. There will also be a communal roof terrace at first floor level adjacent to the resident's meeting room and bar overlooking the new courtyard space. In addition St James's Park is a few minutes easy walk away.

UDP Policy SOC6 requires children's playspace to be provided in residential developments of 25 or more family sized units and in developments in or near to Priority Areas for additional play space and additional green open space for play. The development is not in or near a Priority Area for additional play space or open space but it does provide 17 family sized private residential units and 10 family sized affordable residential units and therefore triggers a requirement for on site children's play space. There is no on-site children's playspace proposed and it is difficult to see where this could be incorporated in to the development given the constraints of the site. In these circumstances it is considered that the needs of younger and older children could be adequately met by the existing facilities (formal and informal) in nearby St James's Park.

City Plan Policy S34 seeks to secure new social and community facilities on large scale development sites. UDP Policy H10 also requires, as part of large housing schemes of 50+ units, the provision of community facilities for local residents where appropriate and UDP Policy SOC1 encourages public access to private facilities provided as part of a development.

The scheme includes a residents' gymnasium and swimming pool in the basement and meeting rooms, bar and cinema at first floor level of 55 Broadway. These facilities are intended only for use by the residents of the private/market flats and their invited guests. The applicants are not willing to make these facilities available for use by the residents of the affordable flats (as these residents will not be paying a service charge for the management and maintenance of these facilities) or to any other local residents. Whilst this is disappointing, it is considered that in this case, the provision of 35 affordable homes on site as part of the development is sufficient to outweigh the lack of new social and community facilities.

Affordable Housing

UDP policy H4 and City Plan Policy S16 seek to secure the provision of affordable housing. Policy S16 requires that housing developments of more than 10 additional dwellings or 1000m² or more in floorspace should normally include a proportion of the floorspace on site as affordable housing. The proportion of affordable housing sought on individual sites will be set out in the City Management Plan when it is adopted but until then is set out in an interim

guidance note. For sites within Core CAZ with a residential floorspace increase of more than 2,500m² the guidance specifies a floorspace requirement of 25% or if this is proved impractical or unfeasible, the affordable housing should be provided off-site in the vicinity.

In appropriate circumstances under Policies H4 and S16 where it can be demonstrated that it would not be reasonably practical to provide affordable housing on-site or that by providing affordable housing on site the viability of the whole development would be reduced to such an extent that it would not proceed, the requirement for on-site affordable housing may be waived, in which case a payment in lieu may be considered as an alternative to on-site provision.

The proposed scheme provides an increase in residential floorspace of 21,190m². It is proposed that 22.1% (4, 689m²) of that will be affordable housing (35 units – 18 social rent and 17 intermediate) provided on site in the extended and altered WOS building.

The overall level of affordable housing proposed (22.1% by residential floor area) is less than the policy requirement that 25% of the increase in residential floor space should be for affordable housing use. The applicants consider that this is the maximum achievable on the site for the following reasons: further increases in height to WOS are restricted by rights to light, daylight and sunlight and the amenity of surrounding properties; given the requirement for separate entrances and cores it is neither appropriate nor practical to provide affordable housing in 55 Broadway without significant intervention into the historic fabric of the listed building; it would not be possible to meet the Council's requirement for dual aspect affordable housing and due to the layout of 55 Broadway this would not be possible on all units; the service charge associated with the management and maintenance of a Grade I listed building would be significantly higher than any registered provider would want to commit to.

The mix of social housing to intermediate housing proposed is 51:49, which does not equate to London Plan guidance which is 60:40. Nonetheless, the Council's Head of Affordable Housing welcomes the provision of affordable housing in this location and supports this higher proportion of intermediate housing provided that the majority of the intermediate housing proposed is made affordable to eligible households on low to moderate incomes.

The proposed number and mix of unit size for the affordable housing is as follows:

Dwelling Size	Social Rent (no. of units)	Intermediate (no. of units)
studio	0	5 (29.4%)
1 bedroom	0	7 (41.2%)
2 bedroom	8 (44%)	5 (29.4%)
3 bedroom	10 (56%)	0
TOTAL	18	17

The Council's Head of Affordable Housing has advised the applicant on the location and design of these affordable flats which all comply with Lifetime Homes standards and the Mayor of London's Housing Design standards. Three (10%) of the flats are wheelchair accessible.

Social Rented flats

The Head of Affordable Housing requires that the rents charged on these social housing units should either be at target rent levels as set out under the Government's rent setting regime for target rents, or at affordable rents in line with Westminster guidance. Where affordable rents rather than target rents are charged, then the gross weekly rents (inclusive of service charges) charged by dwelling size should reflect the rent ranges as set out in the Council's Affordable Rent Statement. These rent ranges are set out in the third column of the table below. However to avoid a situation where all social housing units have rents at the top end of the affordable

rent range it is recommended that the average gross weekly rent to apply by dwelling size should be the midpoint in the rent range. These rents levels are set out in the fourth column of the table below. These rent levels will be subject to a maximum annual increase of CPI +1%. It is recommended that these rent levels which have been agreed with the applicant are secured under the terms of the S106 agreement.

Affordable Rent - Target Rents

Dwelling Size	Number of proposed AR Dwellings	Gross Weekly Affordable Rent Range- WCC AR Statement	Average gross rent by dwelling size to be charged (midpoint of the range) *see note
2 beds	8	£148 - £194	£171
3 beds	10	£156 - £210	£183

*note gross rent to be set out in the legal agreement but where rents can increase annually by CPI+1%

Intermediate flats

The Council's Head of Affordable Housing wants to ensure that these intermediate homes are affordable to a range of households with different income levels who are registered with Westminster for intermediate housing. Both low cost home ownership (e.g. shared ownership) and intermediate rent (sub market rent) are supported as forms of housing that can be used to address intermediate housing need in Westminster.

Because the proposed development is located within SW1 which is a high value area of Westminster, it is highly unlikely that all of the 17 intermediate homes proposed could be provided on shared ownership terms while still addressing Westminster's requirement that these intermediate homes should be made affordable to a range of intermediate household incomes.

The target income groups for intermediate housing that should be accommodated within this development should range from lower quartile household income levels for those registered in Westminster for intermediate housing up to the maximum household income level permitted by the GLA for intermediate housing in London; £66,000 for intermediate homes that are studio, 1bed or 2bed sized homes. The GLA advises that housing costs for intermediate housing (includes mortgage, rent and service charge costs) should not exceed 40% of net income (where 70% of gross income is assumed to be net income). Therefore, in order to meet the affordability needs of a range of Westminster Intermediate households, intermediate rented housing should be used as an alternative to shared ownership where Westminster's intermediate housing affordability targets cannot be achieved as part of this development through shared ownership alone.

The provision of studios as intermediate housing in Westminster is supported where these units can be made affordable to households registered with Westminster for studio and 1bed intermediate homes whose household income does not exceed lower quartile levels. The current lower quartile income for Westminster intermediate households registered for studio and 1bed accommodation is £26,000. In order to make the 5 studios to be provided affordable to lower quartile household incomes, weekly housing costs should not exceed £140 per week at initial letting using the GLA affordability guidance as described above.

Item No.
1

Of the 7 one bedroom intermediate flats to be provided, 4 of these one bedroom flats should be made affordable to Westminster intermediate households who require one bedroom homes and whose income does not exceed median household income levels. The current median household income of households registered for one bedroom intermediate homes in Westminster is £32,500. The weekly housing costs appropriate to these 4 one bedroom flats should not exceed £175 per week at initial letting using the GLA intermediate housing affordability criteria described above.

For the remaining 3 one bedroom intermediate flats these can be provided as either shared ownership or at sub market rents so long as the household income required to afford these intermediate homes does not exceed £66,000.

A further 5 two bedroom flats are to be provided as intermediate housing. The Council's Head of Affordable Housing advises that 3 of these two bedroom flats should be made affordable to Westminster two bedroom Intermediate households with incomes up to median levels (£37,000). The weekly housing costs should not exceed £200 per week at initial letting. The remaining 2 two bedroom flats can be provided as either shared ownership or at sub market rents provided that the household income required to afford these two bedroom flats does not exceed £66,000 as permitted by the GLA for 2 bedroom intermediate housing.

The table below summarises the number and mix of intermediate homes to be provided and the proportion of these homes by dwelling size to be made affordable to different household income ranges and the weekly housing costs appropriate to these income groups. These are the maximum weekly housing costs that should apply at initial occupancy whether the form of intermediate housing used is shared ownership or intermediate rent. Where Intermediate rent is the form of intermediate housing used, then these weekly housing costs will become the maximum gross weekly rents at initial letting and these rents shall be permitted to increase at a rate of CPI+1% annually thereafter.

Target Affordability Levels for Intermediate Housing

Westminster Intermediate household Income categories by size of home required	Westminster upper Intermediate household target Income levels	Recommended maximum gross weekly intermediate housing costs at first occupancy * see note 1	Number of intermediate homes to be affordable at these gross weekly housing costs
Studio and 1 beds			
Lower quartile Income	£26,000	Not to exceed £140	5* Studios
Median Income	£32,500	Not to exceed £175	4* 1beds
GLA income threshold for Intermediate housing	Up to £66,000	Not to exceed £355	3* 1beds
		Total Homes	12
2 beds			
Median Income	£37,000	Not to exceed £200	3*2beds
GLA income threshold for Intermediate housing	Up to £66,000	Not to exceed £355	2*2beds
		Total Homes	5

Item No.
1

*** Where weekly housing costs shall not exceed 40% of net household income and where 70% of gross income is assumed to be net**

Note 1: These are the gross weekly rents that will apply at initial letting where these intermediate units are let at sub market rents

In the event that following an initial marketing period of three months there are any remaining intermediate homes unallocated to households at the specific target household income groups set out in the table above, then these remaining intermediate homes can be allocated to Westminster eligible intermediate households whose incomes exceed these specific household income groups but where household incomes do not exceed the GLA income cap for these size of properties. It is recommended that the affordability levels for the intermediate housing which have been agreed with the applicant are secured under the terms of the S106 legal agreement.

6.2 Townscape and Design

The proposed works involve three buildings.

i) 55 Broadway is listed Grade I and is a landmark building, designed by Charles Holden and built 1927-29. It is considered to be one of the finest works by one of the best C20 British architects. The building also occupies a prominent position in the Broadway and Christchurch Gardens Conservation Area and is considered to make a significant, positive contribution to the conservation area.

ii) 100 Petty France was constructed in the early 1970's. It is listed by virtue of connection to no. 55 Broadway, but is not considered to be of any historic or architectural significance. It is also in the Broadway and Christchurch Gardens Conservation Area.

iii) The Wing over Station (WOS) building was built in 1922-24 to designs by Sir Albert Richardson in association with Charles Lovett Gill. Richardson was a noted and significant architect, but the designs of WOS are utilitarian and of little architectural significance. This building is also listed by virtue of attachment to the above. It is not located in a conservation area.

The proposal is to change the use of the upper floors of 55 Broadway from office use, for which it was originally designed, to private residential flats. This involves a number of modifications to the listed structure and the creation of new pavilions at 10th floor level. The ground floor would be remodelled to provide two large and two small retail units. No. 100 Petty France is to be demolished to open up views and access to 55 Broadway. A new build element will provide affordable housing access and accommodation. The WOS building would be extended and adapted to provide car parking at lower levels and affordable housing above.

55 Broadway

The proposals for 55 Broadway seek to retain the essential character and appearance of the building while allowing for its conversion to residential use.

At ground floor level, the existing arrangement, which dates from the 1980's, will be returned to something more akin to its original plan form with the straight north-south axis of Holden's design reinstated. At present, this is blocked by the private office entrance that was created in the 1980's. The residential lift core/lobby which is of considerable architectural interest is retained and separated from the public arcade by repositioned historic doors, behind which a new travertine wall will form a screen between public arcade and private lobby.

The large number of existing small retail units would be reconfigured into two large and two small units. There will be no loss of significant fabric and much of the existing historic detailing

will be repaired, reinforced and reinstated. The ground floor retail units will have clear glazing allowing for a much more open relationship with the surrounding streets and original ground floor doors to retail units will be reinstated. The proposal to install fabric blinds to the external retail shopfronts requires further detailed consideration and a condition is proposed to be attached to any permission requiring a signage strategy, including blinds, to be submitted for approval. It is considered that the works to the ground floor will constitute an enhancement to the current situation.

The removal of 100 Petty France allows for the creation of a new private residential entrance and lobby accessing the upper floors of 55 Broadway. This requires the removal of some elements of historic and original fabric at ground floor level, but this area has been largely concealed by 100 Petty France. The degree of fabric removal is considered acceptable when compared to the existing and proposed environments in this area. A new glazed lobby is proposed to the residential access. There is no objection to this in principle, but further details are required to assess its finished design quality. It is proposed that this element is conditioned for further assessment as part of any approval. A new Portland stone screen wall is proposed to maintain protection to below ground stairs to the Underground station below. While this leads to a rather unfortunate relationship with the new entrance, it is a technical requirement of LUL on safety grounds. It may be that this will be a suitable location for public art and this may improve its appearance. Where 100 Petty France is disengaged from the side of 55 Broadway, the opened up ground floor elevation is finished with a Portland stone screen with first floor openings to an open terrace. This is considered to be a neutral addition to 55 Broadway, not attempting to replicate detail of this building, and reflecting some of the quality of the new building on the other side of the courtyard.

At upper floor levels the proposal is to convert the office spaces to residential flats. The office spaces are generally quite utilitarian in finish and their narrow plan form and central corridor allow for a sensitive adaptation to residential use without any demolition of significant features. The subdivision of the office floors is not considered significant as these spaces were originally intended to be adaptable and many were subdivided in Holden's original design and, indeed, have been used in a variety of forms over the years, both open plan and cellular.

The most significant internal spaces at upper levels are the lift lobbies and some rooms on the 6th and 7th floors that were designed for boardroom and executive use and have a much higher level of interior design and finish. These spaces are all retained within the proposal with only very minor alterations. The main stairs, which are of high significance, are also to be retained although they will be blocked between ground and first floor by a glazed screen to prevent unauthorised access. The more secondary east stair will remain within the apartments as a dressing and storage space, but will be terminated at each floor level. The west stair is more utilitarian and suffered from bomb damage in WWII. It is proposed to remove this stair.

There are a large number of fittings and artefacts of high significance throughout the building. Nearly all these are proposed to be retained in their existing locations, with the exception of the night watchmen's registers, relocated to resident's 1st floor lounge and corridor, war memorial relocated to the tube station and the original metal office partitions which will be reused within the basement. A condition will require full details of any artefacts to be relocated.

Externally, the most significant change is the proposal to construct new pavilions or extensions on the 10th floor roof terraces. These are in Portland stone and are detailed to match the form, height and architecture of the rest of the building. They are set back from the parapet edge which reduces their visibility. In architectural terms, they are largely indistinguishable within the overall mass of the building. They maintain the stepped form of Holden's design and the central tower remains as the dominant element within the overall composition. In townscape terms, there is relatively little visibility from surrounding streets, though in certain views they can clearly be seen as an additional recessed pavilion. The

applicants have provided verified views of the proposal to assist in assessing any harm. There is no doubt that the pavilions can be seen in certain views, but the degree of harm to these views is considered to be very slight if at all. It is difficult to accept that these views are materially harmed by the new pavilions.

Other external alterations relate to some new window openings in the tower at high level, alterations to balconies in the inner recess between the wings, the dropping of some window cills to allow for doors to access terraces and the installation of a glass balustrade set back behind the parapet to terraces to meet health and safety requirements. All of these are considered uncontentious.

100 Petty France

The demolition of this building is welcomed. It is an undistinguished design, but it also largely conceals the north side of the west wing and the west side of the north wing of Holden's design from public view, including the important stone carvings at 6th floor level by Eric Gill and Eric Aumonier. Its removal opens up views of this part of Holden's building and provides a new public space which provides residents access to both private and affordable housing and vehicle access to car parking and servicing. This is considered a significant improvement in townscape terms.

The replacement affordable housing building that links into the WOS building is an understated design in Portland stone, which responds to the materiality of 55 Broadway, but does not try to compete in terms of its architectural response. It is well mannered, but also a background building. It is considered that this is appropriate for a building on this site.

The courtyard space is proposed to be treated as a paved shared surface for vehicles and pedestrians. The applicants have submitted plans showing the type of space envisaged, including details of paving materials, street furniture and layout.

The Wing over Station Building (WOS)

It is proposed to demolish the eastern end of this building, to link it to the new building on the site of 100 Petty France and to accommodate an additional 6th floor at the eastern end of the building. The building will be converted to residential use for affordable housing with car parking at the lower levels. These works are all considered uncontentious.

In summary, it is considered that the proposal constitutes an overall enhancement to both the listed building and the surrounding conservation area. The form and design of 55 Broadway lends itself to a residential conversion with minimal interference to historic fabric or architectural detail. The alterations to the ground floor retail units and arcades are considered to be a positive enhancement, as is the opening up of the views to the west wing with the removal of 100 Petty France. The new pavilions at 10th floor level are the most significant intervention and while they are visible in certain street views, it is difficult to see that they harm the integrity of the architectural composition or impact in any harmful way on the conservation area character and appearance.

There have been a number of objections to the proposal on design and heritage grounds. The C20 Society object to the 10th floor pavilions and to the principle of the change of use to residential. Other concerns relate to the restricted access for the public to the building when in private residential use and to concern over the principal rooms on the 6th and 7th floor being broken up. The concern over the new pavilions at 10th floor is understood, but it is considered, for the reasons explored above, that the actual impact of these on the heritage assets is negligible. Any objection to the principle of residential use would have to be borne out by identifying some harm to the fabric or architecture of the building, but this is not supported by analysis of the scheme. The building currently has no public access to the upper floors and

therefore the change of use to residential will not make the current situation worse. The proposals do not break up the heritage rooms on the 6th and 7th floors and they are retained complete within the scheme. English Heritage and the Westminster Society support the proposal

6.3 Amenity

The occupiers of Flat 19, 14-20 Albany Court have raised concern about potential noise nuisance from the car park and roof plant on WOS and the potential loss of light to their flat as a result of the plant enclosure and partial additional sixth floor of accommodation on WOS.

Provision has been made for plant equipment to be located within 55 Broadway at basement, ground and first floor levels and also within a screened enclosure on the roof of WOS. The applicants have provided a noise assessment report and a Building Services Outline Proposals report but these do not contain full details of all the plant to be used because the detailed requirements are not known at this stage. Environmental Health have no objection to the application subject to conditions controlling plant noise emission levels and requiring submission of a supplementary acoustic report with full details of all the plant equipment to be used to ensure that the Council's noise standards are met. Environmental Health have also requested that full details of the noise attenuation measures for the car stacker system and car lift are secured by condition.

City Plan Policy S29 seeks to safeguard the amenity of existing residents. Policy ENV13 of the UDP seeks to protect and improve the residential environment and resist proposals which would result in a material loss of daylight and sunlight and/or a significant increase in sense of enclosure or overlooking.

The partial additional sixth floor extension on the WOS is located at the eastern end of the building and will not be visible from 14-20 Albany Court. The proposed plant enclosure is located on the roof at the western end of WOS. The plant enclosure is 3.5 metres high and will be set back 2 metres from the edge of the existing roof level. The plant enclosure will not be visible from the windows in the east facing elevation of 14-20 Albany Court where views are already partially obscured by an existing fire escape stair or from the larger south facing windows and will not therefore have a material impact on daylight or sunlight to these windows. Notwithstanding this and in the absence of any justification from the applicants, an amending condition is recommended to seek a reduction in the height of the proposed plant enclosure which is considered to be excessively large at 3.5metres high.

The addition of the 10th floor pavilions on 55 Broadway will not result in a material loss of daylight or sunlight to adjoining properties and there have been no further comments or objections on these grounds.

6.4 Highways and Parking

Car and cycle parking

UDP Policy TRANS23 requires car parking to be provided in new residential developments to a standard of up to 1 space per unit for dwellings of two bedrooms or less and 1.5 spaces per unit for larger dwellings. In applying the standards to these proposals the maximum parking provision would be 97 spaces, whereas 43 are proposed.

Although the application site, being above an underground train station, is very conveniently located for public transport purposes, a significant number of prospective residents are still likely to be car owners since in this Ward the census shows that 32% of existing households have cars. This proportion of car ownership is similar to that proposed in the application

where the ratio of parking provision would be 43 spaces for 124 flats which would amount to a parking space for 34.7% of the flats.

The Highways Planning Manager has objected to the proposals if the understanding is that the parking spaces are allocated to particular flats as this is not an efficient use of parking provision. Given that within a 200 metre radius of the site existing on-street parking availability is above the stress level of 80% occupancy during the day (being 89.6% occupied) any new household without a parking space but owning a car would add to an already high demand for on-street parking where there is a scarcity of available space. This demand would be reduced if the on-site parking facilities provided at the site were to be made available to all households and if this were the case the Highways Planning Manager would not object. The applicant has agreed to unallocated car parking with 40 of the spaces being made available to the private flats and three disabled parking spaces made available to the affordable flats. This will be controlled through the S106 agreement and on this basis the level of car parking proposed is considered acceptable.

The car park is accessed via the new courtyard space and utilises a double stacking car parking system to maximise the number of parking spaces that can be provided. Valet parking staff will be responsible for parking and retrieving all vehicles belonging to private residents. The Highways Planning Manager has requested that a Car Park Operational Management Plan is secured by condition.

UDP Policy TRANS10 requires sufficient cycle parking provision in new residential schemes to a standard of one space per unit. The proposals comfortably exceed this in providing 210 cycle parking spaces. Although the proposed retail provision is a reconfiguration of existing shopping floorspace, 20 new cycle parking spaces are to be introduced for the commercial parts where none exists at present, and this is welcomed.

Servicing and deliveries

UDP Policy TRANS20 requires off-street servicing to be provided in new developments wherever possible but in this case it is acknowledged that the Grade I listed status of the building eliminates the possibility of achieving this.

The existing site has no on-site servicing and servicing is either carried out on-street or, if vehicles are small enough, by accessing the rear of the site from Broadway via St Ermin's Hill, a narrow no-through service road with a tight 90 degree bend which is situated between the application site and the neighbouring St Ermin's Hotel. Large vehicles are hampered in using this service road as there is no room to turn and they have to reverse in, whereas smaller vehicles can turn around. There is therefore significant potential for vehicular conflict within St Ermin's Hill at present, especially since it is also used to service St Ermin's Hotel.

The proposals would improve on the current situation by effectively extending St Ermin's Hill through to Petty France and as a result it would no longer be a no-through road. Large vehicles would continue to reverse into St Ermin's Hill and exit back out into Broadway in forward gear as the 90 degree bend could still not be negotiated given the narrowness of the service road, but Transit vans and smaller HGVs would be able to deliver to the development by entering from Broadway and exiting onto Petty France.

The new courtyard space fulfils several functions including pedestrian access to the residential parts of the development, vehicular access to the car park and an area of landscaped public realm which would be accessible to the public but privately-owned, managed and maintained. Access to this area from St Ermin's Hill would be controlled by rising bollards operated by the site management company to limit access to legitimate users and prohibit vehicles unrelated to the site.

This whole operation would need to be controlled by a management strategy which will be secured by planning condition and which the applicant is intending to develop in consultation with the operators of St Ermin's Hotel. Subject to this, the servicing arrangements are considered satisfactory and a welcome improvement.

Waste and recyclable storage

Waste and recyclable storage areas are provided at ground and basement levels within close proximity of lift cores in 55 Broadway and WOS.

The proposals include a shared waste collection store at ground floor level on St Ermin's Hill for all parts of the development. Since this would be an inconvenient distance from some of the flats, especially those in the WOS, the applicant is proposing a waste strategy involving all residential bins being collected by facilities management staff and taken to this collection point. Even then the operatives would be likely to need to use an electric tow tug to move the containers the distance involved.

The Cleansing Manager considers that this is a satisfactory solution provided that it is adequately controlled through a Waste Management Servicing Plan to be secured by condition.

Highways Works

The proposals to link St Ermin's Hill via the new courtyard with Petty France would require a new road junction onto Petty France and a pavement crossover. Subject to this being designed and implemented to the City Council's required standards for alterations to the public highway, this is considered acceptable. These essential highway works and the reinstatement of the paving around the development following the completion of works can be secured by S106 agreement.

Public Realm

The above works are the extent to which highway improvements are necessary to make the development acceptable. In addition to this the applicant is showing a wider area of potential works on the public highway which they describe as public realm improvements. Among other aspects, the works shown include changing a mini-roundabout to a T-junction and reducing the carriageway widths in order to widen the footways. These are extensive works but since they are not required by the development they are considered to be aspirational which may or may not in due course be approved by the City Council as Local Highway Authority. The applicant has not made it clear to what extent they are prepared to fund the public realm improvements but under the CIL Regulations it would be unlawful to take these works or funding for these works into account as a reason for granting planning permission. The public realm works shown are therefore not considered relevant in determining the current planning application.

6.5 Economic considerations

The economic benefits associated with the conversion of these buildings to provide new residential accommodation including affordable homes within this part of the Central Activities Zone are welcomed. The optimisation of housing delivery is a key strategic objective for the Council. The conversion of office buildings within the CAZ to provide new and improved residential accommodation is supported under Policies S14 of the City Plan and H3 of the UDP and will help the Council and the Mayor deliver new homes in the capital.

6.6 Equalities and Diversities including disabled access

All the flats are designed to Lifetime Homes standard where possible. Due to the Grade I listed status of 55 Broadway the private flats are not fully compliant with all 16 of the Lifetime Homes basic design criteria. All the affordable flats in WOS are however fully compliant. 10% of the private flats and 10% of the affordable flats are wheelchair adaptable. Wheelchair accessible lifts to all floors and level thresholds are provided throughout the development. Three accessible car parking spaces are provided at ground floor level of WOS.

The retail and restaurant units on the ground floor of 55 Broadway can be accessed directly from the street; Petty France and Broadway. Level access exists from the internal circulation via the north Petty France entrance.

6.7 London Plan

The fundamental objective of the London Plan is to accommodate London's population and economic growth through sustainable development.

The London Plan promotes the provision of new housing and requires the maximum reasonable amount of on-site affordable housing (policy 3.12), requires development to identify, value, conserve, restore, re-use and incorporate heritage assets where appropriate (policy 7.8) and seeks to ensure that developments meet the highest standards of sustainable design and construction (policy 5.3).

6.8 National Policy/Guidance Considerations

Central Government's National Planning Policy Framework (NPPF) came into effect on 27 March 2012. It sets out the Government's planning policies and how they are expected to be applied. The NPPF has replaced almost all of the Government's existing published planning policy statements/guidance as well as the circulars on planning obligations and strategic planning in London. It is a material consideration in determining planning applications.

Until 27 March 2013, the City Council was able to give full weight to relevant policies in the Core Strategy and London Plan, even if there was a limited degree of conflict with the framework. The City Council is now required to give due weight to relevant policies in existing plans "according to their degree of consistency" with the NPPF. Westminster's City Plan: Strategic Policies was adopted by Full Council on 13 November 2013 and is fully compliant with the NPPF. For the UDP, due weight should be given to relevant policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the NPPF, the greater the weight that may be given).

The UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise

6.9 Planning Obligations

On 6 April 2010 the Community Infrastructure Levy (CIL) Regulations came into force which make it unlawful for a planning obligation to be taken into account as a reason for granting planning permission for a development, or any part of a development, whether there is a local CIL in operation or not, if the obligation does not meet all of the following three tests:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development;
- (c) fairly and reasonably related in scale and kind to the development.

Policy S33 of the City Plan relates to planning obligations. It states that the Council will require mitigation of the directly related impacts of the development; ensure the development complies with policy requirements within the development plan; and if appropriate, seek contributions for supporting infrastructure. Planning obligations and any Community Infrastructure Levy contributions will be sought at a level that ensures that the overall delivery of appropriate development is not compromised.

From 6 April 2015, the Community Infrastructure Levy Regulations (2010 as amended) impose restrictions on the use of planning obligations requiring the funding or provision of a type of infrastructure or a particular infrastructure project. Where five or more obligations relating to planning permissions granted by the City Council have been entered into since 6 April 2010 which provide for the funding or provision of the same infrastructure types or projects, it is unlawful to take further obligations for their funding or provision into account as a reason for granting planning permission. These restrictions do not apply to funding or provision of non-infrastructure items (such as affordable housing) or to requirements for developers to enter into agreements under section 278 of the Highways Act 1980 dealing with highway works. The recommendations and detailed considerations underpinning them in this report have taken these restrictions into account.

The City Council has consulted on the setting of its own Community Infrastructure Levy, which is likely to be introduced later in 2015. In the interim period, the City Council has issued interim guidance on how to ensure its policies continue to be implemented and undue delay to development avoided. This includes using the full range of statutory powers available to the council and working pro-actively with applicants to continue to secure infrastructure projects by other means, such as through incorporating infrastructure into the design of schemes and co-ordinating joint approaches with developers.

For reasons outlined elsewhere in this report, a S106 legal agreement will be required to secure the following:

- the provision of affordable housing on site
- all highway works surrounding the site required for the development to occur including vehicle crossovers, changes to on-street parking restrictions and footway repaving
- a financial contribution to the Council's Environmental Inspectorate to monitor compliance with the Construction Environmental Management Plan
- costs of monitoring the S106 agreement

The proposed development is also liable for a Mayoral CiL payment.

It is considered that the 'Heads of Terms' listed above satisfactorily address City Council policies. The planning obligations to be secured, as outlined in this report, are in accordance with the City Council's adopted City Plan and London Plan policies and they do not conflict with the Community Infrastructure Levy Regulations (2010 as amended).

6.10 Environmental Assessment including Sustainability and Biodiversity Issues

The London Plan requires developments to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions (be lean), adopting sustainable design and construction measures and prioritising decentralised energy (be clean), including renewables (be green).

Policy S39 of Westminster's City Plan states that major development should be designed to link to and extend existing heat and energy networks in the vicinity, except where the City Council considers that it is not practical or viable to do so. Policy S40 requires all major development to maximise on-site renewable energy generation to achieve at least a 20% reduction in carbon dioxide emissions, and where feasible, towards zero carbon emissions,

except where the Council considered it not appropriate or practical due to site specific considerations.

The applicants have submitted a Sustainability Statement and Energy Assessment which set out the measures incorporated into the proposed development in the context of sustainable design principles and energy efficiency.

The development has been designed to meet Code for Sustainable Homes Level 4 for the new build element; BREEAM Domestic Refurbishment 'Excellent' rating for the new dwellings in 55 Broadway and WOS and a BREEAM 'very good' for the shared spaces and retail units. It is recommended that these sustainability standards are secured by condition.

The energy efficient design measures for the building include the introduction of secondary double glazing, 75% of the annual heating and hot water demand by Combined Heat and Power (CHP), 15% of the annual heating and hot water demand by Air Source Heat Pumps (ASHPs) at 55 Broadway, 25% of annual heating and hot water demand by communal gas boiler at WOS and 10% at 55 Broadway, mechanical ventilation with heat recovery (MVHR) throughout, photovoltaic panels on the roof of WOS and on the roofs of two of the 10th floor pavilions on 55 Broadway and green roofs on WOS and all the roofs of the 10th floor pavilions on 55 Broadway.

The Council's Go Green Programme Manager is generally satisfied with the submitted energy strategy although it would be preferable for the development to have a single energy centre (plant room). Separate plant rooms for the private residential, retail and affordable flats will however allow these elements of the scheme to operate independently of each other and also ensure that the registered provider of the affordable housing does not incur management and maintenance costs for plant in 55 Broadway. The applicants have investigated the possibility of connecting into a district energy network but there is no existing or proposed network within 200m of the development.

The applicants have not submitted a biodiversity survey or management plan. The proposed scheme will result in the loss of the existing roof gardens at 10th floor level of 55 Broadway. However the scheme does provide for green roofs on the top of the new 10th floor pavilion extensions and new private terraces at 2nd, 7th, 9th 10th and roof level of 55 Broadway and green roofs on the roof of WOS. It is recommended that a biodiversity management plan for the development is secured by condition.

6.11 Other Issues

Extent of Planning Application site boundary

With regard to comments received seeking clarification of the extent of the planning application site boundary; some of the submitted plans and documents do show 14-20 Albany Court within the application site boundary. This is because 14-20 Albany Court sits above the Palmer Street entrance/exit to St James's Park Underground Station which is within the applicants ownership and adjacent to the WOS where works are proposed. The relevant notices have been served by the applicant on parties with a legal interest in the land. The application site boundary is also shown to include highway land. Although the applicant has served notice on the Council as highway authority the public realm works indicated on the submitted drawings are not being considered as part of the current application for the reasons explained above in Section 6.4 of this report.

Construction Environmental Management

Concerns have been raised by residents in adjoining Albany Court about the potential noise, disruption and nuisance that will be caused by the demolition and construction work associated with this development.

Accordingly, it is recommended that a condition is attached requiring the submission and approval prior to the commencement of work of a detailed Construction Environmental Management Plan (CEMP), demonstrating how the impact of the demolition and construction stages of the development will be managed. Environmental Health have also requested that that funding for the Council's Environmental Inspectorate to monitor compliance with the CEMP is secured by way of a S106 legal agreement.

Statement of Community Involvement

The applicant has submitted a statement of community involvement which summarises the consultation process they carried out with local stakeholders and neighbours prior to submitting the application. The applicants had meetings with the Cabinet Member for the Built Environment, Ward Councillors, various other individuals and stakeholder groups between July and October 2014 and invited 1033 local residents and businesses in the immediate vicinity of the proposals to a four day public exhibition at 55 Broadway from 16 to 19 September 2014.

7. Conclusion

The proposed conversion of these office buildings to provide new residential accommodation including affordable homes is supported under London Plan and Westminster City Plan and UDP policies and will help the Mayor and the City Council deliver new homes in the Capital.

The proposed conversion to residential will have minimal impact on elements of significance within the Grade I listed 55 Broadway. The alterations to the ground floor retail units and arcade are a positive enhancement, as is the opening up of views of the west wing of the building through the demolition of 100 Petty France.

The new pavilions at 10th floor level are the most significant intervention and while they will be visible in street views, it is considered that any harm is greatly outweighed by the benefits the scheme brings to the listed building and its setting.

BACKGROUND PAPERS

1. Application forms and CBRE letters dated 20 October 2014,
2. Historic England (formerly English Heritage) letters dated 8 December 2014 and 2 April 2015
3. Twentieth Century Society letter dated 24 November 2014
4. Environment Agency letter dated 7 November 2014
5. Thames Water email dated 13 November 2014
6. Commissioner of Transport, Transport for London letter dated 4 February 2015
7. TfL Planning, Transport for London email dated 25 November 2014
8. London Underground Limited letter dated 12 November 2014
9. Westminster Society letter dated 4 November 2014
10. Thorney Island Society letter dated 10 November 2014
11. Head of Affordable and Private Sector Housing memorandum dated 19 December 2014
12. Environmental Health memorandum dated 11 December 2014 and email dated 26 February 2015
13. Highways Planning Manager memorandum dated 6 February 2015
14. Cleansing memorandum dated 23 December 2014
15. Go Green Programme Manager memorandum dated 31 October 2014
16. Metropolitan Police Designing Out Crime Officer email dated 3 November 2014
17. 16 Dartmouth Street letter dated 18 November 2014
18. 19 Albany Court, Palmer Street letter dated 21 November 2014
19. 116 Saltram Crescent, London on-line comments dated 29 October and 13 November 2014
20. 142 Western Road, Haywards Heath on-line comments dated 12 November 2014
21. 15 Belle Vue Court, 122d Devonshire Road, London on-line comments dated 12 December 2014
22. Flat 18, Joseph Conrad House, Tachbrook Street on-line comments dated 29 December 2014
23. 6a Durward House, 31 Kensington Court, London W8 letter dated 12 November 2014
24. 2 Devon Mead, Hatfield, Herts letter dated 2 December 2014

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT MATTHEW MASON ON 020 7641 2926 OR BY E-MAIL – mmason@westminster.gov.uk

DRAFT DECISION LETTER

- Address:** Broadway Complex, 55 Broadway, London, SW1H 0AZ
- Proposal:** Change of use of 55 Broadway from offices to private residential (89 units) including extensions at tenth floor level and reconfiguration of ground floor retail. Part demolition and redevelopment of 100 Petty France and Wing Over Station to provide affordable residential accommodation (35 units) and associated car parking (43 spaces).
- Plan Nos:** CBRE Planning Statement October 2014; Tate Hindle Design & Access Statement September 2014; Alan Baxter Heritage Statement October 2014; Alan Baxter Historic Fittings Audit October 2014; Tavernor Townscape, Heritage & Visual Impact Assessment October 2014; Deloitte Real Estate Daylight & Sunlight report October 2014; Mott MacDonald Energy Assessment October 2014; Sustainability Statement October 2014; Mott MacDonald BREEAM Domestic Refurbishment Pre-Assessment October 2014; Code for Sustainable Homes Pre-Assessment October 2014; BREEAM non-dwellings Pre-Assessment October 2014; BREEAM Retail fit-out Pre-Assessment October 2014; Mott MacDonald Noise & Vibration Impact Assessment October 2014; Mott MacDonald Building Services Outline Proposals & Flood Risk Assessment Statement October 2014; Mott MacDonald Transport Assessment October 2014; Civil & Structural Outline Proposals September 2014; Mott MacDonald Pedestrian Simulation Study Legion Model Assessment & Static Assessment October 2014; Mott MacDonald Air Quality Assessment October 2014; Four Communications Statement of Community Involvement October 2014; Tate Hindle PL(02)001, 002, 003, 101; PL(03)049, 050, 051, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, PL(04)050, 051, 052, 053, PL(05)050, 051, 052, 053-01, PL(03)069, 070-01, 071-01, 072-01, 073-01, 074-01, 075-01, 076, 077, 078, 079, 080, 081, PL(05)070, 071, 072-01, 073-01, PL(03)099, 100-01, 101-01, 102, 103, 104, 105, 106, 107, 108, 109-01, 110, 111, 112, 120, 121, PL(04)100-01, 101-01, 102-01, 103, PL(05)100-01, 101, 102, 103-01, 110-01, 111, 112, PL(50)002, 003-01, 004, 005-01, 006, 012, 020, 021, 029, 030, 031, 032, 033, 034, 035, 036, 037, 039, 040, 041, 042, 044, 045, 046, 047-01, 048, 071, 072, 080, 090; PL(03)149, 150, 151, 152, 153, 154, 155, 156, PL(04)150, 152, 153, PL(05)250-01, PL(05)170, 172-01, 173-01, PL(03)199-01, 200-02, 201-01, 202-01, 203-01, 204-01, 205-01, 206-01, 207-01, 210, 211, PL(05)200-01, 201, 202-01, 203-01, 300-02, PL(21)100, 101, 102, 103, 104, 105

Case Officer: Amanda Jackson**Direct Tel. No.** 020 7641 2934**Recommended Condition(s) and Reason(s):**

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 3 The detailed elevational treatment of the new 10th floor pavilions shall match the existing, adjacent original work in terms of the choice of materials and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 4 You must apply to us for approval of detailed drawings of the following parts of the development:
- i) new windows at 1:10 scale with x-sections at 1:5
 - ii) new external doors at 1:10 scale
 - iii) plans, elevations and x-sections of the residential lobby and entrance to no.55 Broadway at 1:50 scale
 - iv) plans, elevations and x-sections showing the size, number and location of the PV cells on 55 Broadway and WOS

You must not start any work on these parts of the development until we have approved what you have sent us. You must carry out the work according to these details.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 5 Notwithstanding that shown on the approved plans, a signage and shopfront strategy, including details of any awnings, shall be submitted to us for approval. You must not start work on these parts of the development until we have approved what you have sent us. You must then carry out the works according to these details.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 6 You must apply to us for approval of a detailed drawing of hard landscaping of those areas not covered by building, including any street furniture, bollards or other structures. You must not start work on these parts of the development until we have approved what you have sent us. You must then carry out the works in accordance with these details.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 7 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace. (C26NA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 8 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the balcony. (C26OA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 9 Customers shall not be permitted within the restaurant premises before 07.00 or after 24.00 on Monday to Saturday (not including bank holidays and public holidays) and before 08.00 or after 23.30 on Sundays, bank holidays and public holidays. (C12BD)

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6, ENV 7 and

TACE8 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 10 If you provide a bar and bar seating within the restaurant on the ground floor of 55 Broadway, it must not take up more than 15% of the floor area of the restaurant unit. You must use the bar to serve restaurant customers only, before, during or after their meals. (C05GA)

Reason:

To prevent a use that would be unacceptable because of the character and function of this part of the Broadway & Christchurch Gardens Conservation Area Conservation Area. This is in line with S25 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 9 of our Unitary Development Plan that we adopted in January 2007. (R05FC)

- 11 The three bedroom residential units shown on the approved drawings must be provided and thereafter shall be permanently retained as accommodation which (in addition to the living space) provides three separate rooms capable of being occupied as bedrooms.

Reason:

To protect family accommodation as set out in S15 of Westminster's City Plan: Strategic Policies adopted November 2013 and H 5 of our Unitary Development Plan that we adopted in January 2007. (R07DC)

- 12 You must provide the waste stores shown on drawings PL(03)099, PL(03)100rev01, PL(03)199rev01 & PL(03)200rev02 before anyone moves into the property. You must clearly mark them and make them available at all times to everyone using the buildings. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste stores for any other purpose. (C14DC)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 13 You must apply to us for approval of a Waste Management Servicing Plan detailing i) how the management company for the private residential in 55 Broadway will be permanently responsible for transferring waste containers from WOS basement storage area to the shared waste collection store in St Ermin's Hill and ii) the permanent provision by the private residential management company for providing and maintaining a suitable electric tow tug for moving waste containers before anyone moves into the residential parts of the buildings. You must then provide waste storage in line with the approved waste management servicing plan and make it available at all times to everyone using the residential parts of the buildings.

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 14 You must provide each car parking space shown on the approved drawings and each car parking space shall only be used for the parking of vehicles of people living in the residential part of this development. (C22BA)

Reason:

To provide parking spaces for people living in the residential part of the development as set out in STRA 25 and TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R22BB)

- 15 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason:

To provide cycle parking spaces for people using the development as set out in TRANS 10 of our Unitary Development Plan that we adopted in January 2007.

- 16 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 17 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the

installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 18 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 19 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 17 & 18 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is

protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels.

- 20 The design and structure of the development shall be of such a standard that it will protect residents within it from structural borne noise from the district and circle line so that they are not exposed to levels indoors of more than 40dB LASmax within habitable rooms during the day and night.

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

- 21 No vibration from the Underground trains shall be transmitted to adjoining dwellings through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour daytime nor 0.26 m/s (1.75) 8 hour night time as defined by BS 6472 (2008) in any part of a residential and/or noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 22 The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

- 23 The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

The design of the separating wall should be such that the received value in the residential habitable spaces, with music playing, should be 10dB below that measure without music events taking place, at the quietest time of day and night, measured over a period of 5 minutes and in the indices of Leq and LFMax in the octave bands of 63 Hz and 125 Hz.

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the

related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development.

- 24 You must apply to us for approval of details of the i) car stackers and ii) car lift including full details of the measures taken to mitigate any noise and vibration impacts. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development.

- 25 (1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the retail/restaurant units use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm,, and shall be representative of the activity operating at its noisiest.
- (2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within the retail/restaurant units use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest.
- (3) Following completion of the development, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:
- (a) The location of most affected noise sensitive receptor location and the most affected window of it;
 - (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
 - (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
 - (d) The lowest existing LA90, 15 mins measurement recorded under (c) above;
 - (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;

(f) The proposed maximum noise level to be emitted by the activity.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007 (UDP), so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

26 (1) Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10 dB one metre outside any premises.

(2) The emergency plant and generators hereby permitted may be operated only for essential testing, except when required by an emergency loss of power.

(3) Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays.

Reason:

As set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 7 (B) of our Unitary Development Plan that we adopted in January 2007. Emergency and auxiliary energy generation plant is generally noisy, so a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing and other non-emergency use is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby.

27 **Pre Commencement Condition.** No development shall take place, including any works of demolition, until a construction management plan for the proposed development has been submitted to and approved in writing by the City Council as local planning authority. The plan shall provide the following details:

- (i) a construction programme including a 24 hour emergency contact number;
- (ii) parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- (iii) locations for loading/unloading and storage of plant and materials used in constructing the development;
- (iv) erection and maintenance of security hoardings (including decorative displays and facilities for public viewing, where appropriate);
- (v) wheel washing facilities and measures to control the emission of dust and dirt during construction; and
- (vi) a scheme for recycling/disposing of waste resulting from demolition and construction works.

You must not start work until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

28 You must carry out any building work which can be heard at the boundary of the site only:

- * between 08.00 and 18.00 Monday to Friday;
- * between 08.00 and 13.00 on Saturday; and
- * not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

Reason:

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

29 You must apply to us for approval of details of the following parts of the development before anyone moves into the buildings:

- i) Car Park Operational Management Plan
- ii) Servicing Management Plan

You must then carry out the car parking and servicing of the buildings in line with the approved car park operational management plan and servicing management plan for as long as the buildings are occupied for residential, retail, restaurant and car parking purposes.

Reason:

To avoid blocking the surrounding streets, to provide parking spaces for people living in the residential part of the development and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 20, TRANS 21 and TRANS23 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

30 The following sustainability standards will be required on the development site:

- _ the new dwellings in 55 Broadway shall achieve a BREEAM Domestic Refurbishment (2012) rating of no less than 'excellent' with a score of at least 80% credits (or any such national measure of sustainability for house design that replaces that scheme of the same standard)
- _ the shared spaces within the residential areas but are not dwellings in 55 Broadway shall achieve a BREEAM New Construction 2014 with a rating of no less than 'very good' with a score of at least 70% credits (or any such national measure of sustainability for house design that replaces that scheme of the same standard)
- _ the retail units in 55 Broadway shall achieve a BREEAM retail (2008) rating of no less than 'very good' with a score of at least 80% credits (or any such national measure of sustainability for house design that replaces that scheme of the same standard)

_ the new dwellings in the WOS shall achieve a BREEAM Domestic Refurbishment (2012) rating of no less than 'outstanding' (or any such national measure of sustainability for house design that replaces that scheme of the same standard)

_ the new dwellings constructed as part of the Petty France/WOS site shall achieve a Code for Sustainable Homes (2010) rating of no less than 'level4' (or any such national measure of sustainability for house design that replaces that scheme of the same standard)

A post construction certificate issued by the Building Research Establishment or other independent certification body confirming this standard has been achieved must be submitted for approval by us within 3 months of completion on each phase of this development.

Reason:

To make sure that the development affects the environment as little as possible, as set out in S28 or S40, or both, of Westminster's City Plan: Strategic Policies adopted November 2013. (R44BC)

- 31 **Pre Commencement Condition.** You must apply to us for approval of details of a biodiversity management plan. You must not start any work until we have approved what you have sent us. You must carry out the measures in the biodiversity management plan according to the approved details before you start to use the building. (C43CA)

Reason:

To protect and increase the biodiversity of the environment, as set out in CS38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43CB)

- 32 You must not use the roof of the WOS building for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21AA)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 33 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme reduction in height of the plant room on WOS. You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 34 You must apply to us for approval of a scheme of public art as described in the Tate Hindle

Design and Access Statement dated October 2014.

You must not start work on the public art until we have approved what you have sent us. Before anyone moves into the building you must carry out the scheme according to the approved details.

You must maintain the approved public art and keep it on this site. You must not move or remove it. (C37AB)

Reason:

To make sure the art is provided for the public and to make sure that the appearance of the building is suitable. This is as set out in DES 7 (A) of our Unitary Development Plan that we adopted in January 2007. (R37AB)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 The development shall be of such a standard that internal structural borne noise levels above 35dB LASmax (day and night) from the District and Circle line shall be avoided where practicable. In this context a desirable design shall be 35 dB LASmax and below. A noise level up to 40 dB LASmax is acceptable in this development given the location and land use, but the applicant must demonstrate appropriate steps have been taken to ensure the desirable standard is met until all possible mitigation has been employed and no further reduction possible. If the design and mitigation of any residential dwellings cannot meet the minimum standard of 40 dB LASmax from underground train noise then such dwellings would be unsuitable for the intended residential use.
- 3 Please contact our Environmental Health Service (020 7641 2971) to register your food business and to make sure that all ventilation and other equipment will meet our standards. Under environmental health law we may ask you to carry out other work if your business causes noise, smells or other types of nuisance. (I06AA)
- 4 If any 'special treatment', as defined in the London Local Authorities Act 1991, is going to be given at the premises, you should ring our Licensing Service (on 020 7641 7822 or 020 7641 8549) about getting a licence for those treatments. You should also contact our Environmental Health Consultation Team (on 020 7641 3161) to make sure any treatment rooms meet the

environmental health standards of construction. (I07BA)

- 5 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

24 Hour Noise Team
Environmental Health Service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

- 6 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 7 The sound insulation in each new unit of a residential conversion should meet the standards set out in the current Building Regulations Part E and associated approved documents. Please contact our District Surveyors' Services if you need more advice. (Phone 020 7641 7240 or 020 7641 7230). (I58AA)
- 8 The design and structure of the development shall be of such a standard that the dwelling is free from the 29 hazards listed under the Housing Health Safety Rating System (HHSRS). However, any works that affect the external appearance may require a further planning permission. For more information concerning the requirements of HHSRS contact:

Residential Environmental Health Team
4th Floor East, Westminster City Hall
64 Victoria Street
London SW1E 6QP
www.westminster.gov.uk

Email: res@westminster.gov.uk
Tel: 020 7641 3003 Fax: 020 7641 8504.

- 9 You may need separate licensing approval for the restaurant premises. Your approved licensing hours may differ from those given above but you must not have any customers on the premises outside the hours set out in this planning permission. (I61AB)
- 10 As this development involves demolishing commercial, institutional or public buildings, you should consider if there is any contaminated land from previous activities on the site. For example, this building may contain asbestos materials or hydrocarbon storage tanks associated with the heating system.

Your investigation should follow the advice in 'Contaminated land, A guide to help developers meet planning requirements', which was produced in October 2003 by a group of London boroughs, including Westminster. You can get a copy from our environmental health consultation team at the address given below.

A full site investigation would involve the following stages.

- Step 1: Desktop study
- Step 2: Detailed site investigation
- Step 3: Remediation strategy
- Step 4: Validation report (after completion)

If you want our contaminated land officer to comment on your investigation reports, please send them to:

Contaminated Land Officer
Environmental Health Consultation Team
Westminster City Council
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Phone: 020 7641 3153
(I73BA)

- 11 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:
- * Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;
 - * This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc)

which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

- 12 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.

- * Window cleaning - where possible, install windows that can be cleaned safely from within the building.
- * Internal atria - design these spaces so that glazing can be safely cleaned and maintained.
- * Lighting - ensure luminaires can be safely accessed for replacement.
- * Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).

More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm.

Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)

- 13 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)
- 14 The term 'clearly mark' in condition 12 means marked by a permanent wall notice or floor markings, or both. (I88AA)

- 15 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. If you would like more information, you can contact Ray Gangadeen on 020 7641 7064. (I54AA)
- 16 We recommend you speak to the Head of the District Surveyors' Services about the stability and condition of the walls to be preserved. He may ask you to carry out other works to secure the walls. Please phone 020 7641 7240 or 020 7641 7230. (I22AA)
- 17 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 18 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to affordable housing, highway works, unallocated residential car parking and payment for CEMP monitoring.

DRAFT DECISION LETTER

- Address:** Broadway Complex, 55 Broadway, London, SW1H 0AZ
- Proposal:** Change of use of 55 Broadway from offices to private residential including extensions at tenth floor level and reconfiguration of ground floor retail. Part demolition and redevelopment of 100 Petty France and Wing Over station to provide affordable residential accommodation and associated car parking.
- Plan Nos:** CBRE Planning Statement October 2014; Tate Hindle Design & Access Statement September 2014; Alan Baxter Heritage Statement October 2014; Alan Baxter Historic Fittings Audit October 2014; Tavernor Townscape, Heritage & Visual Impact Assessment October 2014; Deloitte Real Estate Daylight & Sunlight report October 2014; Mott MacDonald Energy Assessment October 2014; Sustainability Statement October 2014; Mott MacDonald BREEAM Domestic Refurbishment Pre-Assessment October 2014; Code for Sustainable Homes Pre-Assessment October 2014; BREEAM non-dwellings Pre-Assessment October 2014; BREEAM Retail fit-out Pre-Assessment October 2014; Mott MacDonald Noise & Vibration Impact Assessment October 2014; Mott MacDonald Building Services Outline Proposals & Flood Risk Assessment Statement October 2014; Mott MacDonald Transport Assessment October 2014; Civil & Structural Outline Proposals September 2014; Mott MacDonald Pedestrian Simulation Study Legion Model Assessment & Static Assessment October 2014; Mott MacDonald Air Quality Assessment October 2014; Four Communications Statement of Community Involvement October 2014; Tate Hindle PL(02)001, 002, 003, 101; PL(03)049, 050, 051, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, PL(04)050, 051, 052, 053, PL(05)050, 051, 052, 053-01, PL(03)069, 070-01, 071-01, 072-01, 073-01, 074-01, 075-01, 076, 077, 078, 079, 080, 081, PL(05)070, 071, 072-01, 073-01, PL(03)099, 100-01, 101-01, 102, 103, 104, 105, 106, 107, 108, 109-01, 110, 111, 112, 120, 121, PL(04)100-01, 101-01, 102-01, 103, PL(05)100-01, 101, 102, 103-01, 110-01, 111, 112, PL(50)002, 003-01, 004, 005-01, 006, 012, 020, 021, 029, 030, 031, 032, 033, 034, 035, 036, 037, 039, 040, 041, 042, 044, 045, 046, 047-01, 048, 071, 072, 080, 090; PL(03)149, 150, 151, 152, 153, 154, 155, 156, PL(04)150, 152, 153, PL(05)250-01, PL(05)170, 172-01, 173-01, PL(03)199-01, 200-02, 201-01, 202-01, 203-01, 204-01, 205-01, 206-01, 207-01, 210, 211, PL(05)200-01, 201, 202-01, 203-01, 300-02, PL(21)100, 101, 102, 103, 104, 105

Case Officer: Amanda Jackson

Direct Tel. No. 020 7641 2934

Recommended Condition(s) and Reason(s):

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch

Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 3 The detailed elevational treatment of the new 10th floor pavilions shall match the existing, adjacent original work in terms of the choice of materials and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 4 You must apply to us for approval of detailed drawings of the following parts of the development:
- i) new windows at 1:10 scale with x-sections at 1:5
 - ii) new doors at 1:10 scale
 - iii) plans, elevations and x-sections of the residential lobby and entrance to no.55 Broadway at 1:50 scale
 - iv) plans, elevations and x-sections showing the size, number and location of the PV cells on 55 Broadway and WOS

You must not start any work on these parts of the development until we have approved what you have sent us. You must carry out the work according to these details.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 5 Notwithstanding that shown on the approved plans, a signage and shopfront strategy, including details of any awnings, shall be submitted to us for approval. This strategy must include both the internal mall and external street retail elevations. You must not start work on these parts of the development until we have approved what you have sent us. You must then carry out the works according to these details.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 6 You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1

of our Unitary Development Plan that we adopted in January 2007, and paragraph 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 7 You must apply to us for approval of any existing ornamental features or artefacts that you want to relocate or remove. You must provide plans showing their future location and method of removal and refixing. Any area left uncovered must be made good to match the surrounding fabric and decoration. You must not start work on these parts of the development until we have approved what you have sent us. You must then carry out the works in accordance with these details.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 8 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 9 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace. (C26NA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 10 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the balcony. (C26OA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the

London Plan July 2011, Westminster's City Plan: Strategic Policies adopted November 2013, and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council decided that the proposed works would not harm the character of this building of special architectural or historic interest.

In reaching this decision the following were of particular relevance:

S25 and S28 of Westminster's City Plan: Strategic Policies and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:

- * any extra work which is necessary after further assessments of the building's condition;
- * stripping out or structural investigations; and
- * any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents.

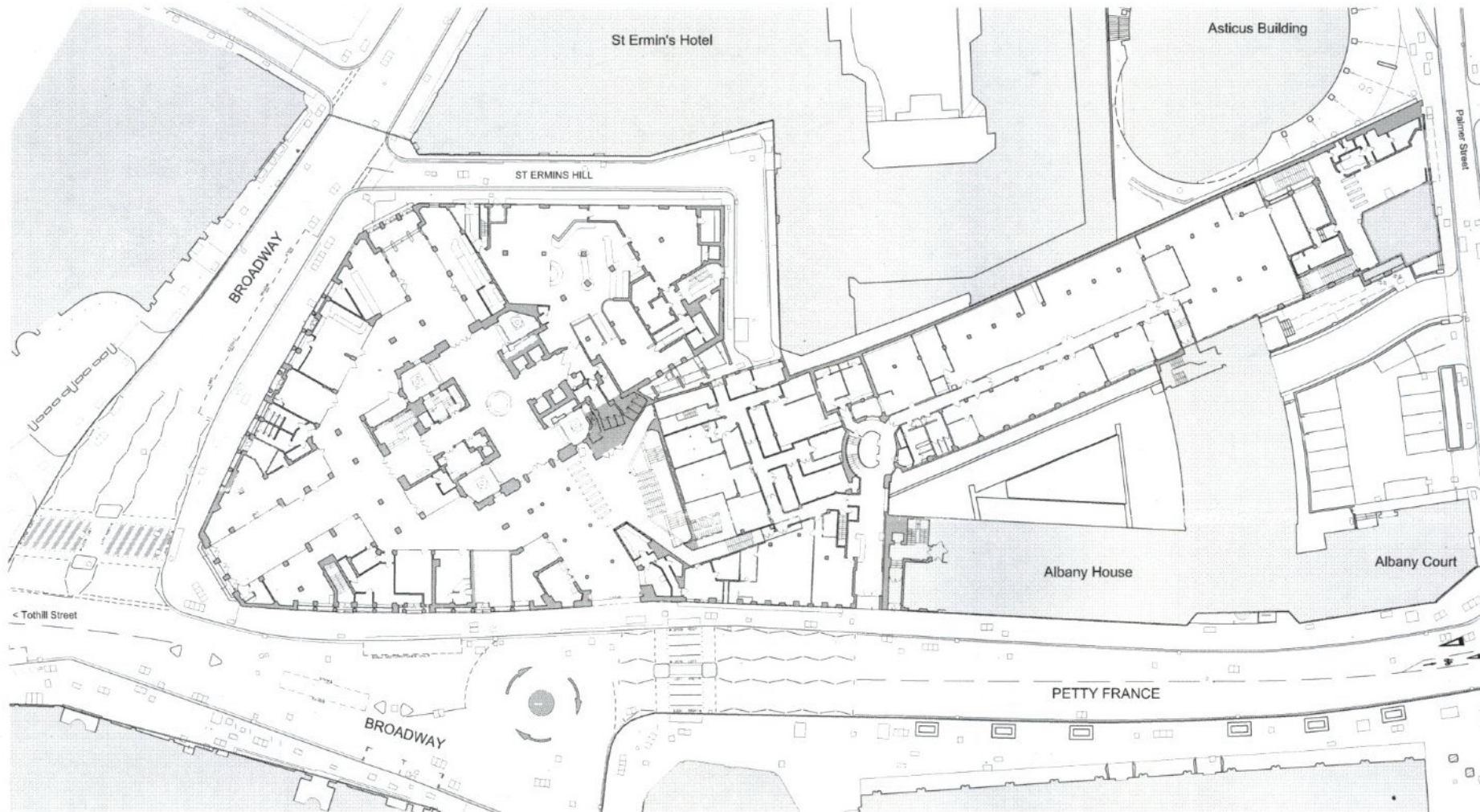
It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

- 3 Under Section 8(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, you cannot demolish a listed building unless you have given English Heritage the opportunity to make a record of the building. You must give English Heritage at least 30 days' notice before you start demolition work. And within that period you must allow its officers reasonable access to the building. English Heritage's address is:

English Heritage, Architectural Investigations Section
1 Waterhouse Square
138-142 Holborn
London
EC1 2ST

I enclose their form for you to report the demolition. (I60AA)

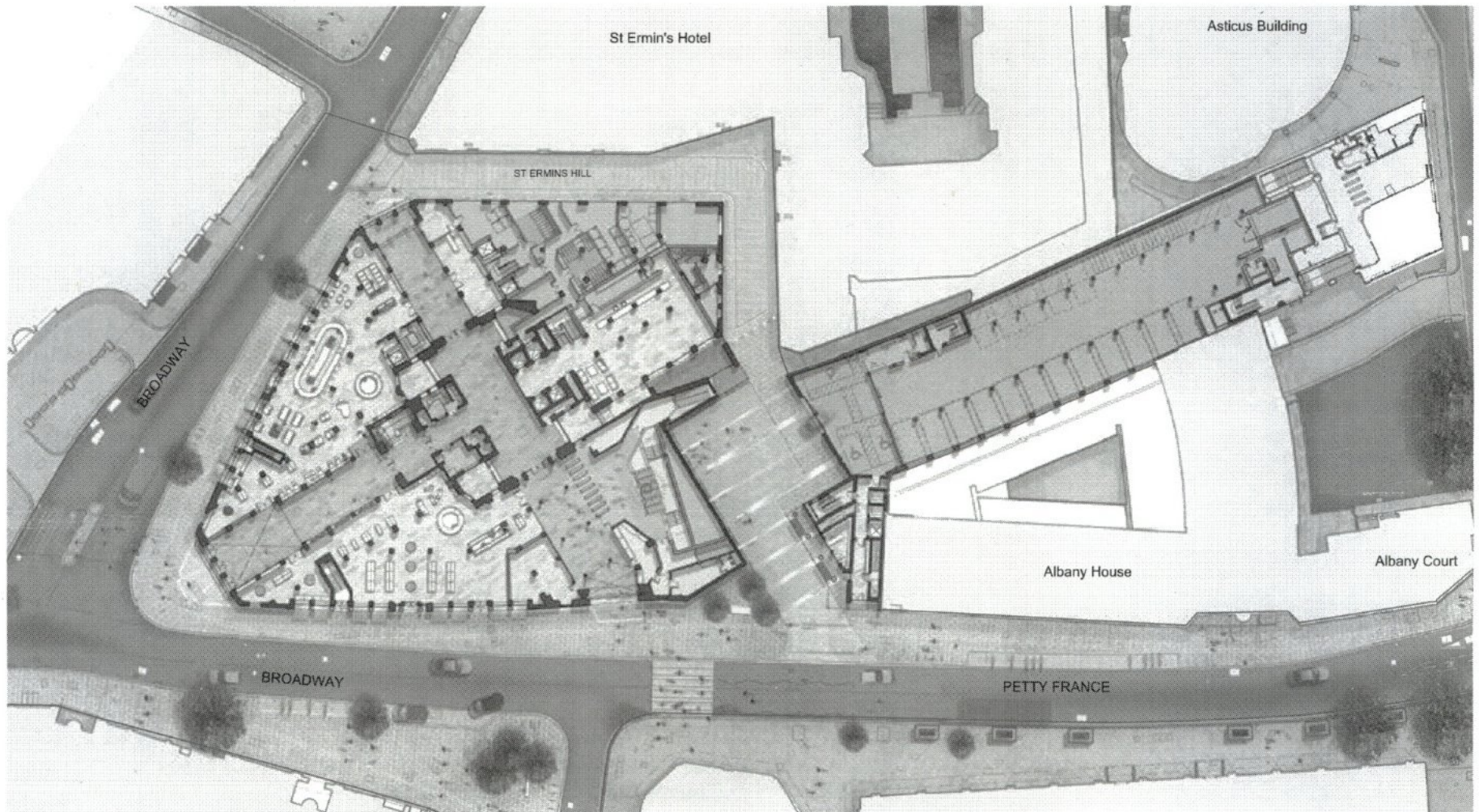
4.1 Site Plan Existing



Existing Site Plan



Proposed

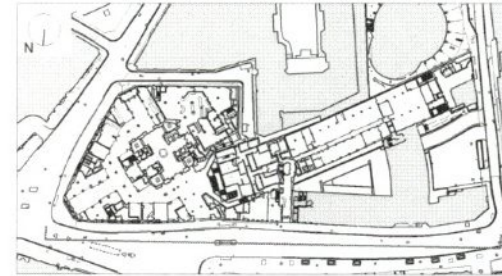


Proposed Site Plan - highlighting the reinstatement of the north-south axis and the link from the east entrance to the crossing.

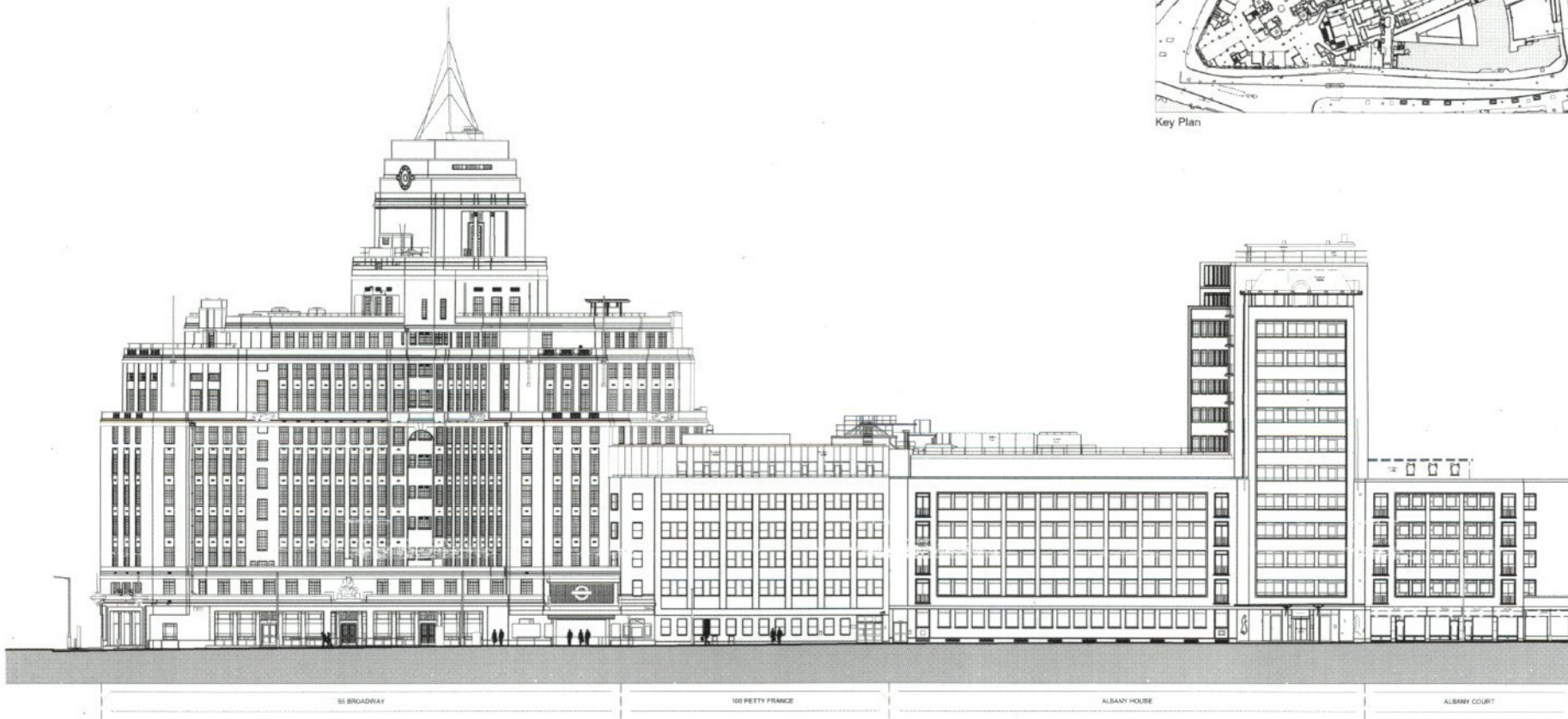
The red line indicates the extent of the planning application.



4.2 Site Elevations Existing



Key Plan



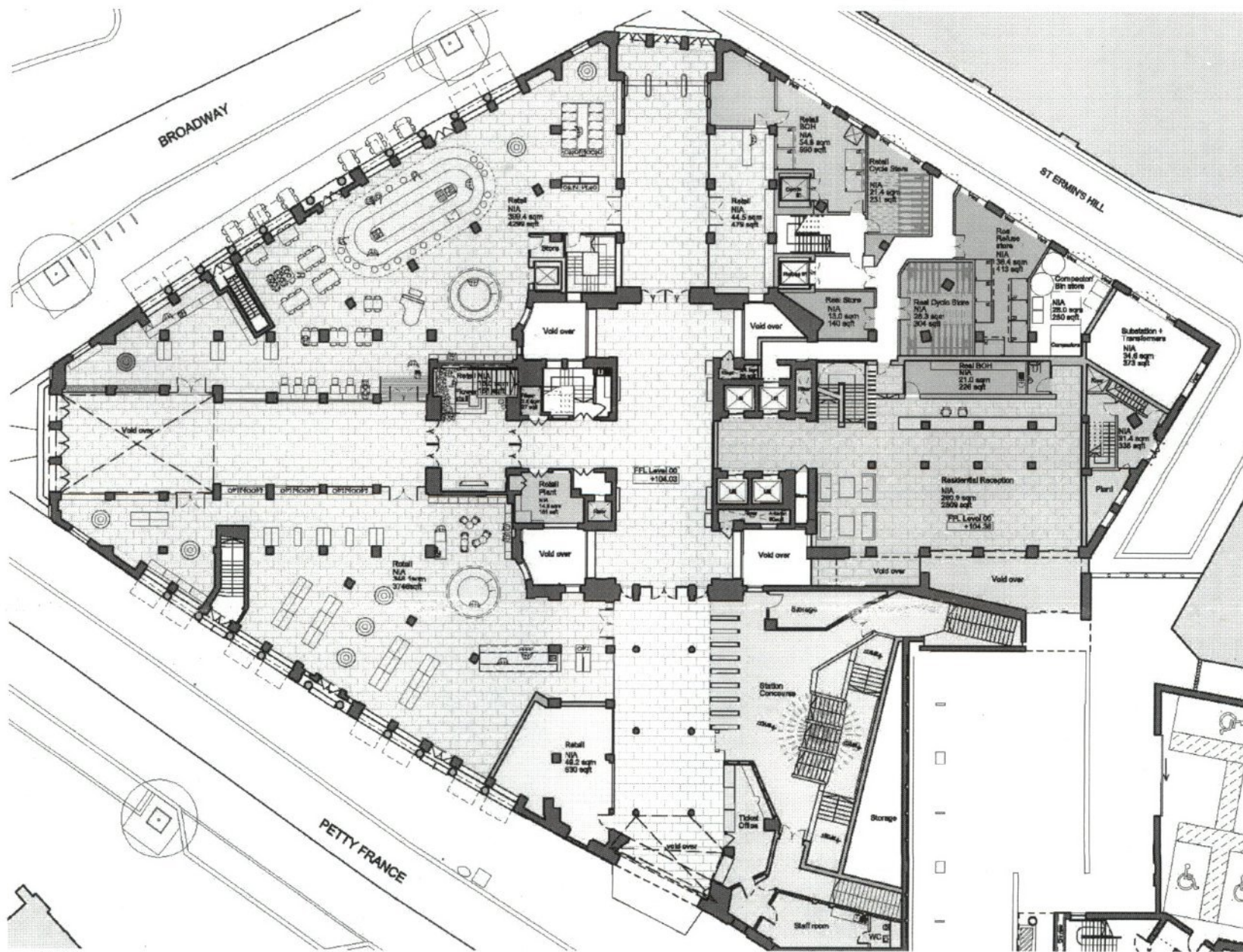
Existing North Elevation - the noticeable feature is the way 100 Petty France crashes into 55 Broadway



Proposed



Proposed North Elevation - the italian intervention is to free the building of its immediate neighbour creating a logical separation of uses.



- REIDENTIAL POH
- REITAL PLANT
- REIDENTIAL PLANT
- LUA

55 Broadway
Proposed ground floor plan



GIA Total
1428.0 sqm
15371 sqft
GEA Total
1562.5 sqm
16819 sqft

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55 BROADWAY USES KEY:

RESIDENTIAL UNITS	OTHER AREAS
STUCCO	RETAIL
1 BED MEDIUM	RETAIL BOH
1 BED LARGE	RESIDENTIAL BOH
2 BED MEDIUM	RESIDENTIAL FGH
2 BED LARGE	RETAIL PLANT
3 BED MEDIUM	RESIDENTIAL PLANT
3 BED LARGE	LUL
PENTHOUSE	

HISTORIC FITTINGS KEY

Refer to ABA's '55 Broadway Heritage Statement' and 'Historic Fittings Audit'

- B1 New balustrade. Refer to drawing PL1503021
- BC1 Nonreplaced balcony. Refer to drawing PL1503020
- D3 Existing door retained in situ, blocked from behind and revealed on corridor side.
- D4 Existing copperite swing door retained in situ, blocked from behind, backlit and revealed on corridor side. Refer to drawing PL1503013
- D6 Existing copperite door retained, blocked & remain operable to give access to low level door. Refer to drawing PL1503012
- ED3 Existing door/window retained in situ and blocked internally.
- P4 Proposed partition to existing east stairwell. Refer to drawing PL1503048
- S2 New smoke vent louvre installed above existing safe door.
- S3 Existing safe door relocated circa 400mm forward of original position. Refer to drawing PL1503012
- S4 Safe door retained and blocked from behind. Refer to drawing PL1503012
- W6 Drop window sill to provide new door with level access. Refer to drawing PL1503005
- W8 Reinstatement of original window/door.
- W7 New slab and window junction detail. Refer to drawing PL1503047
- W8 Fire rated & fixed secondary glazing. Refer to drawing PL1503002
- W9 Fire rated, translucent & fixed secondary glazing. Refer to drawing PL1503002
- W9 Existing window retained with translucent film applied and high level window to be an AOV. Refer to drawing PL1503006
- W10 Existing window retained with translucent film applied and high level window to be an AOV. Refer to drawing PL1503006
- W13 Secondary glazing with solid panel at low level. Refer to drawing PL1503006
- W14 Copperite window with privacy film applied. Refer to drawing PL1503041
- W16 Translucent secondary glazing. Refer to drawing PL1503002
- WR Watchman's Register in relocated position.

Rev	Description	Date	Checked

FOR PLANNING

Client
TRANSPORT FOR LONDON

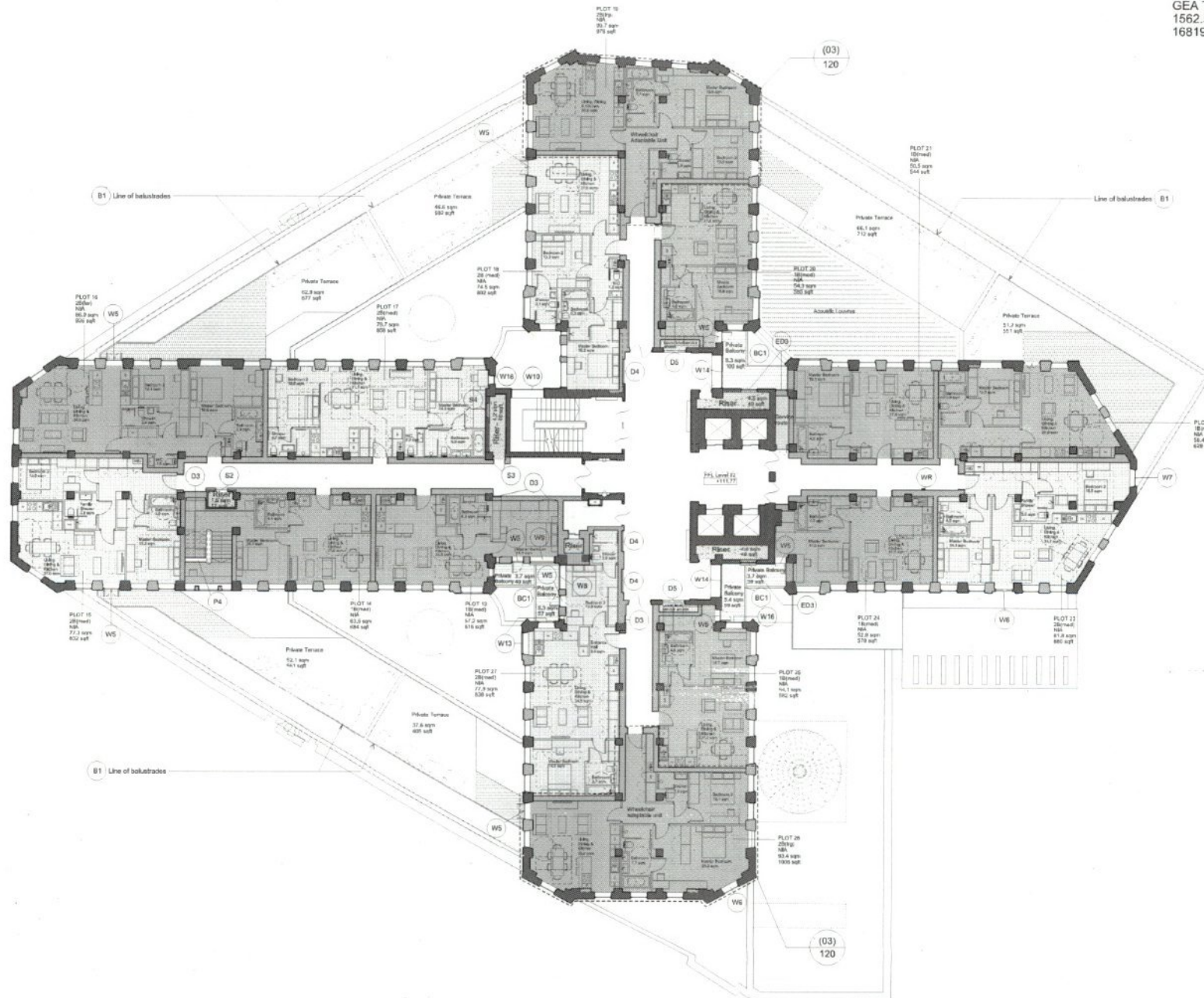
Project
**Broadway Complex
London SW1**

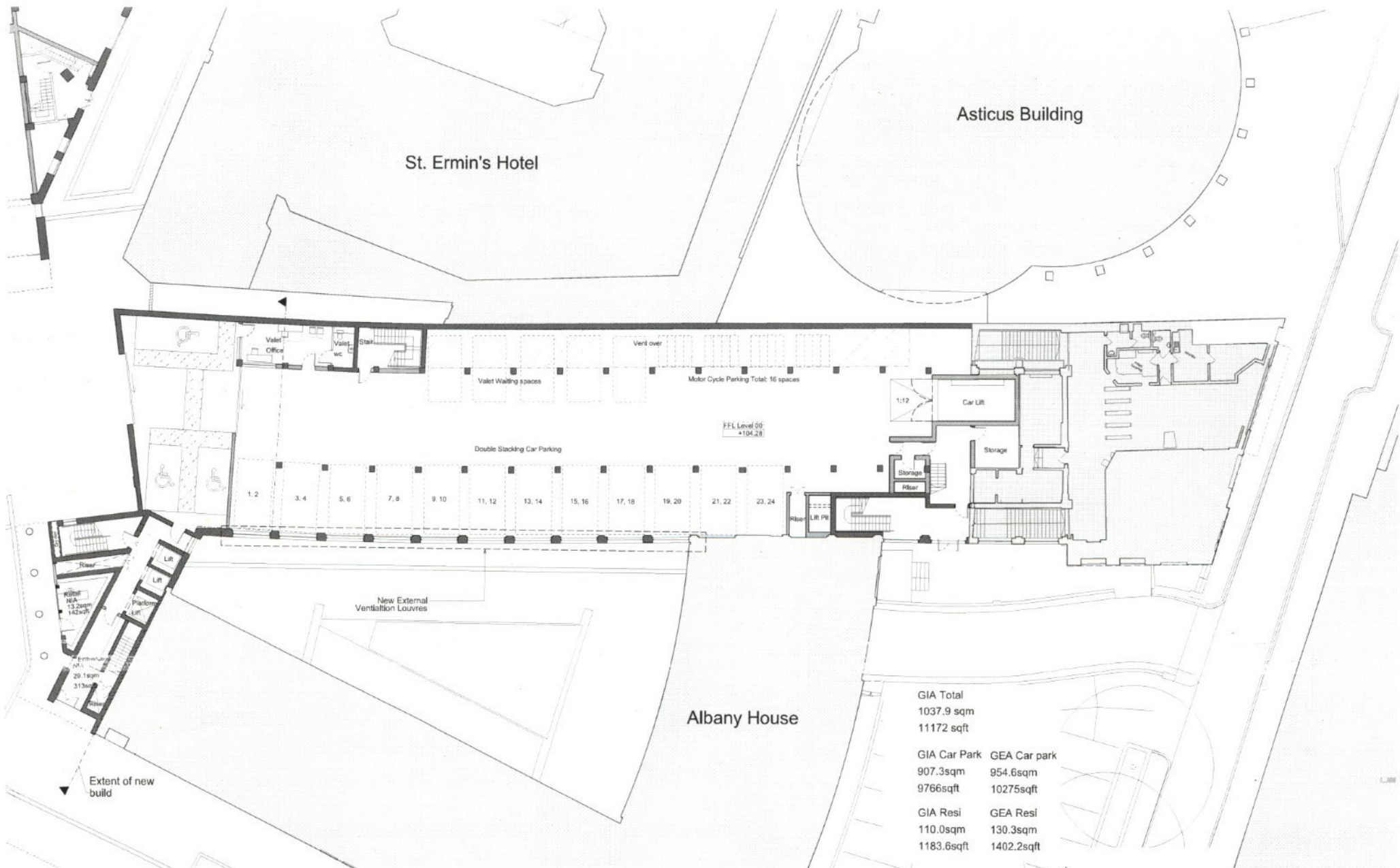
Drawing
**55 Broadway
Proposed
Second Floor Plan**

Drawn	Checkd	Date	Checked
1:125@A1	YJ	20-10-14	LW
1:250@A3			
Project No.	Iss	Revision	
12760	PL(03)102		00

tatehindle

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www.tatehindle.co.uk

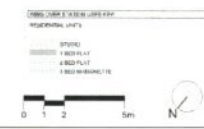




GIA Total	1037.9 sqm
11172 sqft	
GIA Car Park	907.3sqm
9766sqft	
GIA Resi	110.0sqm
1183.6sqft	
GEA Car park	954.6sqm
10275sqft	
GEA Resi	130.3sqm
1402.2sqft	

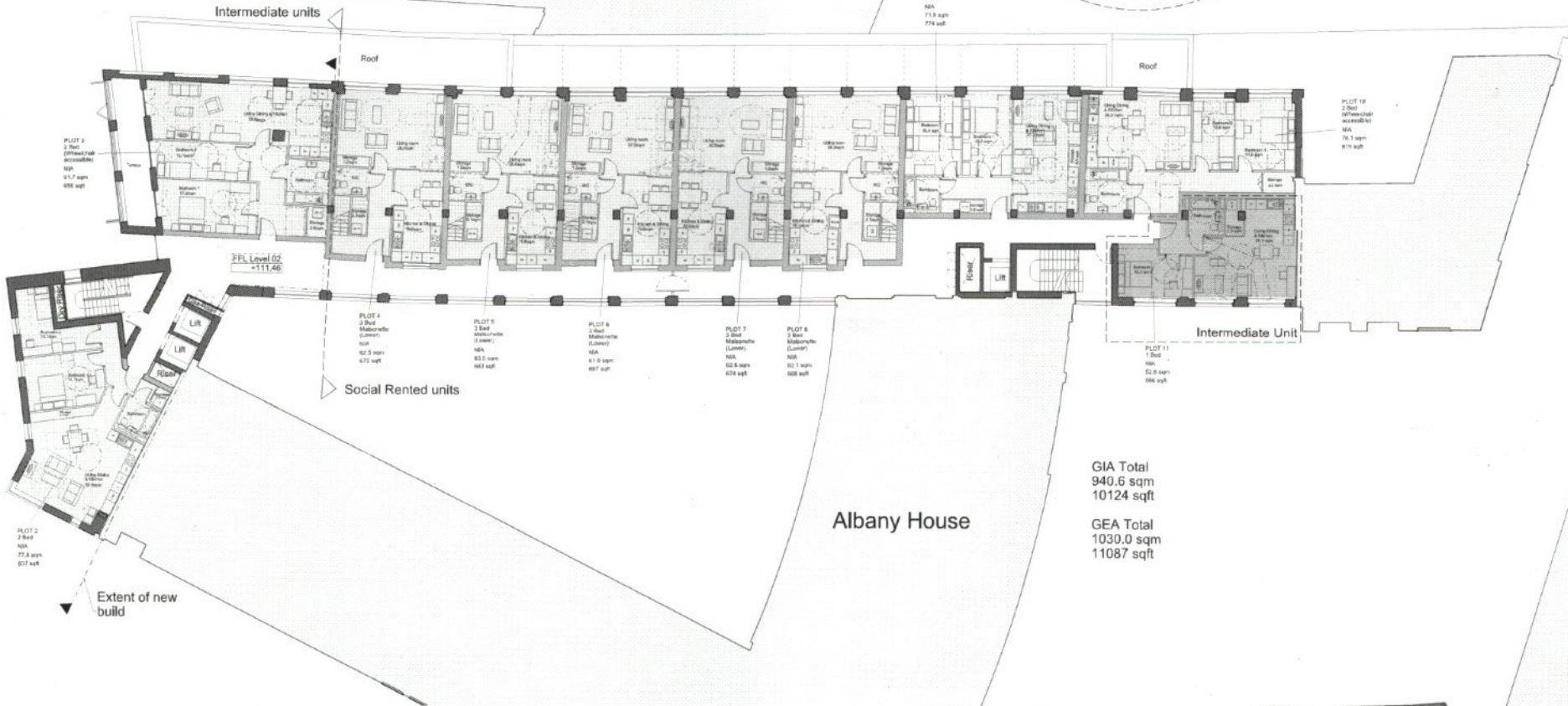
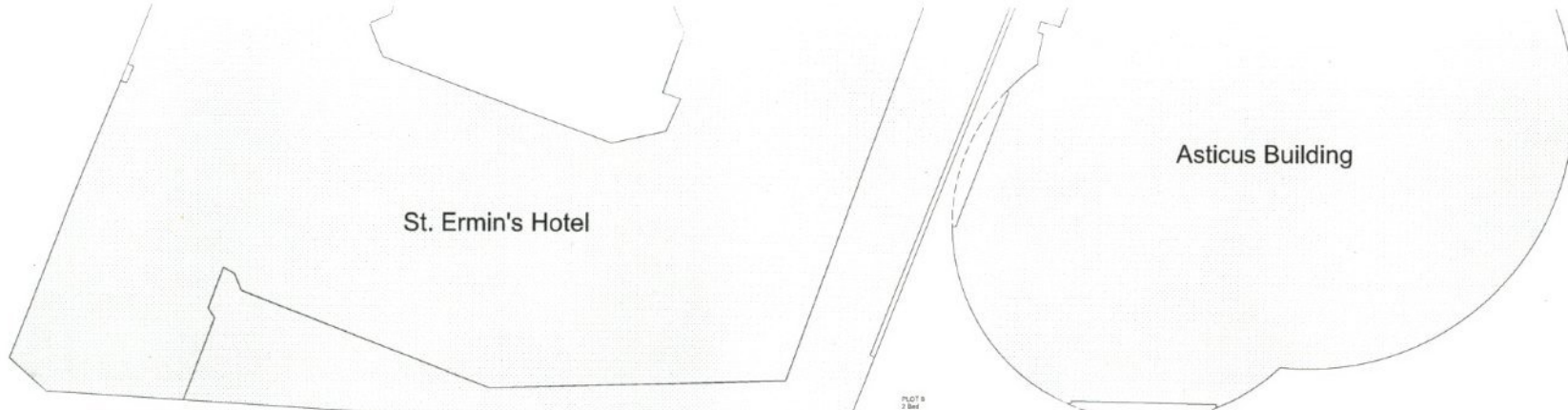
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Rev	Description	Date	Checked
01	Total GIA updated	20-10-2014	DH



Project	Broadway Complex London SW1		
Client	TRANSPORT FOR LONDON		
Drawing	Wing Over Station Proposed Ground Floor		
Status	FOR PLANNING		
Scale	1:125/250@A1/A3MS	Drawn	Checked
Project no.	12760	Dwg. no.	PL(03)200
Date	20-10-14	Rev/Issue	01

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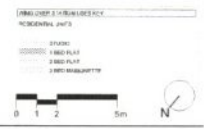


GIA Total
940.6 sqm
10124 sqft

GEA Total
1030.0 sqm
11087 sqft

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Rev	Description	Date	Checked
01	General updates	20-10-2014	DM



Project
Broadway Complex
London SW1

Status
FOR PLANNING

Client
TRANSPORT FOR LONDON

Drawing
Wing Over Station
Proposed Second Floor

Scale	Drawn	Checked	Date
1:125/250@A1/A3 MS	MS	DH	20-10-14

Project no.	Dwg. no.	Revision
12760	PL(03)202	01

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