

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 17 November 2015	Classification For General Release	
Report of Director of Planning		Wards involved West End	
Subject of Report	9-11 Richmond Buildings, London, W1D 3HF		
Proposal	Demolition of the existing building and erection of a replacement building to provide sub-basements for use by a car stacker, and basement, lower ground, ground and first to fifth floor levels for use as residential accommodation comprising 13 residential units (Class C3). Creation of terraces at first to fifth floor levels and lightwells to the front and rear of the property. Installation of plant and PV cells at main roof level and condenser units within an enclosure at ground floor level within the undercroft.		
Agent	Scott Brownrigg Planning		
On behalf of	Almondbox Property Limited		
Registered Number	15/02851/FULL	TP / PP No	TP/10829
Date of Application	31.03.2015	Date amended/ completed	24.08.2015
Category of Application	Major		
Historic Building Grade	Unlisted		
Conservation Area	Soho		
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	Within Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

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

- i) A financial contribution of £1,015,000 towards the Council's affordable housing fund (index linked and payable on commencement of the development);
- ii) Provision of lifetime car club membership (minimum 25 years) for all 13 flats;
- iii) Provision of Site Environmental Monitoring Plan and £27,000 per annum towards construction monitoring;
- iv) Management and maintenance of the car lift;
- v) Securing unallocated car parking within the development;
- vi) Monitoring costs of £500 for each of the above clauses.

2. If the S106 legal agreement has not been completed within two months, then:

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

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





9-11 RICHMOND BUILDINGS, W1

2. SUMMARY

The existing building, dating from the 1960s, is used for offices and two flats. There is basement car parking accessed from a ramp in Richmond Buildings. Part of the building oversails the entrance to Richmond Mews and abuts the Soho Hotel, with which it shares a small lightwell. The proposed redevelopment for wholly residential use has been subject to lengthy negotiations and has undergone some revisions, in particular to reduce the number of proposed flats from 16 to 13, reduce parking from 13 spaces to eight, and design changes to ameliorate the impact on the amenity of adjoining properties.

The key issues are considered to be:

- The design of the replacement building;
- Affordable housing requirements;
- Impact on the amenity of adjoining properties;
- Increased car parking and potential traffic generation, particularly in Richmond Mews.

For the reasons set out in detail in the main report, the revised proposal is now considered to be acceptable. It is acknowledged that given the constraints of the site, demolition and construction of the new building will cause noise and disturbance, including local transport movements, but the applicant has agreed to sign up to the Council's Environmental Inspectorate initiative and this should help minimise disruption.

3. CONSULTATIONS

COUNCILLOR ROBERTS

Expresses concern about the impact on the Soho Hotel in terms of increased sense of enclosure and overlooking

HISTORIC ENGLAND

Comment that the application should be determined in accordance with national and local planning policy.

HISTORIC ENGLAND (ARCHAEOLOGY)

No objection subject to conditions.

TRANSPORT FOR LONDON

With regard to the site lying within the zone of safeguarding land for Crossrail 2, no objection subject to conditions.

SOHO SOCIETY

Objection - consider that the design does not contribute to the Soho Conservation Area in any positive way, and object to loss of office space, noting that the [then] draft policy was under consideration to restrict the loss of offices.

DISTRICT SURVEYOR

No concerns about the proposals.

HIGHWAYS PLANNING MANAGER (Revised scheme)

Note that 8 parking spaces are to be provided for the 13 units, such spaces not to be allocated and supported by car club membership, which on balance makes the parking provision acceptable; the scheme is acceptable with regard to waste storage, the height of the new oversailing section above the entrance to Richmond Mews, cycle parking and provision (subject to details) of electric car charging points;

Some concern about the use of the car lift potentially causing localised congestion but on balance this is considered to be acceptable given that there is an existing access and the expected low number of vehicles, subject to management and maintenance of the car lift secured by the legal agreement.

ENVIRONMENTAL SERVICES - PREMISES MANAGEMENT

Recommend that the development is subject to a Site Environmental Management Plan and an Environmental Inspectorate contribution of £27,000 per annum.

Confirm that the proposed plant will operate within acceptable noise limits and that the new accommodation will be adequately sound insulated.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 125; Total No. of Replies: 8.
from five occupiers of adjoining properties;

Objections raised on some or all of the following grounds:

Land Use

- Loss of office space.
- Lost opportunity for affordable housing.
- Construction of luxury apartments is "an unworthy long term planning decision for the area".
- Over-intensification of use of a small site.

Design

- The existing building is of some architectural and structural merit and the proposed replacement is "bland and of little or no merit... it would be of no value to the Soho Conservation Area.

Amenity

- Overlooking, noise and disruption from the proposed terraces, increased sense of enclosure, increased security risk, loss of light to the Soho Hotel.
- Potential noise nuisance from the plant.

Highways

- Increased traffic congestion within Richmond Mews, due to increased car parking capacity, use of the proposed car lift and provision of the waste storage area in the undercroft/entrance to Richmond Mews.
- Lost opportunity for widening the access to the Mews.
- Potential blocking of access to entrance and parking area of 1 Richmond Mews.
- Flaws with the swept path analysis for the proposed car park entrance, as the proposed turning circle is routinely occupied by vehicles and bins.
- Use of the car stacker will increase the number of vehicles using Richmond Mews and Richmond Buildings to an unacceptable degree, and increase the number of cars in the West End generally.

Other

- Noise and disruption during the demolition and construction of the new building, including increased traffic congestion and temporary loss of parking bays.
- Potential structural implications for adjoining buildings, particularly due to excavation of the additional basements.

4. BACKGROUND INFORMATION

4.1 The Application Site

The building is located on the south side of Richmond Buildings, and partially oversails the entrance to Richmond Buildings. Dating from the 1960s, it comprises a lower ground floor largely occupied as parking space (approximately 4-5 vehicles, accessed from a shallow ramp in Richmond Mews), upper ground and four upper floors. Apart from two small flats occupying the fourth floor (142.1m² GEA), the rest of the building is occupied as Class B1 offices (851m² GEA). The flats and offices share the same entrance, stairs and a single lift.

The building is not listed but it is within the Soho Conservation Area. It is also within the Core Central Activities Zone. Most of the site, apart from the section which oversails the entrance to Richmond Mews, is within the safeguarding zone for Crossrail 2.

4.2 Relevant History

None.

5. THE PROPOSALS

Permission is sought for the complete demolition and redevelopment of the site to provide a wholly residential building with basement parking. Initially permission was sought for two sub-basements (providing 3 levels of stacker parking and ancillary plant, cycle and waste storage, etc.), two basement levels for residential accommodation, ground and five upper floors, also for residential accommodation, providing a total of 16 flats and parking for 13 cars.

Following negotiations, the scheme has been revised to remove one sub-basement, to reduce the number of proposed flats to 13 and to reduce the number of parking spaces to eight. The total residential floorspace would be 1,724.5m² GEA. The roof terrace proposed for the section that oversails the entrance to Richmond Mews (abutting the hotel) has now been removed, as have the proposed balconies to the flats at the rear, in both cases to address concerns about impact on the amenity of adjoining properties.

Terraces would be provided to the front and rear of the fifth floor residential unit; photo-voltaic panels (PVs) would be provided at roof level, surrounded by a sedum roof, and condensers units within an enclosure at ground level within the undercroft area and incorporated into the fifth floor.

6. DETAILED CONSIDERATIONS

6.1 Land Use

6.1.1 Loss of offices

The application will result in a net loss of 851m² of B1 office floorspace within the Core CAZ. Although the Council's position with regard to loss of offices in the Core CAZ changed in September 2015, and now seeks their protection, this application was submitted well before this change in emphasis and the loss of offices is considered to be acceptable in this case.

Paragraph 51 of the NPPF advises that local planning authorities should normally approve planning applications to residential use 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 will be a net reduction in employment from the scheme, this is relatively small compared with the overall commercial provision in the Core CAZ, and can be off-set by other office developments in the area.

Policy CS47 of the Core Strategy (NPPF revision) 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.' Other policy presumptions (outlined below) also encourage new residential accommodation.

6.1.2 New Residential – Mix, Standard and Size

Policy H 3 of the Unitary Development Plan adopted January 2007 (UDP) encourages the provision of more housing, specifically part (A) "The City Council will seek to maximise the amount of land or buildings in housing use outside the CAZ and where appropriate, within the CAZ". Policy S14 of 'Westminster's City Plan: Strategic Policies' also seeks to optimise housing delivery and states residential use is the priority across Westminster, except where specifically stated. Furthermore, S14 specifies that

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

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

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

In principle, the development of the site for residential use is therefore considered to be acceptable. Whilst there have been objections to the replacement of the office accommodation with residential accommodation, the application was submitted before the change in policy emphasis to protect offices and therefore the objections are not sustainable in this case.

There have been objections to over-development of the site. The scheme has been revised from the original submission to reduce the number of residential units from 16 to 13, achieved in part by removing one basement level of underground living space, and a reduction in the amount of parking. Subject to other considerations (such as design and quality of the proposed flats) the amended proposal is considered to provide an acceptable scheme and the objections to over development are not considered to be sustainable.

This also needs to be balanced against City Plan policy S14, which seeks to optimise housing delivery, depending on the number and size of the proposed flats. Policies H5 of the UDP and S15 of the City Plan seek to secure an appropriate mix of units in housing developments. Policy H5 normally requires at least 33% of new units providing three or more bedrooms.

The proposed mix is 4 x 1-bedroom, 7 x 2-bedroom, 2 x 3-bedroom. Whilst the 15.4% provision of family sized units falls below the 33% policy requirement, in this central location with little amenity space for children in the vicinity of the site, this aspect of the proposals is considered to be acceptable.

All units exceed the minimum space standards. Ten of the units range in size from 60.9m² to 96.8m²; the two penthouse units (which comprise three bedrooms) measure 156.6 and 158.5m²; the largest unit (171.3m², 2-bedrooms) is the 'Quadplex' which occupies the whole of the section that oversails the entrance to Richmond Mews – this is meant to represent a 'townhouse in the sky' and its large size is acceptable given it is an integral part of the design.

The amenity of the flats is generally considered to be acceptable. The original submission proposed 3 No. duplexes at basement and lower ground level, which was considered to create poorly lit accommodation and was therefore unacceptable. The revised scheme arranges these maisonettes over lower ground and ground floor levels. Although there is still limited natural light to the lower ground floor level, the bedrooms are located at this level, they achieve the recommended levels of daylight and thus this arrangement is considered to be acceptable. The design of the new building will ensure adequate internal noise levels for all the new flats whilst providing mechanical ventilation.

6.1.3 Affordable Housing and Viability

UDP Policy H 4 states that the Council expects affordable housing to be provided as part of housing developments on sites of 0.3 hectares or more, where there are 10 or more additional dwellings and in other cases which would have been equivalent to either of these criteria but fall below these thresholds because of the exceptional size of the units or the phasing of development. The policy requires affordable housing to be provided on site as part of the development, except where the applicant can satisfactorily demonstrate that the affordable housing cannot be designed for transfer to, or management by, a registered social landlord or other appropriate body. The amount of affordable housing required will be assessed in accordance with criteria such as location within the City of Westminster but the Council will take into account whether there would be particular costs associated with the development of the site, or the provision of affordable housing would make it difficult to meet other planning objectives that need to be given priority in developing the site.

Policy S16 of the City Plan differs from the UDP policy in that it introduces new criteria triggering affordable housing requirements - an increase in residential floorspace of 1,000m² or more (in addition to 10 or more additional units). The policy requires the affordable housing to be provided on-site, but where this is not practical or viable, cascade options allow for it to be provided off-site in the vicinity of the development site or possibly beyond the vicinity of the site. The supporting text to this policy notes that financial contributions towards the Council's affordable housing fund in lieu of affordable housing provision is an option that the Council will only accept if the cascade options have been thoroughly explored and proved impractical or unfeasible. The relevant London Plan policy concerning affordable housing provision is Policy 3.12.

The current proposal provides a total of 1,582.4m² (GEA) of additional residential floorspace. The policy requirement is that 240m² of this should be provided as affordable housing (or approximately three units based on a standard size of 80m² per unit). It is accepted that on a small site like this that it is physically impractical to provide a separate element as on-site affordable housing. The applicant has provided letters from two housing associations (Soho and Peabody) confirming that they would not be interested in having a small number of affordable units on this site.

The applicants are offering the alternative of a commuted payment: the policy compliant contribution would be £1,015,000 and the applicants are offering the full amount, which is welcomed. This would be secured with a legal agreement.

6.2 Townscape and Design

Richmond Buildings is a short street in the Soho Conservation Area which leads to Richmond Mews. It lies within protected vista 2A.2 - Parliament Hill summit to the Palace of Westminster, and the Crossrail Line 2 Safeguarding Area.

The street has been comprehensively redeveloped and no buildings of historic interest or architectural merit survive other than at the south east corner. The north side is occupied by buildings varying in height between three and six storeys and planning permission was recently granted to substantially alter the building on the corner of Dean Street (81-82 Dean Street and 3 Richmond Buildings) with the intention of minimising its apparent height and to remove the incongruous bay windows, which are not a characteristic feature of the conservation area. The south side of the street is also occupied by modern buildings, of four and five storeys, but the corner (80 Dean Street and 14 Richmond Buildings) is a much smaller and older scale of development and forms an important part of the setting of neighbouring listed buildings in Dean Street. Planning permission was recently approved for alterations and extensions at 12-13 Richmond Buildings which would see the replacement of the existing, vaguely historicist, facades with a carefully designed and skilfully detailed façade of elegant proportions.

The two recently approved developments in the street are considered to represent significant and welcome improvements to two of the most unattractive buildings in the area, and the opportunity to improve the appearance of the site at 9-11 Richmond Buildings follows their example, both in terms of its scale and architectural sobriety. The proposal is considered successful in these key respects.

The existing building is out of scale, incongruously designed, and faced with inappropriate materials, meaning its redevelopment is acceptable in principle. The proposed development represents a welcome improvement in comparison to the existing building in terms of its detailed design and facing materials. Reintroduction of a hierarchy of fenestration and the use of brickwork will ensure that the building relates appropriately to its immediate surroundings and makes a positive contribution to the conservation area. The height and massing respects the prevailing overall height and massing of neighbouring buildings, and the subtle vertical sub-division of the facade would reintroduce an appropriate sense of plot widths more in character with the historic scale of development in the area.

The height of the main part of the building (excluding the small lift overrun) will increase by 5.6m (from 33.9m datum to 39.5m). Although the site does lie within the protected view from Parliament Hill to Palace of Westminster, the new building remains below the development plane of the strategic view and therefore there is no impact on this view.

A key feature of the design is the use of metal screens. While they are acceptable in principle, great care will be needed when working-up their detailed design, otherwise the appearance of the building could be spoiled. This may be dealt with by condition.

In design and heritage asset terms the development accords with NPPF paragraphs 56, 63, 131 and 132, the Westminster City Plan: Strategic Policies S25 and S28, UDP policies DES 1, DES 4 and DES 9, and the 'Development and Demolition in Conservation Areas' supplementary planning guidance. Whilst there has been a design objection to the loss of the existing building and the design of the replacement, this objection is not considered to be sustainable.

6.3 Amenity

6.3.1 Impact on Residential - Daylight and Sunlight

UDP Policy ENV13 and City Plan Policy S29 seek to ensure that new developments do not result in an unreasonable loss of natural light for existing local residents. Whilst the policies are primarily designed with regard to residential accommodation, the City Council may apply them to other uses, such as schools and other activities, where loss of daylight or sunlight may prejudice the present use of the premises.

No objections have been received from residents on the grounds of loss of daylight and sunlight (an objection from the adjoining hotel is dealt with separately below). The applicant has undertaken a daylight and sunlight assessment in accordance with the recommended standards for daylight and sunlight in residential accommodation set out in the Building Research Establishment (BRE) publication 'Site layout planning for daylight and sunlight' (2011). The properties tested are Clarion House (on the north side of Richmond Buildings, directly opposite the site), 76 and 77 Dean Street and 12-13 Richmond Buildings (currently being converted to residential).

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

In terms of sunlight, the BRE guidelines state that if any window receives more than 25% of the Annual Probable Sunlight Hours (APSH, where total APSH is 1486 hours in London) including at least 5% during the winter months (21 September to 21 March) then the room should receive enough sunlight. The BRE guide suggests that any reduction in sunlight below this level should be kept to a minimum. If the proposed sunlight is below 25% (and 5% in winter) and the loss is greater than 20% of the original sunlight hours either over the whole year or just during the winter months, then the occupants of the existing building will notice the loss of sunlight. Windows are tested if they face within 90 degrees of due south.

The assessment demonstrates that the loss of daylight to these properties will generally be within the recommended guidelines. Four of the windows in Clarion House will experience losses of daylight that marginally exceed the recommended 20% (maximum loss of VSC – 20.9%) but this is considered to be acceptable. The maximum daylight loss of VSC at 76 and 77 Dean Street is 9.8% or less, which is acceptable.

With regard to sunlight, there are five windows in Clarion House which will lose more than 20% of their annual probable sunlight hours (APSH) and 12 which will lose more than 20% of their winter sunlight, in five cases all of it. However, for the winter sunlight, most of the affected windows currently enjoy very limited amounts of winter sun and therefore any reduction expressed as a percentage is disproportionate. As there have been no consultation responses from Clarion House, the use of the affected rooms is unknown, but some are likely to be bedrooms, which are considered to be of less importance in amenity terms. Whilst the loss of sunlight to this property is regrettable, on balance it is not considered to justify a refusal.

Immediately adjoining the site to the east is 12-13 Richmond Buildings, which is currently being converted to residential accommodation. The approved plans show a mix of bedrooms and living accommodation at the rear of the building. To address concerns about the potential impact of the proposals on the new flats, the scheme has been revised to omit balconies and provide a small cut-back at fifth floor level. Whilst the scheme retains the rear infill of the site, the amenity at the rear is still largely determined by the flank wall of 1 Richmond Mews. The applicant's daylight assessment shows that one room will lose 76.3% VSC, but this is a third bedroom at basement level where existing VSC is already low (3.5%) so the loss is proportionately high. The rest of the affected windows have losses less than 20% or just over (up to 21.7% loss) and on balance the impact is considered to be acceptable.

6.3.2 Impact on Residential - Overlooking and Enclosure

It is not considered that the proposals will cause any loss of privacy to neighbouring residents through overlooking, nor increased sense of enclosure, any worse than the existing situation, for neighbouring residents. The terraces proposed along the street frontage at fifth floor level are small and at high level and are not considered to be any worse than the small balconies in front of the existing two flats.

With regard to potential overlooking of the new flats in 12-13 Richmond Buildings, the revised scheme has omitted balconies that would have been right on the site boundary that would have resulted in unacceptable overlooking and noise nuisance. It is proposed to install screening 'fins' to the relevant windows in No. 9-11, which should minimise overlooking from within the new flats. Details of this will be conditioned.

6.3.3 Impact on the adjoining hotel

The site physically adjoins the Soho Hotel. There is currently a small lightwell within the part of the site that oversails the entrance to Richmond Mews; onto which three hotel bedrooms face. At fifth floor level there is another storey of hotel bedrooms, setback from the hotel's frontage but with roof terraces that face towards the application site. The proposal includes rebuilding the section about the entrance to Richmond Mews and making it taller by approximately one storey; the original proposals also included using the flat roof of this section as a terrace, with screening between it and the hotel against which it immediately abuts.

Objections have been raised on behalf of the hotel's operator about overlooking from the fifth floor apartments and terraces; noise and disruption from the terraces, increased sense of enclosure, security, and other concerns about noise from the plant, impact of the construction and access to the car park which are dealt with elsewhere. Councillor Roberts has also expressed concerns about the impact on the hotel.

Revision of the scheme to omit the proposed roof terrace adjacent to the hotel, and the screening that was proposed, is considered to overcome part of the hotel operator's objection. The terraces to the rear and front of the fifth floor apartments are 6m and 7m respectively away from the hotel's bedroom windows and the end of the terraces will be screened: this is considered to be sufficient to overcome potential overlooking. Given the small size of the terraces and their domestic function, it is not considered that there would be any significant noise disturbance to warrant their removal. The objector's suggestion that the hours of use and activity engaged on the terraces should be conditioned is not considered to be reasonable.

The new building will maintain the small lightwell that currently serves three of the hotel bedrooms, which at the moment look onto a brick wall. By raising this part of the building by one storey, one more bedroom will be enclosed in this manner. Council policy is primarily concerned with protecting residential amenity and as there are already three hotel bedrooms

enclosed in this way, objections about a fourth being affected are not considered to be sustainable. However, the applicants have been in discussion with the hotel and have offered to improve the treatment of the lightwell to improve its appearance and use light-reflecting materials to improve the outlook from the hotel bedrooms. This would be secured by condition.

With regard to security, it is not considered that the proposal will be any worse than existing: the roof of the existing application building can be used as a terrace (with each of the two flats having an access ladder to it) and access from this roof to the hotel terraces is relatively easy. Given the limited access to the proposed roof of the new building, it is not considered that this situation will worsen.

6.3.4 Plant operation

Policies ENV6 and ENV7 of the UDP seek to protect occupants of adjoining noise sensitive properties from the impacts of noise from new development, including from plant. The majority of the proposed plant is contained within the basement, with a small amount of boxed in plant located within the undercroft (accessed from Richmond Mews) and at fifth floor level. Environmental Health have raised no objection to the proposal, subject to conditions controlling the noise levels from the plant. Subject to these conditions the proposals are considered acceptable in amenity terms and the objections on this grounds are not considered to be sustainable.

6.4 Highways, Servicing and Parking

There have been several objections about the proposed parking and potential traffic congestion within the immediate locality of the site, particularly from the head lessee and freeholder of 1 Richmond Mews/77 Dean Street.

6.4.1 Car Parking

The existing site does have a parking area at lower ground floor level for 4-5 vehicles. This is accessed by a gated ramp in Richmond Mews and vehicles wanting to access the car park would have to wait in front of 1 Richmond Mews, which has its own recessed parking area at ground floor level. Access to the new parking spaces within the application site will be located in approximately the same location.

The amount of car parking proposed has been reduced from 13 to 8 spaces, for the 13 residential units (0.61 spaces per unit), using a stacker arrangement at sub-basement level. These would be accessed via a car lift in the same location as the existing vehicle access in Richmond Mews, with no change to the highway element. The applicant has indicated that the car parking spaces would not be allocated to a specific unit, and that this arrangement would be supported by car club membership. There is no waiting space proposed within the development site for a vehicle.

Policy TRANS23 details an 80% on-street car park occupancy threshold above which the provision of additional vehicles to the on-street parking environment will result in an unacceptable level of deficiency. The evidence of the Council's most recent night time parking survey in 2011 (Buchanan's) indicates that parking occupancy of ResPark bays within a 200 metre radius of the site is 70%. TRANS23 includes all legal parking spaces (e.g. Single Yellow Line, Metered Bays, P&D, Shared Use). With the addition of Single Yellow Line availability, the stress level reduces to 54%.

However, the evidence of the Council's most recent daytime parking survey in 2011 (Buchanan's) indicates that parking occupancy of ResPark bays within a 200 metre radius of

the site is 70%. TRANS23 includes all legal parking spaces. During the daytime within the area, the only legal on-street spaces for permit holders are Residential and Shared Use Bays.

Whilst it is acknowledged that the site has a high level of public transport accessibility, households with 1 or more car in the West End Ward is 29% (2011 Census figures). This indicates that residents in the area do own cars, along with the fact that during the day Residential Bays have a high level of occupancy.

Based on these figures, it is expected that 13 residential units in this location would generate an additional four vehicles, which will be accommodated within the new basement parking area. Therefore, on balance, as the proposal provides unallocated car parking provision (as offered by the applicant), the proposal is considered consistent with TRANS23. The applicant has also indicated that they will also offer residents car club membership for all the flats. This will assist in maintaining low level car ownership within the development, further reducing demand on on-street car parking. This is welcomed. To ensure these elements are delivered, they should be secured via legal agreement.

6.4.2 Refuse

Waste stored on the public highway creates an obstruction to pedestrians and other highway users. It would also have an adverse impact on the public realm. It is noted that refuse will be maintained within the subject site and not adversely affect the public highway/public realm.

Waste collection in this part of Westminster remains a problem, due to the narrow nature of the street network, high servicing demands of existing surrounding properties and access to the adjacent hotel. Waste will need to be collected from on-street and the new development has an easily accessible waste storage area within the undercroft area. It is understood that refuse vehicles are unable to enter Richmond Mews and that bins from within the mews have to be manually wheeled from the mews to the refuse vehicle waiting in Richmond Buildings. While these problems exist, given the nature of the proposed development it is not considered that the proposals will exacerbate the existing situation.

6.4.3 Development over the Highway

The existing building over sails the highway, across the entrance to Richmond Mews. The proposal is for the oversail to be demolished and rebuilt. The drawings submitted by the applicant indicate a minimum clearance of 5.3 metres. This is consistent with the minimum requirements of the Westminster Highways Planning Guide. Therefore, the over sailing section of the proposal is considered acceptable.

Whilst some objectors state that the opportunity should be taken to increase the entrance to the mews, this is not considered to be justified. The new building will retain the existing footprint of the existing building and there will be no change in the access to the mews. As there will be no worsening in the situation, there are not considered to be any grounds for insisting on this rearrangement, however desirable it may be.

6.4.4 Cycle Parking

The Mayor of London's Further Alterations to the London Plan (FALP) requires 1 cycle space per 1 bedroom unit and 2 spaces for all other units. The proposal would therefore require 22 (4 1-bed units and 9 2-plus units) cycle parking spaces. 24 cycle parking spaces are provided within the basement car parking area, which is acceptable.

The cycle parking is located within the basement car parking areas and would be accessible by internal lift. The cycle parking is considered to be secure, accessible and weather proof.

6.4.5 Electric Car Charging Points for Residential Car Parking

The London Plan requires at least 20% active provision of electric vehicles (EV) charging points and 20% provision of passive EV points. While it is indicated that this will be provided, no details have been provided. This will be secured by condition.

6.4.6 Vehicle Access and Car Lift

The proposal includes a single car lift to access the 8 car parking spaces in the basement. This is an increase of four car parking spaces compared with the existing on-site parking, accessed from Richmond Mews and a ramp within the site. The car lift arrangement (in the same position as the existing ramp) may lead to extra vehicle movements or waiting in Richmond Mews, as vehicles wait for a car lift. This could lead to queuing on the highway obstructing other vehicles and creating localised congestion. The head lessee and freeholder of 1 Richmond Mews is particularly concerned about this as vehicles are likely to be waiting immediately in front of their premises.

The Highways Planning Guide indicates for ramps, any barrier should be set back to allow a vehicle to wait off-street. Given car lifts are less efficient than a ramp, a waiting space should ideally also be provided within this proposal but none is proposed because of the constraints of the site. The design of the car lift/stacker would mean if two vehicles did arrive at a similar time one would need to wait on the highway for a short period of time. While not ideal, given the expected trip rate of the proposed development this would be a rare occurrence.

On balance, as this is an existing access, and having consideration to the nature of the highway in this location, this aspect of the proposal is considered to be acceptable and there is not considered to be significant harm to the highway environment in Richmond Mews as a result of this aspect of the proposal. An objector's request that waiting space should be provided within the site is therefore not considered to be sustainable.

While the lack of visibility splays for pedestrians is not ideal, given the low numbers of vehicles expected and the low exit speed from the lift and the mews environment, an objection is not raised on the overall car lift arrangements in this instance.

Management and Maintenance of the car lift will need to be secured by legal agreement. It is common for car lifts to fall into disrepair and the associated basement parking becoming unused, leading to increased pressure on on-street parking spaces. This alone is insufficient to remove the concerns however of the proposed design.

Whilst one of the objectors has questioned the swept path analysis for vehicular movement into the site, the Highways Planning Manager is satisfied with the proposed arrangements, whilst recognising the constraints of Richmond Buildings and Richmond Mews.

6.5 Economic Considerations

The general economic benefits associated with the development are noted and welcomed.

6.6 Access

The proposed development will be designed to meet the requirements of the Equality Act 2010 and Building Regulations Part M and Approved Document M (2004) where possible, and incorporates the principles of inclusive design. There will be level access into the new building, although once through the front door there is a stepped access to the main lift core: this is addressed with a platform lift for those in need of assistance.

6.7 Other UDP/Westminster Policy Considerations

Archaeology

Although the site lies outside an archaeological priority area, Historic England (Archaeology) consider that there may be archaeological interest on the site and recommends an archaeological watching brief. This would be secured by condition.

6.8 London Plan

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

6.9 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 13th 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.

6.10 Planning Obligations

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

On 6 April 2010 the Community Infrastructure Levy (CIL) Regulations came into force which make it unlawful for a planning obligation to be taken into account as a reason for granting planning permission for a development, or any part of a development, whether there is a local CIL in operation or not, if the obligation does not meet all of the three following tests set out in Regulation 122(2):

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

Policy S33 of the City Plan relates to planning obligations. It states that the Council will require mitigation of the directly related impacts of the development; ensure the development complies with policy requirements within the development plan; and if appropriate, seek

contributions for supporting infrastructure. Planning obligations and any Community Infrastructure Levy contributions will be sought at a level that ensures that the overall 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 06 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) a financial contribution of £1,015,000 towards the Council's affordable housing fund (index linked and payable on commencement of the development);
- ii) Provision of lifetime car club membership (minimum 25 years) for all 13 flats;
- iii) Provision of Site Environmental Monitoring Plan and £27,000 per annum towards construction monitoring;
- iv) Management and maintenance of the car lift;
- v) Securing unallocated car parking within the development;
- vi) monitoring costs of £500 for each of the above clauses.

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

Policy S28 of the City Plan requires developments to incorporate exemplary standards of sustainable and inclusive urban design and architecture. Policy S40 considers renewable energy and states that all major development throughout Westminster should maximise on-site renewable energy generation to achieve at least 20% reduction of carbon dioxide emissions, and where feasible, towards zero carbon emissions, except where the Council considers that it is not appropriate or practicable due to the local historic environment, air quality and/or site constraints. The NPPF establishes a presumption in favour of sustainable development. London Plan Policy 5.3 also requires developments to achieve the highest standards of sustainable design, with Policy 5.2 seeking to minimise carbon emissions through a 'Be Lean, Be Clean and Be Green' energy hierarchy.

The applicant's Energy Statement demonstrates that the proposed new construction will incorporate sustainable design and construction measures, including a communal combined heat and power unit and photovoltaic panels at roof level. It will achieve Code Level 4 for Sustainable Homes and there will be an overall 54% carbon reduction, which is welcomed.

Policy S38 of the City Plan and UDP Policy ENV 17 encourage biodiversity. Whilst the roof is largely covered with PV panels, there is no limited scope biodiversity provision, but a sedum roof will be provided between the PV panels.

6.12 Other issues

Construction Impact

Concerns have been expressed by neighbours regarding building works, noise and disturbance and the difficulties of developing this site, including the proposed excavation for the new basements. The applicant is prepared to sign up to the Council's Environmental Monitoring initiative and this will help deal with the potential difficulties that may arise.

6.13 Conclusion

The redevelopment of this dated building for residential purposes is welcome in principle. It is acknowledged that this is a constrained site and that there is potential amenity and traffic implications for occupiers of adjoining properties, but on balance these are not considered to be insurmountable. Accordingly approval is recommended, subject to conditions and the benefits outlined above being secured by legal agreement.

BACKGROUND PAPERS

1. Application forms.
2. Email from Councillor Glenys Roberts dated 15.10.15
3. Letters from Historic England dated 30.4.15 and 1.5.15
4. Letter from Transport for London dated 28.4.15
5. Representation from The Soho Society dated 11.5.15
6. Email from District Surveyor dated 7.7.15
7. Memorandum from the Highways Planning Manager dated 30.9.15
8. Memoranda from Environmental Sciences dated 20.4.15 and 8.7.15
9. Representations on behalf of Soho Hotel, 4 Richmond Mews, dated 5.6.15, 30.7.15 and 30.9.15
10. Representation from the occupier, Flat 38 Soho Lofts, 10 Richmond Mews dated 14.6.15
11. Letter from The Corner, 1 Richmond Mews dated 30.6.15
12. Letter from The Red Fort, 77 Dean Street, dated 9.6.15
13. Letters from Ralwood Securities Ltd dated 10.6.15 and 18.8.15

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

DRAFT DECISION LETTER**Address:** 9-11 Richmond Buildings, London, W1D 3HF**Proposal:** Demolition of the existing building and erection of a replacement building to provide sub basements for use by a car stacker, and basement, lower ground, ground and first to fifth floor levels for use as residential accommodation comprising 13 residential units (Use Class C3). Creation of terraces at first to fifth floor levels and lightwells to the front and rear of the property. Installation of plant and PV cells at main roof level and condenser units within an enclosure at ground floor level within the undercroft.**Plan Nos:** [TO BE ADDED]**Case Officer:** Paul Quayle**Direct Tel. No.** 020 7641 2547**Recommended Condition(s) and Reason(s):**

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

Reason:

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

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

You must carry out basement excavation work only:

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

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

Reason:

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

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

Reason:

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

- 4 You must not use the flat roof of the building that oversails the entrance to Richmond Mews (ie the roof adjacent to the Soho Hotel) for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21AA)

Reason:

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

- 5 You must apply to us for approval of detailed drawings and a sample of the 4 No. screens to be installed at the ends of the terraces at Level 05 as shown on Drg. No. 15983 A TP(10) 006 Rev 2. These screens shall be 1.8m high. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these approved details and install the screens before occupation of any of the flats hereby approved and permanently maintain them thereafter.

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)

- 6 You must apply to us for approval of detailed drawings and a sample of the screening fins to be installed to the windows on the eastern facade that face towards the rear of 12-13 Richmond Buildings, as shown on the drawings hereby approved. These details must include scaled drawings demonstrating that there will be no overlooking of the windows in the rear facade of 12-13 Richmond Building. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these approved details and install the screening fins before occupation of any of the flats hereby approved and permanently maintain them thereafter.

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)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: 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)

- 8 You must apply to us for approval of detailed drawings at scale 1:10 and 1:1 (details) of the following parts of the development:

- i) the metal screening (cross-referenced with the sample of metal screening required for condition 7);
- ii) details of each different type of window;
- iii) the front entrance door;
- iv) the garage door.

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 details. (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 Soho 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)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: 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)

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

Reason:

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)

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

Reason:

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

- 14 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant (at roof level and ground floor level) will comply with the Council's noise criteria as set out in Condition 11 of this permission. You must submit this report within six months of the plant being installed (and no later than three months from the first occupation of any of the approved flats). Any remedial measures must then be installed within three months of the Council's approval of the supplementary acoustic report.

The supplementary acoustic report must include:

- (a) A schedule of all plant and equipment installed;
- (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 all most affected noise sensitive receptor locations and the most affected windows;
- (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) The lowest existing L A90 (15 minutes) measurement as already established.
- (g) New noise monitoring data, measurement evidence and any calculations demonstrating that plant complies with the planning condition.

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.

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

Reason:

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

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

Reason:

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

- 17 You must provide the waste store shown on drawing 15983 A TP(10) 009 Rev 2 and 008 Rev 3 before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the flats. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

Reason:

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

- 18 Any structure over the highway must maintain a minimum of 5.3m vertical clearance from the highway surface at all times.

Reason:

To make sure that the entrance to Richmond Mews will be available for all types of vehicles, to avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23BB)

- 19 You must apply to us for approval of detailed drawings showing a minimum of 20% of the car parking spaces within the basement car park having access to electric charging points. You must not occupy any of the flats until we have approved what you have sent us and the charging points have been installed and made available. They must thereafter be maintained in working order.

Reason:

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

- 20 You must apply to us for approval of details/detailed drawings showing a vehicle signalling system for the car parking. You must not occupy any of the flats until we have approved what you have sent us and the signalling system has been installed and made available. It must thereafter be maintained in working order.

Reason:

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

- 21 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)

22 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)

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

- (i) Accommodate the proposed location of the Crossrail 2 structures including tunnels, shafts and temporary works,
- (ii) Accommodate ground movement arising from the construction thereof,
- (ii) Mitigate the effects of noise and vibration arising from the operation of the Chelsea Hackney Line railway within the tunnels and other structures,

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

Reason:

To meet the requirements of a direction made in connection with the Chelsea-Hackney line (CrossRail Line 2) by the Secretary of State for Transport under Articles 14(1) and 18(3) of the Town and Country Planning General Development Order 1988 and as set out in S41 and S43 of Westminster's City Plan: Strategic Policies adopted November 2013 and TRANS 5 (E) and para 4.68 of our Unitary Development Plan that we adopted in January 2007. (R33BC)

24 You must provide the access for people with disabilities as shown on the approved drawing(s) and as outlined in the Design and Access Statement and its addendums before you use the building. (C20AB)**Reason:**

To make sure that there is reasonable access for people with disabilities and to make sure that the access does not harm the appearance of the building, as set out in S28 of

Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R20AC)

- 25 You must apply to us for approval of details/detailed drawings showing the proposed treatment of the new lightwell shared with the Soho Hotel. You must not commence work on this part of the development until we have approved what you have sent us. The development must then be carried out in accordance with these approved details.

Reason:

To minimise the impact of the development on the adjoining hotel, in accordance with policy ENV 13 of our Unitary Development Plan that we adopted in January 2007.

- 26 You must not carry out building, engineering or other work which will involve increasing the height of the building above what is shown on the approved plans. (C34AA)

Reason:

To meet the requirements of Regional Policy Guidance Note 3a. This is as set out in S26 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 14 of our Unitary Development Plan that we adopted in January 2007. (R34AC)

- 27 You must provide the photovoltaic panels, combined heat and power unit and other environmental sustainability features (environmentally friendly features) set out in the Energy Statement prepared by Green Tiger Sustainability before you start to use any part of the development, as set out in your application. You must not remove any of these features. (C44AA)

Reason:

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

- 28 You must provide the sedum roof before you start to use any part of the development, as set out in your application, and thereafter retain it.

Reason:

To increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43FB)

Informative(s):

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

considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- 2 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to . (I55AA)
- 3 With regard to condition 5, you are advised that the Council considers that acceptable screening, in design terms, might be provided by using the same metal as proposed elsewhere on the exterior of the building.
- 4 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)
- 5 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)
- 6 Developing this site is likely to damage archaeological remains. Archaeological work must be carried out in line with condition 22. Please contact Historic England's Archaeological Officer on 020 7973 3242 to discuss the work which is necessary. (I66AA)
- 7 Transport for London is prepared to provide to information about the proposed location of the Crossrail 2 tunnels and structures. It will supply guidelines about the design and location of third party structures in relation to the proposed tunnels, ground movement arising from the construction of the tunnels and noise and vibration arising from the construction and use of the tunnels. Applicants are encouraged to discuss these guidelines with the Crossrail 2 engineer in the course of preparing detailed design and method statements. If you require any further information or assistance then please feel free to contact a member of the Safeguarding Team on 0343 222 1155, or by email to safeguardcrossrail2@tfl.gov.uk



© Scott Brownrigg Ltd
 Figures dimensions only are taken from
 the quantity of concrete and to be
 used as a guide only. All dimensions are in
 millimeters.

1. Drawing Number: 04/06/15
 Date: 06/06/15
 Drawn: [Blank]

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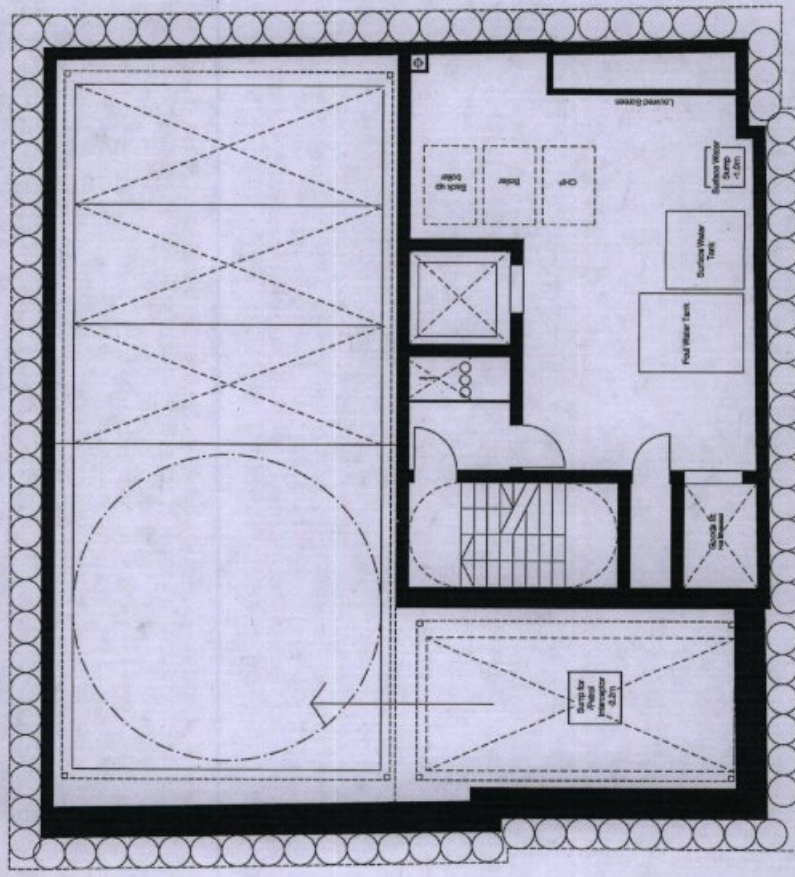
Client Name: Almondbox Property Ltd

Job Title: 9-11 Richmond Buildings, Soho

Drawing Title: Town Planning - Level B2

Scale: 1 : 50 @ A1

Quantity Surveyor: 15983 A TP(10) 010
 Date: 06/06/15
 Page: 1
 Title: PLANNING



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Planning Number	Area	Size	Units
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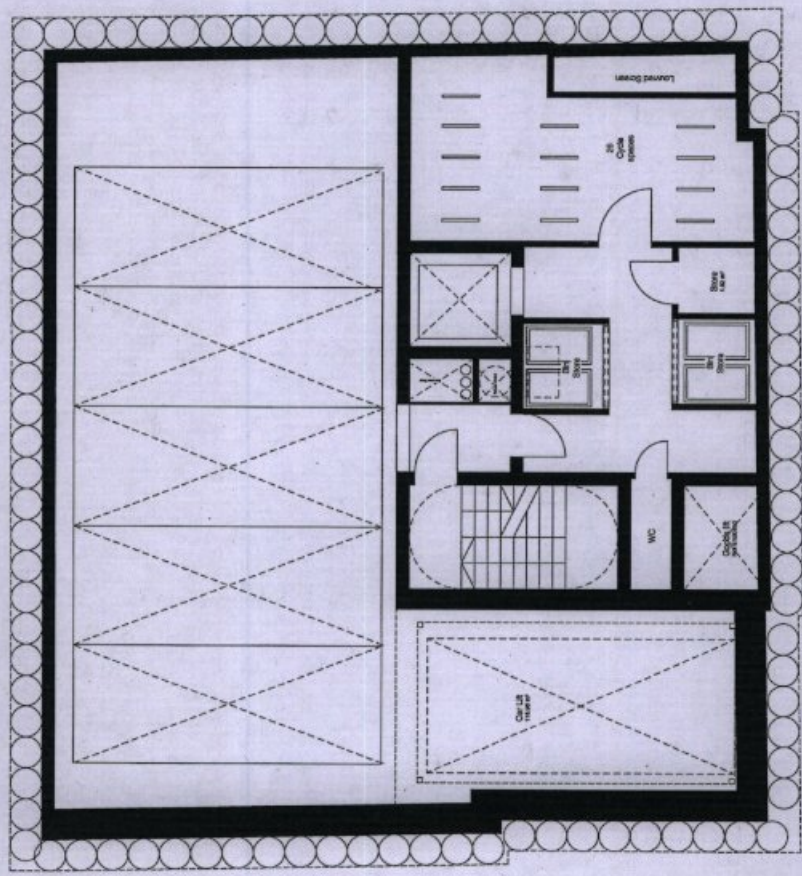
Client Name
Almondbox Property Ltd

Job Title
9-11 Richmond Buildings, Soho

Drawing Title
Town Planning - Level B1

Scale
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Drawing Number
15983 A TP(10) 009
 Sheet
2
 PLANNING



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Rev	Description	Date	By	Check
1	Issue for planning	27.10.15	SB	SB
2	Issue for construction			

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 W: scottbrownrigg.com

Client Name
Almondbox Property Ltd

Site No
9-11 Richmond Buildings, Soho

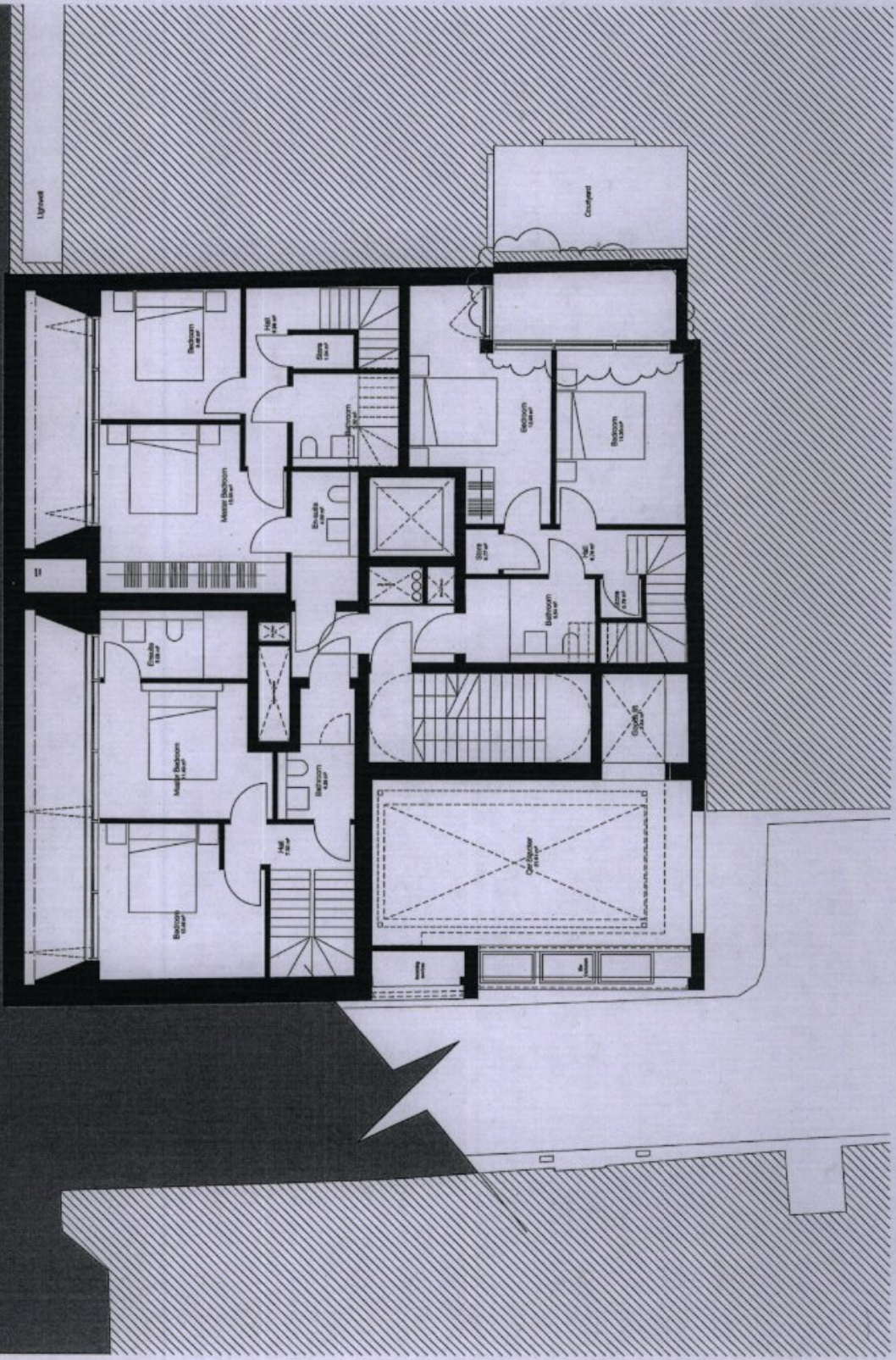
Drawing Title
Town Planning - Level LGF

Scale
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Drawing Number
15983 A TP(10) 008

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3

PLANNING





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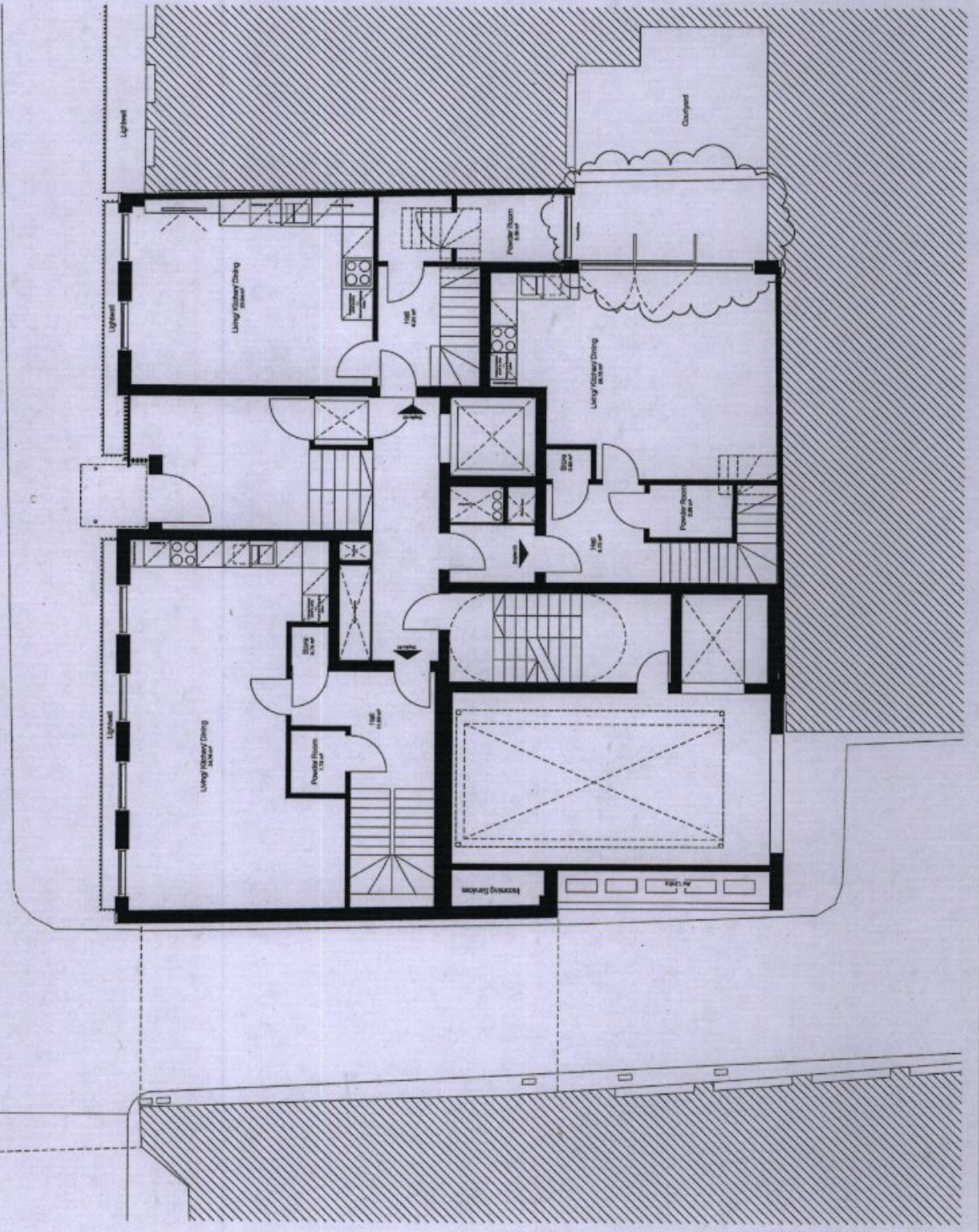
Revision	Description	Date	Drawn
1	Issued for Client Comment	26.10.15	SB
2	Revised drawings submitted	27.10.15	SB
3	Approved for construction	27.10.15	SB

SCOTT BROWNRIGG
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 Wickham, Hampshire
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 F +44 (0)1703 254100
 W scottbrownrigg.com

Client Name
Almondbox Property Ltd
 Job No
9-11 Richmond Buildings, Soho

Drawing Title
Town Planning - Level 00
 Scale
1 : 50 @ A1

Drawing Number
15983 A TP(10) 001
 Sheet
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 of
3





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Revision	Description	Date	By	Check
1	Issued for Planning			

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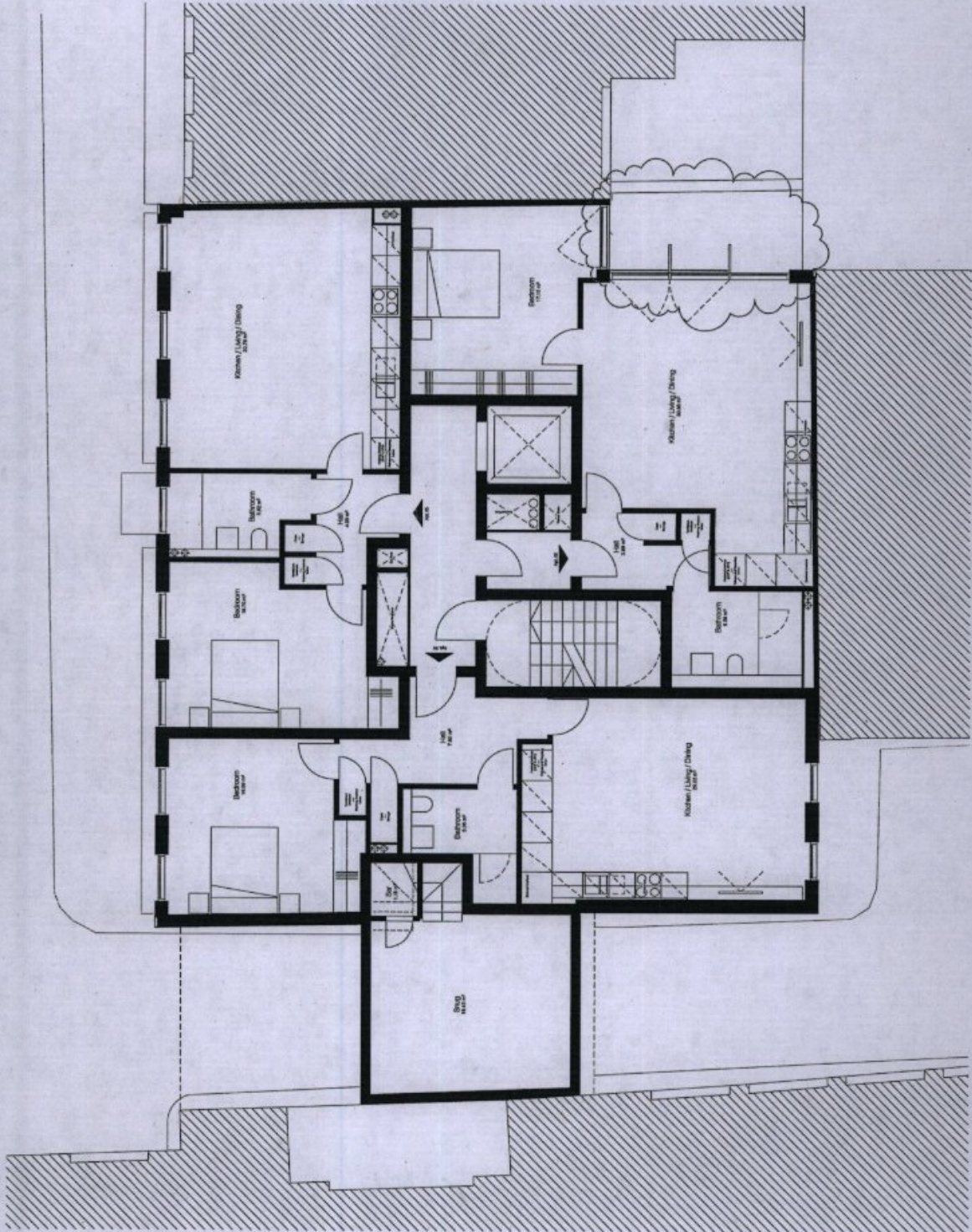
Client's Name
Almondbox Property Ltd

Site No
9-11 Richmond Buildings, Soho

Planning Use
Town Planning - Level 01

Scale
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Drawing No
15983 A TP(10) 002
 Sheet
2
 PLANNING





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Rev	Revised / Issues / Other Comments	By	Date
1	Approved	WJ	27.10.15

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Almondbox Property Ltd

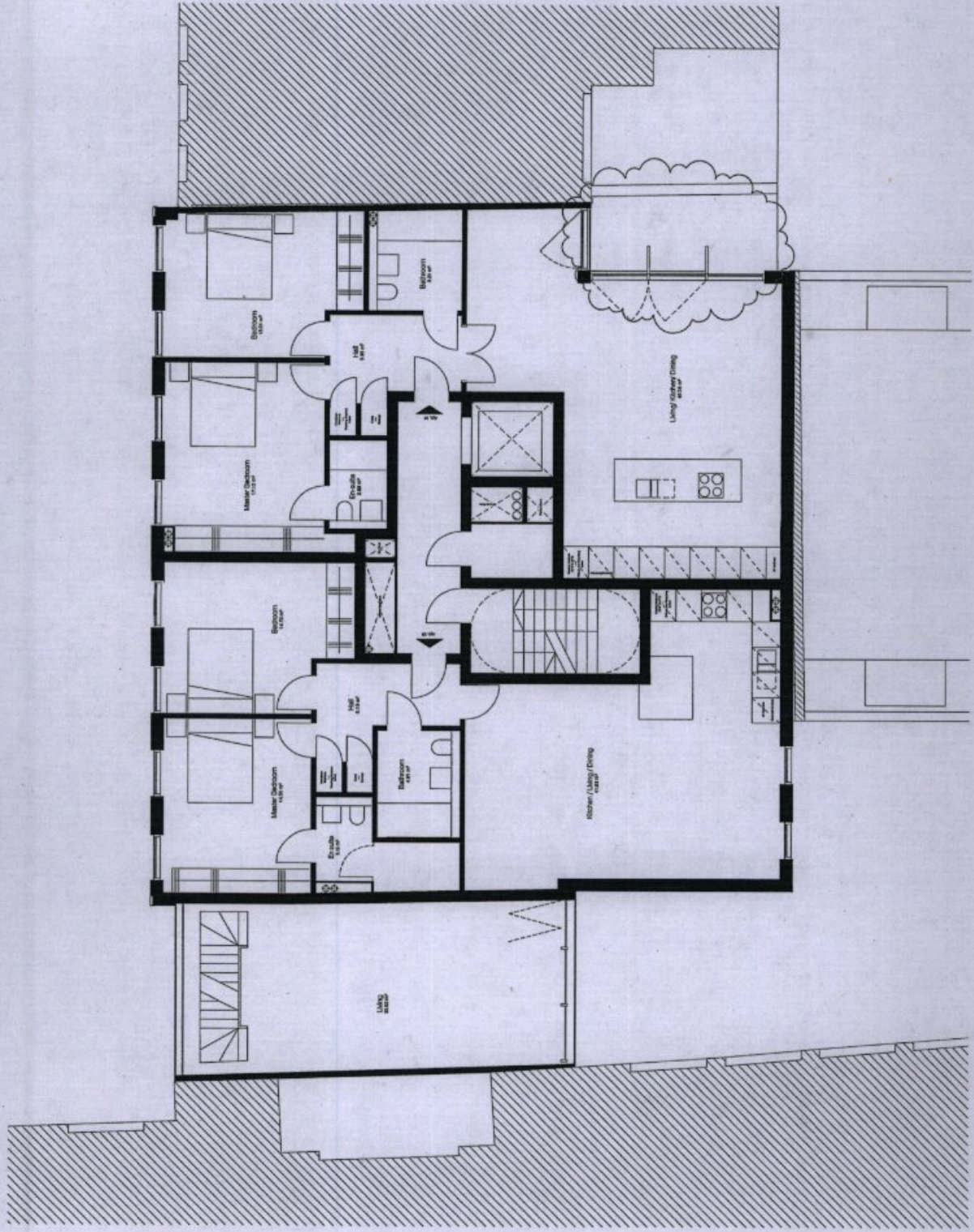
Project Name
9-11 Richmond Buildings, Soho

Drawing Title
Town Planning - Level 03

Scale
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Drawing Number
15963 A TP(10) 004

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1	Planning Unit/Other Comment	EA No	EA	SR	Date
1	Proposed Unit/Other Comment				
	Function				Comment

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Client's Name
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JOB Title
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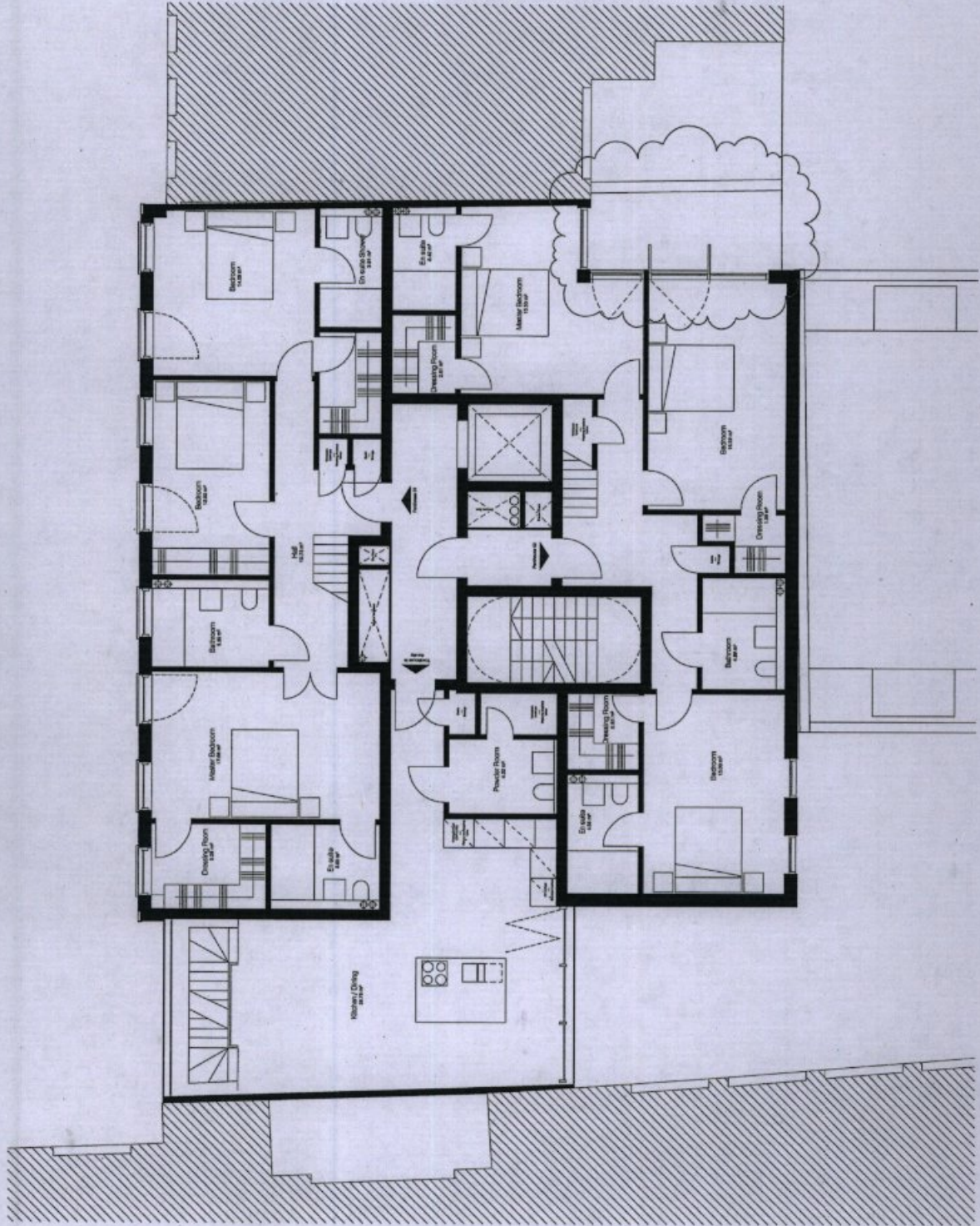
Drawing Title
 Town Planning - Level 04

Scale
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Drawing Number
 15963 A TP(10) 005

Sheet
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 dimensions are given in millimetres unless
 stated otherwise. All walls are shown with
 a 100mm thickness unless otherwise
 stated.

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Rev	Description	Date	By	Check
1	Planning Application	20.10.15	SB	DM
2	Revised Planning Application	27.10.15	SB	DM

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 W1A 1AA
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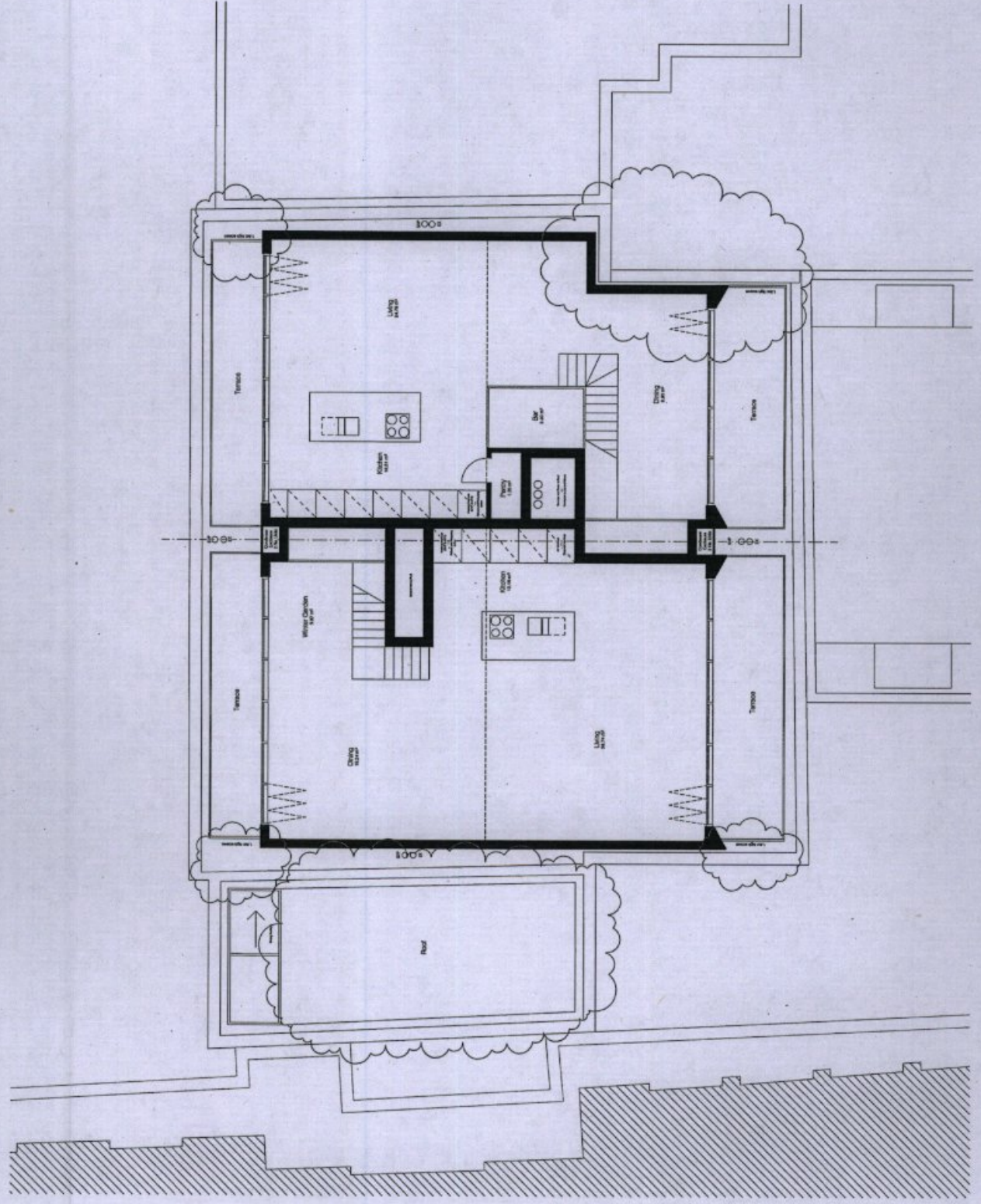
Client's Name
Almondbox Property Ltd

Job Title
9-11 Richmond Buildings, Soho

Drawing Title
Town Planning - Level 05

Scale
1:50 @ A1

Drawing Number
15983 A TP(10)_006
 Sheet
2
 PLANNING





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TP:

RM:

ADDRESS:

1	Particulars	Other Comments	20.10.15	05	10
1	Particulars	Other Comments	Date	By	Drawn

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London
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F: +44 (0)20 7300 7700
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Client Name
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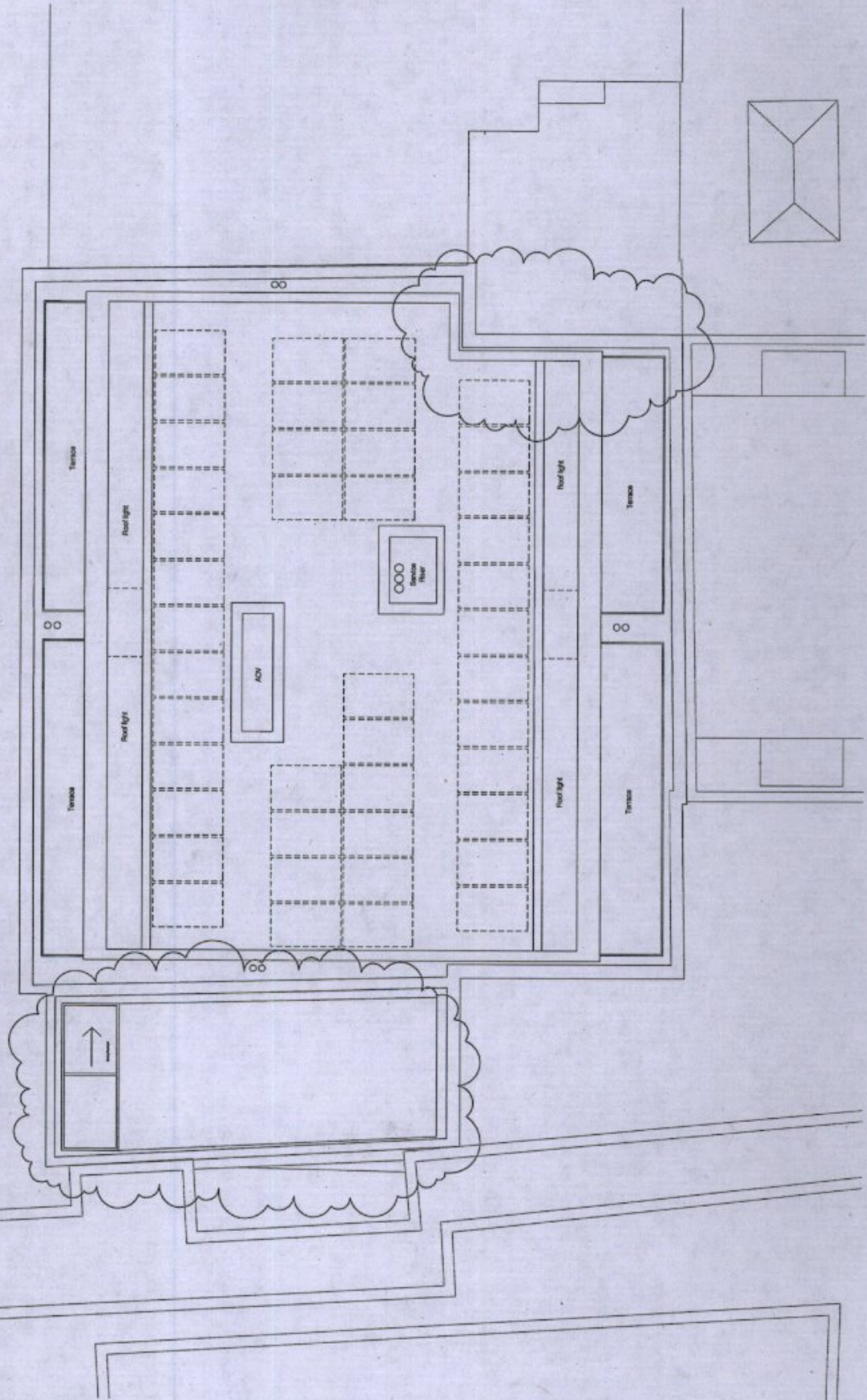
200 Title
9-11 Richmond Buildings, Soho

Drawing Title
Town Planning - Roof Plan

Scale
1 : 50 @ A1

Drawing Number
15983 A TP(10) 007

PLANNING



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Rev	Description	Date	By	Check
1	Issue for Client (Other Comments)			
2	Planning Application			

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Site No
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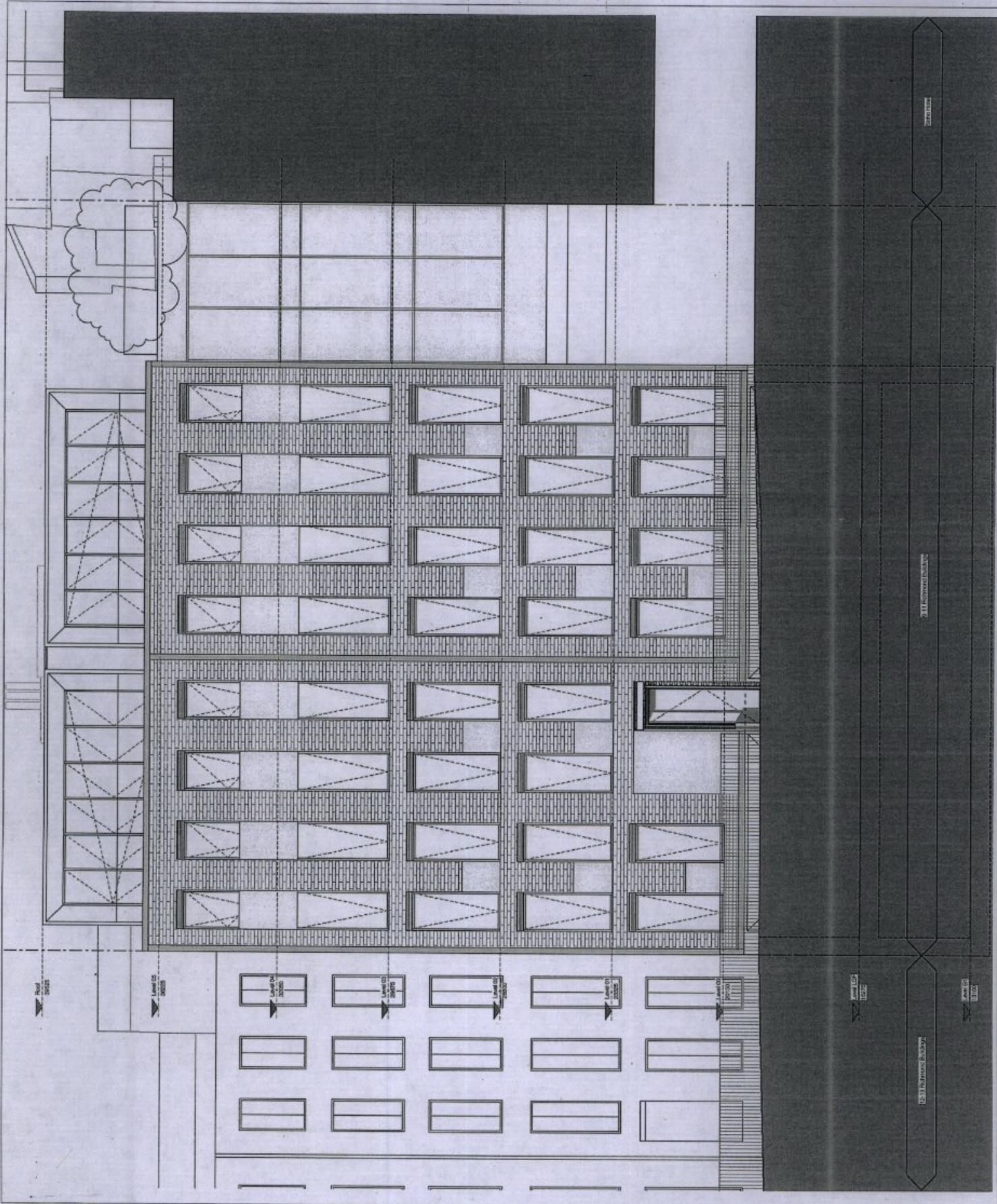
Drawing Title
Town Planning - Front Elevation

Scale
1 : 50 @ A1

Drawing No
15983 A TP(11) 001

Sheet No
2

Discipline
PLANNING



9-11 Richmond Buildings

9-11 Richmond Buildings

Level 05 20025

Level 04 20020

Level 03 20015

Level 02 20010

Level 01 20005

Level 00 20000

Level 01 20005

Level 02 20010

Level 03 20015

Level 04 20020

27.10.15

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TP:

RM:

ADDRESS:

1 Planning Officer Comments
2 Planning Description

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Windsor W62
Windsor W62 8JG
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F: +44 (0)1753 754525
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Almondbox Property Ltd

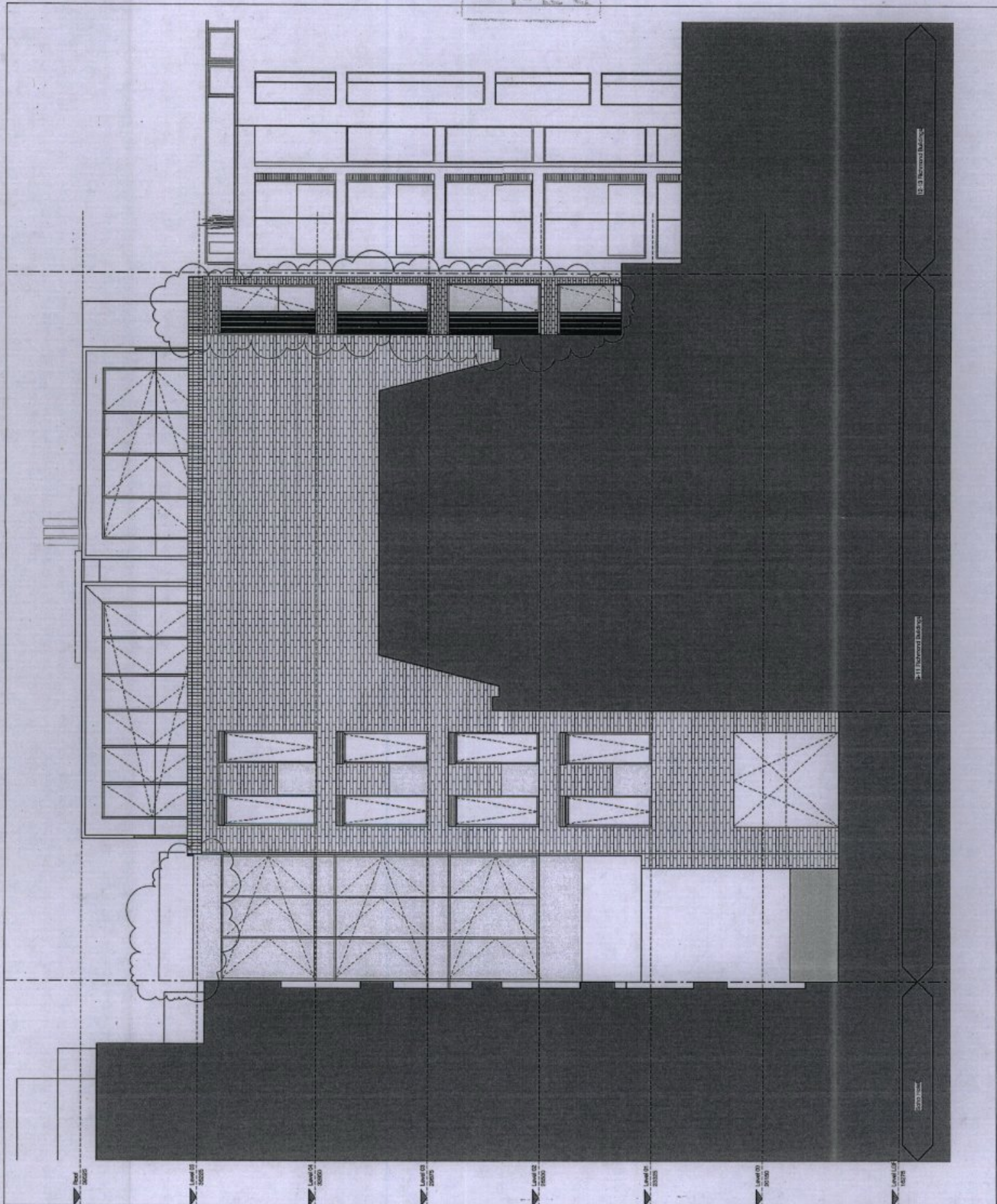
Site
9-11 Richmond Buildings, Soho

Drawing Title
Town Planning - Rear Elevation

Scale
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Drawing Number
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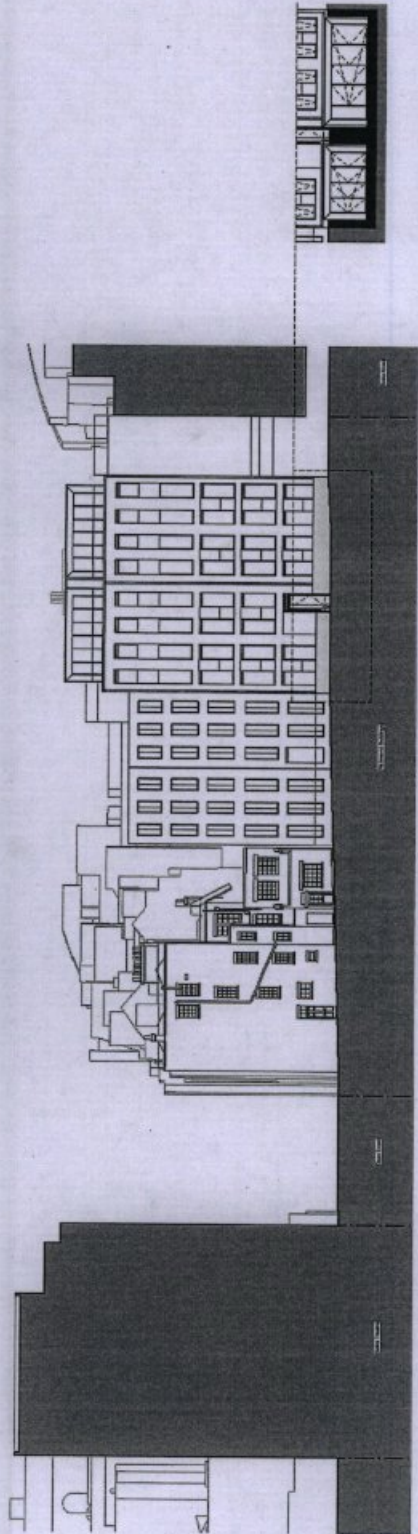
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3-11 Richmond Buildings

12-13 Richmond Buildings

27.10.1

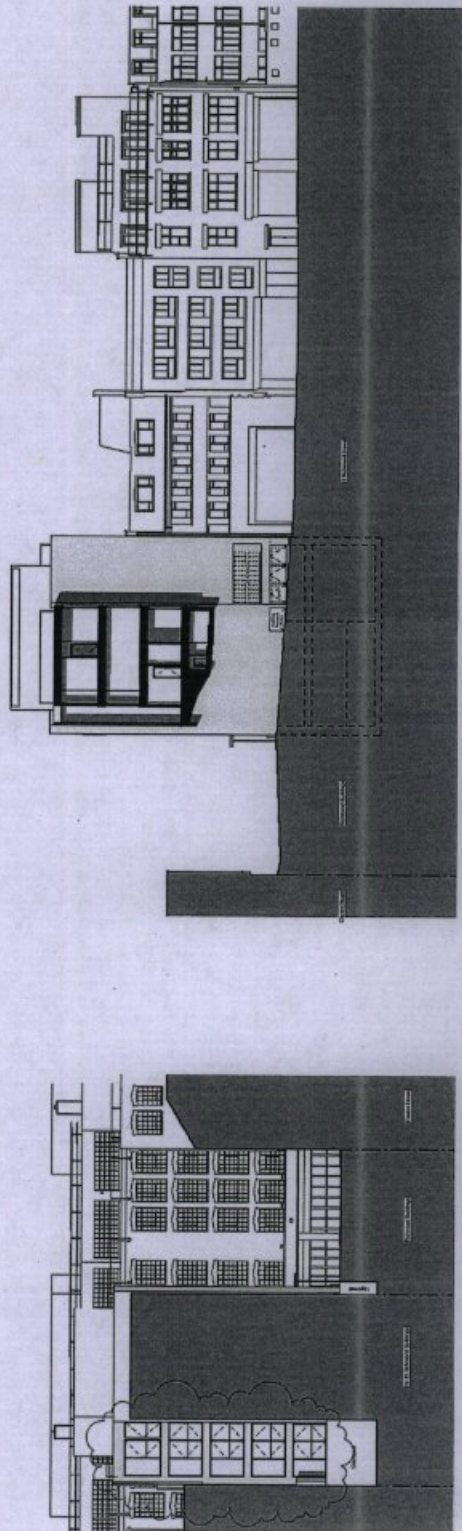


Section 01

Entrance Elevation



Section 03



Section 02

Section 03

1 Planning/Urban Other Comments
 2 Date
 3 Date
 4 Date

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Client Name
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Job Title
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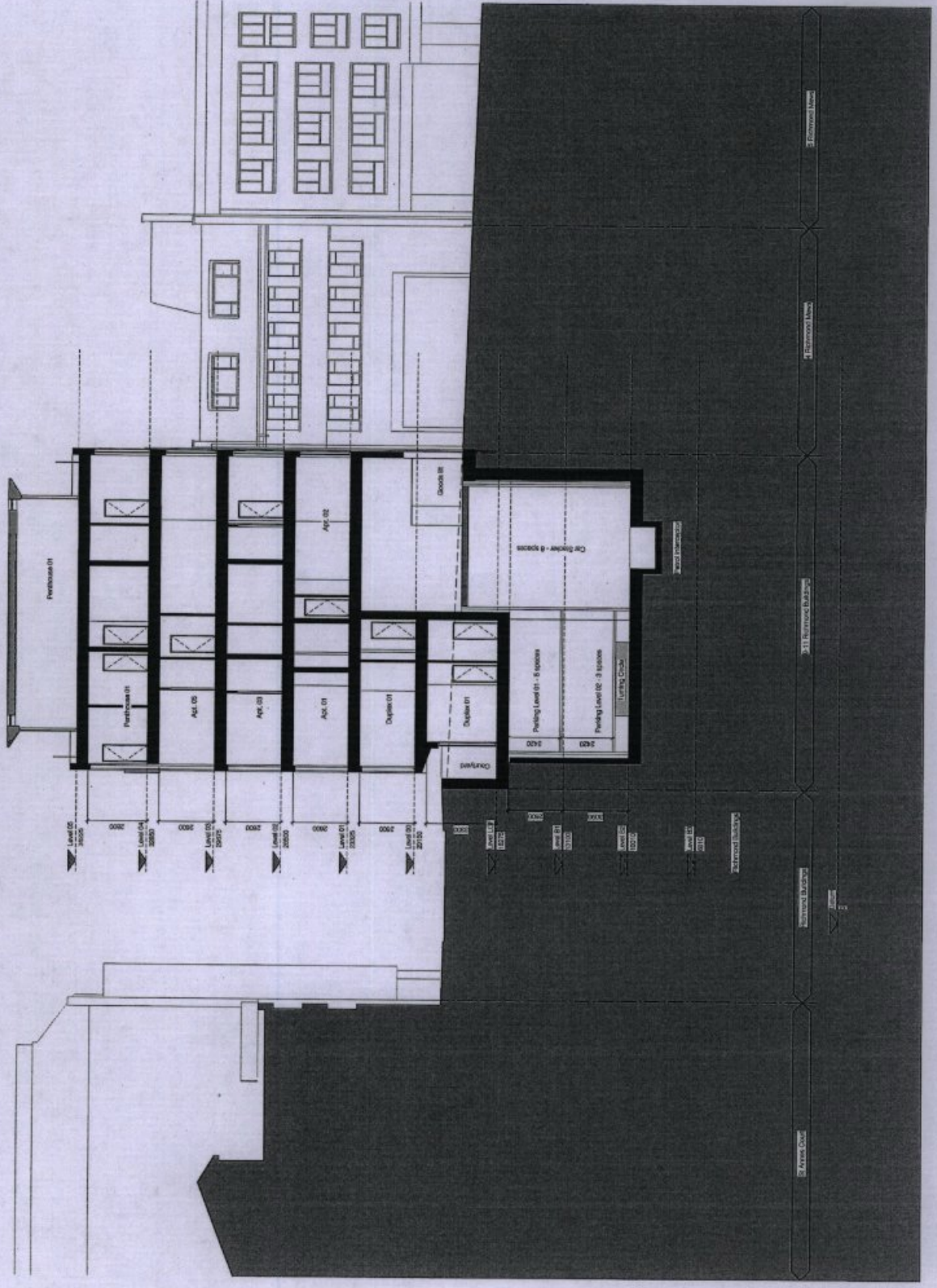
Drawing Title
 Town Planning - Elevations

Scale
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Drawing Number
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Drawing Title
Town Planning - Sections

Scale
As indicated @ A1

Drawing Number
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15.7.15