

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 14 February 2017	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> St James's	
<b>Subject of Report</b>	<b>Old War Office, 57 Whitehall, London, SW1A 2EU,</b>		
<b>Proposal</b>	Alterations to the existing building including the creation of new pedestrian and vehicular entrances; alterations to bottle balustrades and parapets; extensions to create three additional storeys at fifth, sixth and seventh floors; extension of the existing basement to create two additional basement storeys; partial demolition and reconstruction of the central wing; demolition, relocation and reconstruction of the facades comprising the Triangular Courtyard incorporating extensions to the existing building at ground to fourth floors; external alterations to the facades comprising the Quadrangle including the creation of new pedestrian entrances; landscaping works to the Quadrangle and Triangular Courtyard; creation of external terraces at fourth, fifth, sixth and seventh floor levels; addition of entrance canopies; alterations to security walls and bollards and the removal and replacement of street trees; all in connection with the change of use of the building from offices (Class B1) to a hotel (Class C1) comprising up to 125 hotel bedrooms/suites with flexible hotel/retail/restaurant/bar use at part ground floor (Class C1/A1/A3/A4), flexible hotel/restaurant use at part lower ground, part ground and part second floors (Class C1/A3); flexible hotel/bar use at part fifth and part sixth floors (Class C1/A4); flexible retail, leisure, restaurant or bar use at part ground floor (Class A1/D2/C1/A3/A4), leisure/spa facilities within the basement levels and part of the lower ground floor (Class D2/C1) ancillary ballroom, event space and meeting rooms, food and beverage facilities, back of house facilities and associated car and cycle parking and servicing facilities; together with the creation of up to 88 residential dwellings (Class C3) with ancillary communal amenities, associated car and cycle parking and servicing facilities, and other associated works.		
<b>Agent</b>	Gerald Eve		
<b>On behalf of</b>	57 Whitehall SARL		
<b>Registered Number</b>	16/09548/FULL 16/09549/LBC	<b>Date amended/ completed</b>	10 January 2017
<b>Date Application Received</b>	4 October 2016		
<b>Historic Building Grade</b>	Grade II*		
<b>Conservation Area</b>	Whitehall		

## 1. RECOMMENDATION

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

i) a financial contribution of £10m towards the City Council's affordable housing fund (index linked and payable on commencement of development) in lieu of on-site affordable housing

ii) the hotel and commercial floorspace to be provided as part of the development is not to be occupied until the residential accommodation to be provided as part of the development has been made ready for occupation

iii) Operational Management Plan for the hotel, restaurants, bars, ballroom and spa facility

iv) Public Access Strategy for the Hotel Suites of Principal Historic Significance

v) an employment and training opportunities strategy

vi) payment for all necessary highway works including the following to be carried out prior to the occupation of the hotel:

- changes to parking bays to accommodate the new vehicular entrances to the building and to re-provide lost parking places elsewhere if possible
- move the coach stop on Horse Guards Avenue
- provide a facility for taxis on Horse Guards Avenue
- move the bus shelter on Whitehall
- remove the security walls and bollards from Whitehall and make other changes to accommodate vehicular access to the building whilst still providing a secure scheme.
- re-paving of the footways around the site
- removal and replacement of street trees

vii) Car Parking Management Plan - to include provision of residential car parking on an unallocated basis and to ensure that residents and hotel guests are only using their agreed provision of car parking spaces

viii) a financial contribution of £302,400 towards the City Council's carbon off-set fund in the first instance and the developer to use best endeavours to connect the development to Whitehall District Heating Scheme (WDHS) within 5 years of occupation with a further carbon offset payment of £352,800 if this has not been achieved

ix) costs of monitoring

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

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

b) The Director of Planning shall consider whether the permission should be refused on the grounds that the proposals are unacceptable in the absence of benefits which would have been secured; if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

3. Grant conditional listed building consent

4. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter

## 2. SUMMARY

The Old War Office is a Grade II\* listed building which occupies a prominent position within the Whitehall Conservation Area. Originally built as offices in 1899-1906, the building is now vacant following the Government's decision to dispose of the building in 2014. The new owners, who acquired the site in March 2016 are proposing to convert the building into a high quality luxury hotel with associated retail, restaurant, bar and leisure/spa facilities (operated either as part of the hotel or independently) and residential apartments.

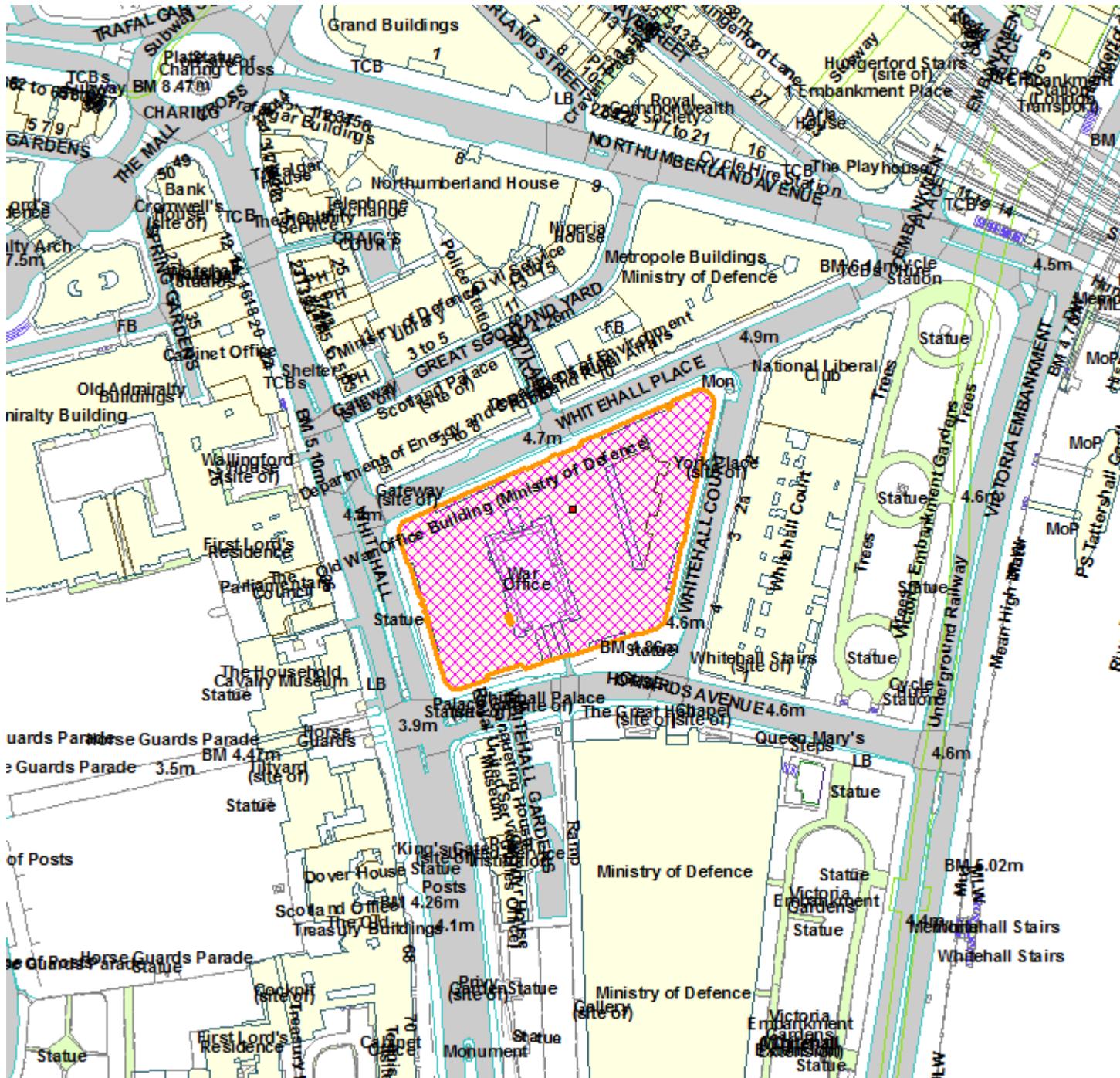
The proposed hotel is considered to be appropriate, making an important contribution to the local economy and allowing public access to this historically important building for the first time. The new residential apartments which include a high proportion of family sized dwellings plus the £10m contribution towards the Council's Affordable Housing Fund will help meet housing targets within Westminster.

The scheme does involve substantial alterations to the listed building some of which for example the roof extensions and the removal of bottle balustrades have given rise to concern and objections from Historic England and the Victorian Society. Objections have also been received from adjacent residents and hoteliers; specifically relating to the impact on amenity of the positioning of the servicing bay and car park entrance as well as general concerns about the impact on traffic in the local area. Accordingly the key issues to consider are:

- design and historic building implications of the major alterations to the listed building;
- the impact on the amenity of adjacent residential and hotel premises in Whitehall Place and Whitehall Court
- highway issues particularly servicing and deliveries, car parking and the impact on other road users in the immediate vicinity of the site.

For the reasons set out in the report, the proposals are considered to be acceptable and in accordance with relevant policies, subject to appropriate conditions and a S106 legal agreement.

### 3. LOCATION PLAN



4. PHOTOGRAPHS



Aerial view of the Old War Office, 57 Whitehall

## 5. CONSULTATIONS

### Original Application

#### HISTORIC ENGLAND

Roof extensions – the modern design of the seventh floor residential roof extension would benefit from further refinement; further information/design refinement is required on the visibility of the ‘Panoramic Bar’ and adjacent plant and also the single storey hotel extension from ground floor level of the Quadrangle

Removal of fourth floor bottle balustrades – insufficient justification to support the removal of these from the western end of the Whitehall Place elevation; recommend further consideration of this

Quadrangle – the ‘al fresco’ fixed seating and awning frames will change the character of this space; recommend a simpler approach

Internal alterations – further consideration/justification is required of the following:- the removal of plain balustrades and replacement with decorative ones; the replacement of the existing bank of lifts shows demolition of original corridor walls which is not justified; the extent of the removal of Second World War strengthening and removal of original messenger room screens;

For public benefits associated with the reuse of this currently inaccessible redundant public building to be maximised it is essential that front of house areas are presented to retain maximum historic value and that there is public access by arrangement to the principal historic suites. Request that this is secured by condition/legal obligations as appropriate as well as a recording strategy to fully record historic fabric to be lost or discovered during the course of works.

#### HISTORIC ENGLAND (ARCHAEOLOGY)

The applicant’s archaeological desk-based assessment confirms there is the potential for paleoenvironmental, prehistoric, Saxon and medieval waterfront remains across the site. The site is also located on the northern part of the Tudor royal palace of Whitehall.

From the evidence of previous archaeological work in the area, it is possible that the remains which survive, particularly those associated with Whitehall Palace and earlier riverfront activity, to be of higher significance than stated in the applicant’s report. A condition requiring a two-stage process of archaeological investigation and evaluation followed by full investigation is therefore recommended. Also recommend that a written scheme of historic building investigation/recording is secured by condition.

#### THE VICTORIAN SOCIETY

Object. Accept the principle of converting the building to a mix of hotel and residential, but are not convinced that other uses such as offices could not viably or sympathetically

be incorporated in to the building nor that the amount of additional accommodation (roof extensions) which has an unduly harmful impact on the significance of the building can be justified.

The most harmful elements of the scheme are the roof extensions and the impact these have on views of the building and also the loss of numerous chimneys which are a significant feature of the building's roofscape and intrinsic to its character and appearance. The removal of sections of parapet and balustrade would be harmful to the building's strongly defined Classical character; object to the glazing-in of the historic loading bay and the fixed seating and awnings should be removed from the main courtyard; suggest that all internally facing elements of the building (courtyards) should be clad in the mix of glazed bricks and faience that currently defines these areas of the building; object to the replacement of the plain balusters and rails on the upper parts of the stairs and to the installation of a lift opening directly onto the main stair case.

Consider that a more sensitive conversion should be achievable and recommend that consent is refused.

#### ANCIENT MONUMENT SOCIETY

Any response received to be reported verbally.

#### THE GEORGIAN GROUP

Any response received to be reported verbally.

#### TWENTIETH CENTURY SOCIETY

Any response received to be reported verbally.

#### COUNCIL FOR BRITISH ARCHAEOLOGY

Any response received to be reported verbally.

#### SOCIETY FOR PROTECTION OF ANCIENT BUILDINGS

Any response received to be reported verbally.

#### ENVIRONMENT AGENCY

No objection. Although the site is within Flood Zone 3 it is protected to a very high standard by the Thames Tidal flood defences. However if there was a breach in the defences or they were overtopped there would be a risk of flooding. In the event of flooding it is noted that there would be safe refuge to higher floors within the development. To improve flood resilience, recommend that where feasible finished floor levels are set above the 2100 breach level of 5.66 mAOD.

#### TRANSPORT FOR LONDON (TfL)

Object to the proposed changes to the highway layout. Shortening of the bus cage on Whitehall would provide insufficient capacity for the number and frequency of buses and would have a negative impact on passengers; a formal taxi rank is considered essential for a hotel of this nature otherwise taxis will wait at other locations around the site causing problems for buses, removal of the coach bay on Horse Guards Avenue would not be acceptable unless a suitable replacement could be found; would encourage a car free development.

Conditions are requested to secure electric vehicle charging points and disabled car parking; a Car Park Management Plan; a Construction Logistics Plan and keen to work with the developer to increase Cycle Hire Docking Station capacity in the area around the site.

#### WESTMINSTER SOCIETY

The proposed mix of uses is considered suitable given the location. The Society supports the scheme which makes good use of an historic building in a prime location.

#### HEAD OF AFFORDABLE & PRIVATE SECTOR HOUSING

Comments received on the revised submission (see below).

#### HIGHWAYS PLANNING

Comments received on the revised submission (see below).

#### CLEANSING

The waste storage capacity proposed is large enough to accommodate waste generated on site however revised plans and waste management strategy are required to resolve the following issues; there are too many bins for residential waste storage; the area proposed to accommodate the glass crusher and cardboard bailer is very small, this needs to be large enough to also store the glass bins and pallets used to store the baled cardboard; the applicant needs to explore ways of ensuring that commercial waste collection takes place on-site and does not impede traffic in the area.

#### ENVIRONMENTAL HEALTH

Comments received on the revised submission (see below).

#### ARBORICULTURAL MANAGER

No objections but recommend conditions to protect the four semi-mature Dawn Redwood (street) trees which are to be retained and to secure the details and sustainability (irrigation) requirements of the soft landscaping to the courtyards. The cost of removal and replacement of the three young Maidenhair (street) trees will need to be secured by S106 legal agreement.

#### BUILDING CONTROL

The structural method statement is considered to be acceptable. The likelihood of local flooding or adverse effects on the water table has been found to be negligible.

#### ENERGY STRATEGY OFFICER

The Energy Strategy for the scheme should be re-submitted and should follow GLA guidance by considering the impact CHP would have had (had CHP been acceptable) in order to inform the setting of any carbon off-set payment; the development should link into or be capable of linking into the Whitehall District Heating Scheme (WDHS).

#### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 283 No. of replies: 34

No. of objections: 34 on the following grounds:

#### DESIGN/HISTORIC BUILDING ISSUES

- The proposed roof extensions will have detrimental impact on the historic building, on the building's existing roofscape features and on important views of the building i.e. from the bridge in St James's Park
- Removal of bottle balustrades will have a detrimental impact on the historic building
- Inappropriate design and use of materials for the roof extensions
- New opening to create car park entrance and the associate traffic control measures will have a detrimental impact on the historic building
- Design and location of the servicing bay entrance will have a detrimental impact on the historic building and views of the building along Whitehall Place

#### LAND USE

- New public uses such as museums, event space, restaurants would be more suitable uses

#### HIGHWAYS

- Loss of existing on-street parking (due to creation of new car park entrance) and additional pressure on on-street parking
- Inappropriate location of car park entrance on Whitehall Court
- Increased traffic congestion particularly on Whitehall Court
- All servicing/deliveries/refuse collection should take place onsite and behind closed doors
- Insufficient information about traffic, parking and access management
- Impact on street trees

#### AMENITY

- Loss of views
- Loss of privacy
- Loss of daylight and sunlight
- Noise nuisance and overlooking from roof terraces – use of which should be restricted by condition

- Noise nuisance and pollution from car park entrance, queuing traffic and deliveries
- Noise and disruption caused by position of servicing bay on Whitehall Place
- Late night noise nuisance from bars, restaurants and large numbers of people leaving the ballroom
- Increase in activity and number of people/events in the area

#### OTHER

- Noise, dust and disruption during construction work
- Construction traffic routes/lorry parking zones
- Noisy construction work should be restricted to 9am-5pm Monday to Friday
- Extent of basement excavation works
- Existing security wall/blast barrier on Whitehall Court should be removed
- Opportunity to create district community heating scheme, community waste water scheme and energy scheme for new and existing residents
- Insufficient detail re: exterior lighting scheme
- Developers lack of consultation with neighbours prior to submission of the application

PRESS ADVERTISEMENT / SITE NOTICE: Yes

#### **Revised Submission**

#### HISTORIC ENGLAND

The proposed roof extensions have been designed to minimise impact on key views but will still be visible from some viewpoints. Would like further discussion and to approve details/materials of the i) set-back sixth floor residential elevation and the top of the fifth floor hotel extension visible from the Quadrangle ii) the seventh floor residential roof and iii) the sixth 'Panoramic Bar' and adjacent plant enclosure to ensure the impact on aesthetic value is minimised.

Removal of the bottle balustrades from the western end of the Whitehall Place elevation will impact on the symmetry of this corner and cause some harm to the aesthetic and communal value of the view from Whitehall. Therefore recommend that the City Council give careful consideration to whether this detrimental impact is justified.

The new openings to the external elevations will alter the strength of the original design but these are appropriately designed and will have minimal impact on the significance of the building.

The new removal of the modern bollards and stone-clad walls from the Whitehall pavement is supported.

Welcome the omission of the fixed seating and awnings from the Quadrangle. The proposed glazing to the historic open loading bay will have some visual impact but if simply detailed and carefully lit will have minimal impact.

Pleased to note that the stairs and hand rails to the new roof extensions have been amended and that additional messenger room screens are to be retained.

Request conditions to control design and detailing of new elements, a programme to fully record any historic elements which will be lost or discovered during the course of work and public access to principal historic suites to be secured by legal obligation.

#### HISTORIC ENGLAND (ARCHAEOLOGY)

Any further comments received to be reported verbally.

#### THE VICTORIAN SOCIETY

Any further comments received to be reported verbally.

#### ANCIENT MONUMENT SOCIETY

Any comments received to be reported verbally.

#### THE GEORGIAN GROUP

Any comments received to be reported verbally.

#### TWENTIETH CENTURY SOCIETY

Any comments received to be reported verbally.

#### COUNCIL FOR BRITISH ARCHAEOLOGY

Any comments received to be reported verbally.

#### SOCIETY FOR PROTECTION OF ANCIENT BUILDINGS

Any comments received to be reported verbally.

#### ENVIRONMENT AGENCY

No objection. Amendments do not alter previous comments.

#### TRANSPORT FOR LONDON (TfL)

The relocation of Bus Stop P has been agreed in principle; request that a taxi rank is provided on street and that the detail of this is the subject of further dialogue; would encourage a car free development but notwithstanding this request a Car Management Plan and conditions to secure disabled parking and electric vehicle charging points: request a Servicing and Delivery Plan and a Construction Logistics Plan outlining how the impact on buses will be minimised; keen to work with the developer to increase Cycle Hire Docking Station capacity in the area around the site.

Generally supportive of the scheme subject to the City Council considering a reduction in the level of car parking provision and securing the provision of a taxi rank.

#### WESTMINSTER SOCIETY

No objection.

#### HEAD OF AFFORDABLE & PRIVATE SECTOR HOUSING

The affordable housing payment should be made directly to the Council's Affordable Housing Fund and Housing should make the investment decision of where these funds should be spent to deliver affordable housing in the City. (Initial verbal comment; any further comments received will be reported verbally to Committee)

#### HIGHWAYS PLANNING

The number of residential car parking spaces (54) proposed should be sufficient for the 88 residential flats subject to these being provided on an unallocated basis; no objection to some car parking being provided for hotel guests provided the hotel do not use any residential car parking spaces when there is high demand for parking during an event in the ballroom.

The servicing bay has been enlarged so that all commercial servicing and all waste collection for the entire development will take place off-street. The servicing arrangements are acceptable subject to a Servicing Management Plan and conditions to ensure that deliveries are spread over a manageable time period.

The applicants have been encouraged to make provision for taxis on Horse Guards Avenue away from the busy bus route on Whitehall and away from residential on Whitehall Court and Whitehall Place.

No objection to the repositioning of the existing coach on Horse Guards Avenue. This and other highway works would need to be secured by S106 legal agreement.

#### CLEANSING

No objection to the revised proposed storage arrangements for waste and recyclable materials.

#### ENVIRONMENTAL HEALTH

No objection provided conditions are attached to control the following aspects of the development: plant noise; car lift noise; to protect existing and new residential from any noise nuisance generated by the various commercial activities within the development; a Noise Management Plan detailing measures to control the hours of use and noise from external hotel bar and alfresco dining areas; restricting servicing and deliveries to between 07.00 to 19.00 hours and to ensure that the gates to the servicing area are covered with solid screening and closed during servicing; the development must also comply with the City Council's latest Code of Construction Practice (CoCP) and conditions.

## ARBORICULTURAL MANAGER

Although the applicant's tree report has been updated to include a tree protection plan it would be premature to agree a Tree Protection Methodology without construction and logistical details. Conditions requiring the submission of details of tree protection measures and sustainable soft landscaping to the internal courtyards are still recommended plus a legal obligation to ensure that the applicant pays for the cost of removing and replacing the three (Maidenhair) street trees.

## BUILDING CONTROL

Any further comments received to be reported verbally.

## ENERGY STRATEGY OFFICER

A revised Energy Strategy has been submitted but this still does not follow GLA guidance and advice given by officers. Request a condition requiring a revised Energy Strategy which omits the CHP and includes a connection to the WDHS and a legal obligation requiring the developer to use best endeavours to connect the development to WDHS or pay a further carbon off-set payment.

## ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 283 No. of replies: 1

Letter from Whitehall Court Management Committee on behalf of residents and commercial tenants of 3-4 Whitehall Court – generally in support of the application but request that further consideration is given to the following aspects of the scheme: the impact on daylight; impact on traffic flow and parking (could be improved by removal of existing security wall on Whitehall Court); external design (lighting, signage and roof terraces) and tree protection measures.

Also request that Committee members carry out a site visit prior to making a decision on the applications.

## **6. BACKGROUND INFORMATION**

### **6.1 The Application Site**

The Old War Office fronts the eastern side of Whitehall, with the rear bound by Whitehall Court, the south by Horse Guards Avenue and the north by Whitehall Place.

The building is currently vacant but was originally built (c1899-1906) as offices (Class B1) for the Ministry of Defence. The existing building comprises basement, lower ground, ground and four upper floors, with the western portion of the building fronting Whitehall arranged around a formal Quadrangle and the rear, eastern portion of the building arranged around a triangular courtyard. The main pedestrian entrance to the existing building is from Whitehall. The arched carriage entrance to the Quadrangle from Horse Guards Avenue was the former principal entrance to the building. There is also a

staff pedestrian entrance on Whitehall Place and the old 'spies' entrance to Whitehall Court.

The building is Grade II\* listed and is located within the Whitehall Conservation Area and within the Ludenwic and Thorney Island Archaeological Priority Area. The site is also located within the Core Central Activities Zone.

## 6.2 Recent Relevant History

The Old War Office was occupied as offices by the Government from c1906 when the building was completed until 2014 when the decision was taken to dispose of the building. The new owners/the applicant acquired the building in March 2016.

There is no significant relevant planning history.

## 7. THE PROPOSAL

Planning and listed building consent applications were submitted in October 2016 for alterations and extensions to the existing building to provide a hotel of up to 125 bedrooms/suites with flexible retail, restaurant, bar, leisure/spa facilities, ballroom, event space and meeting rooms in the western part of the building fronting Whitehall and up to 88 residential apartments in the rear, eastern portion of the building with associated car parking and off-street servicing. The key aspects of the current proposals include the following:

- the creation of new pedestrian and vehicular entrances;
- alterations to bottle balustrades and parapets;
- extensions to create three additional storeys at fifth, sixth and seventh floors;
- extension of the existing basement to create two additional basement storeys;
- partial demolition and reconstruction of the central wing;
- demolition, relocation and reconstruction of the facades comprising the Triangular Courtyard incorporating extensions to the existing building at ground to fourth floors;
- landscaping works to the Quadrangle and Triangular Courtyard;
- alterations to security walls and bollards

Proposed amendments to the scheme received in January 2017 include the following:

- basement levels 2 and 3 enlarged to accommodate plant and back of house facilities
- proposed taxi lay-by on Whitehall omitted
- security wall and bollards on Whitehall to be removed
- off-street servicing area off Whitehall enlarged
- a setback incorporated to the northern end of the seventh floor extension above the central wing
- fixed al fresco dining pavilions omitted from the Quadrangle
- various internal alterations including the retention of additional messenger room screens and plain balusters to upper parts of stairs etc

## 8. DETAILED CONSIDERATIONS

### 8.1 Land Use

The proposed scheme is for a luxury hotel comprising up to 125 suites/bedrooms with associated retail, restaurant, bar and spa facilities within the main (Whitehall frontage) part of the building, with up to 88 residential flats in the rear part, fronting onto Whitehall Court. The applicant has identified a preferred high-end, luxury brand hotel operator who cannot be named at this time for reasons of commercial confidentiality.

It is also unknown at this stage whether the associated retail, restaurant, bar and spa facilities will be operated directly by the appointed hotelier thus considered ancillary to the principal Class C1 use, or whether the spaces will be operated independently by independent operators. Therefore flexible uses are sought in a number of locations within the proposed hotel principally the spa at lower ground/basement levels; the retail and restaurant spaces at ground floor level and the bar at fifth and sixth floor levels which includes external terraces.

#### Summary table of existing and proposed land use areas (GEA sqm):

	Existing	Proposed	Change
Offices	60,080	0	-60,080
Hotel (Class C1)	0	28,430	+28,430
Residential	0	31,389	+31,389
Flexible spa/leisure use either independent or part of hotel (Class D2 or C1)	0	2,892	+2,892
Flexible shop, restaurant, bar use either independent or part of hotel (Class A1/A3/A4 or C1)	0	757	+757
Flexible restaurant use either independent or part of hotel (Class A3 or C1)	0	1,646	+1,646
Flexible bar use either independent or part of hotel (Class A4 or C1)	0	466	+466
Flexible shop, restaurant, bar or leisure either independent or part of hotel (Class A1/A3/A4 or C1)	0	598	+598
<b>TOTAL</b>	<b>60,080</b>	<b>66,178</b>	<b>+6,098</b>

#### Loss of Offices

The application site currently comprises a single office use building of 60,080sqm, and is located within the Core Central Activities Zone where office uses are protected under

City Plan Policy S20 unless replaced by another commercial, employment-generating use. A number of the proposed uses for the site would be commercial, accounting for the majority of the total floorspace in the new development (34,789sqm out of 66,178sqm), mostly as a hotel. The provision of these uses would be in accordance with the policy.

The remainder of the floorspace in the new development (31,389sqm) would be for residential purposes which, being a non-commercial use would not normally be acceptable under Policy S20 unless the benefits of the proposal in terms of helping meet Westminster's housing needs outweigh the contribution made by the office floorspace to meeting Westminster's business and employment needs. The policy also notes that in some circumstances conservation and heritage issues are sufficient to outweigh the desire to retain offices.

The applicant has put forward the argument, accepted by officers, that the cellular plan form of the existing office accommodation does not suit modern office requirements which favours large open-plan accommodation as opposed to small, individual rooms; and the outdated nature of the building in this respect makes it unlikely to meet current office needs without extensive alterations which would be considered harmful to the significance of the Grade II\* listed building. Furthermore the use of the building for mixed hotel and residential purposes will deliver significant economic benefits in terms of hotel visitors and jobs and will also help meet Westminster's housing needs; 46% of the residential flats are family-sized units and the applicants have offered £10million to the City Council's affordable housing fund in lieu of on-site affordable housing. For these reasons the proposed development is considered to satisfy Policy S20.

### **Proposed Hotel**

UDP Policy TACE2 states that within the CAZ, in streets which do not have a predominantly residential character, planning permission will be granted for new hotels and extensions to existing hotels where no adverse environmental and traffic effects would be generated, and adequate on-site facilities are incorporated within developments proposing significant amounts of new visitor accommodation, including spaces for setting down and picking up of visitors by coaches and for taxis serving the hotel.

Policy S23 of the City Plan also states that new hotels will be directed to specific areas, including the Core Central Activities Zone, to those streets that do not have a predominantly residential character and that proposals to improve the quality and range of hotels will be encouraged

Although there is a significant amount of residential accommodation around the site, Corinthia Apartments at 10 Whitehall Place and 2-2a, 3 and 4 Whitehall Court, the area is not predominantly residential. The proposed development has been designed so that the residential element, on the rear, eastern part of the site, would face the neighbouring residential properties in Whitehall Court and Whitehall Place. The hotel part of the development would front onto Whitehall (which is characterised by government buildings and offices), Whitehall Place (where there is a government building directly opposite at 3 Whitehall Place) and Horse Guards Avenue (facing the Banqueting Hall and the MOD

building). In such a location the principle of a hotel use is therefore considered to be acceptable in policy terms.

It is nonetheless acknowledged that given that the hotel would include a ballroom at basement level with capacity for up to 750 guests and other associated restaurant, bar and spa facilities, neighbouring residential amenity will need to be safeguarded. The main pedestrian hotel and ballroom entrance would be on Whitehall, with vehicular drop-offs and pick-ups from the Quadrangle but only until 10pm for the ballroom in order to protect the amenity of residents within the development. There would be two restaurant entrances on Whitehall Place, one of which would also be the secondary pedestrian entrance/exit for the hotel/ballroom in the event of street closures on Whitehall and Horse Guards Avenue during state processions.

It is proposed that the operation and management of the hotel, ballroom and the various associated restaurant, bar and spa facilities are controlled via an agreed Operational Management Plan (OMP) to ensure that the amenity of neighbouring residents and businesses and the quality of the surrounding environment is adequately safeguarded especially when visitors leave the premises at the end of an event. The applicants have submitted a draft OMP at this stage; it is recommended that a final version is secured by S106 legal agreement.

### **Retail, Restaurant and Leisure Facilities**

The proposal development includes dedicated areas for retail, restaurant, bar and leisure use at lower ground and ground floor level, a basement spa (including a swimming pool) and a 'panoramic' bar split between fifth and sixth floor levels. At present the applicant has not decided if all or any of these elements will be ancillary to the hotel or operated independently, and is therefore seeking maximum flexibility in terms of use class (C1, A1, A3, A4 and D2).

Four of these dedicated areas could potentially be used as entertainment units containing a restaurant or bar – these being units of 1,646sqm, 757sqm, 598 sqm and 466sqm. In reality it is highly unlikely that all these would be operated independently of the hotel and it is most probable that at least some would be ancillary to the hotel. Similarly the areas designated for potential leisure purposes (such as a spa) - two locations of 2,892sqm and 598sqm - could be open to the general public as well as to hotel guests, and again maximum flexibility is sought by the applicant to enable these to be ancillary to the hotel or operated independently.

City Council policies encourage the provision of retail use (UDP policy SS4, City Plan Policy S6) and the retail proposals are therefore welcome. Policies SOC1 of the UDP and S34 of the City Plan support the introduction of new social and community uses, whether they are public or private, including leisure uses.

City Plan Policy S24 and UDP Policies TACE 8-10 deal with entertainment uses (including the restaurants, bar and in this case spa/leisure use). The TACE policies are on a sliding scale whereby developments where TACE 8 is applicable would be generally permissible and where TACE10 (gross floorspace exceeds 500sqm) is applicable, only in exceptional circumstances. City Plan Policy S24 requires proposals for new entertainment uses to demonstrate that they are appropriate in terms of type and

size of use, scale of activity, relationship to any existing concentrations of entertainment uses and any cumulative impacts, and that they do not adversely impact on residential amenity, health and safety, local environmental quality and the character and function of the area. The policy states that new large-scale late-night entertainment uses of over 500 sqm will not generally be appropriate within Westminster.

The policies aim to control the location, size and activities of entertainment uses in order to safeguard residential amenity, local environmental quality and the established character and function of the various parts of the City, while acknowledging that they provide important services in the City and contribute to its role as an entertainment centre of national and international importance.

Entertainment uses are a characteristic activity of major hotels and are usually open to the general public. This applies whether they are fully ancillary to the hotel or run alongside the hotel by another operator. The current proposals would provide the opportunity to open up an important building to the wider public, offer a mix of uses to enliven the street frontages (with the exception of Whitehall Court) and provide facilities that both the local community and visitors would be able to enjoy. Whilst the potential amount of entertainment floorspace is considerable, it would not be out of context for a hotel of this size and many other comparable hotels would expect to provide complementary facilities similar in size and type. The opportunity to bring the building into wider beneficial use for the general public is considered to constitute sufficient exceptional circumstances to justify the provision of the large entertainment uses as proposed. It is currently proposed that the restaurants would open from 11.30 to 01.00 daily with the al fresco dining in the Quadrangle restricted to 11.30 to 20.00 and the 'panoramic' bar would be open from 08.00 to 02.00 daily with the external terraces restricted to 08.00 to 21.00. Environmental Health have requested a Noise Management Plan detailing measures to control noise from the external bar and al fresco dining areas is secured by condition. Subject to appropriate opening hours conditions to safeguard the amenity of local residents and management plans to ensure the various uses are properly run to minimise their environmental impact, it is considered that the entertainment uses would be acceptable.

However, it is considered to be equally important to ensure that the retail, restaurant and bar uses are maintained as publically accessible and to ensure that the benefits of the scheme promoted by the applicant are permanently maintained. As the applicant is seeking flexible use of these areas as hotel use (Class C1) there is a potential risk that they might become part of the hotel (additional bedrooms, function rooms or back of house space) and therefore a condition will require that these units on ground, part second and fifth/sixth floors are permanently maintained as being accessible to the general public who are not staying at the hotel.

### **Proposed Residential**

City Plan Policy S14 and UDP Policy H3 seek to maximise housing provision within Westminster and therefore the conversion of part of the building to provide up to 88 residential flats is supported, given the justification for the loss of existing offices referred to earlier in this report.

UDP policy H4 and City Plan policy S16 require the provision of on-site affordable

housing which, according to S16, should amount to 30% of the total residential. The applicant is providing no on-site affordable housing in this instance stating that such provision would not be practical or viable. This assertion is supported by the applicant's submitted viability study which has been reviewed by an independent expert appointed by the City Council who agrees that on site affordable housing provision would not be economically feasible. In such circumstances the alternative provision of off-site affordable housing may be considered instead or, failing that, a payment in lieu which would go towards the City Council's affordable housing fund. The policy compliant payment generated by the scheme is £39.6m (based on 7870.75sqm shortfall in affordable housing). The applicant has offered a £10m contribution to the affordable housing fund, which is agreed by the City Council's viability consultant as 'generous and unviable.' In these circumstances the affordable housing proposal is considered satisfactory.

UDP Policy H5 requires a range of unit sizes to be provided in new housing developments with at least 33% family-sized (i.e. 3+ bedrooms). The proposed scheme would provide 46% family-sized dwellings which would comply with the policy.

To a significant degree the size, layout and orientation of the proposed dwellings is dictated by the need to retain the integrity of the listed building, minimise intervention in the historic fabric and retain the plan form including the existing room arrangement. Despite these constraints all the proposed flats would exceed the minimum standards in the Mayor of London's adopted Housing SPG. However, these constraints do not allow for all the proposed units to be dual aspect, and 30 flats (34% of the total) would be single-aspect.

UDP Policy H10 states that as part of new housing developments the City Council will normally expect the provision of private residential amenity space. It is not possible to insert balconies into the external fabric of the existing building due to its listed status, but the new extended parts of the building will be provided with terraces so that some of the fifth, sixth and seventh floor flats will benefit from private amenity space. In addition, all residents will have access to the communal open space in the newly landscaped Triangular Courtyard and to the on-site internal private amenity spaces within the building e.g. cinema, children's room and gym.

## **8.2 Townscape and Design**

The Old War Office is listed grade II star and is located in a prominent position within the Whitehall Conservation Area. It was built 1899-1906 and designed by the architect William Young. The building is designed in a powerful neo-classical Baroque style which expresses perfectly the power of the British Empire at that time and the future role that the building was to play as the centre of the military power of the nation. Despite the huge scale of the building and the resultant long street facades, the building's architecture manages to avoid monotony or blandness. There is a complexity to the elevations that belies its size and architectural detail is employed to break down the overall scale and mass of the building facades. It is powerful architecture, but not over-bearing or intimidating.

The building also has significant historic importance by virtue of its role in military planning and secret intelligence throughout the C20, including the two World Wars.

Decisions taken within this building have had tremendous significance for the country and the world at large and the cast of those who worked within its walls includes some of the most famous figures in C20 British history. The building has been in its original use from construction through to the recent vacating of the building and much of the original fabric, furnishings and fittings remain, particularly in the more grand “state” rooms.

The building also occupies an extremely prominent position in the Whitehall Conservation Area on the major processional route to Parliament and Westminster Abbey. It is designated as a landmark building in the Conservation Area Audit and there are significant views of the building from the surrounding area.

In summary, the building has exceptional architectural and historic interest and it is important that any proposals for re-use of the building do not cause undue harm to this significance. The Victorian Society have rightly pointed out that “almost any conversion of this building would be likely to cause a degree of harm to its significance.” The guidance in the National Planning Policy Framework (NPPF) is that where less than substantial harm is caused to a designated heritage asset that harm should be weighed against the public benefits of the scheme, while allowing for the significant weight that needs to be given to the protection of heritage assets.

### **The Proposed Use**

The proposal is to convert the front (Whitehall) part to hotel use with the rear part being converted to residential use. Given the size of the building, it is unlikely that any one use would be likely to occupy the entire building. There are significant benefits in the proposed hotel use as the most important architectural and historic spaces are in this part of the building and the hotel use has been designed to allow for these spaces to be enjoyed by hotel guests, visitors and the general public. It will be the first time that these spaces have been accessible in this manner and this is considered a significant public benefit.

The residential use is not such a comfortable fit but this part of the building could be considered to be of lesser significance and the large number of cellular spaces and long corridors make any alternative use difficult to achieve without causing some significant degree of harm to both fabric and internal spatial character.

The Victorian Society have questioned why an office use cannot be accommodated within the building as this is the building’s optimum viable use (ie what it was designed for). However, the layout and size of the building means that it would be extremely difficult to see a modern office use being accommodated without also needing significant alteration to fabric and internal spatial character. An office use would also preclude public access to the most important architectural and historic spaces that a hotel use can allow for. While there would be no in principle objection to an office use continuing within the building, it is considered that this would not be without harm itself and there are some powerful and convincing benefits of public access that can be provided as part of a hotel use.

### **Roof Extensions**

The current roofscape is marred by unsightly plant rooms and equipment cabins. While these can be seen from the upper floors of adjacent buildings, they are not visible in ground level views due to the high parapet and have no impact on views of the building. The applicant's original submission to the building owners proposed the removal of these plant rooms and the erection of an additional floor behind the retained parapet.

The current proposal is for a single storey roof extension on the front "Whitehall" part of the building, a two storey extension to the rear part of the building with a third storey extension to the central block and the central part of the Whitehall Court elevation. These roof extensions have been designed to minimize impact on key views, but will still be visible from some viewpoints. The neo-classical architecture of the building is designed for the parapet to be seen against the skyline creating a clean silhouette to the top of the building. These proposals have some negative impact on this architectural approach.

A comprehensive views analysis has been undertaken to help assess the impact of the changes on key views. Probably the single most important viewpoint is from Horse Guards Parade (view 3) where there is a complex skyline of cupolas, domes, pyramid roofs and chimneys seen above the parapet to the Whitehall façade. The proposal would introduce a new higher Portland stone "band" which would reduce some of the prominence to the chimneys and obscure some of the complex roofscape of Whitehall Court beyond. The additional three floors of residential development in the centre of the site would not be visible in this view. The impact on this view can be considered to be negative but causing less than substantial harm within the terms of the NPPF. The same view can be seen from sites within St James Park but due to the much greater distance the impact is considered to be negligible (views 2 and 11).

The extensions will also be visible in views from the south west and north west (views 14 and 15) though the impact is relatively minor. There will also be visibility of the roof from the south end of the Ministry of Defence (views 16 and 16A). These views are oblique and transitory but nevertheless there is some minor negative impact on these viewpoints.

The Quadrangle is a space of major significance within the centre of the site. It will become a semi-public space in the new proposal as the main entrance to the hotel and residential apartments. At present, there is a consistent and generally uninterrupted parapet line around the four walls of the Quadrangle. The new roof extensions will be visible to views from within the Quadrangle and will significantly affect the character of that space (views 20, 25 and 26). These new extensions are designed to be seen as subordinate elements, set back from the parapet edge, but still have a considerable presence within the Quadrangle. These are considered to cause less than substantial harm and Members will need to be convinced that the public benefits of the scheme outweigh that harm.

The roof extensions would also remove and envelop many of the chimneys on the roof but those most visible in public views would be retained.

The Victorian Society consider the roof top alterations, the "most harmful elements" of the scheme and question why they are needed. Many individual objectors from neighbouring buildings also object to this aspect of the scheme, citing loss of views and

the unsightly and inappropriate nature of the roof extensions from the higher levels of adjacent buildings. However, these private views are not protected within planning policy and the current view of plant rooms on the existing roof is also considered to be unsightly and probably more harmful in terms of visual appearance.

On balance the roof extensions are considered to cause less than substantial harm to the heritage asset and its setting. The most significant impact is considered to be on the view from Horse Guards Parade and the internal Quadrangle. Members will need to be convinced that the public benefits of the scheme outweigh this harm.

### **Changes to External Elevations**

There are a number of changes proposed to the external elevations - parapets, balustrades and the creation of new openings for access. The parapets around the building are important as the defining classical architectural device for terminating an elevation and they also help to screen any development on the roof from views. The bottle balustrades are an important part of the original architecture and help to diminish the scale of the attic storey and improve the proportions of the overall façade composition. Both the parapets and balustrades have some negative impact on the internal environment of both the residential units and hotel rooms. As such, the applicants have been keen to remove as much of these elements as they feel they can justify without causing significant harm to the building architecture. The most prominent and important facades to Whitehall and Horse Guards Avenue are untouched by changes to parapets and balustrades.

To Whitehall Court it is proposed to lower the roof parapet and remove the bottle balustrade from the attic storey. These alterations are considered harmful, but the harm is less than substantial, due to the narrow nature of this street and the oblique views which reduce visibility of these elements compared to the other more prominent facades.

On Whitehall Place, the proposal is to remove the bottle balustrades throughout, to lower the parapet to the east (residential) end and to raise the parapet to the central pavilion (to screen a plant area behind). At the east end of Whitehall Place the lowering of the parapet and removal of balustrade is intended to improve the internal residential environment of the apartments at this level. This will result in greater visibility of the new roof extensions and in a loss of original fabric and harm to proportions (view 14). This is considered to cause less than substantial harm that could be considered against the public benefits of the proposal. There is also some justification in terms of creating an acceptable residential environment.

The raising of the parapet to the central pavilion is harmful to the overall composition and does not seem essential to screen an area of plant. Further information is required to consider further options for this area of the scheme and it is suggested this area be conditioned for further review.

The removal of the balustrade from the western part of the Whitehall Place elevation is considered more harmful. This part of the building forms an important part of the composition as viewed from Whitehall (view 13) and the unifying element of the balustrade running from the Whitehall elevation around to Whitehall Place is lost to the detriment of the overall composition. There is also considered to be less justification for

their removal as the impact on hotel rooms is not considered as significant as on permanent residential occupiers and the balustrades are proposed to be retained on the south and west façades of the hotel. Members are asked whether they consider that it would be appropriate to attach an amending condition to any approval preventing the removal of this part of the balustrade.

Both the Victorian Society and Historic England have raised concern over the impact on balustrades and parapets. Historic England have raised particular concern over the raising of the parapet to the central pavilion and loss of balustrade to the west end of the Whitehall Place elevation.

Various new openings are proposed to the external elevations for service access and car park access as well as for pedestrian access. These are essential to allow the proposed uses to proceed and have been designed to have minimal intervention and are detailed to reflect the architectural language of the building.

The proposal also includes the removal of bollards and stone clad walls from the Whitehall pavement. These are not historic and their removal will help the heritage asset to be better appreciated from Whitehall.

### **The Quadrangle**

The Quadrangle is a significant space in its own right and will become a main focal point for the development with both hotel and residential entrances coming off this space. The granite setts are the original paving material and are currently laid in a simple pattern. These will be lifted in order to create the new ballroom below but will be re-used in the redesigned courtyard which will incorporate a raised level to provide DDA access to the adjacent buildings. New entrances, ramps, canopies etc are proposed to be located within this space and details of these are reserved by condition.

The impact of the roof extensions on this space have already been discussed above.

It is proposed to glaze the historic open loading bay to create new internal rooms within this space. Subject to detailed design, this is likely to be acceptable, though the Victorian Society object to this element of the scheme.

### **Triangular Courtyard**

The Triangular Courtyard at the eastern residential part of the building is considered to be of secondary importance. It has been much modified over the years and has lost much of its original character. The proposal would see significant demolition and remodelling of the facades around this courtyard. These would enable a more sensitive conversion of the building to residential use, retaining more of the internal character than would otherwise be possible. Substantial demolition of the western part of the central range is removing largely later fabric and enables the creation of larger residential units than would otherwise be possible within the historic plan form.

These alterations will cause some harm but of a modest scale and capable of being outweighed by the public benefits of the scheme.

## Interior

The works to the interior are extensive and complex as one would expect. Generally the works respect the most significant elements with historic finishes being retained and conserved in the principal areas. Secondary glazing is proposed for the majority of windows but proposals for double glazing to the important “state” rooms is not acceptable due to the loss of original historic fabric and the inappropriate nature of double glazing within a historic interior. This is consistent with the Council’s policy and practice on listed buildings. Most fireplaces are retained in situ and where removal is necessary, they are being relocated to appropriate spaces. The alterations to stairs and insertion of lifts are considered acceptable, subject to detailed design.

The hotel use has the potential for the most important ground and second floor spaces and the grand staircase to be accessible by the general public. The applicant’s original submission to the owners made it clear that public access to the most important spaces would be one of the public benefits of the scheme and it is considered that the degree of public access need to be one of the key public benefits to be weighed against the harm caused by the proposal.

The important “state” rooms at second floor level all have significant historic and architectural importance. These rooms are proposed to become function rooms, with the exception of the Levee Rooms which is proposed to be made into a private suite of rooms. The precise requirements and agreements for public access to these rooms will be secured by Section 106 legal agreement. However, the current offer of 3 days public access in a year is considered unacceptable. It does not reflect the applicant’s stated desire to encourage public access to these important spaces and it provides a very limited public benefit to outweigh the less than substantial harm that the proposed works would cause. It is suggested that 12 days a year may be a more reasonable requirement, but Members will have their own views on this aspect of the proposal.

## Summary

The change of use and the extensive works that are proposed to accommodate the new uses causes substantial change to the fabric and appearance of this important listed building. Much of this change is positive or neutral but there are also significant elements which cause harm to the building, in particular the roof top extensions, the alterations to parapets and loss of balustrades. This harm is considered to be less than substantial within the terms of the NPPF.

Nevertheless, the guidance in the NPPF is that permission should be refused unless the public benefits of the scheme are considered to outweigh the harm. The public benefits are considered to be the conversion of the building to new uses that will bring long term viable uses to a currently redundant public building and the potential for public access to areas of the building that have never been viewed by the public.

Officers consider that further consideration should be given to the acceptability of the raised parapet to the central pavilion on Whitehall Place and this is covered by condition. They also suggest Members may wish to consider the acceptability of the loss of balustrades to the west end of the Whitehall Place façade. It is also suggested that a greater degree of public access is required than the 3 days a year currently proposed.

Given the above, Officers consider that the public benefits from the proposal would be sufficient to outweigh the less than substantial harm that the proposal causes.

### 8.3 Residential Amenity

City Plan Policy S29 seeks to safeguard the amenity of existing residents. Policy ENV13 of the UDP seeks to protect and improve the residential environment and resist proposals which would result in a material loss of daylight and sunlight and/or a significant increase in sense of enclosure or overlooking.

Residents of Whitehall Court have raised objections and concerns on the grounds of loss of daylight and sunlight, overlooking and loss of privacy and possible noise nuisance from the external residential terraces.

#### Daylight and Sunlight

Recommended standards for daylight and sunlight in residential accommodation are set out in the Building Research Establishment (BRE) publication 'Site layout planning for daylight and sunlight' (2011). The applicant has undertaken a daylight and sunlight assessment in accordance with the BRE guidelines. The properties tested are: Corinthia Apartments, 10 Whitehall Place and 3-4 Whitehall Court.

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.

In terms of sunlight, the BRE guidelines state that if any window receives more than 25% of the Annual Probable Sunlight Hours (APSH) 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 applicant's daylight and sunlight assessment demonstrates that there will be no material impact on daylight or sunlight to the windows of Corinthia Apartments, 10 Whitehall Place.

With regard to Whitehall Court, an assessment of the impact on daylight to windows in the elevation facing the Old War Office has been carried out using both the Vertical Sky Component (VSC) and No Sky Line (NSL) daylight methodology. The NSL daylight

analysis considers the distribution of light within each room and would normally require access to the affected rooms for a proper assessment to be made. The applicant has relied on floorplans provided by the Whitehall Court Management committee.

The windows in Whitehall Court are arranged as a pair or series of primary, large panes of glass above which sit a set of much smaller clerestory panes of glass. The VSC daylight analysis undertaken has assessed the impact on daylight to each pane of glass making up a window. The analysis demonstrates that all the larger panes of glass fully meet the BRE VSC daylight guidance and that 94% of the small clerestory panes satisfy the VSC daylight guidance.

With regard to the NSL daylight methodology, which analyses the extent of daylight penetration into the room itself, there are four rooms which experience a loss of daylight in excess of the 20% BRE NSL recommendation, however all these rooms are served by windows which meet the recommended VSC daylight standard and the retained NSL values are still good which mean that these rooms will still continue to have a good standard of daylight.

The applicant's sunlight assessment demonstrates that the proposed development will not have a material impact on sunlight to windows in Whitehall Court.

### **Privacy and noise nuisance from roof terraces**

The proposed development includes external roof terraces for the new residential flats at new fifth, sixth and seventh floor levels of the building. At fifth and sixth floor levels these are relatively modest and largely concealed behind the existing, albeit modified, parapets and behind the corner towers and cupolas. At seventh floor level the area of proposed roof terrace is extensive with some areas for use by the seventh penthouse flat and other areas for use by flats on the sixth floor below. Given the concerns expressed by residents of Whitehall Court, it is considered appropriate to recommend in addition to our normal condition prohibiting the installation of pergolas, privacy screens, furniture etc, conditions restricting the use of the roof terraces to no later than 23.00 hours and to prohibit any form of outdoor cooking and amplified music.

### **Light pollution**

Resident's comments regarding the lack of any information about external lighting proposals for the building are noted and a condition requiring the submission and approval of the external lighting scheme is therefore recommended.

### **Noise and air quality**

UDP policies ENV6 and ENV7 deal with the subject of noise and vibration both from new uses, internal activity and the operation of plant, and seek to protect occupants of adjoining noise sensitive properties. The policies require the potential for any disturbance to be ameliorated through operational controls and/or attenuation measures. Policy S32 of the City Plan requires disturbance from noise and vibration to be contained.

Objections have been received from adjoining occupiers raising concern about potential noise nuisance associated with the car park entrance on Whitehall Court, the servicing bay on Whitehall Place and late night noise nuisance as people leave the ballroom, restaurants and bar.

All mechanical plant is contained within the building at basement and lower ground floor levels. Environmental Health are satisfied that the mechanical plant, the car lift and any break out of noise from internal entertainment activities can be satisfactorily controlled and/or mitigated by condition. However Environmental Health have expressed concern regarding potential noise nuisance from the external bar and al fresco dining terrace areas and recommend a condition requiring a Noise Management Plan to deal with this and also other sources of potential noise nuisance i.e. servicing and deliveries.

With regard to servicing and deliveries, Environmental Health also recommend that any potential noise nuisance associated with this is further mitigated by restricting delivery and servicing hours to between 07.00 to 19.00 and that the gates to the servicing bay are covered with solid screening and closed when servicing and deliveries are taking place. It is therefore recommended that these measures are incorporated into the Noise Management Plan referred to above.

The Air Quality assessment submitted with the application considers the impact of potential dust generation during the construction period, the suitability of the site for the proposed uses and the potential impact of traffic and energy-related emissions associated with the proposed development once operational. The Air Quality assessment concludes that the development is air quality neutral in terms of its on-going operational impact. The mitigation of dust etc during demolition and construction will be managed as part of the Site Environmental Management Plan (SEMP) and compliance with the City Council's Code of Construction Practice.

## **8.4 Transportation/Parking**

### **Car Parking**

UDP policy TRANS 23 sets out the maximum parking provision to be achieved in residential developments, which is between 1 and 1.5 spaces per dwelling depending on the sizes of the units involved. This scheme would provide 88 residential units in a range of sizes and 54 car parking spaces, the number of which does not exceed the maximum prescribed by the policy. This would be a ratio of 0.6 parking spaces per dwelling, which in a central London location well served by public transport is considered to be an acceptable level. In their consultation response, Transport for London (TfL) consider that the development should be car-free, but it is likely that a significant number of the residents would still be car owners even if no on-site parking was offered, which would place unacceptable stress on on-street parking in and around the site which would worsen the surrounding living environment and local highway conditions. For this reason a car free development has not been pursued in this instance.

UDP policy TRANS 22 concerns non-residential parking and states that car parking facilities will not normally be permitted for hotels. The use of 'normally' in the wording of the policy suggests that there may be occasions where some parking may be acceptable. In this case the applicant has argued that the hotel will be aimed at the very high end of the

luxury market, and these types of hotels, even in a central London location, require a minimal amount of car parking to justify their high-end status. The application therefore includes 10 parking spaces allocated for hotel use, which is not a significant amount given the size of the hotel and equates to 0.08 parking spaces per hotel room. This is unlikely to result in any material harm to environmental or highway concerns and it is therefore considered that withholding permission for these reasons would not be justified.

Should permission be granted, the use of the car parking spaces would be controlled so that no more than 10 spaces could be used by the hotel, and the residential parking would be provided on an unallocated basis so that all residents would have the opportunity to use the available spaces.

The entrance to the basement car parking areas would be located on Whitehall Court and two car lifts would be used for vehicles to access this parking. The lifts would be recessed well within the building with ample space for waiting vehicles to be accommodated within the site and without idling on the public highway where they could be a nuisance. The lifts would be managed by a traffic light system, contained within the building, which is considered appropriate. Some objections have been received regarding the positioning of the car park entrance opposite the flats at Whitehall Court, concerned that this would create a disturbance, particularly if it causes vehicles to queue outside on the street. However, given that there is sufficient space within the building for two cars to be waiting for a lift to become available, it is considered unlikely that there would be many occasions when waiting vehicles would be queuing back into the street.

The provision of the car park entrance requires the removal of three on-street public parking bays, but overall there would be a net loss of only two bays from around the site due to the rearrangement of kerbside parking on all four frontages. Given that the net reduction in on-street parking around the site would be only from 85 to 83 spaces, this is not considered to be a significant change. Should suitable locations within the vicinity of the site be identified where replacement parking spaces could be provided, the developer has committed to pay for the cost of carrying out this highway work.

### **Cycle Parking**

The application proposes 250 cycle parking spaces, the majority of which would be contained within the site, but 12 would be on-street. This is sufficient number to comply with London Plan standards. The normal preference would be for all the spaces to be provided on site but in this part of Whitehall there are currently relatively few on-street cycle parking facilities and the area overall would benefit from some street stands as proposed as part of the application.

### **Servicing**

UDP policy TRANS 20 requires new development to accommodate servicing arrangements off-street. In this case a dedicated servicing bay is proposed within the building with closable doors enabling servicing vehicles to park within the bay shut off from the street. The bay has been increased in size so that it would be sufficiently large to accommodate four modest-sized vehicles, which could enter and leave in forward gear. Although the positioning of the bay would be directly opposite Corinthia

Apartments in Whitehall Place, from where there have been objections, its internal arrangement and closable doors mean that no external noise would occur once vehicles are enclosed within it. This, together with a servicing management plan to prevent vehicles arriving at unsocial hours or idling outside the bay, and the noise management plan requested by Environmental Health, would minimise any potential impact on residential amenity or on the highway.

Based on an analysis of similar developments in similar central locations, the applicant's submitted Transport Assessment forecasts that the hotel would generate 29 visits by servicing vehicles per day, the peak hour being 08.00-09.00 when 4 visits would occur. This is not considered to be sufficient number to result in a materially harmful impact on amenity or highway issues, especially since most of these vehicles would be of a limited size so that they can be accommodated within the servicing bay and not on street. The predominant use of servicing vehicles that can fit into the servicing bay will be part of the agreed servicing management plan.

### **Trip Generation**

The submitted Transport Assessment uses established modelling techniques to estimate the trip generation of the existing office building - when occupied to its full 1,000-employee capacity. This analysis estimates 1,700 in and out traffic movements per day, most of which would be accounted for in the morning and afternoon peak hours (850 in and out movements each peak hour).

The majority of these would be by public transport mode (77.7%) and another 11.6% by cycling and walking. The remaining 10.7% would be by car, motorcycle or taxi, amounting to 182 in and out movements per day by these modes.

The Transport Assessment has also modelled the likely trip generation of the proposed residential and commercial (hotel and other) uses. It is estimated that car, motorcycle and taxi movements associated with the residential part of the development would be 40 per day, which is considered modest and insufficient to lead to highway or amenity problems.

Car, motorcycle and taxi movements associated with the commercial uses would amount to 344 per day, which is significant but not unusual for a development of this type, and most would be accommodated on streets where residential impact would be minimised (see paragraphs on taxis below).

The Transport Assessment also includes a 'sensitivity test' to take account of the times when the hotel ballroom is used for large-scale events, given that it has the capacity for up to 750 guests. When used at full capacity it is estimated that the use of the ballroom would add 615 evening/night trips. The response from TfL remarks on this in their overall assessment of trip generation but does not state that this would have a harmful impact on the highway network.

As the Transport Assessment shows that a substantial amount of traffic associated with the development would be by taxi mode, the location of a taxi rank is therefore a prime consideration. Whilst other locations for the rank have been put forward by the applicant, from both a highways and amenity viewpoint the most suitable location is

considered to Horse Guards Avenue which is less busy than Whitehall and also contains no existing residential properties. Therefore the main local traffic flows on Whitehall would not be disrupted by taxi activity in this street, and noise and disturbance from those using the taxi rank would be kept away from local residents in other streets.

The exact position of the taxi rank on Horse Guards Avenue has yet to be agreed, but its provision through the S106 Agreement is supported by TfL.

UDP policies TRANS6 and TRANS22 require hotels to provide for coach arrivals and departures. There is an existing coach parking bay on Horse Guards Avenue and it is proposed to retain coach parking in this street, although not necessarily in the same location as at present. The exact position of the coach parking will be agreed as part of the highway works secured by the 106 Agreement.

## **8.5 Economic Considerations**

The economic benefits associated with the conversion and re-use of this redundant government office building to provide new hotel and residential accommodation are welcomed.

## **8.6 Accessibility**

Given the Grade II\* listed status of the building, level access to and within the site cannot be as comprehensive as in a completely new development, but improvements will be achieved compared to the existing situation.

The main hotel and residential entrances off the Quadrangle will be accessible via ramps designed into the hard landscaping. The residential entrance off Whitehall Court and the staff entrance off Whitehall Place will be staffed 24 hours and portable ramps provided. A sesame lift and 24 hour staff presence will be provided at the Whitehall ballroom/hotel entrance. The newly formed entrances to the restaurants will have steps within the entrance lobbies and a platform lift to one side. There is lift access to all floors and corridor widths are generous. 5% of the hotel bedrooms will be accessible rooms and the ensuite facilities to these rooms will be accessible by a person in a wheelchair. There is level access to all resident's facilities and all residential flats are designed to London Plan standards.

## **8.7 Other UDP/Westminster Policy Considerations**

### **Archaeology**

The site is located within the Ludenwic and Thorney Island Area of Special Archaeological Priority. The applicants have submitted an archaeological desk-based assessment which confirms there is the potential for paleo-environmental, prehistoric, Saxon and medieval waterfront remains as well as remains of the northern part of the Tudor royal palace of Whitehall. A condition requiring a two-stage process of archaeological investigation and evaluation followed by full investigation in accordance with Historic England (Archaeology) advice is therefore recommended.

### **Flood risk**

The site lies within the Flood Risk Zone 3 area and a flood risk assessment has been submitted with the application to assess the proposals and suggest appropriate mitigation measures. The site is protected to a very high standard by the Thames Tidal defences but there would be a risk of flooding should these ever be breached or overtopped. In the event of fluvial flooding, the Flood Evacuation Plan provides a safe route to higher ground within the development for those residential units located at ground floor level.

The structural methodology statement submitted with the application for information purposes includes an investigation of the underlying geology, the existence of ground water including underground rivers and the likelihood of local flooding or adverse effects on the water table have been found to be negligible. Notwithstanding this, the applicant has also put in place appropriate measures (a permeation grouting system and secant wall) to prevent the ingress of groundwater into the basement.

### **Trees**

There are seven existing street trees around the building; four semi-mature Dawn Redwood trees on Whitehall Court and three young Maidenhair trees on Whitehall Place.

The four Dawn Redwood trees are to be retained and will need to be protected during the demolition and construction works. Although the applicants have produced a tree protection methodology, the Tree Officer considers it would be premature to approve this without construction management and logistical details which are not available at this stage. A condition requiring the submission and approval of appropriate tree protection measures is therefore recommended.

The removal and replacement of the three Maidenhair trees one of which affects sight lines into the serving bay is considered acceptable. These are young trees and could be easily transplanted into their new positions along Whitehall Place. However the developer will be required to enter into a S106 legal agreement to cover the cost of removal and replacement of these street trees.

It is recommended that sustainable landscaping details to the Quadrangle and Triangular Courtyard are secured by condition.

### **Sustainability**

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.

In this case there are acknowledged constraints to providing sustainability measures as much of the historic building fabric at the site is to be retained and the Grade II\* listed building safeguarded intact. This significantly limits the opportunities for appropriate systems for renewable energy, for instance, as it would not be satisfactory to provide roof level photovoltaic panels for heritage reasons.

The applicant has submitted a revised Energy Strategy following discussions with officers regarding the proposed heating strategy and carbon performance for the development.

The revised Energy Strategy still proposes two on-site energy centres, a larger one for the hotel and a smaller one for the residential, each using a mix of boilers and Combined Heat and Power (CHP) systems even though the site is adjacent to a large existing heat network, the Whitehall District Heating Service (WDHS) and was previously connected to that scheme. Both Westminster City Plan policies and London Plan policies favour developments connecting to existing networks to obtain a heat supply. However, it is acknowledged that it is currently difficult for the applicant to link into the WDHS because the owners are considering options for upgrading the system.

The revised Energy Strategy also now provides a detailed analysis of the carbon performance of the development. Although the calculations are based on an unacceptable strategy, they are sufficiently detailed to allow a quantification of the carbon performance with and without a connection to WDHS and with and without local CHP. Even in the 'best case' i.e. connection to WDHS there would be a shortfall in carbon performance of 168tCO<sub>2</sub>pa. Policy 5.2 of the London Plan allows for this shortfall to be made up through a carbon off-set payment to secure delivery of carbon dioxide savings elsewhere in Westminster. It is therefore recommended that this carbon off-set contribution of £302,400 is secured by S106 legal obligation. It is also recommended that a condition is attached requiring the submission and approval of a revised Energy Strategy that omits the CHP currently proposed and includes a connection to the WDHS and that a further legal obligation requires the developer to use best endeavours to connect to the WHDS and that if this has not be achieved within 5 years of occupation, the developer will be required to pay a further carbon off-set payment of £352,800.

## **8.8 London Plan**

New hotels and additional housing are supported by London Plan policies.

## **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**

On 6 April 2010 the Community Infrastructure Levy (CIL) Regulations came into force which make it unlawful for a planning obligation to be taken into account as a reason for

granting planning permission for a development, or any part of a development, whether there is a local CIL in operation or not, if the obligation does not meet all of the following three tests:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (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 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 the overall delivery of appropriate development is not compromised.

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

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

The applicant has offered to enter into a S106 legal agreement to secure the following:

- i) a financial contribution of £10m towards the City Council's affordable housing fund (index linked and payable on commencement of development) in lieu of on-site affordable housing
- ii) the hotel and commercial floorspace to be provided as part of the development is not to be occupied until the residential accommodation to be provided as part of the development has been made ready for occupation
- iii) Operational Management Plan for the hotel, restaurants, bars, ballroom and spa facility
- iv) Public Access Strategy for the Hotel Suites of Principal Historic Significance
- v) an employment and training opportunities strategy
- vi) payment for all necessary highway works including the following to be carried out prior to the occupation of the hotel:

- changes to parking bays to accommodate the new vehicular entrances to the building and to re-provide lost parking places elsewhere if possible
- move the coach stop on Horse Guards Avenue
- provide a facility for taxis on Horse Guards Avenue
- move the bus shelter on Whitehall
- remove the security walls and bollards from Whitehall and make other changes to accommodate vehicular access to the building whilst still providing a secure scheme.
- re-paving of the footways around the site
- removal and replacement of street trees

vii) Car Parking Management Plan - to include provision of residential car parking on an unallocated basis and to ensure that residents and hotel guests are only using their agreed provision of car parking spaces

viii) a financial contribution of £302,400 towards the City Council's carbon off-set fund in the first instance and the developer to use best endeavours to connect the development to Whitehall District Heating Scheme (WDHS) within 5 years of occupation with a further carbon offset payment of £352,800 if this has not been achieved

ix) costs of monitoring

In addition, the estimated Mayoral CIL payment is £0.59m and the Westminster CIL payment is £3.67m. These figures will be verified in due course.

### **8.11 Environmental Impact Assessment**

The City Council issued a screening opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 on 1 November 2016 confirming that a development of this nature would not require an Environmental Impact Assessment (EIA).

### **8.12 Other Issues**

#### **Construction Management**

Objections have been received from/on behalf of the Corinthia Hotel and Corinthia Apartments and from Whitehall Court residents expressing concern about the noise, dust and disruption which will be caused during the demolition, excavation and construction work.

The applicants have submitted a draft Site Environmental Management Plan (SEMP) indicating how the environmental impact of the demolition and construction of the development will be managed and how potential noise and nuisance to surrounding residents and businesses will be mitigated. The draft SEMP also indicates the likely routes for construction traffic and lorry parking zones, which has given rise to further objections from neighbours.

The development will be required by condition to comply with the City Council's new Code of Construction Practice (CoCP) which requires the submission of and approval by the Environmental Sciences Team of a detailed (SEMP) prior to the commencement of works and payment of all costs arising from site inspections and monitoring by the Code of Construction Practice Team. The CoCP also requires the developer to undertake community liaison, informing neighbours about key stages of the development and giving contact details for site personnel, and to ensure that contractors and sub-contractors also comply with the code requirements

### **Statement of Community Involvement**

The applicant has submitted a Statement of Community Involvement which summarises the consultation process they have carried out with stakeholders and neighbours prior to submitting the application.

Following the submission of the application, the applicant has held a series of meetings with representatives of the Corinthia Hotel/Corinthia Apartments in response to the latter's objections regarding i) the potential adverse amenity impact of servicing and deliveries and ii) construction routes along Whitehall Place. The applicant has also attended meetings with the residents of Whitehall Court and will continue to meet with the Whitehall Court Management Committee throughout the development process to respond to questions and concerns.

## **9. BACKGROUND PAPERS**

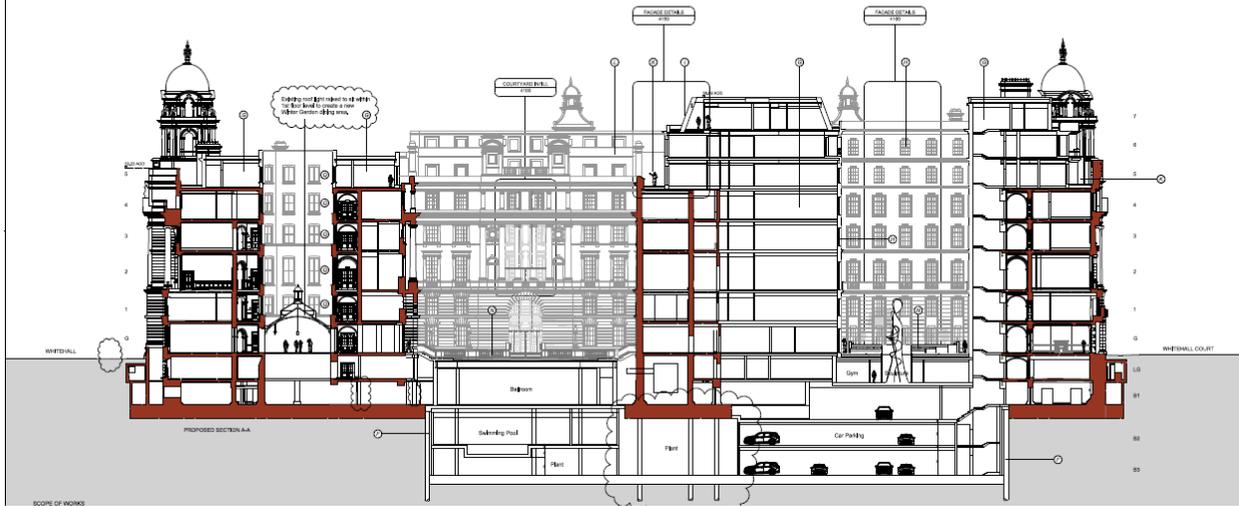
1. Application forms and Gerald Eve letters dated 4 October 2016 and 10 January 2017
2. Historic England letters dated 7 December 2016 and 23 January 2017
3. Historic England (Archaeology) letter dated 4 November 2016
4. The Victorian Society letter dated 14 December 2016
5. Environment Agency letters dated 31 October 2016 and 20 January 2017
6. Transport for London (TfL) emails dated 11 November 2016 and 27 January 2017
7. Westminster Society online comments dated 25 October 2016 and 17 January 2017
8. Highways Planning Manager memorandum dated 31 January 2017
9. Cleansing memoranda dated 24 October 2016 and 20 January 2017
10. Environmental Heath memorandum dated 6 December 2016 received 27 January 2017
11. Arboricultural Manager memoranda dated 10 November 2016 and 18 January 2017
12. Building Control email dated 27 October 2016
13. Energy Strategy officer memoranda dated 6 December 2016 and 23 January 2017
14. The Farmers Club, 3 Whitehall Court online comments dated 7 November 2016
15. Flat 74a, 3 Whitehall Court online comments dated 26 October 2016 and letter dated 4 November 2016
16. Flat 75, 3 Whitehall Court online comments dated 1 November 2016
17. Flat 77, 3 Whitehall Court online comments dated 6 November 2016
18. Flat 77a, 3 Whitehall Court online comments dated 6 November 2016
19. Flat 79, 3 Whitehall Court online comments dated 31 October 2016
20. Flat 85, 3 Whitehall Court online comments dated 7 November 2016
21. Flat 86, 3 Whitehall Court online comments dated 7 November 2016
22. Flat 88, 3 Whitehall Court online comments dated 7 November 2016
23. Flat 89, 3 Whitehall Court online comments dated 6 November 2016
24. Flat 94, 3 Whitehall Court online comments dated 22 October 2016

25. Flat 96b, 3 Whitehall Court letter dated 5 November 2016
26. Flat 109, 3 Whitehall Court online comments dated 7 November 2016
27. Flat 122, 3 Whitehall Court online comments dated 6 November 2016
28. Tower, 3 Whitehall Court online comments dated 29 October 2016
29. 4 Whitehall Court online comments dated 7 November 2016
30. Flat 121, 4 Whitehall Court online comments dated 7 November 2016
31. Flat 130, 4 Whitehall Court online comments dated 3 November 2016
32. Flat 149, 4 Whitehall Court letter dated 4 November 2016
33. 90 Whitehall Court online comments dated 5 November 2016
34. 110 Whitehall Court online comments dated 7 November 2016
35. 114 Whitehall Court online comments dated 2 November 2016
36. 121 Whitehall Court online comments dated 31 October 2016
37. 137 Whitehall Court online comments dated 3 November 2016 and 5 November 2016
38. 148A Whitehall Court online comments dated 31 October 2016
39. Chantry House, Daglingworth online comments dated 3 November 2016
40. The Homestead, Coombe Hill Road, Kingston online comments dated 1 November 2016
41. Michael Rossman online comments dated November 2016
42. Unidentifiable address Whitehall Court letter dated 5 November 2016
43. Whitehall Court Management Committee letter dated 31 January 2017
44. Corinthia Hotel, Whitehall Place letter dated 7 November 2016
45. Oliver Goodwin online comments on behalf of 3 Corinthia Residences, 10 Whitehall Place dated 26 October 2016 and WATG report dated 6 January received by email on 19 January 2017
46. 5 Corinthia Residences, 10 Whitehall Place letter dated 25 November 2016
47. Withers letter on behalf of 9 Corinthia Residences, 10 Whitehall dated 7 November 2016
48. 10 Whitehall Place Limited letter dated 1 November 2016

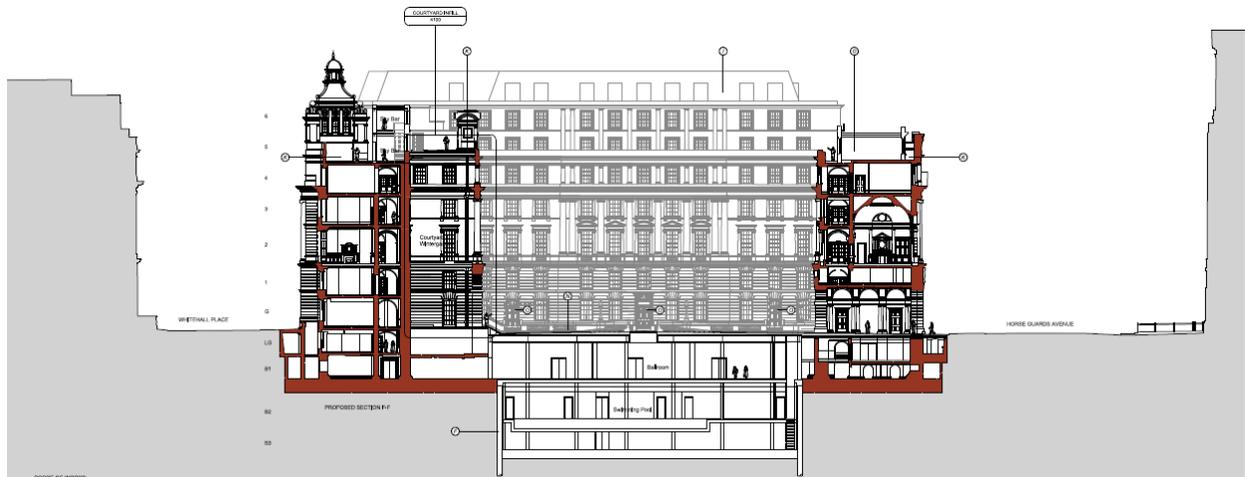
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: AMANDA JACKSON BY EMAIL AT [ajackson@westminster.gov.uk](mailto:ajackson@westminster.gov.uk)

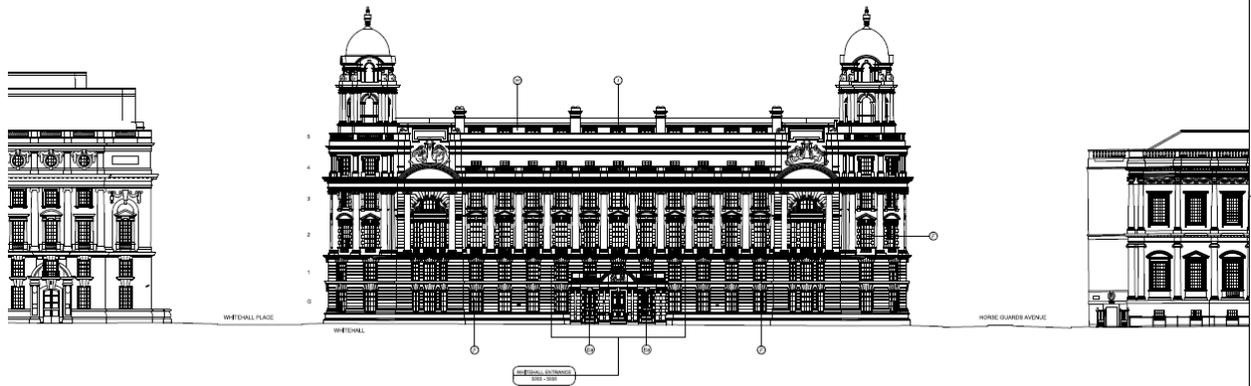




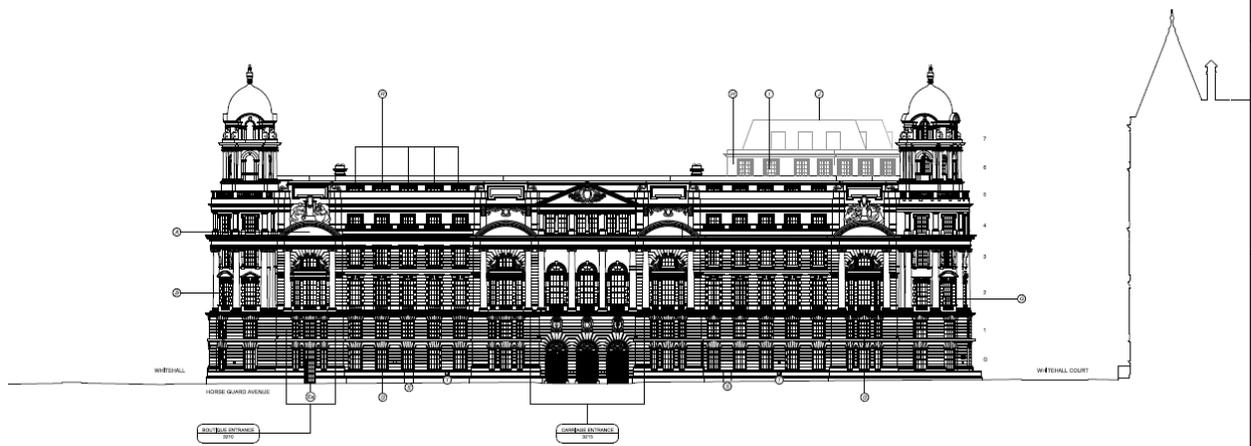
Proposed West-East section



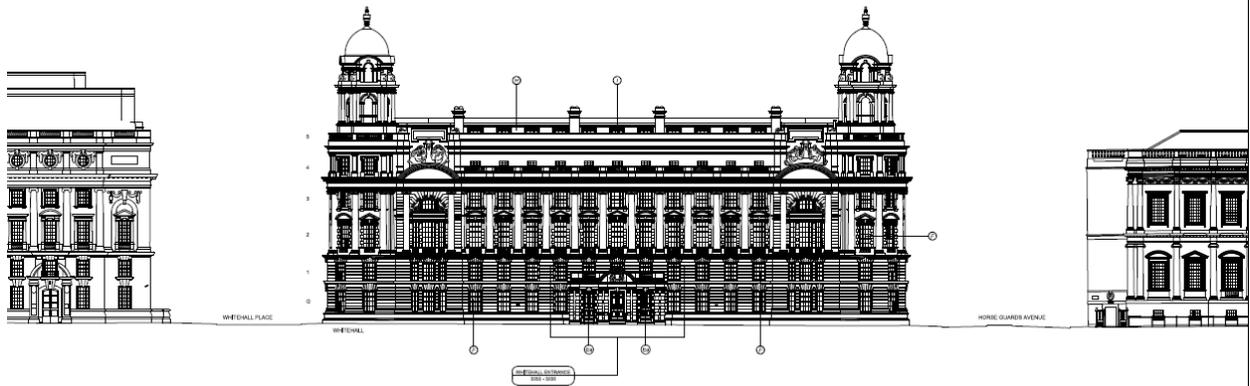
Proposed North-South section



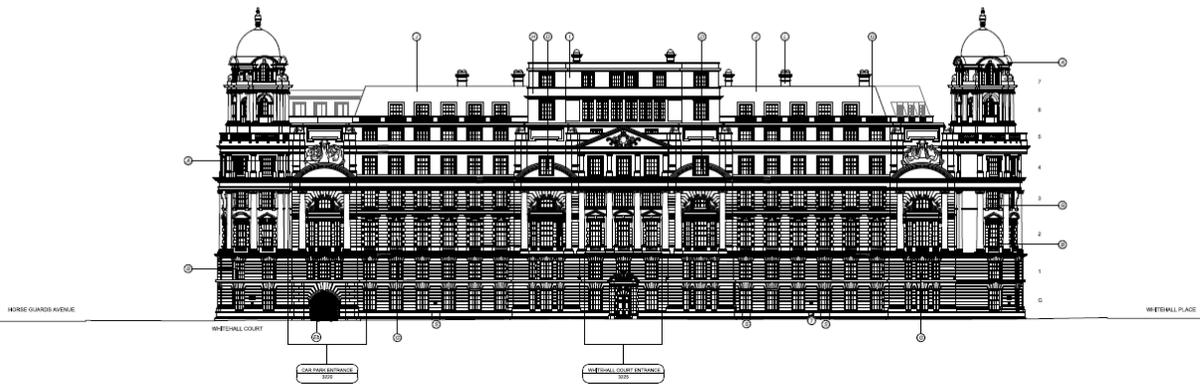
Proposed Whitehall (front) elevation



Proposed Horse Guards Avenue elevation



Proposed Whitehall Place elevation



Proposed Whitehall Court elevation