

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 17 December 2019	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved St James's	
Subject of Report	5 Strand, London, WC2N 5HR,		
Proposal	Demolition of existing building and redevelopment to provide new hotel (Class C1) and restaurant (Class A3) floorspace across two basements, lower ground, ground floor and 11 upper floors together with other associated and enabling works.		
Agent	Mr Luke Emmerton, DP9		
On behalf of	Flora Developments Limited		
Registered Number	19/04162/FULL	Date amended/ completed	November 2019
Date Application Received	29 May 2019		
Historic Building Grade	Unlisted		
Conservation Area	Trafalgar Square		

1. RECOMMENDATION

1. Subject to referral to the Mayor of London, grant conditional permission subject to a S106 legal agreement to secure the following:

- i. All highway works immediately surrounding the site required for the development to occur and any associated alterations to the public realm including necessary changes to footway levels, on-street restrictions, removal of bollards, relocation of the Transport for London cycle hire docking station and associated work (legal, administrative and physical).
- ii. A financial contribution of £162,050 (index linked), payable on commencement of development towards the Westminster Employment Service.
- iii. Provision of an Employment and Skills Plan for approval and adherence with the approved plan.
- iv. Monitoring costs of £500 for each of the above clauses

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

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

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

3. i) That Committee authorises the making of a draft order pursuant to s247 of the Town and Country Planning Act 1990 for the stopping up of parts of the public highway and creation of new public highway to enable this development to take place.

ii) That the Director of Place Shaping and Town Planning, Executive Director of City Management and Communities, or other such proper officer of the City Council responsible for highway functions, be authorised to take all necessary procedural steps in conjunction with the making of the orders and to make the orders as proposed if there are no unresolved objections to the draft orders.

1. SUMMARY

The proposals seek the redevelopment of the site to provide a hotel comprising basements, ground and 11 upper floors.

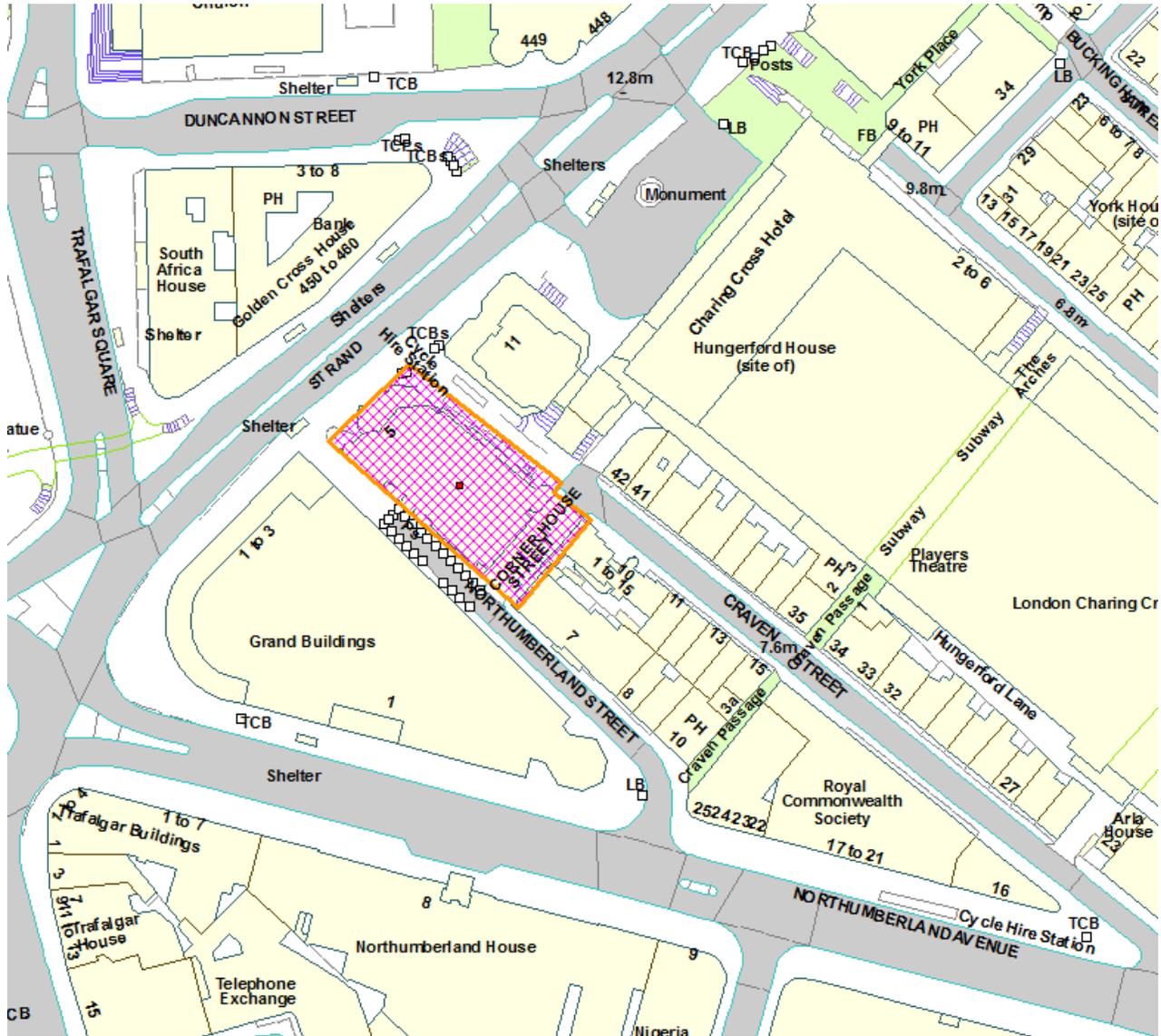
The main issues raised by the application are as follows:

- Principle of a new hotel in this location.
- Impact of the new building on the Trafalgar Square Conservation Area and surrounding views and its detailed design.
- Highway issues including alterations to the building line and the overall impact on the local highway network.
- Amenity impact of the proposed hotel.

Numerous objections have been received from local residents, primarily on Craven Street, with concerns over the principle of a hotel in this location, consequent impact on local roads, number of taxis, air quality and amenity.

For the reasons set out in this report, the proposed development accords with the relevant policies within the Unitary Development Plan adopted in January 2007 (the UDP), Westminster's City Plan adopted in November 2016 (the City Plan). As such, it is recommended that planning permission is granted, subject to the conditions set out in the draft decision letter and the completion of a legal agreement principally securing highways works and an employment and training strategy.

2. LOCATION PLAN



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3. PHOTOGRAPHS



Strand elevation



View from Craven Street towards Strand

4. CONSULTATIONS

HISTORIC ENGLAND

No comments.

HISTORIC ENGLAND (ARCHAEOLOGY)

No objection subject to a condition securing an archaeological investigation.

GREATER LONDON AUTHORITY

Land Use - Support the principle of a hotel development in this location. The loss of offices does not raise strategic concerns.

Urban design - The applicant should address the lack of active frontage at the rear of the site.

Accessibility - The proportion of accessible bedrooms should be increased in line with London Plan policy

Transport - The development is supported in principle in transport terms, however, the applicant is required to address issues relating to vision zero, mode share assessment, coach arrangements, delivery and service plan, construction logistics and London Underground asset protection.

Environment – the applicant needs to provide additional information in respect of energy efficiency, a dynamic overheating analysis, reinvestigate the use of renewables. Further details of SUDS required. The use of green walls, street trees and green roofs should be considered further.

TRANSPORT FOR LONDON

Cycle parking is acceptable.

Applicant needs to take measures to reduce the number of trips associated with the hotel.

Clarification required as to how coach trips would be managed.

The applicant may be required to provide a financial contribution towards an additional cycle hire facility.

LONDON UNDERGROUND LTD

Confirm that the applicant is in consultation with LU on this project. Recommend a condition on any permission granted requiring that there should be no commencement of development until detailed design/method statements for all structures below ground level have been submitted to and approved by the planning authority in consultation with London Underground.

METROPOLITAN POLICE

Any response to be reported verbally.

WESTMINSTER SOCIETY

No objection to hotel use, but there is a significant impact on views from Trafalgar Square.

NORTHBANK BUSINESS IMPROVEMENT DISTRICT
Support the application.

THAMES WATER UTILITIES LTD.

No objection in terms of water infrastructure capacity, recommend run off rates are to greenfield standards. However, in terms of the capacity of the waste water/sewerage network, they are concerned that development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. They recommend a condition to this effect.

NETWORK RAIL

The Developer must ensure that their proposal, both during construction and after completion of works on site, does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

Also, concern over the servicing access to Charing Cross station being blocked during construction works.

HIGHWAYS PLANNING MANAGER

Object to changes to the building line.

WASTE PROJECT OFFICER

Requires revisions to show a more detailed refuse store layout.

ENVIRONMENTAL HEALTH

Require air quality assessment and further information regarding the mitigation measures mentioned in the air quality neutral report.

No objection to plant and extraction; the CoCP compliance to be secured by condition and recommend that a land contamination report is secured by condition.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 294

Total No. of replies: 16

No. of objections: 14

Objections received on some or all of the following grounds:

Design/conservation

The building is too large and will be overbearing to Craven Street.

Amenity

- Overlooking from windows – appears they are being put in the wall facing 10 Craven Street.
- Noise pollution as a result of late night deliveries and taxi/private hire vehicles waiting with their engines idling.
- Noise from people leaving the hotel late at night; drivers smoking and music being played in private hire vehicles will cause disturbance.
- Increase in HGV movements will cause noise, vibration and disturbance to residents, both in the construction phase and when the hotel is operating (deliveries etc).
- The proposal is contrary to the adopted Noise Strategy as the construction and operational phases are going to increase noise levels locally when compared with the existing situation.
- The noise and disturbance associated with the hotel is contrary to S29 and S32 of the City Plan.
- Craven Street is very quiet at night time with few vehicles at all after midnight. The hotel will bring disturbance from people and vehicles during the night.

Highways/traffic

- Increase in HGV movements and private hire/taxis.
- Potential obstruction of the delivery road for Charing Cross Station.
- The small loading bay on Strand is inadequate for the requirements of a hotel. There are other premises that rely on this space for servicing, it cannot accommodate the needs of all.
- There is little space on Strand for a pool of taxis to support the hotel – they will inevitably congregate on Craven Street reducing the space available for residents and causing amenity and air quality issues.
- The natural route for taxis when coming from Embankment or Northumberland Avenue direction is to get to the site via Craven Street. Strand is a red route and riskier for stopping.
- Craven Street will be the obvious place for pre booked PHVs as they would not have the opportunity to wait for any length of time on Strand.
- There is already an issue with engine idling in Craven Street
- Other hotels in the area including the Corinthia already have this issue whereby residents parking bays and single yellow lines are occupied by private hire/taxis.
- Inaccurate to say that staff (particularly night time staff) and guests of the hotel will use public transport.
- Construction impact – noise and pollution from HGV movements, dangerous for residents, pedestrians and cyclists.

Land Use

- There is already plentiful hotel space in this part of London.
- Craven Street is unusual in that it is a relatively quiet street in central London – the proposed hotel would ruin that and negatively affect the character of the area.
- Danger that this part of central London is becoming too focused on tourists and the mix of residential and commercial uses is becoming eroded.
- A hotel in this location is contrary to TACE2 which restricts hotels to streets which do not have a predominantly residential character.

Air Quality

- The amount of taxi/PHV activity associated with a hotel of this type and size will cause additional pollution to the detriment of existing residents health.

Other

- Basement – residents at 10 Craven Street will require their own party wall surveyors and solicitors to act for them
- There is no community benefit associated with this application
- The rough sleeping issue around the site could equally be addressed with an office refurbishment scheme, residential or other uses. There is additional detriment to existing residents as a result of the site becoming a hotel.
- Antisocial behaviour issues were addressed as part of previous office/residential scheme; the hotel in itself will bring new antisocial behaviour issues.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

5. BACKGROUND INFORMATION

5.1 The Application Site

The site comprises the nine storey building at 5 Strand, bounded by Strand, Corner House Street, Craven Street and Northumberland Street. The building was constructed in the early 1980s. It contains a retail unit (currently occupied by Boots) at ground and lower ground floor with offices occupying the upper floors. The ground floor to the Strand frontage is recessed providing a covered walkway, with the overhanging upper floors supported by columns at street level. The building adjoins two other properties to the rear – 10 Craven Street (a residential block) and 7 Northumberland Street (offices).

The site is located in the Trafalgar Square Conservation Area and occupies a prominent position on the Strand, with significant views of the existing building from the Strand and Trafalgar Square. The existing building on the site is considered to be an undistinguished design with a poor ground floor/public realm interface which is not helped by the level change from Strand down to Craven Street. The retail and office entrances are to the Strand elevation, with both side elevations fairly 'blank' facades. Servicing takes place from the rear, where there is a small servicing area accessed from Corner House Street.

The site is within the Core Central Activities Zone.

5.2 Recent Relevant History

The building was constructed pursuant to a planning permission granted in 1980. It included the residential building at 10 Craven Street as well as the application site at 5 Strand.

On 4 December 2017, permission was granted for the 'demolition of existing building and construction of replacement mixed use building, comprising retail (Class A1), restaurant (Class A3), office (Class B1) and residential (Class C3) floorspace across two basements, lower ground and ground floors and 11 upper floors, and associated alterations.' The permission is subject to a S106 legal agreement which secures a

financial contribution to the provision of affordable housing, a carbon offset payment, highways works, car club membership, an employment and training strategy and additional off-site car parking for the residential flats.

The permission has not been implemented to date, and the site has since changed ownership.

6. THE PROPOSAL

The proposed development involves the demolition of the existing building and its replacement with a building comprising two levels of basement, lower ground, ground and eleven upper floors to be used as a hotel. There is a restaurant at ground floor level, on the Northumberland Street side, accessed via the main hotel entrances on Strand or Craven Street. At eleventh floor, there is a restaurant/bar and terrace. There are some event spaces at basement level, along with a gym. Hotel bedrooms are located at first to tenth floors, the drawings show the provision of 200 rooms.

The existing building has a small servicing area accessed from Corner House Street. This is re-provided with access from Northumberland Street as a means of off-street servicing for the hotel. There will be alterations to the public realm surrounding the site including the re-grading of the pedestrianised end of Craven Street, relocation of the existing TfL cycle hire docking station and other highway alterations to enable the development.

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Office	8279	0	-8279
Retail	1337	0	-1337
Hotel (including ancillary facilities)	0	14510	+14510
Total	9616	14510	+4894

7. DETAILED CONSIDERATIONS

7.1 Land Use

Loss of office use

The proposals result in the loss of office floorspace. Office floorspace is not protected by our adopted policies where it is going to another commercial use. Therefore, the loss is acceptable in land use terms. The GLA have also confirmed that while the office space supports the strategic functions of the CAZ, so does the provision of a hotel.

Hotel and restaurant use

The proposal will result in a new hotel comprising 14510 sqm with 200 hotel bedrooms.

London Plan Policy 4.5 aims to support London's visitor economy and stimulate its growth to achieve 40,000 net additional hotel bedrooms by 2036. City Plan Policy S23 states that new hotels will be directed to the Core CAZ. UDP Policy TACE 2 (A) states that within CAZ, in streets which do not have a predominantly residential character, planning permission will be granted for new hotels where: no adverse environmental and

traffic effects would be generated; and adequate on-site facilities are incorporated within development proposals with significant amounts of new visitor accommodation, including spaces for the setting down and picking up of visitors by coaches and for taxis.

In terms of the site's location, Strand is one of the major commercial thoroughfares in Westminster with a lively, busy character. The site is in close proximity to Charing Cross station and Trafalgar Square. There are numerous other hotels in the vicinity including one above Charing Cross itself, along with other large hotels such as the Corinthia, the Savoy, Club Quarters and the new hotels in Admiralty Arch and Great Scotland Yard which are currently under construction. In terms of the streets to the rear of the application site, Northumberland Street is predominantly commercial, whereas Craven Street contains a large number of residential properties, the closest of which are the flats to the rear of the site which have a party wall with the application site along Corner House Street. The application site is somewhat removed from the Georgian terraces of Craven Street – being on the pedestrianised section of the street leading onto Strand to the very north. To the south end of Craven Street is a theatre, and Westminster Embankment. Whilst there are many residential units on Craven Street, close to the application site, it must also be acknowledged that this is an existing commercial use within a busy Core CAZ location, and the proximity of residential properties is not a reason in itself to conclude that the site is unsuitable for a hotel use. The main issues will be how the use can be managed to avoid unacceptable environmental, amenity or traffic effects.

Two restaurant/bar areas are proposed within the hotel – one restaurant at ground floor (capacity 225 maximum) and a hotel bar/restaurant on the top floor (350 maximum including outdoor seating). There are some relatively small function rooms at basement level with a capacity of up to 300. It should be noted that the function spaces are significantly smaller than those in other nearby luxury hotels, for example the Corinthia.

Policy S24 sets out the Council's strategic planning policy in relation to new entertainment uses. New uses must be appropriate in terms of the type and size of use, scale of activity and relationship to any existing concentrations of entertainment uses. They should not negatively impact amenity, health and safety, the character and function of the area or local environmental quality. UDP Policies TACE 8, 9 and 10 provide detailed guidance according to their location and size. UDP Policy ENV 6 requires new developments to incorporate design features and operational measures to minimise and contain noise in order to protect neighbouring noise sensitive properties.

Activities associated with the proposed hotel use, and particularly non-resident guests arriving at and leaving the restaurants, bar or function rooms throughout the evening, are likely to have a significantly greater impact on this part of Strand/Craven Street than the existing office use. Residents on Craven Street have serious concerns over the use of the Craven Street entrance to the hotel and how this will potentially impact their amenity particularly during the evening with greater activity from people leaving/arriving at the hotel causing noise and disturbance along Craven Street. In this respect, it is considered that people leaving the hotel from the restaurants/bar and function space should be directed out of the Strand doors after 2300.

As the hotel does not include large conferencing facilities or event space and due to the constraints of the highway around the application site, it would be difficult for coaches to

service the hotel. The applicants have also stated that they will not take group bookings for hotel rooms therefore reducing the likelihood of coaches visiting this hotel; this can be secured by condition.

In environmental terms the plans provide for appropriate full height extraction to serve the restaurants, routing out through the main roof of the new building. There is no reason to presume that, with suitable management procedures in place, the new uses would result in littering or pollution of the public realm. The applicants have stated that they wish to have the restaurants/bar accessible to non guests until 0200. Given the sensitivities of the site in relation to Craven Street in particular this is recommended to be restricted to 0100 with exit for non guests to Strand only after 2300. Conditions are recommended to this effect. Subject to appropriate conditions controlling the hours of use and a detailed operational management plan with particular emphasis on management of people leaving the hotel during the evening including procedures to deal with private hire vehicles/taxis, the principle of hotel use is considered acceptable. The submitted operational management plan will need to be revised, and a condition is recommended to this effect.

Loss of retail

Policy S6 identifies the Core CAZ as an appropriate location for a range of commercial and cultural uses. Policy S21 states that new retail floorspace will be directed to the designated Shopping Centres as well as generally resisting the loss of retail floorspace.

It should be noted that the key aims of these policies include protecting the retail character and function of localities, as well as enhancing retail space. Notwithstanding the overall loss of retail floorspace, the introduction of a hotel in this location is not considered to result in any meaningful reduction in the local retail offer, nor is it considered to fundamentally change the character of this part of the Core CAZ.

7.2 Townscape and Design

The building is unlisted and sits within the Trafalgar Square Conservation Area. The Conservation Area Audit identifies the building as making a neutral contribution to the character and appearance of the conservation area. It is located in a prominent position within the conservation area on the edge of Trafalgar Square and Strand, one of the major processional routes in the city. The building was constructed in 1983. It is a generally undistinguished design with a strongly modelled form and a rather unfortunate ground floor interface with the public realm, which has led to significant problems of rough sleeping and anti-social behaviour. However, due to its size, modelled form and high quality stone facing, it sits comfortably within its conservation area context and justifies its "neutral" attribution in the audit. There is no in-principle objection to its demolition subject to a satisfactory replacement being approved.

The site is located next to the refurbished Grand Buildings which forms an important unlisted landmark and presence on Trafalgar Square. To the north-east is another late C20 building of undistinguished design and Charing Cross Station beyond. To the rear the ground slopes away sharply to the river. Craven Street has a number of smaller scale buildings, many of them listed and dating from the C18. This pattern of large buildings to the Strand and smaller scale development in the streets between it and the river is typical of this part of the city.

Legislation, policy and guidance

When determining applications affecting the setting of a listed building, or for development within a conservation area, the decision-maker is required by Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special regard / attention to the desirability of preserving the setting of the listed building, and of preserving or enhancing the character and appearance of the conservation area.

Sections 12 and 16 of the NPPF (2019) require that great weight be placed on design quality and on the preservation of designated heritage assets. Paragraph 195 makes it clear that 'substantial harm' must only be approved in exceptional circumstances in return for substantial public benefits and subject to various tests. Paragraph 196 meanwhile requires a similar but proportionate assessment of 'less than substantial harm' against public benefits; 'less than substantial' should not be confused with 'acceptable' harm.

Together the above statutory and national policy basis equates to a strong presumption against harm, which may only be permitted if the harm caused would be significantly and demonstrably outweighed by public benefits which could only be achieved through allowing that harm.

Locally, UDP Policies DES 1 (urban design/conservation principles), DES 9 (conservation areas), DES 10 (listed buildings) and DES 15 (metropolitan and local views) apply to the consideration of the application proposals, whilst S25, S26 and S28 of the City Plan provide the strategic basis for the application. Relevant London Plan (2016) Policies include 7.4 (Local Character), 7.6 (Architecture), and 7.8 (Heritage assets and archaeology).

Trafalgar Square Conservation Area was designated as part of the larger Government Precinct Conservation Area in 1969, and later re-designated as the Trafalgar Square Conservation Area in 1987 then extended in 1990 and 1993. Under section 69 the Planning (Listed Buildings and Conservation Areas) Act 1990 the City Council is obliged to review its conservation areas, as part of this process, the City Council published and adopted the Trafalgar Square Conservation Area Audit (SPD), 19 February 2004, which describes the area's historic development and character and appearance.

In addition, relevant local guidance exists within the Council's 'Design Matters in Westminster' Supplementary Planning Guidance (SPG) (2001), 'Development and Demolition in Conservation Areas' SPG (1996) and 'Metropolitan Views' Draft Supplementary Planning Document (SPD) (2007).

Building height, mass and impact on townscape views

The existing building is ground + 8 storeys with additional plant on the roof to the Strand frontage, but then steps down to the equivalent of ground plus 4 storeys to the boundary with Northumberland Street and Craven Street (allowing for the slope across the site). The proposed building is higher, a double-height ground + 11 floors (plus plant), reaching an overall height of 55.425m A.O.D. The height of building onto Strand is higher (approx. 3 storeys or 9m) than the existing, though the top two floors and the plant room all step back from the façade line below. The bulk and mass to the rear is

partly reduced by setbacks at the 7th, 9th and 11th floors, creating a terrace effect to prevent an imposing sheer facade. The 11th floor dining room and plant above is also set back by approximately 3m from the Northumberland Street façade.

While this increases the physical mass of the building considerably, it is the impact on views and the surrounding townscape that needs to be assessed in terms of the building's visual impact on its surroundings. The applicant has provided a comprehensive view analysis to help understand the visual impact of the new building on its surroundings.

The only London View Management Framework (LVMF) viewpoint affected is from Jubilee Gardens on the South Bank (View 01). From here, the new building would be partially visible as a minor infill to the sky between Whitehall Court and Charing Cross Station. However, there is no significant impact on the skyline or general view. It is clear that the building would also be visible from other places on the South Bank, but it is considered that it would have negligible impact.

There is also some minor impact on the view from the south-west corner of Horse Guards Parade. The very top of the building is just visible over the top of buildings in the far north-east corner. The impact is negligible and is only visible from this part of the Parade Ground. The identified Metropolitan View from the Parade Ground is unaffected.

Of greater impact is the view from the Mall, which is View 7 in the Council's Metropolitan Views draft SPD and View 03 in the applicant's visual assessment. This view is directed eastward towards Admiralty Arch (grade I listed) and in mid and longer views the roofscape of Grand Buildings appears above the listed building. In these mid and longer views (eg. Views 03B & 03C) the proposed new building will appear above the listed building and will blur and rise above the silhouette of the Grand Buildings roofscape. The applicant's own assessment of this is that it will have an adverse impact on the view and this is considered to be an accurate assessment. It should be noted that the 2017 consented scheme also affected this view although in the case of the current scheme the proposed plant room would rise above the pavilion roofs of Grand Buildings and thus being more harmful than the consented scheme. The setting back of the plant room and the proposal to treat the enclosure in a lighter colour are mitigating factors. The degree of harm caused to this view is considered to be 'less than substantial', in the terms of the NPPF. In closer views of Admiralty Arch from the Mall (View 3A) where the detailing and silhouette of the listed building are more clearly appreciable, the proposed development would not be visible and the view unaffected.

There is also an impact on views from Trafalgar Square. View 04 from Cockspur Street and Views A1 and A2 from the western side of Trafalgar Square show a larger, taller building which is more assertive in the background to Grand Buildings and between the latter and the grade II* South Africa House on the east side of Trafalgar Square, however, the impact is comparable to the 2017 consented scheme and whilst large, does not appear as a very discordant scale in comparison with its neighbours.

Another view from Trafalgar Square, which is also identified as a Metropolitan View (Views 32 A & B of the draft SPD), is from the north side of the square where the current building is seen between the grade II* listed South Africa House and Grand Buildings (Views 05A, 05B and 05C in the applicant's visual assessment). The new building has a

greater visual presence due to its increased height. It now appears higher than South Africa House and can be seen above the roofline of the grade II* listed building. This impact also occurs in the 2017 consented scheme. In this view which is a wider panorama of the square looking south, the impact is not as noticeable, where the varying heights and massing of the townscape, enable the development to sit more comfortably in this wider view.

There is minor impact on views from Charing Cross Road where the building becomes visible over the top of part of St Martins in the Fields (Views 06B-D). However, other buildings already encroach on the skyline from this viewpoint, it is a fleeting glimpse as there are no views from further along Charing Cross Road and in summer it will be largely mitigated by tree foliage. The impact is considered negligible.

Views from Strand (Views 10 and 11) show a building slightly higher than existing but one that does not appear dominating or out of scale with its surroundings. Views 08 and 09 show the impact on Craven Street and Northumberland Street. Craven Street is an important street within Westminster with some of the most complete terraces of early C18 houses in the city. The increase in bulk and height from this view is considerable and the building does have a more dominating effect on this low scale, historic townscape. However, the juxtaposition of large buildings along Strand and smaller scale development in the streets running down towards the river is a characteristic of this part of the conservation area and this proposal does nothing to disrupt this pattern of development. It is considered that the impact on this view is negative but of a low level of harm. There is a similar increase in scale on Northumberland Street but the scale of adjoining development in this street is higher than in Craven Street and the quality of the townscape significantly lower. It is considered that the impact on this view is negligible.

In summary, the impact on established views is generally minor in nature and causes little or no harm. The most significant impact is on views from Trafalgar Square, Craven Street and mid-long range views along the Mall, where there is an adverse impact, which is in the category of less than substantial harm. Albeit taller than the 2017 consented scheme the level of impact and harm is comparable. In circumstances where 'less than substantial harm' is identified the NPPF indicates that this harm should be weighed against the public benefits of the proposal. In this case there are several aspects of the scheme which can be regarded as public benefits, these include the overall enhancement to the public realm and appearance of the site at street level; and the economic and employment benefits derived from the scheme both during construction, but more so when in its operational phase. Some of these benefits are identified within the letter of support for the scheme from the Northbank BID. Given the degree of harm identified it is considered that the benefits of the development are capable of outweighing the harm caused.

Building Design and Architecture

The existing building on site has an irregular footprint to the public realm with many recesses and a large arcaded area, as well as considerable lengths of blank frontage at ground floor level. The interface with the public realm is poor and has resulted in a degree of anti-social activity.

The new building footprint fills the site, dispenses with the arcade and has a more active and enlarged frontage with new entrances for the hotel lobby and restaurant. The

building line to Strand moves forward to align with the adjacent Grand Buildings and, while this increases visibility of the building, it also helps to integrate the building into the existing street scene in a more satisfactory way than the existing building.

The enlarged ground floor forms a robust base to the building, with increased glazing and two new canopied entrances off the Strand and Craven Street creating an active frontage suitable for a Hotel use. The building's interface with the street is much improved by the glazing, with the added benefit of increasing passive surveillance along both Craven Street and Northumberland Street. The large picture windows fronting the Strand are framed by rusticated limestone columns, which continue along the returning facades alongside narrower bronze coloured framed bay windows. As the gradient of the street descends to the south the columns sit above grey granite plinths.

Fluted limestone columns ascend the building defining bays of fenestration, whilst simply detailed stone cornices span horizontally above the second, sixth and eighth floors. Further articulation is achieved with bronze framed bay windows/doors, spandrels and Juliet balconies and balustrading at first floor level. The rear is more subdued, confining the fenestration to the upper floors (seven to eleven). The unimpaird limestone elevation is faintly embossed to express the ordered rhythm of the bays on the other facades. In contrast with the limestone, the top three floors are faced in dark grey/bronze anodised aluminium cladding, with deep set window reveals and simpler detailing. The palette of materials seeks to respond to the slate covered roofs within the area and the simpler form, set-backs and minimal detailing, presents a quieter conclusion to the building.

The building exhibits an ordered appearance with classical proportions in a contemporary style that would complement the surrounding varied townscape. Due to its considered form, design and detailing the architecture would not harm the character and appearance of the Trafalgar Square conservation area. To ensure the quality, colour and finish, samples of the facing materials, including glazing and plant enclosure are secured by condition.

External Lighting

The scheme includes proposals for external lighting of the facades. While the new building is not intended as a landmark or highly distinctive design, there is no objection in principle to a sensitive lighting scheme, which can subtly illuminate the architecture. A condition is suggested to secure full details of the external lighting proposal, including details of the location of all light fittings, the level of luminance and the duration of illumination. The applicants have given a broad indication that the lighting would come on at sunset and be switched off at midnight.

7.3 Residential Amenity

Policy S29 of the City Plan relates to health, safety and wellbeing, stating that the Council will resist proposals that would result in an unacceptable material loss of amenity. Policy ENV13 of the UDP relates to protecting amenities, daylight and sunlight, and environmental quality. Policy ENV 13 (D) states that the City Council will resist proposals which result in a material loss of daylight/sunlight, particularly to existing dwellings and educational buildings. Policy ENV 13 (E) goes on to state that developments should not result in a significant increase in sense of enclosure, overlooking, or cause unacceptable overshadowing, particularly on gardens, public open

space or on adjoining buildings, whether in residential or public use. Policy ENV 6 seeks to protect noise sensitive properties from noise disturbance.

Daylight/Sunlight

The City Council generally has regard to the standards for daylight and sunlight as set out in the Building Research Establishment (BRE) 'Site Layout Planning for Daylight and Sunlight' (as revised 2011). The applicant's consultant, Gordon Ingram Associates, has carried out the necessary tests using the methodology set out in the BRE guidelines on residential properties surrounding the site on Craven Street and Northumberland Avenue. The assessment considers the impact of the development on the vertical sky component (VSC) and daylight distribution available to windows in these properties. VSC is a measure of the amount of sky visible from the centre point of a window on its outside face. If this achieves 27% or more, the BRE guidelines state that the window will have the potential to provide good levels of daylight. The BRE guidelines state that reductions of over 20% of existing daylight levels are likely to be noticeable.

In respect of sunlight, the BRE guide suggests that a dwelling will appear reasonably well sunlit provided that at least one main window wall faces within 90% of due south and it receives at least a quarter of annual probable sunlight hours (APSH), including 5% of APSH during the winter months. As with the tests for daylighting, the guidelines recommend that any reduction below this level should be kept to a minimum; if a window will not receive the amount of sunlight suggested, and the available sunlight hours is less than 0.8 times their former value, either over the whole year or just in winter months, then the occupants of the existing building will notice the loss of sunlight; if the overall annual loss is greater than 4% of APSH, the room may appear colder and less cheerful and pleasant.

The properties tested for daylight and sunlight levels comprise:

- 22-25 Northumberland Avenue
- 18 Northumberland Avenue
- 38 Craven Street
- 39 Craven Street
- 10 Craven Street (Flats 1-15)

There is no material impact on either daylight or sunlight to the properties tested as a result of the proposed development.

Sense of Enclosure

The existing building steps down quite significantly between the roof and 5th floors towards Craven Street. The proposed building has significantly more bulk to the rear and does not step down in quite the same manner as the existing building, rising sheer to 6th floor, then with more marginal terrace setbacks up to roof level. Several residents with windows facing the site are concerned over this increase in bulk and its effect on the sense of enclosure and views from their properties.

Whilst the views from the south towards the rear of the building will change significantly, it is not considered that a material sense of enclosure would result given the distance of the application site from the residential units with a direct view. Views from the rear of

properties at 10 Craven Street are very oblique, and whilst there will be a change, it is not considered so significant as to justify refusal of the scheme.

Privacy

The proposed building rises sheer to 6th floor and there are no windows in this elevation. At seventh floor and above, there are hotel bedroom windows and terraces are located at 7th, 9th and 11th floors to the rear and also to the front (Strand) side of the 11th floor. Whilst these windows and terraces will be clearly visible from the objectors' properties, they are set well away from existing residential windows and it is not considered that there would be any significant degree of overlooking. Given the urban context of the area and distance between the existing residential windows and proposed terraces, it is not considered that permission could reasonably be withheld on this basis.

7.4 Transportation/Parking

The application site is bounded by Strand, Craven Street, Corner House Street and Northumberland Street. There is a large loading bay set within the footway to Strand, immediately to the front of the application site. It permits loading between midnight and 08.30.

The northernmost part of Craven Street and Northumberland Streets are pedestrianised where they link with Strand. Northumberland Street links to Craven Street via Corner House Street. There is a one way system here northbound up Northumberland Street, along Corner House Street then southbound on Craven Street. The exit from the service road to Charing Cross Station is also to the north end of Craven Street.

Servicing

City Plan policy S42 deals with servicing, seeking to ensure that developments are managed in a way that minimises adverse impacts on the highway. TRANS20 requires convenient and safe access to premises for servicing, and generally requires that servicing is undertaken off street. The existing building has a small servicing area accessed from Craven House Street and there is a general purpose loading bay on Strand in front of the application site. To get to the servicing area, vehicles must go up Northumberland Street (one way) and exit via Corner House Street and Craven Street back onto Northumberland Avenue/Embankment.

As proposed, an off street servicing area similar to existing, is provided with an access from Northumberland Street. The servicing area will be accessible to vehicles of up to 7.5T box van. The applicant states that this will generally be the maximum size of vehicle undertaking deliveries – with the exception of the standard size council/private operator refuse lorries which would generally collect from the street. There is sufficient room within the servicing bay to accommodate the required vehicles and the highway space outside will be able to accommodate vehicles reversing in and leaving in forward gear.

The applicant has undertaken modelling of the expected number and timing of servicing trips using a standard industry database (TRICS). The Highways Planning Manager agrees with the methodology and results. There are projected to be up to 30 servicing trips per day (figure includes inbound and outbound). It should be noted that the projected servicing trips are fewer than the existing situation and fewer than the

consented office/retail/residential scheme, although the timings of these trips are likely to be different to those of an office occupier. The hotel is likely to attract more early morning deliveries including linens and fresh produce for the restaurants. A detailed servicing management plan is secured by condition.

Other trips to/from the hotel

In addition to servicing trips, the most significant highway activity associated with the use will be from guests and staff arriving/leaving, along with patrons of the restaurant and function space. Whilst there will be significant pedestrian activity with guests/patrons/staff using public transport, there will also be a large number of trips made by taxi/private hire vehicle (PHV). Following a survey of PHV/taxi activity at a comparable hotel (Beaumont Hotel, Balderton St) the applicant estimates a total of 289 taxi/PHV movements daily (includes both picking up and dropping off). There is currently little space available on the surrounding highway for PHVs to wait and residents have objected to the application on the basis that a hotel will attract a large number of PHVs and taxis either waiting for pre booked clients or seeking business and they will be likely to wait on Craven Street, causing disturbance and worsening air quality.

It is acknowledged that it is difficult to control PHV/taxi activity. Whilst the applicants envisage PHV/taxis dropping off or waiting to the rear on Craven/Northumberland Streets, it is considered that the existing loading bay on Strand would also provide an opportunity for pick up/drop off. The existing parking restrictions on Craven Street in terms of the Respark bays and double yellow lines can help mitigate waiting, but it is clear from objectors' comments that there is already an issue with Craven Street being used for waiting. There are single yellow lines to the northern end of Craven Street which allow some waiting/drop off. There may be potential for some alterations to on-street restrictions to discourage Craven Street being used in this manner.

It is therefore recommended that there is additional work undertaken by the City Council (funded by the applicant) to investigate changes to the traffic restrictions on Craven Street in terms of protecting and enforcing residents bays and changing the areas of double/single yellow lines, along with potentially using part of the Strand loading bay as a means of accommodating taxi pick up/drop off during the evening with the aim of reducing pressure on Craven Street. This can be secured through legal agreement.

Alterations to the public realm

The application proposes alterations to the area surrounding the application site which will be necessary for the development to go ahead. These works include the following:

- Regrading of the pedestrianised section of Craven Street (no steeper than 1:20) which includes the removal of retaining walls and stairs to the east and west sides of the building.
- Removal and relocation of the TfL cycle hire docking station (exact location to be agreed).
- Additional provision of Sheffield cycle stands on Northumberland Street.
- Works to Northumberland Street to enable the provision of the servicing area.
- Works to Corner House Street (reconstruction).

The above works are considered the minimum necessary for the development to proceed and will be secured by legal agreement.

Oversailing, stopping up and highway boundaries

The existing building oversails the highway in Corner House Street and Strand. To the Strand side, the building oversails the pavement accessible to pedestrians and contains the entrance to Boots.

As proposed, the building will continue to oversail Corner House Street. A minimum vertical clearance of 2.6 metres is required over footway and within 1 metre of the kerb and 5.3 metres over carriageway and at least 1 metre from the kerb. The cross sections provided show that the minimum distances are met.

To enable the development to go ahead, some of the existing highway will need to be stopped up. The area to be stopped up is primarily along Strand and will effectively allow the existing undercroft space to be infilled. Other areas to be stopped up are small sections directly adjacent to the existing building line on Craven Street and Northumberland Street; these are not contentious. The main issue here is the change of building line to Strand, which the highways planning manager has reservations about.

The new building line to Strand will effectively continue an established building line from the east next to Charing Cross Station. The new building line would be set back from the position of the existing columns supporting the undercroft. The building immediately to the west also has a colonnade currently filled with outdoor seating to a restaurant (thus not accessible to pedestrians). The applicant has undertaken pedestrian surveys which show that the primary use of the undercroft area is by pedestrians entering/leaving the shop and there is little use of this area as a cut through. The footway width to Strand with the new building line is considered acceptable. There are also benefits in townscape terms in bringing the building in line with those adjacent.

Given the existing arrangement and the findings of the pedestrian surveys, it is considered that the proposed footway arrangement is acceptable and Members of the committee are asked to agree the extent of stopping up/dedication required.

Cycle storage

12 cycle parking spaces for staff are provided at lower ground floor along with changing facilities; this will be secured by condition. Public short stay cycle parking is provided on Northumberland Street by extending the existing cycle stands. This will be secured in the S106 agreement.

7.5 Economic Considerations

The economic benefits generated by the creation of a new hotel and restaurant are welcomed.

Policy S19 (Inclusive Local Economy and Employment) requires, where appropriate, new development to contribute towards initiatives that provide employment, training and skills development for local residents and to ensure that local people and communities benefit from opportunities which are generated by the development.

Based on the total net uplift in floorspace, an employment and skills plan and financial contribution of £162,050 is required under S19 and the Inclusive Local Economy and Employment Guidance Note 2019. This will be secured under S106 agreement.

7.6 Access

The development would be fully accessible to those with disabilities, with level access to all buildings proposed as part of the scheme in accordance with saved policies TRANS27 and DES1 of the UDP.

Two accessible guest bedrooms are provided on each floor.

7.7 Other UDP/Westminster Policy Considerations

Noise/plant

The scheme includes the provision of plant for the development within the basements and at main roof level. The application is supported by an acoustic report which has been assessed by the Environmental Health Officer. The site is in an area with ambient noise levels above WHO guidelines. The report does not contain full details of all the proposed plant as the detailed requirements of the future occupiers of the building are not known at this stage. The Environmental Health Officer has considered this aspect of the scheme and has raised no objection subject to standard conditions relating to plant noise and vibration and subject to the submission of a supplementary noise report to demonstrate that the selected equipment will operate in accordance with these conditions.

Refuse /Recycling

Policy ENV12 requires the provision of suitable facilities for waste storage and recycling in new developments. Refuse storage is provided at basement level.

Energy and Sustainability

Policy 5.2 of the London Plan refers to minimising carbon dioxide emissions and states that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

1. Be lean: use less energy
2. Be clean: supply energy efficiently
3. Be green: use renewable energy

City Plan 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 applicant has submitted an energy strategy setting out the measures incorporated into the proposed development in the context of sustainable design principles.

In terms of addressing the GLA's 'energy hierarchy', the applicant commits to maximising the energy performance through passive measures within the design including insulation and high performance facades. Air source heat pumps will provide

heating and cooling. The energy strategy concludes that with the energy efficiency and air source heat pumps the development will save approximately 59% over the Building Regulations Part L 2013 Target Emission Rate. Therefore, the development exceeds the 35% target complying with Policy 5.2 of the London Plan.

A green roof is proposed on the very top floor; along with a green wall to Corner House Street; these are welcomed and secured by condition.

The development is targeting BREEAM 'excellent'.

Flood risk management and drainage

In response to concerns raised by the GLA, the use of rainwater harvesting is proposed, along with a 'blue roof' and an attenuation tank of 76 cubic metres. A run-off rate of 3l/s can be achieved with these measures in place and as such the GLA are satisfied that the site will have a greenfield runoff rate as required by the London Plan and recommended by Thames Water.

Air Quality

Westminster is in an Air Quality Management Area for small particulates and nitrogen dioxide (NO₂). Policy S31 of the City Plan relates to air quality and states that development will minimise emissions from static and traffic generated sources.

London Plan policy 7.14 relates to air quality. It aims to minimise increased exposure to existing poor air quality and aims for developments to be at least air quality neutral. The draft new London Plan similarly requires all development to be at least air quality neutral.

Objections have been received on the basis that the development will materially worsen air quality in the area, particularly in relation to transport emissions from private hire vehicles.

The applicants have produced an Air Quality Assessment and an air quality neutral assessment as required by the London Plan policies. The changes in the levels of key pollutants are modelled both with and without the development in place at several different receptors, two being outside residential properties on Craven Street. The assessment has been revised following feedback from Environmental Health officers and includes an additional receptor on Strand. The receptors modelled are considered to provide a representative sample of key sensitive locations. Environmental Health officers agree that with the development in place, the predicted changes to Nitrogen Dioxide and fine particulates will be negligible. The predicted levels of NO₂ at residential receptors with the development in place in 2023 will be below the objective levels set by the Environment Act and subsequent air quality standards regulations (2016). Some receptors however (Strand, Trafalgar Square and Northumberland Ave) will still exceed these levels, although this is the same position as the 'without development' scenario. Environmental Health officers are satisfied that the development achieves the 'air quality neutral' standard and the assessment has been done in line with the relevant GLA guidance.

7.8 Westminster City Plan

The City Council is currently working on a complete review of its City Plan. Formal consultation on Westminster's City Plan 2019-2040 was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between Wednesday 19 June 2019 and Wednesday 31 July 2019 and on the 19 November 2019, the plan was submitted to the Secretary of State for independent examination. In the case of a draft local plan that has been submitted to the Secretary of State for Examination in Public, under Regulation 22(3) of the Town and Country Planning Act (Local Planning) (England) Regulations 2012, having regard to the tests set out in para. 48 of the NPPF, it will generally attract very limited weight at this present time.

7.9 Neighbourhood Plans

There is no adopted Neighbourhood Plan for the area.

7.10 London Plan

The application is referable to the Mayor of London under the provisions of the Town and Country Planning (Mayor of London) Order 2008. The proposal raises strategic issues in terms of its design, land use, transport and energy.

During the course of the application, various clarifications have been provided in relation to the issues raised by the GLA including drainage, accessible bedrooms, energy efficiency, active frontages and highways issues. The draft conditions attached to this report secure additional details in respect of green/blue roofs.

7.11 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.

Further to the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the City Council cannot impose a pre-commencement condition (a condition which must be discharged before works can start on site) on a planning permission without the written agreement of the applicant, unless the applicant fails to provide a substantive response within a 10 day period following notification of the proposed condition, the reason for the condition and justification for the condition by the City Council.

During the course of this application a notice was served relating to the proposed imposition of pre-commencement conditions to secure:

- i) The applicant's adherence to the City Council's Code of Construction Practice during the demolition/excavation and construction phases of the development.
- ii) Details and method statements relating to demolition, foundations and all ground and below ground structures to be agreed by London Underground in order to ensure LU infrastructure is protected.

- iii) A written scheme of archaeological investigation.
- iv) A desktop study, site investigation, remediation strategy and validation report to assess the risk of contaminated land and how it is treated before development can begin.

The applicant has agreed to the imposition of these conditions.

7.12 Planning Obligations

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.

The Council's own Community Infrastructure Levy was introduced on 1 May 2016. The Westminster CIL payable will be approximately £1,215,800 along with Mayoral CIL for Crossrail 2 (MCIL 2 introduced in April 2019) of £686,420. These figures are provisional and may be subject to any relief or exceptions which may apply in accordance with the Community Infrastructure Levy Regulations 2010 (as amended).

In addition, for reasons outlined elsewhere in this report, a S106 legal agreement will be required to secure the following:

- Employment and training plan
- Financial contribution of £162,050 to the Westminster Employment Service to be paid on commencement of development.
- Highways works to enable the development to proceed, including the removal and relocation of the TfL cycle hire docking station (costs to be borne by the applicant) and the funding of any necessary changes to Traffic Management Orders on the streets surrounding the site to better accommodate taxi and PHV pick up/drop off from Strand.

Officers consider that these 'Heads' satisfactorily address City Council policies and the CIL Regulations.

7.13 Environmental Impact Assessment

It is not considered that the proposal warrants an Environmental Statement (ES) under the EIA Regulations (2016). The applicant has submitted various studies relating to the principal environmental issues raised by the development including noise, archaeology, air quality, energy and recycling. The issues raised can reasonably be dealt with by conditions attached to the permission. The principal environmental effects requiring further clarification or work through conditions and mitigation are examined in the relevant sections of this report.

7.14 Other Issues

Archaeology

The site is within a Tier 1 archaeological priority area, Lundenwic and Strand. In line with Policy DES11, an archaeological mitigation strategy has been prepared and agreed in principle with officers and Historic England. The archaeological investigation can be secured by condition.

Basement

The proposals involve the excavation of a deeper basement than currently exists. The applicant has provided a structural engineer's report explaining the likely methodology of excavation. Any report by a member of the relevant professional institution carries a duty of care which should be sufficient to demonstrate that the matter has been properly considered at this early stage. The purpose of such a report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the site, existing structural conditions and geology. It does not prescribe the engineering techniques that must be used during construction which may need to be altered once the excavation has occurred.

The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act. We are not approving this report or conditioning that the works shall necessarily be carried out in accordance with the report. Its purpose is to show, with the integral professional duty of care, that there is no reasonable impediment foreseeable at this stage to the scheme satisfying the Building Regulations in due course. This report will be attached for information purposes to the decision letter. It is considered that this is as far as we can reasonably take this matter under the planning considerations of the proposal as matters of detailed engineering techniques and whether they secure the structural integrity of the development and neighbouring buildings during construction is not controlled through the planning regime but other statutory codes and regulations as cited above. To go further would be to act beyond the bounds of planning control.

Construction impact

Objectors have raised concern regarding the impact of the construction process on amenity and the local environment generally.

City Plan policy S29 requires projects which have significant local impacts to mitigate their effects during construction through compliance with the Code of Construction Practice.

The City Council's Code of Construction Practice and associated Environmental Inspectorate have been developed to mitigate against construction and development impacts on large and complex development sites. The new Code of Construction Practice was adopted in July 2016 and is designed to monitor, control and manage construction impacts on sites throughout Westminster. It applies to all major developments and schemes involving basement excavation. In recognition that there is a range of regulatory measures available to deal with construction impacts, and that planning is the least effective and most cumbersome of these, the Council's approach is for a condition to be imposed requiring the applicant to provide evidence of compliance with the CoCP before starting work. Compliance is monitored by the Environmental

Inspectorate. It should be noted that the lorry routes for construction are being explored with the applicant, including the potential for Northumberland Street to be two way during the course of construction to relieve pressure on Craven Street.

A condition is also recommended to protect the amenity of the surrounding area by ensuring that core working hours are kept to 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturday. The condition states that noisy work must not take place outside these hours except as may be exceptionally agreed by other regulatory regimes such as the police, by the highways authority or by the local authority under the Control of Pollution Act 1974.

Security/anti-social behaviour

The current arrangement on the pedestrianised section of Craven Street has proved attractive to rough sleepers and has presented some issues with antisocial behaviour. One of the benefits of the application’s animation of this part of Craven Street would be the creation of an environment less conducive to anti-social behaviour, with greater casual supervision of the space. Objectors correctly point out that this is not just down to a hotel use but would be possible with any number of alternative uses. It is however still considered a benefit of this scheme, as it was with the previously approved office/residential scheme.

7.15 Concluding Comments

City Plan policy S47 and the NPPF have a presumption in favour of sustainable development.

As set out above, whilst there has been some less than substantial harm identified to the historic streetscape on Craven Street and views from Trafalgar Square and the Mall, the proposal is considered to provide a significantly better designed building than currently exists on site. The new building relates much better to the public realm and will provide a greater level of animation and street presence to the Strand and return elevations.

The proposed hotel is supported by the City Council’s land use policies for the Central Activities Zone and policies supporting commercial growth most relevant to this application (S6, S18, S19 and S23). The impact upon the amenity of neighbouring residents is finely balanced, but ultimately it is not considered that the application could reasonably be refused on loss of amenity given the conditions controlling the hotel use.

On balance, the application is acceptable in the context of the NPPF, the London Plan and Westminster’s City Plan and UDP policies subject to the conditions and terms of the legal agreement set out in the recommendation and draft decision letter.

(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: LOUISE FRANCIS BY EMAIL AT lfrancis@westminster.gov.uk .
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8. KEY DRAWINGS



View west along Strand (existing above; proposed below)



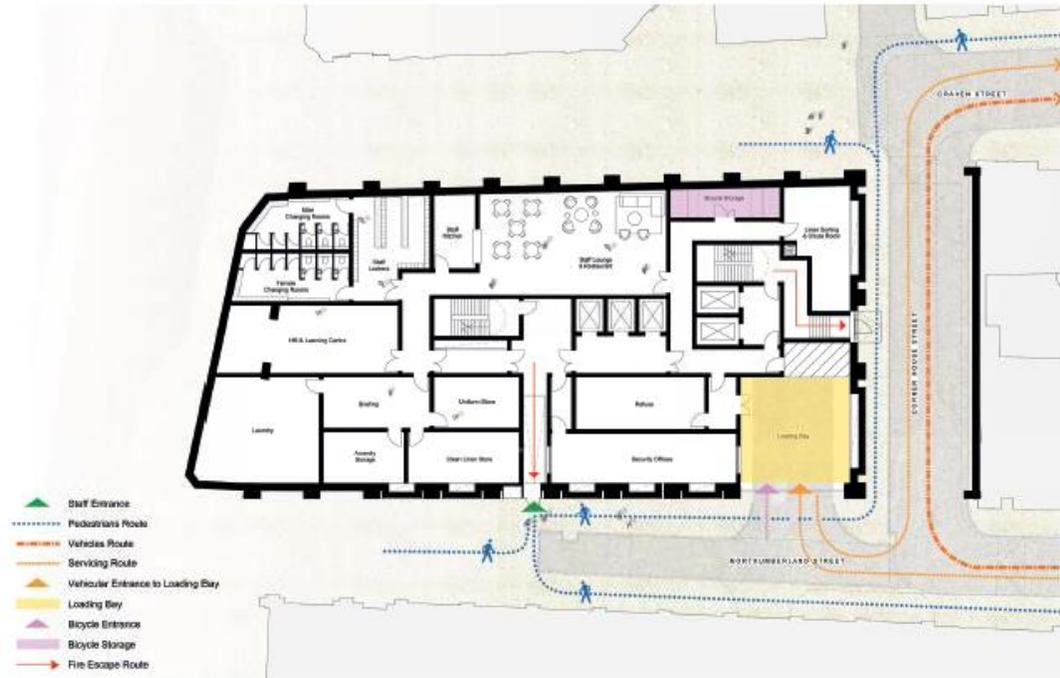
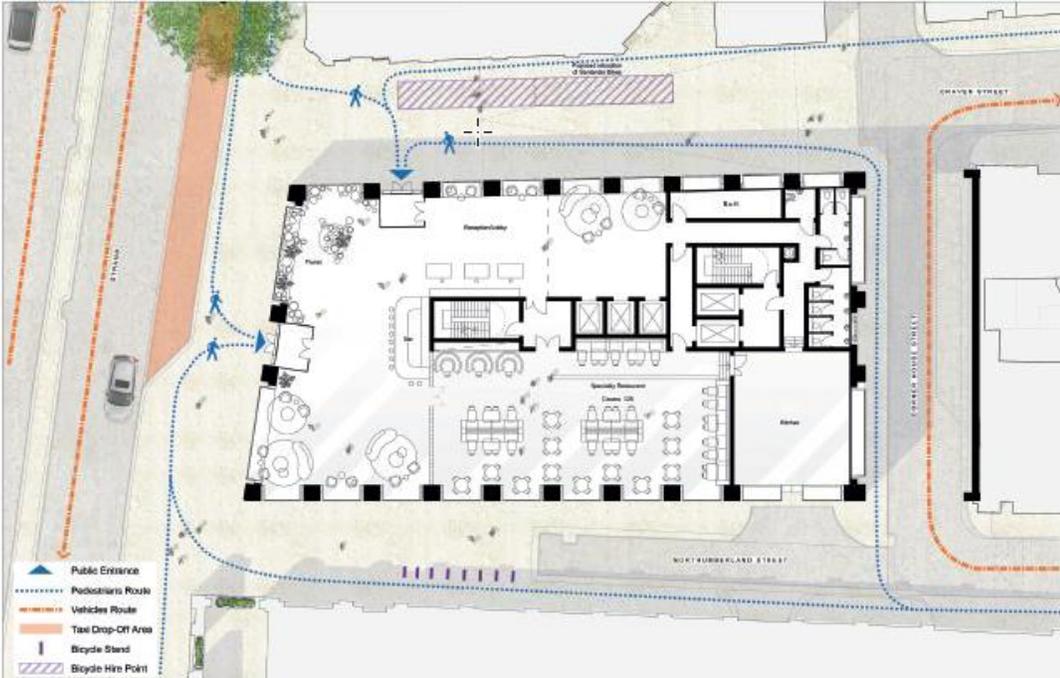


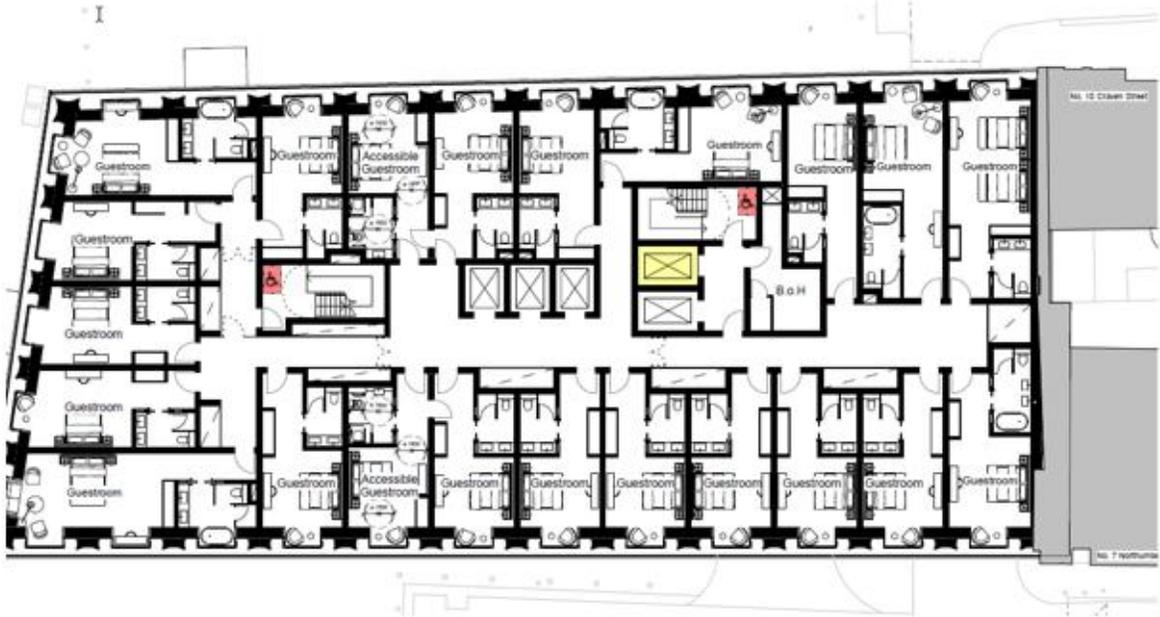
View north along Craven Street



View north along Northumberland Street

Proposed ground and lower ground (below)





Typical upper floor



Existing view east over Trafalgar Square



As proposed



Proposed Strand view



Proposed view – Craven Street

DRAFT DECISION LETTER

Address: 5 Strand, London, WC2N 5HR,

Proposal: Demolition of existing building and redevelopment to provide new hotel (Class C1) and restaurant (Class A3) floorspace across two basements, lower ground, ground floor and 11 upper floors together with other associated and enabling works.

Plan Nos: Existing:
 18052-SQP-ZZ-00-DP-A-PL00002; 18052-SQP-ZZ-B2-DP-A-PL00101; 18052-SQP-ZZ-B1-DP-A-PL00102; 18052-SQP-ZZ-00-DP-A-PL00103; 18052-SQP-ZZ-01-DP-A-PL00104; 18052-SQP-ZZ-02-DP-A-PL00105; 18052-SQP-ZZ-03-DP-A-PL00106; 18052-SQP-ZZ-04-DP-A-PL00107; 18052-SQP-ZZ-05-DP-A-PL00108; 18052-SQP-ZZ-06-DP-A-PL00109; 18052-SQP-ZZ-07-DP-A-PL00110; 18052-SQP-ZZ-08-DP-A-PL00111; 18052-SQP-ZZ-RF-DP-A-PL00112; 18052-SQP-ZZ-ZZ-DE-A-PL00201; 18052-SQP-ZZ-ZZ-DE-A-PL00202; 18052-SQP-ZZ-ZZ-DE-A-PL00203; 18052-SQP-ZZ-ZZ-DS-A-PL20301

Demolition:
 18052-SQP-ZZ-B2-DP-A-PL01101; 18052-SQP-ZZ-B1-DP-A-PL01102; 18052-SQP-ZZ-00-DP-A-PL01103; 18052-SQP-ZZ-01-DP-A-PL01104; 18052-SQP-ZZ-02-DP-A-PL01105; 18052-SQP-ZZ-03-DP-A-PL01106; 18052-SQP-ZZ-04-DP-A-PL01107; 18052-SQP-ZZ-05-DP-A-PL01108; 18052-SQP-ZZ-06-DP-A-PL01109; 18052-SQP-ZZ-07-DP-A-PL01110; 18052-SQP-ZZ-08-DP-A-PL01111; 18052-SQP-ZZ-RF-DP-A-PL01112; 18052-SQP-ZZ-ZZ-DE-A-PL01201; 18052-SQP-ZZ-ZZ-DE-A-PL01202; 18052-SQP-ZZ-ZZ-DE-A-PL01203

Proposed
 18052-SQP-ZZ-00-DP-A-PL00001; 18052-SQP-ZZ-B2-DP-A-PL20101; 18052-SQP-ZZ-B1-DP-A-PL20102; 18052-SQP-ZZ-LG-DP-A-PL20103; 18052-SQP-ZZ-00-DP-A-PL20104; 18052-SQP-ZZ-M0-DP-A-PL20105; 18052-SQP-ZZ-01-DP-A-PL20106; 18052-SQP-ZZ-02-DP-A-PL20107; 18052-SQP-ZZ-03-DP-A-PL20108; 18052-SQP-ZZ-04-DP-A-PL20109; 18052-SQP-ZZ-05-DP-A-PL20110; 18052-SQP-ZZ-06-DP-A-PL20111; 18052-SQP-ZZ-07-DP-A-PL20112; 18052-SQP-ZZ-08-DP-A-PL20113; 18052-SQP-ZZ-09-DP-A-PL20114; 18052-SQP-ZZ-10-DP-A-PL20115; 18052-SQP-ZZ-11-DP-A-PL20116/revP1; 18052-SQP-ZZ-RF-DP-A-PL20117/revP1; 18052-SQP-ZZ-ZZ-DS-A-PL20305/revP1; 18052-SQP-ZZ-ZZ-DS-A-PL20304/revP1; 18052-SQP-ZZ-ZZ-DS-A-PL20303/revP1; 18052-SQP-ZZ-ZZ-DS-A-PL20302/revP1; 18052-SQP-ZZ-ZZ-DS-A-PL20301/revP1; 18052-SQP-ZZ-ZZ-DE-A-PL20204/revP1; 18052-SQP-ZZ-ZZ-DE-A-PL20203/revP1; 18052-SQP-ZZ-ZZ-DE-A-PL20202/revP1; 18052-SQP-ZZ-ZZ-DE-A-PL20201/revP1; 18052-SQP-ZZ-ZZ-DE-A-PL20701

For information only:
 Design and access statement (Squire and Partners dated May 2019) and addendum dated November 2019; Air Quality Assessment including air quality neutral assessment (Aecom, September 2019 and October 2019); Drainage report (Aecom dated May 2019); Historic Environment Assessment (MoLA, May 2019); Structural Report (Elliott Wood, May 2019); Sustainability Statement (Aecom, May 2019); Townscape, Built Heritage and Visual Impact Assessment and addendum (Tavernor, May 2019 and November 2019); Transport Assessment (TPP, May 2019); WCC Clarifications (Squire and Partners dated 29 July 2019); Daylight/Sunlight assessment (GIA, May 2019); Energy Statement (Aecom, May 2019); Planning Statement (DP9, May 2019); Statement of Community Involvement (Kanda, May 2019); Acoustic Report (Aecom, May 2019); Drainage, Energy and air quality response (Aecom, September 2019); Response to GLA (Squire and Partners, 13 August 2019).

Case Officer: Louise Francis**Direct Tel. No.** 020 7641 2488

Recommended Conditions and Reasons:

- 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 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. (R11AC)

- 3 **Pre Commencement Condition.** Prior to the commencement of any:

- (a) Demolition, and/or
- (b) Earthworks/piling and/or
- (c) Construction

On site you must apply to us for our written approval of evidence to demonstrate that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of the relevant completed Appendix A checklist from the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Sciences Team, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of the relevant stage of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval through submission of details prior to each stage of commencement. (C11CD)

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. (R11AC)

- 4 No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason:

To avoid damage to any archaeological remains on site as set out in S25 of Westminster's City Plan (November 2016) and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32AC)

- 5 The building shall not be occupied until details have been submitted to and approved by the City Council in consultation with Thames Water demonstrating that either:- all combined water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason:

As required by Thames Water. The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development.

- 6 The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for each stage of the development for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:

- provide details on all structures
- accommodate the location of the existing London Underground structures and tunnels
- accommodate ground movement arising from the construction thereof
- and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason:

To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2015 Table 6.1 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

- 7 **Pre Commencement Condition.** You must carry out a detailed site investigation to find out if the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology and general requirements outlined in 'Contaminated Land Guidance for Developers submitting planning applications' - produced by Westminster City Council in January 2018.

You must apply to us for approval of the following investigation reports. You must apply to us and receive our written approval for phases 1, 2 and 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed but before it is occupied.

Phase 1: Desktop study - full site history and environmental information from the public records.

Phase 2: Site investigation - to assess the contamination and the possible effect it could have on human health, pollution and damage to property.

Phase 3: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate.

(C18AA)

Reason:

To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in STRA 34 and ENV 8 of our Unitary Development Plan that we adopted in January 2007. (R18AA)

- 8 (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 schedule of all plant and equipment that formed part of this application;
 - Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
 - Manufacturer specifications of sound emissions in octave or third octave detail;
 - The location of most affected noise sensitive receptor location and the most affected window of it;
 - 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;
 - 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 L A90, 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. (R46AB)

- 9 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. (R48AA)

- 10 (1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the hotel use 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 permitted hours of use. The activity-specific noise level should be expressed as LAeqTm,, and shall be representative of the activity operating at its noisiest.

(2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within the hotel use 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 permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest.

(3) Following completion of the development, 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 including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) The location of most affected noise sensitive receptor location and the most affected window of it;
- (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;

- (d) The lowest existing LA90, 15 mins measurement recorded under (c) above;
- (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;
- (f) The proposed maximum noise level to be emitted by the activity.

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 (UDP), 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. (R47AB)

- 11 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition(s) 8 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. (R51AB)

- 12 (1) Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10 dB one metre outside any premises.
- (2) The emergency plant and generators hereby permitted may be operated only for essential testing, except when required by an emergency loss of power.
- (3) Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays.

Reason:

As set out in S32 of Westminster's City Plan (November 2016) and ENV 7 (B) of our Unitary Development Plan that we adopted in January 2007. Emergency and auxiliary energy generation plant is generally noisy, so a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing and other non-emergency use is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby. (R50AB)

- 13 You must apply to us for approval of a detailed servicing management plan. The plan shall identify process, storage locations, scheduling of deliveries and staffing.

You must not occupy any part of the building until we have approved what you have sent us.

The servicing management plan shall be maintained for the life of the development unless a revised strategy is agreed in writing by us.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 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)

- 15 The areas for off street servicing as shown on the approved drawings shall be provided prior to occupation of the building and thereafter maintained as such.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

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

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2016 (R22FA)

- 17 A minimum clearance of 900mm between the footway/highway and any development beneath shall be maintained to allow for utilities and services.

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)

- 18 The hotel use hereby approved shall not accept coach-party bookings.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 19 You must apply to us for approval of details of how waste and recycling is going to be stored on the site. You must not occupy the hotel use hereby approved until we have approved what you have sent us. You must then provide the waste and recycling store in line with the approved details prior to occupation, and clearly mark it and make it available at all times to everyone using the building. You must not use the waste and recycling store for any other purpose. (C14GA)

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)

- 20 The restaurants/function spaces shall have a maximum limit as follows:
Ground floor restaurant - 225 covers
Rooftop bar/restaurant - 350 covers (to include outdoor seating area)
Basement function rooms - 300

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and TACE 2 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 21 Non hotel guests shall not be permitted within the bar/restaurant or function spaces before 0700 or after 0100 Monday to Saturday, or before 0700 or after 2300 on Sundays and Bank/public holidays.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 22 You must not play live or recorded music within the restaurant, bar or function areas hereby approved that would be audible from outside the premises.

Reason:

To protect the environment of people in neighbouring properties, as set out in S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13BC)

- 23 For non-hotel guests leaving or arriving after 2300, the Strand entrance must be used.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 24 The rear roof terrace to the rooftop bar/restaurant shall not be accessible to customers (including hotel guests) after 2300 daily.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 25 You must submit a detailed Operational Management Plan for our approval before occupation of the hotel that provides details and further information on how you shall manage potential noise and disturbance from the restaurant, bar, function areas and hotel guests (including from taxis, guests congregating and

smoking locations for guests etc).

Reason:

To make sure that the use will not cause nuisance for people in the area or negatively impact the local highway network, in accordance with Policies S24, S29 and S32 of our City Plan (November 2016) and TACE 2 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

- 26 The lobbies to the Craven Street and Strand entrances shown on the ground floor plan hereby approved shall be provided prior to occupation of the hotel.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 27 You must provide, maintain and retain the following energy efficiency measures before you start to use any part of the development, as set out in your application.

- air source heat pumps

You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan (November 2016). (R44AC)

- 28 You must apply to us for approval of detailed specifications of the following parts of the development -

- i) Green/blue roof
- ii) Green wall to Corner House Street.

The details must include species to be planted and how they will be maintained.

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

You must then carry out the work according to these details, to be done within one planting season of completing the development.

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan (November 2016). (R44AC)

- 29 You must apply to us for approval of drawings showing a fast charging Electric Vehicle charging point in the off street servicing area, suitable for charging LGV delivery vehicles.

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

You must then carry out the work according to these details.

Reason:

To ensure the development contributes to the aims of policies S29 and S41 of Westminster's City Plan (November 2016) by providing sustainable transport options.

- 30 The new building must achieve a BREEAM rating of at least 'excellent' (or any such national measure of sustainability for commercial buildings that replaces that scheme of the same standard). Within 1 year of the completion of the hotel, you must submit to us for our approval a copy of a Building Research Establishment (or equivalent independent assessment) issued Final Post Construction Stage Assessment and Certification, confirming that an 'excellent' rating has been achieved.

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan (November 2016). (R44AC)

- 31 Details of the mechanical air filtration/ventilation system must be submitted to and approved by us prior to the occupation of the hotel. The approved scheme shall be installed and maintained as approved for the life of the development.

Reason:

To ensure there is appropriate air quality in the building, in accordance with Policy S31 of Westminster's City Plan (adopted in 2016) and Policy 7.14 (B) of the London Plan (2016)

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

Reason:

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

- 33 You must apply to us for approval of a scheme of public art.

You must not start work on the public art until we have approved what you have sent us. Before anyone occupies the building you must carry out the scheme according to the approved details.

You must maintain the approved public art and keep it on this site. You must not move or remove it.

Reason:

To make sure the art is provided for the public and to make sure that the appearance of the building is suitable. This is as set out in DES 7 (A) of our Unitary Development Plan that we adopted in January 2007. (R37AB)

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

Reason:

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

- 35 You must apply to us for approval of 3m x 3m fabricated sample panel of the following part of the development:

- i) a typical facade bay.

The sample should demonstrate the quality of the stonework, bond, pointing, component interfaces and means of construction (including any typical expansion/movement joints). You must not start any work on the superstructure of the development until we have approved the sample panels.

You must then carry out the work according to the approved sample.

Reason:

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

- 36 You must apply to us for approval of detailed drawings at 1:5 and 1:20 of the following parts of the development –

typical details to all facades to show the following elements:

- i) windows;
- ii) external doors;
- iii) cills and reveals;
- iv) location and size of movement joints;
- v) interfaces with windows;
- vi) interfaces with architectural metalwork;
- vii) ventilation and other services terminations at façade and roof;
- viii) canopies;
- ix) railings and balustrades;
- x) soffit and wall cladding treatment to Corner House Street.

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

You must then carry out the work according to these approved drawings.

Reason:

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

- 37 You must apply to us for approval of full details of the proposed external lighting scheme, including details of light fittings including finish, their location, level of luminance and duration of

operation. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved drawings.

Reason:

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

- 38 You must not paint any outside walls of the building without our permission. This is despite the fact that this work would normally be 'permitted development' (under class C of part 2 of schedule 2 to the Town and Country Planning General Permitted Development (England) Order 2015) (or any order that may replace it). (C26WB)

Reason:

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

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, neighbourhood plan (where relevant), supplementary planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to:
 - i) All highway works immediately surrounding the site required for the development to occur and any associated alterations to the public realm including necessary changes to footway levels, on-street restrictions, removal of bollards, relocation of the TfL cycle hire docking station and associated work (legal, administrative and physical)
 - ii) A financial contribution towards employment, training and skills of £162,050 (index linked) payable on commencement of development; and an employment, training and skills plan to be agreed with the City Council prior to commencement of 'above ground' works.
 - iii) monitoring costs
- 3 Condition 7 refers to a publication called 'Contaminated land, a guide to help developers meet planning requirements' - produced in October 2003 by a group of London boroughs, including Westminster. You can get a copy of this and more information from our environmental health section at the address given below.

Contaminated Land Officer
Environmental Health Consultation Team
Westminster City Council
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Phone: 020 7641 3153
(I73AB)

- 4 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at:
www.westminster.gov.uk/cil

Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**

CIL forms are available from the planning on the planning portal:
<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

Forms can be submitted to CIL@Westminster.gov.uk

Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.

- 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 The written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 7 In respect of condition 19, you will need to provide a cardboard baler and rotary compactor, double doors for the bins store to allow easy movement of bins, and the drawings clearly labelled to show recycling, oil

and waste containers. Please speak to Saeed Oluwadipe on 020 7641 7962 to discuss detailed requirements.

- 8 The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read Thames Water's guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk. If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

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