

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 26 May 2020	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved St James's	
Subject of Report	Broadway Complex, 55 Broadway, London, SW1H 0BD,		
Proposal	Conversion of buildings for use as hotel (Class C1) with ancillary flexible retail, leisure/spa, restaurant or bar use and other associated facilities, use of 10th floor roof terraces, internal and external alterations including creation of new service bay off St Ermin's Hill, reconfiguration of entrances/exits to St James's Park Underground Station and rooftop plant.		
Agent	DP9 Limited		
On behalf of	Blue Orchid (St James) Limited		
Registered Number	19/09813/FULL and 19/09814/LBC	Date amended/ completed	3 April 2020
Date Application Received	16 December 2019		
Historic Building Grade	55 Broadway – Grade I		
Conservation Area	Broadway And Christchurch Gardens		

1. RECOMMENDATION

<p>1. Grant conditional permission and conditional listed building consent subject to a S106 legal agreement to secure the following:</p> <ul style="list-style-type: none"> i) Operational Management Plan for the hotel, restaurants, bars, retail, event spaces, external roof terraces and spa/gym facilities ii) Employment and Training Strategy for the construction phase and operational phase of the proposed development iii) Payment for all necessary highway works including the following to be carried out prior to the occupation of the hotel: <ul style="list-style-type: none"> * Changes to parking and loading restrictions in St Ermin's Hill * Footway widening to retain Pedestrian Comfort Level (PCL) A on Petty France and Broadway iv) Cost of monitoring <p>2. If the S106 legal agreement has not been completed within four weeks of the Committee resolution then:</p> <ul style="list-style-type: none"> a) The Director of Place Shaping and Town Planning shall consider whether the
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permission can be issued with additional condition to secure the benefits listed above. If this is possible and appropriate, the Director of Place Shaping and Town Planning 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 be refused on the grounds that it has not proved possible to complete an agreement within an appropriate timescale, and the proposal is unacceptable in the absence of the benefits that would have been secured; if so, the Director of Place Shaping and Town Planning is authorised to determine the application and agree appropriate reason for refusal under Delegated Powers.

3. Grant conditional listed building consent

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

2. SUMMARY

The application site comprises 55 Broadway, 100 Petty France and Wing Over Station collectively known as the 'Broadway Complex'.

55 Broadway is a Grade I listed building designed by Charles Holden as the headquarters of Underground Electric Railways Company of London Ltd (UERL), who operated many of the earliest underground railway lines, and was completed in 1929. 100 Petty France is a 1970's building which was rebuilt and extended following bomb damage sustained in WWII. This building is linked internally to 55 Broadway and to Wing Over Station which was built in the 1920s. 100 Petty France and Wing Over Station are listed by virtue of their connection to 55 Broadway. All three buildings are currently occupied as offices by TfL who are in the process of relocating their staff to other TfL offices. At ground floor level, 55 Broadway is comprised of an arcade of small retail units (arranged around the centrally positioned TfL office reception area) and the main entrance to St James's Park Underground station; there is a further entrance to the Underground Station from Palmer Street, below Wing Over Station.

The current applications, for conversion to a hotel with ancillary restaurant, bar, retail, leisure/spa and event spaces, have been submitted on behalf of Blue Orchid Hotels (an independent hotel operator with other hotels in Westminster) who has purchased a 150 year lease on the buildings, with the exception of the operational areas associated with St James's Park Underground station which are retained by TfL.

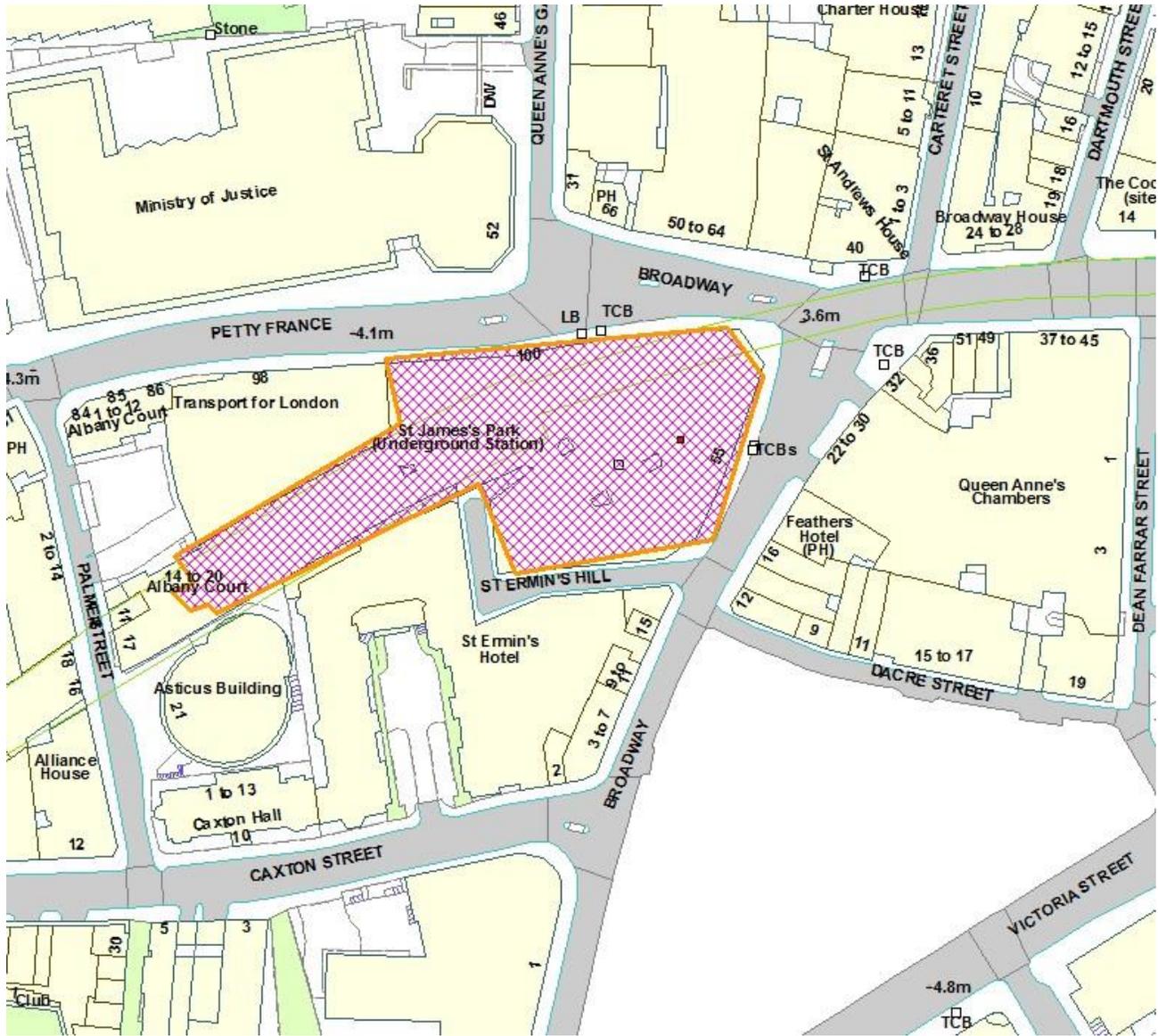
Objections have been received on land use, highways, amenity and historic building grounds.

The key issues in this case are:

- the impact on residential amenity and quality of the local environment
- highway issues particularly servicing and deliveries and the closure of the eastern entrance to St James's Park Underground Station and the impact on other road users and pedestrians
- the impact on the appearance and historic integrity of the Grade I listed building.

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

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

TWENTIETH CENTURY SOCIETY

Any response received to be reported verbally by officers.

VICTORIAN SOCIETY

Any response received to be reported verbally by officers.

GEORGIAN GROUP

Any response received to be reported verbally by officers.

SOCIETY FOR PROTECTION OF ANCIENT BUILDINGS

Any response received to be reported verbally by officers.

COUNCIL FOR BRITISH ARCHAEOLOGY

Any response received to be reported verbally by officers.

ANCIENT MONUMENTS SOCIETY

Any response received to be reported verbally by officers.

HISTORIC ENGLAND

Do not wish to comment. Authorisation to determine received.

HISTORIC ENGLAND (ARCHAEOLOGY) (GLAAS)

As there is no demolition/construction groundworks and/or new services proposed which would affect buried archaeology, a programme of archaeological work does not appear necessary. However, should any demolition and/or alteration be proposed which may affect historic fabric and/or features of interest, a historic building recording condition is recommended.

ENVIRONMENT AGENCY

No objection

TRANSPORT FOR LONDON (TfL)

Content with the (draft) delivery and servicing arrangements subject to a condition to secure the submission and approval (in consultation with TfL) of the final Delivery and Servicing Plan. Also request that a Construction Logistics Plan is secured by condition. The footway and carriageway on Broadway and access to St James's Park Underground

station must not be blocked during construction or subsequently for maintenance.

LONDON UNDERGROUND (INFRASTRUCTURE PROTECTION)

No objection. Have a legal agreement with the applicant through which the development will be managed (in so far as it relates to railway safety and operation).

WESTMINSTER SOCIETY

Welcome the respectful approach taken by the new owners and their architects, aimed at ensuring all necessary changes are sensitive to the original fabric and cause the least possible harm to this exceptional building. Also welcome the reconfiguration of the ground floor, which will re-instate the original circulation pattern envisaged by the architect and the opening up of the retail units and hotel to the surrounding streets which will sweep away the introspective parade of shops that contributed to the previously dead ground floor streetscape for so many years. The conservationist approach is exactly what one would wish for, for a landmark of this quality. Urge the City Council to approve the proposal, subject to stringent conditions which secure the sensitive adaptation of original finishes and details to 21st century circumstances.

VICTORIA NEIGHBOURHOOD FORUM

Any response received to be reported verbally by officers.

HIGHWAYS PLANNING MANAGER

The proposed servicing strategy which is off-street and does not block the highway is supported. The off-street servicing bay will have a turntable which will enable vehicles to enter and leave via St Ermin's Hill in forward gear. The new hotel and the adjacent St Ermin's Hotel should both be able to service from St Ermin's Hill; with an element of cooperation. A (final) Delivery and Servicing Plan must be secured by condition. The developer must also pay for all costs associated with the required changes to the current parking and loading restrictions on St Ermin's Hill; secured by S106 legal agreement.

There is an existing taxi rank close to the site on Broadway. Finding space for a longer rank, would be difficult given the security restrictions outside neighbouring buildings and could also result in the loss of other well-used facilities such as the nearby motorcycle parking on Broadway. It should however be possible to serve the hotel using existing taxi facilities.

The proposed hotel does not intend to accept coach parties however, there are coach parking bays close by in Tothill Street which could be used.

Long stay and short stay cycle parking is proposed and welcomed.

The closure of the eastern pedestrian entrance/exit (off Broadway) to St James's Park Underground station will put more pedestrians on the footways around the building as they make their way to the north and south entrance/exit points. On the southern footway of the east-west section of Broadway this will reduce the Pedestrian Comfort Level (PCL) from level A to level B. The developer is therefore required to pay for a

footway widening scheme on Petty France and Broadway; all costs associated with this must be secured by S106 legal agreement.

WASTE PROJECT OFFICER

No objection to storage arrangements for waste and recyclable materials subject to condition.

ENVIRONMENTAL HEALTH

No objection subject to conditions controlling plant noise, the use of the external terrace areas and requiring the submission and approval of a supplementary acoustic report (mechanical plant and external terraces) and full details of the kitchen ventilation system.

TREE SECTION

No objection to amended planting strategy for 10th floor roof terraces (now includes smaller trees and shrubs) subject to a condition requiring the submission and approval of full details including soil volumes and composition, irrigation and maintenance.

GO GREEN PROGRAMME MANAGER

Any response received to be reported verbally by officers.

METROPOLITAN POLICE (DESIGNING OUT CRIME OFFICER)

Any response received to be reported verbally by officers.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 139 Total No. of replies: 14

No. of objections: 8 (four letters on behalf St Ermin's Hotel, one from Queen Anne's Gate Resident's Association and six individuals)

No. in support: 3

Objections raised on the following grounds:

Land Use

- Scale of hotel
- Loss of existing ground floor retail/service uses
- Loss of offices
- Residential scheme technically implemented

Highways

- Servicing and deliveries
- Increased traffic and vehicle movement
- Impact on pedestrian environment around entrances to St James's Park

Underground Station

- Lack of dedicated hotel drop off area.

Amenity

- Noise and disturbance from 10th floor roof terraces
- Noise Assessment report - inadequate assessment of potential noise nuisance from 10th floor roof terraces

Design

- Awnings – harmful impact on historic building.

Other

- Engagement with operators of adjacent St Ermin's Hotel
- Certainty of continued pedestrian access to St James's Park Underground Station

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site comprises 55 Broadway, 100 Petty France and Wing Over Station, collectively known as the 'Broadway Complex'.

55 Broadway was built 1927-1929 to the designs of Charles Holden as the Headquarters of London Transport (now Transport for London). The building has a cruciform plan. The ground floor of the building is traversed by three publicly accessible arcades accessed from the street facing sides of the building (north, east and south) and consists of a number of small retail shops (sandwich bars, coffee shops, newsagents/convenience shops), the foyer entrance to Transport for London's offices on the upper floors to which there is no public access and the ticket office to St James's Park Underground station below. The building sits above St James's Park Underground Station which has a concourse running east-west under the building.

100 Petty France is a six storey 1970s office building located directly adjacent to 55 Broadway to the west. This building was built for London Transport as an extension to their office premise in 55 Broadway and replaced Electric Railways House built in 1899 for the District Railway Company.

Wing Over Station (WOS) was built as an extension to Electric Railways House in 1922-24, to designs by Sir Albert E Richardson in association with Charles Lovett Gill. WOS is utilitarian in appearance but was innovative for its time as an early example of rafting over transport infrastructure to provide accommodation above. The six-storey building is also occupied by TfL as offices.

55 Broadway is listed Grade I and is of exceptional architectural interest. It also presents a showcase of interwar British sculpture with ten avant-garde style sculptures carved into the Portland stone around the outside of the building by artists including Jacob Epstein, Eric Gill and Henry Moore. 100 Petty France is listed by virtue of connection to 55 Broadway but is not considered to be of any historic or architectural significance. WOS is also listed by virtue of attachment to 100 Petty France and 55 Broadway but is of little architectural significance.

55 Broadway and 100 Petty France are both located within the Broadway and Christchurch Gardens Conservation Area. WOS is located adjacent to the boundary of the conservation area. The buildings are all located within the Tier II (2.8: Victoria Street) Archaeological Priority Area and within Flood Zone 3. The buildings are also all located within the Core Central Activities Zone (CAZ).

6.2 Recent Relevant History

Planning permission and listed building consent were granted on 27 April 2016 for the change of use of 55 Broadway on part first to thirteenth floors from offices to private residential (77 units) including extensions at tenth floor level; use of part first floor as B1 offices and reconfiguration of ground floor retail. Part demolition and redevelopment of 100 Petty France and Wing Over Station to provide affordable residential accommodation (35 units) and associated car parking (43 spaces) (14/10496/FULL and 14/10497/LBC).

S96a (NMA) and S19 LBC applications were submitted and subsequently approved on 25 May 2018 (18/04498/NMA and 18/14381/LBC) for amendments to the approved scheme to separate the LUL station operational areas i.e. LUL plant in the basement from the 'back of house' areas (bin stores, cycle parking etc) from the approved residential conversion scheme on the upper floors. Amendments were also approved at ground and first floor levels to areas such as the sub-station, switch room, compactor/bin store and associated stair cores to ensure that the LUL station long term operational requirements were maintained. The new/repositioned louvred openings and doorways (on the St Ermin's Hill elevations of the building) associated with the above internal re-arrangement of the substation, switch room and bin stores were also agreed as non-material amendments to the 27 April 2016 approved scheme

As TfL had not, at that stage, made a final decision on whether to fully implement the 2016 permission/consent or whether 55 Broadway would remain as one of their office hubs they wanted to carry out works sufficient to prevent the 27.4.16 permission/consent from expiring. The new/repositioned louvred openings and doorways on the south and west (St Ermin's Hill) elevations of the building associated with the internal re-arrangement of the substation, switch room and bin stores were installed in order to achieve this.

The City Council subsequently issued a certificate of lawfulness on 25 March 2019 (19/00691/CLEUD) to confirm that the works carried out i.e. the removal of windows, lowering/demolition of window sills/risers and installation of louvres at rear ground floor level (St. Ermin's Hill) of the building constituted a material operation under S56 (4) of the Act and that the 27 April 2016 planning permission (and associated listed building consent) had been lawfully implemented within the three year time period i.e. before 27

April 2019.

Whilst the planning permission for the residential conversion scheme has been lawfully implemented and confirmed by the certificate of lawfulness issued on 25 March 2019, given the building is still occupied and used by TfL as offices (and the residential use has not been built out or commenced) then the lawful use is still offices (Class B1), irrespective of the works carried out to keep the 2016 permission alive.

7. THE PROPOSAL

Planning and listed building consent applications have been submitted for internal and external alterations to the existing buildings to provide a high-quality 526-bedroom hotel with ancillary flexible retail, restaurant, bar, spa/leisure facilities on the ground floor, meeting room areas at first and seventh floors, a bar/event space with access to the rooftop terraces at tenth floor level and multi-purpose events spaces at eleventh to thirteenth floor levels, a servicing bay off St Ermin's Hill, cycle parking and roof top plant.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Summary Table of existing and proposed land use areas

	Existing GIA (sqm)	Proposed GIA (sqm)	Change +/-
Office (Class B1)	22,921	0	-22,921
Retail (Class A1)	576	0	-576
Hotel (Class C1)		22,663	+22,663
Ancillary flexible retail, spa/leisure, restaurant, bar use		579	+579
Total	23,497	23,242	-255

Loss of office use

The application site is comprised of three buildings which have been occupied by TfL as offices (Class B1) since they were first constructed. The buildings are located within the Core Central Activities Zone where office uses are protected under City Plan Policy S20 unless replaced by another commercial, employment generating use. The provision of a new hotel (a commercial, employment generating use) would therefore be in accordance with the policy.

Loss of retail use

The City Plan Policy S21 protects retail uses throughout the borough. The ground floor of 55 Broadway is currently occupied by an arcade of small retail units – sandwich bars, coffee shops, newsagents, dry cleaners and other local convenience shops. However, because of the inward facing nature of the arcade, these shops contribute little to the vitality of the ground floor street frontage of the building or the character and function of the surrounding area.

The proposal would result in the loss of the existing 576sqm of retail space. This would be replaced with 579sqm of flexible hotel/retail/spa/restaurant/bar space arranged as six units, four either side of the reconfigured south arcade and two either side of the new secondary hotel entrance in Petty France (in addition to the two hotel restaurant/bar spaces either side of the main hotel entrance from Broadway); the ground floor windows would be opened up to form shopfronts creating a more active frontage. Subject to a condition to ensure that these six units are only used for flexible retail, spa/leisure, restaurant or bar use so that they are not subsumed into the hotel as back of house or event space and remain open to non-hotel guests, the new flexible ground floor uses are considered an acceptable replacement for the existing retail use.

Proposed Hotel

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

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

Although there are a significant number of residential properties in the surrounding area, notably in Queen Anne's Gate and Old Queen Street to the north-east of the application site, the area is not predominantly residential. The main hotel entrance would front onto Broadway and Tothill Street which are characterised by commercial buildings and the secondary hotel entrance on Petty France would be directly opposite the Ministry of Justice. In such a location, the principle of a hotel use is therefore considered acceptable in policy terms.

It is nonetheless acknowledged that given the hotel would include publicly accessible restaurants, bars, event spaces, meeting room/conference suite and spa facilities, neighbouring residential amenity will need to be safeguarded. The proposed meeting room and conference suite facilities at first and seventh floor levels will be available to both hotel guests and visitors, with bookings managed by the hotel; the first floor meeting rooms would be open to non-hotel guests 06.00 to 00.00 and the seventh floor until meeting rooms/event space until 00.00. At tenth to thirteenth floor levels, multi-level flexible events spaces (for events such as private dining, exhibitions and gallery space between 07.00 until 00.00 hours) are to be created. The hotel ground floor restaurants and bars would be publicly accessible from Broadway and open to non-hotel guests until 23.00 hours.

It is proposed that the operation and management of the hotel and the various associated restaurant, bar, event spaces and spa facilities are controlled via an agreed Operational Management Plan (OMP) to ensure that the amenity of neighbouring

residents and businesses and the quality of the surrounding environment is adequately safeguarded especially when visitors leave the premises at the end of an event. The applicants have submitted an OMP; however, it is recommended that a final version is secured by S106 legal agreement.

Retail, Restaurant and Leisure Facilities

The proposal development includes dedicated areas for retail, restaurant, bar and spa/leisure use at ground floor level and a bar/event space with external roof terraces at tenth floor level. All of these elements will be ancillary to the hotel and open to the general public as well as to hotel guests.

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

City Plan Policy S24 and UDP Policies TACE 8-10 deal with entertainment uses (including the restaurants, bar and in this case spa/leisure use). The TACE policies are on a sliding scale whereby developments where TACE 8 is applicable would be generally permissible and where TACE10 (gross floorspace exceeds 500sqm) is applicable, only in exceptional circumstances. City Plan Policy S24 requires proposals for new entertainment uses to demonstrate that they are appropriate in terms of type and size of use, scale of activity, relationship to any existing concentrations of entertainment uses and any cumulative impacts, and that they do not adversely impact on residential amenity, health and safety, local environmental quality and the character and function of the area. The policy states that new large-scale late-night entertainment uses of over 500 sqm will not generally be appropriate within Westminster.

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

Entertainment uses are a characteristic activity of major hotels and are usually open to the general public. This applies whether they are fully ancillary to the hotel or run alongside the hotel by another operator. The current proposals would provide the opportunity to open up an important building to the wider public, offer a mix of uses to enliven the street frontages and provide facilities that both the local community and visitors would be able to enjoy. It is currently proposed that the restaurants and bars including the tenth floor external roof terraces would open from 07.00 to 23.00 daily for non-hotel guests, the event space at eleventh to thirteenth floors from 07.00 to 00.00 and the spa from 07.00 until 22.30.

Objections have been received from the Queen Anne's Gate Residents Association and individual residents in Queen Anne's Gate and Old Queen Street on the grounds that the use of the tenth floor external roof terraces are likely to cause noise and disturbance for local residents; they have also expressed concern about the accuracy of the noise assessment report in this regard.

Environmental Health have commented that the submitted noise assessment report does not take into account peak noise events such as shouting and whether or not events will be held with amplified music and request that a supplementary acoustic assessment which addresses these issues in more detail is undertaken. It is, accordingly recommended that a supplementary acoustic report is secured by condition and that if any additional attenuation measures are required (additional structures or planting) that these are submitted for approval before the use of the terraces commences.

Environmental Health also request that conditions are attached to restrict the late night use of the roof terraces and to control the maximum number of people that could occupy the roof terrace spaces at any one time. The applicant is currently seeking permission to use the tenth floor roof terraces until 23.00 daily, with a maximum number of 190 people at any one time and no amplified music. Late night use of the roof terraces for events attended by large numbers of people can cause noise and disturbance for local residents; it is therefore recommended that conditions are imposed to restrict the use of the roof terraces to no later than 22.00 hours, to no more than 190 people at any one time, to prohibit the use of amplified and recorded music and to prohibit any form of food cooking on the roof terraces. Subject to appropriate opening hours conditions to safeguard the amenity of residents and the submission of an amended Hotel Operational Management Plan to ensure the various restaurant, bar and event spaces are properly run to minimise their environmental impact, it is considered that the entertainment uses are acceptable.

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

8.2 Townscape and Design

The Existing Building

The Broadway Complex comprises three elements: 55 Broadway which was built to designs by Charles Holden in 1929 and is a grade I listed building; the 'Wing Over Station' was built in 1922-24 to designs by Sir Albert Richardson; and 100 Petty France was added in the 1970s. The latter two elements are internally linked to 55 Broadway and were so at the time of its original listing in 1970 (a revised listing upgraded the building to grade I in 2011) and as such are regarded as curtilage listed elements associated with main listed element – which is Holden's 1929 building. Most of the site also lies within the Broadway and Christchurch Gardens Conservation Area with the exception of the Wing Over Station (WOS).

55 Broadway forms part of the history of the Underground Electric Railways Company of London Ltd (UERL) who operated many of the earliest underground railway lines including the District Line, the Bakerloo Line, the Northern Line and the Piccadilly Line.

The company's offices were at 100 Petty France and by the 1920s were no longer adequate for the expanding company. The Wing Over Station (WOS) was built in 1922-4 and the architect of this, Albert Richardson, was tasked with designing a grand new headquarters building and to incorporate a remodelled St James's Park Station. However, the neo-classical design that emerged was rejected and in 1925 the practice of Adams, Holden and Pearson were appointed, championed by the UERL's Vice Chairman and Chief Executive Frank Pick.

The site of the new HQ is an irregularly shaped one located at the junction of Petty France and Broadway, as well as the junction between Broadway and St Ermin's Hill. None of these junctions are right angles and this produces a partial rhomboid-shaped site plan. In resolving the ground floor layout for the new building Holden generated a platform and axis for the building which would rise above it. A cruciform ground plan was formed with three main entry points (two at the two road junctions and one on Petty France) and was arranged to address desire lines through the base of the building, as well as providing access to the station and to the offices above.

The building that rises above, extrudes the cruciform plan of the base, with the upper floors stepping back and the building terminating in a stepped central tower. When completed in 1929, 55 Broadway was the tallest building in London at 174ft (53m). Built in an Art Deco style with clean sculptural lines it is principally faced in Portland stone, with polished Norwegian granite to the ground floor base. Of particular significance are the series of relief sculptures which adorn the building, those at the base: 'Night' and 'Day' are by Jacob Epstein; while the eight at sixth floor level depicting the Four Winds are by Henry Moore, Eric Gill, Eric Aumonier, Samuel Rabinovitch, Alfred Horace Gerrard and Allan G Wyon.

The building was constructed with a steel frame embedded in a reinforced concrete system known as Truscon. The Portland stone cladding was punctuated by a regular arrangement of multi-pane steel framed windows and at the base, two storey infills between the main axial wings provided a building edge to the perimeter of the site. Where the wings step back to the central tower above ninth floor level, open landscaped terraces were created to the tenth floor.

Internally the base of the building is of particular significance both for its plan form but also for its detailing and finishes. The two internal arcades formed by the cruciform plan were lined with shop and office units and were finished in travertine marble. At the crossing point, in the centre of the plan was the foyer for the offices above, with four lifts to one side and a staircase diagonally opposite. The plan form then delivered a regular office arrangement above, with a central core and lobby area, which also housed toilets and services, with the office floor plates arranged in the projecting wings. This layout was regarded as adopting an American style and was certainly democratic, providing well-lit office space throughout and a communal and central circulation route.

The layout of the office floors was typically designed to be flexible with an open plan arrangement, capable of being subdivided using demountable metal partitions. The exception to this arrangement was the management suite of the seventh floor and the south wing of the sixth floor. In the case of the latter there was a more permanent arrangement of cellular offices opening off a central corridor.

The seventh floor management suite featured a series of offices either side of a walnut-panelled corridor. At the end of this corridor was the office of Lord Ashfield, who was the Chairman of UERL and this room is a generous double height space on an octagonal plan (formed in part by the chamfered corners of the wings). It featured a geometric pattern plaster ceiling, elaborate cornicing, bronzed-patterned window lights and originally two elegant chimneypieces (since removed).

The building largely remains as Holden designed it in 1929, although some alterations of note have occurred. Bomb damage occurred to the west wing mainly at fifth and sixth floor levels, with the repair work still evident within the staircase. Shortly after the war the east entrance (facing Broadway) was closed off and the arcade used as a staff library. Then in the late 1980s, associated with improvements to security to London Transport's offices (as UERL had become) the central ground floor reception foyer was blocked to pedestrians with the installation of timber and bronze doors, with a central reception desk in travertine. To maintain pedestrian circulation through the base of the building, new diagonal arcades were created causing the removal of two shops in the original northern arcade; and an office in the original eastern arcade. The east entrance was re-opened as an arcade and the library relocated to one of the upper floors. These 1980s works were undertaken to designs by Manser & Associates and they faithfully complemented Holden's original design, with the new diagonal arcades, again lined in travertine, and design features such as new lighting and new lift cars all sought to tie in seamlessly with the original style of the interior.

100 Petty France and the Wing Over Station (WOS) are the associated curtilage buildings. The former faces onto Petty France and is a simply detailed 1970s building which comprises ground plus four upper storeys. The base of the building presents a restrained series of window openings and provides little interaction with the street. There is a set-back fifth floor not readily visible from street level. The WOS is aligned over the underground station and platforms and is largely hidden from street views. It is a six-storey structure, again simply detailed and faced in brick. A part of this wing can be glimpsed in street views from Palmer Street. Various items of plant are located on the roof of this wing.

The Broadway and Christchurch Gardens Conservation Area

This is a small conservation area straddling Victoria Street, extending as far south as Great Peter Street and as far north as Queen Anne's Gate. While it is an area first developed in the late 16th and early 17th century, it has undergone considerable change overtime, most notably in the 20th century, particularly the driving of Victoria Street through the earlier historic street pattern. The conservation area audit has identified three character areas within the conservation area; the part to the north within which 55 Broadway lies, is referred to as 'Broadway and Streets to the North'. This is an area of wider streets and larger building plots mainly with larger buildings of the 20th century and often in Portland stone. There are some Victorian buildings in this part of the conservation area, including Caxton Hall from 1882 (grade II listed) and St Ermin's Hotel from 1889 (also grade II). The buildings predominantly feature retail activities at ground floor, with the upper floors typically in commercial use. There are also two large hotels in this area: St Ermin's and The Conrad on Broadway.

55 Broadway, by virtue of its architecture, height and location represents a landmark

building within the conservation area and is very much a focal point of activity, primarily because of the underground station at its base but also the retail units within the arcades.

The Significance of 55 Broadway

The exterior of 55 Broadway possesses very high significance in terms of its architectural interest and artistic interest. Its clearly expressed form in a simplified Art Deco style, utilising high quality materials, is a highly accomplished handling of scale, mass and detailing. The embellishment of the relief sculptures by the foremost avant-garde British sculptors of the inter-war period, produces a highly significant example of the integrated melding of art and architecture.

Elements of the interior also make a major contribution to the significance of the listed building, notably the original cruciform circulation plan, particularly at ground floor level and in the central lobbies of the upper floors, where it is allied to high quality materials and detailing. The 1980s modifications to the ground plan, while diverting Holden's originally conceived desire lines, were nonetheless carried out to a high standard and compliment the original design concept and thus while of a lower level of significance are by no means detrimental.

The typical upper floor office ranges were utilitarian but of good quality, with timber floors, shallow covings to the ceilings and stylish light fittings. These spaces have been altered with suspended ceilings added and floor coverings introduced and while elements of original fabric and original metal partitions survive, these floor levels make a lesser contribution to the significance of the listed building.

The exceptions to the upper floors are the sixth floor panelled rooms of the south wing and more so the management suite of the seventh floor, where the interiors were elevated to a more bespoke design and higher specification, reflecting the occupiers of these floors and a diversion from the typically democratic design principles found elsewhere. These interiors are of greater significance both in terms of architectural interest, but also reflecting the history of the building.

In addition to the physical architecture and aesthetic design components, 55 Broadway is also significant as an example of the work of Charles Holden, one of the premier architects of the first half of the twentieth century and a name synonymous with some of the finest buildings associated with the London Underground from the 1920s and 30s.

With respect to the curtilage buildings, 100 Petty France was built in the 1970s and while in its facing materials it complements Holden's building and neighbouring buildings in Petty France, it is of limited architectural or historic interest both externally and internally and makes a very minimal contribution to the significance of the listed building. Similarly, the 1920s Wing Over Station, while attributed to Sir Albert Richardson, a leading twentieth century architect, is a relatively utilitarian element, which makes a limited contribution to the overall significance of the listed building.

The Significance of the Conservation Area

While an area of mixed character, the Broadway and Christchurch Gardens

Conservation Area is nevertheless a place of considerable architectural and historic interest. There are fine buildings, many of them listed, which range in date from the early 18th century through to the 21st century and they serve a variety of uses. These uses have themselves varied overtime, with a number of buildings providing differing functions throughout the course of their history. In many respects the conservation area in its buildings and history represents in microcosm the evolutionary tale of central London. It has changed quite substantially from its earliest development phase of the 16th century but has left traces of its history in the road layout and the buildings.

55 Broadway, very much typifies and contributes positively to the character and appearance of the conservation area, in that it is both a highly significant inter-war building, in terms of its construction, size and architecture, but it is also a key component in the history of the area, the development of London Transport and specifically the underground network.

The Legislative and Policy Framework

The key legislative requirements in respect to designated heritage assets are as follows: Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that *“In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”*

Section 66 of the same Act requires that *“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”*

Section 72 of the same Act requires that *“In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”*

Local development plan policies of primary relevance to this proposal are S25 (Heritage) and S28 (Design) of the City Plan; and DES 1 (Principles of urban design and conservation), DES 5 (Alterations and Extensions), DES 6 (Roof level alterations and extensions), DES 9 (Conservation areas) and DES 10 (Listed buildings).

Furthermore Chapters 12 and 16 of the NPPF require great weight be placed on design quality and the preservation of designated heritage assets including their setting. Chapter 16 of the NPPF clarifies that harmful proposals should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, taking into account the statutory duty to have special regard or pay special attention, as relevant. This should also take into account the relative significance of the affected asset and the severity of the harm caused.

The Proposals

The proposed hotel use introduces a series of changes and alterations to the building. One of the key areas of change will occur at ground floor level, where several of the

1980s alterations will be reversed. Notable amongst these will be the re-instatement of the north-south pedestrian route through the building, associated with access to St James's Park Underground Station, but also a key component of Holden's cruciform plan and desire line through the building. The main hotel entrance is to be the eastern entrance, originally designed as the main office entrance. Because of the re-instatement of the north-south arcade, this severs the hotel entrance area, from the main lift core and this leads to several consequential changes to enable hotel functionality and accessibility.

Three additional lifts are introduced within the new hotel entrance side of the plan, one of which will take hotel visitors up to the first floor, a main reception area and transfer point across to the main lift core. Two of these new lifts will primarily serve as back-of-house service lifts and one will also be an express lift to the 10th and 12th floors. These new lifts will be near the centre of the plan and to the upper floors will run through a part of the building currently containing toilets for the office floors, which are areas of low significance.

The 1980s diverted arcade routes will be removed and much of the ground floor on either side of the hotel entrance will function as a hotel bar and restaurant. Some retail units will be reprovided, and these will be associated with the north-south pedestrian arcade. The original secondary entry points in the lower, two storey, street facing ranges, demarcated by Epstein's 'Night' and 'Day' will be separate entry points into the bar and restaurant. The effect of these changes will be to introduce considerable activation to the street-facing ground floor of the building. Currently, because the retail units face towards and are accessed from the internal arcade, they turn their back on the street, with back-painted or vinyl application to the glazing, deadening the façade. The east-west circulation route will still be clearly defined internally with a double height entrance volume leading via the columned and screened former arcade through to the main staircase and the new lifts. There will be a degree of open plan introduced as the shop units are removed so that the bar and restaurant can be accessed directly from the columned axial route. A secondary hotel reception entrance will be introduced into 100 Petty France and to both sides of the entrance it is proposed to introduce retail units. The Wing Over Station will feature hotel rooms at ground level.

One of the main alterations takes place at first floor, where the triangular lightwells (between the main cruciform building and the infill two storey wings) are infilled at this level. The new floor area created will be accessed through existing window openings and the proposals maintain the walls of the lightwell and all current window openings. At present the lightwells feature lantern lights which provide natural light down into the ground floor and this proposal will remove these and introduce new lantern lights above the infills. The remainder of the first floor of the main building will serve as meeting rooms and breakout/event space. The first floor and above of 100 Petty France and all of the WOS will be subdivided into hotel rooms, typically with access off a central corridor.

The sixth floor panelled meeting rooms are to be used as hotel bedrooms and this will involve the introduction of ensuite bathrooms and associated services. The proposal seeks to retain most of the panelling in situ, with minimal fixings to it. The ensuites will involve partitioning of these rooms and the proposal is to clad the room-facing side of these partition in matching panelling, or repositioned original panelling, to provide a consistent appearance.

The seventh floor, former management suite within the longer eastern wing, with panelled corridor and double-height Lord Ashfield's office are to be retained and used as meetings rooms, with minimal changes proposed. There will be the need to take risers through this wing and it is proposed that these are routed to the room side, avoiding the walnut-panelled corridor.

Within the central tower element between tenth and thirteenth floor the proposal is to create a multi-functional event space. At tenth floor there would be access to the large rooftop terraces, which would feature new landscaping and be used as flexible event spaces.

Common internal alterations will include the subdivision of most of the floors into hotel bedrooms, the introduction of secondary glazing to the retained metal windows, the introduction of new services throughout, including a full height kitchen extract duct and the upgrading of the main staircase to ensure better compliance with building regulations.

Other external changes include: introducing louvred areas in place of ground floor windows to ventilate plant (within St Ermin's Hill façade); modifications to some windows to improve access to terraces, replace balustrades with glazed balustrades; introduction of fabric awnings to the ground floor windows; replacement of rooflights to Wing Over Station; removal of some 10th floor chimney stacks; removal of plant on lower roofs of 55 Broadway and re-location to roof of Wing Over Station and 100 Petty France; removal of access bridges between 55 Broadway and 100 Petty France; removal of metal escape stair from 11th floor plant room.

Impact upon Significance

Individually the various elements of the proposal will have a range of impacts upon the significance of 55 Broadway, some of these will be harmful and others will be beneficial. The harmful elements of the scheme are, overall, generally minor and in the terms of the NPPF would amount to less than substantial harm and within the parameters of this term, at the lower end of the spectrum.

The items which do constitute harm to the listed building include removal of some of the tenth floor chimney stacks; subdivision of the sixth floor panelled meeting rooms; infilling at first floor level of the main lightwells; modifications associated with the new lifts; removal of much of the ground floor 1980s Manser work; opening up of the sides of the east-west ground floor axial route to create a more open plan layout; and the modifications to the main staircase to accord with current building regulations requirements. Many of these changes are driven by the need to make the hotel use work in an effective fashion and in a number of cases the level of impact caused can be mitigated by design detail. For example, the alterations to the sixth floor panelled rooms can be done in such a way that the distinct character of these rooms is maintained and all the historic fabric of interest is retained. Similarly, in the case of the first floor infill extensions these are capable of being designed and detailed so as to ensure the original layout and character of these spaces remains legible. Thus a series of conditions are recommended to address these various elements of the scheme.

Set against these items of harm the scheme also delivers many public benefits, including heritage benefits. Perhaps first and foremost of these is the proposed use, which complements the building and its layout, and allows a high level of public access. The restoration of the original cruciform routes through the base of the building, while it does reverse the Manser work, will also re-establish Holden's original circulation routes, which are a key component of the original design. The public uses at ground floor level and the re-use of secondary entrances will also mean that the facades become far more activated and animated at ground floor level, enlivening the relationship of the building with the surrounding streets. For the most part the proposals seek to work with the original historic fabric and to celebrate it and this is also to be borne out in much of the new interior detailing, final details of which are to be conditioned.

The external alterations are relatively modest and perhaps the biggest change is the relocation of plant. In many cases the removed plant is currently attached to more significant parts of 55 Broadway, whereas the proposed re-located plant is to be sited on the roof of 100 Petty France and to a greater extent on the roof of the Wing Over Station. The proposed plant enclosure to the Wing Over Station is substantial and runs almost the entire length of the building, however, it will replace a roofscape which is cluttered with existing plant, rooftop structures and railings and currently has a very discordant appearance. The enclosure will tidy up the appearance and will also have only a very modest visual impact, being glimpsed in street-level views from Palmer Street. The new plant enclosure above 100 Petty France will be set well back from the roof edge and pulled away from 55 Broadway and as such is unlikely to have any visual impact. If it can be seen this will be in longer views from Queen Anne's Gate and in this case the impact is not considered to be harmful.

Thus in terms of the impact of the proposals on the significance of designated heritage assets, while there are some items which compromise the building's significance, the overall effect is considered to be beneficial and similarly there is considered to be no adverse impact upon the conservation area, indeed the overall effect is likely to result in an enhancement to the area.

Conclusions

The proposed hotel use is considered to be one which complements the design and character of the building and enables public access to a truly special historic building. The series of alterations have varying impacts, but the overall effect is well-considered and respectful to the character and historic fabric. The proposals would accord with the relevant City Council policies and any harm caused by the proposals is outweighed by the public benefits of the scheme. Subject to the suggested conditions the proposals are acceptable in design and heritage terms.

8.3 Residential Amenity

City Plan Policy S29 seeks to safeguard the amenity of existing residents. Policy ENV13 of the UDP seeks to protect and improve the residential environment.

Noise nuisance from roof terraces

Residents of Queen Anne's Gate and Old Queen Street have raised objections and concerns on the grounds of potential noise and disturbance from the tenth floor external roof terraces.

The issue of noise nuisance from the tenth floor roof terraces, which the applicant is proposing to use in conjunction with the bar/event space at tenth floor level from 07.00 to 23.00 daily for up to a maximum of 190 people at any one time, is discussed in Section 8.1 above. Given the concerns expressed by residents, it is considered appropriate to recommend (in addition to our normal condition prohibiting the installation of pergolas, privacy screens, furniture etc), conditions restricting the use of the roof terraces to no later than 22.00 hours, for no more than 190 people at any one time and to prohibit any form of outdoor cooking and amplified music. In addition, Environmental Health have requested a supplementary acoustic report be undertaken to assess the relative change in noise levels between existing ambient noise level and future ambient noise level and whether additional attenuation measures (in the form of physical structures or planting) will need to be incorporated into the design. These conditions and an Operational Management Plan (OMP) which is to be secured through S106 legal obligation will ensure the appropriate management of the use of these external areas and mitigate any nuisance to residents.

Noise

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

All existing external plant on the buildings is to be removed and replaced with new plant consolidated into acoustic louvred enclosures on the roof of 100 Petty France and Wing Over Station (WOS). As there are no plant specifications in the applicant's acoustic report, Environmental Health require a supplementary acoustic report to be submitted for approval once the plant has been selected; this will be secured by condition. Environmental Health are satisfied that subject to this, the mechanical plant, can be controlled and/or mitigated by condition.

Due to the presence of underground train lines below the site, the applicant commissioned a vibration and re-radiated noise survey in order to assess the impact of the underground rail activities on the proposed development – vibration noise from the underground train lines below is transferred through the steel structure of the building. Several floors in the East and North wings were found to experience significantly higher levels of noise than the 35dB level considered to be acceptable and so hotel bedrooms within these parts of the building are to be acoustically separated from the main structure of the building using a box-in-box construction method (bedroom partitions will be formed of two layers of plasterboard either side of a metal stud).

Odour

The kitchen extract for the restaurant kitchen (in the basement) has been designed to extract at roof level on the 14th floor. Full details of the restaurant kitchen ventilation arrangements are to be secured by condition, as requested by Environmental Health.

Air Quality

Westminster is a designated Air Quality Management Area (AQMA) for nitrogen dioxide and particulates. Policy S31 of the City Plan seeks to reduce air pollution with the aims of meeting the objectives for pollutants set out in the national strategy. Similarly, Policy 7.14 (B) of the London Plan (2016) requires that development proposals should minimise increased exposure to existing poor air quality and make provision to address local air quality problems, promote sustainable design and construction to reduce emissions from the demolition and construction of buildings, be at least 'air quality neutral' not lead to further deterioration of existing poor air quality and ensure that provision for reducing emissions from the development is made on-site.

The Air Quality assessment and addendum report submitted with the application considers the impact of potential dust generation during the construction period, the suitability of the site for the proposed uses and the potential impact of traffic and energy-related emissions associated with the proposed development once operational. The Air Quality assessment concludes that the development is air quality neutral in terms of its on-going operational impact (GLA benchmarking assessment methodology).

8.4 Transportation/Parking

Servicing

UDP policy TRANS 20 requires new development to accommodate servicing arrangements off-street. In this case a dedicated servicing bay is proposed within the building accessed off St Ermin's Hill. The servicing bay will be capable of accommodating 3.5 and 7.5 tonne vehicles, with these vehicles able to enter and exit the site in a forward gear via the use of a turntable. The creation of a dedicated off-street servicing bay is in accordance with London Plan and Westminster UDP policies and is welcomed by both TfL (as the Traffic Authority) and by the WCC Highways Planning Manager.

Objections have been received on behalf of St Ermin's hotel, which is currently serviced from the street on St Ermin's Hill. A survey provided by St Ermin's hotel noted that they had fourteen deliveries each day which took a total of 3.5 hours – with larger servicing vehicles potentially blocking the street. Whilst the St Ermin's hotel's objections and comments about turning manoeuvres etc are acknowledged, St Ermin's Hill is not the hotel's private road, it is public highway.

The applicant is keen to review opportunities for consolidating deliveries including waste collection and linen and beverage deliveries with St Ermin's hotel in order to further reduce vehicles using St Ermin's Hill and has been seeking agreement and cooperation to that effect. The applicant has also reviewed their proposed servicing strategy and reduced the size of vehicles to be used so that they will not conflict with St Ermin's hotel larger servicing vehicles. Further swept path analysis, provided by the applicant, demonstrate that smaller light van vehicles can enter and exit past the larger vehicles

servicing St Ermin's hotel. Thus, whilst the applicant is still committed to seeking further discussion with St Ermin's hotel, the revised servicing strategy demonstrates that cooperation between the two hotels is not essential. A final version of the Delivery and Servicing Management Plan to be submitted and approved in consultation with TfL (as the Traffic Authority) is to be secured by condition.

Changes will be required to the current loading and parking restrictions on St Ermin's Hill to allow access for both hotels i.e. a single yellow line kerb space will be retained to allow continued servicing access for St Ermin's hotel whilst also allowing access to the servicing bay in 55 Broadway. These changes, in addition to the Delivery and Servicing Management Plan, will allow the City Council as Highway Authority, to enforce efficient and coordinated use of St Ermin's Hill, ensuring access is maintained to both sites. The cost of carrying out these changes to the loading and parking restrictions will be borne by the applicant and secured by S106 legal agreement.

Storage for Waste and Recyclables

The current arrangement is for a WCC refuse truck to reverse to a collection point on St. Ermin's Hill and for refuse bins to be wheeled to the truck. The adjacent St. Ermin's Hotel also have their refuse collection from St Ermin's Hill.

The appointed waste contractor will still be required to reverse into St Ermin's Hill but waste will be collected directly from a new ground floor holding area (on St Ermin's Hill). Interim waste and recyclable storage will be provided within the operational areas of the hotel, restaurants, bars and shops and then transferred, by site management, to the central waste collection point on waste collection day. Site waste management and waste servicing has been amended in response to advice from the Council's Projects Officer (Waste) and is detailed in the Delivery and Servicing Plan, the final version of which is to be secured by condition - for submission and approval. The applicant is also looking to coordinate waste collection with St Ermin's hotel, and has engaged with the existing waste management provider to St Ermin's hotel, in order to minimise disruption and any increase in traffic.

Trip Generation

The submitted Transport Assessment uses established modelling techniques to estimate the trip generation of the existing office buildings and retail arcade. This analysis estimates 502 two-way person trips across the AM peak and 343 two-way person trips across the PM peak. The majority of people arriving by public transport (approximately 90%).

The Transport Assessment has also modelled the likely trip generation of the proposed hotel and ancillary uses. The modelling has been supplemented by survey data from the Conrad Hotel (a five* 271 bedroom hotel on Broadway). The analysis estimates 383 two-way person trips during the AM peak and 321 person trips during the PM peak; a notable reduction in person trips particularly across the AM peak hours, with varying changes across each travel mode. The greatest reductions in peak hour trips are forecast by underground and train.

The analysis estimates that the proposed hotel use is expected to generate 42 taxi person trips in the AM peak hour and 35 taxi person trips in the PM peak hours. This is the number of people that are expected to travel by taxi in each hour, and not the number of actual vehicles. To calculate the number of taxi vehicles that will arrive and depart from the hotel, consideration is given to the occupancy of each vehicle. Taxi movement surveys at the Sanderson and Grange City Hotels recorded an average taxi occupancy of between 1.3 and 1.5 people per taxi. Using the lower taxi occupancy figure of 1.3 people per taxi, it is estimated that taxi movements associated with the hotel use would amount to 32 taxis during the AM peak hour and 27 taxis during the PM peak hour which is not unusual for a development of this type. This is also a robust estimate as some of the taxis that drop off passengers are then likely to join the taxi rank opposite on Petty France to pick up other passengers, thus the actual number of taxis attending the hotel would be less in reality. The existing on-street taxi rank and kerbside space in close proximity of the main hotel entrance (for use by taxis for drop-off and pick-up) is therefore considered sufficient to accommodate the forecast demand associated with the proposed new hotel without the need for any changes to the existing on-street restrictions.

Coaches

UDP policies TRANS6 and TRANS22 require hotels to provide for coach arrivals and departures. The applicant has confirmed that they do not intend to accept hotel bookings from coach parties (guests arriving by coach) and this will be secured by condition. Notwithstanding this, there are coach parking bays nearby in Tothill Street which could accommodate coach parking demand from the hotel if required.

Car parking

UDP policy TRANS 22 concerns non-residential parking and states that car parking facilities will not normally be permitted for hotels. There is no car parking and not blue badge car parking provided on site. Public disabled parking bays are provided nearby on street within the vicinity of the site.

Cycle Parking

Cycle parking, 27 long stay cycle spaces and 11 short stay spaces, is provided at basement level accessible via stairs and lift in accordance with London Plan standards. Shower and changing facilities are to be provided for staff who travel to the site by bike and is also welcomed.

Closure of east entrance/exit to St James's Park Underground Station

The existing eastern pedestrian access into 55 Broadway is to become the main hotel-only entrance which means it will no longer be possible for pedestrians to gain access to St James's Park Underground station via the eastern access from Broadway. Pedestrian access at the north (Broadway/Petty France) and south (St Ermin's Hill) of the site will remain unchanged. The removal of the existing TfL office reception at the centre of the building and the circuitous pedestrian route around it, however, will allow the two entrances to be centrally reconnected, as per the original Holden vision for the building. The provision of a direct legible north-south pedestrian route will improve the

permeability through the site and wider area allowing a more direct route for pedestrians. The north-south pedestrian route through the new arcade would be open from 05.30 until 22.00 daily, as it is now. The existing western access into St James's Park Underground station from Palmer Street will be retained unchanged. The application is supported by a letter from TfL (Commercial Development) which confirms that they are 'content that the Tube Station could operate satisfactorily with just the northern ticket hall entrance' however they also acknowledge and welcome the public benefit of reintroducing direct access and egress from the southern entrance as part of the current proposal. The demise retained by TfL for operational purposes, sufficiently provides the future potential for 'step free access' to both platforms.

UDP policy TRANS3(A) states that the City Council, in considering development proposals will aim to secure an improved pedestrian environment for pedestrians, with particular regard to their safety, ease, convenience and directness of movement. The closure of the eastern entrance/exit to the into the Underground station will result in more pedestrians on the footways around the building, as they make their way to and from the other station entry points. The Pedestrian Comfort Level (PCL) on the southern footway of the east-west section of Broadway is reduced from PCL A to PCL B as a result. The Highways Planning Manager has therefore requested that the applicants pay for a footway widening scheme to ensure that PCL A is retained on the footway on Broadway. The cost of this would be borne by the applicant and secured by S106 legal agreement.

8.5 Economic Considerations

The economic benefits associated with the conversion and re-use of this Grade I listed building to provide new hotel accommodation are welcomed. Construction of the proposed hotel is expected to support an average of 370 workers on site over the two year construction period and, once operational, the hotel is expected to support approximately 455 jobs directly on site (equivalent to 385 FTEs) and an estimated 870 net additional jobs across London (equivalent to 730 FTEs). The applicant has offered to enter into an Employment and Training Strategy for the construction phase and operational phase of the proposed development; this will be secured by S106 legal agreement.

8.6 Accessibility

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

Currently, the only step-free access into the building is the northern entrance into St James's Park Underground station, this will remain. The main hotel entrance off Broadway to the east is a stepped entrance and will remain so; the south entrance also has steps will also remain so. The new secondary hotel entrance on Petty France will be step-free. From the ground floor, hotel guests and visitors will be directed to the lifts, up to the main first floor, hotel reception area. The existing bank of four lifts serve levels ground to ten; an additional express lift will serve floors ten to thirteen and a separate platform lift will serve floors thirteen to fourteen. Corridors will be a minimum of 1500mm with 1800mm x 1800mm passing spaces. 10% of the total number of bedroom units will

be designed to be wheelchair-accessible in line with the London Plan 2016, Policy 4.5 B (a). All accessible rooms are accessed via step-free routes.

8.7 Other UDP/Westminster Policy Considerations

Flood Risk

The site lies within the Flood Risk Zone 3 area and a flood risk assessment has been submitted with the application to assess the proposals and suggest appropriate mitigation measures. The site is protected to a very high standard by the Thames Tidal defences but there would be a residual risk of flooding should these ever be breached or overtopped. There are no bedrooms proposed below the modelled tidal breach flood level and, in the event of fluvial flooding, there is safe refuge within the building at first floor level and above. The proposed development is considered to be at low risk of flooding from surface water, ground water, sewers and artificial bodies of water.

The application is accompanied by a site specific Drainage Strategy and a Sustainable Urban Drainage Systems (SuDS) report. As no additional impenetrable areas are being added to the buildings, the drainage discharge rates will remain unchanged and, given the significant heritage and LUL constraints, no SuDS features (underground attenuation tanks and blue roofs) are proposed.

Roof Terrace Planting and Landscaping

Planting, in moveable metal planters, is proposed on the four tenth floor roof terraces. The indicative planting schemes are themed around the four winds sculptures on the façade of each wing: North – Scandinavian, South – South Australasian palm forest, East – Japanese and West – North American. The planting strategy has been amended, in response to comments from the Arboricultural Officer, to include smaller trees and shrubs which are considered to be more realistic given the size of planter and soil volumes proposed. Full details of the roof terrace landscaping, including construction method, layout, soil volumes and soil composition, irrigation, plant species and maintenance regime are to be secured by condition.

Sustainability

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

In this case there are acknowledged constraints to providing sustainability measures as much of the historic building fabric at the site is to be retained and the Grade I listed

building safeguarded intact. This significantly limits the opportunities for appropriate systems for renewable energy, for instance, as it would not be appropriate to provide roof level photovoltaic panels on 55 Broadway for heritage reasons.

The applicant has submitted an Energy Strategy and a Sustainability Strategy for the proposed development which detail a range of passive design and energy efficiency measures. The proposed hotel use will require the replacement of the existing single glazing (for noise attenuation reasons) with secondary glazing which will upgrade the acoustic and thermal performance of the windows for the entire site. Improvements to the thermal envelope and the building services strategy will achieve up to 40.5% reduction in CO2 emissions. The development will have a centralised gas-fired boiler. Connection to a Local District Heat Network is not currently possible; there is no existing or proposed network within 200m of the development. High efficiency air source heat pumps (ASHP) with heat recovery will achieve a further CO2 reduction of 25.1%. Consequently, it is anticipated that the proposed development will achieve an overall reduction of up to 65.6% CO2 emissions (beyond the GLA gas boiler baseline).

8.8 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.

8.9 London Plan

New hotels are supported by London Plan policies.

8.10 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 a pre-commencement condition to secure the applicant's adherence to the City Council's Code of Construction Practice during the demolition/excavation and construction phases of the development. The applicant has agreed to the imposition of

the condition.

8.11 Planning Obligations

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

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

Policy S33 of the City Plan relates to planning obligations. It states that the Council will require mitigation of the directly related impacts of development; ensure the development complies with policy requirements within the development plan; and, if appropriate, seek contributions for supporting infrastructure. Planning obligations and any Community Infrastructure Levy contributions will be sought at a level that ensures the overall delivery of appropriate development is not compromised.

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

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

The applicant has offered to enter into a S106 legal agreement and the draft heads of the agreement are as follows:

- i) Operational Management Plan for the hotel, restaurants, bars, retail, event spaces, external roof terraces and spa/gym facilities
- ii) Employment and Training Strategy for the construction phase and operational phase of the proposed development
- iii) Payment for all necessary highway works including the following to be carried out prior to the occupation of the hotel:
 - Changes to parking and loading restrictions in St Ermin's Hill
 - Footway widening to retain Pedestrian Comfort Level (PCL) A on Petty France and Broadway
- iv) Cost of monitoring

As there is no increase in floorspace, the proposed development is not CIL liable (Mayoral nor Westminster).

8.12 Environmental Impact Assessment

Environmental Impact issues have been covered in sections 8.3 and 8.7 above.

8.13 Other Issues

Statement of Community Involvement

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

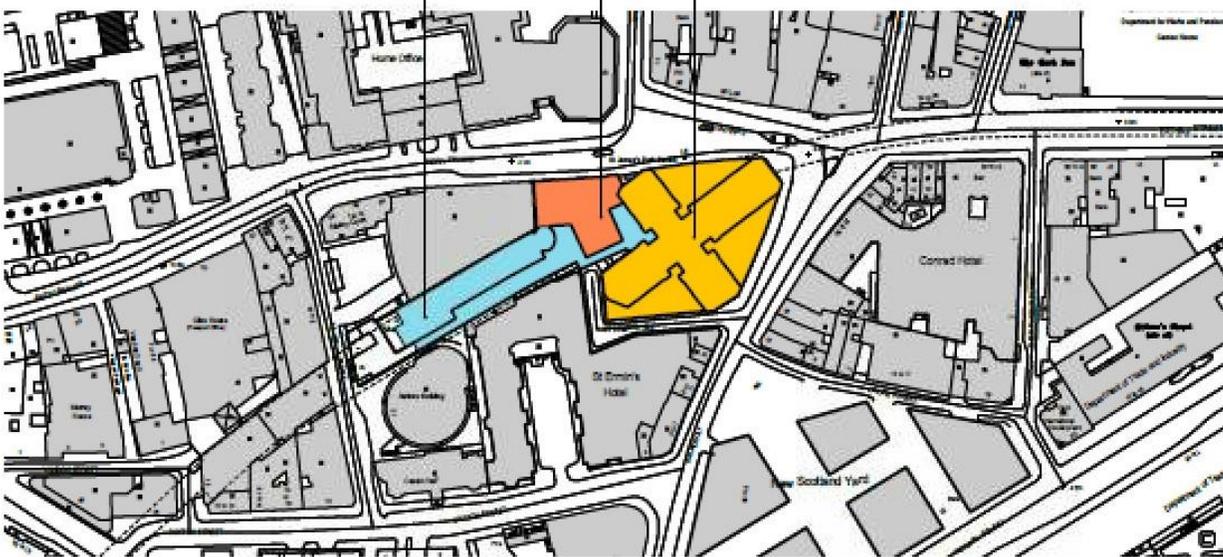
Following the submission of the application, the applicant has met with representatives of St Ermin's Hotel to discuss their objections and concerns regarding the potential impact on servicing and deliveries to St Ermin's Hotel from St Ermin's Hill. The applicant has also attended a meeting with the Chair of the Queen Anne's Gate Residents Association (QAGRA) and has offered to continue to meet with QAGRA and other local residents throughout the development process to respond to questions and concerns.

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

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

9. KEY DRAWINGS

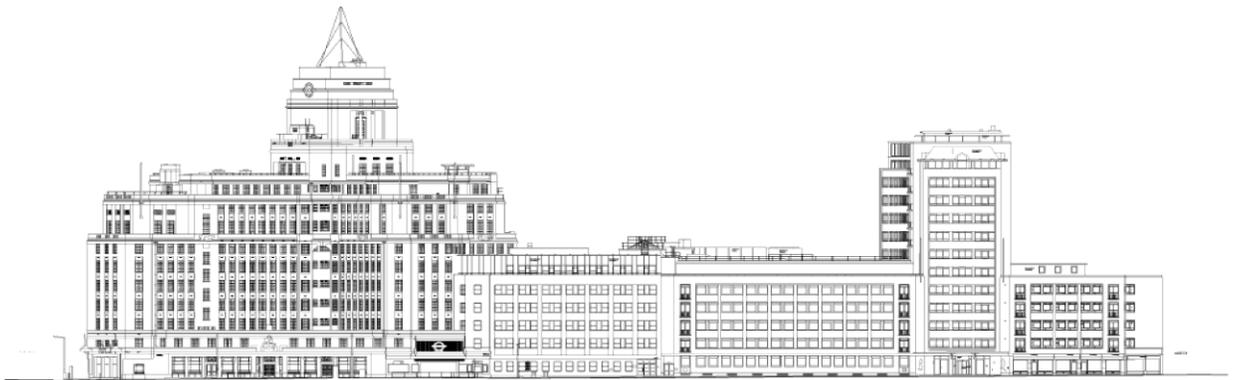
Site layout



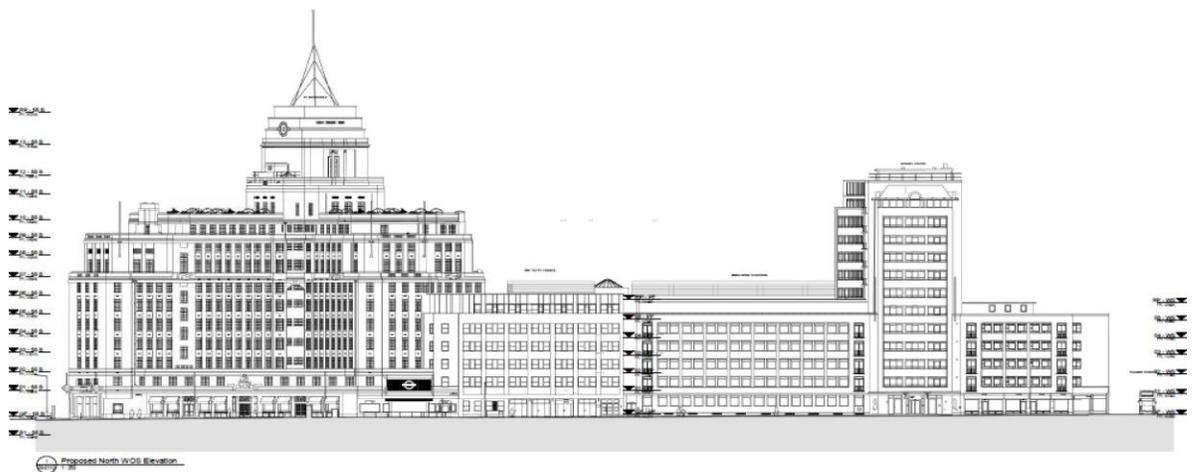
Interconnected office buildings on Site.



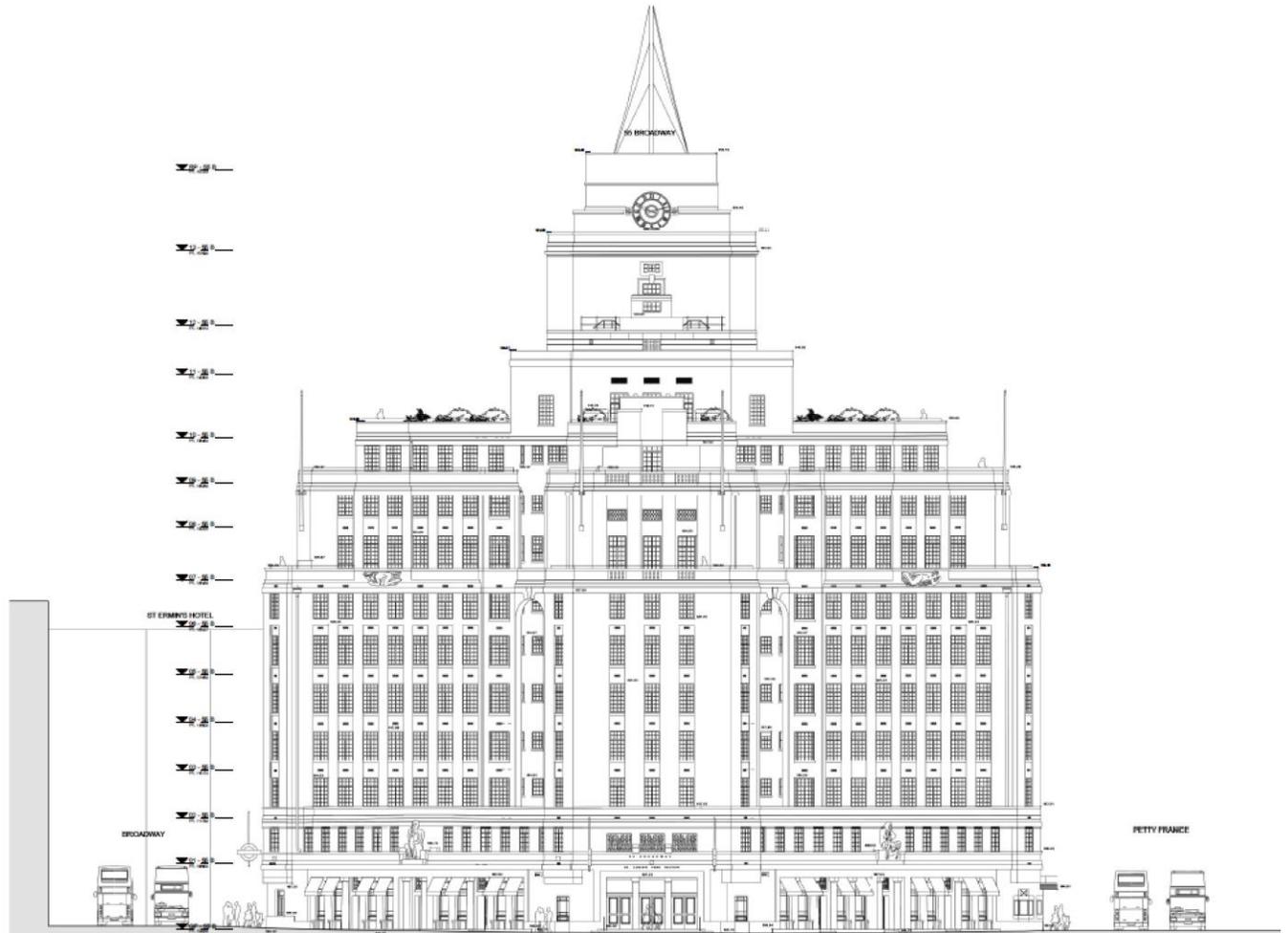
Existing North elevation



Proposed North elevation



Proposed east elevation and main hotel entrance



DRAFT DECISION LETTER

Address: Broadway Complex, 55 Broadway, London, SW1H 0BD

Proposal: Conversion of buildings for use as hotel (Class C1) with ancillary flexible retail, leisure/spa, restaurant or bar use and other associated facilities; use of 10th floor roof terraces; internal and external alterations including creation of new service bay off St Ermin's Hill, reconfiguration of entrances/exits to St James's Park Underground Station and rooftop plant.

Plan Nos: DP9 letter dated 16 December 2019;

11089-EPR-00-00-TP-A-02-0001 P2
11089-EPR-00-B1-TP-A-02-0002 P2

11089-EPR-00-B1-TP-A-00-0010 P1
11089-EPR-00-B1-TP-A-00-0099 P2
11089-EPR-00-GF-TP-A-00-0100 P2
11089-EPR-00-01-TP-A-00-0101 P2
11089-EPR-00-02-TP-A-00-0102 P2
11089-EPR-00-03-TP-A-00-0103 P2
11089-EPR-00-04-TP-A-00-0104 P2
11089-EPR-00-05-TP-A-00-0105 P2
11089-EPR-00-06-TP-A-00-0106 P2
11089-EPR-00-07-TP-A-00-0107 P2
11089-EPR-00-08-TP-A-00-0108 P2
11089-EPR-00-09-TP-A-00-0109 P2
11089-EPR-00-10-TP-A-00-0110 P2
11089-EPR-00-11-TP-A-00-0111 P2

11089-EPR-00-AA-TP-A-00-0301 P2
11089-EPR-00-BB-TP-A-00-0302 P2
11089-EPR-00-CC-TP-A-00-0303 P2
11089-EPR-00-CC-TP-A-00-0304 P2
11089-EPR-00-DD-TP-A-00-0305 P2
11089-EPR-00-EE-TP-A-00-0306 P2

11089-EPR-00-EA-TP-A-00-0401 P2
11089-EPR-00-SO-TP-A-00-0402 P2
11089-EPR-00-NO-TP-A-00-0403 P2
11089-EPR-00-WE-TP-A-00-0404 P2
11089-EPR-00-PF-TP-A-00-0405 P2
11089-EPR-00-SO-TP-A-00-0406 P2
11089-EPR-00-WE-TP-A-00-0407 P2
11089-EPR-00-NO-TP-A-00-0408 P2

11089-EPR-00-B1-TP-A-01-0099 P1
11089-EPR-00-GF-TP-A-01-0100 P1
11089-EPR-00-01-TP-A-01-0101 P1
11089-EPR-00-02-TP-A-01-0102 P1
11089-EPR-00-03-TP-A-01-0103 P1
11089-EPR-00-04-TP-A-01-0104 P1
11089-EPR-00-05-TP-A-01-0105 P1
11089-EPR-00-06-TP-A-01-0106 P1
11089-EPR-00-07-TP-A-01-0107 P1
11089-EPR-00-08-TP-A-01-0108 P1
11089-EPR-00-09-TP-A-01-0109 P1

11089-EPR-00-10-TP-A-01-0110 P1
11089-EPR-00-11-TP-A-01-0111 P1

11089-EPR-00-EA-TP-A-01-0401 P1
11089-EPR-00-SO-TP-A-01-0402 P1
11089-EPR-00-NO-TP-A-01-0403 P1
11089-EPR-00-WE-TP-A-01-0404 P1

11089-EPR-00-PF-TP-A-01-0405 P1
11089-EPR-00-SO-TP-A-01-0406 P1
11089-EPR-00-WE-TP-A-01-0407 P1
11089-EPR-00-NO-TP-A-01-0408 P1

11089-EPR-00-B1-TP-A-02-0010 P1
11089-EPR-00-B1-TP-A-02-0099 P6
11089-EPR-00-B1-TP-A-02-100 P7
11089-EPR-00-01-TP-A-02-0101 P7
11089-EPR-00-02-TP-A-02-0102 P6
11089-EPR-00-03-TP-A-02-0103 P6
11089-EPR-00-04-TP-A-02-0104 P6
11089-EPR-00-05-TP-A-02-0105 P6
11089-EPR-00-06-TP-A-02-0106 P6
11089-EPR-00-07-TP-A-02-0107 P6
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11089-EPR-00-09-TP-A-02-0109 P6
11089-EPR-00-10-TP-A-02-0110 P6
11089-EPR-00-11-TP-A-02-0111 P6

11089-EPR-00-AA-TP-A-02-0301
11089-EPR-00-BB-TP-A-02-0302
11089-EPR-00-CC-TP-A-02-0303
11089-EPR-00-CC-TP-A-02-0304
11089-EPR-00-DD-TP-A-02-0305
11089-EPR-00-EE-TP-A-02-0306

11089-EPR-00-EA-TP-A-02-0401
11089-EPR-00-SO-TP-A-02-0402
11089-EPR-00-NO-TP-A-02-0403
11089-EPR-00-WE-TP-A-02-0404
11089-EPR-00-PF-TP-A-02-0405
11089-EPR-00-SO-TP-A-02-0406
11089-EPR-00-WE-TP-A-02-0407
11089-EPR-00-NO-TP-A-02-0408

11089-EPR-00-T1-TP-A-40-0010
11089-EPR-00-T1-TP-A-40-0011
11089-EPR-00-T1-TP-A-40-0020
11089-EPR-00-T1-TP-A-40-0021

11089-EPR-00-T1-TP-A-40-0024
11089-EPR-00-T1-TP-A-40-0025
11089-EPR-00-T1-TP-A-40-0026
11089-EPR-00-T1-TP-A-40-0027
11089-EPR-00-T1-TP-A-40-0028
11089-EPR-00-T1-TP-A-40-0029
11089-EPR-00-T1-TP-A-40-0030

11089-EPR-00-T1-TP-A-40-0031
11089-EPR-00-T1-TP-A-40-0032

11089-EPR-00-GF-TP-A-40-0033
11089-EPR-00-GF-TP-A-40-0034
11089-EPR-00-01-TP-A-40-0035
11089-EPR-00-01-TP-A-40-0036
11089-EPR-00-ZZ-TP-A-40-0037
11089-EPR-00-ZZ-TP-A-40-0038
11089-EPR-00-SO-TP-A-40-0039
11089-EPR-00-SO-TP-A-40-0040
11089-EPR-00-EA-TP-A-40-0041
11089-EPR-00-EA-TP-A-40-0042
11089-EPR-00-06-TP-A-40-0043
11089-EPR-00-07-TP-A-40-0044
11089-EPR-00-02-TP-A-40-0045
11089-EPR-00-06-TP-A-40-0046

For information only:

DP9 Planning Statement dated December 2019; EPR Design and Access Statement dated December 2019 and DAS Section 4 Rev01 dated 3.4.2020; KM Heritage Heritage Statement dated December 2019; Caneparo Associates Transport Statement dated December 2019; Hoare Lea Noise Assessment Rev02 dated December 2019; Hoare Lea Vibration and Re-Radiated Noise Survey dated 11.12.19; Hoare Lea Air Quality Assessment Rev 01 dated 13.12.19 and Addendum Rev02 dated 27.2.20; Hoare Lea Ventilation Summary Statement Rev01 dated December 2019; Hoare Lea Energy Statement Rev01 dated December 2019; Hoare Lea Sustainability Statement Rev01 dated December 2019; Elliot Wood Flood Risk Assessment dated December 2019; Elliot Wood Drainage Strategy dated December 2019; Volterra Economic Statement dated December 2019; Caneparo draft Delivery and Servicing Plan RevA March 2020; draft Hotel Operational Management Plan 5.3.20; Statement of Community Involvement dated December 2019.

Case Officer: Amanda Jackson **Direct Tel. No.** 07866038919

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 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 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 work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved materials.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 3 You must apply to us for approval of detailed drawings of the following parts of the development:

- i) The new shopfronts and hotel entrance to 100 Petty France;
- ii) The frosted glass panels subdividing the ninth floor terraces;
- iii) Modifications to windows on ninth floor to create doors;
- iv) The new plant enclosures;
- v) New railings and balustrades;
- vi) New awnings.

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 protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 4 You must only utilise existing ventilation grilles within the stone façade of 55 Broadway, with no new ventilation/services openings in the façade approved by this permission.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 5 You must apply to us for approval of full details of the proposed landscaping to the external terraces to include construction method, layout, soil volumes and soil composition, irrigation, plant species and maintenance regime. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these approved details and thereafter retain and maintain in accordance with the approved management plan.

Reason:

To protect the special architectural character or historic interest of this building and of improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Broadway and Christchurch Gardens Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

- 6 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terraces.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

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

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 8 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)

9 **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)

10 The six retail units shaded pink on the ground floor plan (drawing no. 0100 Rev P7) shall only be used for flexible retail, leisure/spa, restaurant or bar purposes and not for any other hotel activity.

Reason:

To ensure that a satisfactory mix of ground floor retail and associated uses are provided in accordance with Policy S21 of Westminster's City Plan (November 2016).

11 The flexible retail, leisure/spa, restaurant and bar uses on ground and tenth floor levels as shown on the approved plans (Dwg no. 0100 P7 and Dwg no. 0110 RevP6) must remain open to customers who are members of the general public (whether or not they guests at the hotel or visitors of hotel guests) and shall not be used for any other hotel activity other than retail, leisure/spa, restaurant or bar as indicated on the approved plans.

Reason:

To make sure that you achieve the variety of uses included in the scheme and as set out in Policy S1 of Westminster's City Plan (November 2016).

12 Non-hotel guests shall not be permitted within the ground floor restaurant and bar areas at ground floor level before 07.00 hours or after 23.00 hours each day and in the business centre/meeting rooms on the first floor before 06.00 hours or after 00.00 hours each day.

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 TACE9 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

13 Customers shall not be permitted in the ground floor retail units, the seventh floor meeting room/event space, the tenth floor bar and the eleventh to thirteenth floor event space before 07.00 hours or after 00.00 hours each day and in the ground floor spa/leisure use not before 07.00 hours or after 22.30 hours each day.

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 9 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 14 The tenth floor roof terraces adjacent to the tenth floor bar/event space as shown on drawing no. 0110 RevP6 shall only be used by customers of the bar/event space between 07.00 hours and 22.00 hours each day.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

Reason:

To protect the environment of people in neighbouring properties. This is as set out in S29 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 15 You must provide the waste store shown on drawing 11089-EPR-00-GF-TP-A-02-0100 RevP7 before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the hotel, retail, leisure/spa, restaurant, bar. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

Reason:

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

- 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 You must use the parking, access, loading, unloading and manoeuvring areas shown on the approved plans only for those purposes. (C23AA)

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)

- 18 No goods for the hotel and other commercial uses, including fuel, delivered or collected by vehicles arriving at or departing from the building shall be accepted or despatched if unloaded or loaded on the public highway. You may accept or despatch such goods only if they are unloaded or loaded within the curtilage of the building. (C23BA)

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 a Servicing and Delivery Management Plan (SDMP) that takes account of all the uses in the development. The plan must identify the process, internal storage locations, scheduling of deliveries and staffing. You must not commence the hotel and commercial uses hereby approved until we, in consultation with TfL have approved what you have sent us. The SDMP must thereafter be maintained and followed by the occupants for the life of the development, unless a revised strategy is approved (in writing) by the Local Planning Authority in consultation with TfL.

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)

20 All vehicles must enter and exit the site in forward gear.

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)

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

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of

Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

22 You must apply to us for approval of, in consultation with TfL, a Construction Logistics Plan (CLP) before any works (including demolition) commence on site. You must carry out the measures included in your plan throughout the demolition and construction period.

Reason:

As requested by Transport for London (TfL).

23 You must apply to us for approval of details of a supplementary acoustic report:

i) demonstrating that the detailed mechanical plant specification will comply with the Council's noise criteria as set out in Condition 24 and 25 of this permission and

ii) to address the potential noise breakout from the tenth floor roof terraces

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)

24 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level

should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing 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)

- 25 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)

- 26 (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)

- 27 You must apply to us for approval of details of the ventilation system to get rid of fumes, including details of how it will be built and how it will look. You must not begin the use allowed by this permission until we have approved what you have sent us and you have carried out the work according to the approved details. (C14BB)

Reason:

To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

- 28 You must not install or use any outdoor cooking equipment or play any amplified music on the tenth floor roof terraces as shown on dwg no. 0110 P6 hereby approved and there must be no more than 190 customers on the tenth floor roof terraces at any one time.

Reason:

To protect the environment of people in neighbouring properties. This is as set out in S29 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 29 The hotel use hereby approved is not permitted to accept coach-party bookings.

Reason:

In order to minimise any adverse impacts on the surrounding highway network and to prevent any nuisance to people in the area as set out in Policies S23, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and TACE 2 of our Unitary Development Plan that we adopted in January 2007.

- 30 In the event that the supplementary acoustic report required by Condition 23 identifies the need for additional attenuation measures to the tenth floor roof terraces, you must apply to us for approval of full details of these additional attenuation measures before the use of the tenth floor roof terraces commences.

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 and to protect the special architectural character or historic interest of this building and of improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007.

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) Operational Management Plan for the hotel, restaurants, bars, retail, event spaces, external roof terraces and spa/gym facilities
- ii) Employment and Training Strategy for the construction phase and operational phase of the proposed development
- iii) Payment for all necessary highway works including the following to be carried out prior to the occupation of the hotel:
 - * Changes to parking and loading restrictions in St Ermin's Hill
 - * Footway widening to retain Pedestrian Comfort Level (PCL) A on Petty France and Broadway
- iv) Cost of monitoring

- 3 With reference to condition 9 please refer to the Council's Code of Construction Practice at (www.westminster.gov.uk/code-construction-practice). You will be required to enter into an agreement with the Council appropriate to this scale of development and to pay the relevant fees prior to starting work.

Your completed and signed Checklist A (for Level 1 and Level 2 developments) or B (for basements) and all relevant accompanying documents outlined in Checklist A or B, e.g. the full Site Environmental Management Plan (Levels 1 and 2) or Construction Management Plan (basements), must be submitted to the City Council's Environmental Sciences team (environmentalsciences2@westminster.gov.uk) **at least 40 days prior to commencement of works** (which may include some pre-commencement works and demolition. The checklist must be countersigned by them before you apply to the local planning authority to discharge the above condition.

You are urged to give this your early attention as the relevant stages of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval of each of the relevant parts, prior to each stage of commencement.

Where you change your plans after we have discharged the condition, you must re-apply and submit new details for consideration before you start work. Please note that where separate contractors are appointed for different phases of the project, you may apply to partially discharge the condition by clearly stating in your submission which phase of the works (i.e. (a) demolition, (b) excavation or (c) construction or a combination of these) the details relate to. However please note that the entire fee payable to the Environmental Sciences team must be paid on submission of the details relating to the relevant phase.

Appendix A must be signed and countersigned by Environmental Sciences prior to the submission of the approval of details of the above condition.

- 4 If any 'special treatment', as defined in the London Local Authorities Act 1991, is going to be provided at the premises, you will need to apply for a Special Treatment Licence. Please use the following link for further information and to make your application: www.westminster.gov.uk/massage-and-special-treatment-premises-licences. You should contact the Environmental Health Consultation Team (Regulatory Support Team 2) by email to ehconsultationteam@westminster.gov.uk for advice to ensure the treatment rooms meet the appropriate standards.
- 5 You must register your food business with the Council, please use the following link: www.westminster.gov.uk/registration-food-business. Please email the Environmental Health Consultation Team (Regulatory Support Team 2) at ehconsultationteam@westminster.gov.uk for advice on meeting our standards on ventilation and other equipment. Under environmental health legislation we may ask you to carry out other work if your business causes noise, smells or other types of nuisance.
- 6 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 email AskHighways@westminster.gov.uk. 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).

- 7 When carrying out building work you must take appropriate steps to reduce noise and prevent nuisance from dust. The planning permission for the development may include specific conditions relating to noise control, hours of work and consideration to minimising noise and vibration from construction should be given at planning application stage. You may wish to contact to our Environmental Sciences Team (email: environmentalsciences2@westminster.gov.uk) to make sure that you meet all the requirements before you draw up contracts for demolition and building work.

When a contractor is appointed they may also wish to make contact with the Environmental Sciences Team before starting work. The contractor can formally apply for consent for prior approval under Section 61, Control of Pollution Act 1974. Prior permission must be sought for all noisy demolition and construction activities outside of core hours on all sites. If no prior permission is sought where it is required the authority may serve a notice on the site/works setting conditions of permitted work (Section 60, Control of Pollution Act 1974).

British Standard 5228:2014 'Code of practice for noise and vibration control on construction and open sites' has been recognised by Statutory Order as the accepted guidance for noise control during construction work.

An action in statutory nuisance can be brought by a member of the public even if the works are being carried out in accordance with a prior approval or a notice.

- 8 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. For further information on how to make an application and to read our guidelines on street naming and numbering, please visit our website: [www.westminster.gov.uk/street-naming-numbering\(I54AB\)](http://www.westminster.gov.uk/street-naming-numbering(I54AB))
- 9 The term 'clearly mark' in condition 15 means marked by a permanent wall notice or floor markings, or both. (I88AA)
- 10 Conditions 23, 24, 25, 26 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 11 Under the Construction (Design and Management) Regulations 2015, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:
 - * Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;
 - * This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

- 12 Working at height remains one of the biggest causes of fatalities and major injuries. You should carefully consider the following.
- * Window cleaning - where possible, install windows that can be cleaned safely from within the building.
 - * Internal atria - design these spaces so that glazing can be safely cleaned and maintained.
 - * Lighting - ensure luminaires can be safely accessed for replacement.
 - * Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).
- More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/toolbox/height.htm

Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (180CB)

- 13 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained.
- Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following:
- * Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings;

 - * Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase;
 - * Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained;
 - * Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the centre of particularly wide staircases where necessary;
 - * Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.

DRAFT DECISION LETTER

Address: Broadway Complex, 55 Broadway, London, SW1H 0BD

Proposal: Conversion of buildings for use as hotel (Class C1) with ancillary flexible retail, leisure/spa, restaurant or bar use and other associated facilities; use of 10th floor roof terraces; internal and external alterations including creation of new service bay off St Ermin's Hill, reconfiguration of entrances/exits to St James's Park Underground Station and rooftop plant.

Plan Nos: DP9 letter dated 16 December 2019;

11089-EPR-00-00-TP-A-02-0001 P2
11089-EPR-00-B1-TP-A-02-0002 P2

11089-EPR-00-B1-TP-A-00-0010 P1
11089-EPR-00-B1-TP-A-00-0099 P2
11089-EPR-00-GF-TP-A-00-0100 P2
11089-EPR-00-01-TP-A-00-0101 P2
11089-EPR-00-02-TP-A-00-0102 P2
11089-EPR-00-03-TP-A-00-0103 P2
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11089-EPR-00-AA-TP-A-00-0301 P2
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11089-EPR-00-06-TP-A-40-0047
11089-EPR-00-06-TP-A-40-0048

For information only:

DP9 Planning Statement dated December 2019; EPR Design and Access Statement dated December 2019 and DAS Section 4 Rev01 dated 3.4.2020; KM Heritage Heritage Statement dated December 2019; Caneparo Associates Transport Statement dated December 2019; Hoare Lea Noise Assessment Rev02 dated December 2019; Hoare Lea Vibration and Re-Radiated Noise Survey dated 11.12.19; Hoare Lea Air Quality Assessment Rev 01 dated 13.12.19 and Addendum Rev02 dated 27.2.20; Hoare Lea Ventilation Summary Statement Rev01 dated December 2019; Hoare Lea Energy Statement Rev01 dated December 2019; Hoare Lea Sustainability Statement Rev01 dated December 2019; Elliot Wood Flood Risk Assessment dated December 2019; Elliot Wood Drainage Strategy dated December 2019; Volterra Economic Statement dated December 2019; Caneparo draft Delivery and Servicing Plan RevA March 2020; draft Hotel Operational Management Plan 5.3.20; Statement of Community Involvement dated December 2019 DP9 letter dated 16 December 2019;

11089-EPR-00-00-TP-A-02-0001 P2

11089-EPR-00-B1-TP-A-02-0002 P2

11089-EPR-00-B1-TP-A-00-0010 P1
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11089-EPR-00-CC-TP-A-02-0303
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11089-EPR-00-SO-TP-A-02-0406
11089-EPR-00-WE-TP-A-02-0407
11089-EPR-00-NO-TP-A-02-0408

Case Officer: Amanda Jackson **Direct Tel. No.** 07866038919

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

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

Reason:

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

- 2 You must apply to us for approval of samples of the external 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 work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved materials.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 3 You must apply to us for approval of detailed drawings of the following parts of the development:

- i) The new shopfronts within the ground floor north-south retail arcade, based on principle that these are to be refined to complement the character and style of the original building;
- ii) The treatment of the retained east-west arcade and relationship to bar and restaurant spaces on either side;
- iii) Internal fit out to ground floor bar and restaurant; to first floor foyer including internal treatment of infill extensions at first floor and to all common parts and circulation areas of the hotel;
- iv) Full details of framing and connections to historic fabric of the new glazed roofs to the first floor infill extensions;
- v) Internal fit out of sixth floor panelled rooms;
- vi) Internal fit out of seventh floor former management suite;
- vii) The new lift cars;
- viii) All modifications to the existing staircases;
- ix) Any fire upgrade works to existing internal doors;
- x) Secondary glazing;
- xi) Modifications to windows on ninth floor to create doors;
- xii) New railings and balustrades;
- xiii) New awnings and means of fixing to stonework;
- xiv) The new shopfronts and hotel entrance to 100 Petty France;
- xv) The frosted glass panels subdividing the ninth floor terraces;
- xvi) The new plant enclosures.

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 protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 4 You must apply to us for approval of any existing ornamental features or artefacts that you want to relocate. You must provide plans showing their location and method of removal and re-fixing. Any area left uncovered must be made good to match the surrounding fabric and decoration. You must not start work on these parts of the development until we have approved what you have sent us. You must then carry out the works in accordance with these details.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan

(November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 5 You must apply to us for approval of a strategy and methodology for external cleaning of the stone facades to 55 Broadway. You must not start any 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 details.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch

Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 6 You must only utilise existing ventilation grilles within the stone façade of 55 Broadway, with no new ventilation/services openings in the façade approved by this permission.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 7 You must apply to us for approval of full details of the proposed landscaping to the external terraces to include construction method, layout, soil volumes and soil composition, irrigation, plant species and maintenance regime. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these approved details and thereafter retain and maintain in accordance with the approved management plan.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 8 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terraces.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

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

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

Informative(s):

1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT -

In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework, the London Plan 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council decided that the proposed works would not harm the special architectural and historic interest of this listed building.

In reaching this decision the following were of particular relevance:

S25 and S28 of Westminster's City Plan and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:

- * any extra work which is necessary after further assessments of the building's condition;
- * stripping out or structural investigations; and
- * any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents.

It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)