

CITY OF WESTMINSTER			
PLANNING (MAJOR) APPLICATIONS SUB COMMITTEE	Date 14 May 2024	Classification For General Release	
Report of Director of Town Planning & Building Control		Ward(s) involved West End	
Subject of Report	Former West End Central Police Station, 27 Savile Row, London W1S 2EX		
Proposal	Demolition of former police station building, excavation to create new basement 2 level and to enlarge existing basement 1 level, and erection of new building comprising two basement levels, lower ground, ground plus seven storeys plus a roof plant level, delivering new office (Class E) floorspace, new restaurant (Class E) floorspace at partial ground and lower ground floor, new flexible workspace (Class E) and / or training (Class F1) and / or composite use comprising a workspace and training facility (sui generis) at basement 2, amenity terraces, public art, cycle parking, plant, landscaping and all associated works including enabling, highways and other ancillary works.		
Agent	DP9		
On behalf of	Henigman		
Registered Number	22/07647/FULL	Date amended/ completed	28 November 2022
Date Application Received	9 November 2022		
Historic Building Grade	Unlisted		
Conservation Area	Regent Street		
Neighbourhood Plan	Mayfair Neighbourhood Plan		

1. RECOMMENDATION

Subject to the views of the Mayor of London, refuse permission on design and conservation grounds.

2. SUMMARY & KEY CONSIDERATIONS

The application site comprises an unlisted building located within the Regent Street Conservation Area and immediately abutting the Mayfair Conservation Area. The site is also located within the

Savile Row Special Policy Area and the Central Activities Zone (CAZ).

The building was constructed as a purpose-built police station in 1940 and became vacant in 2021 following the consolidation of the policing functions for the West End at the Charing Cross Police Station on Agar Street.

Planning permission is sought to demolish the building, excavate an enlarged basement 2 level and erect a replacement building for use as: (i) Offices on the upper floors with a ground floor entrance the Savile Row frontage; (ii) A restaurant at lower ground and ground floor levels, mainly fronting onto Boyle Street but also with frontages on Savile Row and Old Burlington Street; and (iii) A flexible workspace (Class E) and / or training (Class F1) and / or composite use comprising a workspace and training facility (sui generis) at basement 2 intended to be occupied by the London Academy of Bespoke, let at peppercorn rent and benefitting from subsidised service charges.

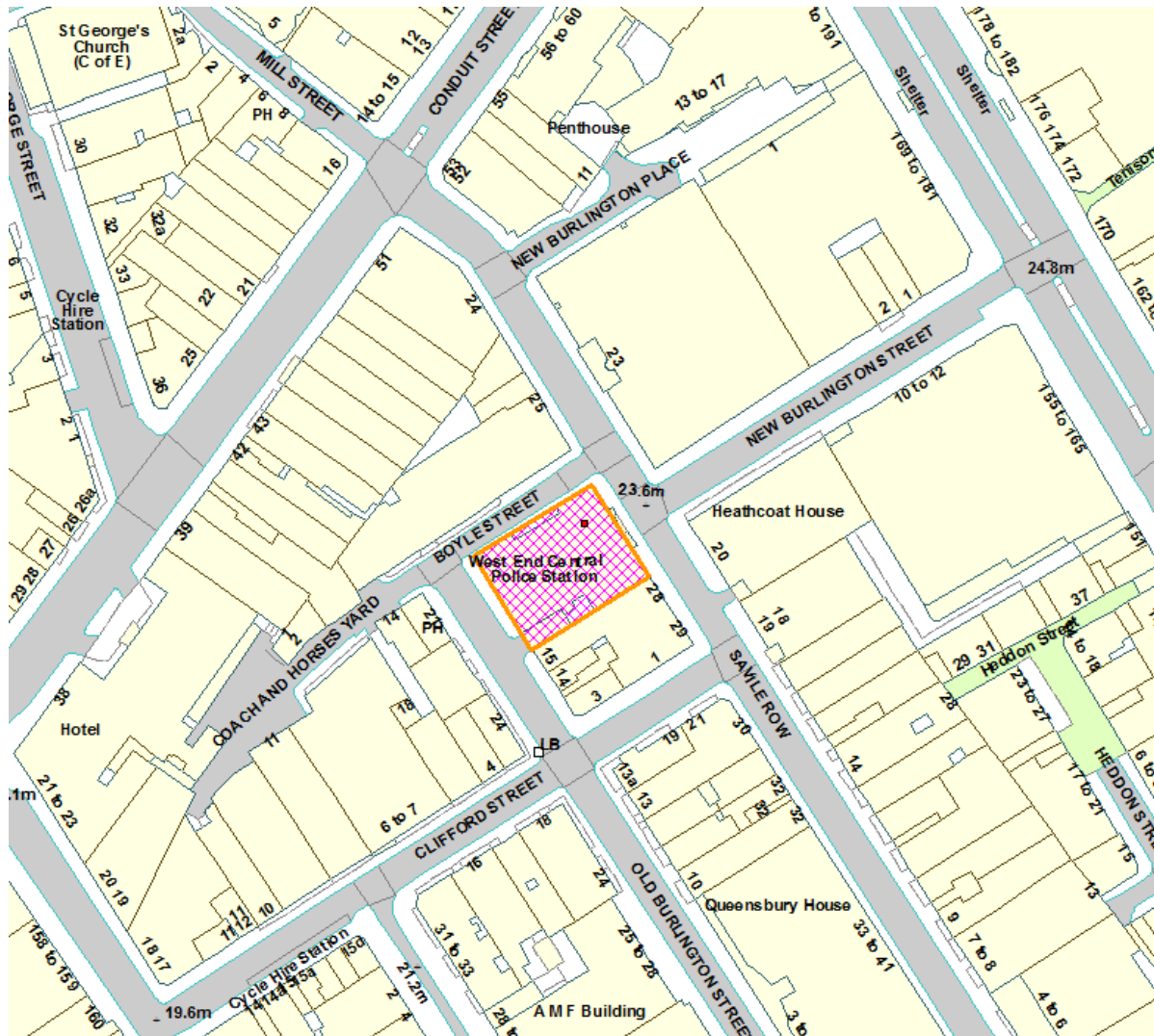
The key considerations in this case are:

- Whether the demolition of the existing building is justified from a circular economy and sustainability perspective.
- Whether the proposed building is an acceptable replacement for the existing building in respect to its scale, height, form, massing, detailed design and impact upon the character and appearance of the Regent Street Conservation Area and the setting of the Mayfair Conservation Area.
- Whether the public benefits of the development proposal outweigh the less than substantial harm the replacement building would cause to the character and appearance of the Regent Street Conservation Area and the setting of the Mayfair Conservation Area.

Given the physical constraints of the former police station and that the retention and adaptation of the building would not result in significant upfront embodied carbon and waste savings, the demolition and replacement of the existing building is justified from a circular economy and sustainability perspective.

However, the demolition of the existing building and the proposed replacement building's scale, height, form, massing and detailed design would result in a development that would cause a low to moderate level of less than substantial harm to the character and appearance of the Regent Street Conservation Area and the low level of less than substantial harm to the significance of the Mayfair Conservation Area, through failing to preserve or enhance its setting. Whilst the development proposal will generate public benefits, cumulatively these would not outweigh the less than substantial harm caused to the significance of these two designated heritage assets. The development proposal fails to accord with London Plan Policy HC1, City Plan Policies 38, 39 and 40, and Mayfair Neighbourhood Plan Policy MD3. It is accordingly recommended that permission be refused.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Savile Row elevation:



Old Burlington Street elevation:



5. CONSULTATIONS

5.1 Application Consultations

MAYOR OF LONDON:

- Satisfied that the closure of the West Central Police Station was part of an
- Metropolitan Police Service's transformation plan, and no strategic objections is raised to the site's development for a non-social infrastructure uses.
- Support for the provision of new high-quality office development within the CAZ, subject to further information in terms of its flexibility, adaptability and affordability of the floorspace.
- The provision of commercial uses at ground floor level is supported and its ability to activate all three sides of the building is a very welcome improvement.
- The provision of affordable workspace / training facility at basement 2 level may be a public benefit but can be afforded only limited weight in the planning balance due to its very small size relative to the overall scheme and its relatively low quality.
- The existing building contributes to the significance of the Regent Street Conservation Area, being substantially intact and a successful design by a well-known police architect of the period. It has strong aesthetic value, particularly the formality of the Savile Row elevation, the way in which the building and its central entrance provides a strong termination to the view along New Burlington Street from Regent Street itself. The loss of this building would result in less than substantial harm to the Regent Street Conservation Area, at the lower end of the scale, and no harm to the setting of the Mayfair Conservation Area.
- The proposed overall height, scale, massing, appearance and material palette of the proposed replacement building is generally considered to be acceptable, although the deep overhang and depth of roof edge at level 5 gives a heaviness to this element and the additional height of the development in views from Regent Street would result in some harm to the significance of the Regent Street Conservation Area and to the setting of the listed buildings at Nos. 1 and 2 New Burlington Street. It is suggested that changing this overhang element to make it slimmer and including a setback at level 5 on the Boyle Street façade should be explored.
- It is requested that two additional view studies are required: (i) From Conduit Street to assess the impact on the setting of the Grade II listed buildings at Nos. 42-43 and Nos. 46, 47 and 48 Conduit Street); and (ii) From Clifford Street to assess the impact on the setting of the Grade II listed buildings at No. 22 and 23 Old Burlington Street and at Nos. 4 and 5 Clifford Street.
- Concludes that, although it seems likely that the public benefits, including provision of new high-quality office space; activation of the street scene; public realm enhancements/a new shared surface (if delivered) and affordable workspace, would be sufficient to outweigh the harm, the GLA reserves its position in relation to the overall heritage impacts, level of harm, and balance against public benefits until the above additional views are provided and the application has been referred back to the Mayor of London at Stage 2.
- Confirmation is requested that at least one lift is a fire evacuation lift to allow safe and dignified emergency evacuation for all building users.
- The submitted access statement is comprehensive and demonstrates that inclusive access has been given thorough consideration.
- It is requested that a financial contribution of £22,500 is secured to increase provision of cycle hire in the area and mitigate the site-specific impacts of the

- development.
- The Energy Strategy needs to be further refined and additional information is requested.
 - The sustainability impacts of a full demolition proposal need to be weighed in the planning balance and in view of the benefits of the scheme.
 - Detailed comments on the adherence of the proposed development to circular economy principles will follow.
 - A planning condition should be secured requiring the submission of detailed plans demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure.
 - The applicant should provide quantitative evidence that the proposed development secures a net biodiversity gain.
 - The applicant should prepare an Ecological Management Plan to support long-term maintenance and habitat creation.
 - The proposed development presents a well-considered approach to integrating green infrastructure and urban greening. However, the applicant should seek to improve the quality and quantity of urban greening to increase the application's Urban Greening Factor.
 - The surface water drainage strategy for the proposed development is not policy compliant. Calculations showing how greenfield runoff rates have been obtained should be provided. The inclusion of rainwater harvesting should be prioritised and further commitment should be provided at this stage.
 - The proposed development will be air quality neutral.

RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S:

- Objection on the following grounds:
 - o It is perfectly possible to save the historic face of the building and comply with Westminster's guiding principles on retrofit and sustainability; whilst still offering tailoring business space.
 - o Total demolition - even if it now involves 're-using' an (unspecified) amount of stone - is pollutant, and not sustainable; disregards the heritage of this building and its sympathetic scale and context with the surrounding buildings; and is contrary to Westminster's new guiding principles on retrofit.

MAYFAIR NEIGHBOURHOOD FORUM:

- The internal layout of the building is compromised and too difficult to convert into decent alternative accommodation from the previous use as a police station. As such, the applicant has made the case to justify the demolition of the building.
- However, objects to the development proposal on the following grounds:
 - o The existing façade is of merit and makes a positive contribution to the character of this part of the Regent Street Conservation Area. It is considered the loss of the façade and whole building will cause substantial harm to the Regent Street Conservation Area and the adjacent Mayfair Conservation Area. To justify the loss, the replacement building must be to a very high design that fits in with the conservation area. The public benefits alone do not justify the loss of the existing building.
 - o It is not considered the design of the new building is a suitable replacement when compared to the existing façade. In particular, the amount of horizontal glazing and unresolved clumsy roof additions dominate local views (from Regent Street in particular) and neither preserves nor enhances the two

conservation areas. As such the Forum considers the case has not been made to justify the loss of the existing façade.

MAYFAIR RESIDENTS GROUP:

- Any response to be reported verbally.

TRANSPORT FOR LONDON:

- TfL recommends that a Healthy Streets financial contribution is agreed with the City Council.
- Requests that a financial contribution of £22,500 be secured to cover the additional costs of redistributing cycle hire bicycles as a result of the additional demand arising from the proposed development for about a year.
- The City Council should secure, enforce, monitor, review and ensure the funding of the full Travel Plan through the S106 agreement to ensure conformity with Policy T4 of the London Plan, 2021. The Travel Plan should provide measures to maximise the proportion of trips by active travel.

HIGHWAYS PLANNING MANAGER:

Unacceptable transportation issues:

- The failure to meet the servicing needs of the development proposal on-site is contrary to City Plan Policy 29(B). Given the site current has existing off-street car parking spaces and service bay there would appear to be no reason not to provide improved off-street servicing provision to reduce the impact of servicing on highway users.
- The reliance on on-street servicing removes this highway space for able to be used by other vehicles, including operational emergency vehicles which still use this space to support operations in the West End or for the Highway Authority to allocate space to support all highway users.
- The servicing approach for the development is not considered robust, given it relies on space outside of the control of the applicant. Conversely, if the delivery bay is in use by others, it is unclear how the proposed development would then function without having an increased adverse impact on other highway users.
- The lack of off-street servicing provision also limits the ability to support sustainable and net zero servicing.

Supported transportation issues:

- The quantum of cycle parking provision and associated showers, changing rooms and lockers.
- Removal of on-site vehicular parking.
- The amendments to the development proposal so that the canopies on the Boyle Street frontage are now at least 1.0m back from the existing kerb line.

BUILDING CONTROL:

- No objection.

ENVIRONMENTAL SCIENCES:

- No objection on environmental noise or nuisance grounds, subject to the imposition of appropriate conditions.

WASTE PROJECT OFFICER:

- No objection.

HISTORIC ENGLAND:

- The loss of the former West End Police Station would cause harm to the significance of the Regent Street Conservation Area by removing a pre-war building of architectural interest that makes a positive contribution to the character of the surrounding Regent Street Conservation Area.
- Even following the amendments made to the development proposal, the proposed replacement building would introduce a scale of development that is beyond that of the prevailing townscape, resulting in an overall scale of development that would be overbearing and visually intrusive, particularly from the view from Regent Street.
- The harm to the Regent Street Conservation Area through the loss of the existing building and the scale of the replacement building would be in the low-to-middle part of the spectrum of 'less than substantial harm'. Any such harm needs to be given great weight and requires clear and convincing justification. The City Council also needs to be satisfied that this harm could not be avoided or minimised by a different form of development. It is for the City Council to weigh this harm against the public benefits flowing from the development proposal.
- The policy thrust of the emerging Local Plan and adopted Environment SPD clearly emphasises and encourages the upgrade and reuse of existing buildings, with particular emphasis on sensitively adapting and upgrading historic buildings. It also clearly resists demolition in favour of retrofit. We support this draft policy and believe that retaining and upgrading the significant parts of the exterior of the former police station building would result in a more sustainable form of development, as promoted by the NPPF.

SAVILE ROW BESPOKE:

- The proposed development of the West Central Police Station presents an opportunity to transform the northern end of Savile Row and bring it into step with the thriving southern part of the street.
- Brings a vacant and obsolete building back into use, represents a high quality, sustainable scheme.
- The proposals will create a mixed used building consisting of world-class office space and a new restaurant, bringing life, commerce, and footfall to the northern part of this iconic street.
- Welcomes the introduction of much needed affordable workspace for apprentice training and start-up opportunities that will nurture the next generation tailoring talent right in the heart of the industry it serves.

HISTORIC ENGLAND (ARCHAEOLOGY):

- No further assessment or conditions are necessary.

THAMES WATER UTILITIES LTD:

- Request that a condition be imposed to ensure that no damage is caused during piling to the strategic sewer.
- No objection to the proposed development in respect to the capacity of the combined waste water network infrastructure.

METROPOLITAN POLICE SERVICE:

- No objection but detailed comments provided on the potential alteration to the highway in terms of kerb heights and concern raised about the detailed design of any planters.
- Accepts that Secure by Design principles are being considered in the design of the proposed replacement building but sees no reason why the building cannot achieve a Secured by Design Accreditation. Request that this be a condition of any planning approval.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 219

Total No. of replies: 105

No. of objections: 4

No. in support: 101

PRESS NOTICE/ SITE NOTICE – Yes.

Summary of objections to the development proposal

Objections from two neighbouring properties on the following grounds:

Design and Conservation:

- The considerable increase in scale and massing of the proposed replacement buildings will have an imposing impact on the streetscene. The sets backs and building form are insufficient and ineffective to reduce the dominating and overpowering effect of these additional upper floors, particularly in views looking north along Old Burlington Street from the junction with Clifford Street. The overall scale and form of the proposed building does not respect the Victorian architecture and proportions of the existing buildings on Old Burlington Street, including the setting of the Grade II listed building at Nos. 22-23 Old Burlington Street.
- The off-set staggered nature of the upper terraces upsets the balance of the building and is not conducive to retaining the consistent rhythmic block pattern of buildings in the area.
- Whilst the provision of an active frontage around the whole building is welcomed, the design approach is limited in its success, particularly on the Old Burlington Street corner. An attempt at masking the raised floor level on this corner has been made through the provision of a series of planted containers around the building. The planters appear as “add-ons” and have not been sufficiently incorporated into the building design to have any meaningful effect or purpose, failing to hide the elevated position of the ground floor level above pavement level. It is likely that further measures will be required to facilitate the privacy of the occupants of the ground floor, such as obscure glazing, contrary to the aims of creating the open frontage. The ground floor level should therefore be lowered internally to ensure level access from this entrance, and an appropriate plinth created around the base of the building.
- The gold panelled frontage and service doors to the right of the Old Burlington Street frontage are also somewhat alien in Old Burlington Street and the floor-to-ceiling glazing used in the first five floors is not proportionate to the Victorian proportions evident in Old Burlington Street.

Amenity:

- Overlooking – there will be direct views into the living accommodation of a nearby flat.
- Light pollution from all of the windows.

Other:

- Disruption during the course of construction and impact on operation and viability of a nearby public house.
- There may be a need for a Party Wall Agreement.
- Would much prefer the existing building is retained and put to good use.

One objection from another resident on the following grounds:

- The loss of this fine building which forms a natural and particularly pleasing relationship with the fine contemporary (i.e. 1930s) building on Boyle Street and Savile Row. There are few outstanding late 1930s building surviving in the West End, and to consider the destruction of a particularly fine one on Savile Row is an unacceptable loss.
- Objects strongly to the destruction of the existing building and its replacement with bland repetitive architecture.

Objection from SAVE Britain's Heritage on the following grounds:

- The proposed development would cause substantial harm to the Regent Street Conservation Area through the irreversible loss of a non-designated heritage asset. The loss of this building would cause unnecessary and unjustified harm to a designated heritage asset, contrary to NPPF Para. 206 that states, "*Any harm to, or loss of, the significance of a designated heritage asset... should require clear and convincing justification*".
- The total loss of the existing building, which SAVE Britain's Heritage's considers to be a non-designated heritage asset, would contribute to the ongoing loss of historic buildings within the Regent Street Conservation Area, adding to the continued erosion of historic buildings along Savile Row. The loss of the existing building is contrary to national policy and City Plan Policy 39 (Part R) that states, "*Non-designated heritage assets (including local buildings of merit...) will be conserved*".
- The proposed replacement building would cause substantial harm to the character and appearance of the Regent Street Conservation Area and the setting of surrounding Grade II and Grade II* listed building due to its increased scale and disruptive imposition upon the building's historic setting. The revisions made to the development proposal are relatively minor in the context of the overall scheme and do not alter the fundamental nature of the application.
- The demolition proposed is not sustainable development in environmental terms. The NPPF states that, '*at the heart of the Framework is a presumption in favour of sustainable development*'. This environmental objective is one of three overarching objectives of the NPPF. The demolition of the existing building would have an unnecessary negative carbon cost, contradicting para. 157 of the NPPF, which sets out that the planning system should, "*...encourage the reuse of existing resources, including the conversion of existing buildings...*". Considers that there has been an been entirely inadequate consideration of the possibility of re-use of this building. The examination of alternative uses, as set out in the Design and Access Statement, is primarily based upon an inadequate desktop study using highlighted thumbnail images and does not sufficiently explore the possibility of a more discreet extension.

Retaining and retrofitting historic buildings like these is of paramount importance if Westminster City Council is to comply with national policy requirements and its own commitment to be carbon neutral by 2030, as declared on 18th September 2019, as well as the guidance set out within the Environmental SPD (adopted 2022). Whilst SAVE note the applicant's commitments to reducing construction waste and material reuse, these fall far short of mitigating the overall embodied carbon cost of the proposal.

Summary of support for the development proposal

Support from the London Academy of Bespoke on the following grounds:

- The provision of affordable workspace will be of enormous community benefit, being that the London Academy of Bespoke are the only trade approved training centre, fostering and nurturing the next generation of bespoke tailors, cutters and master tailors. Furthermore, as the London Academy of Bespoke works with the tailors of Savile Row, many of whom teach our students, the proximity of workspace to their tailors, being close by, would be a game changer and greatly increase its future impact.
- The development proposal will comprise a sustainable mixed-use building consisting of a world-class office space, a new restaurant, and affordable workspace/training floorspace along with much-needed public realm improvements, to bring life and commerce to the northern part of this important street, supporting the many tailors of Savile Row.
- The proposal is a sensitively designed and the office space and restaurant offer will bring more visitors to the street - contributing to the economic vitality of Savile Row and the wider West End.

Support from the New West End Company on the following grounds:

- Redeveloping the former police station on Savile Row will provide much-needed investment for the northern end of the street, which has not shared the success of the southern end. High-quality office space along with new restaurant space on the ground floor will provide welcomed activation and increased footfall to the area.
- The proposed public realm improvements, as well as making an aesthetic improvement to the streetscape, will make the experience around the building more amenable for visitors, local businesses and residents alike.
- Pleased to see included in the proposals, allocation of affordable workspace for training and apprenticeships within the tailoring profession. Supporting tailors along Savile Row is an important aspect of keeping the heritage and allure of the street that has made it internationally acclaimed.

Support from nearby tailors, employees of tailors, other businesses, existing students at the London Academy of Bespoke, and other individuals on the following grounds:

- There is an opportunity to sustainably develop the site into a mixed-use building consisting of a world-class office space, a new restaurant, and affordable workspace/training floorspace along with much needed public realm improvements, to bring life and commerce to the northern part of this important street and support the many tailors of Savile Row.
- Consider the proposals to be sensitively designed, improving the street scene.

- The Grade A office space and destination restaurant offer will bring more visitors to the street - contributing to the economic vitality of Savile Row and the wider West End.
- The existing building is vacant, obsolete, and not fit for office, residential or retail use, and no longer makes a positive contribution to Savile Row. The existing building is not suitable for being retrofitted – a new build is the only viable option.
- The allocation of rent-free affordable workspace for training and apprenticeships within the tailoring profession is welcome.
- The re-use of 95% of the existing stone façade of the building is welcome in sustainability terms.
- The public art on the building's façade will celebrate the heritage of Savile Row.
- The provision is a street-level display to the rear on Old Burlington Street for the affordable workspace/training floorspace is welcome.

5.2 Applicant's Pre-Application Community Engagement

Engagement was carried out by the applicant with the local community and key stakeholders in the area prior to the submission of the planning application in accordance with the principles set out in the Early Community Engagement guidance. The engagement activities undertaken by the applicant (as listed in the submitted Statement of Community Involvement) are summarised below:

- Tours of the building with key stakeholders.
- Meeting with a current West End ward councillor.
- Meetings with local business and community groups.
- The creation of a consultation website, containing information and updates on the progress of the scheme (www.27savilerow.co.uk).
- An interactive survey on the consultation website to gather feedback on the scheme.
- An in-person public exhibition with members of the project team on hand to answer questions.
- A virtual webinar hosted on Zoom, featuring a presentation from the project team and a moderated Q&A session.
- Notification of the consultation through letter drop, social media adverts and a poster displayed prominently on the entrance door of the Site at 27 Savile Row, and door knocking to further bring awareness of the consultation to the local community.
- Meeting with the Cabinet Member for Planning and Economic Development.

In summary, across the range of engagement undertaken by the applicant the principal issues raised were:

- Concerns were raised about the proposed height of any new building and the quantity of glass.
- Some questioned if other uses had been explored and if there was justification for additional office space in the West End, considering the impact of Covid-19 on working patterns.
- Concern about the demolition of the existing building.

The applicant's Statement of Community Involvement and other application documents identify that the scheme has been revised in the following ways in response to views and representations expressed during pre-application community engagement:

- Increase in the solidity of the facade by incorporating additional vertical columns on each facade on typical floors.
- Incorporation of greening to act as a screen, with fixed timber planters on all ground floor elevations.
- Green roofing and brown roofing are integrated into the proposed scheme to enhance biodiversity.
- Incorporation of a blue roof for rainwater attenuation.
- Reduction in height by 2.41m.
- Reuse of existing building stone has been incorporated into the design.
- Affordable workspace with training opportunities is now proposed at basement level 2.
- Reduction in the width of ground floor canopies.

6. WESTMINSTER'S DEVELOPMENT PLAN

6.1 City Plan 2019-2040 & London Plan

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (December 2023) and should be afforded full weight in accordance with paragraph 225 of the NPPF. Therefore, in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

An emerging local plan is not included within the definition of "development plan" within ss.27 and 54 of the Town and Country Planning Act 1990 and s.38 of the Planning and Compulsory Purchase Act 2004. However, paragraph 48 of the NPPF provides that a local authority may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The council published its draft City Plan Partial Review for consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 on 14 March 2024. The consultation continued until 25 April 2024. The Partial Review includes updated policies for affordable housing, retrofitting and site allocations. The

Partial Review of the City Plan remains at a pre-submission stage and therefore having regard to paragraph 48 of the NPPF the policies within it will generally attract limited if any weight at all at this stage.

6.2 Neighbourhood Planning

The Mayfair Neighbourhood Plan includes policies on a range of matters including public realm, directing growth, enhancing retail, commercial and public house uses, residential amenity, commercial growth, cultural and community uses, heritage, design, servicing and deliveries and environment and sustainability.

The plan has been through independent examination and was supported by local residents and businesses in a referendum held on 31 October 2019. It was adopted on 24 December 2019. It therefore forms part of the development plan for Westminster for development within the Mayfair neighbourhood area in accordance with accordance with Section 38 of the Planning and Compulsory Purchase Act 2004. Where any matters relevant to the application subject of this report are directly affected by the policies contained within the neighbourhood plan, these are discussed later in this report.

6.3 National Policy & Guidance

The City Plan 2019-2040 policies referred to in the consideration of this application have been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in the NPPF (December 2023) unless stated otherwise.

7. BACKGROUND INFORMATION

7.1 The Application Site

The site comprises an unlisted building located within the Regent Street Conservation Area, the West End Retail and Leisure Special Policy Area, the Savile Row Special Policy Area, the Great Estates Archaeological Priority Area and the Central Activities Zone. The site is readily visibly visible from the Mayfair Conservation Area. The site is located within 'East Mayfair' for the purposes of the Mayfair Neighbourhood Plan. To the south and south-west of the site are Nos. 24A Old Burlington Street and 18 Clifford Street (Grade II* listed) and No. 22 and 23 Old Burlington Street (Grade II listed), respectively.

The building was purpose-built as a police station known as the West End Police Station and this was the building's last use. It is understood that the police vacated in early 2021. It is arranged over a small basement 2 level, basement, lower ground, ground, six upper floors, and plant above. The lower ground floor contains off-street car parking for up to four vehicles, accessed from Old Burlington Street to the rear of the site.

Records indicate that the nearest residential units are located to the rear of the site at No. 21 Old Burlington Street (third floor level) and at Nos. 22-23 Old Burlington Street (basement level).

7.2 Recent Relevant History

None.

8. THE PROPOSAL

Planning permission is sought to entirely demolish the existing building on site (with the exception of the retained basement walls), excavate to provide a full basement 2 level, and to erect a replacement building comprising two storeys of basement, a lower ground floor level, a ground level, seven upper storeys, and a recessed roof top plant level.

The upper floors of the building are proposed to be used as offices (Class E) accessed from a ground floor reception on the Savile Row frontage. Terraces associated with this office floorspace are proposed at fifth, sixth and seventh floor levels.

A restaurant (Class E) is proposed at part ground and part lower ground floor level, mainly fronting onto Boyle Street but with smaller frontages on Savile Row and Old Burlington Street. There are proposed to two access points to this restaurant – at the Boyle Street / Savile Row corner and at the Boyle Street / Old Burlington Street corner.

Plant, waste storage, cycle parking (access from Old Burlington Street), a UKPN sub-station and associated end-of-trip facilities, and other back-of-house facilities makes up the majority of the two basement levels.

In addition, an area at Basement 2 level accessed from the Old Burlington Street frontage is proposed to be used as: (i) Some kind of workspace (Class E); or (ii) A training space for bespoke tailoring; or (iii) A composite use comprising a workspace and training facility (*sui generis*). The result would be that, if permitted, this floorspace could be used as a workspace, or for training, or a mixture of both for a period of ten years from the date of the permission. The actual use after ten years would then become the lawful use of this part of the building. A window display associated with this workspace / training facility is proposed at ground floor level on the Old Burlington Street frontage. It is understood that the current intention is that this will provide a space for a mannequin to display items of clothing.

The applicant is committed to providing a 10-year lease for this space to the London Academy of Bespoke (a private bespoke tailoring school) on a peppercorn rent and a 50% discount on the service charge. The applicant is committed to offering this floorspace at a peppercorn rent for a total term of 40 years so that, should the London Academy of Bespoke vacant, it could be occupied by another training facility or as affordable workspace by another user.

Alterations to the public highway surrounding the site are proposed. However, were permission to be granted, the detailed design of these highway works is a matter for the City Council in its capacity as Highways Authority.

Table 1: Existing and proposed land uses.

Land Use	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Police station (Sui Generis)	5,571	0	-5,615
Office (Class E)	0	6,583	+6,583
Restaurant (Class E)	0	790	+790
Flexible workspace (Class E) and / or training (Class F1) and / or composite use comprising a workspace and training facility (sui generis)	0	141	+141
Substation	44	120	+120
Total	5,615	7,634	+2,019

All of the supporting information is based on the above distribution of uses within Class E and therefore the application has been assessed on this basis.

The application was amended in January 2024. The amendments to the application included the following:

1. Reduction in massing and creation of additional area of terrace at fifth floor level on the Boyle Street frontage. Reduction in massing at sixth and seventh floor levels on the Savile Row and Boyle Street frontages. Cumulatively, reducing the proposed office floorspace by 134 sq.m GIA.
2. Design amendments, including: (i) Alteration to building line and reduction in projecting canopy on Boyle Street; (ii) Re-use of existing building crest on Savile Row frontage; and (iii) Alterations to the upper level of the proposed building.
3. Commitment to re-use between 75% and 95% of the existing facade material in the replacement building.

As a result of these amendments, notification letters were sent to:

- The Mayfair Residents Group
- The Mayfair Neighbourhood Forum
- The Residents' Society of Mayfair and St. James's
- Historic England
- The owners / occupiers of neighbouring properties that were originally notified of the application, as were those that had already provided comments on the application where an address had been provided.

9. DETAILED CONSIDERATIONS

9.1 Land Use

Loss of the former West End Police Station

The West End Central Police Station was closed and decommissioned in 2021, following the earlier closure of the front desk to the public in 2017.

City Plan Policy 17(C) provides protection for existing community facilities and floorspace except in certain circumstances. However, paragraph 17.1 sets out the specific type of uses that are considered to be community infrastructure and facilities. The list does not include police stations. On this basis, the replacement of the West End Central Police Station does not engage City Plan Policy 17.

Notwithstanding that the development proposal does not engage City Plan Policy 17, London Plan Policy S1(G) states, *'Redundant social infrastructure should be considered for full or partial use as other forms of social infrastructure before alternative developments are considered, unless this loss is part of a wider public service transformation Plan.'* The definition of 'social infrastructure' includes policing facilities, such as the West End Central Police Station. However, the West End Central Police Station is identified within The Mayor's Office for Policing and Crime and Metropolitan Police Service Public Access Strategy (November 2017) for closure and the building disposed of, with the policing functions for the West End consolidated at the Charing Cross Police Station on Agar Street. Given that the loss of this social infrastructure is part of a wider public service transformation plan, there is no conflict with London Plan Policy S1.

Finally, whilst the definition of 'social and community facilities' within the Mayfair Neighbourhood Plan is wide and would include a police station, Policy MSC 1 does not specifically identify the West End Central Police Station as a use warranting protection. As such, it is concluded that the loss of this social and community facility does not represent a policy breach in respect to the Mayfair Neighbourhood Plan.

Provision of office floorspace and job capacity

London Plan Policy SD4(B) states, *"The nationally and internationally significant office functions of the CAZ should be supported and enhanced by all stakeholders, including the intensification and provision of sufficient space to meet demand for a range of types and sizes of occupier and rental values"*. London Plan Policy E1(B) states that increase in the current stock of office should be supported in various locations, including the CAZ, whilst London Plan Policy E1(C) states, *"The unique agglomerations and dynamic clusters of world city businesses and other specialist functions of the central London office market, including the CAZ... should be developed and promoted"*. London Plan Policy E2(B) states, *"Development of B Use Class business uses should ensure that the space is fit for purpose having regard to the type and use of the space"*.

City Plan Policy 1 outlines how growth will primarily be delivered through the intensification of the CAZ, the West End and the town centre hierarchy in order to provide at least 63,000 new office-based jobs. City Plan Policy 2 seeks significant job growth through a range of commercial-led development through the intensification of the West End Retail and Leisure Special Policy Area. City Plan Policy 13 reiterates the new jobs target set out within City Plan Policy 1 and provides support for new and improved office floorspace that meets the needs of modern working practices within the parts of the CAZ with a commercial or mixed-use character (which includes the application site), enabling the continued growth and clustering of the creative, knowledge and research-based sectors. City Plan Policy 14 supports the intensification of town centres, high streets and the CAZ.

Policies MSG1, MGS2 and MC1 of the Mayfair Neighbourhood Plan all support growth within Mayfair and, in particular commercial (including office) growth within Central and East Mayfair.

The proposed development would provide 6,583 sq.m of high-quality office floorspace in the CAZ and in East Mayfair. This is supported by London Plan Policies SD4, E1 and E2(B), City Plan Policies 1(B)(1), 2(A), 13(A) and 14(A), and Policies MC1, MSG1 and MSG2(e) of the Mayfair Neighbourhood Plan.

Based on an employment density of 1 employee per 11.6 sq.m (the average density of the general office sub-sectors¹), the proposed increase in office floorspace will add capacity for 295 FTE office-based jobs. This is based on the existing site containing zero jobs given that there is no prospect of the building's lawful use as a police station resuming. This will contribute to the target of providing capacity for at least 63,000 new office-based jobs over the Plan period (i.e. 3,000 jobs per annum), as set out within City Plan Policy 13.

In terms of the flexibility of the proposed floorspace, the building could be let to different occupiers by floor, providing a degree of flexibility for small and medium sized enterprises (SMEs). This is in accordance with London Plan Policy E2.

Affordable workspace / training facility

London Plan Policy E1(G) requires development proposals relating to new or existing offices to, "...take into account the need for a range of suitable workspace including lower cost and affordable workspace". Furthermore, London Plan Policy E2(A) supports boroughs working up policies, "...that support the provision, and where appropriate, protection of a range of B Use Class business space, in terms of type, use and size, at an appropriate range of rents, to meet the needs of micro, small and medium-sized enterprises and to support firms wishing to start-up or expand", and Part D states, "Development proposals for new B Use Class business floorspace greater than 2,500 sq.m. (gross external area), or a locally determined lower threshold in a local Development Plan Document, should consider the scope to provide a proportion of flexible workspace or smaller units suitable for micro, small and medium-sized enterprises".

These supportive general policies for the provision of affordable workspace are complemented by London Plan Policy E3 that sets out a number of circumstances where planning obligations may be used to secure affordable workspace at rents maintained below market rates for specific social, cultural or economic development purposes. These circumstances are where there is affordable workspace currently on site or where boroughs have identified specific locations where affordable workspace should be protected or provided and have worked up detailed policies accordingly.

There is no affordable works space currently on-site and, although City Plan Policy 13(C) provides general support throughout the City for proposals that involve the

¹ Employment Density Guide (3rd edition), November 2015.

provision of affordable workspace, it does not contain an overt policy requirement for affordable workspace provision.

Part of the basement level 2 (141 sq.m) is proposed to be (i) A workspace for bespoke tailors (Class E); or (ii) A training space for bespoke tailoring; or (iii) A composite use comprising a workspace and training facility (*sui generis*). Since the submission of the application, discussions between the applicant and a potential occupier have progressed and the applicant is now committed to providing a 10-year lease for this space so that it can be occupied by the London Academy of Bespoke on a peppercorn rent with a 50% discount on service charge. The London Academy of Bespoke is a private bespoke tailoring school currently based nearby at 66-68 Greener House, Haymarket SW1. The space would be delivered to Category B status (i.e. including partitions, power, lighting and finishes – a fully functional and tailored working environment). The London Academy of Bespoke would only be responsible for providing furniture, fixtures and equipment.

There are other providers of training in London, including the Savile Row Bespoke Academy based at the first floor of 9-10 Savile Row. The London Academy of Bespoke's intention is for this training facility to provide aspiring tailors with a high skill set so that they are capable of securing apprenticeships in bespoke tailors on Savile Row. It is understood that all members of the Savile Row Bespoke Association are obliged to employ at least one apprentice.

The applicant contends that relocating the London Academy of Bespoke to Savile Row would be beneficial as:

- Locating a training facility in the midst of the trade it supports will enable the London Academy of Bespoke to more readily support the bespoke tailoring businesses with trade integrating at every level to assess core training principles and ensure the high standards of industry training continues.
- Candidates requiring upskill training from existing Savile Row businesses can use their time efficiently whilst being close to their employer.
- Independent start-up tailors who graduate from London Academy of Bespoke and set themselves up as freelance makers will benefit from workspace at the Academy at a key stage early on in their career under mentorship of the London Academy of Bespoke teaching team. There are grants available, but as Savile Row is an area that is financially out of reach for most candidates, the rent-free workspace would enable this emerging talent to be supported.

The provision of this facility is strongly supported by the City Council's Economy and Skills Team who state that the London Academy of Bespoke's presence at the application site would not only be a strategic fit for the Savile Row Special Policy Area, but also a significant step in nurturing the future of the tailoring craft. They note that the tailoring industry faces significant skills challenges, notably the need for fresh talent in the heritage craft of bespoke tailoring. They argue that:

- This proposal, by fostering a symbiotic relationship between the London Academy of Bespoke and the tailoring community at Savile Row, seeks to directly address these challenges.

- It will facilitate the training and development of new talent, ensuring the industry's resilience and growth by equipping individuals with skills crucial for the future of bespoke tailoring, thereby sustaining the craft and its associated cultural heritage
- The provision of a permanent, affordable workspace for the London Academy of Bespoke in the heart of Savile Row, with substantial rent and service charge discounts, would enable them to offer bursaries for tailoring courses and create opportunities for apprentices and start-ups.
- This initiative aligns with the City Council's Fairer Economy commitments of supporting growth and building resilience within key sectors, whilst increasing employment opportunities and pathways.

The City Council's Economy and Skills Team have met and discussed the proposal with the London Academy of Bespoke and are confident the space provision is sufficient and aligned with their needs, representing an increase in area when compared to their current and past temporary spaces and ensuring the service charge (at 50% reduction), business rates, and utilities bills are manageable.

The City Council's Economy and Skills Team proposes that the following are secured in order to ensure maximum benefit:

1. 40-year commitment to affordable workspace at peppercorn rent and 50% reduction in service charges
2. 10-year lease to the London Academy of Bespoke and Category B fit-out
3. Requirement to inform the City Council's Economy Department should the London Academy of Bespoke end its lease and proactively market and seek an alternative tenant – with approval sought from the City Council before entering into a lease with new tenant.
4. Annual reporting on the impact of training programmes, particularly in terms of employment outcomes locally
5. That a minimum number of bursaries are made available annually for Westminster residents for tailoring courses

The London Academy of Bespoke is committed to providing bursaries to support four students through its beginner tailoring courses to a value of £10,000. It is not clear whether this offer is every year or just a one-off, whether it is a total value of £10,000 or £10,000 for each student, and how eligibility for any bursary will be decided.

The proposal teaching space is also supported by the Savile Row Bespoke Association.

The provision of this space is supported by City Plan Policies 13(C) that provides general support for affordable workspace throughout the commercial areas of the city. In providing rent free space, the development proposal would also assist the operation of the London Academy of Bespoke which would, through training aspiring bespoke tailors, complement and enhance the Savile Row Special Policy Area's continued role as an international centre of excellence for bespoke tailoring, in accordance with City Plan Policy 23(A).

New restaurant

There is no objection to the principle of a new restaurant that delivers active frontages on all three sides of the building, with City Plan Policy 2 supporting job growth and an improved retail and leisure experience within the West End Retail and Leisure Special Policy Area, City Plan Policy 14(B) requiring uses that provide active frontages and serve visiting members of the public at the ground floor throughout the town centre hierarchy, City Plan Policy 14(G) supporting town centre uses in principle in parts of the CAZ that have a commercial or mixed use character (such as the application site), and City Plan Policy 23(A) supporting complementary uses - such as cafes and restaurants that can increase dwell time – that would support the Savile Row Special Policy Area's continued role as an international centre of excellence for bespoke tailoring.

Furthermore, the type and size of the restaurant is considered to be appropriate in this heavily commercial part of the West End Retail and Leisure Special Policy Area that does not have an overconcentration of such uses. It is considered that, subject to conditions, the restaurant's impact on the occupants of the residential units in this part of the CAZ is acceptable, as is its impact upon the vitality, diversity and function of the local area. For these reasons, the proposed restaurant is in accordance with City Plan Policy 16.

9.2 Environment & Sustainability

Sustainable Design and the Circular Economy

Summary of policy and guidance

NPPF Para. 157 states, *“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; **encourage the reuse of existing resources, including the conversion of existing buildings;** and support renewable and low carbon energy and associated infrastructure”* [emphasis added].

London Plan Good Growth objective GG5 states, *“To conserve and enhance London’s global economic competitiveness and ensure that economic success is shared amongst all Londoners, those involved in planning and development must... [under Part H]: recognise and promote the benefits of a transition to a low carbon circular economy to strengthen London’s economic success”*. The supporting text states, *“Creating a low carbon circular economy, in which the greatest possible value is extracted from resources before they become waste, is not only socially and environmentally responsible, but will save money and limit the likelihood of environmental threats affecting London’s future”* (Para. 1.6.2).

‘Circular economy’ is defined within the London Plan’s glossary as, *“An economic model in which resources are kept in use at the highest level possible for as long as possible in order to maximise value and reduce waste, moving away from the traditional linear economic model of ‘make, use, dispose’”*.

The promotion of transitioning to a low carbon circular economy is also supported by London Plan Good Growth objective GG6 that states, *“To help London become a more efficient and resilient city, those involved in planning and development must... [under Part A]: seek to improve energy efficiency and support the move towards a low carbon circular economy, contributing towards London becoming a zero-carbon city by 2050”*.

London Plan Policy D3 states, *“All development must make the best use of land by following a design-led approach that optimises the capacity of sites ... Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development... that responds to a site’s context and capacity for growth... and that best delivers the requirements set out in Part D’*. Part D refers to a number of requirements, including under Part 13 that development proposals should, *“aim for high sustainability standards (with reference to the policies within London Plan Chapters 8 and 9) and take into account the principles of the circular economy”*. Figure 3.2 and the supporting text set out a hierarchy of building approaches which maximises use of existing material, with ‘retain’ at its heart, stating, *“Diminishing returns are gained by moving through the hierarchy outwards, working through refurbishment and re-use through to the least preferable option of recycling materials produced by the building or demolition process”* (Para. 3.3.12).

Retaining existing building fabric is also supported by London Plan Policy SI 7(A)(1) that sets out the objective to, *“promote a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible”* and City Plan Policy 37(A) that states, *“The Council will promote the Circular Economy...”*. The supporting text for London Plan Policy SI7 states, *“London should move to a more circular economy as this will save resources, increase the resource efficiency of London’s businesses, and help to reduce carbon emissions. The successful implementation of circular economy principles will help to reduce the volume of waste that London produces and has to manage. A key way of achieving this will be through incorporating circular economy principles into the design of developments...”*. (Para. 9.7.1). The large proportion of London’s total waste that is made up of construction, demolition and excavation waste is highlighted in London Plan Para. 9.7.4 that states that in 2015, this waste stream constituted 54 per cent of the total waste generate in London (9.7 million tonnes).

Section 2.4 of the Mayor of London’s Circular Economy Statements guidance (March 2022) sets out Circular Economy design approaches for existing buildings, with Para. 2.4.1 stating that the ‘decision tree’ should be followed to inform the design process for the development from the outset (informed by a pre-redevelopment and pre-demolition audits, where possible, and a whole life carbon assessment). In cases where there are existing buildings on site, the decision tree asks it is technically possible to retain these buildings in whole or part. If so, the decision tree asks whether the existing building, or parts of these building, are suitable to the requirements of the site. If the answer is ‘yes in whole’, the guidance indicates that the building should be retained and retrofitted. If the answer is ‘yes in part’, the guidance indicates that the building should be partially retained and refurbished. If the answer is ‘no’, the guidance indicated that the building should either be ‘disassembled for re-use’ or ‘demolished and recycled’. This approach, the guidance states, is to follow the approach set out in Figure 3.2 of the London Plan, stating, *“...retaining existing built structures totally or partially should be prioritised before*

considering substantial demolition, as this is typically the lowest-carbon option” (Para. 2.4.2). Such an approach is required to adhere to London Plan Policy D3 that states that development proposal should take into account the principles of the circular economy. In terms of what optioneering is expected Para. 2.4.5 adds, “When assessing whether existing buildings are suited to the requirements for the site, applicants should robustly explore the options for retaining existing buildings (either wholly or in part). Where disassembly or demolition is proposed, applicants should set out how the options for retaining and reconstructing existing buildings have been explored and discounted; and show that the proposed scheme would be a more environmentally sustainable development”.

City Plan Policy 38(A) states, “New development will incorporate exemplary standards of high quality, sustainable and inclusive urban design and architecture befitting Westminster’s world-class status, environment and heritage and its diverse range of locally distinctive neighbourhoods”. City Plan Policy 38(D) (Design Principles) adds, “Development will enable the extended lifetime of buildings and spaces and respond to the likely risks and consequences of climate change by incorporating **principles of sustainable design...**” [emphasis added]. The supporting text for City Plan Policy 38 states, “As new developments are large consumers of resources and materials, the possibility of sensitively refurbishing or retrofitting buildings should also be considered prior to demolition...” (Para. 38.11).

Guidance on the meaning of ‘sustainable design principles’ is found within the ‘Retrofitting and Sustainable Design’ chapter of the Westminster’s Environmental SPD (February 2022). The guidance states, “The upgrade and reuse of existing buildings is a sustainable approach and can help by avoiding the higher carbon footprint associated with constructing new buildings” (p. 104). Page 87 also states, “Where all or part of the existing building can be retained and demolition can be avoided, this will help conserve resources, reduce embodied carbon, minimise waste and avoid dust and emissions from demolition. However, this needs to be carefully balanced against other sustainability objectives, the need to deliver new housing and economic growth, meaning demolition will still be appropriate in some circumstances. When balancing the merits and impacts of retention or demolition of the existing building, the council will consider environmental, economic and social sustainability issues in the round with reference to other City Plan policies”. This guidance adds that, “Putting the circular economy into action in Westminster’s built environment means in the first instance exploring retention and refurbishment of buildings rather than demolition and re-build. If this is not possible, then incorporating reused materials into a new development” (p.96).

Assessment

The existing building is a custom designed as a police station. Whilst significant parts of the building were dedicated to office functions, there are specific design features that means that, for it to be altered to suit other uses, significant parts of it would need to be demolished and remodelled. The applicant has explored numerous options for repurposing the site for office or hotel use, including a redevelopment behind a retained

façade. Residential development was not explored as this is not acceptable to the freehold owner of the site.

Officers accept that, to enable the building to be brought back into use, the basement, ground floor, upper floors and cores of the building need to be demolished. Furthermore, in respect to the first, second and third floors, officers acknowledge that circa 50% of the floor slabs would have to be demolished in order to make way for the new core. Stitching this new core to the existing building would also involve carbon intensive interventions.

Whilst deep retrofit options would result in a lower upfront carbon impact of the development and less waste, such savings would not be significant. Furthermore, these savings need to be weighed against the policy support that a new building is capable of delivery growth in office floorspace within the CAZ and associated job creation.

Given the physical constraints of the existing building and that the retention and adaptation of the building would not result in significant upfront embodied carbon and waste generation savings, even though officers are of the view that the partial retention and refurbishment of the building would be physically possible, on this occasion it is considered that the demolition of the existing building and its redevelopment is justified from a circular economy and sustainability perspective.

Energy Performance

London Plan Policy SI 2 requires major development to be net zero-carbon, with a minimum reduction in regulated emissions (i.e. those associated with heating, cooling, ventilation, hot-water and lighting) of 35 per cent beyond Part L of the Building Regulations 2013 (or, if updated, the policy threshold will be reviewed). Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:

- 1) through a cash in lieu contribution to the borough's carbon offset fund, or
- 2) off-site provided that an alternative proposal is identified and delivery is certain.

City Plan Policy 36(B) requires major development to be zero carbon. City Plan Policy 36(C) adds, *'Where it is clearly demonstrated that it is not financially or technically viable to achieve zero-carbon on-site, any shortfall in carbon reduction targets should be addressed via off-site measures or through the provision of a carbon offset payment secured by legal agreement'*.

Policy MES4 of the Mayfair Neighbourhood Plan requires all new non-domestic development to be zero carbon.

National building regulations were updated to enhance energy performance standards for new buildings through Part L 2021 that came into force on 15 June 2022. The applicant has submitted a revised Energy Statement assessing the carbon emissions savings against a notional development meeting Part L of the 2021 building regulations.

Table 2: Regulated carbon dioxide savings from each stage of the energy hierarchy.

	Regulated Carbon Dioxide Savings	
	Tonnes CO ₂ per Annum	%
Be Lean: Savings from energy demand reduction	8.2	21
Be Clean: Savings from heat network	0.0	0
Be Green: Savings from renewable energy	2.0	5
Cumulative on-site savings	10.2	27
Carbon shortfall	27.8	-
	Tonnes CO ₂	
Cumulative savings for offset payment	835	
Cash-in-lieu contribution (£330 / tonne)	£275,220	

Be Lean

As illustrated in the Energy Statement, to maximize the energy efficiency of the development and thereby reduce energy demands, several key design principles have been incorporated. This strategy involves optimizing the building envelope's performance (through improved U-values, y-values, and g-values), reducing the proportion of glazed surfaces to limit solar heat gain while still ensuring ample natural light (thereby reducing the need for artificial lighting and cooling). Moreover, energy-efficient lighting and controls have been thoughtfully implemented across the entire development. These fixtures and control systems not only reduce energy consumption but also provide flexible and adaptable lighting solutions.

Be Clean

While the possibility of a site-wide heating system was explored, which would have included all demises within the main building in one efficient network, this option was ultimately deemed unviable as no approved plan currently exists for the area. Therefore, in line with the requirements of the City Council and the GLA the applicant has future proof the plantroom space allocating extra space technical equipment which can be used to connect to a district heating network should this become available in the future.

Be Green

The heating and cooling strategy for the development employs air source heat pumps located at roof level, offering active heating and cooling to the office and restaurant spaces. These systems are in line with the building's all-electric, zero fossil fuel requirements.

Additionally, the applicant has accommodated the officer's request to enhance the solar

energy capabilities of the building by expanding the area allocated for photovoltaic panels on the roofs and vertical surfaces using biosolar where applicable. The use of biosolar, which involves the installation of PV panels over a green roof, optimizes the efficiency of the panels and enhances the ecological credentials of the building. The total PV panel area is now approximately 173 m². It should be noted, however, that the submitted proposed drawings do not show the vertical PV panels. Had the development proposal been acceptable in other respects, this discrepancy would have been resolved through a request for the submission of amended drawings.

Be Seen

The Applicant has submitted the Be Seen assessment through the GLA website.

Overall

The overall target of achieving a 35% on-site regulated carbon emissions reduction over Part L 2021 has not been met; however, it is recognised that since the adoption of the new Part L 2021, meeting this target for commercial development is very challenging. Therefore, a 27% on-site regulated carbon emissions reduction is deemed acceptable. Furthermore, the applicant has met the Be Lean target of at least a 15% improvement over Part L 2021 for the development.

BREEAM 'Excellent'

City Plan Policy 38(E) requires non-domestic developments of 500 sq.m or above to achieve at least BREEAM 'Excellent' or equivalent standard. The proposed development is targeting a BREEAM rating of 83.9% as a minimum. This is 13.9% above the requirement for a BREEAM rating of 'Excellent' which gives certainty that this rating will be achieved. This meets the requirement of City Plan Policy 38(E) and is therefore acceptable.

Circular Economy

London Plan Policy SI 7(B) requires referable application (such as the development proposal) to promote circular economy outcomes and aim to be net zero-waste. The policy requires that a Circular Economy Statement should be submitted to demonstrate:

- 1) how all materials arising from demolition and remediation works will be re-used and/or recycled
- 2) how the proposal's design and construction will reduce material demands and enable building materials, components and products to be disassembled and re-used at the end of their useful life
- 3) opportunities for managing as much waste as possible on site
- 4) adequate and easily accessible storage space and collection systems to support recycling and re-use
- 5) how much waste the proposal is expected to generate, and how and where the waste will be managed in accordance with the waste hierarchy
- 6) how performance will be monitored and reported.

The Mayor of London adopted the Circular Economy Statement guidance in March 2022. This guidance states, "*CE [Circular Economy] statements, or elements of the statement, can be submitted as compliant or pioneering. To demonstrate the promotion*

of Circular Economy outcomes in line with Policy SI 7, all Circular Economy statements should aim to set out best practice, rather than recording business-as-usual activities” (Para. 3.4.1).

City Plan Policy 37(C) states, “*Developers are required to demonstrate through a Circular Economy Statement, Site Environment Management Plan and/or associated Site Waste Management Plan, the recycling, re-use, and responsible disposal of Construction, Demolition and Excavation waste in accordance with London Plan targets and the council’s Code of Construction Practice (CoCP)*”. The accompanying guidance states, “*Implementing the waste hierarchy and promoting circular economy principles is key to reducing the amount of waste produced and ensuring that more materials are reused, repaired and recycled*” (p. 94 of the Environmental SPD).

The submitted Circular Economy Statement sets out the following key circular economy commitments:

- Minimum of 97% of the demolition waste material (non-hazardous) diverted from landfill for reuse, recycling and recovery.
- Minimum of 97% excavation waste material diverted from landfill for beneficial use.
- Minimum of 97% of construction waste material diverted from landfill for reuse, recycling and recovery.
- Minimum of 70% of municipal waste generated by the operational phase of the proposed development to be recycled.
- Minimum of 20% of the building material elements to be comprised of recycled or reused content.
- Minimum re-use of façade materials (by weight) in the construction of the development proposal – 75%.

These circular economy commitments either meet or exceed those set out within London Plan Policy SI 7(A) and are therefore acceptable.

Air Quality

The applicant has submitted an Air Quality Neutral Assessment. The report establishes that the proposed development is air quality neutral for buildings and transport. During the construction phase the impact of dust has been classed as low or negligible risk. This is in accordance with London Plan Policy SI 1, City Plan Policy 32 and Mayfair Neighbourhood Plan MES 1.2

Whole Life Carbon

London Plan Policy SI 2(F) requires, “*Development proposals referable to the Mayor should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions*”. The Mayor of London’s ‘Whole Life-Cycle Carbon Assessments’ guidance was adopted in March 2022. WLC benchmarks have been developed, broken down into life-cycle modules. Aspirational benchmarks that represent a 40% improvement based on the World Green Building Council’s target to achieve a 40% reduction in WLC emissions by 2030 are also set out.

The applicant has taken a number of actions to reduce embodied carbon associated with the development, including (but not limited to):

- Reusing stone from the existing building on the replacement building.
- Using cross laminated timber for the floorplates of the top two floors.
- Reducing the volume of concrete used through the use of concave infill panels on the lower floorplates.
- Using a timber curtain walling system.

In terms of how the expected whole life carbon impact relate to the benchmarks contained within the GLA's WLC guidance:

- The upfront carbon emissions (i.e. Modules A1-A5) are expected to be 620 kg/Co2e/m2. This is 34.7% lower than the GLA's WLC benchmark of 950 kg/Co2e/m2 and 3.3% above the GLA's WLC aspirational benchmark of 600kg/Co2e/m2.
- The whole life carbon impact of the development for Modules A-C (excluding B6 and B7) is expected to be 1,111 kg/Co2e/m2. This is 20.6% lower than the GLA's WLC benchmark of 1,400 kg/Co2e/m2 and 14.6% above the GLA's WLC aspirational benchmark of 970 kg/Co2e/m2.

Given that the applicant can demonstrate that actions have been taken to reduce life-cycle carbon emissions from the proposed development and that the expected life cycle emissions are lower than the GLA's WLC benchmark, the development proposal is compliant with London Plan Policy SI 2.

Flood Risk & Sustainable Drainage

The site is in Flood Zone 1 and not within a Surface Water Management Zone and therefore has a low risk of surface water flooding from either fluvial or surface water flooding.

In terms of sustainable drainage, both London Plan Policy SI 13 and City Plan Policy 35(J) require development proposals to aim to achieve greenfield run-off rates and demonstrate how all opportunities to minimise site run-off have been taken.

Surface run-off from the development to proposed to be attenuated through the use of blue roofs, ensuring that water is dealt with as close to source as possible, supplemented by green roofs and a basement attenuation tank.

The proposed strategy will restrict surface water run off to the public sewer to a peak discharge of 2 litres per second for a 1 in a 100-year (+40% climate change) event. Although not as low as greenfield run-off rates, it will provide a significant betterment when compared to existing run-of rates for this storm event. This is acceptable in this instance.

9.3 Biodiversity & Greening

An Urban Greening Factor (UGF) assessment has been undertaken and the expected score is 0.35 (when excluding the public highway). This compares to the existing site's

UGF score of 0. This is achieved through the provision of planters around the ground floor, terraced areas, and at roof level. The development will achieve the UGF target for a predominantly commercial development, as set out within London Plan Policy G5. The potential for the scheme to accommodate urban greening has been maximised, taking into account the site circumstances and development constraints in this instance and the development would provide net gains in terms of urban greening compared to the existing site circumstances. As such, the application accords with the City Plan Policies 7(E) and 34, as well as London Plan Policy G5.

9.4 Townscape, Design & Heritage Impact

Site and Surroundings

The application site is located in the Regent Street Conservation Area and serves to terminate the view down New Burlington Street from Regent Street. The rear of the site, to Old Burlington Street shares the boundary with the Mayfair Conservation Area. A number of listed buildings are located in close proximity, including 22 & 23 Old Burlington Street (Grade II listed), 4 & 5 Clifford Street (Grade II listed), 24 Old Burlington Place (Grade I/II listed), 16 & 17 Clifford Street (Grade II listed); 11 Savile Row (Grade I/II listed), 12 Savile Row (Grade II listed), 14 Savile Row (Grade I/II listed), 16 & 17 Savile Row (Grade II listed), 1 & 2 New Burlington Street (Grade II listed), 169 – 201 Regent Street (Grade II listed) and 17-18 Regent Street (Grade II listed). The proposals have the potential to impact the settings of these buildings.

27 Savile Row, the former West End Police Station, was built in 1938-39 to designs by Burnet, Tait & Lorne. It opened in 1940 and suffered severe bomb damage shortly after. It underwent refurbishment in 1996 which included a new internal fit out, infill extension to the lightwell and the erection of a set-back extension to the roof, clad in reconstituted stone. While internally, no architectural features of interest survive, externally it forms a good example of its type and provides a positive contribution to the character and appearance (significance) of the Regent Street Conservation Area and is considered to be an unlisted building of merit (a non-designated heritage asset).

Statutory Requirements, Policy and Guidance

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 ('the LBCA 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"*.

Whilst there is no statutory duty to take account of effect on the setting of a conservation area, Policy 39(K) in the City Plan 2019-2040 states that features that contribute positively to the significance of the setting of a conservation area will be conserved and opportunities will be taken to enhance conservation area settings, wherever possible.

Government guidance on how to carry out the above duties is found in the National Planning Policy Framework (NPPF). At the heart of the framework is a presumption in favour of 'sustainable development' where protecting and enhancing the built and historic environment forms part of one of the three overarching interdependent objectives (economic, social and environmental).

Chapter 16 of the NPPF sets out how the historic environment should be conserved and enhanced, and makes it clear at Paragraph 205 that when considering the impact of a proposed development on a designated heritage asset (which includes its setting), local planning authorities should give 'great weight' to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification and substantial harm or total loss should be exceptional. In the case of Grade II* or Grade I listed or registered assets or World Heritage Sites, substantial harm or loss should be wholly exceptional (Paragraph 206).

If the harm is deemed to be less than substantial, Paragraph 208 of the NPPF requires that harm to be weighed against the public benefits of the proposals including, where appropriate, securing its optimum viable use. In undertaking this exercise, the decision maker is required to take into account the above statutory duties to have special regard to the desirability of preserving the setting of nearby listed buildings and pay special attention to the desirability of preserving or enhancing the character or appearance of the Regent Street Conservation Area. This should also take into account the relative significance of the affected asset and the severity of the harm caused.

Policy 38 of Westminster's City Plan 2019-2040 (adopted April 2021) requires, "*New development will incorporate exemplary standards of high quality, sustainable and inclusive urban design and architecture befitting Westminster's world-class status, environment and heritage and its diverse range of locally distinctive neighbourhoods*". Part B of this policy emphasises the importance for new development to respond to Westminster's context, with regard to (amongst others), "*materials, building lines, scale, orientation, access, definition, surface treatment, height and massing*".

Policy 39 of the City Plan requires the conservation of heritage assets. Part B (Part 2) states that development will, "*secure the conservation and continued beneficial use of heritage assets through their retention and sensitive adaptation which will avoid harm to their significance, while allowing them to meet changing needs and mitigate and adapt to climate change*". Part 3 of Policy 39(B) requires development to, "*place heritage at the heart of place making and good growth, maintaining the unique character of our heritage assets and delivering high quality new buildings and spaces which enhance their settings*".

Part L of Policy 39 states, "*There will be a presumption that unlisted buildings that make a positive contribution to the conservation area will be conserved, unless it has been*

demonstrated that the relevant tests in national policy have been met”.

Part R of Policy 39 relates to non-designated heritage assets specifically, requiring them to be conserved and requiring a balanced judgement to be made regarding the scale of any harm or loss of the asset and the benefit of the proposed development.

Policy 40 (Part A) requires, *“Development will be sensitively designed, having regard to the prevailing scale, heights, character, building lines and plot widths, materials, architectural quality and degree of uniformity in the surrounding townscape”.*

MD3 of the Mayfair Neighbourhood Plan 2018-2038 states, *“Proposals will be supported where their design reflects the existing character of Mayfair, in terms of its heights, scales and uses. Departures from the existing character within the Conservation Areas will only be permitted where design of the highest quality has been proposed and independently verified, and where compliance with other policies in this plan has been demonstrated”.*

HC1 of the London Plan (March 2021), the ‘National Design Guide’ (January 2021) and the guidance set out within the ‘Development and Demolition in Conservation Areas’ SPG are also of relevance in this case.

Regent Street Conservation Area

The character and appearance (significance) of the Regent Street Conservation Area primarily stems from the high degree of uniformity in terms of architecture, materials and scale. Regent Street itself is considered to be one of the finest pieces of town planning in London (Bradley and Pevsner: ‘London 6: Westminster’: 2003). It was laid out by John Nash during the early nineteenth century to form a processional route from Regent’s Park to Carlton House to the south (now Carlton House Terrace). Today the Portland stone street façade predominantly dates from the late nineteenth and early twentieth century when it was rebuilt in a Beaux Arts style. The frontages remain largely intact and contribute to a grand, homogeneous streetscene.

The conservation area boundary mainly hugs the rear of the buildings along Regent Street. However, the boundary steps to the west to include a portion of Savile Row, the application site, and New Burlington Street, before returning to the east. Savile Row was first laid out in 1732-35. The character and appearance (significance) of this part of the Regent Street Conservation Area is primarily derived from the formal layout and consistent scale of buildings along Savile Row, as well as the view from Regent Street to Savile Row, through New Burlington Street. Historic buildings to the southern portion of Savile Row comprise former townhouses, with larger, modern buildings concentrated to the north. The taller buildings are predominantly formed of five storey street frontages with two storeys set back. It should be noted that Figure 2.4 of the Townscape and Visual Impact Assessment Addendum (TVIA) is misleading. This because it takes an inconsistent approach to identifying the datum level, with some lines reflecting the parapet level and some a cornice detail at lower levels.

Old Burlington Street to the rear of the site, is located within the Mayfair Conservation Area. The character of this street is formed of a mix of domestic scale brick buildings interspersed with larger modern office buildings of four to five storeys.

27 Savile Row forms a purpose-built police station. Its external appearance reflects this use. The submitted Heritage Statement provides a detailed description of the building. It forms a Modernist wartime structure faced in Portland stone with minimal ornamentation. Its architectural interest stems from its modular massing, coat of arms, wide canopy, Portland stone finish and use of glazed bricks to the cells. Its modular composition is particularly evident upon approach from the east along New Burlington Street, as well as from the south, along Old Burlington Street, where there are views of the set-back upper floors.

While it appears out of scale in certain views and provides blank facades at ground floor level, the application building contributes to the evidential and historic value of the conservation area. It forms a physical reminder of the social history of this area during the twentieth century and the expansion of the Metropolitan Police during the Second World War. Furthermore, it holds a high level of communal value reflecting collective values and social order in London.

It terminates the view from Regent Street through New Burlington Street. The use of Portland stone reflects the palette of materials within the area. While roof level antenna and plant detract from its angular form, the overall height is reflective of the buildings either side. It forms a Modernist structure within the streetscene which does not compete with decorative facades found along the principal processional and commercial route of Regent Street.

Demolition – Principle

The proposed scheme seeks to demolish the building. As aforementioned, the existing building makes a positive contribution to the character of the conservation area. As outlined in Policy 39 of the City Plan 2019-2040, there is a strong presumption in favour for its retention. Any replacement building is required to preserve or enhance the conservation area and settings of surrounding heritage assets.

Proposed building

The proposals seek to replace the building with a new structure of eight storeys, plus plant enclosure above and three basement levels beneath. The top three floors and plant enclosure step back from the parapet. The setbacks of the upper floors provide terraces and planters for greening. Floors 1-4 overhang the ground floor level. The ground floor level will see the introduction of an active frontage through the provision of openable shopfronts and deep planters for further greening. A tall blank wall is shown on the Savile Row façade. This would provide an area for public art. Had the development proposal been recommended for approval, it would have been recommended that the detail of this public art would have been secured by condition. The palette of materials includes Portland stone, large aluminium framed windows and timber panels. The coat of arms is proposed to be reinstated in a central position at second floor level to the Savile Row façade and stonework from the existing building is proposed to be re-used in the new building.

Height/massing

As outlined above, while the height and massing of the existing building is not particularly successful when experienced along Old Burlington Street and Clifford Street, where its blank flank walls and overall height appears out of scale, it is of appropriate scale when experienced from the east, along New Burlington Street and Savile Row. The proposed replacement building would be of a greater scale than the existing and would appear out of place from both the rear, west views, as well as from Savile Row and New Burlington Street. It would rise approx. 9m above the height of the neighbouring property at 28 Savile Row, approx. 11m above the building at 14 Old Burlington Street, and approx. 7m above 25 Savile Row.

The curved walls of the upper storeys and plant enclosure would project above the established roofline and appear prominent and out of place in views along Savile Row. The blank repurposed stone south elevation would appear particularly jarring and contribute to a cluttered roofscape, as demonstrated in View 5 of the submitted TVIA. The proposed building fails to successfully terminate New Burlington Street. The overall height breaches the strong parapet level informed by buildings either side of New Burlington Street. In views from Regent Street the massing of the top two storeys is concentrated to the left-hand side (south), forming an unusual asymmetrical character, appearing unbalanced.

The existing building sits comfortably next to 28 Savile Row. They are of a similar height, massing, form and materiality and form a successful pair when approached from New Burlington Street. The proposed building fails to reflect this context, the massing and height is excessive next to this building and diminishes the cohesive character of this portion of the street (View 3 of the TVIA).

The scheme would introduce greater height and massing abutting the largely domestic scale townscape found along Old Burlington Street and the eastern portion of the Mayfair Conservation Area. The introduction of a cluster of rounded chunky stone forms contributes to a disparate addition to the streetscene and townscape (View 6 of the TVIA). The increase in bulk and massing will heavily encroach on the open sky above 14 Old Burlington Street and 3 Clifford Street. This will detract from the decorative brick frieze of swags found along the parapet, as well as the traditional tall brick chimney stacks. Old Burlington Street is primarily characterised by four storey buildings, with setback roof additions above. The proposed building will rise eight storeys with additional plant screen above.

The height and massing of the proposed building would appear out of scale within the townscape, while the roof form would appear clumsy. It fails to reflect the built context and would detract from the character and appearance (significance) of the Regent Street Conservation Area and the setting of the Mayfair Conservation Area.

Architecture and materials

Turning to the detailed design, the proposal seeks to employ the 'entasis technique' – a Classical architectural technique that sees a column (or similar upright element) bulge outward through the addition of a convex curvature to its profile. This is thought to be applied in order to avoid the appearance of tapering when viewed from a close distance,

and ensure the structure appears to have weight. A large portion of the façade projects forward of the established building line. To this part of the façade the floors are expressed through horizontal bands of narrow re-purposed stonework with new lighter stone vertical pilasters applied between windows. The latter are proposed to be finished in larger pieces of stone. According to the submitted scaled drawings, unusually, the entasis is proposed to be expressed across the widest elements of the façade, rather than the narrow upright pilasters i.e. the full length of the third-floor horizontal band is approx. 0.25m wider than the bands above and below. The pilaster elements are the same width across the façade (contrary to what is shown on page 123 of the submitted Design and Access Statement).

While this results in additional floorspace, it is not clear where the local architectural influence for this approach has come from. It is also not clear as to what the purpose of this detail is. For example, a sense of weight and grounding is not likely to be achieved when the horizontal elements have been emphasised rather than the vertical elements, contrary to Classical practices. Additionally, the vertical and horizontal elements will read as separate, applied entities rather than a single loadbearing structure, because they are finished in stone of differing colour and size, while the horizontal elements will be topped in a band of dark grey limestone. Furthermore, the corners of the building will be primarily finished in glass due to the size and location of the windows. The proposed detailed design, therefore, fails to reflect a solid design akin with the architecture found in this part of Savile Row and will appear incongruous in this part of Westminster. The proposed provision of public art to the Savile Row façade is welcomed under City Plan Policy 43 (E). No further information has been provided regarding the artwork because the detailed would normally be secured by condition.

The projecting first-to-fourth floors, and entasis bulge fails to respect the strong flush building line and coherent street façade. Furthermore, this detail, accompanied with its height, results in a building that appears out of scale for its plot and its local townscape. As discussed above, the massing of the new building is asymmetrical in views from Regent Street and New Burlington Street. This sense of imbalance is furthered by the central position of the retained coat of arms and contrasting off-centred position of the entrance.

Summary

While the re-use of fabric, introduction of active frontages, provision of public art and greening is welcomed, the proposed replacement building is of an inappropriate scale and design which fails to reflect the local context, fails to preserve the character and appearance of the Regent Street Conservation Area, and harms the setting of the Mayfair Conservation Area. The scheme will cause a low level of less than substantial harm to the significance of the Mayfair Conservation Area and a low to moderate level of less than substantial harm to the significance of the Regent Street Conservation Area.

The proposals are contrary to Policies 38, 39 and 40 of the City Plan 2019-2040, Policy MD3 of the Mayfair Neighbourhood Plan 2018-2038, Policy HC1 of the London Plan and the guidance set out within the National 'Design Guide' (January 2021) and the 'Development and Demolition in Conservation Areas' SPG.

Whilst a large number of letters of support have been received, with particular support

for the provision of a training academy for tailors, new active frontages, public realm improvements and bringing the site back into use, a smaller number of objections have also been received. These include objections from Historic England, SAVE Britain's Heritage, the Residents' Society of Mayfair and St. James's, and the Mayfair Neighbourhood Forum.

Officers share the majority of the concerns, as discussed above. The proposed replacement building is considered to have a harmful impact on the character and appearance (significance) of the Regent Street Conservation, as well as the Mayfair Conservation Area through impacts to its setting.

In terms of impacts to the settings of listed buildings, officer conclude that the proposals will not harm the special interest (significance) of the surrounding listed buildings. While the proposals will see changes in their surroundings, given the distance between the application site and listed buildings, the proposals will not adversely impact their settings as to affect their special interest.

The level of harm caused by the proposals is considered to be a level of between low to moderate less than substantial harm. As required by NPPF Para. 208, Section 9.11 of the report weighs this harm against the public benefits of the proposal.

Fire Safety

London Plan Policy D12 states that major applications should be accompanied by a fire statement, prepared by a suitably qualified third-party assessor, demonstrating how the development proposals would achieve the highest standards of fire safety, including details of construction methods and materials, means of escape, fire safety features and means of access for fire service personnel. Further to the above, London Plan Policy D5(B)(5) seeks to ensure that development proposals incorporate safe and dignified emergency evacuation for all building users.

The submitted revised fire statement confirms that two of the lifts are fire evacuation lifts to allow safe and dignified emergency evacuation for all building users. This address the concerns made by the GLA at Stage 1 and demonstrates that the development proposal is fully compliant with London Plan Policies D1 and D5.

Archaeology

Historic England (Archaeology) has reviewed the development proposal and advises that it is unlikely to have a significant effect on heritage assets of archaeological interest and therefore no further assessment or conditions are necessary.

Basement Excavation

Excavation is proposed to create three full basement levels beneath the footprint of the site. Whilst there are currently three basement levels, the third basement is small and the development proposal would expand this in terms of its footprint and also its depth in order to accommodate taller floor-to-ceiling heights.

The extent and depth of the basement complies with the parameters set out within City

Plan Policy 45(B) and Building Control has no objection.

9.5 Residential Amenity

Daylight & Sunlight

The application is accompanied by a Daylight / Sunlight Report prepared in accordance with the guidance contained within the BRE Guide (2011) that assess the impact of the proposed development as originally submitted upon the daylight (Vertical Sky Component) received and the distribution of that daylight (No Sky Line) at the nearest residential units to the application site – a flat at third floor level at No. 21 Old Burlington Street and a basement flat at No. 22-23 Old Burlington Street. An assessment of the impact of sunlight is not necessary as none of the affected windows face within 90 degrees of due south.

The analysis reveals that the originally submitted development would not breach the thresholds within the BRE Guide (2011) in respect to Vertical Sky Component or No Sky Line. This indicates that the impact upon the amenity of the occupants of these flats will not be noticeable from a daylight perspective. As the amended proposed development slightly reduces the massing of the replacement building, it is concluded that the impact of the proposed development proposal will be slightly less than assessed and would therefore also not be noticeable from a daylight perspective by the occupants of nearby residential dwellings.

Privacy, Sense of Enclosure and Light Pollution

The reasonable distance between the proposed new office building and the nearest residential units on Old Burlington Street means that the development proposal will not cause a material loss of privacy, an unacceptable increase of enclosure or an unacceptable increase in light pollution.

Noise & Vibration

An acoustic report accompanies the application that sets out the lowest background noise levels to establish maximum noise criteria that the selected plant is required to comply with. Subject to the imposition of conditions, Environmental Sciences raises no objection to the proposal from a noise perspective.

9.6 Transportation, Accessibility & Servicing

Vehicular Parking

The removal of the existing on-street car parking is compliant with City Plan Policy 27(F).

Cycling & Cycle Storage

Long stay and short stay cycle parking for the office use will be provided within the basement of the building, accessed via a lift from ground floor level through an

entrance off Old Burlington Street. Short stay cycle parking for the retail use will be provided in front of the building on Savile Row, adjacent to the public art at street level, as well as within the basement.

The location and quantum of cycle parking is compliant with London Plan Policy T5 and is therefore acceptable.

The applicant has committed to making a financial contribution of £22,500 towards the maintenance costs associated with cycle hire in the area, following a request from Transport for London in order to mitigate increased demand for this service. Had the development proposal been acceptable in other respects, this would have been secured by legal agreement.

Servicing and Waste & Recycling Storage

As summarised above, the Highways Planning Manager has strongly objected to the failure of the development proposed to meet the servicing needs of the development proposal on-site, arguing that this is contrary to City Plan Policy 29(B). Furthermore, the proposed creation of a serving bay on Old Burlington Street is strongly objected to as this will displace the existing parking for operational emergency vehicles which still use this space and that the servicing approach is not robust as it relies on using a bay that is outside of the applicant's control and may already be in use to service other nearby premises. Finally, it is argued that the lack of off-street servicing provision also limits the ability to support sustainable and net zero servicing through not being capable of providing rapid charging facilities for electric servicing vehicles.

The applicant has investigated numerous options for servicing from the application site using smaller vehicles and a turning circle. The reality, however, is that accommodating on-site servicing would prevent the development proposal from providing activation on all three side in the form of the restaurant and separate access to the flexible workspace (Class E) and / or training (Class F1) and / or composite use comprising a workspace and training facility (sui generis) proposed at basement 2 level.

For these reasons, it is considered that off-street servicing is acceptable in this instance. If the development proposal had been acceptable in other respects, the necessary changes to the traffic orders would have to be secured prior to the commencement of development (including demolition) and the design of the highway works would need to be agreed with the City Council in its capacity as Highways Authority. These would have been achieved by legal agreement.

There is no objection to the location and size of the storage spaces for refuse and recyclable material or to the ground floor presentation area.

Highways dedication / stopping up

The existing building line is the highway boundary. The submitted drawing show minor alterations to the building line and therefore the highway boundary. In one small location the building line is brought forward, reducing highway space, but this is compensated by a limited amount of highway space created. This is mainly on the Savile Row frontage and is achieved by the removal of the stepped access to the existing building. Had the

development been acceptable on other respects, the dedication of this land as public highway would have been secured by legal agreement.

Accessibility

The principles of inclusive design have been incorporated throughout all stages of the design process. All entrances to the office and restaurant will provide level and inclusive access into and throughout the building. This is with the exception of the secondary restaurant entrance on the corner of Boyle Street/Old Burlington Street which requires stairs due to the change in levels across the site moving east to west.

9.7 Economy including Employment & Skills

Employment

The applicant anticipates that the development proposed has the potential to support in the region of 262 FTE jobs. Once a reduction assumption of 25% has been factored into account for job reductions within the impact area arising through displacement, the application estimates that the net additional impact of the proposed development will be in the region of 196 FTE jobs on site.

Employment and Skills

City Plan Policy 18(D) states, “*Major developments will contribute to improved employment prospects for local residents. In accordance with the council’s Planning Obligations and Affordable Housing SPD, this will include:*

- 1. financial contributions towards employment, education and skills initiatives; and*
- 2. for larger schemes, the submission and implementation of an Employment and Skills Plan”.*

The Planning Obligations and Affordable Housing SPD (adopted March 2024) sets out how developments proposing a net increase in commercial floorspace of between 1,000 sq.m and 9,999 sq.m will be required to make a financial contribution but there is no requirement to produce an Employment and Skills Plan. Based on the formula within the guidance note, the proposed development would be liable to make a financial contribution of £214,000 to support the Westminster Employment Service (payable prior to the commencement of development). Had the development been acceptable in other respects, this financial contribution would have been secured by legal agreement.

9.8 Other Considerations

Procedural

As set out above, the application at Site 1 is referable to the Mayor of London under Category 1C of Part 1 of the Schedule of the Town and Country Planning (Mayor of London) Order 2008. Following a resolution to determine this application, the application will have to be referred to the Mayor of London. Following receipt all the required information, the Mayor has 14 days to make a decision to allow the local planning authority decision to stand, to direct refusal, or to take over the application (and thus becoming the local planning authority for the determination of the application).

9.9 Environmental Impact Assessment

The proposed development is not of sufficient scale or impact to require an Environmental Impact Assessment.

9.10 Planning Obligations & Pre-Commencement Conditions

The NPPF identifies that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Paragraph 57 of the NPPF states that planning obligations must only be sought where they meet all of the following 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.

The Planning Obligations and Affordable Housing Supplementary Planning Document (PO&AH SPD) was adopted by the City Council on 7 March 2024. This sets out guidance on several matters that constitutes a material consideration in the assessment of these applications. Of relevance to this application, the PO&AH SPD makes changes to the per tonne monetary figure that enable developments to offset operational regulated carbon emissions when they fail to be operationally zero carbon and sets out guidance on how major developments will contribute to improved employment prospects for local residents.

Had the development proposal been acceptable in other respects, the following planning obligations would have been secured via a S106 legal agreement:

- A financial contribution of £214,000 (index linked) towards initiatives that provide local employment, training opportunities and skills development through the Westminster Employment Service (payable prior to the commencement of development).
- Arrangement to secure that: (i) The workspace (Class E) and / or training (Class F1) and / or composite use comprising a workspace and training facility (sui generis) at basement 2 of the development proposal shall be let at peppercorn rent with a 50% discount in service charges for a period of not less than 40 years; (ii) An initial 10-year lease is entered into to allow this space to be occupied by the London Academy of Bespoke; (iii) The space is fitted out to Category B status; (iv) Annual reporting on the impact of training programmes, particularly in terms of employment outcomes locally, takes place; and (v) The space is not re-let without the City Council approving the new tenants.
- A financial contribution to the City Council's Carbon Off-Set Fund of £275,000 (index linked and payable prior to commencement of development) in order to mitigate the residual regulated operational carbon emissions for heating, cooling, lighting equipment etc arising for the development over the anticipated 30-year life of these services.
- Be seen energy monitoring on the actual operational energy performance of the

- building, including as-built and in-use stage data.
- Undertaking of the highways works necessary to accommodate the development, including the reinstatement of the redundant vehicle crossover on Old Burlington Street. The necessary alterations to traffic orders to allow the re-arrangement of the on-street vehicular parking to Old Burlington Street to be confirmed prior to commencement of development (including demolition).
 - Dedication of areas surrounding the development proposal as public highway.
 - A financial contribution of £22,500 (index linked and payable prior to commencement of development) to fund the maintenance costs associated with cycle hire in the area.
 - The costs of monitoring the S106 agreement.

The estimated Westminster CIL payment is £548,295, whilst the estimated Mayoral CIL payment is £407,963. Note that these figures exclude any discretionary relief or other exemptions that may apply and are estimates based on the floorspace identified in the submitted drawings and documents. The actual CIL liability will be calculated by our CIL & S106 Team post determination of the application using the process set out in the Community Infrastructure Levy Regulations 2010 (as amended).

9.11 Assessment of Planning Balance

As set out within Section 9.4 of this report, the development proposal would cause a low to moderate level of less than substantial harm to the character and appearance of the Regent Street Conservation Area and a low level of less than substantial harm to the significance of the Mayfair Conservation Area through failing to preserve or enhance its setting. The harm would be caused by the demolition of the existing building on site and because of the proposed replacement building's scale, height, form, massing and detailed design.

Paragraph 208 of the NPPF states that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the 'public benefits' of the proposal, including optimising its optimum viable use. 'Public benefits' could be anything that delivers economic, social or environmental progress as described in the NPPF. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public to be genuine public benefits.

When undertaking this weighing exercise, the Sub-Committee must fulfil its statutory duty within Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character and appearance of the Regent Street Conservation Area by giving great weight to the conservation of heritage assets, irrespective of the degree of harm. Any harm needs to be clearly and convincingly justified.

Although the development proposal generates a number of public benefits, the following are considered to be the most significant:

1. Returning a vacant brownfield site into active use.
2. The provision of 6,583 sq.m GIA of Grade A office floorspace

3. A net addition of around 196 FTE jobs on site and a financial contribution of £214,000 towards initiatives to maximise the opportunity for the development to provide local employment, training opportunities and skills development.
4. The generation of £7.7m net additional GVA per annum, £382,000 net additional employee spend per annum, and an estimated £1.2m net additional business rates per annum.
5. The creation of 141 sq.m of flexible workspace (Class E) and / or training (Class F1) and / or composite use comprising a workspace and training facility (sui generis) at basement 2 for 40 years year at peppercorn rent and a 50% discount on service charge. The initial 10-year lease to the London Academy of Bespoke that would assist in training up aspiring bespoke tailors, complementing and enhancing the Savile Row Special Policy Area's role as an international centre of excellence for bespoke tailoring.
6. Provision of active frontages around the site, including the provision of a restaurant to complement the Savile Row Special Policy Area's continued role as an international centre of excellence for bespoke tailoring.

Whilst the public benefits of bringing a vacant brownfield site back into active use and the economic benefits generate by the development proposal are noted, these are reasonably modest in scale and, in the context of the economy of the West End and wider CAZ, not significant.

Furthermore, whilst the provision of a training facility at peppercorn rent and a 50% discount on service charge will undoubtedly assist the operation of the London Academy of Bespoke, it is not considered that locating this facility on Savile Row will generate materially greater public benefits in supporting the role of the Savile Row Special Policy Area as an international centre of excellence for bespoke tailoring than if it were located elsewhere – it is currently located nearby on Haymarket. Furthermore, were the London Academy of Bespoke to vacant, the public benefits of a small affordable workspace at basement 2 level for the remainder of 40-year obligation would be significantly reduced.

Finally, the creation of active frontages and the provision of a restaurant are not considered to represent significant public benefits.

For these reasons, the cumulative public benefits of the development proposal would not be of such significance that they would outweigh the less than substantial heritage harm that would occur as a result of the development proposal. Therefore, the proposal would not comply with paragraph 208 in the NPPF. Accordingly, clear and convincing justification for the harm caused to the designated heritage assets has not been presented, contrary to paragraph 206 of the NPPF.

10. Conclusion

This report has considered the material planning issues associated with the proposed development in conjunction with all relevant national, regional and local planning policy, and has also considered the weight to be attributed to the public benefits and harm that would arise from the scheme. Having regard to this assessment, it has found that the proposed development is unacceptable as it would fail to accord with London Plan Policy HC1, City Plan Policies 38, 39 and 40, and Mayfair Neighbourhood Plan Policy MD3 and would not meet the requirements of paragraphs 206 and 208 of the NPPF. For these

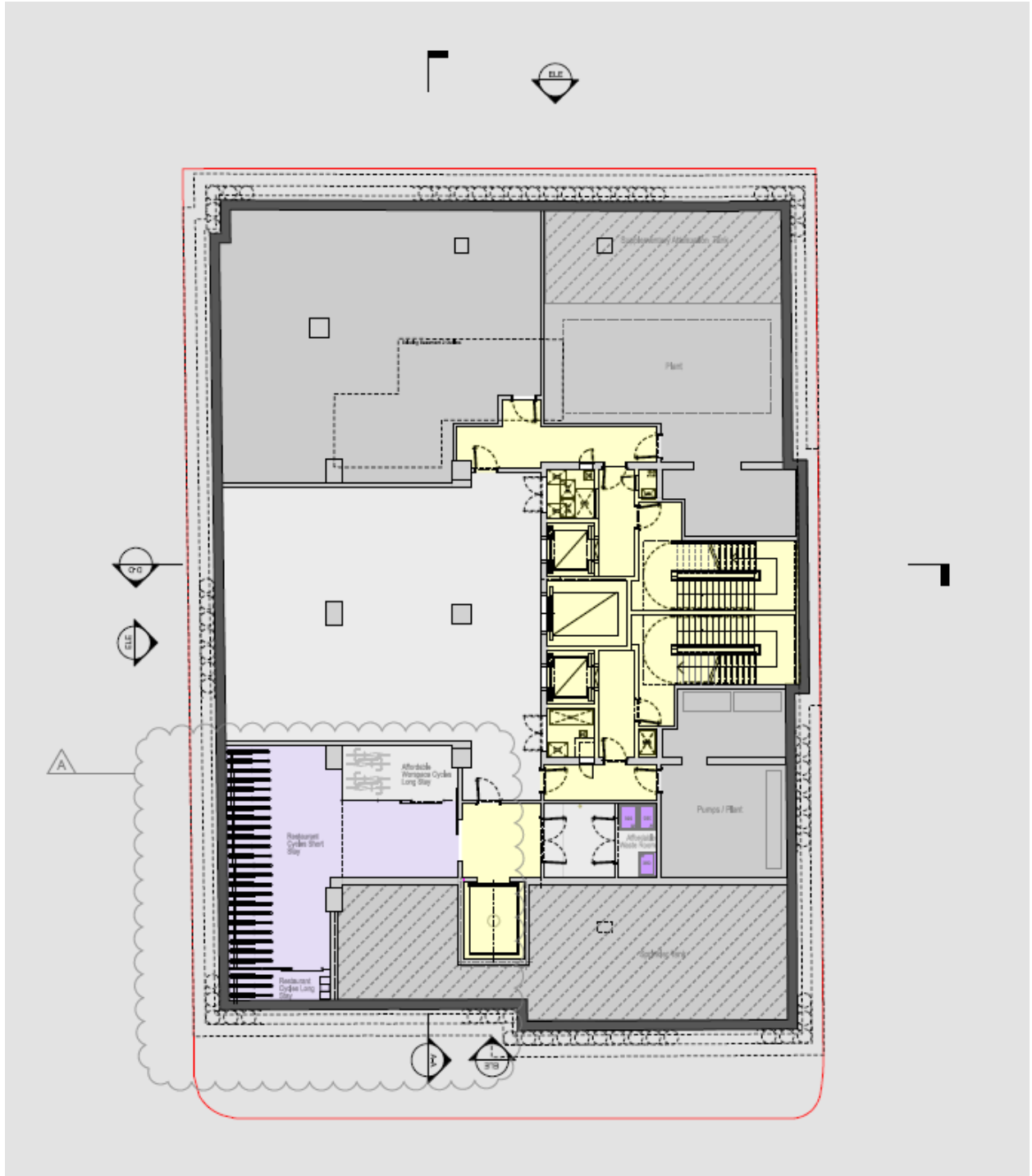
reasons, it is recommended that planning permission be refused.

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

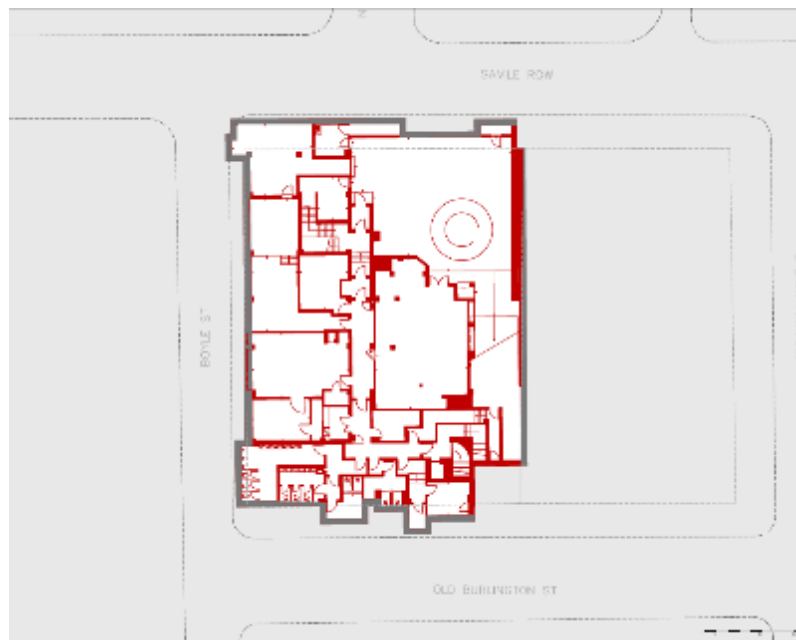
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MARK HOLLINGTON BY EMAIL AT mhollington2@westminster.gov.uk

11. KEY DRAWINGS

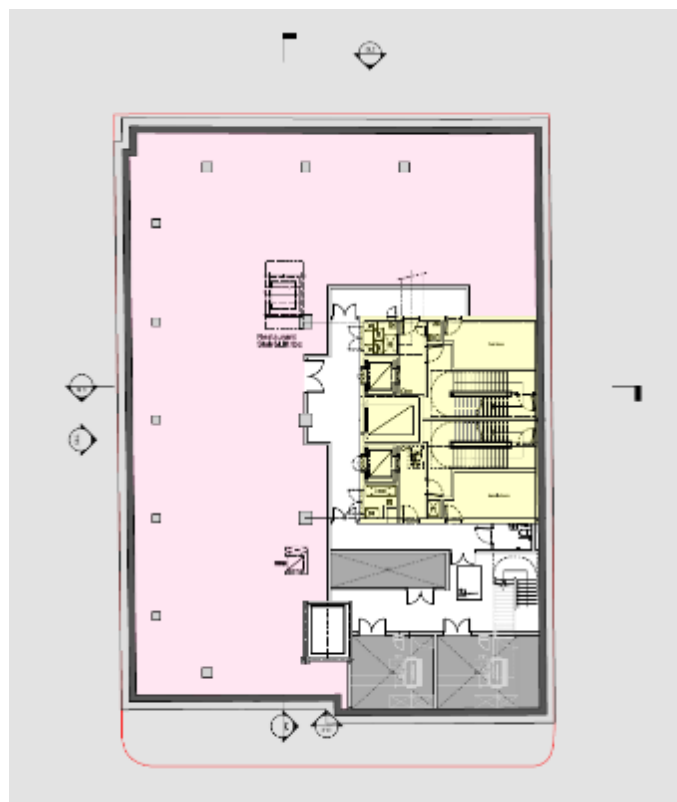
Proposed basement 2 level plan:



Demolition lower ground floor plan:



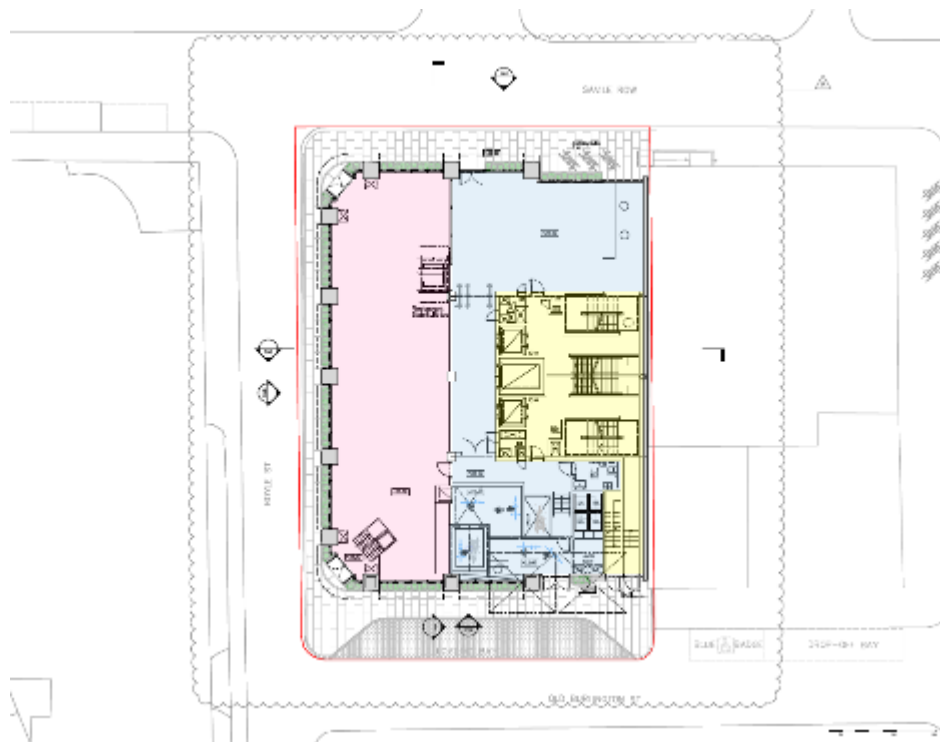
Proposed lower ground floor plan:



Demolition ground floor plan:



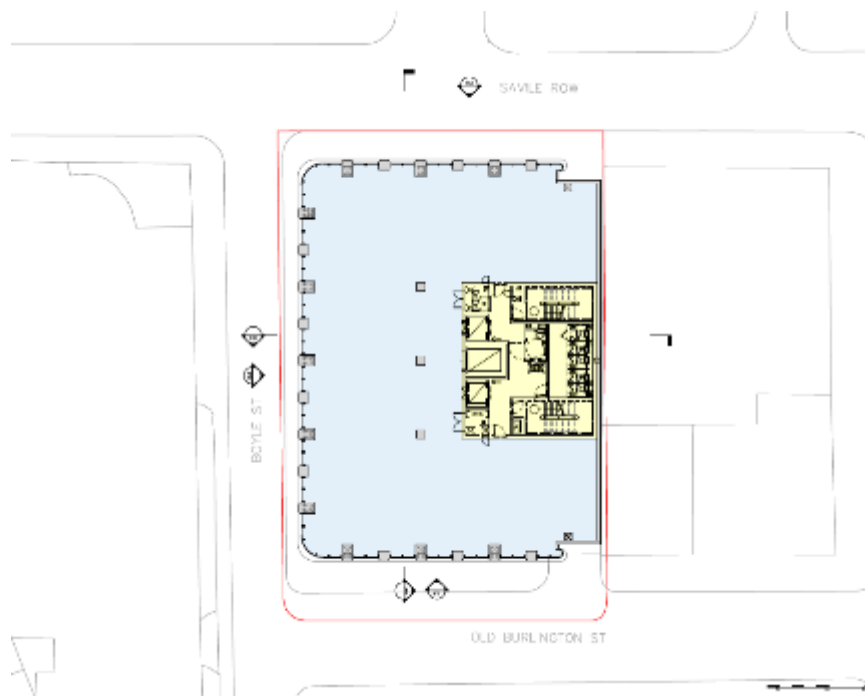
Proposed ground floor plan:



Demolition first floor plan:



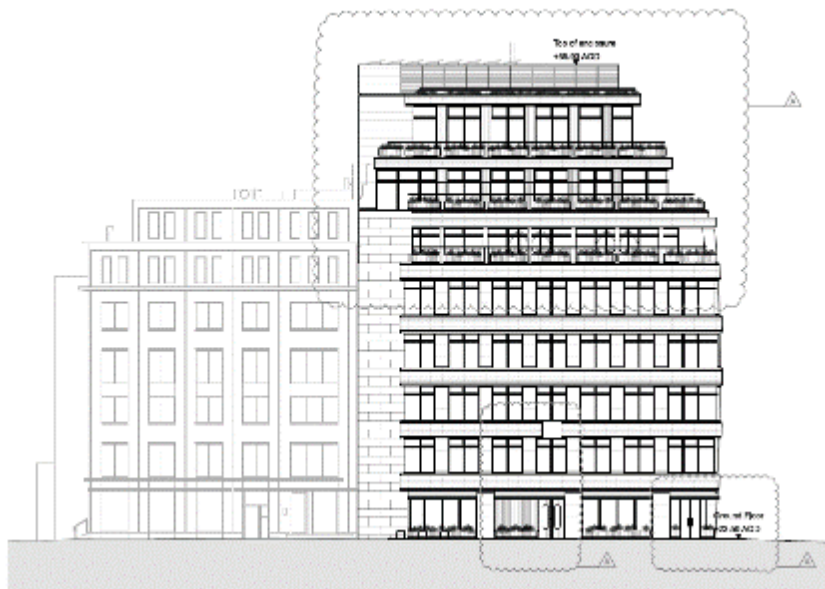
Proposed first floor plan:



Demolition front (Savile Row) elevation:



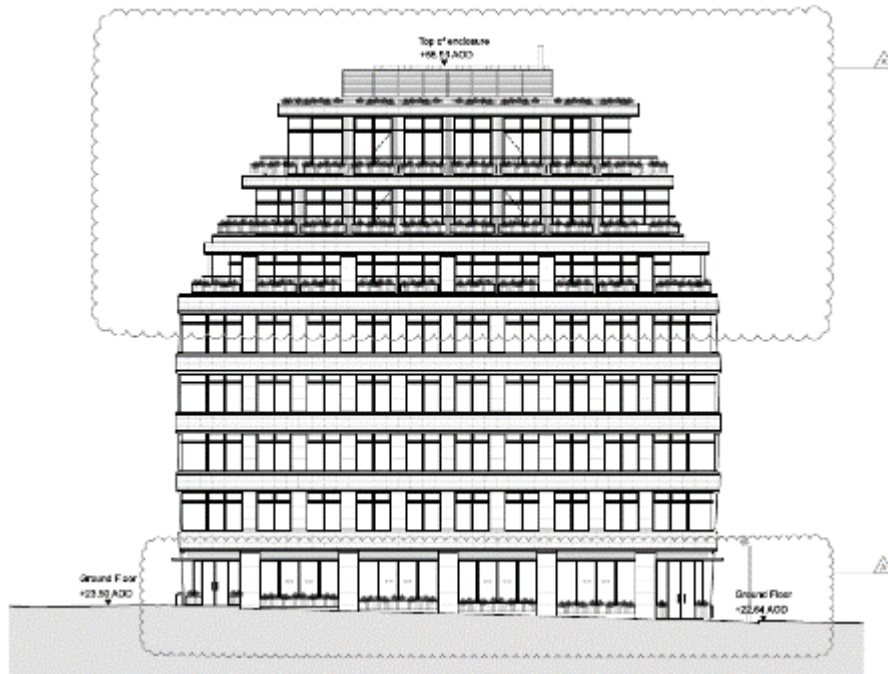
Demolition front (Savile Row) elevation:



Demolition side (Boyle Street) elevation:



Proposed side (Boyle Street) elevation:



Demolition rear (Old Burlington Street) elevation:



Proposed rear (Old Burlington Street) elevation:



Existing view from Regent Street:



Proposed view from Regent Street:



Existing view from New Burlington Street:



Proposed view from New Burlington Street:



Existing view from Savile Row, looking south-east:



Proposed view from Savile Row, looking south-east:



Existing view from Clifford Street, looking north-west:



Proposed view from Clifford Street, looking north-west:



Existing view from Boyle Street, looking east:



Proposed view from Boyle Street, looking east:



Existing view from Savile Row, looking north-west:



Proposed view from Savile Row, looking north-west:



DRAFT DECISION LETTER

Address: West End Central Police Station, 27 Savile Row, London, W1S 2EX

Proposal: Demolition of former police station building, excavation to create new basement 2 level and to enlarge existing basement 1 level, and erection of new building comprising two basement levels, lower ground, ground plus seven storeys plus a roof plant level, delivering new office (Class E) floorspace, new restaurant (Class E) floorspace at partial ground and lower ground floor, new flexible workspace (Class E) and / or training (Class F1) and / or composite use comprising a workspace and training facility (sui generis) at basement 2, amenity terraces, public art, cycle parking, plant, landscaping and all associated works including enabling, highways and other ancillary works.

Plan Nos: Demolition drawings:
1703-A-PLN-EX-02197, 1703-A-PLN-EX-02198, 1703-A-PLN-EX-02199, 1703-A-PLN-EX-02100, 1703-A-PLN-EX-02101, 1703-A-PLN-EX-02102, 1703-A-PLN-EX-02103, 1703-A-PLN-EX-02104, 1703-A-PLN-EX-02105, 1703-A-PLN-EX-02106, 1703-A-PLN-EX-02107, 1703-A-ELE-EX-02201, 1703-A-ELE-EX-02202, 1703-A-ELE-EX-02203, 1703-A-ELE-EX-02204, 1703-A-SEC-EX-02301 and 1703-A-SEC-EX-02302 Rev. A.

Proposed drawings:
1703-A-PLN-PR-03097 Rev. A, 1703-A-PLN-PR-03098 Rev. A, 1703-A-PLN-PR-03099, 1703-A-PLN-PR-03100 Rev. A, 1703-A-PLN-PR-03101 1703-A-PLN-PR-03102, 1703-A-PLN-PR-03103, 1703-A-PLN-PR-03104, 1703-A-PLN-PR-03105 Rev. A, 1703-A-PLN-PR-03106 Rev. A, 1703-A-PLN-PR-03107 Rev. A, 1703-A-PLN-PR-03108 Rev. A, 1703-A-PLN-PR-03109 Rev. A, 1703-A-ELE-PR-03201 Rev. A, 1703-A-ELE-PR-03202 Rev. A, 1703-A-ELE-PR-03203 Rev. A, 1703-A-ELE-PR-03204 Rev. A, 1703-A-SEC-PR-03301 Rev. A, 1703-A-SEC-PR-03302 Rev. B, 1703-A-SEC-PR-03311 Rev. A and 1703-A-SEC-PR-03312 Rev. B.

Case Officer: Mark Hollington

Direct Tel. No. 07866040156

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

Reason:

- 1 The demolition of the existing building and its replacement by the proposed building would fail to maintain or improve (preserve or enhance) the character and appearance of the Regent Street Conservation Area and fail to maintain or improve (preserve or enhance) the setting of the Mayfair Conservation Area. This is because of the contribution that the existing building makes to the character and appearance of the Regent Street Conservation Area and because of the proposed replacement building's scale, height, form, massing and detailed design. The development proposal is therefore contrary to London Plan Policy HC1, City Plan Policies 38, 39 and 40, and Mayfair Neighbourhood Plan Policy MD3. The less than substantial harm to the significance of these designated heritage assets is not outweighed by the public benefits of the development proposal.

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 so far as practicable. We have made available detailed advice in the form of our statutory policies in the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, London Plan (March 2021), planning briefs and other informal written guidance, as well as offering a full pre application advice service. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

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