

CITY OF WESTMINSTER		
PLANNING APPLICATIONS SUB COMMITTEE	Date 27 th November 2018	Classification For General Release
Report of Director of Planning		Ward(s) involved Hyde Park
Subject of Report	Paddington Sorting & Delivery, 31 London Street, 128-142 Praed Street, London Street (partial), Winsland Mews (partial), Paddington Station Arrivals ramp and associated surrounds, London, W2 1DJ.	
Proposal	<p>Application 1 :Variation of condition 1 (approved plans) of planning permission dated 14 August 2018 (RN: 16/09050/FULL) for the Demolition of existing buildings and mixed use redevelopment comprising a commercial cube providing up to 50,000 sqm (GEA) floorspace of office/commercial uses, retail and café/restaurant uses at lower levels and top floor level, a retail/restaurant building on Praed Street; a new major piazza including pedestrianisation of London Street, a new access road between Winsland Street and Praed Street, hard and soft landscaping, new underground station entrance and new Bakerloo Line Ticket Hall; and associated infrastructure and interface highway and transport works for underground connections, and ancillary works.(EIA Application accompanied by an Environmental Statement). Site includes 31 London Street, 128-142 Praed Street, London Street, Paddington Station Arrivals ramp and associated surrounds. , NAMELY, to allow adjustments to layout of steps in the public realm; Change in orientation of escalators linking street level to office Level 02; amendment to lift strategy and location; amendment to the public realm to address level changes and provision of accessible routes; increase in height and footprint of Praed Street building and minor increase in footprint with, adjustments to detailed design; amendment to layout and configuration of below-ground concourse area and retail units; amendment to the layout and configuration of the LUL Station Box; and reconfiguration of main office core. Additionally Details of soft landscaping, soil depth, specification, and rainwater harvesting pursuant to conditions 33, 49 and 51 of the original permission.</p> <p>Application 2: Variation of condition 1 (approved drawings) of listed building consent dated 14.08.2017 for Demolition of the existing retaining wall between the station arrivals ramp and London Street, and the pedestrian entrance stairs to the Bakerloo Line, along with the blocking up of an existing access stair to the Bakerloo Line within the station concourse and the remodelling/resurfacing of the arrivals ramp. All associated with the comprehensive redevelopment proposals at 31 London Street under reference 16/09050/FULL. Namely to amend proposed plans to ensure consistency with revised comprehensive</p>	

	development proposals sought under reference 18/08240/FULL (no change to approved demolition or blocking up works)		
Agent	Henry Farrar		
On behalf of	C/O Agent		
Registered Number	18/08240/FULL 18/08013/LBC	Date amended/ completed	8 October 2018
Date Application Received	26 September 2018		
Historic Building Grade	Grade I listed Wall located between arrivals ramp & London Street No.31 London Street unlisted building of merit.		
Conservation Area	Bayswater		

1. RECOMMENDATION

1. Grant conditional permission, subject to the views of the Mayor of London and subject to a Deed of Variation of the original S106 legal agreement dated 14.08.2017.

2. If the Deed of Variation has not been completed within 3 MONTHS from the date of the Committee's 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 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 Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

3. Grant conditional listed building consent and agree the reasons for granting listed building consent as set out in informative 1 of the draft decision letter.

4. 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 Planning, Executive Director of City Management and Communities, or other such proper officer of the City Council responsible for highway functions, be authorised to take all necessary procedural steps in conjunction with the making of the orders and to make the orders as proposed if there are no unresolved objections to the draft orders. The applicant will be required to cover all costs of the Council in progressing the stopping up orders.

2. SUMMARY

This latest proposal follows the implementation of the redevelopment scheme approved in August 2017 for the provision of a 19 storey cube shaped building and a 2 storey Praed Street building of mixed commercial use and associated new road to replace London Street, together with the physical provision of a new London Underground Bakerloo line ticket hall and associated infrastructure and access as well as the provision of new public realm within the heart of Paddington.

The applicant and their architects (Renzo Piano Building Workshop) have developed the detailed design of the buildings and public realm and following on from approval of non-material amendments, are now seeking minor material amendments to the original permission in relation to its design and functionality. For consistency, a new linked listed building consent application has also been submitted.

The increase in floor space resultant from the amendments is not contentious within the scale of this mixed-use scheme and will result in an uplift in CIL contribution.

Overall, the proposed design changes both externally and internally to both buildings including the raising of the height of the Praed Street building are uncontentious, acceptable and reflect a process of design development and refinement which will enhance the quality of the development.

The amendments to the London Underground ticket hall is a result of further detailed design discussions with TFL and LUL, and has their support.

The modifications to the public realm in relation to pedestrian accessibility and movement (lifts, escalators, steps, walkways) maintain and improve pedestrian comfort levels and the loss of one on-street car parking bays to facilitate this is justified.

The soft landscaping and tree planting has been subject to ongoing discussions to seek to achieve the best possible scheme suitable for the public realm. Overall, whilst the current scheme is considered to provide a valuable soft landscaping scheme, with visual impact, there is concern that the space available for one of the trees proposed in the area of the steps is not satisfactory. It is acknowledged that there is limited available space below ground given competing below ground structures and functions. As such and to avoid delay in the construction process, it is considered appropriate to agree the current details but to impose a new condition to enable further discussions on this issue in order to seek to achieve a better solution for this single tree.

The objections raised by the NottingHill East Neighbourhood Forum and 8 local and non-local residents, predominantly relate to the principle and detailed original development proposal (as amended under a non-material amendment), rather than the amendments sought under this application and are not therefore relevant to the determination of these latest applications. The Paddington Waterways and Maida Vale Society has questioned the justification for the increase in height to the Praed Street building, however officers do not share this concern, and consider it to be beneficial in townscape terms.

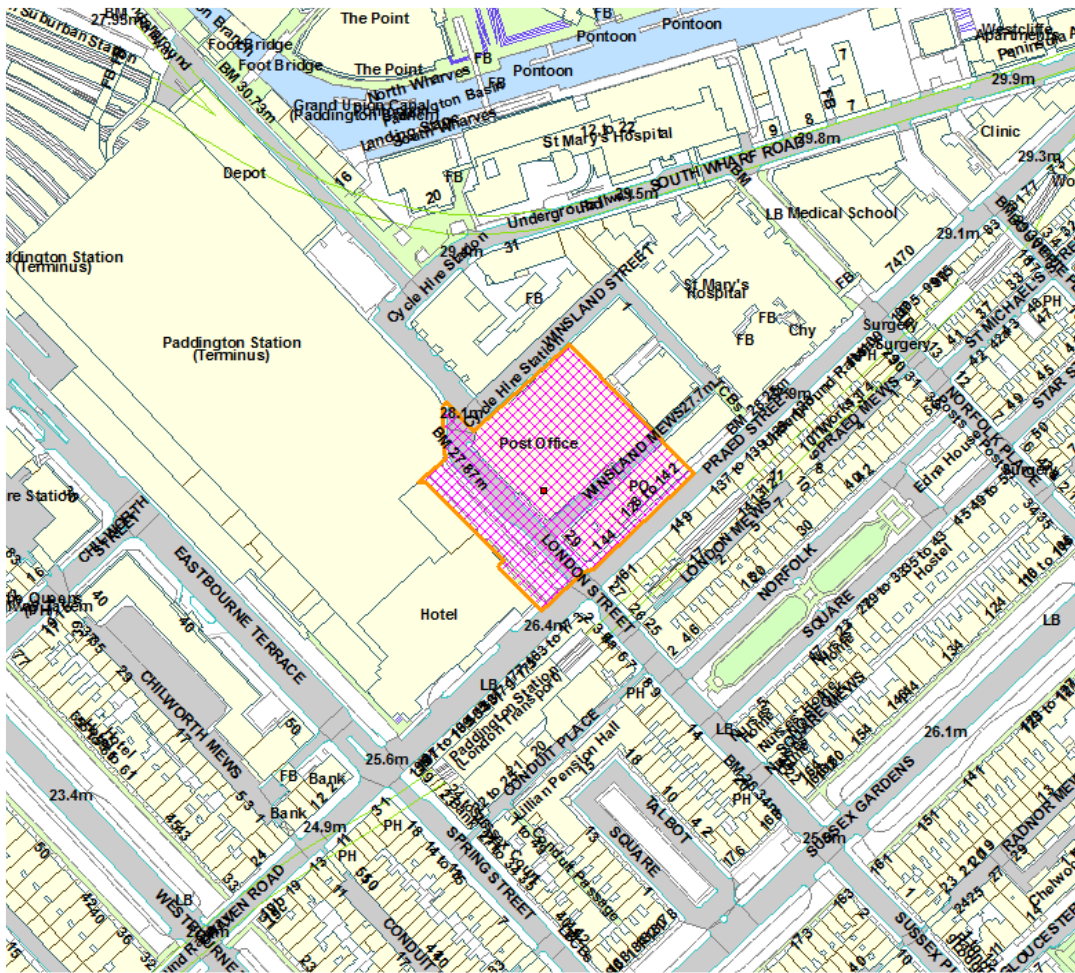
Whilst the omission of a vehicular layby from Winsland Street had brought about representation of objection from Imperial College Healthcare NHS Trust, this amendment is no longer proposed and the layby is no retained in accordance with the original permission.

Item No.

1

Notwithstanding the objections raised, the amendments sought are considered to be acceptable and in accordance with our development plan policy and are not considered to result in any significant adverse environmental impacts. Given this and in the absence of any reasons not to grant this fresh permission a favourable recommendation is made subject to the views of the Mayor of London and the completion of a Deed of Variation of the original S106 legal agreement.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Winstan Mews looking east



existing Bakerloo Line underground station entrance



The buff coloured Mercure Hotel on Praed Street and the red brick RMG building



Entrance to Paddington station

The Site Pre-Demolition

5. CONSULTATIONS

All consultees consulted on the original planning application together with any additional consultees that responded on the original planning application were consulted on this Amendment Application.

National Planning Casework Unit Department for Communities and Local Government

Any response to be reported verbally

Greater London Authority

Any response to be reported verbally

Historic England (HE) (Planning Application)

Any response to be reported verbally

Historic England (Listed Building Application)

Any response to be reported verbally

Historic England (Archaeology)

Any response to be reported verbally

The Victorian Society

Any response to be reported verbally

Save Britain's Heritage

Any response to be reported verbally

Transport for London (TFL)

No comment

Network Rail (NR)

Any response to be reported verbally

TFL London Underground

Support. Subject to condition to allow flexibility in the detailed layout of ticket hall and basement levels following ongoing development of the operational detail and subject to a Deed of variation to secure resolution of commercial arrangements between LUL and GWD to mitigate risk and cost implications for LUL as a consequence of the proposed amendments

London Underground Limited (LUL) Infrastructure Protection

No comment

Crossrail (Planning Application)

No comment

London Ambulance Service (LAS) NHS Trust

Any response to be reported verbally

Imperial College Healthcare NHS Trust

Objection to the proposal to delete the proposed service lay-by at the junction of Winsland Street and New London Street. The layby was introduced into the scheme at the request of the Trust and the Trust contend that the risk of waiting service vehicles delaying the free movement of emergency ambulances outweighs the risk of the reduced visibility for vehicles turning right out of Winsland Street. (NB/ the layby has during the course of the application been reinstated)

Environment Agency (EA)

Any response to be reported verbally

Thames Water (TW)

Any response to be reported verbally

Canal & River Trust (CRT)

Any response to be reported verbally

Natural England (NE)

Any response to be reported verbally

Designing Out Crime

Any response to be reported verbally

Sport England (SE)

Any response to be reported verbally

London Fire and Civil Defence Authority

Any response to be reported verbally

London Fire Brigade

Any response to be reported verbally

City of London Airport

Any response to be reported verbally

Heathrow Airport Safeguarding Team

Any response to be reported verbally

The Royal Parks

Any response to be reported verbally

Regents Park Conservation Area Advisory Committee

Any response to be reported verbally

Ancient Monuments Society

Any response to be reported verbally

Council for British Archaeology

Any response to be reported verbally

Design Council

Any response to be reported verbally

The Fountain Society

Any response to be reported verbally

The Georgian Group

Any response to be reported verbally

Society for the Protection of Ancient Buildings

Any response to be reported verbally

Twentieth Century Society

Any response to be reported verbally

Crown Estate Paving Commission

Any response to be reported verbally

Friends of Hyde Park & Kensington Gardens

Any response to be reported verbally

London Historic Parks and Gardens

Any response to be reported verbally

International Council on Monuments & Sites

Any response to be reported verbally

Battersea Park

Any response to be reported verbally

Belgrave Square

Any response to be reported verbally

Berkeley Square

Any response to be reported verbally

Buckingham Palace Gardens

Any response to be reported verbally

Eaton Square

Any response to be reported verbally

Eccleston Square

Any response to be reported verbally

Green Park

Any response to be reported verbally

Grosvenor Square

Any response to be reported verbally

Hyde Park

Any response to be reported verbally

Kensington Gardens

Any response to be reported verbally

Kensal Green (All Souls) Cemetery

Any response to be reported verbally

Lincoln's Inn Fields

Any response to be reported verbally

Manchester Square

Any response to be reported verbally

Portman Square

Any response to be reported verbally

Royal Hospital, Chelsea & Ranelagh Gdns

Any response to be reported verbally

St James's Park

Any response to be reported verbally

St James's Square

Any response to be reported verbally

The Gardens Trust

Any response to be reported verbally

The Temple (Inner & Middle Temple gdns)

Any response to be reported verbally

Victoria Embankment Gardens

Any response to be reported verbally

Victoria Tower Gardens

Any response to be reported verbally

Warwick Square

Any response to be reported verbally

London Rivers Association

Any response to be reported verbally

The London Society

Any response to be reported verbally

NHS Central London

Any response to be reported verbally

Westminster Primary Care Trust

Any response to be reported verbally

Metropolitan Police Service for TENs (for Licensing)

Any response to be reported verbally

Baker Street Quarter

Any response to be reported verbally

Heart of London Alliance

Any response to be reported verbally

New West End Company

Any response to be reported verbally

Victoria BID

Any response to be reported verbally

Harrow Road LARP Co-ordinator

Any response to be reported verbally

London Borough of Hammersmith and Fulham

No objection.

Royal Borough of Kensington & Chelsea

No objection, request consultation on a Demolition and Construction Management Plan.

London Borough of Brent

Acknowledgement

City of London

No observations in relation to this proposal.

London Borough of Lambeth

Acknowledgement

London Borough of Southwark

No comment

London Borough of Tower Hamlets

No comment

London Borough of Camden

No objection

London Borough of Wandsworth

Any response to be reported verbally

All Ward Councillors:-**Hyde Park Estate Association**

Any response to be reported verbally

Notting Hill East Neighbourhood Forum

Objection. Excessive height.

The St John's Wood Society

Comment. Support the views of SEBRA and others who are impacted by this development which lies beyond St Johns' Wood.

The Soho Society

Comment. Supports the views of SEBRA

Paddington Waterways & Maida Vale Society

Comment. No objection to public realm changes to the entrance of the underground. No justification for the increase in height of the Praed Street building.

North Paddington Society

Any response to be reported verbally

South East Bayswater Residents Association (SEBRA)

Any response to be reported verbally

Bayswater Residents Association (BRA)

Any response to be reported verbally

The St Marylebone Society

Any response to be reported verbally

Westminster Society

Any response to be reported verbally

Westbourne Neighbourhood Forum

Any response to be reported verbally

St. James's Conservation Trust

Any response to be reported verbally

Belgravia Residents Association

Any response to be reported verbally

Covent Garden Area Trust

Any response to be reported verbally

Covent Garden Community Association

Any response to be reported verbally

Fitzrovia Neighbourhood Association

Any response to be reported verbally

Grosvenor-Mayfair Residents Association

Any response to be reported verbally

Harrowby & District Residents Association

Any response to be reported verbally

Hanover Terrace Preservation Society

Any response to be reported verbally

Knightsbridge Association

Comment. Application falls outside the area covered by the Association

Leicester Square Association

Any response to be reported verbally

Marylebone Association

Any response to be reported verbally

Moreton Triangle Residents Association

Any response to be reported verbally

Oxford Street Association

Any response to be reported verbally

Pimlico FREDA

Any response to be reported verbally

Queen's Park Community Council

Any response to be reported verbally

Residents Society of Mayfair & St. James's

Any response to be reported verbally

The Regent Street Association Ltd

Any response to be reported verbally

Friends of Regents Park & Primrose Hill

Any response to be reported verbally

St Christopher's Place

Any response to be reported verbally

Thorney Island Society

Any response to be reported verbally

Paddington Residents Active Concern on Transport (PRACT)

Any response to be reported verbally

Environmental Sciences

Reference is made to a vibration assessment, which has not been provided.
(NB/Approval of condition 11 is not sought)

Highways Planning Manager

Acceptable with conditions.

Projects Officer (Waste)

No objection, subject to conditions.

Energy Strategy Officer

Any response to be reported verbally

Arboricultural Officer

On balance most details are acceptable, but remain unsatisfied, due to insufficient root space for 1 tree within the area of the steps, maintenance details outstanding

Sport & Leisure

Any response to be reported verbally

Adult & Community Services

Any response to be reported verbally

Westminster Works

Any response to be reported verbally

Paddington Business Improvement District (Representing over 350 businesses located in the vicinity of Paddington Station).

Any response to be reported verbally

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 4287

Total No. of replies:

No. of objections: 8

No. in support: 0

No. neutral/comment

ObjectionsDesign

- Visual appearance of the building is no longer as purely cubic as in the original permission, but bolted together sides.
- Building is not diluted amongst other buildings as the surrounding buildings are lower, it is therefore critical that the building is highly distinctive in character.
- Glass awning is disproportionate in size
- Distinctive aesthetic has been watered down
- Design is a collection of bits and pieces.
- Downgrade design
- Project only pursuing materialistic ends

- Inappropriate in size and scale
- Nothing of genuine integrity.
- Will leave a blot on the landscape
- Does not address the principle of issue of high buildings
- We are killing our heritage
- Out of character
- Americanisation of London

Demolition

- Mystified why the City Council believe the existing building to of so little worth or public interest to be preserved.
- Post office sorting office should be preserved.
- Façade of post sorting office should be kept

Land use/principle

- Paddington does not need this development
- Unsure if any planning gain proposed
- One obvious beneficiary of any such gain should be St Mary's Hospital- another missed opportunity to make a positive contribution
- Lack of affordable housing
- Needs of community not taken into account

Transport

- Remain concerned at the access needs of St Mary's Hospital

Other matters

- Question the lawfulness of original permission, given findings surrounding the conduct of the Planning Chairman and therefore this variation has no legal foundation.
- Query why numerous consultee letters sent to same address

NB/ It should be noted that consultation on this planning application followed that of the original planning application

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The site comprises the former Royal Mail Group (RMG) post office building at 128-142 Praed Street and its former sorting office building to the rear, at 31 London Street, linked by a bridge across Winsland Mews. The Praed Street building and bridge link has been demolished and the demolition of the London Street building is underway, following the grant of planning permission and listed building consent for redevelopment of the site in August 2017.

The site also includes the section of London Street between Praed Street and Winsland Street, Arrivals Ramp/Road to Paddington Station and the wall which separates these two roads and which includes at its southern end the Praed Street entry and exit point to the Bakerloo Line ticket hall. The site is bounded by Praed Street to the south, Winsland Street to the north and parts of St Mary's Hospital to the east.

The wall between London Street and Arrivals Road forms part of the grade I listed Paddington Station. All the application site lies within the Bayswater Conservation Area and the earlier phases of the former sorting office are identified as an unlisted building of merit within the conservation area.

6.2 Special site circumstances

The former sorting office building sits over a complex network of London Underground (LUL) and Royal Mail Group (RMG) tunnels. The Bakerloo Line ticket hall lies beneath London Street and the deeper Bakerloo Line tunnel runs north/south beneath London Street and passes beneath the south west corner of the application site. Even deeper below ground are the RMG's Mail Rail tunnels that form part of the underground mail distribution network that connects various sorting offices in London; these are accessed via a lift shaft from the basement of the existing building. In addition, there are a number of utilities located beneath London Street, Winsland Street and Winsland Mews. The existing London Underground Bakerloo Line sits beneath London Street between No. 31 London Street and the access ramp into Paddington Station and the tunnels pass beneath the south west corner of No. 31 London Street. The Bakerloo Line station is already at the limits of operational capacity and is inadequate to deal with the further growth expected with crowding predicted to become severe by 2026.

6.3 Recent Relevant History

Planning permission dated 14th August 2017

Conditional planning permission and listed building consent was granted on 14 August 2017 for the demolition of existing buildings and mixed use redevelopment comprising a commercial cube providing up to 50,000 sqm (GEA) floor space of office/commercial uses, retail and café/restaurant uses at lower levels and top floor level, a retail/restaurant building on Praed Street; a new major piazza including pedestrianisation of London Street, a new access road between Winsland Street and Praed Street, hard and soft landscaping, new underground station entrance and new Bakerloo Line Ticket Hall; and associated infrastructure and interface highway and transport works for underground connections, and ancillary works. (EIA Application accompanied by an Environmental Statement). Site includes 31 London Street, 128-142 Praed Street, London Street, Paddington Station Arrivals ramp and associated surrounds. (16/09050/FULL and 16/09052/LBC).

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:-,

1. a) Prior to commencement of development the developer to enter into a Development Agreement with TFL and submit a schedule of works associated with the interface between Paddington Bakerloo Line and the development which must be agreed by the City Council (in consultation with TFL and LUL and Network Rail) The development must

be carried out in accordance with the schedule of works agreed and the Development Agreement.

1. b) Prior to occupation of any of the buildings above ground level, the developer to carry out structural works and to construct the station box to the Bakerloo Line ticket hall and the fit out works to the unpaid side of ticket barriers including all escalators, steps and lift access from concourse level and London Street/Praed Street level, in accordance with the approved drawings, (unless otherwise agreed in writing by the City Council in consultation with TFL and LUL and Network Rail) and thereafter provide a 999 year lease at peppercorn rent to TFL/LUL for operation of the station and public access through and within the development to all public transport entrances/exits when public transport is operational.

2. The developer to pay £8.5m (index linked) towards Transport for London's delivery of fit out works (to paid side of ticket barriers) to the new Bakerloo Line ticket hall. To be paid to Transport for London on receipt of confirmation from Transport for London of their commitment to fund the remaining cost of fit out works and 3 months before the commencement of relevant fit out works.

3. The developer to meet the cost of funding the procurement, management and delivery (including all necessary consents) of the following works within Paddington Station, including namely; i) tunnels refurbishment, ii) redesign of servicing area to western end of platform 1; iii) removal and replacement of buffer stops and adjacent plant to platforms 11 & 12.

4. The developer to fund a transport study by a steering group comprising WCC, TFL, NR & Crossrail of traffic management and servicing associated with the site and in its vicinity. Including Eastbourne Terrace, Bishops Bridge (Harrow Road gyratory to Eastbourne Terrace), Praed Street (Craven Road to Norfolk Place), London Street (North), Winsland Street, Winsland Mews, Junction of London Street with South Wharf Road and proposed new road, Paddington Station Arrivals ramp. The findings of the study to be implemented in agreement with the City Council & TfL. The developer to fund the reasonable and proper costs of agreed and identified recommended measures to be implemented which relate specifically to the proposed development.

5. Developer to fund the cost of highways works immediately surrounding the site, required for the development to occur/mitigate the impact of the development and for the proper planning of the wider Paddington area. This is to include the revised offer put forward by the applicant to pay for the construction of the preferred access road for St Mary's hospital are set out in the letter dated 5 December 2016 and to pay for the costs of temporary buildings on the St Mary's site. (For clarification purposes the above text in bold was approved by the Sub-Committee at the meeting held on 17 January 2017).

6. Developer to submit a servicing management plan, to minimise servicing movements within the public realm, including the area of the Paddington Station Arrivals ramp, for approval by the City Council and thereafter to carry out the development in accordance with the approved plan.

7. Developer to provide and manage at their own cost all of the public realm works within the application site including associated street furniture, paving, landscaping,

drainage, service diversions and thereafter maintain and manage the area including the area that is currently the Arrivals Road and allow 24 hours access for the general public via a walkways agreement to be submitted for approval.

8. Provision of vehicular and pedestrian public highway to the City Council's adoptable standard from Praed Street to Winsland Street prior to closure of London Street and thereafter with 24 hours access. Details to be agreed by the City Council.

9. Provision of or cost of relocation/replacement/upgrade of east and west bound bus stops on Praed Street to TfL satisfaction and in line with 4 above.

10. Provision of or cost of relocation/replacement of cycle docking station and provision of vehicular access to and from it to allow manual redistribution of bikes within the site to TfL satisfaction and in line with 4 above.

11. Provision of or cost of relocation/replacement and changes of on street car parking including blue badge car parking as part of 4 above.

12. Provision of or cost of relocation/replacement of motorcycle parking within the site as part of 4 above,

13. Provision of Public Art to the value of no less than £2,000,000 (index linked) and maintenance of public art thereafter at full cost to the developer.

14. Provision and maintenance of public access to i) the Cube's rooftop restaurant (Class A3); ii) external terrace and iii) projecting glass box/structure to provide free public viewing area (details to be agreed later) at no cost to the public.

15. Financial contribution of £250,000 (index linked) as a payment in lieu of an on-site mini recycling facility.

16. Financial contribution of £250,000 (index linked) as a payment in lieu of on-site social and community facility,

17. Employment and Training Strategy.

18. Cost of Monitoring the S106 legal agreement,

19. Crossrail contribution of £3,996,624. For clarification this figure was revised from £4,326,820 (Mayoril Cil treated as a credit towards Crossrail) following confirmation from Transport for London.

Applications associated with Planning permission dated 14th August 2017

1st Non Material Amendment Application

An application for a Non Material Amendment was agreed on 26.03.2018 which varied the wording of conditions 6,7,8, 9,11 and 49 to split their trigger for the details required to be submitted and approved, to "prior to demolition" and "prior to construction". (18/00760/NMA).

2nd Non Material Amendment Application

An application for a further Non Material Amendment was agreed on 11.09.2018 which made amendments to and additional detailing and articulation to facades, introduction of sunshading devices, both reduction and increase in voids, provision of office roof terraces at level 16, internal reconfiguration and adjustments to floor to ceiling heights. (18/04648/NMA),

Approval of Details Applications

A number of approval of details applications to discharge conditions on the original planning permission have been approved.

Advertisement Consent Application

Advertisement consent was granted on 19.06.2018 for the Display of advertisement panels and hoardings fronting London Street, Winsland Street, Winsland Mews, and Praed Street, for a temporary period of five years (measuring 2.44m x 191.37m; 4.87m x 82.00m; and 2.44m x 42.78m, all non-illuminated other than interior of walkway in Praed Street). (18/01871/ADV)

NB/The above sets out the most relevant recent planning history since the granting of permission for redevelopment of the site in August 2017. History prior to this date was set out in the officers report to committee in August 2017 relating to the proposed redevelopment.

Applications for Judicial Review

Imperial College Healthcare NHS Trust

An application for Judicial Review by Imperial College Healthcare NHS Trust, to quash the planning permission for reasons that related to the safe and efficient operation of St Mary's Hospital, was refused by Honourable Mr Justice Holgate on 20.12.2017 (CO/4332/2107).

Save Britain's Heritage

An application for Judicial Review by Save Britain's Heritage on ground that the Secretary of State is required to give reasons for his decision whether or not to call in a planning application was granted by Rt Hon. Lord Justice Lewison on 15.03.2018 and subsequently ruled by Lord Justice Coulson on 04.10.2018 that the Secretary of State should have given reasons for refusing to call in the scheme. (C1/2017/3462).

Pending Applications

Details of revised Demolition Logistics Plan pursuant to Condition 5 (a) of planning permission dated 14 August 2017 (RN: 16/09050) as amended under 18/00760/NMA on 26.03.2018. (18/09630/ADFULL)

Details of Construction Method Statements to demonstrate Complete Compatibility with Crossrail works programmes, pursuant to condition 6A of Planning Permission dated 14 August 2017 (RN: 16/09050/FULL) as amended under 18/00760/NMA on 26.03.2018.(18/09631/ADFULL)

7. THE PROPOSAL

Background to proposal

Works are underway to implement the August 2017 permission for the redevelopment of the application site to provide a 19 storey cube shaped building and a 2 storey Praed Street building of mixed commercial use and associated new road to replace London Street, together with the physical provision of a new London Underground Bakerloo line ticket hall and associated infrastructure and access as well as the provision of 1.3 acres of new public realm within the heart of Paddington.

Following two non-material amendments and the discharge of pre-commencement conditions, works to implement the above permission began on 18.06.2018 and significant demolition has already taken place.

It is also of note that the Transport Steering Group required under the terms of the S106 legal agreement associated with the August 2017 permission, has been set up and a number of meetings have taken place.

What type of application is this?

Section 73 of the Town and Country Planning Act 1990 allows applications to be made to amend proposals that have planning permission. Central Government Guidance on this matter was issued in March 2014- Flexible options for planning permissions. The guidance advises that :

“There is no statutory definition of a ‘minor material amendment’ but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved”.

The guidance also advises that the application should be considered against the :

“Development plan and material considerations under section 38(6) of the 204 Act, and conditions attached to the existing permission. Local planning authorities should, in making their decisions, focus their attention on national and development plan policies and other material considerations which may have changed significantly since the original grant of planning permission”.

The Proposal

This current application is a S73 application which seeks permission for Minor Material Amendments to the August 2017 permission. The applicant has indicated that since the grant of planning permission and listed building consent in 2017; their architects (Renzo Piano Building Workshop) have developed the detailed design of the buildings and public realm and are now seeking minor material amendments to the original permission. The applicant states that the proposed amendments "further improve the transport facilities, the detailed design and functionality of the scheme" and are "consistent with the overall design principles".

A listed building consent application has also been submitted in association with this Non Material Amendment application. Whilst consent has already been granted for the demolition of the listed wall between London Street and Arrivals Road, given its explicit

relationship with redevelopment proposals, and to ensure consistency between the planning permission and associated listed building consent, a revised application for listed building consent has also been submitted so that the revised concourse and street level plans can be including in a new listed building consent.

The key amendments sought are set out below:-

1. Reconfigured London Underground ticket hall
2. Alterations to dimensions and alignment of retail mall at ticket hall and concourse levels
3. Relocation of disabled lift at ticket hall, concourse and street level.
4. Relocation of scenic lift further into public realm with access at street, office reception and level 17 restaurant.
5. Change in orientation of external escalators (to be accessed from the south) from street to office reception level
6. Lengthening and narrowing of pedestrian bridge
7. Adjustment to southern steps and associated tree planting
8. Widening of footpath on corner of Praed Street and new access road and associated removal of one on street car parking bay & relocation of another.
9. Increase in height and footprint of Praed Street building
10. Reconfiguration of office core and layout and terraces.
11. Amendment to layout and configuration of restaurant and plant rooms at level 18
12. Addition of a louvred metal screen to roof of Praed Street building to obscure flank wall/lightwell of Mercure hotel.

In addition and in order to assess the public realm amendments holistically, full details of the soft landscaping, soil depth and specification and rainwater harvesting pursuant to conditions. 33, 49 and 51 of the 2017 permission have also been provided under this application.

As originally submitted, this application proposed to remove a vehicular layby from Winsland Street adjacent to the proposed service bay for the development. This has now been reinstated. The objection raised by the Imperial College Healthcare NHS Trust to this aspect of the proposal, has therefore been addressed.

Further detailed technical information has been submitted during the course of the application in relation to the soft landscaping and trees to seek to resolve the concerns of the City Council's Arboricultural officer.

8. DETAILED CONSIDERATIONS

Given the nature of this application as a S73 application to make Minor Material Amendments to an extant permission, this report sets out an assessment of the amendments sought only and does not reassess the core /principle issues relating to the extant permission, although does assess the relevance of any change in policy since the original decision.

8.1 Land Use

Overall, the amendments would result in an increase for retail and office floor space when compared to the original permission, as set out in the table below.

	Consented GIA (GEA)	Proposed GIA (GEA)	+/-
Office	42,523m2 (44,352)	42,791m2 (43,638)	+268m2
Retail	7,153m2 (7,375)	7,947m2 (8,067)	+794m2

Given the scale of the original permission, the proposed increase in commercial floor space within this mixed-use development is not considered significant. It remains appropriate, complimentary and acceptable in land use terms at this key strategic transport interchange, straddling Paddington Station and St Mary's Hospital opportunity sites and located within the Paddington Opportunity Area (POA), North Westminster Economic Development Area (NWEDA), Praed Street District Shopping Centre (partially) and the Mayor's Central Activities Zone (CAZ). It also meets the land use aims and objectives of our Unitary Development Plan (UDP), Westminster's City Plan (The City Plan) the London Plan, and the National Planning Policy Framework (NPPF).

In assessing the original application and the mixed-use policy (S1) requirement for residential floor space, consideration was given to the opportunity for large scale regeneration and the unique opportunity to provide significant transport infrastructure in the form of a new Bakerloo line ticket hall as well as the provision of significant public realm as part of an holistic approach to the development of this site, in this unique location. Given the cost of providing the strategic transport benefits and public realm and the viability of the development which had been independently verified, it was considered that there were good reasons in this particular case in which to apply this mixed use policy flexibly and not to require residential floor space either physically or as a payment in lieu.

The independent review of the original proposal concluded the proposed scheme did not generate any surplus funds over and above the circa £83m cost of providing the Strategic transport improvements and provision of public realm. This is taking into account the additional contribution of Mayoral CIL/Crossrail £4.314,424m and Westminster CIL £4,514,250. Furthermore, the advice indicated that the applicant was taking a below standard profit (9.77%) in the anticipation of office rents growing/increasing in the near future and with the hope value of reaching standard industry profit (20%) at the time of development. As such, the scheme has the potential to become viable with a 20% profit, if office rents were to increase by 15%. Even if this were to occur there would still be no surplus of funds available for other contributions.

The increase in floor space proposed under this application is not considered significant in the context of the original permission and given the original viability conclusions it is not considered necessary to review the viability of the scheme. As such, there is no reason to come to a different conclusion on these aspects under this minor material amendment application.

Objections have been raised with respect to the principle of the redevelopment, suggesting that Paddington does not need this sought of development that it does not provide affordable housing and is not for the local community. Other objections query

whether it provides any planning gain and considers it a missed opportunity for St Mary's Hospital. These objections and concerns are all acknowledged and are similar to the nature of the objections that were considered in determining the original permission. However, they do not explicitly relate to the amendments sought under this application.

8.2 Townscape and Design

The proposals mainly relate to changes at lower levels in the areas of new public realm and publicly accessible space but there are also higher level changes, notably a re-positioning of the scenic lifts on the west side of the main building; adjustments to the external terraces at Level 16 of the main building; and amendments to the layout and configuration of the restaurant and plant rooms at Level 18 of the main building. Some of the amendments relate to changes below ground with layout changes to basement levels B1 and B2; and there are changes to the Bakerloo Line station box and ticket hall, which are supported by London Underground. None of these changes raise any design concerns.

Changes are also proposed within the below ground retail areas of ticket hall level and concourse level, including a slight narrowing of the pedestrian areas. This change and slight change to orientation of these areas, means that large structural support beams and columns can largely be removed, thus creating a more spacious environment. The thresholds of the southern concourse escalator are reversed, which allows natural light to filter down into the lower retail areas. None of these changes raises any design concerns and arguably reflects a design refinement, which will enhance the quality of space to these belowground retail areas.

The position of a public lift to address step-free accessibility to these lower levels has been amended. The position of the lift will now be located immediately adjacent to the ticket gate line at ticket hall level and will then access the concourse level (again in a prominent location); and finally it will connect to Praed Street/London Street level where it will be located immediately adjacent to the pedestrian bridge. Subject to securing details of the appearance of the lift structure at this upper level, where it will be visible within the public realm, the re-positioning is acceptable in design terms.

There are a large number of changes proposed to the public realm areas at the Praed Street/London Street level and in the concourse area (formerly Arrivals Road), including:

- Change in orientation of the escalators which link the office reception of the main building (Level 2) with street level;
- Lengthening and narrowing of the pedestrian footbridge;
- Adjustment to form and design of the landscaped steps which transition between concourse level and street level;
- Changes to tree planting;
- Removal of parking bay and consequent widening of footway alongside new access road near junction with Praed Street;
- Changes to footprint, height and design of the new Praed Street building;
- Removal of lightwell to south of main building;
- Modifications to layout of escalator and lift access point at south-east corner of site;

- Introduction of stepped surface to east of new Praed Street building.

For the most part the key issue with most of these changes is the impact upon pedestrian movement and comfort within the newly created public realm. In purely aesthetic terms, most of the proposed changes would not change the nature of the impacts and simply be a different arrangement of the same consented elements, but the proposed changes are considered to reflect a more rational layout, which does provide more pedestrian space and a more comfortable environment to navigate through.

The changes to the new Praed Street building include re-positioning the southern façade to bring it more into line with the adjacent Mercure Hotel and the removal of the recessed bays at street level, which were located at the interface with the Mercure. These changes are acceptable and an enhancement on the approved scheme: more closely maintaining the historic building line, while removing recessed areas which may have proved difficult spaces to manage and maintain. Changes in floor levels has also resulted in this building increasing in height, which is uncontentious in design terms and which allows façade elements of the new building to better relate to the adjacent Mercure.

One aspect of design development, connected to the new Praed Street building, has been the discovery that there is a lightwell to the Mercure Hotel on the party wall line and that this needs to be maintained. The effect of this is that the lightwell opening will become visible above the new Praed Street building, as will some rooftop plant on the Mercure Hotel. These impacts are most clearly shown on View 43 of the Townscape and Visual Impact Assessment (September 2018). The visual impact of these utilitarian features is regrettable and it is hoped that improvements can be made, albeit it is acknowledged that these elements lie outside the application site. To mitigate this issue it is suggested that a condition is imposed to address the treatment of this party wall, with a view to minimising the visual impact of the Mercure's lightwell and plant.

Because of a change in level between Praed Street and the former alignment of Winsland Mews, it is proposed to introduce a series of steps to the circulation space between the Praed Street building and the landmark tree and escalator entry point, rather than a steep slope. This is acceptable in design terms and allows a better interface of the street with the shopfront facades.

With respect to other changes above ground level, these occur to the main building. The scenic lifts on the west side are to be pushed away from the façade by 1.6m, which will enable accessibility for cleaning and maintenance. This change is an enhancement over the approved scheme providing a clear definition between the lifts and the façade, while at the same time creating another point of structural expression, which enhances the architecture.

Higher up the main building, the Level 16 office terrace is reduced on its west and south sides by 1.7m to leave a setback width of 3m, with the terraces on the north and east sides remaining at 2.1m deep. The effect of this change is minor and results in a more consistent set back to all sides.

Item No.
1

At Level 18, it is proposed to redistribute and re-orientate the location of plant, so that the restaurant at this level can extend round onto the south side. This is a welcome change, allowing publicly accessible panoramic views south.

Other internal changes to the main building, notably re-orientating the central core does not raise any design concerns and the introduction of some high level ventilation louvres to the east façade at ground floor is acceptable in principle, subject to detailed design.

A number of the representations of objection received on heritage, design and townscape grounds relate to the principle of the demolition of the royal mail sorting office building and the scale, height and design of the replacement building. These are all matters that were considered in detail in the determination of the original permission and are not rehearsed again under this application for a non-material amendment.

The objection to the visual appearance of the building no longer appearing as purely cubic as in the original permission is noted. However, this amendment was agreed under a previous application for a non-material amendment and does not form part of the amendments sought under this particular application.

The applicant has also requested a condition be imposed with respect to the approved Mast, requiring a condition requiring final details of the height, location and appearance of the mast, as discussions remain ongoing with the Civil Aviation Authority and St Mary's Hospital. This is acceptable and has been included at condition 23.

Similarly, a condition has been suggested by the applicant and LUL/TFL to require that notwithstanding the approved plans, final details of the layout and configuration of the LUL Station Box at ticket hall and basement levels would be agreed in liaison with TFL/LUL. This is on the basis that this element could be the subject of continued design refinement by LUL/TFL. This is acceptable and has been included at condition 54.

Overall, the proposed design changes are acceptable and reflect a process of design development and refinement, which will enhance the quality of the development in accordance with policy DES1, DES5, DES9 of our UDP and S25 and S28 of our City Plan.

As set out elsewhere in this report, listed building consent has already been granted for the loss of the listed wall at the time of granting permission for the redevelopment of the application site in August 2017. This consent remains extant and there are no reasons to come to a different conclusion under DES10 of our UDP and S25 of our City Plan. It has been submitted again for consistency with the planning permission.

8.3 Residential Amenity

Given the nature of the original permission and the amendments sought, it is not considered that the proposal would result in any significantly adverse impacts in accordance with Policy EBV13 of our UDP and S29 of our City Plan

8.4 Transportation/Parking

Pedestrian movement

The proposed changes to the public stairs, escalators and lifts within the public realm and within the concourse and basement levels of the building have been assessed in terms of route choice/desire lines, permeability of the site and pedestrian comfort levels for walking at all times of the day as well as capacity of lifts and potential for queuing.

The changes proposed are minor and include reorientation of escalators, reconfiguration of steps and modification of location of lifts. The layout proposed under this application is very similar to the original layout, with fine-tuning to maximise pedestrian circulation, minimise pedestrian conflict/ congestion maximise wayfinding accessibility, particularly with the freestanding lift adjacent to the escalators within the public realm.

The scenic lifts are a duplexed pair of 17 person passenger lifts, accessible from the public realm at “street” level and from the second floor office reception providing travel directly to the 17th floor restaurant and public viewing area. They are to be operated on a 24-hour basis between ground and second floor level and during restaurant, hours to the 17th floor, the lifts are proposed to be manned by a concierge style security officer at second and 17th floors and the second floor area will be available for any security checks, management of queues.

The City Councils’ Highways Planning Manager is satisfied with the proposed configuration and arrangement and the associated pedestrian comfort levels are maintained and in some cases improved upon the original development proposals.

A small set of steps are proposed to be between the Praed Street building and the entrance escalators that lead down to the tube which is regrettable but unavoidable due to the change in levels. However, there is an alternative non-stepped route, which is acceptable.

Vehicle movement

The proposal seeks to increase the area for pedestrians at the junction of Praed Street and the new “London Street” Road, which is welcomed, and the loss of one on street car parking bay in this location to facilitate this is justified.

The public realm changes have also been assessed in terms of their potential impact on the servicing activity associated with the Mercure Hotel. The amendments are not considered to result in any significant impact on this activity.

As originally submitted, this application sought to omit from the original development proposal a vehicle layby located adjacent to the entrance to the development’s servicing bay on Winsland Street at the junction with the new “London Street” Road. This had brought about a representation of objection by Aecom of behalf of Imperial College Healthcare NHS trust (the Trust) with concerns regarding the potential impact of its omission on traffic flow, particularly with regard to blue light ambulances, in the event service vehicles were waiting to enter the site. Consequently, notwithstanding the applicant’s contrary view, the applicant has decided to withdraw this element of their proposal and the proposed layby is to be retained in accordance with the original permission. The concern raised by the Trust has therefore been addressed.

An objector remains concerns with respect to the access needs of St Mary's Hospital. However, the proposal remains the same as the original permission in this respect and the objection does not relate the specific amendments proposed under this non-material amendment application.

The City Council's Highways Planning Manager is satisfied that the proposed amendments are acceptable in pedestrian and vehicular highway terms.

8.5 Trees and soft landscaping

The amendments to the public realm and further discussions on soft landscaping together with detailed design progress has brought about a more detailed soft landscaping proposal and one which seeks to satisfy three conditions attached to the original permission relating to the following:-

Condition 33- Details of hard and soft landscaping including number, size, species and position of trees and shrubs.

Condition 49- Details of the depths, areas, profiles and specifications of the new soils to create an adequate rooting environment for new tree planting and landscaping, including drainage layer and other components and connection of soil areas.

Condition 51- Details of a maintenance regime and sustainable irrigation and rainwater harvesting system for the soft landscaping.

Four areas are proposed for soft landscaping in the form of tree planting within the revised public realm, all tree planters have been eliminated from the scheme.

Piazzetta- Praed Street

One landmark Metasequoia glytostraboides tree is proposed and the size and species is considered suitable and the soil volumes are on balance considered acceptable.

Steps -Arrivals Road

Four liquidambar styraciflua trees of 12m high are proposed in a row. The justification for reducing the number of trees from seven to four on grounds of space available is reasonable and will create a clear more legible landscape than previously proposed. However of concern is the cramped below ground space, which does not allow for root growth to the northeast and which would result in increased risk of wind throw to one tree. The applicant has indicated that below ground anchors will be used. However, the City Council's arboricultural officer is concerned that this will not be effective when the tree reaches maturity and that this is not satisfactory solution and that more space is required.

Mews - Winsland Mews

Four small growing magnolia loebneri merril trees are proposed an increase in one tree from the original proposal. The size, species and soil volume are all considered acceptable.

Northern area adjacent to Winsland Street

Four trees are now proposed compared to six originally proposed due to available below ground space. However, the single liquidambar and three subordinate Tilia mongolica trees is considered to provide a more simple arrangement which have been chosen and positioned carefully to make a valuable contribution to the setting of the development.

Overview of soft landscaping and tree planting

Officers have from as early as pre-application discussions raised the issue of ensuring sufficient below ground space is allocated for tree planting for this important public realm. This is because it is acknowledged that there are a number of structures/functions competing for the space below ground level (mechanical plant, London underground tunnels and infrastructure, utilities etc.) due to the specific location of this site and the nature of the development. Officers have continued to negotiate improvements to the soft landscaping proposals with respect to soil depth and species, to seek the most appropriate conditions (linked tree pit/spacing) /number/species of trees to enable maximum growth, health and visual impact. Overall, whilst the current scheme is considered to provide a valuable soft landscaping scheme, with visual impact, there is concern that the space available for one of the trees proposed in the area of the steps is not satisfactory. Condition 49 is generally satisfied, subject to the details being revised to show the amended axonometric for the piazzetta. However, the issue of the lack of root space for one tree in the steps area remains unresolved. As such and to avoid delay in the construction process, it is considered appropriate to agree the current details but to impose a revised condition to enable further discussions on this single issue in order to seek to achieve a better solution if it is technically possible.

With respect to condition 33, the details are acceptable subject to the agreed species.

As required by condition 51 Irrigation is proposed in the form of combined surface water attenuation and rainwater harvesting tanks with a capacity of 435m³, located within the basement of the development and is considered sufficient to irrigate the trees. However, details of a maintenance regime have not been provided and a revised condition is recommendation to secure this in due course.

8.6 Economic Considerations

Apart from the additional Westminster and Mayor CiL contribution resultant from the additional floor space now proposed, there are no additional economic considerations over and above those of the original permission.

8.7 Policies and Legislation

Westminster's Development Plan

Westminster Unitary Development Plan was adopted in January 2007 and Westminster's City Plan Strategic Policies was adopted in November 2016. Both documents were relevant at the time of the determination of the original permission.

The City Plan 2016 and UDP policies referred to in the consideration of this application are considered consistent with the NPPF unless stated otherwise.

City Plan 2019-2040- Working draft 10, November 2018

The City Council is currently working on a complete review of its City Plan. Informal consultation on the first draft of Westminster's City Plan 2019-2040 started on Monday 12th November 2018 and will close on Friday 21st December 2018. Following this informal consultation, any representations received will be considered and the draft plan will be revised in advance of formal consultation under regulation of the Town and Country Planning Act (Local Planning) (England) Regulations 2012. Given the very early stage of the consultation process and having regard to the tests set out in para. 48 of the NPPF, the policies of the emerging draft City Plan are given little to no weight at the present time.

London Plan

The current London Plan dated March 2016 was the plan in place at the time of the determination of the original extant permission on 6th December 2016, which was subsequently issued on 14th August 2017 on completion of the S106 agreement. This March 2016 plan remains the adopted development plan.

A draft new London Plan was published by the Mayor for consultation in December 2017, the consultation period ended on 2nd March 2018 and the draft London plan is a material consideration in planning decisions. The significance given to it gains more weight as it moves through the process. The consultation period ended on Friday 2 March 2018. The examination in public ("EIP") of the new London Plan opens on 15 January 2019.

It is not considered that the new London Plan contains any policies that would warrant coming to a different conclusion to that made in 2016. The Mayor of London has been consulted on this S73 Minor Material Amendment Application and their stage 1 letter is awaited. Any response will be reported verbally to committee.

8.8 National Planning Policy Framework (NPPF)

National Planning Policy Framework sets out the governments planning policies for England and how these are expected to be applied and is a material consideration in planning decisions. It states that the purpose of the planning system is to contribute to the achievement of sustainable development through mutually dependant economic, social and environmental roles.

At the time of the determination of the original permission in 2016, the March 2012 NPPF was in place. This version was superseded in July 2018.

The City Plan 2016 and UDP policies referred to in the consideration of this application are considered to be consistent with the July 2018 NPPF unless stated otherwise.

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

During the course of this application a notice was served relating to the proposed imposition of a pre-commencement condition to secure the applicant's adherence to the conditions. The applicant has agreed to the imposition of the conditions.

8.9 Planning Obligations/CIL

Planning obligations

The original permission was subject to a S106 legal agreement to secure a number of obligations as set out under Section 6.3 of this report.

Where an application for a Minor Material Amendment under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended. A decision notice describing the new permission for the grant of planning permission under section 73 repeats the relevant conditions from the original planning permission, unless they have already been discharged. As such if it is resolved to grant permission for this this Minor Material Amendment, then a Deed of Variation to the original S106 legal agreement will be required.

Community Infrastructure Levy (CIL)

It was estimated that the original proposed development would be liable, subject to any exemptions or relief that may be applicable for the following:-

Westminster CIL £4,821,900

Mayoral CIL £4,326,820 (treated as a credit to Crossrail contribution)

This proposed amendment would involve an uplift in commercial floor space of over 1,000m² would increase these figures.

8.10 Environmental Impact Assessment (EIA)

The original permission was EIA development under schedule 2 development and was accompanied by an environmental statement in support of that proposal in 2016 under the Town and Country Planning (Environmental Impact Assessment) Regulations 2015 (the regulations that were in force at the time). The City Council's independent experts (Land Use consultants) did not identify any significant adverse environmental impacts because of the proposed development.

On 16th May 2017, the 2017 EIA regulations came into force, which made amendments to the 2015 Regulation and introduced some new topics for consideration, including the use of competent expert's explicit reference to risks to human health and the risk of major accidents and or disasters relevant to the development.

The applicant has submitted an environmental addendum – statement of conformity under part 3, regulation 9 of the Environmental Impact Assessment Regulations 2017 (relating to subsequent applications where environmental information previously provided)). The original environmental statement and this addendum have both been prepared by WSP, who are known for their expertise in EIA. They conclude that “the significance of residual effects presented within the 2016 environmental statement have not materially changed as a result of the minor material amendments and remain valid and that the amendments would not result in any significant environmental effects over and above those of the original proposal”.

Given the nature of the minor material amendments proposed under this application and the conclusions of the 2016 environmental statement and having regard to the addendum and statement of conformity submitted, it is considered that the amendments would not change the conclusions and the proposed mitigation measures secured through conditions on the original planning permission and the associated s106 legal agreement are considered to remain sufficient. As such, it was not considered necessary to reinstruct Land Use Consultants and the proposal is considered acceptable under policies ENV5, ENV6, ENV7, ENV13 of our UDP and S29, S30, S31, S32, S39 and S40 of our City Plan.

8.11 Other matters

An objector has queried the lawfulness of the original permission in relation to investigations into the conduct of the Chairman of the committee who sat at that time. However, it is considered that this permission remains valid and extant and the permission has been implemented. A further objector queried why numerous consultee letters were sent to the same address. This was a technical administration error.

8.12 Construction

The applicant has signed up to the City Council's Code of Construction Practice (COCP). 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.

8.13 Statement of community involvement

The applicant has indicated that the proposed amendments have been subject of a drop-in event held on 5th September 2018, where invitations were sent to 3,000 addresses and was attended by nine people.

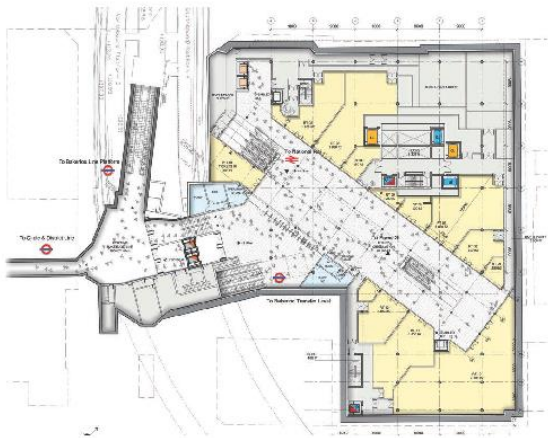
8.14 Conclusion

Overall, the proposed changes reflect a process of design development and refinement, which will enhance the quality of the development and are considered acceptable.

(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: **SARAH WHITNALL** BY EMAIL AT swhitnall@westminster.gov.uk

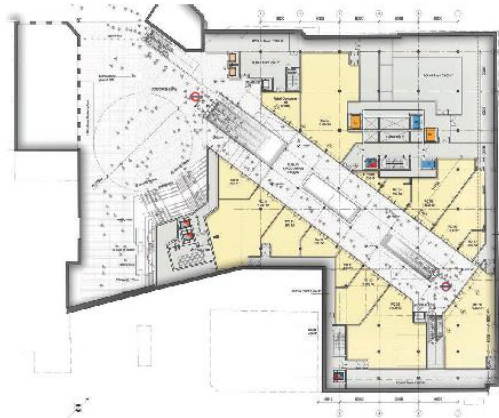
9. KEY DRAWINGS



Approved Scheme Ticket Hall Level



Proposed Scheme Ticket Hall Level



Approved Scheme Concourse Level



Proposed Scheme Concourse Level



Approved Scheme Public Realm



Proposed Scheme Public Realm



Approved Scheme view looking south leaving Paddington Station



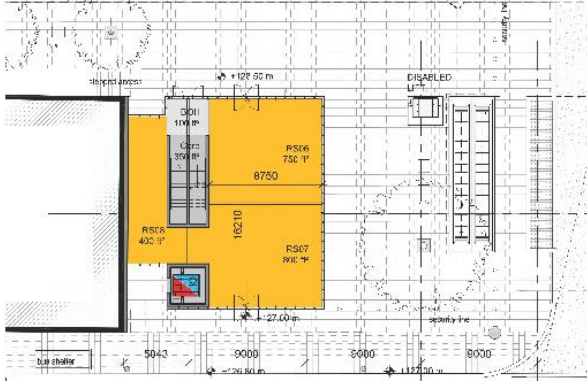
Proposed Scheme view looking south leaving Paddington Station



Approved Scheme view looking north towards Paddington Station



Proposed Scheme view looking north towards Paddington Station



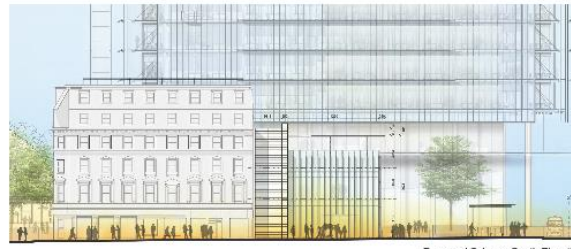
Approved Scheme Praed St Building Plan



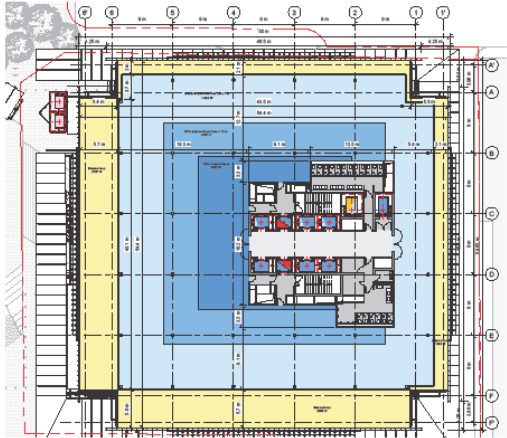
Proposed Scheme Praed St Building Plan



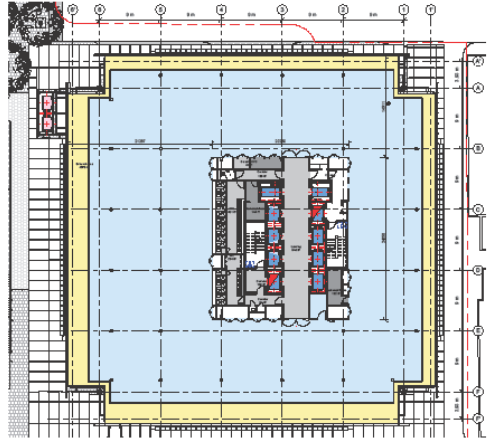
Approved Scheme South Elevation



Proposed Scheme South Elevation



Approved Scheme Level 16 Floor Plan



Proposed Scheme Level 16 Floor Plan



Approved Scheme View Praed St Building



Proposed Scheme View Praed St Building

DRAFT DECISION LETTER

Address: Paddington Sorting & Delivery, 31 London Street, London, W2 1DJ,

Proposal: Variation of condition 1 (approved plans) of planning permission dated 14 August 2018 (RN: 16/09050/FULL) for the Demolition of existing buildings and mixed use redevelopment comprising a commercial cube providing up to 50,000 sqm (GEA) floorspace of office/commercial uses, retail and café/restaurant uses at lower levels and top floor level, a retail/restaurant building on Praed Street; a new major piazza including pedestrianisation of London Street, a new access road between Winsland Street and Praed Street, hard and soft landscaping, new underground station entrance and new Bakerloo Line Ticket Hall; and associated infrastructure and interface highway and transport works for underground connections, and ancillary works.(EIA Application accompanied by an Environmental Statement). Site includes 31 London Street, 128-142 Praed Street, London Street, Paddington Station Arrivals ramp and associated surrounds. , NAMELY, to allow adjustments to layout of steps in the public realm; Change in orientation of escalators linking street level to office Level 02; amendment to lift strategy and location; amendment to the public realm to address level changes and provision of accessible routes; increase in height and footprint of Praed Street building by 2.5 metres and minor increase in footprint with, adjustments to detailed design; amendment to layout and configuration of below-ground concourse area and retail units; amendment to the layout and configuration of the LUL Station Box; and reconfiguration of main office core. Additionally Details of soft Landscaping, Soil depth and specification and Rainwater harvesting pursuant to conditions. 33,49 and 51 of the original permission.

Reference: 18/08240/FULL

Plan Nos: Original plans and documents approved under reference 16/09050/FULL.; A-0101 A-0102 A-0103 A-0104 A-0105 A-0106 A-0107 A-0201 A-0202 A-0203 A-0204 A-0205 A-0206 A-0207 A-0208 A-0209 A-0210 A-0211 , A-0212 A-0301 A-0302 A-1001 A-1002 A-1003 A-1004 A-1005 A-1006 A-1007 A-1008 A-1009 A-1010 A-1011 A-1012 A-1013 A-1014 A-1101 A-1501-A A-1501-B A-1502-A A-1502-B A-1503-A A-1503-B A-1504-A A-1504-B A-1505-A A-1505-B A-1506-A A-1506-B A-1507-A A-1507-B A-1508-A A-1508-B A-1509-A A-1509-B A-1510 A-1511 A-1512 , A-1513 A-1514 A-3001 A-3002 A-3101 A-3102 A-4001 A-4002 A-4003 A-4004A-4005 A-4006 A-4501 A-4511A-4521 A-4531 A-4541 A-4551 A-4561 A-4611 A-4612 A-4613 A-4614 A-4621 A-4622 A-4631 A-4641 A-4651 A-4652 A-4653 A-4661 A-4662 A-4663 A-4664 A-4671 , LD-5001 LD-5011 LD-5012 LD-5021LD-5022 LD-5031 , Environmental Statement Volume 1 (Main Text), Environmental Statement Volume 2 (Technical Appendices), Environmental Statement Volume 3 (Heritage, Townscape and Visual Impact Assessment); Environmental Statement Volume 4 (Non-Technical Summary); Design and Access Statement; Public Realm Strategy; Energy Statement; Sustainability Statement, Transport Assessment; Waste Management Strategy Planning Statement; Construction Management Plan; Basement Impact Assessment; Crime Prevention Statement; Statement of Community Involvement; Economic Assessment; Executive Summary Heritage Statement; Outline Drainage Strategy; Public Realm Accessibility, Retail Statement.,

As part amended under reference 18/04648/NMA by , Gerald Eve Letter 31.05.2018, Email dated 30.08.2018, WSP EIA Statement of Conformity; Design Document (part superseded), A1200A; A- 2100D;A-2101D; A-2102D; A-2103D; A-2104D; A-2105D; , A-2016D; A-2107D; A-2108D; A-2116E;A-2117E; A-2118D; A-4001C, A-4002C; A4003D; A-4004C; A-4200A; A4204A; A-4205C; A-4301; , A-5101A; A-5101B; A-5102A; A-5103A; A-5104.

As further part amended under this application reference 18/08240/FULL by: , Design Statement Addendum, prepared by Renzo Piano Building Workshop;Access Statement Addendum by BuroHappold; Urban Realm Movement Analysis by WSP;Statement of Conformity with 2016 Environmental Statement by WSP; Soft Landscaping Proposals by Renzo Piano Building Workshop;Operational Management Plan for Scenic Lift by Knight Frank; Ticket Hall Level (A-0210_A);B2 Mezzanine Level (A0211_A); B2 Level (A-0212_A); B2.1 Basement Plan (A-2001); B2.2 Basement Mezzanine Plan (A-2002); Ticket Hall Level Plan (A-2004_C); Concourse Level Plan (A-2005_D); Street Level + 128.5m (A-2100_F); Retail Level 01 (A-2101_F); Lobby Office Level 02 (A-2102_E); Office Level 03 (A-2103_E); Office Level 04 (A-2104_E); Office Level 05 (A-2105_E); Office Level 06 (A-2106_F); Office Level 07 (A-2107_F); Office Level 08-15 (A-2108_F); Office Level 16 (A-2116_G); Restaurant Level 17 (A-2117_G); Roof Plan Mezzanine Level (A-2118_G); Roof (A-2119_G); Floor Plan - Satellite Platform Level (A-2120_B); Elevation South (A-4001_D); Elevation North (A-4002_D); Elevation West (A-4003_D); Elevation East (A-4004_D); Elevation South (Praed St. Building) (A-4005_D); Elevation North (Praed St. Building). Lankmark tree axomametric 14.11.2018;General Landscape plan A-1202_B).

Case Officer: Sarah Whitnall

Direct Tel. No. 020 7641 2929

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 residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC),

- 3 You must put a copy of this planning permission and all its conditions at street level outside the building for as long as the work continues on site., , You must highlight on the copy of the planning permission any condition that restricts the hours of building work. (C21KA)

Reason:

To make sure people in neighbouring properties are fully aware of the conditions and to protect their rights and safety. (R21GA)

- 4 **Pre Commencement Condition.** Prior to the commencement of any demolition or construction on site the applicant shall submit an approval of details application to the City Council as local planning authority comprising 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 of Construction Practice and requirements contained therein. Commencement of any demolition or construction cannot take place until the City Council as local planning authority has issued its written approval of such an application. , , This is unless you carry out the development in accordance with the details approved on 19.06.2018 under reference 18/01872/ADFULL, (C11CC)

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC),

- 5 A. No demolition shall take place, until a Demolition Logistics Plan has been submitted to and approved in writing by the City Council as local planning authority, in liaison with Transport for London. This document should detail the traffic impact resulting from demolition vehicles and delivery and servicing vehicles on the Strategic Road Network. You must not start demolition until we have approved what you have sent us., , This is unless you carry out the demolition in accordance with the details approved on 19.06.2018 under reference 18/01626/ADFULL in relation to 5A, in which case : , , B. No construction shall take place, until a Construction Logistics Plan has been submitted to and approved in writing by the City Council as local planning authority, in liaison with Transport for London. This document should detail the traffic impact resulting from construction vehicles and delivery and servicing vehicles on the Strategic Road Network. You must not start construction work until we have approved what you have sent us. , , You must then carry out the development in accordance with the approved details.

Reason:

In order to appropriately manage any potential adverse effects on the local road network and the adjacent bus stop, as requested by Transport for London.

- 6 6a. None of the demolition hereby permitted shall be commenced until a demolition method statement has been submitted to and approved in writing by the Local Planning Authority (in liaison with Crossrail) which demonstrate: , (i) Complete Compatibility with Crossrail works programmes. , (ii) Adequate protection of the remaining structures and infrastructure on site. , (iii) How the works accommodate the proposed location of the Crossrail structures including tunnels, shafts and temporary works. , (iv) The mitigation of the effects on Crossrail construction, current or planned, of ground movement arising from development., , The demolition shall be carried out in all respects in accordance with the approved design and method statements. , , This is unless you carry out the demolition in accordance with the details approved on 19.06.2018 under reference 18/02947/ADFULL. in this case : , 6b. None of the construction hereby permitted shall be commenced until a construction method statement has been submitted to and approved in writing by the Local Planning Authority (in liaison with Crossrail) which demonstrate: , (i) Complete Compatibility with Crossrail works programmes. , (ii) Adequate protection of the remaining structures and infrastructure on site. , (iii) How the works accommodate the proposed location of the Crossrail structures including tunnels, shafts and temporary works. , (iv) The mitigation of the effects on Crossrail construction, current or planned, of ground movement arising from development. , , The development shall be carried out in all respects in accordance with the approved design and method statements.

Reason:

All this to ensure that delivery of the Crossrail and the Bakerloo Line Link works is not impeded or compromised and as requested by Crossrail Limited.

- 7 None of the development save for demolition hereby permitted shall be commenced until a method statement has been submitted to, and approved in writing, by the Local Planning Authority (in liaison with Crossrail) to include arrangements to secure that, during any period when concurrent construction is taking place of both the permitted development and of the Crossrail structures and tunnels in or adjacent to the site of the approved development, including works to construct Crossrail Paddington Station, the construction of the Crossrail structures and tunnels is not impeded.

Reason:

All this to ensure that delivery of the Crossrail and the Bakerloo Line Link works is not impeded or compromised and as requested by Crossrail Limited.

- 8 No construction shall be commenced until a Development Agreement, entered into with London Underground Limited, has been provided to the local planning authority to ensure to the appropriate level that inter alia: , a) the development proposed will deliver an operationally safe station: , b) fire evacuation provision will be compliant with London Underground and legislative requirements: , c) station systems to be provided or altered by the proposed development will allow for their future sustainable operation; and , d) maintenance access to meet London Underground's requirements will be incorporated into the design of the development to minimize disruption during future maintenance.

Reason:

To ensure that the development does not impact on existing London Underground transport infrastructure , in accordance with London Plan as requested by London Underground Limited.

- 9 You must carry out a detailed site investigation to find out if the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology and general requirements outlined in Contaminated land, a guide to help developers meet planning requirements which was produced in October 2003 by a group of London boroughs, including Westminster., , You must apply to us for approval of the following investigation reports., , a) You must apply to us and receive our approval for phase 1 (Desktop study full site history and environmental information from the public records) before any demolition works takes place., , b) You must apply to us and receive our approval for phase 2 (Site investigation to assess the contamination and the possible effect it could have on human health, pollution and damage to property) prior to demolition of the ground floor slab/ or any excavation work. , , c) You must apply to us and receive our approval for phase 3 (Remediation strategy details of this, including maintenance and monitoring to protect human health and prevent pollution) prior to demolition of the ground floor slab/ or any excavation work. , , This is unless you carry out the development in accordance with the details of phase 1 approved on 26.04.2018 under reference 18/02486/FULL and phases 2 and 3 approved on TBC under reference, 18/08786/ADFULL. In which case:, , d) You must apply to us and receive our approval for phase 4 (Validation report summarises the action you have taken during the development and what action you will take in the future, if appropriate) when the development has been completed.

Reason:

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

- 10 An air pollution mitigation and abatement plan providing details of the air pollution mitigation and abatement measures and updated results of the air quality neutral assessment shall be submitted to and approved by the local planning authority. You must then carry out the work according to the details approved before the buildings are occupied and thereafter retain and maintain.

Reason:

To ensure that the development complies with the building emissions benchmark for Nitrogen Dioxide and does not adversely affect air quality and required by policy ENV5 of our Unitary Development Plan that we adopted January 2007 and S31 of our City Plan: Strategic Policies that we adopted November 2016.

- 11 Prior to commencement of any construction works a Vibration assessment shall be provided to show the potential for changes to the area brought about by the development to affect existing receptors and vibration levels in the area. Any mitigation measures must be identified, implemented and thereafter retained in situ.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration. (R48AA)

- 12 No demolition shall take place until a written scheme of historic building investigation (Wintertree Software Inc.) has been submitted to and approved by the local planning authority in writing. For

buildings that are included within the Wintertree Software Inc., no demolition or development shall take place other than in accordance with the agreed Wintertree Software Inc., which shall include the statement of significance and research objectives, and:, , A. The programme and methodology of historic building 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 Wintertree Software Inc., , This is unless you carry out the development in accordance with the details approved on 22.12.2017 under reference 17/10804/ADFULL

Reason:

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

- 13 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 organisations to undertaken 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 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 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., , This is unless you carry out the development in accordance with the details approved on 03.05.201 under reference 18/01418/ADFULL

Reason:

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

- 14 (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 5 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 10 dB below the minimum external background noise, at a point 1 metre outside any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved

by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include: (a) A schedule of all plant and equipment that formed part of this application; (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment; (c) Manufacturer specifications of sound emissions in octave or third octave detail; (d) The location of most affected noise sensitive receptor location and the most affected window of it; (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location; (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures; (g) The lowest existing L A90, 15 mins measurement recorded under (f) above; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition; (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R46AB)

- 15 (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 commercial use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm., and shall be representative of the activity operating at its noisiest., (2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within the commercial use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest., (3) Following completion of the development, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include: (a) The location of most affected noise sensitive receptor location and the most affected window of it; (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location; (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background

noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures; (d) The lowest existing LA90, 15 mins measurement recorded under (c) above; (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition; (f) The proposed maximum noise level to be emitted by the activity.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007 (UDP), so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R47AB)

- 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 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration. (R48AA)

- 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) 14 and 15 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

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

- 18 You must apply to us for approval of details of the energy centre flue/s, including details of how it will be built and how it will look. You must not begin the use allowed by this permission until we have approved what you have sent us and you have carried out the work according to the approved details. (C14BB)

Reason:

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

- 19 You must apply to us for approval of details of the ventilation system for the restaurants (Class A3) to get rid of cooking smells, including details of how it will be built and how it will look. You must not begin the restaurant use/s allowed by this permission until we have approved what you have sent us and you have carried out the work according to the approved details. (C14AB)

Reason:

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

- 20 Details of the final wind mitigation measures proposed for the development shall be submitted for approval by the City Council and thereafter implemented and maintained as such, unless agreed in writing by the City Council. These measures shall include:-, , A. Wind mitigation measures already incorporated into the design of the development, but which may be subject to detailed design or other changes through conditions , including canopies, screens, trees, planters as referred to in section 10.7.32 Environmental Statement Volume 1., , B. Details of wind mitigation measures (which may include a 2.5m high hoarding and measures to control pedestrian and cycle access during high winds) to be implemented during temporary construction period, in respect of the wind conditions along the proposed new access road (which links Praed Street to Winsland Street). , , C. Details of permanent wind mitigation measures (which may include screen/green wall along the north eastern edge of the new access road (which links Praed Street to Winsland Street), in respect of the wind conditions along that road., , D. Details of wind mitigation measures (which may include screens, balustrade, planters), in respect of the wind conditions to the corners of the external terrace to the Cube's rooftop restaurant.

Reason:

To ensure a satisfactory environment for the general public in accordance with S29 of Westminster's City Plan (July 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007.

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

Reason:

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

- 22 You must apply to us for approval of 3m x 3m sample panels (or typical fabricated bay) of the following parts of the development:., , i) glazed cladding system for the Cube Building, including integrated blinds;., ii) Portland stone cladding system for the Praed Street building including the plant facade- typical limestone facework, typical brick facework. , , The samples should demonstrate the all elements of facade articulation, jointing and means of construction (including any typical expansion/movement joints)., , You

must not start any work on the superstructure of the development until we have approved the sample panels. You must then carry out the work according to these approved samples.

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 Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 23 You must apply to us for approval of full details (including materials where appropriate) of the following parts of the development: , i) full details of all new escalators, including treatment to exposed soffits; , ii) full details, including finish details of the new 'panoramic' lifts and lift shaft on the West side of the Cube building; , iii) full details, including finish details of public lifts and lift shafts accessible from 'Street level'; including the free standing Public lift adjacent to the pedestrian bridge. , iv) finished appearance of integrated blinds and internal blinds, within 3m of the Cube building facade; , v) finished appearance of internal ceilings, including office lighting details, of the office floor levels, within 3m of the Cube building facade; , vi) shopfronts, including indicative locations and design principles for display of all signage; , vii) all wind mitigation measures, during both construction and operational phases, associated with controlling wind microclimate; , viii) typical external railings / balustrades / screens; , ix) the new bridge structure carrying 'Street level' over 'Concourse level'; , x) interfaces with landscaping; , xi) ventilation and other services terminations including the high level ventilation louvres to the east façade at ground floor; , xii) external lighting, xiii) location and appearance of CCTV cameras. , ix) final details of the height, location and appearance of the mast. , , 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 work according to these approved drawings.

Reason:

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

- 24 You must apply to us for approval of full details including detailed drawings (elevations and sections) and samples of materials of the following parts of the development: , i) the screening/ treatment to the flank party wall/lightwell/plant of the Mercure Hotel where it is exposed by the abutting new Praed Street building; , ii) the treatment of the exposed west-facing party wall facades of the St Mary's Hospital buildings (Churchill Building, Jefferiss Wing and Main Outpatients Building). , 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 work according to these approved drawings.

Reason:

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

- 25 The following design details must be provided as part of the construction phase and maintained: , i) the stonework for the Praed Street building shall utilise Portland Stone; , ii) the winter gardens to the corners of the Cube building shall feature curved glass and not framed or faceted glass.

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 Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 26 The building maintenance unit(s) shall be positioned in the parked and hidden position at all times when not in use.

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 Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 27 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 Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 28 You must apply to us for approval of detailed drawings of the hard landscaping scheme including: , i) details of the surfacing of any part of the site not covered by buildings; , ii) details of all lighting to new public realm; , iii) details of all new bollards; , iv) benches, informal seating structures; , v) cycle parking; , vi) planters and other street furniture not otherwise specified by other conditions of this consent, for the public realm areas. , You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping according to these approved drawings within 6 months of completing the development (or within any other time limit we agree to in writing).

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 Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 29 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:-
, , Provision and maintenance of public access to i) the Cube's rooftop restaurant (Class A3); ii) external terrace and iii) projecting glass box/structure to provide free public viewing area (details to be agreed later) at no cost to the public., , You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

Reason:

To ensure that the proposal incorporates a high level viewing area which is accessible to the general public, in accordance with policy S3, S12, S18, S21 and S24 of our City Plan: Strategic policies, that we adopted 2016

- 30 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 in its entirety and according to the drawings we have approved. (C29BB)

Reason:

To maintain the character of the Bayswater Conservation Area as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and DES 9 (B) of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29AC)

- 31 You must apply to us for approval of a scheme of public art as outlined in your design and access statement (page 80) and in your Public Realm Strategy Document (pages 40-47). You must not start work on the superstructure of the development until we have approved 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 unless we have give you our written approval beforehand.

Reason:

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

- 32 No tables and chairs shall be placed outside of the restaurant, retail or office premises hereby approved within the hard or soft landscaping of the public realm without our written approval. You must apply to us for approval of the location, number, appearance, hours of use and location of storage for any tables and chairs and associated non-fixed structures, such as enclosure around tables and chairs or sun shades, that you propose to place within the hard or soft landscaping comprising the public realm. You must not place the table and chairs or associated structures outside the premises until we have approved what you have sent us. You must then place the tables and chairs in the locations we approve in accordance with the details of their use and appearance that we approve.

Reason:

To prevent obstruction to pedestrian movement across the site, protect the amenity of the public realm and ensure that the appearance of the tables and chairs and associated structures are appropriate in

accordance with and DES1, DES7, ENV6, TRANS3, TACE2 of our, Unitary Development Plan we adopted in January 2007 and S3, S12, S41 of our Strategic Plan adopted 2016.

- 33 You must apply to us for approval of detailed drawings of a soft landscaping scheme which includes the number, size, species and position of trees and shrubs. You must not start work on the relevant part of the development until we have approved what you have sent us. , , This is unless you carry out the development in accordance with the details approved on TBC under application reference 18/08240/FULL). In which case you:, , You must then carry out the landscaping and planting within 1 planting season of completing the development (or within any other time limit we agree to in writing)., , If you remove any trees or find that they are dying, severely damaged or diseased within 5 years of planting them, you must replace them with trees of a similar size and species. (C30CB)

Reason:

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

- 34 You must apply to us for approval of a Public Realm strategy for the public realm area. This must include details of the following:-, , a) Details of type and hours of public events , b) Details of maintenance , c) Details of street cleaning, d) Details of drainage, lighting, street furniture, crowd control, pedestrian flow, smokers, station and LUL, crossrail evacuation, development evacuation, signage, telecommunication, wayfinding, rail replacement, hostile vehicle mitigation. , , You must not occupy any part of the development until we have approved what you have sent us. You must then carry out the measures included in the management plan at all times. (C05JB)

Reason:

To make sure that the use will not cause nuisance for people in the area including the general public's use of the public realm. This is as set out in S24, S29 and S32 of Westminster's City Plan and ENV 6, ENV13 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 35 You must apply to us for approval of an operational management plan for the Retail (Class A1) and Restaurant (Class A3) uses . This must include details of the following:-, , a) Hours of the operation, staff and customers. , b) Details of all servicing to use the internal loading bay accessed from Winsland Street,including hours of servicing, staffing process, internal storage locations, scheduling of deliveries., c) No home deliveries option., d) Procedure to minimise impact on residential amenity and environmental quality., e) Details of public access and access control arrangements for the rooftop restaurant., f) Details of location and number of tables and chairs and their overnight storage (where applicable). , g)Capacity, covers, ancillary bar, control of smoking areas, door supervision, queuing, take, away, contact details for complaints., h) operation in accordance with waste strategy, , You must not start any the retail/ restaurant uses until we have approved what you have sent us. You must then carry out the measures included in the management plan at all times that any retail/ restaurant is in use. (C05JB)

Reason:

To make sure that the use will not cause nuisance for people in the area including the general public's use of the public realm. This is as set out in S24, S29 and S32 of Westminster's City Plan and ENV 6, ENV13 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 36 The operation of the Restaurant and Retail floor space shall be carried out in accordance with the following:-, a) The rooftop restaurant shall only be used as a restaurant within Class A3 and for no other use within the Town and Country Planning Use Classes Order 2016., b) No more than 50% of the Retail/Restaurant floor space (excluding the roof top restaurant) shall be used for restaurant purposes (Class A3)., c) Floor retail layouts for ticket hall, concourse, ground and first floors to be provided and approved before occupation.

Reason:

To ensure that the proposal incorporates a roof top restaurant with public access, provides a significant and satisfactory amount of retail (Class A1) floor space and protects the vitality and viability of the existing Praed Street District shopping centre, in accordance with policy S3, S12, S18, S21 and S24 of our City Plan: Strategic policies, that we adopted 2016

- 37 The Cube's rooftop restaurant (Class A3); and associated external terrace and projecting glass box/structure (details to be approved under condition 29) must be completed and made ready for use by the public before any of the commercial floor space within the Cube building is first occupied, unless otherwise agreed by us in writing and thereafter maintained.

Reason:

To ensure that public access is provided to the top of the building in accordance with DES3 in our Unitary Development Plan that we adopted in January 2007

- 38 You must apply to us for approval of a Servicing Management Plan for the servicing of the development itself. The plan should identify process, storage locations, scheduling of deliveries and staffing. In particular this should give further comfort over how the developer would ensure that :-, o No more than eight servicing vehicles would arrive at any one time, o The doors to the servicing area would be opened prior to vehicles' arrival (so that, for example, a 10m rigid vehicle did not arrive and have to wait on the highway for the doors to open, and block the carriageway), o Freight is consolidated as far as possible., o Impact on Strategic Road network is minimised., , The plan must be approved prior to occupation of any part of the development and followed/maintained for life of development, unless revised strategy is approved (in writing) by the Local Planning Authority (in liaison with TFL).

Reason:

To ensure that all of the uses within the building are appropriately serviced in accordance with TRANS20 and in the Unitary Development Plan we adopted in January 2007 and S42 of our City Plan: Strategic Policies that we adopted 2016.

- 39 The loading bays hereby approved shall be maintained with a clearance height of 4.5 metres above each loading bay and you must only use the loading bays shown on drawing A1005 for the purpose of servicing the uses within the development hereby approved. You must make the loading bays available

before first occupation of any use within the development and you must permanently retain them and make them available at all times to occupiers of the development for servicing purposes, unless otherwise agreed by us in writing.

Reason:

To ensure that the commercial uses within the building are appropriately serviced in accordance with TRANS20 and in the Unitary Development Plan we adopted in January 2007 and S42 of our City Plan: Strategic Policies that we adopted 2016.

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

Reason:

To provide cycle parking spaces for people using the development as set out in TRANS 10 of our Unitary Development Plan that we adopted in January 2007.

- 41 Prior to occupation of the development, you must provide the separate stores for waste and materials for recycling shown on the approved drawings. You must clearly mark them and make them available at all times to everyone using the development. (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)

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

Reason:

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

- 43 You must submit full details relating to the provision of inclusive access for people with disabilities which expand upon the information shown on the approved drawing(s) and as outlined in the Design and Access Statement and Public Realm Accessibility Report. You must not start work on the construction of the replacement building (s) until we have approved these details, and you must provide these details before you use the building (s). (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)

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

Reason:

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

- 45 You must provide the following environmental sustainability features (environmentally friendly features) before you start to use any part of the development, as set out in your application., , Development in accordance with the approved energy strategy , Vertical greening to roof of two storey Praed Street building, Photovoltaic's, Compliance with BREEAM excellence, Rainwater harvesting, 370m2 water attenuation storage structure at concourse level., Bio diversity improvements including bird and bat boxes, , You must not remove any of these features. (C44AA)

Reason:

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

- 46 You must apply to us for approval of detailed drawings indicating the location and number of bird and bat boxes within the landscaping of the development hereby approved. You must not start work on this part of the development. You must then carry out the works in accordance with the details we approve prior to the occupation of the building.

Reason:

To reduce the effect the development has on the biodiversity of the environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43AB)

- 47 Before you begin to use the buildings, you must apply to us for approval of a Travel Plan. The Travel Plan must include details of: (a) A comprehensive survey of all users of the buildings; (b) Details of local resident involvement in the adoption and implementation of the Travel Plan; (c) Targets set in the Plan to reduce vehicle journeys; (d) Details of how the Travel Plan will be regularly monitored and amended, if necessary, if targets identified in the Plan are not being met over a period of 5 years from the date the new buildings are occupied., , At the end of the first and third years of the life of the Travel Plan, you must apply to us for approval of reports monitoring the effectiveness of the Travel Plan and setting out any changes you propose to make to the Plan to overcome any identified problems.

Reason:

In the interests of public safety, to avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S41 of Westminster's City Plan (July 2016) and TRANS 2, TRANS 3 and TRANS 15 of our Unitary Development Plan that we adopted in January 2007. (R45AB)

- 48 Notwithstanding the submitted details you must apply to us for approval of revised detailed drawings showing the design of the proposed glazed canopies, where they have the potential to conflict with the new trees which are proposed. The revised drawings must demonstrate that the canopies will not impede tree growth or create reason for tree surgery which would harm the appearance or the health of the proposed trees or reduce their longevity.

Reason:

In order to provide adequate space for the tree planting proposed, to provide an adequate landscaped setting to the development, to improve its contribution to biodiversity and the local environment and to improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Bayswater Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007.

- 49 You must apply to us for our approval of details of the depths, areas, profiles and specifications of the of the new soils which you propose to use to create an adequate rooting environment for new tree planting and landscaping, including details of the drainage layer and other components, and the way that the proposed areas of soil will be connected. You must not start any work on the construction of the development until we have approved what you have sent to us. , , This is unless you carry out the development in accordance with the details approved on TBC under application reference 18/08240/FULL). , , In which case you must within 6 months of the date of this decision provide :- , , a. Revised soil depth, area, profile for the north eastern most tree within the steps (arrival ramp) area to provide additional rooting space to the north east of the pit., , OR, in the case that a. is not possible, , b. Further evidence/justification that there is no solution to finding additional space below ground in this area and that the below ground anchoring system is sufficient to support the tree to maturity., , In the case that a and b cannot be achieved you must provide:- , , c) Details of a revised soft landscaping scheme for the steps area from 4 to 3 trees and alternative arrangements for tree planting in the vicinity of the site., , You must then carry out the work according to the approved details.

Reason:

In order to provide sufficient information of the below ground environment to maximise soil volume for trees and to improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Bayswater Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007.

- 50 Notwithstanding the submitted details, you must apply to us for approval of details of the green wall to include details of the construction, depth and specification of: the substrate, the number, size, species and

density of the proposed planting, and details of irrigation and maintenance, including a bio-diversity management plan. . You must not start work on the relevant parts 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 secure a satisfactory green wall to increase the biodiversity of the environment, in the interests of environmental sustainability and to improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Bayswater Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

- 51 You must apply to us for approval of details of a maintenance regime and sustainable irrigation and rainwater harvesting system for the soft landscaping for our writing approval. You must then implement the approved details at the time of carrying out the soft landscaping. You must not start work on the relevant part of the development until we have approved what you have sent us. , , This is unless you carry out the development in accordance with the details approved on TBC under reference 16/09050/FULL). In which case , , You must before works to implement conditions 33, 49 and 51 take place, provide details of a maintenance regime for the soft landscaping., , You must then implement the approved details at the time of carrying out the soft landscaping. , , ,

Reason:

To ensure that the soft landscaping is satisfactorily maintained and sustainably irrigated in order to improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Bayswater Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

- 52 This permission must be commenced no later than 14.08.2020.

Reason:

This permission authorises amendments to the original planning permission granted on 14.08.2017 (RN 16/09050/FULL) which must be commenced no later than the above date. (R03HA)

- 53 Notwithstanding the approved plans, final details of the layout and configuration of the LUL Station Box at ticket hall and basement levels shall be submitted for approval by us in liaison with TFL/LUL prior to the commencement of construction of this element of the development.

Reason:

To enable detailed technical design refinement to take place with LUL/TFL and the delivery of an appropriately designed station box, as requested by LUL/TFL.

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 This permission is subject to a Deed of Variation of the S106 legal agreement dated 14.08.2017, , The agreement relates to the following:-, , 1. a) Prior to commencement of development the developer to enter into a Development Agreement with TFL and submit a schedule of works associated with the interface between Paddington Bakerloo Line and the development which must be agreed by the City Council (in consultation with TFL and LUL and Network Rail) The development must be carried out in accordance with the schedule of works agreed and the Development Agreement., , 1. b) Prior to occupation of any of the buildings above ground level, the developer to carry out structural works and to construct the station box to the Bakerloo Line ticket hall and the fit out works to the unpaid side of ticket barriers including all escalators, steps and lift access from concourse level and London Street/Praed Street level, in accordance with the approved drawings, (unless otherwise agreed in writing by the City Council in consultation with TFL and LUL and Network Rail) and thereafter provide a 999 year lease at peppercorn rent to TFL/LUL for operation of the station and public access through and within the development to all public transport entrances/exits when public transport is operational. , , 2. The developer to pay £8.5m (index linked) towards Transport for London's delivery of fit out works (to paid side of ticket barriers) to the new Bakerloo Line ticket hall. To be paid to Transport for London on receipt of confirmation from Transport for London of their commitment to fund the remaining cost of fit out works and 3 months before the commencement of relevant fit out works. , , 3. The developer to meet the cost of funding the procurement, management and delivery (including all necessary consents) of the following works within Paddington Station, including namely; i) tunnels refurbishment, ii) redesign of servicing area to western end of platform 1; iii) removal and replacement of buffer stops and adjacent plant to platforms 11 & 12. , , 4. The developer to fund a transport study by a steering group comprising WCC, TFL, NR & Crossrail of traffic management and servicing associated with the site and in its vicinity. Including Eastbourne Terrace, Bishops Bridge (Harrow Road gyratory to Eastbourne Terrace), Praed Street (Craven Road to Norfolk Place), London Street (North), Winsland Street, Winsland Mews, Junction of London Street with South Wharf Road and proposed new road, Paddington Station Arrivals ramp. The findings of the study to be implemented in agreement with the City Council & TfL. The developer to fund the reasonable and proper costs of agreed and identified recommended measures to be implemented which relate specifically to the proposed development., , 5. Developer to fund the cost of highways works immediately surrounding the site, required for the development to occur/mitigate the impact of the development and for the proper planning of the wider Paddington area. This is to include the revised offer put forward by the applicant to pay for the construction of the preferred access road for St Mary's hospital are set out in the letter dated 5 December 2016 and to pay

for the costs of temporary buildings on the St Mary's site. (For clarification purposes the above text in bold was approved by the Sub-Committee at the meeting held on 17 January 2017)., , 6. Developer to submit a servicing management plan, to minimise servicing movements within the public realm, including the area of the Paddington Station Arrivals ramp, for approval by the City Council and thereafter to carry out the development in accordance with the approved plan. , , 7. Developer to provide and manage at their own cost all of the public realm works within the application site including associated street furniture, paving, landscaping, drainage, service diversions and thereafter maintain and manage the area including the area that is currently the Arrivals Road and allow 24 hours access for the general public via a walkways agreement to be submitted for approval. , , 8. Provision of vehicular and pedestrian public highway to the City Council's adoptable standard from Praed Street to Winsland Street prior to closure of London Street and thereafter with 24 hours access. Details to be agreed by the City Council., , 9. Provision of or cost of relocation/replacement/upgrade of east and west bound bus stops on Praed Street to TfL satisfaction and in line with 4 above. , , 10. Provision of or cost of relocation/replacement of cycle docking station and provision of vehicular access to and from it to allow manual redistribution of bikes within the site to TfL satisfaction and in line with 4 above., , 11. Provision of or cost of relocation/replacement and changes of on street car parking including blue badge car parking as part of 4 above, , 12. Provision of or cost of relocation/replacement of motorcycle parking within the site as part of 4 above, , 13. Provision of Public Art to the value of no less than £2,000,000 (index linked) and maintenance of public art thereafter at full cost to the developer., , 14. Provision and maintenance of public access to i) the Cube's rooftop restaurant (Class A3); ii) external terrace and iii) projecting glass box/structure to provide free public viewing area (details to be agreed later) at no cost to the public., , 15. Financial contribution of £250,000 (index linked) as a payment in lieu of an on-site mini recycling facility , , 16. Financial contribution of £250,000 (index linked) as a payment in lieu of on-site social and community facility , , 17. Employment and Training Strategy, , 18. Cost of Monitoring the S106 legal agreement, , 19. Crossrail contribution of £3,996,624. For clarification this figure was revised from £4,326,820 (Mayoril Cil treated as a credit towards crossrail) following confirmation from Transport for London.

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.

DRAFT DECISION LETTER

Address: Paddington Sorting & Delivery, 31 London Street, London, W2 1DJ,

Proposal: Variation of condition 1 (approved drawings) of listed building consent dated 14.08.2017 for Demolition of the existing retaining wall between the station arrivals ramp and London Street, and the pedestrian entrance stairs to the Bakerloo Line, along with the blocking up of a existing access stair to the Bakerloo Line within the station concourse and the remodelling/resurfacing of the arrivals ramp. All associated with the comprehensive redevelopment proposals at 31 London Street under reference 16/09050/FULL. Namely to amend proposed plans to ensure consistency with revised comprehensive development proposals sought under reference 18/08240/FULL (no change to approved demolition or blocking up works)

Reference: 18/08013/LBC

Plan Nos: ORIGINAL PLANS AND DOCUMENTS: (16/09052/LBC), A-0150 (Site Plan Existing), A-0301 (Demolition of Existing Bldg London Street), A-0302 (Demolition of Existing Bldg Praed Street 128-142 / Retaining wall / Bakerloo Entrance), A-1004 (Floor Plan - Concourse Level), A-1005 (Floor Plan - Street Level), Design and Access Statement, Public Realm Strategy, Executive Summary Heritage Report, , Part amended under this application reference 18/08013/LBC , A-2005_D - (Floor Plan - Concourse Level, A-2100_E (Floor Plan Street Level), Design Statement Addendum prepared by Renzo Piano Building Workshop, , ,

Case Officer: Sarah Whitnall

Direct Tel. No. 020 7641 2929

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 No demolition shall take place until a written scheme of historic building investigation (WSI) has been submitted to and approved by the local planning authority in writing. For buildings that are included within the WSI no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and:
A. The programme and methodology of historic building investigation and recording and the nomination of a competent person/s or organisation to undertake the agreed works., B. The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason:

To mitigate the loss of historic fabric as set out in S25 of our City Plan (July 2016) and DES 10 and DES 11 of our Unitary Development Plan that we adopted in January 2007.

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 July 2018, the London Plan March 2016, Westminster's City Plan (July 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations., , The City Council decided that the proposed works would not harm the character of this building of special architectural or historic interest., , In reaching this decision the following were of particular relevance:, S25 and S28 of Westminster's City Plan: Strategic Policies and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:, , * any extra work which is necessary after further assessments of the building's condition;, * stripping out or structural investigations; and, * any work needed to meet the building regulations or other forms of statutory control., , Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents., , It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

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.