

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 28 March 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	25-27 Oxford Street, London, W1D 2DW,		
Proposal	Redevelopment behind retained facade and erection of seventh floor extension with new plant room at roof level to provide retail use (Class A1) at part basement, part ground and part first floors and office (Class B1) use at part basement, part ground, part first and second to seventh floors.		
Agent	GL Hearn Limited		
On behalf of	Famous Awards Limited		
Registered Number	16/11476/FULL	Date amended/ completed	15 December 2016
Date Application Received	02 December 2016		
Historic Building Grade	Unlisted		
Conservation Area	Soho		

1. RECOMMENDATION

1. Grant conditional planning permission

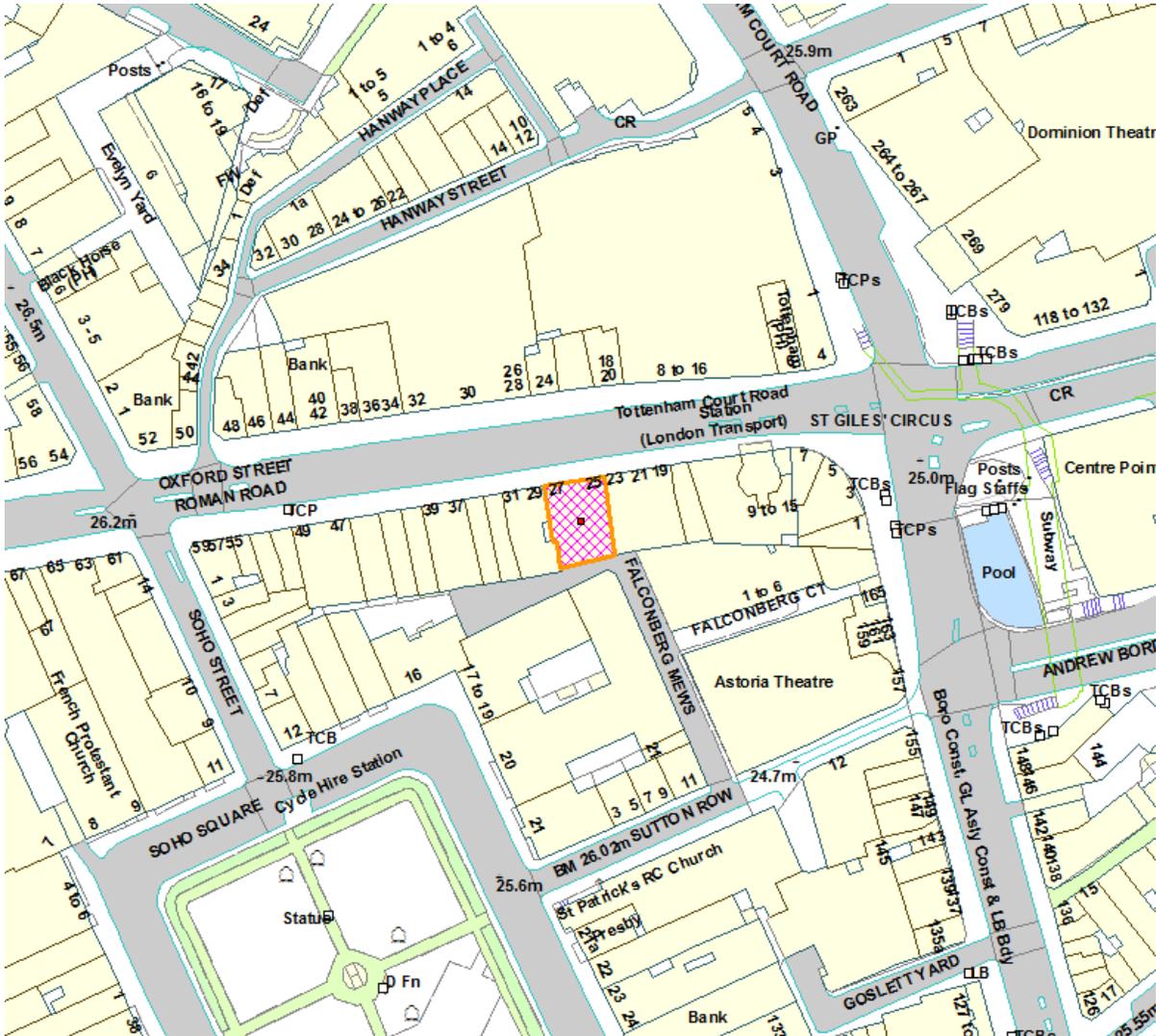
2. SUMMARY

The site is a mixed use building at the eastern end of Oxford Street immediately adjacent to the Tottenham Court Road Crossrail eastern ticket hall over station development site. Permission is sought for a redevelopment scheme behind a retained façade including a new seventh floor and roof level plant room. The scheme would provide a mix of retail (Class A1) and office (Class B1) uses.

The key issues are:
land use implications and;
the impact on the townscape and the surrounding conservation area.

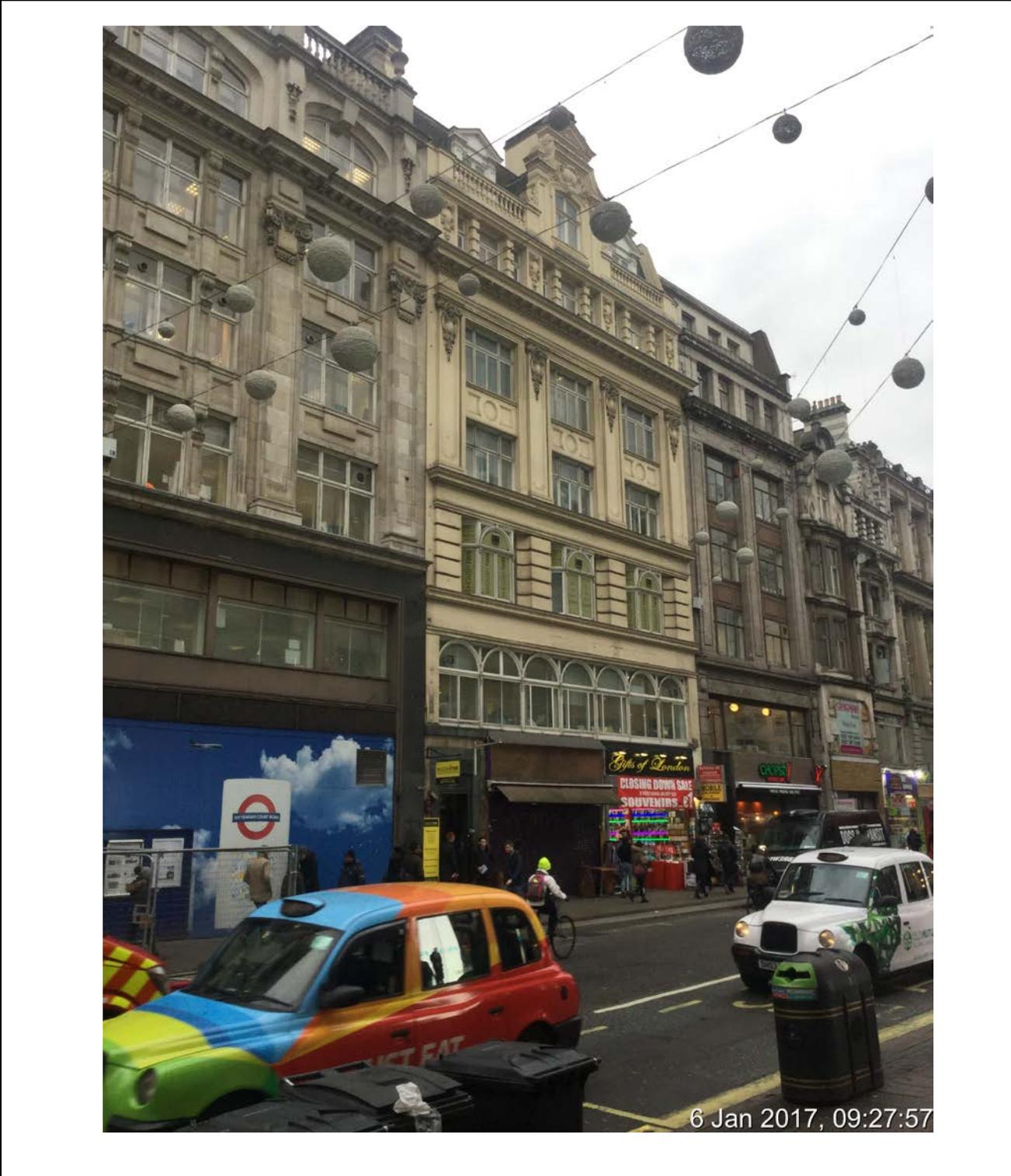
The proposed retail and offices are appropriate at this site, which is a primary shopping frontage within the West End Special Retail Policy Area (WESRPA) and the Core CAZ. The retention of the front façade, which is of visual interest, and additional story and plant room are acceptable in design terms. Subject to appropriate conditions the application is acceptable and in accordance with the adopted UDP and City Plan policies. Accordingly, the application is recommended for conditional approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

CROSSRAIL 1

No comment

CROSSRAIL 2

No objection subject to condition

ENVIRONMENTAL HEALTH

No objection subject to conditions

TRANSPORT FOR LONDON

No comment (other than the developer should continue to work with London Underground engineers)

SOHO SOCIETY

No objection

CLEANSING

No objection subject to conditions

HIGHWAYS PLANNING

No objection subject to conditions

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 101

Total No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is an unlisted building located within the Core Central Activities Zone (Core CAZ), the Soho Conservation Area, the West End Stress Area and the West End Special Retail Policy Area (WESRPA). The property is on the southern side of Oxford Street, which is identified as a Primary Shopping Frontage, adjacent to the Tottenham Court Road Crossrail over-station development site.

The building consists of basement, ground and six upper floors. There is currently a retail (Class A1) unit and restaurant/cafe (Class A3) unit each occupying part basement and ground floors. The second and third floors have a lawful use as a language school (non-residential institution, Class D1), however only the third floor

is currently occupied, while the first, fourth, fifth and sixth floors are in office (Class B1) use.

6.2 Recent Relevant History

Non directly relevant to the application site.

At 29-31 Oxford Street situated to the west in December 2014 permission was granted for a scheme which permitted use of the first to sixth floors as residential units (Class C3) and associated alterations (Ref 14/10789/FULL). This permission has not been implemented

7. THE PROPOSAL

Permission is sought for the redevelopment of the property behind retained a facade along with erection of seventh floor extension with new plant room at roof level. The proposal will provide retail use (Class A1) at part basement, part ground and part first floors and office (Class B1) use at part basement, part ground, part first and second to seventh floors.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The existing and proposed floorspace figures are set out in the table below.

Use	Existing (Sqm GIA)	Proposed (Sqm GIA)	Net Floor Area (Sqm GIA)
Restaurant/café (Class A3)	108	0	-108
Language School Non-residential institution (Class D1)	349	0	-349
Retail (Class A1)	268	470	+202
Office (Class B1)	660	1172	+512
Total Floorspace	1428	1841	+413

Increase in Retail Floorspace (Class A1)

Policy SS3 of the UDP seeks to maintain, preserve and enhance the international shopping character of the West End and Knightsbridge International Shopping Centres. Policy S7 of the City Plan seeks to maintain and enhance the unique status of the West End Special Retail Policy Area (WESPRA). Both of these

policies encourage the provision of retail floorspace (Class A1) along the Primary Shopping Frontages at least at basement, ground and first floor levels.

Policy S6 of the Westminster City Plan identifies the Core CAZ as an appropriate location for retail (Class A1) uses and encourages the provision of more retail throughout the area. The policy identifies that large scale retail developments should be directed to the West End International Shopping Centre's Primary Shopping Frontages, on which the site is located. City Plan Policy S21 looks to direct new retail floorspace to the designated shopping centres.

The proposal will result in the provision of 470sqm GIA of retail (Class A1) floorspace at part basement, part ground and first floor levels. The parts of these floors not in retail (class A1) use serve as access to the upper floors or as service areas housing waste storage, cycle storage, etc. Given the sites location, the provision of 202 m2 of additional retail is welcomed in accordance with Policies S6, S7 and S21 of the City Plan and SS3 of the UDP.

Increase in Office Floorspace (Class B1)

Policy S20 of the City Plan identifies the need for significant additional office floorspace (Class B1) within Westminster to retain and enhance Westminster's strategic role in London's office sector and support London's global competitiveness. The Core CAZ is identified as a suitable location for office floorspace in Policies S6 and S20 of the City Plan as offices contribute to the unique and varied mixed use character of the Core CAZ which will ensure the continued vitality, attraction and continued economic success of Central London. The provision of additional office floorspace in this location is therefore acceptable in principle.

This proposal would result in the provision of a total of 1172sqm GIA of office floorspace (Class B1), an increase of 512sqm GIA. This is acceptable in principle given the sites location within the Core CAZ and is in accordance with Policy S20 of the City Plan.

Mixed Use Policy

City Plan Policy S1 sets out the circumstances in which development proposals which include an increase in Class B1 office floorspace trigger a requirement to provide new residential accommodation. As the net increase in floorspace of all uses (413sqm GIA) is less than 30% of the total existing building floorspace (28.9% of 1428sqm GIA), no residential offset is required to offset the increase in office floorspace.

Loss of restaurant/café (Class A3)

The application site is located within the West End Stress Area which is considered to have become saturated with entertainment uses which has an impact on the environment and character. The proposal will result in the loss of 108sqm GIA of restaurant/café (Class A3) floorspace in favour of additional retail (Class A1)

floorspace. This loss is not resisted by the City Council given the sites location within the Stress Area and the focus for the provision of retail (Class A1) at these floors on the International Shopping Frontage.

Loss of social and community use (Class D1)

UDP Policy SOC1 and City Plan Policy S34 seek to protect and improve social and community facilities in Westminster. UDP Policy SOC 1 (D) states that all community facilities will be protected. Under SOC 1(E), schemes involving the redevelopment or change of use of community facilities are required to include adequate replacement facilities. Where the facility is surplus to the needs of the existing provider, any new development should include an alternative community facility. Where adequate replacement facilities are not proposed, the City Council will normally refuse planning permission.

City Plan Policy S34 states that; 'all social and community floorspace will be protected except where existing provision is being reconfigured, upgraded or is being re-located in order to improve services and meet identified needs as part of a published strategy by a local service provider. In all such cases, the council will need to be satisfied that the overall level of social and community provision is improved and that there is no demand for an alternative social and community use for that floorspace. In those cases where the council accepts a loss or reduction of social and community floorspace the priority replacement use will be the priority use for the area.'

The second and third floors of the property have a lawful use as social and community use (Class D1). These floors are currently leased by the language school 'English Time' which is a private educational facility however, such facilities are defined as a social and community use (Class D1), The applicant advises that 'English Time' are currently only occupying the third floor. A letter from Savoy Stewart (a commercial property letting agent) has been provided by the applicant detailing the existing use of the property, the current market of language schools in the UK and the un-suitability of the site for other uses falling within Class D1. The letter states that 'English Time' are behind on rental payments and outlines the emerging difficulties which language schools must overcome to be able to secure foreign students. Savoy Stewart outline the un-suitability of the site for other uses within the D1 use class and state issues including access restrictions to the site (second and third floors with a very small lift, no drop off/pick up area), unsuitable space in terms of floor plate layout options, and the absence of any amenity space. The applicant has not provided any details of attempts to market these floors to other D1 uses.

The applicants argument that this location is unlikely to be appropriate for an alternative use which falls within Class D1 use (such as a nursery, primary or secondary school, medical or religious uses) is accepted. Given the sites constraints it is accepted that the premises are unlikely to be considered attractive to other social and community uses. It is also considered that language schools

offer very little 'social' benefit to the local community and are essentially commercial enterprises. In these circumstances, and given the increased emphasis on the provision of office accommodation in the Core CAZ (the proposed replacement use), a departure from the policy requirement to protect existing social and community uses is considered justifiable.

8.2 Townscape and Design

25- 27 Oxford Street is an early 20th century unlisted building positioned within the Soho Conservation area, just outside of the strategic viewing corridor from Parliament Hill to the Palace of Westminster. The site is located mid- terrace within an unlisted, architecturally varied early 20th century group. Immediately to the east of the site lies 1-23 Oxford Street, for which planning permission has been granted for demolition and redevelopment as part of Crossrail works.

Façade Retention

The retention of the front Oxford Street façade is welcomed in conservation and design terms. The building is identified as an unlisted building of merit in the Soho Conservation Area Audit (2005). This Edwardian building is considered an important component of the Oxford Street urban streetscape. The architectural treatment of the stone façade is based on classical and baroque idioms, which relates successfully to the group within which it is located, all of which appear to date from a similar period and employ a similar style and use of materials. Thus, there is a strong presumption in favour of its retention.

The architectural interest of the building is limited to its frontage; the rear of the building fronting on to Falconberg Mews is subservient to its Classical frontage and lacks design merit. The rear of the building has been substantially altered and its visibility is very limited. Thus, no objection is raised to the demolition of the building behind the retained Oxford Street façade.

Whilst the proposed scheme seeks to retain the majority of the Oxford Street frontage, the scheme involves the demolition of the ground and first floors, as well as the existing roof storey, including the original dormer windows. The ornate central gable at roof level is to be retained.

The arched clerestorey windows at first floor level are original and make a positive contribution to the appearance of the building. The demolition of this original detailing is considered undesirable. However, the design improvements offered to the ground floor should be given some weight. The ground floor shopfronts are almost entirely openable with poorly designed commercial signs which fail to relate successfully to the upper parts of the building and detract from the appearance of the streetscape.

Shopfront

The proposed replacement shopfront, however, incorporates a greater extent of fixed glazing than the existing and is considered to relate satisfactorily to the appearance of the group. It is also considered that the proposed design relates satisfactorily to the upper parts of the building, with the proposed first floor arched frames echoing the existing treatment as well as the fenestration at second floor level. Overall, the merits of the improvements proposed to the ground floor are considered to outweigh the harm caused by the loss of the first floor.

Extensions

The scheme involves the erection of a seventh storey roof extension with a plant enclosure above. The building, along with the rest in the group, is identified in the Soho Conservation Area Audit as a property where a roof extension would not normally be acceptable.

As part of the redevelopment scheme at 1- 23 Oxford Street (the Crossrail Over Site Development) , planning permission has been granted for a taller building immediately adjacent to the application site. Whilst additional roof storeys would not normally be acceptable in this group of unlisted buildings of merit, it is noted that the impact of the proposed roof extension in this instance will be lesser when considered in relation to the approved scheme at 1- 23 Oxford Street. Following negotiations, the height of the proposed roof extension has been reduced to a single pitched roof storey with a plant room above and the size of the front rooflights have also been reduced.

The view looking westward down Oxford Street from Tottenham Court road is described in the Soho Conservation Area Audit as 'familiar and significant.' From this viewpoint, the proposed additional storey to the application site is likely to be almost entirely obscured behind the taller building which has been approved as part of the Corssrail over station development. The impact of the proposed roof extension on this view is therefore considered minimal.

The additional storey is likely to be more visible from the western approach, looking eastwards towards the site. However, following negotiations the pitch of the new roof storey has been reduced to 40 degrees. As this is a secondary pitch, the impact of the proposed roof extension on the long views from this direction, against the backdrop of the taller building approved as part of the redevelopment at 1- 23 Oxford Street, is considered acceptable.

A plant room is also proposed above the new roof storey, with some external plant within a louvred screen. At present, the design quality of the rear elevation is compromised by a number of large, poorly sited air conditioning units and ducts. The rationalisation of the plant to a designated space is therefore considered a design benefit. The proposed plant room is set back from the ridge of the proposed roof extension and, following design amendments, incorporates a pitch to the front in order to reflect the form of the main roof and thus reduce its visual impact from the front of the building. The impact of the plant enclosure on long views from the

eastern approach on Oxford Street is considered minimal, and this aspect of the proposals is also considered acceptable in design terms, subject to the imposition of a condition requiring all external plant and ductwork to be accommodated below the height of the upstand.

In light of the above, the proposals are considered compliant with DES 1, DES 5, DES 6 and DES 9 of the City Council's Unitary Development Plan and the Council's Supplementary Planning Guidance and are considered to preserve (or enhance) the character and appearance of this part of the Soho Conservation Area.

8.3 Residential Amenity

Policy S29 of the City Plan relates to health, safety and wellbeing and states that the Council will resist proposals that would result in an unacceptable material loss of amenity. Policy ENV13 of the UDP aims to safeguard residents' amenities, and states that the City Council will resist proposals which result in a material loss of daylight/sunlight, increase in the sense of enclosure to windows or loss of privacy or cause unacceptable overshadowing to neighbouring buildings or open spaces.

Daylight and Sunlight

Policy S29 of the City Plan aims to improve the residential environment of Westminster whilst UDP Policy ENV13 aims to protect and improve residential amenity, including sunlighting and daylighting to existing properties. In implementing Policy ENV13 the advice of the Building Research Establishment (BRE) with regard to natural lighting values is used.

Under the BRE guidelines the amount of daylight received to a property may be assessed by the Vertical Sky Component which is a measure of the amount of sky visible from the centre point of a window on its outside face. If this achieves 27% or more, the window will have the potential to provide good levels of daylight. The guidelines also suggest that reductions from existing values of more than 20% should be avoided as occupiers are likely to notice the change.

In terms of sunlight, the BRE guidance states that if any window receives more than 25% of the Annual Probable Sunlight Hours (APSH where the total APSH is 1486 hours in London), including at least 5% during winter months (21 September to 21 March) then the room should receive enough sunlight. If the level of sunlight received is below 25% (and 5% in winter) and the loss is greater than 20% either over the whole year or just during winter months, then the loss would be noticeable. Only those windows facing within 90 degrees of due south require testing.

A daylight and sunlight report has been submitted as part of the application which assesses the impact of the development on 29-31 Oxford Street. While this property is currently in office (Class B1) use, as stated in section 6.2(recent

relevant history) permission has been granted for use of the first to third floors as residential (Class C3) accommodation. The report has assessed the habitable rooms in the property which will be impacted by the proposal (all bedrooms) on the possibility of the permission being implemented.

The report demonstrates that a number of windows (9 of the 12 assessed) in 29-31 Oxford Street will experience significant losses in daylight. The threshold above which losses in daylight are considered to be noticeable is 20% VSC. The losses in VSC as a result of the proposal range between 33% and 67%. While these losses are high and in excess of the 20% VSC which is considered to be noticeable, it is recognised that the windows assessed have particularly low baseline levels of VSC (7 of the assessed windows currently experience less than 10%). As a result any change in massing to the application site would create a disproportionately high percentage change with only small absolute changes. Additionally, these windows are located in a tight lightwell which is particularly close to the site boundary, restricting the potential for these rooms to achieve good levels of light.

Given the relatively small absolute changes which the proposal would have on VSC levels for the property and in light of the fact that the rooms in question would all bedrooms (three of which are dual aspect) which are considered less sensitive to daylight in the BRE guidelines, the losses in VSC demonstrated are considered acceptable in this instance and the losses are considered to be minor enough that should the property be converted to residential, the proposal would not materially worsen the living conditions of the accommodation.

The losses in APSH and APSH during the winter months are all very small as most of the assessed windows are north facing. The report demonstrates that, while the windows and rooms in the surrounding tested properties will not strictly be compliant with BRE guidelines for daylight and sunlight with the proposal in place, in this instance the losses are considered acceptable.

Sense of Enclosure

The proposal will result in a marginal increased sense of enclosure to the windows within the lightwell of 29-31 Oxford Street. However, as this property is currently in office (Class B1) use the Council would not look to protect the amenity of this use. Should the extant residential permission at the property be implemented, the impact is not considered so great that it would warrant planning permission to be withheld.

Privacy/Overlooking

There is already significant mutual overlooking between the application site and 29-31 Oxford Street within the shared lightwell and at fourth, fifth and sixth floors. While the proposed building will extend to the site boundary, there will now be no windows facing the neighbouring property up to, and including, the fifth floor. This would represent a reduction in the mutual overlooking.

The proposed building is setback from the boundary at the sixth floor. The proposal shows a 'glass box' structure at this floor which extends from the setback façade, but is still set in from the site boundary, and contributes to creating a stepping back effect for the rear of the property. While there are existing windows at sixth floor in the current building, this 'glass box' could still be seen as an increase in overlooking to the neighbouring property.

Should the neighbouring property remain in office (Class B1) use, the 'glass box' and resulting increase in overlooking would not be considered a significant issue as the Council does not seek to protect the amenity of commercial uses except in specific circumstances. Should the extant permission at the neighbouring property be implemented, this would increase overlooking to the new residential (Class C3) bedrooms. However, as the proposed use of the floors in question are as offices (Class B1) and will generally not be in use at the same time as the bedrooms, it is not considered that this increase would be significant enough to warrant withholding permission on these grounds. The proposed seventh floor has two large windows which also face the neighbouring property however, they are set back further than the 'glass box' and would only result in a small increase in overlooking similar to that of the current situation. The application is acceptable on amenity grounds.

8.4 Transportation/Parking

Car Parking

With regards to car parking, none is provided as part of the proposal. However, the site is within a controlled parking zone which means anyone who does drive to the site will be subject to those controls. The impact of the change of use on parking levels is expected to be minimal and therefore no objection is raised with regards to this aspect.

Servicing

The Highways Planning Manager has raised objection to the proposal on the basis that no off-street servicing is available for the site. The applicant indicates within the submitted documentation that servicing will access the site through the rear area on Falconberg Mews. Servicing will occur where possible at the rear, but some vehicles may need to use on-street servicing within Soho Square. The site is located within a Controlled Parking Zone, which means that locations of single yellow lines in the vicinity allow loading and unloading to occur. Whilst the uplift in floor area is not large, and it is likely that the reduction in uses of the building may help to lower the number of service trips generated to the site, given the location it would further improve the situation if a Service Management Plan (SMP) were secured. It is recommended that this is secured by condition.

The Highways Planning manager has also advised that should the retail floorspace (Class A1) be used for food retailing, it is likely that a food store of this size would generate significantly different levels and types of servicing which, in

turn, would have an adverse impact on the highway network. The applicant has also agreed to this and as a result, this will be excluded from the use class by condition.

Cycle Parking

The London Plan requires 1 cycle parking space per 100sqm for retail floorspace (Class A1) and 1 space per 90sqm for office floorspace (Class B1). 5 spaces are proposed on the plans for the retail and 15 spaces are proposed for the office. The proposed provision for both uses is sufficient however, as the retail spaces are only indicative, condition should be applied requesting details of these spaces once a final occupier has been secured. The provision of the office spaces will be secured through condition.

Pavement Lights

Highway is often in the ownership of the adjoining landowners (for example, pavement lights) however land ownership does not void the highway status. Under the Highways Act, as the area has been open and passable, it has gained the status of highway, even if it has not been maintained by the Council as Highway Authority for at least 20 years.

Westminster seeks to maintain a high quality public realm and pedestrian environment to facilitate movement in line with UDP Policy TRANS3. The Highway Authority resists the installation of any new pavement lights or smoke vents in the footway, in accordance with the principals of the Westminster Way.

The proposed pavement lights replace existing ones in part. The current pavement lights do not extend in front of the access door to the upper floors while the proposed ones cover almost the width of the property. While this increase in area covered by pavement lights is not preferred, given that the proposed lights do not extend deeper into the highway than those already there, it is not considered reasonable to withhold permission on these grounds. The applicant will need to acquire technical approval for the works to the highway and supporting structure prior to commencement of any work on the development under the Highways Act.

Doors

The proposal shows door at the rear of the building and the access door from the office entrance which appear to open over the highway. This would be unacceptable and contrary to TRANS2, TRANS3 and S41 however, condition can be applied requiring that no doors open over the public highway.

8.5 Economic Considerations

The economic benefits of a more intensive use of the site as a result of the increase in both retail and office floorspace are welcomed.

8.6 Access

The proposed access arrangements will be improved from the current situation. Level access from Oxford Street to the ground floor retail (Class A1) unit will be maintained while level access will now be provided to the office (Class A1) entrance from Oxford Street. This level access to the Office area at ground floor will provide access to internal lifts accessing all floors of the building. Level access will also now be provided to the rear of the property on Falconberg Mews. These improvements are welcomed.

8.7 Other UDP/Westminster Policy Considerations

Plant

The proposed scheme includes plant located internally at the rear of the first floor and a range of plant in an enclosure on the roof. An acoustic report has been submitted in support of the application which details existing background noise levels. Following revisions to the plant, a revised acoustic report has been submitted. Environmental Health have assessed both of these reports and confirmed that the calculated noise levels of the proposed plant are likely to comply with the conditions set out by the Council. This is subject to the installation of the proposed mitigation measures (louvered acoustic screening). As such; they have raised no objection to the application subject to appropriate noise conditions which requires all plant to operate at a level 10dB below background noise levels. The installation of the required louvered screening, as shown around the plant at roof level and on the rear elevation at first floor level, will be secured through condition.

The Officer has also noted that the acoustic report outlines that “testing will be undertaken to each emergency plant individually” so as to avoid any cumulative noise impact. To ensure that the emergency plant does not contribute to cumulative noise impact, condition will be applied setting the noise criteria and times when such plant can be tested.

Refuse /Recycling

The applicant has provided details of waste and recycling storage for the office (Class B1) accommodation which meet the requirements of the Council. This storage will be secured by condition. The applicant has advised that the waste storage for the retail (Class A1) will be determined by any incoming client. As such, a condition a condition is recommended requesting these details.

Sustainability

Policy S40 of the City Plan requires that all major development throughout Westminster should maximise on-site renewable energy generation to achieve at least 20% reduction of carbon dioxide emissions, and where feasible, towards zero carbon emissions, except where the council considers that it is not appropriate or practicable due to the local historic environment, air quality and/or site constraints.

The applicant has submitted an Energy Statement, by Hulley & Kirkwood Consulting Engineers Ltd., in support of the application. This document outlines that, with the installation of photo voltaic cells on the roof, the use of a high efficiency air source heat pump system, and as a result of the new construction design and materials, a total carbon saving of 32.5% can be achieved. This is above the carbon reduction required by policy and the provision of the proposed PV cells on the roof will be secured through condition.

8.8 London Plan

This application raises no strategic issues.

8.9 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.

8.10 Planning Obligations

Policy S33 of the City Plan details the Council's aim to secure planning obligations and related benefits to mitigate the impact of all types of development. Formulas for the calculation of contributions towards related public realm improvements etc. are detailed in the Council's Supplementary Planning Guidance on Planning Obligations. On 6 April 2010 the Community Infrastructure Levy (CIL) Regulations came into force which makes 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, 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; and
- c) fairly and reasonably related in scale and kind to the development.

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

The City Council adopted its own Community Infrastructure Levy on the 1st May 2016.

The total estimated CIL payment is: £ 113,655.82.

- £26,483.86 of this is Mayoral CIL
- £87,171.96 of this is Westminster CIL.

8.11 Environmental Impact Assessment

Not applicable

8.12 Other Issues

Construction impact

The Code of Construction Practice was published in July 2016 and is designed to monitor, control and manage construction impacts on sites throughout Westminster. It applies to all major developments from September 2016.

The publication of the Code represents a fundamental shift in the way the City Council deals with the construction impacts of developments. Before September 2016, developments of this scale used legal agreements to fund the Environmental Inspectorate (EI) and required Site Environmental Management Plans to be submitted to and approved by the City Council.

In recognition that there is a range of regulatory measures available to deal with construction impacts and that planning is the least effective and most cumbersome of these, the new approach is for a condition to be imposed requiring the applicant to provide evidence that any implementation of the scheme (by the applicant or any other party) will be bound by the Code.

Furthermore, City Plan Policy S29 states that: *“The development of major infrastructure projects and where appropriate, other projects with significant local impacts will need to mitigate, avoid or remedy environmental and local impacts, both in construction and operation, and this will be achieved through compliance with the relevant parts of the Council’s Code of Construction Practice.”*

The applicant has raised concern regarding the costs and timescales of complying with the Code of Construction Practice. However, this application falls firmly within the developments identified as Level 2 and would be required to comply with the relevant sections of the Code. In light of Policy S29, the mandatory requirements set out within the Code and the sites location (on a prominent central London road, busy shopping street and next to a major infrastructure construction site); it is recommended the condition is still imposed.

Crossrail

The site is located immediately to the west of the Crossrail site for Tottenham Court Road. The site falls within both the safeguarding area for both Crossrail 1 and Crossrail 2. Crossrail 1 have confirmed that they do not wish to comment on the application. Crossrail 2 have assessed the application and advised that condition must be applied requiring the applicant to submit detailed design and construction method statements to the Council for approval. These details will be secured through the appropriate condition relevant to sites within Crossrail safeguarding areas.

9. BACKGROUND PAPERS

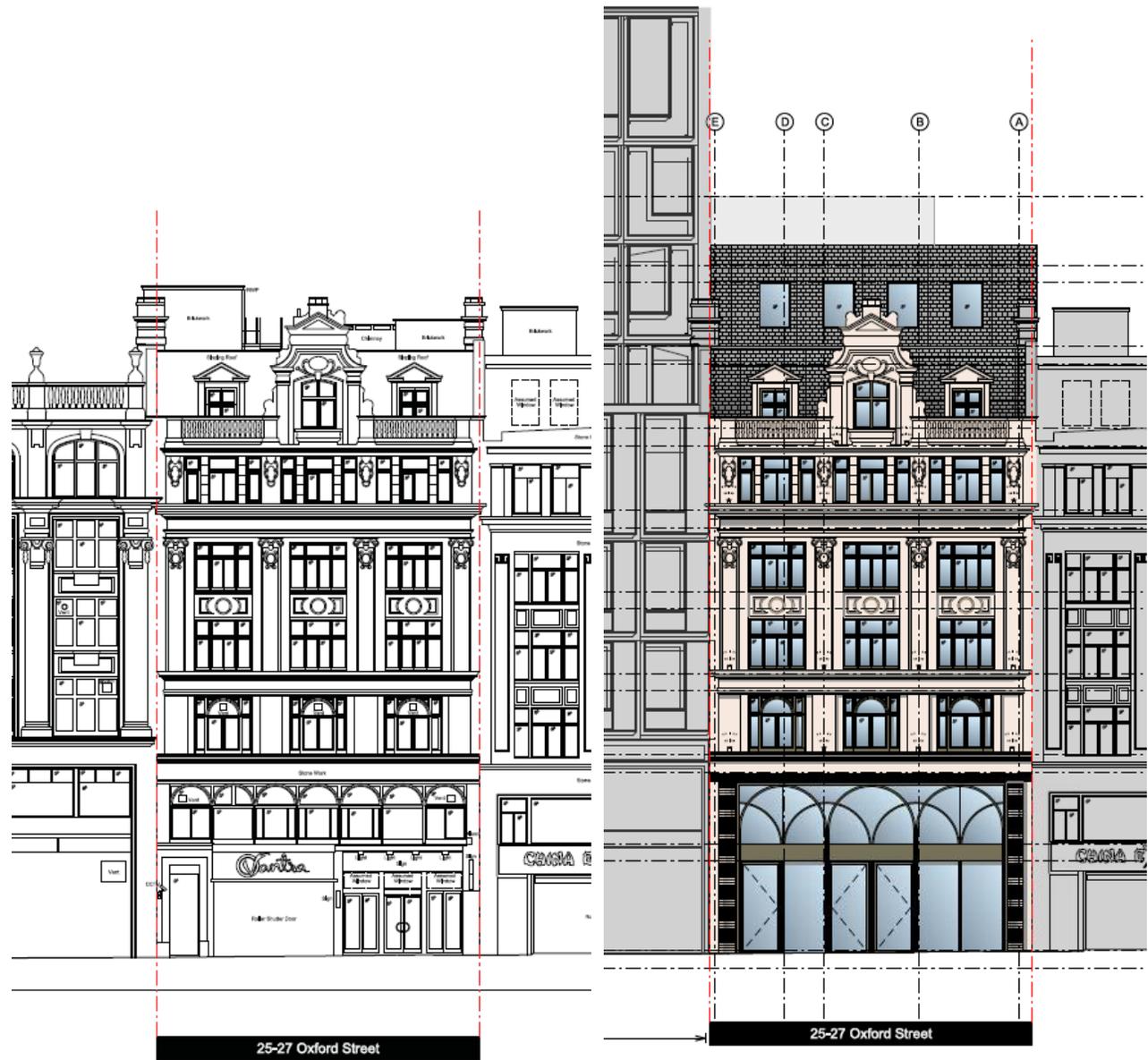
1. Application form
2. Response from Cross London Rail Links Ltd (Crossrail 1), dated 20 December 2016
3. Responses from Environmental Health, dated 31 January 2017, 06 March 2017 and 08 March 2016
4. Response from Transport For London - Borough Planning, dated 18 January 2017
5. Response from Cross London Rail Links Ltd (Crossrail 2), dated 26 January 2017
6. Response from Soho Society, dated 10 January 2017
7. Response from Cleansing, dated 28 February 2017
8. Responses from Highways Planning - Development Planning, dated 22 December 2016 and 28 February 2017

(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 THE PRESENTING OFFICER: MIKE WALTON BY EMAIL AT mwalton@westminster.gov.uk

10. KEY DRAWINGS

Existing and Proposed Oxford Street Elevation

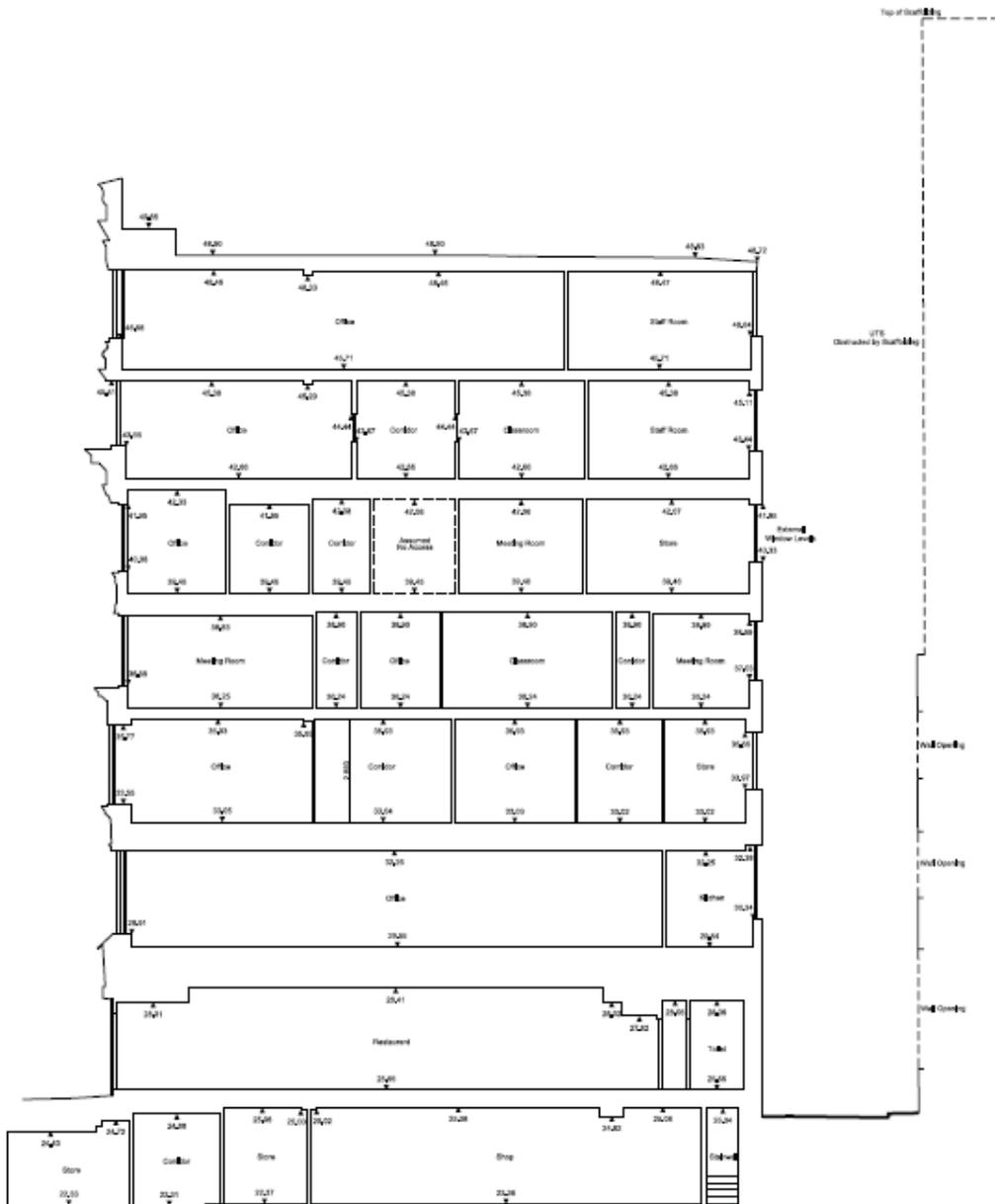


Existing and Proposed Rear Elevation (Falconberg Mews)



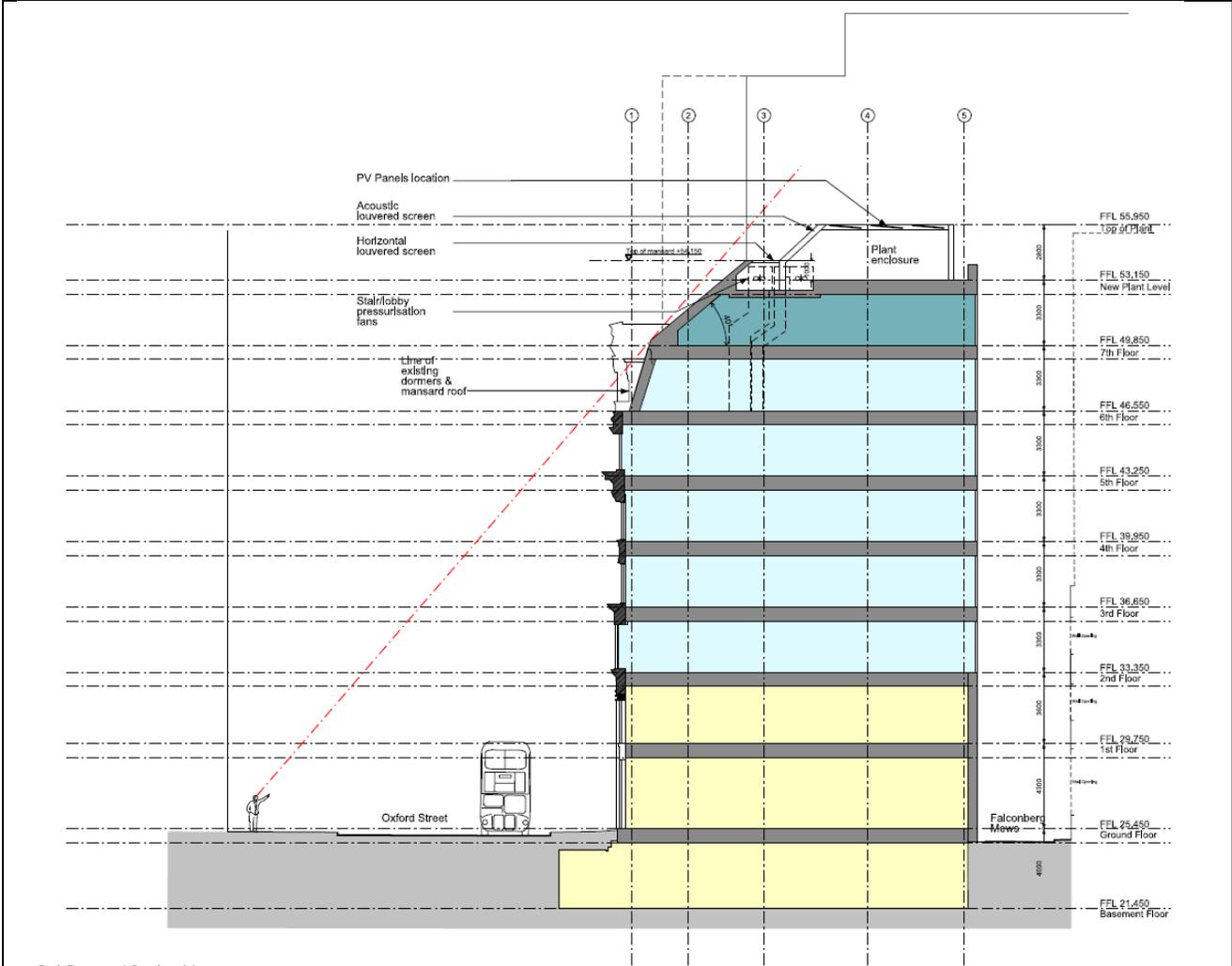
Proposed Front (Oxford Street) and Rear (Falconberg Mews) Visuals





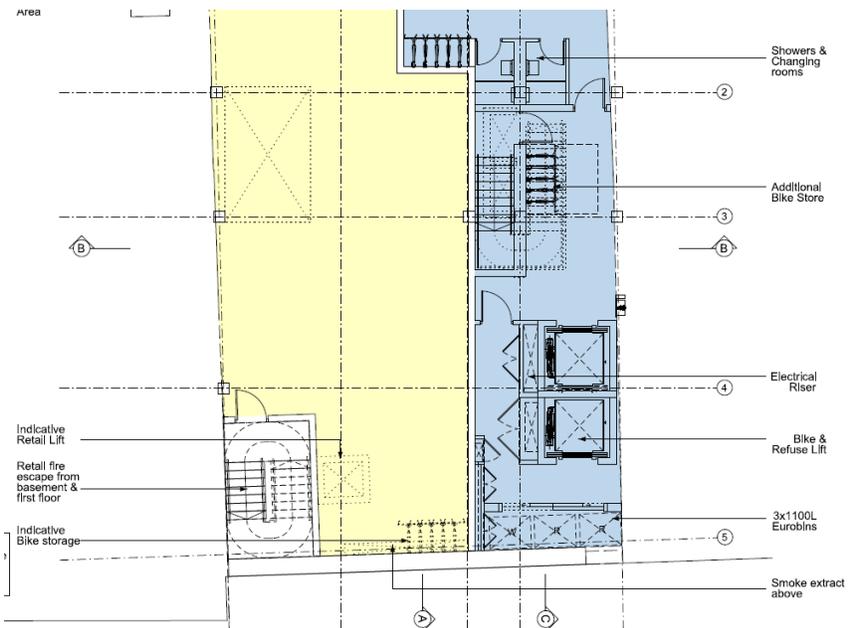
Existing Section 1-1 (Comparable to Proposed Section AA)

Proposed Section AA (Comparable to Existing Section 1-1)

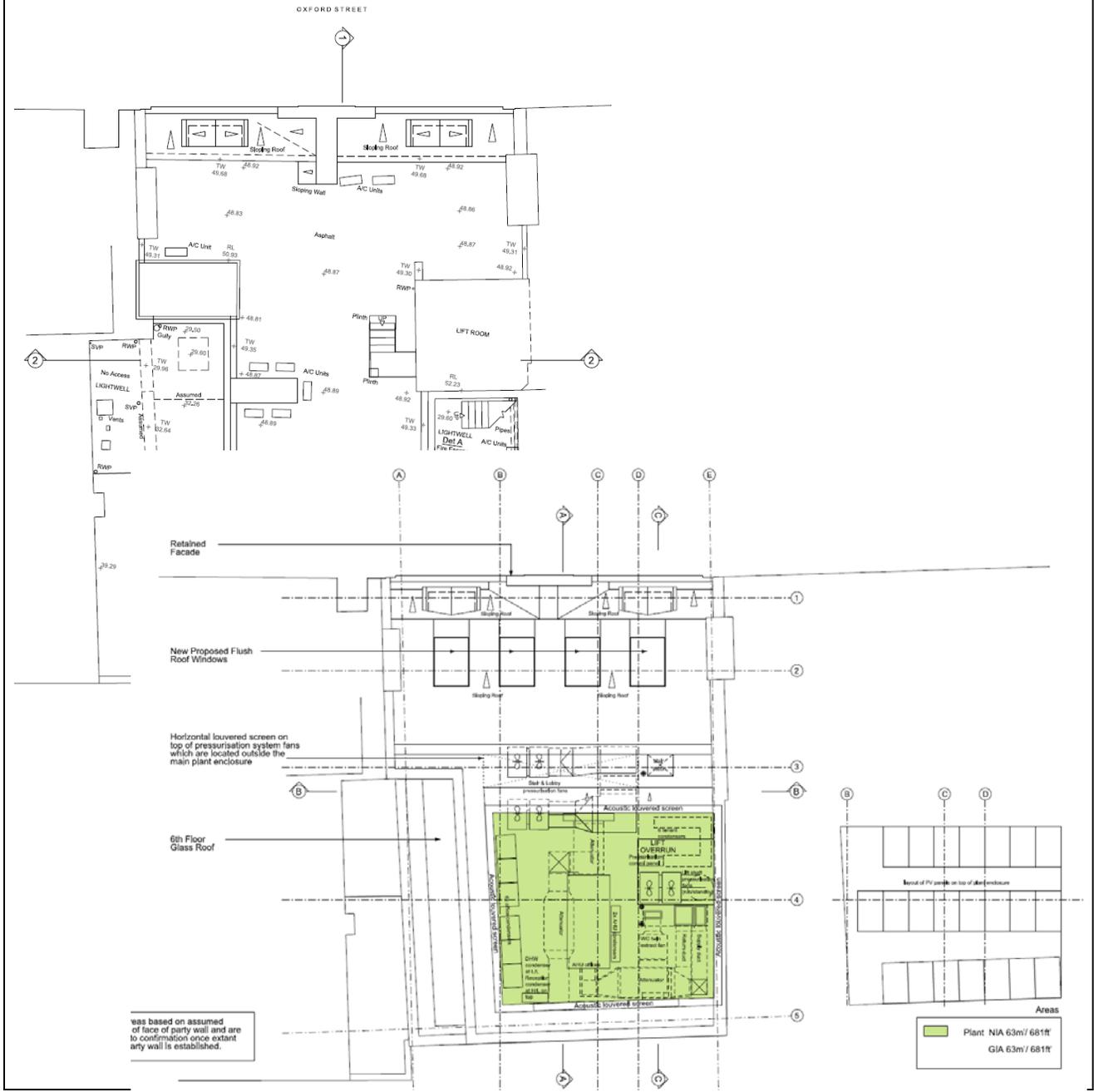


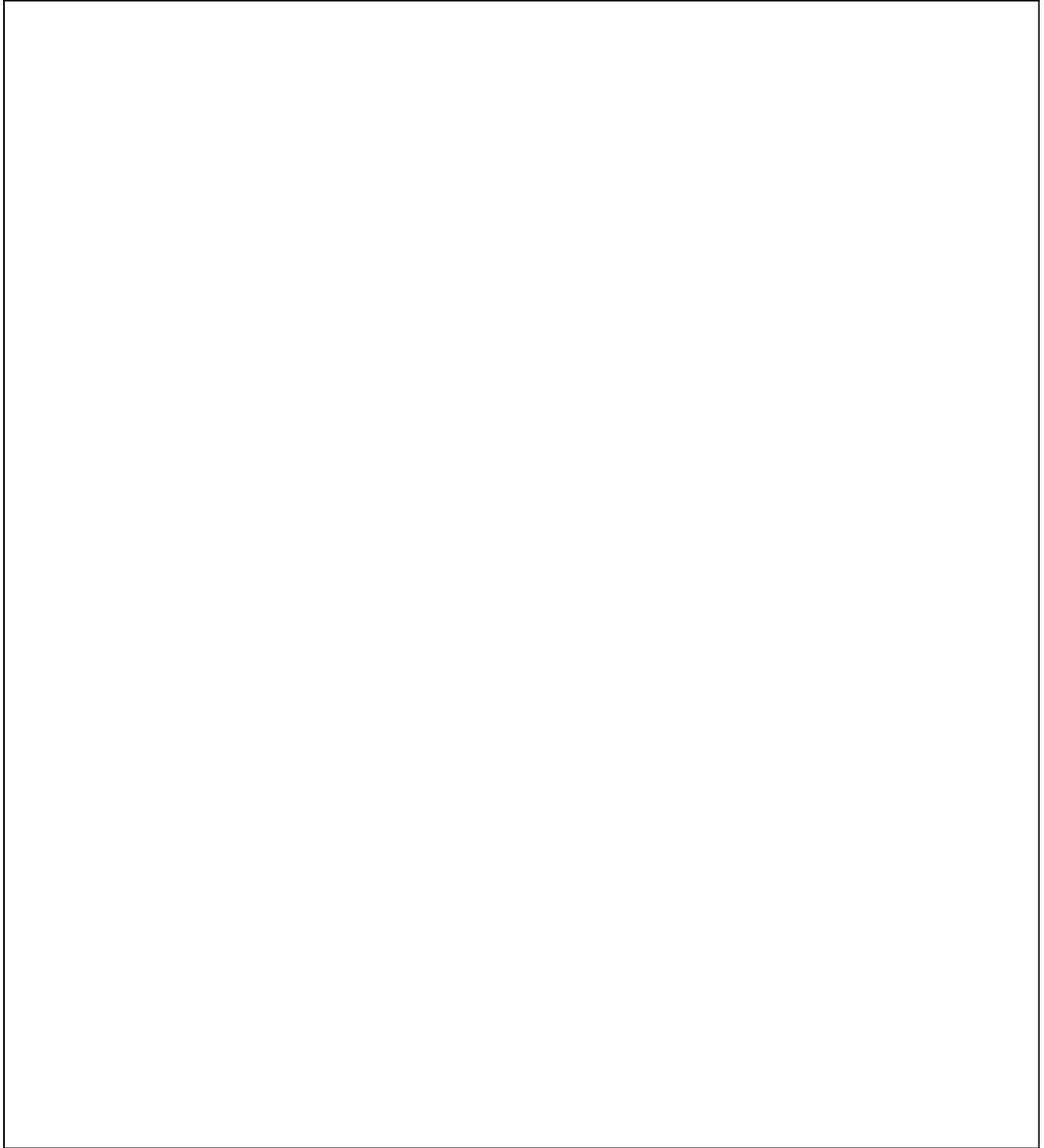
01 Proposed Section AA
1:200 @ A3

Existing (top) and Proposed (bottom) Basement Plan



Existing (top) and Proposed (bottom, with roof of plant enclosure) Roof Plan





DRAFT DECISION LETTER

Address: 25-27 Oxford Street, London, W1D 2DW,

Proposal: Redevelopment behind retained facade and erection of seventh floor

extension with new plant room at roof level to provide retail use (Class A1) at part basement, part ground and part first floors and office (Class B1) use at part basement, part ground, part first and second to seventh floors.

Reference: 16/11476/FULL

Plan Nos: Demolition Drawings: 050_15 ; 050_16 ; 050_17 ; 050_18 ; 050_19 ; 050_20 ; 050_21 ; 050_22 ; 050_23 ; 050_24 ; 050_25_revA ; 050_26 ; 050_27 ; 050_28

Proposed Drawings: 050_29_revA ; 050_30_revA ; 050_31_revA ; 050_32_revA ; 050_33_revA ; 050_34_revA ; 050_35_revA ; 050_36_revA ; 050_37_revB ; 050_38_revD ; 050_39_revD ; 050_40_revD ; 050_41_revC ; 050_42 ; 050_43_revA ; 050_45 ; 050_46

Case Officer: Adam Jones

Direct Tel. No. 020 7641 1446

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 piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
 - o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and
 - o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

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

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) 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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 4 (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 (November 2016), 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.

- 5 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.

- 6 You must install the plant screens shown on the approved drawings before you use the machinery. You must then maintain these screens in the form shown for as long as the machinery remains in place. (C13DA)

Reason:

To protect the environment of people in neighbouring properties, as set out in S32 of

Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13BC)

- 7 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 (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 8 You must provide each of the 15 cycle parking spaces for the Office (Class A1) use as shown on the approved drawing number 050_29_revA prior to occupation of the Office (Class A1) use. 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.

- 9 You must apply to us for approval of details of at least 5 secure cycle storage spaces for the retail (Class A1) use. You must not occupy the retail (Class A1) 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 of the retail (Class A1) part of the development. 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.

- 10 Notwithstanding the provisions of Class A1 of the Town and Country Planning (Use Classes) Order 1987 as amended April 2005 (or any equivalent class in any order that may replace it) the retail accommodation hereby approved at basement, ground and first floors shall not be used as a food retail supermarket unless otherwise agreed in writing by the City Council as local planning authority.

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 11 You must apply to us for approval of a Service Management Plan for the property. You must not occupy the approved Retail (Class A1) or Office (Class B1) uses until we have approved what you have sent us. You must then carry out the measures included in the Service Management Plan at all times.

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 12 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 of the Soho Conservation Area as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 9 (B) 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. (R29AC)

- 13 **Pre Commencement Condition.** You must not start any demolition work on site until we have approved either:

- (a) a construction contract with the builder to complete the redevelopment work for which we have given planning permission on the same date as this consent, or
- (b) an alternative means of ensuring we are satisfied that demolition on the site will only occur immediately prior to development of the new building.

You must only carry out the demolition and development according to the approved arrangements. (C29AC)

Reason:

To maintain the character of the Soho Conservation Area as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 9 (B) 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. (R29AC)

- 14 None of the development hereby permitted shall be commenced until detailed design and construction method statements for all the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority which:

- (i) Accommodate the proposed location of the Crossrail 2 structures including

tunnels, shafts and temporary works,

- (ii) Accommodate ground movement arising from the construction thereof,
- (iii) Mitigate the effects of noise and vibration arising from the operation of the Crossrail 2 railway within the tunnels and other structures,

The development shall be carried out in all respects in accordance with the approved design and method statements. All structures and works comprised within the development hereby permitted which are required by paragraphs C1(i), (ii) and (iii) and of this condition shall be completed, in their entirety, before any part of the building[s] [is] [are] occupied.

Reason:

To meet the requirements of a direction made in connection with the Chelsea-Hackney line (CrossRail Line 2) by the Secretary of State for Transport under Articles 14(1) and 18(3) of the Town and Country Planning General Development Order 1988 and as set out in S41 and S43 of Westminster's City Plan (November 2016) and TRANS 5 (E) and para 4.68 of our Unitary Development Plan that we adopted in January 2007. (R33BC)

- 15 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.

Rooftop PV panels

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 (November 2016). (R44AC)

- 16 Before anyone moves into the office (Class B1) accommodation, you must provide the separate stores for waste and materials for recycling shown on drawing number 050_29 Rev. A. You must clearly mark them and make them available at all times to everyone using the office (Class B1).

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 17 You must apply to us for approval of details of how waste is going to be stored for the

retail (Class A1) use and how materials for recycling will be stored separately. You must not occupy the retail (Class A1) unit 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 retail (Class A1). (C14EC)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 18 You must apply to us for approval of 1:5 and 1:20 detailed drawings of the following parts of the development;. You must not start work until we have approved what you have sent us.

- i) external windows
- ii) external doors
- iii) shopfront
- iv) dormers (to match existing)
- v) rooflights

You must then carry out the work according to these detailed drawings (C26CB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 19 The roof must be clad in natural slate of a dark colour.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 20 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the

character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 21 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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 22 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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 23 Prior to the commencement of any demolition or construction on site the applicant shall provide evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. (C11CA)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 24 The front pitch of the roof extension must not exceed 40 degrees.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 25 All external plant located outside of the roof level plant enclosure, as shown on drawing no. 050_38_REV D, must not exceed the finished height of the upstand, as shown on drawing no. 050_39_REV D.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 26 (1) Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10 dB one metre outside any premises.
- (2) The emergency plant and generators hereby permitted may be operated only for essential testing, except when required by an emergency.
- (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 (November 2016) 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.

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 (November 2016), 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 Conditions 4 and 5 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)
- 3 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.
- 4 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)

- 5 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 6 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)
- 7 The Service Management Plan (SMP) requested in Condition 11 should be a practical document for everyday use by staff. The plan should identify process, storage locations, scheduling of deliveries and staffing arrangements; as well as how delivery vehicle size will be managed. It should clearly outline how servicing will occur on a day to day basis, almost as an instruction manual or good practice guide for the occupants. A basic flow chart mapping the process stage by stage, maybe the easiest way to communicate it accompanied by a plan highlighting activity locations. The SMP should help to ensure that goods and delivery vehicles spend the least amount of time on the highway as possible and do not cause an obstruction to other highway users.
- 8 The applicant will need technical approval for the works to the highway (supporting structure) prior to commencement of development. The applicant should contact Andy Foster (0207 641 2541) in Engineering & Transportation Projects to progress the applicant for works to the highway.
- 9 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)

- 10 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)
- 11 Condition 14 meets the requirements of the direction made by the Department of Transport relating to the Chelsea to Hackney (CrossRail 2) line. If you have any questions about this project, please write to:
- Crossrail Limited
25 Canada Square
London, E14 5LQ.
(Telephone: 0345 602 3813)
- Applicants should refer to the Crossrail 2 Information for Developers pack which is available at www.crossrail2.co.uk. Crossrail 2 will provide guidance in relation to the proposed location of the Crossrail 2 structures and tunnels, ground movement arising from the construction of the tunnels and noise and vibration arising from the use of the tunnels. Applicants are encouraged to contact the Crossrail2 Safeguarding Engineer in the course of preparing detailed design and method statements.
- 12 The term 'clearly mark' in condition 16 and 17 means marked by a permanent wall notice or floor markings, or both. (I88AA)
- 13 With reference to condition 23 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work. The Code does require the submission of a full Site Environmental Management Plan or Construction Management Plan as appropriate 40 days prior to commencement of works (including demolition). You are urged therefore to give this your early attention.

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.