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PLANNING APPLICATIONS	Date	Classification	q t	
COMMITTEE	18 August 2015	For General Rele	ase	
Report of		Wards involved		
Director of Planning		West End		
Subject of Report	Site 1. 59-65 Wells Street, London, W1A 3AE			
	Site 2. 84-86 Great Portland Street, W1W 7NR			
Proposal	Site 1. Demolition of existing building and replacement with a new building comprising basement, ground and six upper floors (with plant on main roof) for office (Class B1) accommodation at part ground floor and first to sixth floors, use of part ground floor as dual/alternative retail (Class A1) or restaurant use (Class A3) with social and community use (D1) at part basement level. Proposal includes associated external alterations to include plant at roof level (with photovoltaics on top of plant) and terraces at sixth and main roof level.			
	Site 2. Use of first to fifth floors of 84-86 Great Portland Street as six residential flats (Class C3) with plant at roof level and new front facade on the Great Portland Street elevation and other associated external alterations. Works to extend the existing building to the rear (21-23 Riding House Street) to provide additional office accommodation (Class B1) and other associated external alterations to include plant at roof level and replacement entrance at ground floor level to 21-23 Riding House Street.			
Agent	Gerald Eve			
On behalf of	Site 1. Pontsarn Investment Limited			
	Site 2. Knighton Estates Ltd			
	(parts of the Great Portland Str		• <sub>1</sub>	
Registered Number	Site 1. 15/02731/FULL	TP / PP No	1. TP/2387	
	Site 2. 15/02730/FULL		2. TP/2387	
Date of Application	25.03.2015	Date amended/ completed	02.04.2015	
Category of Application	1. Major			
	2. Other			
Historic Building Grade	Sites 1 and 2 - Unlisted			
Conservation Area	Site 1. Outside Conservation Area			
·	Site 2. Harley Street and East N	/larylebone		
Development Plan Context	Within London Diag Control A	ii.i 7	•	
<ul> <li>London Plan July 2011</li> <li>Westminster's City Plan: Strategic Policies 2013</li> <li>Unitary Development Plan (UDP) January 2007</li> </ul>	Within London Plan Central Activities Zone Site 1. Within Core Central Activities Zone Site 2. Outside Core Central Activities Zone			
Stress Area	Outside Stress Area			
Current Licensing Position	A Premises Licence has not been submitted.     Not applicable.			

## 1. RECOMMENDATION

For Committee's consideration:

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#### Site 1:

- 1. Does the Committee consider that the applicant's offer of replacement social and community provision is acceptable.
- 2. Subject to 1. above, grant conditional permission, subject to no new substantive issues being raised as a result of outstanding consultations, and subject to a legal agreement to secure the following:
- i) a financial contribution of £1,544,000 towards the Council's affordable housing fund (index linked and payable on commencement of the development at either Site 1 or 2);
- ii) the offer of the basement level Class D1 community space to All Saints Church for community and religious functions, on a peppercorn rent for a term of 20 years and fitted out (broadly equivalent to a Cat A fit out), at a cost not to exceed £350,000;
- iii) a financial contribution of £500,000, in the first instance to Greenhouse Sports, or an alternative locally based charity or community group to be agreed with the City Council in the event that Greenhouse Sports do not take up that offer;
- iv) public art to a value of £75,000;
- v) a CIL and Crossrail payment of £618,620;
- vi) monitoring costs of £500 for each of the above clauses.
- 3. If the S106 legal agreement has not been completed within two months, 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.

## Site 2:

- 1. Grant conditional permission subject to a legal agreement to secure:
- i) Provision of lifetime car club membership (minimum 25 years) for all six flats;
- ii) The costs of monitoring the S106 agreement.
- 2. If the S106 legal agreement has not been completed within two months of the date of the Committee resolution then:
- (a) The Director of Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorised to determine and issue the decision under Delegated Powers; however, if not
- (b) The Director of Planning shall consider whether the permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which would have been secured; if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.





Tasman House, 59-65 Wells Street

59-65 WELLS STREETAND 84-86 GREAT PORTLAND STREET, W1



84-86 Great Portland Street

59-65 WELLS STREETAND 84-86 GREAT PORTLAND STREET, W1

## 2. SUMMARY

Site 1 sits to the north of Oxford Street and dates from the early 1960s. The building was most recently occupied by Her Majesty's Court and Tribunal Service (HMCTS). This is considered to fall within Class D1 and thus constitutes a social and community use, for which the policy presumption is to protect and/or replace. In March 2014, the court facility vacated the building, in connection with the wider consolidation of HMCTS assets, and relocated to a new facility at High Holborn. The building has been vacant since this time. It is proposed to demolish the existing building and construct a modern office-led building with some replacement community space in the basement and a ground floor unit for either Class A1 retail or Class A3 restaurant use.

Site 2 is located nearby and includes a sizeable rear extension (referred to as the 'rear building') which almost entirely fills the centre of the Great Portland Street/Riding House Street/Middleton Place block. This building and was last used as offices until vacated by the previous tenant in late 2014. The front part of the site is to be reclad and converted to residential accommodation to partially offset the large increase in commercial floorspace at Site 1. The rear building is to be extended and retained for office use.

The key issues are considered to be:

- Whether the proposed replacement Class D1 social and community accommodation in the basement of site 1 and financial contribution to another community group in the vicinity is sufficient to offset the large reduction in Class D1 floorspace from Site 1.
- Whether the proposed residential accommodation at Site 2, together with a reduced financial contribution towards the Council's affordable housing fund is sufficient to offset the large commercial increase at site 1.
- Whether the design for both sites is acceptable.

The financial contribution towards affordable housing has been assessed by independent consultants acting on behalf of the Council and they have concluded that a contribution is viable, which the applicant has now agreed to pay (having initially offered nothing). This aspect is considered to be acceptable. The design of the new building at Wells Street and the recladding of 84-86 Great Portland Street are also considered to be acceptable. The applicant has sought to address the objection from All Saints Church about the impact on the lighting to the church from the new building at Site 1 and whilst there will still be some loss of light to the interior of this fine Grade I building, the impact is considered to be within acceptable limits. There are no other amenity issues.

In use terms, the new offices and retail/restaurant unit at Site 1 and the residential accommodation at Site 2 are all considered to be acceptable. However, given the considerable shortfall in replacement social and community provision, the Committee is asked to consider whether the applicant's offer is acceptable.

## 3. CONSULTATIONS

Site 1 - 59-65 Wells Street:

## HISTORIC ENGLAND

Advise that the application should be determined in accordance with national and local policy guidance.

## HISTORIC ENGLAND (ARCHAEOLOGY)

No objection subject to imposition of recommended conditions.

## FITZROVIA NEIGHBOURHOOD ASSOCIATION

Any response to be reported verbally.

## **ENVIRONMENTAL HEALTH**

No objections subject to imposition of standard conditions.

## HIGHWAYS PLANNING MANAGER

Objection to the loss of off-street servicing facilities; if the scheme is approved recommend conditions requiring submission of a servicing management plan and restriction preventing use of the premises as a food supermarket;

advises that the impact on parking levels will be minimal; confirms bicycle parking storage and waste storage are sufficient;

## GO GREEN PROGRAMME MANAGER

Note that the carbon reduction of 20% falls short of the 35% London Plan policy requirement and request a carbon offsetting contribution. Note that the expected BREEAM sustainability level of 'Excellent' is policy compliant.

## ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 80; Total No. of Replies: 2.

Two responses raising objections on the following grounds:

## Amenity:

- letter from a local resident concerned about noise and disruption during the construction works.
- letter on behalf of the Parochial Church Council of All Saints Church, Margaret Street: although they do not object in principle to the redevelopment, they do object to:
- 1. Loss of light to three windows on the north side of the building, degrading the lighting to and quality of this Grade I listed building, as well as loss of light to the vicar's accommodation at 6 Margaret Street; and
- 2. The applicant's suggestion that a possible interconnection between the community space in the new building and the church would be a community gain would be impossible to achieve in practice.

Request a reduction in bulk to the new building and the use of lighter material to the rear of the new building.

## ADVERTISEMENT/SITE NOTICE: Yes

Site 2 - 84-86 Great Portland Street:

# FITZROVIA NEIGHBOURHOOD ASSOCIATION Any response to be reported verbally.

## **ENVIRONMENTAL HEALTH**

No objections subject to imposition of standard conditions.

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#### HIGHWAYS PLANNING MANAGER

- Objection to the lack of car parking provision for the residential flats and loss of off-street servicing facilities; if the scheme is approved recommend conditions requiring submission of a servicing management plan;
- Advises that the impact on parking levels will be minimal; confirms bicycle parking storage and waste storage are sufficient;

#### GO GREEN PROGRAMME MANAGER

Note that the carbon reduction of 29.3% falls short of the 35% London Plan policy requirement, would like to see a higher BREEAM sustainability level of 'Very Good'.

## ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 229: Total No. of Replies: 4.

One letter of support for the proposals and three letters of objection on amenity grounds from residents in 19 Riding House Street raising concerns about:

- loss of light to and enclosure of their courtyard;
- overlooking from windows in an extension to the office accommodation;
- objection to the reintroduction of a communal walkway at the rear of their building that was
  to be removed by the applicant in a separate application [this is due to a misunderstanding
   the walkway is to be removed but has been shown as existing in the drawings of the
  current application];
- the introduction of any new balconies or terraces; and
- any noise from the new plant.

#### ADVERTISEMENT/SITE NOTICE: Yes

## 4. BACKGROUND INFORMATION

## 4.1 The Application Site

## Site 1: Tasman House, 59-65 Wells Street

The site sits to the north of Oxford Street, within the northern half of Wells Street, on its eastern side, between the junctions with Margaret Street and Mortimer Street. The building dates from the early 1960s, when it was originally built as showrooms with offices. The current building, with five storeys above ground, has a simple façade of brick and pre-cast concrete, typical of this period, and considered to be of little architectural merit. The main entrance to the building is inadequate for a building of this scale and there is a street-level service entrance to the basement car park. The site is approximately 0.065 hectares.

The building was most recently occupied by Her Majesty's Court and Tribunal Service (HMCTS). In March 2014, the court facility vacated the building, in connection with the wider consolidation of HMCTS assets, and relocated to a new facility at First Avenue House, High Holborn. The building has been vacant since this time. The applicants have argued that for a number of structural and layout reasons, the existing building is not considered fit for purpose, nor suitable or viable for refurbishment within the existing structure.

Tasman House is not listed and is not located in a Conservation Area, albeit the East Marylebone Conservation Area immediately bounds the site to the north, south and west. On Margaret Street, to the rear of the site, is located the All Saints Church which is Grade I Listed.

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The surrounding development and land use on Wells Street is largely commercial in character with some retail uses at ground floor, focused at the Oxford Street end of Wells Street. The northern part of Wells Street currently has poor, inactive street frontages that make little or no positive contribution to the vibrancy and character of the area.

## Site 2: 84-86 Great Portland Street

The site is located on the east side of Great Portland Street and is bounded by Langham Street to the north, Middleton Place to the east and Riding House Street to the south. The immediate vicinity includes a diverse mix of buildings and uses including retail, offices and residential.

84-86 Great Portland Street is an unusual site, comprising two linked, but distinctly different, buildings. The building fronting Great Portland Street is a relatively conventional six storey office building, comprising a basement level and ground plus five storeys. The building is vacant, having previously been in office (Class B1) use until February 2015. The building forms part of a terrace and consists of traditional brick construction with punched openings and metal framed windows.

The application site also includes a sizeable rear extension (referred to as the 'rear building') which almost entirely fills the centre of the Great Portland Street/Riding House Street/Middleton Place block. This building provides basement, ground and two upper floors and was used as offices until vacated by the previous tenant in late 2014.

The site sits across the boundary of two Conservation Areas. 84-86 Great Portland is located within the Harley Street Conservation Area. The rear building is located within the East Marylebone Conservation Area. Although the application buildings are not listed, there are a number of Grade II listed buildings in close proximity to the site. To the north at 94 Great Portland Street, at its junction with Langham Street, and Nos. 38 to 42 Langham Street, and to the south at Nos. 78-80 Great Portland Street.

The site is within the Marylebone and Fitzrovia part of the Central Activities Zone, the East Marylebone Special Policy Area (SPA) and within the Great Portland Street "Named Street" as defined by Westminster's City Plan: Strategic Policies. It is also within the Protected Vista of Primrose Hill to the Palace of Westminster.

## 4.2 Relevant History

## Site 1: Tasman House, 59-65 Wells Street

The planning history in relation to Tasman House is detailed and complex. Planning permission was originally granted for Tasman House on 11 March 1960, comprising a seven-storey building (including basement car park and loading bay) for use as showrooms with ancillary offices and stock-rooms. In 1963, the Metropolitan Police took first occupation and sought the use of two and a half floors of the property as Magistrates' Courts, and temporary use of the remaining space as administrative offices while New Scotland Yard was being redeveloped. The Metropolitan Police were not required to seek planning permission from the LPA (then London County Council), albeit it was consulted.

The County Council originally objected to the temporary office use of part of the building, but not to the use as Magistrates' courts. On the basis of further information provided by the Metropolitan Police, the County Council dropped this objection, on the understanding that the use of the property was to be returned to that originally permitted (showrooms with ancillary

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offices) once the required redevelopment of New Scotland Yard had taken place and the Metropolitan Police had vacated Tasman House.

An opinion provided by Council officers in 1987, however, identified that a lawful use had been instigated by the part of the building used as magistrates' courts. The officer's opinion stated that, in relation to this part of the building, alternative uses, including showroom use, would require planning permission. The temporary administrative offices in the remaining area of the building were considered separately. Should the Metropolitan Police vacate this space, officers advised that their use would revert to showroom use. The officer's opinion was that a proposal involving office use mixed with showroom use may be considered appropriate by the City Council.

An application was submitted in late 1987 for change of use of the whole building to uses within Class B1. This application was submitted by the owner for valuation purposes and to establish the lawful use of the building on vacation by the court. This application was then modified as a result of negotiations between the applicant and the City Council, to include retail/showroom use on the ground floor, with office use to the rest of the property.

The Committee report recommended the refusal of the application on the grounds of office policy (planning policy at the time sought to resist the growth of office space in central London) and suggested residential accommodation should be provided. The officer's opinion regarding the lawful use of the building, as expressed in August 1987, was repeated in the detailed consideration. It was noted that the building's use had not been divided as intended in 1963 between different floors – the offices and magistrates' courts were interspersed throughout the property. The application was further amended in May 1988, to include retail/showroom use on the ground floor, residential use on the top floor and B1 uses on the remaining floors, but this was deferred at Committee, and later withdrawn, due to the Committee's concerns in relation to only one floor of residential use.

The applicant submitted a revised application in November 1990 for change of use of the premises from Magistrates Court and ancillary offices, to retail/showroom use on the ground floor with B1 use on the first to fourth floors and residential use on the fifth floor. The officer's report in relation to this application noted again that the building's use had not been physically divided in the way anticipated in 1963. It was highlighted that it would be "unrealistic to expect showroom uses to successfully operate on the first to fourth floors". In light of the inclusion of one floor of residential space, it was "considered that these intervening floors might reasonably change to office use in view of the applicant's offer to provide new residential on the fifth floor". Planning permission was granted on 24 January 1991.

The City Council's position at that time was, therefore, that a significant element of the building should revert to a previous or alternate use on the departure of the Court use. The City Council also accepted that the most likely use of the space would be for office accommodation, given the slim likelihood of showroom use proving viable due to changes in the market since 1963 in this area.

The current applicants consider that the position adopted by the City Council on the lawful use of the building, which culminated in the 1991 planning permission, should be given significant weight.

The applicants consider that the City Council's position with regard to the use of the site should be the same as it was in 1991 when planning permission was granted for the use of the ground floor of the building as retail or wholesale showroom, first to fourth floors as Class B1 offices and fifth floor as residential accommodation.

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However, although the Council considered that the lawful use of the building at the time of the 1991 permission was a partly a Magistrates Court and partly offices for the Metropolitan Police, in making that decision the documented reports of the City Council make no reference to the loss of the Court facility. In this respect the City Council would approach the matter differently now and would apply local planning policies as they currently stand. In this respect City plan policy S34 is relevant (discussed in more detail below), which protects social and community floorspace such as law courts, except where they are being rationalised as part of a published strategy by the service provider. If it can be established that the law courts are no longer needed by the Court Service, an alternative social and community use would be considered subject to the demand for it or, failing that, residential provision.

Further, it appears that the use of the building has changed since 1991 when it was described as having two uses, namely law courts and separate police offices. The building (before it was vacated) was in a single use as law courts with the upper floor offices subsisting solely for the benefit of supporting the court. These offices appear to have been physically and functionally part of the courtrooms, meaning that the use of the whole building was as law courts, and if this arrangement has subsisted for at least 10 years, this would be the lawful situation.

In this respect it is therefore not considered that the 1991 permission is greatly relevant.

So, the existing building would need to be used for social and community purposes either wholly or in part, depending on demand and need. If it gets to the stage where housing is an acceptable alternative (the tests of social and community policy having been fully addressed in some way) a land use swap between uses (residential and offices in this case) with a swap site such as at 84-86 Great Portland Street would only be justified if it could be demonstrated that superior residential accommodation in terms of both quality and quantity could be provided at the swap site.

## Site 2: 84-86 Great Portland Street

A number of planning applications were submitted in the 1950s in relation to redevelopment of 84-86 Great Portland Street and 21-23 Riding House Street. The existing buildings appear to date from a permission granted in 1958 for the erection of a building of part six- storeys and part four storeys, plus basement, for use as showrooms and offices, with car-parking and storage in the basement and a caretaker's flat on part of the third floor, and for the formation of a means of access to the highway. A number of smaller applications have been submitted since this time which are not directly relevant to the proposed development.

## 5. THE PROPOSALS

Two applications for planning permission have been submitted for:

- 1. Tasman House, 59-65 Wells Street:
  - Demolition of the existing building (ground plus five storeys) and replacement with a new building of basement, ground and six upper storeys, with plant room above;
  - Introduction of an office-led (Class B1) scheme on the first to sixth floors;
  - Introduction of Class A1 and/or A3 active uses at ground level;
  - Re-provision (in part) of space for a Class D1 (social and community) user at basement level;
  - Introduction of external terraces at sixth floor and roof level.
- 2. 84-86 Great Portland Street:

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- Change of use of the existing 84-86 Great Portland Street building from office (Class B1) to residential (Class C3) use at part ground to fifth floor level to provide 6 no. residential units, including 2 no. 1 bed-room flats and 4 no. 2 bed-room flats;
- Provision of a new facade and residential entrance at ground floor level;
- Extension and refurbishment of the rear building to provide improved quality of office accommodation; and
- Introduction of a sedum roof to the rear building.

## 6. DETAILED CONSIDERATIONS

## 6.1 Land Use

The proposals can be summarised as follows:

Site	Land Use	Existing (m2 GEA)	Proposed (m2 GEA)	Net Change (m2 GEA)
Tasman	Office (Class B1)	0	3,905	+3,905
House	Retail (Class A1) and/or restaurant (Class A3)	0	456	+456
	Social and community use (Class D1)	3,665	391	-3,274
84-86 Great Portland Street	Office (Class B1)	2,697	2,167	-530
	Residential (Class C3)	0	871	+871
Total	Office (Class B1)	2,697	6,072	+3,375
	Retail (Class A1) and/or restaurant (Class A3)	0	456	+456
	COMMERCIAL	2,697	6,528	+3,831
	Social and community use Class D1	3,665	391	-3,274
	Residential (Class C3)	0	871	+871

The two sites are considered to be in the vicinity of one another and therefore the proposals can be considered as a joint package with regard to relevant policy considerations.

## 6.1.1 Social and Community Use

One of the key land use considerations of these proposals is the substantial loss of the Class D1 social and community use at Tasman House. UDP policy SOC 1 states that:

(D) Existing community facilities will be protected.

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(E) Proposals which involve the redevelopment or change of use of community facilities will be required to include adequate replacement facilities. Where the facility is surplus to the needs of the existing provider, any new development on the site should include an alternative community facility. Where adequate replacement facilities are not proposed then the City Council will refuse planning permission for this type of proposal.

Policy S34 of Westminster's City Plan: Strategic Policies 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 the 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 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 will be residential.

The previous use on site was for a family magistrate court. This facility relocated in March 2014 as part of the Court Service's wider long term strategy to rationalise court functions within new premises and the building has been vacant since this time.

## On-site replacement

The proposed development includes some re-provision of social and community space within the basement of the new building, but at 391m2 (GEA) this is clearly a significant reduction from the existing D1 floorspace of 3,665m2. Nor is the space ideal, as it would have no natural light and only a small entrance at ground level, with no usable space at that level. The applicant has been in discussions with All Saints Church, located directly to the rear of the site on Margaret Street, which has expressed interest in securing space within the new building. The applicant advises that the church is seriously limited in space for community activities and events, both for its own community of worshippers and to serve other local groups and organisations that require space (be it for religious or secular purposes).

It is intended that the proposed basement space would be used in a way analogous to a church hall, that is for religious and secular functions, including:

- Hospitality after Sunday and weekday services throughout the year;
- Hospitality after baptisms, weddings and funerals;
- Church study and educational groups;
- Welcome events for new members;
- Parochial Church Council and other meetings;
- Training sessions for volunteers; and
- Gathering/lecture space for visitor groups (e.g. frequent art and architectural history visits from universities and schools; visiting choirs and organists; day workshops).

The space would also provide opportunities for the church to respond to other requests for training/community/support group activities, which at the moment it is unable to accommodate due to space constraints. The church envisages that the space would be available to, and benefit, both its own community and those residents/workers in the surrounding area. A note in support of these proposals has been submitted by the vicar of All Saints.

The applicant proposes that, through the section 106 agreement, it be required to use reasonable endeavours to lease the basement space to All Saints Church, Margaret Street,

on the following terms:

- a) The space to be managed by the church, to provide space for community and religious functions;
- b) The space to be offered to the church on a peppercorn rent originally for a term of 10 years but subsequently increased to 20 years outside of the Landlord and Tenant Act 1954:
- c) the applicant initially offered a capital contribution of £200,000 to the church to contribute towards fit-out and transactional costs this has subsequently been revised to fit out the space to the church's requirements (broadly equivalent to a Cat A fit out, at a cost not to exceed £350,000; and
- d) make the space ready for occupation by the church.

In the event that All Saints chooses not to proceed with the above offer, the applicant proposes that it commits to collaborative discussions seeking an alternative social or community user for the space, from one of the following categories of user, on equivalent financial terms to that offered to All Saints Church.

- a) Public sector, providing services directly accessed by members of the public (to include for the avoidance of doubt, but not limited to, education, health, social care, social services, child care, mental health services);
- b) Third sector, providing services to members of the public on a non-profit basis;
- c) Charities;
- d) Other categories identified by the Director of Planning.

The Applicant will actively market the space available to users in these groups, and will report to the City Council quarterly on marketing activities. Such activities will continue until the space is satisfactorily let to a mutually acceptable occupier on financial terms equivalent to those offered to the church. For the avoidance of doubt, this will include an ex-Act lease at a peppercorn, for a period of twenty years less any time elapsed between the completion of the Proposed Development and the commencement of the term of the lease. Such lease will be contracted out of the Landlord and Tenant Act 1954. The Applicant will also make a financial contribution of up to £350,000 (indexed) towards the tenant's fit out costs.

In this scenario, the s106 will prevent the remainder of the Proposed Development from being occupied until the basement Class D1 floorspace has been completed to shell and core specification.

Notwithstanding their potential interest is using the new D1 space, All Saints Church have submitted an objection to the proposal, mainly about its impact on the daylighting to the church windows (see below in section 6.3). The objection also refers to a potential 'community gain' of a direct basement access link between the church crypt and the basement of Tasman House, to provide easier access. The objection advises that such a link is not physically possible, and the applicant does now agree this option cannot now be pursued.

## Off-site provision

Whilst officers consider that the above proposals are acceptable as far as they go, in

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themselves they are not considered to provide a satisfactory replacement for the substantial loss of social and community floorspace. Following negotiations on this matter, in which officers advised that there should be additional replacement social and community provision, the applicant has been in contact with Greenhouse Sports, a charity which uses sport to engage children in inner London. Greenhouse has identified and secured a site within Marylebone on which it is seeking to deliver a new, charitable, social and community facility (likely to be an indoor sports facility). Greenhouse have started pre-application discussions with the City Council.

The Applicant has been informed by Greenhouse that additional capital funding is required to secure the delivery of the facility. There is, therefore, a clear need for additional funding to deliver a new social and community facility within the City and within reasonable proximity to the development proposals for Tasman House.

The Applicant therefore proposes that the s106 requires that, prior to the occupation of the new development, a payment of £500,000 be made to the City Council. The City Council will then pass this on to Greenhouse on implementation of its proposed development to contribute to addressing the funding requirement. Should planning permission for Greenhouse not be granted, or Greenhouse choose not to implement the permitted development, the City Council will pass the financial contribution to one or more alternative social and community providers to be agreed by the applicant and the Director of Planning, in mutual consultation with one another.

The applicant considers that this will satisfy the objectives of the City Council's social and community policy as well being compliant with Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). They refer to the reasoned justification to Policy S34, which notes that an overall loss in social and community floorspace may be acceptable where it is necessary to deliver a new or improved facility. In this case, the proposed development, although resulting in a reduction in social and community floorspace, will directly deliver one new community facility and will contribute to meeting an identified funding requirement to secure the delivery of a second new facility offsite.

The improved offer towards replacement social and community facilities is welcomed, but it is debatable as to whether this is enough to offset the substantial loss of social and community floorspace from the current development site. Members are therefore asked to consider whether the applicant's offer is sufficient to address the relevant policies to make the proposals acceptable in planning terms.

## 6.1.2 Commercial increase and residential requirement

The redevelopment of Tasman House would result in the provision of 3,905m2 of new modern Class B1 offices. This would be partially offset by the reduction (530m2) in offices at 84-86 Great Portland Street: despite the extensions to the central part of the site, the partial change of use from offices to residential in the front building would result in an overall loss of office floorspace. The Tasman House redevelopment also includes 456m2 of Class A1 retail or Class A3 restaurant: whilst the main policy issues arising from these uses are dealt with below, they are relevant in this section as they also trigger a requirement for the provision of residential floorspace.

Policies S1, S18 and S20 of Westminster's City Plan and Policies COM 2 of the UDP support office developments within the CAZ provided that the increase in office floorspace (where it is over 200m2) is at least matched by an equivalent amount of residential floorspace on site where this is appropriate and practical. Where on site provision of residential floorspace is not

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considered appropriate or practical, UDP Policy COM 2 seeks the provision of residential accommodation on another site in the vicinity of the development site. Where neither on site or off site provision is appropriate or practical, other uses which contribute to the character and function of that part of the CAZ should be provided as part of the same development. Where none of the above can be achieved, a financial contribution can be made to the affordable housing fund in accordance with a standard formula.

Policy CENT 3 is also relevant, as it also requires other commercial increases (in this case A1 retail/A3 restaurant) to be matched by an equivalent amount of residential floorspace (and although policy S1 sets the trigger for this to increases over 400m2, this threshold is exceeded in this case).

The creation of new office accommodation at the Wells Street site is acceptable in principle, as it is located within the Core CAZ. It is noted it accords with the Council's draft revisions to policy for new borough-wide targets for commercial jobs and office jobs. The applicant also highlights that these proposals are supported by the National Planning Policy Framework (NPPF) and the London Plan.

The applicant argues that the primary driver of the proposal is to create office space and that it is not appropriate or practical to provide residential use on site at Tasman House. The constraints of the site, in terms of provide a separate entrance and service core for a residential use on the site, along with the offices, D1 use in the basement and A1/A3 use on the ground floor, are acknowledged. Nor does the applicant appear to have any other available sites (other than 84-86 Great Portland Street) where additional residential accommodation could be provided.

UDP Policy CENT 3 allows for the required residential to be provided on another site in the vicinity of the commercial redevelopment. 84-86 Great Portland Street is in close proximity to Tasman House, being a few minutes' walk away, and will provide 871m2 of residential accommodation. Clearly this is well short of the 3,905m2 increase in offices, or total commercial increase (including the Class A1/A3 use) of 3,831m2.

The alternative is a financial contribution towards the affordable housing fund. A policy compliant scheme (based on the increased 'unit sum' for 1 April 2015) would be £4,799,000. The applicant has submitted a Financial Viability Assessment (FVA) in order to establish if a financial contribution can be afforded by the scheme, in addition to the off-site residential provision in kind already proposed at Great Portland Street. Their FVA concludes that a mixed-use payment in lieu cannot be afforded, in addition to the provision of off-site residential accommodation and the cost of providing the social and community space within the basement at Tasman House at a peppercorn rent over a 20 year term. If no social and community floorspace was re-provided, the scheme could have provided a mixed-use payment in lieu of £1.64m.

The applicant also considers that the delivery of new, modern office space is a planning benefit of the proposed development that should be afforded very considerable weight, especially in view of the current concern expressed at the loss of office accommodation to residential accommodation within Central Westminster.

The viability report has been assessed by independent consultants acting on behalf of the City Council. They have had discussions with the applicant's consultants, mainly over disagreements about rental values and building costs. Following these discussions, the Council's consultants advise that the scheme could afford a payment towards affordable housing of £900,000. Whilst the applicant's has queried this finding, it is prepared to offer this

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sum. Furthermore, the viability reports wrongly set aside £616,302 towards public realm and £6,954 towards health: the applicant confirms that these amounts can form part of the affordable housing contribution. Finally, the applicant had also set aside £30,000 as a carbon offset payment (see 6.10 below): given the policy priority of affordable housing, it is considered that this money should also go towards the affordable housing payment, which the applicant agrees to. In total therefore the applicant is offering £1,544,000 towards affordable housing. Although this falls short of the policy compliant sum of £4,799,000, in view of the advice from the Council's own consultant that this is the maximum achievable, this is considered to be acceptable.

A condition will require the new residential flats at 84-86 Great Portland Street to be provided ready for occupation before the use of the offices at 59-65 Wells Street can commence.

## 6.1.3 New Residential - Mix, Standard and Size

The proposals for 84-86 Great Portland Street include the provision of six new flats, which partly offsets the commercial increase (discussed above). Policy H3 of the UDP adopted January 2007 encourages the provision of more housing, specifically part (A) "The City Council will seek to maximise the amount of land or buildings in housing use outside the CAZ and where appropriate, within the CAZ". Policy S14 of 'Westminster's City Plan: Strategic Policies' also seeks to optimise housing delivery and states residential use is the priority across Westminster, except where specifically stated. Furthermore, S14 specifies that

- "The Council will work to achieve and exceed its borough housing target set out in the London Plan"
- "Residential use is the priority across Westminster except where specifically stated", and
- "The number of residential units on development sites will be optimised."

The supporting text notes that "Land and buildings should be used efficiently, and larger development sites should optimise the number of units in schemes, taking into account other policies and objectives. Housing densities should reflect the densities set out in the London Plan. City Management policy will address housing densities to be applied to development sites in different parts of the city."

London Plan Policy 3.3 seeks to increase housing supply; Policy 3.4 states that new developments should optimise housing output.

The proposals involve the creation of a separate residential entrance at ground floor level and the conversion of the upper floors of the building fronting Great Portland Street into 2 x 1-bedroom flats and 4 x 2-bedroom flats. Policies H5 of the UDP and S15 of the City Plan seek to secure an appropriate mix of units in housing developments, and policy H5 normally requires at least 33% of new units providing three or more bedrooms. There are no family sized units in this proposal, which is unfortunate, but the constraints of the site are acknowledged and in this central location, with little amenity space nearby, the proposed mix is on balance considered to be acceptable.

The two 1-bedroom flats (at 46 and 48m2 GIA) are slightly below the minimum 50m2 GIA for a 1-bedroom/2 person unit standard set out in the London Plan (although larger than the 37m2 GIA for a 1 person unit). The London Plan Policy 3.5(D) recognises that, in some instances, development which compromises on some of the design standards may be acceptable where it contributes to meeting other planning objectives and is exemplary quality. Para 2.1.26 of the draft Interim Housing SPG also recognises that "Failure to meet one standard would not necessarily lead to an issue of compliance with the London Plan."

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The scope to fully satisfy the London Housing Design Guidelines/London Plan standards is limited by the constraints of the existing building which is being converted. However, the proposed first floor units would still provide a good standard of residential amenity, improves the overall housing yield from the proposed development and provides a wider mix of residential units; the development would, otherwise, only provide 2-bed units. The 2-bedroom units are 95m2 GIA in size, comfortably exceeding the minimum standard of 70m2.

None of the flats have any outside amenity space but again this is due to the constraints of the site.

#### 6.1.4 Retail and Restaurant

The building is located within the CAZ, but not within a designated shopping frontage. Nor is it within a Stress Area. The proposals involve the introduction of a unit (456m2) for either Class A1 retail or A3 restaurant floorspace at ground level along Wells Street, retaining flexibility depending on market demand. One of the applicant's objectives is to re-establish active street frontages on Wells Street, reinvigorating the street and introducing additional retail activity and visual interest. It is noted that the proportion of active frontages is currently low, particularly at the northern end of the street.

The NPPF stipulates that local planning authorities should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality. London Plan Policy 2.11 aims to identify, enhance and expand retail capacity to meet strategic and local need and this is to be focused on the CAZ frontages. Westminster's City Plan: Strategic Policies S6 states that, in the Core CAZ, retail floorspace is encouraged throughout the area and large scale retail development will be directed to the CAZ frontages. UDP Policy SS4 stipulates that developments within the CAZ must include an appropriate number of shop type premises at street level and should provide at least the same amount of retail floorspace as there was there before. The size and type of units must be appropriate to the character and function of the street.

With regard to the restaurant option, UDP Policy SS5 states that proposals for non-A1 uses must not lead to, or add to, a concentration of three or more consecutive non-A1 uses, nor cause or intensify an existing over-concentration of A3 and entertainment uses in a street or area. Policies TACE 8-10 of the UDP set out a framework for considering entertainment uses within Westminster in order to safeguard residential amenity, local environmental quality and the established character and function of the city. The current proposal is below the 500m2 threshold that constitutes a 'large' entertainment use. The site is within the Core Central Activities Zone and therefore Policy TACE 8 is applicable, which states that such entertainment uses will generally be permissible, subject to environmental, amenity and traffic considerations, taking account of the number and distribution of existing entertainment uses in the vicinity, any cumulatively adverse effect, and no adverse effect on the character and function of the area.

City Plan Policy S24 states that new entertainment uses need to demonstrate that they are appropriate in terms of the type and size of use, scale of activity, relationship to any existing concentrations of entertainment uses and any cumulative impacts and that they do not adversely impact on residential amenity, health and safety, local environmental quality and the character and function of the area.

Either A1 retail or A3 restaurant is considered to be acceptable in this case. The proposed unit has been designed to modern standards to prevent potential adverse effects on local amenity. Should the unit be occupied by a Class A3 user, it will be designed to ensure cooking odours would be discharged at roof level, which has been indicated on the submitted proposals. At

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this stage in the redevelopment process no restaurant operator has yet been identified, though the applicant states that it is their intention that the unit would be let to a restaurant operator with a high quality offer. As a result, the density of covers and number of patrons is likely to be relatively low. Space dedicated to kitchens, prep areas and storage, rather than seating for patrons, is likely to be high, further reducing the capacity of the restaurant and its potential for adverse impacts particularly due to guests arriving and departing.

Should a restaurant be introduced, and an operator is identified, an operational management plan would be prepared and submitted for approval by the City Council: this will be conditioned. Other conditions will require details of the capacity, as only an indicative layout has been provided in the current submission. It is proposed to condition opening hours from 07.00 hours until midnight Monday to Saturday and 08.00 hours until 23.30 hours on Sundays and Bank Holidays. The proposed scheme incorporates an internal kitchen extract system that discharges at roof level, also to be conditioned. On this basis the proposal is considered to be acceptable and in compliance with the above policies.

## 6.2 Townscape and Design

## 6.2.1 Tasman House

## Demolition

The existing building is a post-war office development of no interest, outside but adjacent to the East Marylebone Conservation Area. It does not make a positive contribution to the character and appearance of the area. Its demolition and redevelopment is uncontentious in principle.

## Height and bulk

The proposed building is six storeys high to parapet level, with a recessed seventh floor and a plant room above. The height and bulk proposed are similar to the modern building immediately to the north. The buildings to the south are lower and the proposed massing has been cut back to reduce the impact on the setting of the lower buildings. This is considered acceptable.

## Design

The new building comprises a two storey base, framed in stone, with a horizontal metal fascia at first floor level. Above this there are five glazed bays, four storeys high, framed with charcoal coloured brick piers. The glazing is subdivided horizontally and vertically to reduce its scale. This is an extensively glazed façade, which in a more sensitive historic street might be contentious and inappropriate. However, this part of Wells Street is characterised by large twentieth century buildings, and in this context the proposed building is acceptable.

#### Public art

It is proposed to include works of public art in the front facade. Three possible locations have been suggested: the office entrance, the community use entrance and the substation screen. Any one of these could be acceptable but the latter offers the largest area for art. The location and design of the artwork should be controlled by condition.

It is concluded that this is a high quality building which will contribute positively to the character and appearance of the area. The scheme complies with the City Council's urban design and conservation policies, including strategic Policies S25 and S28, and Unitary Development Plan policies including DES 1, DES 4 and DES 9.

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## 6.2.2 Great Portland Street

The existing building is modern and of little merit. It does not make a positive contribution to the character and appearance of the Harley Street Conservation Area.

The proposal retains the existing structure but re-clads the front facade and adds extensions at the rear. The retention of the existing structure imposes certain constraints on the design of the new facade. The architects have sought to improve the appearance of the building and its contribution to the streetscape by dividing the front facade into two different bays, which is a response to the historic Georgian plot widths. The facades are clad in brickwork, with slightly projecting metal and glass bays. Given the constraints of keeping the existing structure, this design is considered to be an improvement on the existing building and will preserve and enhance the character and appearance of the conservation area.

The rear facade of the main building is retained and new windows installed. The lower building at the rear, in the centre of the street block, will be remodelled, extended and the facades improved. These works are uncontentious in conservation area terms. On Riding House Street the facade is retained and minor changes are made to the ground floor level. These are also uncontentious.

It is concluded that the works will improve the appearance of the buildings and the character and appearance of the Harley Street Conservation Area Conservation Area. The scheme complies with the City Council's urban design and conservation policies, including strategic Policies S25 and S28, and Unitary Development Plan policies including DES 1, DES 4 and DES 9.

## 6.3 Amenity (Daylight/Sunlight/Overlooking)

Policy S29 of the City Plan seeks to safeguard the amenity of existing residents. Policy ENV13 of the UDP seeks to protect and improve the residential environment and resist proposals which would result in a material loss of daylight and sunlight and/or a significant increase in sense of enclosure or overlooking. Whilst the policy is primarily designed with regard to residential accommodation, the City Council may apply them to other uses, such as schools and other activities, where loss of daylight or sunlight may prejudice the present use of the premises.

Recommended standards for daylight and sunlight in residential accommodation are set out in the Building Research Establishment (BRE) publication 'Site layout planning for daylight and sunlight' (2011). The applicant has undertaken a daylight and sunlight assessment of surrounding properties in accordance with the BRE guidelines.

With regard to daylight, Vertical Sky Component (VSC) is the most commonly used method for calculating daylight levels and is a measure of the amount of sky visible from the centre point of a window on its outside face. This method does not need to rely on internal calculations, which means it is not necessary to gain access to the affected properties. If the VSC achieves 27% or more, then the BRE advises that the windows will have the potential to provide good levels of daylight. If, however, the light received by an affected window, with the new development in place, is both less than 27% and would be reduced by 20% or more as a result of the proposed development, then the loss would be noticeable. The 'no sky line' method measures the daylight distribution within a room, calculating the area of working plane inside the room that has a view of the sky.

In terms of sunlight, the BRE guidelines state that if any window receives more than 25% of the Annual Probable Sunlight Hours (APSH, where total APSH is 1486 hours in London)

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including at least 5% during the winter months (21 September to 21 March) then the room should receive enough sunlight. The BRE guide suggests that any reduction in sunlight below this level should be kept to a minimum. If the proposed sunlight is below 25% (and 5% in winter) and the loss is greater than 20% of the original sunlight hours either over the whole year or just during the winter months, then the occupants of the existing building will notice the loss of sunlight. Windows are tested if they face within 90 degrees of due south.

## Impact on residential accommodation

The applications are each accompanied by a daylight and sunlight report. At Tasman House, the nearest residential is diagonally opposite the front of the site St Andrew's Chambers, and at the rear in 6 Margaret Street. The losses to the former are minor – the greatest loss is 4.38% VSC, with most windows affected less or not at all. The impact on this property is therefore considered to be acceptable. 6 Margaret Street is used as a single residential dwelling attached to All Saints Church: of the four main rooms at the rear, the ground floor utility room, second floor kitchen and third floor bedroom lose less than 20%. The first floor bedroom loses just over 20% (21.29%) but as it is a bedroom this is considered to be acceptable.

Permission has also been granted to convert 5 Margaret Street into three flats and 66-67 Wells Street into seven flats. Whilst neither scheme has been implemented yet, the daylight study has assessed the impact on these properties and concludes that the losses to No. 6 are within acceptable limits. At 66-67 Wells Street, six of the seventeen windows to the proposed development would be affected by the development at Tasman House, however it is noted that that scheme benefits from multiple windows. The applicant highlights the fact that the permission has not been implemented and no residential accommodation yet exists in 66-67 Wells Street. No planning conditions have been discharged and there is no evidence of impending implementation of this planning permission. Consequently, the applicant considers that any potential impact should not be given the same weight in planning decision making as that of a comparable level of impact on existing residential dwellings. Additionally, there is no development plan policy that seeks to protect the amenities of potential future residents. Prospective residents of 66-67 Wells Street, should it be refurbished, will have the opportunity to consider the sunlight and daylight effects of the development when deciding whether to purchase a property.

There will be some loss of sunlight to St Andrews Chambers and but again this will be well within acceptable limits.

The rear block at 84-86 Great Portland Street (Site 2) is surrounded by a number of residential properties. Here the daylight and sunlight study shows that whilst there will be some small losses of both, these losses are mostly small and well within the recommended guidelines. One property in Middleton Place (the rear of which faces south west) will lose half of its winter sunlight, but this is from a low starting point of only 2% APSH and the loss is considered to be acceptable as it will be negligible in practice.

Residents in 19 Riding House Street have objected to the closing in of their rear courtyard from a small first floor extension to the office accommodation. However, this aspect of the scheme has been revised to reduce the size of this extension, and the impact on the courtyard will be minimal. Therefore these objections are no longer considered to be sustainable. Other objections about overlooking from balconies or terraces are not sustainable as none are proposed for either the residential or office accommodation. References to a walkway at the rear of 19 Riding House are based on a misunderstanding and relate to another application.

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## Objection from All Saints Church

All Saints Church have submitted an objection about loss of light to the high level windows on the north side of the church: although the objector refers to three windows identified by the applicant's own daylight study where there will be a loss of greater than 20% VSC, one of these is actually a blocked window behind the church organ.

Council policy does not specifically refer to the protection of daylight to church buildings. However, in recognition of the importance of the church (listed Grade I), the applicants have sought to address these concerns as far as reasonably possible. The two windows which are affected provide light to the chancel – initial VSC losses were 21.64% and 32.61%. The scheme has been revised to step back the rear of the roof level plant screen and to use a lighter 'buff' coloured brick on the rear and side elevation face towards the church. An addendum daylight report has been submitted assessing the reflectivity of the lighter building materials and change to the plant screen and demonstrates that the loss to the two chancel windows reduces to 8.6% and 13%. The report also shows that there be no change to the distribution of light within the chancel (the Daylight Distribution test) and only a small absolute reduction in the internal daylight of 0.19% Average Daylight Factor (ADF), equivalent to a proportional loss of 8.88% of the existing ADF value.

It is noted that there are also windows on the south side of the church which will continue to provide the main source of light to the building. Furthermore, the church's windows have stained glass, thereby reducing the amount of light anyway. It is considered that the applicant's efforts to address this issue are acceptable and that this objection is not sustainable.

## Noise

Policies ENV6 and ENV7 of the UDP and S32 of the City Plan seek to protect occupants of adjoining noise sensitive properties from the impacts of noise from new development, including from plant. Both proposals include plant which Environmental Health have assessed and have no objections to. One objector in Riding House Street has expressed concern about potential noise from the new plant on the roof of the extended central office block but conditions will ensure that the plant operates within acceptable limits.

#### 6.4 Highways, Servicing and Parking

## Car Parking (Sites 1 and 2)

No off-street parking is provided by either application. The Wells Street site is highly accessible with a PTAL rating of 6b, the best achievable. The site is located less than 10 minutes' walk away from three central London underground stations: Oxford Circus (Bakerloo, Central and Victoria underground lines), Goodge Street (Northern underground lines) and Tottenham Court Road (Central and Northern underground lines). By 2018, Tottenham Court Road station will also have a Crossrail station. There are also numerous bus routes running along Oxford Street to the south and Tottenham Court Road to the east of the site.

The site is within a Controlled Parking Zone and the Highways Planning Manager advises that the impact of the proposed commercial uses, including the restaurant, on parking levels will be minimal.

With regard to the residential proposals at Great Portland Street, the Highways Planning Manager has raised an objection on the grounds that no car parking is provided for use by the

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proposed residential units which may have an impact on parking levels in the area and this may lead to a reduction in road safety and operation.

Policy TRANS23 details an 80% on-street car park occupancy threshold above which the provision of additional vehicles to the on-street parking environment will result in an unacceptable level of deficiency. The evidence of the Council's most recent night time parking survey in 2011 (Buchanan's) indicates that parking occupancy of ResPark bays within a 200 metre radius of the site is 81%. However TRANS23 includes all legal parking spaces (eg Single Yellow Lines, Metered Bays, P&D, and Shared Use) as such with the addition of Single Yellow Line availability at night, the stress level reduces to 27%.

The evidence of the Council's most recent daytime parking survey in 2011 (Buchanan's) indicates that parking occupancy of ResPark bays within a 200 metre radius of the site is 88%. During the daytime within the area, the only legal on-street spaces for permit holders are Residential and Shared Use Bays.

The Highways Planning Manager acknowledges that the site has a high level of public transport accessibility, however he notes that households within the West End Ward with 1 or more cars is 29% (2011 Census figures). Whilst this is lower than the borough average the above figures indicate that residents in the area do own cars, along with the fact that during the day Residential Bays have a high level of occupancy. Therefore the development is not consistent with TRANS23 and will add to existing on-street parking stress overall.

There is what appears to be an existing car lift accessed from Riding House Street and historically there may have been parking spaces at basement level, though not recently and the space is now used as office accommodation. The Highways Planning Manager considers that even if no car parking spaces currently exist it is not clear why the existing car lift cannot be utilised to provide access to car parking within the basement for the proposed residential units. The applicant advises that car lift has long been disused and decommissioned and would fall well below modern standards. Furthermore, the Council has previously accepted the loss of the car lift has part of a scheme approved in August 2014 for alterations to 78-82 and 15-23 Riding House Street, in which it approved the loss of this car lift/servicing area and the introduction of a refuse and cycle storage area. The proposed use of this part of the site is unchanged, therefore, from that previously approved and the objection from the Highways Planning Manager on this aspect of the scheme is not sustainable.

The Highways Planning Manager notes that if other planning considerations take priority over the objection raised regarding on-street parking stress, lifetime (25 year) car club membership is considered the strongest mechanism that is likely to reduce car ownership of the future residential occupiers. Whilst the provision of lifetime car club membership is not sufficient to remove his objection, this is considered to be an acceptable solution for the residential parking and will be secured in a S106 agreement.

## Servicing - Site 1, Wells Street

The Highways Planning Manager has raised objections to both applications on servicing grounds. TRANS 20 requires convenient access to servicing and in most cases this should occur off-street. No off-street servicing is indicated for either development.

At Wells Street the proposed development will remove the existing service facilities accessed from Wells Street, which the Highways Planning Manager considers is contrary to UDP Policy TRANS20 and City Plan Policy S42 putting further pressure on the existing on-street parking/servicing facilities in the surrounding area to the disadvantage of all highway users and a decrease in the quality of the public realm.

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It is proposed that servicing of the development will take place from the street. This reflects the last operation of the building. There is vehicular access to the basement by way of a ramp off Wells Street within the current building, however, the applicant advises that this was not used for servicing, rather it was the car park entrance. The car park could not accommodate vehicles in excess of 2.4m and the small ground floor service bay, which was used for storing bins, etc, could have only accommodated small vehicles even if it had not been used for storage. It could not have accommodated larger vehicles, such as a refuse truck.

The proposed permanent on-street servicing strategy would enable the footway in front of the site to be reinstated (with a short dropped kerb retained to facilitate servicing) and remove the need for service vehicles to reverse across a footway when delivering to site, avoiding potential conflict with pedestrians, which would be a benefit of the proposals.

The applicant indicates that the area of single yellow line to the front of the site could be used to carry out servicing. The Highways Planning Manager is concerned that the restrictions on this area of single yellow line allows cars to park on it between the hours of 18.30 and 08.30 and as such during these times it cannot be guaranteed to be free for service vehicles to use. The yellow line in front of the site is approximately 16.5m long, sufficient to accommodate 2-3 light goods vehicles at any one time. The applicant's Transport Statement includes a kerb side survey which demonstrates that there is sufficient capacity to accommodate delivery activity associated with the proposed development.

Creation of off-street servicing facilities would also have significant implications for the design of the new building: if the servicing bay had to be reprovided, the combination of the substation entrance, servicing bay/entrance, and entrance to the Class D1 accommodation would create a long stretch of potentially blank frontage which would be detrimental to the street. It would also take up some of the A1/A3 space on the ground floor, and the applicant is concerned that this would create a relatively narrow retail frontage to an awkwardly shaped unit that could make finding an occupier for the space significantly more difficult.

It is considered that the removal of the pedestrian cross-over, along with the reinstatement of active frontage in this location, outweighs the loss of the existing car park entrance and the very limited ground floor storage/servicing facilities it previously provided. Therefore the objection from the Highways Planning Manager is not considered to be sustainable.

If the ground floor unit were to be used as a food retail outlet, this could generate a more intensive and disrupting servicing requirement than the other proposed uses. It is therefore proposed attach conditions to the permission to restrict the A1 use from becoming a supermarket (or similar) and secure the submission (and subsequent agreement) of a Service Management Plan (SMP) for each use within the development site. In addition a condition should be imposed to ensure no goods are left on the highway for servicing purposes.

The SMP should identify process, storage locations, scheduling of deliveries and staffing arrangements; as well as how delivery vehicle size will be managed and how the time the delivered items spend on the highway will be minimised.

## Servicing - Site 2, Great Portland Street

As stated above, the Highways Planning Manager has objected to the removal of the redundant car lift in Riding House Street on the basis that this also provided off-street servicing facilities. However, as also indicated above, the Council has given separate permission for the conversion of the area occupied by the car lift into a refuse storage area. The objection therefore cannot be sustained but a condition can be imposed to secure the submission (and subsequent agreement) of a Service Management Plan (SMP) for the

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development site. Given the sole commercial use for office purposes, it is not considered that the servicing requirements will be significant.

## Cycle Parking

At Wells Street, TRANS10 would require 1 space per 125m² for B1, 1 space per 300m2 for A1 (non-food) and 1 space per 20 seats with minimum of 2 spaces for A3. The plans indicate 43 cycle parking spaces within the confines of the site. The submitted transport statement indicates that 31 spaces will be allocated to the B1 use, 2 spaces for the mixed A1/A3 use and 10 spaces for the D1. The above level of provision is sufficient and satisfies the needs of the development.

TRANS10 requires 1 cycle parking space per residential dwelling (C3). 10 cycle parking spaces are proposed for the new flats in Great Portland Street, which is welcomed. 17 cycle parking spaces are proposed for the reduced office accommodation, which are welcomed.

## <u>Waste</u>

Separate waste storage is provided at both sites and this is acceptable.

#### 6.5 Economic Considerations

The redevelopment of the redundant court building is welcomed in principle and both proposals provide economically viable uses that enables continued use of these sites.

#### 6.6 Access

The entrances to all the proposed uses at both sites will have level thresholds and will be designed in accordance with the relevant guidance in the Building Regulations. Lift access will also be provided for the new social and community space at Tasman House, from the ground floor entrance to the basement accommodation.

#### 6.7 London Plan

The proposal does not raise strategic issues and does not have significant implications for the London Plan.

## 6.8 National Policy/Guidance Considerations

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

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

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The UDP policies referred to in the consideration of these applications are considered to be consistent with the NPPF unless stated otherwise.

## 6.9 Planning Obligations

The City Council's approach to and priorities for planning obligations are set out in our Supplementary Planning Guidance (SPG) on Planning Obligations adopted January 2008. Planning obligations can serve to mitigate the land use impacts arising from a development either on the development site, in the wider locality, or where the development will increase local demands for facilities and services or where it is important to integrate the new development into the new community and environment so that it is more sustainable.

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 three following tests set out in Regulation 122(2):

- 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 délivery of appropriate development is not compromised.

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

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

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

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#### Site 1:

- i) a financial contribution of £1,544,000 towards the Council's affordable housing fund (index linked and payable on commencement of the development at either Site 1 or 2);
- ii) the offer of the basement level Class D1 community space to All Saints Church for community and religious functions, on a peppercorn rent for a term of 20 years and fitted out (broadly equivalent to a Cat A fit out), at a cost not to exceed £350,000;
- iii) a financial contribution of £500,000, in the first instance to Greenhouse Sports, or an alternative locally based charity or community group to be agreed with the City Council in the event that Greenhouse Sports do not take up that offer;
- iv) public art to a value of £75,000;
- v) a CIL and Crossrail payment of £618,620;
- vi) monitoring costs of £500 for each of the above clauses.

#### Site 2:

- i) Provision of lifetime car club membership (minimum 25 years) for all six flats;
- ii) The costs of monitoring the S106 agreement.

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

## 6.10 Environmental Assessment including Sustainability and Biodiversity Issues

Policy S28 of the City Plan requires developments to incorporate exemplary standards of sustainable and inclusive urban design and architecture. Policy S40 considers renewable energy and states that all major development throughout Westminster should maximise onsite 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 NPPF establishes a presumption in favour of sustainable development. London Plan Policy 5.3 also requires developments to achieve the highest standards of sustainable design, with Policy 5.2 seeking to minimise carbon emissions through a 'Be Lean, Be Clean and Be Green' energy hierarchy.

The applicant states that sustainable design standards are integral to the proposed new building at Wells Street. A BREEAM pre-assessment has been carried out on the proposed offices in the building and it is predicted that, if enhancement measures are introduced, the proposed office areas could achieve a BREEAM Excellent rating.

The energy efficiency and sustainability initiatives of the site have been optimised to address the Mayor's Energy Hierarchy, to address the requirements of policies in Chapter 5 of the London Plan and Westminster's City Plan Policy S28, in so far as is possible in this constrained urban location.

The applicant's Energy Statement demonstrates that the proposed new construction will incorporate sustainable design and construction measures throughout all stages of the development including long-term management. Options to incorporate low-carbon energy supply technologies into the proposed development have been reviewed, in addition to renewable energy technologies. It is proposed to introduce eight building integrated PV panels on the south-west facing glazing on the roof. The Energy Statement demonstrates that the measures incorporated into the building are the maximum reasonably practical and will lead to a total carbon improvement of 20.6% over the baseline. Although this falls short of the 35%

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target in the London Plan, the constraints of the site are acknowledged and this aspect of the scheme is considered to be acceptable.

The Energy Statement also concludes that the scheme generates a carbon offset payment of £30,000 based on GLA guidance. The Council's Go Green Manager has requested that this money is secured as part of the Council's offset fund. However, it is considered that given the shortfall in the affordable housing contribution, considered to be a greater priority, that this money goes towards affordable housing, which the applicant agrees to.

Separate BREEAM pre-assessments have been carried out for the proposed major refurbishment of 84-86 Great Portland Street and the rear building. The residential units proposed at 84-86 Great Portland Street have a predicted BREEAM rating of 'Very Good'. Likewise, the refurbished rear building is predicted to achieve a 'Very Good' rating. Although the Go Green Manager considers this to be inadequate, it is considered to be acceptable given that this is a refurbishment of a retained building and the constraints of the site preclude further improvements.

An Energy Strategy concludes that the building's total CO2 emissions are predicted to show a reduction of 29.33% over Building Regulations Part L 2013 baseline emissions, which is welcomed.

Policy S38 of the City Plan and UDP Policy ENV 17 encourage biodiversity. A green roof and green wall is proposed for Wells Street and sedum roofs are proposed at Great Portland Street – these are considered to be acceptable.

#### 6.11 Conclusion

The main issue arising from these proposals concern the large reduction the amount of social and community floorspace. Whilst the applicant is proposing for replacement facilities, these are still well short of the existing amount of floorspace and the Committee is therefore asked to consider if this is acceptable. With regard to the design, amenity and highways aspects, these are considered to be acceptable.

## **BACKGROUND PAPERS**

## Site 1.

- 1. Application form and letter from Gerald Eve dated 27.7.15 and email from Gerald Eve dated 29.7.15
- 2. Letters from Historic England dated 16.4.15 and 27.4.15
- 3. Memorandum from Crossrail and Environmental Sciences Team dated 23.4.15
- 4. Memorandum from the Highways Planning Manager dated 23.4.15
- 5. Memorandum from the Go Green Programme Manager dated 8.4.15
- 6. Letter from the occupier, Flat 4, St Andrews Chambers dated 30.4.15
- 7. Letter from Molyneux Kerr Architects dated 30.4.15
- 8. Note from Fr Alan Moses on the Proposed Use of Basement Space by All Saints Church dated 12.1.15

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## Site 2.

- 1. Memorandum from Crossrail and Environmental Sciences Team dated 27.4.15
- 2. Memorandum from the Highways Planning Manager dated 23.4.15
- 3. Memorandum from the Go Green Programme Manager dated 8.4.15
- 4. Letter from the occupier, 42 Langham Street, dated 19.6.15
- 5. Letter from the occupier, Flat 1, 19 Riding House Street dated 30.4.15
- 6. Letter from the occupier, Flat 2, 19 Riding House Street dated 29.4.15
- 7. Letter from the occupier, Flat 3, 19 Riding House Street dated 1.5.15

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT PAUL QUAYLE ON 020 7641 2547 OR BY E-MAIL – pquayle@westminster.gov.uk

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#### DRAFT DECISION LETTER

Address:

59-65 Wells Street, London, W1A 3AE

Proposal:

Demolition of existing building and replacement with a new building comprising basement, ground and six upper floors (with plant on roof main) for office (Class B1) accommodation at part ground floor and first to sixth floors, use of part ground floor as dual/alternative retail (Class A1) or restaurant use (Class A3) with social and community use (D1) at part basement level. Proposal includes associated external alterations to include plant at roof level (with photovoltaics on top of plant)

and terraces at sixth and main roof level.

Plan Nos:

853\_SP\_0001; 853\_GA\_00 PL2, 01 PL2, 02 PL2, 03 PL2, 04 PL2, 05 PL2, 06 PL2, 07 PL3, 10 PL1; 853\_GE\_01 PL3, 02 PL3, 03 PL3; 853\_GS\_01 PL3, 02 PL3 03 PL3; Design and Access Statement dated February 2015.

Case Officer:

Paul Quavle

Direct Tel. No. 020 7641 2547

## Recommended Condition(s) and Reason(s):

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.

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 the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 3 You must apply to us for approval of detailed drawings of the following parts of the development:
  - a. Facades Typical details at all levels.
  - b. Public art Location and design

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 drawings. (C26DB)

#### Reason:

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

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:

Because these would harm the appearance of the building, and would not meet S25 or S28, or both, of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R26HC)

- 5 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)

- (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 LAegTm, 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.

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.

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 6 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.

In the event that the ground floor unit is used for Class A3 restaurant purposes, you must provide detailed drawings (plans and section/elevation) showing the roof level details of the full height kitchen extract duct indicated on your approved drawings. These details must be provided before the restaurant use commences and the approved duct shall thereafter be permanently retained for as long as the restaurant is in use

#### Reason:

To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

In the event that the ground floor unit is used for Class A3 restaurant purposes, no more than 15% of the floor area shall consist of a bar or bar seating. You must use the bar to serve restaurant customers only, before, during or after their meals.

#### Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and TACE 8 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

In the event that the ground floor unit is used for Class A3 restaurant purposes, you must not open the restaurant premises to customers, and you must not allow customers on the premises, outside the hours 07.00 to midnight Monday to Saturday and 08.00 hours - 23.30 hours on Sundays and Bank Holidays

## Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and TACE 8 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

In the event that the ground floor unit is used for Class A3 restaurant purposes, you must apply to us for approval of an operational management plan to show how the restaurant will be operated to ensure that it does not cause a nuisance for people in the area, including people who live in nearby buildings. You must not start the restaurant use until we have approved what you have sent us. You must then carry out the measures included in the management plan at all times that the restaurant is in use.

#### Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and TACE 8 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

13 You must apply to us for approval of details of a servicing management plan for the office

accommodation and retail/restaurant unit identifying the process, storage locations, scheduling of deliveries and staffing for servicing purposes. The uses must not commence until we have approved what you have sent us.

#### 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)

14 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)

15 No goods shall be left on the highway during service deliveries,

#### 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)

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

## Reason:

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

17 You must provide the waste stores accommodation shown on drawings 853\_GA\_10 Rev PL1 and 853\_GA\_00 Rev PL2 before anyone moves into the property. You must clearly mark the stores and make them available at all times to everyone using the building. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste stores for any other purpose.

## 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)

18 You must apply to us for approval of details of how waste is going to be stored on the site for the ground floor unit (either Class A1 retail or Class A3 restaurant). You must not commence either use until we have approved what you have sent us. You must then provide the waste store in line with the approved details, and clearly mark it and make it available at all times to everyone using the ground floor unit. You must not use the waste store for any other purpose. (C14CD)

## 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)

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 Class A1 retail accommodation hereby approved shall not be used as a food retail supermarket, outlet or similar, unless otherwise agreed in writing by the City Council as 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)

## 20 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)

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 adjacent East Marylebone 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)

In the event that the Class A3 restaurant use is implemented, you must submit for our approval detailed drawings showing the layout of the restaurant use before the restaurant use commences. The drawings must include, entrances, kitchen, the number of covers, and bar area. Thereafter the number of covers shall not exceed those approved by the Council.

## Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and TACE and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

You must provide the access for people with disabilities as shown on the approved drawing(s) and as outlined in the Design and Access Statement dated February 2015 before you use the building. (C20AB)

#### Reason:

To make sure that there is reasonable access for people with disabilities and to make sure that the access does not harm the appearance of the building, as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R20AC)

24 You must provide the sustainability features as shown on the approved drawing(s) and as outlined in the MTT Energy Statement dated 17.12.14 and MTT BREEAM Pre-Assessment Report dated 22.9.14 before you use the building.

#### 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)

You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green roofs and green wall, to include construction method, layout, species and maintenance regime.

You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan.

#### Reason:

To protect and increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43CB)

## Informative(s):

- 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.
- 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
  - i) a financial contribution of £1,544,000 towards the Council's affordable housing fund (index linked and payable on commencement of the development at either Site 1 or 2);
  - ii) the offer of the basement level Class D1 community space to All Saints Church for community and religious functions, on a peppercorn rent for a term of 20 years and fitted out (broadly equivalent to a Cat A fit out), at a cost not to exceed £350,000;
  - iii) a financial contribution of £500,000, in the first instance to Greenhouse Sports, or an alternative locally based charity or community group to be agreed with the City Council in the event that Greenhouse Sports do not take up that offer;
  - iv) public art to a value of £75,000;
  - v) a CIL and Crossrail payment of £618,620;
  - vi) monitoring costs of £500 for each of the above clauses.
- In the event that the Class A3 restaurant use is implemented, you are likely to need separate licensing approval. Your approved licensing hours may differ from those given above but you must not have any customers on the premises outside the hours set out in this planning permission. (I61AB)
- You must make sure that any other activities taking place in the class A3 (restaurant or café) premises, such as small amounts of takeaway sales or small bar areas, are so minor that they do not alter the main use as a restaurant or café. If the scale of one or more of these extra activities is more substantial than this, it is likely that a material (significant) change of use (from class A3 to a mix of uses) will have taken place, which will need a new planning permission. (I61BA)
- The written scheme of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. It must be approved by the planning authority before any on-site development related activity occurs.
- 6 You may need to get separate permission under the Town and Country Planning (Control of

Advertisements) (England) Regulations 2007 if you want to put up an advertisement at the property. (I03AA)

- 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)
- Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. If you would like more information, you can contact Ray Gangadeen on 020 7641 7064. (I54AA)
- 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.

#### DRAFT DECISION LETTER

Address:

84 - 86 Great Portland Street, London, W1W 7NR

Proposal:

Use of first to fifth floors of 84-86 Great Portland Street as 6 residential flats (Class C3) with plant at roof level and new front façade on the Great Portland Street elevation and other associated external alterations. Works to extend the existing building to the rear (21-23 Riding House Street) to provide additional office accommodation (Class B1) and other associated external alterations to include plant at roof level and replacement entrance at ground floor level to 21-23 Riding House Street. (Part of a land swap with 59-65 Wells Street).

Plan Nos:

0946/X0100, P0101, P0102B, P0103B, P0104B, P0105B, P0106B, P0151A, P0152A, P0153A, P0154B, P0155A, P0156A, P0171A and P0172; Design and Access Statement dated 20.3.15

Case Officer:

Paul Quavle

Direct Tel. No. 020 7641 2547

# Recommended Condition(s) and Reason(s):

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.

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 Harley Street 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 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)

- You must apply to us for approval of detailed drawings (scales 1:20 and 1:5) of the following parts of the development -
  - 1. Typical façade details -all floor levels

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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Harley Street 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 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 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:

Because these would harm the appearance of the building, and would not meet S25 or S28, or both, of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R26HC)

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

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

#### Reason:

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

- (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.

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.

All plant may operate on a 24 hour basis except for the 2 No. Mitsubishi PURY-P450 and 2 No. Mitsubishi PURY-P350 condensing units which shall operate in low noise mode only from 19.00 hours to 07.00 hours Mondays to Fridays and at all times on Saturdays and Sundays.

#### Reason:

To safeguard the amenity of occupiers of noise sensitive properties and the area generally by ensuring that the plant/machinery hereby permitted is not operated at hours when external background noise levels are quietest thereby preventing noise and vibration nuisance as set out in 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.

You must apply to us for approval of details of a servicing management plan for the office accommodation, identifying the process, storage locations, scheduling of deliveries and staffing for servicing purposes. You must not recommence occupation of the offices until we have approved what you have sent us.

## 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)

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)

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

#### Reason:

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

You must provide the separate waste stores for the office and residential accommodation shown on drawings 0946/P0101 and P0102 Rev B before anyone moves into the property. You must clearly mark the stores and make them available at all times to everyone using the offices and residential flats. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

#### Reason:

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

13 You must not use any of the areas of flat roof of the rear part of the building for sitting out or for any other purpose. You can however use the roof to escape in an emergency.

#### 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)

The glass that you put in the new windows at first and second floor level of the 'rear building' that face towards the rear of 19 Riding House Street must not be clear glass, and you must fix them permanently shut. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission.

#### 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)

The new sloping rooflight in the 'rear building' that faces towards the rear of 38-42 Langham Street shall be fitted with fritted translucent glass on the upper part of the rooflight and fixed permanently shut. You must apply to us for approval of a sample of the glass (at least 300mm square) and a detailed drawing showing the distribution of fritted translucent and clear glazing. You must not start work on the relevant part of the development until we have approved the sample and detailed drawing. You must then fit the type of glass we have approved and must not change it without our permission.

## 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)

16 The large new rooflight that faces towards the rear of the buildings in Middleton Place must be kept permanently shut, except in the case of an emergency.

#### 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)

17 You must provide the access for people with disabilities as shown on the approved drawing(s) and as outlined in the Design and Access Statement dated 20.3.15 before you use the building. (C20AB)

#### Reason:

To make sure that there is reasonable access for people with disabilities and to make sure that the access does not harm the appearance of the building, as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R20AC)

18 You must provide the sustainability features as shown on the approved drawing(s) and as outlined in the Sustainability Statement dated 23.3.15 before you use the building. (C20AB)

## 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)

19 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the sedum roofs to include construction method, layout, species and maintenance regime.

You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan.

## Reason:

To protect and increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43CB)

The design and structure of the residential 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.

21 No goods shall be left on the highway during service deliveries to the office accommodation.

#### Reason:

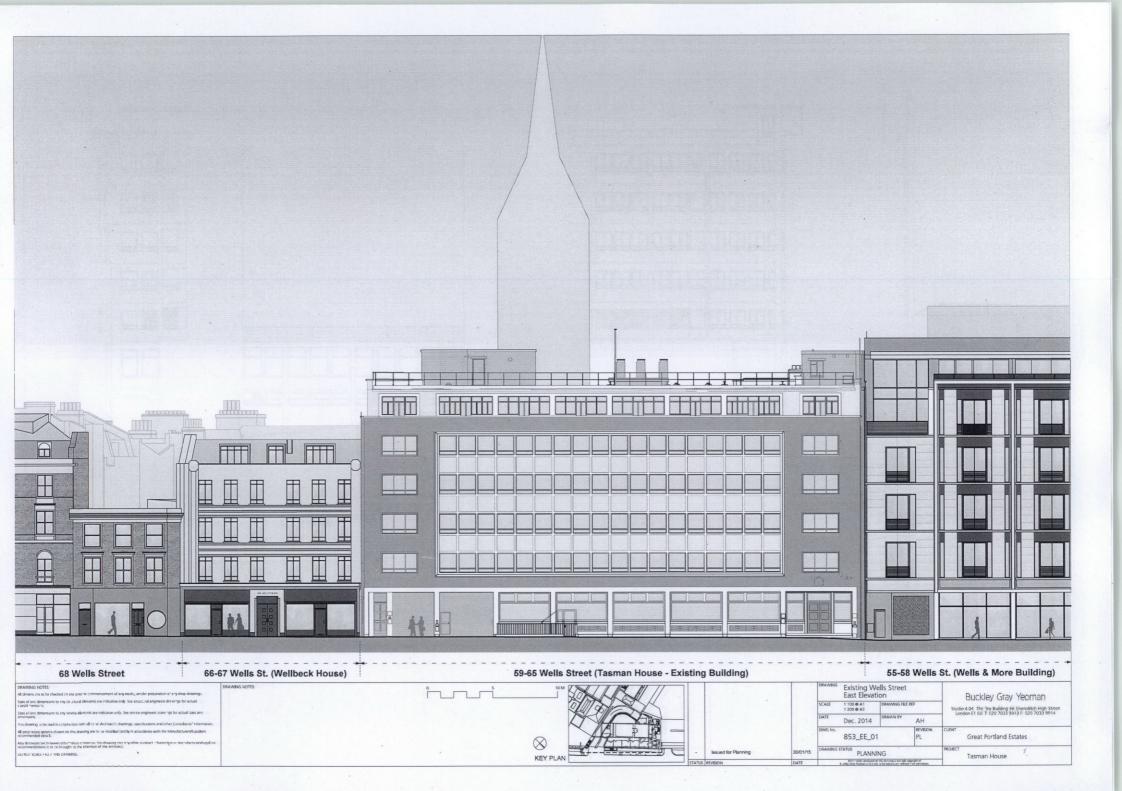
In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

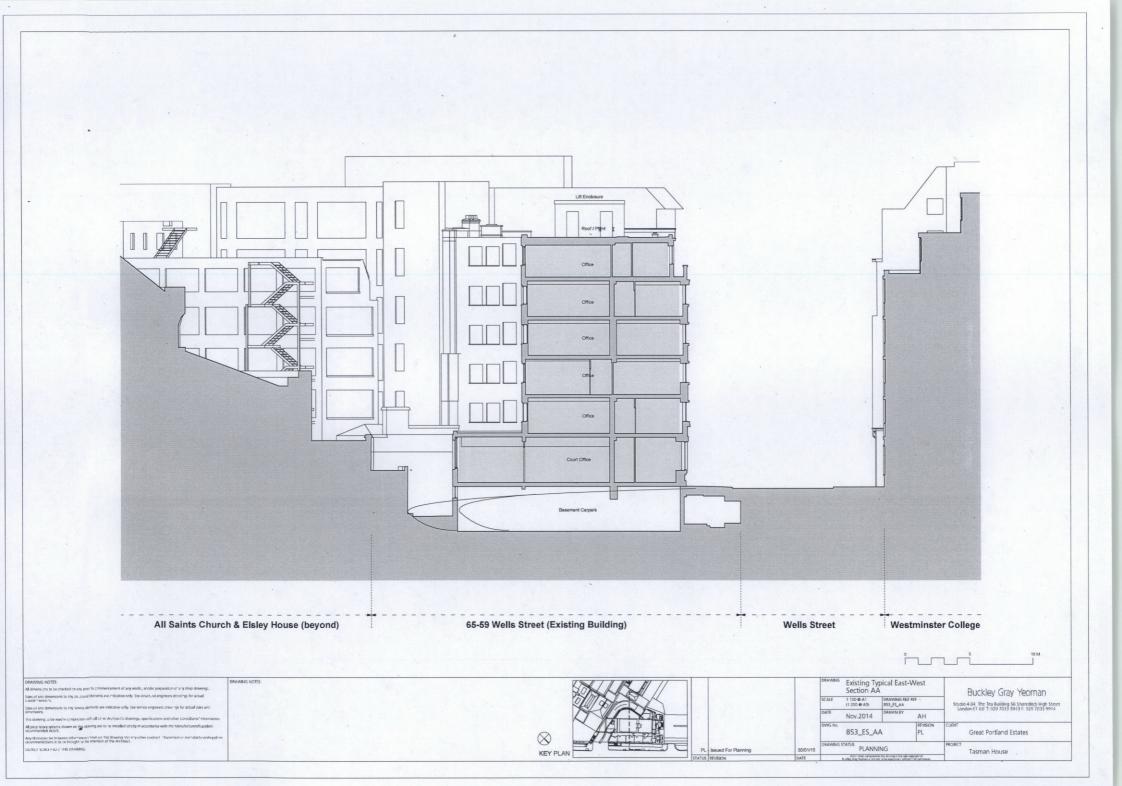
## Informative(s):

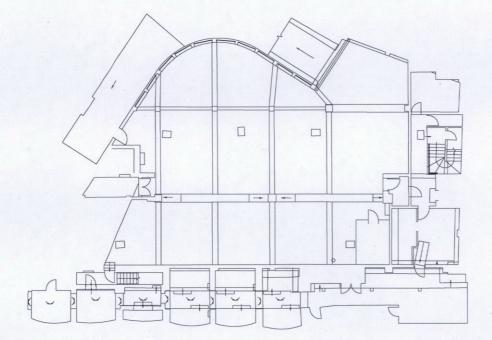
- In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic 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.
- 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 parking mitigation measures with regard to the residential accommodation and monitoring costs. (I55AA)
- 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.
- 4 You may need to get separate permission under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 if you want to put up an advertisement at the property. (I03AA)
- 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). (109AC)
- Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. If you would like more information, you can contact Ray Gangadeen on 020 7641 7064. (I54AA)
- 7 This development has been identified as potentially liable for payment of the Mayor of London's

Community Infrastructure Levy (CIL). Responsibility for paying the levy runs with the ownership of the land, unless another party has assumed liability. We will issue a CIL Liability Notice to the landowner or the party that has assumed liability with a copy to the planning applicant as soon as practicable setting out the estimated CIL charge.

If you have not already done so you must submit an <u>Assumption of Liability Form</u> to ensure that the CIL liability notice is issued to the correct party. This form is available on the planning portal at <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a> Further details on the Mayor of London's Community Infrastructure Levy can be found on our website at: <a href="http://www.westminster.gov.uk/services/environment/planning/apply/mayoral-cil/">http://www.westminster.gov.uk/services/environment/planning/apply/mayoral-cil/</a>. You are reminded that payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay.







1 Existing Basement Floor Plan

GENERAL NOTES.

All dimensions to be checked on site prior to commencement of any works, and/or preparation of any shop drawings.

Sizes of and dimensions to any structural elements are indicative only. See structural engineers drawings for actual sizes / dimensions.

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This drawing to be read in conjunction with all other Architect's drawings, specifications and other Consultants' information.

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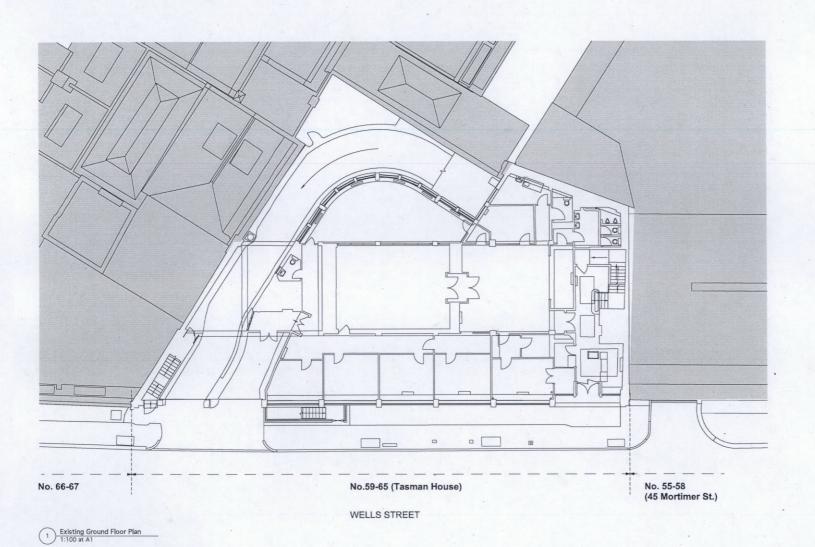
Great Portland Estates

PROJECT Tasman House

Existing Basement GA Plan

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PROJECT Tasman House

Existing Ground Floor GA Plan

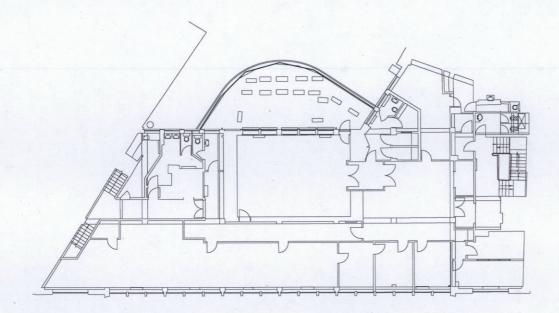
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Tasman House

Existing First Floor GA Plan

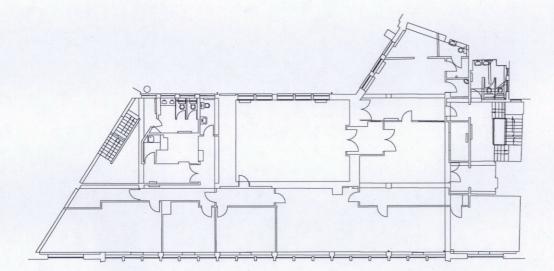
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1 Existing First Floor Plan 1:100 at A1



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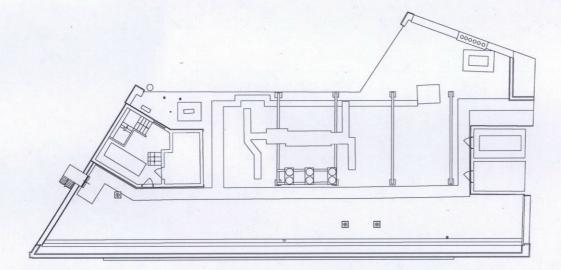
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1 Existing Third Floor Plan 1:100 at A1



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Tasman House

Existing Roof GA Plan

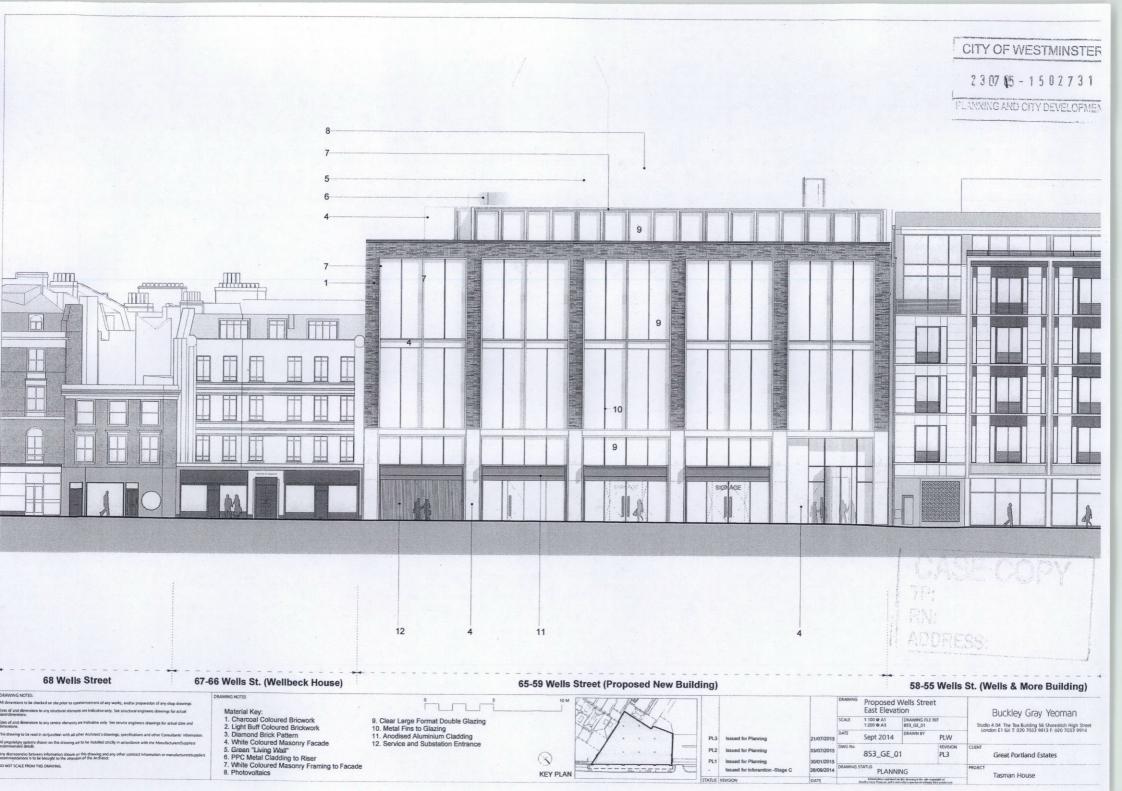
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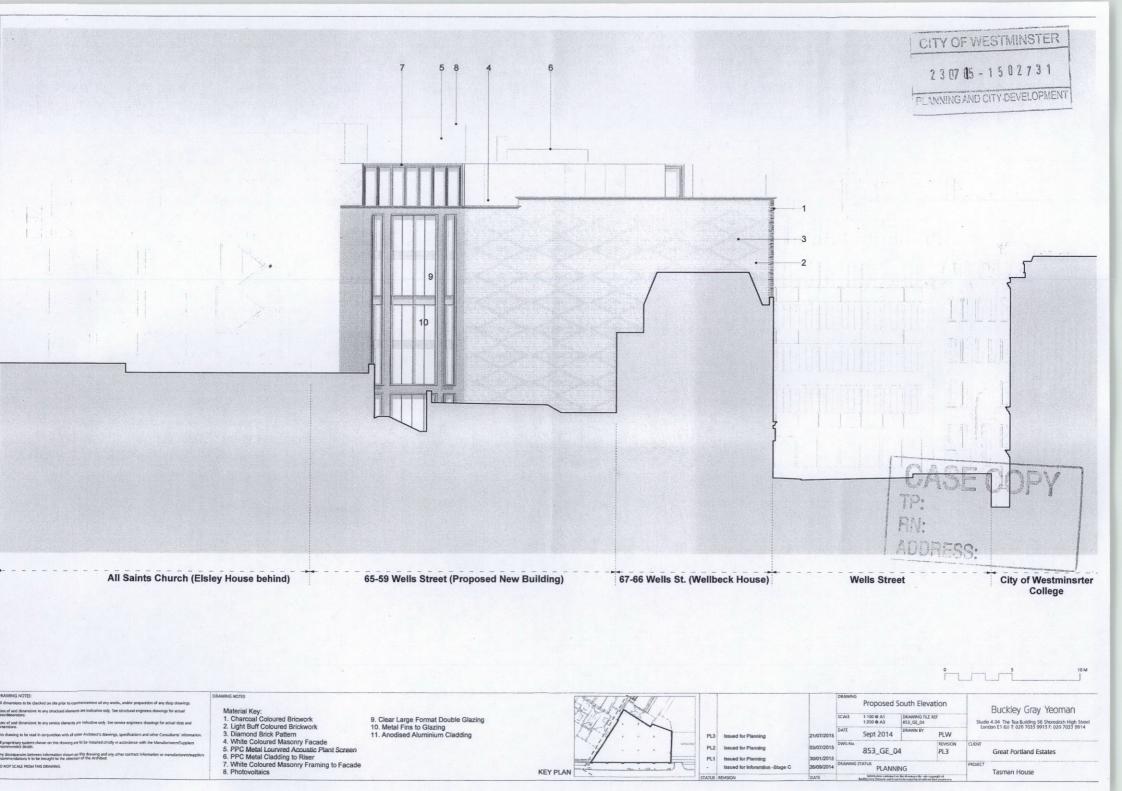
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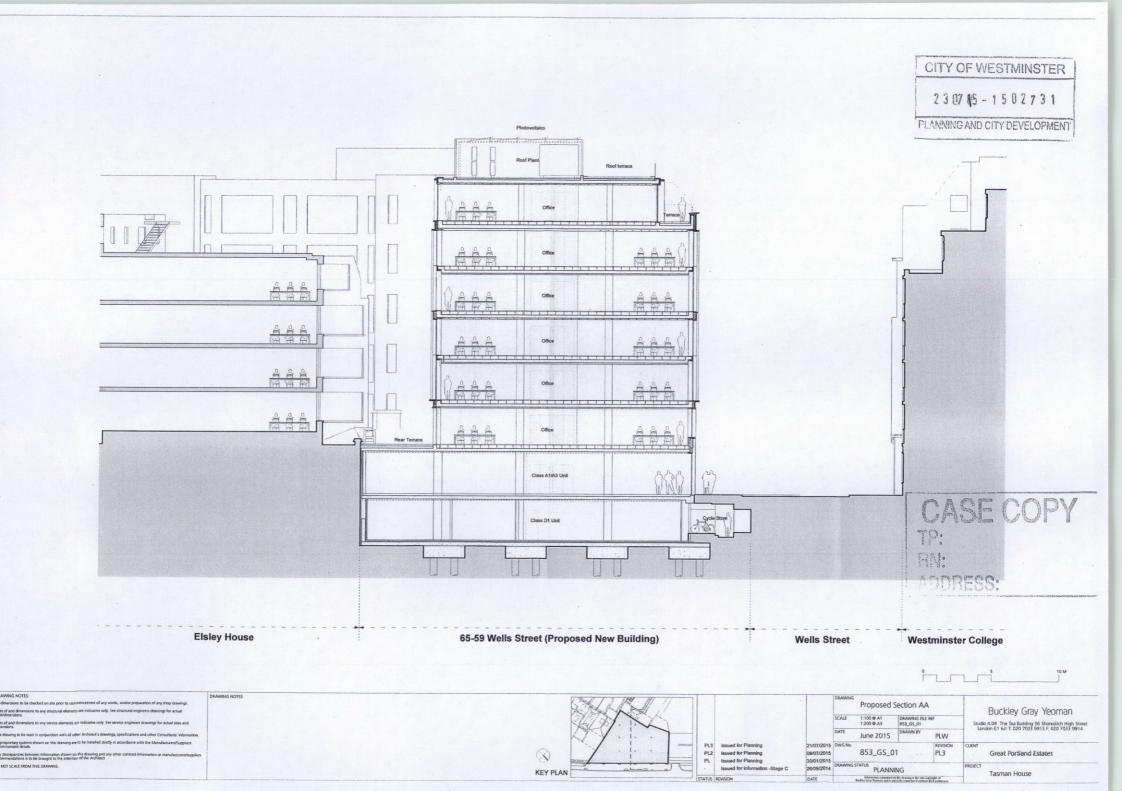
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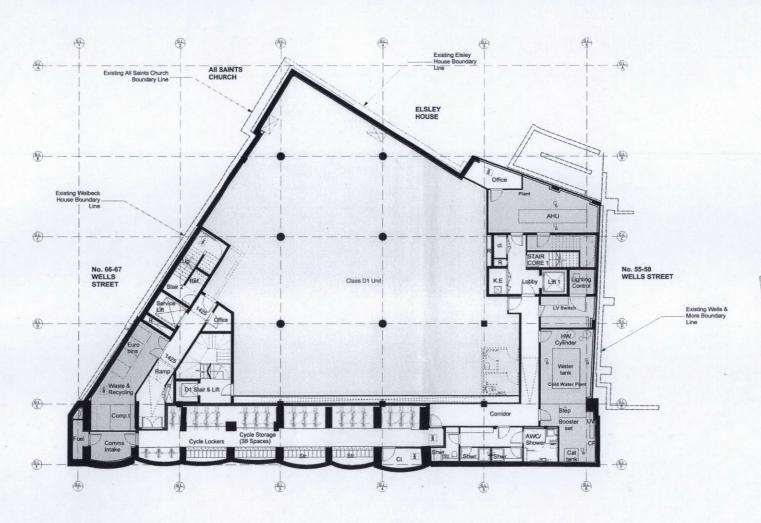
Existing Roof Floor Plan 1:100 at A1



CITY OF WESTMINSTEI 2307 15 - 1502731 PLANNING AND CITY DEVELOPME -2 2 Rear Facade 9 10 9 Ground Level **Basement Level** CASE COPY 58-55 Wells St. (Wells & More Building) 65-59 Wells Street (Proposed New Building) • RAWING NOTES DRAWING NOTES Proposed Rear West Elevation Material Key:
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2. Light Buff Coloured Brickwork Buckley Gray Yeoman Clear Large Format Double Glazing
 Metal Fins to Glazing
 Anodised Aluminium Cladding 1:100 @ A1 1:200 @ A3 DRAWING FILE REF 853\_GE\_02 Studio 4.04 The Tea Building 56 Shoreditch High Street London E1 6JJ T: 020 7033 9913 F: 020 7033 9914 DRAWN BY 3. Diamond Brick Pattern Sept 2014 PLW 4. White Coloured Masonry Facade PPC Metal Lourvied Acoustic Plant Screen
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Great Portland Estates

Tasman House

Proposed Basement Plan

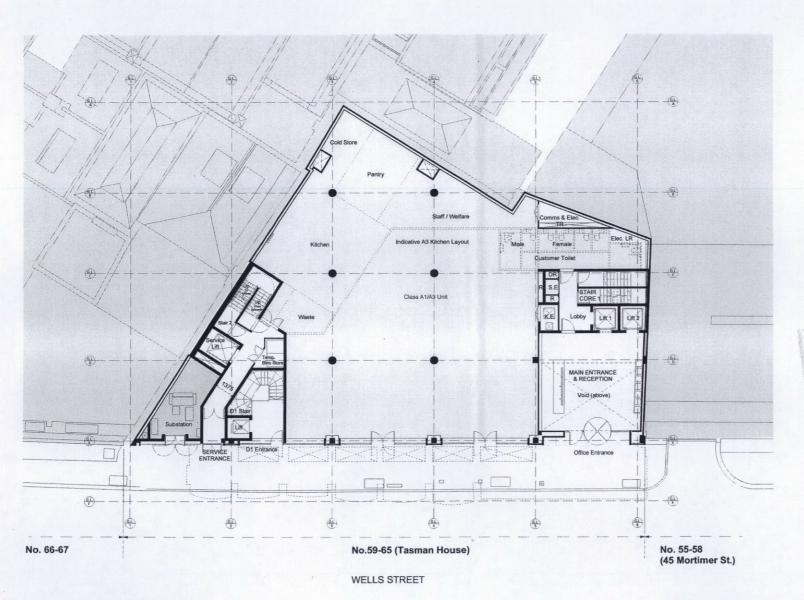
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Proposed Basement Floor Plan 1:100 at A1



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ROJECT Tasman House

Proposed Ground Floor Plan

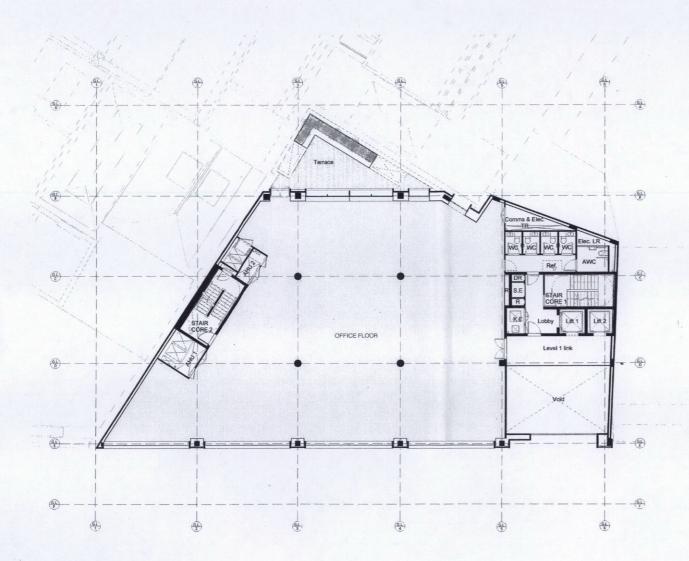
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Proposed Ground Floor Plan 1:100 at A1



Proposed First Floor Plan 1:100 at A1

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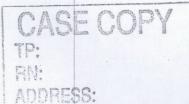
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Tasman House

Proposed First Floor Plan

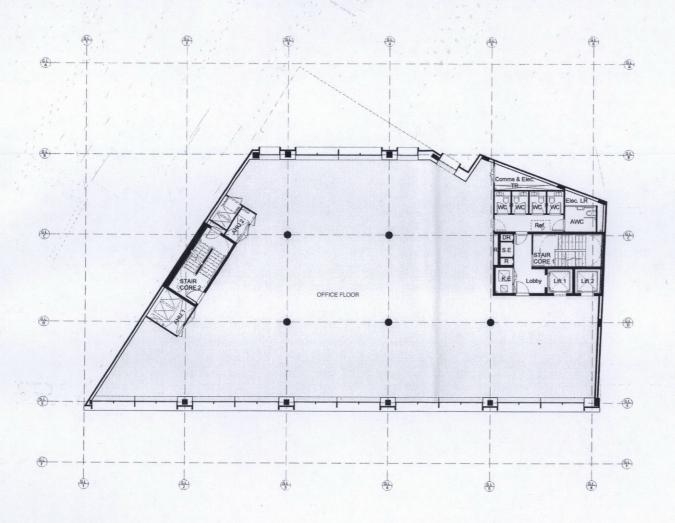
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Proposed Second Floor Plan 1:100 at A1 GENERAL NOTES

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PL2	ISSUED FOR PLANNING	08/07/15

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Great Portland Estates

Tasman House

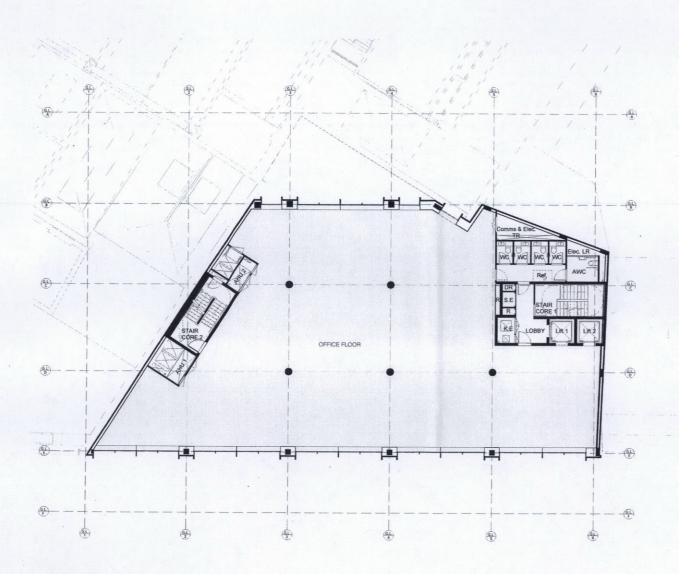
DRAWING

Proposed Second Floor Plan

DATE April 2014 PRAWN BY NW 853\_GA\_02 PL2

DRAWING STATUS PLANNING

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Proposed Third Floor Plan 1:100 at A1

GENERAL NOTES.

All dimensions to be checked on site prior to commence of any works, and/or preparation of any shop drawings.

Sizes of and dimensions to any structural elements are indicative only. See structural engineers drawings for actual sizes / dimensions.

Sizes of and dimensions to any service elements are indicative only. See service engineers drawings for actual sizes and dimensions.

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02/04/15

30/01/15

Buckley Gray Yeoman

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Great Portland Estates

PROJECT Tasman House

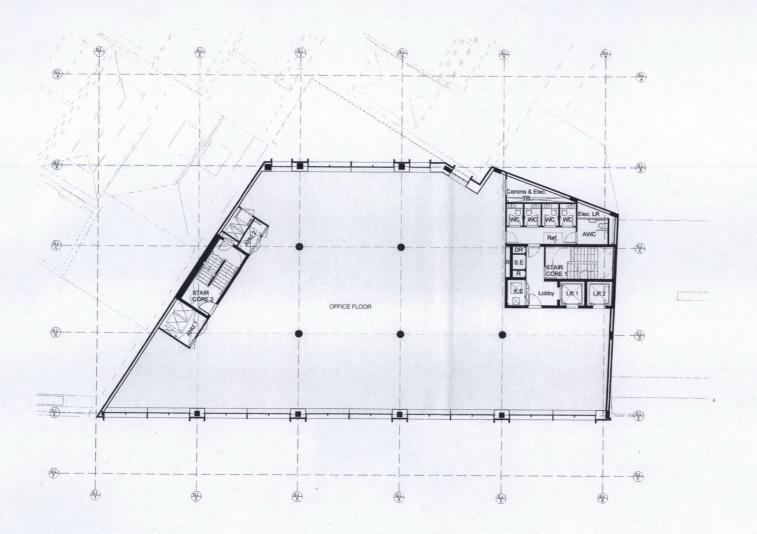
Proposed Third Floor Plan

1:100 @ A1 1:200 @ A3

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Proposed Fourth Floor Plan 1:100 at A1 GENERAL NOTES

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Sizes of and dimensions to any service elements are indicative only. See service engineers drawings for actual sizes and dimensions.

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PROJECT

Tasman House

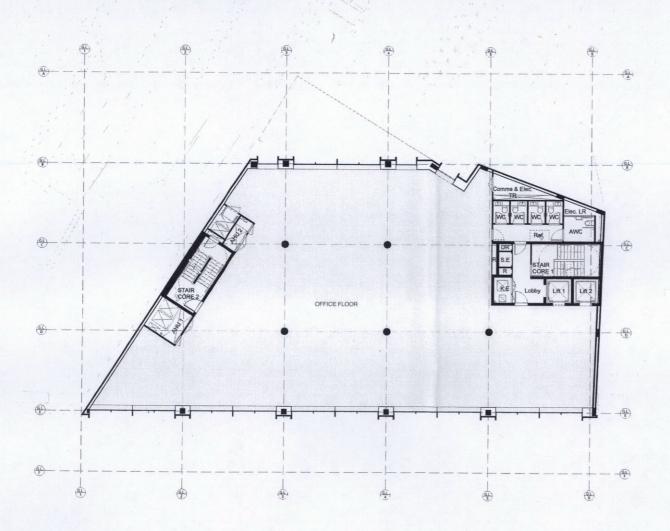
Proposed Fourth Floor Plan

DATE April 2014 DRAWN BY NW

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Proposed Fifth Floor Plan 1:100 at A1 GENERAL NOTES.

nsions to be checked on site prior to commencement orks, and/or preparation of any shop drawings.

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Sizes of and dimensions to any service elements are indicated only. See service engineers drawings for actual sizes and dimensions.

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Great Portland Estates

PROJECT Tasman House

Proposed Fifth Floor Plan

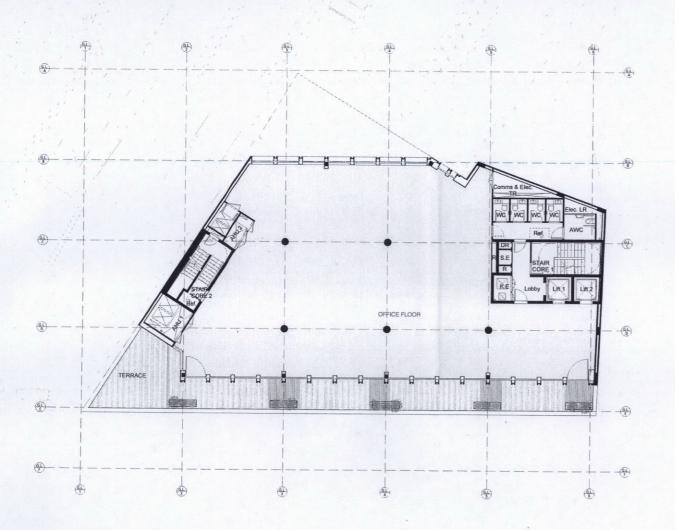
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Proposed Sixth Floor Plan 1:100 at A1

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PROJECT

Tasman House

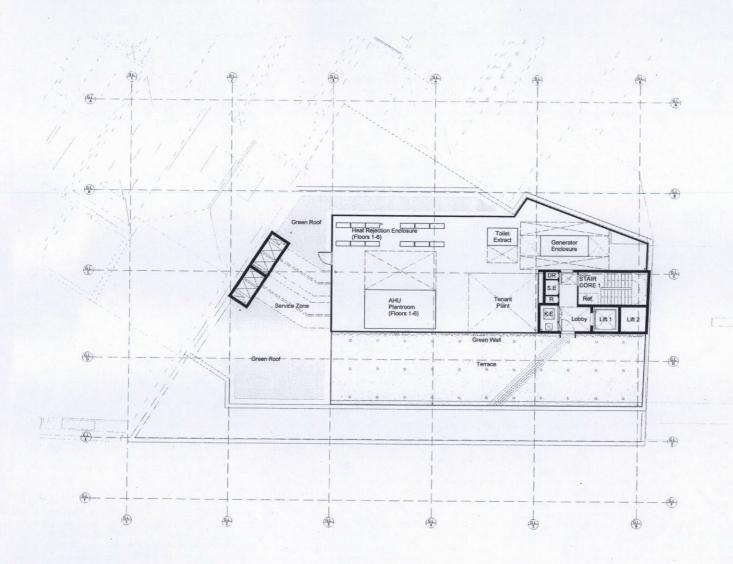
Proposed Sixth Floor Plan

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April 2014 853\_GA\_06

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Proposed Roof Plan 1:100 at A1

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PROJECT Tasman House

Proposed Roof Plan

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INFORMATION





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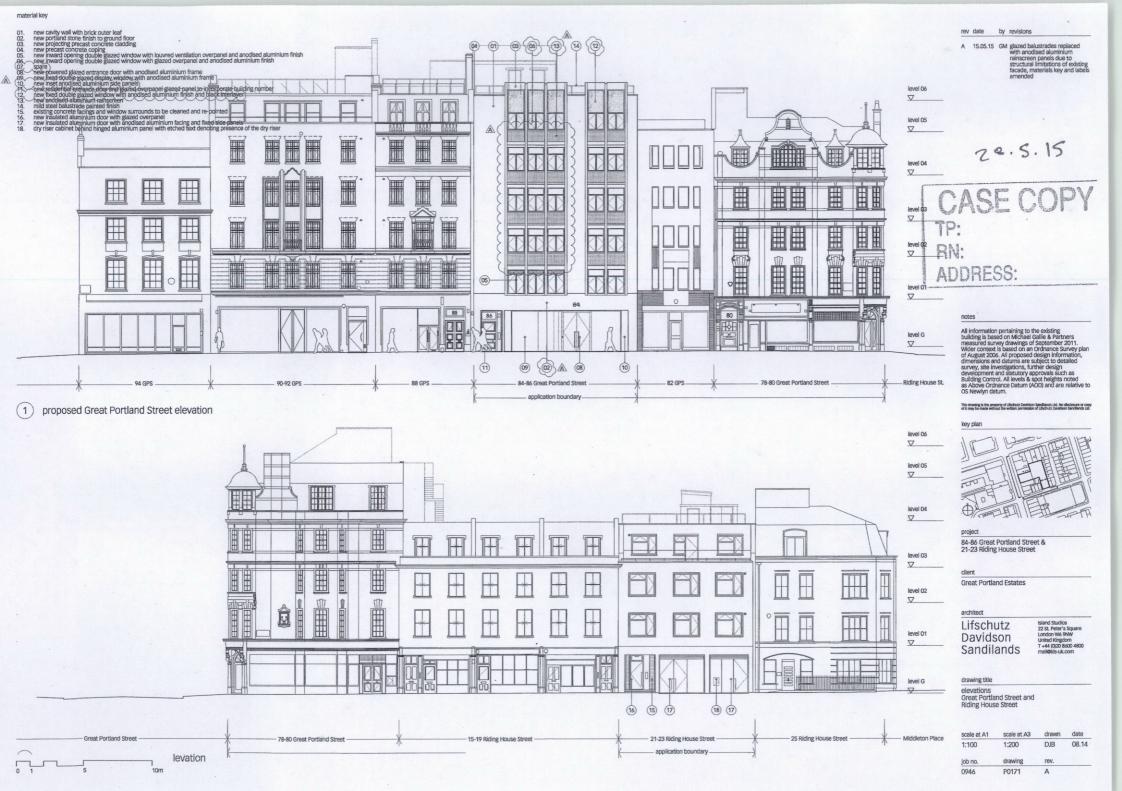
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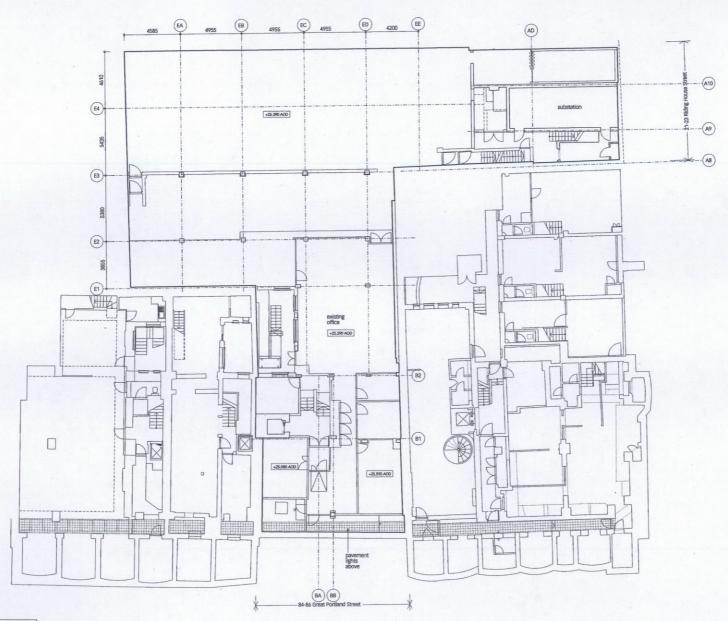
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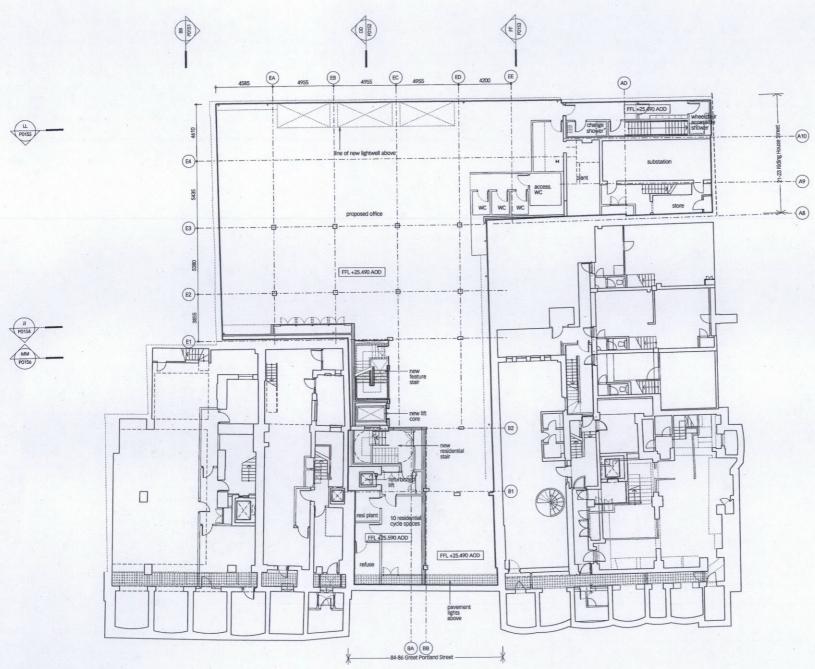
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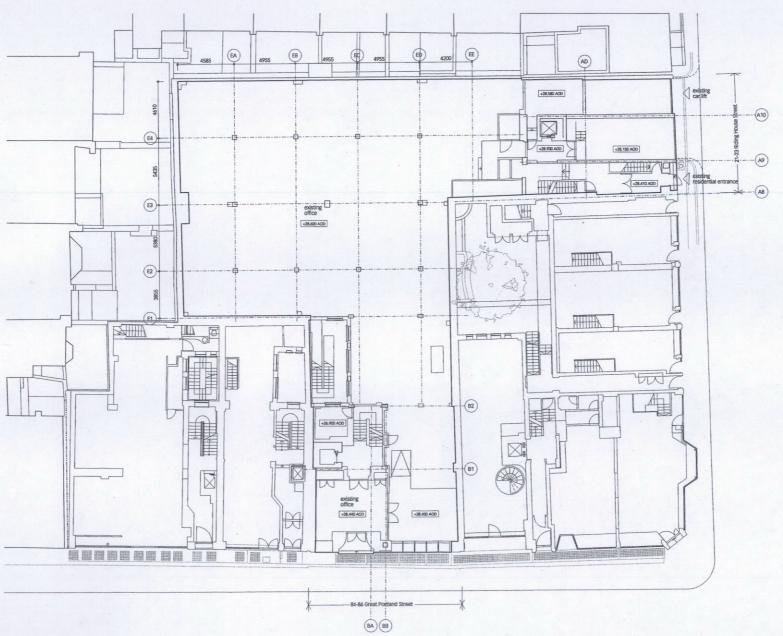
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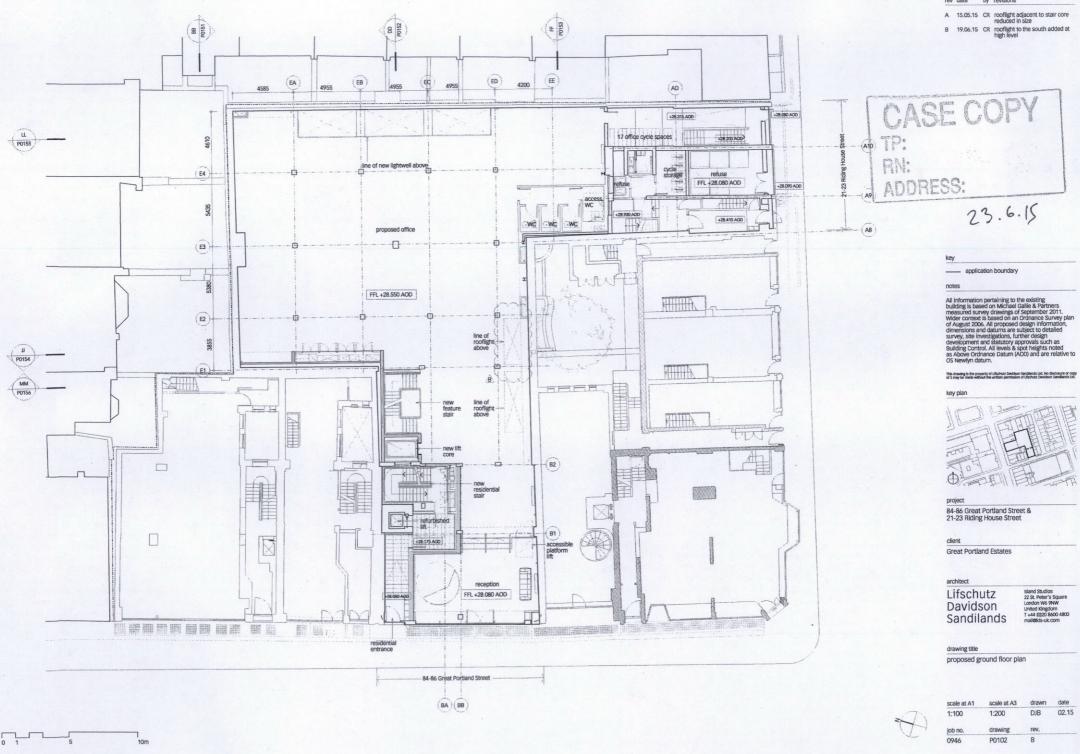
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drawing title

existing ground floor plan



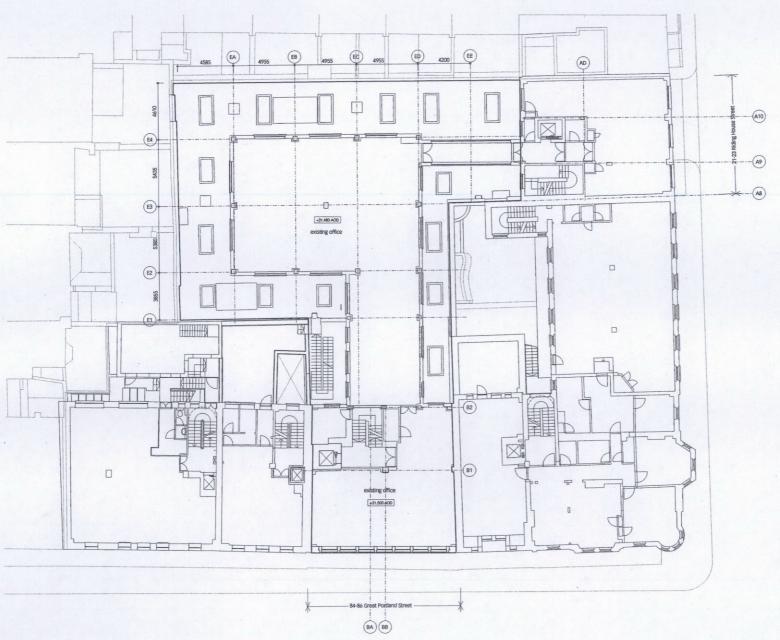
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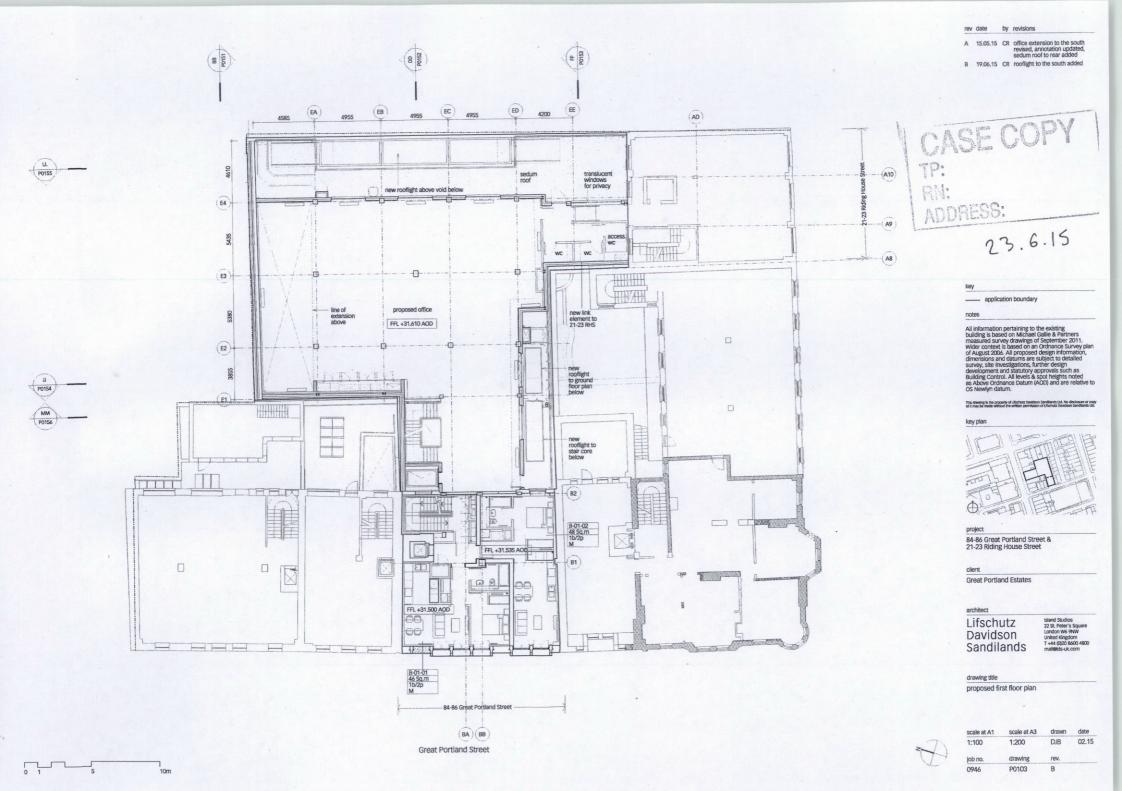
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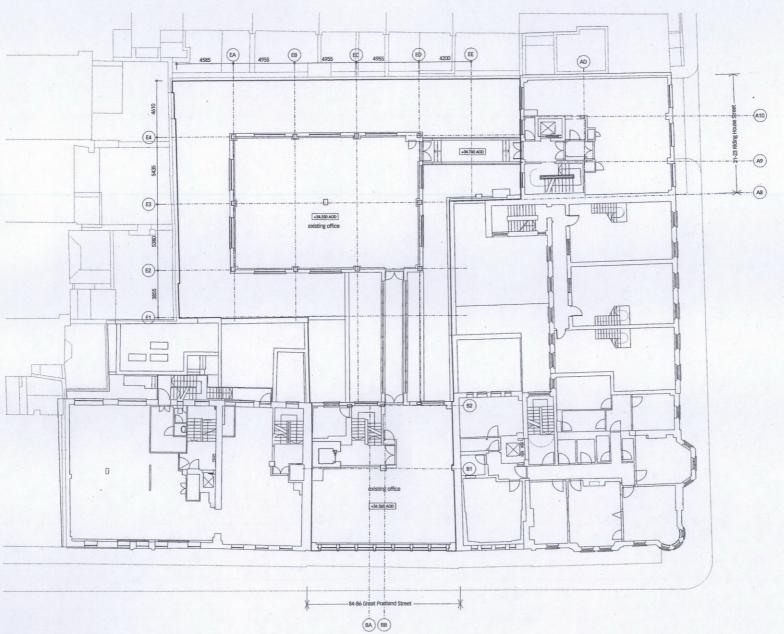
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existing first floor plan

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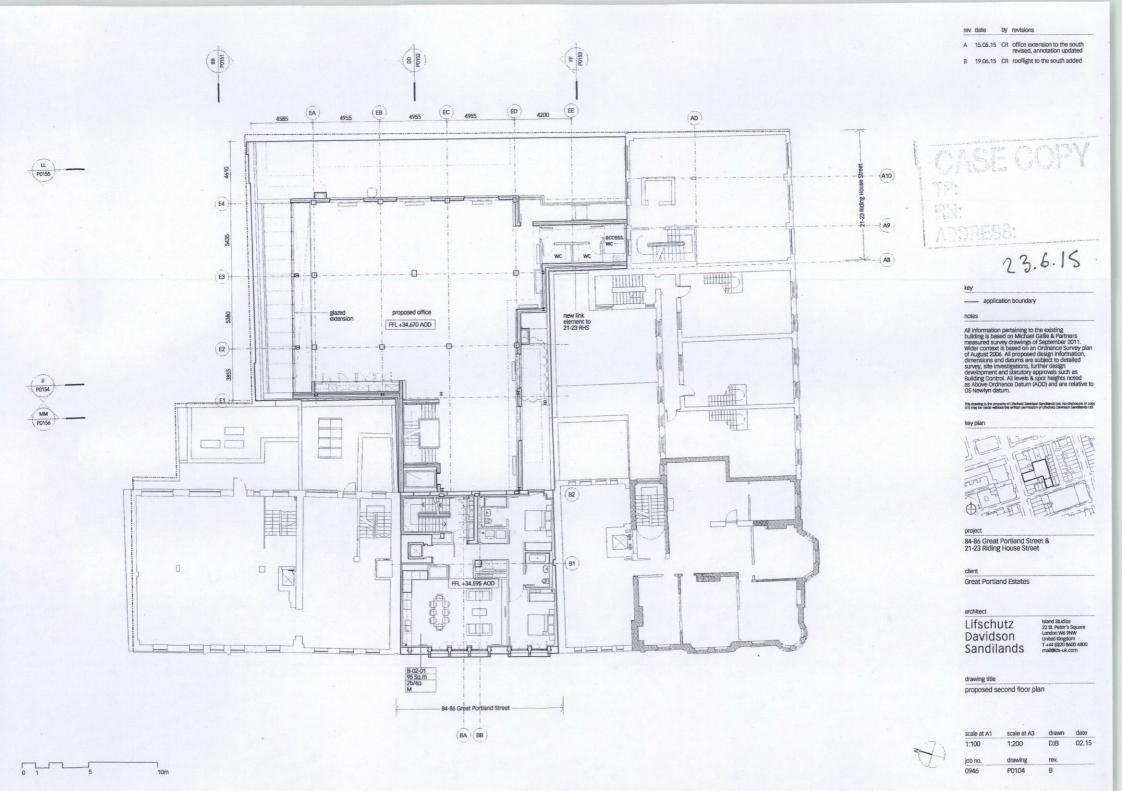
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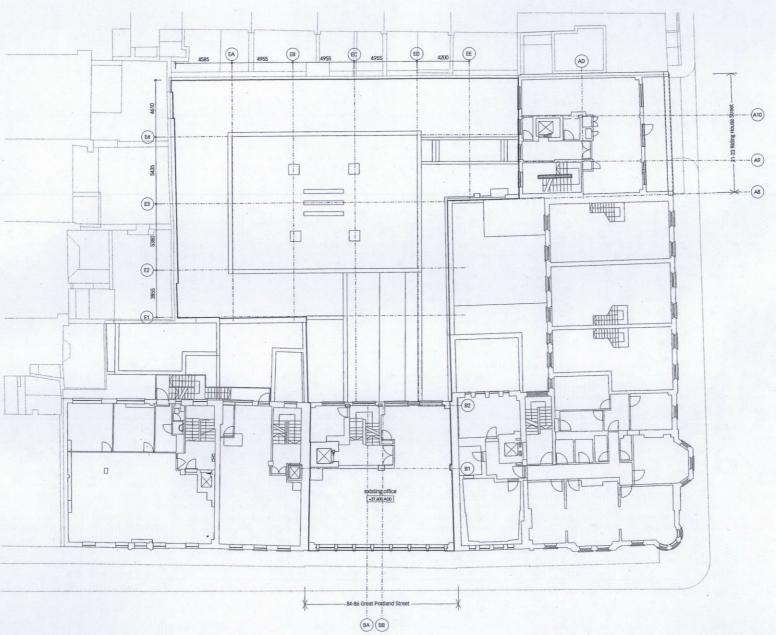
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existing second floor plan

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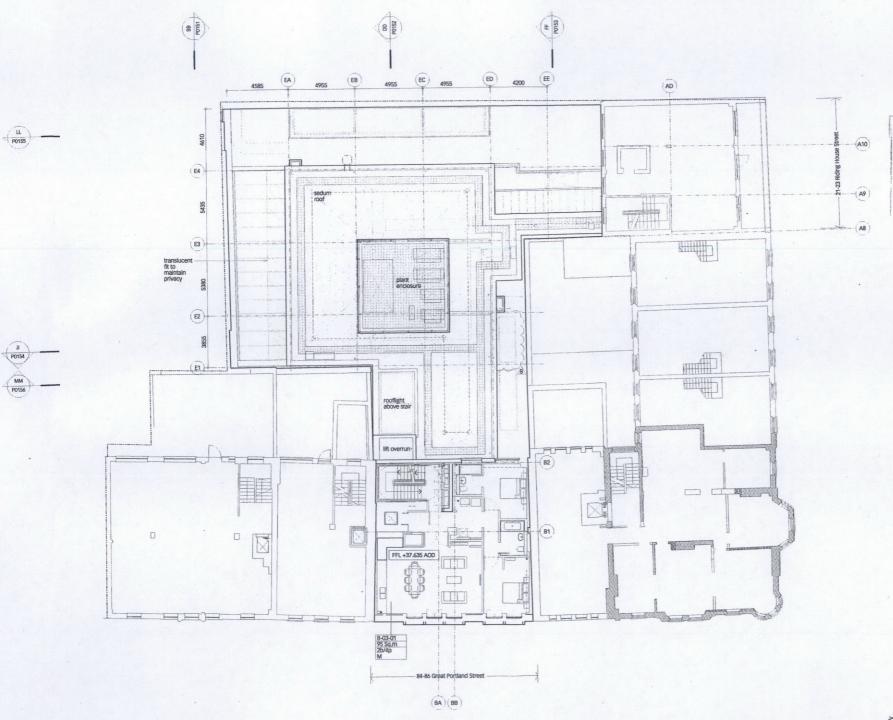
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drawing title

existing third to fifth floor plan

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A 15.05.15 CR office extension to the south

B 19.06.15 CR rooflight to the south added

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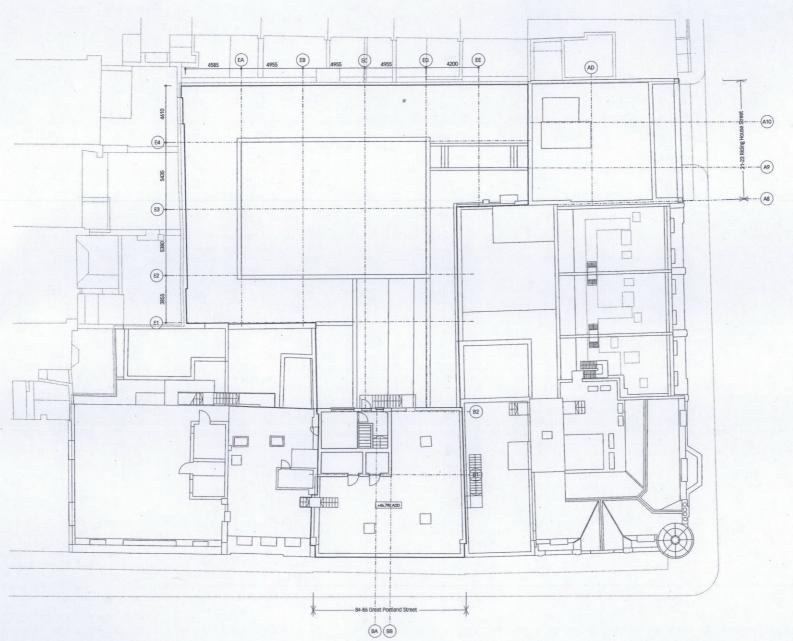
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drawing title

proposed third to fifth floor plan



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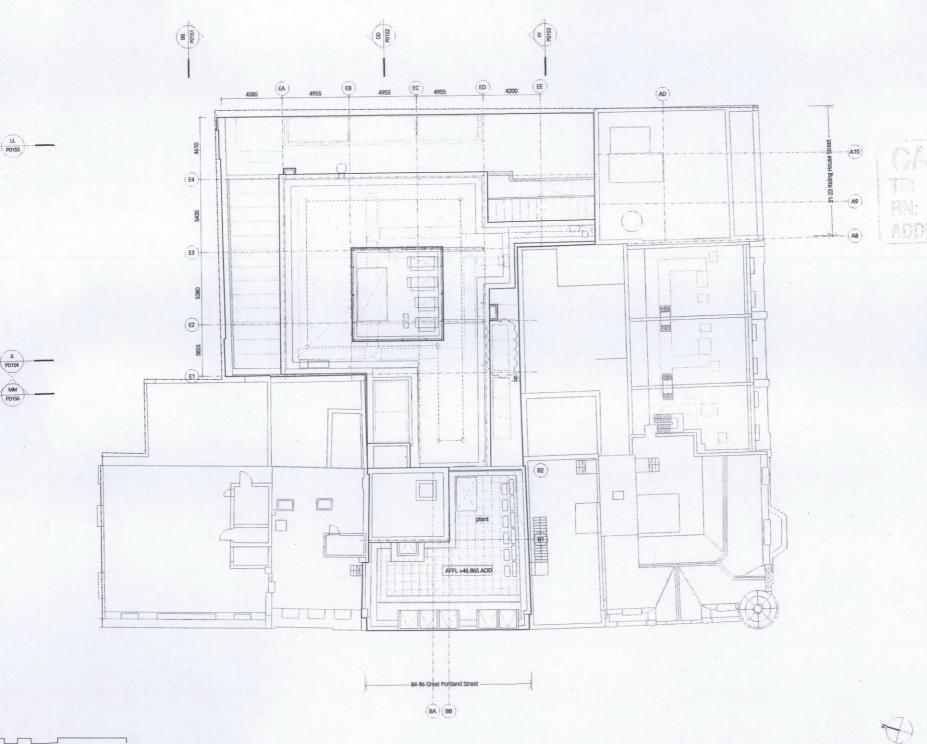
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drawing title

existing sixth floor (roof) plan

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A 15.05.15 CR office extension to the south

B 19.06.15 CR rooflight to the south added

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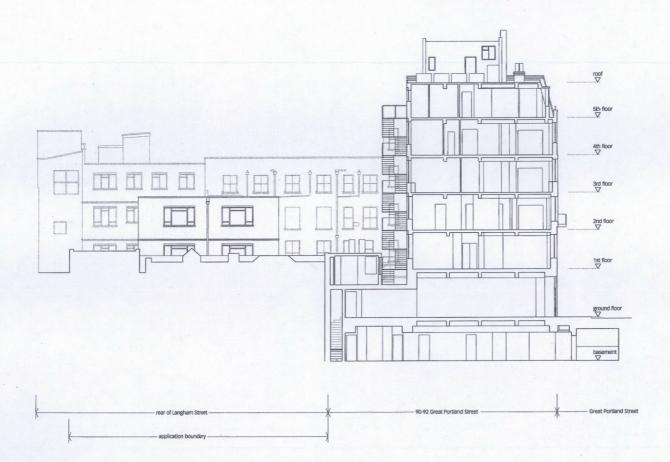
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proposed sixth floor plan



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drawing title existing section BB

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A 19.05.15 CR ladder added to east elevation for roof access

28.5.15

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## notes

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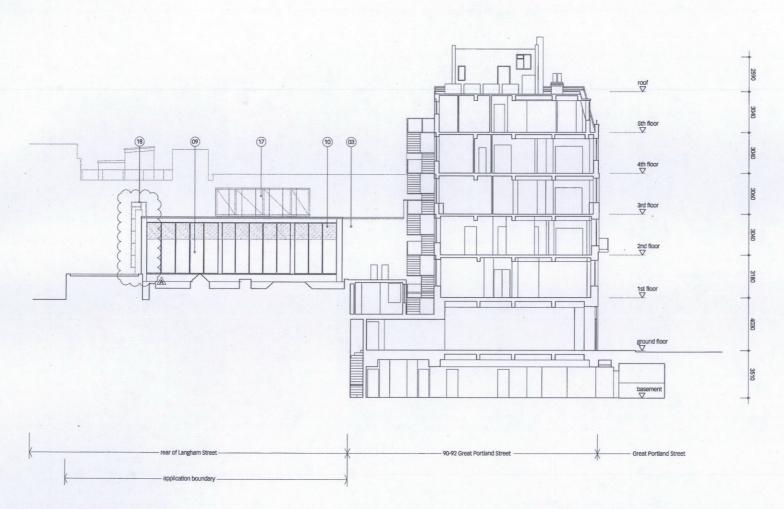
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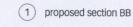
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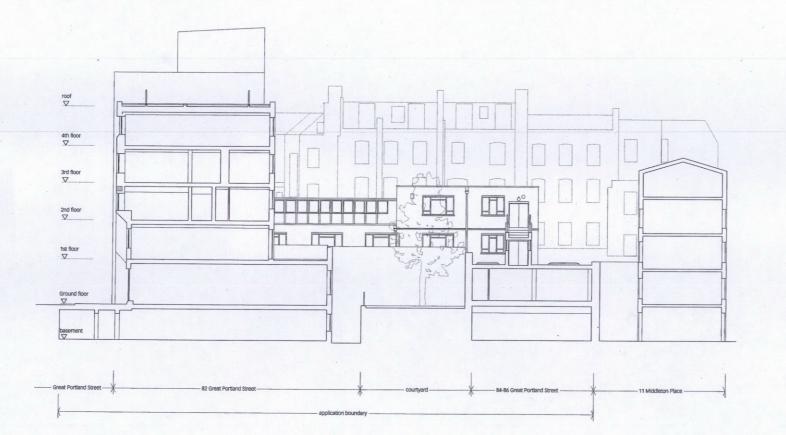
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existing section FF

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A 15.05.15 CR office extension to the south revised, aluminium enclosure to duct route added, annotation updated

28.5.15



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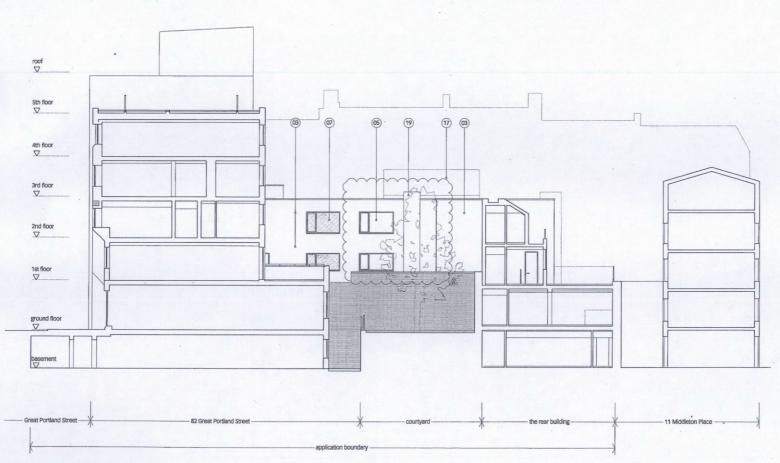
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DJB 02.15

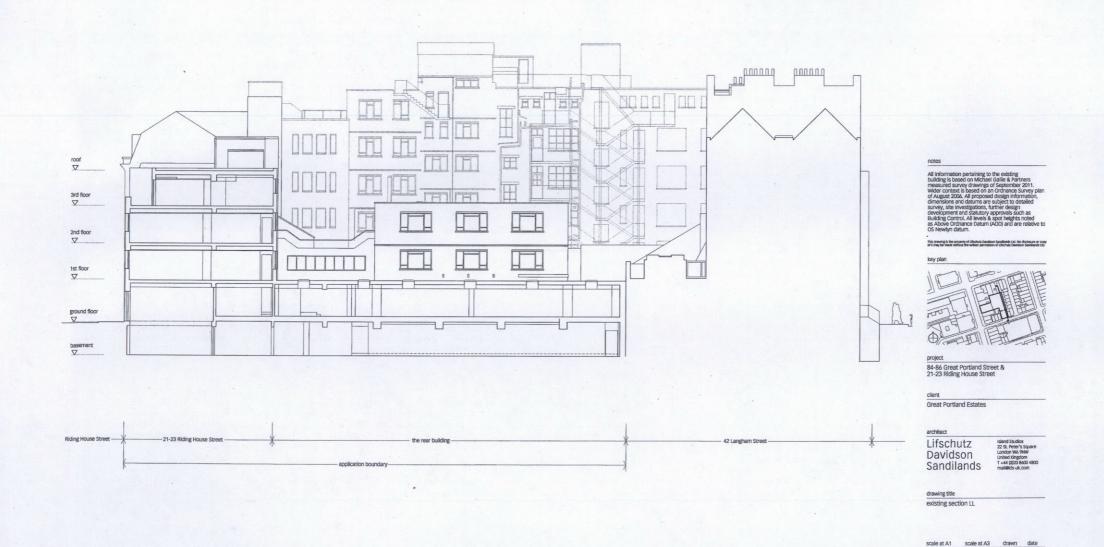
rev.

1:200 drawing

X0155

job no.

0946



26

1:100 1:200 DJB 02.15 job no. drawing rev. 0946 P0155 A

drawn date

scale at A3

scale at A1