

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 28 February 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	100 Regent Street, London, W1B 5SR		
Proposal	Use of second floor as offices (Class B1). Installation of new shopfronts on Regent Street and replacement of roller shutter with new shopfront on Glasshouse Street. Internal reconfiguration. Installation of roof top plant and reconfiguration of roof top structures. Use of part basement as ancillary cycle storage.		
Agent	Montagu Evans LLP		
On behalf of	Hermes		
Registered Number	16/11246/FULL 16/11247/LBC	Date amended/ completed	5 December 2016
Date Application Received	25 November 2016		
Historic Building Grade	II		
Conservation Area	Regent Street		

1. RECOMMENDATION

1. Grant conditional planning consent subject to S106 agreement to secure the following:
 - (a) Payment to fund works to the highway at Glasshouse Street to raise the redundant dropped kerb.
 - (b) Costs of monitoring the S106 agreement.
2. If the S106 legal agreement has not been completed within six 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

100 Regent Street is a grade II listed building located within the Regent Street Conservation Area. The building is eight storeys with a basement and is located on a corner site, with frontages to both Regent Street and Glasshouse Street. The site is within the Core Central Activities Zone (Core CAZ) and forms part of the primary shopping frontage within the West End Special Retail Policy Area (WESRPA). The site also falls within the West End Stress Area.

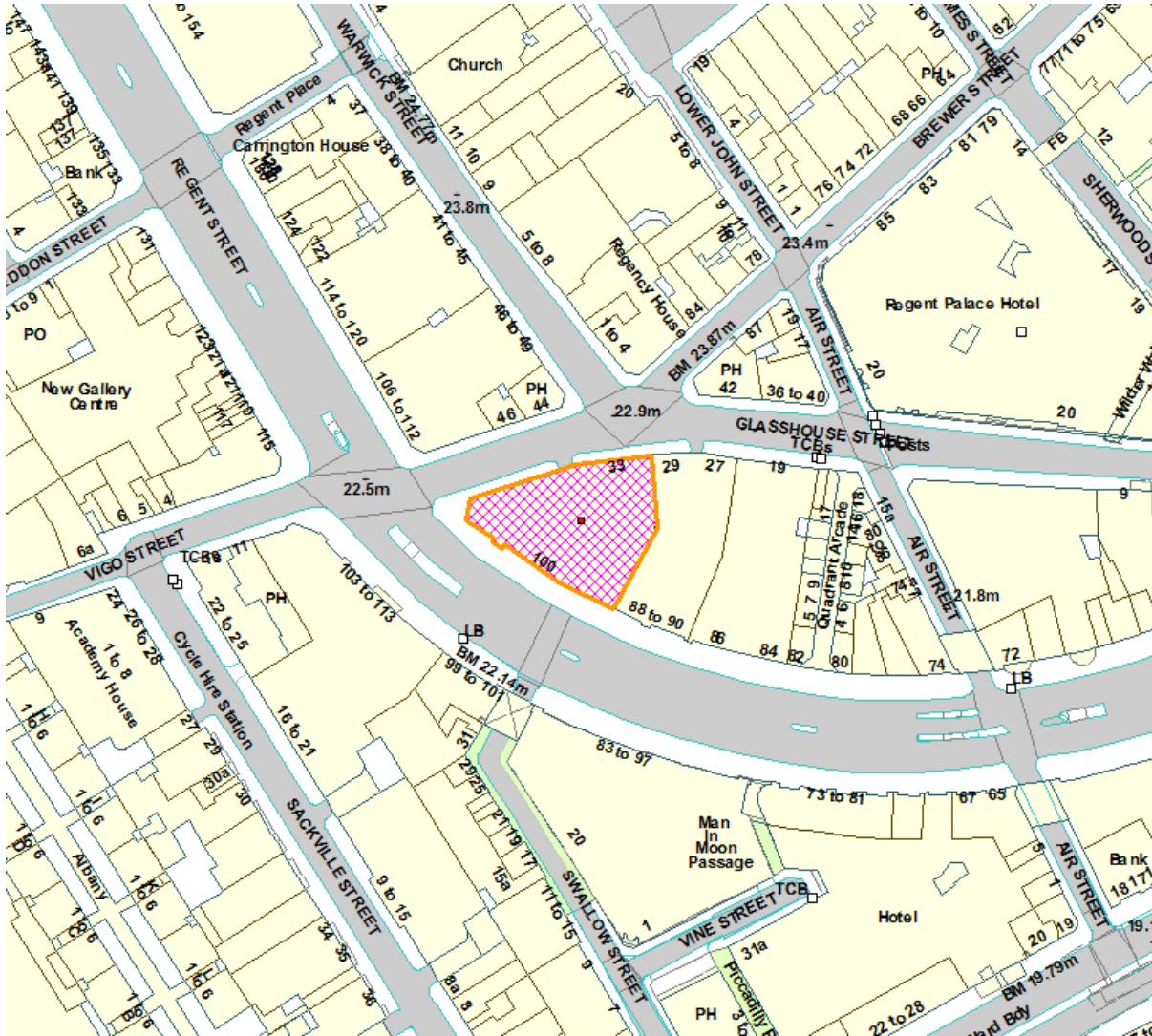
The key issues are:

- The acceptability of change of use at 2nd floor from A1 retail to B1 offices within the WESRPA
- The acceptability of the loss of the off-street service bay to Glasshouse Street

No objections have been received. It is considered that A1 retail use at second floor is uncharacteristic for the area, and that the benefits of the additional employment from B1 office space, improved shop fronts and internal subdivision would outweigh any harm from the loss of second floor retail space.

The proposal is considered acceptable in land use and amenity terms, complying with the policies set out in the Unitary Development Plan (UDP) and Westminster's City Plan (City Plan). Furthermore, the scheme is considered to preserve the character and appearance of the Regent Street Conservation Area, and would not harm the special interest of the listed building. For these reasons it is recommended that conditional planning permission and listed building consent be granted, subject to the completion of a legal agreement to secure the costs of removing the redundant dropped kerb on Glasshouse Street.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Photograph 1: From Regent Street



Photograph 2: Ground floor service bay to Glasshouse Street



Photograph 3: example shop front to Regent Street

16 Jan 2017, 14:19:57



5. CONSULTATIONS

SOHO SOCIETY:

Any response to be reported verbally.

HIGHWAYS PLANNING MANAGER:

Objection on the following grounds:

- Loss of existing off-street servicing bay.
- The proposed surface treatment (including grills/vents in the highway (footway)) will create disruption to the pedestrian pavement and degrade the quality of the public realm.

ENVIRONMENTAL HEALTH:

No objection, conditions recommended.

CLEANSING:

No details for the provision of waste and recycling storage have been provided. Recommends that details are secured by condition.

ADJOINING OWNERS / OCCUPIERS

No. consulted: 61

No. responses: 0.

SITE & PRESS NOTICE

Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

100 Regent Street is a grade II listed building located within the Regent Street Conservation Area. The building consists of a basement, ground and seven upper floors and is located on a corner site, with frontages to both Regent Street and Glasshouse Street. The site is also within the Core Central Activities Zone (Core CAZ) and forms part of the primary shopping frontage within the West End Special Retail Policy Area (WESRPA). The site also falls within the West End Stress Area.

The basement, ground, first and second floors are the subject of this application and are currently arranged as a single retail unit (use class A1) of 3,341sq.m. The third to eighth floors are in use as offices (B1 use class).

6.2 Recent Relevant History

Permission was granted on 6 March 1992 for the use of the third floor for retail purposes (including restaurant, café and offices ancillary to the main retail use of the building) (Ref: 92/00105/FULL).

A lawful development certificate was issued on 9 June 1998 confirming that the lawful use of the fourth, fifth and sixth floors was offices (Ref: 98/03156/CLEUD).

Permission was granted on 12 November 1998 for the use of the third floor as offices (Class B1) (Ref: 98/05452/FULL).

Listed building consent was granted on 23 September 2016 for internal alterations and removal of existing plant on roof (Ref: 16/06797/LBC).

7. THE PROPOSAL

The proposal would subdivide the existing retail unit into three smaller A1 units as follows:

- Unit 1: 475 sq.m (basement and ground floor)
- Unit 2: 1474 sq.m (basement ground and first floor)
- Unit 3: 240 sq.m (basement and ground floor)

The proposed retail space would be reduced by 732sq.m to 2,609 sq.m, and the second floor of the property would be used as 732 sq.m of offices (Class B1). These would be fitted out to a BREEAM rating of 'good'.

At basement level, cycle parking would be provided for all three retail units and for the second floor offices this would be accessed via a staircase onto Glasshouse Street. There would be ancillary storage, and retail floorspace for all three units.

At ground floor, the existing service bay would be removed and this floorspace use for additional retail floorspace. The roller shutter would be replaced with a new shop front onto Glasshouse Street. The existing drop-kerb onto Glasshouse Street would be re-instated and all pavement lights would be replaced. The first floor would be used in association with the middle ground floor unit.

At roof level, a new cable tray would be installed up the side façade of the lift overrun to the plant enclosure on the roof. There would be new plant extract fans installed to serve Unit 1. These would be installed on top of the existing lift roof.

8. DETAILED CONSIDERATIONS

8.1 Land Use

City Plan Policy S6 sets out that retail floorspace will be encouraged throughout the area, with large scale retail to be directed to the WESRPA and primary shopping frontages. Policy S7 seeks to maintain and enhance the unique status and offer of the WESRPA. Whilst Policy S21 seeks to protect all existing A1 retail space throughout Westminster, Policy SS3 of the UDP sets out that the change of use from A1 on second floor level within 'large stores' will be acceptable provided the new use would be compatible with the retail function of the store by providing facilities for visiting members of the public. The supporting text to Policy SS3 states, *'Examples of non-A1 uses which may be acceptable at the second floor level of large stores are: restaurants, banks, bureaux de change, gymnasia/dance studios, cinemas, nightclubs, crèches, children's entertainment centres, and exhibition space'* (Para. 7.31). The application proposed office space at second floor level which would not serve visiting members of the public. This is contrary to UDP Policy SS3.

The unit was last occupied by Austin Reed as a flagship store. The entire second floor served visiting members of the public as A1 retail space. The unit has been vacant since 25th July 2016 (7 months). Through attempts to let the unit as a whole, the applicant has received feedback that the unit is too large for the demands of retailers in this location – particularly given the limited lift service and the absence of escalators.

Despite being within the WESRPA, none of the immediately neighbouring properties appear to offer A1 retail space at second floor level. As such, the use of the second floor for A1 is not considered to be characteristic for this part of Regent Street.

Policy S18 and S20 of the City Plan seek to direct commercial development – in particular B1 office space - to the Core CAZ in order to provide new jobs. By delivering B1 floorspace at second floor level, the proposals would comply with the intent of these policies and this is a benefit of the proposal. Furthermore, the unit was previously occupied as a flagship store, as opposed to a large department store, and there has been no demand to let the unit as a whole in the 7 months that it has been vacant. The proposed subdivision to three smaller units over basement, ground and first floor level would still provide large A1 retail units, and the agent has clarified that there has been a number of retailers interested in the proposed units, with the heads of terms for unit one having already been agreed.

In this instance, the proposed B1 office use to the second floor would be compatible with, and would complement the mixed retail and office use of the building by adding to the existing B1 office space over the 3rd -7th floors. Historic plans indicate that the second floor and above was historically used separately from the basement to first floor retail unit – having been converted to retail use in the late 1950s when the building was occupied by Aquascutum- and as such, the proposals would revert back to a historic use of the building.

For these reasons, despite the policy conflict, it is considered that the loss of retail floorspace at second floor level is acceptable in this instance.

Policy S1 of the City Plan seeks to secure a mix of uses within the Core CAZ. Since the net additional B1 office space would be 22% of the existing building floorspace, there would be no requirement for any residential floorspace to be provided in accordance with Part 3A of this policy.

8.2 Townscape and Design

Externally, the original appearance of the building has largely been maintained and it makes a positive contribution to the character and appearance of the conservation area as well as the group value of the listed group. Listed building consent was recently granted for a soft strip of the internal retail fittings and this has exposed the shell of the structure. No original decorative treatment appears to survive, although a parquet floor has been retained to the basement level which may be original or of some historic value. The special interest of the interior of the building is therefore considered to be limited.

Original plans submitted as part of the application demonstrate that the site was originally three separate units at ground floor level with partitions between each unit. In 1958 the units were amalgamated into a single space. The original floor plans submitted as part of the application show that walls were originally located in the proposed locations. The

proposed divisions between the three units will reflect the original plan form and are therefore considered acceptable in listed building terms.

The staircase proposed for demolition is modern and makes no contribution to the special interest of the listed building. This aspect is considered acceptable in design and listed building terms.

During a site inspection, it was noted that woodblock parquet flooring, laid in bitumen, exists to the basement level. This type of woodblock floor finish was commonly used during the 1920s, and is likely to be original to the building, contributing to the special interest of the listed building. Part of the woodblock finish has been damaged following the removal of the pre-existing vinyl floor covering, which was removed as part of the soft strip works. Following negotiations, the majority of the original parquet will be retained and repaired, aside from a small section which was damaged during the soft strip works which will be removed.

The proposed plant to the roof will be appropriately concealed from view behind an existing pitched screen, set back from the edge of the building, with a limited impact on the character and appearance of the conservation area. The plant will be serviced using an existing riser. This aspect of the proposals will have a minimal impact on the special interest of the listed building and is also therefore considered acceptable in design terms.

The proposed alterations to the existing shopfronts involve alterations to the fenestration within the existing openings. The impact on the original stonework is therefore minimal. The proposed fenestration is in keeping with the existing and is therefore considered acceptable. The removal of the existing garage door to the Glasshouse Street elevation is welcomed in design terms. The installation of a louvre to the escape doors is undesirable in listed building and conservation terms. However, as this is a secondary elevation, the impact is considered minimal.

In light of the above, the proposals are considered compliant with DES 5, DES 6, DES 9 and DES 10 of the City Council's Unitary Development Plan and are recommended for conditional approval.

8.3 Residential Amenity

The nearest residential use is to the upper floors of the Leicester Arms public house on the north side of Glasshouse Street. It is not considered that the proposed change of use, alterations to shop fronts or to plant at roof level would cause any unacceptable harm by way of loss of daylight, privacy or outlook.

8.4 Transportation/Parking

At basement level there would be a bicycle store comprising 50 cycling parking spaces. These would be accessible to both the retail employees and office employees on site by using digi-keys via the entrance onto Glasshouse Street. Retail Unit 3 would have direct access from the basement level to the bike store. This would exceed the requirements as set out in London Plan policy 6.9. Details of the cycle parking and access from this to the A1 retail units could be secured by way of condition.

It is proposed that the existing off-street service bay be converted into retail space and a new shopfront installed facing onto Glasshouse Street. The existing drop kerb would be re-instated as pedestrian paving, and deliveries would be taken from vehicles parked on Regent Street within the designated hours.

Highways Planning has raised objection to this element of the works, which would be contrary to City plan policy S42 and UDP policy TRANS20 – which both require off-street servicing. It is noted that the plans demonstrate that this bay would only service one of the three retail units.

It was observed on site that the existing service bay onto Glasshouse Street is narrow and would be inaccessible to the majority of modern delivery vehicles. The design of the bay is such that either entry or egress would need to be in reverse gear. The access to the service bay is very close to the junction between Glasshouse Street, Brewer Street and Wardour Street, although traffic at the point of the loading bay is one-directional.

The location of the property is on a prominent corner, and both Glasshouse Street and Regent Street have high pedestrian flows. It is considered that the replacement of the servicing bay with a new shop front would significantly improve the pedestrian environment and active frontage onto Glasshouse Street. On balance, it would not be sustainable to maintain the existing off street loading bay. Its retention would only serve to benefit one commercial unit of the proposed three, and its size would require a higher number of smaller delivery vehicles to service the unit. It is considered that it would be expedient to secure details of servicing for each unit and for the offices, by way of a Service Management Plan – to be secured by condition.

Highways Planning had objected to the proposals on the grounds of there being grills/vents in the highway. It has since been clarified that there would be no grilles installed to the highway, with only the existing pavement lights replaced on a like-for-like basis, where necessary. To this end, the proposal would be in accordance with policies S41 TRANS3 and the Westminster Way.

Subject to conditions, the proposal would have no negative impact on the highway.

8.5 Economic Considerations

The additional office floorspace is welcome.

8.6 Access

The existing building already has a number of level and step changes which mean that the proposed units will not be fully accessible for the disabled. At ground level, the proposed shop fronts onto Regent Street have level access and this would remain.

8.7 Other UDP / Westminster Policy Considerations

Environmental Health Officers have assessed the acoustic report that was submitted with the application and consider that the proposed plant is likely to comply with the City

Council's noise policy ENV 7 of the UDP. The proposals will not harm the amenity of neighbouring properties, subject to the imposition of conditions.

8.8 London Plan

Policy 2.10 of the London Plan seek to support and improve the retail offer for residents, workers and visitors to the West End as a global shopping destination.

Policy 2.11 of the London Plan seeks to identify, enhance and expand retail capacity.

Policy 4.2 seeks to support mixed use development and increase the current office stock where there is evidence of demand, and particularly where it would provide for small and medium sized enterprises.

Despite the loss of the second floor of the property as A1 retail space, the application is considered to meet the intent of the London Plan since it would increase the office stock for small and medium sized enterprises, and the subdivision of the existing retail unit would both enhance and improve the retail offer, which would have frontages onto both Regent Street and Glasshouse Street.

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

The removal of the service bay means that the existing dropped kerb is redundant. The applicant has agreed to pay the costs associated with the restoration of the pavement and this will be secured by legal agreement.

8.11 Environmental Impact Assessment

The proposal is of insufficient scale to require the submission of an Environmental Assessment.

9. BACKGROUND PAPERS

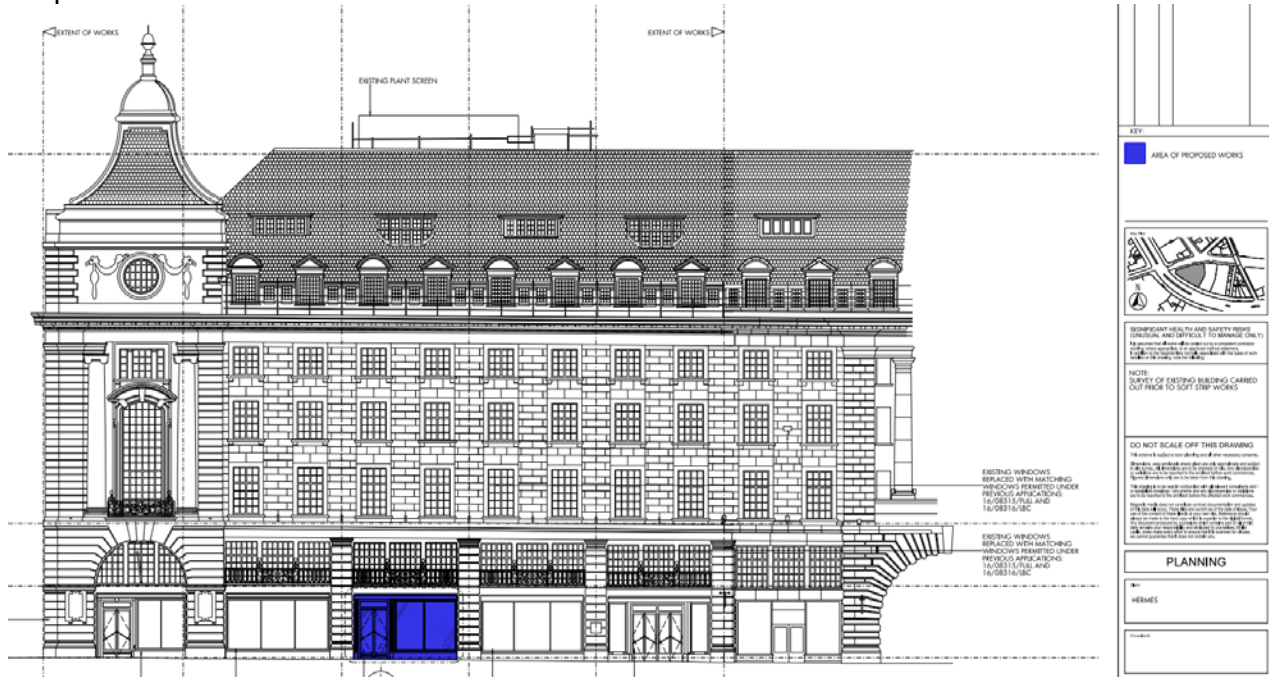
1. Application form
2. Response from Environmental Health, dated 21 December 2016
3. Response from Cleansing dated 16 December 2016
4. Response from Highways Planning dated 24 January 2017

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

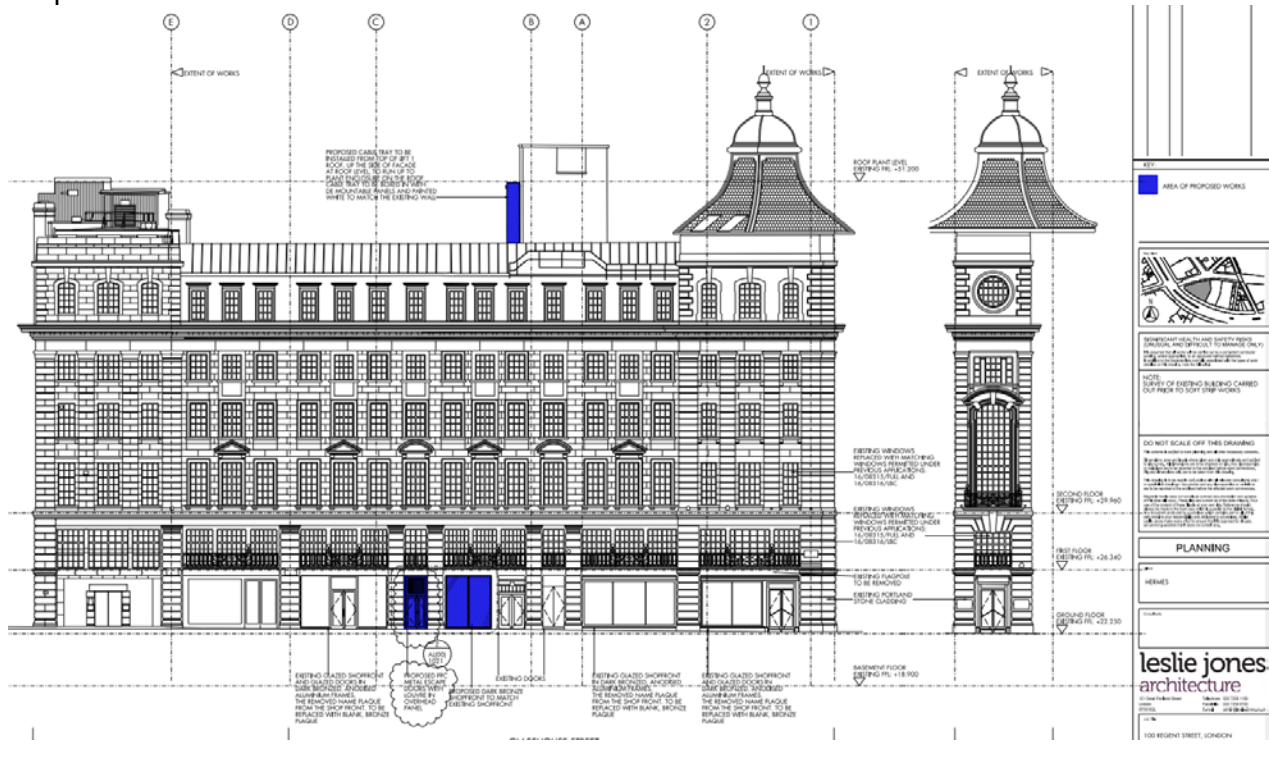
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MARK HOLLINGTON BY EMAIL AT mhollington2@westminster.gov.uk .

10. KEY DRAWINGS

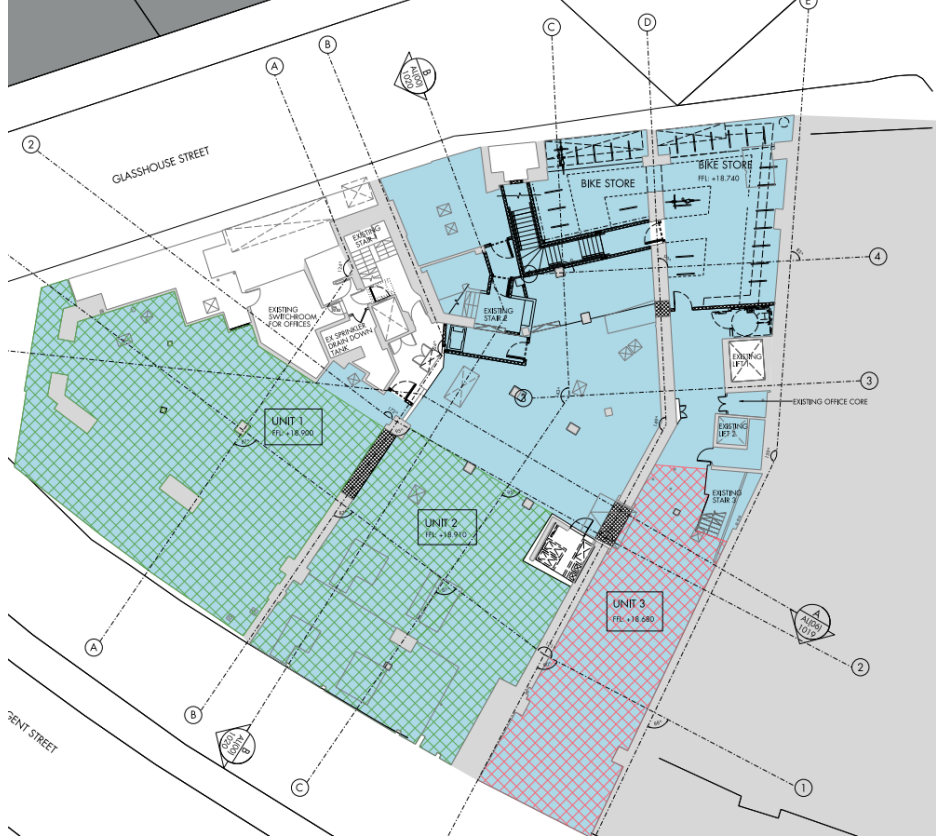
Proposed South elevation:



Proposed north and west elevations:



Proposed Basement:



- APPROX. AREA OF EXISTING PARQUET FLOORING TO BE REMOVED IN CURRENT CONDITION. A LAYER OF PROTECTIVE FASCINE MAT OVER & LEVELING SCREEN ON TOP.
- APPROX. AREA OF EXISTING PARQUET FLOOR TO BE REMOVED & LEVELING SCREEN ADDED.
- FLOOR: EXTENT OF LEVELING SCREEN APPLIED TO ACHIEVE CORRECT FINISHING WHERE REQUIRED. EXTENT OF EXISTING FLOOR STRIP/OUT BACK TO STRUCTURE (EXCEPT WHERE GREEN CROSS HATCH IS INDICATED).
- CEILING: EXTENT OF WORKS TO UNDERSIDE OF EXISTING SLABS. ADD A LAYER OF PLASTERBOARD OR PLASTER & SAINS TO THE UNDERSIDE OF THE EXISTING HOLLOW POT FLOOR SLABS.



DISBURSEMENT HEAVY AND SAFETY RISKS (INDIVIDUAL AND DIFFICULT TO MANAGE ONLY).
 It is noted that the above information is for information only and does not constitute a guarantee of accuracy or completeness. It is the responsibility of the client to verify the information and to ensure that it is up to date and accurate.

NOTES:
 SURVEY OF EXISTING BUILDING CARRIED OUT FROM 10/01/2019 TO 10/01/2019. EXISTING PARQUET FLOORING TO BE REMOVED AND PROTECTED THROUGHOUT THE WORKS.

DO NOT SCALE OFF THIS DRAWING.
 This drawing is for information only and does not constitute a guarantee of accuracy or completeness. It is the responsibility of the client to verify the information and to ensure that it is up to date and accurate. The drawing is for information only and does not constitute a guarantee of accuracy or completeness. It is the responsibility of the client to verify the information and to ensure that it is up to date and accurate.

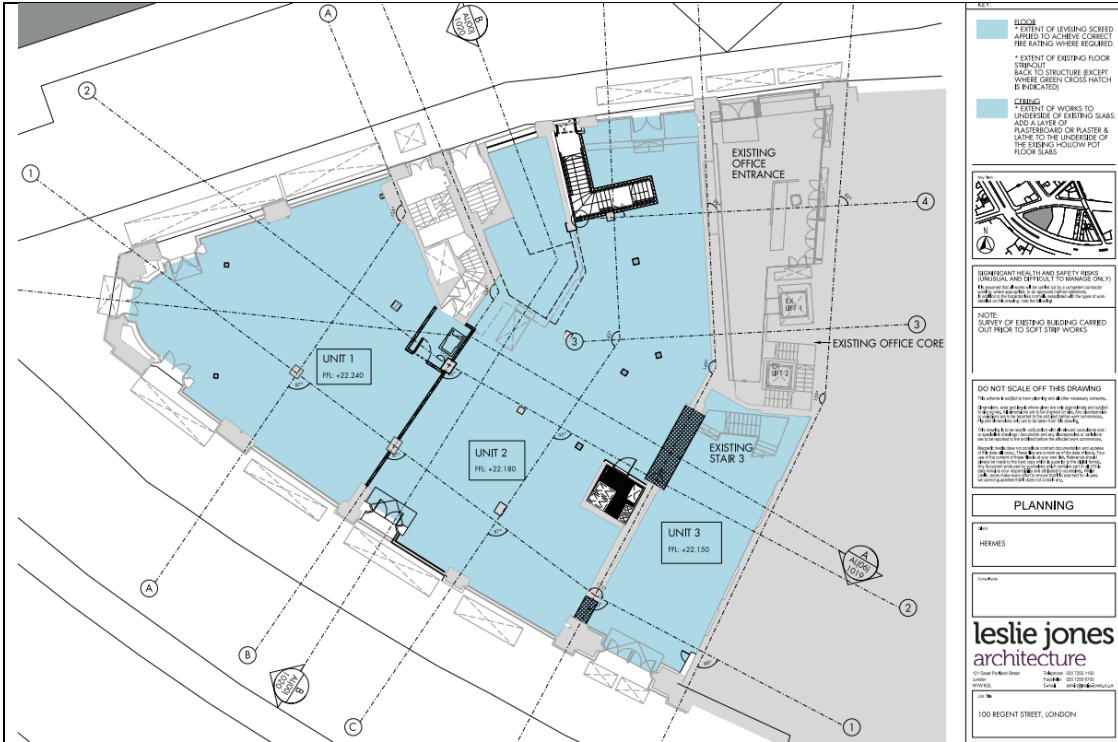
PLANNING

HERMES

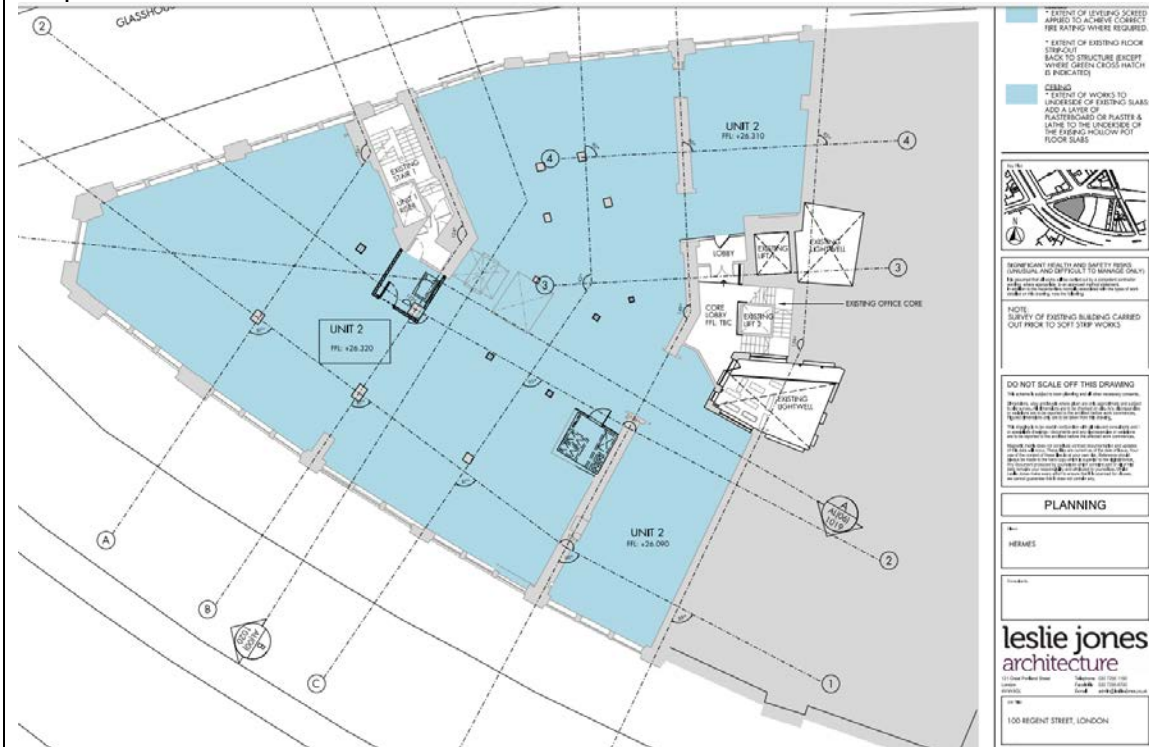
leslie jones architecture

100 REGENT STREET, LONDON

Proposed Ground Floor:



Proposed First Floor:



Second Floor:



FLOOR
 * EXTENT OF LEAVING SCREED APPLIED TO ACHIEVE CORRECT FINISHING WHERE REQUIRED
 * EXTENT OF EXISTING FLOOR FINISHES BACK TO STRUCTURE (EXCEPT WHERE GREEN CROSS HATCH IS INDICATED)

CEILING
 * EXTENT OF WORKS TO UNDERSIDE OF EXISTING SLABS ADD A LAYER OF PLASTERBOARD OR PLASTER BATH TO THE UNDERSIDE OF THE EXISTING FLOOR/POFF FLOOR SLABS

BRIGHT METAL INLAND SAFETY REPEL (CONDUIT AND TRIPPLE) TO MANAGE CABLES
 To protect the cables from damage and to ensure the correct routing of the cables, the cables should be protected by a bright metal in-land safety repeL (conduit and trippe) to manage cables.

NOTE:
 SURVEY OF EXISTING BUILDING CARRIED OUT PRIOR TO SOFT STOP WORKS

DO NOT SCALE OFF THIS DRAWING
 This drawing is for information only and should not be used for construction purposes. It is not to be scaled off. The drawing is for information only and should not be used for construction purposes. It is not to be scaled off.

PLANNING

HERMES

leslie jones architecture
 100 Regent Street, London W1B 2DH
 Tel: 020 7460 1000
 Fax: 020 7460 1001
 Email: info@lesliejonesarch.co.uk

DRAFT DECISION LETTER

Address: 100 Regent Street, London, W1B 5SR,

Proposal: Creation of three retail units (Class A1) over basement, ground and first floor. Use of second floor as offices (Class B1). Installation of new shopfronts on Regent Street and extension to retail frontage on Glasshouse Street. Internal reconfiguration, cycle parking, storage and associated roof top plant and reconfiguration of roof top structures. (Linked application 16/11247/LBC)

Reference: 16/11246/FULL

Plan Nos: AL(00)1002-P03, AL(00)1003-P03, AL(00)1004-P03, AL(00)1005-P03, AL(00)1006-P03, AL(00)1007-P01, AL(00)1008-P01, AL(00)1009-P01, AL(00)1010-P01, AL(00)1011-P01, AL(00)1012-P01, AL(00)1017-P01, AL(00)1018-P01, AL(00)1019-P01, AL(00)1020-P02, AL(00)1021-P01, AL(00)1022-P01, AL(00)1023-P01, AL(00)1024-P01, AL(00)1030-P01, AL(00)1031-P01, AL(00)1040-P01, AL(00)1041-P01, AL(00)1042-P01, AL(00)1043-P01 and AL(00)1050-P01. Energy Strategy Issue 1 by Watkins Payne, Noise Impact Assessment 24112016 by Gillieron Scott Acoustic Design, Structural Planning Report by Heyne Tillett Steele dated 23/11/16, Lightning Protection Investigative Works Issue 1 by Watkins Payne dated November 2016.

Case Officer: Gemma Bassett

Direct Tel. No. 020 7641 2814

Recommended Condition(s) and Reason(s)

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

Reason:

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

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only: , o between 08.00 and 18.00 Monday to Friday; , o between 08.00 and 13.00 on Saturday; and , o not at all on Sundays, bank holidays and public holidays. , , You must carry out piling, excavation and demolition work only: , o between 08.00 and 18.00 Monday to Friday; and , o not at all on Saturdays, Sundays, bank holidays and public holidays. , , Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

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

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

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Regent Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 4 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Regent Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 5 You must put up the plant screen shown on the approved drawings before you use the machinery. You must then maintain it in the form shown for as long as the machinery remains in place. (C13DA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Regent Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 6 You must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not occupy the new office floorspace at second floor level until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the basement, ground and second floors of the property. (C14EC)

Reason:

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

(R14BD)

- 7 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include: (a) A schedule of all plant and equipment that formed part of this application; (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment; (c) Manufacturer specifications of sound emissions in octave or third octave detail; (d) The location of most affected noise sensitive receptor location and the most affected window of it; (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location; (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures; (g) The lowest existing LA90, 15 mins measurement recorded under (f) above; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition; (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 8 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 9 Prior to occupation of the B1 office space at second floor level, a minimum of 9 cycle parking spaces as shown on plan AL(00)1040 P01 shall be provided, made accessible to users of the B1 space, and thereafter maintained for the life of development.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

- 10 Prior to occupation of any A1 retail space, a minimum of 15 cycle parking spaces as shown on plan AL(00)1040 P01 shall be provided, made accessible to users of all three A1 retail units, and thereafter maintained for the life of development.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

- 11 Prior to occupation of the relevant retail unit, a Servicing Management Plan (SMP) shall be submitted to, and approved in writing by the Local Planning Authority. The SMP shall be followed/maintained for life of development for all uses, unless a revised strategy is approved (in writing) by the Local Planning Authority. The plan should identify process, internal storage locations, scheduling of deliveries and staffing. The plan must also demonstrate sufficient holding space for delivery of goods and refuse bins awaiting collection off the highway and not impacting on car lift or other servicing operations.

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

- 12 Any awing and/or sign must maintain 2.3 metres clearance from the footway surface at all times and not extend closer than 1 metre to the kerb edge.

Reason:

In the interests of public safety as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24BC)

- 13 No development should occur between the footway and a depth of 900mm.

Reason:

To ensure sufficient space remains for utilities and in accordance with TRANS19.

- 14 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 Conditions 7 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 3 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 4 The development will result in changes to road access points. Any new threshold levels in the building must be suitable for the levels of neighbouring roads. If you do not plan to make changes to the road and pavement you need to send us a drawing to show the threshold and existing road levels at each access point., , If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and the development. You will have to pay all administration, design, supervision and other costs. We will carry out any work which affects the road. For more advice, please phone 020 7641 2642. (I69AA)

- 5 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)

- 6 Any work to the highway will also require the approval of the Highway Authority. The proposed materials are not suitable for use on the highway and would not be approved for use on the highway., , Like for like replacement of the existing pavement lights would be acceptable to the Highway Authority. All standard highway approvals would be required to undertake this work, including:, <https://www.westminster.gov.uk/guide-temporary-structures>

- 7 The applicant will need technical approval for the works to the highway (supporting structure) prior to commencement of development. The applicant should contact Andy Foster (afoster1@westminster.gov.uk) in Westminster Highways Infrastructure and Public Realm to progress the applicant for works to the highway.

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DRAFT DECISION LETTER

Address: 100 Regent Street, London, W1B 5SR,

Proposal: Creation of a new shopfront on Regent Street and extension to retail frontage on Glasshouse Street. Internal subdivision to three units, associated roof top plant and reconfiguration of roof top structures. (Linked application 16/11246/FULL)

Reference: 16/11247/LBC

Plan Nos: AL(00)1002-P03, AL(00)1003-P03, AL(00)1004-P03, AL(00)1005-P03, AL(00)1006-P03, AL(00)1007-P01, AL(00)1008-P01, AL(00)1009-P01, AL(00)1010-P01, AL(00)1011-P01, AL(00)1012-P01, AL(00)1017-P01, AL(00)1018-P01, AL(00)1019-P01, AL(00)1020-P02, AL(00)1021-P01, AL(00)1022-P01, AL(00)1023-P01, AL(00)1024-P01, AL(00)1030-P01, AL(00)1031-P01, AL(00)1040-P01, AL(00)1041-P01, AL(00)1042-P01, AL(00)1043-P01 and AL(00)1050-P01, Structural Planning Report by Heyne Tillett Steele dated 23/11/16, Lightning Protection Investigative Works Issue 1 by Watkins Payne dated November 2016

Case Officer: Gemma Bassett

Direct Tel. No. 020 7641 2814

Recommended Condition(s) and Reason(s)

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

Reason:

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

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only: , o between 08.00 and 18.00 Monday to Friday; , o between 08.00 and 13.00 on Saturday; and , o not at all on Sundays, bank holidays and public holidays. , , You must carry out piling, excavation and demolition work only: , o between 08.00 and 18.00 Monday to Friday; and , o not at all on Saturdays, Sundays, bank holidays and public holidays. , , Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

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

- 3 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Regent Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 4 You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph SPG/HB1-3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 5 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Regent Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 6 You must put up the plant screen shown on the approved drawings before you use the machinery. You must then maintain it in the form shown for as long as the machinery remains in place. (C13DA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Regent Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 7 The parquet woodblock flooring must be retained at basement level, apart from that shown as removed on drawing no. AL(00)1040-P01. The retained parquet must be protected prior to the installation of a floor covering.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph SPG/HB1-3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan March 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations., , The City Council decided that the proposed works would not harm the character of this building of special architectural or historic interest., , In reaching this decision the following were of particular relevance:, S25 and S28 of Westminster's City Plan: Strategic Policies and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.
- 2 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 3 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 4 The development will result in changes to road access points. Any new threshold levels in the building must be suitable for the levels of neighbouring roads. If you do not plan to make changes to the road and pavement you need to send us a drawing to show the threshold and existing road levels at each access point., , If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and the development. You will have to pay all administration, design, supervision and other costs. We will carry out any work which affects the road. For more advice, please phone 020 7641 2642. (I69AA)

Item No.
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