



City of Westminster

# Committee Agenda

Title:

**Planning (Major Applications) Sub-Committee**

Meeting Date:

**Tuesday 2nd April, 2024**

Time:

**6.30 pm**

Venue:

**18th Floor, 64 Victoria Street, London, SW1E 6QP**

Members:

**Councillors:**

Ruth Bush (Chair)  
Nafsika Butler-Thalassis  
Patrick Lilley

Md Shamsed Chowdhury  
Robert Rigby  
Jim Glen



**Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda.**

**Committee members will attend the meeting in person at Westminster City Hall. The Committee will be a hybrid Meeting and will be live broadcast via Microsoft Teams. Admission to the public gallery is by a pass, issued from the ground floor reception from 6.00pm.**

**If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.**

**If you require any further information, please contact the Committee Officer, Steven Clarke, Committee and Councillor Coordinator.**

**Email: [sclarke1@westminster.gov.uk](mailto:sclarke1@westminster.gov.uk)  
Corporate Website: [www.westminster.gov.uk](http://www.westminster.gov.uk)**

**Note for Members:** Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Head of Committee and Governance Services in advance of the meeting please.

## **AGENDA**

### **PART 1 (IN PUBLIC)**

#### **1. MEMBERSHIP**

To note any changes to the membership.

#### **2. DECLARATIONS OF INTEREST**

To receive declarations by Members and Officers of the existence and nature of any pecuniary interests or any other significant interest in matters on this agenda.

#### **3. MINUTES**

To sign the minutes of the last meeting as a correct record of proceedings.

#### **4. PLANNING APPLICATIONS**

Applications for decision

##### **Schedule of Applications**

Members of the public are welcome to speak on the specific applications at the virtual planning committee meeting. To register to speak and for guidance please visit:

Please note that you must register by 12 Noon on the Friday before the Committee meeting. In the event that you are successful in obtaining a speaking slot at the hybrid meeting please read the guidance, in order to familiarise yourself with the process prior to joining the remote meeting.

<https://www.westminster.gov.uk/planning-committee>

All committee meetings open to the public are being broadcast live using Microsoft Teams. To access the recording after the meeting please revisit the Media link. Please note that the link is only available 90 days after the meeting.

**(Pages 5 - 8)**

- 1. SITE COMPRISING 53-63 NEW BOND STREET, 5-17-17A  
BROOK STREET, LONDON, W1S 1RJ**
- 2. SITE 1: DEVELOPMENT SITE AT 18-20 SAVILE ROW,  
LONDON; SITE 2: 17-18 SAVILE ROW, LONDON**

**(Pages 11 -  
102)**

**(Pages 103 -  
166)**

**Stuart Love  
Chief Executive  
21 March 2024**

## Order of Business

At Planning Applications Sub-Committee meetings the order of business for each application listed on the agenda will be as follows:

<b>Order of Business</b>
i) Planning Officer presentation of the case
ii) Applicant and any other supporter(s)
iii) Objectors
iv) Amenity Society (Recognised or Semi-Recognised)
v) Neighbourhood Forum
vi) Ward Councillor(s) and/or MP(s)
vii) Council Officers response to verbal representations
viii) Member discussion (including questions to officers for clarification)
ix) Member vote

These procedure rules govern the conduct of all cases reported to the Planning Applications Sub-Committees, including applications for planning permission; listed building consent; advertisement consent, consultations for development proposals by other public bodies; enforcement cases; certificates of lawfulness; prior approvals, tree preservation orders and other related cases.



CITY OF WESTMINSTER

## MINUTES

### Planning (Major Applications) Sub-Committee

#### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning (Major Applications) Sub-Committee** held on **Tuesday 20th February, 2024**, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

**Members Present:** Councillors Ruth Bush (Chair), Nafsika Butler-Thalassis, Jason Williams, Paul Fisher, Robert Rigby and Jim Glen

#### 1 MEMBERSHIP

1.1 There were no changes to the membership.

#### 2 DECLARATIONS OF INTEREST

2.1 The Chair explained that a week before the meeting, all Members of the Sub-Committee were provided with a full set of papers including a detailed officer's report on each application; together with bundles of every single letter or e-mail received in respect of every application, including all letters and emails containing objections or giving support. Members of the Sub-Committee read through everything in detail prior to the meeting. Accordingly, if an issue or comment made by a correspondent was not specifically mentioned at this meeting in the officers' presentation or by Members of the Sub-Committee, it did not mean that the issue had been ignored. Members would have read about the issue and comments made by correspondents in the papers read prior to the meeting.

2.2. Councillors Ruth Bush and Jim Glen declared that they are both trustees of the Westminster Tree Trust.

2.3 Councillor Robert Rigby declared that he was Chair of the Planning Applications Sub Committee (1) that the original planning and listed building consent applications were heard at in June 2021.

#### 3 MINUTES

## **RESOLVED:**

- 3.1 That the minutes of the meeting held on 9 January 2024 be signed by the Chair as a correct record of proceedings.

## **4 PLANNING APPLICATIONS**

### **1 DEVELOPMENT SITE AT OLYMPIA MEWS AND 28-34 QUEENSWAY, LONDON**

#### **Application A**

Variation of Condition 1 (approved plans) of planning permission dated 11 May 2022 (RN:18-09727-FULL) as amended by two non-material amendments (23/04588/NMA & 23/06258/NMA) for Demolition of existing buildings at Nos 28-34 Queensway and Olympia Mews and redevelopment of site by erection of a six storey, plus basement level, building comprising Class E retail floor space and residential flats (Class C3) and erection of a replacement two storey building for use as Class E office floorspace, together with associated landscaping; NAMELY, to allow amendments to the approved development including reconfiguration of the internal layout of the residential units; internal cores, service risers, evacuation lobbies and escape routes; bays into the rear façade and semi recessed balconies for residential accommodation, reduction in the massing of Olympia Mews to provide external residents amenity space; revised massing; energy and sustainability strategy; landscaping and urban greening approach; external facade materials and form; and relocation and increase in size of the affordable housing units and number of habitable rooms.

#### **Application B**

Minor alterations to the rear boundary wall to Olympia Mews and details of wall treatment.

Additional representations (blues) were provided in the form of a officer memo (15.02.24)

Late representations (reds) were received from the applicant (16.02.24), WCC'S Arboricultural Manager (16.02.24), and the Presenting Officer submitted a memo and a revised decision letter (19.02.24)

Jeremy Spencer, representing Vabel Ltd, addressed the Sub-Committee in support of the application.

John Zamit, representing SEBRA, addressed the Sub-Committee in support of the application.

The presiding officer verbally revised the officer recommendation in agreement with the members as set out below:-

## **RESOLVED UNANIMOUSLY:**

#### **Application A**

1. That conditional planning permission be granted, subject to a Deed of Variation to the original S106 legal agreement dated 11 May 2022 (18/09727/FULL) to link this current S73 application to ensure that the obligations, as varied below, are triggered by this application:

- a) Amendment to reflect reduction in car parking provision in Q Park.
- b) Amendment to Carbon Off-set contribution to reflect improved on-site carbon reductions and a carbon offset payment for this site (application 3) of £31,404.
- c) The making of a revised draft order be authorised pursuant to s247 of the Town and Country Planning Act 1990 for the stopping up of parts of the public highway.

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

- a) The Director of Town Planning and Building Control shall consider whether it will be possible or appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Town Planning and Building Control is authorised to determine and issue the decision under Delegated Powers; however, if not;
- b) The Director of Town Planning and Building Control shall consider whether the permission should be refused on the grounds that it has not proved possible to complete an agreement within an appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that would have been secured; if so the Director of Town Planning and Building Control is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

### **Application B**

3. That conditional listed building consent be granted.

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

The Meeting ended at 7.39 pm

**CHAIR:** \_\_\_\_\_

**DATE** \_\_\_\_\_

This page is intentionally left blank



# Agenda Annex

CITY OF WESTMINSTER  
 PLANNING (MAJOR) APPLICATIONS SUB COMMITTEE – 2nd April 2024  
 SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Item No	References	Site Address	Proposal	Applicant
1.	<b>RN(s):</b> 23/08027/FULL  West End	Site Comprising 53-63 New Bond Street/5- 17/17a Brook Street, London, W1S 1RJ	Alteration and extension of the existing buildings, including partial demolition and retention and retrofit to provide a building with basement, ground and ten upper floors, setback at fifth to eighth floors with terraces, setback at ninth floor with terrace and plant, and a roof terrace with lift over run and pavilion at the tenth floor, with satellite dish, green roof and solar photo voltaic panels on its roof, and associated works, to provide for retail (Class E (a)) and office (Class E(g)(i)) uses together with associated ancillary spaces to those uses.	Lazari Investments Limited
<p><b>Recommendation</b></p> <p>1. Grant conditional permission, subject to the views of the Mayor of London and subject to a S106 legal agreement to secure the following planning obligations:</p> <ul style="list-style-type: none"> <li>a) A financial contribution of £150,480 (index linked) towards the Carbon Off Set Fund (payable prior to the commencement of the development);</li> <li>b) 'Be Seen' monitoring and reporting on the actual operational energy performance of the building, including as-built and in-use stage data;</li> <li>c) A financial contribution of £257,473.50 (index linked) towards initiatives that provide local employment, training opportunities and skills development and supporting the Westminster Employment service (payable prior to the commencement of the development);</li> <li>d) An Employment and Skills Training Plan;</li> <li>e) Travel Plan and associated monitoring costs;</li> <li>f) Potential Highways Works and associated costs (e.g. loading bay works, relocation of taxi bay and provision of short stay cycle parking);</li> <li>g) All costs associated with stopping up parts of the highway;</li> <li>h) The costs of monitoring the S106 agreement.</li> </ul> <p>2. If the S106 legal agreement has not been completed within six weeks of the date of this resolution, then:</p> <ul style="list-style-type: none"> <li>a) The Director of Town Planning and Building Control shall consider whether it will be possible or appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Town Planning and Building Control is authorised to determine and issue the decision under Delegated Powers; however, if not;</li> <li>b) The Director of Town Planning and Building Control shall consider whether the permission should be refused on the grounds that it has not proved possible to complete an agreement within an appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that would have been secured; if so the Director of Town Planning and Building Control is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.</li> </ul> <p>3. That Committee authorises the making of a draft order pursuant to s247 of the Town and Country Planning Act 1990 for the stopping up of parts of the public highway and creation of new public highway to enable this development to take place. That the Director of Town Planning and Building Control, Executive Director of City Management, or other such proper officer of the City Council responsible for highway functions, be authorised to take all necessary procedural steps in conjunction with the making of the orders and to make the orders as proposed if there are no unresolved objections to the draft orders. The applicant will be required to cover all costs of the Council in progressing the stopping up orders.</p>				

CITY OF WESTMINSTER  
 PLANNING (MAJOR) APPLICATIONS SUB COMMITTEE – 2nd April 2024  
 SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Item No	References	Site Address	Proposal	Applicant
2.	<b>RN(s) :</b> Application 1: 22/03276/FULL  Applications 2 and 3: 22/03271/FULL and 22/03189/LBC  West End	Site 1 – Developme nt site at 18-20 Savile Row, London  Site 2 – 17 Savile Row, London	<b>Application 1 at Development site at 18-20 Savile Row:</b> Demolition of all existing buildings, excavation to deepen existing basement, and redevelopment to provide an eight storey building plus one storey basement comprising flexible retail (Class E(a)) and/or restaurant (Class E(b)) floorspace and tailoring floorspace (Class E(a), Class E(g)(ii) & Class E(g)(iii)) at part ground floor; and office floorspace (Class E(g)(i)) at part ground and on all upper floors; external terraces and associated hard and soft landscaping; cycle parking; replacement of commemorative plaque and other associated works.  <b>Applications 2 and 3 at 17 Savile Row:</b> Extension to the chimney stack at No. 17 Savile Row, underpinning of boundary wall to No. 18 and other associated works.	The Pollen Estate Trustee Company Limited
<p><b>Recommendation</b></p> <ol style="list-style-type: none"> <li>1. Application 1 - Subject to the views of the Mayor of London, refuse permission on the following ground:             <ol style="list-style-type: none"> <li>a. The demolition of the existing building and the erection of a replacement building fails to adhere to circular economy principles and principles of sustainable design, both of which prioritise the retention, refitting and refurbishment of existing buildings. The proposed development would therefore fail to help transition London to a low carbon circular economy through generating unjustified waste and carbon emissions.</li> </ol> </li> <li>2. Application 2:             <ol style="list-style-type: none"> <li>a. Grant conditional permission.</li> </ol> </li> <li>3. Application 3:             <ol style="list-style-type: none"> <li>a. Grant conditional listed building consent.</li> <li>b. Agree the reason for granting listed building consent, as set out within Informative 1 of the draft decision letter.</li> </ol> </li> </ol>				

# Agenda Item 1

Item No.
<b>1</b>

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING (MAJOR) APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 2 April 2024	<b>Classification</b> For General Release	
<b>Report of</b> Director of Town Planning & Building Control		<b>Ward(s) involved</b> West End	
<b>Subject of Report</b>	<b>Site Comprising 53-63 New Bond Street/5-17/17a Brook Street, London, W1S 1RJ</b>		
<b>Proposal</b>	Alteration and extension of the existing buildings, including partial demolition and retention and retrofit to provide a building with basement, ground and ten upper floors, setback at fifth to eighth floors with terraces, setback at ninth floor with terrace and plant, and a roof terrace with lift over run and pavilion at the tenth floor, with satellite dish, green roof and solar photo voltaic panels on its roof, and associated works, to provide for retail (Class E (a)) and office (Class E(g)(i)) uses together with associated ancillary spaces to those uses.		
<b>Agent</b>	Gerald Eve		
<b>On behalf of</b>	Lazari Investments Limited		
<b>Registered Number</b>	23/08027/FULL	<b>Date amended/ completed</b>	20 November 2023
<b>Date Application Received</b>	20 November 2023		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Mayfair		
<b>Neighbourhood Plan</b>	Mayfair		

## 1. RECOMMENDATION

<p>1. Grant conditional permission, subject to the views of the Mayor of London and subject to a S106 legal agreement to secure the following planning obligations:</p> <ol style="list-style-type: none"> <li>a) A financial contribution of £150,480 (index linked) towards the Carbon Off Set Fund (payable prior to the commencement of the development);</li> <li>b) 'Be Seen' monitoring and reporting on the actual operational energy performance of the building, including as-built and in-use stage data;</li> <li>c) A financial contribution of £257,473.50 (index linked) towards initiatives that provide local employment, training opportunities and skills development and supporting the Westminster Employment service (payable prior to the commencement of the development);</li> <li>d) An Employment and Skills Training Plan;</li> <li>e) Travel Plan and associated monitoring costs;</li> <li>f) Potential Highways Works and associated costs (e.g. loading bay works, relocation of taxi bay</li> </ol>
--

- and provision of short stay cycle parking);
- g) All costs associated with stopping up parts of the highway;
  - h) The costs of monitoring the S106 agreement.

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

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

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

3. That Committee authorises the making of a draft order pursuant to s247 of the Town and Country Planning Act 1990 for the stopping up of parts of the public highway and creation of new public highway to enable this development to take place. That the Director of Town Planning and Building Control, Executive Director of City Management, or other such proper officer of the City Council responsible for highway functions, be authorised to take all necessary procedural steps in conjunction with the making of the orders and to make the orders as proposed if there are no unresolved objections to the draft orders. The applicant will be required to cover all costs of the Council in progressing the stopping up orders.

## 2. SUMMARY & KEY CONSIDERATIONS

The application site comprises an amalgamation of Victorian buildings that was until recently owned and largely occupied by the Fenwick department store (the site includes a building in separate retail and office use). Despite Fenwick receiving planning permission in 2020 for significant extensions at roof level for office use that was hoped to support the main retail function, changes in the retailing sector, compounded by the covid pandemic, meant that the store was unable to continue operating and the site was sold to the current applicants. Government changes to the Use Classes Order also in 2020 meant that the site could be used for any other uses, apart from retail and offices, within Class E (including indoor sports, medical or health, etc). The 2020 permission was partially implemented and is therefore extant and a material planning consideration.

Permission is now sought for a largely office based scheme but with a substantial amount of retail accommodation at ground and first floor levels. The current application takes a deep retrofit approach, keeping approximately 50% of the building fabric, to deal with deficiencies in the current layout (in particular multiple level changes across the site). This will involve the 'jacking up' of parts of the building, including floor slabs and facades. As with the approved scheme there are substantial extensions at roof level, but these are broadly comparable with the 2020 permission.

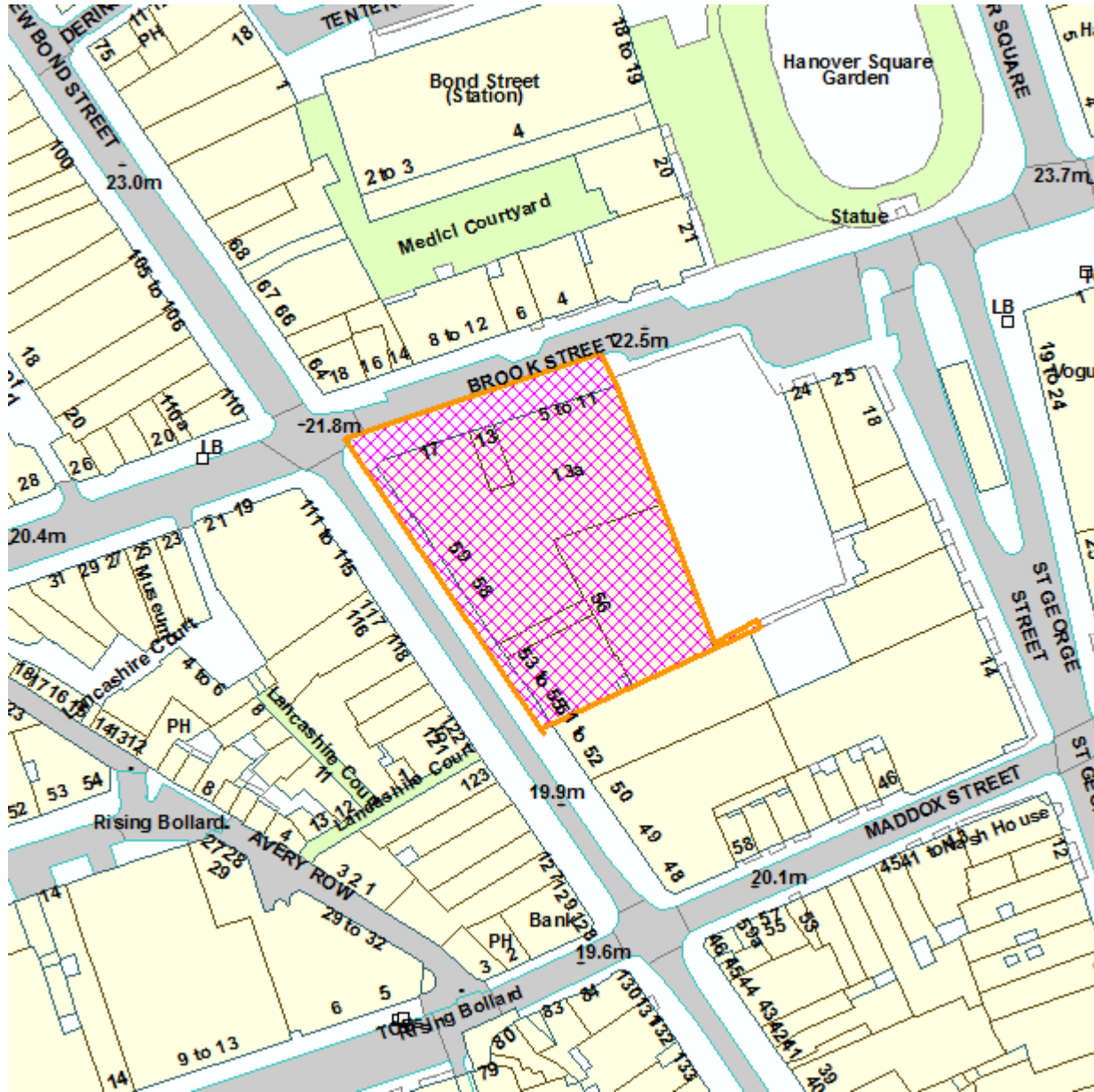
The key considerations in this case are:

- The acceptability of the proposed retail accommodation.
- The acceptability of the energy performance of the proposed building.
- The acceptability of the proposed building in design terms.
- The impact of the proposed building on the character and appearance of the Mayfair Conservation Area and the setting of other nearby designated heritage assets.
- The impact on the amenity of neighbouring residential properties.
- The acceptability of the provision of short stay cycle parking and potential implications for an existing taxi rank next to the site.

Notwithstanding some concerns expressed by the GLA and Historic England, the proposal is considered to cause less than substantial harm to the character and appearance of the Mayfair Conservation Area. The harm would be due, mostly, to the occasionally conspicuous upward extension of the building and to the scale of the office entrance in Brook Street which asserts its presence rather strongly. The level of harm caused would be at the lower end of less than substantial and the public benefits (as summarised in the report) would be significant and are considered to be sufficient to outweigh the less than substantial heritage harm. It is considered that the limited number of objections are either not sustainable or can be addressed by condition.

The proposal is referable to the Mayor of London under the Town and Country Planning (Mayor of London) Order 2008 category 1B of the Town & Country Planning (Mayor of London) Order 2008, namely, development which comprises or includes the erection of a building or buildings in central London (other than the City of London) and with a total floorspace of more than 20,000 square metres.

### 3. LOCATION PLAN



This production includes mapping data licensed from Ordnance Survey with the permission of the controller of Her Majesty's Stationary Office (C) Crown Copyright and/or database rights 2013.  
 All rights reserved License Number LA 100019597

4. PHOTOGRAPHS

The site viewed from the corner junction of New Bond Street and Brook Street



## 5. CONSULTATIONS

### 5.1 Application Consultations

WARD COUNCILLORS – any response to be reported verbally.

#### GREATER LONDON AUTHORITY

The Deputy Mayor considers that the application does not yet comply with the London Plan for the reasons set out in the accompanying report, but that the possible remedies set out in that report could address these deficiencies. If the Council subsequently resolves to make a draft decision on the application, it must consult the Mayor again under Article 5 of the Order and allow him fourteen days to decide whether to allow the draft decision to proceed unchanged; or direct the Council under Article 6 to refuse the application; or issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application.

Whilst the proposal is supported in principle, the application does not fully comply with these policies, as summarised below:

- Land Use Principles: The redevelopment of this site within the CAZ to provide an office-led development, with two floors of retail, is supported in principle.
- Urban Design: The overall design of the proposed development is generally acceptable but further consideration is required regarding the jacking up of the façade and the colouring of the extension.
- Heritage: There would be less than substantial harm to the Mayfair Conservation Area and six nearby heritage assets. The harm identified to heritage assets could be outweighed by the public benefits delivered by the scheme.
- Transport: A street space scheme for Brook Street, to successfully accommodate public realm, taxis, servicing, and short stay cycle parking, should be developed and secured as part of any permission. Details of disabled persons car parking should be confirmed.
- Other issues on Sustainable Development, and Environmental Issues also require resolution prior to the Mayor's decision making stage.

#### TRANSPORT FOR LONDON

Key comments as follows:

Loss of existing taxi rank outside the site on the southern side of Brook Street (as part of the applicant's public realm plans) would not be acceptable without a nearby alternative being delivered - believe there is scope for it to be relocated to the north side of Brook Street, (noting this would remove pay by phone parking bays). Space on the site frontage could then be used for public realm including short stay cycle parking for this development, for there is currently a shortfall.

Overall, there is scope for a re-organisation of road space on Brook Street to better serve the development and serve the requirements for taxi ranking in the locality, with potential public realm benefits. TfL requests that a solution is developed and delivery attached to any permission. Particularly with regard to the taxi ranking space TfL wish to



review designs and proposals prior to determination.

Cycle Parking: Long stay cycle parking within the lower ground floor is acceptable (but would like more detailed information (arrangements for cyclists in the event of the lift breaking down, etc); query the provision of short stay cycle parking is proposed within the lower ground floor (38 short stay spaces are required by policy) and that it should be in convenient and accessible locations at grade, close to site entrance. The proposed location at lower ground floor is unsatisfactory and raises issues around how it would be used by visitors to the site. There is potential for some at-grade cycle parking to be delivered via a re-organisation of street space on Brook Street and TfL strongly encourages this to be explored.

Servicing strategy continuing from on-street loading bays on Brook Street is acceptable subject to the securing of a management plan with commitments to consolidate, actively manage and minimize the impacts. A draft Delivery and Servicing Plan has been submitted and the final plan should be secured as part of any permission having regard to the eventual highway layout on Brook Street.

No objections about trip generation and mode share, parking or construction, subject to conditions where relevant, including securing a final travel plan including on-going monitoring and funding.

#### TRANSPORT FOR LONDON (CROSSRAIL)

Confirm that the application relates to land within the limits of land subject to consultation by the Crossrail Safeguarding Direction but they have no comment on the application.

#### HISTORIC ENGLAND

Has some modest concerns regarding the application on heritage grounds, including the design of the shopfronts and believe that the predominantly glazed shopfront would detract from the richly decorative architecture above, causing some harm of a relatively low level would be caused to the Mayfair Conservation Area through the distortion of the Corner Building's proportions and architectural character.

Consideration should also be given as to whether a case has been made for the rebuilding of the Salisbury House façade on the basis of the structural information provided.

Consider that the increase in height of the frontage buildings would not overwhelm the streetscape and it would also help to soften the "harsh juxtaposition" with the Brook Street hotel development which is currently under construction next door [22 Hanover Square].

Taking account of the consented scheme, they consider that most of the proposed changes could be accommodated without causing any additional harm to the Mayfair Conservation area and the setting of nearby listed buildings. They welcome the cleaner and more architectural coherent roofscape proposed in the current plans which they consider an improvement on the consented.

## HISTORIC ENGLAND (ARCHAEOLOGY)

Objection: Recommend additional on-site work is carried out before determination of the application (based on some archaeological finds at nearby development sites), including the potential for prehistoric and Civil War archaeology. The main impact on archaeology will be from the construction of a new basement in the southeast quadrant where there could be a relatively well-preserved sequence of post-medieval and potentially earlier remains. Evaluation will be necessary to properly assess the survival and significance of such remains, and scope appropriate mitigation. Advise that the applicant completes additional studies to inform the application, to be agreed with Historic England (Archaeology) beforehand.

If more archaeological information is not received before a planning decision is made, recommend that the applicant's failure to submit that is included as a reason for refusal.

## RESIDENTS SOCIETY OF MAYFAIR AND ST. JAMES'S

Any response to be reported verbally

## MAYFAIR RESIDENTS GROUP

Any response to be reported verbally

## MAYFAIR NEIGHBOURHOOD FORUM

Supports the planning application. Comment that "the proposed changes will enhance this part of New Bond Street and the retail offer. It will add vitality and visual interest to this key corner site and the rationalisation of the floors levels will provide good quality employment space".

Request restricting the use of the roof terraces by condition so they are not used after 11pm in order to protect the amenity of neighbours.

Overall they "commend the way the applicant has engaged positively with members and hope the scheme can be determined speedily so the tight timetable for carrying out the works and reopening the building is not unnecessarily held up."

## LEAD LOCAL FLOOD AUTHORITY

Objection - in the absence of an acceptable Flood Risk Assessment (FRA) / Drainage Strategy / supporting information relating to failure to adequately demonstrate the site will not increase surface water flood risk to the surrounding area or the site itself.

## HIGHWAYS PLANNING

No objections with regard to servicing and welcomes the absence of any car parking;

Concern about the lack of short-stay cycle parking – whilst the applicant intends to provide all the necessary long and short-stay cycle parking at basement level, there should be some of the short-stay cycle parking on-street, where space is at a premium;

potential relocation of the taxi bay on the south side of Brook Street would have knock-on implications for loss of on-street visitor parking on the north side of the street. Overall considers that the over-provision of cycle parking in the basement is acceptable. and short-stay cycle parking.

No objection to Stopping-Up of parts of the highway (in-filling of some alcoves in between facade columns) - it is debateable whether these areas are highway or not, and they serve little purpose as highway, so there is no objection to the loss of these small areas but they should be formally stopped-up which would remove any future doubt as to their status.

#### PROJECTS OFFICER (WASTE)

No objection (subject to condition) following the submission of additional information.

#### ENVIRONMENTAL SCIENCES

No objection (subject to conditions) following the submission of additional information.

#### SUSTAINABILITY OFFICER RESPONSE (ENERGY)

No objection (subject to conditions) following the submission of additional information.

#### SUSTAINABILITY OFFICER (CIRCULAR ECONOMY/WHOLE LIFE)

No objection (subject to conditions) following the submission of additional information.

#### ARBORICULTURAL SERVICES

No objection (subject to conditions) following the submission of additional information.

#### ECONOMY AND EMPLOYMENT

Advise that scheme requires to submit a financial contribution of £257,473.50 and an Employment & Skills Plan. The contribution needs to be paid prior to the commencement

The Employment and Skills Plan has been subject to on-going discussion between the applicant's consultants and Council officers and an agreed updated version can be secured by condition – or secure agreed .

#### BUILDING CONTROL

No objections: Advise that due to the limited extent of proposed works, and existing external levels, the impact of the proposed works is expected to be extremely limited.

#### DESIGNING OUT CRIME OFFICERS

Highly recommend that the planning application, if granted, achieves a Secured by Design (SBD) Accreditation and would be happy to support the application, providing it achieves an SBD Accreditation, which should be secured by condition.

## THAMES WATER

With regard to water network and water treatment infrastructure capacity, they do not have any objection to the above planning application (with detailed comments with regard to dealing with waste/sewage and water).

## NEW WEST END COMPANY

Support the proposals

## ADJOINING OWNERS/OCCUPIERS

No. consulted: 558; No. of replies: 2 - 2 letters of objection on the following grounds

- Loss of light
- Loss of views
- Disruption to business during building works

## PRESS NOTICE/ SITE NOTICE:

Yes

### 5.2 Applicant's Pre-Application Community Engagement

Extensive and early 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 (set out in full in the submitted Statement of Community Involvement) are summarised below.

Wider public engagement was carried out by way of an introductory letter which was sent to 759 addresses to introduce the team and set out aspirations for the site whilst offering the opportunity to meet and engage with the project team. In September 2023, a newsletter was distributed to 770 addresses as well as social media advertisements on Meta platforms both of which set out emerging proposals and promoted upcoming in-person and virtual exhibitions. A website was also launched as part of the wider public consultation to showcase proposals and offer an opportunity for respondents to have comment on the future of the site.

Two public exhibitions and a pop-up event were held at Hanover Square exit of the Bond Street Elizabeth Line Station, on 14th September 2023, and at the southwest corner of Hanover Square on 19th September 2023. As part of this, approximately 1,000 newsletters were distributed to passing members of the public, with members of the design, project and client teams on hand to discuss the proposals and answer questions. In total, 16 meetings were held with key stakeholders, including residents, local councillors, neighbouring site owners and community groups through the engagement process.

Early engagement was also sought with key stakeholders, leading to meetings with the following groups to discuss the proposal: these are summarised in the table below.

Date	Organisation	Areas of Discussion
<i>Early Engagement</i>		
19 <sup>th</sup> April 2023	<b>Mayfair Neighbourhood Forum</b> <ul style="list-style-type: none"> <li>Nigel Hughes</li> <li>Jeremy Bishop</li> <li>Gordon Morrison</li> <li>Hannah Corlett</li> <li>Andrew Nutt</li> <li>Paul O' Grady</li> <li>Belinda Harley</li> <li>Jenny Casebourne</li> <li>Giles Easter</li> </ul>	<ul style="list-style-type: none"> <li><b>Introduction to the scheme</b> – a brief update to the Forum announcing the appointment of Foster + Partners as well as the intention to meet again with the Forum at a later date to present the proposals in more detail.</li> </ul>
27 <sup>th</sup> April 2023	<b>Mayfair Neighbourhood Forum Planning Committee Chair</b> <ul style="list-style-type: none"> <li>Nigel Hughes</li> </ul>	<ul style="list-style-type: none"> <li>Follow-up one to one updating on team, existing permission for the site and issues.</li> </ul>
18 <sup>th</sup> May 2023	<b>New West End Company</b> <ul style="list-style-type: none"> <li>Dee Corsi (CEO)</li> </ul>	<ul style="list-style-type: none"> <li><b>Scheme</b> – benefits of investment at this important location in Mayfair.</li> </ul>
24 <sup>th</sup> May 2023	<b>The Residents Society of Mayfair &amp; St James (RSMSJ)</b> <ul style="list-style-type: none"> <li>Mike Dunn</li> </ul>	<ul style="list-style-type: none"> <li><b>Design</b> – noted top floor decorative external details are quite important in terms of the heritage of the building.</li> <li><b>Design</b> – noted issues with accessibility and level changes through the tour of the building.</li> <li><b>Scale</b> – noted extant permission for additional scale which the project team were seeking to broadly work with.</li> <li><b>Use</b> – current office space demand and prospective future tenants</li> <li><b>Urban Greening</b> – greening at upper levels needs to be visible from street level</li> <li><b>Residential</b> – noted limited residential occupiers in the area.</li> </ul>
25 <sup>th</sup> May 2023	<b>Westminster Ward Councillors</b> <ul style="list-style-type: none"> <li>Cllr Paul Fisher</li> <li>Cllr Jessica Toale</li> </ul>	<ul style="list-style-type: none"> <li><b>Design</b> – importance of heritage value.</li> <li><b>Design</b> – Extant of demolition and retention.</li> <li><b>Use/Retail</b> – noted future trends in retail.</li> <li><b>Accessibility</b> – noted existing accessibility issues.</li> </ul>

Date	Organisation	Areas of Discussion
7 <sup>th</sup> June 2023	<b>Gabriele Rossi, Head of Export and Retail at Giovanni Raspini</b>  (Jewellery boutique located at 5 South Molton Street)	<ul style="list-style-type: none"> <li>Noted that <b>South Molton Street</b> is undergoing redevelopment with many changes, affecting window visibility and the visitors' interest.</li> <li><b>Use/Retail</b> – welcomed the emerging ideas and noted they could give retailers opportunities in New Bond Street.</li> <li><b>Design</b> – agreed with the rationale for two-storey height shop fronts to enhance retail offer.</li> </ul>
15 <sup>th</sup> June 2023	<b>Grosvenor GBI</b> <ul style="list-style-type: none"> <li>Anna Bond (Executive Director Grosvenor)</li> </ul>	<ul style="list-style-type: none"> <li><b>Sustainability</b> – importance of keeping as much of the existing building fabric as possible whilst still delivering high-quality space, together with all other high sustainability credentials.</li> <li><b>Design</b> – Opportunity to raise the facades and enhance the building's presence</li> <li><b>Engagement</b> – Approach to engagement.</li> </ul>
29 <sup>th</sup> June 2023	<b>Motcomb Estates</b> <ul style="list-style-type: none"> <li>Humphery Voelcker</li> <li>Stuart Jones</li> </ul>	<ul style="list-style-type: none"> <li><b>Context</b> – Motcomb bought the building in Dec 2020 during Covid so were not consulted on the consented scheme brought forward by Fenwick and weren't aware that it had been implemented.</li> <li><b>Design</b> – noted approach to lifting the facades to deliver improved retail frontages.</li> </ul>
29 <sup>th</sup> June 2023	<b>Clivedale (via email)</b> <ul style="list-style-type: none"> <li>Ed Blake</li> <li>David Laycock</li> </ul>	<ul style="list-style-type: none"> <li>Potential concerns if pursued a hotel-led scheme as this could compete with the Mandarin Oriental.</li> <li>Clarification of retail ground floor and office space on upper levels.</li> <li>Desire for an ongoing dialogue.</li> </ul>
13 <sup>th</sup> July 2023	<b>Royal London Asset Management (RLAM)</b> <ul style="list-style-type: none"> <li>Mark Evans (Head of Property)</li> <li>Michael Lawrence (Head of Retail)</li> </ul>	<ul style="list-style-type: none"> <li><b>Context</b> – update on plans for Lancashire Court block to the west of the site.</li> <li><b>Public Realm</b> – potential for public realm improvements around Bond Street.</li> <li><b>Proposals</b> – welcomed principle of investment in the site.</li> </ul>
25 <sup>th</sup> July 2023	<b>Great Portland Estate (GPE)</b> <ul style="list-style-type: none"> <li>Andy White</li> </ul>	<ul style="list-style-type: none"> <li><b>Context</b> – opportunity to deliver more animation.</li> <li><b>Scale</b> – future daylight / sunlight conversations.</li> <li><b>Sustainability</b> – learning from green steel carbon numbers.</li> <li><b>Active travel</b> – noting that cycle spaces should be separate for office and retail occupiers.</li> </ul>

Date	Organisation	Areas of Discussion
<i>Engagement on Emerging Proposals</i>		
28 <sup>th</sup> July 2023	<b>Eros / Clivedale</b> • Sameer Gelhut	<ul style="list-style-type: none"> <li>Supportive of commitment to working together going forward.</li> </ul>
1 <sup>st</sup> August 2023	<b>Mayfair Neighbourhood Forum</b> • Nigel Hughes • Jeremy Bishop • Gordon Morrison • Paul O'Grady • Belinda Harley • Jenny Casebourne • Henry Hunter • Julian Milne	<ul style="list-style-type: none"> <li><b>Design</b> – enquired about the façade lift approach.</li> <li><b>Design</b> – noted importance of creating a 21st-century retail space whilst incorporating 19th-century elements and that the plans were really interesting for the ground floor.</li> <li><b>Use/Retail</b> – interest in ground floor approach and recognised have conversed with the surrounding retail operators and potential tenants. Also, that approach to retail needs to reflect what world-class retailers are likely to want.</li> <li><b>Design</b> – interested in bulk and the realignment process with the facades.</li> <li><b>Public realm</b> – desire not to see reduction in space for traffic on Brook Street or Bond Street.</li> <li><b>Sentiment of meeting:</b> The Chair emailed after the meeting, welcoming the proposals in principle and impressed with the innovative approach taken by the project team.</li> </ul>
15 <sup>th</sup> August 2023	<b>The Residents Society of Mayfair &amp; St James (second meeting)</b> • Mike Dunn	<ul style="list-style-type: none"> <li><b>Timeline</b> – enquired about submission dates and how long Fenwick will continue operating. Noted that it is not in anyone's interest for the site to remain vacant for a considerable period of time.</li> <li><b>Construction Timeline and Process:</b> Enquired about the construction timeline and 'jacking up' construction method for facades.</li> <li><b>Use/Retail:</b> asked how many of the floors will be retail use and also what will be happening above roof level.</li> <li><b>Greening</b> – enquired whether the team will face any issues with the proposed urban greening on the roof.</li> </ul>
25 <sup>th</sup> August 2023	<b>Ward Councillors and WCC Officers</b> • Cllr Jessica Toale • Paul Quayle • Matthew Pendleton	<ul style="list-style-type: none"> <li><b>Disruption</b> – importance of minimising disruption to the local area through the redevelopment.</li> <li><b>Consultation</b> – ensuring residents are and continue to be engaged.</li> <li><b>Heritage</b> – ensuring plans continue to respect the heritage of the site and area.</li> </ul>
31 <sup>st</sup> October 2023	<b>Cabinet Member for Economic Development and Planning; and Chair of Planning plus officers</b> • Cllr Geoff Barraclough • Cllr Ruth Bush • Paul Quayle • Matthew Pendleton	<ul style="list-style-type: none"> <li><b>Heritage</b> – status of the buildings</li> <li><b>Design</b> – scale and retail</li> <li><b>Servicing</b> – location and consolidation</li> <li><b>Sustainability</b> – retention and maintenance of biophilia</li> </ul>

In summary, across the range of engagement undertaken by the applicant the principal issues raised were related to the nature of demand for office space, the type and form of retail use and space being provided, the scope of the extension of the building, the extent of existing fabric retention, greening and sustainability, employment opportunities and construction management.

There was also an extended series of pre-application meetings with officers at the City of Westminster and GLA in respect of topics relating primarily to design, land use, sustainability, highways, transport and servicing. The proposals have been subject to ongoing revisions and amendments in response to the pre-application discussions.

The consultation strategy has been extensive and has sought to engage with statutory and non-statutory consultees including residents, local businesses, community groups and elected members throughout the design process. The applicant has responded to feedback in developing and finessing the proposal, including re-working the design treatment and facades (such as the design of the office entrance and other facades), arrangement for dealing with waste and recycling, and improving sustainability (including the provision of more photovoltaics panels).

## **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.

The City Council is carrying out a partial review of the City Plan, with a Regulation 18 Statement made on 7 October 2022 setting out how this partial review will include:

- (i) Updates to Policy 9 to change the required tenure mix of affordable housing; (ii) To introduce a new policy prioritising retrofit and refurbishment of existing buildings, where appropriate; and
- (ii) The inclusion of Site Allocations to guide the development of key sites.

General principles rather than policy wording were set out and representations were invited by 18 November 2022. The Publication Draft City Plan and supporting information was published for consultation under Regulation 19 on 14 March 2024. This consultation will last at least six weeks, following which the Publication Draft City Plan will be submitted to the Secretary of State in accordance with Regulation 22 for consideration by an independent inspector at a series of hearings known as an examination in public. The inspector will provide a report following the hearings and, subject to the Inspector's recommendations and any necessary changes, the revised City Plan will be adopted by Full Council.

Having regard to the tests set out in paragraph 48 of the NPPF, given the early stage in



its preparation of the partial review of the City Council, currently no weight should be afforded in the assessment of this application to these emerging policies.

## **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 lawful Planning Use Class of the site is Class E (a) retail and Class E (g) (i) office. The site has the following planning designations

- Central Activities Zone
- West End Special Policy Retail Area;
- International Shopping Centre.
- Mayfair Conservation Area (none of the buildings are listed).

Within the Mayfair Neighbourhood Plan the site also has the following designations:

- Growth Area – East Mayfair Commercial Growth;
- West End Shopping Frontage along New Bond Street; and
- Mayfair Shopping Frontage along Brook Street.

The application relates to the former department store Fenwick, a family owned business, which began in 1882, with several other stores across the UK. The New Bond Street department store began trading in 1891 and was one of the flagship department stores within the wider West End retail area, and the only department store on Bond Street. Unfortunately, due to structural changes in the retail sector and the impact of the covid pandemic, it was no longer viable for the department store to continue operating. It was sold in late 2022 to the current applicant, Lazari Investments, and the store closed

on 3<sup>rd</sup> February this year.

The site is located in the east of Mayfair, on the corner of Brook Street and New Bond Street. The site primarily comprises the basement, ground plus four upper storey accommodation formerly occupied by Fenwick department store. There was a continuous retail frontage along New Bond Street and Brook Street, except for a section of the ground floor on Brook Street, which was used for staff access and access for deliveries and servicing. The main entrance to the store was located on the corner of Brook Street and New Bond Street, with two additional public entrances into the store located on both street frontages. Fenwick occupied all levels of the building at 5-17 Brook Street and 57-63 New Bond Street as retail (Class E (a)) accommodation. The neighbouring part of the site at 53-56 New Bond Street (which was also owned by Fenwick) comprises the retail unit located over basement, ground and first floor levels with self-contained office accommodation (Class E (g)) at the second to fifth floor levels.

The majority of the existing buildings date from 1887, although it was not until the 1980s that all of the composite buildings which formed the Fenwick store were unified to appear as one shop store on the New Bond Street and Brook Street elevations with the current reconstructed stone colonnaded ground floor unified shopfront.

The existing building comprises a number of composite buildings - 62-63 New Bond Street and 15-17 Brook Street; 60-61 New Bond Street (Rover House); 9- 13 Brook Street; 57-59 New Bond Street (Salisbury House); and 53-56 New Bond Street (Apollo House). All of the buildings were acquired throughout the period 1887 to 1961 and, in the 1980's, all of the composite buildings were unified to appear as one store on the Bond Street and Brook Street elevation. The existing building comprises basement, ground plus four upper storeys, and a small fifth storey facing onto the Bond Street frontage.

The surrounding area is predominantly commercial, given the central location within an internationally renowned shopping destination. Retail uses are located on the lower levels and a mix of retail, office and some residential uses are located on the upper levels of the buildings along New Bond Street and Brook Street. The surrounding area is mostly medium rise, with existing buildings ranging from 5-7 storeys. Recently permitted developments exceed these heights, and most relevant to the current application is the adjacent development at 22 Hanover Square (on the Brook Street frontage), which is close to completion- the approved development comprises a part 9, part 11 storey building, to provide a hotel (the Mandarin Oriental Hotel, due to open in 2024), up to 81 residential units and flexible restaurant, ancillary hotel, retail accommodation.

## **7.2 Recent Relevant History**

On 6 September 2005, planning permission (ref. 04/09999/FULL) was granted for

“Demolition of Apollo House to rear of 53-55 New Bond Street and redevelopment to provide replacement office building with plant enclosure and screened plant at roof level; infill extensions to rear of 57- 58 New Bond Street (Salisbury House) and 59 New Bond Street (Rover House) to provide additional retail floor space for the existing Fenwick store”.

Item No.
<b>1</b>

On 4 February 2009, an amendment application (ref. 08/05907/FULL) was permitted for

“Alterations during the course of construction to a permission dated 6 September 2005 for the demolition of Apollo House to rear of Nos. 53-55 New Bond Street and redevelopment to provide replacement office building with plant enclosure and screened plant at roof level; infill extensions to rear of Nos. 57-58 New Bond Street (Salisbury House) and No. 59 New Bond Street (Rover House) to provide additional retail floorspace for the existing Fenwick store; namely, replacement windows to Nos. 53-55 New Bond Street at second to fourth floor levels, a fourth floor extension to provide additional retail (Class A1) accommodation, re alignment of part of rear wall to eastern elevation at ground to 3rd floors minor alterations to atrium roof, extension of lift overrun, new louvres to plant enclosure and new roof level window cleaning cradle location and housing”.

On 17 March 2020 planning permission was granted for (19/07746/FULL)

“Extension to the existing retail department store and offices to deliver additional (Class B1) office floorspace with access from Brook Street, change of use of part retail Class A1 floorspace to Class B1 floorspace, new plant on the roof, new roof terraces on Brook Street and New Bond Street frontages, and other associated works.”

This was subject to a legal agreement to secure a financial contribution of £ 118,653.01 to support the Westminster Inclusive Local Economy and Employment Service (index linked and payable on commencement of development).

There was subsequently a Section 73 application (22/06973/FULL) granted on 3<sup>rd</sup> February 2023, amending the above planning permission as follows:

“Variation of conditions 6 (evidence of compliance with the council's Code of Construction Practice) and 16 (provision of sustainability and energy efficiency measures) of planning permission dated 17 March 2020 (RN:19/07746/FULL) for 'Extension to the existing retail department store and offices to deliver additional (Class B1) office floorspace with access from Brook Street, change of use of part retail Class A1 floorspace to Class B1 floorspace, new plant on the roof, new roof terraces on Brook Street and New Bond Street frontages, and other associated works' - NAMELY, to allow a phased development (Phase 1 - to carry out works sufficient to implement the permission, and Phase 2 - the remainder of the approved development), to allow the commencement of Phase 1 prior to submitting a detailed construction method statement (condition 6) and to allow phase 1 to commence prior to the remainder of the works within phase 2, and to approve an updated energy statement (condition 16). (S73 application).” (Subject to a Deed of Variation/revised S106 Agreement to secure the financial contribution of £118,653.01 to support the Westminster Inclusive Local Economy and Employment Service).

This permission was then partially implemented and a Certificate of Lawful Development (23/00755/CLOPUD) was granted on 22<sup>nd</sup> February 2023.

The extant, implemented planning permission is a material consideration of significant weight in the determination of this application.

## 8. THE PROPOSAL

The applicant's intention is to make efficient and effective use of a key site, through a reconfiguration which provides significantly improved retail accommodation and new and best in class office accommodation which responds better to the surrounding context, all whilst retaining and re-using significant amounts of the existing structure and façade. One of the aims of the scheme is to regularise the floor levels within the buildings, where there are currently 37 different floor levels within the group. There is the potential for a reasonable justification for works which seek to remedy this situation, which currently prevents the use of the retail areas by users requiring level access. The floorspace figures are shown in the table below.

**Table: Existing and proposed land uses.**

Land Use	Existing GIA (sqm)	Approved GIA (sqm)	Proposed GIA (sqm)	Existing vs Proposed +/-
Retail	12,292	11,111 (-1,181)	4,692	-7,600
Office	2,787	7,506 (+4,719)	16,262	+13,475
Total	15,079	18,617 (+3,538)	20,953	+5,874

The space within the proposed building would be arranged as follows:

- Retail space (Class E (a)), accessed from the four frontages on New Bond Street, would be provided at the ground and first floor levels, with a continuous frontage wrapping around the prominent corner, onto Brook Street;
- Office space (Class E (g)) would be provided at the second to ninth floors levels, accessed from a new office entrance and lobby on Brook Street, which are of larger proportions and more capable of accommodating pedestrian traffic, and closer to Bond Street Station on Hanover Square;
- External terraces accessed from the office accommodation would be located at fourth to ninth floor levels, with a roof garden at the tenth floor, which would also accommodate some plant; and
- The basement would accommodate ancillary and supporting elements such as plant, cycle parking and waste storage, via a service access at the east end of Brook Street.

The design approach maximises the retention of existing building fabric, reducing embodied carbon associated with construction, whilst also optimising the site's development potential to achieve an appropriate massing and quality of internal accommodation for a site in the heart of the West End. It does so by an innovative structural design that includes:

- Retaining, and lifting, the existing facades to Brook Street and Bond Street (with the

- exception of 57-59 Bond Street, which is in poor condition and which, it is assumed, will be rebuilt, though retaining and raising the existing structural facade frame);
- Retaining the existing basement, with some lateral extensions, thereby avoiding any substantial excavation below existing levels, although some tanks will be buried;
  - Retaining, but vertically repositioning significant portions of the existing floorplates and fabric behind the facades to create level floorplates and grade access;
  - Selective deconstruction of parts of the building, where necessary, and the re-use of material arisings as required; and
  - Extension to provide the new office accommodation on the upper levels.

This approach enables the development to retain approximately 50% of the existing structure and 75% of the existing historic facades, incorporating high quality architecture with extensive greening and outdoor amenity spaces. Benefits of the proposal would include:

- Increasing the poor floor-to-ceiling heights and therefore the quality of the internal space, including the introduction of an unusual, stepped atrium serving the office accommodation and lobby, bringing natural light deep into the plan;
- Creating a more efficient internal layout, removing the redundant circulation cores and internal corridors, thereby maximising the usable floorspace;
- Creating level access both internally and from the street, enhancing inclusivity and accessibility and enhancing the adaptability of the floorplates;
- Creating new ground and first floor facades of greater height and permeability, giving them greater visual emphasis and better activating the ground floor retail plane along New Bond Street;
- Repairing physically the deteriorated elements of the facades;
- Providing substantial new greenery and outdoor amenity space, serving the majority of the office floors and enhancing biodiversity; and
- Providing a building with high energy performance and sustainability credentials of a very high standard, contributing to the achievement of net zero carbon.

## 9. DETAILED CONSIDERATIONS

### 9.1 Land Use

#### Policy

The National Planning Policy Framework (NPPF) seeks to promote mixed use developments and encourage multiple benefits from the use of land in urban areas. Paragraph 86 of the NPPF seeks to promote town centres as the heart of communities, through taking a positive approach to their growth, management and adaptation.

London Plan Policy SD4 seek to promote and enhance the unique mix of strategic functions and local uses within the Central Activity Zone (CAZ). The strategic functions of the CAZ include nationally and internationally significant office functions well as retailing, including specialist outlets, of regional, national and international importance.

Item No.
<b>1</b>

The policy states that 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 states that increases in the current stock of offices should be supported within the CAZ and goes on to assert that there will be a significant demand for office employment floorspace over the period 2016 to 2041. This includes demand within the CAZ. The London Plan also makes provisions to ensure that office space is flexible and varied. Policy E1 states that development proposals related to new or existing offices should take into account the need for a range of suitable workspace including lower cost and affordable workspace.

With regard to retail, London Plan Policy E9 states that a successful, competitive and diverse retail sector, which promotes sustainable access to goods and services for all Londoners, should be supported. The site is located within the West End Retail and Leisure Special Policy Area (WERSPLA), where retail should complement the strategic uses of the area. London Plan Policy SD4 makes provisions to support the viability, adaptation and diversification of the international shopping and leisure destinations of the West End (including Oxford Street, Regent Street, Bond Street and the wider West End Retail and Leisure Special Policy Area) and Knightsbridge.

Relevant Council policies as set out in the City Plan 2019 – 2040 (Adopted April 2021) include: Policy 1. Westminster’s spatial strategy, which includes support for the growth, modernisation and adaptation of a variety of business space to provide at least 63,000 new office-based jobs alongside other forms of commercial growth, and supports town centres and high streets, including centres of international importance in the West End to evolve as multifunctional commercial areas to shop, work, and socialise; Policy 2. Spatial Development Priorities: West End Retail and Leisure Special Policy Area and Tottenham Court Road Opportunity Area, which similarly The intensification of the West End Retail and Leisure Special Policy Area (WERLSPA) to deliver significant jobs growth through a range commercial-led development including retail, leisure, offices and hotel use, as well as an improved retail and leisure experience and a diverse evening and night-time economy.

Policy 14 of the City Plan is of particular relevance in this case. It states that the intensification of town centres, high streets and the CAZ to provide additional floorspace for main town centre uses is supported in principle, subject to the impact on townscape and heritage. Proposals in existing town centres and high streets will enhance and diversify their offer as places to shop, work and spend leisure time. Part B of Policy 14 requires the provision of active frontages and uses that serve visiting members of the public at the ground floor throughout the town centre hierarchy. Part C of the policy states that all development within the town centre hierarchy will be of a scale, type and format that reflects and enhances the role and function of the centre within which it is proposed. It states that the “International Centres will provide a focal point for large format comparison retail, supported by complementary town centre uses that increase customer dwell time, and new office floorspace”.

Policy 14 part C.2 states that “The WERLSPA will provide a wide mix of commercial uses that support the West End’s role as a retail, employment and cultural hub, and as a

Item No.
<b>1</b>

centre for the visitor, evening and night-time economy". Part D states that the provision of a range of retail unit sizes including small stores in redevelopment proposals is supported in principle. Part G states that the loss of town centre uses from the ground floor will be resisted in these locations.

Policy MR1 of the Mayfair Neighbourhood Plan encourages small scale retail development appropriate to the character (in terms of its scale and type) of the Mayfair Shopping Frontages. Policy MC1 states that new office floorspace will be particularly encouraged in Central and East Mayfair (which is where the site is located).

### Assessment - Offices

The existing office and retail uses on the site all fall within Class E of the Use Classes Order, 'Commercial, Business and Service uses', which contains uses between which changes of use can occur without the need for planning permission (i.e. changes between them are no longer constitute development as set in Section 55 of the Town and Country Planning Act 1990). The uses contained within the new Class E include, retail shops, restaurants, financial and professional services, offices, medical uses, gyms and other indoor sport uses, creches and nurseries.

The existing site provides some office accommodation (2,787 sqm (GIA)) separate from the former department store at 53-56 New Bond Street. The applicant advises that this accommodation is dated and of poor-quality; the format of the existing office space is inefficient and heavily subdivided, with poor floor-to-ceiling heights and natural light, and an underwhelming entrance on New Bond Street, which lacks significant presence. The 2020 permission did not allow for the substantial reconfiguration of the existing building internally, or the provision of substantial external amenity spaces in the form of terraces. Fenwick's departure provides the opportunity to deliver a more substantial reconfiguration, so that the requirements of the site to provide flexible, adaptable office space in alignment with strategic policy which supports the intensification of employment use in this location, an International Centre.

The proposed development would deliver 16,262 sqm. of commercial office space (which the applicant advises will be Grade A), helping to meet an identified need within the CAZ – this is in accordance with the above policies and is welcomed. It is noted that the proposals have been designed to provide high quality office accommodation that includes generous amounts of amenity space in the form of multiple landscaped terraces that should help attract office workers back into the West End. The proposed office entrance occupies some ground level frontage on Brook Street, which is of lesser importance in the retail hierarchy. The proposals provide a relocated and significantly improved entrance with an appropriately sized office lobby commensurate to the scale of the accommodation and the expectations of occupiers in this core location. The applicant argues that the form proposed is required to accommodate the additional office floorspace and is also near Hanover Square and therefore the new Eastern Ticket Hall serving the Elizabeth Line. Locating the office entrance on Brook Street also allows the retail frontage on New Bond Street, which is the more important retail frontage of the two, to be maximised.

### Assessment - Retail

The proposals would also result in an overall loss of retail space of 7,600 sqm (net change). The existing building contains 12,292 sqm of retail floorspace and 4,581 sqm. of retail use is to be re-provided. The proposal would provide four smaller, separate retail units, within Class E(a). The net loss of retail floorspace results from the reallocation of space for office use at the upper levels and aligns with policy. This is driven by the need to reconfigure the site to its optimal layout for office use on the upper floors, which is also an appropriate town centre use for the location. The frontages would be taller, with a greater extent of glazing and consequently improved visibility into the internal spaces compared to the existing elevations, allowing for the creation of retail displays with great impact. This would better activate the street than in the existing situation, better aligns with the modern retailer requirements and is an improvement over the 2020 permission.

The application is accompanied by a Retail Statement. This describes changes in consumer demand and the implications arising from this. The report identifies that, despite experiencing difficulties alongside the rest of the economy during recent years, there is substantial demand for very high-quality retail space on New Bond Street from leading global retailers. A substantial number of potential new retailers, not currently represented on New Bond Street, are identified in the report. The retail report also details the specific characteristics sought by leading retailers in retail units, whose focus is on creating a 'showcase' street presence with high visual impact to attract custom. The quality of the street presence which can be achieved is therefore of great importance. The report states that there is particular value given to two-storey frontages with good fascia presence at first floor as well as ground level, good internal ceiling heights and wide frontages allowing the creation of clear and unfettered displays. The applicant advises that the proposed retail units have been designed to occupy the ground and first floors in accordance with the demand and requirements identified in the Retail Statement for retailers in this location. The introduction of multiple smaller stores, in addition to better serving the identified demand for the site, would also introduce a wider variety of retail uses to the site, enriching the vibrancy and vitality of the International Shopping Centre, the WERLSPA and the CAZ.

The site was until recently occupied by a long-established department store with retail at all levels, but the operators have chosen to leave the premises, and it is acknowledged that this is the latest department store (following nearby Debenhams and House of Fraser) who have been affected by the structural change in the retail sector. It is well known that traditional high street shopping faces challenges, including competition from other retail hubs, online shopping, increased business rates and interest rates, challenges that were compounded the Covid 19 pandemic. The changes in retail demand have effectively led to declining demand for department store formats.

The development of the site which was approved in 2020 was sought primarily to support the retention of Fenwick's operation at the site. The internal alterations therefore largely retained the existing department store format and sought to add an office extension above the building to provide additional value and income to Fenwick. Focused as it was on Fenwick's particular needs, before the Covid pandemic, it did not seek to optimise the site's design that would provide the particular requirements of the retail demand which exists at the site, as identified in the applicant's Retail Statement.



The proposal retains retail use at ground and first floor levels, maintaining a strong and visible retail presence at the site, maintaining active frontages and uses serving the visiting public at street level within the International Shopping Centre, WERLSPA and CAZ. This is welcomed and in accordance with policy. Taking this into consideration, and given the potential use of the existing site for any other use within Class E, the loss of retail space in this instance is acceptable. The proposals would ensure that a ground and first floor retail element is retained in the site. It is considered appropriate, given the location, potential adverse implications of other Class E uses (arising from more intensive servicing or amenity implications), and to ensure compliance with the above policies, to have a condition that the proposed uses are retained for those purposes only (with some flexibility that the office accommodation could also be used for additional retail purposes if required).

In conclusion, the proposal will provide an appropriate combination of modern retail and office accommodation that accords with the relevant London Plan and City Plan policies and is therefore considered to be acceptable.

## 9.2 Environment & Sustainability:

### Sustainable Design, Whole Life Carbon 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 Policy 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 Policy 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. 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).

Mayfair Neighbourhood Plan Policy MES3 states that development proposals should employ onsite reuse of demolition waste as a construction material, adopt sustainable and responsible sourcing approaches and exceed the standards for materials outlined in the Mayor’s supplementary planning guidance on sustainable design and construction. Mayfair Neighbourhood Plan Policy MES4 states that new non-domestic developments should be Zero Carbon (defined as a 100% improvement over the Target Emission Rate outlined in the national Building Regulations), and that all new developments shall demonstrate that measures will be put in place to manage energy use in operation.

#### Assessment – Whole life Carbon and Circular Economy

The submitted Circular Economy Statement, and the Whole Life Carbon Statement, describes the complex work that has been undertaken by the applicants consultants and architects to assess opportunities for retention and their various analyses. The stated ambition of the applicant from the beginning of the planning process has been to make

the scheme as sustainable as possible, including where possible the retention of the buildings, but taking account the deficiencies of the site (differing floor levels etc).

The proposed development is considered compliant with London Plan Polic SI2 Minimising Greenhouse Gas Emissions, Policy SI7 Reducing waste and supporting the Circular Economy, following closely GLA's Whole Life Carbon and Circular Economy Strategy guidance for early stages considerations. The proposal is also largely compliant with the City Plan Policy 38 Sustainable Design and 37 Waste Management.

The proposal seeks to retain 50% or more of the existing structures, 75% of the existing façades and 80% of existing steel (by volume) therefore the proposal should be considered 'deep retrofit' in accordance emerging definitions. The application site comprises of number of buildings with various structures and façade treatments. The existing floorplate is broken by multiple level changes, stairs, columns and exits on each floor. Structural interventions would be necessary if the existing building is be retrofitted to allow for level access, fire compliance, and efficient servicing. The approach to the site is to retain as much as possible from the existing buildings, through direct re-use on site and innovative structural interventions, such as 'jacking up' floors and facades.

The general approach to retention is supported. A pre-demolition audit has been completed, and a phased deconstruction is proposed. The applicant is encouraged to continuously update their re-use targets (both on and off-site, for all building layers), and report the final figures against the post-construction Circular Economy Statement.

The projected overall diversion from landfill for the project is 2,412.60 tonnes (99.47%) which is welcomed. The applicant is advised to report against the projected figure within the post-construction Circular Economy Statement, which is conditioned. The applicant is also advised to review the target by building layer and improve upon it as much as possible. It is understood that this will help reduce the upfront carbon emissions further.

*Whole life carbon assessment*

The applicant has submitted a compliant assessment. The projected upfront carbon for is 463 kgCO<sub>2</sub>e/m<sup>2</sup>, or LETI band B, which is welcomed. The assessment shows 40% fly ash cement replacement for all concrete elements – it is recommended that the applicant removes fly ash cement replacement and assumes 0%. It is also recommended that all concrete elements do not rely on cement replacements, partly due to the lack of availability for both fly ash and GGBS (Ground Granulated Blast-furnace Slag), as well as supporting the reduction of the demand for these resources. The applicant is advised to report on the updated upfront embodied carbon figure – it is not anticipated that the upfront carbon will increase significantly.

The whole life carbon assessment shows 797 kgCO<sub>2</sub>e/m<sup>2</sup> (excluding B6-B7) This is welcomed, as the applicant has demonstrated a strategy on how the materials might procured in the future, incorporating material passports, minimising 'In-use' carbon through long-term maintenance plan, resource efficiency targets and design for disassembly. A whole life carbon assessment during technical stage, during construction, and post-completion will be secured through condition.

A summary of the carbon figures compared with the GLA current and aspirational targets is shown in the following table:

	Part retention and part redevelopment	GLA benchmark (offices)	GLA aspirational benchmark (offices)
Upfront carbon ('cradle to practical completion') (i.e. Modules A1-A5) (kgCO2e/m2)	463	<950	<600
Whole life carbon ('cradle to grave') (i.e. Modules A-C (excluding B6 and B7) (kgCO2e/m2)	797	<1,400	<970

The GLA supports the approach taken to retain the existing building on site and carry out alterations to ensure its ongoing use is supported. It considers that the internal amendments to resolve the issues related to the various changes in levels on different floors have been demonstrated to be successful, making the building suitable for the various uses proposed.

## Energy Performance

### Summary of policy and Guidance

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 Mayor of London's updated Energy Assessment Guidance states that an on-site carbon reduction of at least 35 per cent beyond Part L 2021 of building regulations should be achieved, with the GLA website stating that all applications submitted on or after 1 January 2023 will be required to follow the 2022 Energy Assessment guidance and use the 2022 Carbon Emissions Reporting Spreadsheet (version 2). This application was submitted before this date and therefore is still assessed as improvement against a notional development that meets the requirements of Part L 2013. Regardless of the baseline used to compare the development proposal and the methodology used, the above energy policies all require development proposals to achieve the maximum possible operational regulated carbon savings, with the aim to be zero carbon.

### Assessment

The Energy Statement submitted by the applicant has been reviewed in accordance with the Westminster City Plan 2019 -2040 Policy 36 A-E and the London Plan 2021 Policy SI2. The development targets energy efficiency improvements and carbon emissions reductions for the building.

The Baseline (the Target Emissions Rate) against which the carbon emissions savings have been calculated is based on Part L 2021 of the Building Regulations. The Applicant has calculated the carbon dioxide emissions related to each part of the development using the Building Regulations methodology Part L 2021. For the Proposed Development, a Part L calculation has been done to evaluate the major renovation works separately from the new-built extension. From the basement level to Level 4, the scheme was calculated using Part L 2021 and following a Notional specification for existing buildings as described in Appendix 3, Energy Assessment Guidance (June 2022). From Level 5 to the roof, the scheme was calculated using Part L 2021 and following a Notional specification for new buildings as given in the 2022 National Calculation Methodology.

The table below is a summary of the regulated carbon dioxide savings for the overall development (see the Sustainability Officer Response (Energy) dated March 2024 in the background papers for details of the new build and refurbished areas). The overall target of achieving an overall on-site regulated carbon emissions reduction of 35% over Part L 2021 has been complied with for the refurbished areas of the building. For the new build this has not been achieved; however, it is recognised that since the adoption of the new PartL 2021, meeting this target for new builds is very challenging therefore the targeting of 25% on-site regulated carbon emissions reduction is deemed acceptable.

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

	Regulated Carbon Dioxide Savings	
	Tonnes CO2 per Annum	%
<b>Be Lean:</b> Savings from energy demand reduction	110.1	57%
<b>Be Clean:</b> Savings from heat network	0	0%
<b>Be Green:</b> Savings from renewable energy	4.9	3%
Cumulative on-site savings	115	60%
Carbon shortfall	76.6	-
	Tonnes CO2	
Cumulative savings for offset payment	456	
<b>Cash-in-lieu contribution</b>	<b>£150,480</b>	

*Be Lean*

As illustrated in the Energy Statement, to maximise the energy efficiency of the development and thereby reduce energy demands, several key design principles have been incorporated. This strategy involves optimising the building envelope's performance and 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). The design also features articulated facades that incorporate shading solutions and windows with openable panes in all orientations, facilitating mixed-mode ventilation and thereby decreasing reliance on HVAC systems ( heating, ventilation, and air conditioning). These design choices are supported by the building's compact floor plans and the achieved percentage of openable area, enhancing overall energy efficiency.

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 there are no district heat networks (DHN) within the vicinity of the application site and therefore there are no opportunities to make carbon

savings through connecting to a heat network. Therefore, in line with the requirements of WCC and the GLA the applicant has future proofed the plantroom space allocating circa 12m<sup>2</sup> for technical equipment which can be used to connect to a DHN should this become available in the future.

### *Be Green*

The heating and cooling strategy for the site employs Hybrid VRF (variable refrigerant flow) air source heat pumps (ASPH) located at level 9, offering active heating and cooling to the office spaces. These systems are in line with the building's all-electric, zero fossil fuel requirements. Complementing the VRF systems, additional ASHPs serve the reception and basement areas, stairwells, and back-of-house locations, as well as providing domestic hot water to basement facilities. This decentralised approach to heating and cooling allows for targeted climate control across the building's various zones and enhances the flexibility and scalability of the system, accommodating different occupancy patterns and thermal loads with minimal energy waste.

In terms of ventilation strategy, each office level features dedicated Air Handling Units (AHUs) paired with Mechanical Ventilation with Heat Recovery (MVHR) systems, which recover energy from exhaust air to preheat incoming fresh air. The MVHR units, especially beneficial in areas like showers and changing rooms, manage moisture levels effectively, providing both energy efficiency and indoor air quality.

Additionally, the applicant has accommodated the Westminster City Council's request to enhance the solar energy capabilities of the building by expanding the area allocated for photovoltaic panels on the roofs. The total PV panels area has been increased by an additional 60 m<sup>2</sup> resulting in a total photovoltaic installation area of circa 90 m<sup>2</sup>.

In conclusion, with regard to the energy issues, the proposal is considered to be acceptable and officers are now satisfied that the carbon savings are the maximum that can be achieved on site. A financial contribution towards the City Council's Carbon Offset Fund of £150,480 will be secured by legal agreement to fund carbon savings off-site to offset the residual operational carbon emissions arising from the proposed development.

The GLA have asked for additional information to further refine the energy strategy and submit further information to fully comply with London Plan requirements. Council officers are satisfied with the information that has been submitted and the GLA will be able to reconsider this matter when the case is referred back to it at Stage 2.

### **BREEAM**

The Sustainable Design Statement explains that the proposed development is targeting a BREEAM score of 89.1%, which would exceed the minimum Outstanding score of 85%. The applicant comments that further opportunities to improve its score will be explored during design development.

### **Air Quality**

London Plan Policy SI1 states that development proposals should not lead to further



deterioration of existing poor air quality; create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits; and create unacceptable risk of high levels of exposure to poor air quality. As a minimum, development proposals must be at least Air Quality Neutral, and should use design solutions to prevent or minimise increased exposure to existing air pollution and make provision to address local problems of air quality in preference to post-design or retro-fitted mitigation measures. Similar policy requirements are sought by Council Policy 32. Air quality and in the Environmental SPD, and Mayfair Neighbourhood Plan MES 1.2

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 that there is a High Risk of demolition and is a Medium Risk of construction dust impacts. The applicant's report sets out the proposed mitigation measures and subject to these being implemented (which should be sought as part of the Code of Construction requirements) the residual effect from all dust generating activities is predicted to be negligible and therefore not significant in accordance with the Mayors Guidance.

### **Flood Risk & Sustainable Drainage**

The NPPF identifies that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Paragraph 169 of the NPPF confirms that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. Policy GG6 of the London Plan seeks to help London become a more efficient and resilient by ensuring that buildings are designed to reduce impacts from natural hazards like flooding. London Plan Policy SI 12(C) states that development proposals should ensure that flood risk is minimised, mitigated and the residual risks are addressed. Developments should aim to achieve greenfield run-off rates by maximising the use of above ground Sustainable Urban Drainage Systems (SuDS) in line with policy SI 13 of the London Plan. Proposals should follow the drainage hierarchy set out at part B of the policy.

Policy 35 of the City Plan states that all development proposals should take flood risk into account and new development should reduce the risk of flooding. Part J states that new development should incorporate SuDs to alleviate and manage surface water flood risk. Developments should aim to achieve greenfield run-off rates and demonstrate how all opportunities to minimise site run-off have been taken.

A Drainage Strategy and a Flood Risk Assessment (FRA) have been submitted in support of the application. This confirms that the Site is located within Flood Zone 1, which generally indicates a low likelihood of flooding. A formal Sequential Test is not required for the site. The nearest areas within Flood Zone 2 and 3, a medium and high risk of flooding respectively, are associated with the River Thames and are located approximately 1.2 km to the south / south-east of the site. The Proposed Development is identified to be within a Surface Water Flood Risk (SFRA) Hotspot according to Westminster City Council SFRA and therefore qualifies for assessment. The surface water flood map produced by the Environment Agency indicates that the Proposed

Item No.
<b>1</b>

Development is classified as having a Very Low probability of surface water flooding.

The proposed development is located within an area of increased potential for elevated groundwater, though this is considered to primarily pose a risk to underground structures. With the proposed waterproofing, the FRA concludes that the risk of groundwater flooding is considered to be Low.

The FRA states that the proposed drainage strategy reduces the surface water discharge rate to greenfield rates through attenuation via various SuDS measures such as green roofs, terrace planting and a rainwater harvesting tank. The drainage strategy states that the proposal achieves a 97% improvement in surface water discharge from the site.

Although the FRA concludes that, through the careful design and the incorporation of the above mitigation measures, the risk of flooding is reduced where possible and the proposed development is safe from flooding for its design lifetime and that it will not increase the risk of flooding elsewhere, there has been an objection from the consultant's (WSP) acting on behalf of the Council. Their objection is to lack of sufficient detail, including calculations related to climate change events that demonstrate that flood risk will not be increased to the site or surrounding area. Additionally, they are not satisfied that the development has assessed the floor risk that groundwater could pose to the new basement extension or the impact this could have on the surrounding area.

It is noted that the GLA considers that the FRA provided for the proposed development generally complies with The London Plan Policy SI.12. However, the GLA does state that in terms of sustainable drainage, more detailed hydraulic calculations should be provided including a range of storm durations and return periods, in particular for the detailed component of the application. It is noted that the Flood Studies Report (FSR) method has been used for the estimation of rainfall for simulation of the drainage networks. This method underpredicts rainfall intensity in the London area. As such, the drainage simulations should instead use the latest Flood Estimation Handbook (FEH22) method. Additionally an assessment of exceedance flood flow routes above the 100 year event plus 40% climate change should be provided.

The applicant has sought to address these concerns and additional information has been provided but this has not been sufficient to overcome the objection, for example insufficient information regarding water recycling and a water holding tank in the basement of the development. The applicant has made repeated efforts to engage with WSP and it is considered that the matter could be addressed but that it would be unreasonable for this to delay consideration of the application. Accordingly it is recommended that conditions are attached to the draft decision requiring the submission of the required information.

### **9.3 Biodiversity & Greening**

London Plan Policy G5 (A) states that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.

London Plan Policy G5 Part (B) confirms that Local Planning Authorities should develop

Item No.
<b>1</b>

an Urban Greening Factor (UGF) assessment for their Borough. In the interim, the Mayor recommends that development proposals seek to achieve an Urban Greening Factor score of 0.3 for major developments which are predominantly commercial. London Plan Policy G6(D) requires development proposal to manage impacts on biodiversity and aim to secure net biodiversity gain. Policy 2,3 of the Mayfair Neighbourhood Plan supports greening measures.

City Plan Policy 35(G) states, “Developments should achieve biodiversity net gain, wherever feasible and appropriate. Opportunities to enhance existing habitats and create new habitats for priority species should be maximised. Developments within areas of nature deficiency should include features to enhance biodiversity, particularly for priority species and habitats”.

The proposal includes the provision of greenery at multiple locations across the terraces at the uppermost storeys, from the fourth floor to the roof. The GLA considers that the proposed development presents a well-considered approach to integrating green infrastructure and urban greening within the masterplan which is strongly supported. This includes the incorporation of green roof areas and proposed trees on the terraces, which supports multifunctionality. The applicant has calculated the Urban Greening Factor (UGF) score of the proposed development as 0.31, which exceeds the target set by Policy G5 of the London Plan.

However, the GLA comment that applicant has excluded the streetscape within the site boundary. This does not comply with the UGF Guidance, and as such is not in accordance with Policy G5 of the London Plan. The GLA requests that the applicant should review the UGF calculation for the total site area, equivalent to the red line boundary. This is a matter that will need to be addressed as part of the Stage 2 referral. Their request that the opportunity for the provision of biosolar roofing should be explored has been addressed by the applicant, with the introduction of additional PV screens on some of the terraces.

Measures to improve diversity through the Biodiversity Net Gain were introduced on 12<sup>th</sup> April 2024. The Biodiversity Impact Assessment that accompanies the application advises that the existing biodiversity baseline is 0.03 biodiversity units, which will increase to 1.14 biodiversity units, a net change in biodiversity units of 1.11, or an uplift of 3373.92%. The net gain is calculated by comparing the pre development baseline (almost entirely developed land; sealed surface) and the post development baseline (includes significant green infrastructure). This increase is welcome.

There are no trees on the site itself but there is one single English elm tree directly adjacent to the site on Brook Street. The tree is classified as a Category A tree with significant historical and commemorative value in that it was planted to commemorate 125 years of Fenwick Bond Street, in memory of Peter J Lockyer, 1960-2016. An Arboricultural Impact Assessment, has been submitted, which identifies the need only for minor facilitation pruning on the building façade side, to allow the development to be delivered.

## 9.4 Townscape, Design & Heritage Impact

### Legislative & Policy Context

The key legislative requirements in respect to designated heritage assets are as follows:

Section 66 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 LBCA 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."

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

Relevant Council policy comprises Policy 38 Design Principles, Policy 39 Westminster's heritage, Policy 40 Townscape and architecture, Policy 41 Building height and Policy 44 Security measures in the public realm.

### Key representation - GLA

London Plan Policy HC1 states that proposals affecting heritage assets, and their settings should conserve their significance, avoid harm, and identify enhancement opportunities. The NPPF states that when considering the impact of the proposal on the significance of a heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. The NPPF states that in weighing applications that affect non-designated heritage assets, a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset.

The GLA comments that the demolition of 57 to 59 New Bond Street (Salisbury House) is not considered to cause harm to the conservation area. The proposed extensions at upper floor levels are considered to cause a low level of direct harm to the significance of the Mayfair Conservation Area. However, the GLA does consider there to be some levels of harms, as follows:

- the large office entrance on Brook Street is considered to cause some harm to

the conservation area through the disruption of the unity of a historic, albeit altered, facade from circa 1838;

- the loss of the mansard roof at Number 13 Brook Street;
- jacking up parts of the facade is considered to be harmful, since it results in the loss of historic hierarchy of floors, a sensation of disproportion, a visual issue in its relationship with 5 to 13 Brook Street adjacent with the Palladian pattern of the window hoods on Brook Street and the proposal results in the richness of the historic façade at 62-63 New Bond Street being elevated above a plainer and more contemporary ground and first floor; and
- the introduction of a large, heavily glazed retail floor at first floor is harmful since the appearance will be anachronistic in historical architectural terms.

Overall, though, GLA officers consider that a very low level of harm would result from the proposed development on all of the nearby heritage assets, except from the Mayfair Conservation area which would see a low level of harm.

#### Key Representations - Historic England

The key comments from Historic England are as follows:

- Although noticeably taller than the existing buildings further along New Bond Street, as a prominent corner site, they consider that the increase in height of the frontage buildings would not overwhelm the streetscape. The increased height would also help to soften the harsh juxtaposition with the Brook Street hotel development which is currently under construction next door.
- While they have no in-principle issue with the removal of the 1988-9 shopfronts, they consider that the creation of double-height units would distort the proportions of the historic facades. The Corner Building would be particularly affected due to the sleek stripped-back glazed design of the shopfronts which would contrast with the more elaborate decoration above.
- They note that the shopfront design for the Corner Building has been slightly refined to include more robust masonry mullions to the first-floor windows in response to the concerns raised at pre-application stage but this is unchanged and they still consider some harm of a relatively low level would be caused to the Mayfair Conservation Area through the distortion of the Corner Building's proportions and architectural character.
- Taking account of the consented scheme, they consider that most of the proposed changes could be accommodated without causing any additional harm to the Mayfair Conservation area and the setting of nearby listed buildings. They welcome the cleaner and more architectural coherent roofscape proposed in the current plans which they consider an improvement on the consented.
- They note that the design of the new shopfront for the Corner Building has not changed significantly since their pre-application discussions and therefore remain of the view that the predominantly glazed shopfront would detract from the richly decorative architecture above, causing some harm to the Mayfair Conservation Area.
- In determining the application, advise that the Council should consider whether this harm, which they consider to be of a low level, has been clearly and convincingly justified and outweighed by public benefits in accordance with the NPPF.

Item No.
<b>1</b>

### Officer Assessment

The application site comprises a group of buildings in the Mayfair Conservation Area to which they make a positive contribution. It has frontages to New Bond Street and Brook Street and was, until recently, mostly occupied by Fenwick. There are several listed building nearby and the site is an area of special archaeological priority.

Permission has previously been granted for substantial alterations and extensions on the site for Fenwick, but those alterations were specific to their requirements, do not suit a multi-occupancy arrangement, and do not optimise use of the site.

Partial demolition and redevelopment of the buildings behind their retained facades is proposed. Some of the street frontages are to be raised by addition of a storey at ground floor level, which will allow the facades and their attractive outlines to be maintained while concealing the additional height and bulk of the new upper floors from most street level views. The existing, rather squat and repetitive shopfronts (reflecting the previous commercial tenure of the buildings), will be replaced with a designs of greater practicality and visual interest, each tailored to suit the individual buildings. The facades of 5-15 Brook Street are to be retained at their current level with upward extensions in matching materials/designs and some modifications around the existing windows

Currently, the maximum amount of demolition likely to be required is shown on the drawings. As regards 57-59 New Bond Street, preliminary investigations indicate it is in poor condition despite being fairly modern, and may not be structurally capable of ensuring the lifting process. Therefore, it is proposed for demolition and reconstruction. There is no objection in design or heritage asset terms to the treatment of the building in this way and should it be possible to retain the façade then it is stated the development will be carried out in that way.

The GLA has commented that there is increased visibility of the newly proposed built form from the street scene and they would welcome further material experimentation to minimise this impact, which they believe could be achieved through the use of lighter materials for the upper levels.

Where visible from surrounding properties the new upper floors will be seen in the context of the recently redeveloped, neighbouring, property at 22 Hanover Square. At street level, the upper floors will be slightly visible from, for example, the junction of Brook Street to the west of New Bond Street and most obvious in views from Brook's Mews. However, the facades have been carefully designed and detailed using appropriate materials. Therefore, they will not appear incongruous in these views. Similarly, when seen from the upper floors of surrounding properties the new building will be an improvement compared to the existing rooftop clutter of mechanical plant.

Natural Portland stone, both curved and straight, with a honed finish, will clad the new ground floor and level 1 shopfronts (as well as the upper facades on levels 5 and 6). Grey granite with a flamed finish will form the ground floor plinths at pavement level. White timber frames will be used in replacement windows on the lower levels up to Level 5 to suit the historic character and appearance of the surrounding conservation area. The shopfronts will be of bronze frames, patinated and waxed, along with and the office entrance on the ground and first floors. Bronze-coloured steel frames will be used at the

upper levels, from Level 6 and above. Grey slate, curved and straight, with a matte honed finish, will clad the facade from level 7 to level 9 and the level 10 pavilion. This will add visual interest to the uppermost levels. The east and south facades will be clad with brick slips to complement the surrounding architecture. These material are acceptable in principle, and samples may be approved by condition.

Some concerns have been raised by Historic England about the detailed design of the new double-height shopfronts. However, these aspects of the proposal are acceptable in design and heritage asset terms and provide a suitably deferential, yet modern, base to the retained and raised facades above. Public art is to be provided as part of the development and this is to be located at the new office entrance in Brook Street. This is an appropriate location and details of the art may be secured by condition.

### Impact on Heritage Assets

The comments from the GLA and Historic England are noted, but overall, and as set out above, the proposal is considered to cause less than substantial harm to the character and appearance of the Mayfair Conservation Area. The harm would be due, mostly, to the occasionally conspicuous upward extension of the building and to the scale of the office entrance in Brook Street which asserts its presence rather strongly. The level of harm caused would be at the lower end of less than substantial and the proposals are considered to be acceptable in design and heritage terms.

Although a development of this scale generates a number of public benefits, the following are considered to be the most significant (see section 9.11 for a fuller assessment of the planning balance):

- Substantial contribution towards the City Council's growth policy objectives and targets within the heart of the Central Activities Zone (CAZ);
- The provision of new high quality retail accommodation, which will support and enhance this part of the West End to compete with other global shopping destinations, in accordance with strategic policy;
- Improved quality active frontages, encouraging increased activity, vitality and vibrancy at street level;
- The creation of a package of employment and training benefits;
- Significant employment opportunities in the local area, both during the construction and during the whole lifetime of the building;
- The delivery of a highly sustainable scheme, retaining around half of the existing structure and three quarters of the historic facades, embracing the net zero carbon and wider sustainability and environmental performance objectives;
- Delivery of high quality, well-designed buildings which will enhance the character and appearance of the surrounding area and preserve the Mayfair Conservation Area;
- Significantly increased urban greening and biodiversity, with the provision of over 1,100 sqm of greenery across the new terraces; and
- Significant enhancements to the accessibility and inclusivity of the building.

The public benefits summarised above would be significant. Consequently, they are considered to be sufficient to outweigh the less than substantial heritage harm, in

compliance with paragraph 208 in the NPPF. Furthermore, the heritage harm has been kept to the minimum necessary to deliver the proposed development and the public benefits that flow from it. For these reasons, clear and convincing justification has been demonstrated for the harm caused to the designated heritage assets, in compliance with paragraph 206 of the NPPF.

### **Fire Safety**

The GLA advises that In the interests of fire safety and to ensure the safety of all building users, Policy D12 of the London Plan seeks to ensure that development proposals achieve the highest standards of fire safety. A fire statement has been submitted with the planning application which has been prepared by a fire engineer, i.e. a suitably qualified assessor, as required by Policy D12 and the Fire Safety draft LPG.

The submitted Fire Statement is in accordance with the requirements of London Plan Policies D5 and D12 and should be secured by condition as part of any consent.

### **Inclusive Access**

London Plan Policy D5 seeks to ensure that new development achieves the highest standards of accessible and inclusive design, and any development should ensure that it can be entered and used safely, easily and with dignity by all; is convenient and welcoming; and provides independent access without additional undue effort, separation or special treatment. City Plan Policy 38 Design principles seeks all development to create inclusive and accessible spaces and places.

The application submission includes an Inclusive Design and Accessibility Statement which demonstrates that the application includes significant efforts to embed inclusive design throughout the development. These interventions include providing step-free access to all floor levels, levelling internal layouts and the consideration of how to accommodate users who are neurodiverse.

### **Landscaping & Public Realm**

Relevant City Plan policies are Policy 40. Townscape and architecture, Policy 43. Public realm and Policy 34(H) & (I). Green infrastructure.

The GLA has commented on the absence of any details to demonstrate any improvements to the public realm along Bond Street and they request for more information on this element. However, in view of the relatively recent major refurbishment of New Bond Street, there are not considered to be any reasonable grounds for requesting additional works as part of this development.

There is potential for some public realm changes along Brook Street, if there were agreement about moving, or removing, the taxi rank currently on the south side of Brook Street (without the loss of paid for parking spaces on the north side), if this was in order to provide more easily accessible short stay cycle parking facilities. The current proposals are considered to be acceptable, but the recommendation allows for potential highway works if the issue of the taxi rank is resolved at a future date, possibly following the stage 2 referral back to the Mayor of London.



## Archaeology

Council Policy 39(N), (O) & (P) relates to Westminster's heritage. Although there is no new basement as part of the development, there are some excavation works in the southeast quadrant of the site to laterally extend the existing basement, and Historic England (Archaeology) believe that there could be a relatively well-preserved sequence of post-medieval and potentially earlier remains.

Historic England (Archaeology) objects to the application and requested excavation of trial pits to establish the archaeological potential of the site (based on some archaeological finds at nearby development sites, including the potential for prehistoric and Civil War archaeology) before a decision is made on the application. This is in addition to the usual desk-based assessment (DBA) but the findings of the requested evaluation excavation recently carried out supports the conclusions of the DBS, namely that there is no indication of potential for archaeological assets of national importance on the site. The DBA identifies that there is a low potential for any prehistoric, Roman or medieval remains, while there is a possibly moderate potential for paleoenvironmental remains and a localised moderate potential for truncated post-medieval remains.

The objection refers to relevant planning policies and policy guidance in the National Planning Policy Framework (NPPF, August 2023) and advises that they need more information before they can advise on the effects on archaeological interest and their implications for the planning decision. If more archaeological information is not received before a planning decision is made, recommend that the applicant's failure to submit that is included as a reason for refusal.

However, Council officers consider that the applicant has gone as far as possible to address the objection (with repeated attempts to engage with Historic England (Archaeology) to discuss their concerns) and the final evaluation and recording of the site can be adequately dealt with by an archaeological watching brief and recording condition.

### 9.5 Residential Amenity

The City Council places high priority on protecting residential amenity, with City Plan Policy 7(A) stating that development will be neighbourly by, *'Protecting and where appropriate enhancing amenity, by preventing unacceptable impacts in terms of daylight and sunlight, sense of enclosure, overshadowing, privacy and overlooking'*. City Plan Policy 33(A) states, *'The council will make sure that quality of life and health and wellbeing of existing and future occupiers, and the natural environment are not adversely affected by harmful pollutants and other negative impacts on the local environment'*.

At the national level, Paragraph 130 of the NPPF refers to the need to secure a high standard of amenity for all existing and future occupants of land and buildings. London plan policy D6(D) states that the design of developments should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst minimising overshadowing and maximising the usability of outside amenity space.

## Daylight & Sunlight

The commonly accepted methodology for assessing the impact of development proposals upon daylight and sunlight is the Building Research Establishment guidance entitled, '*Site layout planning for daylight and sunlight: a guide to good practice*' (the BRE Guide). The third edition of this guidance was published in 2022.

### *Daylight*

The most commonly used BRE method for assessing daylighting matters is the 'vertical sky component' (VSC), which measures the amount of sky that is visible from the outside face of a window. Using this method, if an affected window is already relatively poorly lit and the light received by the affected window would be reduced by 20% or more as a result of the proposed development, the loss would be noticeable and the adverse effect would have to be taken into account in any decision-making. The BRE guidelines seek to protect daylighting to living rooms, kitchens and bedrooms.

Where the layout of affected room is known, the daylight distribution test can plot the 'no sky line' (NSL) which is a point on a working plane in a room between where the sky can and cannot be seen. Comparing the existing situation and proposed daylight distributions helps assess the likely impact a development will have. If, following construction of a new development, the no sky line moves so that the area of the existing room, which does not receive direct skylight, is reduced to less than 0.8 times its former value, this is likely to be noticeable to the occupants.

### *Sunlight*

With regard to sunlighting, the BRE guidelines state that rooms will appear reasonably sunlit provided that they receive 25% of annual probable sunlight hours, including at least 5% of winter sunlight hours. A room will be adversely affected if this is less than the recommended standards and reduced by more than 20% of its former values, and the total loss over the whole year is greater than 4%. Only windows facing within 90 degrees of due south of the proposed development need to be tested.

## Assessment

There is relatively limited residential use in the surrounding area, where the predominate use, even at the upper floors, is commercial. However, residential accommodation (up to 81 residential units were approved in the 2017 planning permission, along with hotel and ancillary bars, restaurants and leisure facilities) is in the new development at 22 Hanover Square, to the east of the site, which is taller than the existing site and of a similar scale to the proposed development. 22 Hanover Square contains residential use in the northern building (fronting Brook Street) and at the upper floors of the southern building. The lower portion of the southern building contains hotel accommodation, which is less sensitive to amenity impacts than residential use. As with all buildings that might be affected by the proposals, consultation letters have been sent to this building but it is not known if any of these unit are yet occupied and no consultation responses have been received from occupiers in this building. More limited residential use is also present to the north at 21 Hanover Square and 16-18 Brook Street, to the west at 120-122 New Bond Street and 111- 115 New Bond Street and, further away to the south at 51 Maddox

Street. Two objections have been from residents in New Bond Street and Maddox Street on grounds of loss of light.

The applicant advises that the proposed development has been conceived and designed with the aim of avoiding a material worsening of the impact on the amenity of surrounding properties, compared to the approved development for which planning permission has already been granted. This has been achieved primarily by carefully sculpting the proposed massing and building envelope, including by the introduction of the terraces and progressive stepping back of the building line at the upper levels. The highest elements of the new upper massing have been positioned toward the southeast of the plot, to limit its visibility in key views from the surroundings, but the applicant states that it has also been sculpted to sit nearer to the hotel accommodation (in the lower levels of the southern element) than the residential accommodation. In addition, the uppermost storeys also step back away from the east and therefore 22 Hanover Square.

The applicant has submitted an assessment of the impact of the increase in height and bulk of the proposed development upon the amount of sunlight (the Annual Probable Sunlight Hours), daylight (VSC) and the distribution of that daylight within affected rooms (NSL) to residential properties within the vicinity of the site. The buildings that have been assessed are as follows:

- 16-18 Brook Street
- 21 Hanover Square
- 22 Hanover Square
- 51 Maddox Street
- 120-122 New Bond Street
- 111-115 New Bond Street (top floors only)

The results of analysis of the impact of the proposals demonstrate that 21 Hanover Square, 51 Maddox Street and 111-115 New Bond Street fully adhere to the BRE guidelines and therefore the effects to them will not be noticeable. With regard to the objection on amenity ground grounds from the occupier in Maddox Street, the buildings located in between the site and Maddox Street would prevent any significant impact on the amenity of the objector's property.

Each of the remaining properties experience some effects that exceed the BRE criteria which are described in more detail below.

#### 120-122 New Bond Street:

This comprises two building and is located to the west of the site and contains residential accommodation above ground floor retail space. There are two residential dwellings face towards the site: it is the occupier of one of these who has objected to the proposal on grounds of loss of light and this property has been visited by the case officer. One flat comprises a lateral conversion (used as sitting rooms) between the first floors of both buildings, with a bedroom on each of the second and third floors of one building. The second and third floors of the other building are a maisonette and it is believed that the sitting room is at second floor level and a bedroom at third floor level.

The results of the VSC analysis show that 9 of the 12 windows assessed (on the front façade, one room known to be a bedroom, with unaffected rooflights, and the other room also believed to be a bedroom) would meet the VSC criteria when the effects are considered against the existing building. The other three windows would only experience VSC changes of between 21.1-23.0% so are just slightly beyond guidance. Furthermore, the windows would each retain between 19-20% VSC which is a very good level for this area of central London.

For NSL, the results demonstrate that two of the six rooms (one a sitting room and one a bedroom) assessed would experience relative losses of 21.3% and 25.6% respectively so are only marginally beyond guidance. Furthermore, the room to experience the slightly larger loss is in use as a bedroom. Paragraph 2.2.10 of the BRE states *“bedrooms should also be analysed (for NSL) although they are less important”* so are generally considered to be less sensitive than main habitable rooms by local planning authorities. Nevertheless, the impacts are at a scale which is very common in central London locations and not dissimilar to other losses that the Council has previously considered acceptable elsewhere.

For sunlight, all main habitable rooms are northerly orientated so have therefore not been considered within the APSH analysis as per the BRE recommendations.

Overall, the effect to this building is considered to be reasonable and the occupants will continue to enjoy good levels of daylight for this central London location. Whilst sympathetic to the objector’s concerns that the proposal will affect his daughter’s bedroom (also used for homework, etc) the impact of the proposals is considered to be acceptable in this location and would not justify a refusal on planning grounds. This objection is therefore not considered to be sustainable.

#### 16-18 Brook Street:

This property is located to the north of the site. It is understood that there are three residential dwellings facing towards the site which are located above retail uses on the ground and 1<sup>st</sup> floor. Room layouts have been modelled from plans obtained from a previous planning application for this building.

The results of the VSC technical analysis show that 41 of the 42 windows assessed would meet the VSC criteria. The remaining window experiences a relative change of 23.6% but this is located beneath a balcony and in instances such as this, paragraph 2.2.13 of the BRE states *“existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction opposite may result in a large relative impact on the VSC, and on the area receiving direct skylight”*. Both of the windows located directly next to this window would meet the BRE criteria, indicating that the window would meet the BRE criteria were it not for this architectural feature. Therefore, it is the presence of the balcony rather than the Proposed Development which is the main factor in the relative loss of light.

For NSL, all 12 habitable rooms assessed will meet the BRE criteria. In regard to sunlight, the 3 living rooms assessed would comfortably meet the BRE criteria retaining at least four times the winter APSH targets and at least three times the total APSH

targets. Overall, the effect to this property is negligible.

22 Hanover Square:

This building is located directly to the east of the Site and is in the final stage of construction. The building is split into two blocks, with the northern block being entirely in residential use and the southern block in use as a hotel up to the 6th floor with residential use above. Internal room layouts and uses have been modelled from floorplans obtained from Council planning records.

When assessing the impact of the 2020 scheme, it was noted that there are a number of residential habitable windows, including single aspect flats, which directly face across the then existing Fenwick store. These future residential properties are located close to Fenwick's site boundary, arguably placing a significant unfair burden over the Fenwick site. It was also noted that there was a previous permission for fewer (41) flats, where less of the principle habitable rooms were orientated towards the Fenwick site, but that the developer of that site pursued a more intensive scheme for up to 81 flats.

At the time of the 2020 scheme, the developer of 22 Hanover Square advised that they have been consulted by Fenwick in relation to their planning application, and had held a dialogue in relation to the plans, and that they had no objections to that planning application.

It was noted that as part of the application submission for 22 Hanover Square, no regard appeared to have been given to the potential development of Fenwick. The application for the Fenwick scheme referred to the BRE Guidelines with regard to these unique circumstances, which stated that "...a higher degree of obstruction may be unavoidable if new development are to match the height and proportions of existing buildings". Appendix F5 stated "...in cases where an existing building has windows that are unusually close to the site boundary... To ensure new development matches the height and proportions of existing buildings, the VSC and APSH targets could be set to those for a 'mirror-image' building of the same height and size, an equal distance away on the other side of the boundary". This advice has been retained in the attest version of the BRE Guidelines.

As with the earlier scheme approved by the Council, the current proposals would involve comparable, and significant, losses of daylight and sunlight for the new hotel rooms and flats – a few windows would lose up to 92% of their VSC (though these are mostly hotel rooms and bedrooms to flats), and a number of others lose varying amounts between the recommended 20% up to 90%. There are comparable losses of sunlight. This is unfortunate, but has largely arisen due to the fact that any heightening of the application site would have a material impact on the neighbouring windows since they have been built so close to the application site. This has the effect of prejudicing any upward extension of the Fenwick site, as any such extension would lead to light reductions to below the BRE recommendations.

However, it is considered important to compare the current scheme with the approved one and the following table provided by the applicant's daylighting consultants summarises the results for the proposed development compared with the existing situation and the approved scheme.

Assessment	Scenario	No. Meeting BRE Criteria	20-30% Change	30-40% Change	>40% Change	Total No. Assessed
VSC	Consented	58	6	11	154	229
	Proposed	60	4	8	157	
NSL	Consented	39	4	9	74	126
	Proposed	36	5	9	76	
APSH	Consented	9	0	0	27	36
	Proposed	10	0	0	26	

The above table demonstrates the effects of the approved scheme and the proposed development broadly fall within the same percentage change categories. In relation to VSC there has been a redistribution of effects with 2 additional windows meeting guidance for the proposed development. These windows are all located within the northern block. 3 additional windows will experience effects of 40% or more, however overall the VSC effects are very comparable.

For NSL, 3 additional rooms fall short of guidance, with the majority of these rooms being in use as 'less important' bedrooms/hotel rooms. Just one additional living room would fall short of guidance which would experience a relative change of 34.5% which is not uncommon for schemes located within central London locations. The effects to the remaining rooms are very similar between the two schemes. For sunlight, one additional room would meet guidance for the proposed development so again the effects are very comparable.

When comparing the approved scheme with the proposed development (VSC and APSH), the VSC results demonstrate that 154 of the 229 windows (67%) will either receive improved levels of VSC by comparison to the approved scheme or they will meet the VSC criteria. The degree of improvement varies across the elevation, with more noticeable improvements (up to 14% absolute VSC) experienced by the windows at the upper levels of the northerly block and changes to the upper levels of the southern block (up to 8% absolute VSC). Overall, two thirds of the windows see some degree of improvement by comparison to the Consented Scheme or will retain values that are compliant with the BRE targets which is a significant achievement.

A further 53 windows (23%) would experience less than a 1% change in absolute VSC by comparison to the approved scheme, which is unlikely to be perceptible. Of the remaining 22 windows, 10 (4%) would experience changes in absolute VSC of between 1-2% by comparison to the Consented Scheme. Again, there are unlikely to be and perceptible differences to these windows.

The remaining 12 windows (6%) are located on the 9th and 10th floors and would experience absolute changes in VSC that range from 2.2-7.7%. Whilst in some

instances, these additional changes could be noticeable, 10 of these windows would retain between 21-25% VSC which is a very high level of daylight for a Central London location. The remaining 2 windows would retain between 15-16.5% VSC which is a level commonly seen and considered acceptable in dense central London locations such as this.

Full details of the VSC comparison between the existing, approved and proposed analysis are provided in Appendix A.

In regard to sunlight, the APSH results demonstrate that 14 of the 36 (38%) southerly orientated living/studio rooms would either receive greater levels of sunlight by comparison to the approved scheme or would continue to meet the BRE targets. 17 rooms (47%) would experience no change at all and therefore 86% of rooms either experience no change or improved levels of sunlight by comparison to the approved scheme. The remaining 5 rooms (14%) would experience changes that range between 1- 3% APSH which is unlikely to materially alter the amenity of the rooms.

Overall, the daylight and sunlight effects of the proposed development have reduced by comparison to the approved scheme. In the few instances where there are further reductions compared with the approved scheme, in the majority of cases they are unlikely to be perceptible or where they are, the retained values remain good for central London. Furthermore the retained values are higher than what has previously been considered appropriate for this site.

The current proposals are slightly higher than the approved scheme but do include some changes to the massing at the upper levels. The overall impact on 22 Hanover Square is considered to be comparable with the scheme that the Council approved in 2020 and which is an extant permission that could still be implemented. Bearing this in mind, it is again considered that to refuse the proposals because of the impact it would have on windows built close to the shared boundary would not in the circumstances be reasonable or equitable. It is also necessary to balance the impact on residential amenity in these circumstances against the benefits the proposal will bring in line with other local planning policies, listed in detail in section 9.11 below. Therefore, given the approved permission, and that the BRE guidelines are to be interpreted flexibly in appropriate circumstances, the proposals are considered acceptable in daylight and sunlight terms in this case.

#### Sense of Enclosure

The application site and the residential and hotel accommodation in 22 Hanover Square are in very close proximity and any increases to the application site will increase enclosure to the windows in 22 Hanover Square. However, for the reasons outlined above, this is considered acceptable in this special case. It is not considered that the proposals will have any adverse impact on the sense of enclosure to any of the other residential properties.

#### Roof Terraces - privacy and noise nuisance

The scheme includes a number of terraces: most of these are set back on the New Bond Street frontage and are not considered to pose a problem for the amenity of

neighbouring residents. The Mayfair Neighbourhood Forum has asked the use of the roof terraces by condition so they are not used after 11pm in order to protect the amenity of neighbours – 10pm is considered to be a more appropriate time in this location. As with most new terraces for offices, their use will be restricted to the use of office occupiers (in case the use were to change to another use within Class E at a future date), as well as preventing the playing of live or recorded music. A condition also requires the provision of screens to prevent overlooking where terraces are close to the windows in 22 Hanover Square.

With regard to the new windows in the east elevation of the development, these could result in a loss of privacy through overlooking of the flats in 22 Hanover Square, as well as potential light pollution. In this case it is considered appropriate to require the new office windows to have obscure glazing, details of which are secured by condition.

### Noise & Vibration

The proposals include significant amounts of replacement mechanical plant. Policy 33(B). Local environmental impacts and the Environmental Supplementary Planning Document Adopted 2022 (ESPD). Seek to prevent noise nuisance. The application submission included a noise assessment: this has been assessed by Environmental Sciences, who have no objections to the proposals subject to standard noise restrictions by condition.

## **9.6 Transportation, Accessibility & Servicing**

Chapter 9 of the NPPF sets out the Government's policies with regards to Transport. The overall aims are to promote solutions that support a reduction in greenhouse gas emissions and reduce congestion, which also contribute to wider sustainability and health objectives. The NPPF outlines aims for a transport system balanced in favour of sustainable transport modes, in order to give people a real choice about how they travel.

London Plan policy T1(B) encourages development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated.

London Plan Policy T2(D) requires that development proposals should demonstrate how they would deliver improvements that support the ten Healthy Streets Indicators in line with Transport for London guidance, reduce the dominance of vehicles on London's streets, and be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport.

London Plan policy T4 requires transport assessments submitted with development proposals to ensure that impacts on the capacity of the transport network (including impacts on pedestrians and the cycle network), at the local, network-wide and strategic level, are fully assessed.

Relevant Council policies in this case are Policy 24. Sustainable transport, Policy 25. Walking and cycling, Policy 26. Public transport and infrastructure, Policy 27. Parking,



Policy 28. Highway access and management. Policy 29. Freight and servicing, and Policy 37(B). Waste management

The planning submission is accompanied by a Healthy Streets Transport Assessment, a Transport Assessment, a Framework Travel Plan

Highway Impact

The site has a Public Transport Accessibility ('PTAL') Level 6b on a scale where 0 is low and 6b high. Oxford Street Underground station, Bond Street underground station and Tottenham Court Road Underground station are located within a fifteen-minute walk from the site, including the new entrances to the Elizabeth line at Hanover Square and Davies Street, which are a 3-4-minute walk from the site. There are also a number of bus stops located along Oxford Street and Regent Street, which provide routes across London.

The GLA notes that the submitted Transport Assessment includes a comparison of the proposals expected trip generation against the extant permission and existing use, for office use only. The proposals are predicted to generate in the region of 350 two-way trips in each peak hour, with the vast majority undertaken by sustainable modes, in line with London Plan Policy T1. Although no specific trip generation for the retail units is provided, it is agreed that the reduction in floorspace would correlate with a reduction in trips and overall, in this instance mitigation towards public transport capacity is not required.

A Construction Logistics Plan (CLP) has been provided in support of the application outlining the indicative strategy for construction vehicles and how the impacts would be managed. The GLA comment that in line with London Plan policy T7, the final secured CLP will need to include details of how these works would be mitigated to ensure the safety of vulnerable road users at all times of day. Any temporary changes to the adjacent taxi stand would need to be agreed in advance with TfL. Although these matters would normally be dealt with as part of the Council's Code of Construction Practice, a condition is considered appropriate in this case to deal with the GLA's interest in this matter.

The GLA did note that the site is located 50 meters south of the Elizabeth line and as such Infrastructure Protection conditions are likely to be required as part of any permission. However, Crossrail has separately advised that it has no comment to make and on this basis conditions are not considered to be required.

Accessibility

In accordance with the GLA's policies regarding healthy streets, walking and vision zero, an active travel zone (ATZ) assessment, including the night-time environment, has been undertaken, reviewing routes to key destinations against the 10 Healthy Streets indicators. The GLA notes although the routes are generally of good quality, there are some areas for improvement where TfL would support the Council in seeking developer contributions to delivery of these in line with London Plan Policy T2. However, there are not considered to be reasonable grounds for seeking contributions beyond the vicinity of the site (bearing in mind the recent improvements to New Bond Street and Brook

Street).

Car Parking

It is not intended that the site should have any car parking, which is welcome and in line with London Plan and City Plan policies. The GLA and TfL note that the closest on street disabled persons parking bay is currently 90m from the site; given that this is beyond the recommended maximum of 50m, alternatives should be identified in closer proximity to the front door of the development. The accessible route from front door to the parking space(s) should also be confirmed. It is considered that these matters should be dealt with directly between the applicant and the GLA/TfL.

Servicing and Waste & Recycling Storage

London Plan Policy T7 requires servicing and deliveries to take place on-site. In this instance, as much of the existing building is being retained which constrains the ability to deliver this, it is proposed that servicing activity will continue to take place (as per the former department use and the extant permission) from the dedicated loading bays on Brook Street. Policy 29 does also make an allowance for development where it is not possible to fully meet these needs within the site itself and states that in this situation the needs ‘must be met in such a way that minimises adverse effects on other highway and public realm users, and other residential or commercial activity’.

The applicant advises that the servicing frequencies are predicted as follows:

Use	Extant Servicing Visits (Average Daily)	Proposed Servicing Visits (Average Daily)
Retail	20	8
Office	16	21
<b>Total Daily</b>	<b>36</b>	<b>30</b>

The overall delivery and servicing frequencies are therefore anticipated to reduce to that of the extant (2020) development. The proposals would aim to consolidate deliveries and plan these outside of highway peak hours, as far as possible. A Delivery and Servicing Plan has been submitted but the final plan should be secured by condition as part of any permission, having regard to potential occupiers and in the event that changes to the highway layout on Brook Street are subsequently agreed (see Cycling & Cycle Storage and the Brook Street Taxi Rank).

Based on the information submitted with the application, the applicant has not demonstrated that all of the range of uses within Class E would not have a detrimental impact on the highway or highway users. For example, the on-street servicing arrangements may not be suitable for all of the uses possible under Class E, such as restaurants, which would require more intensive servicing. It is therefore considered to be appropriate to restrict the use of the building to the uses sought (also considered necessary in land use terms to meet other policy objectives): this would mean that a revised Transport Assessment and Servicing Management Plan could be sought in the event that alternative uses were applied for at a future date.

### Cycling & Cycle Storage and the Brook Street Taxi Rank

The proposal incorporates a bike store for the office accommodation with a capacity of 220 bike spaces with 9 Sheffield stands for another 13 bikes, and a retail bike store for 34 spaces (as well as welcome provision of showers and staff lockers). The minimum parking standards set out in GLA policy T5 are

Office – Long-stay - 217,      short-stay – 13;  
Retail – Long-stay – 8,      short-stay – 25;

Long stay cycle parking is proposed in line with London Plan standards contained within Policy T5 and the London Cycle Design Standards (LCDS) within the lower ground floor of the development accessed from Brook Street. However, the 38 short stay cycle parking required by policy is also proposed within the lower ground floor. Short stay cycle parking should be in convenient and accessible locations, close to site entrance. TfL comment that the proposed location at lower ground floor is unsatisfactory and raises issues around how it would be used by visitors to the site, such as access into the store, which is assumed to be via key fob / pass or similar. (They have also asked for more detailed information, such as arrangements for cyclists in the event of the lift breaking down.)

The applicant wanted to put some of the short-stay cycle parking on-street (as opposed to an easily accessible location within the development), where space is at a premium. One option put forward was to remove the taxi bay on the south side of Brook Street but it is understood that the taxi trade do not want to lose. However, the area to which the applicant wanted to move the taxi bay, to the north side of the street, currently provides on-street visitor parking, and officers have been advised that the bays in question are well used, and the Parking Team do not want to lose them.

Both the GLA and TfL believes that there is potential for some cycle parking to be delivered via a re-organisation of street space on Brook Street and they strongly encourage this to be explored. They state that loss of the existing taxi rank outside the site on the southern side of Brook Street would not be acceptable without a nearby alternative being delivered. TfL requests that a solution is developed by stakeholders and delivery attached to any permission. Particularly with regard to the taxi ranking space TfL wish to review designs and proposals prior to determination.

At the time of writing the Highways Planning Manager does not think that a way has been found of accommodating the taxi rank, parking bays and short-stay cycle parking on-street. The applicant is now proposing that all the long and short stay cycle parking should be provided within the building, which he thinks is acceptable, albeit not ideal.

In the opinion of the Highways Planning Manager, a better option would be to lose the taxi rank and have some short-stay cycle parking on-street. The surveys that the applicant has carried out show that the taxi bay was only ever used a maximum of 6% of the time and even in that survey only 12 of the 19 visits to the bay over the whole day were “legitimate” (i.e. seven vehicles using the taxi bay were not taxis).

The applicant’s transport consultant’s conclusion is that all taxi bays experienced

Item No.
<b>1</b>

exceptionally low use throughout the survey, particularly the bay directly outside the application site. In contrast, the loading and parking bays were all relatively well used. This demonstrates that the taxi ranks are substantially underutilised and represent a far less efficient / beneficial use of highway space than the other bays. The taxi bay on Brook Street directly outside the application site experienced the lowest level of utilisation. Over the 3 full survey days this bay experienced just 9, 12 and 7 taxi visits respectively, corresponding to an average taxi bay occupancy of 3%. This suggests that this area could be better utilised for other purposes and to provide wider public benefits.

While the Highways Planning Manager is happy for the application to be approved as it now stands, with the short-stay cycle parking within the building as an overprovision of long-stay cycle parking, he hopes that discussions can continue with regard to some provision being made on-street. This is a matter that the Mayor of London could consider as part of the Stage 2 referral.

### Travel Plan

A Travel Plan has been submitted and forms an acceptable baseline for promoting higher levels of active travel to and from the site, including targets, monitoring and measuring of travel behaviour. The final travel plan including on-going monitoring and funding should be secured as part of any permission in line with London Plan Policy T4 (and has been included as one of the obligations to be secured as part of the s106 legal agreement).

### Stopping Up

The existing building line incorporates very minor areas of land between the existing pillars. Whilst those are not regularly traversed across, as they are immediately in front of the existing façade and between existing architectural features, the applicant acknowledges that these areas may form part of the highway. There is also a recessed entrance on the corner of Brook Street and New Bond Street, which provides the entrance into the former Fenwick department store, and although visibly demarcated to be separate from the highway on Brook Street and New Bond Street, it is again likely that this is part of the highway.

The design of the development includes the building façade for the ground floor incorporating these areas referred to above, so that the building line abuts what will commonly be understood to be the highway boundary. Under these circumstances, and in the interest of removing any potential impediment to its delivery, the stopping up of those small, isolated areas of land is sought as part of this development.

The City Council has previously accepted elsewhere that an element of stopping up is necessary where existing facades are being retained or altered, particularly where (as in this case) those small areas of land would not genuinely reduce space on the highway for pedestrians and vehicles or impede movement and traffic flow. Ample space would remain for pedestrian movement and the proposals will have no material impact whatsoever on usable footway width.

The Council's Highway Planning Manager agrees that there is some ambiguity about the status of these pieces of land. Whilst Policy 28 normally resists proposals which involve

the loss of highway, in this case the Highways Planning Manager he does not think that they serve any useful purpose as highway. Therefore he does not object to the loss of these small areas and believes that having them stopped up would remove any future doubt as to their status.

## **9.7 Economy including Employment & Skills**

Relevant City Plan Policies are Policy 1. Westminster’s Spatial Strategy, Policy 13. Supporting Economic Growth, Policy 18(D). Education and skills and Policy 19. Digital infrastructure, information and communications technology.

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 over 10,000 sq.m will be required to make a financial contribution and 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 £257,473.50 to support the Westminster Employment Service (payable prior to the commencement of development). This financial contribution would be secured by legal agreement.

The applicant has argued that the proposed development does not exceed the 10,000sqm of additional floorspace (bearing in mind the amount of floorspace that is to retained) at which an Employment and Skills Plan would be required in line with the Planning Obligations and Affordable Housing Supplementary Planning Document. Nonetheless, the applicant, recognising the aspirations of policy and the need to ensure that the development contributes to the improvement of skills and employment prospects for residents, proposes to commit to an Employment and Skills Plan, which will include over 100 apprenticeships, local jobs, work experience placements and curriculum support opportunities, with an Employment and Skills coordinator engaged for four years (three years during construction and one year post completion of the building).

A draft Employment and Skills Plan has been submitted but is subject to ongoing discussions and will be secured as part of the legal agreement.

### **Digital Infrastructure & Connectivity**

The GLA has requested that a planning condition should be secured requiring the submission of detailed plans demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development in line with London Plan Policy SI6. This condition is included as part of the draft decision letter.

**9.8 Other Considerations**

One of the residential objectors (in Maddox Street) has objected on the grounds of disturbance during building works. However, this is not valid planning grounds for refusing an application. The permission would be subject to the standard hours of work restriction and the obligation for the developer to sign up to the Council's Code of Construction Practice).

**Crime and Security**

The applicant has been in discussions with the Metropolitan Police Service (Designing Out Crime Officers) who have no objections to the proposals. However, at their request a condition is proposed requiring that the scheme achieves Secured by Design Accreditation.

**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.

Having regard to the tests set out above, the following planning obligations are considered to be necessary to make the proposed development acceptable in planning terms and are to be secured via a S106 legal agreement, as set out in the officer recommendation in Section 1:

- a) A financial contribution of £150,480 (index linked) towards the Carbon Off Set Fund (payable prior to the commencement of the development);
- b) 'Be Seen' monitoring and reporting on the actual operational energy performance of the building, including as-built and in-use stage data;
- c) A financial contribution of £257,473.50 (index linked) towards initiatives that provide local employment, training opportunities and skills development and supporting the Westminster Employment service (payable prior to the commencement of the development);
- d) An Employment and Skills Training Plan;
- e) Travel Plan and associated monitoring costs;
- f) Potential Highways Works and associated costs (eg loading bay works, relocation of taxi bay and provision of short stay cycle parking);
- g) All costs associated with stopping up parts of the highway;
- h) The costs of monitoring the S106 agreement.

The estimated Westminster CIL payment is approximately £1,623,000, whilst the estimated Mayoral CIL payment is approximately £1,209,000 . 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).

The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 requires the City Council to obtain the applicant's written agreement before imposing pre-commencement conditions (i.e. conditions which must be discharged before works can start on site) on a planning permission. Pre-commencement conditions can only be imposed without the written agreement of the applicant where the applicant fails to provide a substantive response within a 10 day period following notification by the Council of the proposed condition, the reason and justification for the condition.

During the course of this application a notice was served relating to the proposed imposition of a pre-commencement condition to secure the applicant's adherence to the City Council's Code of Construction Practice during the demolition/excavation and construction phases of the development. The applicant has agreed to the imposition of the condition. At the time of writing agreement is awaited for the whole life carbon and circular economy conditions (25 and 26).

#### **9.11 Assessment of Planning Balance**

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.

Similarly, the GLA's conservation conclusions refer to NPPF Paragraph 202, which states that "where a development proposal will 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..." The GLA considers that the proposed development does cause harm to the heritage assets and that it is contrary to The London Plan Policy HC1 Heritage conservation and growth Part C: "Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings". However, the GLA believes that this could be outweighed by the public benefits of the proposals, which will be assessed at the Mayor's decision making stage.

When undertaking this weighing exercise, the Sub-Committee must fulfil its statutory duties within Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as set out within Section 9.4 of this report) and give great weight to the conservation of heritage assets, irrespective of the degree of harm. Any harm needs to be clearly and convincingly justified.

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

- Substantial contribution towards the City Council's growth policy objectives and targets within the heart of the Central Activities Zone (CAZ) through the delivery of over 16,000 sqm (GIA) of new Grade A office space (including a net uplift of over 8,500 sqm), assisting Westminster City Council to meet its target for office space growth;
- The provision of new high quality retail accommodation, which will support and enhance this part of the West End to compete with other global shopping destinations, in accordance with strategic policy,
- Improved quality active frontages, encouraging increased activity, vitality and vibrancy at street level;
- The creation of a package of employment and training benefits within Section 106 financial obligations, including an Employment and Skills Training plan, which will include over 100 apprenticeships, local jobs, work experience placements and curriculum support opportunities, with an Employment and Skills coordinator engaged for four years. A draft Employment and Skills Plan has been submitted with the application and is subject to on-going discussion with the Council's Economic Regeneration Team.
- Significant employment opportunities in the local area, both during the construction and during the whole lifetime of the building. The applicant estimates that the proposed development would provide 415 construction jobs during a three year construction period and 1,120 gross direct jobs on site upon completion, representing an uplift of 560 compared to the existing site, resulting in net additional economic activity and tax revenues each year;
- The delivery of a highly sustainable scheme, retaining around half of the existing structure and three quarters of the historic facades, embracing the net zero carbon and wider sustainability and environmental performance objectives;



Item No.
<b>1</b>

- Delivery of high quality, well-designed buildings which will enhance the character and appearance of the surrounding area and preserve the Mayfair Conservation Area;
- Significantly increased urban greening and biodiversity, with the provision of over 1,100 sqm of greenery across the new terraces;
- The provision of a car free development which encourages sustainable transport modes, particularly cycling and walking, including the provision of new end-of-trip facilities (including showers and bicycle storage) for employees in the building;
- The removal of fossil fuel use from the building, to create an entirely electrically powered new building;
- Significant enhancements to the accessibility and inclusivity of the building; and,
- A Community Infrastructure Levy contribution of over £2.8 million.

The public benefits summarised above would be significant. Consequently, they are considered to be sufficient to outweigh the less than substantial heritage harm detailed in paragraph 9.4 above, in compliance with paragraph 208 in the NPPF. Furthermore, the heritage harm has been kept to the minimum necessary to deliver the proposed development and the public benefits that flow from it. For these reasons, clear and convincing justification has been demonstrated for the harm caused to the designated heritage assets, in compliance with 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.

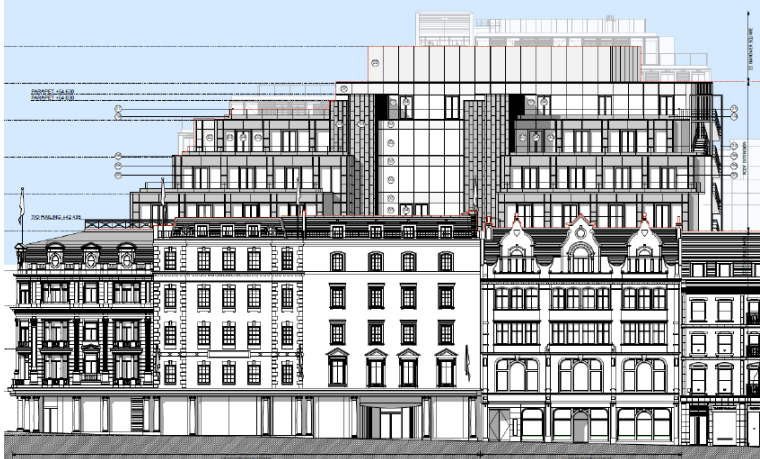
Having regard to this assessment, it has found that the proposed development would be consistent with the relevant policies in the City Plan 2019-2040, the London Plan 2021, the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is recommended that planning permission is granted, subject the conditions listed at the end of this report and completion of a Section 106 agreement to secure the obligations identified above to make the development acceptable.

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

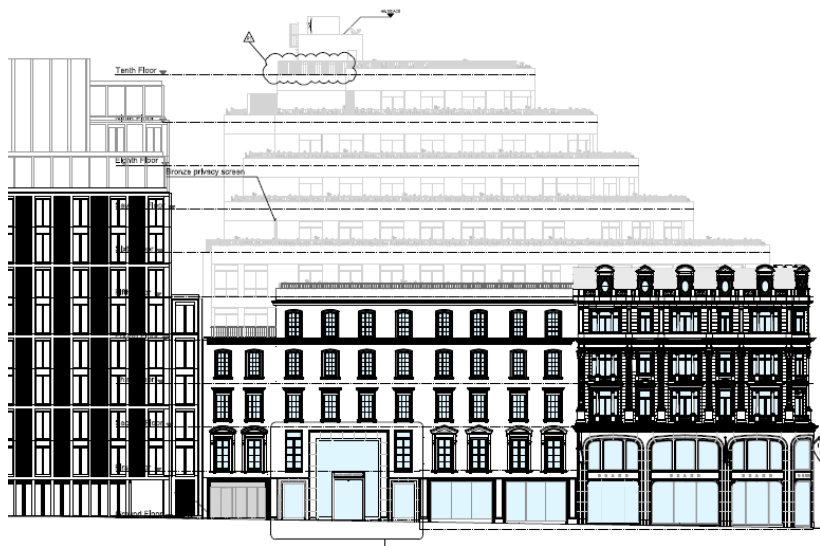
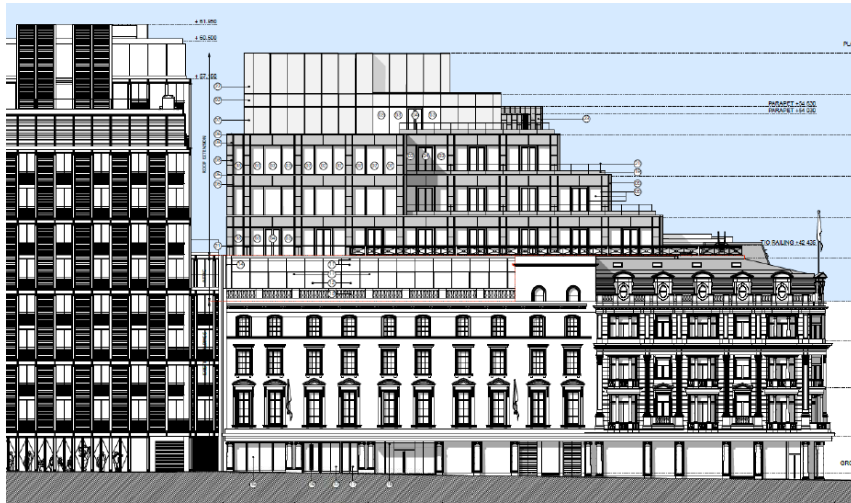
<b>IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: PAUL QUAYLE BY EMAIL AT <a href="mailto:pquayle@westminster.gov.uk">pquayle@westminster.gov.uk</a></b>
--

11. KEY DRAWINGS

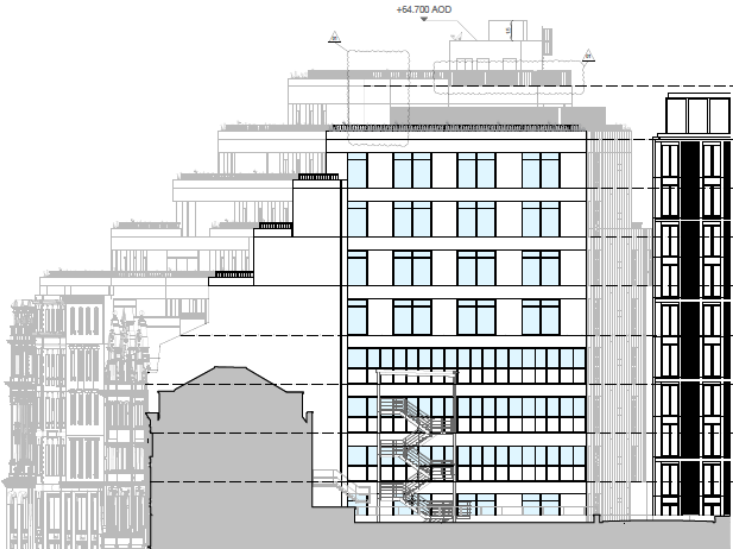
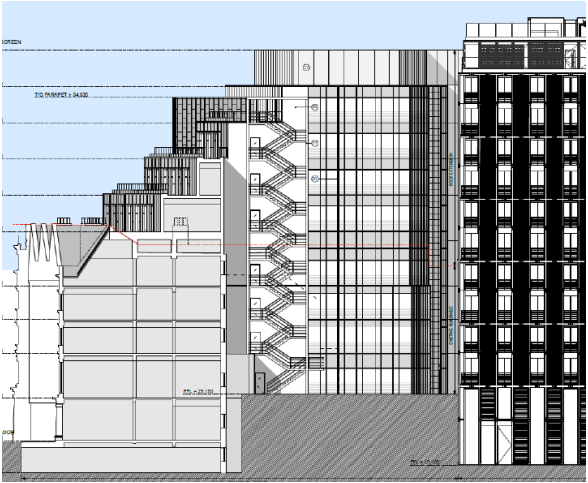
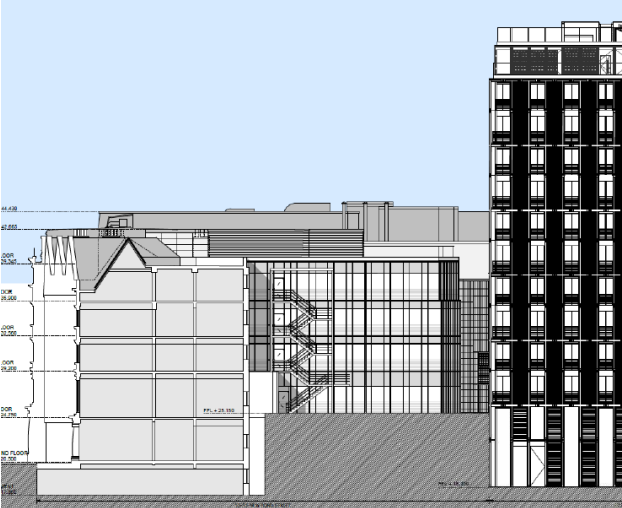
New Bond Street elevation – existing, approved and proposed



Brook Street – existing, approved and proposed



South elevation – existing, approved and proposed



Proposed basement



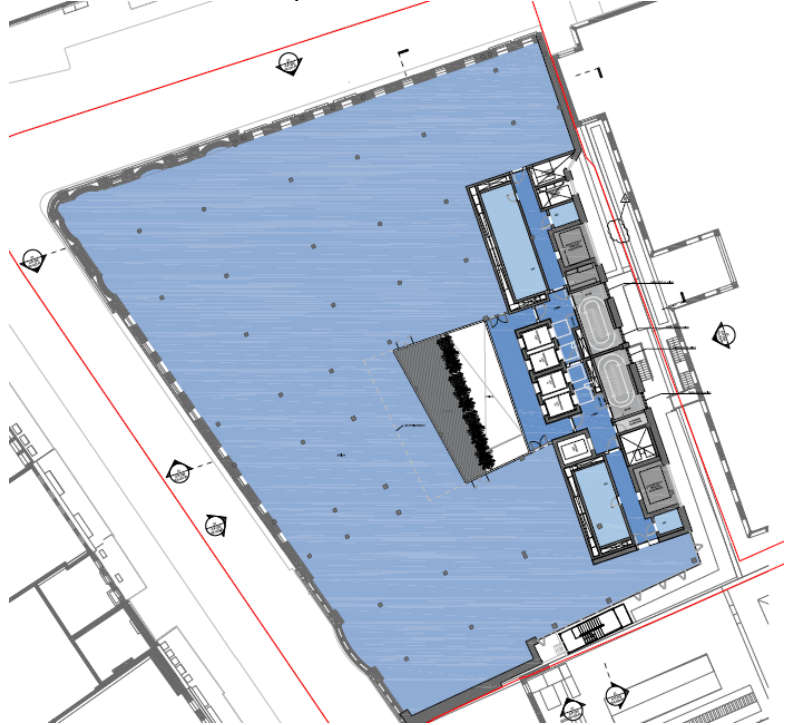


Proposed ground floor

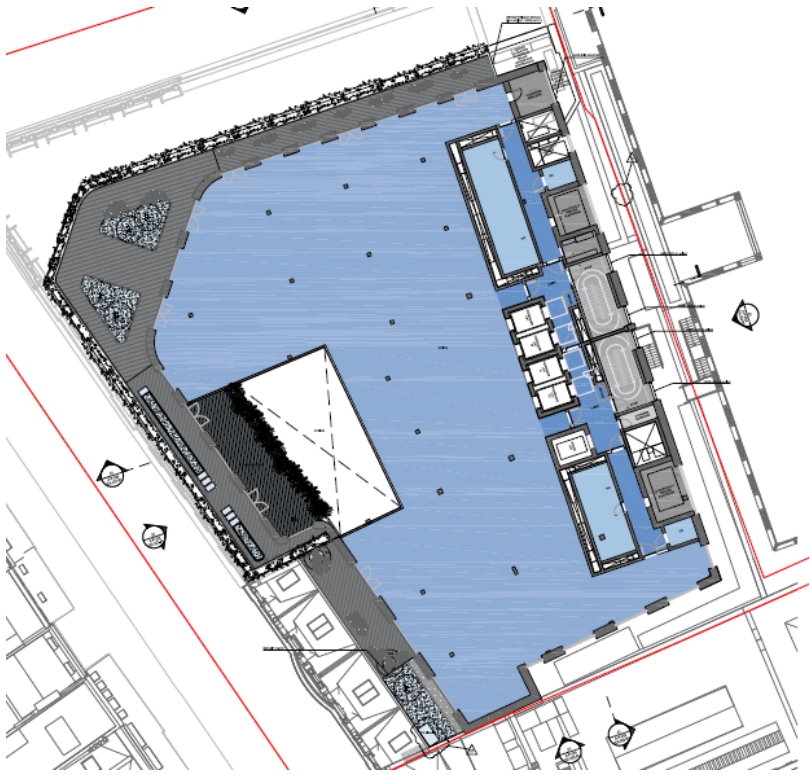




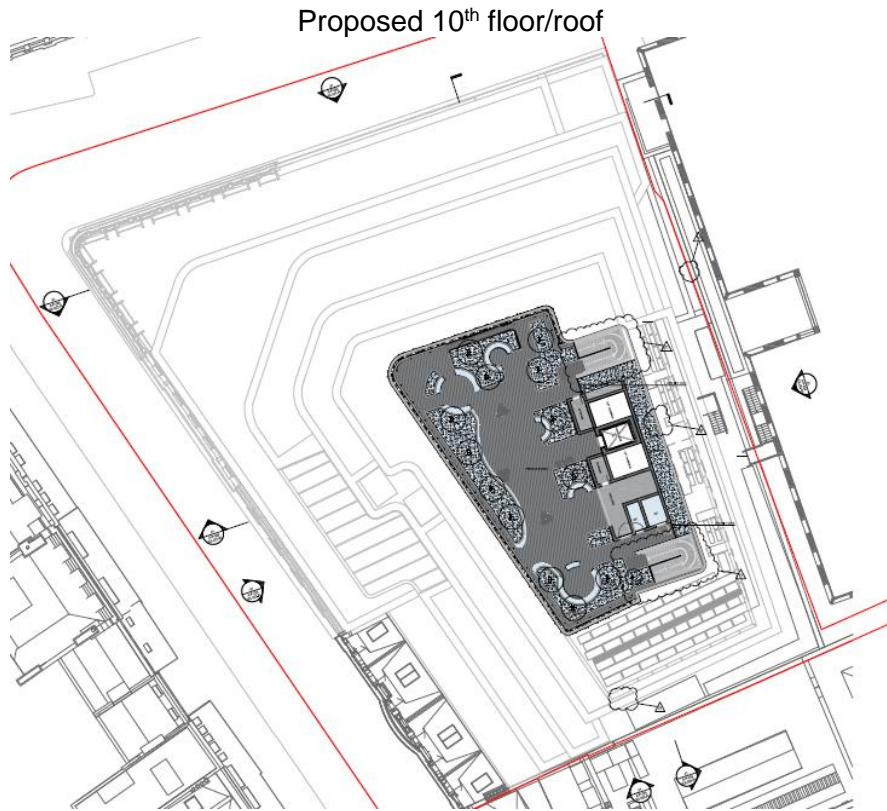
Proposed Second floor



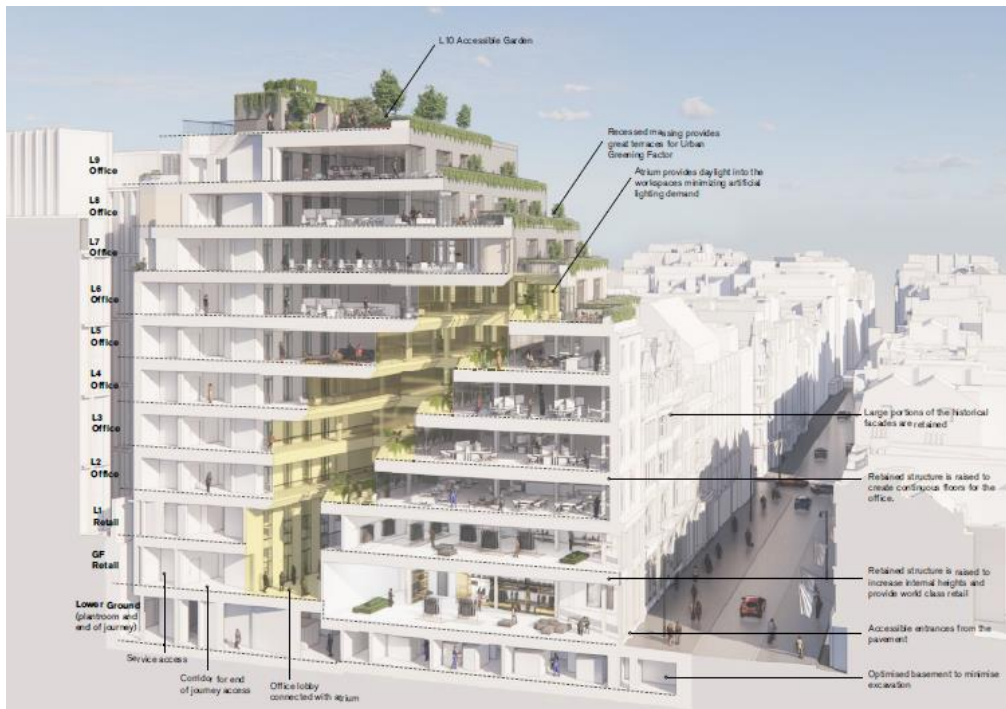
Proposed Sixth floor







Cross sectional view showing atrium



£D montage aerial view



### Appendix A

			Existing vs Proposed				Consented vs Proposed			
Room	Room Use	Window	Existing VSC	Proposed VSC	Loss	%Loss	Consented VSC	Proposed VSC	Loss	%Loss
16-18 BROOK STREET										
R1/32	BEDROOM	W1/32	28.4	25.2	3.2	11.3	27.7	25.2	2.5	9.1
R1/32	BEDROOM	W2/32	28.1	24.6	3.5	12.4	27.4	24.6	2.7	9.9
R2/32	BEDROOM	W3/32	27.6	23.7	3.9	14.1	26.7	23.7	3.0	11.1
R2/32	BEDROOM	W4/32	27.2	23.2	4.1	15.0	26.3	23.2	3.1	11.8
R3/32	BEDROOM	W5/32	26.6	22.3	4.3	16.2	25.5	22.3	3.2	12.5
R3/32	BEDROOM	W6/32	26.6	22.1	4.6	17.1	25.3	22.1	3.3	12.9
R3/32	BEDROOM	W7/32	26.6	22.0	4.6	17.3	25.2	22.0	3.2	12.8
R1/33	ASSUMED_BEDROOM	W1/33	31.6	28.2	3.4	10.7	30.9	28.2	2.7	8.7
R1/33	ASSUMED_BEDROOM	W2/33	31.8	28.0	3.8	11.9	31.0	28.0	3.0	9.7
R2/33	ASSUMED_BEDROOM	W3/33	31.2	27.0	4.2	13.3	30.3	27.0	3.3	10.9
R2/33	ASSUMED_BEDROOM	W4/33	28.1	23.6	4.4	15.8	27.1	23.6	3.5	12.8
R3/33	ASSUMED_BEDROOM	W5/33	20.1	15.4	4.8	23.6	19.0	15.4	3.6	19.1
R3/33	ASSUMED_BEDROOM	W6/33	27.0	22.0	5.0	18.5	25.6	22.0	3.6	14.1
R3/33	ASSUMED_BEDROOM	W7/33	30.4	25.2	5.2	17.0	28.8	25.2	3.6	12.5
R1/34	ASSUMED_BEDROOM	W1/34	35.7	32.4	3.3	9.2	34.9	32.4	2.5	7.1
R2/34	ASSUMED_BEDROOM	W2/34	33.9	30.1	3.8	11.3	33.1	30.1	3.0	9.0
R2/34	ASSUMED_BEDROOM	W3/34	33.4	29.1	4.3	13.0	32.5	29.1	3.4	10.4
R3/34	ASSUMED_BEDROOM	W4/34	33.3	28.6	4.7	14.0	32.2	28.6	3.6	11.0
R3/34	ASSUMED_BEDROOM	W5/34	32.1	27.9	4.1	12.9	30.9	27.9	2.9	9.5
R3/34	ASSUMED_BEDROOM	W6/34	33.1	28.2	4.9	14.8	31.8	28.2	3.6	11.3
R1/212	LKD	W1/212	25.5	25.5	0.0	0.0	25.5	25.5	0.0	0.0
R1/212	LKD	W2/212	26.5	26.5	0.0	0.0	26.5	26.5	0.0	0.0
R1/212	LKD	W3/212	28.3	28.3	0.0	0.0	28.3	28.3	0.0	0.0

Item No.
<b>1</b>

R1/212	LKD	W4/212	29.2	29.1	0.1	0.4	29.2	29.1	0.1	0.4
R1/212	LKD	W5/212	28.2	28.2	0.0	0.0	28.2	28.2	0.0	0.0
R1/212	LKD	W6/212	28.8	28.0	0.8	2.9	28.7	28.0	0.8	2.6
R1/212	LKD	W7/212	29.2	26.9	2.3	7.7	28.7	26.9	1.8	6.1
R1/212	LKD	W8/212	25.9	23.1	2.8	10.8	25.2	23.1	2.0	8.0
R1/213	ASSUMED_LKD	W1/213	28.4	28.4	0.0	0.0	28.4	28.4	0.0	0.0
R1/213	ASSUMED_LKD	W2/213	30.0	30.0	0.0	0.0	30.0	30.0	0.0	0.0
R1/213	ASSUMED_LKD	W3/213	31.5	31.5	0.0	0.0	31.5	31.5	0.0	0.0
R1/213	ASSUMED_LKD	W4/213	31.8	31.7	0.1	0.3	31.8	31.7	0.1	0.3
R1/213	ASSUMED_LKD	W5/213	30.1	30.1	0.0	0.0	30.1	30.1	0.0	0.0
R1/213	ASSUMED_LKD	W6/213	30.6	29.7	0.9	3.0	30.5	29.7	0.8	2.7
R1/213	ASSUMED_LKD	W7/213	31.8	29.2	2.5	8.0	31.2	29.2	2.0	6.3
R1/213	ASSUMED_LKD	W8/213	28.1	25.0	3.1	11.1	27.3	25.0	2.3	8.5
R1/214	ASSUMED_LKD	W1/214	17.8	17.8	0.0	0.0	17.8	17.8	0.0	0.0
R1/214	ASSUMED_LKD	W2/214	23.9	23.9	0.0	0.0	23.9	23.9	0.0	0.0
R1/214	ASSUMED_LKD	W3/214	18.0	18.0	0.0	0.0	18.0	18.0	0.0	0.0
R1/214	ASSUMED_LKD	W4/214	21.8	21.4	0.5	2.1	21.8	21.4	0.4	1.8
R1/214	ASSUMED_LKD	W5/214	27.0	26.6	0.4	1.5	27.0	26.6	0.4	1.5

Room	Room Use	Window	Existing VSC	Proposed VSC	Loss	%Loss	Consented VSC	Proposed VSC	Loss	%Loss
R1/214	ASSUMED_LKD	W6/214	21.7	21.1	0.5	2.4	21.5	21.1	0.4	1.7
21 HANOVER SQUARE										
R4/72	DINING	W4/72	17.1	17.1	0.0	0.2	17.1	17.1	0.0	0.0
R4/72	DINING	W5/72	32.8	32.8	0.0	0.0	32.8	32.8	0.0	0.0
R4/72	DINING	W6/72	33.1	33.1	0.0	0.0	33.1	33.1	0.0	0.0
R1/73	BEDROOM	W1/73	26.2	26.2	0.0	0.0	26.2	26.2	0.0	0.0
R1/73	BEDROOM	W2/73	81.5	81.5	0.0	0.0	81.5	81.5	0.0	0.0
R1/73	BEDROOM	W3/73	14.4	14.4	0.0	0.0	14.4	14.4	0.0	0.0
R1/73	BEDROOM	W4/73	85.9	85.9	0.0	0.0	85.9	85.9	0.0	0.0
R1/73	BEDROOM	W5/73	36.2	36.2	0.0	0.0	36.2	36.2	0.0	0.0
R1/73	BEDROOM	W6/73	14.5	14.5	0.0	0.0	14.5	14.5	0.0	0.0
R1/73	BEDROOM	W7/73	28.2	27.3	0.9	3.0	27.6	27.3	0.2	0.8
R1/73	BEDROOM	W8/73	83.3	83.4	-0.2	-0.2	82.8	83.4	-0.6	-0.8
R1/73	BEDROOM	W9/73	81.8	82.0	-0.2	-0.2	81.3	82.0	-0.7	-0.8
R1/73	BEDROOM	W10/73	25.8	24.7	1.1	4.1	25.0	24.7	0.3	1.0

22 HANOVER SQUARE											
R6/10	JUNIOR SUITE	W11/10	2.9	0.8	2.1	72.5	0.7	0.8	-0.1	-14.5	
R6/10	JUNIOR SUITE	W12/10	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
R7/10	GUEST ROOM	W13/10	2.3	0.8	1.6	66.7	0.8	0.8	0.0	-2.6	
R8/10	GUEST ROOM	W14/10	3.0	1.2	1.9	62.2	1.0	1.2	-0.1	-13.9	
R9/10	JUNIOR SUITE	W15/10	3.3	1.5	1.7	53.1	1.4	1.5	-0.1	-7.7	
R9/10	JUNIOR SUITE	W16/10	4.0	2.4	1.6	39.7	2.4	2.4	-0.1	-3.4	
R10/10	JUNIOR SUITE	W17/10	6.4	4.9	1.5	23.2	5.1	4.9	0.2	3.0	
R10/10	JUNIOR SUITE	W18/10	11.6	11.5	0.1	0.7	11.4	11.5	-0.1	-0.4	
R10/10	JUNIOR SUITE	W19/10	10.7	10.6	0.0	0.3	10.6	10.6	-0.1	-0.9	
R1/11	BEDROOM	W1/11	21.7	21.7	0.0	0.0	21.7	21.7	0.0	-0.1	
R1/11	BEDROOM	W2/11	5.8	5.8	0.0	-0.5	4.5	5.8	-1.3	-27.8	
R2/11	BEDROOM	W3/11	5.3	2.9	2.4	44.9	2.7	2.9	-0.3	-10.2	
R3/11	STUDIO	W4/11	2.0	0.5	1.5	74.3	0.4	0.5	-0.1	-33.3	
R4/11	STUDIO	W5/11	3.5	0.8	2.7	77.5	0.6	0.8	-0.2	-36.8	
R5/11	LKD	W6/11	4.0	0.9	3.2	78.4	0.6	0.9	-0.2	-38.1	
R5/11	LKD	W7/11	4.4	0.9	3.5	79.3	0.7	0.9	-0.2	-33.3	
R5/11	LKD	W8/11	4.1	0.7	3.4	82.1	0.8	0.7	0.0	2.7	
R5/11	LKD	W9/11	2.0	0.3	1.7	83.7	0.4	0.3	0.0	5.7	
R6/11	JUNIOR SUITE	W10/11	2.2	0.6	1.7	75.1	0.4	0.6	-0.1	-25.0	
R6/11	JUNIOR SUITE	W11/11	3.8	1.3	2.6	66.8	0.9	1.3	-0.4	-42.7	
R6/11	JUNIOR SUITE	W12/11	4.9	1.0	3.9	80.2	0.8	1.0	-0.2	-18.5	
R7/11	JUNIOR SUITE	W13/11	4.9	1.0	3.9	79.6	0.9	1.0	-0.1	-13.6	
R7/11	JUNIOR SUITE	W14/11	4.9	1.1	3.8	78.1	1.0	1.1	-0.1	-10.4	

Room	Room Use	Window	Existing VSC	Proposed VSC	Loss	%Loss	Consented VSC	Proposed VSC	Loss	%Loss
R8/11	GUEST ROOM	W15/11	4.8	1.2	3.6	75.8	1.1	1.2	-0.1	-7.4
R9/11	GUEST ROOM	W16/11	4.8	1.4	3.3	70.3	1.3	1.4	-0.2	-11.9
R10/11	JUNIOR SUITE	W17/11	4.9	1.9	3.0	61.7	1.8	1.9	-0.1	-7.4
R10/11	JUNIOR SUITE	W18/11	5.8	3.0	2.8	47.7	2.9	3.0	-0.1	-4.1
R11/11	JUNIOR SUITE	W19/11	9.0	6.7	2.3	25.1	6.7	6.7	0.0	-0.4
R11/11	JUNIOR SUITE	W20/11	15.0	14.9	0.0	0.2	14.8	14.9	-0.2	-1.0
R11/11	JUNIOR SUITE	W21/11	14.8	14.8	0.1	0.4	14.7	14.8	-0.1	-0.8
R13/11	BEDROOM	W23/11	1.6	0.3	1.3	81.5	0.3	0.3	0.0	3.3
R1/12	BEDROOM	W1/12	24.9	24.9	0.0	0.0	24.9	24.9	0.0	-0.1
R1/12	BEDROOM	W2/12	6.7	6.8	-0.1	-1.5	5.3	6.8	-1.5	-28.3
R2/12	BEDROOM	W3/12	6.8	3.3	3.5	51.2	3.0	3.3	-0.3	-10.3
R3/12	STUDIO	W4/12	3.2	0.7	2.5	78.3	0.5	0.7	-0.2	-40.0
R4/12	STUDIO	W5/12	6.2	1.1	5.1	82.3	0.8	1.1	-0.3	-44.7
R5/12	LKD	W6/12	7.3	1.2	6.1	83.6	0.8	1.2	-0.4	-41.7
R5/12	LKD	W7/12	7.9	1.2	6.7	84.3	0.9	1.2	-0.3	-37.8
R5/12	LKD	W8/12	5.8	0.9	4.9	83.9	1.0	0.9	0.0	3.1
R5/12	LKD	W9/12	3.0	0.4	2.5	85.1	0.5	0.4	0.0	6.4
R6/12	JUNIOR SUITE	W10/12	3.3	0.8	2.5	77.1	0.6	0.8	-0.2	-25.0
R6/12	JUNIOR SUITE	W11/12	5.7	1.7	4.0	70.0	1.2	1.7	-0.5	-43.3
R6/12	JUNIOR SUITE	W12/12	8.3	1.2	7.1	85.4	1.0	1.2	-0.2	-17.5
R7/12	JUNIOR SUITE	W13/12	8.1	1.3	6.9	84.6	1.1	1.3	-0.2	-13.6
R7/12	JUNIOR SUITE	W14/12	7.9	1.3	6.6	83.7	1.2	1.3	-0.1	-8.4
R8/12	GUEST ROOM	W15/12	7.7	1.4	6.3	81.6	1.3	1.4	-0.1	-6.0
R9/12	GUEST ROOM	W16/12	7.5	1.7	5.8	77.5	1.5	1.7	-0.2	-9.7

R10/12	JUNIOR SUITE	W17/12	7.6	2.3	5.4	70.3	2.1	2.3	-0.1	-6.6
R10/12	JUNIOR SUITE	W18/12	8.5	3.6	4.9	57.4	3.5	3.6	-0.1	-3.4
R11/12	JUNIOR SUITE	W19/12	11.9	7.9	4.0	33.6	7.9	7.9	0.0	-0.3
R11/12	JUNIOR SUITE	W20/12	18.3	18.3	0.1	0.4	18.1	18.3	-0.2	-1.0
R11/12	JUNIOR SUITE	W21/12	18.2	18.1	0.1	0.5	18.0	18.1	-0.1	-0.7
R13/12	BEDROOM	W23/12	2.2	0.4	1.9	83.0	0.4	0.4	0.0	5.0
R1/13	BEDROOM	W1/13	27.6	27.6	0.0	0.0	27.6	27.6	0.0	-0.1
R1/13	BEDROOM	W2/13	8.2	8.7	-0.5	-5.5	6.6	8.7	-2.1	-32.5
R2/13	BEDROOM	W3/13	8.9	3.9	5.1	56.8	3.5	3.9	-0.4	-11.2
R3/13	STUDIO	W4/13	5.5	1.0	4.5	81.7	0.7	1.0	-0.3	-51.5
R4/13	STUDIO	W5/13	12.1	1.6	10.5	86.6	1.1	1.6	-0.6	-53.8

Room	Room Use	Window	Existing VSC	Proposed VSC	Loss	%Loss	Consented VSC	Proposed VSC	Loss	%Loss
R5/13	LKD	W6/13	14.2	1.7	12.5	88.0	1.2	1.7	-0.6	-48.7
R5/13	LKD	W7/13	15.3	1.7	13.5	88.8	1.2	1.7	-0.5	-40.2
R5/13	LKD	W8/13	8.4	1.2	7.2	85.3	1.3	1.2	0.1	3.9
R5/13	LKD	W9/13	4.1	0.6	3.5	85.4	0.6	0.6	0.0	6.3
R6/13	JUNIOR SUITE	W10/13	4.4	1.0	3.4	76.5	0.9	1.0	-0.2	-19.8
R6/13	JUNIOR SUITE	W11/13	8.6	2.4	6.2	72.4	1.7	2.4	-0.7	-42.2
R6/13	JUNIOR SUITE	W12/13	14.9	1.6	13.3	89.6	1.3	1.6	-0.2	-17.4
R7/13	JUNIOR SUITE	W13/13	14.1	1.6	12.5	88.9	1.4	1.6	-0.2	-11.4
R7/13	JUNIOR SUITE	W14/13	13.4	1.6	11.8	88.1	1.5	1.6	-0.1	-7.4
R8/13	GUEST ROOM	W15/13	13.0	1.7	11.3	86.8	1.7	1.7	-0.1	-4.2
R9/13	GUEST ROOM	W16/13	12.8	2.0	10.8	84.1	1.9	2.0	-0.1	-7.4
R10/13	JUNIOR SUITE	W17/13	12.9	2.7	10.2	79.0	2.6	2.7	-0.1	-5.4



R10/13	JUNIOR SUITE	W18/13	13.7	4.3	9.4	68.8	4.2	4.3	-0.1	-2.2
R11/13	JUNIOR SUITE	W19/13	16.8	9.1	7.7	45.8	9.1	9.1	0.0	-0.1
R11/13	JUNIOR SUITE	W20/13	22.4	22.3	0.2	0.7	22.1	22.3	-0.2	-0.9
R11/13	JUNIOR SUITE	W21/13	22.2	22.1	0.1	0.6	22.0	22.1	-0.1	-0.5
R13/13	BEDROOM	W23/13	3.0	0.5	2.5	82.9	0.6	0.5	0.0	7.3
R1/14	BEDROOM	W1/14	30.2	30.1	0.0	0.0	30.1	30.1	0.0	0.0
R1/14	BEDROOM	W2/14	14.0	15.4	-1.4	-10.0	12.3	15.4	-3.2	-25.8
R2/14	BEDROOM	W3/14	11.3	4.6	6.7	59.5	4.1	4.6	-0.5	-12.8
R3/14	STUDIO	W4/14	8.9	1.6	7.2	81.5	0.9	1.6	-0.7	-76.3
R4/14	STUDIO	W5/14	20.9	2.6	18.3	87.5	1.6	2.6	-1.0	-63.1
R5/14	LKD	W6/14	23.7	2.6	21.1	89.0	1.7	2.6	-0.9	-55.7
R5/14	LKD	W7/14	25.0	2.5	22.5	90.0	1.7	2.5	-0.8	-44.8
R5/14	LKD	W8/14	11.3	1.7	9.7	85.4	1.8	1.7	0.1	5.7
R5/14	LKD	W9/14	5.5	0.8	4.6	84.7	0.9	0.8	0.1	7.7
R6/14	JUNIOR SUITE	W10/14	5.6	1.5	4.1	73.5	1.3	1.5	-0.2	-16.4
R6/14	JUNIOR SUITE	W11/14	11.2	3.3	7.9	70.6	2.4	3.3	-0.9	-38.1
R6/14	JUNIOR SUITE	W12/14	24.3	2.1	22.3	91.6	1.8	2.1	-0.3	-17.1
R7/14	JUNIOR SUITE	W13/14	23.3	2.0	21.3	91.4	1.8	2.0	-0.2	-10.4
R7/14	JUNIOR SUITE	W14/14	22.9	2.0	20.9	91.2	1.9	2.0	-0.1	-4.7
R8/14	GUEST ROOM	W15/14	23.2	2.1	21.1	90.8	2.1	2.1	0.0	-1.4
R9/14	GUEST ROOM	W16/14	23.7	2.5	21.2	89.5	2.4	2.5	-0.1	-4.2
R10/14	JUNIOR SUITE	W17/14	23.9	3.3	20.7	86.3	3.2	3.3	-0.1	-3.8
R10/14	JUNIOR SUITE	W18/14	24.3	5.1	19.2	79.2	5.0	5.1	0.0	-0.8
R11/14	JUNIOR SUITE	W19/14	26.1	10.5	15.6	59.7	10.5	10.5	0.0	0.2
R11/14	JUNIOR SUITE	W20/14	27.0	26.8	0.2	0.8	26.6	26.8	-0.2	-0.8
R11/14	JUNIOR SUITE	W21/14	26.9	26.7	0.2	0.6	26.6	26.7	-0.1	-0.5



Room	Room Use	Window	Existing VSC	Proposed VSC	Loss	%Loss	Consented VSC	Proposed VSC	Loss	%Loss
R13/14	BEDROOM	W23/14	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
R1/15	BEDROOM	W1/15	32.2	32.2	0.0	0.0	32.2	32.2	0.0	0.0
R1/15	BEDROOM	W2/15	25.3	23.2	2.1	8.3	24.2	23.2	1.1	4.4
R2/15	BEDROOM	W3/15	15.2	5.8	9.4	62.1	4.9	5.8	-0.8	-17.1
R3/15	STUDIO	W4/15	19.1	3.5	15.6	81.8	1.5	3.5	-2.0	-127.5
R4/15	STUDIO	W5/15	31.0	4.4	26.6	85.9	2.5	4.4	-1.9	-73.4
R5/15	LKD	W6/15	32.4	4.1	28.4	87.5	2.5	4.1	-1.6	-62.4
R5/15	LKD	W7/15	33.4	3.7	29.7	88.8	2.5	3.7	-1.2	-48.6
R5/15	LKD	W8/15	14.0	2.3	11.8	83.7	2.5	2.3	0.2	6.9
R5/15	LKD	W9/15	6.8	1.2	5.6	82.3	1.3	1.2	0.1	9.0
R6/15	JUNIOR SUITE	W10/15	6.9	2.2	4.6	67.7	2.0	2.2	-0.2	-11.1
R6/15	JUNIOR SUITE	W11/15	13.4	4.6	8.8	65.6	3.5	4.6	-1.1	-30.7
R6/15	JUNIOR SUITE	W12/15	34.2	2.8	31.4	91.9	2.4	2.8	-0.4	-14.5
R7/15	JUNIOR SUITE	W13/15	34.0	2.6	31.4	92.2	2.5	2.6	-0.2	-7.3
R7/15	JUNIOR SUITE	W14/15	34.1	2.6	31.5	92.3	2.6	2.6	0.0	-1.2
R8/15	GUEST ROOM	W15/15	34.4	2.7	31.6	92.1	2.8	2.7	0.1	2.2
R9/15	GUEST ROOM	W16/15	34.6	3.1	31.5	91.0	3.1	3.1	0.0	-0.3
R10/15	JUNIOR SUITE	W17/15	34.8	4.0	30.8	88.5	4.0	4.0	0.0	-1.0
R10/15	JUNIOR SUITE	W18/15	34.9	5.9	28.9	83.0	6.0	5.9	0.1	1.7
R11/15	JUNIOR SUITE	W19/15	35.0	11.9	23.1	66.0	12.0	11.9	0.1	0.8
R11/15	JUNIOR SUITE	W20/15	31.9	31.6	0.3	0.8	31.4	31.6	-0.2	-0.6
R11/15	JUNIOR SUITE	W21/15	31.7	31.6	0.2	0.6	31.5	31.6	-0.1	-0.3
R13/15	BEDROOM	W23/15	4.8	1.0	3.8	78.7	1.1	1.0	0.1	7.3

Item No.
<b>1</b>

R1/16	LKD	W1/16	34.0	34.0	0.0	0.0	34.0	34.0	0.0	0.0
R1/16	LKD	W2/16	33.8	33.8	0.0	0.0	33.8	33.8	0.0	0.0
R1/16	LKD	W3/16	37.3	30.3	7.1	19.0	27.7	30.3	-2.6	-9.4
R1/16	LKD	W4/16	37.3	24.2	13.1	35.2	23.4	24.2	-0.8	-3.6
R1/16	LKD	W5/16	37.2	12.4	24.8	66.6	13.3	12.4	0.9	6.8
R2/16	BEDROOM	W6/16	37.0	9.3	27.7	74.9	4.7	9.3	-4.6	-99.8
R3/16	LD	W7/16	37.0	8.0	29.0	78.3	3.9	8.0	-4.1	-105.1
R4/16	BEDROOM	W8/16	37.4	7.1	30.2	80.9	4.1	7.1	-3.1	-75.4
R5/16	LKD	W9/16	37.7	6.4	31.4	83.1	4.1	6.4	-2.3	-55.5
R5/16	LKD	W10/16	38.1	5.6	32.4	85.2	4.0	5.6	-1.6	-40.6
R5/16	LKD	W11/16	15.3	3.3	12.0	78.7	3.6	3.3	0.3	8.9
R5/16	LKD	W12/16	7.5	1.8	5.7	75.8	2.0	1.8	0.1	7.1
R6/16	BEDROOM	W13/16	8.3	3.5	4.9	58.3	3.3	3.5	-0.2	-5.8
R6/16	BEDROOM	W14/16	15.5	6.6	8.9	57.5	5.5	6.6	-1.2	-21.1

Room	Room Use	Window	Existing VSC	Proposed VSC	Loss	%Loss	Consented VSC	Proposed VSC	Loss	%Loss
R6/16	BEDROOM	W15/16	38.5	3.8	34.7	90.1	3.5	3.8	-0.3	-8.0
R7/16	LKD	W16/16	38.6	3.6	35.1	90.7	3.5	3.6	0.0	-1.1
R8/16	BEDROOM	W17/16	38.7	3.5	35.2	90.9	3.7	3.5	0.2	4.3
R9/16	LD	W18/16	38.7	3.6	35.1	90.7	3.9	3.6	0.3	6.7
R10/16	BEDROOM	W19/16	38.8	4.0	34.7	89.6	4.2	4.0	0.2	4.7
R11/16	BEDROOM	W20/16	38.7	5.0	33.8	87.1	5.2	5.0	0.2	3.1
R12/16	BEDROOM	W21/16	38.7	7.1	31.6	81.6	7.4	7.1	0.3	3.8
R12/16	BEDROOM	W22/16	38.6	13.4	25.2	65.4	13.6	13.4	0.2	1.8
R12/16	BEDROOM	W23/16	36.5	36.2	0.3	0.7	36.0	36.2	-0.2	-0.4
R13/16	BEDROOM	W24/16	5.3	1.5	3.7	71.0	1.6	1.5	0.1	3.8

R1/17	LKD	W1/17	35.3	35.3	0.0	0.0	35.3	35.3	0.0	0.0
R1/17	LKD	W2/17	35.1	35.1	0.0	0.0	35.1	35.1	0.0	0.0
R1/17	LKD	W3/17	38.6	32.7	5.9	15.3	30.6	32.7	-2.1	-7.0
R1/17	LKD	W4/17	38.7	30.9	7.9	20.3	25.7	30.9	-5.1	-20.0
R1/17	LKD	W5/17	38.8	24.9	13.9	35.8	14.8	24.9	-10.1	-68.0
R2/17	BEDROOM	W6/17	38.9	18.1	20.8	53.5	6.9	18.1	-11.2	-161.4
R3/17	LD	W7/17	39.0	14.2	24.9	63.7	7.1	14.2	-7.1	-99.6
R4/17	BEDROOM	W8/17	39.1	11.8	27.3	69.9	7.7	11.8	-4.1	-53.4
R5/17	LKD	W9/17	39.1	10.1	29.1	74.2	7.6	10.1	-2.5	-33.3
R5/17	LKD	W10/17	39.2	8.7	30.5	77.9	7.1	8.7	-1.6	-22.1
R5/17	LKD	W11/17	16.0	4.8	11.2	69.9	5.4	4.8	0.6	10.6
R5/17	LKD	W12/17	8.0	2.8	5.1	64.3	2.9	2.8	0.1	3.1
R6/17	BEDROOM	W13/17	10.2	5.8	4.4	42.8	5.7	5.8	-0.1	-1.7
R6/17	BEDROOM	W14/17	17.8	9.8	8.0	44.9	8.9	9.8	-0.9	-10.6
R6/17	BEDROOM	W15/17	39.3	5.5	33.8	86.1	5.5	5.5	0.0	0.5
R7/17	LKD	W16/17	39.3	5.1	34.2	87.0	5.5	5.1	0.4	6.6
R8/17	BEDROOM	W17/17	39.3	5.0	34.3	87.2	5.6	5.0	0.6	10.6
R9/17	LD	W18/17	39.4	5.1	34.2	87.0	5.9	5.1	0.7	12.6
R10/17	BEDROOM	W19/17	39.4	5.5	33.9	86.0	6.2	5.5	0.7	11.3
R11/17	BEDROOM	W20/17	39.4	6.5	32.9	83.5	7.1	6.5	0.7	9.1
R12/17	BEDROOM	W21/17	39.4	8.7	30.8	78.0	9.4	8.7	0.7	7.8
R12/17	BEDROOM	W22/17	39.4	15.0	24.5	62.1	15.6	15.0	0.6	3.9
R12/17	BEDROOM	W23/17	39.6	39.3	0.2	0.6	39.2	39.3	-0.1	-0.3
R13/17	BEDROOM	W24/17	5.7	2.3	3.4	59.3	2.4	2.3	0.1	2.1
R1/18	LKD	W1/18	36.3	36.3	0.0	0.0	36.3	36.3	0.0	0.0

Room	Room Use	Window	Existing VSC	Proposed VSC	Loss	%Loss	Consented VSC	Proposed VSC	Loss	%Loss
R1/18	LKD	W2/18	36.1	36.1	0.0	0.0	36.1	36.1	0.0	0.0
R1/18	LKD	W3/18	38.8	34.5	4.4	11.2	34.5	34.5	0.1	0.3
R1/18	LKD	W4/18	38.9	33.5	5.4	14.0	30.5	33.5	-3.0	-10.0
R1/18	LKD	W5/18	39.0	31.9	7.1	18.2	19.9	31.9	-12.1	-60.7
R2/18	BEDROOM	W6/18	39.1	28.3	10.8	27.6	14.1	28.3	-14.2	-100.6
R3/18	LD	W7/18	39.1	23.9	15.2	38.9	16.3	23.9	-7.7	-47.1
R4/18	BEDROOM	W8/18	39.2	19.2	20.0	51.1	17.1	19.2	-2.1	-12.2
R5/18	LKD	W9/18	39.2	15.8	23.4	59.7	15.9	15.8	0.1	0.6
R5/18	LKD	W10/18	39.3	13.3	26.0	66.2	14.1	13.3	0.8	5.7
R5/18	LKD	W11/18	16.9	7.5	9.4	55.7	7.9	7.5	0.5	5.8
R5/18	LKD	W12/18	8.8	4.4	4.4	49.7	4.6	4.4	0.2	4.1
R6/18	BEDROOM	W13/18	14.2	10.7	3.4	24.2	10.8	10.7	0.0	0.3
R6/18	BEDROOM	W14/18	21.9	15.5	6.4	29.2	15.2	15.5	-0.3	-2.0
R6/18	BEDROOM	W15/18	39.4	8.4	30.9	78.6	9.1	8.4	0.7	7.8
R7/18	LKD	W16/18	39.4	8.0	31.4	79.6	9.1	8.0	1.1	11.7
R8/18	BEDROOM	W17/18	39.4	7.9	31.5	79.8	9.3	7.9	1.3	14.3
R9/18	LD	W18/18	39.4	8.0	31.4	79.6	9.5	8.0	1.5	15.7
R10/18	BEDROOM	W19/18	39.4	8.4	31.1	78.8	9.9	8.4	1.5	15.5
R11/18	BEDROOM	W20/18	39.5	9.2	30.3	76.7	10.7	9.2	1.6	14.5
R12/18	BEDROOM	W21/18	39.5	11.1	28.4	71.9	12.8	11.1	1.6	12.9
R12/18	BEDROOM	W22/18	39.5	16.9	22.6	57.2	18.3	16.9	1.4	7.5
R12/18	BEDROOM	W23/18	39.6	39.4	0.2	0.5	39.4	39.4	-0.1	-0.2
R13/18	BEDROOM	W24/18	6.5	3.5	3.0	45.9	3.7	3.5	0.2	6.2
R1/19	LD	W2/19	37.5	37.5	0.0	0.0	37.5	37.5	0.0	0.0

R1/19	LD	W3/19	38.8	34.3	4.5	11.7	36.5	34.3	2.3	6.2
R1/19	LD	W19/19	39.2	39.2	0.0	0.0	39.2	39.2	0.0	0.0
R1/19	LD	W20/19	37.9	37.9	0.0	0.0	37.9	37.9	0.0	0.0
R1/19	LD	W21/19	37.7	37.7	0.0	0.0	37.7	37.7	0.0	0.0
R2/19	BEDROOM	W4/19	39.3	31.6	7.7	19.6	34.8	31.6	3.3	9.4
R3/19	BEDROOM	W5/19	39.3	26.5	12.8	32.5	31.5	26.5	4.9	15.7
R4/19	BEDROOM	W6/19	39.3	22.7	16.6	42.2	27.2	22.7	4.4	16.3
R4/19	BEDROOM	W7/19	19.9	13.0	6.9	34.7	13.5	13.0	0.5	3.5
R5/19	BEDROOM	W8/19	21.9	19.4	2.4	11.0	19.7	19.4	0.3	1.4
R5/19	BEDROOM	W9/19	28.9	24.6	4.3	15.0	24.3	24.6	-0.3	-1.1
R5/19	BEDROOM	W10/19	39.4	14.5	25.0	63.3	14.4	14.5	-0.1	-0.6
R6/19	LKD	W11/19	39.4	14.1	25.3	64.2	14.5	14.1	0.3	2.4
R7/19	BEDROOM	W12/19	39.5	14.1	25.4	64.3	14.8	14.1	0.7	4.7

Room	Room Use	Window	Existing VSC	Proposed VSC	Loss	%Loss	Consented VSC	Proposed VSC	Loss	%Loss
R8/19	LD	W13/19	39.5	14.2	25.3	64.1	15.2	14.2	1.0	6.8
R9/19	BEDROOM	W14/19	39.5	14.5	25.0	63.4	16.0	14.5	1.5	9.6
R10/19	BEDROOM	W15/19	39.5	15.1	24.4	61.9	17.4	15.1	2.4	13.6
R11/19	BEDROOM	W16/19	39.5	16.5	23.0	58.2	19.8	16.5	3.3	16.4
R11/19	BEDROOM	W17/19	39.5	21.2	18.3	46.4	24.2	21.2	3.1	12.6
R11/19	BEDROOM	W18/19	36.6	36.6	0.0	0.0	36.6	36.6	0.0	0.0
R1/20	BEDROOM	W1/20	27.5	26.3	1.1	4.1	26.3	26.3	-0.1	-0.3
R1/20	BEDROOM	W2/20	34.4	32.2	2.3	6.5	31.5	32.2	-0.6	-1.9
R1/20	BEDROOM	W3/20	39.5	21.5	18.0	45.6	23.7	21.5	2.2	9.4
R2/20	LKD	W4/20	39.5	20.8	18.7	47.3	24.0	20.8	3.2	13.4

R3/20	BEDROOM	W5/20	39.5	20.8	18.7	47.4	24.4	20.8	3.6	14.9
R4/20	LD	W6/20	39.5	21.3	18.3	46.2	25.0	21.3	3.7	15.0
R5/20	BEDROOM	W7/20	39.5	22.0	17.5	44.3	26.3	22.0	4.3	16.4
R6/20	BEDROOM	W8/20	39.5	23.1	16.4	41.6	29.2	23.1	6.1	20.8
R7/20	BEDROOM	W9/20	39.5	24.7	14.9	37.6	32.3	24.7	7.7	23.7
R7/20	BEDROOM	W10/20	39.5	28.0	11.6	29.2	34.7	28.0	6.7	19.3
R7/20	BEDROOM	W11/20	39.6	39.6	0.1	0.1	39.6	39.6	0.0	0.1
R1/21	BEDROOM	W1/21	36.1	35.4	0.6	1.7	35.7	35.4	0.2	0.6
R1/21	BEDROOM	W2/21	39.5	30.1	9.4	23.9	37.7	30.1	7.6	20.1
R1/21	BEDROOM	W3/21	39.5	29.3	10.2	25.9	37.7	29.3	8.4	22.3
R2/21	BEDROOM	W4/21	39.6	29.8	9.8	24.8	37.8	29.8	8.1	21.4
R3/21	BEDROOM	W5/21	39.6	30.9	8.7	21.9	38.0	30.9	7.1	18.6
R4/21	LIVINGROOM	W6/21	39.6	33.1	6.4	16.3	38.5	33.1	5.3	13.9
R4/21	LIVINGROOM	W7/21	39.6	39.5	0.1	0.3	39.6	39.5	0.1	0.3
51 Maddox Street										
R1/373	ASSUMED_6M	W1/373	24.0	23.7	0.3	1.0	23.9	23.7	0.2	0.8
R1/373	ASSUMED_6M	W2/373	23.4	23.1	0.3	1.1	23.3	23.1	0.2	0.8
R1/373	ASSUMED_6M	W3/373	23.8	23.5	0.3	1.2	23.8	23.5	0.2	0.9
R1/374	ASSUMED_4.5M	W1/374	18.8	18.4	0.4	2.2	18.6	18.4	0.2	1.0
R1/374	ASSUMED_4.5M	W2/374	18.4	17.9	0.6	3.0	18.2	17.9	0.3	1.5
R1/374	ASSUMED_4.5M	W3/374	96.3	96.3	0.0	0.0	96.2	96.3	-0.1	-0.1
120-121-122 NEW BOND STREET										
R1/141	LIVINGROOM	W4/141	17.6	15.2	2.4	13.5	17.3	15.2	2.1	12.1
R1/141	LIVINGROOM	W5/141	17.3	14.8	2.5	14.4	17.0	14.8	2.2	13.0
R2/141	LIVINGROOM	W6/141	17.3	14.5	2.7	15.8	17.1	14.5	2.5	14.9

Room	Room Use	Window	Existing VSC	Proposed VSC	Loss	%Loss	Consented VSC	Proposed VSC	Loss	%Loss
R2/141	LIVINGROOM	W7/141	17.2	14.3	2.9	16.7	17.0	14.3	2.7	16.0
R1/142	LIVINGROOM	W4/142	21.7	18.0	3.7	16.9	20.9	18.0	2.9	14.0
R1/142	LIVINGROOM	W5/142	21.4	17.5	3.9	18.0	20.7	17.5	3.1	15.2
R2/142	BEDROOM	W6/142	21.0	17.0	4.1	19.3	20.3	17.0	3.4	16.6
R2/142	BEDROOM	W7/142	20.9	16.7	4.2	20.0	20.2	16.7	3.6	17.5
R1/143	BEDROOM	W4/143	25.2	20.2	5.0	19.8	23.7	20.2	3.5	14.6
R1/143	BEDROOM	W5/143	25.0	19.7	5.3	21.1	23.5	19.7	3.8	16.1
R2/143	BEDROOM	W6/143	24.4	19.0	5.4	22.3	22.9	19.0	4.0	17.3
R2/143	BEDROOM	W7/143	24.2	18.7	5.6	23.0	22.8	18.7	4.1	18.1
R2/143	BEDROOM	W8/143	84.3	84.5	-0.2	-0.3	83.3	84.5	-1.2	-1.5
111-115 NEW BOND STREET										
R1/84	LKD	W1/84	31.6	27.4	4.2	13.3	30.6	27.4	3.2	10.3
R1/84	LKD	W2/84	32.3	28.8	3.5	10.8	31.4	28.8	2.6	8.1
R1/84	LKD	W3/84	27.4	24.4	3.0	10.8	26.3	24.4	1.8	7.0
R1/84	LKD	W4/84	30.3	28.0	2.3	7.6	29.5	28.0	1.5	5.0
R1/84	LKD	W5/84	30.5	30.2	0.3	0.9	30.4	30.2	0.2	0.8
R1/84	LKD	W6/84	31.8	31.8	0.0	0.0	31.8	31.8	0.0	0.0
R1/84	LKD	W7/84	30.0	30.0	0.0	0.0	30.0	30.0	0.0	0.0
R1/84	LKD	W8/84	33.6	33.6	0.0	0.0	33.6	33.6	0.0	0.0
R1/84	LKD	W9/84	32.7	32.7	0.0	0.0	32.7	32.7	0.0	0.0
R1/85	BEDROOM	W1/85	31.6	29.6	2.0	6.4	31.1	29.6	1.5	4.9
R1/85	BEDROOM	W2/85	32.9	30.7	2.2	6.7	32.2	30.7	1.4	4.5
R1/85	BEDROOM	W3/85	34.7	34.7	0.0	0.0	34.7	34.7	0.0	0.0

Item No.
<b>1</b>

## DRAFT DECISION LETTER

**Address:** 58 - 63 New Bond Street, London, W1S 1RJ

**Proposal:** SITE COMPRISING 53-63 NEW BOND STREET/5-17/17A BROOK STREET:  
Alteration and extension of the existing buildings, including partial demolition and retention and retrofit to provide a building with basement, ground and ten upper floors, setback at fifth to eighth floors with terraces, setback at ninth floor with terrace and plant, and a roof terrace with lift over run and pavilion at the tenth floor, with satellite dish, green roof and solar photo voltaic panels on its roof, and associated works, to provide for retail (Class E (a)) and office (Class E(g)(i)) uses together with associated ancillary spaces to those uses.

**Reference:** 23/08027/FULL

**Plan Nos:** TO BE ADDED

**Case Officer:** Paul Quayle

**Direct Tel. No.** 07866039895

### Recommended Condition(s) and Reason(s)

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

Reason:

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

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only: ,
  - o between 08.00 and 18.00 Monday to Friday; ,
  - o between 08.00 and 13.00 on Saturday; and ,
  - o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and ,
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in Policies 7



and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

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

Reason:

To protect the environment of neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 5 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved materials. (C26BD)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 8 You must apply to us for approval of a scheme of public art at the office entrance in Brook Street. You must not start work on the public art until we have approved in writing what you have sent us. Before anyone moves into the building you must carry out the scheme according to the approved details. You must maintain the approved public art and keep it on this site. You must not move or remove it. (C37AC)

Reason:

To make sure the art is provided for the public and to make sure that the appearance of the building is suitable. This is as set out Policy 43(E) of the City Plan 2019 - 2040 (April 2021). (R37AC)

- 9 You must not carry out demolition work unless it is part of the complete development of the site. You must carry out the demolition and development without interruption and according to the drawings we have approved. (C29BB)

Reason:

To maintain the character of the Mayfair Conservation Area as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021) and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29AD)

- 10 Before any demolition or excavation is carried out at or below the level of the floor in the basement, you must, , (a) apply to us for approval of a written scheme of investigation for a programme of archaeological work. This must include details of the suitably qualified person or organisation that will carry out the archaeological work. You must not start work until we have approved in writing what you have sent us., , (b) You must then carry out the archaeological work and development according to this approved scheme. You must produce a written report of the investigation and findings, showing that you have carried out the archaeological work and development according to the approved scheme. You must send copies of the written report of the investigation and findings to us, and to the Greater London Sites and Monuments Record, Greater London Archaeological Advisory Service, Historic England, 4th floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA. , , (c) You must not use any part of the new building until we have confirmed in writing that you have carried out the archaeological fieldwork and development according to this approved scheme. ,

Reason:

To protect the archaeological heritage of the City of Westminster as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021). (R32BD)

- 11 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on the drawing numbers A-P-031-LG-000-PL Revision 00 and A-P-031-00-000-PL Revision 00. Thereafter you must permanently retain them for the storage of waste and recycling and not use them for any other purpose. You must clearly mark them and make them available at all times to everyone using the building. No waste should be left on the public highway. (C14FC)

Reason:  
To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)

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

Reason:  
In the interests of public safety and to avoid blocking the road as set out in Policies 24 and 25 of the City Plan 2019 - 2040 (April 2021). (R24AD)

- 13 You must provide each cycle parking space and associated facilities for cyclists shown on the approved drawings prior to occupation of the development. Thereafter the cycle spaces and associated facilities for cyclist must be retained and the space used for no other purpose. (C22IA)

Reason:  
To provide cycle parking spaces and associated cycling facilities for people using the development in accordance with Policy 25 of the City Plan 2019 - 2040 (April 2021). (R22GA).

- 14 Before commencement of any of the uses in the building, you must apply to us for approval of an updated version of the Servicing Management Plan (SMP) that must identify process, internal storage locations, scheduling of deliveries and staffing, etc. It should also take account of any changes to the layout of Brook Street that may subsequently be agreed with the City Council (including any changes to the taxi rank on the Brook Street frontage of the site). You must not start any uses in the building until we have approved in writing what you have sent us. You must then carry out the measures included in the approved SMP at all times and it must be followed by the occupants for the life of the development.

Reason:  
To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in Policy 29 of the City Plan 2019 - 2040 (April 2021). (R23AD)

- 15 (1) Where noise emitted from the proposed plant and machinery will not contain tones

Item No.
<b>1</b>

or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum. , , (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., , (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for written approval by the City Council. Your submission of a noise report must include:; (a) A schedule of all plant and equipment that formed part of this application; (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment; (c) Manufacturer specifications of sound emissions in octave or third octave detail; (d) The location of most affected noise sensitive receptor location and the most affected window of it; (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location; (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures; (g) The lowest existing LA90, 15 mins measurement recorded under (f) above; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition; (i) The proposed maximum noise level to be emitted by the plant and equipment. (C46AC)

**Reason:**

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R46AC)

- 16 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property. (C48AB)

Reason:

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise environment in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R48AB)

- 17 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition(s) 15 of this permission. You must not start work on this part of the development until we have approved in writing what you have sent us. (C51AB)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and by contributing to reducing excessive ambient noise levels. (R51AC)

- 18 (1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the retail use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm,, and shall be representative of the activity operating at its noisiest., , (2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within the retail use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest., , (3) Following completion of the development, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report including a proposed fixed noise level for written approval by the City Council. Your submission of a noise report must include:.,

(a) The location of most affected noise sensitive receptor location and the most affected window of it;; (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;; (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;; (d) The lowest existing LA90, 15 mins measurement recorded under (c) above;; (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;; (f) The proposed maximum noise level to be emitted by the activity. (C47AC)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R47AC)

- 19 The design and structure of the building shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night. Inside bedrooms 45 dB L Amax is not to be exceeded more than 15 times per night-time from sources other than emergency sirens. (C49BB)

Reason:

To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development, as set out Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R49BB)

- 20 The use of the building must be operated in accordance with the submitted Fire Statement (reference 055684-BHE-XX-XX-RP-FS-0001,, 0055684, dated 15 November 2023, Revision P04).

Reason:

In accordance with the requirements of London Plan Policies D5 and D12 and as requested by the Mayor of London.

- 21 Prior to commencement of superstructure works, an updated Cooling Hierarchy shall be submitted to and approved by us in writing. The updated Cooling Hierarchy must

include details of the following: , , 1) Passive measures included in the design to mitigate against overheating including. Passive measures may include, but not limited to, external shading, insulation, exposed thermal mass, provision of green infrastructure, windows specification and design to achieve G-values in line with or lower than the Notional Building specification as set out in the relevant Building Regulations. , , 2) Details of measures that would be installed to prevent overheating in common areas with communal heating pipework in line with objective 3.9 of CIBSE CP1. , , 3) Details of any management strategies required to control overheating and information that will be supplied to occupants to support the strategy. , , 4) Where the methodology informing the updated Cooling Hierarchy differs from that set out in the Energy Statement submitted at application stage, updated dynamic modelling, in line with requirements of the Mayor of London's Energy Assessment Guidance (June 2022) (or any guidance that may supersede it) shall be carried out to demonstrate that the measures proposed are appropriate to control overheating and minimise the need for mechanical cooling (required only where passive measures set out under (1) are insufficient to prevent overheating)., , The Cooling Hierarchy we approve shall be implemented prior to first occupation of the development and thereafter be permanently retained and maintained in accordance with the manufacturer's recommended maintenance regime for the passive and mechanical elements of the hierarchy. (C17FA)

Reason:

To ensure the development minimises operational carbon emissions and achieves the highest levels of sustainable design and construction in accordance with Policy SI2 in the London Plan 2021, Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R17CA)

- 22 The development shall be carried out in accordance with the approved Energy Strategy (prepared by Buro Happold; dated November 2023 and subsequent revision) and shall achieve regulated carbon dioxide emission savings of not less than 25% for emissions beyond the Target Emissions Rate of Part L of Building Regulations 2021 and of not less than 64% for emission beyond Notional specification for existing buildings. The energy efficiency and sustainability measures set out there in shall be completed and made operational prior to the first occupation of the development and retained for the lifetime of the development. (C17CA)

Reason:

To ensure the development minimises operational carbon emissions and achieves the highest levels of sustainable design and construction in accordance with Policy SI2 in the London Plan 2021, Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R17CA)

- 23 You must apply to us for our written approval of an independent review of the energy efficiency measures to be provided within the development before you start any work on the development. In the case of an assessment using Building Research Establishment methods ('BREEAM'), this review must show that you have achieved an 'excellent' rating. If you use another method, you must achieve an equally high standard. You must provide all the energy efficiency measures referred to in the review

before you start to use the building. You must then permanently retain these features. (C44BB)

Reason:  
 To ensure the development minimises operational carbon dioxide emissions and achieves the highest levels of sustainable design and construction in accordance with Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R44BE)

- 24 The development hereby approved shall achieve a BREEAM rating of 'Excellent' or higher or an equivalent independent measure of energy performance and sustainability. Where the performance of the development is measured using BREEAM, it shall achieve not less than the total credits for each of the Energy, Materials and Waste categories in the BREEAM Pre-Assessment hereby approved. , , A post completion certificate (or equivalent certification) confirming that the development has been completed in accordance with the required BREEAM rating and has maintained or exceeded the approved total credit scores for each of the Energy, Materials and Waste categories, shall be submitted to us for our approval within three months of first occupation of the development. (C44BC)

Reason:  
 To ensure the development minimises operational carbon dioxide emissions and achieves the highest levels of sustainable design and construction in accordance with Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R44BE)

- 25 **Pre-Commencement Condition.** You must apply to us for approval of an updated version of the Whole Life Carbon Assessment hereby approved at each of the following stages of development:
  - (a) Prior to commencement of any work on site including all works of deconstruction and demolition.
  - (b) Prior to commencement of any construction works.,
  - (c) Within 3 months of first occupation of the development., Where the updated assessment submitted pursuant to (a) or (b) above identifies that changes to the design, procurement or delivery of the approved development will result in an increase in embodied carbon (A1-A5) above 463 kgCO<sub>2</sub>e/m<sup>2</sup> and/or Whole Life Carbon (A1-C4) above 797 kgCO<sub>2</sub>e/m<sup>2</sup>, which are the benchmarks established by your application stage Whole Life Carbon assessment, you must identify measures that will ensure that the additional carbon footprint of the development will be minimised., You must not commence any work on site and/or construction works (as appropriate pursuant parts (a) and (b) above) until we have approved the updated assessment you have sent us. You must then carry out works, as permitted by the relevant part of the condition, in accordance with the updated version of the Whole Life Carbon assessment that we have approved.

The post construction assessment submitted for our approval pursuant to (c) shall demonstrate how the development has been completed in accordance with the updated benchmarks identified in the updated assessment submitted pursuant to part



(b). (C17AB)

Reason:

To ensure the development minimises carbon emissions throughout its whole life cycle in accordance with Policy SI2 in the London Plan 2021, Policy 38 in the City Plan 2019 - 2040 (April 2021), the Environmental Supplementary Planning Document (February 2022) and the guidance set out in the Mayor of London's guidance 'Whole Life-Cycle Carbon Assessments' (March 2022).

- 26 **Pre-Commencement Condition** (a) Prior to commencement of any works on site including works of deconstruction and demolition full details of the pre-demolition audit in accordance with section 4.6 of the GLA's adopted Circular Economy Statement guidance shall be submitted to us and approved by us in writing. The details shall demonstrate that the development is designed to meet the relevant targets set out in the GLA Circular Economy Statement Guidance. You must not carry out any works on site including works of demolition until we have approved what you have sent us. The demolition and other pre-construction works shall then be carried out in accordance with the approved details.

(b) Prior to the commencement of any construction works and following completion of RIBA Stage 4, a detailed Circular Economy Statement including a site waste management plan (or updated version of the approved Circular Economy Statement that reaffirms the approved strategy or demonstrates improvements to it), shall be submitted to us and approved by us in writing. The Circular Economy Statement must be prepared in accordance with the GLA Circular Economy Guidance and demonstrate that the development has been designed to meet the relevant targets set out in the guidance. The end-of-life strategy included in the statement shall include the approach to storing detailed building information relating to the structure and materials of the new building elements (and of the interventions to distinguish the historic from the new fabric). The development shall be carried out in accordance with the details we approve and shall be operated and managed throughout its life cycle in accordance with the approved details. (C17BA)

Reason:

To ensure the development is resource efficient and maintains products and materials at their highest use for as long as possible in accordance with Policy SI7 in the London Plan 2021, Policy 37 in the City Plan 2019 - 2040 (April 2021), the Environmental Supplementary Planning Document (February 2022) and the guidance set out in the Mayor of London's guidance 'Circular Economy Statements' (March 2022).

- 27 Before commencement of any of the uses in the building, you must apply to us (in consultation with the GLA) for approval of detailed plans demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. You must not start any uses in the building until we have approved in writing what you have sent us. You must use the building in accordance with the approved details unless otherwise agreed in writing.

Item No.
<b>1</b>

Reason:  
In accordance with London Plan Policy SI6 and as requested by the Mayor of London.

- 28 On-site plant and machinery must comply with the London Non-Road Mobile Machinery (NRMM) Low Emission Zone standards for Central Activities Zone (London Plan Policy SI 1 (D)).

Reason:  
In accordance with London Plan Policy SI 1 (D) and as requested by the Mayor of London.

- 29 You must protect the Street tree (English elm T1) according to the details, proposals, recommendations set out in the Arboricultural Impact Assessment (dated February 2024) by Arborclimb Consultants. You must undertake the special methods of working and arboricultural supervision according to these details. If you need to revise any of these tree protection provisions, you must apply to us for our approval of the revised details, and you must not carry out work the relevant part of the development until we have approved what you have sent us. You must then carry out the work according to the approved details

Reason:  
To protect the trees and the character and appearance of this part of the Mayfair Conservation Area. This is as set out in Policies 34, 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R31DD)

- 30 You must apply to us for approval of detailed drawings and a bio-diversity management (including details of an Ecological Management Plan) plan in relation to the green roof and terrace planting to include construction method, layout, watering, species and maintenance regime. You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan. (C43GA)

Reason:  
To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43FC)

- 31 No development (with the exception of demolition and temporary works) shall commence until hydraulic flood modelling drainage calculations and design drawings are submitted and approved by the Local Authority, to demonstrate that the proposed development will not impact upon wider drainage network.

Reason:  
To alleviate and manage flood risk. This is as set out in Policy 35 of the City Plan 2019 - 2040 (April 2021).

32 You must provide, maintain and retain the flood mitigation measures before you start to use any part of the development, as set out in your application. You must not remove any of these features. (C44CA)

Reason:

To alleviate and manage flood risk. This is as set out in Policy 35 of the City Plan 2019 - 2040 (April 2021).

33 Prior to the occupation of the development hereby approved, details of measures to minimise the risk of crime and meet the specific security needs of the development (informed by the principles and objectives of Secured by Design) shall be submitted to, and approved in writing by, the Local Planning Authority, in consultation with the Metropolitan Police Designing Out Crime Office. The development shall accord with the approved details and shall be retained and maintained for the lifetime of the development.

Reason:

To reduce the chances of crime without harming the appearance of the building or the character of the Mayfair Conservation Area as set out in Policies 38 and 39 of the City Plan 2019-2040 (April 2021). (R16BD)

35 You must apply to us for the approval of an external lighting strategy for the development. This must include:

- Drawings (plans and elevations) to show location and position of proposed lights,
- Manufacturers specification of proposed lights,
- Lighting level details relative to nearby properties to show details of potential light spillage,
- Hours of operation of the lighting.,

You must not install external lighting until we have approved what you have sent us. Thereafter you must carry out the development in accordance with the approved strategy.

Reason:

To protect neighbouring residents from light pollution , as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021), and to make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021).

36 The roof terraces hereby approved shall only be used by users of the office accommodation and only between the hours of 07.00 and 22.00.

Reason:

To protect neighbouring residents from noise nuisance, as set out in Policies 7, 16 and

Item No.
<b>1</b>

33 of the City Plan 2019 - 2040 (April 2021). (R13ED)

37 No live or recorded music shall be played on the roof terraces hereby approved.

Reason:

To protect neighbouring residents from noise nuisance, as set out in Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R13ED)

38 You must provide the access for people with disabilities as shown on the approved drawing(s) and as outlined in the Design and Access Statement dated 17th November 2023 before you use the building. (C20AB)

Reason:

To make sure that there is reasonable access for people with disabilities and to make sure that the access does not harm the appearance of the building, as set out in Policy 38 of the City Plan 2019 - 2040 (April 2021). (R20AD)

39 The glass that you put in the windows in the east (facing 22 Hanover Square) elevation of the building must not be clear glass, and you must fix it permanently shut. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have given our written approval for the sample. You must then install the type of glass we have approved and must not change it without our permission. (C21DB)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out Policies 7 and 38 of the City Plan 2019 - 2040 (April 2021). (R21AD)

40 The privacy screens at the end of the roof terraces adjacent to 22 Hanover Square as shown on the drawings hereby approved must be 1.8m high (from the floor of the terrace) and must be installed before commencement of the office use hereby approved and thereafter permanently maintained.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out Policies 7 and 38 of the City Plan 2019 - 2040 (April 2021). (R21AD)

41 Details of the precise scope of the method for securing and lifting the retained parts of the building, including structural alterations and deconstruction etc, must be submitted for our approval before any structural demolition works commence.

Reason:

To maintain the character of the Mayfair Conservation Area as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021) and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29AD)

42 You can use the ground and first floors of the property only for Class E(a) (display or retail sale of goods, other than hot food) where indicated for such use on the drawings hereby approved, and the second floor and above only for E(a) (display or retail sale of goods, other than hot food) or E(g)(i) (offices to carry out any operational or administrative functions), and for no other uses within Class E of the Town and Country Planning (Use Classes) Order 1987 as amended September 2020 (or any equivalent class in any order that may replace it).

**Reason:**

We cannot grant planning permission for unrestricted Class E use because a loss of retail and office accommodation in this location would undermine the provision of an appropriate mix of uses that support the vitality, function and character of the Central Activities Zone and the West End Retail and Leisure Special Policy Area. The retail and office accommodation also contributes to meeting the business and employment needs of the City. This would not meet Policies 1, 2, 13 and 14 of the City Plan 2019 - 2040 (April 2021). Also we cannot grant planning permission for unrestricted Class E use because servicing activity would have an adverse impact on the local highway network and would not meet Policy 29 of the City Plan 2019 - 2040 (April 2021).

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to the following:
  - a) A financial contribution of £150,480 (index linked) towards the Carbon Off Set Fund (payable prior to the commencement of the development); ,
  - b) 'Be Seen' monitoring and reporting on the actual operational energy performance of the building, including as-built and in-use stage data;;
  - c) A financial contribution of £257,473.50 (index linked) towards initiatives that provide local employment, training opportunities and skills development and supporting the Westminster Employment service (payable prior to the commencement of the development);,
  - d) An Employment and Skills Training Plan; ,
  - e) Travel Plan and associated monitoring costs;;
  - f) Potential Highways Works and associated costs (e.g. loading bay works, relocation of taxi bay and provision of short stay cycle parking);,
  - g) All costs associated with stopping up parts of the highway;;

Item No.
<b>1</b>

h) The costs of monitoring the S106 agreement., (I55AA)

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

# Agenda Item 2

Item No.
----------

2
---

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING (MAJOR) APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 2 April 2024	<b>Classification</b> For General Release	
<b>Report of</b> Director of Town Planning & Building Control		<b>Ward(s) involved</b> West End	
<b>Subject of Report</b>	<b>Site 1 – Development site at 18-20 Savile Row, London</b> <b>Site 2 – 17 Savile Row, London</b>		
<b>Proposal</b>	<p><b>Application 1 at Development site at 18-20 Savile Row:</b> Demolition of all existing buildings, excavation to deepen existing basement, and redevelopment to provide an eight storey building plus one storey basement comprising flexible retail (Class E(a)) and/or restaurant (Class E(b)) floorspace and tailoring floorspace (Class E(a), Class E(g)(ii) &amp; Class E(g)(iii)) at part ground floor; and office floorspace (Class E(g)(i)) at part ground and on all upper floors; external terraces and associated hard and soft landscaping; cycle parking; replacement of commemorative plaque and other associated works.</p> <p><b>Applications 2 and 3 at 17 Savile Row:</b> Extension to the chimney stack at No. 17 Savile Row, underpinning of boundary wall to No. 18 and other associated works.</p>		
<b>Agent</b>	Gerald Eve LLP		
<b>On behalf of</b>	The Pollen Estate Trustee Company Limited		
<b>Registered Number</b>	Application 1: 22/03276/FULL Applications 2 and 3: 22/03271/FULL and 22/03189/LBC	<b>Date amended/ completed</b>	13 July 2022
<b>Date Application Received</b>	16 May 2022		
<b>Historic Building Grade</b>	17 Savile Row – Grade II listed.		
<b>Conservation Area</b>	Site 1 – Regent Street Conservation Area Site 2 – Mayfair Conservation Area		
<b>Neighbourhood Plan</b>	Mayfair Neighbourhood Plan		

## 1. RECOMMENDATION

1. Application 1 - Subject to the views of the Mayor of London, refuse permission on the following ground:
  - a. The demolition of the existing building and the erection of a replacement building fails to adhere to circular economy principles and principles of sustainable design, both of which prioritise the retention, refitting and refurbishment of existing buildings. The proposed development would therefore fail to help transition London to a low carbon circular economy through generating unjustified waste and carbon emissions.
2. Application 2:
  - a. Grant conditional permission.
3. Application 3:
  - a. Grant conditional listed building consent.
  - b. Agree the reason for granting listed building consent, as set out within Informative 1 of the draft decision letter.

## 2. SUMMARY & KEY CONSIDERATIONS

Nos. 17 Savile Row, Nos. 18-19 Savile Row and No. 20 Savile Row are all located within the Central Activities Zone (CAZ), the Savile Row Special Policy Area, the Great Estates Archaeological Priority Area, and the West End Retail and Leisure Special Policy Area. The site is located within 'East Mayfair' for the purposes of the Mayfair Neighbourhood Plan.

No. 17 Savile Row is Grade II listed and is located within the Mayfair Conservation Area. Nos. 18-19 Savile Row and No. 20 Savile Row are unlisted buildings located within the Regent Street Conservation Area.

Application 1 proposes the demolition of Nos. 18-19 Savile Row and No. 20 Savile Row, excavation to lower the existing basement floors, and the erection of a replacement building over basement, ground, and seven upper floors to provide office floorspace on the upper floors accessed from an ground floor entrance on New Burlington Street, a flexible retail or restaurant space at ground level, and two smaller ground floor units for use as bespoke tailors on the Savile Row frontage.

Applications for planning permission and listed building consent are also sought at No. 17 Savile Row to underpin the northern part of the building to accommodate the proposed lowered basement at Nos. 18-19 Savile Row and to raise the height of the northern chimney stack so that it would be taller than the proposed replacement building.

The key considerations in this case are:

- The impact of the development on the Savile Row Special Policy Area's role as an international centre of excellence for bespoke tailoring.
- Whether or not the redevelopment of these building adheres to the sustainability and circular economy policies within the development plan that promote circular economy principles and



principles of sustainable design, both of which prioritise the retention, refitting and refurbishment of existing buildings.

- The impact of the development proposal on the character and appearance of the Regent Street Conservation Area and the setting the Grade II listed buildings adjoining and near to the site.
- The impact of the works to No. 17 Savile Row on the character and appearance of the Mayfair Conservation Area and on the special interest of this Grade II listed building.

The redevelopment of this site is not considered to be justified in sustainability or circular economy terms. The proposed development would therefore fail to help transition London to a low carbon circular economy through generating unjustified waste and carbon emissions. It is accordingly recommended that Application 1 be refused.

The proposed alterations to No. 17 Savile Row are not considered to harm the special interest of this Grade II listed building or harm the character and appearance of the Mayfair Conservation Area. This is regardless of whether or not the redevelopment of the adjacent site goes ahead. For these reasons it is recommended that conditional planning permission and listed building consent be granted in respect to Applications 2 and 3.

3. LOCATION PLANS

Site 1:



This production includes mapping data licensed from Ordnance Survey with the permission of the controller of Her Majesty's Stationary Office (C) Crown Copyright and /or database rights 2013. All rights reserved License Number LA 100019597

Site 2:



This production includes mapping data licensed from Ordnance Survey with the permission of the controller of Her Majesty's Stationary Office (C) Crown Copyright and/or database rights 2013. All rights reserved License Number LA 100019597

#### 4. PHOTOGRAPHS

20 Savile Row and 18-19 Savile Row (right) from Savile Row, looking south-east:





17 Savile Row (centre) and 18-19 Savile Row (left):



## 5. CONSULTATIONS

### 5.1 Application Consultations

#### Application 1

Consultation on submitted application (July 2022)

MAYOR OF LONDON:

- Given that the proposed replacement building is of a similar scale to the existing buildings, detailed technical studies or calculations should be provided demonstrating that the full spectrum of refurbishment and repurposing approaches, which secure significant environmental performance improvements as well as tackling existing functional defects, were properly considered and discounted. The applicant's rationale for the complete demolition and rebuild will be scrutinised and further comment will be provided in this respect upon receipt of this information.
- The application does not currently comply with the London Plan for the following reasons:
  - o A portion of the proposed office floorspace should be flexible / affordable workspace or small office units suitable for micro, small and medium sized enterprises.
  - o A revised fire statement is required which is produced by a suitably qualified assessor and acknowledges the fire safety requirements of London Plan Policies D5 and D12.
  - o The scheme would result in less than substantial harm to the character and appearance of the Regent Street Conservation Area, and to the setting of the listed buildings at Nos. 1 and 2 New Burlington Street. This is due to the increased massing that would disrupt the height and massing characteristic of the Regent Street Conservation Area in views from Regent Street along New Burlington Street and add a degree of domination to the setting of this Grade II listed building. At this stage, it is considered that the public benefits in the form of an increase in commercial floorspace and the associated increase in employment on site could outweigh the less than substantial harm to the heritage assets identified above. This is, however, provided they are further enhanced, particularly in relation to reducing carbon emissions, to ensure that the identified harm might be outweighed by public benefits.
  - o A Stage 2 Road Safety Audit for the access arrangement for the proposed off-street loading bay should be provided.
  - o The convoluted route to servicing the restaurant via the basement should be addressed in order to minimise the prospect of on street servicing.
  - o Further information on the proposed energy strategy, whole life-cycle carbon assessment, and the circular economy strategy are required.
  - o Quantitative evidence that the proposed development secures a net biodiversity gain in accordance with London Plan Policy G6D should be provided.
  - o The urban greening proposed should be reviewed in order to improve its quality or quantity in order to improve the proposal's Urban Greening Factor which is below the target set by London Plan Policy G5. This could include further vegetation and tree planting at roof level.
  - o A Flood Risk Assessment has not been submitted with the application and therefore comments on the acceptability of the proposed development in this

- regard are not possible.
- The failure to include rainwater harvesting to reduce surface water run-off and to enable water reuse is not acceptable.
  - Corrected information is required in respect to the construction dust risk assessment in order to ensure that the correct mitigations measures are employed.
  - An assessment of the impacts associated with emissions from construction traffic has not been carried out. Further information should therefore be provided to demonstrate that there will be no significant impacts on air quality at existing sensitive receptors as a result of emissions from construction traffic.
- Advises that, if approved:
    - Contributions towards Healthy Streets improvements should be secured via legal agreement.
    - A Deliveries and Servicing Plan and Travel Plan should be secured by condition.
    - A financial contribution to offset the residual operational regulated carbon emission should be secure by legal agreement.
    - A financial contribution of £220,000 [later reduced to £22,500 with agreement from TfL] should be secured to increase provision of cycle hire in the area and mitigate the site-specific impacts of the development in line with London Policy T4C.
    - A commitment to post-completion reporting prior to occupation on whole life-cycle carbon and circular economy matters should be secured.

#### RESIDENTS' SOCIETY OF MAYFAIR & ST. JAMES'S:

- The demolition of part of this priceless tailoring district is economically short-sighted.
- Questions the proposal for additional restaurants when those in existence all around the site are struggling for survival. What is needed is businesses that have invested over generations in their sites and have the loyalty to the area to hang on, providing work, and a continuing, rich heritage of commercial success.
- The destruction of the existing heritage streetscape - which delights residents and tourists alike - for such misguided short-termism should not be contemplated without a public inquiry.

#### MAYFAIR RESIDENTS GROUP:

- Any response to be reported verbally.

#### MAYFAIR NEIGHBOURHOOD FORUM:

- Any response to be reported verbally.

#### HIGHWAYS PLANNING MANAGER:

- Removal of on-site car parking is welcome. The reinstatement of footway will need to be secured.
- Whilst the provision of long-stay cycle parking and associated facilities is welcome, no short stay cycle parking is provided for the retail / restaurant use. Given that the development is for complete redevelopment, it is unclear why the development cannot provide these spaces on-site.
- Off-street servicing is welcome, as is the provision within the loading bay of a rapid charging point which would support electric freight delivery through allowing for top-

- up charging.
- The changes to the on-street parking arrangements to allow vehicular access to the off-street loading bay are broadly acceptable in principle but would need to be subject to changes to the traffic management orders (a separate legal process).
- An amending condition should be imposed to ensure adequate visibility splays so that drivers exiting the delivering bay have adequate visibility of pedestrians, thus maintaining their safety.
- The removal of the pavement lights and creation of a consistent footway surface is welcome.
- No objection is made to the changes to the building line, subject to agreeing areas that need to be formally stopped up or dedicated as public highway.
- Condition should be imposed preventing the doors from opening over the public highway.

#### WASTE PROJECT OFFICER:

- No objection.

#### HISTORIC ENGLAND (ARCHAEOLOGY):

- Concludes that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest and therefore no further assessment or conditions are necessary.

#### THE SAVILE ROW BESPOKE ASSOCIATION:

- Objection to the replacement of the three existing tailoring units within the Savile Row Special Policy Area with a flexible retail / restaurant space.
- In order to support the next generation of bespoke craftsmen and women there needs to be affordable space. A suggested layout and specification is provided for an average affordable unit size for a small (600 sq.ft – 56 sq.m) and medium (1,000 sq.ft – 93 sq.m) sized bespoke company. Would support the re-provision of two tailoring units on site, with the third tailoring space relocated elsewhere on Savile Row.
- Whilst it is accepted that the proposed replacement building will improve the view from New Bond Street along Clifford Street, argues that the new building could go further to create something more distinctive and inviting in order to connect the fashion retailing of New Bond Street with the craft retailing of Savile Row. This could be in the form of an element of public art linked to the tailoring heritage.
- Whilst welcomes the removal of the vehicular entrance to the basement on Savile Row, it remains unfortunate that an emergency exit door is still required on the south side of the proposed replacement building. Emphasises the importance of the shopfronts being of the highest design quality.

#### TRANSPORT FOR LONDON:

- Recommends that a Healthy Streets contribution is agreed with Westminster City Council.
- Requests that a financial contribution of £220,000 [later reduced to £22,500] is secured to increase provision of cycle hire in the area and mitigate the site-specific impacts of the development in line with Policy T4.C.
- The cycle parking provided does not meet the quality of cycle parking anticipated by the London Cycle Design Standards (LCDS). The cycle parking is stacked too close



together (0.4m). For double-stacked parking spaces the minimum space required between stands is 0.7m.

#### THAMES WATER UTILITIES LTD:

- No objection from a foul water perspective.
- Request the imposition of a condition preventing occupation of the development until confirmation had been provided that either: (i) Surface water capacity exists off-site to serve the development; (ii) A development and infrastructure plan has been agreed with the City Council and occupation of the development will accord with that plan; or (iii) All surface water network upgrades required to accommodate the development have been undertaken.
- Requests that a piling method statement is secured by condition to prevent damage to the nearby strategic sewer.
- Requests that additional information is provided to demonstrate a reduction in surface water discharge rates.

#### ENVIRONMENTAL SCIENCES:

- No objection on environmental noise or nuisance grounds.

#### METROPOLITAN POLICE SERVICE:

- A secure office lobby must be incorporated into the design of this development. The proposed building is vulnerable to intrusion due the lack of any secure line. The first secure line must be installed within the proposed office entrance and include fob access control for staff only.
- The doors to the rear of the office lobby should be under access control and be closed permanently.
- The proposed cycle stores should be reconfigured to provide a number of smaller stores and therefore should be separate cycle storage by use to avoid conflict and theft.
- Recommends that any approval of this application contains a relevant planning condition requiring the development to achieve a Secured by Design accreditation prior to occupation.

#### HISTORIC ENGLAND:

- The perception of greater scale and bulk that would result from the proposal's larger massing at its upper levels would, as perceived particularly in views from Regent Street, disrupt the sense of a subsidiary and consistent scale on this secondary street in the Regent Street Conservation Area. The proposed replacement building does not convincingly enhance the existing conditions particularly because of the additional height and bulk above the shoulder and, in some respects, its architectural expression. The additional bulk would cause some limited harm in some conservation area views.
- The same height and bulk combined with visual complexity introduced at roof level into the background of views of the Nos. 11-17 Savile Row would slightly increase the existing distraction caused by Nos. 18-19 and add a degree of domination, counteracting the enhancement promised by a greater complementarity of proportions to the setting of these listed building.
- This harm to these designated heritage assets' significance would be at a very low level.

## ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 192

Total No. of replies: 0

No. of objections: 0

No. in support: 0

PRESS NOTICE/ SITE NOTICE – Yes.

Consultation on amended application (December 2022)

## MAYFAIR RESIDENTS GROUP:

- Any response to be reported verbally.

## MAYFAIR NEIGHBOURHOOD FORUM:

- Any response to be reported verbally.

## RESIDENTS SOCIETY OF MAYFAIR &amp; ST. JAMES'S:

- Any response to be reported verbally.

## HIGHWAYS PLANNING MANAGER:

- The reduction in long stay cycle parking below policy requirements is unacceptable.
- The provision of short-stay cycle parking for the office is welcome, however the continued failure to provide short stay cycle parking for the retail / restaurant and the tailoring units is contrary to policy. A financial contribution to TfL's Cycle Hire scheme does not mitigate this policy conflict, with Para. 10.5.9 of the London Plan stating, "*Provision of cycle hire caters for a different market of cyclist and also should not be accepted in lieu of cycle parking*".

## WASTE PROJECT OFFICER:

- No objection.

## METROPOLITAN POLICE SERVICE:

- Any response to be reported verbally.

## THE SAVILE ROW BESPOKE ASSOCIATION:

- Very supportive of the addition of tailoring space within the proposed development.

## HISTORIC ENGLAND:

- Any response to be reported verbally.

## ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 192

Total No. of replies: 2

No. of objections: 1

No. in support: 1

## Objects on the following grounds:

- Disruption during the course of construction.
- The loss of the historical heritage associated with Savile Row which draws people from all over the world to visit this street and is the reason for the objector choosing

this location for his business. Concerned that Savile Row will just become another generic street area like Carnaby Street or Soho which has no connection to its past other than its name.

- Questions the long-term thinking behind the development and whether the applicant has the street and the people invested in it at heart.

Supports on the following grounds:

- The development proposal will replace an obsolete building with low ceilings and poor infrastructure with a modern sustainable building that will become unusable as office space with upcoming environmental rules for businesses.
- The replacement building would retain spaces for tailoring businesses and there is already a restaurant and a coffee bar on the ground floor of the buildings, so this is not an application for change of use and would not change the character of Savile Row.

PRESS NOTICE/ SITE NOTICE – Yes.

### **Applications 2 and 3**

MAYFAIR RESIDENTS GROUP:

- Any response to be reported verbally.

MAYFAIR NEIGHBOURHOOD FORUM:

- Any response to be reported verbally.

RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S:

- Any response to be reported verbally.

HISTORIC ENGLAND:

- No comment.

HISTORIC ENGLAND (ARCHAEOLOGY):

- Advised that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest given that the site has low to negligible archaeological potential, and the proposed groundworks are small-scale.
- No further assessment or conditions are therefore necessary.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 82

Total No. of replies: 0

No. of objections: 0

No. in support: 0

PRESS NOTICE/ SITE NOTICE: Yes.

## **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.

The engagement activities undertaken by the applicant (as listed in the submitted Statement of Community Involvement) are summarised below:

- A newsletter was posted to the surrounding area and a series of stakeholder meetings to consult and raise awareness of the plans for the site with the local community and these are outlined below.
- An advertised telephone number and dedicated e-mail address were provided to supply further information to residents, businesses and stakeholders on request, as well as to answer any questions that they may have.
- A newsletter was distributed to c.236 addresses on 4 May 2022. The newsletter was designed to offer an overview of the proposals and provide contact details through which interested neighbours can provide their feedback and ask any further questions or comments that they may have in relation to the proposals.

In addition, the following activities were undertaken:

<b>Engagement Method/Event/Activity</b>	<b>Date</b>	<b>Attendance</b>	<b>Summary of Discussions</b>
Meeting	22 February 2022	Richard Cutt of the Resident's Society of Mayfair and St. James's.	A general summary of discussions has been provided rather than separated by meeting.
Meeting	16 March 2022	Mayfair Neighbourhood Forum	A general summary of discussions has been provided rather than separated by meeting.
Meeting	31 March 2022	Meeting with Cllr Rigby (then the Chairman of Planning)	Officers present. For information only. No feedback provided.
Meeting	4 April 2022	Meeting with Cllrs Barnes and Glanz (former West End Ward Councillors)	A general summary of discussions has been provided rather than separated by meeting.

The Early Community Engagement guidance expects a development of this scale to also undertake: (i) Interactive Digital Engagement (i.e. an interactive website and / or digital social media platforms); and (ii) Public Exhibition / Consultation Events / Drop in Sessions. Neither of these forms of public engagement were undertaken.

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

- The historic relationship of No. 20 Savile Row with the Heathcoat family.
- Whether there was potential for the existing buildings to be retained and refurbished.
- Whether the existing tenant of the ground floor retail unit could be retained following the completion of the works.

- The design of the proposed replacement building was underwhelming, needing more detail and articulation.
- Concerns were also raised about the appearance of the building's western façade, in particular the view from Clifford Street and New Bond Street.

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:

- A woven brick detail was introduced within the façade of the proposed replacement building to reflect the site's historic association with the Heathcoat Family, add visual interest and provide greater articulation within the design.
- An updated choice of material and colour palette was selected to reflect the character of the buildings along Clifford Street and Savile Row and to respect their historic setting.

## **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 219 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, the Mayfair Neighbourhood Plan, adopted in December 2019 (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 continues 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**

Site 1 comprises two separate buildings, both of which date from the 1950s and were constructed following bomb damage on the site in WW2. Neither building is listed, but both are within the Regent Street Conservation Area.

Nos. 18-19 Savile Row is a smaller building, fronting only onto Savile Row, composed of basement, ground, seven upper floors and plant, predominantly in brick with blank bays to the south of the front facade. There is a prominent view of the front of the building along Clifford Street. The ground floor has two open and unrestricted Class E commercial units. The northern unit is occupied by Re:New, a concept clothing retailer exploring sustainability and circularity in the fashion sector. In addition to retailing, the store offers repairs and an embroidery service. It was previously occupied by The Deck - a clothing retailer. This retailer recently relocated to the ground floor of No. 32 Savile Row. The southern unit was occupied by a bespoke tailor, Maurice Sedwell, for approximately 35 years until it vacated in July 2022 and relocated to the first-floor rear of Nos. 9-10 Savile Row. The unit is now occupied by The Service, a coffee shop which was displaced from the ground floor of No. 32 Savile Row. It is understood that both units are let on short leases. The upper floors are occupied as offices.

No. 20 Savile Row is larger and is located at the corner of Savile Row and New Burlington Street, with a long return frontage to New Burlington Street as well as the Savile Row frontage. It is again composed of basement, ground and seven upper floors, in brick. The commercial unit on Savile Row is currently occupied by Marcel Rodrigues, a bespoke hat maker. The unit was occupied for a number of years by a bespoke tailor, Welsh and Jefferies, until this occupier vacated in early 2022. The commercial unit located over basement and grounds floors at the corner of Savile Row and New Burlington Street is occupied as a restaurant. The upper floors are occupied by offices, accessed by a ground floor entrance on Savile Row. The remainder of the basement of No. 20 Savile Row is made of vehicular parking (six spaces) accessed by a crossover and vehicular entrance on the Savile Row frontage.

A plaque on the ground floor of No. 20 Savile Row on the New Burlington Street frontage depicts John Heathcoat and is inscribed 'Heathcoat House 1808-1954'. John Heathcoat (7 August 1783 –18 January 1861) was the founder of a fabric manufacturer Heathcoat and Co. The dates on the plaque may relate to the duration during which the former buildings on the site stood and it appears likely that these buildings were occupied by Heathcoat and Co.

Site 2 comprises No. 17 Savile Row, a former terraced Georgian house, dating from c.1733. It immediately abuts Nos. 18-19 Savile Row. It is Grade II listed and located within the Mayfair Conservation Area.

Both sites are located within the CAZ, the Savile Row Special Policy Area, the Great Estates Archaeological Priority Area, and the West End Retail and Leisure Special Policy Area. The site is located within 'East Mayfair' for the purposes of the Mayfair Neighbourhood Plan.

The surrounding area is predominantly commercial, made up of offices, restaurants, retailers, tailors and art galleries. Records indicate that the nearest residential properties are 12 x flats at No. 33 Savile Row, a flat at No. 4 Clifford Street, and a flat at No. 11 Savile Row.

There are a number of listed buildings, whose settings would be affected by the proposed development. The most affected are:

- In views looking north-east along Clifford Street – No. 4 Clifford Street (Grade II), No. 5 Clifford Street (Grade II), No. 8 Clifford Street (Grade II\*), No. 9 Clifford Street (Grade II), No.16 Clifford Street (Grade II), No. 17 Clifford Street (Grade II) and No. 24a Old Burlington Street (Grade II\*).
- In views looking north-west along Savile Row – No. 11 Savile Row (Grade II\*), Nos. 12, 12a and 13 Savile Row (Grade II), No. 14 Savile Row (Grade II\*), No. 16 Savile Row (Grade II), and No. 17 Savile Row (Grade II).
- In views looking south-west from Regent Street – Heddon House, Nos. 133-167 Regent Street and Nos. 17 and 18 New Burlington Street (Grade II), Triumph House, Nos. 169-201 Regent Street (Grade II), and Nos. 1 and 2 New Burlington Street (Grade II).

To the rear of the site is New Burlington Mews, a private mews partly owned by the applicant that no longer provides vehicular access from Regent Street.

## 7.2 Recent Relevant History

None of relevance.

## 8. THE PROPOSAL

Planning permission is sought to demolish both Nos. 18-90 and No. 20 Savile Row, excavate to lower the existing basement by approximately 2.3m at Nos. 18-19 Savile Row and by approximately 1.8m at No. 20 Savile Row, and erect a replacement building over basement, ground, and 6/7 x upper storeys to provide:

- Basement - cycle parking (and associated lockers and changing facilities), plant, refuse store, a UKPN sub-station, and back-of house space.
- Ground – a service yard and office entrance on the New Burlington Street frontage, a flexible retail or restaurant unit at the corner of New Burlington Street and Savile Row, two units specifically for bespoke tailoring on the Savile Row frontage, and a fire escape adjacent to No. 17 Savile Row.
- First to sixth floors – office floorspace, including terraces at fourth to six floor levels.
- Seventh floor – an ‘event space’ associated with the proposed office accommodation, roof terraces and plant.
- Roof level – photovoltaics.

**Table 1: Existing and proposed land uses.**

Land Use	Existing GIA (sqm)	Proposed GIA (sqm) (as per original submission)	Proposed GIA (sqm) (as per first revised submission)	Proposed GIA (sqm) (as per second revised submission)	+/-	+/-
Office (Class E)	6,047	8,113	8,053	8,005	+1,958	+1,958
Retail (Class E)	805	Between 0 and 746	Between 0 and 596 <sup>1</sup>	Between 0 and 596	Between -805 and -209	-918
Restaurant (Class E)	832	Between 0 and 746	Between 0 and 596	Between 0 and 596	Between -832 and -236	
Bespoke tailoring (Class E)	0	0	123	123	+123	
<b>Total</b>	<b>7,684</b>	<b>8,859</b>	<b>8,771</b>	<b>8,724</b>	<b>+1,040</b>	<b>+1,040</b>

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.

<sup>1</sup> 596 sq.m of the ground floor is proposed to be use for either restaurant or retail floorspace (both Class E).



The application is referable to the Mayor of London as it comprises the erection of a building that exceeds 30m in height.

The application was amended in December 2022 in the following ways:

- Addition of two bespoke tailoring units (58 sq.m and 65 sq.m) at ground floor level on the Savile Row frontage. The originally submitted application proposed a single flexible retail / restaurant unit occupying the whole ground floor (excluding the office entrance, loading bay and fire escape). The applicant has committed to these two units being used as bespoke tailoring uses in perpetuity (to be secured by planning condition or legal agreement).
- Addition of a visitor cycle store at basement level and separation of the cycle stores by uses within proposed building. In addition, the office cycle parking store has been updated to provide a greater level of separation so that fewer bikes are stored within each storage area.
- Minor design changes in the form of: (i) The consolidation of plant to the northern side, enabling a large event space to be provided at roof level; (ii) Slight changes to the design of the shopfronts along Savile Row; and (iii) The provision of additional photovoltaic arrays at roof level above the lift core.

As summarised within Section 5.1 of this report, the following limited re-consultation exercise was undertaken following these amendments to the development proposal - the local amenity societies, parties with an interest in the amendments made (i.e. Historic England, the Savile Row Bespoke Association, and the Metropolitan Police Service), as well as the owners / occupiers of nearby buildings. Notice of the development was also re-advertised via a site notice and an advertisement within a local newspaper.

The development proposal was revised for a second time to increase the set back of the sixth floor (a brick faced office floor) on the New Burlington Street frontage from 1.3m to 2.6m and to increase the set back of the seventh floor (a plant enclosure) from 2.6m to 2.9m. The result is that the seventh floor is 1.0m closer to the edge of the sixth floor roof. It was not considered that further consultation was required given the minor nature of this amendment.

Applications for planning permission and listed building consent are also sought at No. 17 Savile Row to underpin the northern part of the building to accommodate the proposed lowered basement at Nos. 18-20 Savile Row and to raise the height of the northern chimney stack so that it would be taller than the proposed replacement building.

## **9. DETAILED CONSIDERATIONS**

### **9.1 Land Use**

#### **Savile Row Special Policy Area**

##### *Policy Summary*

London Plan Policy SD4(A) states, “*The unique international, national and London-wide roles of the CAZ, based on an agglomeration and rich mix of strategic functions and local uses, should be promoted and enhanced*”. Part G adds, “*The CAZ as a centre of*

*excellence and specialist clusters including functions of state, health, law, education, creative and cultural activities, and other more local Special Policy Areas should be supported and promoted*". Savile Row's association with bespoke tailoring is cited as an example suitable for the use of Special Policy Areas that could provide protection from development pressures and market conditions that could lead to the loss of valued specialist clusters of uses or functions that have particular significance to London's unique identity, economic function or cultural heritage (Para. 2.4.15).

The City Plan designates an area spanning either side of Savile Row between Burlington Gardens and Conduit Street as the Savile Row Special Policy Area, with City Plan Policy 23 stating:

*"A. Development in the Savile Row Special Policy Area (SPA) will complement and enhance its continued role as an international centre of excellence for bespoke tailoring, supported by complementary Class E (commercial, business and service uses) floorspace that respects townscape and heritage value.*

*B. New bespoke tailoring uses will be supported throughout the SPA, particularly at lower floor levels. Proposals for other uses that would result in the net loss of tailoring floorspace from the SPA will be resisted, unless this relates to floorspace benefiting from temporary consent for tailoring purposes.*

*C. Where new Class E (commercial, business and service uses) development incorporates retail floorspace, provision of a size, type and format that complements the unique character and function of the SPA is encouraged. Redevelopment proposals that would result in the replacement of multiple individual stores with large format retail will be resisted".*

In respect to Part C, the supporting text (Para. 23.4) outlines how: (i) The type of new retail floorspace should be in the fashion industry and be one that offers bespoke services; and (ii) The size of new retail units should normally be up to 300 sq.m GIA.

The supporting text goes on to state, "*Any proposals for the wholesale redevelopment of existing retail premises that would require planning permission should therefore respond to the unique character and offer of the tightly defined SPA. Conditions will be used to restrict the extent to which any new Class E (commercial, business and service uses) development can be occupied by large format retail*" (Para. 23.4).

In terms of complementary uses within the Savile Row SPA, the supporting text states, "*Other Class E (commercial, business and service uses) that are of a scale and design that respect local townscape, and can complement the commercial nature of the area, are in principle supported – as uses such as cafes and restaurants can increase dwell time, and additional office floorspace can contribute to the strategic office function of the CAZ*" (Para 23.4).

Mayfair Neighbourhood Plan Policy MR6.1 states, "*Proposals for new Creative Originals retail development in Mayfair will be encouraged*", whilst Policy 6.2 states, "*Proposals which involve the loss of Creative Originals floorspace should be resisted unless being replaced nearby*".

'Creative Originals' is defined with the glossary of the Mayfair Neighbourhood Plan as, *"Creative Originals retailers whose goods are based on the manufacture, production or sale of physical artefacts, the value of which derive from their perceived creative or cultural value and exclusivity. Examples are designer fashion, bespoke tailoring, craft-based activities such as jewellery and arts and antiques"*.

Since the submission of the application in May 2022:

- The northern unit within Nos. 18-19 Savile Row, arranged over basement and ground floor levels, became vacant following the fashion retailer (The Deck) relocating to No. 32 Savile Row. The Deck is a high-end clothing retailer but without any on-site manufacturing of clothing. This takes place off-site. It is now occupied by Re:New, a concept clothing retailer exploring sustainability and circularity in the fashion sector.
- The southern unit within Nos. 18-19 Savile Row, occupied by a bespoke tailor (Maurice Sedwell) for approximately 35 years, became vacant in July 2022 when it relocated to the first-floor rear of Nos. 9-10 Savile Row. Later in 2022, this unit was occupied by The Service, a coffee shop which was displaced from the ground floor of No. 32 Savile Row in order to make room for the relocated The Deck.
- The ground floor commercial unit within No. 20 Savile Row, formerly occupied for a number of years by a bespoke tailor, Welsh and Jefferies, until this occupier vacated in April 2022, was first occupied by a 'pop-up' retailer on a short-term basis and is now occupied by a bespoke hat maker.

None of the above changes in occupancy constituted development requiring planning permission. This is because: (i) All of the former and current uses fall within Class E (bespoke tailors comprise a composite use made up of elements of retail sales and light industry – both uses within Class E); and (ii) None of this floorspace is prevented by condition or legal agreement from changing to other use(s) within Class E.

The proposed provision of two ground floor units dedicated for use as bespoke tailors will mean that the development proposal would not result in a net loss of tailoring floorspace from the Savile Row SPA or the loss of 'creative original' floorspace. There is therefore no conflict with City Plan Policy 23(B) and Mayfair Neighbourhood Plan Policy MR6.2.

The inclusion of two units dedicated to bespoke tailoring would result in a development that enhances the SPA's continued role as an international centre of excellence for bespoke tailoring through adding new bespoke tailoring uses within the SPA, in accordance with City Plan Policy 23(A) and (B). The amendments made to the development proposal respond to the Savile Row Bespoke Association's initial objection by proposing two fairly small, and therefore more affordable, units suitable in this prominent location that visually links Savile Row and New Bond Street. Furthermore, the applicant proposes that:

- The use of these units as bespoke tailors be retained in perpetuity by condition or legal agreement.
- One of these units would be made available rent free for a period of five years, to

- support new tailors that could not otherwise access Savile Row.
- It will undertake reasonable endeavours to ensure that five three-year tailoring apprenticeships would be provided, focussed in the first instance on Westminster residents.

These all represent benefits of the redevelopment scheme.

Whilst bespoke tailors may occupy some or all of the existing units should permission be refused, given that there are no restrictions upon other uses within Class E occupying these units, this is in no way guaranteed.

In respect to the proposed flexible retail or restaurant unit proposed, this would either replace the current restaurant on site with one of similar size or potentially provide a relatively large (586 sq.m) retail unit that would significantly exceed the 300 sq.m threshold suggested in the supported text for what would constitute 'large format retail' for the purpose of City Plan Policy 23(C). The applicant has indicated, however, that this unit could be split up into smaller units. Unless this is secured by condition, however, this is not guaranteed.

The existing units comprises four commercial units over basement and ground floor level, one of which in the form of the restaurant is already large (832 sq.m). Whilst the proposed development could potentially reduce the number of units to three units (the larger unit proposed to be for used as either a restaurant or a retail unit that is capable of subdivision), the fact that the proposed largest potential unit is smaller than the existing restaurant, means that it is considered that the proposed form of development would complement and enhance the unique character and function of the Savile Row SPA w. In the context of a development that includes two bespoke tailoring units that the Savile Row Bespoke Association welcomes, it is considered that the development, when taken as a whole, is acceptable when assessed against City Plan Policy 23.

### **Increase in 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(A) supports improvements to the quality, flexibility and adaptability of office space of different sizes through new office provision, refurbishment and mixed-use development. 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 8,005 sq.m of high-quality office floorspace (+1,958 sq.m) 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-sectors<sup>2</sup>), the proposed increase in office floorspace will add capacity for 80 FTE office-based jobs when compared to the existing office floorspace on site. 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.

### **Affordable / flexible workspace**

The GLA Stage 1 response states that the lack of provision of affordable workspace is not compliant with the London Plan and that the applicant should work further with the City Council to include within the development a portion flexible / affordable workspace or small office units suitable for micro, small and medium sized enterprises.

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.

<sup>2</sup> Employment Density Guide (3<sup>rd</sup> edition), November 2015.

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

For this reason, despite the objections in the GLA Stage 1 on this ground, it is concluded that the failure to provide affordable workspace in the proposed development is not in breach of policy.

In terms of the flexibility of the proposed floorspace, whilst the replacement building proposes larger and more open plan office floorplates than existing, 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.

## **Ground Floor Commercial Units**

The proposed replacement building would result in a slight reduction in active frontage from approximately 52m to approximately 45m. This is a result of the proposed office reception (relocated from Savile Row to New Burlington Street) being wider than existing and the proposed service yard on New Burlington Street being wider than the vehicular entrance on Savile Row. Despite the small loss in frontage that serves visiting members of the public, the proposed building will provide an entirely active frontage on Savile Row. Given that Savile Row has the greater retail presence of the two streets and forms the heart of the Savile Row SPA, the proposed replacement building is considered to be acceptable when assessed against City Plan Policy 14(B) that requires uses that provide active frontages and serve visiting members of the public at the ground floor throughout the town centre hierarchy.

Whilst the development proposal could potentially see the loss of all restaurant floorspace on site, the development will still provide an acceptable retail and leisure experience within the West End Retail and Leisure Special Policy Area, in accordance with City Plan Policy 2.

Given that the maximum size of a restaurant unit is smaller than existing, there is no concern about its impact on the occupants of the residential units in this part of the CAZ or in terms of the impact upon the vitality, diversity and function of the local area, 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 Policy 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 Policy 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. 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 applicant states that the design team has followed a 'retrofit first' approach in working up the development proposal by prioritising the retention and retrofitting of existing buildings over their demolition and redevelopment. To this end, the applicant explored three development options and assessed both the upfront (the so-called 'cradle to completion' – Modules A1- A5) and the whole life carbon emissions (the so-called cradle to grave – Modules A-C) carbon emissions for each option.

These options are as follows:

**Table 2 – Upfront and whole life carbon emissions of development options**

	Option 1 - Retention of structural frame for 18-19 and 20 Savile Row	Option 2 - Retention of structural frame for 20 and rebuild 18-19 Savile Row	Option 3 - Redevelopment of both buildings (i.e. the development proposal)	GLA aspirational benchmark	GLA benchmark
Upfront carbon ('cradle to practical completion') (i.e. Modules A1-A5) (kgCO <sub>2</sub> e/m <sup>2</sup> )	343	693	775	<600	<950
Whole life carbon ('cradle to grave') (i.e. Modules A-C (excluding B6 and B7) (kgCO <sub>2</sub> e/m <sup>2</sup> )	956	1,085	1,188	<970	<1,400

Nos. 18-19 Savile Row and No. 20 Savile Row are structurally independent buildings and are considered to be structurally sound. In order to better align the two building's layout, grid and floor levels to enable them to function as a single building, as shown in Option 2, major structural works will be required. These include moving or expanding the

core which will involve some demolition and re-building of new structures. The carbon impact from these various structural alterations is included in the above whole life carbon assessment.

The above figures are an updated position from that originally submitted and that reviewed by officers at the GLA. This updated position reflects an improved understanding within the industry of embodied carbon and more detailed material quantities provided by the applicant's structural engineer. In respect to the figures for the development proposal scheme, these include: (i) An assumed 25% reduction in raft concrete volume through the use of Piecewise Reuse of Extracted Concrete (PRECS), a technique whereby pieces of concrete from an existing building are extracted and reused in the construction of the replacement buildings; (ii) The reuse of 50% of the existing brickwork on site; and (iii) The reuse of 3,290 sq.m of raised access floor from the existing buildings on site.

Option 2 would extend the floorplates out to match a similar envelope to the new build. However, as this option retains the lower floor to ceiling heights of Nos. 18-19 Savile Row there is effectively an additional floor for the equivalent height structure. Therefore, Option 2 has a floorspace of 9,383 sq.m GIA in comparison to the new build floorspace of 8,724 GIA.

Despite finding that the demolition and new build option would be the most carbon intensive option, the applicant proceeded with this development option on the grounds that the other options were unable to provide the same quality of space, flexibility, occupier comfort, along with health, wellbeing, and environmental standards when compared to the new build. More specifically, the applicant states that Options 1 and 2 were not pursued because:

- These options would fail to increase the floor to ceiling heights, typically around 2.35m, to meet market expectations (2.8m+).
- These options would fail to provide the same levels of internal light as the new build option. This is due to the lower floor to ceiling heights that reduce the penetration of light into the floorplates, albeit these options would have a central core that would mean that occupants of the office would be closer to windows when compared to the proposed development that pushes the cores to the outside of the site in order to deliver large open plan floorplates.
- The levels of the floorplates between the retained No. 20 Savile Row and the rebuilt Nos. 18-19 Savile Row will be significantly out of alignment (Option 1) and there is a desire for larger, open plan floorplates with minimal interruption by structural columns.
- These options fail to rectify the lack of level access to the building (only one of the ground floor units benefit from level access and this is not across the whole of the unit).
- These option 1 do not provide the same degree of open plan office floorplate when compared to the new build option due to the core remaining in the centre of the floorplate.
- Amalgamating and extending the two buildings would require a significant amount of the building to be demolished in any event to allow for rear extensions, the relocation of the cores and to deal with boundary columns between the two building.

In terms of the market demands for office floorspace in this part of the West End, the applicant points out that the total office floorspace within the part of the CAZ that is within Westminster has been declining over the last 15 years. Furthermore, there is a lack of new office floorspace in the development pipeline to reverse this trend. This lack of supply, combined with strong demand (+28% across central London since the COVID pandemic) for new and refurbished offices because of tenants' desire to occupy high-quality office space as a way to entice workers back into the office, attract international talent, and adhere to corporate environmental objectives through operating within highly efficient and low carbon buildings, means that office vacancy rates (5.5%) is below the ten year quarterly average of 6.4% for the West End. For new and refurbished buildings within Mayfair and St. James's, the applicant states that the vacancy rate is only 2.8%. The result is that office rents for the best quality office buildings in this area are increasing. In size terms, the applicant argues that since the COVID pandemic there has been a notable increase in the take-up of large offices (i.e. those above 60,000 sq. ft (5,574 sq.m)) and there is a particular lack of supply of such offices currently on the market within Mayfair and St. James's. In quality terms, the applicant states that in Mayfair and St. James's, the annual take-up of new and refurbished office floorspace has grown by 659% since the COVID pandemic. This contrast to a fall in take-up of second-hand offices of 26% over the same period.

The applicant argues that the inability to increase the floor-to-ceiling heights of the building and to improve the natural light levels means that the floorspace could only ever be considered to 'second hand space' (i.e. already used space that has not undergone major refurbishment), for which there is a low and declining demand (-34% across central London since the COVID pandemic). For this reason, the applicant states that there was a 20-month vacancy period at rear second floor of No. 20 Savile Row and that the rents achieved have been significantly lower than other nearby buildings on the applicant's estate that have been recently retrofitted. The applicant reasons that the two office buildings on site will suffer from growing vacancy and protracted voids because of the inescapable deficiencies in the structure of the buildings and due to low and declining demand for second hand category B office floorspace in Mayfair and St. James's.

For these reasons, the applicant argues that the proposed development is supported by:

- City Plan Policy 13 that supports improved office floorspace and additional floorspace that meets the need of modern working practices.
- London Plan Policy SD4(B) that requires the support and enhancement of the nationally and internationally significant office functions of the CAZ and the provision of sufficient space to meet demand for a range and types and sizes of occupier.

Feedback from GLA officers in February 2023 states, *"Upon further review and with coordination with the Circular Economy Officer the reasoning for demolition is not deemed to be adequate as the proposed new build appears to be of similar scale to the existing building. Has the applicant quantified the proposed benefits of the new build as the new build has the largest WLC impact of all the design options assessed?"*

Following further justification for the redevelopment of the site being provided by the applicant to officers at the GLA, the following update to the GLA's Stage 1 response has been provided, *"It is understood that whilst it is considered technically feasible to retain the existing building, the applicant considers the existing building unsuitable to fulfil the*

*requirements of the development brief. The applicant has provided evidence to demonstrate this and nothing further is requested in this regard at the current stage. However in principle, it remains that the buildings to be demolished are of the same typology with the key constraint being the requirements set out in the applicant's development brief, which should be considered when weighing up overall benefits demonstrated across the whole planning submission compared to the demolition”.*

Officers agree that it is technically feasible to retain the buildings as a whole or in part, with various structural alterations. Furthermore, such a refurbished building would be capable of being highly efficient in term of operational carbon emissions. Given that the upper floors of the buildings have contributed to the office stock within the CAZ since the erection of the buildings in the 1950s, no robust marketing evidence has been provided to explain why the floorspace is not fully let, and that the floorplates of the buildings are relatively shallow (and often dual aspect) meaning that the current floor-to-ceiling heights are considered to be adequate, it is concluded that the buildings are suited for the requirements of the site. The two buildings could also remain separate, thereby reducing the structural interventions associated with amalgamating two structurally independent building. Level access could provided to both buildings by cutting away the ground floor slab and creating internal ramps. The basement is large and is considered to be of sufficient size to accommodate end and trip facilities and the plant requirements of the two buildings.

The retention of the frames of both buildings will deliver the highest carbon reductions and less carbon-intensive alterations could provide some of the benefits of the new build scheme. These include outdoor amenity space, greater urban greening, cycle parking and associated end of journey facilities, and improvements to the access arrangements. Officers therefore agree with the update to the GLA's Stage 1 response that the key impediment to the retention of the buildings is the constraints imposed by the applicant's development brief to achieve open plan floorplates across the whole site and providing Grade A quality office floorspace.

For these reasons, it is concluded that the proposal would be contrary to circular economy principles, the most important of which is to keep resources (in this case the existing building) in use at the highest level possible for a long as possible. This would fail to help transition London to a low carbon circular economy, fail to incorporate principles of sustainable design, and result in unjustified carbon emissions. It is therefore concluded that in circular economy respects, the proposal is contrary to London Plan Policies GG5, GG6, D3 and SI 7 and City Plan Policies 37 and 38.

This conflict with the above policies in respect to the circular economy needs to be weighed against the policy support for the proposed development in respect to growth in office floorspace with the CAZ, jobs creation, and improvements in the quality of the office floorspace, as well as the public benefits that will flow from the proposed development. As set out above in Section 9.1 of this report, there is policy support throughout the development plan for the growth in office floorspace within the CAZ, job creation, and for improving the quality of office floorspace, including within London Plan Policies SD4 and E1, City Plan Policies 1, 2, 13 and 14, and Mayfair Neighbourhood Plan Policies MSG1, MSG2 and MC1.

In addition, the proposed development would deliver benefits to Savile Row as an international centre for excellence for bespoke tailoring through delivering two bespoke tailoring units in perpetuity, one of which would be made available rent free for a period of five years from first occupation to support new tailors that could not otherwise be able to access Savile Row. Such provision is supported by City Plan Policy 23. Furthermore, the applicant is committed to undertaking reasonable endeavours to ensure that five three-year tailoring apprenticeships are provided, focusing in the first instance on young Westminster residents. This is supported by City Plan Policy 18(D).

The proposed development would also be liable to make a financial contribution of £41,000 to support the Westminster Employment Service. The site's employment capacity would also increase, which will have associated economic benefits.

In respect to the policy support for additional office floorspace within the CAZ, however, the actual increase in office floorspace delivered by the proposed development is modest (+1,958 sq.m GIA). Furthermore, it is partially offset by the 918 sq.m GIA reduction in other Class E floorspace from the site. The result is that the proposed replacement building would only increase the commercial floorspace on site by 1,040 sq.m GIA. Furthermore, the proposed development would only result in a modest increase in the site's employment capacity of 43 FTE jobs (an increase of 80 FTE jobs associated with the office floorspace but a loss of 37 FTE jobs associated with the other Class E floorspace on site).

This modest increase in the site's employment capacity is in stark contrast to the increase in 246 FTE jobs that the applicant expects as a consequence of the proposed development compared to the current employment on site. This is mostly due to the high level of vacancy on site – the applicant states that the office parts of the building were 45% vacant in June 2023. The applicant estimates that the current number of employees on site is 300 FTE jobs; significantly lower than the employment capacity of the existing site of 431 FTE jobs. The applicant also uses the employment density for the office element of the proposed development of 10 sq.m per FTE job (the employment density for 'finance and insurance' – presumably the applicant's target market) as opposed to the average employment density of 11.6 sq.m per FTE job for the general offices. Finally, these figures have not been updated following the final revision to the proposed development that slightly reduces its floorspace; albeit the impact on job numbers would not be significant.

Based on the expected increase of 246 FTE jobs on site and, assuming that the significant increase in rents (and therefore rateable value) expected as a result of the floorspace proposed being more efficient and higher quality would attract higher value and more productive tenants, the applicant estimates that the proposed development would deliver:

- An additional £660,000 in worker expenditure per annum.
- An additional output in gross value added<sup>3</sup> (GVA) terms of £36m per annum (increasing to £73m per annum should the new office occupiers be amongst Mayfair's most productive firms).

---

<sup>3</sup> The value generated by any unit engaged in the production of goods and services.

- An increase tax revenue (business rates, VAT, corporate and income tax etc.) of between £11m and £14m per annum (increasing to between £22m and £29m per annum should the new office occupiers be amongst Mayfair's most productive firms).

No robust marketing evidence, however, accompanies the application to explain the current levels of vacancy on site. The only vacancy period identified is that the rear second floor of No. 20 Savile Row was vacant for 20 months prior to the current letting of this space in June 2021. In the absence of any further evidence to explain the currently low level of occupancy, it is considered likely that the current low levels of occupancy are a result of the buildings being emptied at the end of tenancies pending the outcome of this planning application. Indeed, the applicant advises that recent unsuccessful attempts to let parts of the buildings have all been on a short-term basis, indicating that achieving vacant possession is likely to be the applicant's overriding objective.

Furthermore, no evidence accompanies the application to explain why less carbon intensive alterations and / or extensions to the existing buildings would not significantly increase the buildings' occupancy rate and therefore deliver a large proportion of these economic benefits without the high carbon and waste costs of redeveloping the site.

For these reasons, it is considered that more weight should be given to the development's ability to generate an increase in the site's employment capacity of 43 FTE jobs as opposed to the expected increase in the number of actual jobs on site of 246 FTE jobs.

The modest increase in the site's employment capacity means that, even if the proposed development were able to attract higher value and more productive tenants, the associated economic benefits in terms of additional worker spend, increased economic output and increased tax revenues would be significantly less than as set out above. These economic benefits are not considered to outweigh the conflict with the policies within the adopted development plan in respect to sustainability and the circular economy.

Furthermore, whilst it is accepted that a refurbished, altered and extended office floorspace may not be as high quality as the proposed replacement building, London Plan Policy SD4(B) provides policy support for a range of types, sizes and cost of office floorspace, stating, "*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*". It is considered that refurbishing and possibly altering and / or extending the buildings would mean that the office floorspace would still contribute to the office function of the CAZ, albeit to a different sector of the market. Maintaining diversity in type and rental values of office floorspace within the CAZ is supported within the development plan, which weighs against the economic benefits associated with providing Class A floorspace on this site.

For these reasons, the policy support for additional and improved office floorspace within the CAZ, as well as increased job capacity, are not considered to outweigh the significant carbon and waste impact of the proposed development caused by the proposed development failing to adhere to the sustainability and circular economy

policies within the development plan that promote circular economy principles and principles of sustainable design, both of which prioritise the retention, refitting and refurbishment of existing buildings. Furthermore, the proposal is not considered to deliver sufficient public benefits to act as compelling material considerations to justify this departure from policy. The proposed development would therefore fail to help transition London to a low carbon circular economy through generating unjustified waste and carbon emissions. In those respects, the development proposal is contrary to London Plan Policies GG5, GG6, D3 and SI 7 and City Plan Policies 37 and 38. It is recommended that permission be refused on this ground.

### **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 Mayor of London's updated Energy Assessment Guidance states that an on-site carbon reduction of at least 35 per cent beyond Part L 2021 of building regulations should be achieved, with the GLA website stating that all applications submitted on or after 1 January 2023 will be required to follow the 2022 Energy Assessment guidance and use the 2022 Carbon Emissions Reporting Spreadsheet (version 2). This application was submitted before this date and therefore is still assessed as improvement against a notional development that meets the requirements of Part L 2013. Regardless of the baseline used to compare the development proposal and the methodology used, the above energy policies all require development proposals to achieve the maximum possible operational regulated carbon savings, with the aim to be zero carbon.

**Table 3: Regulated carbon dioxide savings from each stage of the energy hierarchy.**

	Regulated Carbon Dioxide Savings	
	Tonnes CO <sub>2</sub> per Annum	%
<b>Be Lean:</b> Savings from energy demand reduction	17.1	19
<b>Be Clean:</b> Savings from heat network	0.0	0
<b>Be Green:</b> Savings from renewable energy	19.0	21
Cumulative on-site savings	36.1	40
Carbon shortfall	54.4	-
	Tonnes CO <sub>2</sub>	
Cumulative savings for offset payment	1,623	
Cash-in-lieu contribution (£330 / tonne)	£535,590	

The proposed development is proposed to utilise highly efficient air and water source heat pumps for heating, cooling and hot water, a 138 sq.m array of roof level photovoltaic panels that has a maximum peak output of approximately 30kW, and best practice building fabric materials to achieve low U-values. Taken together, these measures are expected to reduce the regulated operational carbon emissions by 40% compared to a Part L 2013 compliant building. The application has been amended to increase the area of roof level photovoltaic panels from 110 sq.m to 138 sq.m. This has increased the carbon savings from renewable energy by 3 percentage points.

There are no district heat networks within the vicinity of the application site and therefore there are no opportunities to make carbon savings through connecting to a heat network. Had the development been acceptable in other respect, a condition would have been recommended securing the ability of the development to be connected to a district heat network should one come forward in the future.

Officers are now satisfied that the carbon savings are the maximum that can be achieved on site and that a financial contribution towards the City Council's Carbon Offset Fund of £536,000 secured by legal agreement would be used to fund carbon savings off-site to offset the residual operational carbon emissions arising from the proposed development. Correspondence from the GLA also indicates that there are no outstanding objections to the proposed development from an operational energy perspective.

#### **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 75.9% as a minimum. This is 5.9% 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 addendum to the Circular Economy Statement that originally accompanied the application 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 95% excavation waste material diverted from landfill for beneficial use.
- Minimum of 95% of construction waste material diverted from landfill for reuse, recycling and recovery.
- Minimum of 65% 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.

In terms of re-use of existing building fabric within the proposed development, the Pre-Demolition Audit estimates that the total volume arising from deconstruction is 14,198 tonnes, of which 7% (by weight) is designated for re-use off-site and 9% (by weight) is designated for use on-site.

The materials for re-use on site is as follows:

- 10% of metal (including 100% re-use of railings, balustrade and bicycle racks).
- 25% Piecewise Resue of Extracted Concrete in order to achieve a 25% reduction in the raft concrete volume.
- 50% of brick for use in the basement walls or for re-use in the rear façade of the proposed replacement building.
- 100% of stone in the form of the Heathcote plaque and the first floor window pediments.
- 100% reuse of raised access flooring on site (if suitable storage is found).

The applicant has designated the following for re-use off-site:

- 16% of metal
- 1% of electronics
- 99% of glass.
- 13% of gypsum.
- 74% of timber.
- 100% of carpet.
- 23% of ceramics.
- 55% of plastic.
- 100% of mineral fibre.

Steel, brick and steel have been chosen as building components to increase opportunities for the materials that could be reused at the end of the proposed development's life-cycle.

Whilst the circular economy commitments either meet or exceed those set out within London Plan Policy SI 7(A), for the reason set out above, this does overcome the proposal's failure to adhere to circular economy principles or principles of sustainable design, both of which prioritise the retention, refitting and refurbishment of existing buildings. Were the existing buildings on site retained rather than demolished, this would clearly result in a significant reduction in waste generation and demand for new materials.

### **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 assessed the Whole Life Carbon Emissions of the proposed development. This is a more holistic approach to assessing the carbon impact of development than purely focussing on regulated operational emissions. It includes operational carbon emissions from both regulated and unregulated (i.e. those associated with cooking and small appliance) energy use, as well as its embodied carbon emissions associated with the development's construction and carbon emissions associated with the dismantling, demolition and eventual material disposal. Embodied carbon emissions are those associated with raw material extraction, manufacture and transport of building materials and construction.

In terms of the whole life impact of the development including all modules over the building's notional 60-year life cycle, this is anticipated to be 11,690,128 kg CO<sub>2</sub>e (1,340 kg CO<sub>2</sub>e/m<sup>2</sup>). Operational water and energy over the building's notional 60-year life cycle is expected to be 11.3% of the total.

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

- Selection of low carbon cross laminated timber structural typology for the floors.
- Rationalisation of the steel frame to reduce spans and reduce total steel tonnage.
- Selection of brick façade which compares favourably to alternatives such as stone.
- Rationalisation of space planning to maximise the basement space and avoid adding an extra basement level.

In terms of how these figures relate to the benchmarks contained within the GLA's WLC guidance:

- The upfront carbon emissions (i.e. Modules A1-A5) is 18.4% lower than the GLA's WLC benchmark of 950 kg/Co<sub>2</sub>e/m<sup>2</sup> and 29.2% above the GLA's WLC aspirational benchmark of 600kg/Co<sub>2</sub>e/m<sup>2</sup>.
- The whole life carbon impact of the development for Modules A-C (excluding B6 and B7) is 15.1% lower than the GLA's WLC benchmark of 1,400kg/Co<sub>2</sub>e/m<sup>2</sup> and 26.4% above the GLA's WLC aspirational benchmark of 970kg/Co<sub>2</sub>e/m<sup>2</sup>.

Given that the applicant is able to demonstrate that actions have been taken to reduce life-cycle carbon emissions from the proposed development and that the expected whole life cycle emissions are 30.0% lower than the GLA's WLC benchmark, the development is compliant with London Plan Policy SI 2.

This conclusion does not, however, detract from the failure of the proposed development to incorporate circular economy principles or principles of sustainable design, both of which prioritise the retention, refitting and refurbishment of existing buildings. As demonstrated within Table 2, had these principles been prioritised, the carbon impact of the development would have been significantly lower.

### **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

In respect the initial concerns set out in the GLA's Stage 1 response, officers at the GLA have confirmed that the report, which has fully taken account of the previous comments and revised the dust risk assessment, is now acceptable.

### **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 be proposed to be attenuated through the use of blue roofs beneath the proposed terraces at third, fourth, fifth, sixth and seventh floor levels, ensuring that water is dealt with as close to source as possible. A blue roof system provides temporary water storage attenuation at roof level through the use of a layer of geocellular crate and restricts the release of this water at the outlets. The total capacity of these blue roofs is 15.7 cubic metres.

The proposed SUDs strategy will restrict surface water run off to the public sewer to a peak discharge of 5.2l/s for a 1 in a 100-year (+40% climate change) event. Although not as low as greenfield run-off rates, it will provide a betterment of 77% when compared to existing run-off rates for this storm event. This is acceptable in this instance.

Officers at the GLA consider that the applicant has provided appropriate justification for not including rainwater harvesting within the basement. This includes the low yield compared to the additional carbon expenditure required to provide a second basement level and the spatial constraints within the existing basement. Considering that other SuDS have been provided, this is considered sufficient justification.

### **Odour**

The design of the building includes tenants' risers in both the north and east sides of the building. These could be used as kitchen extract routes to ensure that any cooking smells from primary cooking are taken to roof level to ensure adequate dispersal, in accordance with City Plan Policy 33(D).

## **9.3 Biodiversity & Greening**

An Urban Greening Factor (UGF) assessment has been undertaken and the expected score is 0.3. This compares to the existing site's UGF score of 0. This is achieved through the provision of planters around terraces areas and roof level rain gardens. 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.

London Plan Policy G6(D) requires development proposal to manage impacts on biodiversity and aim to secure net biodiversity gain. City Plan Policy 35(G) states, *“Developments should achieve biodiversity net gain, wherever feasible and appropriate. Opportunities to enhance existing habitats and create new habitats for priority species should be maximised. Developments within areas of nature deficiency should include features to enhance biodiversity, particularly for priority species and habitats”*.

The Biodiversity Impact Assessment that accompanies the application states that the proposals would achieve a biodiversity net gain of 0.25 units (achieving 100% as there are currently no units on site). This is acceptable.

#### **9.4 Townscape, Design & Heritage Impact**

##### **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 listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”*

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

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

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 or pay special attention, as relevant, to the desirability of preserving the significance of the designated heritage asset(s) affected by the proposed development or works. This should also take into account the relative significance of the affected asset and the severity of the harm caused.

In considering these proposals the key urban design and conservation policies relate to the protection of conservation areas, the setting of listed buildings, views, and the quality of the replacement building. These include City Plan Policies 38, 39 and 40.

### **Redevelopment of 18-20 Savile Row (Application 1)**

Nos. 18-20 Savile Row comprises two, unlisted, buildings which are in the Regent Street Conservation Area and also in the Great Estates Area of Special Archaeological Priority. Both buildings have been altered to various degrees in the past.

No. 18-19 Savile Row dates from 1956 and has no historic or architectural merit. It incorporates a massive, vertical, panel of blank brickwork, above a classically-detailed portico which is a later addition that looks peculiar in the context of building's otherwise austere facade. This brickwork panel is a poor design feature, clearly visible in the view east along Clifford Street. The remainder of the building is bland and compares unfavourably with the vast majority of buildings in the Regent Street Conservation Area; it is equally poor when seen in the context of the Mayfair Conservation Area and the adjacent, and nearby, listed buildings.

No. 20 Savile Row has facades to New Burlington Street and Savile Row. It dates from 1958 has limited historic and architectural interest. The red-brick facades are well-finished but sparsely detailed. The main features of any interest are some of the window surrounds which have carved stonework, a carved stone plaque of John Heathcoat, and a vague sense of architectural hierarchy in the façades. However, overall, the building is coarse and lacks the scale, detail, and materiality necessary to harmonise with its surroundings. This is particularly noticeable looking south-east in Savile Row towards the New Burlington Street corner of the building where its scale and detailed design are conspicuously at odds with neighbouring buildings.

The assessment is that both buildings make a neutral contribution in heritage asset terms, and this is also the opinion of Historic England and officers at the GLA.

#### *Impact on Heritage Assets*

The proposal envisages clearing the site and the erection of a brick-faced building rising through six storeys with a set-back seventh storey and a further set-back eighth storey. The existing Heathcoat plaque would be removed and reinstated in a comparable position on the new facade, at first-floor level, and other pieces of decorative stonework would be reused on the new facades.

However, with regard to listed building and conservation area matters, both Historic England and the GLA find that the proposed redevelopment would cause less than substantial harm, with Historic England stating that the harm is at the 'low end' of less than substantial. In addition, objections have been received on various grounds including a perceived adverse impact on designated heritage assets and on the bespoke tailoring heritage of Savile Row. Given the statutory obligations set out within Sections 66 and 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as set out above, this harm must be given great weight when weighed against the public benefits of the proposal, including securing the optimum viable use of the site (as required by NPPF Para. 208),

As regards objections to the impact of the development on the historic character of Savile Row as a world-renowned place associated with bespoke tailoring, the plans have been amended to provide two shop-type units in Savile Row for tailoring purposes. This aspect of the scheme has been developed in discussion with the Savile Row Bespoke Association. The applicant proposes that use of the units would be secured for bespoke tailoring, or tailoring-related uses, by planning condition or legal agreement. Subject to that agreement being formalised, the revised proposal has adequately addressed the tailoring issue in heritage asset terms.

Historic England's summary of their objection highlights that the existing buildings, "...feature in the background townscape of several Georgian listed buildings on Savile Row and in views on surrounding streets in the Mayfair Conservation Area. The proposed demolition and replacement of the buildings with a taller and bulkier development would disrupt the height and massing characteristic of their New Burlington Street context, and would fail convincingly to enhance the site's contribution in the latter views. Planning policy strongly encourages the enhancement of settings and conservation areas wherever possible... The proposed development is not convincingly justified and could better fulfil policy in these regards". Historic England does, however, note that any actual harm to the significance of designated heritage assets would be at "a very low level". In response to the comment, the application has been revised to reduce the apparent height and bulk of the building in views along New Burlington Street. The amended design has therefore satisfactorily addressed the objection. Furthermore, as noted below, there are also enhancements in heritage asset terms.

In views along New Burlington Street, the impact of the latest revised scheme on the skyline is slight. The alteration to the roofscape in these views is not so conspicuous or dramatic as to draw attention away from the street level views, which continue to appropriately frame the splendid façade of former Police Station in Savile Row.

The view along Clifford Street towards the site will be improved by the new building which has an attractive facade instead of a large and incongruous area of blank brickwork.

In Savile Row, the massing of the new building is an improvement as regards the transition of scale from the development site to the neighbouring listed building at No.17 Savile Row. Here, the proposed building begins a deep set-back at the sixth storey. This is apparent in close and longer distance views, thus the setting of listed buildings in Savile Row is improved as far as the development's massing is concerned in Savile Row views.

#### *Detailed Design*

In terms of the building's detailed design, this is an improvement in heritage asset terms. The main body of the building is to be faced in a light-brown brick with the upper levels and set-backs faced with a light-grey brick, and the window reveals are to be clad with brushed aluminium. There is a thoughtfully detailed richness to the brickwork, the grouping of windows on the Savile Row façade into a three-bay arrangement better reflects the tighter grain of historic development in the street and neighbouring Mayfair Conservation Area, and the colour of the facing materials is more harmonious than the current red-brick facades. The set-back sixth floor will incorporate salvaged decorative stonework over the windows, and at street level the proposed shopfronts are well detailed and provision has been made for advertisements to be sensitively located.

The rear facades are of light-grey brick and tiered with a series of terraces incorporating planting. This contributes positively to urban greening. The mechanical plant at roof level will be appropriately screened.

Therefore, the development as a whole will be an improvement in heritage asset terms and accords with City Plan policies 38, 39, and 40, and Mayfair Neighbourhood Plan policy MD.

#### *Heathcoat Plaque*

NPPF Para. 204 states, "*In considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal*".

The Heathcoat plaque currently affixed to No. 20 Savile Row is proposed to be removed, safely stored and reinstated at first floor in a similar location as existing.

The proposal to reuse the Heathcoat plaque in a similar position to existing is acceptable, providing a memento of the Site 1's origins and therefore preserves an element of the local heritage significance which No. 20 Savile Row possesses.

It is not considered that the plaque's removal and reinstated constitutes its full or part demolition for the purposes of the Town and Country Planning (Consultation) (England) Direction 2021. As such, if the City Council resolves to approve the development at Site 1, it is not considered that it is required to consult the Secretary of State in order to allow him the opportunity to recover the application for his determination under Section 77 of



the Town and Country Planning Act (1990).

### **Alterations to No. 17 Savile Row (Applications 2 and 3)**

Although unusual, it is not unprecedented for chimneystacks to be raised and, in this case, the additional height is required if it is to maintain its safe functionality. As part of the neighbouring redevelopment the flank wall is to be partly reduced in height in conjunction with proposed set-backs to the upper floors. In terms of the impact this has on the setting of No. 17 Savile Row, the alterations to the wall are beneficial because the transition of scale between the buildings becomes less abrupt, and the extension of the chimney stack is neutral in terms of its impact on the appearance and special interest (significance) of No. 17 Savile Row as a grade II listed building because it raises an already altered stack which is seen in the context of the already taller adjoining building, and it maintains the ability to use the chimneys which can aid natural ventilation of the building. There are other examples of raised chimneys (many historic) where floors have been added to neighbouring buildings in the area and in this case the increased height is neither excessive nor incongruous. Therefore, the alteration is neutral in terms of its impact on the character and appearance of the Mayfair Conservation Area.

The extension to the chimney stack to No. 17 Savile Row are acceptable in their own right, irrespective of whether or not the neighbouring development at No. 18-20 Savile Row goes ahead. This is because the raised chimneystack would not appear incongruous in views from within the Regent Street or Mayfair conservation areas, and it would not cause any harm to the building's special interest. This is subject to the imposition of a condition ensuring that the brickwork used to extend the chimney stack matches the existing.

If permission were to be granted for the redevelopment of Nos. 18-20 Savile Row, it is not considered necessary to impose a 'Grampian' condition for the works to extend the chimney at No. 17 Savile Row to be completed prior to the commencement of development. Whilst this is the usual approach for necessary off-site works, in this case such a condition would not pass the 'necessary' test because these off-site works are not necessary to preserve the special interest of No. 17 Savile Row, being only desirable to allow the chimneys to operate if the owner wishes to use the fireplaces. It is also not considered necessary for this chimney stack to be extended for the redevelopment at Nos. 18-20 Savile Row to take place. The replacement building would simply butt up against the existing chimney stack. For these reasons, it is sufficient that these works have been assessed at the same time as the application to redevelop the neighbouring site. Whether the works are undertaken and, if so when, is a private matter between the owners of No. 17 Savile Row and Nos. 18-20 Savile Row. If the owner of No. 17 Savile Row chooses not to undertake these works, it will mean that the fireplaces will not be able to be adequately vented but this can be remedied by extending the chimney for which permission and consent is sought in Applications 2 and 3.

Also, in connection with the redevelopment, underpinning of adjoining properties including No.17 Savile Row is required to form the new basement floor level at Nos. 18-20 which is to be approximately 2.3m below the existing basement floor level. A ground movement assessment has been carried out, amongst other technical studies, and it predicts the damage to be, "*at worst, within Category 1 as described in the 'Classification of Visible Damage to Walls' table... within the acceptable damage levels*

*set out in the City of Westminster subterranean development policies* [Elliot Wood Structural Engineering Report and Subterranean Construction Method Statement]. Category 1 cracks are defined by the Building Research Establishment as, *“Fine cracks of up to 1mm... [that] can be treated easily using normal decoration. Damage generally restricted to internal wall finishes; cracks rarely visible in external brickwork”*. This degree of impact on No. 17 Savile Row is not harmful to its special interest, and making good would normally be dealt with as a Party Wall matter.

### **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 applicant has prepared a revised Fire Statement that provides more clarity and detail. Discussions with officers at the GLA reveal that the original objection to the application to the development proposal on fire safety grounds has been overcome and that the proposal development now accords with policy.

### **Archaeology**

Historic England (Archaeology) has reviewed the 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.

## **9.5 Residential Amenity**

Given the distance to the neighbouring between the application site and the nearest residential properties, the proposal will not result in any material impact upon the occupants of these properties in respect to daylight / sunlight, sense of enclosure or privacy.

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**

### **Parking**

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

The number of cycle parking spaces required by the proposed development is set out below.

**Table 4 – Cycle parking requirements and provision**

Use	Policy requirement	Provision	+/-
Office (short-stay)	11	12	+1
Office (long-stay)	115	115	0
Flexible retail or restaurant / bespoke tailoring (short-stay)	32	0	-32
Flexible retail or restaurant / bespoke tailoring (short-stay)	4	6	+2
<b>Total</b>	<b>162</b>	<b>133</b>	<b>-29</b>

Table 4 demonstrates that the cycle parking proposed is policy compliant with the exception of short-term cycle parking associated with flexible retail / restaurant unit and the two bespoke tailoring units which is contrary to London Plan Policy T5. Furthermore, the long-stay cycle parking for the non-office Class E floorspace is all located within the flexible retail / restaurant unit and therefore would not be accessible for staff working within the two proposed bespoke tailoring units. The failure to provide any long-stay or short stay cycle parking for the staff of the bespoke tailors is also contrary to London Plan Policy T5.

In order to cater for a modal shift towards cycling in the decades to come, it is important to take opportunities as developments come forward to accommodate the short-term cycle parking on-site. Although London Plan Policy T5(D) does allow on-street parking where it is not possible to provide short-stay cycle parking on-site, in this case the proposal is for the demolition and redevelopment of the site and therefore it is clearly possible to provide the required cycle parking on site. Furthermore, the public highway is a finite and a much-contested space that needs to accommodate various functions and is often not able to provide the required short stay cycle parking associated with development proposal.

It is, however, accepted that breaking up the frontage on Savile Row with a door to some off-street cycle parking is not desirable and therefore the provision of some or all of the required short-term cycle parking on the public highway is the best that can be achieved in this instance. Whilst 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, this does not mitigate the failure to provide short-term cycle parking as: (i) London Plan Para. 10.5.9 clearly states, "*Provision of cycle hire caters for a different market of cyclists and also should not be accepted in lieu of cycle parking*"; and (ii) The financial contribution agreed will not increase cycle hire spaces in the vicinity of the site, only contributing to docking station maintenance.

Given that the area on New Burlington Street that is currently behind the railings is not to be constructed upon, officers enquired whether this could be dedicated as public highway and thereby widen the footway. This would assist in providing space for the required short-stay cycle parking near the site. Disappointingly, however, the applicant declined to offer up this land for dedication. Had the development been acceptable in other respects, a study would have been undertaken by the City Council to identify whether there are suitable locations for short term cycle parking immediately adjacent to the application site and, if so, the installation of as many as possible would have been secured by legal agreement as part of the highways works associated with the redevelopment of this site. The location and number of these cycle parking space is a matter for the City Council as the Highways Authority when designing the highways works. In addition, conditions would have been imposed requiring staff working within the non-office Class E uses at ground floor to be given access to the proposed changing rooms / lockers / showers at basement level.

### **Servicing**

There is no access for servicing from the rear from New Burlington Street Mews. The proposed for off-street loading and unloading from a new off-street loading bay accessed from New Burlington Street is acceptable. The applicant has committed to including rapid EV charging facilities within the loading bay to allow top up charging to electric vehicles. This is clearly welcome.

Had the proposed development been acceptable in other respects, the necessary changes to the on-street parking restrictions would have been secured by legal agreement. It is important that these changes, which is a separate legal process requiring public consultation, is completed prior to the commencement of development (including demolition) in order: (i) To ensure that this process is independent of the planning system; and (ii) To ensure that there is no impediment that it outside the control of the applicant that could prevent the continuity of the redevelopment of the site.

A concern is raised by the GLA and Transport for London in respect to the lack of pedestrian splays for vehicles exiting the proposed loading bays. Had the development been acceptable in other respects, an 'amending condition' would have been imposed showing an alteration to the detailed design of the loading bay to ensure that adequate visibility splays can be achieved to secure the safety of pedestrians.

Had the proposed development been acceptable in other respects, the reinstatement of the vehicle crossover to footway on Savile Row would have been secured by legal agreement as part of the wider highway works.

### **Doors opening over the public highway**

The proposed door at the southern corner of the Savile Row frontage opens out on to the highway. This is a fire escape door and therefore needs to open outwards. Furthermore, this door is located adjacent to a narrower stretch of Savile Row footway, which is 'sheltered' by the protruding railings and lower ground floor access to 17 Savile Row. For these reasons, subject to the imposition of a condition preventing this door being opened other than during an emergency, the proposal to have a door opening over the public highway is acceptable.

## Highways dedication / stopping up

None of the proposed development builds over the public highway and therefore there is no requirement for any public highway to be stopped up.

The proposed development will be stepped back from the current building in three small areas on Savile Row – land beneath bottom step of the two shops and land beneath the entrance portico, both to Nos. 18-19 Savile Row. Had the development been acceptable in other respects, this dedication would have been secured by legal agreement.

## 9.7 Economy including Employment & Skills

### *Employment capacity*

Based on an employment density of 1 employee per 11.6 sq.m (the average density of the general office sub-sectors<sup>4</sup>), the proposed increase in office floorspace will add capacity for 80 FTE jobs when compared to the existing office floorspace on site. This increase, however, is partly offset by the proposed reduction in other Class E floorspace over ground and basement floors levels. The employment capacity for the existing retail, coffee shop and restaurant floorspace is approximately 72 FTE jobs and this would reduce to approximately 35 FTE jobs as a result of the proposed development. Overall, the net result of the proposed development would be a modest increase in the site's employment capacity of 43 FTE jobs.

The increase in job capacity supported by this site will help to promote opportunities for local employment and will lead to increased spending in existing nearby shops and services and other town centre uses. Furthermore, the applicant's offer to undertake reasonable endeavours to ensure that five three-year tailoring apprenticeships would be provided, focussed in the first instance on Westminster residents, is clearly welcome and, if realised, will give opportunities for local residents to enter this trade.

### *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 £41,000 to support the Westminster Employment Service (payable prior to the commencement of development). Had the development been acceptable in other

---

<sup>4</sup> Employment Density Guide (3<sup>rd</sup> edition), November 2015.

respect, this financial contribution would have been secured by legal agreement.

## **9.8 Other Considerations**

### **Crime and Security**

The concerns of the Metropolitan Police Service in respect to the lack of a secure line of turnstiles with fob access within the ground floor office entrance could have been addressed through the imposition of a condition requiring details of such a facility to be submitted for approval. Such a secure line would also address the concerns in respect to the ability to access the upper floors of the building through the doors to the rear of the lobby.

In addition, following adjustments to the basement layout, the cycle store for flexible retail/restaurant and office have been provided within separate stores. In addition, the main office cycle store now includes partial separation so that the store provides two general sections rather than provided as one larger single store. This is considered to address the concerns expressed by the Metropolitan Police Service.

### **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 proposed within Application 1 been acceptable in sustainability terms, the following planning obligations would have been secured via a S106 legal agreement:

- A financial contribution of £41,000 (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).
- Require the owner to undertake reasonable endeavours to ensure that five three-year tailoring apprenticeships would be provided within the two ground floor bespoke tailor units on site, focussed in the first instance on Westminster residents.
- Arrangements to ensure that one of the proposed ground floor bespoke tailor units on site would be made available rent free for a period of five years from first occupation.
- A financial contribution to the City Council's Carbon Off-Set Fund of £536,000 (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 highways works (including, if possible and desirable, the provision of short stay cycle parking and the replacement of the vehicular crossover on Savile Row with footway) on the parts of Savile Row and New Burlington Street immediately adjacent to the application site. The necessary alterations to traffic orders to allow the re-arrangement of the on-street vehicular parking on the south side of New Burlington Street to provide vehicular access to the off-street servicing bay to be confirmed prior to commencement of development (including demolition).

- A financial contribution of £22,500 (index linked and payable prior to commencement of development) towards the maintenance costs associated with cycle hire in the area.
- Dedication of three areas of land on Savile Row in front of Nos. 18-19 Savile Row as public highway (land beneath bottom step of the two shops on the Savile Row frontage and land beneath the entrance portico).
- The costs of monitoring the S106 agreement.

The estimated CIL payment is £510,600. This is made up of a Westminster CIL payment of £292,428 and a Mayoral CIL payment of £218,172. Note that these figures exclude any discretionary relief or other exemptions that may apply and are estimates pending calculation of the CIL payments using the process set out in the Community Infrastructure Levy Regulations 2010 (as amended).

No pre-commencement conditions are proposed on the draft decision letters for Application 2.

## 10. Conclusion

Whilst the development proposal in Application 1 is acceptable in land-use, amenity and design and conservation terms, the demolition of the existing buildings and the erection of a replacement building fails to adhere to circular economy principles and principles of sustainable design, both of which prioritise the retention, refitting and refurbishment of existing buildings. The proposed development would therefore fail to help transition London to a low carbon circular economy through generating unjustified waste and carbon emissions. The proposed development is therefore contrary to London Plan Policies GG5, GG6, D3 and SI 7 and City Plan Policies 37 and 38. For this reason, it is recommended that permission be refused.

The proposed alterations to No. 17 Savile Row will preserve the character and appearance of the Mayfair Conservation Area and will not harm the special interest of this Grade II listed building. This is regardless of whether or not the redevelopment of the adjacent site goes ahead. For this reason, it is recommended that conditional permission and listed building consent be granted for Applications 1 and 2, respectively.

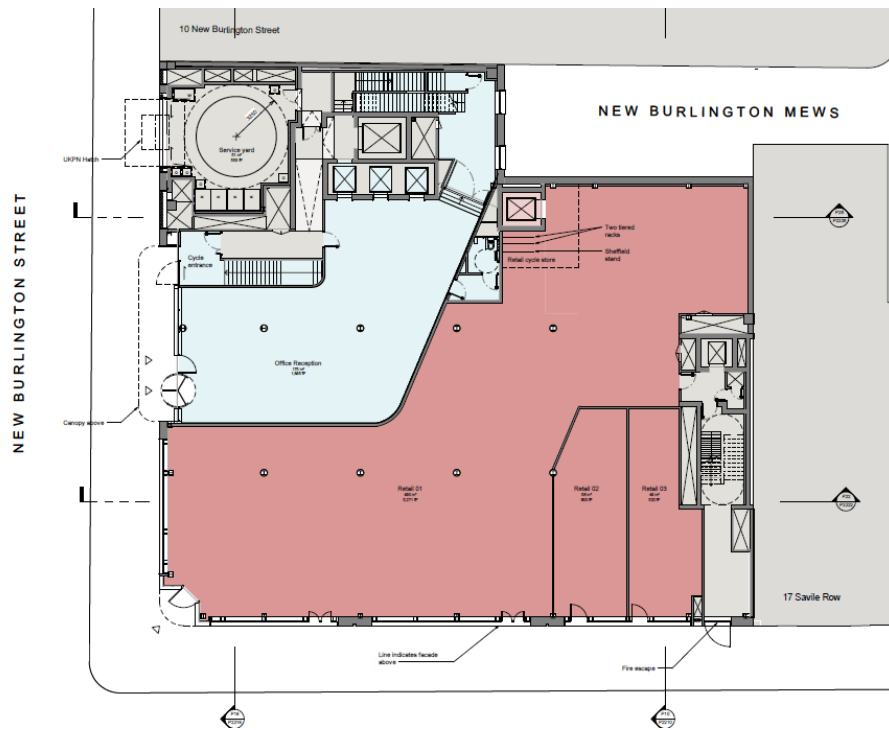
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

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

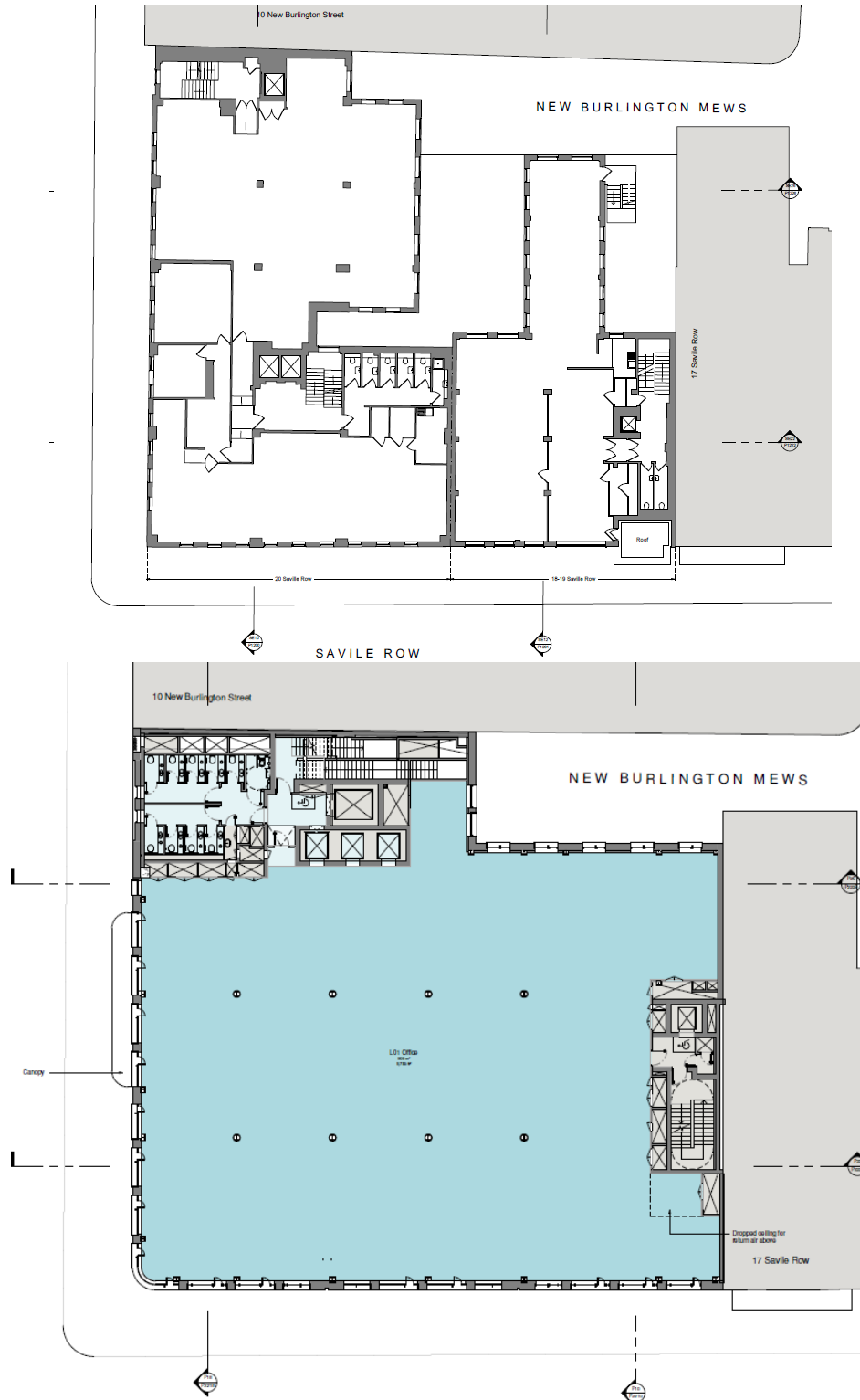


### 11. KEY DRAWINGS

Existing and proposed ground floor plans:



Existing and proposed first floor plans:



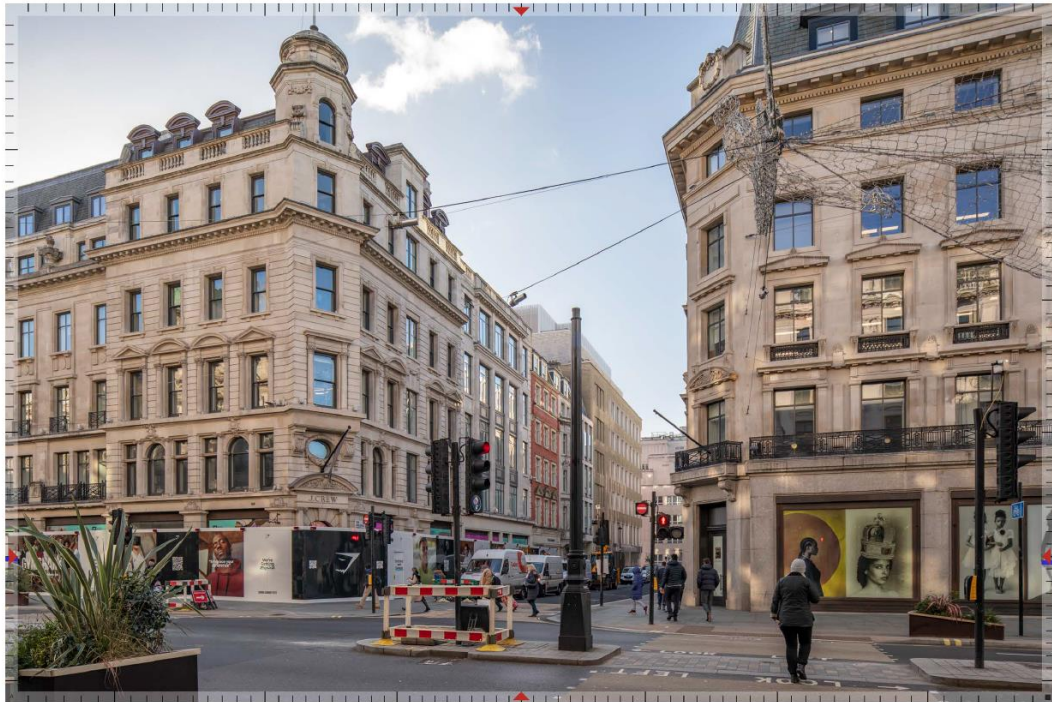
Existing north elevation:



Existing and proposed west elevation:



Existing and proposed view from Regent Street





Existing and proposed view from Saviel Row (looking south-east):



Existing and proposed view looking north-east along Clifford Street:



**DRAFT DECISION LETTER (APPLICATION 1)**

**Address:** Development Site At, 18 - 20 Savile Row, London,

**Proposal:** Demolition of all existing buildings, excavation to deepen existing basement, and redevelopment to provide an eight storey building plus one storey basement comprising flexible retail (Class E(a)) and/or restaurant (Class E(b)) floorspace and tailoring floorspace (Class E(a), Class E(g)(ii) & Class E(g)(iii)) at part ground floor; and office floorspace (Class E(g)(i)) at part ground and on all upper floors; external terraces and associated hard and soft landscaping; cycle parking; replacement of commemorative plaque and other associated works.

**Reference:** 22/03276/FULL

**Plan Nos:** Demolition drawings  
P599 Rev. 2, P600 Rev. 2, P601 Rev. 2, P602 Rev. 2, P603 Rev. 2, P604 Rev. 2, P605 Rev. 2, P606 Rev. 2, P607 Rev. 2 and P608 Rev. 2.

Proposed drawings  
P199 Rev. 4, P200 Rev. 7, P2001 Rev. 4, P2002 Rev. 4, P2003 Rev. 4, P2004 Rev. 4, P2005 Rev. 4, P2006 Rev. 5, P2007 Rev. 5, P2008 Rev. 5, P2100 Rev. 6, P2101 Rev. 5, P2102 Rev. 4, P2103 Rev. 3, P2210 Rev. 3, P2218 Rev. 4, P2222 Rev. 4 and P2226 Rev. 4.

**Case Officer:** Mark Hollington

**Direct Tel. No.** 07866040156

**Recommended Condition(s) and Reason(s)**

Reason:

- 1 The demolition of the existing building and the erection of a replacement building fails to adhere to circular economy principles and principles of sustainable design, both of which prioritise the retention, refitting and refurbishment of existing buildings. The proposed development would therefore fail to help transition London to a low carbon circular economy through generating unjustified waste and carbon emissions. The proposed development is therefore contrary to London Plan Policies GG5, GG6, D3 and SI 7 and City Plan Policies 37 and 38.

**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



Item No.
<b>2</b>

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.

**DRAFT DECISION LETTER (APPLICATION 2)**

**Address:** Aberach House, 17 Savile Row, London, W1S 3PN

**Proposal:** Extension to the chimney stack at No. 17 Savile Row, underpinning of boundary wall to No. 18 and other associated works. (Linked with 22/03189/LBC) [SITE INCLUDES 18 SAVILE ROW].

**Plan Nos:** P2009 Rev. 1, P2104 Rev. 2 and P2205 Rev. 2.

**Case Officer:** Mark Hollington

**Direct Tel. No.** 07866040156

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

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

Reason:

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

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
  - o between 08.00 and 18.00 Monday to Friday;
  - o between 08.00 and 13.00 on Saturday; and
  - o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 3 You must apply to us for approval of a sample panel of brickwork, built on site, which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved the sample panel in writing. You must then carry out the work according to the approved sample. (C27DC)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area.

This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

**DRAFT DECISION LETTER (APPLICATION 3)**

**Address:** Aberach House, 17 Savile Row, London, W1S 3PN

**Proposal:** Extension to the chimney stack at No. 17 Savile Row, underpinning of boundary wall to No. 18 and other associated works. (Linked with 22/03271/FULL) [SITE INCLUDES 18 SAVILE ROW].

**Plan Nos:** P2009 Rev. 1, P2104 Rev. 2 and P2205 Rev. 2.

**Case Officer:** Mark Hollington

**Direct Tel. No.** 07866040156

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

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

Reason:

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

- 2 You must apply to us for approval of a sample panel of brickwork, built on site, which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved the sample panel in writing. You must then carry out the work according to the approved sample. (C27DC)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

**Informative(s):**

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework, the London Plan (March 2021), the City Plan (April 2021), as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council has had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses and has decided that the proposed works would not harm this special architectural or historic interest; or where any harm has been identified it has been considered acceptable in accordance with the NPPF.

In reaching this decision the following were of particular relevance:

Item No.
<b>2</b>

Policies 38, 39 and 40 of the City Plan 2019 - 2040 adopted in April 2021 and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

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

This page is intentionally left blank