

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 14 June 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	100 Piccadilly, and 5-6 Yarmouth Place London, W1J 7NH,		
Proposal	Excavation of sub-basement and alterations and extensions to 96-100 Piccadilly and redevelopment of Nos. 5-6 Yarmouth Place, to provide a new building on basement, ground, mezzanine and first to third floors with roof level plant, to provide 28 new and reconfigured residential apartments (Class C3) (36 in total), a shop on part ground and part mezzanine floors (flexible Class A1/Class A2 use); car/cycle parking and associated plant. Internal alterations. (Site includes 96-100 Piccadilly and 5-6 Yarmouth Place).		
Agent	Savills		
On behalf of	Blossom Street Properties Ltd		
Registered Number	15/06446/FULL 15/06447/LBC	Date amended/ completed	28 July 2015
Date Application Received	3 July 2015		
Historic Building Grade	Grade II (96-100 Piccadilly)		
Conservation Area	Mayfair		

1. RECOMMENDATION

<p>1. Grant conditional planning permission subject to a s106 agreement to secure:</p> <p>i) A contribution of either £8.1M to the City Council's affordable housing fund (less an agreed reduction for Westminster CIL, with the contribution currently estimated to be £7,028,000) (index linked and payable upon the commencement of development)</p> <p>OR</p> <p>the provision of three affordable housing units at 55-56 Buckingham Gate, to be made ready for occupation prior to the occupation of any of the new or reconfigured flats on the main site, plus a contribution of £373,000 to the City Council's affordable housing fund (less an agreed reduction for Westminster CIL, with the contribution currently estimated to be £342,000)(index linked and payable upon the commencement of development on the donor site).</p> <p>ii) Compliance with the City Council's Code of Construction Practice and submission of a SEMP (Site Environmental Management Plan) with an annual cost cap of £32,000</p> <p>iii) Costs of highways works around the site to facilitate the development (including the creation of</p>
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a new crossover)

- iv) Management and Maintenance Plans for the car lift and surface turntable in Yarmouth Place
 - v) Unallocated residential parking for the 31 new/reconfigured flats
 - vi) Monitoring costs
2. Agree reasons for approval as set down in Informative 1 of the draft decision notice
 3. Grant conditional listed building consent
 4. If the S106 legal agreement has not been completed within six weeks of the date of the Committee resolution then:
 - a) The Director of Planning shall consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this is possible and appropriate, the Director of Planning is authorised to determine and issue such a decision under Delegated Powers; however, if not
 - b) The Director of Planning shall consider whether permission should be refused on the grounds that it has not proved possible to complete an agreement within an appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that 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.

2. SUMMARY

The application site comprises two separate buildings. The first is a prominent Grade II listed building, located on the north side of Piccadilly, at its junction with White Horse Street. This building has a lawful use as offices, a small workshop and 11 flats, eight of which are occupied, with basement parking for 12 cars. The second building, located immediately west of the main site in Yarmouth Place, forms part of an existing, unlisted, building which appears to be in office use. Both properties are located within the Mayfair Conservation Area.

This application involves the redevelopment of 5-6 Yarmouth Place and significant alterations 100 Piccadilly, including a roof level addition, rear extensions and basement excavations in connection with the use of the properties as 36 flats, a Class A1/A2 unit on part ground and mezzanine floors and parking for 39 cars. Eight of the existing flats, and eight of 12 basement parking spaces, would be retained.

The loss of office/workshop floorspace and proposed residential and retail uses are considered acceptable in principle. The increase in residential floorspace would trigger the Council's affordable housing policy. It is accepted that the provision of affordable housing on the main site would not be appropriate or practical. The applicants have offered either a contribution of £7,028,000 towards the City Council's affordable housing fund or the provision of three affordable flats on a donor site, plus a commuted payment of £342,000. (These commuted sums are subject to verification of the reduction for Westminster CIL). Although neither offer is policy compliant, the Council's viability consultant considers these offers to represent the maximum that the two sites could support. Residents in the

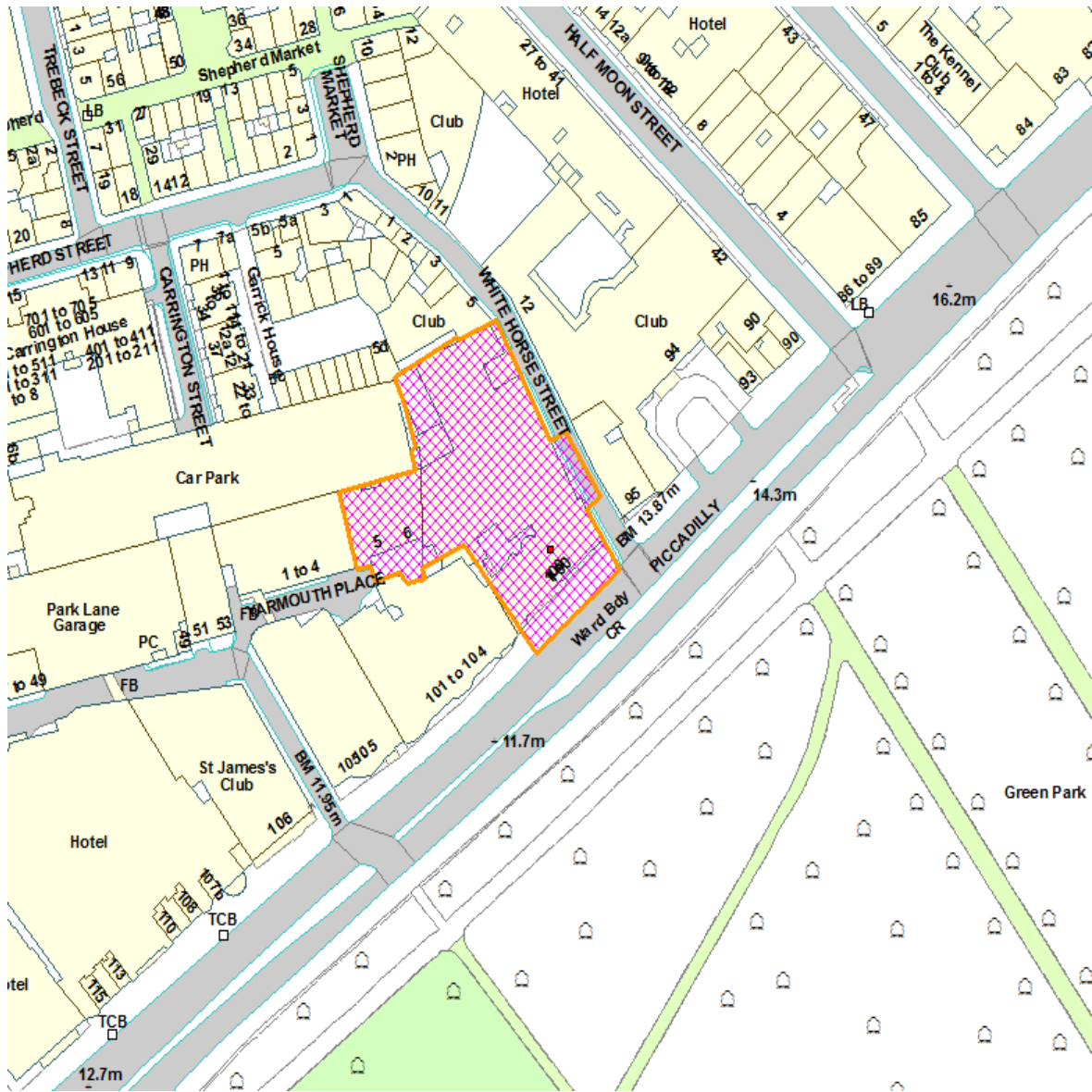
application building, and on neighbouring sites, have objected to the application on the grounds that the proposals would have an adverse impact on their amenities, the appearance of the listed building and the character and appearance of this part of the conservation area.

The key issues for consideration in this case are:

- * The acceptability of the proposals in land use terms and, in particular, consideration of which of the applicant's offers would best address the objectives of the Council's affordable housing policies.
- * The impact of the scheme upon the amenities of existing and neighbouring residents and the acceptability, and quality, of the accommodation proposed.
- * The impact of the alterations upon the listed building and in townscape terms.

Subject to consideration of the applicant's offers in lieu of on-site affordable housing provision, the development is considered acceptable in land use terms. The scheme would provide an acceptable standard of accommodation for both the new and reconfigured flats and is considered acceptable in amenity terms. The works are considered acceptable in terms of their impact upon the special interest of the listed building and upon the character and appearance of the Conservation Area. The application complies with relevant development plan policies and is therefore recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



96-100 Piccadilly



White Horse Street frontage



Rear of site from Carrington Street car park



5-6 Yarmouth Place and adjacent land

5. CONSULTATIONS

COUNCILLOR GLENYS ROBERTS

Request that application be reported to Committee

HISTORIC ENGLAND

Authorisation for the Council to determine the application as it thinks fit.

Concern over the visibility of the proposed roof above adjacent listed buildings in views along Piccadilly, from other views within the conservation area (Shepherd Market) and from other buildings. The roof design is incongruous, in design and scale, for a listed building. Harm caused to the listed building and conservation area should be weighed against the public benefits of the scheme.

HISTORIC ENGLAND (ARCHAEOLOGY)

No objection subject to conditions requiring further archaeological investigations.

METROPOLITAN POLICE

No objection

LONDON UNDERGROUND LTD

Any response to be reported verbally

THAMES WATER

No objection. Request informatives to be attached to any permission relating to water, drainage and sewerage matters.

ROYAL PARKS

Any response to be reported verbally

VICTORIAN SOCIETY

Any response to be reported verbally

GEORGIAN GROUP

Any response to be reported verbally

TWENTIETH CENTURY SOCIETY

Any response to be reported verbally

SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS

Any response to be reported verbally

ANCIENT MONUMENTS SOCIETY

Any response to be reported verbally

COUNCIL FOR BRITISH ARCHAEOLOGY

No objection to works to the historic building facades. Proposed roof addition is a discordant feature and is detrimental to the street scene and the significance of the heritage asset. An elegantly designed, simpler, structure would be more acceptable

RESIDENTS' SOCIETY OF MAYFAIR & ST JAMES'S

Concern over sub-basement excavations; query whether development could be contained within the existing basement envelope.

HIGHWAYS PLANNING MANAGER

Objection – provision of one car lift for 31 spaces, with no workable off-street waiting area, would result in obstruction of this narrow street; inadequate visibility splay to car lift exit would impact on highway and pedestrian safety.

Level of car and cycle parking and servicing arrangements for flats is acceptable; cycle parking should be provided for shop use; shop should be serviced off-street. Further details of refuse/recycling storage arrangements required,

BUILDING CONTROL

No objection to construction details, structural method statement is acceptable; existing structures, geology and the existence of groundwater have been investigated; measures to safeguard adjacent properties during construction are also proposed. Concerns over creation of remote rooms and adequacy of means of escape.

ENVIRONMENTAL HEALTH

Objection: concerns over internal lighting levels to flats, inadequate means of escape/remote rooms; living rooms of some flats above bedrooms in flats below

Plant proposals acceptable subject to conditions; conditions required relating to noise and vibration within new flats, Electro Magnetic Frequency levels from new sub-station and contaminated land.

Gym use to be restricted to residents of development, delivery hours and shop opening hours should be restricted.

Proposed mitigation measures to ensure acceptable air quality should be secured; details required of boilers and CHP plant

Site Environmental Management Plan/Code of Construction Pracand 26 may 2016tice required.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 215 Total No. of replies: 10

No. of objections: 10 (including 3 letters from one resident of 100 Piccadilly and 1 letter on behalf of the occupants of eight flats at 100 Piccadilly)

Objections received raising the following issues:

DESIGN

Objection to scale of development and increased number of floors

No objection to alterations at the front of the building

Increasing the width of openings in the listed facades is unacceptable as it would require the rebuilding of the entire section of wall and would have an adverse impact on the listed building

Replacement of mansard storeys with sheer stonework would have an adverse impact on the appearance of the listed building; and will reduce space between the application building and historic buildings on opposite side of White Horse Street, making street feel oppressive; potential structural implications.

AMENITY

Impact on retained flats

Loss of daylight and sunlight, including from scaffolding

Loss of privacy

Loss of views and increased sense of enclosure

Interference with rights of light and airspace

Loss of tenants' rights over (significantly reduced) entrance area; entrance to existing flats now part of residents' business centre; loss of atrium and encroachment on rear courtyard area.

Existing lifts will serve additional floors and flats

Interruption of tenants' peaceful enjoyment of properties in breach of terms of their lease; noise, dust and nuisance during prolonged construction period, disruption to access arrangements to existing flats; residents' safety compromised, potential fire risk, increased security risk/insurance invalidated; inability to sell or let the flats; potential increase in service charges

Impact on neighbouring properties:

Loss of daylight and sunlight

Disturbance and inconvenience during construction, a construction traffic management plan is required, impact of the development in conjunction with the approved schemes for neighbouring sites will affect residents' amenities, tourism and local businesses

Future occupants should not be permitted to apply for Respark spaces

Inadequate neighbour consultation

Potential damage to Embassy building; access to Embassy, parking and Yarmouth Place to be maintained at all times; workmen should be prevented from looking into Embassy premises to protect security; noise, dust and inconvenience should be minimised during works

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application relates to two separate sites which are located on the north side of Piccadilly within the Mayfair conservation area and Core Central Activities Zone, immediately opposite Green Park.

The first site comprises 96 & 97 and 98-100 Piccadilly which are listed, separately, at Grade II. These buildings were redeveloped behind the retained street facades in the 1980s and are now known as 100 Piccadilly.

The building comprises a small area at sub-basement level, basement, ground, part mezzanine and first to fifth floors with some accommodation and rear plant rooms on the sixth floor. It provides offices (Class B1a), a small ground/mezzanine floor workshop (Class B1c) and 11 flats on ground and rear third to fifth floors (Class C3), some of which benefit from external balconies. The basement houses additional plant areas and 12 parking spaces for the flats, accessed from White Horse Street via a car lift.

The offices and workshop have been vacant for approximately 10 years. However, the applicants have advised that, more recently part ground, first to third and part fourth floors have been occupied by a film company on a temporary basis. A number of the flats are currently unoccupied.

The flats are accessed from Piccadilly via a separate entrance, which leads into a modern, planted atrium at the centre of the site. A walkway through this atrium provides access to a single ground floor flat and to two lifts within a rear lobby, which serve the flats on the upper floors. There is a small residential courtyard to the north of the site which also provides access onto White Horse Street.

The second site, 5-6 Yarmouth Place, is an unlisted building located immediately to the west of the main site. Yarmouth Place is accessed from Piccadilly and runs to the rear of the buildings at nos. 101-105 Piccadilly. The property, now on ground to third floors, was built in the 1970s in a Victorian style. It is internally connected to 1-4 Yarmouth Place and used as a single building. The applicants have advised that the building is currently occupied as offices. However, records suggest that there may be some history of an educational and a residential use. This site also encompasses a piece of private land at the head of Yarmouth Place. Two parking spaces on this land are currently leased to the neighbouring Japanese embassy at 101-104 Piccadilly.

The area is in a mixture of commercial and residential use including the neighbouring embassy.

6.2 Recent Relevant History

100 Piccadilly

18.5.81 Permission and listed building consent granted for demolition behind retained facade, and specified front rooms of site known as 96-97, 98-100 Piccadilly and 6/7 White Horse Street and the erection of a part five, six and seven storey building behind containing offices, residential and retail uses.

Various approvals have been granted for the use of buildings on the main site as houses and flats, with some ground floor retail accommodation. These permissions are extant but unimplemented.

(1-4 and) 5-6 Yarmouth Place

March 1972: Planning permission granted and an Established Use Certificate issued for the use of the first and second floors of no's 5-6 Yarmouth Place as Class B1 offices. The planning report states that an earlier previous permission for the provision of two flats within a roof level extension had previously been implemented.

Other records suggest that the ground to second floors may have been occupied as a language school soon after the sale of the freehold in 1984.

Permission was granted on 2 August 2011 for the demolition and redevelopment of 1-6 Yarmouth Place and 51-53 Brick Street to provide an aparthotel and 31 flats with associated basement parking.

2.08.2011 Permission granted the demolition and redevelopment of 1-6 Yarmouth Place and 51-53 Brick Street to provide a new building for use as a 46 bed apart-hotel and 13 flats. Not implemented. This application was determined on the basis that the lawful use of 1-6 Yarmouth Place was as Class B1 offices. This scheme permitted the erection of a building on basement ground and first to sixth floors on the site of 5-6 Yarmouth Place and maintained a "gap" between the new structure and the building immediately to the east and also included a further set back, on fourth to sixth floors, on the eastern boundary.

15.12.2015 The Planning Applications Committee resolved to granted permission for a similar development of 13 flats and a 29 bed aparthotel subject to a s106 legal agreement. This scheme excludes the building at 5-6 Yarmouth Place. The height and bulk of the proposed building at 1-4 Yarmouth Place is identical to that permitted by the 2011 approval. At the time of writing this report, this permission has not yet been issued.

It is noted that both of these applications were considered and determined on the basis that the lawful use of the buildings at 1-6 Yarmouth Place was as Class B1 offices.

7 THE PROPOSAL

Permission and listed building consent are sought for alterations and extensions to 100 Piccadilly, and for the redevelopment of 5-6 Yarmouth Place, in connection with the conversion of the existing offices/workshop to provide new 28 new residential apartments (Class C3) with a small ground/mezzanine floor shop (Class A1/A2) at the corner of the site. Eight of the 11 existing flats will be retained and the remaining three will be reconfigured as part of the development providing a total of 36 apartments.

Some of the new and reconfigured units would benefit from external amenity space in the form of terraces and balconies and all private amenity spaces to the retained flats would remain. Ancillary residential accommodation would also be provided in the basement including a swimming pool and gymnasium.

Eight of the 12 residential parking spaces would be retained within the existing basement car park, for use in association with the retained flats. These would use the existing car lift. A further 31 spaces would be provided, accessed by a separate car lift and stacker, making 39 spaces in total.

At 100 Piccadilly, works include:

- Excavation at sub-basement level to provide additional residential parking spaces (on four levels, utilising a car stacker system), accessed from White Horse Street.
- The infilling of an existing office courtyard on basement and ground floors and the demolition of the central atrium and its replacement with a “landscaped” entrance foyer with a glazed roof. Open voids would provide light and amenity space to the rear of new flats on the lower floors of White Horse Street. The foyer will provide secondary access to the rear of some of the new apartments, to the lift/stair cores and to the new basement facilities. The existing residential courtyard will be partly infilled and reconfigured to provide both private and communal amenity space. The pedestrian access to White Horse Street will be retained.
- The erection of a fourth floor extension on the White Horse Street frontage to provide additional accommodation to some reconfigured flats; an extension to an area of flat roof at rear fifth floor
- The erection of a new sixth floor extension with further accommodation set within in a contemporary modulated roof, to create the upper level of a duplex apartment.
- The replacement of curtain wall glazing and cladding to the rear and courtyard elevations with brickwork
- There erection of a new stair/lift core on the western site boundary to link the two sites
- Remodelling of the roof profile to 100 Piccadilly (front)
- The replacement of metal framed windows to the historic street facades with timber windows and secondary glazing. Elsewhere, including on the fourth and fifth floors

fronting white Horse Street and to the courtyard elevations, new and replacement double glazed metal framed windows will be installed.

- The remodelling of the White Horse Street frontage including the introduction of new ground level doors and openings to provide direct access to the new flats. The mansard on third and fourth floors would be “overclad” by a sheer stone façade to match that on the lower floors.
- Widening of ground floor openings along Piccadilly, incorporating new canopies to create an enhanced retail frontage.
- Dropping the ground floor slab, by 500mm, over greater part of the site

No, 5-6 Yarmouth Place would be demolished and replaced by a new building comprising basement, ground and three upper floors with roof level plant. The new basement would provide plant rooms, a sub-station, refuse storage. Cycle parking and refuse stores would be provided at ground level (accessible from Yarmouth Place and from the reception area and lift cores in the main building). The mezzanine and first to third floors would provide flats and the fourth floor would provide plant for the development. The building would be faced in brick cladding to match the rear of 100 Piccadilly.

A turntable would be provided on the private land outside 5-6 Yarmouth Place enabling service vehicles for the flats to exit the site in forward gear. The retail unit would be serviced from Piccadilly.

8 DETAILED CONSIDERATIONS

8.1 Land Use

The existing and proposed floorspace figures (GEA) are set out in the table below:

	Existing m2	Proposed m2	Change +/- m2
Office/workshop	7086	0	- 7086
Retail	0	259	+ 259
Residential	2054	11475	+ 10361
Total	9140	11734	+ 2994

8.1.1 Loss of offices/workshop

The proposal would result in the loss of 6992 sqm of office floorspace, (if it is accepted that the lawful use of the existing floorspace does not include any Class D1 floorspace – see paragraph 6.1.2 below) and 94 sqm of workshop accommodation.

Policy S47 of the City Plan which advises that ‘when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework to secure development that improves the economic, social and environmental conditions in the area.’

Given recent pressures to convert office buildings to residential use, the City Council recognises that there is now an under-supply of office accommodation within the borough. Consequently, in the case of applications submitted after 1 September 2015, proposals involving the replacement of offices with new residential floorspace will be determined under a 'presumption in favour of sustainable development' in line with national policy. This means that within the Core CAZ (and in other specified locations) housing is no longer acceptable in principle where it results in the loss of office floorspace, although the loss of offices will be acceptable where this is to another commercial use.

However, as the current application was submitted prior to 1 September, it must be considered in relation to adopted UDP and City Plan policies which were the relevant policies at the time of submission, in which case there is no objection to the proposed loss of offices.

8.1.2 Potential loss of Class D1 accommodation

The planning history relating to 1-6 Yarmouth Place indicates that there has been some history of an educational use on the site although there is no record of permission having been granted for this use. However, previous schemes have been considered and determined on the basis that the lawful use of the building was as Class B1 offices. In these circumstances, and as the applicants have advised that they purchased the property on that basis of a lawful office use as detailed in previous committee reports, it is considered that it would be unreasonable to assess the current application on the basis of a potential loss of Class D1 floorspace.

8.1.3 Residential use

The scheme would provide 10,361 sqm (GEA) of new residential floorspace on the site. Given that, in this case, the loss of the existing Class B1 accommodation is considered acceptable in land use terms, the provision of additional residential floorspace is supported by Policies H3 of the UDP and S14 of Westminster's City Plan.

Number and size of units and residential mix

The development would provide a total of 36 units (9x1, 16 x 2, 8 x 3 and 3 x 4 bed). Of these, 8 would be retained flats with 3 reconfigured and 25 new units.

The 28 new and reconfigured flats would comprise the following accommodation:

No. of bedrooms	No of units	Floor area m2 (GIA)
1	8	110-189
2	11	166-376
3	6	282-452
4	3	344-397
Total	28	

City Plan Policy S14 requires the number of residential units on development sites to be optimised and policy S15 requires an appropriate mix of units in terms of size and type to be provided. UDP policy H5 normally requires at least 33% of new units to provide three or more bedrooms. In this case 9 (32%) of the new or reconfigured units would be family sized. This is

considered acceptable in this busy central location and the limited opportunity to provide private amenity space.

It is accepted that the development is constrained by the existing building and the retention of the staircase and lift cores and a number of existing flats. In addition the requirement to maximise natural light to the flats particularly on the lower floors means that the flats are generally very large. All the rooms exceed the minimum room sizes as set out in the Minor Alterations to The London Plan adopted March 2016.

Standard of residential

Of the 28 new and reconfigured flats, all would be dual aspect with the exception of a first/second floor duplex apartment and a fourth floor flat overlooking White Horse Street (both east facing) and a fifth floor flat overlooking Yarmouth Place (west facing). The building design seeks to achieve the maximum internal light levels to the new flats. However, the size of many windows is informed by the listed facades and available light is limited by the narrow width of White Horse Street and the height of the, relatively tall, buildings opposite. It is considered that the quality of the accommodation would not be compromised to the extent that permission should be withheld.

The development will incorporate double glazed windows. Where single glazed windows are retained, these would be fitted with acoustic seals and secondary glazing. All residential windows are opening able. However, a system of mechanical ventilation is proposed should residents choose to keep their windows shut. Conditions are recommended to ensure that internal noise levels are acceptable

The flats are designed in accordance with Lifetime Homes Standards and 10% of the units have been designed to be easily adaptable to wheelchair accessibility standards. All units have level access from the lift lobbies. Some external amenity space is provided to 16 of the 28 new units in the form of courtyards, roof terraces and balconies. Overall the number, mix and size of flats within the development are considered acceptable.

8.1.4 Affordable Housing

Policy H4 of the UDP and S16 of Westminster's City Plan and Interim Guidance Note Implementation of Affordable Housing are relevant. In new housing developments of either 10 or more additional units or where over 1000m² of new residential floorspace is created, a proportion of that floorspace is expected to be provided as affordable housing.

The scheme would provide 10361 m² of new residential floorspace which according to the relevant formula requires 2590 M² of on-site affordable housing, equating to 32 units. However, the policy states that, where on-site provision is accepted as being impractical or inappropriate, the housing may be provided on another site, preferably in the vicinity of the main site, or elsewhere in the borough. Where this is not practical or appropriate, the affordable housing requirement can be met through a financial contribution to the City Council's affordable housing fund. Based on the current formula for calculating affordable housing payments the increase in residential floorspace would generate a policy compliant financial contribution of £17,484,000 (rounded up), which would equate to £16,190,400 with deductions for CIL liability (Westminster and the Mayoral CIL).

Viability assessment

On-site provision

A viability report submitted with the application concludes that the provision of on-site affordable housing would be impractical as it would not be possible to introduce a separate entrance and access core to these units without materially affecting the scheme's viability and compromising the building frontage. This report also concluded that the scheme was unable to support any affordable housing contribution but indicated that the potential for providing the affordable housing requirement on a donor site was being explored. Where a donor site is proposed, the Council would expect the schemes for the donor and the main site to be submitted concurrently and for the delivery of the affordable housing to be secured by a legal agreement.

The viability report was assessed by independent consultants acting for the Council. They advised that the application could support a commuted payment of £8.1M but that details of a donor site for offsite provision should be provided.

Off-site provision

The applicants have, only recently, identified a donor site at 55-56 Buckingham Gate. (The building site is owned by Motcomb Estates, in a different company from the applicant company for the current scheme). Permission was granted on 5 December 2015 to convert offices on the first to third floors to provide 986 m² of new residential floorspace in the form of 8 market flats (3 x 1B, 4 x 2B and 1 x 3B). The building benefits from two stair cores.

Where the affordable housing requirement is met on a donor site, the amount of affordable housing required is increased to reflect the increased value of the principal site due to the fact that only market housing is being provided, as is the case with any payment in lieu of on-site provision. Consequently, the amount of affordable housing required at Buckingham Gate would be 3445 m².

The applicants have submitted various affordable housing appraisals for the site. The latest of these identifies three affordable housing units - a 3B/5P ground and first floor duplex apartment (120 sqm GIA), a ground/first floor 2B/3P apartment (79 sqm GIA) and a 2B/3P second floor flat (65 sqm GIA). These units share sole use of an entrance and a single stair core. Letters have been provided to show that two of three RSLs contacted would be interested in taking the apartments.

The total affordable floorspace (GEA) delivered on the donor site would be 209 sqm, meaning that there would be a requirement for a payment in lieu of the shortfall of affordable housing floorspace on the donor site (3236 sqm). A policy compliant payment would be £15,955,000.

The Council's consultant considered this latest offer and confirmed, on the basis of the delivery of the three units that the donor site, and that the scheme could support a payment of £373,000. Subject of verification of the reduction for Westminster CIL, it is estimated that the scheme could now deliver a payment of £342,000 in lieu of the shortfall of affordable housing floorspace.. The applicants have offered to make this contribution.

The applicants have requested that their alternative affordable housing offers of a commuted payment of £7,028,000 in lieu of on-site affordable housing on the application site or the provision of three affordable housing units on the Buckingham Gate site, plus a payment in lieu of the floorspace shortfall of £342,000 be put before the Committee.

The Council's Head of Affordable and Private Sector Housing acknowledges that the provision of three affordable housing units would generally be welcomed. However he considered that more affordable housing could be delivered for the City Council by utilising this commuted payment (to build new affordable homes on the Council's own land, or to secure properties in the open market which would then be converted to affordable housing use).

He advises that the commuted sum could deliver between 24 and 28 new affordable housing units on Council owned land. Alternatively, this sum could purchase a mixture of 2 and 3 bed properties on the open market (located in lower quartile value areas of the City). With the costs associated with bringing these properties up to an affordable housing standard, then 11 to 14 properties could be secured. By comparison, the provision of 3 on site affordable homes at 55-56 Buckingham Gate, together with a payment in lieu of the shortfall, might secure four affordable homes in total. On this basis, he would recommend that the offer of a commuted sum be accepted.

Given that under the policy cascade, a payment in lieu of on-site provision is acceptable only where it can be demonstrated that on-site or off-site provision is not appropriate or practical, but given the views of the Head of Affordable and Private Sector Housing, the Committee is asked to consider which of the scenarios outlined above represents the best outcome in terms of achieving the objectives of the Council's affordable housing policy.

8.1.5 Retail use

The scheme introduces a ground and mezzanine floor shop (Class A1/A2) at the corner of the site (259 sqm).

City Plan Policy S21 states that new retail floorspace will be directed to the shopping centres. However, the supporting text acknowledges that retail development may also be appropriate in other parts of the Core CAZ where it can be introduced sensitively.

Although the site is not located on a designated shopping centre it is located on a main thoroughfare and frames the entrance to Shepherd Market, from Piccadilly. Small retail uses have recently occupied long-time vacant units on the lower floors of 90-93 Piccadilly, to the east, and permission relating to the refurbishment /partial redevelopment of that site the provision of a include larger Class A1/A2 unit on the lower floors. In this context, a small shop could be introduced on the application site without detriment to the character of the area, and would be acceptable in principle in land use terms.

8.2 Townscape and Design

The application site is known as 100 Piccadilly, and comprises the grade II listed buildings at No. 96 and 97 (built as the New Travellers' Club 1890-91 by T. and F. Verity) and No.98-100 (built as terrace houses in 1883 by Colonel Edis) which are also grade II listed. They stand on the north side of Piccadilly overlooking The Green Park, and are in the Mayfair Conservation

Area. The site also includes property at No.6 White Horse Street and No. 5 and 6 Yarmouth Place which are not listed.

The listed buildings have been redeveloped behind the street façades and little original fabric remains internally other than one staircase and a semblance of the original plan form. In heritage asset terms the facades and staircase are of greatest significance and the buildings have an imposing frontage to Piccadilly. The secondary façade to White Horse Street also makes a contribution to the building's significance, but the rear facades are entirely modern and of no interest. The roof is believed to be entirely modern but follows the original outline where it faces Piccadilly. The site is visible from The Green Park and in longer views from the north in Shepherd Market and forms the backdrop to Nos. 94 and 95 Piccadilly in views from the east.

Any external alterations are therefore likely to affect the setting of Nos. 94 and 95 Piccadilly which are, respectively, grade I and grade II listed buildings. The site is also adjacent to the grade II listed No 101-104 Piccadilly.

Historic England, whilst authorising the Council to determine the application as it thinks fit, has sent an accompanying letter expressing concern about the proposals. They acknowledge that the roof will be visible only to a limited extent from close to the site, on Piccadilly, and also that the front section of the building will retain its current roof form. However, they are concerned at the roof's visibility above adjacent listed buildings in views along Piccadilly, from other parts of the conservation area (Shepherd Market) and from other buildings. They consider the roof design to be incongruous, both in design and scale, for a listed building of this period, and that some degree of harm would be caused to the listed building and conservation area, which must be weighed against the public benefits of the scheme. The Council for British Archaeology also considers the new mansard and roof to be discordant features, having an adverse impact on the listed building and streetscene. They consider alterations to the retained front facades and the extension of the stonework on White Horse Street to be well considered.

An objection has been raised by a resident of 100 Piccadilly in relation to the impact of the proposed increased in width of window openings upon the special interest of the listed building, although other respondents have raised no objection to this aspect of the scheme. The objector has also expressed concern about the replacement of the lower mansard storeys to White Horse Street with sheer stonework, on the basis that this would result in the narrowing on the street on the upper levels, reducing the space between the application site and the listed buildings opposite and could have structural implications for the existing listed building.

Whilst the listed buildings have been altered and extended in the past, there is still considered to be some scope for enlargement. The excavation of ground to form new levels of accommodation at basement level would not normally be acceptable under a listed building because of the adverse impact the work would have on the historic hierarchy of the building. However, in this case, there is nothing of the original hierarchy of interiors remaining inside the building so the downward extension is acceptable as proposed in this case.

Regarding the external alterations and the roof level extensions, these may be divided into two principal parts. Firstly, the alterations in White Horse Street, where it is proposed to

rebuild and extend the upper floors. Here, the works are acceptable but will change the appearance of the building in views from Piccadilly thus affecting the setting of Nos. 94 and 95. The most obvious change will be the loss of some sky in the small gap between No.94 and No.95 when seen obliquely across the forecourt of No. 94. However, in this particular built-up urban setting, the loss is not significant or detrimental in terms of its impact on the setting of the neighbouring listed buildings and the proposal accords with UDP policies DES 9 and DES 10.

Secondly, there is the rooftop 'penthouse', which has been substantially revised since earlier pre-application discussions and it is now much more successfully integrated in to the design of the building. Nevertheless, it would be clearly visible from the upper floors of surrounding properties and in some longer views, particularly from the north and east. In these views, the roof would have a neutral impact. Although taller than the existing roof, the massing of the structure is characteristic of the varied roofscape of the surrounding area. Whilst it is overtly modern, its materials are appropriate for the building and its detailed design would not appear incongruous. It would therefore preserve the appearance of the listed building, the setting of neighbouring listed buildings and the character and appearance of the surrounding conservation area. This accords with UDP policies DES 6, DES 9 and DES 10.

Other alterations to the facades include new windows and slightly enlarged openings at ground floor level facing Piccadilly. The new windows with multi-pane glazing are an improvement and the widened openings are neutral because they affect modern fabric and the size of the widened openings is not disproportionate.

The new rear facades are simply detailed in brick and are acceptable, as is the demolition and replacement of No. 5 and 6 Yarmouth Place, with a building on basement, ground and first to fourth floors, with a roof top plant area.

The increased height of the stone façade to White Horse Street would make the street more cavernous at its southern end. However, this is not considered detrimental in heritage asset terms. The street already possesses that characteristic elsewhere along its length and reinforcing that aspect is acceptable in this case. As regards the impact on the special interest of the building, the detailed design of the new stonework will harmonise with the original which has already been much altered. There will also be increased passive surveillance from the ground floor windows and attractive metal railings and gates will be added.

It is suggested by an objector that the existing White Horse Street façade may not be sufficiently strong to take the weight of the proposed extension. Noting that it is effectively a veneer over a modern structure, the proposed alterations will be able to rely on modern means of support and the structural design of the new development should not have any adverse impact upon the structural integrity of the original façade. Therefore, the alterations to this part of the building are acceptable and accord with UDP policies DES 5, DES 9 and DES10.

8.2.2 Landscaping/trees

There are currently several planted/landscaped areas on the main site most notably the central atrium, with tropical and artificial planting, which serves as the residents' access; a

basement office courtyard at the rear of the 98-100 Piccadilly, a planted (but inaccessible) atrium adjacent to the office courtyard; planting on a mezzanine level roof, including a birch tree, and a residents' courtyard at the rear of the existing entrance foyer, which also provides pedestrian access/and means of escape to White Horse Street. Some of these areas are heavily shaded and are of limited amenity value.

The application includes proposals to provide a landscaped roof at mezzanine level, on the western site boundary, with maintenance access only to safeguard the amenities of occupants of adjacent flats. This roof garden, which would incorporate a replacement tree, would be overlooked by many of the flats within the development. The retained area of external courtyard on the northern site boundary would also be landscaped.

The applicants contend that the size of the tree ring means that the lifespan and quality of the existing tree has been adversely affected. Details have now been provided of the proposed planting area, While the level of soil build-up is not substantial, on balance, and given the current growing conditions for the exiting tree, the Council's arboriculture officer has raised no objection to the proposal subject to a condition requiring the submission of details of a hard and soft landscaping scheme for the development.

8.2.3 Archaeology

The scheme involves the excavation of a sub-basement beneath the main site, and the excavation of a new basement under 5-6 Yarmouth Place. The site is not in a designated Archaeological Priority Area but is crossed by the course of the River Tyburn. An archaeological desk-based assessment has been submitted, and reviewed by officers at Historic England (Archaeology). They concur with the applicant's view that the archaeological potential of the site is generally low but consider that there is potential for findings in Yarmouth Place and for greater archaeological survival on the site of the proposed sub-basement excavation on the main site, where the ground slopes downwards towards the north. Consequently, a condition is recommended requiring the approval of a Written Scheme of Investigation prior to any work being undertaken below ground level and for details of investigations to be published

8.2.4 Public Art

UDP policy ENV17 encourages the provision of public art as part of redevelopment proposals and requires the artwork to be spatially related to the development in question, and where fixed to a building, integral to the design of that building. The development will include decorative metal screens and gates at ground floor level. It is recommended that these are secured by condition.

8.3 Amenity

8.3 Amenity (Daylight Sunlight and Sense of enclosure)

UDP Policy ENV13 seeks to protect existing premises, particularly those in residential use, from the impact of new development and to ensure that neighbouring properties do not experience and material loss of daylight or sunlight, increased sense of enclosure to windows or a loss of privacy, Similarly, policy S29 states that the Council will resist development proposals which result in a material loss of amenity to existing residents.

The proposed development involves extensions to the building, principally at fourth floor level and above. In addition, the overcladding of the mansard storeys along the White Horse Street frontage, with sheer stonework, would increase the depth of window reveals to some of the retained flats. As previously, the building at 5-6 Yarmouth Place would be redeveloped to include two additional floors above ground level.

The nearest existing residential is at the application site itself on the ground and third to fifth floors of 100 Piccadilly, at the rear of the site at 3 and 5 Shepherd Street and 5 White Horse Street (behind Carrington Street car park). A development of four houses is currently under construction on the site of former 5A to 5E Shepherd Street (between the rear of 5 Shepherd Street and the car park). In addition, there are extant permissions for residential use of nos. 95 and 94 Piccadilly/12 White Horse Street and 10/11 White Horse Street, all to the east of the site. The daylight and sunlight report submitted is considered to be comprehensive

Daylight and Sunlight

The daylight/sunlight report is based on guidance published by the Building Research Establishment. Objections have been received from and on behalf of existing occupiers of 100 Piccadilly and from the occupants of Flats at 5 Shepherd Street to a loss of daylight and sunlight.

Daylight

In assessing daylight measuring the Vertical Sky Component (VSC) is the most commonly used method. It is a measure of the amount of light reaching the outside face of a window. If the VSC achieves 27% or more, the BRE advise that the window will have the potential to provide good levels of daylight. It also suggests that reductions from existing values of more than 20% should be avoided as occupiers are likely to notice the change. The BRE stresses that the numerical values are not intended to be prescriptive in every case and are intended to be interpreted flexibly depending on the circumstances. If a room has two or more windows of equal size, the mean of their VSC values may be taken

The distribution of daylight within individual rooms can also be assessed using the No-Sky Line (NSL) test. The BRE guideline states that where a significant proportion of the working plane (which can receive direct skylight) lies beyond the NSL, the distribution of daylight within the room will seem poor and supplementary electric lighting will be required. The British Standard suggests that a significant area would be more than 20%. However, it is acknowledged that if an existing building contains single aspect rooms, which are particularly deep, then a greater movement of the NSL line may be unavoidable. In all cases, testing need only be undertaken in the case of habitable rooms.

Day Light to retained flats within the application building 100 Piccadilly

The report indicates that the scheme would result in some losses in VSC which would be significantly greater than the 20% benchmark. However the retained values are typically around 20 – 21% the lowest being 14%. These are not untypical for flats in a built-up central location. In addition, the NSL analysis shows the proposals would have a limited impact on daylight distribution within the rooms tested.

Objections have been received in relation to a loss of light to existing windows whilst scaffolding is in place. As this would be a temporary situation, the impact of the scaffolding could not reasonably form the basis of a recommendation for refusal. Objectors are also concerned about the infringement of the proposed development upon rights to light (and air space) for existing occupants of 100 Piccadilly. These are private legal matters between the developer and the residents and not a material planning consideration.

Neighbouring properties

3-5 Shepherd Street, 5 White Horse Street and 5a -5e Shepherd Street

Occupants of flats at 5 Shepherd Street have objected to a loss of light. The study shows that the impact on No's 3 and 5 Shepherd Street would be limited, with a maximum reduction of 3% VSC. The NSL assessment indicates that most rooms would experience no change, with the maximum reduction being 5%.

Similarly at No's 5 White Horse Street and 5a -5e Shepherd Street the study shows there would be no breach in BRE guidelines with regards to VSC to windows.

The report also assesses the impact of the proposals on the approved residential schemes at 95 Piccadilly and 94 Piccadilly/12 White Horse Street. There would be some impact to 94 and 95 Piccadilly. However this is primarily where light in some of the approved residential rooms would already be extremely poor and the principle habitable rooms would be unaffected. It is considered that this scheme would not adversely impact on the quality of the proposed housing on the sites opposite.

Sunlight

The BRE guidelines state that rooms will appear reasonably sunlit provided that they receive 25% of annual probable sunlight hours (APSH), including at least 5% of annual winter sunlight hours. A room will be adversely affected if this is less than the recommended standards and reduced by more than 20% of its former values.

Sun Light to retained flats within the application building 100 Piccadilly

The report shows that of the retained flats/room at 100 Piccadilly which require testing under the BRE guidelines, all windows would, with the exception of one window to a fourth floor living room/kitchen/ diner (Flat 8), continue to receive annual sunlight values exceeding the BRE target.

There would be some losses in winter sun which breach BRE guidelines, many of the losses are to bedrooms, which are afforded a lesser degree of protection than principal habitable rooms, or to rooms which already receive low levels of winter sun.

The occupier of Flat 2 has objected on the grounds that the proposal would result in a loss of sunlight to windows serving his flat, and the adjoining flat, and has supplied photographs showing sunlight reaching the face of these windows, advising that they do receive some morning sunlight. However, as these windows face slightly north-east, under BRE guidelines they do not require testing as they do not fall within 90 degrees of due south.

Neighbouring properties

3-5 Shepherd Street, 5 White Horse Street and 5a -5e Shepherd Street

At 3 and 5 Shepherd Street all windows tested comply with BRE guidelines with regards to sunlight levels. At 5 White Horse Street a single first floor window, facing south-west, would see a reduction 25% winter sun (from 4 to 3%). The report shows that there would be no significant change to sunlight to the extant residential schemes at 95 Piccadilly and 94 Piccadilly/12 White Horse Street.

Overlooking

It is not considered that any of the new windows would result in direct overlooking and a loss of privacy to the occupants of any of the surrounding properties or the extant residential schemes in the vicinity. The proposed development includes new terraces and balconies. The most significant of these, are the two fifth floor terraces at the rear of the site. Subject to screening where appropriate it is not considered that use of the terraces or balconies would result in privacy issues.

Loss of views/increased sense of enclosure

Proposals to overclad the existing third/fourth floor mansard with two levels of sheer stonework would increase the depth of window reveals. An objection has been received from the occupant of a third floor flat on the grounds that proposed alterations to the exterior face of the building and the replacement of French doors/Juliet balconies with conventional windows would result in the loss of views of Green Park and an increased sense of enclosure in views from the affected rooms due to the “funnelling” effect on the windows.

At present, views from within the rooms are of buildings on the opposite side of the street. It is possible to gain an oblique view of Green Park when standing at open French doors and looking southwards down White Horse Street. It would still be possible to see the park through the (open) replacement windows, albeit not so readily. However, it is not considered that the impact of these changes upon existing residents would be so significant as to justify a recommendation for refusal.

The additional bulk and massing on the site resulting from other extensions would not due to its relationship with adjoining properties, result in any material increase in the sense of enclosure to neighbouring windows.

8.4 Highways

The site is in a highly accessible location in terms of public transport being directly opposite Green Park Underground Station and on a busy bus route.

8.4.1 Car parking and access

UDP policy TRANS 23 requires residential parking to be provided at up to 1 space per dwelling for new units of 2 bedrooms or fewer and 1 or 2 spaces for dwelling with 3 or more bedrooms (with an aggregate of 1.5 spaces for these larger dwellings).

The scheme would retain 8 of the 12 existing parking spaces for use in association with 8 retained flats. An additional 31 spaces would be provided, for the 28 new and reconfigured units. Based on the standard in TRANS 23, a maximum of 33 spaces would be required and the level of additional parking provision is considered acceptable. One disabled parking space will be created within the retained car park. All of the parking bays within the stacker system exceed minimum dimensions these arrangements are considered acceptable. The additional 31 parking spaces would be unallocated. This would be secured as part of a legal agreement.

Several local residents have requested that future occupants of the development should not be permitted to apply for residents' parking permits. The City Council does not operate such a restrictive policy. However, given the level of parking provision, and as the new parking spaces will be unallocated, it is considered unlikely the proposals would have an adverse impact on on-street parking demand.

The London Plan requires the active provision of electric vehicle charging points for at least 20% of the parking spaces, with a further 20% provision of "passive" spaces for the future expansion of this programme. The applicants have provided some information to indicate that charging points can be provided within the car stacker system and this would be secured by condition.

No parking would be provided in association with the retail use, which is considered acceptable.

The existing car park entrance on White Horse Street would be retained but the entrance door would be positioned further forward, to remove an existing recess. This door would open automatically to reduce highway waiting times.

The new parking spaces would be located within a proposed sub-basement excavation providing parking on four levels. These would be accessed via a new car lift. A double car stacker would optimise the use of the restricted basement space. The Highways Planning Manager has expressed concern over the proposed use of one car lift to serve 31 spaces as the system would take a maximum of three minutes to park or retrieve a single vehicle. Consequently, if a resident arrived at the entrance to this car lift when the system was already in operation, the second vehicle would be waiting on White Horse Street for a minimum of three minutes. Given the limited width of the carriageway, there would be no opportunity for any other vehicle to pass during this time and the waiting vehicle would potentially also obstruct access to the retained car park, causing two vehicles to wait on the street and resulting in localised congestion. In addition, any failure or required maintenance of the stacker system would have an impact on on-street parking demand during that time.

Whilst it is accepted that the car park access is already used for parking for up to 12 vehicles, there is concern regarding the lack of visibility splay, resulting in potential conflicts between vehicles exiting the car park and pedestrians walking northwards along the extremely narrow pavements along White Horse Street. Any significant alterations to the listed building façade are unlikely to be considered acceptable. However, the number of vehicles using this access point would rise, from 12 to 39, increasing the potential for vehicular/pedestrian conflicts.

In response, the applicants have pointed to the fact that the level of actual car use is likely to be limited and that White Horse Street is subject to low traffic flows. Although the design incorporates an off-street waiting area, the use of this space has the potential to prevent a

vehicle from exiting from either of the two car lifts, then requiring the waiting vehicle to reverse into the street.

In conclusion, while the level of parking provision is welcomed, the Highways Planning Manager considers that the proposed parking access arrangements are unacceptable as the applicants have failed to demonstrate that they would not have a detrimental impact upon the operation of the highway and the safety of highway users. However, these concerns must be considered in the context of the requirement to protect the special interest of the listed building. Should the scheme be otherwise considered acceptable the Highways Planning Manager has requested that details of a vehicle signalling system and details of the design of the vehicle entrance/exit (including adjoining walls to ensure adequate visibility splays can be achieved to safeguard other highway users) be provided. Given site constraints and listed building considerations, the scheme is considered acceptable subject to these details, which should be submitted and approved prior to the commencement of works. In addition, it is recommended that any future legal agreement should include details of arrangements to ensure continuing maintenance and management of the car lifts and stacker systems to ensure that any breakdowns are speedily repaired.

There are two surface level parking spaces on the area of private land in Yarmouth Place, which are currently leased to the Embassy of Japan. The applicants have advised that the lease on these spaces is due to expire next year (hence no notice was served on the Embassy) but that this arrangement is set to continue.

8.4.2 Cycle parking

The Further Alterations to the London Plan (FALP) require residential cycle storage to be provided on the basis of 1 cycle space per 1 bed unit and 2 spaces for units comprising 2 or more bedrooms. A total of 64 cycle parking spaces would be provided at basement and ground floor level. The design and accessibility of the cycle stores is considered acceptable and the level of provision satisfies the requirements for all existing and proposed units within the development (63), which is welcomed and would be secured by condition.

The FALP would require two staff cycle spaces to be provided in association with the shop use. None provided within the scheme. A further condition is recommended requiring the submission of details of cycle parking for the proposed shop use. This issue has been raised with the applicants who contend that site constraints would prevent the provision of cycle storage within the shop unit. However, there would not appear to be any practical reason why two retail cycle spaces could not be provided either within the shop or in the Yarmouth Place building or on the adjacent land.

8.4.3 Site servicing including refuse storage

UDP Policy TRANS 20 and City Plan Policy S42 normally require schemes to incorporate adequate off-street servicing facilities. Additionally, policy S42 requires applicants to demonstrate that site servicing will be managed in a way which minimises any potential adverse impacts of the scheme. The application is supported by a Servicing Management Plan

8.4.3.1. Residential use

Servicing for the residential part of the development would take place from Yarmouth Place. A turntable will be installed on the area of private land outside 5-6 Yarmouth Place which would allow servicing vehicles to reverse into the ground level servicing bay at 5-6 Yarmouth Place and leave in forward gear. It is estimated that the majority of servicing trips would be made by small goods vehicles and it is considered that these arrangements for the residential use are acceptable subject to arrangement for the maintenance of the turntable, which would be secured as part of the legal agreement.

The plans indicate that residential waste and recycling would be stored in the dedicated refuse area on the ground floor of the Yarmouth Place building. However, it is unclear whether there would be sufficient space for the storage of residual, recyclable and organic waste for the residential use and a condition is therefore recommended requiring the submission of further details.

8.4.3.2 Retail use

There is no physical link between the residential and retail parts of the development and the applicants propose that servicing for the retail shop, including refuse collections using Council services, would take place from Piccadilly on the basis that the “design and levels” associated with the development would not enable retail deliveries to be made in Yarmouth Place. The applicants acknowledge that any future retail tenant could hire a private refuse contractor.

However, the application does not address the impact of the loading ban in place on Piccadilly (0700 and 1900 on Monday to Saturday) and the requirement to restrict servicing hours in order to safeguard residents’ amenities. Given the nature of the development, there appears to be no practical reason why retail servicing could not take place off-street. However, in view of the current plans, it is accepted that it would not be desirable or practical for retail servicing to take place in Yarmouth Place, with goods either being transferred on trolleys via Yarmouth Place and Piccadilly or through the residential entrance to the rear of the proposed shop unit. In addition, the provision of an off-street servicing bay on White Horse Street adjacent to the car park access, would compromise both the appearance of the building and the pedestrian environment in White Horse Street. Given the narrow width of the roadway and pavement it is considered vital that the street level quality is maintained and improved where possible. It is also acknowledged that the existing office use, which is significantly larger than the proposed shop unit is subject to the same, existing, loading bans and that servicing for the existing residential and office uses appears to have taken place without detriment to residents’ amenities. Consequently, the proposed servicing arrangements are considered acceptable.

It is unclear whether the space dedicated to refuse storage in association with the proposed shop use is adequate. The applicants have indicated that waste for the shop will be left on the highway, awaiting collection, which has the potential to cause highway obstruction. However, the provision of appropriate waste and recycling storage facilities would ensure that the amount of waste left on the highway is minimised.

Notwithstanding the concerns outlined above, the submitted Servicing Management Plan includes many overarching principles suggesting how servicing for the development will be managed, although details of how specific processes will be followed, are limited. Nonetheless, given that provision of off-street servicing for the residential use, the submitted document is considered acceptable and a condition is recommended requiring it is followed. A

further condition is also recommended requiring the submission of a new SMP should it be proposed shop unit be occupied as a retail food shop as such uses have significant servicing demands.

8.5 Economic Considerations

It is acknowledged that the loss of the existing offices would result in the loss of potential employment opportunities, although the offices have been vacant for a number of years. Some employment, albeit limited, would be provided by the new shop.

8.6 Access and means of escape

The proposed building has been designed to meet the relevant access requirements of the Building Regulations and incorporates the principles of inclusive design. All new dwellings are designed to Lifetime Homes standards, where possible, taking into account site constraints. Level access will be provided to the entrance foyer.

A total of four new part M compliant lifts will be provided, including within a new lift and stair core serving the Yarmouth Place building. The two existing lifts, which currently serve 11 flats on third floor and above, will be retained. The plans indicate that these lifts would provide access to 19 flats at mezzanine level and above. These lifts can accommodate an unaccompanied wheelchair user.

Level access will also be provided to the new retail unit. There is access from the existing car park to stair cores and level access will be provided from the new car stacker to White Horse Street.

The Building Control and Environmental Health Officers have expressed concern about the creation of remote rooms (with access points adjacent to cooking facilities. Concerns have also been raised about the arrangement of stair cores and escape routes. In response, the applicants have submitted some further information, although this does not the form of a detailed fire strategy. In these circumstances, it is considered appropriate for an informative to be added to any decision notice advising that any alterations required to satisfy Building Regulations and Fire Safety Regulations are likely to require further permission and/or listed building consent.

8.7 Other UDP/Westminster Policy Considerations

8.7.1 Plant noise

The scheme includes the provision of plant on the basement and ground floors of the main building and on the roof of the new Yarmouth Place building. The application is supported by a Noise Report which has been assessed by the Environmental Health Officer. The site is in an area with ambient noise levels above WHO guidelines. The Environmental Health Officer has reviewed the submitted noise report and has confirmed that the plant would be likely to operate in accordance with Council standards subject to the installation of acoustic screening and louvres to the roof level plant on the Yarmouth Place building and to standard conditions relating to noise levels and vibration. As the plant has not yet been selected supplementary noise report to demonstrate that the selected equipment will operate in accordance with these conditions.

It is also proposed to provide an emergency generator and specific noise conditions are recommended to cover the operation of the generator in emergency mode.

The scheme also includes the provision of a sub-station. The potential for noise outbreak from the sub-station has not been considered within the acoustic report and it is therefore recommended that conditions relating to noise levels within the flats are amended to take account of this part of the scheme.

8.8 London Plan

The proposal does not raise any strategic issues.

8.9 Impact of construction works

8.9.1 Basement excavation

The scheme involves the excavation of additional sub-basement levels on the main site to provide new car parking and the excavation of a basement beneath 5-6 Yarmouth Place. The City Council has adopted guidelines in relation to basement development and policies relating to basement development are being developed which principally relate to proposals for basement development beneath residential properties and buildings originally built for residential purposes. The local amenity society has expressed concern over the impact of the basement works.

The site is not located within a Flood Risk Zone but is identified as being within a Surface Water Hotspot in the Council's Supplementary Planning Document "Basement Development in Westminster. The adopted Supplementary Planning Document "Basement Development in Westminster requires proposals for basement development to be supported by a Construction Method Statement and a Structural Method Statement, both of which have been submitted.

Policies relating to basement development have, in part, been used for the purpose of determining planning applications since 1 November 2015, but do not apply to applications submitted prior to that date, as in this case.

While the Building Regulations determine whether the detailed design of buildings and their foundations will allow the buildings to be constructed and used safely, the National Planning Policy Framework March 2012 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by land instability.

The NPPF goes on to state that in order to prevent unacceptable risks from land instability, planning decisions should ensure that new development is appropriate for its location. It advises that where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

The NPPF advises that planning decisions should ensure that a site is suitable for its new use taking account of ground conditions and land instability and any proposals for mitigation, and that adequate site investigation information, prepared by a competent person, is presented.

Officers consider that in the light of the above it would be justifiable to adopt a precautionary approach to these types of development where there is a potential to cause damage to adjoining structures. To address this, the applicant has provided a structural engineer's report explaining the likely methodology of excavation. Any report by a member of the relevant professional institution carries a duty of care which should be sufficient to demonstrate that the matter has been properly considered at this early stage.

The purpose of such a report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the site, existing structural conditions and geology. It does not prescribe the engineering techniques that must be used during construction which may need to be altered once the excavation has occurred. The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act.

The application is supported by a structural report and a report detailing local ground conditions. Although these reports do not include details of a finalised basement design, they consider local geology and hydrology issues and include suggestions regarding the likely construction method, which are considered acceptable. The reports have been assessed by a Building Control Officer who has confirmed that the basement construction methodology is acceptable and those matters of geology, ground water and the protection of neighbouring buildings during construction works have all been taken into account.

8.9.2 Construction Management

This is a major development that has the potential to result in significant noise disturbance and inconvenience during the construction phase, to residents of 100 Piccadilly in particular, who have expressed concerns about their general safety (particularly if existing lifts and stairs are to be used for construction purposes), potential fire risk, increased security risk (and potential for insurance policies to be invalidated), and their right to the peaceful enjoyment of their homes. Specific comments have been received concerning the need to maintain access to the retained flats.

More general concerns from existing and neighbouring residents centre around general nuisance during the course of construction (noise, dust, construction traffic) particularly in the context of other approved development in the area and the potential of this disruption to affect tourism and local businesses. Respondents have requested that the proposals be supported by a robust construction traffic management plan.

The Embassy of Japan has expressed similar concerns, including concerns about increased security risk from workmen looking into Embassy windows. In addition, they are keen to ensure that access to the rear of their property, in Yarmouth Place, is maintained at all times.

The application is supported by a Construction Method Statement and a Construction Management Plan (Traffic and Logistics) which cover issues such as a programme of works, traffic management and aspects of environmental management. They set out in detail how the development will be constructed, the logistics of the development, traffic routing and the expected programme of works. Measures designed to mitigate any significant disruption, for both existing and neighbouring residents, are outlined including maintenance of general access and delivery points and access to car parking, progressive removal of waste from the

site, control of construction noise and dust/air quality and vibration; consideration of the timing of deliveries and waste removal to minimise disruption. There is an identified delivery route which exits onto Piccadilly from White Horse Street.

The applicants accept the need to manage and safeguard the amenities of the eight long leaseholders whilst any building works are taking place and acknowledge their concerns about the impact on their daily lives. The application assumes that the existing tenants will remain in the building residents and mitigation measures are proposed accordingly including the use of dust monitoring sensors (which activate a water dust suppression process) and noise control measures, including acoustic screening and constant noise monitoring. In addition, “heavy” working hours will be restricted to between 1000 and 16.00 hours. Safe access through the site to the retained flats will be maintained and at least one of the existing lifts will be in operation at all times. A residents’ liaison contact will also be provided. The existing residents’ car park will be out of operation during construction works and the applicant has undertaken to provide parking on an alternative site with a drop off and collection service for residents.

Given the potential impact of the work, the applicants would be required, as part of a s106 legal agreement, to sign up to a Site Environmental Management Plan, incorporating the Code of Construction Practice, which would encompass many of these measures. This would include a capped annual payment of £32,000, to include site monitoring and residents’ liaison. In order to safeguard the amenities of local residents, it is also recommended that standard conditions be imposed to limit the hours of construction and excavation works.

Concerns about residents’ safety and fire risk etc. should be addressed by the requirements concerning safe working practices on construction sites. Other issues relating to residents’ insurance policies and potential overlooking of Embassy windows by construction workers are matters that need to be addressed by discussion with the developers.

Subject to these arrangements, the impact of construction works upon neighbours’ amenities would be ameliorated as far as possible.

8.10 National Policy/Guidance Considerations

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

8.11 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 06 April 2015, the Community Infrastructure Levy Regulations (2010 as amended) imposed 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 the 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.

Westminster's has developed its own CIL which was introduced on 1 May 2016.

For the reasons outlined elsewhere in this report, should the scheme be considered acceptable, a S106 legal agreement would be required to secure the following:

- a) A contribution of either £8,100,000 towards the City Council's affordable housing fund (less the agreed reduction for Westminster CIL) (index linked and payable upon the commencement of development) in lieu of on-site affordable housing provision on the main site OR
the provision of three affordable housing units at 55-56 Buckingham Gate, to be made ready for occupation prior to the occupation of any of the new or reconfigured flats on the main site, plus a contribution of £379,000 to the affordable housing fund in lieu of the shortfall in affordable housing on the donor site (less the agreed deduction for Westminster CIL) (index linked and payable upon the commencement of development on the donor site).
- b) Compliance with the City Council's Code of Construction Practice and submission of a SEMP (Site Environmental Management Plan) with an annual cost cap of £32,000 (during the demolition, excavation and construction phases).
- c) Costs of highways works around the site to facilitate the development (including the creation of a new crossover)
- d) Management and Maintenance Plans for the car lift and surface turntable in Yarmouth Place
- e) Unallocated residential parking for the 31 new flats on the site)
- f) Monitoring costs

8.12 Environmental Impact Assessment

8.12.1. Sustainability

City Plan policy S28 requires new developments to incorporate exemplary standards of sustainable design and encourages developments to reduce energy use and emissions.

The applicants have submitted a detailed Sustainability Statement and an Energy Strategy in support of the proposals which adopts a BREEAM domestic refurbishment method of assessment. and confirms that the development will be designed to achieve an “excellent” rating.

Policies 5.1 to 5.9 of the London Plan focus on measures to mitigate climate change and the carbon dioxide emissions reduction targets that are necessary across London to achieve this. London Plan Policy 5.2 sets out carbon reduction targets which apply to major developments (currently 40%). Policy 5.6 in the London Plan requires development proposals to evaluate the feasibility of Combined Heat and Power (CHP) systems.

Policy S39 of the City Plan seeks to encourage decentralised energy and to ensure that major developments make provision for site wide decentralised energy generation and where possible connectivity. Policy S40 seeks at least a 20% reduction of carbon dioxide emissions through the use of renewable energy.

A range of passive design features and energy efficient measures is proposed in the development. These include the use of mechanical ventilation with heat recovery, low energy lighting and water systems and heating systems and improvements to the thermal efficiency of the building fabric, including glazing. A CHP system is also proposed.

The development’s community heating systems will be designed to enable a future connection and associated internal routing to any future networks in the vicinity of the site.

It is anticipated that these measures will achieve a 63% reduction on CO2 emissions beyond the requirements of the Building Regulations.

The Sustainability Strategy also includes an assessment of SuDS (Sustainable Urban Drainage Systems). Developers are required to incorporate SuDS into their schemes which include attenuation for surface water run-off (as well as habitat, water quality and amenity benefits). The submitted report concludes that as the proposed basements will not embed within the clay level and, at 100 Piccadilly, does not extend across the whole site or to the site perimeters, that surface water will still be able to flow across the site following the development. As the impermeable area of the site will not change as a result of the development, there will be no increase in surface water run-off. The scheme includes the provision of an area of green roof at 100 Piccadilly, which will help to reduce the peak surface water run off rate from the building.

8.12.2 Biodiversity

City Plan policy S38 requires new developments to maximise opportunities to create new wildlife habitats. Given the proposed roof form, it is acknowledged that there is no potential to provide a green roof at main roof level. However, the scheme does include the creation of a mezzanine level roof garden and planting within the communal courtyard, with the opportunity for planting on private terraces. The planting of these external spaces would improve the site’s contribution to the biodiversity of the area, which is welcomed. Details of the planting schemes would be reserved by condition.

8.13 Other Issues

Objections have been received on the grounds that insufficient neighbour consultation has been undertaken. A Statement of Community Involvement submitted by the applicants details the level of consultation undertaken by them, which included invitation to a meeting/scheme exhibition. The City Council has also undertaken its usual consultation, with neighbour letters and press and site notices, giving occupants of neighbouring properties the opportunity to comment on the application.

The applicants have recently requested, should the scheme considered acceptable, that permission be granted for a 5 years rather than the usual 3 year period. This request has been made on the basis that there are particular difficulties presented by the fact that the building is partly occupied and that the developer is still in discussion with existing residents.. However, this is a situation which is common to many development schemes. The applicants have been asked to provide further supporting information but this has not been received to date. Consequently, it is not considered that any extension of the life of the permission could be justified.

The application is supported by a Contaminated Land Report (GEA 2015). However, the Environmental Health Officer considers that the sampling strategy and the submitted report are inadequate and has requested that the report should be resubmitted and further sampling undertaken. A condition is therefore recommended requiring the submission of an amended Phase 2 report,

Additionally, a further report is requested by the Environmental Health officer to show that relevant levels relating to Electro Magnetic Frequency (EMF) from the operation of the sub-station can be achieved. As this is not a material planning consideration, it would not be appropriate to impose such a condition. However, this matter could be addressed by way of an informative.

8. BACKGROUND PAPERS

1. Application form
2. Two letters from Historic England dated 5 October 2015
3. Letter from Historic England (Archaeology) dated 27 August 2015
4. E-mail from Thames Water dated 12 August 2015
5. E-mail from Metropolitan Police dated 23 May 2016 (enclosures)
6. E-mail from the Council for British Archaeology dated 10 September 2015
7. Letter from the Residents' Association of Mayfair & St James's dated 9 September 2015
8. Memoranda from Highways Planning Manger dated 12 November and 22 December 2015
9. Memoranda from Environmental Health dated 27 August (two) and 4 December 2015
10. E-mail from Arboricultural Officer dated 12 April 2016
11. E-mail from Head of Affordable and Private Sector Housing dated 18 May 2016
12. Infrastructure, dated 27 August 2015
13. Emails from Building Control dated 4 March (two) and 18 March 2015
14. Letter from the occupier Flat 1, Shepherd House, 5 Shepherd Street dated 26 October 2015
15. Letter from the occupier Flat 3, Shepherd House, 5 Shepherd Street dated 24 October 2015
16. Letter from the occupier Flat 4, Shepherd House, 5 Shepherd Street dated 26 October

- 2015
17. Letter from the occupier Flat 5, Shepherd House, 5 Shepherd Street dated 25 October 2015
 18. Letter from the occupier Flat 11, Shepherd House, 5 Shepherd Street dated 28 October 2015
 19. Letter from the occupier Flat 12, Shepherd House, 5 Shepherd Street dated 27 October 2015
 20. Letter from the occupier Shepherd House, 5 Shepherd Street dated 24 October 2015
 21. Letters from the occupier Flat 2, 100 Piccadilly dated 18 and 26 May 2015 and 26 May 2016 (enclosures)
 22. Letter on behalf of the residents of Flats 1, 2, 3, 4, 6, 8, 9 and 11, 100 Piccadilly dated 28 August 2015

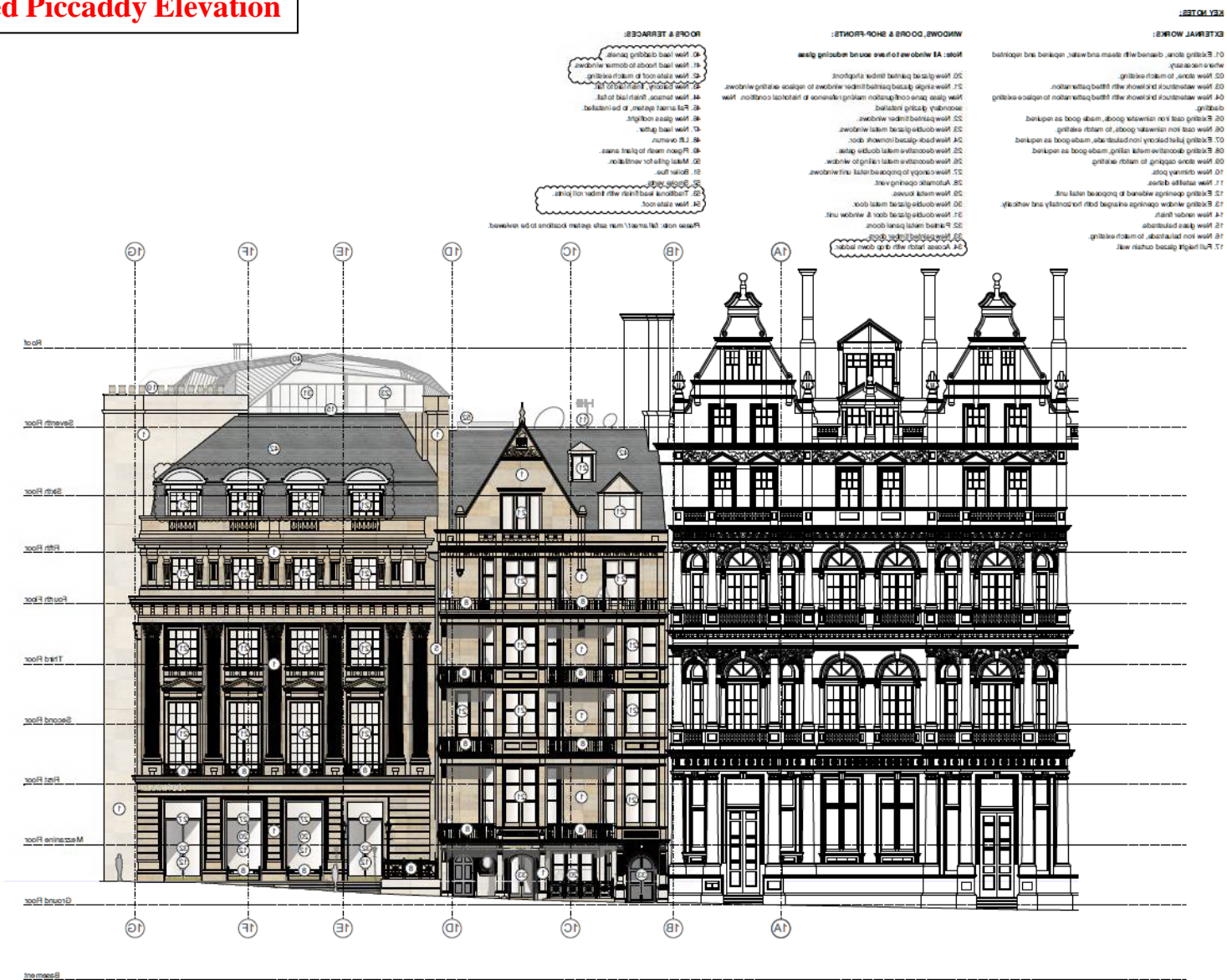
Selected relevant drawings

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT SARA SPURRIER ON 020 7641 3934 OR BY EMAIL AT CentralPlanningTeam@westminster.gov.uk

9. KEY DRAWINGS

Proposed Piccaddy Elevation



Existing White Horse Street Elevation



Proposed White Horse Street Elevation

KEY NOTES:

EXTERNAL WORKS:

- 01. Existing stone, cleaned with steam and water, repaired and repointed where necessary.
- 02. New stone, to match existing.
- 03. New waterstruck brickwork with tiled patternation.
- 04. New waterstruck brickwork with tiled patternation to replace existing cladding.
- 05. Existing cast iron rainwater goods, made good as required.
- 06. New cast iron rainwater goods, to match existing.
- 07. Existing Juliet balcony iron balustrade, made good as required.
- 08. Existing decorative metal railing, made good as required.
- 09. New stone capping to match existing.
- 10. New chimney pots.
- 11. New satellite dishes.
- 12. Existing openings widened to proposed retail unit.
- 13. Existing window openings enlarged both horizontally and vertically.
- 14. New render finish.
- 15. New glass balustrade.
- 16. New iron balustrade, to match existing.
- 17. Full height glazed curtain wall.

WINDOWS, DOORS & SHOP-FRONTS:

Note: All windows to have sound reducing glass

- 20. New glazed painted timber shopfront.
- 21. New single glazed painted timber windows to replace existing windows. New glass pane configuration making reference to historical condition. New secondary glazing installed.
- 22. New painted timber windows.
- 23. New double glazed metal windows.
- 24. New back glazed ironwork door.
- 25. New decorative metal double gates.
- 26. New decorative metal railing to window.
- 27. New canopy to proposed retail unit windows.
- 28. Automatic opening vent.
- 29. New metal louvres.
- 30. New double glazed metal door.
- 31. New double glazed door & window unit.
- 32. Painted metal panel doors.
- 33. New painted timber doors.
- 34. Access hatch with drop down ladder.

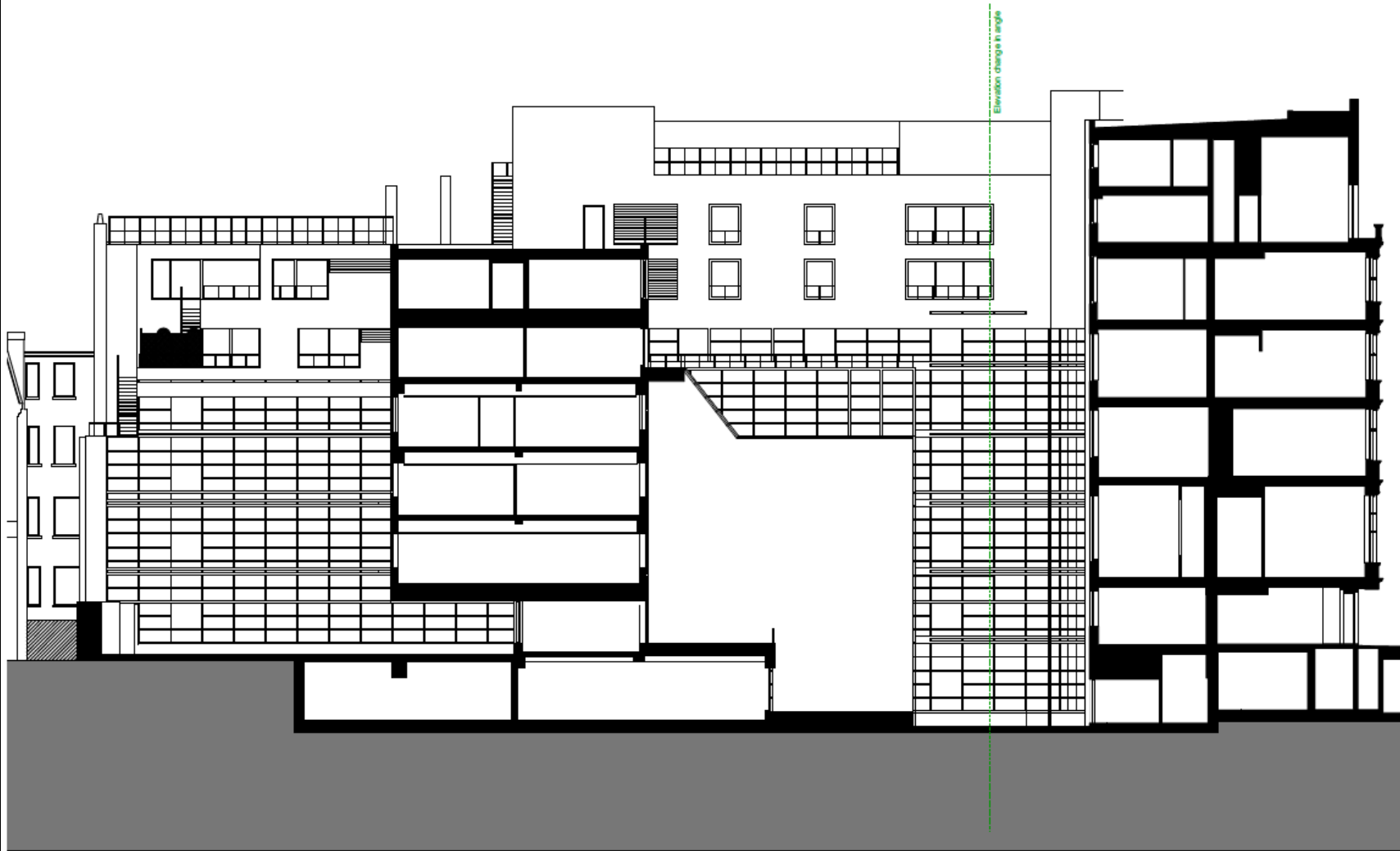
ROOFS & TERRACES:

- 40. New lead cladding panels.
- 41. New lead hoods to dormer windows.
- 42. New slate roof to match existing.
- 43. New factory finish lead to fall.
- 44. New terraces, finish lead to fall.
- 45. Full arrest system, to be installed.
- 46. New glass rooflight.
- 47. New lead gutter.
- 48. Lift overrun.
- 49. Pigeon mesh to plant areas.
- 50. Metal grille for ventilation.
- 51. Solar flue.
- 52. Stopping vents.
- 53. Traditional lead finish with timber roll joints.
- 54. New slate roof.

Please note: fall arrest/ man safe system locations to be reviewed.



Existing Courtyard Elevation



Proposed Courtyard Elevation

KEY NOTES:

EXTERNAL WORKS:

01. Existing stone, cleaned with steam and water, repaired and repointed where necessary.
02. New stone, to match existing.
03. New waterstruck brickwork to match existing.
04. New waterstruck brickwork with fitted patternation to replace existing cladding.
05. Existing cast iron rainwater goods, made good as required.
06. New cast iron rainwater goods, to match existing.
07. Existing julia balcony iron balustrade, made good as required.
08. Existing decorative metal railing, made good as required.
09. New stone capping to match existing.
10. New chimney pots.
11. New satellite dishes.
12. Existing openings widened to proposed retail unit.
13. Existing window openings enlarged both horizontally and vertically.
14. New window finish.
15. New glass balustrade.
16. New metal balustrade, to match existing.
17. Full height glazed curtain wall.
18. Frosted glass to provide visual privacy.

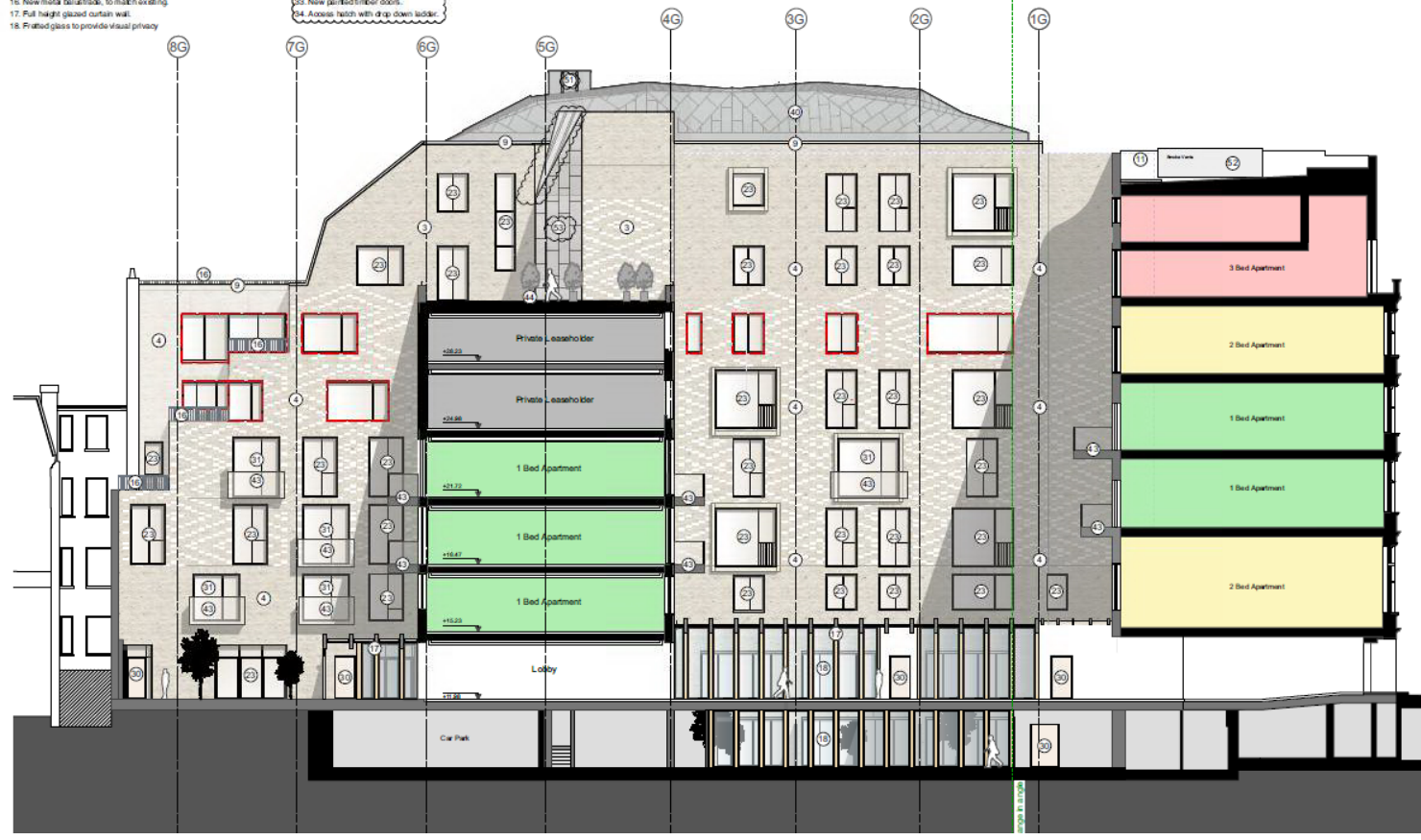
WINDOWS, DOORS & SHOP-FRONTS:

- Note: All windows to have sound reducing glass**
20. New glazed painted timber shopfront.
 21. New single glazed painted timber windows to replace existing windows. New glass pane configuration making reference to historical condition. New secondary glazing installed.
 22. New painted timber window.
 23. New double glazed metal windows.
 24. New back-glazed ironwork door.
 25. New decorative metal double gates.
 26. New decorative metal railing to window.
 27. New canopy to proposed retail unit windows.
 28. Automatic opening vent.
 29. New metal louves.
 30. New double glazed metal door.
 31. Painted metal panel door.
 32. New glazed timber door.
 33. New glazed timber door.
 34. Access hatch with drop down ladder.

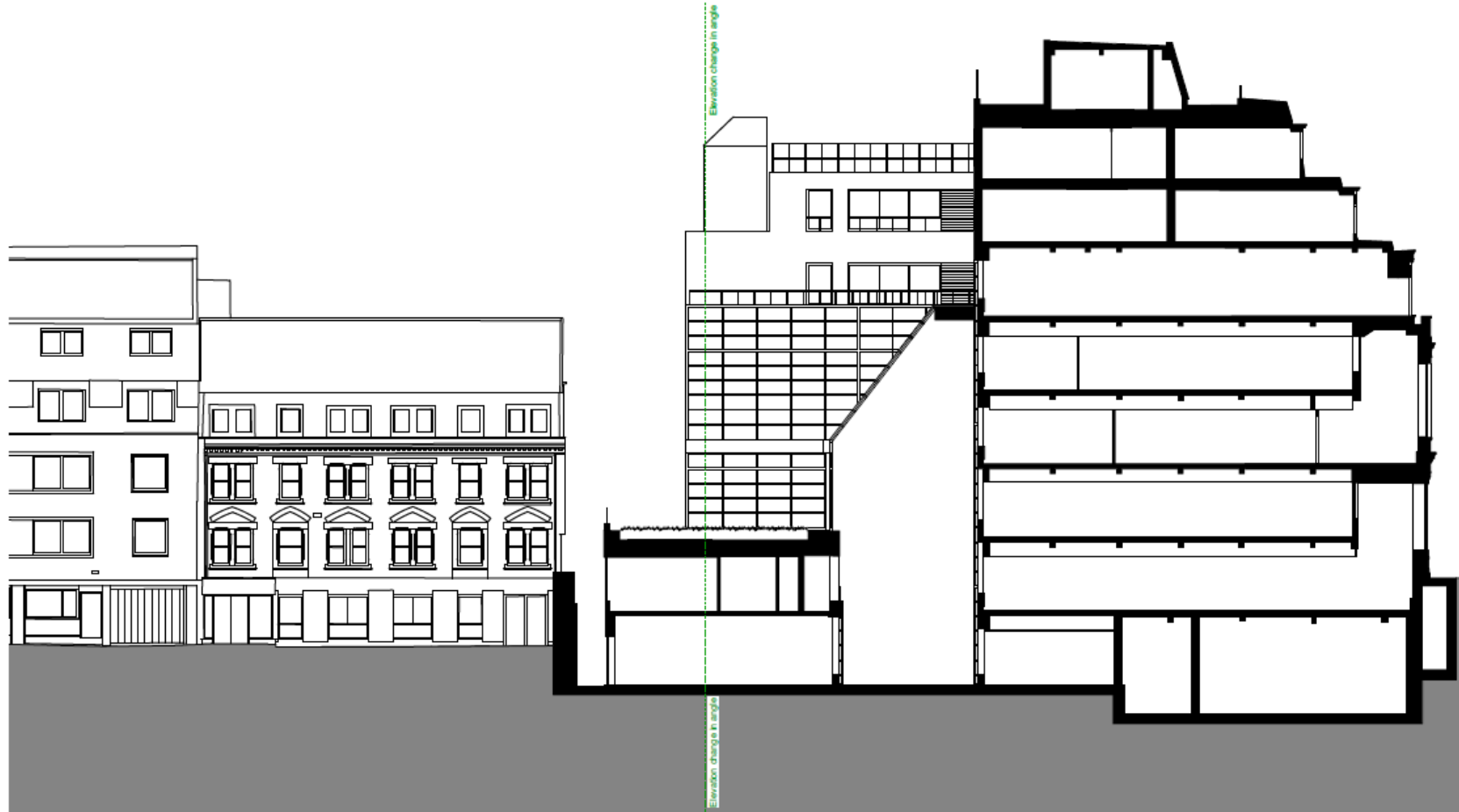
ROOFS & TERRACES:

40. New lead cladding panels.
41. New lead hoods to dormer windows.
42. New slate roof to match existing.
43. New balcony, finish to match existing.
44. New terrace, finish laid to fall.
45. Fall airlock system, to be installed.
46. New glass rooflight.
47. New lead gutter.
48. Lift overrun.
49. Pigeon mesh to plant areas.
50. Metal grille for ventilation.
51. Boiler flue.
52. Spindle work.
53. Traditional lead finish with timber rod joints.
54. New slate roof.

Please note: fall arrest / man safe system locations to be reviewed.



Existing Yarmouth Place Elevation



Proposed Yarmouth Place Elevation

KEY NOTES:

EXTERNAL WORKS:

01. Existing stone, cleaned with steam and water, repaired and repointed where necessary.
02. New stone, to match existing.
03. New weberstruck brickwork with fitted patternation.
04. New weberstruck brickwork with fitted patternation to replace existing cladding.
05. Existing cast iron rainwater goods, made good as required.
06. New cast iron rainwater goods, to match existing.
07. Existing Juliet balcony iron balustrade, made good as required.
08. Existing decorative metal railing, made good as required.
09. New stone capping, to match existing.
10. New chimney pots.
11. New satellite dishes.
12. Existing openings widened to proposed retail unit.
13. Existing window openings enlarged both horizontally and vertically.
14. New render finish.
15. New glass balustrade.
16. New iron balustrade, to match existing.
17. Full height glazed curtain wall.

WINDOWS, DOORS & SHOP-FRONT:

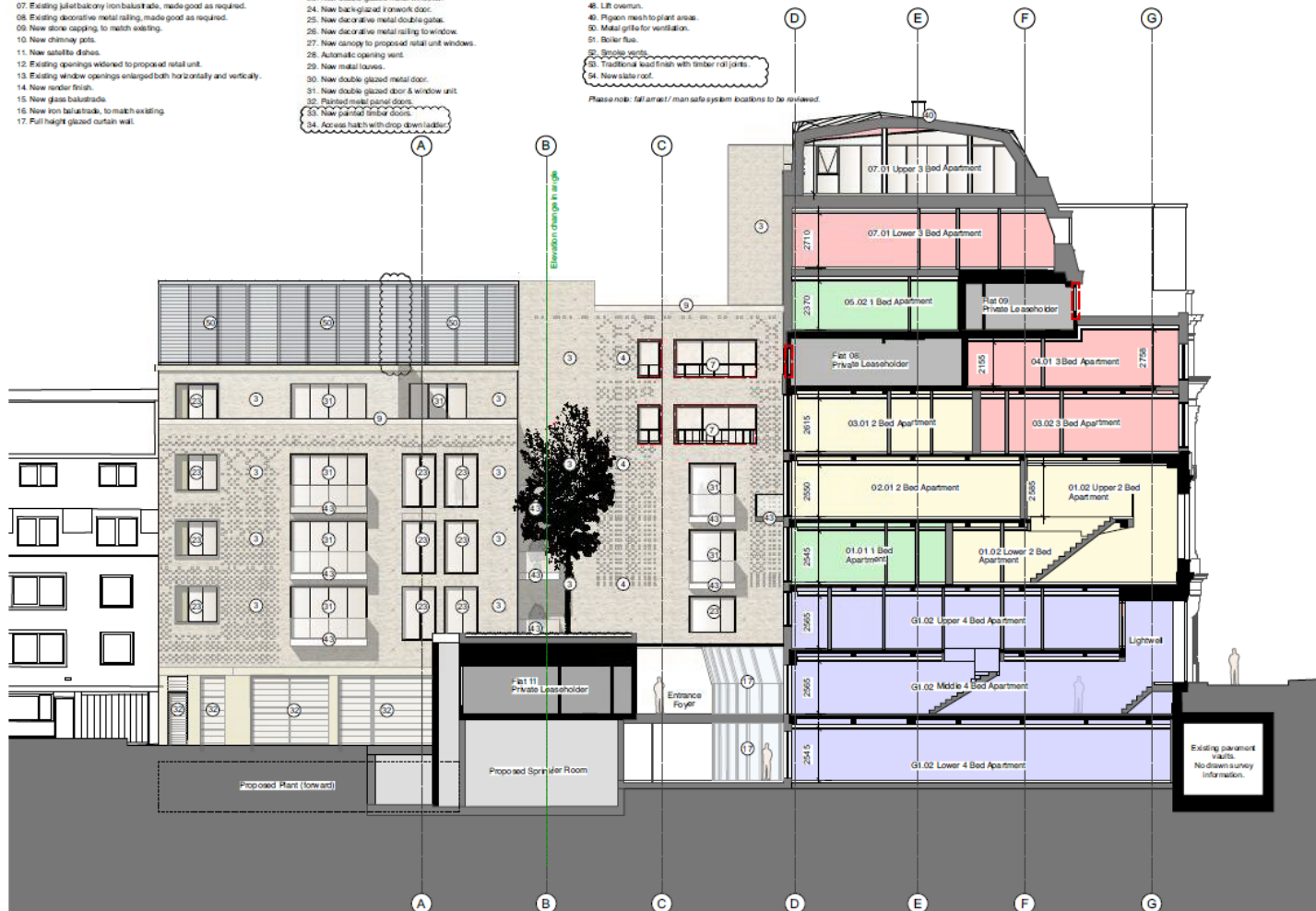
Note: All windows to have sound reducing glass

20. New glazed painted timber shopfront.
21. New single glazed painted timber windows to replace existing windows. New glaze pane configuration making reference to historical condition. New secondary glazing installed.
22. New painted timber windows.
23. New double glazed metal window.
24. New back-glazed ironwork door.
25. New decorative metal double gate.
26. New decorative metal railing to window.
27. New canopy to proposed retail unit windows.
28. Automatic opening vent.
29. New metal louves.
30. New double glazed metal door.
31. New double glazed door & window unit.
32. Painted metal panel doors.
33. New painted timber doors.
34. Access hatch with drop down ladder.

ROOFS & TERRACES:

40. New/lead cladding panels.
41. New/lead hoods to dormer windows.
42. New slate roof to match existing.
43. New/lead chimney stacks to match existing.
44. New/terrace, finish to suit.
45. Full area system, to be installed.
46. New glass rooflight.
47. New lead gutter.
48. Lift overrun.
49. Pigeon mesh to plant areas.
50. Metal grille for ventilation.
51. Boiler flue.
52. Grille vents.
53. Traditional lead finish with timber roof joints.
54. New slate roof.

Please note: fall arrest/ man safe system locations to be reviewed.

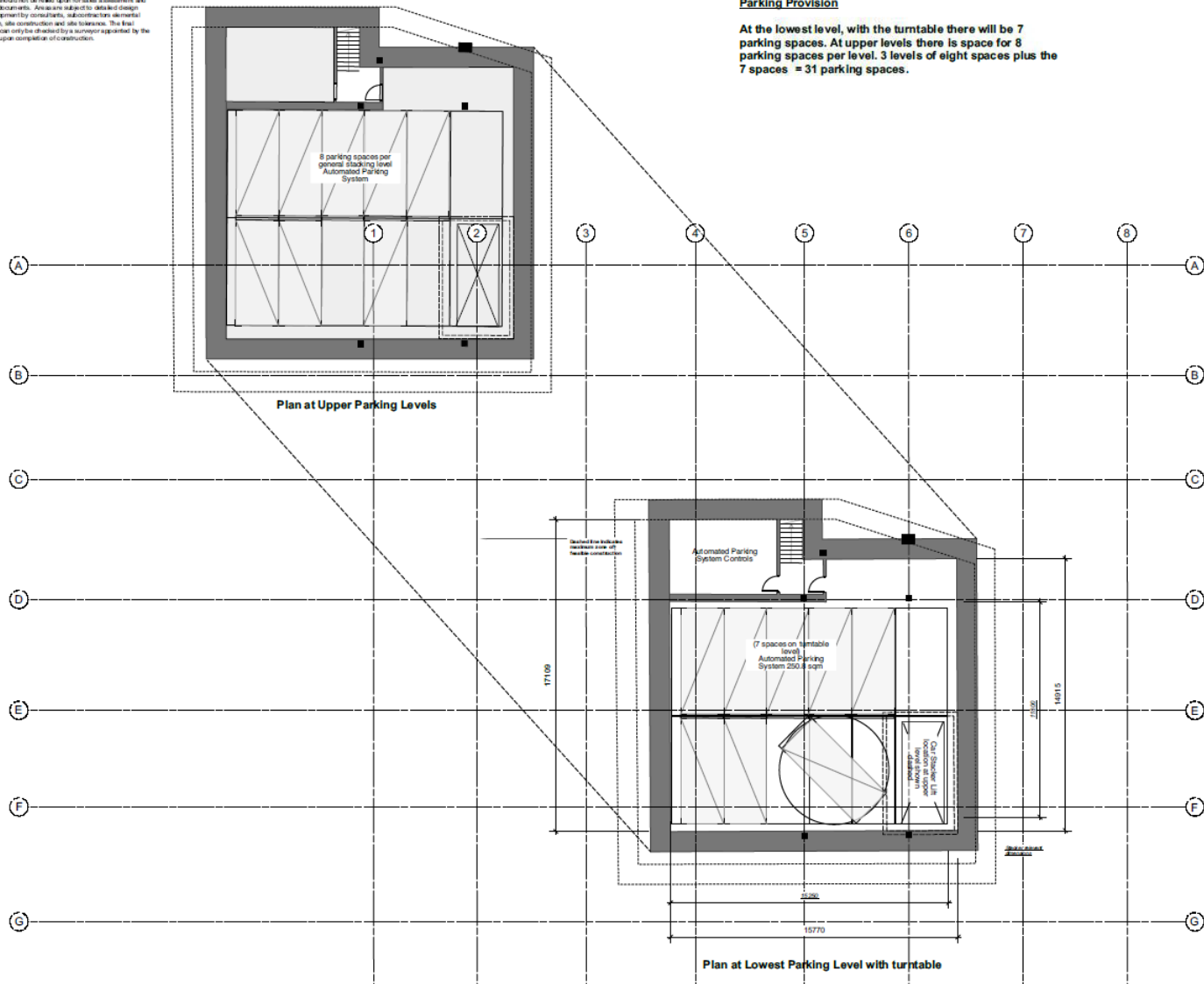


Proposed Sub Basement

NOTES:
 The areas circled or noted on plans are indicative only. They should not be relied upon for basis assessment and legal documents. Areas are subject to detailed design development by consultants, subcontractors, structural design, site construction and site takeover. The final areas can only be checked by a surveyor appointed by the client upon completion of construction.

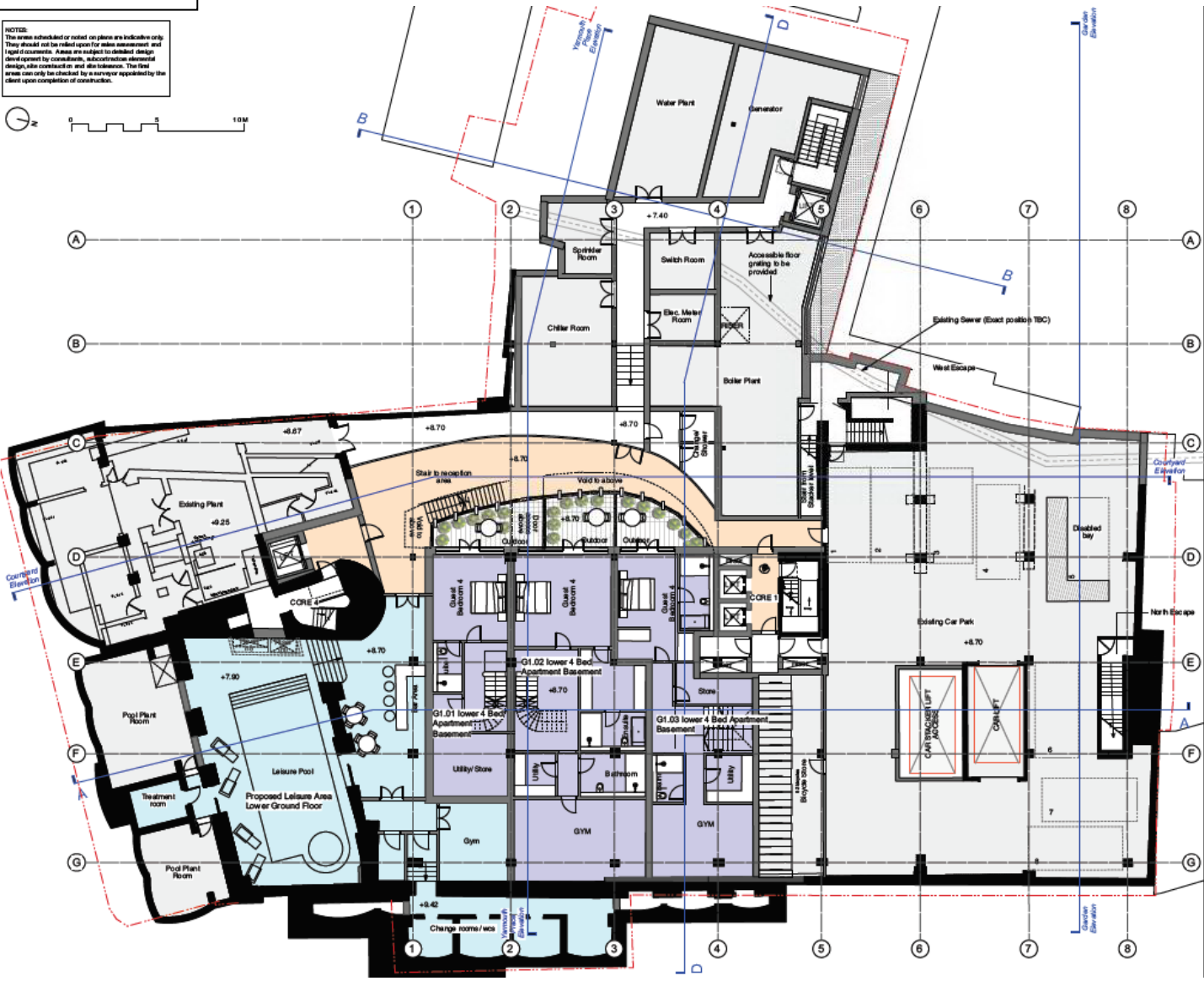
Parking Provision

At the lowest level, with the turntable there will be 7 parking spaces. At upper levels there is space for 8 parking spaces per level. 3 levels of eight spaces plus the 7 spaces = 31 parking spaces.



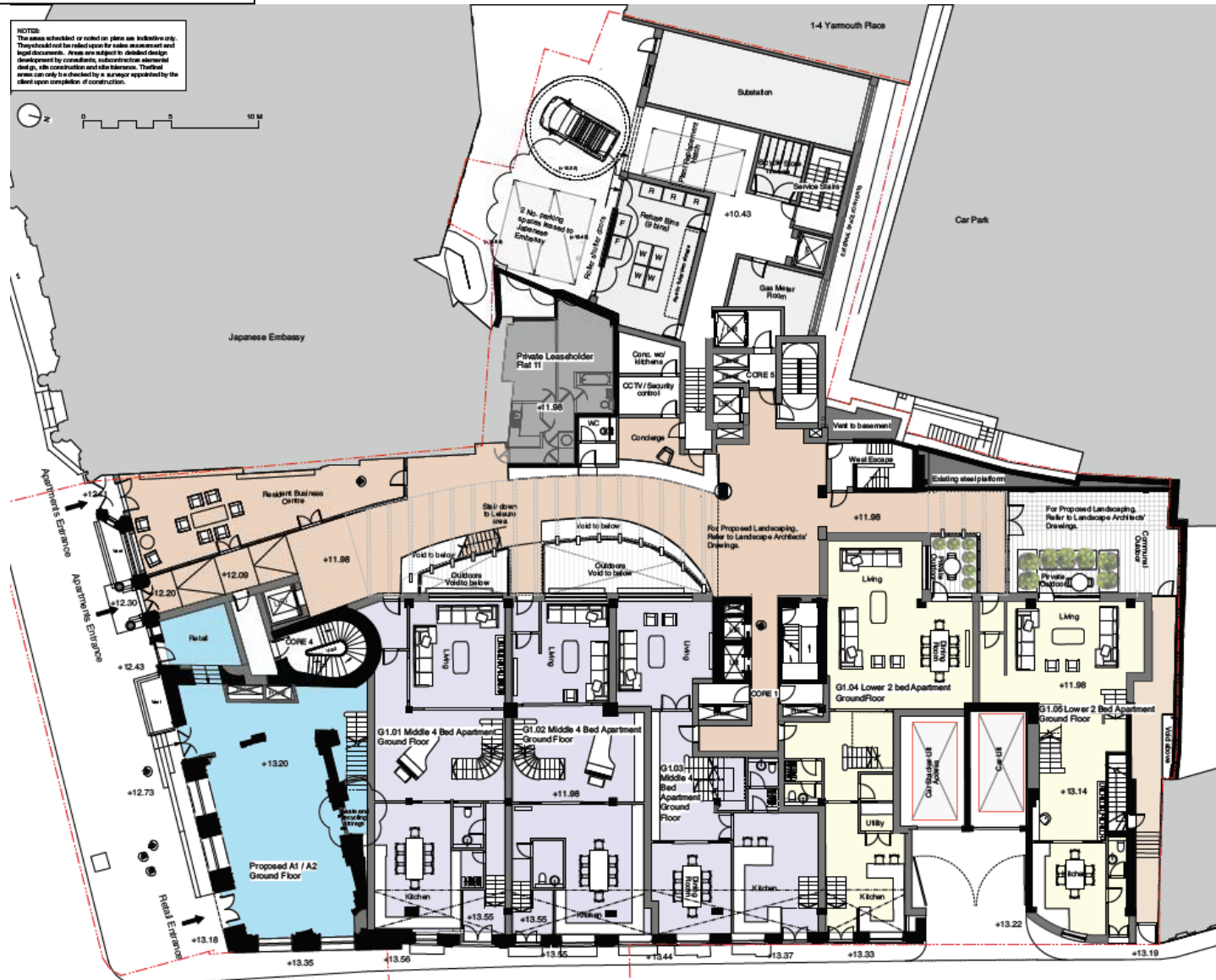
Proposed Basement

NOTES:
 The areas scheduled or noted on plans are indicative only. They should not be relied upon for mass measurement and liquid contents. Areas are subject to detailed design development by consultants, subcontractors, structural design, site construction and site services. The final areas can only be checked by a surveyor appointed by the client upon completion of construction.



Proposed Ground Floor

NOTES:
The areas scheduled or noted on plans are indicative only. They should not be relied upon for making measurement and legal documents. Areas are subject to detailed design development by consultants, subsequent elemental design, site construction and the balance. The final areas can only be checked by a surveyor appointed by the client upon completion of construction.



DRAFT DECISION LETTER

Address: 100 Piccadilly, London, W1J 7NH,

Proposal: Excavation of sub-basement, redevelopment of Nos. 5-6 Yarmouth Place, alterations and extension to provide enlarged sixth and new seventh floor storeys and installation of plant at basement, ground and fourth floor levels. Use of extended and altered building as 36 x flats (Class C3) (an additional 28 above existing), car / cycle parking and a shop (Class A1) or financial and professional institution (Class A2) at part ground floor level. Internal alterations. (SITE COMPRISES 96-100 PICCADILLY AND 5-6 YARMOUTH PLACE).

Reference: 15/06446/FULL

Plan No's: Fabric removal drawings: 1723_DWG_01_/001_P1, 002_P1, 003_P2, 004_P2, 005_P1, 006_P1, 007_P1, 008_P1, 009_P1, 010_P1, 020_P1, 021_P1, 022_P2, 023_P1, 024_P1, 033_P1, , Proposed drawings: 1393_DWG_00_/201_PP7, 202_PP10, 203_PP9, 204_PP8, 205_PP7, 206_PP7, 207_PP8, 208_PP8, 209_PP8, 210_PP8, 211_PP8, 212_PP9, 213_P2, 220_PP9, 221_PP9, 222_PP10, 223_PP9, 230_PP8, 233_PP9, 302_PP10, 304_PP8, , Air Quality Assessment (Air Quality Consultants dated 3 December 2015); Servicing and Delivery Management Plan (Arup 15 October 2015).

Case Officer: Sara Spurrier

Direct Tel. No. 020 7641 3934

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 Except for basement excavation work, 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.

You must carry out basement excavation work only,;

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

Noisy work must not take place outside these hours. (C11BA)

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)

- 3 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 4 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 listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 5 You must apply to us for approval of detailed drawings of the following parts of the development,
- i) new external doors,
 - ii) new windows,
 - iii) new railings and gates,

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 according to these approved drawings. (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the

development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 6 You must paint all new outside rainwater and soil pipes black and keep them that colour. (C26EA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 7 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building unless they are shown on the approved drawings. (C26KA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 8 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 listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 9 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 listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 10 **Pre Commencement Condition.**, (a) You must apply to us for approval of a written scheme of investigation for a programme of archaeological work. This must include details of the suitably qualified person or organisation that will carry out the archaeological work. You must not start work until we have approved what you have sent us. (b) You must then carry out the archaeological work and development according to this approved scheme. You must produce a written report of the investigation and findings, showing that you have carried out the archaeological work and development according to the approved scheme. You must send copies of the written report of the investigation and findings to us, to Historic England, and to the Greater London Sites and Monuments Record, 1 Waterhouse Square, 138-142 Holborn, London EC1N 2ST., (c) You must not use any part of the new building until we have confirmed that you have carried out the archaeological fieldwork and development according to this approved scheme. (C32BC)

Reason:

To protect the archaeological heritage of the City of Westminster as set out in S25 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32BC)

- 11 You must not carry out demolition work unless it is part of the complete development of the site. You must carry out the demolition and development without interruption and according to the drawings we have approved. (C29BB)

Reason:

To maintain the character and appearance of the Mayfair Conservation Area and the special architectural and historic interest of this listed building as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 9 (B) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29CC)

- 12 You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. (C27DB)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 13 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)

- 14 (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.

- 15 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.

- 16 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 14 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.

- 17 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.

- 18 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.

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.

- 19 You must apply to us for approval of sound insulation measures and a Noise Assessment Report to demonstrate that the residential units will comply with the Council's noise criteria set out in Condition 17 of this permission. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the details approved before the residential units are occupied and thereafter retain and maintain.

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.

- 20 You must apply to us for approval of sound insulation measures and a Noise Assessment Report to demonstrate that the residential units will comply with the Council's noise criteria set out in Condition 18 of this permission. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the details approved before the residential units are occupied and thereafter retain and maintain.

Reason:

You must apply to us for approval of sound insulation measures and a Noise Assessment Report,

which includes an assessment of low frequency noise from the proposed sub-station, to demonstrate that the residential units will comply with the Council's noise criteria set out in Condition 18 of this permission. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the details approved before the residential units are occupied and thereafter retain and maintain.

- 21 (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.

- 22 The new and reconfigured flats hereby approved shall not be occupied until the air quality mitigation measures detailed in the report dated 3 December 2015 by Air Quality Consultants have been incorporated within the development and those measures shall be permanently maintained thereafter.

Reason:

To protect the living conditions of people who may use the property in future as set out in S 31 of Westminster's City Plan: Strategic Policies adopted November 2013 (R13DC)

- 23 You must apply to us for approval of full details and specifications of the proposed boilers and CHP system demonstrating that the development will be air quality neutral. You must not start work until we have approved what you have sent us., You must then carry out the work according to these approved details and specifications. (C26CB)

Reason:

To protect the living conditions of people who may use the property in future as set out in S 31 of Westminster's City Plan: Strategic Policies adopted November 2013 (R13DC)

- 24 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)

- 25 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)

- 26 You must provide each cycle parking space for the proposed flats 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 Policy 6.9 (Table 6.3) of the London Plan 2015.

- 27 You must apply to us for approval of details of secure cycle storage for the Class A1/Class A2 use. You must not start any work on this part of the development until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

- 28 You must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for

waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the flats and Class A shop unit. (C14EC)

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)

- 29 You must use the parking, access, loading, unloading and manoeuvring areas shown on the approved plans only for those purposes. (C23AA)

Reason:

To avoid blocking the surrounding streets 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 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 30 All servicing to the Class A1/A2 shop unit must take place only between 0600 and 0700 and 1900 and 2100 hours Servicing includes loading and unloading goods from vehicles and putting rubbish outside the building. (C23DA)

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, 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. (R13EC)

- 31 Customers shall not be permitted within the Class A1/Class A2 shop premises before 07.00 or after 21.00 each day. (C12AD)

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, 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. (R13EC)

- 32 Prior to the occupation of the new/reconfigured flats hereby approved, you shall submit, and have approved in writing by the City Council as local planning authority, details of a vehicle signalling system for the car lift entrance. The approved vehicle signalling system shall be installed, permanently retained and operated in accordance with the approved details.

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)

- 33 You must provide the following environmental sustainability features (environmentally friendly features) before you start to use any part of the development, as set out in your application. CHP system, , You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan: Strategic Policies adopted November 2013. (R44AC)

- 34 Prior to the occupation of the new/reconfigured flats hereby approved, electric vehicle charging points (active) for a minimum of 6 parking spaces (20) and electric vehicle charging points (passive) for a minimum of 6 vehicles (20%) within the new car park (31 spaces) hereby approved shall be provided. These charging points shall be permanently retained and maintained for the life of the development.

Reason:

In accordance with policy 6.13 of the Further Alterations to the London Plan

- 35 Prior to any occupation of the Class A1/A2 unit hereby approved as a retail food shop (Class A1), you shall submit and have approved in writing a detailed servicing management strategy. All servicing shall be undertaken in accordance with the approved strategy unless otherwise agreed in writing by the local planning authority.

Reason:

To avoid blocking the surrounding streets 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 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 36 All vehicles must enter and exit the site in forward gear

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)

- 37 You must put up a copy of this planning permission and all its conditions in the shared part of the building on the ground floor for as long as the work continues on site. You must highlight on the copy of the planning permission any condition that restricts the hours of building work. (C21JA)

Reason:

To make sure other people in the building are fully aware of the conditions and to protect their rights and safety. (R21FA),

- 38 Prior to the commencement of the development, you must apply to us for approval of details of a supplementary report including an assessment of the impact of vibrations from underground tunnels in the vicinity of the site upon the flats hereby approved, including details of all proposed vibration mitigation measures. Any mitigation measures recommended as a result of this assessment must be provided prior to the occupation of the new and reconfigured flats in accordance with the approved details and thereafter permanently maintained.

Reason:

To ensure that the design and structure of the development will provide sufficient protection from vibration from external sources and will provide a high quality living environment for future occupants in accordance with S29 of Westminster's City Plan: Strategic Policies.

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.

- 39 **Pre Commencement Condition.** You must carry out a detailed site investigation to find out if the building or land is contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology and general requirements outlined 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 must apply to us for approval of the following investigation reports. You must apply to us and receive our approval for phases, 2 and 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed., , Phase 2: Site investigation - to assess the contamination and the possible effect it could have on human health, pollution and damage to property., , Phase 3: Remediation

strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution., , Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate., (C18AA)

Reason:

To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in STRA 34 and ENV 8 of our Unitary Development Plan that we adopted in January 2007. (R18AA)

- 40 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes the number, size, species and position of all external trees and shrubs. You must also include details of the depth and specification of the new soil which you propose to use to create an adequate rooting environment for the new tree planting and landscaping including details of the drainage layer and other components and details of the way that the proposed areas of soil will be connected.,, You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping and planting within X months of completing the development (or within any other time limit we agree to in writing).

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of the area, and to improve its contribution to biodiversity and the local environment. This is as set out in S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R30BC)

- 41 **Pre Commencement Condition.** You must apply to us for approval of details of how the flats will be insulated to reduce noise passing between them. You must not start work until we have approved what you have sent us. You must then carry out the work according to the approved details before anyone moves into the flats. (C13FB)

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13AC)

- 42 Prior to the commencement of development you must apply to us for approval of the detailed design of the residents' car park entrance and exit, including adjoining walls, to demonstrate that adequate visibility splays can be achieved.. You must not start work until we have approved what you have sent us., , You must then carry out the work according to these approved details (C26CB)

Reason:

In the interests of public safety 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. (R24BC)

- 43 The development shall be serviced in accordance with the Delivery and Servicing Management Plan (Arup 15 October 2015).

Reason:

To avoid blocking the surrounding streets 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 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 44 Prior to any occupation of the Class A1/A2 unit hereby approved as a retail food shop (Class A1), you must apply to us for approval of a revised Servicing Management Plan. The shop must not be occupied until we have approved what you have sent us and must thereafter be serviced in accordance with this approved plan.

Reason:

To avoid blocking the surrounding streets 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 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 45 **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 privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 46 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme: measures to prevent overlooking from the fifth floor terraces shown on drawing DWG_00_209_PP8 hereby approved to terraces and windows of neighbouring flats within the development (on third, fourth and fifth floors). 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 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)

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 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 a contribution towards the City Council's affordable housing fund; the provision of a Management and Maintenance Plan for the car lift and servicing turntable; the provision of unallocated residential parking (31 spaces); the City Council's Code of Construction Practice and a Site Environmental Management Plan; monitoring costs (I55AA)
- 3 The written scheme of archaeological investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with Historic England Greater London Archaeology Guidelines. It must be approved by the City Council before any on-site development

related activity occurs. It is recommended that the archaeological fieldwork should comprise of the following: , , Watching Brief, , A watching brief involves the proactive engagement with the development groundwork's to permit investigation and recording of features of archaeological interest which are revealed. A suitable working method with contingency arrangements for significant discoveries will need to be agreed. The outcome will be a report and archive. Archaeological monitoring of any geotechnical investigation would also be a useful exercise and may enable the scope of the archaeological watching brief to be refined.

- 4 To be able to comply with the Code of Construction Practice a full SEMP will be required or the site. This should cover the following: , ,
- a. Site Information:
 - i. Environmental management structure; ,
 - ii. Location of any potentially sensitive receptors; , ,
 - b. Environmental Management:
 - i. Summary of main works,
 - ii. Public access and highways (parking, deliveries, loading/unloading, site access and egress, site hoardings),
 - iii. Noise and vibration (predictions, managing risks and reducing impacts),
 - iv. Dust and Air Quality (risk rating, managing risks and reducing impacts),
 - v. Waste management (storage, handling, asbestos, contaminated land),
 - vi. Water Resources (site drainage, surface water and groundwater pollution control, flood risk),
 - vii. Lighting,
 - viii. Archaeology and build heritage (if applicable),
 - ix. Protection of existing installations (if applicable),
 - x. Urban ecology (if applicable); ,
 - xi. Emergency procedures; ,
 - xii. Liaison with the local neighbourhood. , ,
 - c. Monitoring:
 - i. Details of receptors,
 - ii. Threshold values and analysis methods ; ,
 - iii. Procedures for recording and reporting monitoring results; ,
 - iv. Remedial action in the event of any non-compliance.
- 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 Conditions on this permission; control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 7 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. (I54AA)
- 8 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)
- 9 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)
- 10 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)
- 11 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 12 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.

- 13 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)

- 14 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.
- 15 The construction manager should keep residents and others informed about unavoidable

disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.

- 16 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)
- 17 The Council considers that the amount of daylight into and the view that is likely from the would not be enough for the use of these rooms as main living areas. (You are recommended to refer to the Housing Health and Safety Rating System - Housing Act 2004 guidance to obtain full details about the requirement for natural lighting and reasonable view.) The proposals have been accepted because the flat as a whole has enough main rooms with adequate daylight and reasonable views, and on the basis that the flat will be used as a single self-contained unit by one household. If any occupier in the future was to consider using the flat in a different way - for example, with those rooms referred to above (as having limited daylight and views) being used as living rooms or as living/bedrooms e.g. for staff accommodation, the flat is likely to be considered for action under the Housing Act 2004 by our Residential Environmental Health team; in those circumstances, that team would have the power to require works to improve daylight to the affected rooms or alternatively, where this is not practicable, to prohibit their use.
- 18 Our Environmental Health officers advise that, although it is not possible to be certain from your submitted plans, the scheme may not provide sufficient natural light into and a reasonable view from the main habitable rooms. You are recommended to refer to the Housing Health and Safety Rating System - Housing Act 2004 guidance to obtain full details about the requirement for natural lighting and reasonable view. The dwelling may therefore be considered for action under the Housing Act 2004 by our Residential Environmental Health team. In those circumstances, that team would have the power to require works to improve natural light and the view to the affected rooms (which may require planning permission) or alternatively, where this is not practicable, to prohibit the use of those rooms. For further advice, please contact: , Residential Environmental Health Team, 4th Floor East, Westminster City Hall, 64 Victoria Street, London SW1E 6QP, Website www.westminster.gov.uk, Email res@westminster.gov.uk, Tel : 020 7641 3003 Fax : 020 7641 8504
- 19 Under Part 3, Class V of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, the shop on part ground and part mezzanine floors can change between the Class A1 (Retail) and Class A2 (Professional and Financial Services) uses we have approved for 10 years without further planning permission. However, the actual use 10 years after the date of this permission will become the authorised use, so you will then need to apply for permission for any further change. (I62A)
- 20 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies,

including reliefs that may be available, can be found on the council's website at: , www.westminster.gov.uk/cil , Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form** , CIL forms are available from the planning on the planning portal: , <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> , Forms can be submitted to CIL@Westminster.gov.uk , **Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.**

- 21 Prior to the occupation of the new and reconfigured flats you should seek to ensure that Electro Magnetic Frequency (EMF) levels associated with the operation of the proposed sub-station accord with current legal requirements and/or appropriate guidance.
- 22 The Site Environmental Management Plan secured as part of the s106 legal agreement should cover the following: , ,
- a. Site Information:
 - i. Environmental management structure; ,
 - ii. Location of any potentially sensitive receptors; , ,
 - b. Environmental Management:
 - i. Summary of main works,
 - ii. Public access and highways (parking, deliveries, loading/unloading, site access and egress, site hoardings),
 - iii. Noise and vibration (predictions, managing risks and reducing impacts),
 - iv. Dust and Air Quality (risk rating, managing risks and reducing impacts),
 - v. Waste management (storage, handling, asbestos, contaminated land),
 - vi. Water Resources (site drainage, surface water and groundwater pollution control, flood risk),
 - vii. Lighting,
 - viii. Archaeology and build heritage (if applicable),
 - ix. Protection of existing installations (if applicable),
 - x. Urban ecology (if applicable); ,
 - xi. Emergency procedures; ,
 - xii. Liaison with the local neighbourhood. , ,
 - c. Monitoring:
 - i. Details of receptors,
 - ii. Threshold values and analysis methods ; ,
 - iii. Procedures for recording and reporting monitoring results; ,
 - iv. Remedial action in the event of any non-compliance. ,
- 23 Conditions on this permission control noise from the approved machinery. It is very important that

you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)

- 24 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 25 Condition refers to a publication called 'Contaminated land, a guide to help developers meet planning requirements' - produced in October 2003 by a group of London boroughs, including Westminster. You can get a copy of this and more information from our environmental health section at the address given below

Contaminated Land Officer,
Environmental Health Consultation Team ,
Westminster City Council,
Westminster City Hall,
64 Victoria Street,
London SW1E 6QP ,
Phone: 020 7641 3153 , (I73AB)

- 26 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)

- 27 Under Part 3, Class V of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, the shop unit on part ground/part mezzanine floors floor can change between the Class A1/A2 uses we have approved for 10 years without further planning permission. However, the actual use 10 years after the date of this permission will become the authorised use, so you will then need to apply for permission for any further change. (I62A)

- 28 Please contact our District Surveyors' Services to discuss how you can design for the inclusion of disabled people. Email: districtsurveyors@westminster.gov.uk. Phone 020 7641 7240 or 020 7641 7230. If you make a further planning application or a building regulations application which relates solely to providing access or facilities for people with disabilities, our normal planning and building control fees do not apply.

The Equality and Human Rights Commission has a range of publications to assist you, see www.equalityhumanrights.com. The Centre for Accessible Environment's 'Designing for Accessibility', 2004, price £22.50 is a useful guide, visit www.cae.org.uk.

If you are building new homes you must provide features which make them suitable for people

with disabilities.

For advice see www.habinteg.org.uk , It is your responsibility under the law to provide good access to your buildings. An appropriate and complete Access Statement as one of the documents on hand-over, will provide you and the end user with the basis of a defence should an access issue be raised under the Disability Discrimination Acts.

- 29 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. (I54AA)

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.

DRAFT DECISION LETTER

Address: 100 Piccadilly, London, W1J 7NH,

Proposal: Internal and external alterations including excavation of new sub-basement levels, extension of mezzanine floor, extensions at rear fourth and fifth floor levels, erection of a sixth floor mansard extension, with additional accommodation within the roof, and alterations to building facades.,

Reference: 15/06447/LBC

Plan Nos: Fabric removal drawings: 1723_DWG_01_/001_P1, 002_P1, 003_P2, 004_P2, 005_P1, 006_P1, 007_P1, 008_P1, 009_P1, 010_P1, 020_P1, 021_P1, 022_P2, 023_P1, 024_P1, 033_P1, , Proposed drawings: 1393_DWG_00_/201_PP7, 202_PP10, 203_PP9, 204_PP8, 205_PP7, 206_PP7, 207_PP8, 208_PP8, 209_PP8, 210_PP8, 211_PP8, 212_PP9, 213_P2, 220_PP9, 221_PP9, 222_PP10, 223_PP9, 230_PP8, 233_PP9, 302_PP10, 304_PP8,

Case Officer: Sara Spurrier

Direct Tel. No. 020 7641 3934

Recommended Condition(s) and Reason(s):

- 1 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 Mayfair 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)

- 2 You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. (C27DB)

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 Mayfair 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 All new outside rainwater and soil pipes must be made out of metal and painted black. (C27HA)

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 Mayfair 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 not carry out demolition work unless it is part of the complete development of the site. You must carry out the demolition and development without interruption and according to the drawings we have approved. (C29BB)

Reason:

To maintain the character and appearance of the Mayfair Conservation Area and the special architectural and historic interest of this listed building as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 9 (B) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29CC)

- 5 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building unless they are shown on the approved drawings. (C26KA)

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 Mayfair 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 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 Mayfair 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 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 Mayfair 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 apply to us for approval of detailed drawings of the following parts of the development , 1) new external doors, 2) new windows, 3) new railings and gates. 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 according to these detailed drawings. (C26DB)

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 Mayfair 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. (159AA)

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