

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 15 September 2015	Classification For General Release	
Addendum Report of Director of Planning		Wards involved West End	
Subject of Report	70-73 Piccadilly, 1-3 Berkeley Street and 43-48 Dover Street, London, W1J 8HP		
Proposal	Demolition of the existing buildings and redevelopment to construct a building of ground plus six-10 storeys with three basement levels; use of the property as residential accommodation (Class C3) comprising 52 residential dwellings, hotel accommodation with ancillary functions (Class C1) and either retail/financial and professional services/ restaurants or drinking establishments (Classes A1-A4) at part basement, ground and first floor levels; installation of plant; creation of terraces at seventh and eighth floor levels; installation of PV cells at main roof level; open space as part of an amended pedestrian access route between Dover Street and Berkeley Street, 60 car parking spaces, 151 cycle parking spaces and other ancillary works.		
Agent	DP9		
On behalf of	Crosstree Real Estate Management LLP		
Registered Number	15/01827/FULL	TP / PP No	TP/4847/6184/5858
Date of Application	27.02.2015	Date amended/ completed	13.03.2015
Category of Application	Major		
Historic Building Grade	Unlisted		
Conservation Area	Mayfair		
Development Plan Context - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Within London Plan Central Activities Zone Within Central Activities Zone		
Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

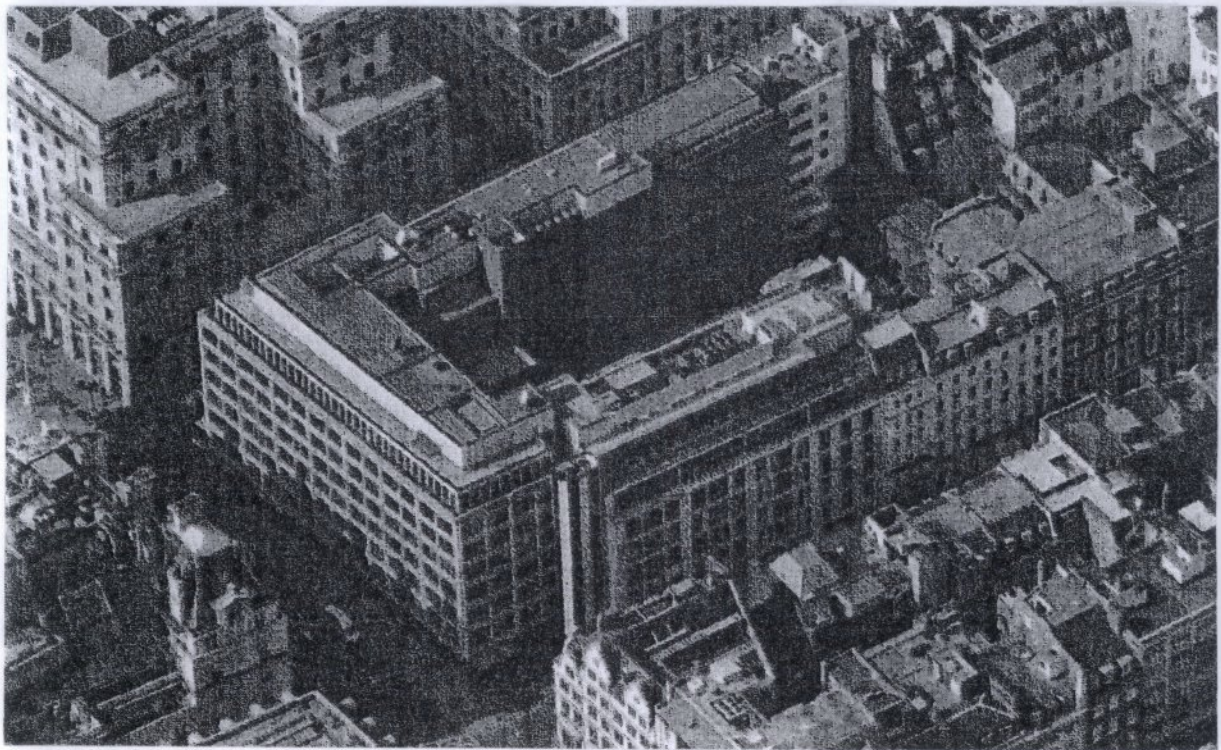
1. Grant conditional permission, subject to a S106 legal agreement to secure:
 - i. Provision of £1,500,000 towards the City Council's affordable housing fund (index linked and payable upon commencement of development).
 - ii. Compliance with the City Council's Code of Construction Practice and submission of a CEMP (Construction Environmental Management Plan) to an annual cap of £30,000.

- iii. Costs of highways works around the site to facilitate the development (including paving, dropped kerbs, raised crossing etc).
- iv. A Servicing Management Plan for the development.
- v. Re-location of the sculpture within the site.
- vi. A walkways agreement.
- vii. A contribution of £617,800 towards Crossrail.

2. If the S106 legal agreement has not been completed within six weeks of the date of the Committee resolution then:

- a) The Director of Planning shall consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this is possible and appropriate, the Director of Planning is authorised to determine and issue such a decision under Delegated Powers; however, if not
- b) The Director of Planning shall consider whether permission should be refused on the grounds that it has not proved possible to complete an agreement within an appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.





70-73 PICADILLY, 1-3 BERKELEY STREET AND 43-48 DOVER STREET, W1

2. SUMMARY

This proposed redevelopment scheme was considered by the Planning Applications Committee on 14 July 2014. The Committee resolved to defer its decision to allow the applicant to reconsider the following:

1. The size and number of residential units, including consideration of reducing the size of some units and also the number of three/four bedroom units;
2. Providing unallocated parking;
3. Use of Portland stone on the proposed building;
4. Retention of a shopfront at 43 Dover Street;
5. Retention and restoration of Dover Yard sign.

Since the Committee's resolution the scheme has been amended. The number of residential units has been increased from 39 to 52. The table below compares the original residential mix as considered at the 14 July Planning Applications Committee against the revised scheme.

	Original submission considered 14 July 2015	Revised submission
1 bed	4	14
2 bed	11	22
3 bed	11	7
4 bed	10	7
5 bed	3	2
Total	39	52

The scheme now incorporates a higher percentage of one and two bedroom units. 48 of the 52 units proposed range between 82m² and 350m². Larger 2 x 4 bed units and 2 x 5 bed units ranging between 443m² and 760m² occupy the eighth to tenth floors.

The revised scheme will now provide 60 unallocated car parking spaces at basement level 3. The horse and statue and shop historic shopfront will be retained on site in Dover Yard. The applicant has confirmed that the Dover Yard sign will be retained and restored.

With regards to the use of Portland stone, unfortunately the applicant has declined to confirm that natural Portland stone will be used. As stated in the original officers report, it is considered essential that the new building be faced in natural Portland stone. This is because it is the stone which characterises Piccadilly and the Mayfair Conservation Area. For example, the listed buildings immediately south and west of the site, including the Ritz Hotel and Devonshire House, are all faced in natural Portland stone. In this case, planning permission could be issued with the condition attached (requiring the use of natural Portland stone) and the applicant can then lodge an appeal against the condition. Or alternatively the application could be refused on the basis that an alternative stone is not acceptable in this location. It is recommended that the former course of action is followed.

Independent consultants acting on behalf of the Council previously advised that the scheme could not viably support either the provision of on-site affordable housing or a financial payment in lieu. The applicant has submitted an updated viability report which concludes that the changes to the residential mix do not add to the residual land value of the proposed scheme and that the revised scheme cannot viably sustain affordable housing. The revised viability report is currently being assessed by the Council's independent consultants, and their conclusion will be verbally reported to Committee. Notwithstanding this, the applicant previously offered an exgracia payment of £1.5 million towards the City Council's affordable housing fund. This offer is again made.

The application is reported back for determination.

3. CONSULTATIONS

CONSULTATION RESPONSES RECEIVED AFTER PREVIOUS COMMITTEE REPORT WRITTEN, VERBALLY REPORTED TO COMMITTEE ON 14 JULY 2015:

COUNCILLOR GLANZ

- Supports the application, the new building is of a high quality architecturally and the materials used and improves the space to the rear.
- Smaller sized units would be more appropriate.
- Disappointed that a financial contribution is not made towards affordable housing.
- The statue should be relocated to an appropriate site within the West End Ward.

COUNCILLOR CHURCH

Objection in design terms, the building is too modern and inappropriate for one of the country's most iconic streets.

NO FURTHER CONSULTATIONS UNDERTAKEN

BACKGROUND PAPERS

1. Application forms and agent's letters dated 14 July 2015 and 14 August 2015.
2. Report to Planning Applications Committee and background papers dated 14 July 2015.
3. Email from Councillor Church dated 12 July 2015.
4. Email from Councillor Glanz dated 14 July 2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT JOSEPHINE PALMER ON 020 7641 2723 OR BY E-MAIL – jpalme@westminster.gov.uk

DRAFT DECISION LETTER

Address: 70-73 Piccadilly, 1-3 Berkeley Street and 43-48 Dover Street, London, W1J 8HP

Proposal: Demolition of the existing buildings and redevelopment to construct a building of ground plus six-10 storeys with three basement levels; use of the property as residential accommodation (Class C3) comprising 52 residential dwellings, hotel accommodation with ancillary functions (Class C1) and either retail/financial and professional services/ restaurants or drinking establishments (Classes A1-A4) at part basement, ground and first floor levels; installation of plant; creation of terraces at seventh and eighth floor levels; installation of PV cells at main roof level; open space as part of an amended pedestrian access route between Dover Street and Berkeley Street, 60 car parking spaces, 151 cycle parking spaces and other ancillary works.

Plan Nos: BEC-P-10-001, BEC-P-11-001, BEC-P-11-002, BEC-P-11-003, BEC-P-11-004 rev P1, BEC-P-11-005 rev P1, BEC-P-11-006 rev P1, BEC-P-11-007 rev P1, BEC-P-11-008, BEC-P-11-009 rev P1, BEC-P-11-010 rev P1, BEC-P-11-011, BEC-P-11-012, BEC-P-11-013, BEC-P-11-014, BEC-P-11-015 rev P2, BEC-P-12-001, BEC-P-12-002, BEC-P-12-003, BEC-P-12-004, BEC-P-13-001, BEC-P-13-002, BEC-P-13-003,

Case Officer: Mike Walton

Direct Tel. No. 020 7641 2521

Recommended Condition(s) and Reason(s):

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

Reason:

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

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and 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)

- 3 The street facades of the new buildings shall be faced in natural Portland stone.

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 Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES

1 and 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 apply to us for approval of detailed drawings (scales 1:50, 1:20 and 1:5 as appropriate) of the following parts of the development -
1. Typical details of the new facades at all floor levels.
 2. New shopfronts
 3. Roof level plant areas
 4. Proposals for the relocation of the historic shopfront at 43 Dover Street within the new development or an alternative location within the vicinity of the site
 5. Proposals for the relocation of the statue 'Horse and Rider' by Dame Elizabeth Frink within the proposed Dover Yard
 6. Public art

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 Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and 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)

- 5 You must apply to us for approval of a strategy for the design and location of all shopfronts and signs on the street facades.

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

Shopfronts and signs shall then be installed according to this strategy. (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 Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and 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)

- 6 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)

- 7 Customers shall not be permitted within the restaurants (Class A3) and bar (Class A4) premises outside of the following hours: 07.00 to 0000 midnight Sunday to Thursday, bank holidays and public holidays and 07.00 to 00.30 the next day on Friday and Saturdays.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6, ENV 7 and of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 8 You must apply to us for approval of detailed drawings of the appearance and location of the ventilation system for the Class A3 use. You must not start any work on the relevant part of the development until we have approved what you have sent us. You must then carry out the work according to these details prior to the first use of the restaurant and thereafter the ventilation system shall be retained and maintained for as long as the Class A3 unit is in place.

Reason:

The use of the Class A3 unit without any kitchen ventilation would cause harm to occupiers of neighbouring properties from cooking smells. This is as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 5 of our Unitary Development Plan that we adopted in January 2007

- 9 You must apply to us for approval of an Operational Management Plan for the bar (Class A4) and restaurant (Class A3) uses. This shall include details of the capacity for each unit. You must not open the restaurant(s) or bar(s) to customers until we have approved what you have sent us. Thereafter you must manage the restaurant(s) and bar(s) in accordance with the approved plan.

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, TACE 10 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 10 You must provide at least 2736 m² of retail (Class A1) floorspace within the development. The location of this Class A1 retail floorspace shall be approved as part of an Operational Management Plan prior to occupation of this part of the development. Thereafter the retail (Class A1) uses must be carried out in accordance with the approved plan.

Reason:

To ensure that there is no loss of retail (Class A1) in accordance with Policy S21 of Westminster's City Plan that we adopted in January 2011 and SS5 of the Unitary Development Plan that we adopted in January 2007.

- 11 (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 LA90, 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.

- 12 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.

- 13 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 10 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.

- 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 **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)

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

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic

insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development.

- 17 You must put a copy of this planning permission and all its conditions at street level outside the building for as long as the work continues on site.

You must highlight on the copy of the planning permission any condition that restricts the hours of building work. (C21KA)

Reason:

To make sure people in neighbouring properties are fully aware of the conditions and to protect their rights and safety. (R21GA)

- 18 You must provide the waste store shown on drawings BEC-P-11-013, BEC-P-11-014, BEC-P-11-015 and BEC-P-11-001 before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the properties. You must store waste inside the property and all the waste shall be collected internally. 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)

- 19 At least 20% of car parking space shall have access to an electric car charging point to be provided prior to occupation, and thereafter be maintained in working order.

Reason:

To provide parking spaces for people using the development as set out in TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R22AB)

- 20 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 people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6, ENV 7 and of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 21 **Pre Commencement Condition.** No development shall take place, including any works of

demolition, until a construction management plan for the proposed development has been submitted to and approved in writing by the City Council as local planning authority. The plan shall provide the following details:

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

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

Reason:

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

- 22 Prior to commencement of development detail design of the cycle parking provision for all proposed land uses should be submitted for approval by the Local Planning Authority in accordance with FALP 6.9. The proposal must provide a minimum of 24 cycle parking spaces for the A class retail, 4 cycle parking spaces for the C1 Hotel and 74 cycle parking spaces for the Residential units. Details of access must be included. The approved cycle parking spaces must then be provided prior to the occupation and thereafter maintained as approved for cycle parking

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.

- 23 Prior to commencement of development, detail design of the proposed basements to be submitted and approved, to ensure compliance with TRANS19. All basement structures must provide a minimum of 900mm cover to the footway and not extend more than 1.8 metres under the highway.

Reason:

To ensure that the development complies with Policy TRANS 19 to limit the extent of new basement vaults under the highway

- 24 Any structure over the footway (highway) must maintain 2.6 metres vertical clearance from the footway surface at all times and not extend closer than 1 metre to the kerb edge.

Reason:

In the interests of public safety as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24BC)

- 25 Prior to commencement of development, detail design of the entrance and exit of the HGV Service Vehicle Lift and adjoining walls shall be submitted for approval to ensure the adequate visibility splays can be achieved to other highway users.

Reason:

In the interests of public safety as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24BC)

- 26 Prior to commencement of development, detail design of a vehicle signalling system shall be submitted for approval for the HGV vehicle service lift. The signalling system shall be installed prior to occupation of the development and thereafter maintained in working order for the life of the development.

Reason:

In the interests of public safety as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24BC)

- 27 You must provide each car parking space shown on the approved drawing for people living in the development. At least one car parking space must be provided for each of the residential flats within the development. (C22BA)

Reason:

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

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 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)

- 3 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)
- 4 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 5 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)
- 6 The development will result in changes to road access points. Any new threshold levels in the building must be suitable for the levels of neighbouring roads. If you do not plan to make changes to the road and pavement you need to send us a drawing to show the threshold and existing road levels at each access point.

If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and the development. You will have to pay all administration, design, supervision and other costs. We will carry out any work which affects the road. For more advice, please phone 020 7641 2642. (I69AA)

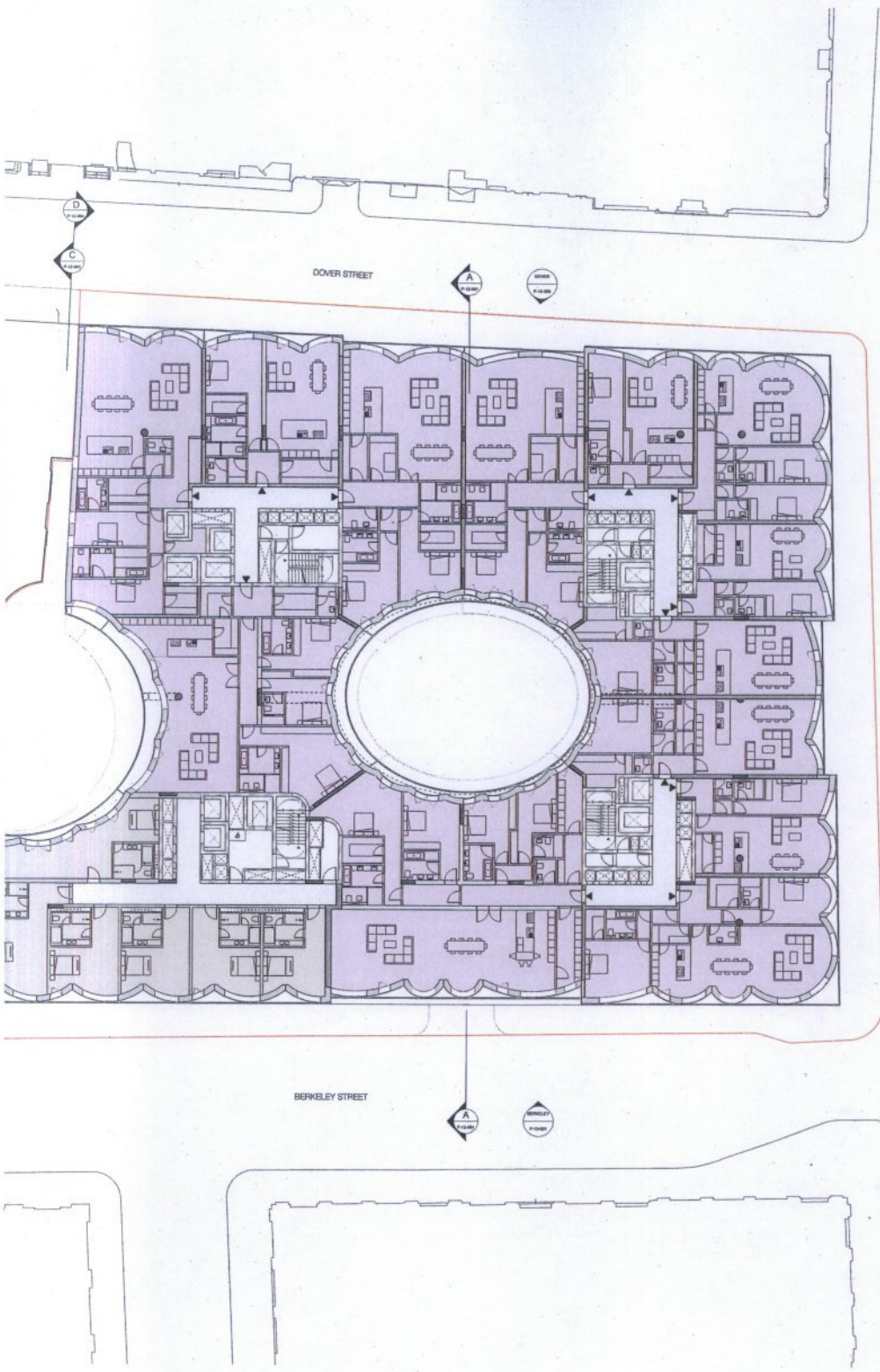
- 7 Please contact our District Surveyors' Services to discuss how you can design for the inclusion of disabled people. Email: districtsurveyors@westminster.gov.uk. Phone 020 7641 7240 or 020 7641 7230. If you make a further planning application or a building regulations application which relates solely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

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

If you are building new homes you must provide features which make them suitable for people with disabilities. For advice see www.habinteg.org.uk

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

- 8 Conditions 11 and 12 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (182AA)
- 9 Please contact Andy Foster in Engineering and Transportation Projects on 0207 641-2521 regarding works to the highway.
- 10 Prior to the commencement of development, the highway will need to be stopped up under s247 of Planning Act. If works commence prior to the finalisation of the stopping up process, an obstruction of the highway is still occurring. The Highway Authority does not and would not support a stopping up order for the section of highway required for the development to occur.



PLEASE NOTE:
 DRAWING TO BE READ IN CONJUNCTION WITH THE SPECIFICATIONS AND ALL RELEVANT DOCUMENTS.
 DO NOT SCALE FROM THIS DRAWING.
 ANY ERRORS OR OMISSIONS SHALL BE REFERRED TO THE ARCHITECT IMMEDIATELY.
 ALL EXISTING UTILITIES AND BUILDING SERVICES HAVE BEEN COMPILED FROM VARIOUS SOURCES.
 ALL INTERNAL LAYOUTS ARE INDICATIVE ONLY.
 ALL LANDSCAPE DETAILS ARE INDICATIVE AND SUBJECT TO AGREEMENT VIA THE PLANNING CONDITIONS.

- KEY:**
- RESIDENTIAL
 - HOTEL
 - METAL
 - SHAVED PLANT
 - PARKING

- 1.100mm Parking Slot
- 1.100mm Parking Slot
- 200mm Parking Slot
- PASSED ELECTRICAL CHANGING POINT LINE
- ACTIVE ELECTRICAL CHANGING POINT LINE

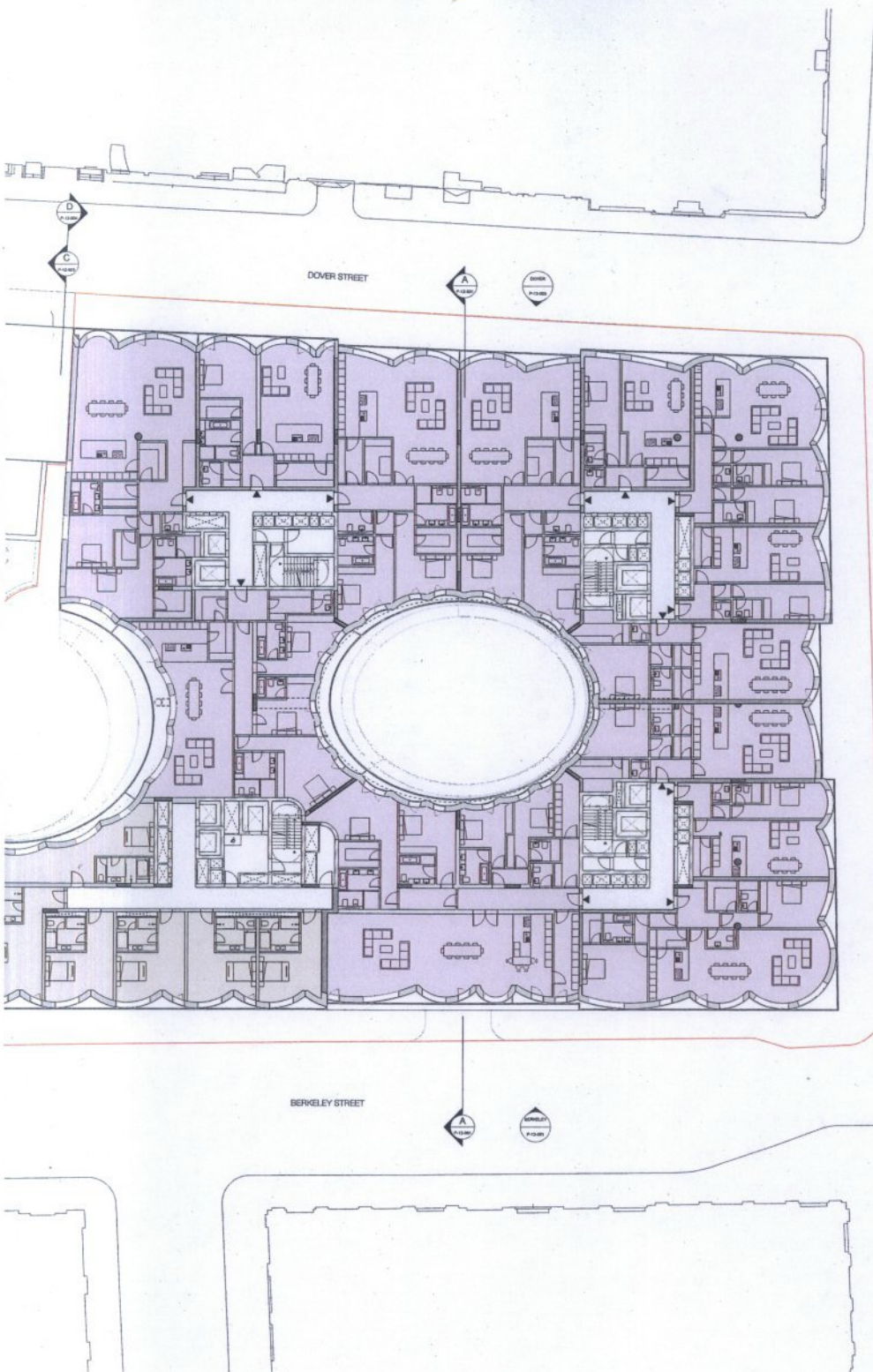


REV	DATE	COMMENTS
P1	14.08.2015	Increased number of apartments

PLANNING

Project: 70-73 Piccadilly
 Drawing Title: Third Floor Plan
 Scale: 1:200 (A1) / 1:400 (A3) Date: Feb 2015
 Drawn by: PPXGP Checked by: JB
 Drawing No: BEC-P-11-004 Revision: P1

Adjaya Associates
 25th Floor, 150 Broad Street, London EC1A 3EG
 Tel: +44 (0)20 7563 4174 Fax: +44 (0)20 7563 4175



PLEASE NOTE:
 DRAWINGS TO BE READ IN CONJUNCTION WITH THE SPECIFICATION AND ALL RELEVANT DOCUMENTS.
 DO NOT SCALE FROM THIS DRAWING.
 ANY ERRORS OR OMISSIONS TO BE REPORTED TO THE ARCHITECT IMMEDIATELY.
 ALL MATERIALS, FINISHES AND BUILDING INFO HAS BEEN COPIED FROM VARIOUS SOURCES.
 ALL MATERIALS, FINISHES AND BUILDING INFO IS INDICATIVE ONLY.
 ALL LANDSCAPE DETAILS ARE INDICATIVE AND SUBJECT TO AGREEMENT VIA THE PLANNING CONDITIONS.

- KEY:
- RESIDENTIAL
 - HOTEL
 - RETAIL
 - SHARED PLANT
 - PARKING

- 1.102 New Recycling Bin
- 1.102 New Refuse Bin
- 2nd New Refuse Bin

- INDIVIDUAL ELECTRICAL CHANGEOVER POINT (ECP)
- ACTIVE ELECTRICAL CHANGEOVER POINT (ECP)

ATTENTION

- B
- A

REV DATE COMMENTS

REV	DATE	COMMENTS
P1	14.08.2010	Increased number of apartments

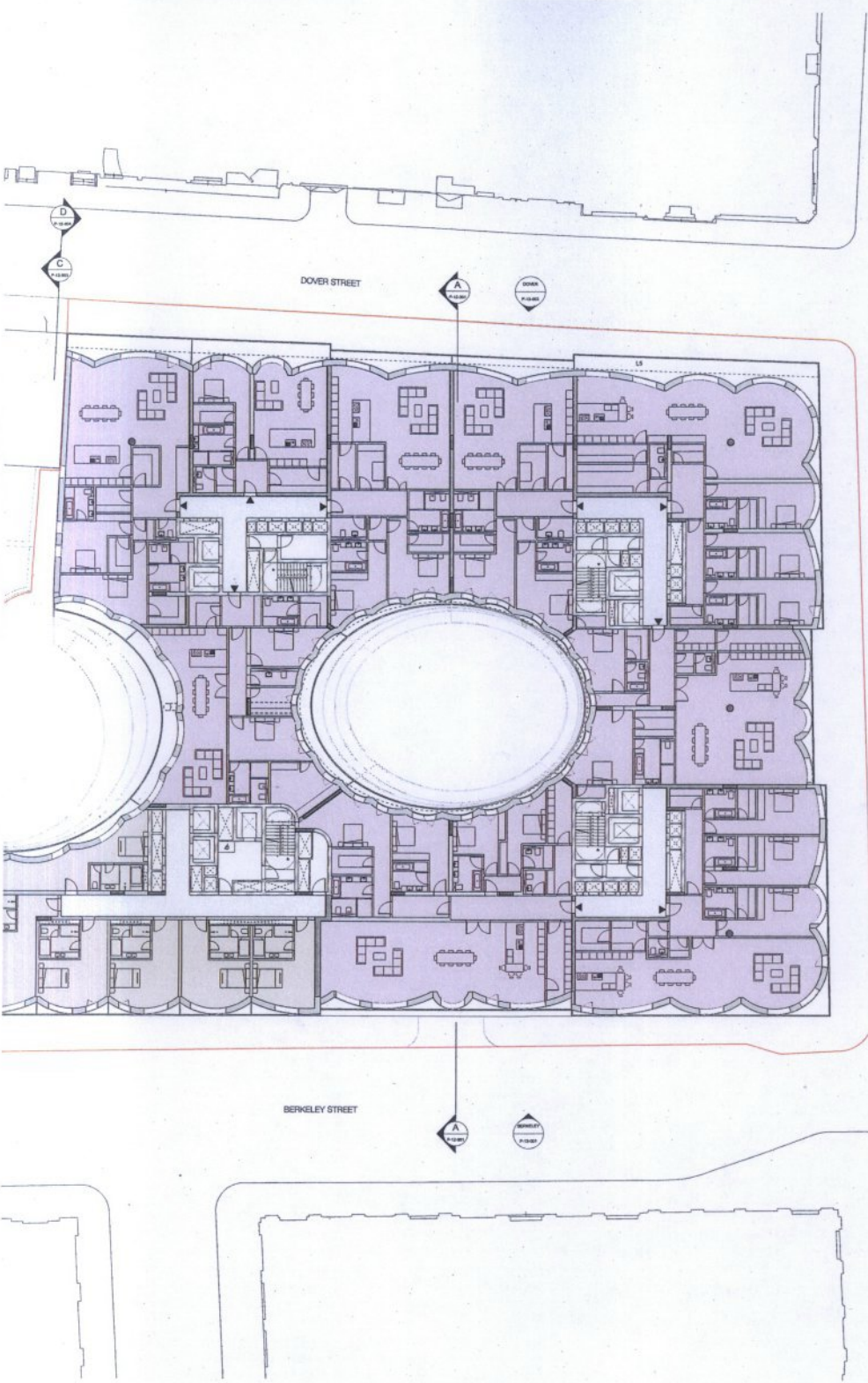
PLANNING

Project: 70-73 Piccadilly
 Drawing Title: Fourth Floor Plan

Scale: 1:200 (A1) / 1:400 (A3) Date: Feb 2010

Drawn by: PPG/JP Checked by: JB
 Drawing No: BEC-P-11-005 Revision: P1

Atjaye Associates
 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000



PLEASE NOTE:
 DRAWINGS TO BE READ IN CONJUNCTION WITH THE SPECIFICATION AND ALL RELEVANT ORDINANCES. DO NOT SCALE FROM THIS DRAWING. ANY ERRORS OR OMISSIONS TO BE REPORTED TO THE ARCHITECT IMMEDIATELY. ALL EXISTING SITE, TRAIL AND BUILDING INFO. HAS BEEN COMPILED FROM VARIOUS SOURCES. ALL MATERIALS AND FINISHES ARE INDICATIVE ONLY. ALL LANDSCAPE DETAILS ARE INDICATIVE AND SUBJECT TO AGREEMENT VIA THE PLANNING CONDITIONS.

- KEY:
- RESIDENTIAL
 - HOTEL
 - RETAIL
 - 5-LEVEL PLANT
 - PARKING

- 1,100 mm Recessing Box
- 1,100 mm Pull-in Box
- 800 mm Pull-in Box
- PENDING ELECTRICAL CHANGING FLOOR SYMBOL
- ACTIVE ELECTRICAL CHANGING FLOOR SYMBOL

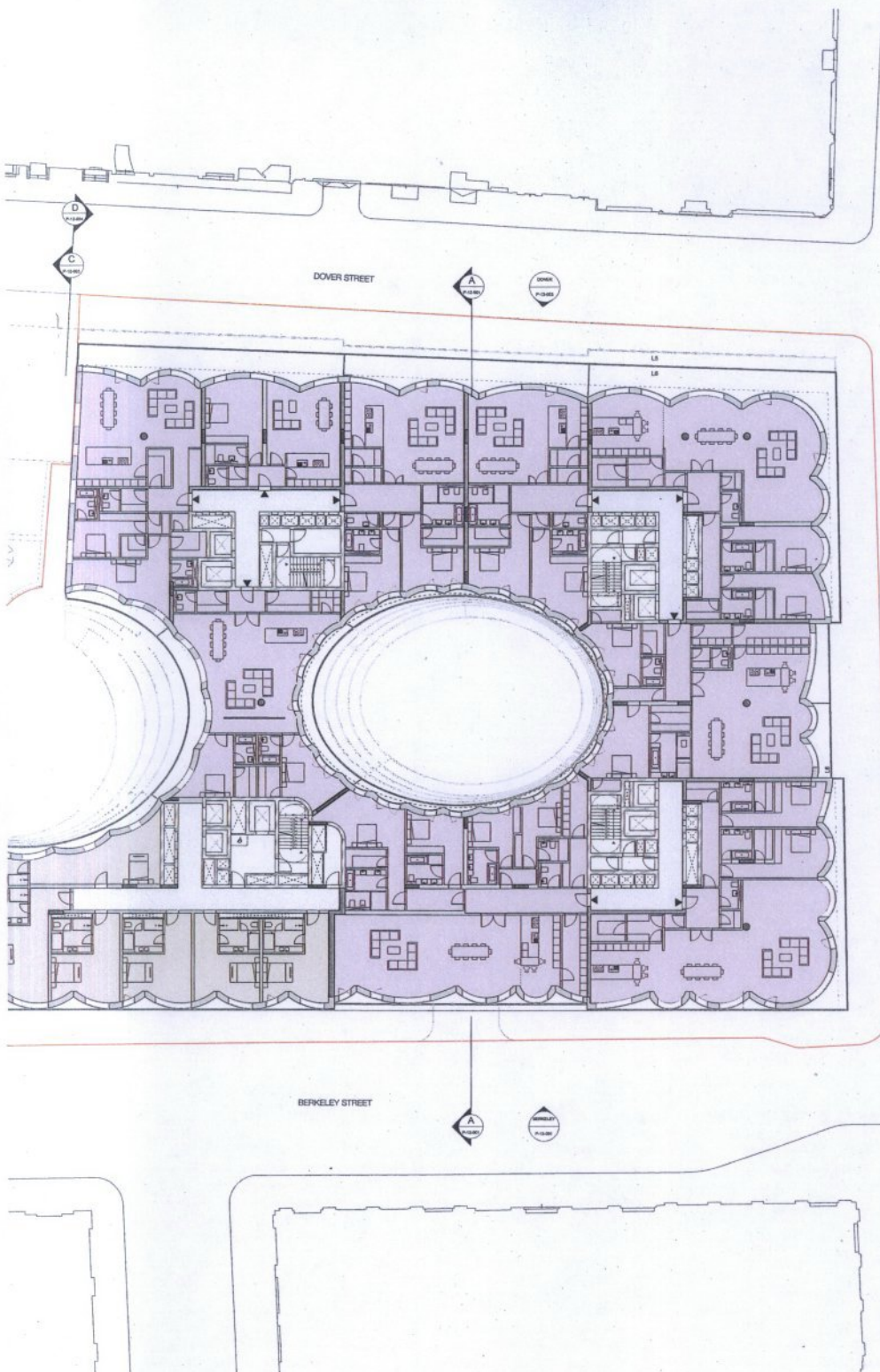


REV	DATE	COMMENTS
P1	14.08.2015	Increased number of apartments

PLANNING

Project: 70-73 Piccadilly
 Drawing Title: Fifth Floor Plan
 Issue: 1.200@A1/140928A3 issue: Feb 2015
 Drawn by: PPH/QP
 Checked by: JB
 Drawing No: SEC-P-11-006 revision: P1

Adjaya Associates
 100-110, 120, 130, 140, 150, 160, 170, 180, 190, 200, 210, 220, 230, 240, 250, 260, 270, 280, 290, 300, 310, 320, 330, 340, 350, 360, 370, 380, 390, 400, 410, 420, 430, 440, 450, 460, 470, 480, 490, 500, 510, 520, 530, 540, 550, 560, 570, 580, 590, 600, 610, 620, 630, 640, 650, 660, 670, 680, 690, 700, 710, 720, 730, 740, 750, 760, 770, 780, 790, 800, 810, 820, 830, 840, 850, 860, 870, 880, 890, 900, 910, 920, 930, 940, 950, 960, 970, 980, 990, 1000



PLEASE NOTE:
 DRAWING TO BE READ IN CONJUNCTION WITH THE SPECIFICATION AND ALL RELEVANT DOCUMENTS.
 DO NOT SCALE FROM THIS DRAWING.
 ANY ERRORS OR OMISSIONS TO BE REPORTED TO THE ARCHITECT IMMEDIATELY.
 ALL DIMENSIONS, TO BE AS SHOWN UNLESS OTHERWISE SPECIFIED.
 ALL MATERIALS, FINISHES AND RESOURCES TO BE COMPATIBLE WITH THE BUILDING'S DESIGN AND RESOURCES.
 ALL INTERNAL LANDINGS AND HOISTWAYS ONLY.
 ALL LANDSCAPE DETAILS ARE INDICATIVE AND SUBJECT TO AGREEMENT VIA THE PLANNING CONDITIONS.

- KEY:
- RESIDENTIAL
 - HOTEL
 - RETAIL
 - SHARED PLANT
 - PARKING

- 1,100 Wm Recycling Bin
- 1,100 Wm Refuse Bin
- 240 Wm Pallet Bin

- PASSIVE ELECTRICAL CHARGING POINT SYMBOL
- ACTIVE ELECTRICAL CHARGING POINT SYMBOL

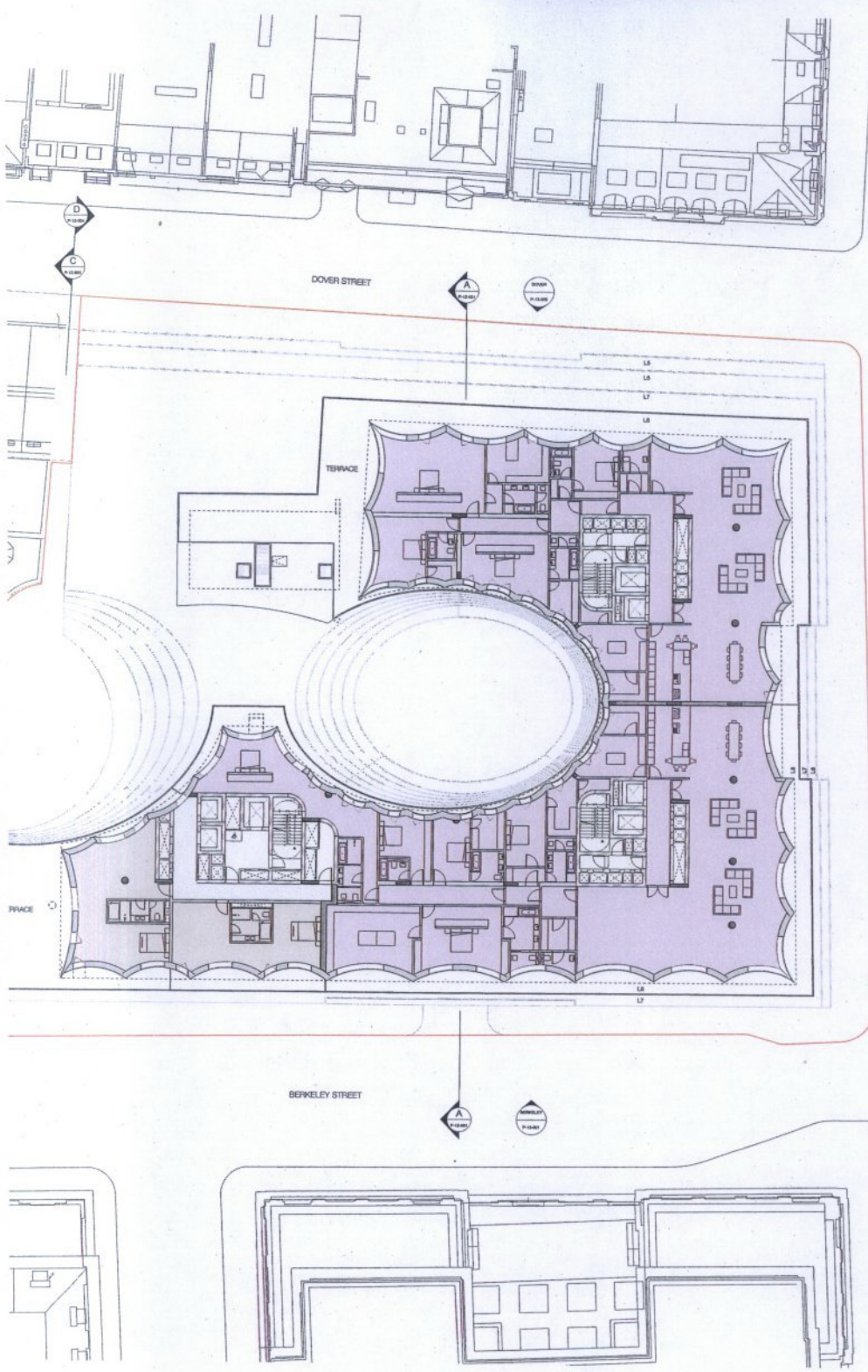
N

REV	DATE	COMMENTS
P1	14.08.2018	Finalised number of apartments

PLANNING

Project: 70-73 Piccadilly
 Drawing Title: Sixth Floor Plan
 Scale: 1:200 @ A1 / 1:400 @ A3 Date: Feb 2018
 Drawn by: PPI/GP Checked by: JB
 Drawing No: BEC-P-11-007 Revision: P1

Adgeye Associates
 25-27 Colindale Avenue, Colindale, London NW9 1TU
 Tel: +44 (0)20 8850 5000 Fax: +44 (0)20 8850 5001



PLEASE NOTE:
 DRAWING TO BE READ IN CONJUNCTION WITH THE SPECIFICATION AND ALL RELEVANT DRAWINGS.
 DO NOT SCALE FROM THIS DRAWING.
 ANY ERRORS OR OMISSIONS TO BE REPORTED TO THE ARCHITECT IMMEDIATELY.
 ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE STATED.
 ALL MATERIALS AND FINISHES TO BE COMPLIED WITH UNLESS OTHERWISE STATED.
 ALL INTERNAL WALLS ARE INDICATIVE ONLY.
 ALL LANDSCAPE DETAILS ARE INDICATIVE AND SUBJECT TO AGREEMENT VIA THE PLANNING CONDITIONS.

KEY:
 RESIDENTIAL
 HOTEL
 RETAIL
 SHARED PLANT
 PARKING

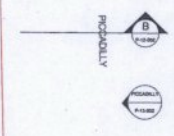
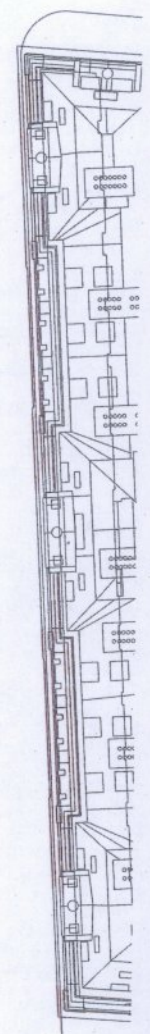
1,100 Wt Hanging Br
 1,100 Wt Puller Br
 240 Wt Puller Br
 FLOOR OR ELECTRICAL CHANGING POINT (ELECT) ACTIVE ELECTRICAL CHANGING POINT (ELECT)

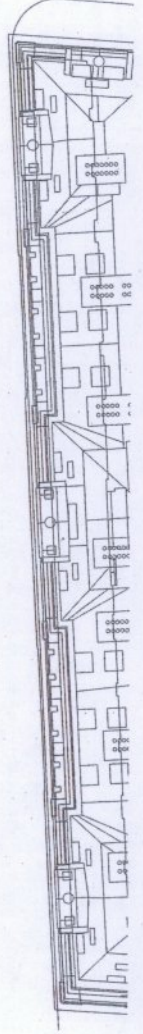
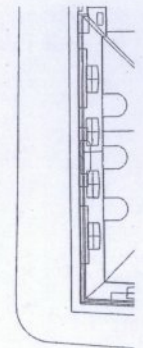
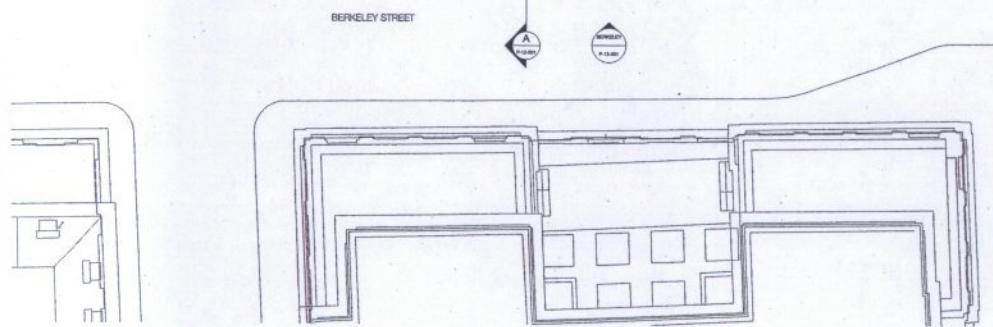
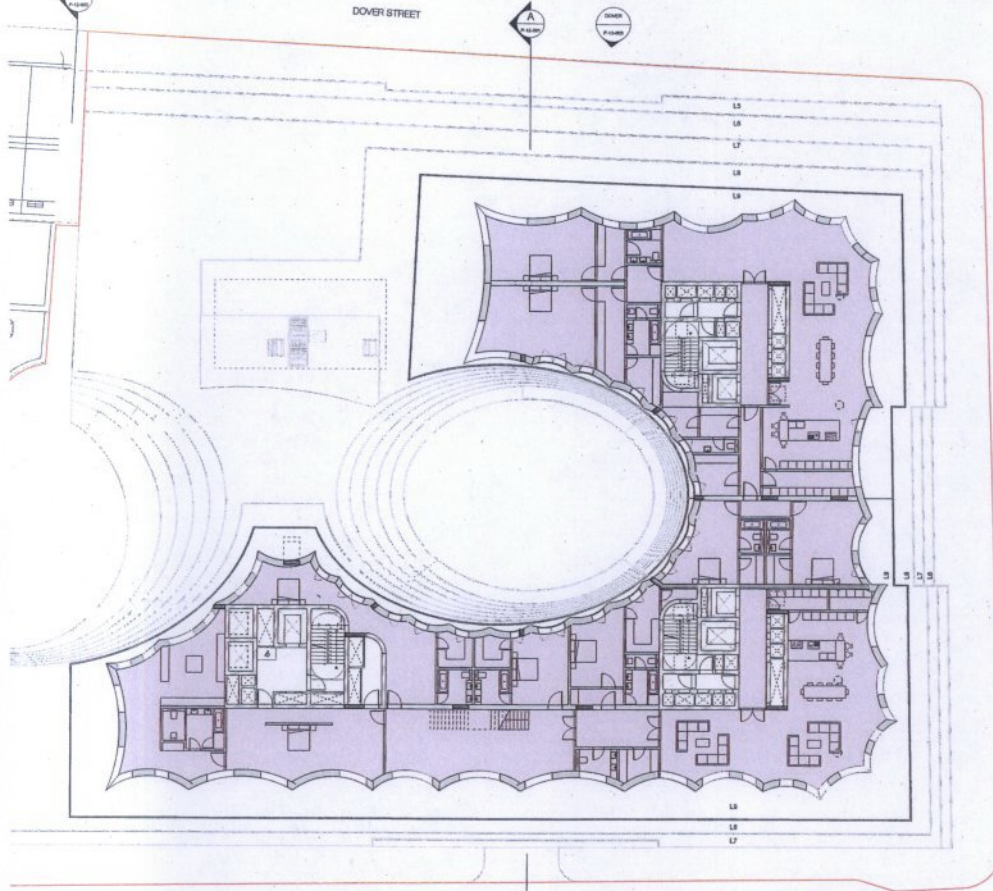
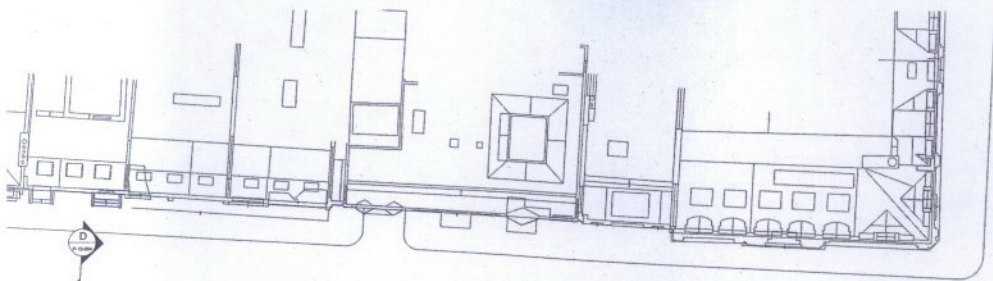
REV DATE COMMENTS
 P1 14.08.2015 Increased number of apartments

PLANNING

Project: 70-73 Piccadilly
 Drawing Title: Eighth Floor Plan
 Drawing No: 1:2000
 Date: 14.08.2015
 Drawn by: PJP/JP
 Checked by: JB
 Drawing No: BEC-P-11-009-Rev.01 P1

Adjaya Associates
 200-210 Piccadilly, London W1A 1AB
 Tel: +44 (0)20 7493 8000 Fax: +44 (0)20 7493 8001





PLEASE NOTE:
 DRAWINGS TO BE READ IN CONNECTION WITH THE SPECIFICATION AND ALL RELEVANT DRAWINGS.
 TO THE SCALE FROM THIS DRAWING.
 ANY ERRORS OR OMISSIONS TO BE REPORTED TO THE ARCHITECT IMMEDIATELY.
 ALL EXISTING SITE, TREE AND BUILDING INFO HAS BEEN CORRECTED FROM ARCHIVE RECORDS.
 ALL INTERNAL LAYOUTS ARE INDICATIVE ONLY.
 ALL LANDSCAPE DETAILS ARE INDICATIVE AND SUBJECT TO AGREEMENT VIA THE PLANNING CONDITIONS.



- KEY:
- RESIDENTIAL
 - HOTEL
 - RETAIL
 - SHARED PLANT
 - PARKING

- 1,100 ltr Recycling Bin
- 1,100 ltr Refuse Bin
- 240 ltr Refuse Bin
- PASSIVE ELECTRICAL OVERHEAD POINT (EPO)
- ACTIVE ELECTRICAL OVERHEAD POINT (EPO)

REV	DATE	COMMENTS
P1	14.06.2015	Increased number of apartments

PLANNING

Project: 70-73 Piccadilly
 Drawing Title: Ninth Floor Plan
 Scale: 1:200 (A1) 1:400 (A2) Date: Feb 2015
 Drawn by: PFG/JP Checked by: JBJ
 Drawing No: REC-P-11-010 (Revision: P1)

Adjaye Associates
 10001 WILLOW ROAD, SUITE 100, WILLOW PARK, LOS ANGELES, CA 90024
 TEL: (310) 551-1000 FAX: (310) 551-1001 WWW: ADJAYE.COM



CITY OF WESTMINSTER

MINUTES

Planning Applications Committee (1)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Committee (1)** held on **Tuesday 14th July, 2015**, Rooms 5, 6 & 7 - 17th Floor, City Hall.

Members Present: Councillors Robert Davis (Chairman), Peter Freeman, Susie Burbridge and David Boothroyd

Also Present: Councillors Karen Scarborough and Ian Rowley.

Prior to formal proceedings, the Chairman called a minute's silence in memory of Councillor Audrey Lewis who had recently passed away.

1 MEMBERSHIP

- 1.1 It was noted that Councillor Peter Freeman was replacing Councillor Tim Mitchell.

2 DECLARATIONS OF INTEREST

- 2.1 Councillor Davis declared that any members of the Majority Party who had or would make representations on the applications on the agenda were his friends. He also advised that in his capacity as Deputy Leader and Cabinet Member for Planning it was inevitable and part of his role that he gets to know, meet and talk to leading members of the planning and property industry including landowners and developers and their professional teams such as architects, surveyors, planning consultants, lawyers and public affairs advisers as well as residents, residents associations and amenity groups. It was his practice to make such declarations. He stated that it did not mean that they were his personal friends or that he had a pecuniary interest but that he had worked with them in his capacity as Cabinet Member for Planning. He also declared that those Members of the Majority Party who had or would be making representations were his friends.
- 2.2 He also explained that all four Members of the Committee were provided a week before the meeting with a full set of papers including a detailed officer's report on each application together with bundles of every single letter or e-mail received in respect of every application including all letters and e-mails containing objections or giving support. Members of the Committee read

through everything in detail prior to the meeting - often taking a whole day over the weekend to do so.

2.3 Accordingly, if an issue or comment made by a correspondent was not specifically mentioned at the meeting in the officers presentation or by Members of the Committee, because of the need to get through a long agenda, it does not mean that Members have ignored the issue as they will have read about it and comments made by correspondents in the papers read prior to the meeting.

2.4 Councillor Davis also declared that in his capacity as the Cabinet Member for the Built Environment with specific responsibility for planning he regularly met with developers as part of the City Council's pre-application engagement with applicants. This was wholly in accordance with normal protocols and the terms set out in the Localism Act 2011 and as amplified in the Communities and Local Government Guidance document "A Plain English Guide to the Localism Act".

2.5 The meetings held with applicants and in some case objectors too are without prejudice and all parties are advised that a final formal decision is only taken when all the facts are before him and his Committee through the normal planning application process.

2.6 Councillor Davis made the following further declarations as they related to the specific applications on the agenda:

Item 1 – the Council owns the site and therefore has an interest and that he has had meetings with the applicants and knows DP9, their consultants.

Item 2 – he knows Montagu Evans, the consultants.

Item 3 – he has had meetings with the applicants and knows DP9 the consultants.

Item 4 – he knows the directors of the applicants, Lodha and has had meetings with them, he knows the architects, and Gerald Eve and their directors who are the applicant's consultants and that the application has been considered by the committee previously.

Item 5 – he has had meetings with the applicants and knows their consultants, James Lang LaSalle.

Item 6 – he has had meetings with the applicants, knows the applicants and the directors of the Grosvenor Estate, and knows the consultants Gerald Eve and their directors.

Item 7 – the site is next to City Hall and he knows the directors of Land Securities Wellington Limited and he knows directors of the applicant's representative, Gerald Eve.

Item 8 – he has had meetings with the applicants and knows the directors of the applicants and knows clients of their representative, Rolfe Judd.

Item 9 – the application had been considered by the committee previously.

Item 10 – that in his capacity as Deputy Leader and the Cabinet Member responsible for theatre, he had got to know a number of people in the theatre business, and that included Andrew Lloyd-Webber, he had met with a director of the applicant's representatives with regard to this application and had in the past received hospitality from RUG and Lord Lloyd-Webber.

Item 11 – the application site is in his ward and he had met with the applicants and their agent, Turley and that he knows the directors of Turley.

Item 13 – the application has been considered by the committee previously and he knew directors at Redrow.

2.7 Councillor Davis also stated that in his capacity as Cabinet Member he knew a number of other Planning Consultants acting generally for these applicants, including Four Communications and Belgrave, as well as the others above already mentioned.

2.8 Councillor Burbridge declared that any members of the Majority Party who had or would make representations on the applications on the agenda were her friends and some in the Minority Party too. She added that as a Member of the Planning Applications Committee, she does meet architects, developers and planners from time to time, however she had not discussed any applications with them on this agenda. She further declared that she had met many of the developers and architects involved with applications on the agenda in her capacity as a councillor.

Councillor Burbridge also declared that in respect of item 4, the application has been considered by the committee previously.

2.9 Councillor Boothroyd declared that he is Head of Research and Psephology for Thorncliffe, whose clients are companies applying for planning permission from various local authorities. He explained that no current clients are in Westminster and if there were he would be precluded from working on them under the company's code of conduct.

2.10 Councillor Boothroyd stated that some Thorncliffe clients have hired planning consultants who are also representing applicants tonight: DP9 on items 1, 2 and 3, Gerald Eve on items 4, 6 and 7, Jones Lang LaSalle on item 5, Rolfe Judd on item 8, and Turley on item 11. However, Councillor Boothroyd stated that he does not deal directly with clients or other members of project teams, and there is no financial link between the planning consultants and his employers.

2.11 Councillor Boothroyd made the following further declarations as they related to the specific applications on the agenda:

Items 1 and 2 – he was a member of the Planning Briefs committee in 2009 which considered the development brief.

Item 4 – he holds a visitor card for the LSE Library which is an adjacent building, and was a member of the committee deciding the previous residential scheme.

Item 5 - PegasusLife are current clients of Thorncliffe but only in relation to a development in Islington.

Item 7 - the site is part of a development by Land Securities; they are current clients of Thorncliffe but only in relation to a development in Worcester.

Item 13 - is in his ward and he has made representations on the main application and the construction management plan, so he will withdraw from the meeting when this item is considered.

2.12 Councillor Karen Scarborough declared in respect of item 1 that she has a granddaughter in Reception Class at St Vincent's School.

2.13 Councillor Ian Rowley declared in respect of item 1 that he occasionally attends mass at the Catholic Church of St. James (Spanish Place) which is attached to St. Vincent's School and that he knows the church's priest who is also his friend.

3 MINUTES

3.1 RESOLVED:

That the minutes of the meeting held on 16th June 2015 be signed as a correct record of proceedings.

4 PLANNING APPLICATIONS

1 CAR PARK, AYBROOK STREET, W1

Erection of a building including excavation works to provide three basement storeys and six above ground storeys for mixed use purposes including up to 79 residential units, retail shops, restaurants, multi-purpose community hall, community space, cycle and car parking, servicing, landscaping, plant and other works. (Site also known as Moxon Street Car Park.)

Additional representations were received from Councillor Karen Scarborough, Councillor Ian Rowley and Councillor Iain Bott (10.07.2015), Ridgeford Developments Ltd (undated) on behalf of the applicant, Montagu Evans (08.07.2015) on behalf of Howard De Walden Estate and Dixon Jones (15.05.2015 and 18.05.2015).

Late representations were received from Councillor Heather Acton (11.07.2015), St. Vincent's Catholic Primary School (10.07.2015), Ridgeford Developments Ltd on

RESOLVED:

1. That conditional permission be granted, subject to a S106 legal agreement to secure:
 - the funding of all costs required to make changes to the existing parking regulations and traffic arrangements.
 - ensure that this layout is only implemented when the redevelopment of Moxon Street is completed.
2. That if the S106 legal agreement has not been completed within six weeks of the date of the Committee resolution then:
 - a) The Director of Planning shall consider whether 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 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 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.
- 3 **70-73 PICCADILLY, 1-3 BERKELEY STREET AND 43-48 DOVER STREET, W1**

Demolition of the existing buildings at 70-73 Piccadilly, 1-3 Berkeley Street, and 43-48 Dover Street and redevelopment to construct a building of ground plus six-10 storeys with three basement levels; use of the property as residential accommodation (Class C3) comprising 39 residential dwellings, hotel accommodation with ancillary functions (Class C1) and either retail/financial and professional services/restaurants or drinking establishments (Classes A1-A4) at part basement, ground and first floor levels; installation of plant; creation of terraces at seventh and eighth floor levels; installation of PV cells at main roof level; open space as part of an amended pedestrian access route between Dover Street and Berkeley Street, 51 car parking spaces, 151 cycle parking spaces and other ancillary works.

Additional representations were received from Environmental Health (22.04.2015) and the Highways Planning Manager (01.07.2015).

Late representations were received from Councillor Paul Church (12.07.2015), Councillor Jonathan Glanz (14.07.2015) and DP9 (14.07.2015).

RESOLVED:

That the application be deferred to allow the applicant to reconsider:

- The size and number of residential units, including consideration of reducing the size of some units and also the number of three/four bedroom units;
- Providing unallocated parking;
- Retaining the horse statue on site;
- Use of Portland Stone on the proposed building;
- Retention of the Harrington Shop Front;
- Retention and restoration of Dover Yard sign.

4 NEW COURT, 48 CAREY STREET, WC2

Demolition of existing building and construction of a replacement building comprising sub-basement, basement, ground and nine upper floors to provide between 190 and 202 residential flats, with ancillary gym/fitness centre, car and cycle parking spaces and building services plant on the basement and sub-basement levels. **REVISED SCHEME:** changes to internal layout to create four additional residential units.

A late representation was received from Lodha Developers UK Ltd (14.07.2015).

RESOLVED:

1. The Committee agreed that a financial payment of £16 million in lieu of on-site affordable housing is acceptable, staged in three phases of affordable housing payments.
2. Subject to 1. above, that conditional permission be granted, subject to the views of the Mayor of London and a S106 agreement to secure:
 - i) a financial contribution of £16 million towards the Council's affordable housing fund;
 - ii) all highway works around the site for the development to occur including vehicle crossovers, changes to on-street restrictions and footway repaving;
 - iii) a financial contribution to the Council's Environmental Inspectorate to monitor compliance with the Construction Environmental Management Plan;
 - iv) unallocated car parking;
 - v) free lifetime (25 years) car club membership for residents of the development;

Agenda Item 3

Item No.
3

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 14 July 2015	Classification For General Release	
Report of Director of Planning		Wards involved West End	
Subject of Report	70-73 Piccadilly, 1-3 Berkeley Street and 43-48 Dover Street, W1		
Proposal	Demolition of the existing buildings and redevelopment to construct a building of ground plus six-10 storeys with three basement levels; use of the property as residential accommodation (Class C3) comprising 39 residential dwellings, hotel accommodation with ancillary functions (Class C1) and either retail/financial and professional services/ restaurants or drinking establishments (Classes A1-A4) at part basement, ground and first floor levels; installation of plant; creation of terraces at seventh and eighth floor levels; installation of PV cells at main roof level; open space as part of an amended pedestrian access route between Dover Street and Berkeley Street, 51 car parking spaces, 151 cycle parking spaces and other ancillary works.		
Agent	DP9		
On behalf of	Crosstree Real Estate Management LLP		
Registered Number	15/01827/FULL	TP / PP No	TP/4847/6184/5858
Date of Application	27.02.2015	Date amended/ completed	13.03.2015
Category of Application	Major		
Historic Building Grade	Unlisted		
Conservation Area	Mayfair		
Development Plan Context - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Within London Plan Central Activities Zone Within Core Central Activities Zone		
Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

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

- i) Compliance with the City Council's Code of Construction Practice and submission of a CEMP (Construction Environmental Management Plan) to an annual cap of £30,000.
- ii) Costs of highways works around the site to facilitate the development (including paving, dropped kerbs, raised crossing etc).
- iii) A Servicing Management Plan (SMP) for the development.
- iv) Re-location of the sculpture within the site.
- v) A walkways agreement.

Item No.
3

2. If the S106 legal agreement has not been completed within six weeks of the date of the Committee resolution then:

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

b) The Director of Planning shall consider whether permission should be refused on the grounds that it has not proved possible to complete an agreement within an appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2. SUMMARY

The site is occupied by four buildings in a prominent location fronting onto Piccadilly, Berkeley Street and Dover Street, within the Mayfair Conservation Area. The buildings are primarily a mix of hotel and offices with retail shop units and a restaurant on part of the ground floor and residential flats.

Permission is sought for redevelopment of the site to provide a single building comprising three basements, ground and up to 10 upper floors. The new building would provide a mix of retail (Class A1-A4 uses), a hotel, and residential accommodation. The scheme would result in the loss of the existing offices.

The key issues for consideration in this case are:

- The impact of the proposed building on the townscape and the character and appearance of the Mayfair Conservation Area.
- The acceptability of the proposal in land use terms.
- The impact on the surrounding highway network.

The new building is considered to be an innovative design that is an improvement to the existing buildings, in particular the 1970s buildings on Piccadilly and Berkeley Street. The detailing of the proposed new building gives it a complexity and richness and the use of Portland Stone and bronze are in keeping with the established palette of materials along Piccadilly.

The mix of uses are considered appropriate to the Core Central Activities Zone. The City Council's valuation consultants have advised that the scheme could not viably support either the provision of on-site affordable housing or a financial payment in lieu.

Notwithstanding an objection from the Highways Planning Manager subject to appropriate conditions and a legal agreement, the scheme is considered acceptable, including highways terms and complies with relevant policies set out in the Unitary Development Plan (UDP) and Westminster City Plan: Strategic Policies (City Plan).

3. CONSULTATIONS

GREATER LONDON AUTHORITY:

The principle of the scheme is supported in strategic terms.

Further details are required with regards to the loss of offices and the affordable housing offer. In design terms consideration should be given to the flank elevation of the retail unit at the north east end of the link. Details of the provision for the Dame Elizabeth Frink 'Horse and Rider' should be confirmed. Energy - the overheating strategy for residential living areas should be reviewed to avoid the use of air conditioners. Transportation - The proposal should be car free (except for blue badge parking)

LONDON UNDERGROUND LTD

No comment.

RESIDENTS SOCIETY OF MAYFAIR AND ST JAMES'S

No objection.

THE ROYAL PARKS

No response received.

ENGLISH HERITAGE *Historic England*

No objection; comment that the existing buildings make no contribution of significance to the Mayfair Conservation Area. Considered that it is unfortunate that the opportunity is not taken to part re-instate the original historic plot widths to Piccadilly.

ENGLISH HERITAGE (ARCHAEOLOGY) *Historic England*

No objection, subject to an appropriate condition.

HIGHWAYS PLANNING MANAGER

- Refuse; changes to the building line would be harmful to pedestrian movements.
- If permission is granted a Servicing Management Plan should be secured as part of a S106 agreement.
- Car parking and cycle parking provision is acceptable.

ENVIRONMENTAL HEALTH

Any response to be reported verbally

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 576; Total No. of Replies: 2.

Two objections on the following grounds:

Amenity

- Loss of sunlight.

Noise and Disturbance

- The development would result in unacceptable noise impacts both during construction and during the lifetime of the development.

Design

- The design, bulk and mass would be harmful to the area, including views from Green Park.

4. BACKGROUND INFORMATION**4.1 The Application Site**

The application site is located on the northern side of Piccadilly directly opposite the Ritz Hotel, close to Green Park. The site is occupied by a group of buildings fronting onto Piccadilly to the south, Berkeley Street to the west and Dover Street to the east.

The existing buildings comprise a number of different uses; a Holiday Inn hotel, commercial office space, residential retail (Class A1) and a restaurant (Class A3) uses.

The four buildings which occupy the site are:

No. 3 Berkeley Street a 1970s building comprising ground and seven upper floors occupied as a hotel by the Holiday Inn;

No. 70-73 Piccadilly is also a 1970s building comprising ground and seven upper floors with a recessed plant room above. The ground floor is in retail use, floors 1-4 are offices, floors 5-7 are hotel occupied by the Holiday Inn;

44-48 Dover Street was constructed in 2009 and comprises ground and 6 upper floors. The ground floor is retail, levels 1-5 are offices with residential at 6th floor level;

43 Dover Street is a 1980s building of ground and 6 upper floors. The ground floor is retail with residential above.

Dover Yard is located to the rear of the site and is used as a service yard for the Holiday Inn hotel, including car parking refuse areas and electricity substations. Dover Passage is a public right of way into Dover Yard linking Dover Street and Berkeley Street.

None of the buildings are listed but all are located within the Mayfair Conservation Area and the Core Central Activities Zone.

4.2 Relevant History

Various permissions have been granted with respect to buildings which comprise the site, however none are directly relevant to the current application.

5. THE PROPOSAL

Permission is sought for the demolition of all the existing buildings and redevelopment to provide a single building ranging from ground and six upper floors, to ground and 10 upper floors with three basement levels. The new building will provide 39 residential flats, a hotel and retail (Class A) floorspace.

Residential: The residential flats are dual aspect arranged around a central courtyard at 3rd to 10th floor levels. Residents have access to a spa, gym and treatment rooms at 1st basement level and 51 car parking spaces at 3rd basement level. Residential is accessed from either Piccadilly or Berkeley Street.

Retail: Retail (Class A1-A4) units are located at part ground, part first and part basement levels. The unit sizes have been designed with a degree of flexibility to cater for future tenants.

Hotel: The scheme aims to replace the existing hotel with a 5* hotel. The hotel will be located primarily at 1st and 2nd floors of the building but will rise up to 8th floor around the north west core on Berkeley Street. Access to the hotel will be from Berkeley Street and Dover Yard. Back of house facilities are located at first and second basements. The application drawings indicate that the hotel would have 95 rooms but the applicant is seeking flexibility and the number of rooms could range between 80-120.

Plant rooms for the building are located at basement levels as well as a standalone building in Dover Yard. The scheme includes car parking, cycle parking, and storage within the basement. All servicing will be off street via a vehicular service yard at basement level 2.

A sculpture- 'Horse and Rider' (1974-75) by Dame Elizabeth Frink is located where 70-72 Dover Street is set back on the south west corner of the site.

6. DETAILED CONSIDERATIONS

6.1 Land Use

The floorspace figures are set out in the table below:

Use	Existing	Proposed	Change
Office	9,887	0	-9,887
Residential	1,504	19,340	+17,836
Retail (Class A1)	2,736	2,737	+1
Restaurant (A3) /Bar	309 (just A3)	Page 95 306 (A3/A4)	+997 (A3/A4)

(A4)			
Hotel	10,601	13,163	+2562
Total	25,037	36,510	+11,473

6.1.1 Loss of office use

The proposal would result in the loss of 9,887 m² of office floorspace. The GLA, whilst supportive of the scheme in strategic terms, request that loss of offices should be further justified. Their stage 1 response refers to London Plan Policy 4.1 which promotes the continued development of a strong, sustainable and increasingly diverse economy with different types, size and cost of office space. They also comment that the site is within Westminster's Core CAZ where growth of commercial uses is encouraged to maintain the significant contribution Westminster makes to London's world city status.

In response to the GLA's comments the applicant refers to the fact that the London Plan recognises the pressing need for more housing in London, with increased housing targets set for each year. London Plan Policy 4.2 states that the Mayor and boroughs should support mixed use development and redevelopment of office provision to improve London's competitiveness and address the wider objectives of the London Plan. The strategic objective being to deliver additional housing to meet the need for more homes. Furthermore the London Plan states that local plans should support the conversion of surplus offices to other uses and promote mixed use developments and there is sufficient provision of office accommodation within the development pipeline. The applicant therefore concludes that the proposal accords with the strategic objectives of the NPPF, the London Plan and Westminster City Council policies.

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

Paragraph 51 of the NPPF advises that local planning authorities should normally approve planning applications for change of use to residential and any associated development from commercial buildings (currently in the B use class) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.

Whilst there would be a loss of office floorspace and employment as a result of the development, the loss of offices is part of a mixed use scheme which would increase hotel and residential floorspace on the site. There is no evidence to suggest that the economic impact of the proposals on this part of Piccadilly or the City as a whole would be sufficiently harmful in this instance to justify refusing permission. There are no current policies within the UDP or City Plan which protect existing offices, this is under review but at the present time this application is considered to be acceptable

6.1.2 Residential

The use of the proposed building for residential purposes is supported by Policies H3 of the UDP and S14 of Westminster's City Plan.

The proposal would create an additional 17,835 m² of residential floorspace (GEA) in the form of 39 dwellings. This would make an important contribution to new housing provision and is welcomed in policy terms.

6.1.3 Residential mix and standard of accommodation

The table shows the proposed housing mix:

Table 2. Mix of units

Units	Number	%
1 bed	4	11
2 bed	11	28
3 bed or more	24	61
Total No.	39	100

The City Council wants to encourage more families to move into and stay in Westminster by providing more family sized housing. Policy H5 of the UDP requires that 33% of housing units be family sized (being three or more bedrooms). In this case 24 (61%) of the 39 units are family sized. Overall the mix of accommodation proposed is considered acceptable.

All units (ranging between 140 m² and 766 m²) have been designed to meet or exceed the Mayor's dwelling space standards set out in London Plan Policy 3.5.

All units have level access by virtue of the lifts provided the four vertical cores within the building. The residential units meet Lifetime Homes Standards and 10% of the units have been designed so that they can be easily adaptable to meet wheelchair accessibility standards in accordance with London Plan Policy 3.8.

In terms of residential quality all units are dual aspect apart from 4 x 1 bed units facing onto Dover Street. It is accepted that the background noise levels in this area of the City are high. Policy ENV6 of the UDP states that residential developments are required to provide adequate protection from existing background noise as well as noise from within the development itself. The submitted Environmental Noise Survey addresses the issue of internal noise levels to the new flats and assesses the building envelope's acoustic performance. This is a redevelopment which would incorporate double glazed windows and the high specification building fabric necessary to meet modern performance standards. A system of mechanical ventilation for the new flats is proposed should residents choose to keep their windows shut. Conditions are recommended to ensure that sufficient measures are put in place to mitigate against internal and external noise.

Overall, the quality and quantity of residential accommodation is acceptable in terms of layout, natural daylight, and internal noise levels.

6.1.4 Affordable Housing

Policy H4 of the UDP and S16 of Westminster's City Plan and Interim Guidance Note Implementation of Affordable Housing are relevant.

The policy requirement is that proposals for housing developments of either 10 or more additional units or over 1000m² additional residential floorspace will be expected to provide a proportion of the floorspace as affordable housing.

The proposed new residential floorspace is 17,836 m² GEA. Using the calculations set out in the Interim Guidance Note, this requires 25% of the total residential floorspace to be provided as affordable housing. This equates to 4459m² or 55 units (based on a unit size of 80 m²).

Policy S16 requires the provision of affordable housing on-site. It adopts a 'cascade' approach and states that "where the Council considers that this is not practical or viable, the

affordable housing should be provided off site in the vicinity. Off site provision beyond the vicinity of the development will only be acceptable where the Council considers that the affordable housing provision is greater and of a higher quality than would be possible on or off site in the vicinity...". If these options are not feasible, then a financial contribution in mitigation is an appropriate alternative, calculated according to the Interim Affordable Housing Note. A policy compliant payment in lieu is £28,463,283.

A viability report prepared on behalf of the applicants has been submitted to support the argument that the scheme cannot support either on-site affordable housing provision, or a payment in lieu to the City Council's affordable housing fund without impacting on the financial viability of the scheme.

An independent review of the viability report submitted in respect of the application has been undertaken by DTZ on behalf of the City Council. DTZ's professional conclusion is that the scheme is not able to support either affordable housing on site, the provision off site or a payment in lieu.

In the light of this independent advice it is considered that permission could not reasonably be withheld on the basis that the scheme does not make provision for affordable housing.

6.1.5 Retail

The site is within the Core CAZ, and the West End Special Policy Area. City Plan Policy S21 seeks to protect existing retail, as such permission will only be granted where the proposal would not be detrimental to the character and function of the area or the vitality and viability of a shopping frontage or locality. Policies SS4 and SS5 of the UDP seek to protect and maintain the established extent of A1 uses in the CAZ.

At present there are shop units on Piccadilly and Dover Street and the southern end of Berkeley Street close to the junction with Piccadilly. The majority of these units are occupied as retail (Class A1) shops. One of the shop units fronting onto Piccadilly is in restaurant (Class A3) use. In total there is 2736 m2 of retail (Class A1) and a restaurant of 309 m2 on the site.

The applicant has confirmed that at least all the existing retail (Class A1) floorspace will be re provided in the redevelopment scheme but at this stage there are no identified operators the applicant has requested some flexibility to allow part of the shop units to be occupied as either restaurant (Class A3) or bar (Class A4) space.

The provision of shop type premises at basement (level 01), ground and first floors is considered acceptable in principle and will retain uses which provide a service to visiting members of the public. It is considered important that quantum of retail (Class A1) and the location of the uses ensures that Piccadilly's strong retail character is maintained. Conditions are recommended which require there to be no loss of retail (Class A1) floorspace in comparison with existing and operational management plans for the units to be approved which will secure the location of the Class A uses and to maintain the strong retail (Class A1) character of Piccadilly.

6.1.6 Entertainment uses, restaurant and bar

The scheme may result in the provision of 1306 m2 of restaurant (Class A3) or bar (Class A4) should the additional Class A floorspace not be used as retail (Class A1). This would increase entertainment floorspace on the site by 997 m2. Westminster's City Plan Policy S24 and UDP Policies TACE 8-10 deal with entertainment uses. They aim to control the location, size and activities of entertainment uses in order to safeguard residential amenity, local environmental quality and the established character and function of the various parts of the City, while acknowledging that they provide services to people living in, working in and visiting

the City and contribute to its role as an entertainment centre of national and international importance.

The balance of these policies in terms of promoting entertainment uses and protecting amenity varies depending on the size, type and location of the entertainment use. The TACE policies are on a sliding scale in which developments where TACE 8 is applicable would be generally permissible and where TACE10 is applied (where the gross floorspace exceeds 500m²) only in exceptional circumstances.

In assessing the impact on residential amenity and local environmental quality regard is had to a) noise, b) vibration, c) smells, d) increased late night activity e) increased parking and traffic and f) no adverse effect on the character or function of the area.

The provision of new entertainment floorspace of 997 m² would need to be assessed against UDP policy TACE 10. It is unlikely that a large bar would be considered acceptable. The applicants have indicated that it is likely that there would be two restaurants which may both exceed 500 m². Given the size of the site it is considered that a development could potentially successfully accommodate two large restaurants however this would be subject to appropriate management and conditions to control hours of operation and capacity. A condition is therefore recommended requiring the submission of operational management plans which will come forward once the operators are known. The location of entertainment and retail uses will also be secured by condition.

6.1.7 Hotel

The site contains an existing hotel operated by the Holiday Inn along the Berkeley Street frontage. The proposal seeks to increase the size of the hotel by 2562 m². The applicant's stated intention is to operate a 5* plus hotel in keeping with Mayfair. There is no identified hotel operator. Flexibility is sought in the number of hotel rooms that would be provided which would range between 80-120.

The provision of a hotel accords with the aims of City Plan Policy S23 and UDP Policy TACE 2. These policies recognise the importance of Westminster as one of the world's premier visitor destinations and direct new hotels to the Core Central Activities Zone (CAZ), which do not have a predominantly residential character. The policies set out the criteria for assessing new hotels and extensions to existing hotels, in relation to their impact on residential areas, traffic and parking.

The principle of the provision of an enlarged hotel on the site is considered acceptable subject to the hotel use operating in accordance with an appropriate being hotel management plan which will be secured by condition.

6.2 Townscape and Design

The four buildings on the site are within the Mayfair Conservation Area. The buildings on Piccadilly and Berkeley Street are post war buildings of little merit. The Dover Street buildings include a modern building (no. 44-48) by Squire and Partners, which is less than 10 years old, and a new, but traditional, building at No. 43 Dover Street which features a very good historic shopfront. There is a strong presumption to retain this shopfront. The proposal involves the demolition of all of these buildings.

Both Dover Street buildings make a positive contribution to the character and appearance of the Mayfair Conservation Area. The other buildings do not make a positive contribution to the conservation area. The demolition of all these buildings could be acceptable in the context of a new building which makes an equal or greater contribution and preserves or enhances the character and appearance of the conservation area.

There are a number of listed buildings in the vicinity of the site. These include:

Grade II*

- Ritz Hotel, Piccadilly
- 157-160 Piccadilly
- Caviar House, 161 Piccadilly

Grade II

- Devonshire House, Piccadilly
- Stratton House, Piccadilly
- 41-42 Dover Street
- 63-65 Piccadilly

The site is adjacent to and visible from Green Park, which is in the Royal Parks Conservation Area, and the St James's Conservation Area which lies on the south side of Piccadilly.

a. Plan form

The existing buildings follow the historic building line, with the exception of the Dover Street frontage of 70-72 Piccadilly. The building is set back to provide semi-public space, used by the café (Café Nero) adjacent. There is an important sculpture, 'Horse and Rider' (1974-75) by Dame Elizabeth Frink in this space.

At the north end of the site is Dover Yard, which is essentially a service space. It is linked to Dover Street by a pedestrian route through the adjacent building at 42 Dover Street, which is not part of the site, and to Berkeley Street through the undercroft of the hotel.

The proposed building reinstates the historic building across the whole site. It also recreates Dover Yard as a circular space at the north end of the site. The space on Dover Street is lost, which is not unacceptable, but there is a need to relocate the important, and valuable, Frink sculpture within the site. There are no proposals to do this in the submitted scheme. The applicants preference is that the sculpture is relocated off site, however it is considered that it should be retained on site. It could be located in the new Dover Yard. This will be secured as part of the legal agreement.

b. Height and bulk

The existing buildings on the site are of different heights. The Piccadilly and Berkeley Street buildings are seven storeys high to parapet level, with one set back roof storey and a further set back plant floor, making nine storeys in total. The modern building at 44-48 Dover Street is five storeys high to parapet level, with two recessed roof storeys and a plant room, making eight floors in total. The narrow, single plot building at 43 Dover Street is six storeys, with a mansard roof storey above.

The building to the west, on Berkeley Street, Devonshire House (listed Grade II), is a large building in the context of Piccadilly and the surrounding streets. Devonshire House is an exception to the generally low scale of the eastern end of Piccadilly. From Berkeley Street eastwards the buildings are significantly lower than those immediately to the west of Berkeley Street. To the north of the site the buildings on Dover Street are generally 5 or 6 storeys high. On Berkeley Street the adjoining buildings are 8 storeys.

The proposed building is 10 storeys high, with an 11th floor on the Berkeley Street side. It is the equivalent of approximately one storey higher than the existing building; two storeys higher on Berkeley Street. It is higher than the existing buildings to the north. It is also higher than the top of the roof of the Ritz Hotel (listed Grade II*) on the south side of Piccadilly.

The impact of the height is reduced in views by progressive stepping back of the facades at high level. This is particularly the case on Dover Street where floors 6 to 9 are set back significantly in order to reduce the visual impact on street views along Dover Street. The upper floors are also set back on Berkeley Street. The setbacks on the Piccadilly frontage are significantly less than on the other two streets.

The upper floors of the building are visible in longer views from Green Park to the south west and from the south side of Piccadilly to the east of the site. However, in these views the proposal is seen in the context of the higher Devonshire House.

The massing (height and bulk) has been the subject of much negotiation. A lower building, with a more recessive roofscape would have less impact on the area and would be more beneficial. However, the proposed massing is considered acceptable, but represents the maximum that can be achieved on this site without causing serious harm to heritage assets and views.

c. Design

The proposed building has strongly expressed horizontal floors slabs, in concrete, with bronze metal infill at ground and first floor levels, and curved stone panels with full height glazing on the floors above. The lowest two floors have concave bays and the upper floors have convex bays, all set within the envelope defined by the floor slabs. The concave bays at roof level give the building a scalloped roof line. Metal balustrades run the whole length of each level, above first floor level.

This is a very large new building, replacing four separate buildings. Therefore there is a loss of architectural variety and grain in the streetscape. The architects have sort to address this to a degree by modelling the facades. On each street frontage the middle sections of the facades are slightly recessed to break up the potential monolithic nature of the building.

This is a high quality modern building which seeks to respond positively to its context. It is highly modelled giving it complexity and richness. It is considered an acceptable replacement for the existing buildings, and complies with the City Council's urban design and conservation policies as set out in S25 and S28 of the City Plan and in chapter 10 of the Unitary Development Plan.

However, it is considered essential that it be faced in natural Portland stone which is the stone which characterises Piccadilly and the Mayfair Conservation Area. For example, the listed buildings immediately south and west of the site, including the Ritz Hotel and Devonshire House, are all faced in natural Portland stone.

An objection that the new building would be out of context with its surroundings and does not have regard to the form, function and structure of the area, is not considered to be sustainable.

If planning permission is to be granted then this should be on the basis that:

- a. Natural Portland stone is to be used for the facades
- b. The Frink sculpture shall be relocated to Dover Yard
- c. The shopfront at 43 Dover Street shall be salvaged and reused within the development.

6.3 Amenity

UDP Policy ENV13 seeks to protect existing premises, particularly residential, from a loss of daylight and sunlight as a result of new development. Permission would not normally be granted where developments result in material loss of daylight or sunlight. Regard is had to

the Building Research Establishment (BRE) guidelines.

Daylight

In assessing daylight measuring the Vertical Sky Component (VSC) is the most commonly used method. It is a measure of the amount of light reaching the outside face of a window. If the VSC achieves 27% or more, the BRE advise that the window will have the potential to provide good levels of daylight. It also suggests that reductions from existing values of more than 20% should be avoided as occupiers are likely to notice the change. The BRE stresses that the numerical values are not intended to be prescriptive in every case and are intended to be interpreted flexibly depending on the circumstances. The 'No Sky Line' method has also been used, which measures the daylight distribution within a room, calculating the area of working plane inside the room that has a view of the sky.

Sunlight

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

A daylight and sunlight report has been submitted as part of the application which assesses the impact on 14 residential properties surrounding the site. In summary, 10 of these properties would fully comply with BRE guidelines in terms of daylight and sunlight. These properties are as follows:

8-9 Dover Street, 41-42 Dover Street, 8 Stafford Street, 39-40 Albemarle Street, 47 Albemarle Street, 50 Albemarle Street, 15a Dover Street-6 Stafford Street, 5 Arlington Street, 4 Arlington Street, and 6-8 Bennett Street.

In the case of 4 properties (10 Berkeley Street, 4 Dover Street, 5-7 Dover Street, and 40 Dover Street) there are minor breaches to BRE guidelines which are discussed further below.

10 Berkeley Street is a residential building situated to the north west of the site directly to the rear of Dover Yard. An objection has been received from the occupant of a ground and lower ground floor maisonette that the development would result in a loss of sunlight.

65 windows (44 rooms) have been assessed of which 52 (80%) will meet the BRE guidelines for VSC. Of the 13 windows where there are technical breaches 11 will experience actual changes of between 1% to 3%. In the case of 2 windows, losses in daylight will be slightly greater as existing VSC levels of 15.68 and 17.33 will be reduced to 8.63 and 9.21 (a loss of 7.05 - 44% and 8.12- 46.86% respectively). Although this breaches BRE guidelines regarding daylight the losses are not considered to be so significant that permission should be withheld.

With regards to sunlight 17 rooms within the property have windows facing within 90 degrees of due south and have therefore been analysed for potential change to sunlight. Of these 17 rooms 14 (82%) will meet the suggested levels within the guidelines. Of the 3 rooms that experience non-compliant changes, one room will retain 22% annual sunlight hours and it is the loss in winter sunlight that causes the technical transgression. In the case of the other two breaches, one room currently receives 6% annual probable sunlight hours (APH) which would be reduced to 1% (83% loss), the other room 18% APH would be reduced to 1% (94% loss). This loss of sunlight would be noticeable, however given that only 2 of the 44 rooms within the property would experience a material loss of sunlight it is not considered that the impact is so great that permission should be withheld.

4 Dover Street is a Public House with ancillary residential situated to the east of the site.

Of 11 windows tested for potential changes to VSC 10 will achieve BRE compliance. One window there would be a technical breach as there would be a 26 % reduction. The actual change is only 2%. This is considered acceptable.

There would be no breach in the APH.

5-7 Dover Street is situated to the east of the site and includes residential flats at 2nd to 5th floor levels.

The study shows that with regards to daylight there would be no losses to VSC levels above 20% in compliance with BRE guidelines.

With regards to sunlight, 18 rooms have windows that face 90 degrees due south and 16 (88%) will achieve BRE compliance. The two rooms that experience technical transgressions will retain 21-23% APSH and one will retain 5% winter sunlight. This is only slightly below the BRE guidelines. The impact is relatively minor.

40 Dover Street is situated to the north east of the site. Permission has been granted for use of the upper floors as residential flats. Of 23 windows that serve habitable rooms which face the site 22 would comply with BRE guidelines. In the case of the bedroom window, an existing VSC of 22.75 % would be reduced to 5.92 %. The loss is therefore significantly above 20% which the BRE guidelines state would be noticeable. The window serves a bedroom and there are two other windows that serve the room which will be unaffected by the proposal. This impact is therefore considered acceptable.

The sunlight analysis for the premises illustrates that out of 23 windows tested 22 would comply. One bedroom would experience a loss of sunlight in excess of BRE guidelines as existing APSH of 31% would be reduced to 21%. That the impact would only be to one bedroom this is considered acceptable.

In summary the impact of the development on daylight and sunlight to surrounding residential properties is relatively minimal and where there are breaches to the BRE guidelines they are not so great that there would be a material loss of residential amenity that would warrant permission being refused.

Overlooking

Part (F) of Policy ENV13 seeks to resist developments that would result in an unacceptable degree of overlooking. Given the orientation of the site with regards to surrounding properties the development would not result in overlooking or a loss of privacy to neighbouring buildings.

Sense of Enclosure

Part (F) of Policy ENV13 also states that developments should not result in an increased sense of enclosure. Overall the bulk and mass of buildings are considered acceptable and would not result in a harmful increased sense of enclosure to nearby residential properties

6.4 Transportation/ Parking

There are a number of highways issues arising from the application. These include traffic implications, servicing provision and cycle parking.

Traffic Implications

A Transport Assessment produced on behalf of the applicant identifies the site as being within a highly accessible location in terms of public transport. The assessment states that the majority of trips associated with the site will be via public transport or other sustainable modes (eg walking, cycling) and concludes that the proposed development will not have a significantly detrimental impact on the safety or operation of the highway network.

Car parking

The proposed development will provide 51 car parking spaces on-site at basement level 3. 12 of the car parking spaces will have access to electricity charging points (24% of the total provision). The car park is accessed by vehicular lifts from an internal courtyard off Berkeley Street. No car parking is proposed for any of the other uses on the site.

The GLA request that development should be car free (save for Blue Badge parking) and that for any parking provided, electric vehicle charging points should be provided in line with London Plan policy and all residents should be exempt from applying for on street parking permits.

The Highways Planning Manager welcomes the car parking provision which is in accordance with UDP Policy TRANS 23. The layout of the car parking is acceptable and functional. The car lift is accessed from an internal space. No details have been provided of the car lift cycle time, however given the trip rate details and the location of the car lifts well off the public highway, any queuing would occur off the public highway within the internal waiting space and the access to the car parking is considered acceptable.

Cycle parking

A total of 151 cycle parking spaces would be provided on the site for the residential, hotel and retail elements of the scheme. Proposed cycle parking is as follows:

100 cycle parking spaces will be provided for residents in stores at basement Level 3. Access to the cycle parking is by means of the car lift off Berkeley Street.

46 cycle spaces will be provided for hotel staff in basement level 3. Access to the storage is from a staff entrance core off Dover Yard.

5 cycle parking spaces will be provided for the retail units in basement level 1. Access to the storage is by means of the staff entrance core off Dover Yard hotel staff in basement level 3. The cycle parking is considered acceptable.

Vehicular Access – Servicing and Deliveries

The development will have two vehicular access points along Berkeley Street. The normal policy requirement set out in UDP Policy TRANS 20 and City Plan Policy S42 is that as part of redevelopment schemes servicing would take place off-street. The proposal is that off street servicing would take place accessed from a vehicular lift, directly from Berkeley Street.

The vehicle lift directly abuts the footway with no off-street waiting space. The applicant indicates that the lift cycle time would be 83 seconds. The highways planning manager advises that if two delivery vehicles arrived in Berkeley Street within a short space of each other, then potentially 1 vehicle would be left waiting on the highway for the lift to be available.

The applicant argues on trip generation profile of the servicing needs of the proposed uses, two vehicle arriving at the site would be a rare occurrence. It is anticipated that 9 deliveries are likely to occur during the peak servicing hour between 09.00 and 10.00. The Highways Planning Manager advises that the proposed lift arrangement may result in short term localised congestion to both traffic and pedestrians. It is therefore recommended that a Servicing Management Plan (SMP) is developed and secured via legal agreement. The SMP should outline how servicing will occur on a day to day basis, identifying 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.

On the basis that the SMP is secured and it ensures that all servicing occurs within the development, then no objection is raised to the servicing arrangements.

Visibility Splays for Vehicle Access Points

The Highways Planning Manager raises concern at the lack of visibility splay for vehicles exiting the HGV service lift. Given the pedestrian activity at this location, this is considered to be unacceptable.

As this is a new vehicle access, it is considered important to ensure the impact on the highway is minimised. Redesign of the vehicle access point with improved visibility splays is therefore required, and will be secured by condition.

Other Highways Issues

A pedestrian walkway from Dover Street via Dover Yard to Berkeley Street will be retained and reconfigured. To ensure that this link remains available for use it is recommended that this is covered by a walkways agreement to ensure the link is kept clear of obstacles and adequate pedestrian access is maintained. This will be secured as part of the S106

Building Line/Highway Boundary

Within Westminster, maintaining a high quality pedestrian environment is vital to facilitate pedestrian movement while managing the numerous competing demands on highway space.

The application alters the building line in numerous places, with some minor infills and some minor setbacks. The proposal also infills an existing splay to the building on the Berkeley Street/Piccadilly corner. To offset this the proposal is to widen the footway of the south west corner of Berkeley Street by 1 metre. The Highways Planning Manager has objected to this change to the building line which would infill the chamfered corner as no justification in highway terms have been provided for this alteration to the highway boundary.

The applicant argues that re-instating the chamfered corner would be harmful to the design of the new building. In design terms reinstating the historic plan form of the corner is welcomed and on balance this aspect of the development is considered acceptable.

The Highways Planning Manager advises that confirmation cannot be given that the stopping up would be agreed. This however would be considered under separate legislation.

Traffic Management Orders

The proposed changes to on-street restrictions will be subject to the formal Traffic Management Order process. This is a separate legal process, involving consultation, under the Roads Traffic Regulation Act 1984. The changes the applicant wish to make are outside the control of the applicant and therefore require agreement of the Traffic Authority. The commencement of the use could not occur until all the Traffic Orders had been confirmed. Any costs associated with the proposed changes will need to be covered by the applicant. The process can only be undertaken by the Council, as Highway and Traffic Authority.

6.5 Economic Considerations

This mixed use scheme is welcomed and will benefit the local and wider West End economy. The viability considerations are set out elsewhere in this report.

6.6 Access

The proposed buildings have been designed to meet the requirements of the Disability Discrimination Act 1995 (DDA) and incorporates the principles of inclusive design. The

building entrances on the site are level with the public pavement and the main cores are fitted with wheelchair accessible lifts that provide flush access to all floors.

6.7 Other UDP/Westminster Policy Considerations

The applicant has submitted aspirational ideas which they envisage would improve the public realm on Piccadilly. The proposal involves the construction of a controlled pedestrian crossing facility at the junction of Berkeley Street. The facility could provide a diagonal crossing similar to that implemented at Oxford Circus. This does not however form part of this application and would be part of a separate process in the future.

Waste Storage

Waste storage for the development is situated adjacent to the service yard on basement level 2. Residential, retail and hotel elements each have their own self-contained waste storage rooms. Service corridors allow direct access from cores to the service yard. The proposed waste storage is considered acceptable and would be secured by condition.

Noise from Plant

The applicant has provided an Environmental Noise Assessment Report which indicated that the site is within an area having ambient noise levels above WHO guidelines. The report does not contain full details of all the plant to be used because the detailed requirements of the future occupiers of the building are not known at this stage.

Conditions can be imposed to control plant noise emission levels and to require submission of supplementary acoustic reports with full details of all the plant equipment to be used; and attenuation measures, details of kitchen extract systems and sound insulation measures, including mitigation from ground and first floor commercial units to residential units above, to ensure that the Council's residential internal noise standards are met.

Air Quality

The applicant has submitted an air quality assessment which confirms that the development achieves air quality neutral and no mitigation measures are required.

Construction Works

A Construction Method Statement has been submitted as part of the application. Objections have been received that the development would result in unacceptable noise and disturbance during construction works. Permission could not reasonably be withheld on this basis. It is recommended that a construction management plan is secured by condition. This will cover issues such as a programme of works, traffic management, environmental management and construction methodology. The applicant has also agreed to an annual contribution of £30,000 towards the Council's Code of Construction Practice and submission of a CEMP (Construction Environmental Management Plan which secured by a legal agreement.

6.8 London Plan

The proposal to redevelop the site is referable to the Mayor because the building is more than 30m high and outside the City of London. The Stage 1 response has been received from the Mayor who has made the following comments:

The principle of the scheme is supported in strategic terms.
Further details are required with regards to following;

Loss of offices and the affordable housing offer;

Details of the flank elevation of the retail unit at the north east end of the link;

Provision for the Dame Elizabeth Plunkett Horse and Rider should be confirmed.

The overheating strategy for residential living areas should be reviewed to avoid the use of air conditioners;

The proposal should be car free (except for blue badge parking)

The applicant is aware of the comments raised by the Mayor and it is understood that they will be having separate discussions with the Mayor to address these issues. However, at this stage the scheme is considered to comply with relevant City Council policies and for that reason is recommended for approval.

6.10 National Policy/Guidance Considerations

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

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

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

6.11 Planning Obligations

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

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

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

From 06 April 2015, the Community Infrastructure Levy Regulations (2010 as amended) 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:

- i) Compliance with the City Council's Code of Construction Practice and submission of a CEMP (Construction Environmental Management Plan) to an annual cap of £30,000.
- ii) Costs of highways works around the site to facilitate the development (including paving, dropped kerbs, raised crossing etc).
- iii) A Servicing Management Plan (SMP) for the development
- iv) Re-location of the sculpture within the site
- v) A walkways agreement

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

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

6.11 Environmental Assessment including Sustainability and Biodiversity Issues

The applicant has submitted a Sustainability and Energy Strategy (including a Code for Sustainable Homes Pre-Assessment, and a BREEAM Pre-Assessment Report. Assessments indicate that the commercial retail, office, and assembly and leisure and non-residential institution elements could achieve a BREEAM rating of "Excellent" a number of measures being incorporated (which it is proposed to secure by condition). These are considered to be acceptable.

Policies 5.1 to 5.9 of the London Plan focus on how to mitigate climate change and the carbon dioxide emissions reduction targets that are necessary across London to achieve this. Developments are required to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions (be lean), adopting sustainable design and construction measures and prioritising decentralised energy (be clean), including renewables (be green). London Plan Policy 5.2 sets out carbon reduction targets which apply to major developments. The scheme should be targeting a 40% reduction in carbon dioxide emissions.

Policy 5.6 in the London Plan which requires development proposals to evaluate the feasibility of Combined Heat and Power (CHP) systems and where a new system is appropriate to examine opportunities to extend the system to adjacent sites. Major development proposals should select energy systems in accordance with the Mayor's hierarchy related to CHP systems. The aim being to increase the proportion of energy generated from renewable sources.

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

and where possible towards zero carbon emissions except where it is not appropriate due to the local historic environment, air quality and/or site constraints.

A range of passive design features are proposed to reduce the carbon emissions of the proposed development. These include roof mounted solar electric PV modules, façade developed including concave and convex features to reduce solar gain, provision of central heating plant, cooling provided by high efficiency water cooled chillers, space heating delivered by low temperature under floor heating to all dwellings, variable speed pumping and low energy fans, high efficiency lighting.

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

The proposal will lead to a 35% of carbon dioxide savings, compared to a 2013 Building Regulations compliant development.

The GLA has raised concerns about the provision of mechanical cooling for the residential part of the development. The applicant advises that this has been incorporated into the design to meet market demand for the level of accommodation that will be provided rather than being necessary to avoid overheating. Furthermore the efficiency cooling system will ensure internal comfort during periods where noise or air quality requirements dictate the need to close windows.

6.13 Conclusion

The site is in an important location situated on the northern side of Piccadilly opposite the Ritz hotel. The proposal will result in a comprehensive redevelopment of the site to provide a mixed use scheme that will contribute to the character and function of the area.

The new building is considered to be of a high quality design that will be appropriate for the site enhancing the townscape.

The City Council's independent viability consultant has confirmed that the scheme could not viably support the provision of affordable housing or a payment in lieu towards the City Council's affordable housing fund.

The Highways Planning Manager objects to alteration to the building line on the south west corner of the development at the junction of Berkeley Street and Piccadilly, however this needs to be balanced against the design merits of infilling this corner. In other respects the application is considered acceptable and redevelopment of the site is welcomed.

BACKGROUND PAPERS

1. Application form.
2. Letter from Greater London Authority dated 21 May 2015.
3. Letter from Residents Association of Mayfair and St James's undated.
4. Letter from London Underground Ltd dated 23 March 2015.
5. Letters from Historic England dated 1 and 7 April 2015.
6. Email from owner/occupier of Flat 2 10 Berkeley Street dated 14 April 2015.
7. Letter from Osborne Clarke dated 17 April 2015.

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

5.7.5 View #8

From along Pecosdilly opposite Old Bond Street looking West.

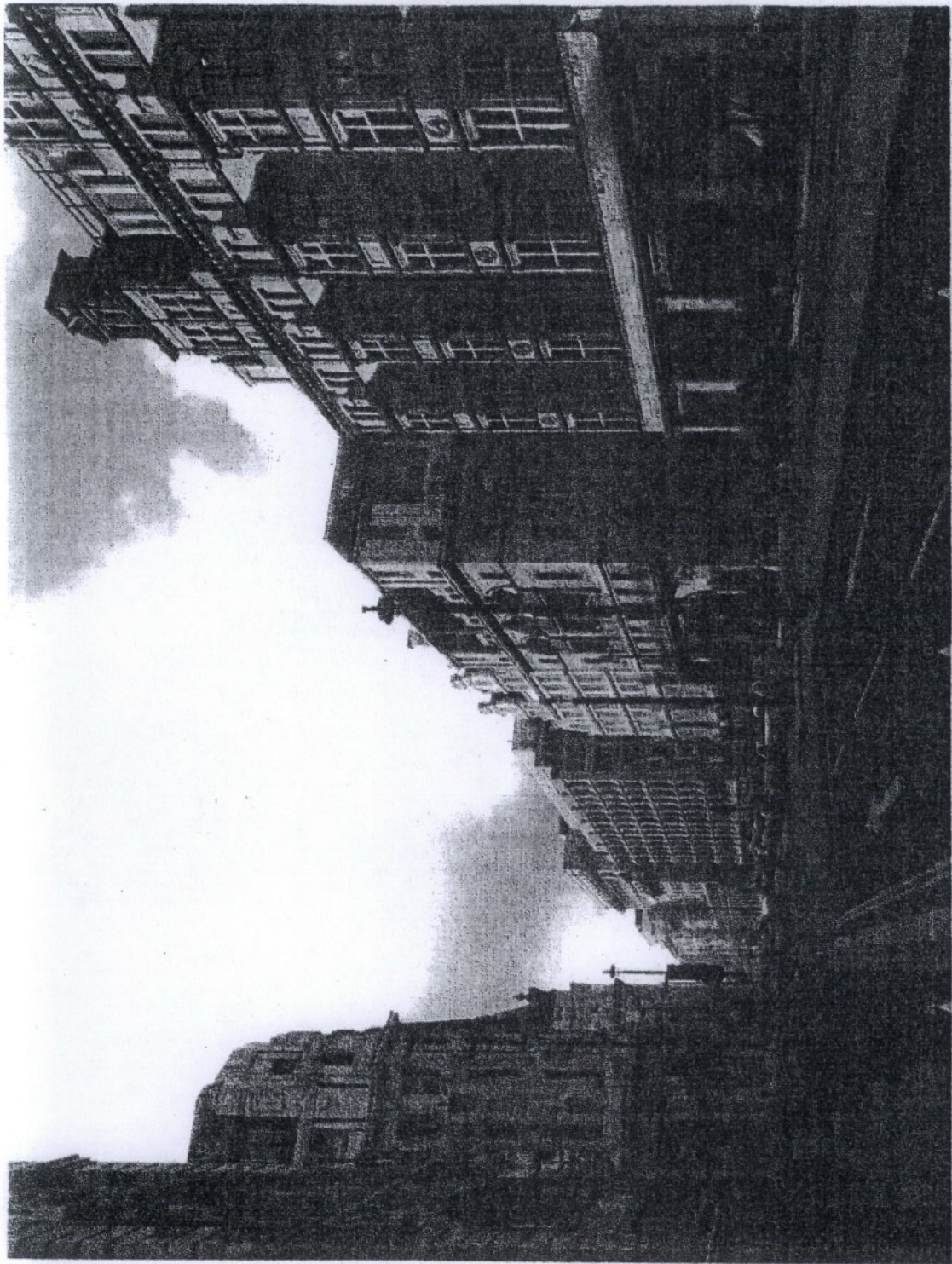


Fig. 5.34. Reconstructions View #8 Existing





5.7.6 View #6

Looking North from Green Park towards Devonshire House and the Fitz.



Fig. 5.56: Devonshire View #15 Existing





5.8 Floor Plans

5.8.1 Above Ground Plans

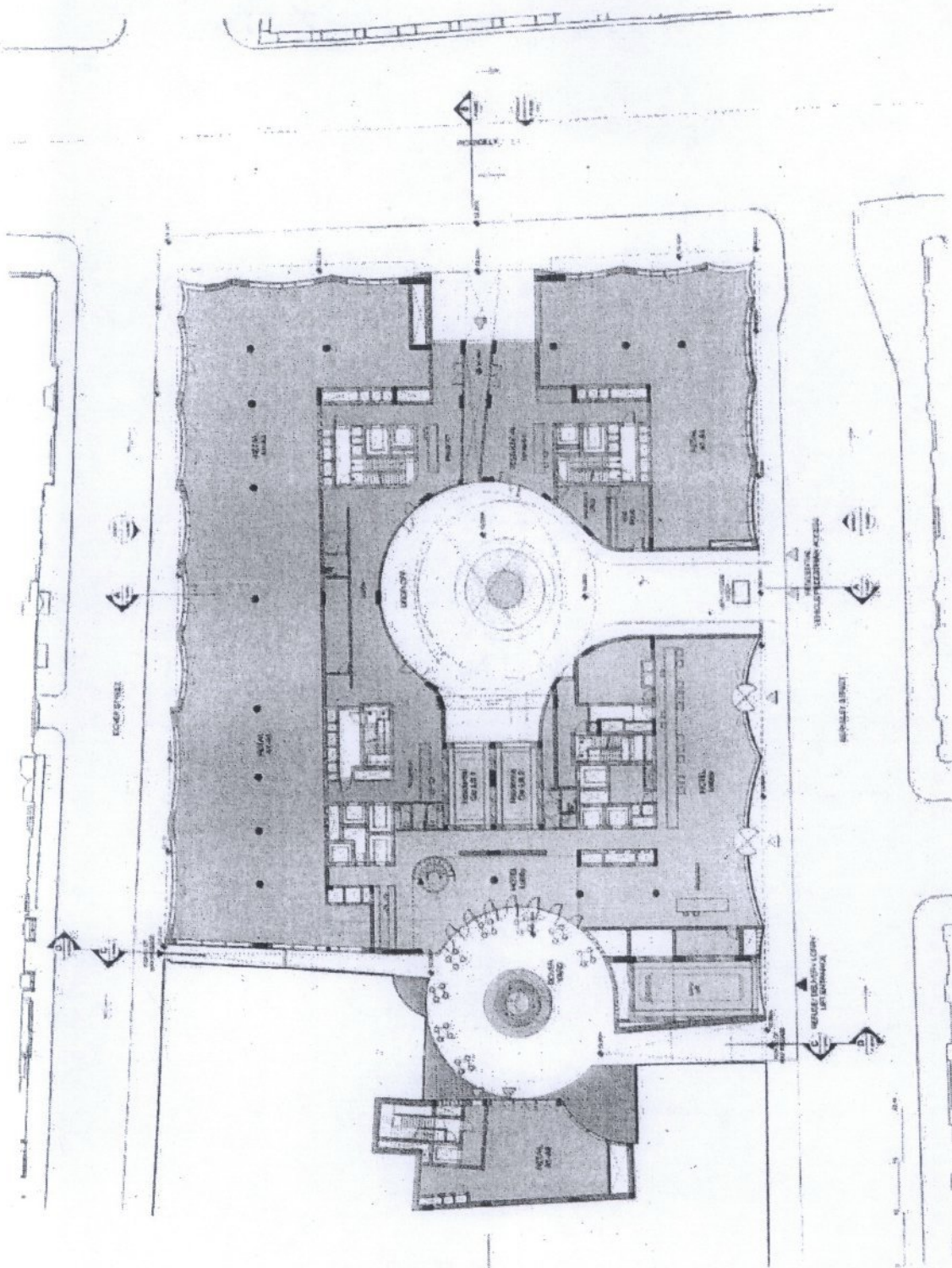
Ground Floor

The perimeter of the ground floor is occupied by retail units and the hotel lobby. This serves to create a continuous active street frontage contributing to the public realm. The active frontage continues into the new Dover Yard wherever possible eliminating areas of blank facade. A route linking Dover Street and Berkeley Street is maintained through Dover Yard.

Retail units front Piccadilly, Berkeley St, Dover St as well as in Dover Yard. The hotel has main entrances on Berkeley Street in the form of two revolving doors. A secondary entrance is located in Dover Yard which transitions into a grand double height lobby. The North-West vertical circulation core is dedicated to the hotel.

The central area of the ground floor opens up into a courtyard allowing a flood of natural light deep into the centre of the plan. It is dedicated to a residential porte-cochère which contains vehicular and pedestrian access points off Berkeley St to a greened landscape. The entry-point to this area shall have controlled security access. Residents may drive into the courtyard, drop-off, and/or enter the car lift descending to the residential car park.

There are additional residential pedestrian entrances to the courtyard on Piccadilly in the form of a double height out of the facade. Three out of the four of the scheme's vertical circulation cores fall within the central residential lobby.



F.5.38 Ground Floor Plan

First Floor

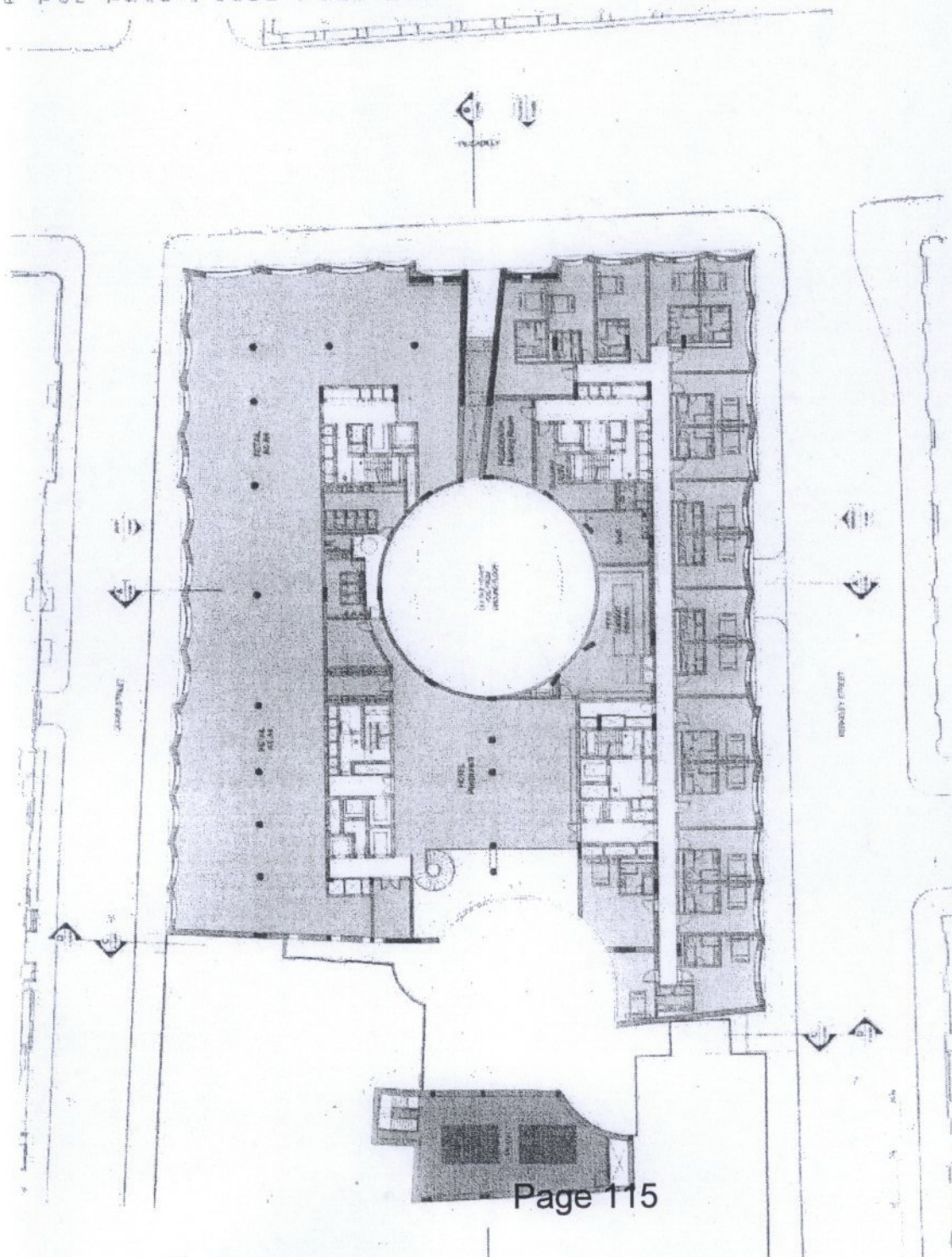
This floor comprises hotel rooms along the Berkeley Street side and retail units on the Dover Street side. All hotel rooms here have an exterior street aspect.

The north west hotel core is the main point of vertical circulation from lobby to hotel rooms. A secondary point of vertical access is appended onto the north east core and connects the first floor east wing of the hotel to the lobby in Dover yard.

This secondary link is also the primary route to the hotel restaurant which is envisaged to operate as a destination restaurant, thus requiring good street access. The dining area has a grand view through the double height void of the ground floor lobby and Dover yard.

The south west core provides access to a limited area of residential amenity in the form of a residents meeting room. It also forms the route to the security room which has aspect over the porte-cochere.

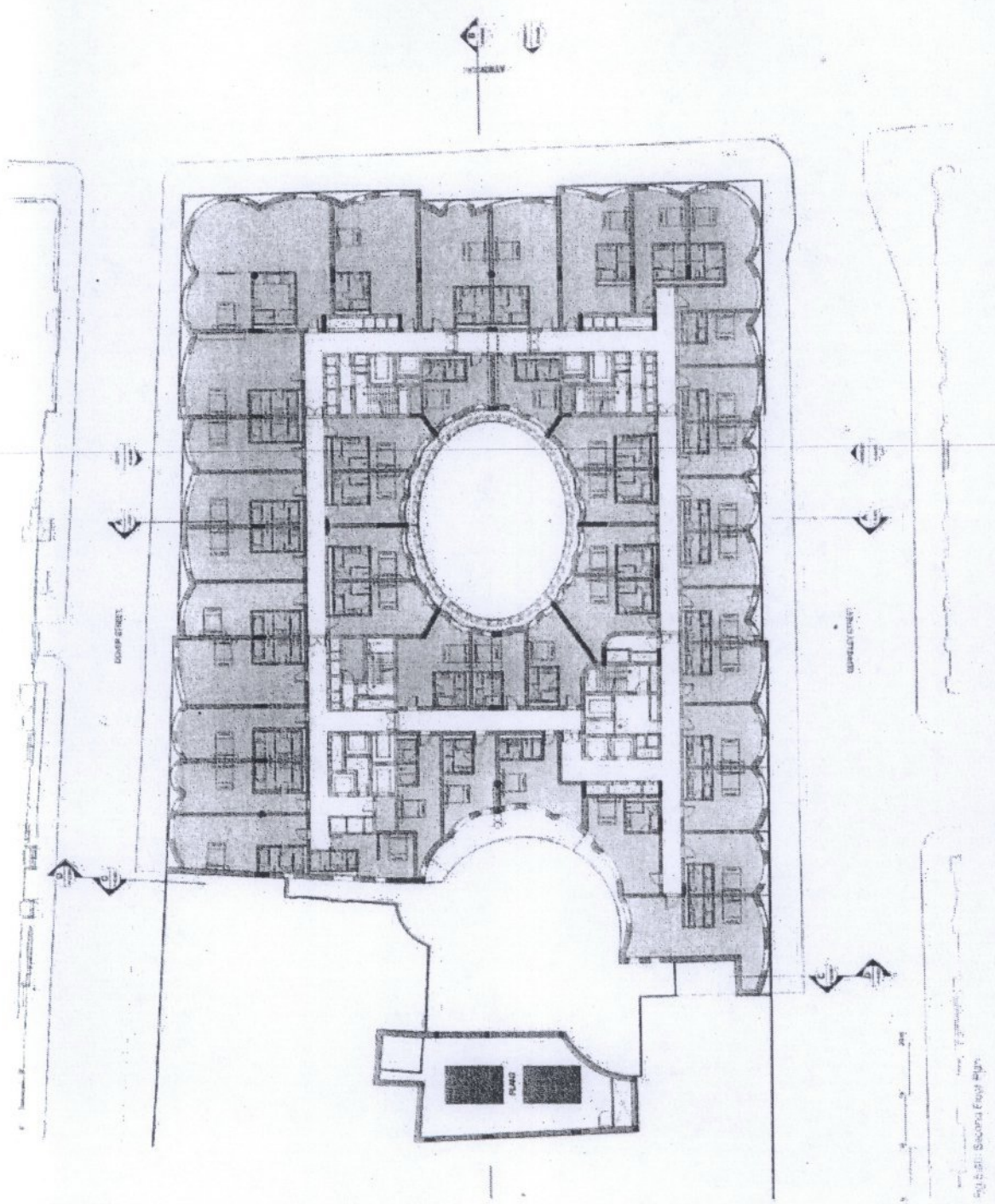
The first floor level of the stand-alone building in Dover yard is triple-height volume dedicated to the heat rejection plant for the whole development.



Second Floor

The second floor comprises wholly of deluxe rooms; there will be in the region of 80-120 hotel rooms in total, spread across the first to eighth floors. Rooms have street as well as courtyard aspect.

The shape of the plan presents good opportunity to create a mix of rooms including double rooms, and suites whilst maintaining a sense of order around the cores.



Third Floor - Eighth Floor

The third to the eighth floors follow a similar organisation of programme around the cores. Three residential cores serve the apartments whilst the hotel core continues to serve the hotel rooms.

At the northern end of the Dover Street side, the North East residential core stops at the seventh floor. This due to the building form stepping back at higher levels well beyond the core position, responding to contextual alignment, and townscape views along Dover Street.

The hotel is confined to the Northern end of the Berkeley Street side, within the maximum the escape distances from the hotel core. The eighth floor is the last floor which maintains this configuration. This due to the building form stepping back at higher levels responding to contextual alignment and townscape views along Berkeley Street.

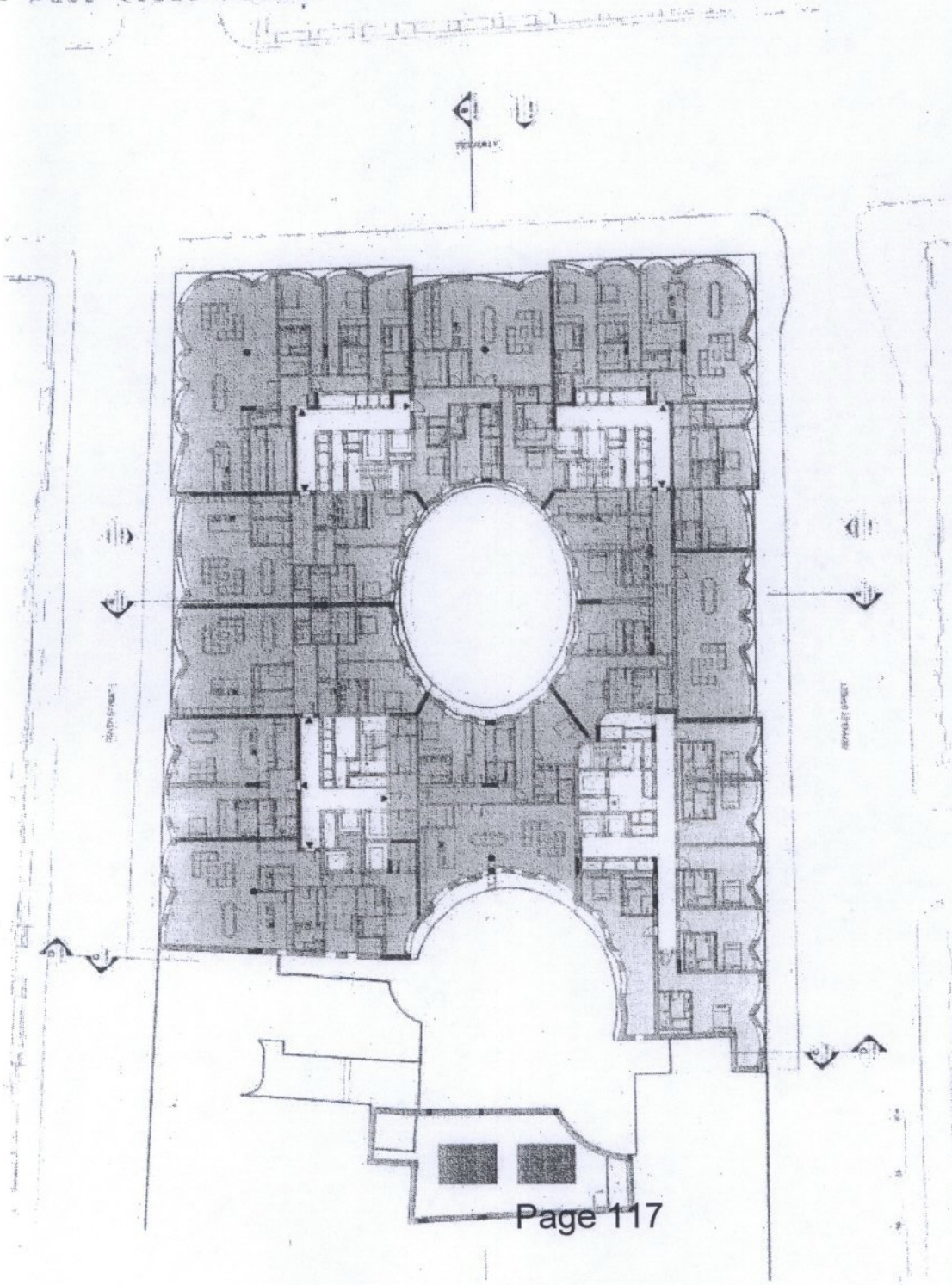


Figure 43 Third Floor Plan

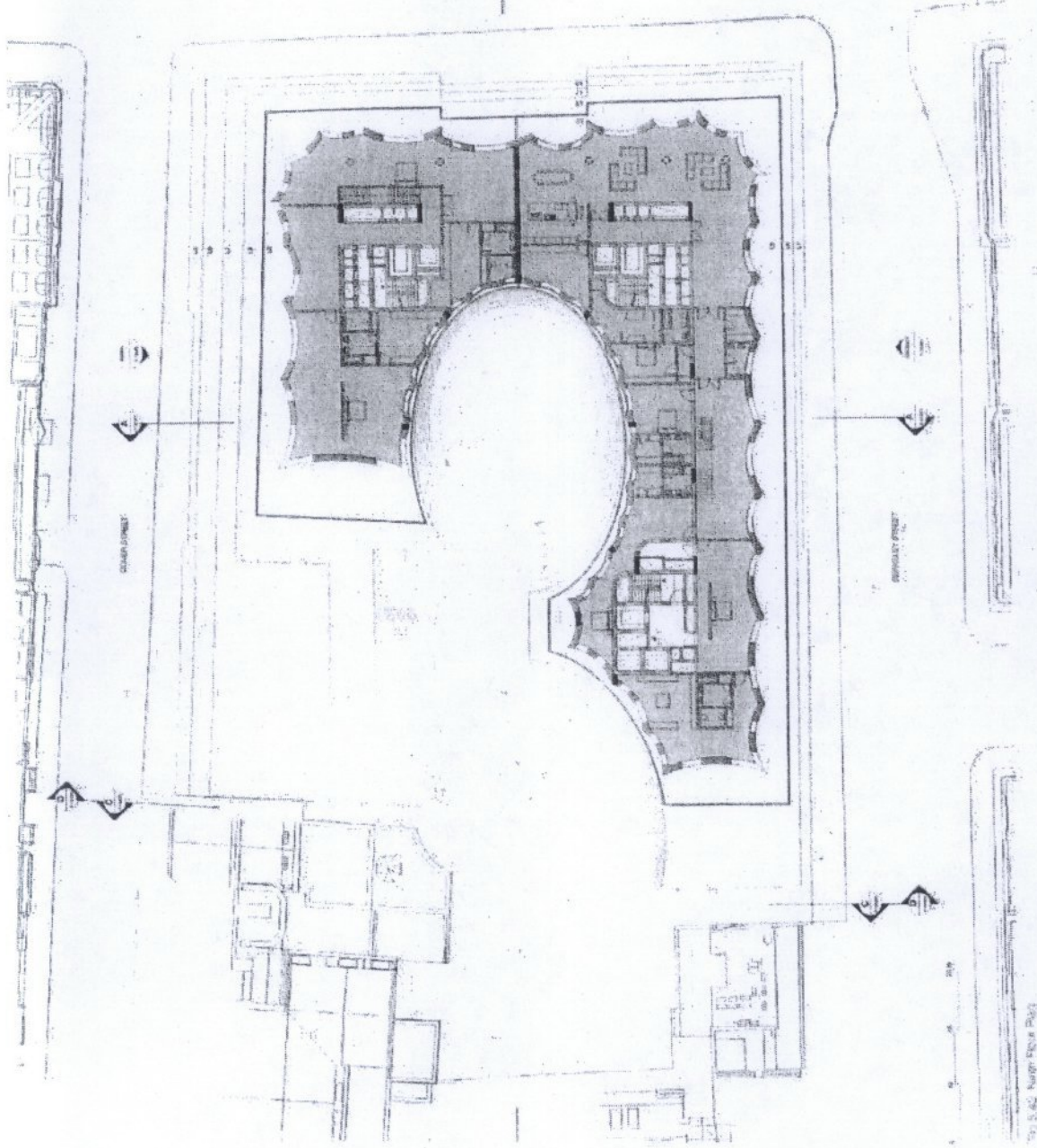
Ninth Floor

Ninth floor level and above is entirely residential programme. The floor plate is set in from the site boundary considerably due to the building form and its many influencing factors. The apartments are accessed by two cores on the Picochilly side, South-West and South-East.

The reduced area around the hotel core becomes inefficient for hotel suites and is instead merged with the apartment accessed from the adjacent residential core. The hotel core does not service this level and becomes active only as part of the controlled lip egress strategy.

Ample terraces start to form at higher levels providing external amenity for the apartments.

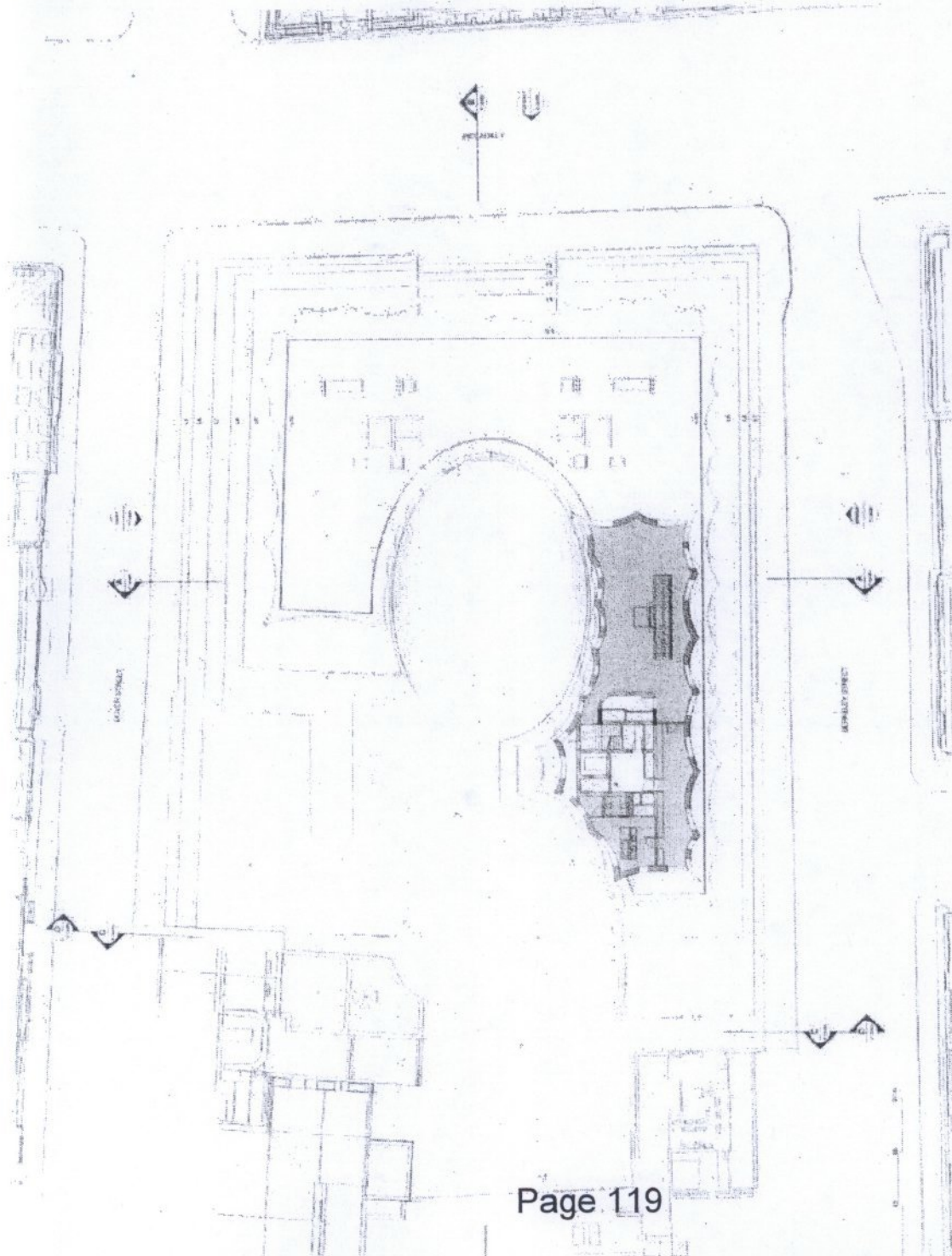
The two duplex apartments in the development occupy this floor. The Dover Street side apartment has second level below, whereas the Berkeley Street side apartment has a second level above.



Tenth Floor

The tenth floor forms the upper level of a duplex apartment accessed from the ninth floor.

The apartment is confined to an area to the rear of the roof (from the Piccadilly side), so as to be inconspicuous and unobtrusive within the streetscape. A large terraced area is associated with this apartment.

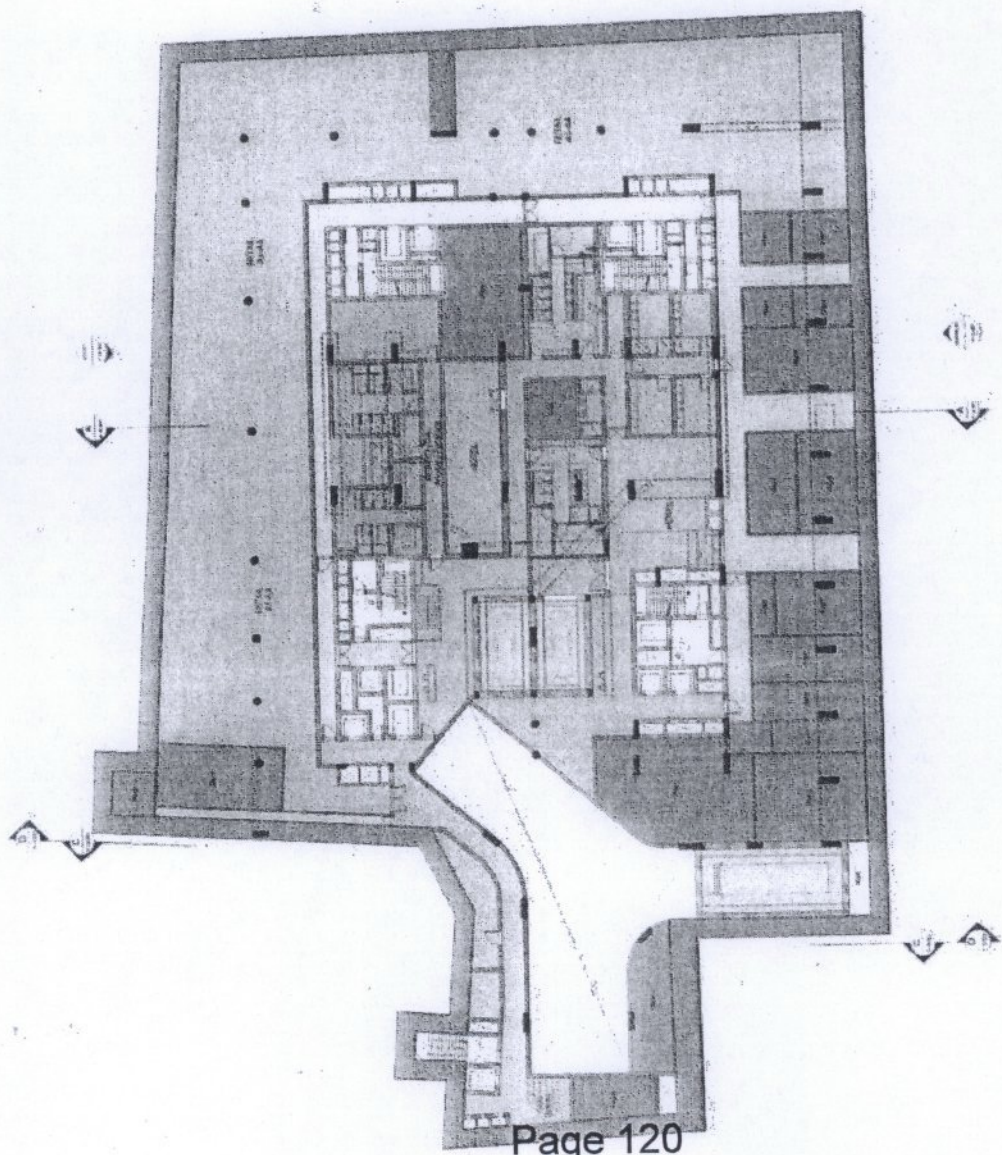


5.8.2 Basements Level Plans

The basement levels accommodate a range of uses and have been carefully planned to maintain a clarity of zoning and accessibility. Most of the buildings plant equipment is subterranean due to no natural light requirements. Additionally there are back of house and ancillary areas for the hotel as well as complete front of house spa and gym facilities, including a swimming pool.

First basement

- **Hotel and Residential Amenity**
Centrally located between the 4 cores is the hotel and residential spa and gym including private treatment rooms. Hotel guests enter the spa lobby from the hotel core (North-West core). This ensures direct access from all hotel floors as well as the hotel lobby. Residents access the spa directly from all residential apartment cores via special controlled access doors which prevent the flow of hotel guests into private residential areas. The swimming pool situated on the floor below is accessed from this level off the spa circulation.
- **Retail**
A retail zone occupies the perimeter along the Picochully and Dover Street. This sits under the ground floor retail units and has flexibility to be subdivided as per retailer's requirements. This area may be an extension of the selling floor or storage and staff facilities. There is access to the retail zone from the goods delivery area on the floor below via the Dover yard core.
- **Plant**
Electrical plant rooms are located at the perimeter along Berkeley Street. This location enables continuous access for UKPN to service their electrical substations. Direct access is provided for service personnel via a removable access panel at ground level of Berkeley Street. This means of access is under development with a UKPN guiding office.



Second Basement Level

This floor is predominantly of back-of-house and support programmes with the exception of the swimming pool, accessed via the spa and gym on the floor above.

- **Hotel**
The hotel kitchen, laundry and staff facilities are all located on this floor. The kitchen servicing the hotel restaurant benefits from being adjacent to the delivery area for efficient transfer of goods.
- **Service Yard**
The service yard is a double height space underneath Dover Yard which can accommodate all waste pick-up and goods deliveries, scheduled via the building management. A ten meter trolley lift connects the ground level with the service yard. Waste and recycling storage rooms for Hotel, Residential and Retail programmes are all located off the service yard for ease of transfer.
- **Plant**
Almost half of the floor area is dedicated to the mechanical, electrical and plumbing services plant. It is readily accessible from the service yard where any equipment may be brought in using the trolley lift.

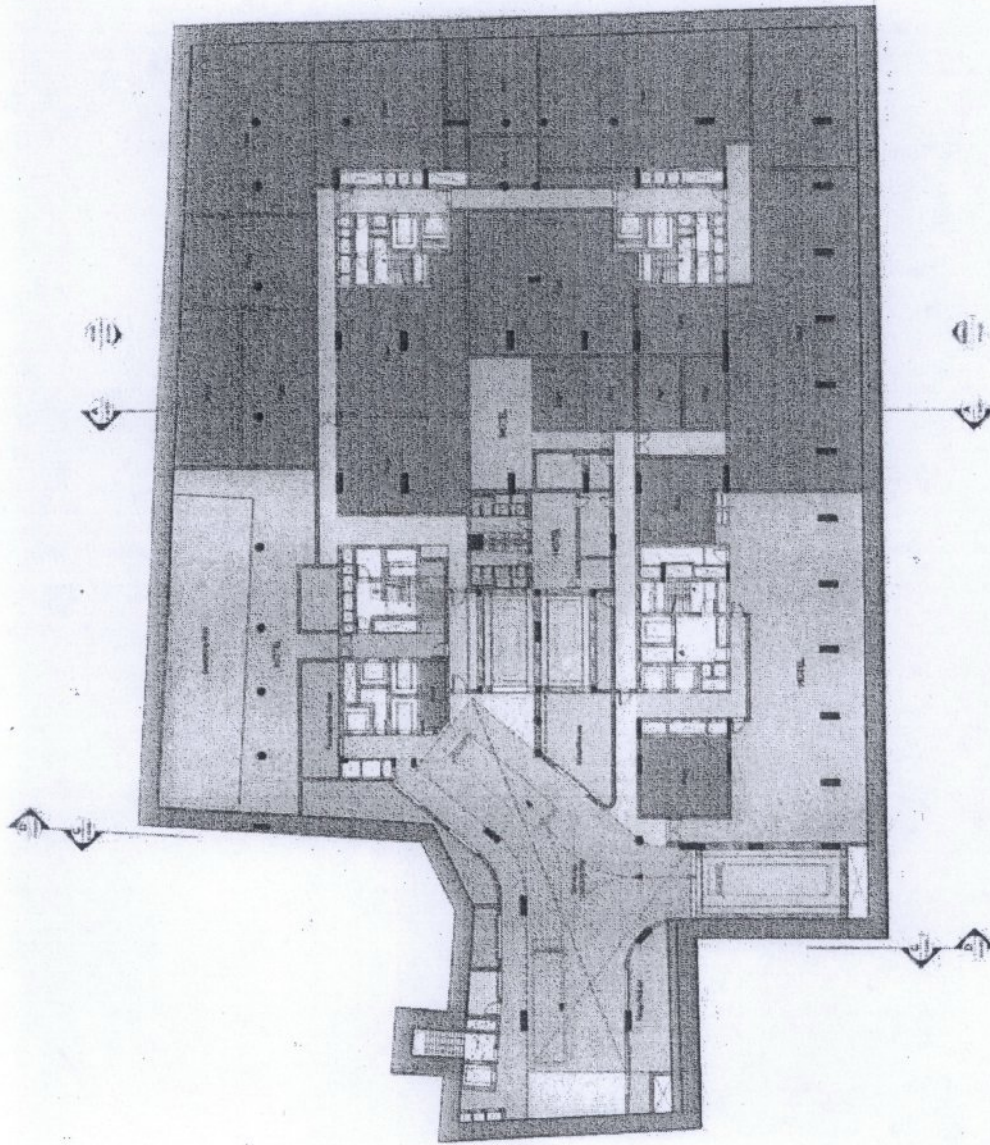


Fig. 48 Second Basement Floor Plan