

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 12 July 2022	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Vincent Square	
Subject of Report	Development Site At 268-282, Vauxhall Bridge Road, London, ,		
Proposal	Variation of condition 1 of planning permission dated 3 May 2022 (RN: 21/05606/FULL) which itself varied an earlier permission dated 17 November 2020 (RN: 19/05099/FULL) for the Demolition of existing buildings and erection of a new building comprising basement, ground and 7 upper levels plus rooftop plant to provide a hotel with associated ancillary facilities including restaurant/bar and gym (Class C1), 1 x 2 and 1 x 3 bedroom apartments (Class C3), plant, cycle parking and other associated works. NAMELY, to allow reduction in the number of guestrooms from 137 to 114; amendments to internal layout arrangements; redesigned facades; modification of the massing of the 7th & 8th floors; alterations to the roof level plant and servicing equipment and enclosures; and other associated alterations.		
Agent	ROK Planning Ltd		
On behalf of	City ID UK VBR Ltd		
Registered Number	22/01305/FULL	Date amended/ completed	27 June 2022
Date Application Received	25 February 2022		
Historic Building Grade	Unlisted		
Conservation Area	Outside of a Conservation Area, adjacent to Westminster Cathedral Conservation Area		
Neighbourhood Plan	Not applicable		

1. RECOMMENDATION

1. Grant conditional permission, subject to a deed of variation to the original S.106 legal agreement dated 17 November 2020 to secure the following additional obligations:
 - a) Ensure the agreement relates to the proposed development;
 - b) To increase the financial contribution towards the City Council's Carbon Off Set fund to £371,355 (index linked) (payable prior to the commencement of the development);
 - c) To include the 'be seen' requirements of monitoring and reporting on the actual operational energy performance of the building, including as-built and in-use stage

- data; and
- d) Provision of highway works to accommodate two cycle stands on Vauxhall Bridge Road.
2. If the deed of variation has not been completed within six weeks of the date of the Committee resolution, then:
- a) The Director of Place Shaping and Town 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 Place Shaping and Town Planning is authorised to determine and issue such a decision under Delegated Powers; however, if not
- b) The Director of Place Shaping and Town Planning shall consider whether permission should be refused on the grounds that it has not proved possible to complete an agreement within the appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Director of Place Shaping and Town Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2. SUMMARY & KEY CONSIDERATIONS

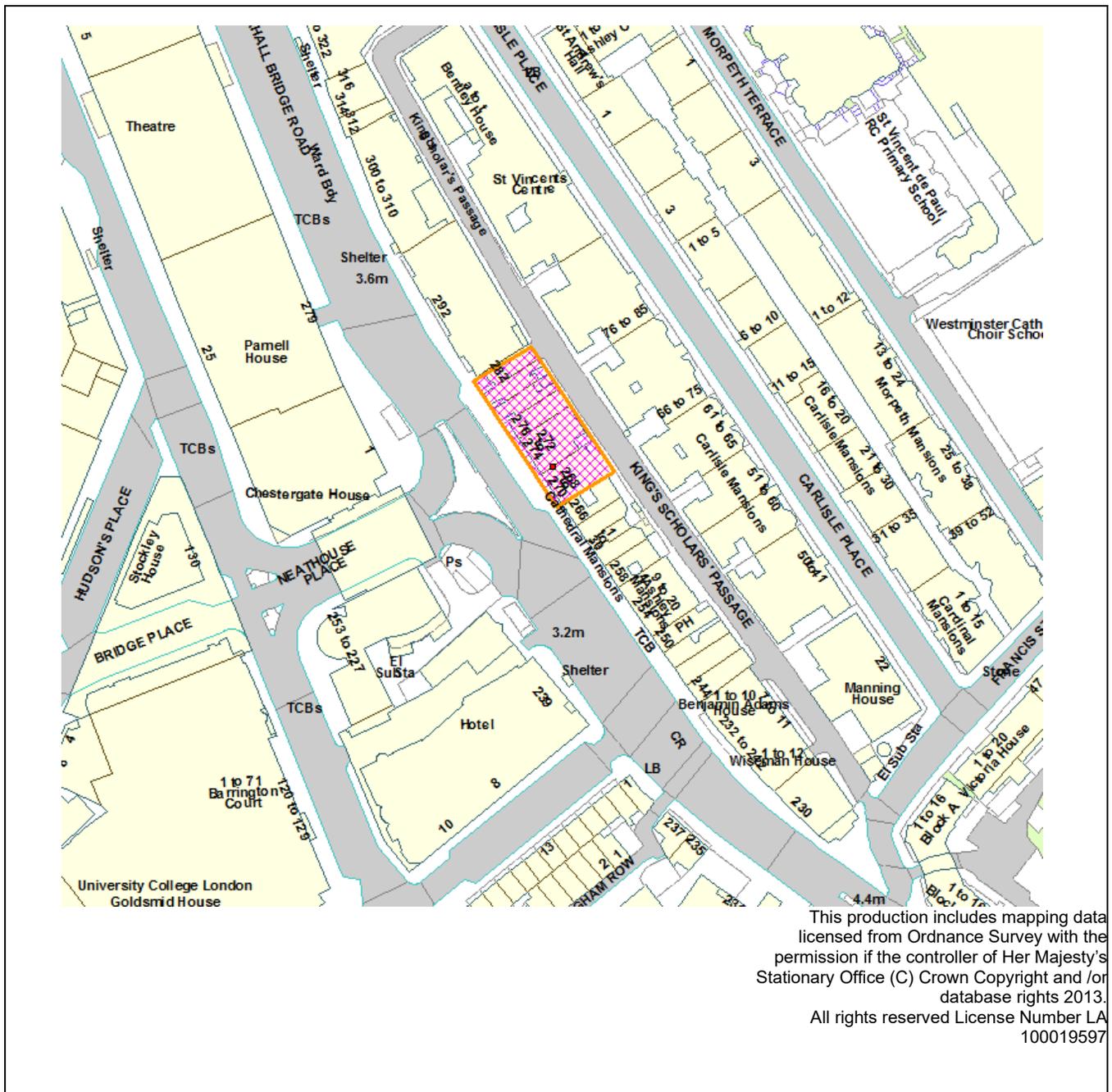
The application proposes amendments to an approved development for a new building comprising a hotel and two residential units. The amendments reduce the number of guestrooms from 137 to 114, alter internal layout arrangements, redesign the facades, modify the massing of the 7th & 8th floors, alter the plant equipment and enclosures and propose other associated changes.

The key considerations in this case are:

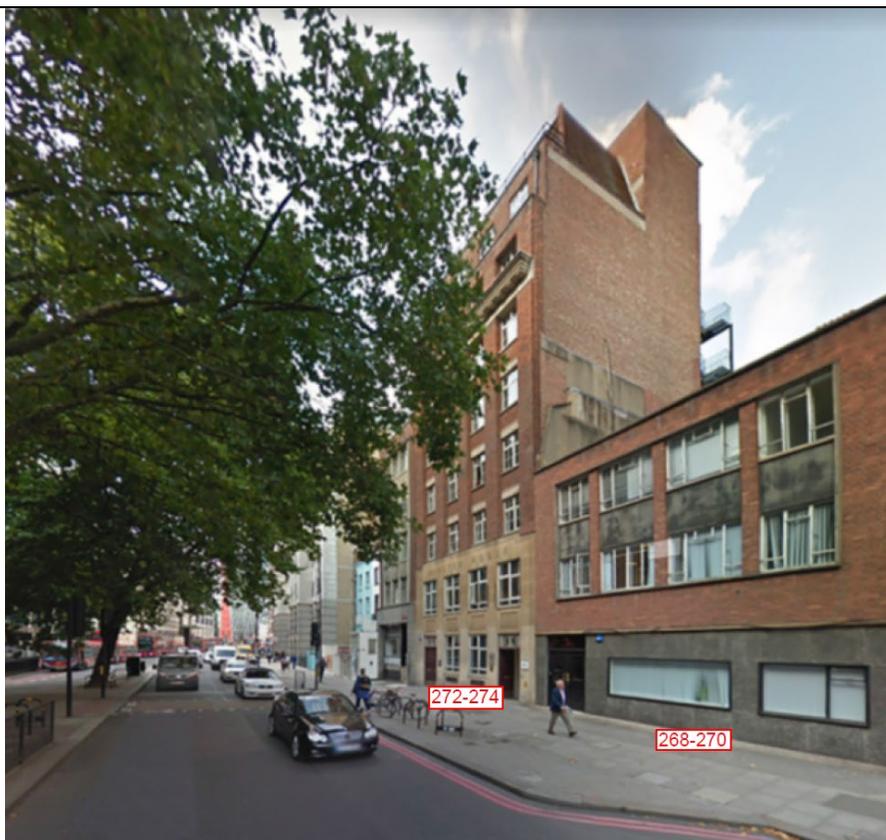
- The acceptability of the development in land use terms;
- The acceptability of the altered building's energy performance and sustainability;
- The acceptability of the altered building in design terms;
- The impact of the proposed building on the setting of the Westminster Cathedral Conservation Area; and
- The impact on the amenity of neighbouring residential properties.

The proposed development is considered against the policies in the adopted City Plan 2019-2040 (April 2021) and London Plan (March 2021). Considering the extant permissions which have already allowed the loss of the office use on site, officers do not oppose the current application in land use terms. The applicant has demonstrated their amendments would improve the building's energy performance and the applicant agrees to an increased carbon offsetting contribution compared to the extant permissions. While the Westminster Society raises concern regarding the redesigned façade to the front, officers consider the amendments to constitute an improvement. While an objector considers the altered rear façade fenestration would worsen overlooking, the amendments in fact restrict overlooking further than the permitted development. Given these circumstances, officers recommended the application be approved subject to the conditions set out in the draft decision letter and the completion of a deed of variation to the S.106 legal agreement.

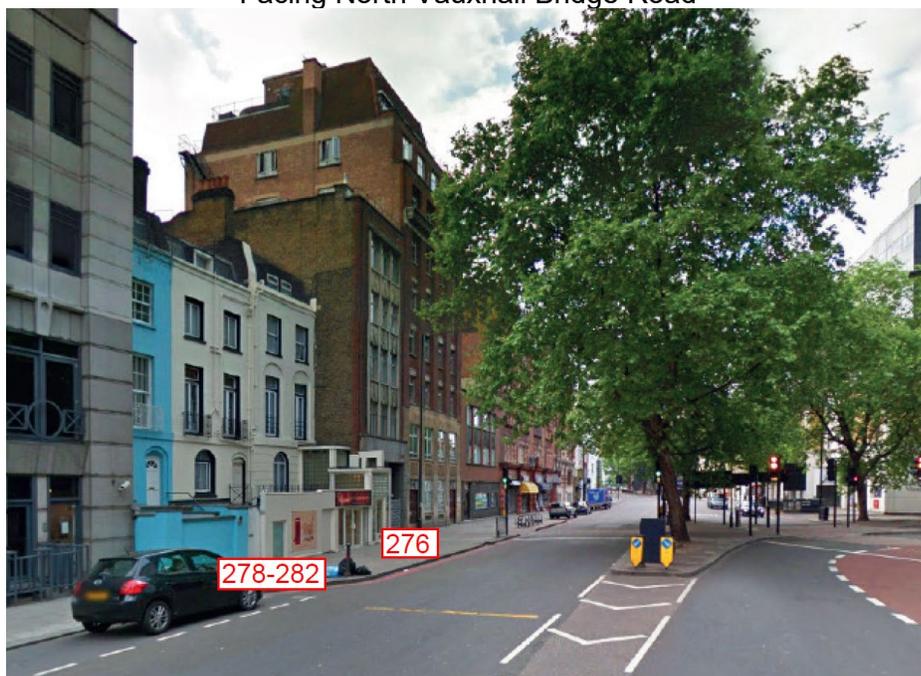
3. LOCATION PLAN



4. PHOTOGRAPHS



Facing North Vauxhall Bridge Road



Facing South Vauxhall Bridge Road



King's Scholars' Passage facing north and south

5. CONSULTATIONS

5.1 Application Consultations

WESTMINSTER SOCIETY:

The Society has not been consulted about the proposed changes, which we consider an oversight by the applicant. We had no objections to the previously Consented 2019 hotel scheme. However, we did comment at the time that we thought that any new applications in the area should take into consideration the cumulative impacts of all the new hotel applications including Neathouse Place and the Citizen M hotel to better understand privacy and Daylight & Sunlight issues in the area.

Having said this, we have appraised the revised documents and have the following comments:

1. We have no objection to the revised massing and bedroom sizes.
2. No objection to revised alignment of privacy windows along Kings Scholar Passage.
3. We do have concern about the design of the Vauxhall Bridge Road elevation, which we feel needs further work.

Revised Vauxhall Bridge elevation

Changing the previous predominantly glass elevation to a brick hole-in-the wall elevation is in principle acceptable, but the new elevation does not display the proportion and elegance required for such a highly visible location. There is an awkward relationship between the 2-storey arched brick base and the rest of the elevation which results in visually squashed second floor windows.

We feel further work is required to resolve this issue and bring unity and proportion to the elevation. We also need to better understand the quality of brick detailing and the depth of relief. We are open to discussing this issue with the applicants team at short notice should the applicant and design officers agree.

VICTORIA NEIGHBOURHOOD FORUM:

Any response to be reported verbally.

VICTORIA BID:

Any response to be reported verbally.

TRANSPORT for LONDON:

TfL has no concerns with the proposal. All changes are within the site boundary and will make no changes to the proposed cycle parking numbers/typology and associated facilities to be provided.

ENVIRONMENTAL HEALTH:

No objections subject to conditions ensure that any land contamination is suitably mitigated, air quality measures installed, noise from plant equipment is not harmful to neighbours and that the internal environment of the flats is appropriate.

WASTE PROJECT OFFICER:

The waste and recycling storage arrangements are acceptable.

HIGHWAY PLANNING MANAGER:

Any response to be reported verbally.

WESTMINSTER ECONOMY TEAM:

The proposal should contribute toward opportunities for local employment and training.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 313

Total No. of replies: 2 (objections)

Two neighbouring residents object to the proposal. In summary they object on the following grounds:

Residential Amenity/ Local Environmental Impact:

- The proposal would increase overlooking to Carlisle Mansions because there would be a reduction in the 'centralised cladding area' to the rear and because of the new design of the windows;
- Concern regarding the Back of House Kitchen at street level and there are questions regarding ventilation including in terms of location of plant; noise and emissions; and operational times;
- Concern regarding the residential entrance and the level of traffic it would see, and whether there would be disable access.

PRESS NOTICE/ SITE NOTICE:

Yes

5.2 Applicant's Pre-Application Community Engagement

The Early Community Engagement in Westminster Guidance Note does not indicate whether applicants/ developers should engage neighbours regarding applications proposing amendments to extant permissions under Section 73 of the Town and Country Planning Act 1990. However, given the purpose of early community engagement is to allow the community to have a meaningful role in shaping their places, it is welcomed that the applicant reports they sought to engage the community about the changes prior to submission. This involved mailing neighbouring residents and local ward Councillors a newsletter outlining the proposed changes. The applicant reports a meeting was offered to local residents in Carlisle Mansions, to introduce the applicant and talk through the plans. The applicant reports the residents have not taken up the offer of a meeting. During the application, the applicant engaged with the Westminster Society who have raised concern regarding the development. The met with the Society to discuss the design of the front façade. The applicant reports this did not result in agreement between the parties, however.

6. WESTMINSTER'S DEVELOPMENT PLAN

6.1 City Plan 2019-2040 & London Plan

The City Plan 2019-2040 (City Plan) was adopted at Full Council on 21 April 2021. The policies in the City Plan are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in accordance with paragraph 219 of the NPPF. Therefore, in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

6.2 Neighbourhood Planning

The application site is not located within an area covered by a Neighbourhood Plan.

6.3 National Policy & Guidance

The City Plan policies referred to in the consideration of this application have been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in the NPPF (July 2021) unless stated otherwise.

7. BACKGROUND INFORMATION

7.1 The Application Site

The site comprises six buildings located towards the northwest end of Vauxhall Bridge Road, within the Central Activities Zone (CAZ). The rear of the site backs onto King's Scholars' Passage. The site is not located within a conservation area, but the boundary of the Westminster Cathedral Conservation Area runs down the centre of King's Scholars' Passage. Vauxhall Bridge Road is part of the Transport for London Road Network (TLRN). The site is outside of the Victoria Opportunity Area, but its boundary opposes the site, on Vauxhall Bridge Road.

7.2 Recent Relevant History

In November 2020, the City Council granted permission for the demolition of the existing buildings and the erection of a new building comprising basement, ground and 7 upper levels plus rooftop plant to provide a hotel with associated ancillary facilities including restaurant/bar and gym (Class C1), 1 x 2 and 1 x 3 bedroom apartments (Class C3), plant, cycle parking and other associated works. (RN: 19/05099/FULL)

In February 2022, the City Council granted permission to for the variation of Conditions 6 and 16 of the November 2020 permission, to amend the wording of Condition 6 to allow the provision of separate logistic plans for the demolition and construction phases; and

the wording of Condition 16 to allow the provision of a BREEAM pre-assessment before commencement of construction, rather than demolition, and ensure a final post construction stage assessment and certification is provided within three months of occupation. (RN: 21/05606/FULL)

Work on the development has not yet lawfully begun.

8. THE PROPOSAL

The current application proposes the variation of condition 1 of the February 2022 permission to allow the reduction in the number of guestrooms from 137 to 114; amendments to internal layout arrangements; redesigned facades; modification of the massing of the seventh and eighth floors due to proposed changes to the internal core, services and fire strategy; alterations to the roof level plant and servicing equipment; and other associated minor changes.

The applicant, City ID, is a hotel group. They are a different applicant to that for the original application and have their own model for how they wish to operate the site. The applicant describes the hotel element they propose as an 'aparthotel', which is a type of hotel whose rooms include some self-catering facilities as well as ordinary hotel facilities.

The internal alterations to the building relate to reconfigurations to the layouts, and the external alterations relate to changes at roof level and to the façades. The façade alterations would alter the appearance of the building over the approved arrangement, particularly to the front where a greater use of brick/ reduction in glazing and the introduction of arches would be apparent.

Table: Existing, approved and proposed land uses.

Land Use	Existing GIA (sqm)	Approved GIA (sqm)	Proposed GIA (sqm)	+/- (Existing v Proposed)
Office Use (Class E)	2,073	0	0	-2,073
Hotel Use (Class C1)	435	5,302	5,213	4,778
Residential (Class C3)	195	174	206	11
Total	2,703	5,476	5,419	2,716

9. DETAILED CONSIDERATIONS

9.1 Land Use

The existing buildings on site comprise office, hotel and residential uses. The approved redevelopment of the site allowed a new building of 5,476 sqm GIA for hotel and residential uses. The amendments result in a building of a similar size, with a similar composition of uses. There would be 5,213 sqm GIA of hotel floorspace and 206 sqm GIA of residential floorspace

Loss of Office Use

Under the November 2020 permission, the proposal resulted in the loss of the existing office floorspace. The then adopted City Plan did not seek to prevent the loss of offices to other commercial uses, including hotel uses. Accordingly, there was no land use conflict with the then adopted City Plan in that respect.

Since the grant of the November 2020 planning permission, the Council adopted the current City Plan (April 2021). Policy 13 of the current City Plan, states the loss of offices to hotel use will only be permitted where there is no interest in its continued use for office (or any other Class E, education or community uses), as demonstrated by vacancy and appropriate marketing for a period of at least 12 months. The applicant has not provided evidence to indicate that continued use of part of the site for offices (or appropriate alternative uses) has no interest and therefore the current application fails to adhere to the policy.

However, the existing permissions have allowed the loss of the office floorspace and the applicant can implement them on or before 17 November 2023. Further, the current application primarily relates to external design changes and internal layout alterations to the approved development. In these circumstances, the extant permissions represent a realistic fallback position which must be a material consideration under this application. Indeed, it is a consideration of significant weight such that it would militate against refusal of permission because of the conflict with Policy 13 – subject to a condition to continue to ensure the development is implemented on or before 17 November 2023. Therefore, the loss of offices continues to be acceptable.

Hotel Use

Like the previous City Plan, the current City Plan (Policy 15) directs hotels to commercial areas, including commercial areas of the CAZ. Similarly, London Plan Policy E10 directs hotel accommodation to the CAZ (except residential / predominately residential parts of it).

This part of Vauxhall Bridge Road is predominately commercial, so the principle of a hotel on the site remains accordant with the development plan. The amendments relate to the applicant using the site as an ‘aparthotel’. While this type of hotel accommodation would allow some self-catering facilities within the hotel rooms which differs to what was previously approved, the operations and overall use remain similar to the approved use – it would still be within class C1 (which is for hotels, boarding or guest houses).

The internal layout changes keep the general layout as previously approved, including a reception, café/ bar, kitchen and other back of house areas at ground floor, gym and back of house areas at basement and hotel rooms above. The changes would reduce the number of hotel rooms by 23, to 114, allowing for more generously sized rooms. The approved number of rooms did not constitute an overly large hotel on this site, and with the reduction in rooms this would of course continue to be the case. The impacts that the hotel would create on neighbours and the local environment would be managed through the imposition of conditions as attached to the previous permission. Because of the fewer rooms, any associated impacts would be correspondingly lessened as compared to the approved development.

Residential Use

The existing residential floorspace comprises four units. The current proposals involve the loss of two of the units, but the replacement units would be over a more generous floor area. The loss of units is contrary to the previous and current City Plan (Policy 8 is the relevant policy under the current City Plan). Under the previous permission, this was allowed on the basis three of the existing units on the site are of sub-standard quality in terms of size (not meeting the 'Technical housing standards – nationally described space standard') and because the proposals would provide family housing. This justification remains relevant under the current City Plan, and the new units would continue to be of an acceptable size and design. They would exceed the requirements of the space standard.

Policy 12 of the City Plan requires the provision of private external amenity space for new residential units, or where this is not practical to provide external communal space / public space, or where that is not practical to provide increased internal space for each flat. In this case, the applicant has provided increased internal space per flat (which differs to the approved permission). It is accepted that on this site the other options are not practical. There is no existing outside space associated with the building, it is on a very busy road and close to adjacent residential properties on Carlisle Place which combine to make it impractical to provide external amenity space.

The development does not meet the threshold for requiring the provision of affordable housing, as set out in Policy 9 of the City Plan. Overall therefore, the proposed replacement provision of residential floorspace remains acceptable.

9.2 Environment & Sustainability

Energy Performance

The amendments change the approved building fabric and alter the plant equipment. These, and the other amendments, would alter the building's energy performance as compared to the approved building.

City Plan Policy 36 and London Plan Policy SI 2 require major development to be net zero-carbon in terms of regulated carbon emissions from operations, and follow the energy hierarchy, as set out in the current London Plan. This is like the requirement under the previous London Plan. The energy hierarchy includes:

1. be lean: use less energy and manage demand during operation
2. be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
3. be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
4. be seen: monitor, verify and report on energy performance.

The London Plan requires a minimum on-site reduction of at least 35 per cent beyond Building Regulations for major development. Applicants must reduce carbon emissions by at least 10% for domestic development and 15% for non-domestic development

through using energy efficiency measures. Where an applicant clearly demonstrates the zero-carbon targets cannot be fully achieved on-site, any shortfall can be provided for by a payment in lieu contribution to Westminster's carbon offset fund or off-site.

The table below summaries the key figures found in the applicant's Energy Statement.

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

	Domestic Regulated Carbon Dioxide Savings		Non-Domestic Regulated Carbon Dioxide Savings	
	Tonnes CO2 per Annum	%	Tonnes CO2 per Annum	%
Be Lean: Savings from energy demand reduction	0.3	11.1	2.6	1
Be Clean: Savings from heat network	0	0	0	0
Be Green: Savings from renewable energy	1.2	45.9	124.1	48.5
Cumulative on-site savings	1.5	57.1	126.7	49.5
Carbon shortfall	-1.1	-	-129.2	-
	Tonnes CO2		Tonnes CO2	
Cumulative savings for offset payment	33		3,876	
Cash-in-lieu contribution	£3,135		£368,220	
Total Cash-in-lieu contribution	£371,355			

Be Lean

In relation to 'be lean', the applicant's Energy Statement explains energy use and demand would be minimised through the choice of new elements (i.e. roofs, walls, windows) with suitable thermal properties; use of energy efficient heating, cooling and ventilation systems (including Air Source Heat Pumps); use of efficient lighting; amongst other measures. City Plan Policy 38 also requires applicants follow sustainable design principles and requires non-domestic developments achieve at least a BREEAM "Excellent" or equivalent standard. A condition is recommended to ensure the applicant provides evidence that this is achieved.

The above measures mean the domestic element exceeds the 10% target for reduction in emissions due to energy efficiency measures. However, the non-domestic element unfortunately does not achieve the 15% reduction target. The applicant reports that this is because a hotel use has high water loads under Building Regulations (ADLA2 2013), and this limits the impact of the energy efficiency measures they have proposed. If not for the calculation methodology used under Building Regulations (ADLA2 2013), the applicant states the savings would have been more than the target.

While unfortunate that the development misses the target in this case, the situation of

high hot-water use related to hotels is acknowledged – hotels will have a significantly higher demand for water than many other non-domestic uses. Nonetheless, as the table sets out above, the overall non-domestic carbon savings would be more than the 35% target. Considering these circumstances, this missed target is not detrimental to the acceptability of the scheme.

Be Clean

In relation to the ‘be clean’ element of the hierarchy, the applicant has explored the feasibility of connecting to an existing district heating system. The Pimlico District Heating Undertaking (PDHU) is just over 0.4km away from the site, but the Council may extend this district heating network in future. There is also a smaller network in Victoria. However, it is not possible to connect to either of these district heating networks in the immediate future due to the distance to the pipes associated with them. Nonetheless, because these district heating systems could be extended in future, the applicant plans to allow for future connection as this is welcomed.

Be Green

In relation to the ‘be green’ element of the hierarchy, the applicant proposes the use of Air Source Heat Pumps to provide heating and cooling and proposes to install photovoltaic panels at seventh floor level. These technologies are the most suitable for this type of building and location. While the photovoltaic panels would occupy a relatively small part of the roof, there must be a balance struck between this and other plant equipment (including the heat pumps) and a biodiverse roof to meet other priorities. The photovoltaic panels are likely the most that the applicant can reasonably provide without impacting on these other priorities. Conditions are recommended to ensure that these features are provided.

Net Zero

The applicant explains the proposed development would achieve an overall reduction of regulated carbon emissions of 57.1% for the residential element and 49.5% for the hotel element. This is more than the minimum 35% requirement set out in the London Plan. In relation to net zero carbon however, there would be a shortfall which the applicant calculates as 130.3 tonnes of carbon annually. The applicant’s amendments have reduced this compared to the approved proposals (which would have emitted 154 tonnes of carbon annually).

London Policy SI 2 and the Greater London Authority’s Energy Assessment Guidance require shortfalls to be met off site or through a payment in lieu contribution of £95 per tonne (for a 30-year period) to the Council’s Carbon Offsetting fund. The shortfall in this case is to be met through a payment in lieu contribution amounting to £371,355 which is recommended to be secured via a deed of variation to the legal agreement. This is significant increase over the carbon offsetting contribution required under the existing legal agreement, which is necessary to meet the requirements of the current policy. The provision of varied legal agreement to secure the £371,355 amount is recommended which will allow for these carbon emissions to be offset.

Be Seen

In relation to the ‘be seen’ element of the hierarchy, the deed of variation to the legal agreement is recommended to include an additional obligation to ensure the operational energy performance of the building is monitored in accordance with the London Plan.

Whole Life Carbon

Differently to the previous London Plan, current London Plan Policy SI 2 requires developers to calculate and reduce Whole Life-Cycle Carbon (WLC) emissions. Developments should calculate WLC emissions through a nationally recognised WLC Assessment and demonstrate actions taken to reduce life-cycle carbon emissions. The justification for City Plan Policy 38 explains the possibility of sensitively refurbishing or retrofitting buildings should also be considered prior to demolition and proposals for substantial demolition and reconstruction should be fully justified based on WLC impact. This is also echoed in the Environment SPD.

WLC emissions are the carbon emissions resulting from the materials, construction and the use of a building over its entire life, including its demolition and disposal. A WLC assessment provides a true picture of a building's carbon impact on the environment.

The applicant has submitted a WLC assessment. The assessment is split into 'life-cycle modules' dealing with various stages over the life of the development. The assessment calculates emissions under two scenarios. The 'SAP10' assessment calculates WLC based on the current status of the electricity grid and the 'Future Energy Scenarios 2020' assessment calculates WLC based on a steady progress of decarbonisation of the electricity grid.

Table: Estimated whole life carbon emissions

	Sourcing and construction kg CO ₂ e/m ²	Use stage		End of life stage kg CO ₂ e/m ²	Total (excluding B6 – B7) kg CO ₂ e/m ²
		B1 – B5 kg CO ₂ e/m ²	B6 – B7 kg CO ₂ e/m ²		
SAP10 carbon factor	462	501	1130	33	996
Future Energy Scenarios 2020 carbon factor	462	473	611	33	968

The Mayor of London's Whole Life-Cycle Carbon Assessments Guidance (March 2022) includes benchmarks for WLC. These benchmarks exclude some of the carbon emissions (B6 – B7 in the above table) because these carbon emissions are subject to the zero-carbon target and so the Council would offset these emissions using the applicant's financial contribution, as set out in the previous section. The benchmarks for hotels are as follows:

- Baseline Benchmark: of less than 1,250 kg CO₂e/m²; and
- Aspiration Benchmark: of less than 740 kg CO₂e/m².

The guidance advises developments with WLC emissions higher than the benchmark to examine how they can reduce WLC emissions, but in this case, the WLC emissions comfortably better the baseline benchmark in both scenarios assessed – being in-between the baseline and aspiration benchmark, which indicates tolerable levels of

carbon emissions over the lifetime of the development. In any case, in relation to demolition of the buildings, the principle of this has been established under the previous permission which the applicant could implement.

Air Quality

City Plan Policy 32 and the Environment SPD commits the City Council to improving air quality in the city, it expects development to reduce exposure to poor air quality, it expects development to improve local air quality and it expects this to be explained within an Air Quality Assessment.

As part of the previous application, the applicant submitted an Air Quality Assessment which demonstrated the proposal would be Air Quality Neutral and also suitable for its intended use from an air quality perspective.

The applicant has provided a further Technical Note under the current application and the City Council's Environmental Health officer confirms the proposals will remain Air Quality Neutral and has no objection from an air quality perspective providing the applicant implements the mitigation measures listed in section 6 of the Air Quality Assessment. A condition is recommended to ensure this.

Flood Risk & Sustainable Drainage

The site is inside of flood risk zone 3 and is within a Surface Water Flooding Hotspot. Flood risk zone 3 indicates a risk of tidal flooding from the Thames but this part of London is protected to a very high standard by the Thames tidal flood defences such that there is up to a 1 in 1000 (0.1%) chance in any year flood event. The proposal includes a safe means of access and/or egress in the event of flooding and all sleeping accommodation is at first floor or above.

New developments can lead to increased risks of flooding in the city through water run-off, however. Therefore, City Plan Policy 35 requires new development to incorporate Sustainable Drainage Systems (SuDS) to help alleviate the risk of flooding and reduce water run-off, and the applicant has submitted a SuDS strategy. It sets out that water attenuation would be achieved through rainwater harvesting and green roofs, which will include permeable surfaces. The applicant reports that their measures would provide a 50% betterment on the existing surface discharge rate.

Ventilation/ Odour

To ensure a good standard, the residential units require mechanical ventilation to preventing over-heating. Therefore, Environmental Health have advised the imposition of a condition is required to ensure the applicant provides details of mechanical ventilation to prevent overheating within the residential properties.

The hotel element includes a kitchen, during the course of the application the applicant provided details of the high-level termination point of the flue to get rid of cooking smells – which has been raised by an objector. Because the termination point is at high level, it would not impact upon nearby residential properties and Environmental Health raised no objections. A condition is recommended to ensure that full details of this ventilation

system is provided to and approved by the Council. This would meet the requirements of Policy 33 of the City Plan and the Environment SPD.

Land Contamination

The Environmental Health Team have noted the applicant's structural report indicated that an intrusive geotechnical site investigation would be required at the proposed site, and this investigation will outline the current ground conditions, groundwater levels, site contamination and any other ground risks which may affect the proposed development. As such, Environmental Health have recommended that a suitable condition is attached to ensure the applicant investigates and mitigates this risk land contamination risk appropriately. This would accord with City Plan Policy 33.

Environment & Sustainability Summary

The applicant's submission demonstrates that the amendments would improve the new building's environmental impact because the building's carbon emissions through its operations would be reduced as compared to the approved development. The submission has also assessed WLC which was not previously a requirement when the demolition of the existing were established. It shows the WLC would be below the baseline benchmark over its lifetime. The development would continue to be acceptable from an air quality, flood risk and land contamination perspective.

9.3 Biodiversity & Greening

City Plan Policy 34 states that, wherever possible, developments will contribute to the greening of Westminster by incorporating trees, green walls, green roofs, rain gardens and other green features and spaces into the design of the scheme. Developments should also achieve a biodiversity net gain, wherever feasible and appropriate. London Plan Policy G5 also requires development to contribute to the greening of London.

The existing site contains no planting. The proposals include the introduction of new planters and a biodiverse roof to part of the building. Considering the existing site is built over and the proposed building would cover the entire site, all planting must be within planters / on the roof. As such, what is proposed is likely to be the most that is practically possible (particularly given the other priorities for roof space) and so is considered acceptable. A condition is recommended to ensure that it is provided.

9.4 Townscape, Design & Heritage Impact

Legislative & Policy Context

Whilst there is no statutory duty to take account of effect on the setting of a conservation area, Policy 39(K) in the City Plan 2019-2040 requires that where development will have a visibly adverse effect upon a conservation area's recognised special character or appearance, including intrusiveness with respect to any recognised and recorded familiar local views into, out of, within or across the area, it will not be permitted.

Furthermore Chapters 12 and 16 of the NPPF require great weight be placed on design

quality and the preservation of designated heritage assets including their setting. Chapter 16 of the NPPF clarifies that harmful proposals should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, taking into account the statutory duty to have special regard or pay special attention, as relevant. This should also take into account the relative significance of the affected asset and the severity of the harm caused.

In terms of the City Plan, the most relevant policies in terms of design, townscape and heritage are 38, 39, 40 and 43. These seek to ensure high quality, sustainable and inclusive urban design that responds to Westminster's context by positively contributing to Westminster's townscape and streetscape. These seek to protect or improve heritage assets, including their setting. And these seek to ensure new buildings are sensitively designed, having regard to the prevailing scale, heights, character, building lines and plot widths, materials, architectural quality, and degree of uniformity in the surrounding townscape.

Amendments

Following an objection from the Westminster Society on design grounds and advice from officers, the applicant engaged the Westminster Society regarding the design of the front façade of the building. While the Westminster Society and applicant were unable to agree on amendments to the design, the applicant has revised the front façade, seeking to address the Society's comments. The amendments are:

- Alteration to second floor windows to match the proportions of the above windows;
- Removal of horizontal banding from the middle of the building;
- Additional banding around the windows in the middle of the building;
- Alteration to the lower floor arches to feature more extruded brickwork;
- Alteration to corner entrance to make it rectilinear; and
- Use of two types of bricks colours instead of three.

Detailed Design

Compared to the approved development, the most significant change the applicant proposes are to the Vauxhall Bridge Road facade to which the Westminster Society objects. The principal facade to Vauxhall Bridge Road is to be faced predominately in brick, with metal framed windows, with a traditional hole in wall construction, as opposed to the framed glass construction previously approved.

The base of the building will be expressed by a run of double height arches, the main body of the building will be articulated by modest arrangement of windows, accentuated by lighter brick framing. The principal entrance is emphasised by a sculptured metal frame. The introduction of more solidity and texture adds a richness which is welcome, and the pallet of materials is considered complimentary to the wider context of the site.

More subtle changes are proposed to the King Scholars Passage façade. The windows will be set further apart which in turn will reduce the area of bare façade. Overall, the elevation would appear more articulated without increasing the extent of glazing. Whilst the approved was considered appropriate given the architectural variety presented on Vauxhall Bridge Road, these design changes would result in an improved

building exhibiting a greater aesthetic quality.

The Westminster Society raise concerns over the proportions of the arched base of the building and the articulation of the upper floors. The scale of the base is comparable to the double height base previously approved. The brick arches and the introduction of more solidity at the base make for a more grounded building. The articulation of the upper floors is to some extent determined by the internal arrangement of rooms, nonetheless the applicant has revised the scheme to improve the proportions of the windows at second floor which the Westminster Society raised concern. The brick base also includes more extruding brick elements which would improve its appearance. Overall, neither the base of the building, the uniformity and proportions of the windows or the overall façade design are considered to be objectionable. The Society also raised concerns with regards to the brick detailing. A condition has been imposed to secure bay studies to ensure the quality of the brick work and meaningful reveals to the windows.

Bulk, Height & Scale

Compared to the extant permission, the current proposals intend to modify the proportions of the core making it slenderer, a knock-on effect being that where it terminates at roof level it would be slightly set back further and would be slightly wider. The perception of the core from street level would however become reduced, which is an improvement in terms of its impact on the townscape.

The height of the plant enclosure at roof level is also to increase by maximum of 0.65m, which will have some limited impact on the overall height and bulk of the building, but at street level and from surrounding properties this would result in a negligible visual impact. Overall, the alterations sought at roof level will result in a negligible change to the height and bulk of the scheme.

Impact on Heritage Assets

The Westminster Cathedral Conservation Area is located to the rear, with the boundary running down King Scholars Passage. There are no listed buildings or other conservation areas in proximity. The changes to the rear and the modest modification to the height and bulk of the building would have no significant impact on the setting of the Westminster Cathedral Conservation Area over the approved arrangement and therefore continue to be acceptable.

9.5 Residential Amenity

As under the previous City Plan, the current City Plan Policies 7 and 33 seek to protect residential amenity, including in terms of light, privacy and sense of enclosure and encourage development which enhances the residential environment, quality of life and health and wellbeing, including in terms of noise and disturbance and light spill. The closest residential properties are located within Carlisle Mansions on Carlisle Place, and in neighbouring buildings on Vauxhall Bridge Road.

The currently proposed building's highest point raises from 26.45 metres under the previous permission to 27.1 metres now (0.65 metre increase). This allows for an enlarged plant enclosure, which is modestly higher. However, the seventh floor footprint

is also pushed back from the rear setting this part of the building further from Carlisle Mansions opposite. The fenestration arrangement to the rear would also be altered.

Objectors consider the amendments would harm their amenity in terms of increased overlooking and in relation to changes to ventilation, equipment and access arrangements.

Daylight and Sunlight

The applicant has carried out an updated assessment of the neighbouring properties to assess the impact of the amendments on the daylight and sunlight conditions to surrounding properties. These are based on the various numerical tests laid down in the Building Research Establishment (BRE) guide "Site Layout Planning for Daylight and Sunlight: a guide to good practice". The BRE guide stresses the numerical values are not intended to be prescriptive in every case and are intended to be interpreted flexibly depending on the circumstances since natural lighting is only one of many factors in site layout design. For example, in a dense urban environment, more obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings. The BRE guide principally seeks to protect light to principal habitable rooms (i.e. living rooms), and it accepts that bedrooms are of less importance.

Daylight

The BRE methodologies for the assessment of daylight values is the 'vertical sky component' (VSC) and 'no sky line' (NSL).

VSC measures the amount of light reaching the outside face of a window. Under this method, a window achieving a VSC value of 27% is well lit. If, because of the development, light received to an affected window is below 27%, and would be reduced by 20% or more, the loss could be noticeable.

NSL measures the proportion of a room that will receive light. If, because of the development, the proportion of the room that receives light reduces by 20% or more, the loss could be noticeable.

The approved development would have resulted in 45 breaches of the VSC measure and 49 breaches of the NSL measure. While the BRE guide suggests breaches indicate noticeable light losses, because of the circumstances of the case Planning Sub-Committee previously agreed the losses were not so harmful as to warrant refusal on that basis. The previous officer report explained that in most instances the absolute daylight losses were relatively small – the higher percentage losses occurred because the existing levels of light to many of the affected windows/ rooms was low.

The applicant has undertaken a new assessment, which includes comparison to the approved development. Most windows/ rooms would experience no difference between the approved development and the proposed. The lighting to some windows/ rooms would worsen under the proposals but would remain below the 20% thresholds set out in the BRE guide. The tables below summaries the instances where there would be a worsening in the light loss compared to the approved development and there would be a BRE breach.

Table: VSC changes (where there is both a % loss compared to approved scheme and a BRE breach)

Building	Window/ Floor	Existing VSC	Approved VSC	Proposed VSC	% Loss (v existing)	% Loss (v approved)
258-266 VBR	W6/F04	7.4	4.6	4.5	39.2	2.2
258-266 VBR	W8/F04	7.1	4.9	4.8	32.4	2.0
66-75 CM	W1/F01	6.8	4.5	4.4	35.3	2.2
66-75 CM	W1/F02	8.5	6.6	6.3	25.9	4.5
76-85 CM	W5/F03	13.7	11.2	10.9	20.4	0.9
76-85 CM	W6/F03	16.8	12.8	12.7	24.4	0.8

* VBR = Vauxhall Bridge Road
CM = Carlisle Mansions

Table: NSL changes (where there is both a reduction compared to approved scheme and a BRE breach)

Building	Room/ Floor	Existing NSL	Approved NSL	Proposed NSL	% Loss (v existing)	% Loss (v approved)
258-266 VBR	R4/F04	43.3	19.9	19.4	55.2	2.3
66-75 CM	R1/F01	56.9	29.1	28.2	50.4	3.1
66-75 CM	R2/F01	42.8	24.5	23.8	44.4	2.8
66-75 CM	R1/F02	71.9	45.6	41.4	42.2	9.3
66-75 CM	R2/F02	50.3	38	34.5	31.4	9.1
66-75 CM	R5/F03	69.8	52.6	51.6	26.1	2.0
66-75 CM	R6/F03	70.5	53.3	53.7	23.8	1.2
76-85 CM	R10/F01	50.2	27.6	26.7	46.8	3.2
76-85 CM	R10/F02	59.1	40.6	37.2	37	8.4
76-85 CM	R5/F03	53.9	38.6	38.1	29.3	1.3
76-85 CM	R6/F03	62	40.8	40	35.5	1.9

* VBR = Vauxhall Bridge Road
CM = Carlisle Mansions

In relation to VSC, there would be one additional window breaching the BRE guidelines for VSC over the approved development (the others already breached the guidelines) and that is to a third floor kitchen window at 76-85 Carlisle Mansions, it would worsen to be 0.4% over the 20% threshold. Given this is only slightly over the threshold the light loss, it is on the cusp between what the BRE guide suggests would be noticeable and unnoticeable. Compared to the approved scheme, the absolute additional loss is very low, and the percentage difference between the approved and proposed development is also low. This would suggest that it is unlikely be noticeable over the approved development. Indeed, for all the result seen in the above VSC table the absolute light losses worsen only very marginally. These differences would very unlikely be perceptible. Therefore, this suggests there would not be a material difference.

In relation to NSL, there would be no additional room breaching the BRE guidelines under the proposed development as compared to the approved. There would be a worsening in terms of the severity of some breaches, however. And this outlined in the above table. Like with the VSC measure, most of these would be marginal increases and therefore would unlikely be perceptible. Three of the breaches would be higher, ranging from 8.4 to 9.3% over the approved development. These are to rooms on the second floor of 66-75 Carlisle Mansions and a second floor room to 76-85 Carlisle Mansions, and they serve a kitchens and a home office. While these percentage losses are higher than the other losses, in absolute terms the loss of NSL is more modest and it is unlikely that the additional losses will result in detrimentally worse light conditions as compared to the approved development. Overall, they are unlikely to be determinantal to the occupiers of the affected flats because of the small absolute loss and the fact the affected rooms are not the principle habitable rooms of those flats.

Sunlight

The BRE methodology for the assessment of sunlight is Annual Probable Sunlight Hours (APSH). It is a measure of sunlight that a given window may expect over a year period. The BRE guidance recognises that sunlight is less important than daylight in the amenity of a room. Sunlight is influenced by orientation (north facing windows will rarely receive sunlight) and so only windows with an orientation within 90 degrees of south are assessed. BRE guidance recommends that the APSH received at a given window in the proposed case should be at least 25% of the total available, including at least 5% in winter. Where the proposed values fall short of these, and the loss is greater than 4%, then the proposed values should not be reduced by 20% or more of their previous value in each period.

The approved development would have resulted in 23 breaches of the ASPH measure to residential neighbouring windows. However, for similar reasons as for the VSC and NSL measures, Sub-Committee previously agreed with officers that these levels of sunlight losses would not be so severe as to warrant refusal on that basis.

The proposed development results in some reductions and some improvements in the ASPH. None of the reductions over the approved scheme result in a breach of the BRE guidelines for ASPH however. Therefore, there would unlikely be a material difference between the approved and proposed developments in terms of sunlight.

Sense of Enclosure

The approved development would have resulted in an increased mass and bulk on the site. Given the distance (nearest would be 9m) to the neighbouring flats within Carlisle Mansions (the flats most likely to impacted in terms of enclosure) and that the new building would be similar in height to Carlisle Mansions, officers previously recommended, and Sub-Committee agreed, that the approved development would not result in an undue increase in a sense of enclosure.

The current proposals increase the height of the main plant enclosure at the top of the building (0.65 metre increase) but the seventh floor. However, the building's stair core at seventh and eight floor level would be altered so that it is pushed back from the rear and the core less prominent.

Overall, the amendments would not have a significant affect in terms of enclosure when compared to the approved scheme and therefore continue to be acceptable in this respect.

Privacy

In terms of privacy, a neighbouring resident objects to the proposed altered rear fenestration arrangement, contending it would increase overlooking.

The approved development allowed new windows to be located to the rear which are closer (and more numerous) to the windows to Carlisle Mansion flats than the existing. Some of the windows incorporated privacy screens to the windows at an angle to obscure/ deflect views. Sub-Committee agreed with officers that this was sufficient to prevent detrimental levels of overlooking.

The proposed development alters the fenestration so that a windowless proportion of the rear elevation would be reduced. However, the overall number of windows would not be increased. Indeed, at ground floor level, the alterations reduce the number of openings. At first floor and above, there would be the same number of windows overall, but these would be spaced differently to reduce an area of blank façade. Unlike the approved development, the applicant now proposes all the rear windows (first floor and above) to have the privacy screening applied. This has the affect of mitigating against direct views into the neighbouring flats. Given more of the windows will have this applied compared to the approved development, overlooking would in fact be reduced.

Noise & Vibration

The application includes plant to be located in in parts of the basement and at roof level. Environmental Health raises no objection to the proposal but notes that the acoustic report submitted to support the application does not provided information on the specific plant that would be installed, and therefore a supplementary acoustic report is required which is recommended to be secured by condition, in addition to standard noise conditions.

9.6 Transportation, Accessibility & Servicing

Vauxhall Bridge Road forms part of the London's strategic road network and therefore Transport for London (TfL) is the Highway Authority. The Council is the Highway Authority for King's Scholar's Passage. The site is well located for public transport. Given the nature of the amendments, the highway impacts are broadly the same as under the approved development.

Coaches and Taxis

Like the previous City Plan, the current City Plan seeks to ensure development maximise sustainable modes of transport and ensure better connectivity. Given the nature and location of the building, most guests would likely arrive to the site by public transport. The previous officer report explained there is ample opportunity on Vauxhall Bridge Road for coaches and taxis to serve a hotel in this location should guests arrive/

depart by these means – and this remains the case. TfL requested that a Taxi, Private Hire Vehicle and Coach Management Strategy be submitted, to ensure there is no conflict with the operation of bus services. This will continue to be ensured by condition.

Servicing

Like the previous City Plan, current City Plan Policy 29 and London Plan Policy T7 expect off-street servicing to be provided in new developments. Like the approved development, the proposed development would not have an off-street servicing area. This was previously justified on the basis that the existing site does not include one, there are constraints to the site which make providing one impractical and because there are on-street servicing bays close by on Vauxhall Bridge Road – TfL and the Highway Planning Manager did not object, subject to a condition to secure a servicing management plan. These justifications continue to apply and therefore the development remains acceptable in this respect.

Car Parking

Unlike the previous City Plan, the current City Plan and London Plan Policy T6 require developments including residential units to provide no car parking for the flats. For hotels in the CAZ, car parking must be limited to operation needs, disable persons parking and for taxis, servicing etc. Neither the approved nor proposed development provided any off-street car parking and this remains acceptable under the current City Plan.

Cycle Parking

Like the previous City Plan, the current City Plan and London Plan Policy T5 require developments to provide cycling parking. Applying the standards to the proposed development, four spaces are required for the flats and six spaces for long stays and two spaces for short stays are required for the hotel element.

Like the approved development, the applicant proposes four secure cycle parking spaces for the residential units at first floor level. In terms of the hotel, the applicant proposes ten long stay cycle spaces at basement level and a further two short-stay spaces on-street adjacent to existing bicycle stands on Vauxhall Bridge Road. The previous officer report suggested the on-street cycle parking spaces could be secured by a condition, however because it is on the highway it must be secured by legal agreement. The deed of variation is therefore recommended to include provision for this. The on-site cycle parking is to be secured by condition.

Accessibility

Level access is provided for the hotel entrance and lifts provide vertical circulation throughout. The development is designed to comply with the Building Regulations and to enable the hotel operator to comply with their DDA responsibilities. The residential element includes staircase to the first floor, although the designs allow the installation of platform lift in future.

Waste & Recycling Storage

There will be provision for the storage of waste and recyclable materials for the hotel use at ground level and at first floor level for the residential units. The storage provision is considered to be in line with the requirements of the City Council and a condition is

recommended to ensure that it is made permanently available and used for no other purpose.

9.7 Economy including Employment & Skills

The core commercial areas of Westminster have been particularly hard hit by the pandemic and there is a need for businesses within the CAZ to be supported at this time to enable their post pandemic recovery. The proposed development will contribute to the recovery of the City in accordance with Policies 1 and 13 in the City Plan by providing employment for hotel staff, providing visitor infrastructure in the city and the associated indirect economic benefits those workers and visitors provide to the city. There would also be construction jobs associated with the development when it is built.

Like the previous City Plan, current City Plan Policy 18 states major developments will contribute to improved employment prospects for local residents, and this will include through financial contributions toward employment, education and skills initiatives. A contribution, in line with the Council's Inclusive Economy and Employment guidance, was previously secured by legal agreement. The agreement is recommended to be updated to ensure that it applies to the proposed development.

9.8 Other Considerations

Basement

Like the previous City Plan, the current City Plan contains a policy relating to basements – the purpose of which is to limit the negative impacts they can create, particularly for local residents. Like the previous City Plan, the current policy limits the extent and depth of new basements (where it is likely to impact on residential neighbours) to a single storey. The approved and proposed development provide a single storey basement. Some of the existing buildings on the site already contain a basement level, meaning the proposed basement would require less excavation than might otherwise be the case. In this respect, the development continues to be acceptable.

Like the previous policy, the policy also requires applications involving basements to provide supporting documentation relating to construction methodology, flood risk and structural stability. These were previously found to be acceptable and continue to be.

Archaeology

The site lies in an area of archaeological interest and as previously requested by Historic England, a written scheme of investigation for a program of archaeological work has previously been approved and a condition ensuring adherence to it is recommended.

Construction Impacts

A condition is recommended requiring evidence to be submitted of compliance with the Code of Construction Practice. This must be agreed with the Environmental Inspectorate before work starts on site, subject to which the proposals are considered acceptable. This condition is consistent with environmental protection legislation and will help to alleviate disturbance to neighbours. In addition to this TfL has requested that a Demolition and Construction Logistics Plan be submitted to the Council, in consultation

with TfL, to ensure the development does not adversely affect safety on the transport network and to ensure efficiency and sustainability measures are to be undertaken during construction.

Fire Safety

In relation to Planning Gateway One, while the application would create a relevant building, the legislation exempts applications made under a Section 73 of the Town and Country Planning Act from requiring to adhere to the requirements of Planning Gateway One. Nonetheless, London Plan Policy D12 requires developments minimise fire risk and major applications must submit a Fire Statement. The applicant has provided a Fire Statement, which has been produced by a suitably qualified third party assessor. It details how the development is to be built, how adequate means of escape is managed and what features and equipment will reduce fire risk/ mitigate fire.

Crime

Like the previous City Plan, current City Plan Policy 38 requires development reduces the opportunity for crime and anti-social behaviour. The previous application outlined the proposals would increase natural surveillance on King's Scholars Passage and it proposed other security measures, such as CCTV. This would continue to be the case, and a condition is recommended to ensure the applicant installs the security measures.

9.9 Environmental Impact Assessment

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

9.10 Planning Obligations & Pre-Commencement Conditions

3. The draft 'Heads' of agreement are proposed to cover in the deed of variation to the original S.106 legal agreement dated 17 November 2020 are the following:
 - e) Ensure the agreement relates to proposed development;
 - f) To increase the financial contribution towards the City Council's Carbon Off Set fund to £371,355 (index linked) (payable prior to the commencement of the development); and
 - g) To include the 'be seen' requirements of monitoring and reporting on the actual operational energy performance of the building, including as-built and in-use stage data.

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

During the course of this application a notice was served relating to the proposed

imposition of a pre-commencement condition to secure:

- the applicant's adherence to the City Council's Code of Construction Practice;
- the submission and approval of a Construction Logistics Plan; and
- investigation and mitigation of land contamination risks.

The applicant has agreed to the imposition of the conditions.

10. Conclusion

As set out in this report, the proposed development is considered against the policies in the adopted City Plan 2019-2040 (April 2021) and London Plan (March 2021). Considering the extant permissions which have already allowed the loss of the office use on site, the proposal is acceptable in land use terms despite the loss of office floorspace. The applicant has demonstrated their amendments would improve the building's energy performance and the applicant agrees to an increased carbon offsetting contribution compared to the extant permissions. While the Westminster Society raises concern regarding the redesigned façade to the front, the applicant has amended the detailed design and officers consider the new façade would be an improvement over the previous façade. While an objector considers the altered rear façade fenestration would worsen overlooking, the amendments would not in fact worsen it.

As such, the proposal is considered acceptable, mindful of policies 38, 39, 40 and 43 of the City Plan 2019-2040 and therefore, a recommendation to grant conditional permission would be compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

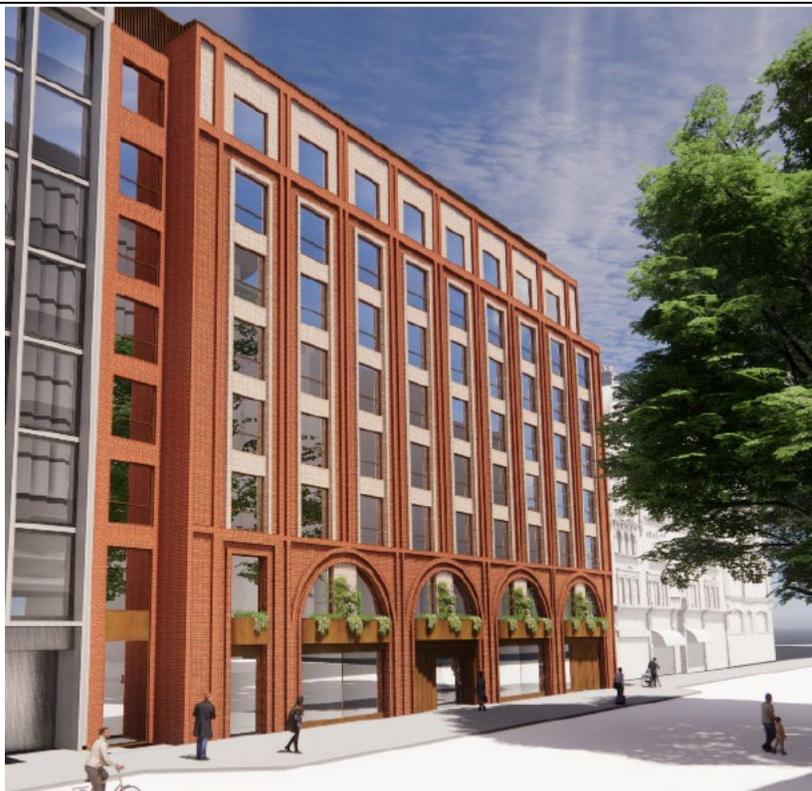
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

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

11. KEY DRAWINGS



Image of Front Elevation of Approved Building from Vauxhall Bridge Road



Images of Front Elevation of Proposed Building from Vauxhall Bridge Road

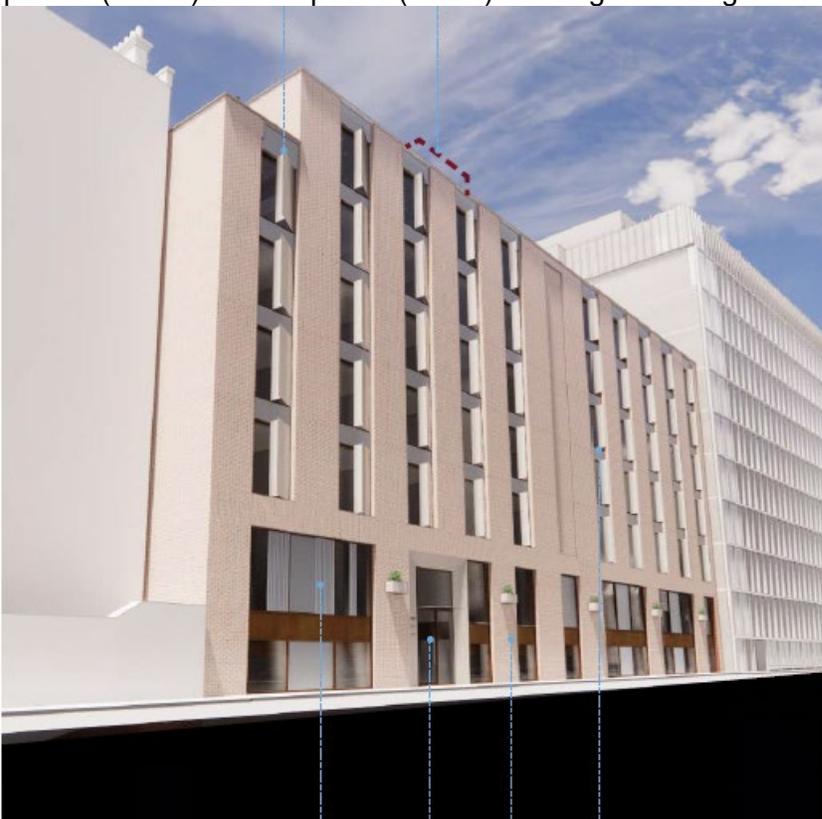


Images of Proposed Front Elevation Close Up



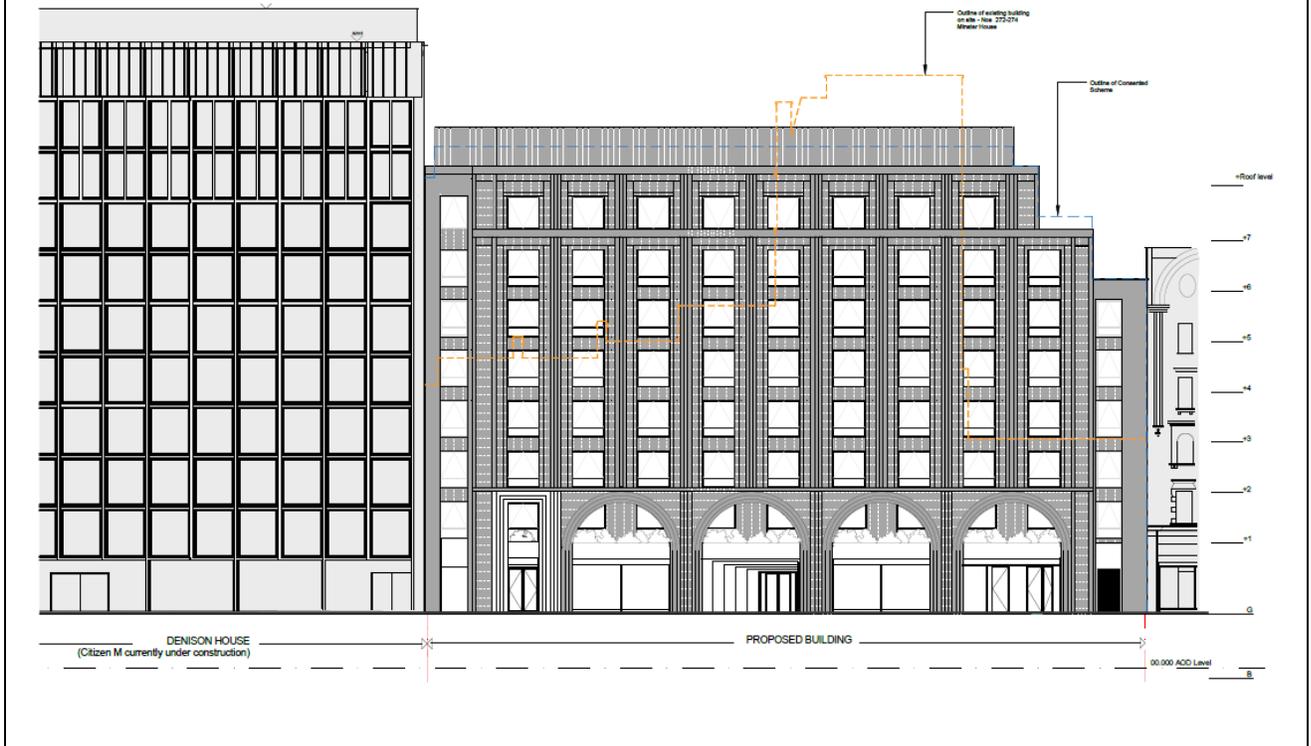


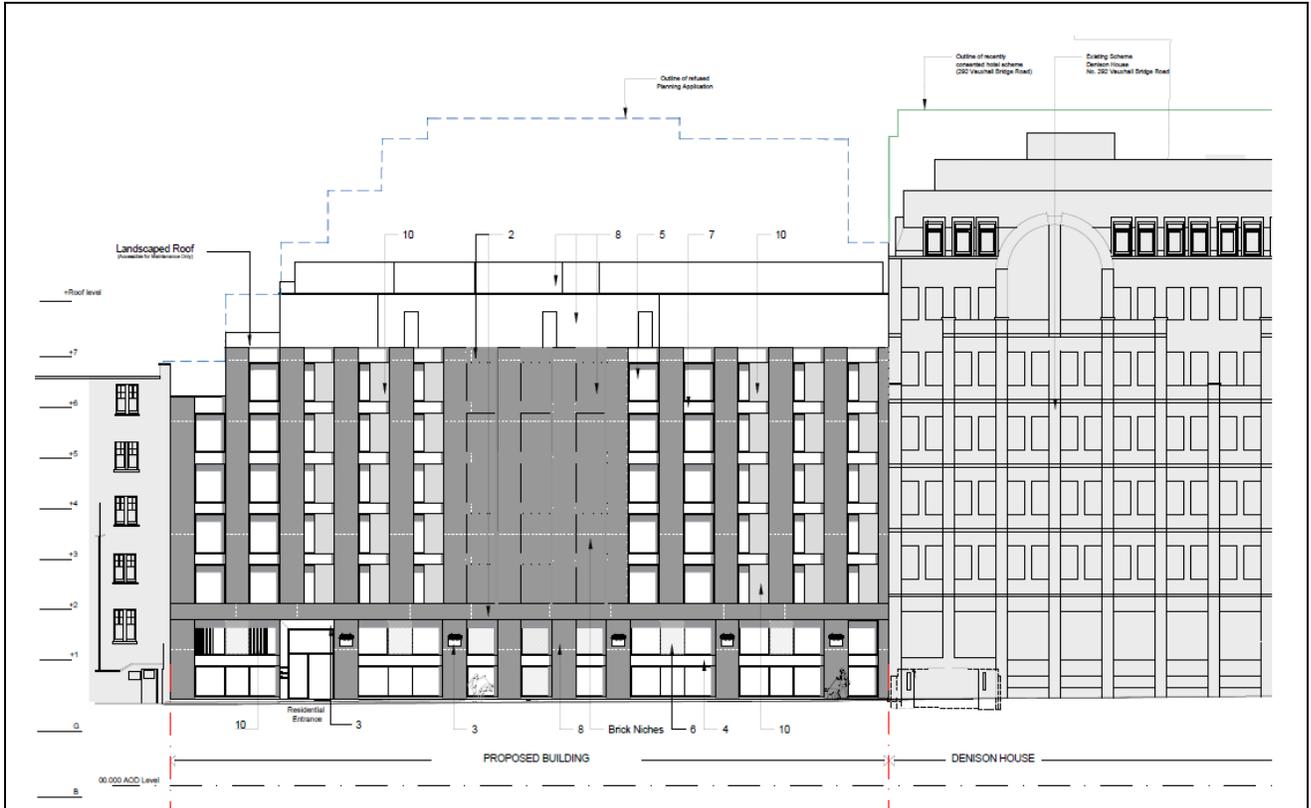
Image of Approved (above) and Proposed (below) Building from King's Scholar Passage



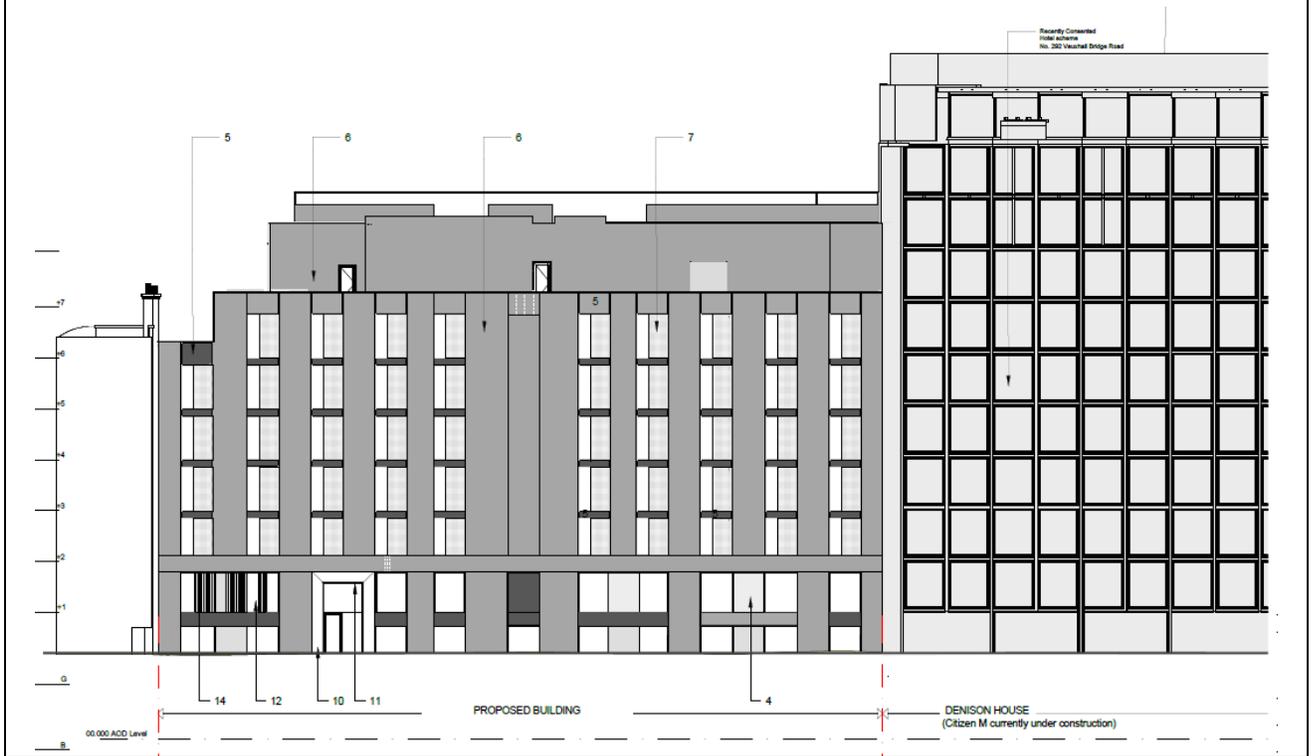


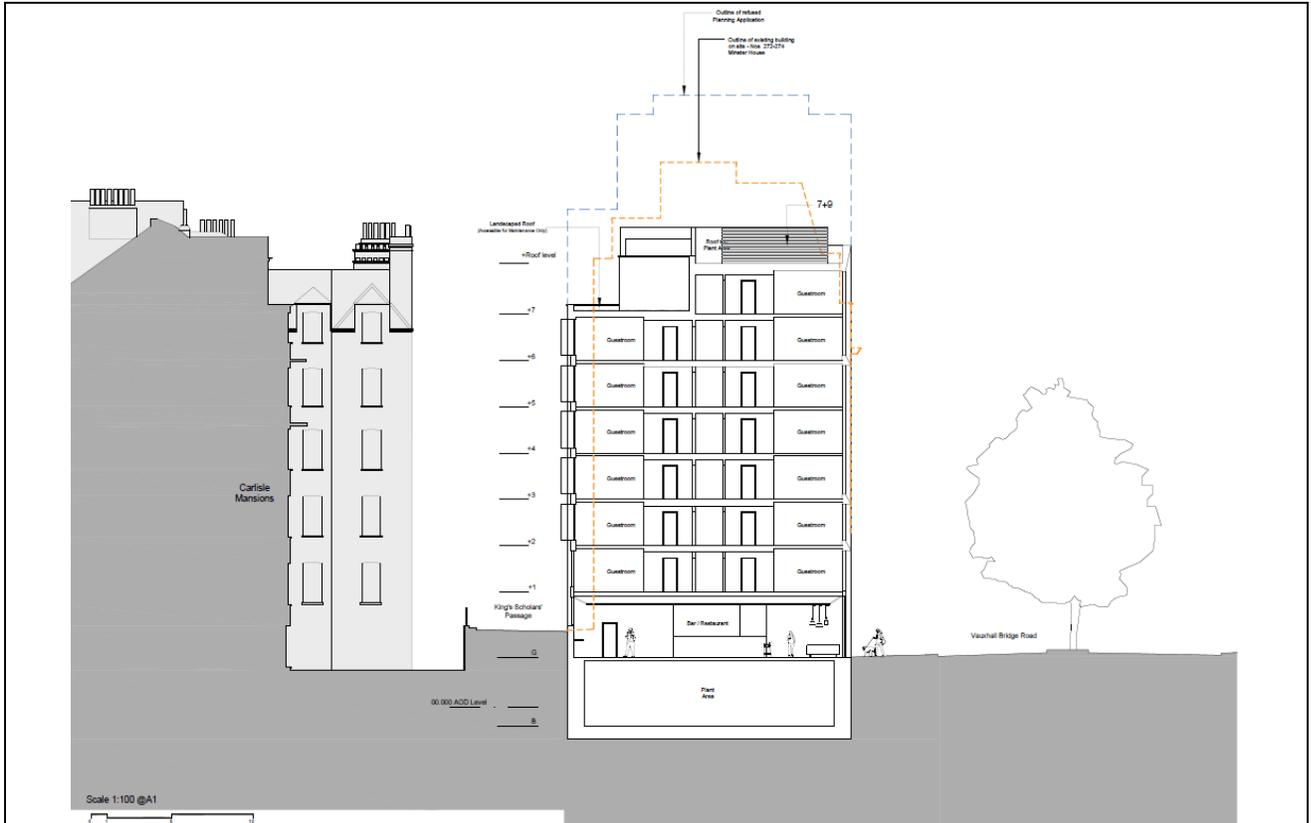
Front Elevation Approved (Above) and Proposed (Below)



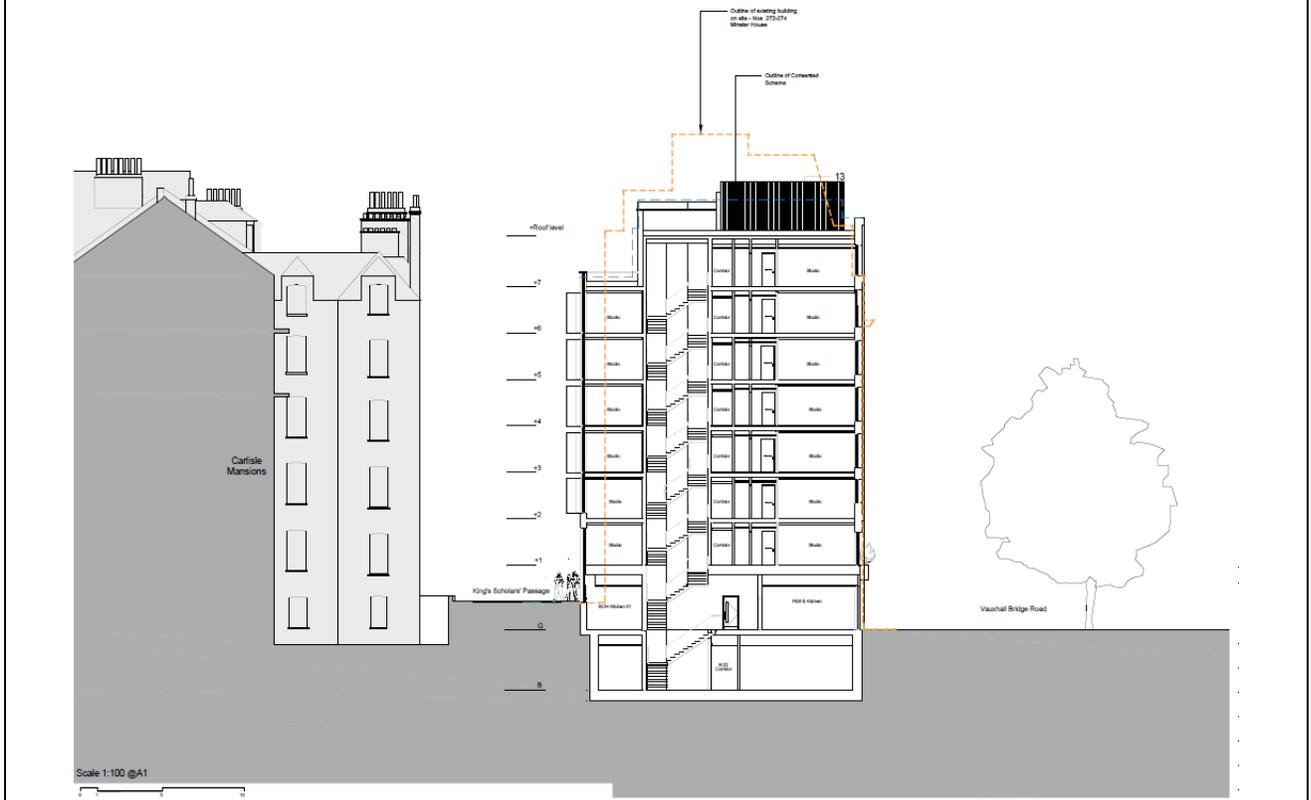


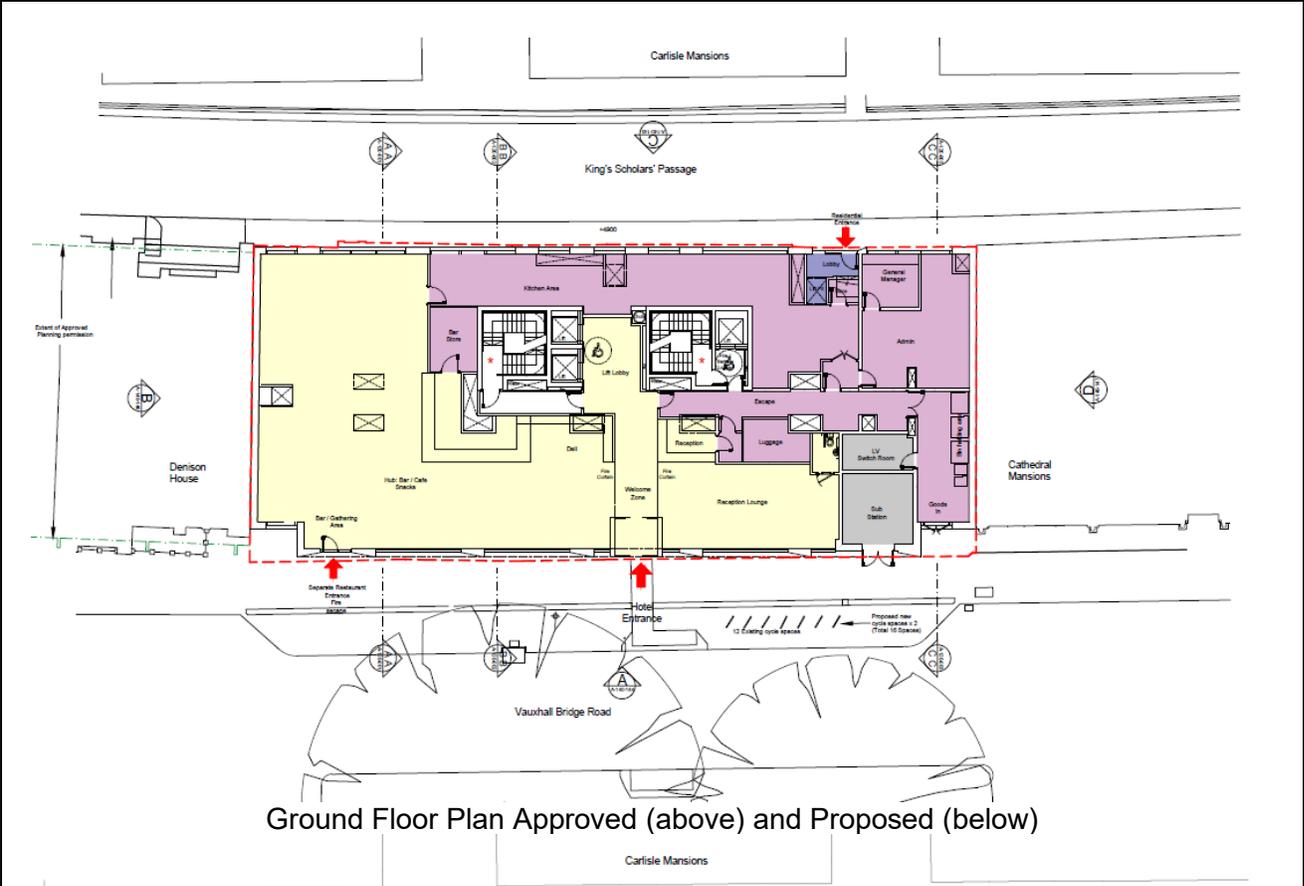
Rear Elevation Approved (above) and Proposed (below)



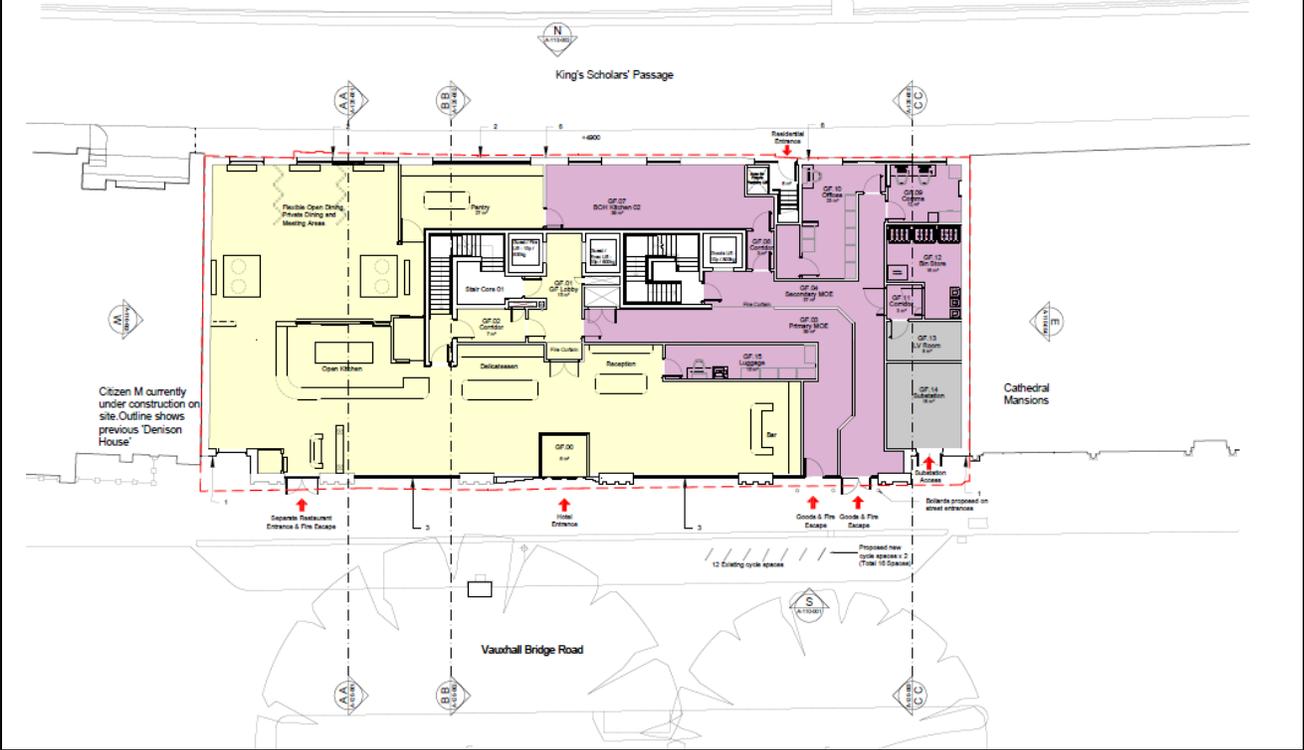


Section Approved (above) and Proposed (below)





Ground Floor Plan Approved (above) and Proposed (below)



DRAFT DECISION LETTER

- Address:** Development Site At 268-282, Vauxhall Bridge Road, London, ,
- Proposal:** Variation of condition 1 of planning permission dated 3 May 2022 (RN: 21/05606/FULL) which itself varied an earlier permission dated 17 November 2020 (RN: 19/05099/FULL) for the Demolition of existing buildings and erection of a new building comprising basement, ground and 7 upper levels plus rooftop plant to provide a hotel with associated ancillary facilities including restaurant/bar and gym (Class C1), 1 x 2 and 1 x 3 bedroom apartments (Class C3), plant, cycle parking and other associated works. NAMELY, to allow reduction in the number of guestrooms from 137 to 114; amendments to internal layout arrangements; redesigned facades; modification of the massing of the 7th & 8th floors; alterations to the roof level plant and servicing equipment and enclosures; and other associated alterations.
- Reference:** 22/01305/FULL
- Plan Nos:** AS APPROVED UNDER 19/05099/FULL :
A 000 000; A-100-099 Rev.P1; A-100-100 Rev. P0; A-100-101 Rev. P1; A-100-102 Rev. P0; A-100-104 Rev. P1; A-100-106 Rev. P0; A-100-107 Rev. P1; A-100-108 Rev. P2; A-110-001 Rev. P2; A-110-002 Rev. P2; A-110-003 Rev. P1; A-110-004 Rev.P2; A-110-101 Rev. P2; A-120-001 Rev.P1; A-120-002 Rev.P1; A-120-003 Rev. P2; Kings Scholars Passage Crime Reduction document dated 26 June 2019; Sustainability and Energy Statement dated 14 June 2019; Air Quality Assessment dated February 2020.
- For information:
Addendum to Design and Access Statement dated February 2020; Cover Letter dated 14 February 2020; Internal Noise Level Assessment dated 12 February 2020; Plant Noise Assessment dated 12 February 2020; Servicing Management Plan dated February 2020; Statement of Engagement dated 14 February 2020; Surface Water Drainage Strategy V2 dated June 2019; Daylight and Sunlight Report dated 10 February 2020; Transport Statement dated February 2020; Heritage and Townscape Statement dated 14 February 2020; Addendum to Daylight and Sunlight Report dated 13 March 2020; 2015-2615-DWG-203 Rev. A; Addendum to D&A Statement dated October 2019; Letter from Sabinus Building Services Limited dated 11 March 2020; Planning Statement dated 28 June 2019; Flood Risk Assessment (FRA) dated November 2017; Structural Report dated 14 February 2020; Design and Access Statement dated June 2019.
- AS APPROVED UNDER 21/05606/FULL:
Cover Letter from ROK Planning dated 13 August 2021.
- AS APPROVED UNDER 21/05768/ADFULL:
Archaeological desk-based assessment JAC27429 version 2 dated November 2021 prepared by RPS.
- AS VARIED BY CURRENT S73 APPLICATION (22/01305/FULL):
Site Location Plan; A-100-099 rev P4; A-100-100 rev P5; A-100-101 rev P6; A-100-

102 rev P6; A-100-104 rev P5; A-100-106 rev P5; A-100-107 rev P5; A-100-108 rev P5; A-110-001 rev P4; A-110-002 rev P3; A-110-003 rev P2; A-110-004 rev P4; A-110-101 rev P4; A-120-001 rev P3; A-120-002 rev P3; A-120-003 rev P4.

Fire Safety Statement dated 23 Feb 2022; External Plant Noise Assessment dated Feb 2022; Internal Noise Assessment dated 22 February 2022; Air Quality Technical Note dated 24 Feb 22; Air Quality Assessment dated Feb 2020; Planning Security Statement rev C; Crime Reduction Report dated 26 June 2019.

For Information:

Cover Letter dated 25 Feb 2022; Planning Statement dated 25 Feb 2022; Design and Access Statement dated Feb 2022; Facade Alteration Document dated June 2022; Heritage Statement dated Energy Strategy dated 24 Feb 2022; Structural Report dated 14 Feb 2020; Letter regarding Structural Report dated 13 December 2021; Statement of Community Involvement dated Feb 2022; Whole Life Carbon Assessment dated 8 Feb 2022 and Assessment Template; BREEAM Pre-Assessment dated 12 Oct 2021; Daylight and Sunlight Assessment dated 18 Dec 2021; Daylight and Sunlight Assessment dated 10 Feb 2020 and Addendum dated 13 Mar 2020; Flood Risk Assessment dated Nov 2017; Letter regarding Flood Risk Assessment dated 17 Feb 2022; Surface Water Drainage Strategy dated June 2019; Letter regarding SUDs dated 13 Dec 2021; Transport Statement dated Feb 2020; Transport Note dated Dec 2021.

Case Officer: Joshua Howitt

Direct Tel. No. 07866038007

Recommended Condition(s) and Reason(s)

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

Reason:

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

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

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

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

Noisy work must not take place outside these hours unless otherwise agreed through a

Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

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

- 3 You must submit a schedule of the proposed materials, including photographs that are cross referenced to the elevations. You must not start on this part of the development until we have approved what you have sent us. You must then carry out the works according to the approved details.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 4 You must submit detailed drawings at a scale of 1:10 and sections at 1:5 of the following parts of the development:

- i) Windows,
- ii) Doors,
- iii) Individual Bay Detail,
- iv) Plant Enclosure,
- v) Glazed Balustrades,
- vi) Angled Privacy Screens,
- vii) CCTV cameras.

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 5 **Pre Commencement Condition.** Prior to the commencement of any:

- (a) demolition, and/or
- (b) earthworks/piling and/or
- (c) construction

on site you must apply to us for our written approval of evidence to demonstrate that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of the relevant completed Appendix A checklist from the Code of Construction

Practice, signed by the applicant and approved by the Council's Environmental Sciences Team, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of the relevant stage of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval through submission of details prior to each stage of commencement. (C11CD)

Reason:

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

- 6 (A) Prior to the commencement of any demolition on site the applicant shall submit a Demolition Logistics Plan to the City Council in consultation with Transport for London. Commencement of any demolition cannot take place until we have approved what you have sent us. You must then carry out the works according to the approved details.

(B) Prior to the commencement of any construction on site the applicant shall submit a Construction Logistics Plan to the City Council in consultation with Transport for London. Commencement of any construction cannot take place until we have approved what you have sent us. You must then carry out the works according to the approved details.

Reason:

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

- 7 Prior to occupation of the hotel use hereby approved, you must submit a Delivery and Servicing Plan (including coach management) to the City Council in consultation with Transport for London. The use cannot take place until we have approved what you have sent us. You must then operate the use according to the approved details,

Reason:

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

- 8 (a) You must carry out the development in accordance with the written scheme of investigation for a programme of archaeological work approved on 29 November 2021 (RN: 21/05768/ADFULL) or in accordance with further details submitted to and approved by the Local Planning Authority. You must not start work until we have approved in writing what you have sent us.

(b) You must then carry out the archaeological work and development according to this approved scheme. You must produce a written report of the investigation and findings, showing that you have carried out the archaeological work and development according to the approved scheme. You must send copies of the written report of the investigation and findings to us, and to the Greater London Sites and Monuments Record, Greater London

Archaeological Advisory Service, Historic England, 4th floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA.

(c) You must not use any part of the new building until we have confirmed in writing that you have carried out the archaeological fieldwork and development according to this approved scheme. (C32BC)

Reason:

To avoid damage to any archaeological remains on site as set out Policy 39 of the City Plan 2019 - 2040 (April 2021). (R32AD)

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

Reason:

To provide cycle parking spaces for people using the development in accordance with Policy 25 of the City Plan 2019 - 2040 (April 2021). (R22FB)

- 10 You must provide the waste stores shown on drawing Nos. A-100-100 rev P5 and A-100-101 rev P4 before building is occupied. You must clearly mark them and make them available at all times to everyone using the building. You must store waste inside the building and only put it outside just before it is going to be collected. You must not use the waste stores for any other purpose. (C14DC)

Reason:

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

- 11 You must hang all doors or gates (except for the UKPN substation) so that they do not open over or across the road or pavement. (C24AA)

Reason:

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

- 12 The environmental security measures, including the CCTV cameras specified in the Kings Scholars Passage Crime Reduction document dated 26 June 2019, must be implemented before the building is occupied, and must thereafter be retained for the life of the development.

Reason:

To reduce crime in accordance with Policies 38 and 43 of the City Plan 2019 - 2040 (April 2021). (R25GC)

- 13 You must not occupy the hotel until the privacy screens to the rear (King's Scholars Passage) elevation, as shown on the approved drawings, are installed. The privacy screens must be retained and maintained in good order for the life of the development.

The glass that you put in the privacy screens and the windows/doors within the lightwell adjoining Cathedral Mansions must not be clear. You must apply to us for approval of a sample of the glass. You must not start work on the relevant part of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission.

Reason:

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

- 14 You must not use the areas of roof for sitting out or for any other purpose. You can however use the roof to escape in an emergency and for essential maintenance. (C21AA)

Reason:

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

- 15 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green roofs including construction method, layout, species and maintenance regime.

You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan.

Reason:

To protect and increase the biodiversity of the environment, as set out in Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43CC)

- 16 (A) Prior to construction, you must apply to us for our written approval of an independent pre-assessment of the energy efficiency measures to be provided within the non-residential parts of the development before you start any construction on the development. In the case of an assessment using Building Research Establishment methods ("BREEAM"), this assessment must show that the non-residential parts of the development can achieve at the minimum a "Very Good" rating. If you use another method, you must demonstrate that an equally high standard can be achieved.

(B) A copy of a Building Research Establishment (or equivalent independent assessment) issued Final Post Construction Stage Assessment and Certification, confirming that the non-residential parts of the development have achieved a BREEAM "Very Good" rating or higher shall be submitted to and approved by us within three months of occupation of the

non-residential parts of the development. Thereafter you must not remove any of the energy efficiency features.

Reason:

To make sure that the development affects the environment as little as possible, as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44BD)

- 17 The air quality mitigation measures, including the mechanical ventilation system as specified in the Air Quality Technical Note dated 24 February 2022, must be implemented before the development is occupied, and must thereafter be retained for the life of the development.

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44AD)

- 18 You must apply to us for approval of detailed drawings of the termination of the flue for the heating system. You must not occupy the development until we have approved what you have sent us and you have carried out the work according to the approved details.

Reason:

To protect the environment of people in neighbouring properties as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R14AD)

- 19 You must apply to us for approval of details of the ventilation system to get rid of cooking smells, including details of how it will be built and how it will look. You must not begin the hotel 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. (C14AB)

Reason:

To protect the environment of people in neighbouring properties as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R14AD)

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

- 21 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:

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

- 22 The design and structure of the building shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night. (C49AA)

Reason:

To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise as set Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021). (R49AB)

- 23 The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

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

- 24 (1) Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10 dB one metre outside any premises.

(2) The emergency plant and generators hereby permitted may be operated only for essential testing, except when required by an emergency loss of power.

(3) Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays.

Reason:

Emergency energy generation plant is generally noisy, so in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021), a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby. (R50AC)

- 25 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) 20, 21 and 24 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 Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R46AC)

- 26 You must apply to us for approval of sound insulation measures and a Noise Assessment Report to demonstrate that the residential units will comply with the Council's noise criteria set out in Condition 22 and 23 of this permission. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the details approved before the residential units are occupied and thereafter retain and maintain.

Reason:

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

- 27 The hotel use allowed by this permission must not begin until the residential part of the development is made ready for occupation.

Reason:

To make sure that the development is completed and used as agreed and to make sure that it meets Policy 8 of Westminster's City Plan 2019 - 2040 (April 2021).

- 28 The ancillary restaurant/bar/cafe and gym facilities must not be open to non-hotel guests except between the hours of 07.00 hours and 22.30 hours daily.

Reason:

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

- 29 You must not paint or apply vinyl films or obscure the window glass to the ground floor of the hotel or block it in any other way. The windows must be clear glazed and maintained as such.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 30 You must implement the measures set out in the Sustainability and Energy Strategy dated 24 February 2022 prior to occupation of the hotel use.

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44AD)

- 31 The hotel windows and doors within the lightwell adjoining Cathedral Mansions and on the rear elevation facing King's Scholars' Passage must be fixed shut. You can however open them to escape in an emergency or to undertake essential maintenance.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in Policies 7, 33 and 38 of the City Plan 2019 - 2040 (April 2021). (R21BD)

- 32 You must apply to us for approval of an Operational Management Plan for the approved hotel use. You must not start the hotel use until we have approved what you have sent us. You must then carry out the measures included in the approved Operational Management Plan at all times that the hotel is in use. (C05JB)

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R05GC)

- 33 You must provide a minimum of 10% of the hotel bedrooms as wheelchair accessible.

Reason:

As required by Policy E10 of the London Plan 2021.

- 34 The new development must be designed to mitigate the impact on the occupiers in the two residential flats above the new substation in relation to low frequency noise and electromagnetic fields. Details shall be submitted to and approved by the local planning authority before works start on this relevant part of the development. The development shall be carried out in accordance with the approved details.

Reason:

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

- 35 This permission must be commenced no later than 17 November 2023.

Reason:

This permission authorises amendments to the original planning permission granted on 17 November 2020(RN: 19/05099/FULL which must be commenced no later than the above date. (R03HA)

- 36 Prior to any below ground demolition or construction, you must carry out a detailed site investigation to find out if the 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 Guidance for Developers submitting planning applications' - produced by Westminster City Council in January 2018.

You must apply to us for approval of the following investigation reports. You must apply to us and receive our written approval for phases 1, 2 and 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed but before it is occupied.

Phase 1: Desktop study - full site history and environmental information from the public records.

Phase 2: Site investigation - to assess the contamination and the possible effect it could have on human health, pollution and damage to property.

Phase 3: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate.
(C18AA)

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 Policy 33(E) of the City Plan 2019 - 2040 (April 2021). (R18AB)

- 37 A scheme of mechanical ventilation to prevent overheating when the windows are closed shall be provided to the residential properties. Details of the mechanical ventilation system must be submitted to and approved by the Local Planning Authority prior to the occupation of the residential units. The approved scheme shall be installed and permanently maintained. The mechanical ventilation system installed shall ensure that the internal noise levels of the residential units do not exceed the noise levels specified in condition 22. The scheme must demonstrate compliance with the current Technical Memorandum produced by CIBSE.

Reason:

To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise as set Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021). (R49AB)

- 38 You must apply to us for approval of details of the following parts of the development:

Typical bay studies to show the brick work detailing, and meaningful reveals to the windows.

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 details. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

Informative(s):

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

- 2 **HIGHWAYS LICENSING:**
Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please visit our website at www.westminster.gov.uk/guide-temporary-structures.

CONSIDERATE CONSTRUCTORS:

You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423,

siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk

BUILDING REGULATIONS:

You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website at www.westminster.gov.uk/contact-us-building-control

- 3 With reference to condition 5 please refer to the Council's Code of Construction Practice at (www.westminster.gov.uk/code-construction-practice). You will be required to enter into an agreement with the Council appropriate to this scale of development and to pay the relevant fees prior to starting work.

Your completed and signed Checklist A (for Level 1 and Level 2 developments) or B (for basements) and all relevant accompanying documents outlined in Checklist A or B, e.g. the full Site Environmental Management Plan (Levels 1 and 2) or Construction Management Plan (basements), must be submitted to the City Council's Environmental Inspectorate (cocp@westminster.gov.uk) **at least 40 days prior to commencement of works** (which may include some pre-commencement works and demolition). The checklist must be countersigned by them before you apply to the local planning authority to discharge the above condition

You are urged to give this your early attention as the relevant stages of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval of each of the relevant parts, prior to each stage of commencement.

Where you change your plans after we have discharged the condition, you must re-apply and submit new details for consideration before you start work. Please note that where separate contractors are appointed for different phases of the project, you may apply to partially discharge the condition by clearly stating in your submission which phase of the works (i.e. (a) demolition, (b) excavation or (c) construction or a combination of these) the details relate to. However please note that the entire fee payable to the Environmental Inspectorate team must be paid on submission of the details relating to the relevant phase.

Appendix A must be signed and countersigned by the Environmental Inspectorate prior to the submission of the approval of details of the above condition.

- 4 In relation to condition 7, you must include the following information in the Servicing Management Plan:
- hours of servicing
 - the full delivery process
 - internal storage locations
 - scheduling of deliveries
 - staffing arrangements for deliveries.
 - updated daytime and evening survey of the use of the existing loading bay and the predicted uplift generated by the development and neighbouring hotel site.

- 5 In relation to condition 32, the Operational Management Plan should include details of the automated blind control system proposed.
- 6 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 carbon offsetting, a financial contribution to support the Westminster Inclusive Economy and Employment Service and monitoring costs.
- 7 This permission is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council and as a consequence we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects
- 8 You must register your food business with the Council, please use the following link: www.westminster.gov.uk/registration-food-business. Please email the Environmental Health Consultation Team (Regulatory Support Team 2) at ehconsultationteam@westminster.gov.uk for advice on meeting our standards on ventilation and other equipment. Under environmental health legislation we may ask you to carry out other work if your business causes noise, smells or other types of nuisance.
- 9 Please contact Environmental Sciences by email to environmentalsciences2@westminster.gov.uk if you have any queries about your obligations under the Control of Pollution Act 1974 or the Environmental Protection Act 1990.
- 10 We recommend you speak to the Head of Building Control about the stability and condition of the walls to be preserved. He may ask you to carry out other works to secure the walls. Please phone 020 7641 6500 or email districtsurveyors@westminster.gov.uk.
- 11 Please email our Project Officer (Waste) at wasteplanning@westminster.gov.uk for advice about your arrangements for storing and collecting waste.
- 12 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please email Jeff Perkins at jperkins@westminster.gov.uk

- 13 We recommend all hoteliers to join the Westminster Considerate Hoteliers scheme and to support the Considerate Hoteliers Environmental Charter. This aims to promote good environmental practice in developing and managing hotels. For more information, please contact:
John Firrell MHCIMA
Secretary - Considerate Hoteliers Association
C/o Wheelwright's Cottage
Litton Cheney
Dorset DT2 9AR
- E-mail: info@consideratehoteliers.com
Phone: 01308 482313
- 14 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice and to apply online please visit www.westminster.gov.uk/suspensions-dispensations-and-skips.
- 15 Please make sure that the lighting is designed so that it does not cause any nuisance for neighbours at night. If a neighbour considers that the lighting is causing them a nuisance, they can ask us to take action to stop the nuisance.
- 16 When carrying out building work you must take appropriate steps to reduce noise and prevent nuisance from dust. The planning permission for the development may include specific conditions relating to noise control, hours of work and consideration to minimising noise and vibration from construction should be given at planning application stage. You may wish to contact to our Environmental Sciences Team (email: environmentalsciences2@westminster.gov.uk) to make sure that you meet all the requirements before you draw up contracts for demolition and building work.

When a contractor is appointed they may also wish to make contact with the Environmental Sciences Team before starting work. The contractor can formally apply for consent for prior approval under Section 61, Control of Pollution Act 1974. Prior permission must be sought for all noisy demolition and construction activities outside of core hours on all sites. If no prior permission is sought where it is required the authority may serve a notice on the site/works setting conditions of permitted work (Section 60, Control of Pollution Act 1974).

British Standard 5228:2014 'Code of practice for noise and vibration control on construction and open sites' has been recognised by Statutory Order as the accepted guidance for noise control during construction work.

An action in statutory nuisance can be brought by a member of the public even if the works are being carried out in accordance with a prior approval or a notice.

- 17 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at:

www.westminster.gov.uk/cil

Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**

CIL forms are available from the planning on the planning portal:

www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

Forms can be submitted to CIL@Westminster.gov.uk

Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.

- 18 Your drawings indicate bollards are proposed on the highway outside the back of house entrance, but these are outside of the application site. If you wish to install bollards, you should progress this proposal separately with the Highway Authority.

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.