

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 14 February 2016	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> St James's	
<b>Subject of Report</b>	<b>Norfolk House, 31 St James's Square, London, SW1Y 4JR,</b>		
<b>Proposal</b>	Demolition of existing building and reconstruction of 31 St James Square and 30 Charles II Street facades to provide an office building over single basement, ground and first to seventh floors, a lightwell and railings to the front of 31 St James Square, basement car and cycle parking, plant at basement and roof levels, alterations to existing access on Charles II Street and associated works.		
<b>Agent</b>	DP9		
<b>On behalf of</b>	Sateria Investments Limited		
<b>Registered Number</b>	16/09591/FULL	<b>Date amended/ completed</b>	10 January 2017
<b>Date Application Received</b>	6 October 2016		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	St James's		

## 1. RECOMMENDATION

1. Grant conditional permission subject to a S106 legal agreement to secure the following:

- i) The cost of the works to the footway to close the redundant crossover, construct the new crossover and revise the Traffic Management Orders on Charles II Street and for the cost of works to the footway to St James's Square (all subject to agreement by the council as Highway Authority)
- ii) Carbon offset payment of £58,320 (index linked) to be paid on commencement of development.
- iii) Crossrail payment of £119,280 (index linked) to be paid on commencement of development.
- iv) S106 monitoring costs to be paid on commencement of development.

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

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

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

## 2. SUMMARY

The application site comprises Norfolk House, located at 31 St James's Square and 30 Charles II Street. It is a landlocked L-shaped site that is bound to the east by Waterloo Place, to the west by St James's Square, to the north by Charles II Street and to the south by Pall Mall.

The site measures approximately 0.26 hectares and is currently occupied by multi-let seven-storey office accommodation. The main entrance to the building is on St James's Square with a secondary access on Charles II Street.

The building dates from 1939 and has neo-Georgian classical style facades to the street that conceal a large L shaped building behind. The building is not listed but does lie within the St James's Conservation Area and the Core Central Activities Zone. The site is located within the setting of St James's Square, which is a Registered Park and Garden accessible to the public.

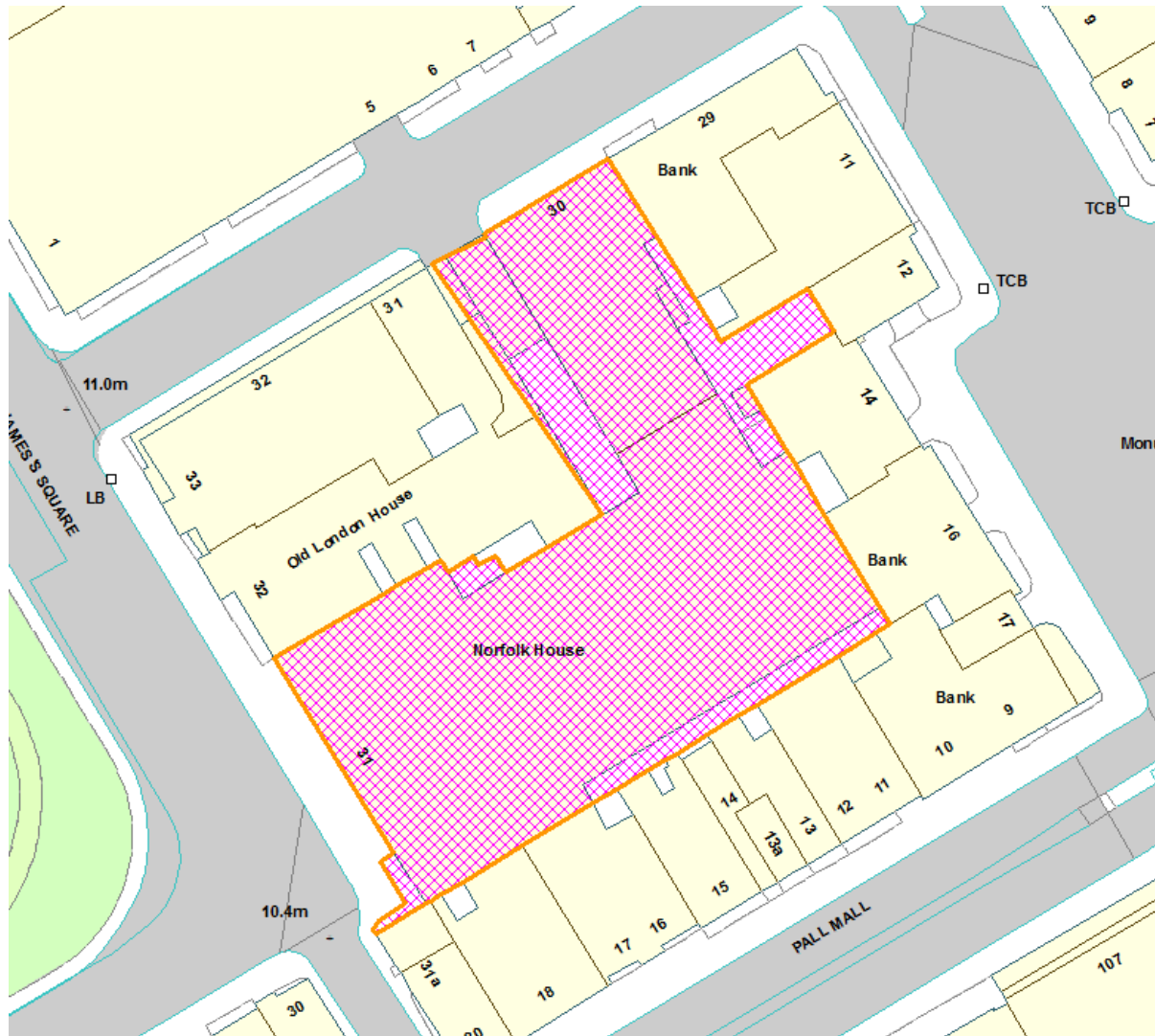
Permission is sought to demolish the existing building and construct a modern office building with reconstructed facades on St James's Square and Charles II Street.

The key issues to consider with this application are:

- \* The impact of the development on the character and appearance of the St James's Conservation Area
- \* The impact of the development on the setting of adjoining listed buildings.
- \* The impact of the proposal on the amenity of neighbouring properties.

The proposal is considered acceptable in land use, design and amenity terms and considered to be in general compliance with policies set out in Westminster's City Plan (November 2016) and the adopted UDP. Letters of objection have been received from residential occupiers in Pall Mall that back onto the site who are concerned about the impact on residential amenity. However for the reasons set out in the main report the proposal is considered to comply with our policies that seek to protect residential amenity.

### 3. LOCATION PLAN



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4. PHOTOGRAPHS



Norfolk House – elevation onto St James's Square



Norfolk House – elevation onto Charles II Street

## 5. CONSULTATIONS

St. James's Conservation Trust  
Any response to be reported verbally.

Highways Planning Manager  
Supports the reduction in car parking spaces and the provision of cycle parking in accordance with London Plan policy. The proposed relocation of the vehicle crossover on Charles II Street causes concern as this may result in loss of on street parking bays. The highway works on St James's Square need detailed assessment. A concern raised about the lack of visibility splays for the car lift. No details of electric car charging points have been provided. A robust servicing management plan and lift maintenance plan are required.

Cleansing  
No objection. As requested the applicant has revised the Refuse and Recycling Storage and Collection (section 4.15) within the transport statement.

Environmental Health  
No objection subject to condition to require adherence to Council's Code of Construction Practice.

Historic England  
Our specialist staff has considered the information received and we do not wish to offer any comments on this occasion.

### ORIGINAL SCHEME - ADJOINING OWNERS/OCCUPIERS

No. Consulted: 305  
Total No. of replies: 10  
No. of objections: 9  
No. in support: 0  
No. neutral: 1

Amenity  
\*A reduction in the separation distance between Crusader House and the new office building from 10m to 5m which will result in a loss of daylight and sunlight to individual flats.  
\*Loss of privacy

Other  
\*The attempts by the developer to address concerns through its consultation with residents and leaseholders and in its planning application are considered wholly inadequate and unacceptable. Specifically, the applicant rejected representations by residents and leaseholders of Crusader House to:  
(i) Maintain the existing distances between the two buildings at each floor level (as a minimum requirement), without increasing the height and/or bulk of the new building;  
and,

(ii) Amend the design to eliminate the open balconies and roof terrace overlooking Crusader House.

\*Noise and disruption from demolition and construction works.

\*Could do with more solar photovoltaics.

## REVISED SCHEME - ADJOINING OWNERS/OCCUPIERS

Two responses received:

-reiterates concerns about loss of amenity to residential windows from increased sense of enclosure, loss privacy and noise from terraces. regarding

- concern about the building works but notes that until a contractor in place it will be difficult to assess what the impact will be in practice. Assumes WCC will put necessary conditions on the contractor.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

The application site comprises Norfolk House, located at 31 St James's Square and 30 Charles II Street. It is a landlocked L-shape site that is bound to the east by Waterloo Place, to the west by St James's Square, to the north by Charles II Street and to the south by Pall Mall. The nearest residential properties are located to the south at Crusader House, 14 Pall Mall and at 16-17 Pall Mall.

The site measures approximately 0.26 hectares and is currently occupied by multi-let seven-storey office accommodation. The main entrance to the building is on St James's Square with a secondary access on Charles II Street.

The building dates from 1939 and has neo-Georgian classical style facades to the street that conceal a large L shaped building behind. The building is not listed but does lie within the St James's Conservation Area and the Core Central Activities Zone. The site is located within the setting of St James's Square, which is a Registered Park and Garden accessible to the public

### 6.2 Recent Relevant History

The property was constructed in 1939 and underwent comprehensive refurbishment during the 1980's. There is no recent planning history that is relevant.

## 7. THE PROPOSAL

Permission is sought to demolish the existing buildings and construct a modern office building with reconstructed facades on St James's Square and Charles II Street. The main entrance to the office building will remain on St James's Square. There will be a pedestrian entrance on Charles II Street together with a retained vehicular entrance but in a different location to existing.

The scheme proposes to rebuild the facades to meet the newly adjusted floor levels using new bricks and mortar but reusing the stone. The two roof level storeys to the St James's Square frontage are reconstructed in a slightly different form and finished in grey zinc panels rather than the clay pantiles of the existing. The building behind the facades will be rebuilt in a more contemporary glazed style with a slightly reduced overall height.

The replacement building would comprise eight storeys plus basement on the St James's Square frontage and seven storeys plus basement on the Charles II frontage. The number of office floors remains as existing with the principal elevations no taller than the existing building. The existing basement will be further excavated in order to accommodate additional office accommodation, car and cycle parking, changing rooms and showers and plant.

The building is designed as two buildings with shared basement facilities, utilising the split addresses.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Land Use**

Paragraph 19 of the NPPF states that the Government is committed to ensuring that the planning system “does everything it can to support sustainable economic growth”. It also states that “Planning should operate to encourage and not act as an impediment to sustainable growth”.

Policy S20 of the Westminster City Plan (2016) encourages office growth within the Core CAZ to meet Westminster's business and employment needs.

The existing building is in B1(a) office use. The offices have been retrofitted and adapted over the last 80 years resulting in an inefficient layout and compromised office space with low floor to ceiling heights that the applicant advises fail to meet contemporary standards. The proposal seeks to redevelop the existing building to provide modern office floorplates to include higher floor-to-ceiling levels (2.8m), large open-plan floorplates, views towards the square and street and upper-level amenity space. Overall the proposal will provide high quality replacement office floorspace within the CAZ which is welcome and complies with adopted policy.

The existing building provides 14,665m<sup>2</sup> GIA of office floorspace. The proposed office building will provide 15,517m<sup>2</sup> GIA of office floorspace which represents 852m<sup>2</sup> additional floorspace. The proposals increase the existing office floorspace by 5.8% which is under the 30% threshold set by mixed use City Plan Policy S1. As such no residential floorspace is required as part of the proposals.

### **8.2 Townscape and Design**

The building has two different and distinct facades to St James's Square and Charles II Street, while the main body of the building which is landlocked behind surrounding buildings has a different architectural style altogether. The two facades were built in the 1930's in the neo-Georgian style, though they are subtly different with that to St James's



Square being in the Queen Anne tradition and that to Charles II in a more understated Georgian style. Neither façade is indicated in the St James's Conservation Area Audit as being an unlisted building of merit, but further analysis as part of this application has confirmed that these buildings should be considered as positive buildings within the conservation area though their contribution could be considered to be modest. The internal facades have no particular architectural merit. The statutory test is for developments in the conservation area to preserve or enhance the character and appearance of the conservation area. Guidance in the National Planning Policy Framework states that if the development causes some less than substantial harm to the conservation area then it should be refused unless the public benefits generated by the scheme outweigh the harm.

The proposal is to demolish the building in its entirety and to rebuild two new facades both similar in design and style to those being demolished. Portland stone dressings are to be stored for re-use where possible, but otherwise the facades will be new construction in new materials. The building behind the facades will be rebuilt in a more contemporary style which is acceptable and will have no impact on the wider conservation area setting. The floor levels of the new building are altered to allow for modern floor to ceiling heights which means that the proportions and alignment of the fenestration change. Otherwise the building style is largely replicated with a Queen Anne style to St James's Square and a more classic Georgian style to Charles II Street. The height and mass of the buildings remain the same.

The two roof level storeys to the St James's Square facade are reconstructed in a slightly different form and finished in grey zinc panels rather than the clay pantiles of the existing. This does provide a different appearance to the top of the building but reflects to a certain extent the traditional roofs around St James's Square which tend to be dark grey slate or lead roofs. The ground floor treatment differs also with the inclusion of a lightwell and railings and a larger entrance. The windows are a different pattern, but the steel, margin light design proposed is one that was prevalent during the 1930's and used in this type of building.

The façade to Charles II Street is largely replicated but with a different size and alignment of windows. The ungainly sloping roof with plant room above is replaced with a more considered design of setback roof storey and sloping mansard style roof plant screen. Neither of these roofs can be seen from street level but will be visible from upper floors in nearby buildings. The window design is changed to margin lights as for the St James's Square façade and the ground floor arrangement is tidied up with a central office entrance and symmetrical arrangements for car access and fire escape to either side. Metal screens to the ground floor help to present a uniform façade treatment to the street level façade.

In summary, it is considered that the replacement facades will contribute positively to the conservation area character and appearance in the same, modest manner that the existing buildings do. There is a balance of positive and negative elements to the design but overall the design is considered to be a sufficient replacement for the existing facades. There is no harm to the conservation area and the proposal preserves or enhances the character and appearance of the St James's Conservation Area.

### 8.3 Residential Amenity

Policy ENV 13 of the UDP aims to maintain and where possible improve the quality of life for residents, workers and visitors to Westminster. Part (E) of this policy states 'The City Council will normally resist proposals which result in a material loss of daylight/sunlight, particularly to existing dwellings and educational buildings. In cases where the resulting level is unacceptable, permission will be refused.' Part (F) of this policy adds that 'Developments should not result in a significant increase in the sense of enclosure or overlooking, or cause unacceptable overshadowing, particularly on gardens, public open space or on adjoining buildings, whether in residential or public use.'

The neo-Georgian facades and surrounding buildings conceal a large 1930s landlocked building that is not visible from the street. The geometry of the landlocked building is unusual as it has been designed with a series of steps and terraces. The majority of buildings that face onto the landlocked building are in commercial use. However there are residential flats within Crusader House, 14 Pall Mall and within 16-17 Pall Mall that face the south elevation of the existing building. Objections have been received from residents within these properties on the grounds of loss of amenity. A particular concern is the reduction in separation distance between the south elevation of the new building and windows in the residential flats which occupiers consider will result in increased sense of enclosure, loss of daylight and sunlight and loss of privacy.

#### **Sense of Enclosure**

The separation distance between the existing building and the residential flats on Pall Mall is approximately 10.5m at first to third floor levels. This distance increases higher up due to the terraces and steps on the existing building. As originally submitted the new building reduced the separation distance to between 5.1-6.5m with Crusader House and 7.7m to 16-17 Pall Mall. Following concerns expressed by residents, the scheme has been amended and whilst the south elevation of the building will still project forward at lower levels (by approximately 3m compared to existing) the separation distance will be 7.2-7.5m to Crusader House and 9.0m to 16-17 Pall Mall. The separation distance then increases to 10.1m at fourth floor level.

The concerns of residents about the reduced separation distance between their flats and the existing building are noted. However the proposed new building offers a number of benefits that need to be taken into account when assessing the proposal against Policy ENV 13. Firstly the privacy of residents would be improved in comparison to the existing situation by the inclusion of a patterned frit 1.8m high into the new glazing (see Privacy section below). Secondly the new building would enhance the visual amenity and outlook for residents compared to the existing situation. Thirdly the removal and relocation of existing mechanical plant and louvres from the south elevation will result in improved noise conditions for residents. A final consideration is that the scheme will deliver high quality office accommodation in the Core CAZ which is strongly supported by City Plan Policy S20.

The most affected residents in Crusader House and 16-17 Pall Mall are at first and second floor levels. The flats in Crusader House are single aspect with bedrooms and living rooms overlooking the site whereas the flats in 16-17 Pall Mall are dual aspect. Above second floor level the flats are less affected as the proposed building is set further

back. Although the development will increase the sense of enclosure to flats at the lower levels, it is considered that the benefits set out above mitigate that harm.

The scheme revisions to the south elevation mean that the massing to the east elevation behind Waterloo Place was also modified. These modifications, which include relocating vents from the south elevation will not have a significant impact on the offices on Waterloo Place.

### **Daylight and Sunlight**

In terms of daylight, the application has provided a daylight and sunlight report in accordance with the BRE Site Layout Planning for Daylight and Sunlight 2011. The report concludes that all properties on Pall Mall will meet or exceed BRE guidelines for all daylight and sunlight analysis in terms of percentage reduction. The proposal is therefore considered to comply with policy ENV 13 (E). The applicant has also assessed the impact of the proposal on 33 St James's Square which has a consented but yet to be implemented permission for residential use. Whilst some of the windows within this development will experience reductions beyond those recommended by the BRE guidelines, given that the permission is unimplemented it is not considered sustainable to refuse on this basis. In addition the daylight report indicates that the scheme at 33 St James's Square was approved with relatively poor levels of daylight and therefore even a modest development at 31 St James's Square would be likely to breach the BRE guidelines.

### **Privacy**

There is direct overlooking between the current office windows in the south elevation and the residential flats on Pall Mall. The current scheme proposes to reduce the loss of privacy to the residential flats by installing a number of opaque glazed panels in the southern elevation. In particularly sensitive areas privacy panels are proposed to a height of 1.8m. This will obscure views of residential windows from within the office building and is a welcome improvement from the current situation. It is recommended that full details of the privacy measures are reserved by condition including a sample of the privacy frit proposed as this is considered one of the key benefits of the scheme.

### **Terraces**

Small recessed terraces are proposed in the southern elevation at third to sixth floor level. At third and fourth floor levels the terraces are provided as fully enclosed winter gardens with a privacy frit. At fifth and sixth floor levels the terraces are fully open however at this point the separation distance with the residential flats on Pall Mall increases to 15.2m at fifth floor level. At sixth floor level the views from the terrace would be above neighbouring buildings.

At ground floor level it was originally proposed to have a winter garden on the south elevation as an amenity space. The design of this space has been modified and will now be fully enclosed office accommodation.

## **8.4 Transportation/Parking**

The scheme proposes to reduce the amount of car parking within the basement of the building from 10 spaces at present to 4 spaces (including 2 disabled bays). This is acceptable in terms of Policy TRANS 21 and TRANS 22 of the UDP. The basement will

also provide 202 cycle parking spaces with 190 spaces allocated for office staff and 12 spaces allocated for visitors. Separate male and female changing and showering facilities and will also be provided in the basement of the building. The number of cycle parking spaces complies with London Plan policy and the provision of support facilities is welcomes.

The car parking spaces will be accessed from a car lift from Charles II Street. Whereas the existing vehicle ramp is on the west side of the building, it is proposed to relocate the vehicular entrance to the east side. The Highways Planning Manager considers this element of the scheme to be contentious as relocating the vehicle crossover may result in the loss of on street parking in an area of high demand. The Highways Planning Manager adds that changes to on-street parking restrictions would not be progressed where there is a loss of on-street car parking. The applicant is aware of these concerns and confirms that it is their intention to relocate parking bays on Charles II Street rather than to lose them altogether. In order to overcome the concerns of the Highways Planning Manager a Grampian condition is recommended to ensure that no development takes place, including demolition, until the traffic management orders for the relocation of parking bays have been agreed with the council.

The existing footway levels in front of the St James's Square elevation of the building are raised with a double height kerb. The applicant advises that this is due to the existing basement structure and to allow step free access to the existing building. As the redevelopment of the site involves lowering of the ground floor and basement ceiling a revised footway construction is sought by the applicant. There are no objections in principle to this modification to the highway however the Highways Planning Manager advises that the detailed design and technical drawings will need to be approved by the council as highway authority.

Provision is made in the S106 legal agreement for the cost of the works to the footway to close the redundant crossover, construct the new crossover and revise the Traffic Management Orders on Charles II Street and for the cost of works to the footway to St James's Square (subject to agreement by the council as Highway Authority).

The Highways Planning Manager has raised concerns about the absence of visibility splays (chamfered edges) at the exit from the car lift. The applicant has responded to these concerns by stating that the proposed car lift exit is 3.9m wide compared to the existing 3.1m wide single-vehicle width ramp and that the proposed basement will only be serving 4 car parking spaces. It is considered that the argument put forward by the applicant for not having chamfered edges, which would also have an impact on the design of the building, is acceptable.

The existing on-street servicing arrangements at the site are to be maintained in the proposed scheme. Given the small increase in commercial floorspace proposed this is considered acceptable. It is recommended that a servicing management plan is secured by condition.

It is recommended that details of electric vehicle charging points are secured by condition.

## 8.5 Economic Considerations

The provision of improved office accommodation will help sustain employment activities at this site and contribute to meeting Westminster's business and employment needs.

The applicant advises that with improved efficiencies and job densities the proposal will support a building population in the region of 1,200 people (an increase of approximately 300 jobs).

## 8.6 Access

The primary entrance from St James's Square provides level access to street level. There is a change in level between Charles II Street and St James's Square – because of this, a platform lift is provided in the Charles II Street office entrance. It is proposed that each entrance has an automatic pass door for wheelchair access.

Each of the entrances has its own reception. Lifts accessed from the receptions take office users to the upper floors. Toilets adjacent to reception include disabled and ambulant disabled facilities.

## 8.7 Other UDP/Westminster Policy Considerations

### Plant

Mechanical plant is currently located at roof level. The proposals include the relocation of some mechanical plant to the basement level which is welcome. A small area of roof top plant is proposed adjacent to the St James's Square frontage. The acoustic assessment submitted in support of this application has been assessed by Environmental Health officers who conclude that the mechanical plant is likely to comply with Policy ENV 7 of the UDP. It is recommended that the standard noise conditions are attached to the draft decision notice.

### Refuse /Recycling

The application drawings indicate that a waste and recycling store is to be provided at basement level which is capable of accommodating waste that will be generated from the proposed development. The bins are also labelled as required and waste servicing will take place on Charles II Street. The applicant has amended their waste strategy document to state that waste will be transferred directly from the waste store to the waiting refuse vehicle at street level and the bins will be returned immediately to the waste store after being emptied.

### Sustainability

The scheme proposes the following sustainability features: thermal insulation, high performance glazing, mixed mode ventilation, efficient cooling, heat recovery, greywater recycling system, rainwater harvesting system and electric car charging points.

A pre-assessment has been carried out to evaluate the proposed development's possible score under BREEAM New Construction UK 2014 for the building. The pre-assessment shows that the design is capable of achieving a BREEAM 'Excellent' rating. It is recommended that a condition is used to ensure a minimum score of excellent with

details of the final score achieved to be provided within 3 months of final completion of the development.

### **8.8 London Plan**

This application raises no strategic issues.

### **8.9 National Policy/Guidance Considerations**

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

### **8.10 Planning Obligations**

The draft 'Heads' of agreement are proposed to cover the following issues:

- i) The cost of the works to the footway to close the redundant crossover, construct the new crossover and revise the Traffic Management Orders on Charles II Street and for the cost of works to the footway to St James's Square (subject to agreement by the council as Highway Authority)
- ii) Carbon offset payment of £58,320 (index linked) to be paid on commencement of development.
- iii) Crossrail payment of £119,280 (index linked) to be paid on commencement of development.
- iv) S106 monitoring costs to be paid on commencement of development.

The estimated Westminster CIL payment is £170,400. This figure is provisional and may be subject to any relief or exceptions which may apply in accordance with the Community Infrastructure Levy Regulations 2010 (as amended).

### **8.11 Environmental Impact Assessment**

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

- (i) Be lean: use less energy
- (ii) Be clean: supply energy efficiently
- (iii) Be green: use renewable energy

For 2013-2016 the policy advises that major developments should meet a carbon emission reduction target of 35% against Part L. For 2016-2019 the target is as per building regulations requirements. As the current planning application was submitted in October 2016 it is considered reasonable to apply the 35% target.

The proposed development is currently predicting a site-wide 21.1% carbon dioxide emissions reduction over Part L 2013 through the following measures: energy efficiency (a 17.2% improvement), a CHP unit (a further 3.4% saving) and photovoltaic panels (delivering 0.4% savings). The shortfall in carbon dioxide emissions is to be made up with a carbon off-set payment of £58,320. This is considered acceptable in policy terms.

## 8.12 Other Issues

### Construction impact

A condition is recommended to ensure that the development complies with the City Council's Code of Construction Practice (COCP) which will require the developer to provide a Site Environmental Management Plan (SEMP) and funding for the Environmental Inspectorate to monitor the demolition and construction phase of the development. The COCP sets out the minimum standards and procedures for managing and minimising the environmental impacts of construction projects within Westminster and relate to both demolition and construction works.

The key issues to address in the COCP are; liaison with the public; general requirements; SEMPs; construction management plans; employment and skills; traffic and highways; noise and vibration; dust and air quality; waste management; waste pollution and flood control and any other issues. A Construction and Logistics Plan and Delivery and Servicing Plan are requested by Transport for London and these plans would need to be secured through condition.

Letters of objection have been received from residents relating to construction matters. The applicant will be required to address these concerns through the COCP. One resident has raised the issue of the impact of construction work on their health. Whilst officers are sympathetic to this concern it is not possible to go beyond the requirements imposed on the developer through the COCP and SEMPs. However an informative is recommended requesting that the applicant liaise with residents to address specific concerns.

### Community Liaison

A Statement of Community Involvement (SCI) has been submitted with this application. The applicant advises that as part of the consultation process meetings were held with a local resident from 16-17 Pall Mall, with local residents from Crusader House and a public exhibition was held over two days with 1,300 invitations sent.

It is noted that some objectors consider the applicant's consultation with residents and leaseholders to be wholly inadequate and unacceptable. However in terms of the validation requirements for this type of application, the applicant has submitted a detailed SCI which is considered acceptable. The applicant advises that in response to some comments made by local residents during the consultation process amendments were made to the south elevation of the scheme.

## 9. BACKGROUND PAPERS

1. Application form
2. Response from Environmental Health dated 7 November 2016.
3. Response from Cleansing Manager dated 21 October 2016.
4. Response from Highways Planning Manager dated 25 January 2016.
5. Letters from occupier of 16 - 17 Pall Mall, London, dated 26 January 2017 and 1 November 2016.
6. Letter from occupier of 19 Crusader House, 13/15 Pall Mall, dated 1 November 2016.

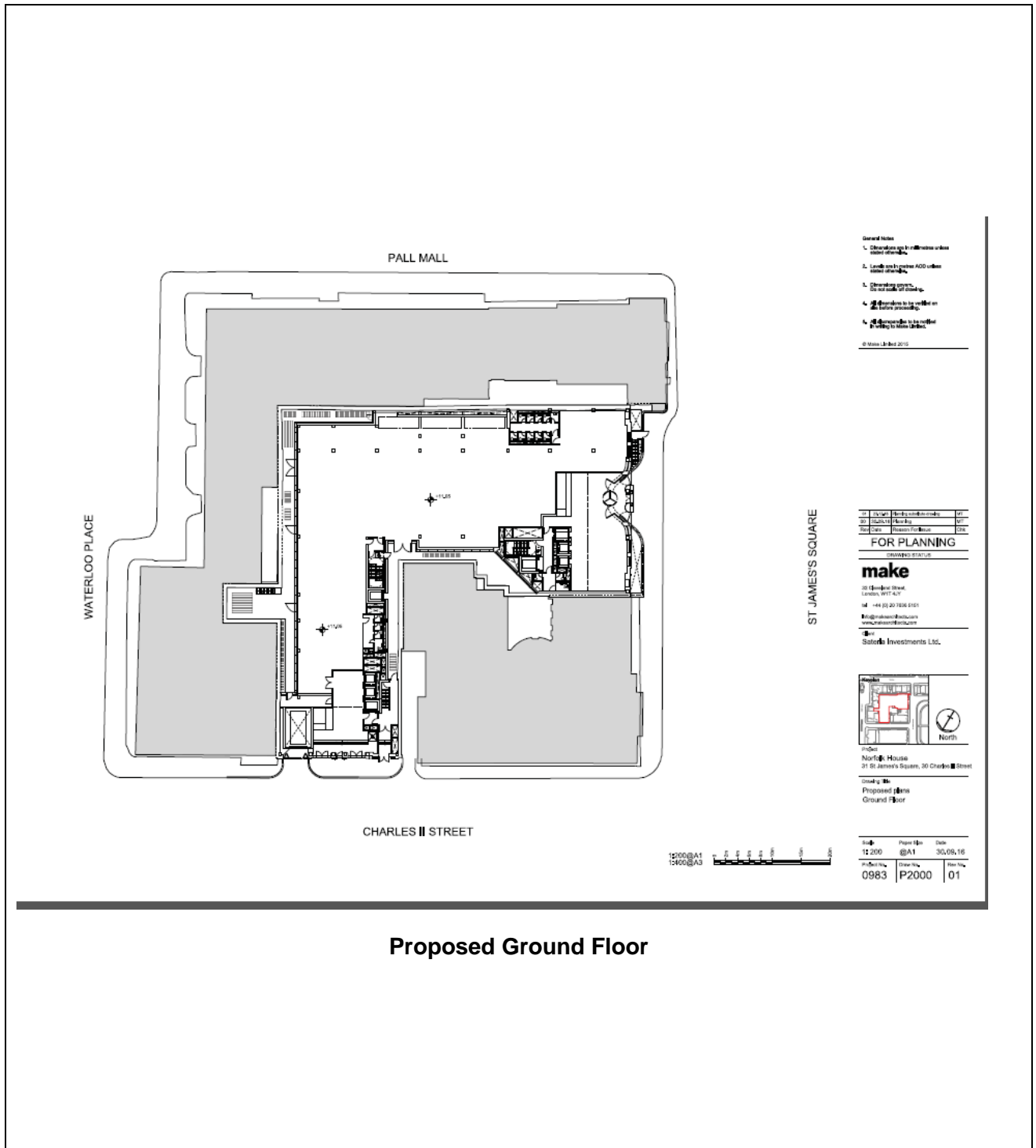
7. Letter from occupier of Flat 12A Crusader House, 14 Pall Mall, dated 31 October 2016.
8. Letter from occupier of 55 Garden Road, Hong Kong, dated 1 November 2016.
9. Letter from occupier of 20 Crusader House, 14 Pall Mall, dated 2 November 2016.
10. Letter from occupier of Flat 3, Crusader House, dated 17 October 2016.
11. Letter from occupier of 31/F Edinburgh Tower, Hong Kong, dated 1 November 2016.
12. Letter from occupier of 17 Crusader House, 14 Pall Mall, dated 23 November 2016.
13. Letter from occupier of Flat 7, Crusader House, 14 Pall Mall, dated 2 November 2016.
14. Letter from occupier of Flat 11, Crusader House, 13-15 Pall Mall, dated 2 November 2016.
15. Letter from occupier of Flat 12, Lampard House, 8 Maida Avenue, dated 24 October 2016.
16. Letter from occupier of 13a Crusader House dated 29 January 2017.

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

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



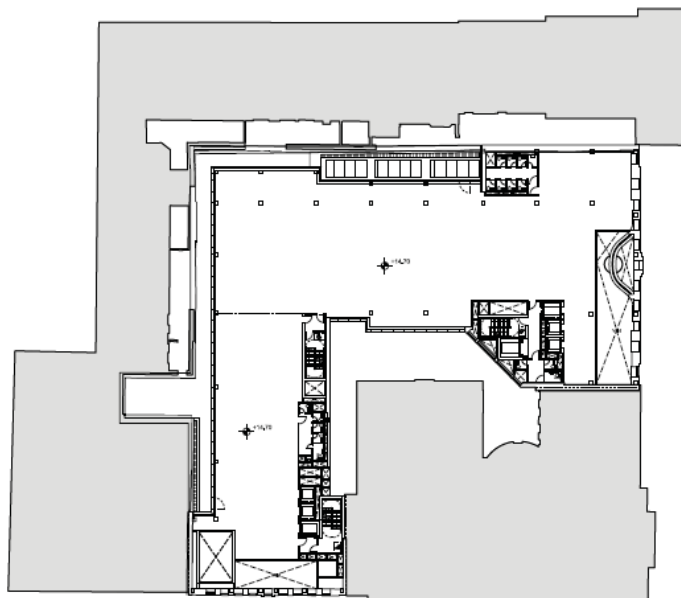
10. KEY DRAWINGS



Proposed Ground Floor

WATERLOO PLACE

PALL MALL



CHARLES II STREET

ST JAMES'S SQUARE

- General notes
1. Dimensions given in metres unless stated otherwise.
  2. Levels are to finished floor unless stated otherwise.
  3. Check dimensions to be confirmed by the client.
  4. Dimensions to be confirmed by the client.
  5. Dimensions to be confirmed by the client.

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Client	St James's Square	01
Project	St James's Square	01
Rev	01	01

FOR PLANNING

DRAWING STATUS

**make**

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London, EC4A 3DF

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St James's Square



Site: St James's Square, 20 Charles II Street

Client: St James's Square

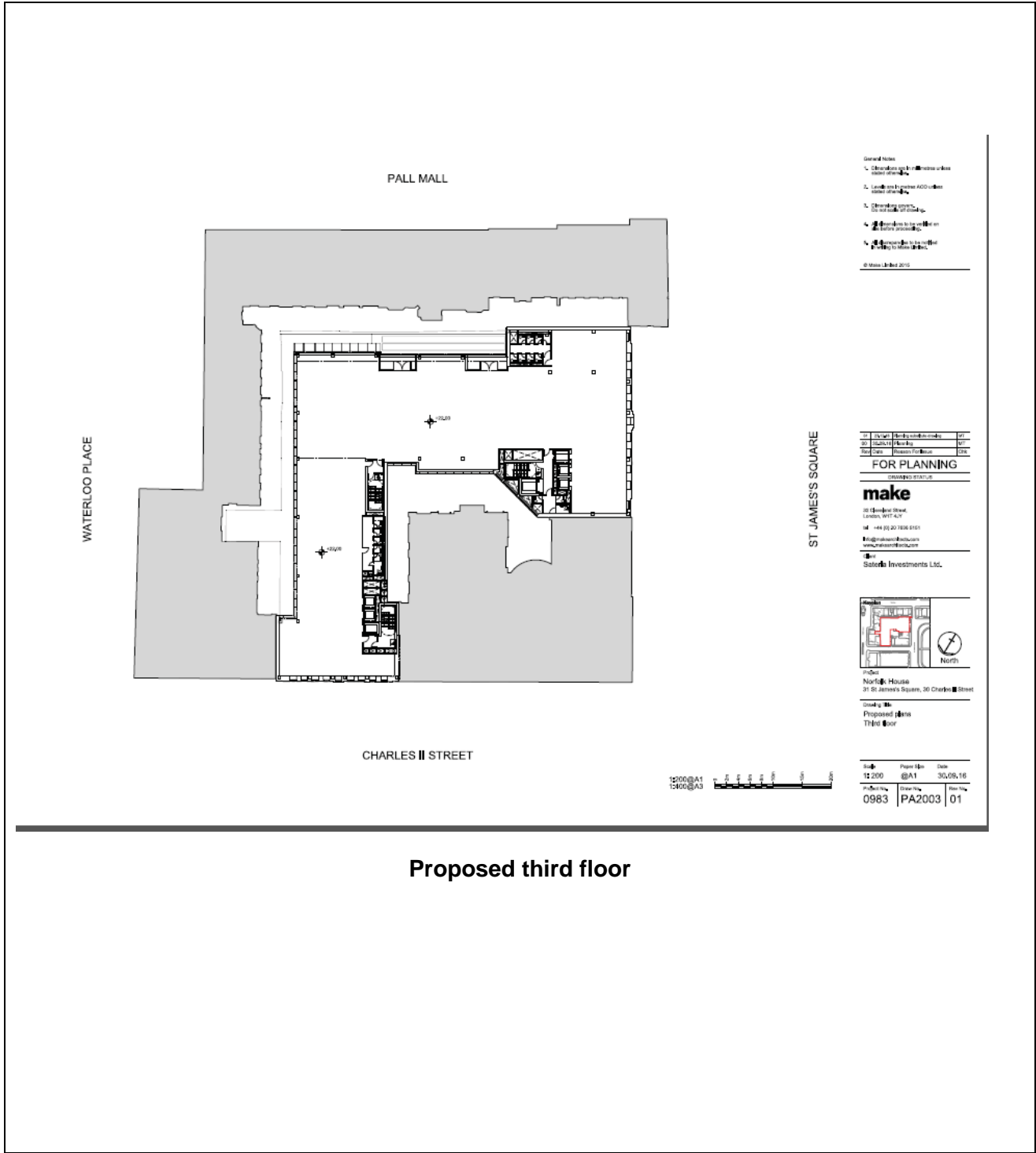
Project: St James's Square

Rev: 01



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Project	0983	Drawing	PA2001	Rev	01

**Proposed first floor**



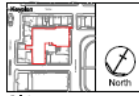
- General Notes
- 1. Check dimensions against site plan.
  - 2. Loadings and other details as shown.
  - 3. Check dimensions against site plan.
  - 4. Check dimensions against site plan.
  - 5. Check dimensions against site plan.
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Drawn by	Checked by	Scale
12/200	@A1	1:100
12/200	@A1	1:100

**FOR PLANNING**

**make**  
 31 St James's Square  
 London, W1T 4JY  
 Tel: +44 (0) 20 7636 6161  
 Email: info@make.co.uk  
 www.make.co.uk

Satoris Investments Ltd.



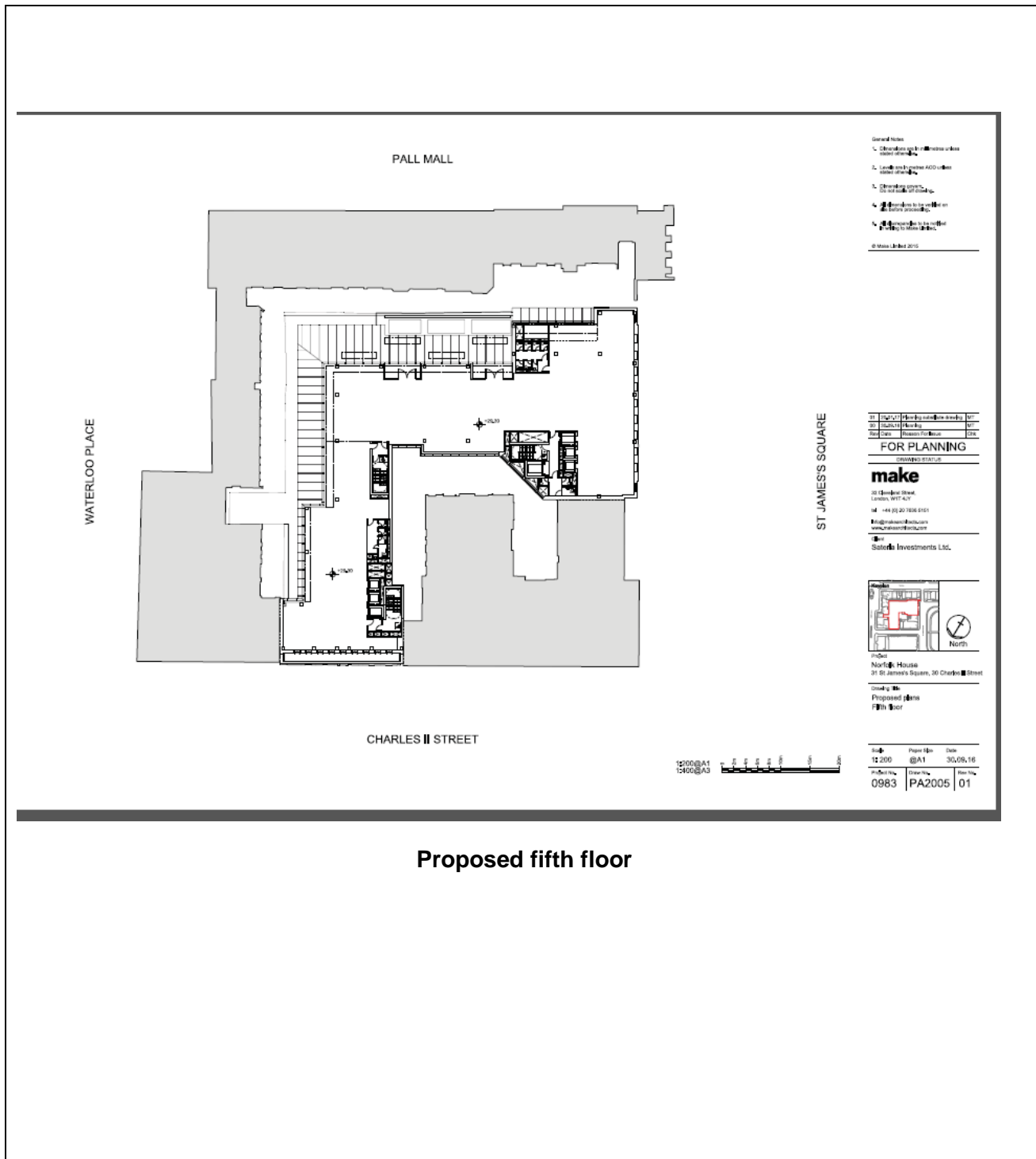
Project: **North House**  
 31 St James's Square, 30 Charles II Street

Drawn by: **12/200**  
 Proposed by: **12/200**  
 Title: **Floor**

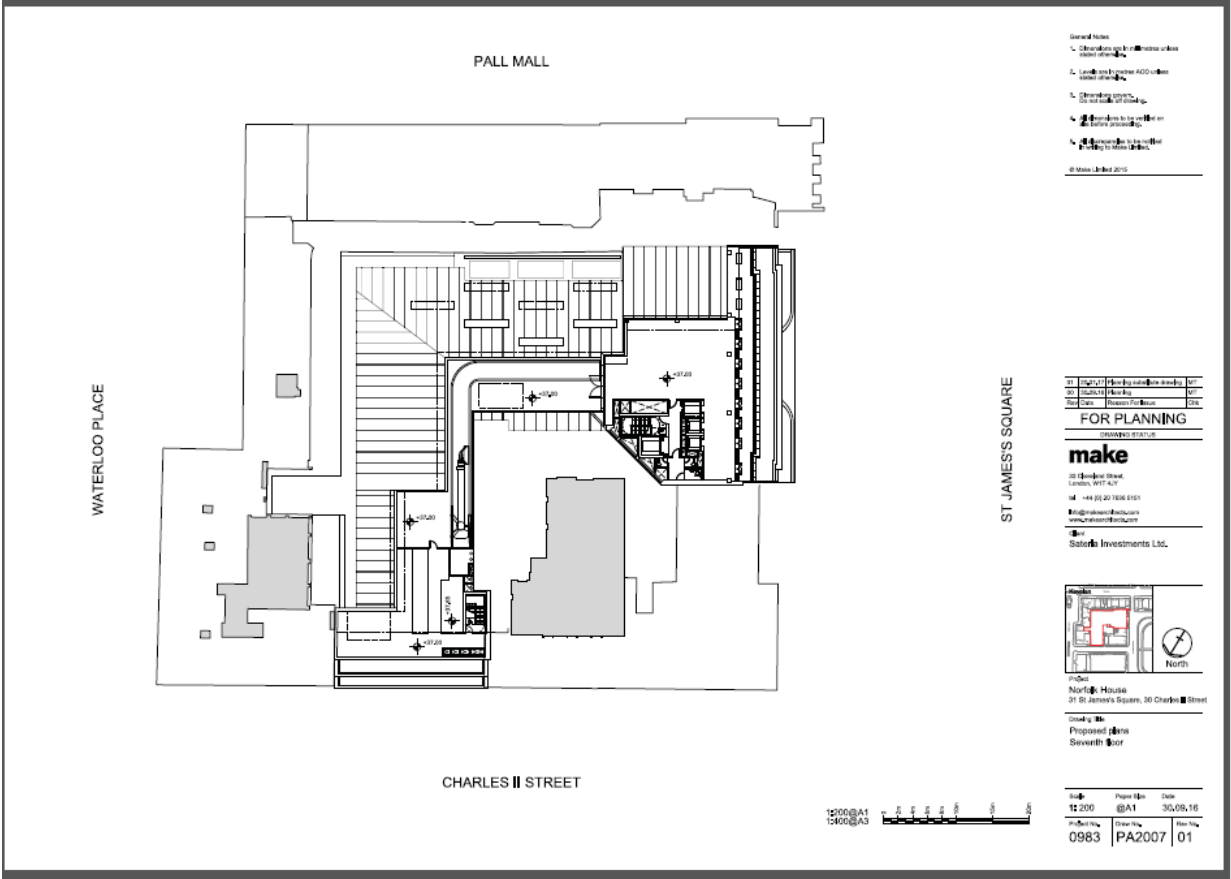
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12/200	12/200	12/200
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30/06/18	30/06/18	30/06/18
0983	PA2003	01

Proposed third floor



Proposed fifth floor



Proposed roof plan



**Existing elevation on to St James's Square**



**Proposed elevation onto St James's Square**



**Proposed elevation onto Charles II Street**





**Proposed elevation on to Charles II Street**



**Aerial view of new building showing relationship with neighbouring properties**

**Reference:** 16/09591/FULL

### DRAFT DECISION LETTER

**Address:** Norfolk House, 31 St James's Square, London, SW1Y 4JR,

**Proposal:** Demolition of existing building and reconstruction of 31 St James Square and 30 Charles II Street facades to provide an office building over single basement, ground and first to seventh floors, a lightwell and railings to the front of 31 St James Square, basement car and cycle parking, plant at basement and roof levels, alterations to existing access on Charles II Street and associated works.

**Reference:** 16/09591/FULL

**Plan Nos:** Site plan - PA 0200, , Demolition plans - PA 0608, PA 0701, PA 0704, PA 0705, PA 0800, , Existing plans - PA 0999, PA 1000, PA 1001, PA 1002, PA 1003, PA 1004, PA 1005, PA 1006, PA 1007, PA 1008, PA 1200, PA 1201, PA 1204, PA 1205, PA 1250, , Proposed plans - PA 1999, PA 2000 01, PA 2001 01, PA 2002 01, PA 2003 01, PA 2004 01, PA 2005 01, PA 2006 01, PA 2007 01, PA 2008 01, PA 2201, PA 2203, PA 2204 01, PA 2205 01, PA 2251 01, PA 2252 01, PA 2253 01, PA 2254 01, PA 2255 01, PA 2256 01, PA 2901, PA 2902, PA 2905 01, PA 2906, PA 2907, PA 2908, PA 2921, PA 2922, PA 2925, PA 2926, PA 2927.  
, Documents - Acoustic Assessment Rev 01, Air Quality Assessment Rev 01, Archaeological Desk Based Assessment Rev 01, Daylight and Sunlight Study Rev 01, Design and Access Statement PA9750-01 (as part revised by Addendum Design Statement Rear Facade Amendments Rev C), Energy Statement Rev 01, Flood Risk Assessment Rev 01, Heritage, Townscape and Visual Impact Assessment Rev 01, Transport Statement Rev 01., , For information purposes only - Construction Management Plan Rev 01, Structural Report and Outline Construction Methodology Rev 01, PA 3100.

**Case Officer:** Matthew Mason

**Direct Tel. No.** 020 7641 2926

#### 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 You must apply to us for approval of the following facing materials you will use:, i) brick, ii) any new replacement stone, You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to these details.

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 St James Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 4 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26DD)

- 3 You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. (C27DB)

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 St James Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 4 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26DD)

- 4 The stone dressings shall be carefully dismantled, stored and then re-used in the new facade.

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 St James Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 4 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26DD)

- 5 You must apply to us for approval of detailed drawings of the following parts of the development:, i) new gates and railings at a scale of 1:10, ii) new external doors at a scale of 1:10, You must not start work on these parts of the development until we have approved what you have sent us. You must then carry out the works according to these approved details.

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 St James Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 4 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26DD)

- 6 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:  
- between 08.00 and 18.00 Monday to Friday;

- between 08.00 and 13.00 on Saturday; and
- not at all on Sundays, bank holidays and public holidays.

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

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

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

Reason:

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

- 7 **Pre Commencement Condition.** Prior to the commencement of any demolition or construction on site the applicant shall provide evidence 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 a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. (C11CA)

Reason:

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

- 8 **Pre Commencement Condition.** No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works,
- B. The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason:

To protect the archaeological heritage of the City of Westminster as set out in S25 of Westminster's City Plan (November 2016) and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32BC)

- 9 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include: (a) A schedule of all plant and equipment that formed part of this application; (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment; (c) Manufacturer specifications of sound emissions in octave or third octave detail; (d) The location of most affected noise sensitive receptor location and the most affected window of it; (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location; (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures; (g) The lowest existing L A90, 15 mins measurement recorded under (f) above; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition; (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out

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

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

Reason:

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

- 11 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on the approved plans. You must clearly mark them and make them available at all times to everyone using the offices. (C14FB)

Reason:

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

- 12 Prior to occupation of the offices you must provide at least 20% active provision of electric vehicle charging points and 20% provision of passive electric vehicle charging points for the basement car parking. Thereafter the active and passive electric vehicle charging points must be retained and maintained in good working order for the life of the development.

Reason:

To comply with Policy 6.13 of the London Plan 2016.

- 13 **Pre Commencement Condition.** You must not start work on the site until we have approved appropriate arrangements to secure the following.

- replacement on-street car parking on Charles II Street displaced by the relocation of the car park vehicle crossover.

In the case of each of the above requirement, you must include in the arrangements details of when you will provide the replacement on-street car parking, and how you will guarantee this

timing. You must only carry out the development according to the approved arrangements.

Reason:

To make sure that the development provides replacement on-street car parking as set out in S33 of Westminster's City Plan (November 2016) and in STRA 25, TRANS 21 and TRANS 26 of our Unitary Development Plan that we adopted in January 2007. (R19AC)

- 14 You must apply to us for approval of a Servicing Management Plan. You must not occupy any part of the development until we have approved what you have sent us. You must then manage the development in accordance with the approved plan. (C26BC)

Reason:

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

- 15 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose.

Reason:

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

- 16 You must apply to us for approval of a Management and Maintenance Plan for the car lift including details of a signalling system. You must not occupy any part of the development until we have approved what you have sent us. You must then manage the development in accordance with the approved plan. (C26BC)

Reason:

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

- 17 **Pre Commencement Condition.** You must apply to us for approval of full details of a Privacy Scheme to include a sample of privacy frit glazing for the south elevation of the building which overlooks residential properties on Pall Mall. You must not start any work until we have approved what you have sent us. You must then carry out the work according to these details and approved sample and thereafter retain and maintain the privacy measures for the life of the development.

Reason:

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



Unitary Development Plan that we adopted in January 2007. (R21BC)

- 18 The winter gardens on the south elevation must be fully enclosed and the glass installed must be fixed permanently shut.

Reason:

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

- 19 You must carry out the development in accordance with the measures set out in the approved Energy Statement.

Reason:

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

- 20 The development hereby permitted shall be carried out so as to have a minimum rating of 'Excellent' under the BREEAM New Construction 2014 Scheme. Within 6 months of practical completion or upon certification by the Building Research Establishment (whichever is soonest) you must apply to us for approval of details of the final BREEAM New Construction 2014 rating awarded for the development.

Reason:

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

- 21 The open roof terraces at fifth and sixth floor levels on the south elevation can only be used between the hours of 08.30 hrs to 21.00 hrs Monday to Friday and not at all on Saturdays, Sundays, bank holidays or public holidays.

Reason:

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

- 22 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 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 S28 of Westminster's

City Plan (November 2016) and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R20AC)

- 23 The four car parking spaces in the basement shall only be used for the parking of vehicles of people working in the building or calling there for business purposes. (C22AA)

Reason:

To ensure the car parking spaces are used in connection with the office building. This is as set out in STRA 25 and TRANS 22 of our Unitary Development Plan that we adopted in January 2007.

### **Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 Concerns have been raised by residents of Crusader House, 13-15 Pall Mall and 16-17 Pall Mall about noise, disturbance and environmental pollution from construction works. As part of the CoCP secured in condition 7 you are require to liaise with neighbouring occupiers however you are encouraged to do this prior to the formation of the CoCP in order to address their concerns as much as possible.
- 3 Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited, archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 4 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, [siteenquiries@ccscheme.org.uk](mailto:siteenquiries@ccscheme.org.uk) or visit [www.ccscheme.org.uk](http://www.ccscheme.org.uk).

- 5 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to:, , i) The cost of the works to the footway to close the redundant crossover, construct the new crossover and revise the Traffic Management Orders on Charles II Street and for the cost of works to the footway to St James's Square (subject to agreement by the council as Highway Authority), ii) Carbon offset payment of £58,320 (index linked) to be paid on commencement of development., iii) Crossrail payment of £119,280 (index linked) to be paid on commencement of development., iv) S106 monitoring costs to be paid on commencement of development.
- 6 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: , [www.westminster.gov.uk/cil](http://www.westminster.gov.uk/cil), , Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**, , CIL forms are available from the planning on the planning portal: , <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>, , Forms can be submitted to [CIL@Westminster.gov.uk](mailto:CIL@Westminster.gov.uk), , **Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.**
- 7 Conditions 9 and 10 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)

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.