

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 23 April 2019	Classification For General Release	
Report of Executive Director Growth Planning and Housing		Ward(s) involved St James's	
Subject of Report	National Portrait Gallery, 2 St Martin's Place, London, WC2H 0HE		
Proposal	External and internal alterations and extensions to the National Portrait Gallery; including the creation of a new entrance to the north façade and associated works to the public realm involving repositioning of the Henry Irving Statue; erection of a bridge over northern lightwell, an extension within lightwell, and an extension to a lift shaft; alterations to eastern entrance, to gate and railings, to northern lightwell, to service yard, to rooftop plant and structures, to Duveen wing façade following the removal of the Orange Street ramp and other associated alterations, including extensive internal alterations on all floors.		
Agent	Lichfields		
On behalf of	National Portrait Gallery		
Registered Number	19/00456/FULL and 19/00457/LBC	Date amended/ completed	15 February 2019
Date Application Received	22 January 2019		
Historic Building Grade	National Portrait Gallery grade I listed, and Statue of Sir Henry Irving grade II listed.		
Conservation Area	Trafalgar Square		

1. RECOMMENDATION

1. Grant conditional permission including a condition to secure the following benefit:
 - a) arrangements to facilitate and fund the public realm works.
2. Grant conditional listed building consent.
3. Agree reasons for granting conditional listed building consent as set out in Informative 1 of draft decision notice.

2. SUMMARY

The National Portrait Gallery is a grade I listed building within the Trafalgar Square Conservation Area. The building and area are of high heritage significance and the Gallery is of international importance, housing a significant collection of portraits of historically important people.

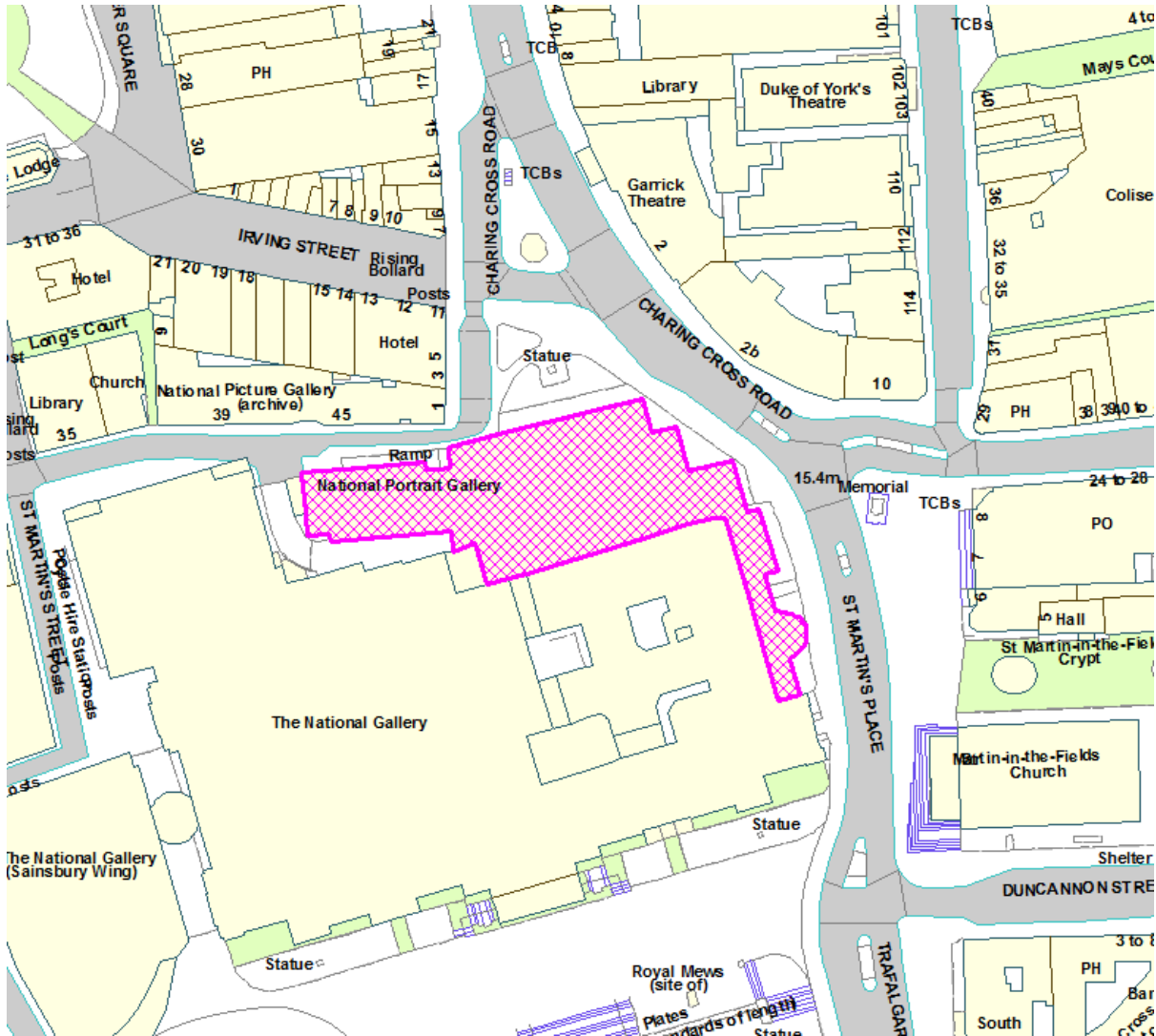
The Gallery seeks permission and listed building consent for alterations and extensions to the building, including the creation of a new entrance to the north façade and associated works to the public realm. The works are part of a renewal program, named the 'Inspiring People Project', designed to transform the services the Gallery provides and its physical environment.

The key issues in this case are:

- the impact of the proposals on the significance of designated heritage assets including the impact on the listed building and statue, adjoining listed buildings and the Trafalgar Square Conservation Area; and
- the impact of the proposals on the public realm including impact on pedestrians and the loss of soft landscaping.

The proposed development would be consistent with relevant development plan policies in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (the City Plan). As such, the proposal is considered acceptable in listed building, townscape, design, land use and amenity terms and the applications are recommended for approval subject to the conditions set out in the draft decision letters.

3. LOCATION PLAN



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

4. PHOTOGRAPHS



Main entrance above, north façade below.





View from Charing Cross Road above, view from William IV street below.



5. CONSULTATIONS

HISTORIC ENGLAND:

The proposals have been carefully considered to limit the harm caused, and the remaining harm has been justified. There are both direct heritage benefits and likely wider public benefits of the scheme, and therefore Historic England consider that the proposals meet the requirements of the NPPF and are content to support the scheme on heritage grounds.

HISTORIC ENGLAND (Archaeology):

The site is within an area known to contain archaeological potential for highly significant remains, some of which are deemed nationally important. The development could cause harm to these remains, and field evaluation is needed to determine appropriate mitigation. It is recommended that this is secured by condition.

LONDON UNDERGROUND:

Any response to be reported verbally.

VICTORIAN SOCIETY:

The proposed new entrance will result in harm to the significance of the listed building, however, in the context of the wider proposals the new entrance will allow positive changes elsewhere and the applicant has demonstrated the entrance is justified. Further investigation into the historic colour of the front railings should be undertaken (and that colour reinstated), the material for the new entrance doors should be reconsidered.

ANCIENT MONUMENTS SOCIETY:

Any response to be reported verbally.

COUNCIL FOR BRITISH ARCHAEOLOGY:

Any response to be reported verbally.

SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS:

Any response to be reported verbally.

GEORGIAN GROUP:

Any response to be reported verbally.

THE TWENTIETH CENTURY SOCIETY:

Any response to be reported verbally.

THEATRES TRUST:

No objection. A condition is recommended to require a construction management plan to be agreed between the applicant, the Garrick Theatre, Theatres Trust and the Council which restrict works during the times of performances, or another satisfactory measure to ensure the theatre is not harmed by noisy building works

METROPOLITAN POLICE:

Any response to be reported verbally.

WESTMINSTER SOCIETY:

Support and welcome the improvements to the public realm; a new entrance; improved circulation; improved gallery spaces; re-organisation of internal spaces; reconfigured lightwells; and new lift.

Consider the scheme could be improved by considering a stronger identity and presence for the new entrance; new signage; and the simplification of the public realm proposals with a more ambitious scope.

HIGHWAY PLANNING MANAGER:

The principle of the scheme is not opposed; however, concern is raised regarding the detailed design of the public realm works, which requires further work and potential alteration to its design. This could be secured by condition and legal agreement.

ARBORICULTURAL SECTION:

Concerns raised regarding the loss of soft landscaping and the impact on existing trees. The submission of revisions and clarifications to the arboricultural method statement have addressed concerns regarding tree impacts.

GREEN SPACES MANAGER:

No objection.

WASTE PROJECT OFFICER:

No objection, subject to a condition to ensure the applicant provides the proposed waste and recycling storage.

ENVIRONMENTAL HEALTH:

No objection, subject to conditions.

OPERATIONAL CONTEST MANAGER (Counter-Terrorism):

Inclusion of hostile vehicle mitigation measures (bollards) should be implemented as there is a risk of attack. Assessment of pedestrian comfort levels should also be commissioned.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 38

Total No. of replies: 1

No. in support: 1

The National Gallery supports the proposal stating it will have a profound, positive impact on the welcome and visitor experience as well as creating a new public realm space for people to enjoy. It will bring benefits not only to the National Portrait Gallery but also the National Gallery, by helping to attract more visitors to the area.

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The National Portrait Gallery is a grade I listed building within the Trafalgar Square Conservation Area. The building and area are of high heritage significance. Adjoining the building to the south is the grade I listed National Gallery, to the east is the grade II listed Cavell House (formerly Westminster City Council offices), grade I listed Edith Cavell Memorial and grade II* listed Garrick Theatre. To the north of the building is a grade II listed statue of Victorian actor Sir Henry Irving. It is set within a small green space, named Irving Gardens. Notwithstanding the prominent position of his statue outside the Gallery, Sir Henry Irving had no connection to it. The wider conservation area contains numerous other listed buildings and structures, including the grade I listed church of St Martin-in-the-Fields and grade I registered park and garden Trafalgar Square that contains the grade I listed Nelson's Column. To the north of the Gallery is the Leicester Square Conservation Area.

The National Portrait Gallery is an important building in terms of its architectural and historic interest. The architect Ewan Christian designed the east wing as a continuation of the adjoining National Gallery, but created a more distinctive identity for the building in the Florentine-palazzo-style north wing and the pedimented entrance pavilion. The Gallery outgrew this building early on, and was expanded with the Duveen Wing to the west in the 1930s, and then again in the 1990s with the Ondaatje Wing.

The Gallery is of international importance, housing a significant collection of portraits of historically important people, and it attracts over 2 million visitors a year from around the world. It is located within the Core Central Activities Zone (Core CAZ)

6.2 Relevant History

In 1996, the City Council granted permission and listed building consent for the last major works to the gallery, which involved in-filling a rear yard adjacent to the National Gallery, and the construction of a new lecture theatre, entrance hall, gallery space and roof level restaurant. The gallery completed these works in 2000.

7. THE PROPOSAL

The Gallery seeks permission and listed building consent for alterations and extensions to the building. The works are part of a renewal program, named the 'Inspiring People Project', designed to transform the services the Gallery provides and its physical environment. The gallery has explained that in order to grow and succeed, they will need to address the physical limitations of the building, re-display the collection and ensure the gallery's ability to be financially sustainable and to safeguard its future. The proposed works include:

- Alterations to three windows in the north façade to create doors, the erection of a bridge over the northern lightwell and alterations to Irving Gardens to form level access, form new steps and associated alterations to the public realm including the relocation of the Sir Henry Irving Statue;

- Opening up of and alterations to the northern lighthwell, and the erection of a two storey extension within it;
- Extension of the existing lift shaft to the eastern elevation;
- Alterations at roof level, including the formation of a new plant enclosure and the removal of redundant roof clutter;
- Removal of the existing ramp on Orange Street, and alterations to the Duveen Wing façade; and
- Extensive internal alterations, including the formation of a new entrance hall, alteration to and refurbishment of existing gallery spaces, conversion of back of house areas into new public gallery spaces, improvements to and expansion of the Learning Centre and café.

Floorspace Figures

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Gallery (Use Class D1)	10,144	10,130	-14

Since submission the applicant revised their proposals to remove the originally proposed roof extension to enlarge the restaurant, this was following officer advice.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Policy S27 of the City Plan relates to uses of international and/or national importance and it states the City Council will protect buildings that accommodate these uses throughout the City and will encouraged them within the Core CAZ. Policy S22 of the City Plan seeks to maintain and strengthen Westminster's strategic role within the London tourist industry and help contribute to local opportunities to experience arts and culture.

The proposals would increase gallery floorspace open to the public and would result in the refurbishment of the existing gallery spaces. It would also result in a significant improvement in accessibility into, and circulation throughout, the building; would enhance the public realm; and would re-organise, improve and expand the ancillary areas of the Gallery so they can better support the main function of the Gallery.

The project would result in what the Gallery describes as an ambitious, more engaging and comprehensive re-display of the Gallery's permanent collection. The Gallery explains that the works would support its plans for an inclusive national programme and expanded digital strategy to reach new audiences onsite, online and nationally. The project would also strengthen the Gallery's ability to generate income, putting it on a sustainable footing for the future.

While there would be a very modest reduction in overall floorspace because the works involve removing the post-war infill extension to the northern lightwell, the works as outlined above would improve and strengthen the public offer of this gallery, including opening more parts of the building for public use. Therefore, the development is in accordance with the City Plan, despite the modest loss of floorspace.

Staff and Visitor Numbers

One of the motivations for the proposal is to allow higher visitor numbers. The Gallery reports the largest number of visitors within the last five years was experienced in 2015/16, which saw 2.1 million visitors (although numbers fluctuate year on year). The Gallery anticipates the project will result in an increase of half a million visitors, a 19% increase from the 2015/16 numbers.

Expanded arts and cultural uses are appropriate throughout the Core CAZ, and the project will help strengthen Westminster's strategic role within the London tourist industry. Indeed, this increase in visitors would be well absorbed within this well-connected central area.

The development would also result in 21 additional full-time jobs because of the expanded and improved services the Gallery would offer, and these new staff would help manage the increased number of visitors. This additional employment within the City is welcomed as it would help support the local economy.

8.2 Townscape and Design

Legislation, Policy and Guidance

When determining applications for development within a conservation area, or affecting a listed building or its setting, Sections 16, 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 are relevant. These require special regard be had to the desirability of preserving the special interest of the listed building and preserving or enhancing the character and appearance of the conservation area.

The National Planning Policy Framework (NPPF) sets out the government's policies for making planning decisions and how they should be applied. It states that any harm or loss to a listed building requires clear and convincing justification (para.194). Any harm caused by a scheme should be weighed against any public benefits, including any heritage benefits (para.195), with great weight given to the asset's conservation whatever the degree of harm, and even greater weight given to highly graded assets (para.193). Conflict between an asset's conservation and any aspect of a proposal should be avoided or minimised (para.190), including through more sensitive design (NPPG, 'Conserving and enhancing the historic environment' para.018).

Together, and as informed by a range of legal judgments, the above statutory and national policy basis for decision-making equates to a strong presumption against harm, which the City Council should only permit if public benefits significantly and demonstrably outweigh that harm. In considering this, the City Council must consider whether the benefits could be achieved through less harmful means of achieving the same, or whether those benefits could not be acceptably provided elsewhere.

UDP policies DES 1 (urban design / conservation principles), DES 5 (alterations and extensions), DES 9 (conservation areas) and DES 10 (listed buildings) to the consideration of the application proposals, whilst policies S25, S26 and S28 of the City Plan provide the strategic basis for the application. Relevant London Plan (2016) policies include 7.4 (Local Character), 7.6 (Architecture) and 7.8 (Heritage assets and archaeology).

Design, Conservation and Townscape Impacts

In brief the proposed works are to bring the east wing back into public use, to extend the lift tower to the restaurant level, to modify the St Martin's Place entrance, to create a new entrance on the north façade including remodelling of the lightwell and public highway and relocation of the grade II listed statue of Henry Irving. Internal works are proposed to re-orientate the building to its new north entrance and facilitate improvements elsewhere. These works are in response to identified shortcomings in the present gallery including underutilised space within the building, a congested and inadequate main entrance and inadequate learning facilities.

East Wing

The east wing is in a different style to the rest of Christian's building, reflecting that of the National Gallery to which it seems to belong, rather than to Christian's Florentine palazzo. It is currently largely inaccessible to the public and mainly used for back of house activities. The proposal is to bring these spaces back into public use and restore and uncover the original architectural detail as much as possible. These works are uncontentious and are a positive enhancement to the significance of the building.

Extension of Lift Tower

This part of the proposal is driven by the desire to provide direct lift access to the top floor restaurant when the gallery is closed. The lift tower in the south east corner currently terminates below the large cornice at roof level. This was presumably intended to retain the cornice intact. The proposal is to extend the lift tower to service the roof top restaurant which would break through the cornice. An element of the cornice return would be retained so there would still be a visual continuity as the roof turns the corner. The new lift extensions would be visible in views from the east but would sit within a setting of various roof top forms and structures. It is considered that this would cause some less than substantial harm to the heritage asset and this would need to be weighed against the public benefits of the scheme.

Gallery Refurbishment

The galleries in the North and Duveen Wings were last fitted out around 20 years ago and are now in need of comprehensive refurbishment. These works are not contentious subject to detailed design and would enhance the visitor experience once completed.

Learning Studio

The current learning facilities are inadequate for the demand placed upon them. They are restricted to a single room for activities, lunch and storage. There are no dedicated toilet facilities and only one group can be accommodated at a time. The proposed internal works and new infill to the north lightwell would provide much improved facilities and have no detrimental impact on the historic plan form or fabric of the building. The north lightwell would also allow outside space for the learning centre as well as providing natural daylight and fresh air.

St Martin's Place Entrance

Christian's design for the main entrance pavilion is striking and accomplished with some fine detailing including mosaic flooring of quality. However, the entrance is small for the large number of people now attracted to the gallery. It does not allow for full accessible

access which has to be via the shop and a platform lift or via a long ramp at the west end of the gallery. Neither of these are considered adequate in today's terms. A further strain on the entrance capacity is the recent requirement for bag searches which often leads to queues out onto the pavement. Most of these shortcomings are hoped to be addressed by the new north entrance, but some improvement works are proposed to the main entrance as well.

The two shallow steps to the entrance are proposed to be removed and replaced by a new level surface at a slight incline to achieve level access for all. The historic mosaic would be lifted and relayed on the new surface. The gates would need to be raised slightly as part of this rearrangement. These works could be considered to cause less than substantial harm to the entrance and would need to be weighed against the public benefits of the scheme.

New North Entrance and Plaza

The proposed north entrance would remove three of the windows and drop their cills to make three new doors. These would be accessed by a new bridge over the lightwell necessitating a break in the railing line. These railings are original Christian designs and the railings would be re-used to return alongside the bridge link to the main façade. A number of options were explored with regard to the location and number of openings for the new entrance. The proposed three door option was chosen as it provided sufficient capacity for the Gallery's needs and made the most logical place to enter in terms of the Gallery's internal space arrangements. It also made more sense spatially and psychologically to have the new entrance at the busy St Martin's Place end of the façade rather than the more constrained Orange Street end.

Internally, a number of original walls would have to be removed to make the new entrance lobby. While this is regrettable, the clarity and form of Christian's ground floor plan would remain clear and there are convincing practical needs that are required to be met by the entrance lobby that dictate a certain amount of space.

The new entrance requires the public realm beyond the line of the lightwell, which is public highway and Park and Garden land, to be remodelled to allow for a ramped access to the new entrance. The statue of Henry Irving would also need to be relocated as it would sit directly in front of the new entrance steps. The statue is listed grade II. It was erected in this location in 1910, though its immediate environs were transformed when the current garden arrangement was undertaken in 1951. The proposed relocation is to a position closer to St Martin's Lane. The proposed public realm re-working would create a two level plaza with a ramped area to the west and steps up to the new entrance from the east. A number of design proposals were explored for this area and, in the end, it was considered that a simple scheme of ramp, steps and retaining wall was the preferred approach rather than some of the more complicated arrangements also considered. The simplicity and clarity of the layout provides an appropriate foil to the ordered elegance of Christian's north façade and does not distract from the reading of the building with any unnecessary clutter in the foreground. The details of this scheme will be agreed with the Highways Authority in due course but will follow the principles established in this application.

It is considered that the alterations to the north façade cause less than substantial harm to the heritage asset in terms of paragraph 196 of the NPPF. The alterations to the public

realm and the relocation of the Henry Irving statue could be considered to be positive benefits.

North Lightwell

The north lightwell is a significant feature. Originally it was a double-depth, but was subsequently infilled to make it a single depth. The infilling was carried out with rather poor materials and, as well as obscuring part of Christian's original design concept, it provides an unattractive vista. The proposal is to re-open the lightwell to its original double-depth and expose Christian's original façade and fenestration, much of which is still believed to be intact and concealed behind the later infill. The area under the new entrance bridge will be infilled with accommodation for the new learning centre in a contemporary manner. The lightwell floor will be landscaped and made available for use by those using the learning centre. On the whole, the works to the north lightwell are considered to have a positive impact on the significance of the building.

In summary, it is considered that some of the works would cause some less than substantial harm to the heritage asset, namely the lift tower extension, the alterations to the St Martin's Place entrance and the creation of a new north entrance and the alterations thus required to the north façade and internal plan form. Other elements of the proposal such as the works to the east wing, the re-opening of the double depth lightwell, the gallery refurbishment, the improvements to the learning centre and the improved public realm can be considered to be positive in their impact. The public benefits that accrue from the scheme are substantial, involving improved public access and other improvements to the visitor experience, accessible access for all and vastly improved learning facilities. It is considered that the public benefits emanating from the scheme are substantial enough to clearly outweigh the less than substantial harm caused by certain aspects of the proposed works with regard to the provisions of paragraph 196 of the NPPF.

8.3 Residential Amenity

Policies S29 of the City Plan and ENV13 of the UDP seek to protect residential amenity in terms of light, privacy, sense of enclosure and encourage development that enhances the residential environment of surrounding properties.

There are no nearby residential properties that could be impacted by the proposal in terms of overlooking, increase sense of enclosure or loss of light.

8.4 Public Realm/ Transportation/ Servicing

Public Realm

The proposed public realm works are in connection with the creation of the new entrance within the north façade and alterations to the existing eastern entrance. These alterations would create level access into the building from both entrances and would allow for the removal on the existing ramp on Orange Street.

Policy TRANS 27 of the UDP states access ramps and other facilities for those with reduced mobility should be located entirely within the curtilage or the interior of buildings, and not on the public highway. Both the modified eastern entrance and new northern entrance ramps would be on, or partly on, the public highway – the public realm works to

the north involve both works to the green space of Irving Gardens and the public highway. Nonetheless, the policy application section of TRANS 27 notes that in exceptional circumstances, for example where that encroachment is only minimal or where the existing footway is unusually wide and under-used, the City Council may permit ramps on the public highway.

Given the soft landscaping of Irving Gardens is enclosed by railings it cannot be used by pedestrians, so the proposal to replace it with a ramp and steps would allow additional space to be used by pedestrians, rather than restrict it which policy TRANS 27 seeks to avoid. Further, given the gradient of the ramp is shallow and wide users would not perceive it as a typical ramp.

While the Parks and Public Gardens team currently manage Irving Gardens, with the proposal reverting the area to hard standing, the City Council's Highway Department would likely manage the whole area in future (due to their being no soft landscaping remaining). But, as has occurred elsewhere in Westminster, this can result in both positive and negative effects (in particular, the unintended use of public realm can occur and can be difficult to manage).

The applicant has analysed other forecourts outside similar institutions, such as the British Museum and Royal Academy, and compared these to their proposed entrance and public realm works. But it is important to note that these other examples are privately managed areas and are not public highway, which allows these institutions to design and manage their forecourts in a different manner.

For this scheme the City Council must consider the primary function of the public highway, which is the free and unobstructed movement of highway users. Policy S41 of the City Plan and TRANS 3 of the UDP require developments to prioritise pedestrian movement and the creation of convenient, attractive and safe pedestrian environment.

The creation of a new entrance to the Gallery and the other proposed interventions would change pedestrian patterns and desire lines through the area. Unfortunately, the applicant has not fully assessed these impacts. The Highway Planning Manager has raised concern over the detailed design of the area including the ramp, gradients, steps, direction of slope, lack of hand rails and the potential of trip hazards. Also, the materials proposed would depart from the 'Westminster pallet' which is expected to be used on all parts of the public highway to match the surrounding environment (high quality natural stone, like the existing York stone treatment, would be expected).

The Highway Planning Manager has advised that the applicant will have to carry out further detailed design work, in conjunction with the City Council, to undertake threshold checks to determine whether the proposed changes could be accommodated within the existing highway or what further modifications would be required – which is important as the proposed changes could adversely affect the gradient on the highway creating issues for pedestrians passing the site.

Since submission the applicant has submitted further details of a potential layout of bollards to mitigate against vehicular attacks. Any bollards or other street furniture on the highway for security reasons would need to be justified. Bollards and other items create additional obstructions to pedestrians and other highway user movement- potentially

negating other improvements. The Operational CONTEST Manger considers mitigation measures will be required given the threat level, however, the justification of additional protective measures remains outstanding and requires further dialogue with the City Council as the Highway Authority. As part of the highway detail design and approval process further justification and confirmation will be required before the Highway Authority agrees to installation of additional street furniture on the highway.

Notwithstanding the further detailed design work required, there is no in principle objection to the public realm works, the interventions within the highway are broadly acceptable and consistent with policy S41 of the City Plan and TRANS 3 of the UDP which seek improvements to the pedestrian environment which this proposal would allow. As the Highway Planning Manager has identified issues with the detailed design of the space, officers recommend conditions to address these. Including a condition to ensure the applicant agrees with the City Council appropriate arrangements to facilitate and fund these public realm works, given the land is partly highway owned and maintained by the City Council.

Servicing and Travel

Given the Gallery's highly accessible location, the Highway Planning Manager notes most trips associated with the site (excluding servicing activity) would be via public transport or other sustainable modes (such as walking or cycling). He concludes the trip generation for the Gallery would not have a harmful impact on the safety or operation of the highway network.

In terms of cycle parking, long-term secure, accessible and weatherproof cycle parking promotes sustainable transport use for staff. The Gallery proposes the provision of 24 spaces, in accordance with the London Plan, and officers recommend that a condition ensures the Gallery installs these spaces.

In terms of servicing, the existing off street servicing area shared between the National Gallery and National Portrait Gallery is to be maintained and this is considered sufficient to service the development.

8.5 Economic Considerations

Section 8.1 of this report addresses economic considerations.

8.6 Access

The City Plan note that buildings and spaces must be designed for the needs and convenience of all. A principle concern of the Gallery is that the existing access arrangements into and throughout the building for those with reduced mobility is sub-optimal. The proposals, which would allow for level access at both main entrances, would represent a significant improvement for those with mobility difficulties as the existing arrangements force those who require level access to use a secondary entrance. The proposals would also allow greater accessibility throughout the building, including providing an extended lift.

8.7 Other UDP/Westminster Policy Considerations

Loss of Green Space

The Head of Arboricultural Services raises concern over the hard landscaping of Irving Gardens and consequent loss of green space. While this small open space is underutilised and surrounded by railings, it does provide soft landscaping which contributes positively to the area. Policy S35 of the City Plan states the City Council will protect all open spaces, including their quality, ecological value and tranquillity. Policy 38 of the City Plan states the City Council will protect and enhance biodiversity and green infrastructure.

The loss of the soft landscaping must be weighed against the improved access and usability of the area for the public, and the wider public benefits of the scheme. The proposal would open up the area so members of the public can walk through it to the Gallery or sit and enjoy the setting of the Gallery. This will improve public accessibility of the area as well as the building, and the sense of openness would be maintained. The Gallery also proposes to provide new soft landscaping space within the northern lightwell which would 'offset' to some degree the loss of the green space in Irving Gardens. Further, as set out in section 8.2 of this report, there are significant public benefits to improving this Gallery and providing the proposed new entrance which requires the hard landscaping of this area.

Therefore, while it is regrettable that the soft landscaping at street level will not be re-provided, overall the proposal would constitute an improvement to the public realm.

Tree Impacts

The Head of Arboricultural Services initially raised concern regarding the impact on street trees, given the excavation around them that would be required. There are seven trees which are owned and managed by the City Council which surround Irving Gardens. They are of high amenity value, as individuals, and a group. They are part of the line of street trees which surround the National Portrait Gallery and they make a valuable contribution to the setting of the building and to the character and appearance of the townscape, where the trees form the significant element of green infrastructure in townscape this location. Their safe retention is essential.

The applicant revised their arboricultural method statement and provided clarifications which have addressed the Head of Arboricultural Services concerns.

Archaeology

The site is located within a Tier 1 Archaeological Priority Area (Lundenwic and the Strand) which is strongly suspected to contain heritage assets of national importance. In this area these include prehistoric and paleoenvironmental remains; Roman roadside burials & industrial activities; Saxon Lundenwic fringe settlement activity and quarry pits; medieval cut features and agricultural/marsh deposits as well as C17-C18 evidence associated with St Martin's Churchyard (burial ground), the Duke of Monmouth's stables; the 18th Century St Martin's workhouse and a later Chapel.

The Greater London Archaeological Advisory Service (GLAAS) have reviewed the archaeological assessment provided by the applicant to support the proposal and considered that further exploratory fieldwork and assessment would be required to determine appropriate mitigation. GLAAS advised this could be secured by appropriate conditions to secure a staged programme of archaeological work, and such a condition is recommended.

Plant Equipment

The applicant has submitted an acoustic assessment as part of the application. Plant equipment is proposed at various locations and the assessment indicates that the equipment would likely be inaudible at the nearest residential premises. Officers recommend conditions to ensure this would be the case.

Refuse /Recycling

Dedicated waste and recycling are proposed which the Waste Project Officer has confirmed are adequate facilities and are recommended to be ensured by condition.

8.8 Westminster City Plan

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 took place between Monday 12 November 2018 and Friday 21 December 2018. Following this informal consultation, any representations received are being considered and the draft plan will be revised in advance of formal consultation under Regulation 19 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.

8.9 Neighbourhood Plans

The site is outside of a designated neighbourhood area.

8.10 London Plan

This application raises no strategic issues.

8.11 National Policy/Guidance Considerations

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

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

During the course of this application a notice was served relating to the proposed imposition of pre-commencement conditions to secure the applicant's adherence to the following:

- Arrangements to facilitate and fund the public realm works (condition 5);
- An archaeological scheme of investigation, evaluation and publication (condition 13); and
- A method statement and further details explaining how trees will be protected (conditions 14 and 15).

The applicant has agreed to the imposition of the conditions.

8.12 Planning Obligations

Arrangements to facilitate and fund the public realm works is to be secured by Grampian condition (condition 6). This will require the applicant to enter into a S106 legal agreement prior to the commencement of the development.

The development is not liable to pay CIL

8.13 Environmental Impact Assessment

The application is not of a sufficient scale to require its own Environmental Impact Assessment.

8.14 Other Issues

Statement of Community Involvement

The applicant has submitted a statement outlining their engagement with interested people and organisations in the years leading up to the submission of this application. This included neighbours and amenity societies, as well as the City Council.

Construction Impact

The Theatres Trust has raised concern regarding the potential that construction noise could impact on performances on the Garrick Theatre. The Garrick Theatre is located on the north side of Charing Cross Road and is some distance from the area works are proposed and as such would not be harmful in this respect.

Crime and Security

The applicant is in continuing discussions with the Metropolitan Police Designing Out Crime Officer which are due to conclude prior to the 23 April 2019 Planning Committee Meeting, but after this report is published. Therefore, any response from the Metropolitan Police will be reported verbally.

London Underground

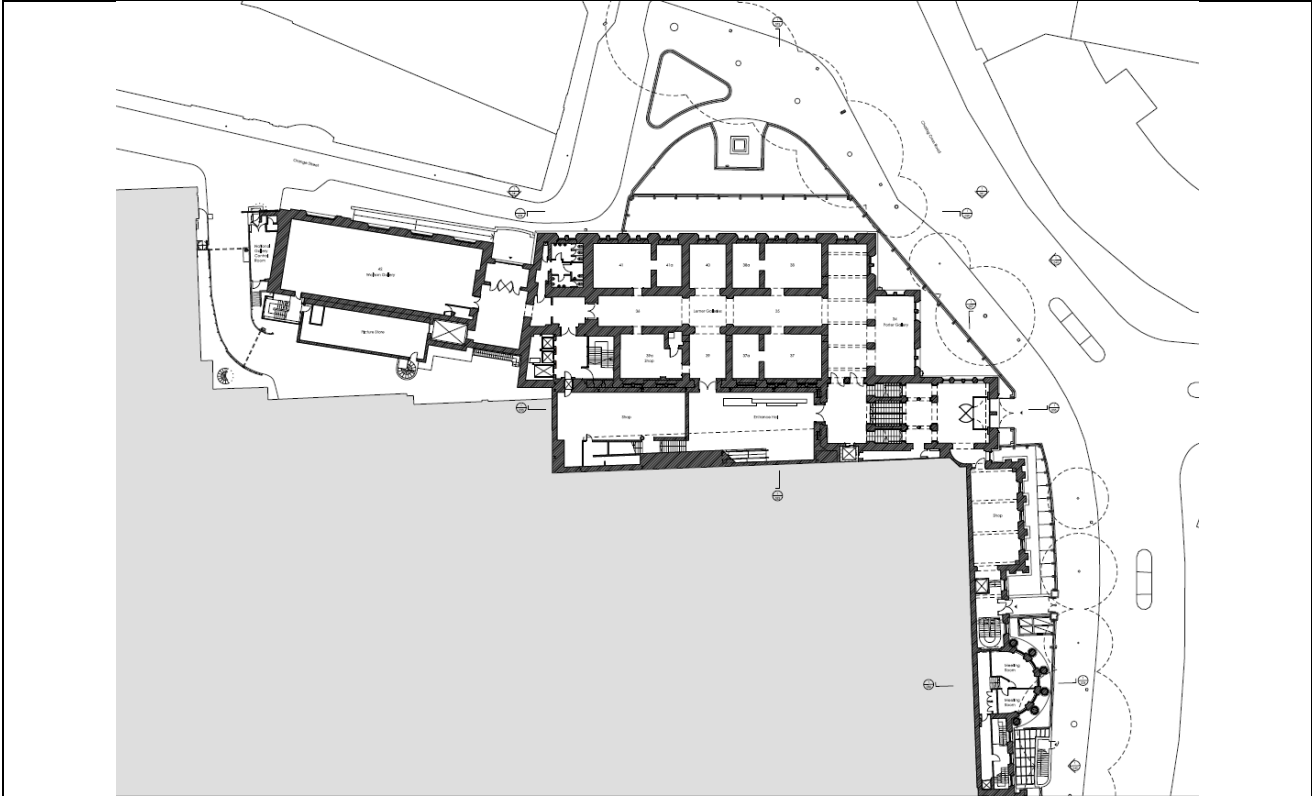
An underground rail line passes underneath part of the site. Therefore, London

Underground have been consulted and any response will be reported verbally.

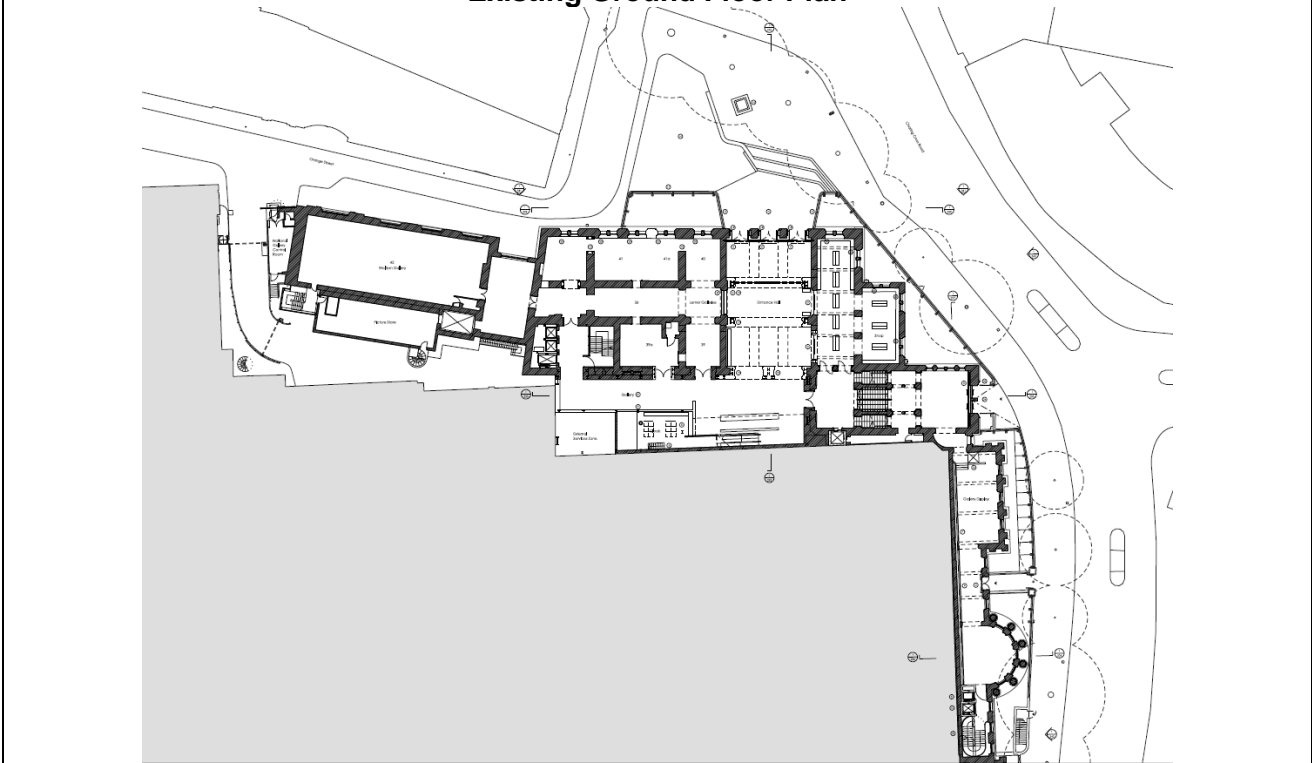
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: JOSHUA HOWITT BY EMAIL AT jhowitt@westminster.gov.uk

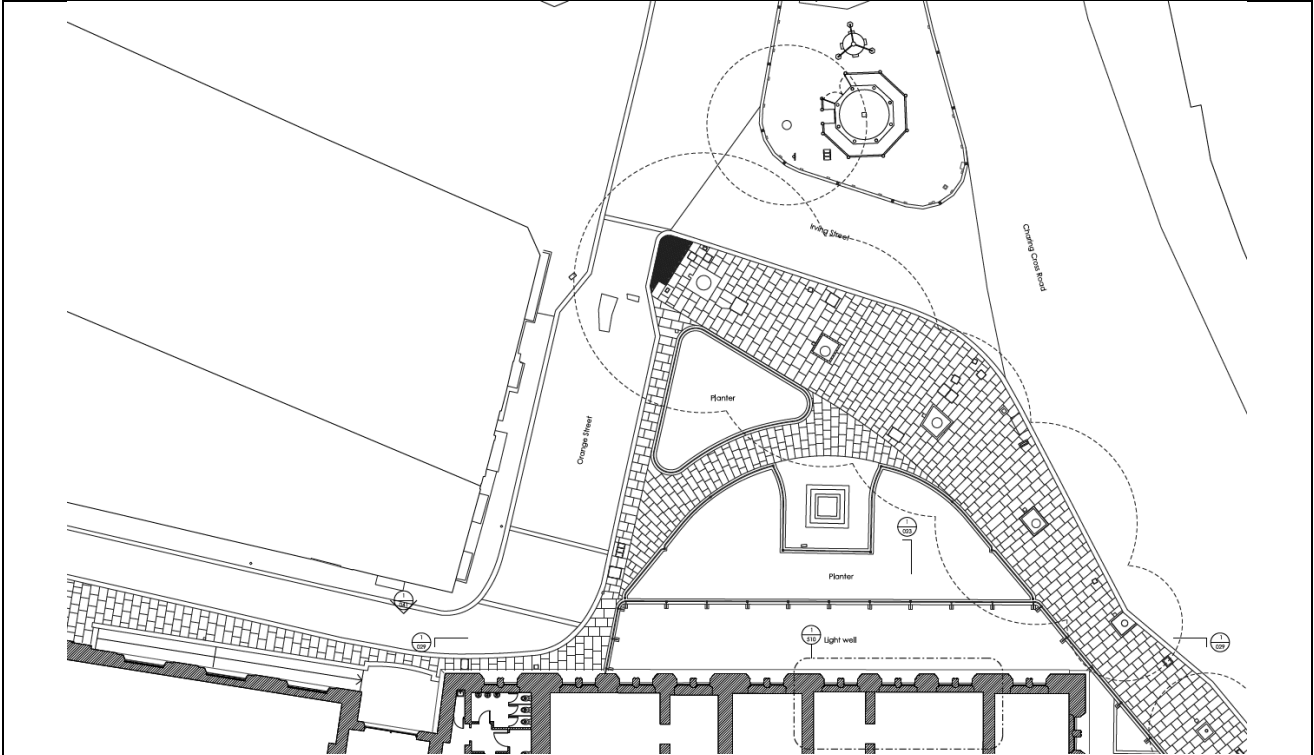
9. KEY DRAWINGS



Existing Ground Floor Plan



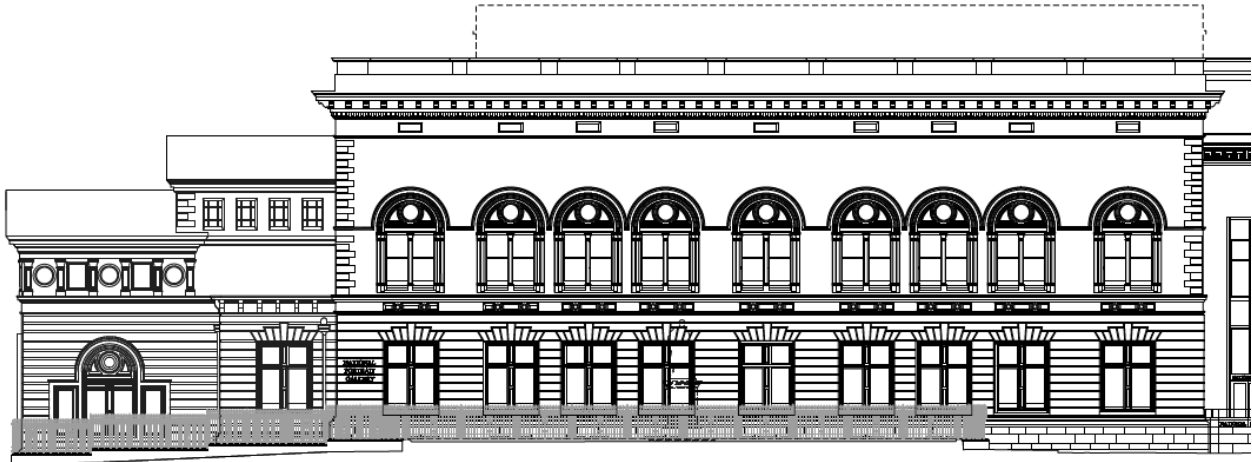
Proposed Ground Floor Plan



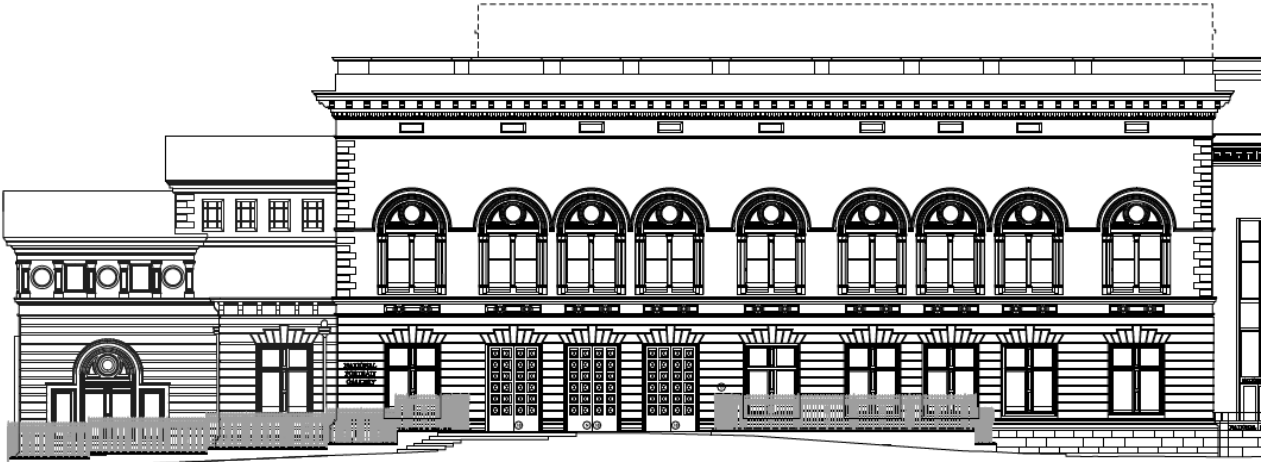
Existing Plan of Northern Lightwell and Irving Garden



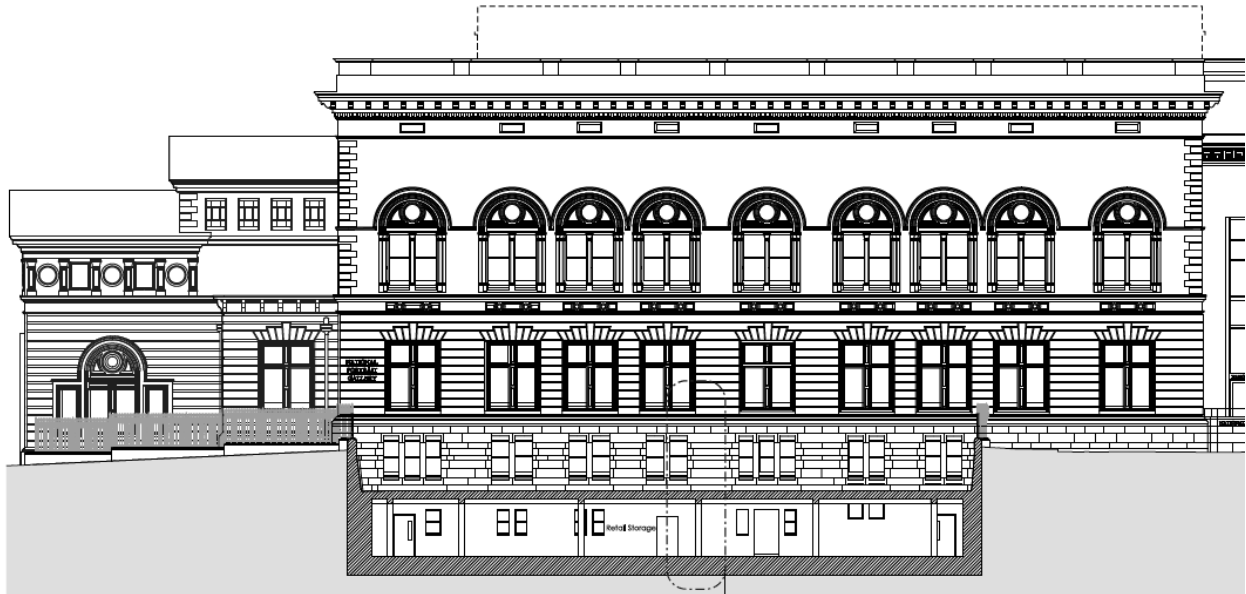
Proposed Plan of Northern Lightwell and New Public Realm



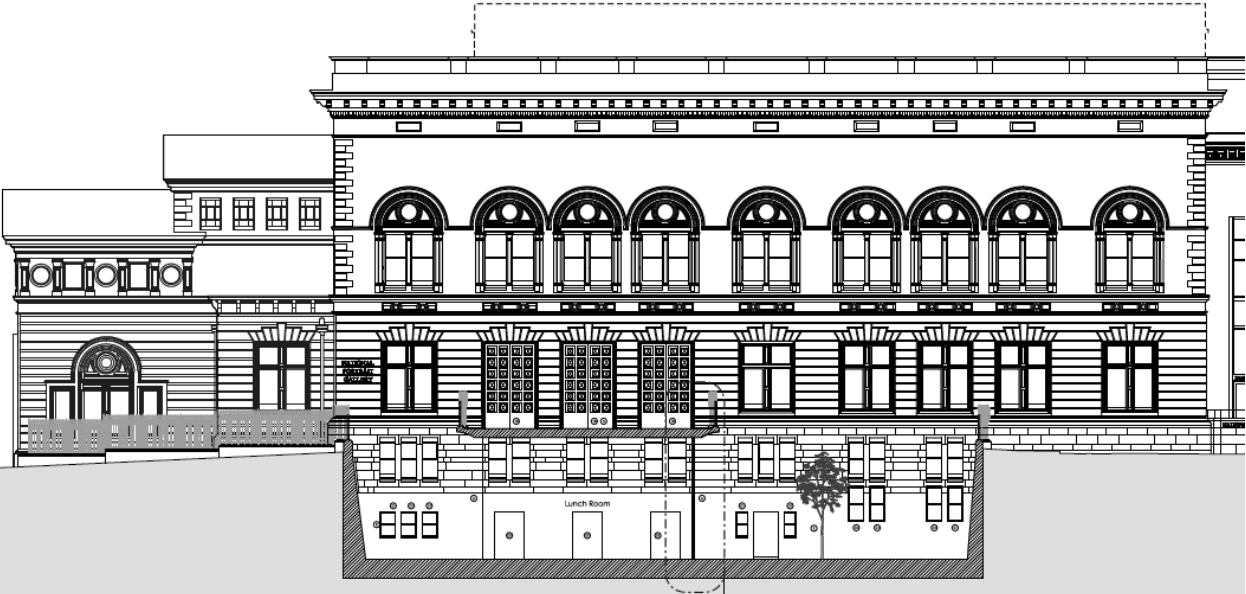
Existing North Elevation



Proposed North Elevation



Existing North Elevation Including Lightwell



Proposed North Elevation Including Lightwell



Existing East Elevation



Proposed East Elevation



Computer Generated Image of Northern Façade



Computer Generated Image of Northern Lightwell

DRAFT DECISION LETTER

Address: National Portrait Gallery , 2 St Martin's Place, London, WC2H 0HE

Proposal: External alterations and extensions to the National Portrait Gallery; including the creation of a new entrance to the north façade and associated works to the public realm involving repositioning of the Henry Irving Statue; erection of a bridge over northern lightwell, an extension within lightwell, and an extension to a lift shaft; alterations to eastern entrance, to gate and railings, to northern lightwell, to service yard, to rooftop plant and structures, to Duveen wing façade following the removal of the Orange Street ramp and other associated alterations.

Reference: 19/00456/FULL

Plan Nos: Location Plan; Site Plan; 329_P_010_A; 329_P_011_A; 329_P_012_A; 329_P_013_A; 329_P_014_A; 329_P_015_A; 329_P_016_A; 329_P_020_A; 329_P_023_A; 329_P_027; 329_P_029_A; 329_P_033_A; 329_P_036; 329_P_041_A; 329_P_042; 329_P_050_A; 329_P_051_A; 329_P_052_A; 329_P_053_A; 329_P_054_A; 329_P_055_A; 329_P_056_A; 329_P_057_A; 329_P_061; 329_P_062; 329_P_063; 329_P_064; 329_P_065; 329_P_110_A; 329_P_111_A; 329_P_112_B; 329_P_113_A; 329_P_114_A; 329_P_115_A; 329_P_117_A; 329_P_150_B; 329_P_151_A; 329_P_152_A; 329_P_153_B; 329_P_154_A; 329_P_155_A; 329_P_156_A; 329_P_158_A; 329_P_161_A; 329_P_162_A; 329_P_163_A; 329_P_164_A; 329_P_165_A; 329_P_220_A; 329_P_223_A; 329_P_227_A; 329_P_229_A; 329_P_233_A; 329_P_236_A; 329_P_341_A; 329_P_342_A; 329_P_450_A; 329_P_451_A; 329_P_452_A; 329_P_453_A; 329_P_454_A; 329_P_455_A; 329_P_456_A; 329_P_461_A; 329_P_462_A; 329_P_463_A; 329_P_464_A; 329_P_465_A; 329_P_470_A; 329_P_471_A; 329_P_472_A; 329_P_473_A; 329_P_510; 329_P_511; 329_P_512; 329_P_513; 329_P_514; 329_P_515; 329_P_520; 329_P_521; 329_P_522; 329_P_523; 329_P_524; 329_P_525; 329_P_530; 329_P_531; 329_P_550; 329_P_551; 300A; 301; 303; 304; 305; 306; 307; 308; 503; 504; 511; 515; 522; 528; 533; 536; 310; 311; 312; 605A; 606A; 607; 610; 611; 612; 613; 614; 615; 616; 26916/SK7-1 J; 26916/SK8-1 B; 26916/SK8-2 C; 26916/SK8-3 B; 26916/SK8-4 C; 26916/SK8-5 C; 26916/SK8-6 B; 26916/SK9-1 B; 26916/SK9-2 C; 26916/SK9-3 B; 26916/SK9-5 C; 26916/SK12-1 B; 26916/SK12-2 B; 26916/SK12-3 B; 26916/SK12-4 B; 26916/SK12-5 B; 26916/SK600 2; 26916/SK601 3; 329_SK_190304_001.

For Information Only:

Air Quality, Ventilation & Extraction Statement; Arboricultural Impact Assessment and Draft Method Statement (and Clarifications); Archaeology Assessment and Summary of An Archaeological Watching Brief; Noise Impact Assessment; Planning Statement; Statement of Community Engagement; Structural Engineer's Structural Methodology Statement; Access Statement; Design and Access Statement; Operational Statement; Heritage Statement Cover Letter and Schedule of Works..

Case Officer: Joshua Howitt

Direct Tel. No. 020 7641 2069

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

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Trafalgar Square Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

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

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Trafalgar Square Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

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

a) to facilitate and fund the public realm work approved under condition 6.

In the case of each of the above benefits, you must include in the arrangements details of when you will provide the benefits, and how you will guarantee this timing. You must only carry out the development according to the approved arrangements. (C19AB)

Reason:

To make sure that the development provides the planning benefits that have been agreed, as set out in S33 of Westminster's City Plan (November 2016) and in TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R19AC)

- 6 Notwithstanding what is shown on the approved drawings, you must apply to us for approval of detailed drawings of the final hard and soft landscaping scheme. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these detailed drawings.

Reason:

To protect the setting of this listed building, to make sure the development contributes to the character and appearance of the Trafalgar Square Conservation Area and to protect the pedestrian environment. This is as set out in S25, S28 and S41 of Westminster's City Plan (November 2016) and TRANS 3, DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.

- 7 You must provide each cycle parking space shown on the approved drawings prior to the Gallery re-opening to the public. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2016 (R22FA)

- 8 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)

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

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

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

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;

- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

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

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

Reason:

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

- 11 Before the Gallery re-opens to the public, you must provide the separate stores for waste and materials for recycling shown on drawing number 329_P_111_A. You must clearly mark them and make them available at all times to everyone using the building. (C14FB)

Reason:

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

- 12 You must not leave waste or recycling on the road or pavement.

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)

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

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

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and, the nomination of a competent person(s) or organisation to undertake the agreed works.

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of, resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason:

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

- 14 **Pre Commencement Condition.** You must apply to us for approval of a method statement explaining the measures you will take to protect the trees on and close to the site. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved in writing what you have sent us. You must then carry out the work according to the approved details. (C31CC)

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 15 **Pre Commencement Condition.** You must apply to us for our approval of details of an auditable system of arboricultural site supervision and record keeping prepared by an arboricultural consultant who is registered with the Arboricultural Association, or who has the level of qualifications and experience needed to be registered. The details of such supervision must include:

- o identification of individual responsibilities and key personnel.
- o induction and personnel awareness of arboricultural matters.
- o supervision schedule, indicating frequency and methods of site visiting and record keeping
- o procedures for dealing with variations and incidents.

You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. You must then adhere to the approved supervision schedule.

You must produce written site supervision reports after each site monitoring visit, demonstrating that you have carried out the supervision and that the tree protection is being provided in accordance with the approved scheme. If any damage to trees, root protection areas or other breaches of tree protection measures occur then details of the incident and any mitigation/amelioration must be included. You must send copies of each written site supervision record to us within five days of the site visit.

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 16 Any work under or around the London plane trees must not damage the branches of the trees or roots of 25 millimetres or more in diameter. If you come across any roots of 25 millimetres or more in diameter, you must carefully protect them from being exposed and drying out. You must cut any smaller diameter damaged or severed roots with a sharp cutting tool so that the final wound is as small as possible.

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 17 You must apply to us for approval of detailed drawings of the following parts of the development:
- a. External alterations to form proposed front doors and new bridge
 - b. External alterations to East Wing lightwell
 - c. Proposed gutters and other items (lighting protection) related to roofscape alterations to East Wing and lift extension, including rooflights
 - d. External alterations to existing windows
 - e. External lighting details

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these detailed drawings.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Trafalgar Square Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, neighbourhood plan (where relevant), supplementary planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 Under condition 5 we are likely to accept a legal agreement under section 106 of the Town and County Planning Act to secure arrangements to facilitate and fund the public realm work. This will require you agree with the Highway Authority the detailed design of the work and will require you fund its implementation.

Please look at the template wordings for planning obligations (listed under 'Supplementary planning guidance') on our website at www.westminster.gov.uk. Once the wording of the agreement has been finalised with our Legal and Administrative Services, you should write to us for approval of this way forward under this planning condition.

- 3 One or more of the conditions above prevent work starting on the development until you have applied for, and we have given, our approval for certain matters. It is important that you are aware that any work you start on the development before we have given our approval will not be authorised by this permission. (I77BA)
- 4 Please contact our District Surveyors' Services to discuss how you can design for the inclusion of disabled people. Email: districtsurveyors@westminster.gov.uk. Phone 020 7641 7240 or 020 7641 7230. If you make a further planning application or a building regulations application which relates solely to providing access or facilities for people with disabilities, our normal planning and building control fees do not apply.

The Equality and Human Rights Commission has a range of publications to assist you, see www.equalityhumanrights.com. The Centre for Accessible Environment's 'Designing for Accessibility', 2004, price £22.50 is a useful guide, visit www.cae.org.uk

If you are building new homes you must provide features which make them suitable for people with disabilities. For advice see www.habinteg.org.uk

It is your responsibility under the law to provide good access to your buildings. An appropriate and complete Access Statement as one of the documents on hand-over, will provide you and the end user with the basis of a defence should an access issue be raised under the Disability Discrimination Acts.

- 6 The development will result in changes to road access points. Any new threshold levels in the building must be suitable for the levels of neighbouring roads. If you do not plan to make changes to the road and pavement you need to send us a drawing to show the threshold and existing road levels at each access point.

If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and the development. You will have to pay all administration, design, supervision and other costs. We will carry out any work which affects the road. For more advice, please phone 020 7641 2642. (I69AA)

- 7 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 8 The term 'clearly mark' in condition 11 means marked by a permanent wall notice or floor markings, or both. (I88AA)
- 9 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will

carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)

- 10 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

24 Hour Noise Team,
Environmental Health Service,
Westminster City Hall,
64 Victoria Street,
London,
SW1E 6QP
Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

- 11 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:

* Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;

* This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

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

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

- 12 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 13 With regards to condition 13, written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015. The written scheme of investigation will relate to below ground archaeology only and not the standing buildings.
- 14 Condition 14 requires you to submit a method statement for works to a tree(s). The method statement must be prepared by an arboricultural consultant (tree and shrub) who is registered with the Arboricultural Association, or who has the level of qualifications or experience (or both) needed to be registered. It must include details of:
 - * the order of work on the site, including demolition, site clearance and building work;
 - * who will be responsible for protecting the trees on the site;
 - * plans for inspecting and supervising the tree protection, and how you will report and solve problems;
 - * how you will deal with accidents and emergencies involving trees;
 - * planned tree surgery;
 - * how you will protect trees, including where the protective fencing and temporary ground protection will be, and how you will maintain that fencing and protection throughout the development;
 - * how you will remove existing surfacing, and how any soil stripping will be carried out;
 - * how any temporary surfaces will be laid and removed;
 - * the surfacing of any temporary access for construction traffic;
 - * the position and depth of any trenches for services, pipelines or drains, and how they will be dug;
 - * site facilities, and storage areas for materials, structures, machinery, equipment or piles of soil and where cement or concrete will be mixed;
 - * how machinery and equipment (such as excavators, cranes and their loads, concrete pumps and piling rigs) will enter, move on, work on and leave the site;
 - * the place for any bonfires (if necessary);
 - * any planned raising or lowering of existing ground levels; and
 - * how any roots cut during the work will be treated.
- 15 This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I32AA)

- 16 You must get separate permission under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 for the following advertisements: new main entrance signage. (I04AA)

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: National Portrait Gallery , 2 St Martin's Place, London, WC2H 0HE

Proposal: External and internal alterations and extensions to the National Portrait Gallery; including the creation of a new entrance to the north façade and associated works to the public realm involving repositioning of the Henry Irving Statue; erection of a bridge over northern lightwell, an extension within lightwell, and an extension to a lift shaft; alterations to eastern entrance, to gate and railings, to northern lightwell, to service yard, to rooftop plant and structures, to Duveen wing façade following the removal of the Orange Street ramp and other associated alterations, including extensive internal alterations on all floors.

Reference: 19/00457/LBC

Plan Nos: Location Plan; Site Plan; 329_P_010_A; 329_P_011_A; 329_P_012_A; 329_P_013_A; 329_P_014_A; 329_P_015_A; 329_P_016_A; 329_P_020_A; 329_P_023_A; 329_P_027; 329_P_029_A; 329_P_033_A; 329_P_036; 329_P_041_A; 329_P_042; 329_P_050_A; 329_P_051_A; 329_P_052_A; 329_P_053_A; 329_P_054_A; 329_P_055_A; 329_P_056_A; 329_P_057_A; 329_P_061; 329_P_062; 329_P_063; 329_P_064; 329_P_065; 329_P_110_A; 329_P_111_A; 329_P_112_B; 329_P_113_A; 329_P_114_A; 329_P_115_A; 329_P_117_A; 329_P_150_B; 329_P_151_A; 329_P_152_A; 329_P_153_B; 329_P_154_A; 329_P_155_A; 329_P_156_A; 329_P_158_A; 329_P_161_A; 329_P_162_A; 329_P_163_A; 329_P_164_A; 329_P_165_A; 329_P_220_A; 329_P_223_A; 329_P_227_A; 329_P_229_A; 329_P_233_A; 329_P_236_A; 329_P_341_A; 329_P_342_A; 329_P_450_A; 329_P_451_A; 329_P_452_A; 329_P_453_A; 329_P_454_A; 329_P_455_A; 329_P_456_A; 329_P_461_A; 329_P_462_A; 329_P_463_A; 329_P_464_A; 329_P_465_A; 329_P_470_A; 329_P_471_A; 329_P_472_A; 329_P_473_A; 329_P_510; 329_P_511; 329_P_512; 329_P_513; 329_P_514; 329_P_515; 329_P_520; 329_P_521; 329_P_522; 329_P_523; 329_P_524; 329_P_525; 329_P_530; 329_P_531; 329_P_550; 329_P_551; 300A; 301; 303; 304; 305; 306; 307; 308; 503; 504; 511; 515; 522; 528; 533; 536; 310; 311; 312; 605A; 606A; 607; 610; 611; 612; 613; 614; 615; 616; 26916/SK7-1 J; 26916/SK8-1 B; 26916/SK8-2 C; 26916/SK8-3 B; 26916/SK8-4 C; 26916/SK8-5 C; 26916/SK8-6 B; 26916/SK9-1 B; 26916/SK9-2 C; 26916/SK9-3 B; 26916/SK9-5 C; 26916/SK12-1 B; 26916/SK12-2 B; 26916/SK12-3 B; 26916/SK12-4 B; 26916/SK12-5 B; 26916/SK600 2; 26916/SK601 3; 329_SK_190304_001.

For Information Only:

Planning Statement; Design and Access Statement; Heritage Statement; Cover Letter and Schedule of Works.

Case Officer: Joshua Howitt

Direct Tel. No. 020 7641 2069

Recommended Condition(s) and Reason(s)

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

Reason:

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

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

Reason:

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

- 3 You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

Reason:

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

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

Reason:

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

- 5 You must apply to us with details of any proposed cleaning of external stonework or brickwork. You must not start on this part of the works until we have approved what you have sent us. You must then carry out the works in accordance with these details.

Reason:

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

- 6 Notwithstanding that shown on the approved plans, you must provide us with full details and justification for the use of microcrystalline anti-graffiti coating on the external stonework, including the preparation of test areas for inspection and approval by us if necessary. You must not start on this part of the works until we have approved what you have sent us. You must then carry out the works in accordance with the approved details.

Reason:

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

- 7 You must provide us with details of how you propose to relocate the statue of Henry Irving including the method of working. You must not start on this part of the works until we have approved what you have sent us. You must then carry out the works in accordance with these details.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Trafalgar Square Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES

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

- 8 You must apply to us for approval of detailed drawings of the following parts of the development:
- f. Alterations to form proposed front doors and new bridge
 - g. Signage
 - h. Alterations, including internal fit out, to form café in East Wing and gardens in East Wing lightwell
 - i. Proposed gutters and other items (lighting protection) related to roofscape alterations to East Wing and lift extension
 - j. Proposed decorative schemes to galleries
 - k. Proposed openings between North Wing and Ondaatje Wing
 - l. Full refurbishment of East Wing (including structural alterations, gallery refurbishment, new staircase, rooflight alterations, fabric upgrades for fire safety)
 - m. Alterations to existing windows, including addition of film, blinds, secondary glazing and/or blocking panels where noted
 - n. Structural alterations to form new opening between Lerner Galleries and existing WC (to become extended galleries) at ground floor North Wing
 - o. Internal alterations to form new entrance hall and proposed new shop, including internal finishes and details
 - p. Structural alterations and refurbishment to North Wing upper and lower basement floors, including all proposed Learning Centre classrooms, offices and ancillary spaces, proposed WCs and lifts – all items currently shown on 1:100 GAs only in application drawings
 - q. Internal and external lighting details
 - r. MEP services installation as a result of the approved works
 - s. Fixed exhibition fit out to galleries

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these detailed drawings.

Reason:

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

Informative(s):

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

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

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

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

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

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

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

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.