

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 6 December 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	Axtell House, 23-24 Warwick Street, London, W1B 5NQ		
Proposal	Demolition of existing 4th to 6th floors and erection of new 4th to 6th floors, including provision of a roof top garden and terrace at 6th floor level; all for office (Class B1) purpose. Relocation of plant to a 1st floor lightwell, replacement of windows to front elevation, alterations to rear elevation and new ground floor entrance.		
Agent	Rolfe Judd Planning Ltd		
On behalf of	Estates & Agency Property Investment Company Ltd.		
Registered Number	16/08729/FULL	Date amended/ completed	20 September 2016
Date Application Received	9 September 2016		
Historic Building Grade	Unlisted		
Conservation Area	Soho		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

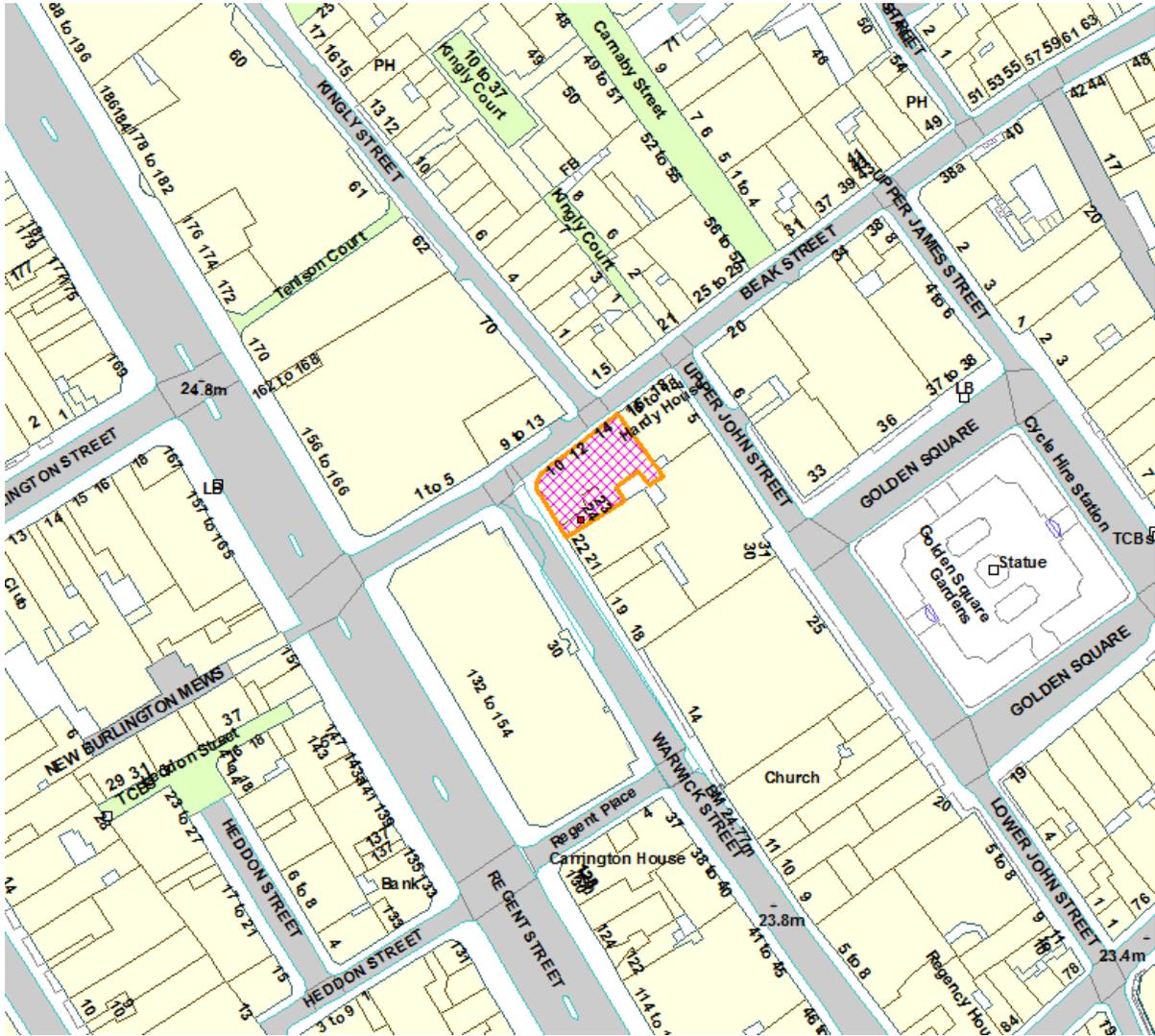
The proposals involve a 7-storey building on the south side of Beak Street at its junction with Warwick Street. The proposals involve replacement roof extensions, new windows, relocated plant and a roof terrace all for office purposes.

The key issues for consideration are:

- The impact of the roof extensions and alterations on the character and appearance of the Soho Conservation Area.
- The impact on surrounding amenity

The proposals are considered acceptable and are in line with the policies set out in Westminster's City Plan and the Unitary Development Plan (UDP).

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

SOHO SOCIETY

Suggests that changes to the design would improve the contribution of this building to the conservation area. The corner feature window on the sixth floor is unnecessary and distracts from the existing heritage features on the lower floors. As an unlisted building of merit, this building contributes to the quality of conservation area. The extension above it should not detract from these features. The window should therefore be of the same design as the others on that floor.

ENVIRONMENTAL HEALTH

No objections raised.

ADJOINING OWNERS/OCCUPIERS

No. consulted: 282; No. responses: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

Axtell House, 23-24 Warwick Street, is located on the south side of Beak Street at its junction with Warwick Street. The building occupies a prominent position closing the vista south down Kingly Street and is visible in views east along Beak Street from Regent Street. The building is ground and basement plus six upper storeys and is located in the Soho Conservation Area. Axtell House is noted as being an unlisted building of merit in the conservation area audit and it makes a positive contribution to its surrounding area.

The building is in use as bar at basement and ground floors and in lawful office use on the upper floors. Access to the upper office floors is via a separate access on Warwick Street.

6.2 Recent Relevant History

Certificate of Lawful Use granted on 12th October 1999 for the use of the sixth floor as offices (Class B1).

Planning permission granted 25th October 1999 for external alterations including a new entrance canopy, air-conditioning plant at rear 1st floor and roof level, an extension of the rear escape stair, new vent grilles in windows, plus new 5th floor WC and 6th floor motor room extensions.

7. THE PROPOSAL

The proposals involve the demolition of the upper floors from fourth to sixth floor levels and the rebuilding of these upper floors all for office purposes providing an additional 203sqm of office floorspace. The proposals also involve the relocation of existing plant to a rear first floor lightwell, the replacement of windows to the front elevation, alterations to

the rear elevation and a new ground floor office entrance. A roof top garden and terrace at 6th floor level all for office purposes are also proposed.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The uplift of office floorspace is in accordance with Policy S20 and, as the increase in floorspace is less than 400sqm (203sqm), there is no requirement for the equivalent amount of residential floorspace.

8.2 Townscape and Design

The proposal involves the removal of the existing post war roof storeys which do not relate sensitively to the early twentieth century facades. New roof storeys of modern design are proposed, and these are clearly not in the style of the existing building, but they do relate reasonably well to the facades below. There is an increase in height and bulk which is visible in a number of street level views. However, this is a relatively modest increase and is acceptable given the relation to the taller buildings to the west and north.

The Soho Society has no objection in principle but is concerned about the large glazing on the corner. Whilst their concern is noted, the applicant has declined to make any revisions and it is considered that this is not harmful such that it should be refused or required to be amended by condition.

Nevertheless there are two aspects of the scheme which should be controlled by amending condition. These relate to the unacceptable use of glass balustrades at roof level and the demolition of the existing original entrance door on Warwick Street. The latter contributes positively to the appearance of the building and its contribution to the character and appearance of the Soho Conservation Area and it should be retained and reused.

Overall it is concluded that this is a high quality scheme which will contribute positively to the character and appearance of the Soho Conservation Area. The scheme complies with the City Council's urban design and conservation policies, including strategic policies S25 and S28, and Unitary Development Plan policies including DES 1, DES 6 and DES 9.

8.3 Residential Amenity

The application involves rebuilding the upper floors, but the re-built floors will be both taller and bulkier than the existing with the rebuilt sixth floor being 1.55m higher than the existing plant room and 4.3m higher than the existing fifth floor. Council records indicate that the nearest residential properties are located at 6 Upper John Street some 23m from the application site on the opposite side of Upper John Street. Given the relatively small increase in bulk and mass and its positioning away from residential windows, it is not considered that there would be a material loss of daylight or sunlight.

The proposal also involves the provision of a terrace at sixth floor level and a roof terrace which replaces an existing roof terrace. The terrace at roof level is set back from the facades of the building and includes planting to limit any future overlooking. Given the

proximity of the proposed residential, it is considered that a terrace in this location is acceptable, subject to a condition limiting the hours when the terrace can be used.

8.4 Transportation/Parking

The site is in a highly accessible location and it is considered that the minor uplift in office floorspace will have only a minimal impact on parking levels, trip generation and site servicing. The application is acceptable in highways terms.

Nine secure cycle parking spaces are provided for the extended offices in the basement accessed from the ground level via stairs with a bike wheel ramp. These spaces will be secured by condition.

8.5 Economic Considerations

The economic benefits of the increase in office floorspace are welcome.

8.6 Access

The main office entrance is constrained by an existing step and therefore a managed mobile ramp system is proposed at the reception.

8.7 Other UDP/Westminster Policy Considerations

None.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

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

8.10 Planning Obligations

Planning obligations are not relevant in the determination of this application.

8.11 Environmental Impact Assessment

The submitted energy statement sets out the proposed upgrades to the existing building services including lighting, heating and cooling by replacing existing systems with modern equipment. Renewable technologies will include the installation of air source heat pumps and planting at roof level is proposed thereby increasing the site's contribution to the biodiversity of the area when compared with the existing situation. These measures will be secured by condition.

8.12 Other Issues

Plant

Plant area is proposed in the first floor rear lightwell. The site is located within an area in which existing ambient noise levels are above WHO guideline levels. The plant is proposed to operate 24 hours a day and Environmental Health consider that the plant is likely to comply with the design level criterion.

Construction impact

The proposal is not a major development and the application does not involve the construction of an additional basement. It is therefore a Level 3 scheme for the purposes of the Code of Construction Practice. The application is supported by a construction management strategy, however given the new arrangements concerning the Code of Construction Practice this will not be secured by condition. The impacts of the construction will be a matter for the Environmental Inspectorate.

9. BACKGROUND PAPERS

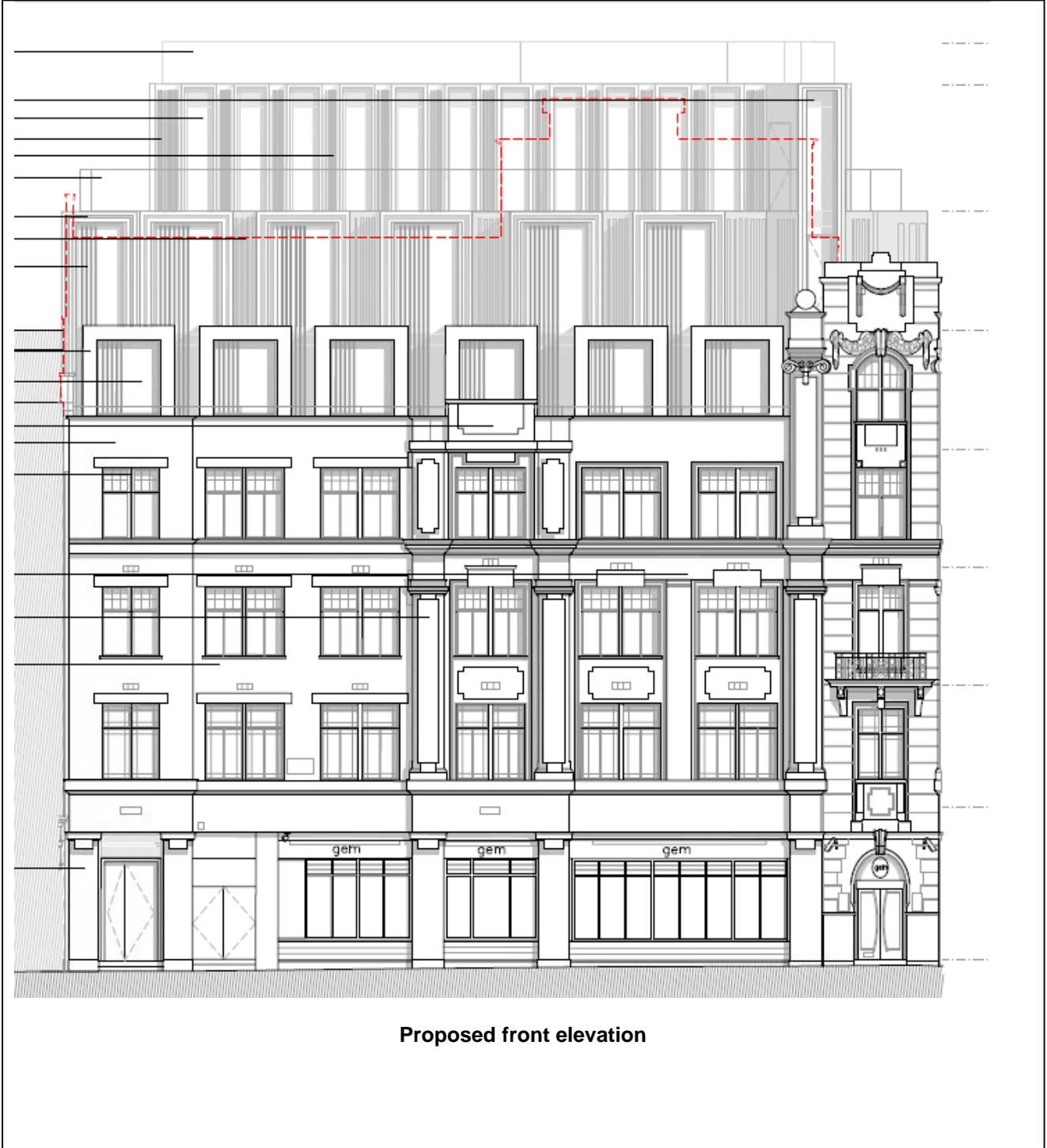
1. Application form
2. Response from Soho Society, dated 10 October 2016
3. Response from Plant And Equipment, dated 11 November 2016

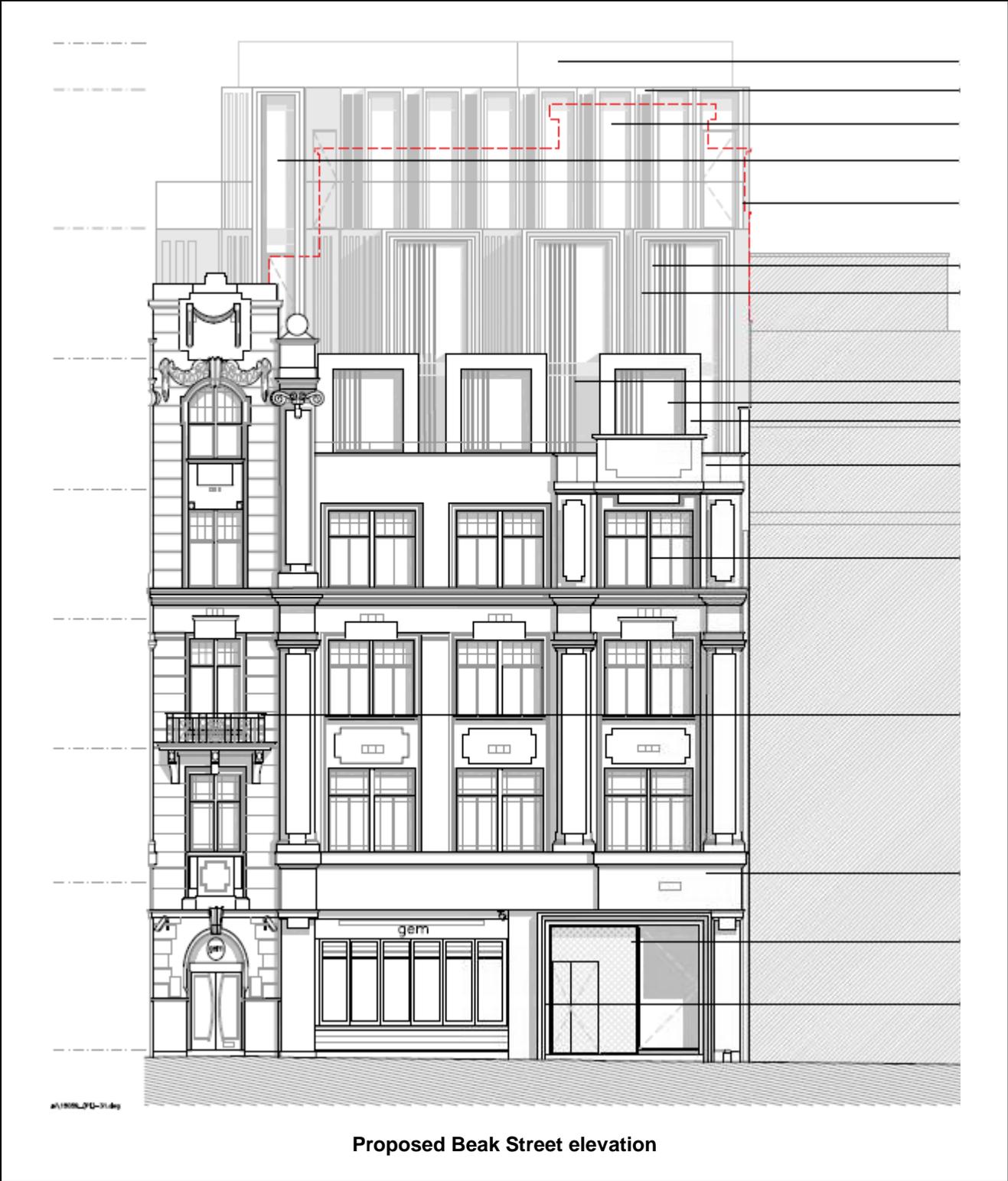
Selected relevant drawings

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

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MARK HOLLINGTON BY EMAIL AT mhollington2@westminster.gov.uk

10. KEY DRAWINGS





DRAFT DECISION LETTER

Address: Axtell House, 23-24 Warwick Street, London, W1B 5NQ,

Proposal: Demolition of existing 4th to 6th floors and erection of new 4th to 6th floors, including provision of a roof top garden and terrace at 6th floor level all for office purpose. Relocation of plant to a 1st floor lightwell, replacement of windows to front elevation, alterations to rear elevation and new ground floor entrance.

Reference: 16/08729/FULL

Plan Nos: 15059_(PL)-18(1), 19(1), 20(1), 21(1), 22(1), 23(1), 24(1), 25(1), 26(1), 27(1), 28(1), 29(1), 30(1), 31(1), 32(1)

Case Officer: Jo Palmer

Direct Tel. No. 020 7641 2723

Recommended Condition(s) and Reason(s)

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

Reason:

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

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

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

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

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

Reason:

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

- 3 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)

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 (July 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 4 You must apply to us for approval of detailed drawings showing the following alteration to the scheme.
1. The glass balustrades at sixth floor and roof level shall be set back to reduce their visual impact from street level.
 2. The existing original entrance on Warwick Street shall be retained.
- You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

Reason:

To 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 (July 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 5 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace or sixth floor balcony. (C26NA)

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 (July 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 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 (July 2016) and DES 1 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R26HC)

- 7 (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 (July 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 8 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.

- 9 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 Policy 6.9 (Table 6.3) of the London Plan 2015.

- 10 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number 15059_(PL)-19(1). You must clearly mark them and make them available at all times to everyone using the building. (C14FB)

Reason:

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

- 11 You can only use the approved terrace and balcony areas between the hours of 08:00 to 21:30 Monday to Friday and 09:00 to 21:00 on the weekends, Bank Holidays and public holidays. You cannot use the terrace areas outside of these hours other than in the case of an emergency.

Reason:

To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 12 You must apply to us for approval of detailed drawings in relation to the proposed roof landscaping proposals to include detailed planting layout and species. You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved details.

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of the area, and to improve its contribution to biodiversity and the local environment. This is as set out in S38 of Westminster's City Plan (July 2016) and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R30BC)

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

Reason:

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

- 14 You must apply to us for approval of detailed drawings (scales 1:20 and 1:5) of the following parts of the development -

New windows in the original (existing) facades (Typical details)

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

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 (July 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 Conditions 7&8 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 3 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.

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