

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 30 April 2024	Classification For General Release	
Report of Director of Town Planning & Building Control		Ward(s) involved St James's	
Subject of Report	39 - 40 Bedford Street, London, WC2E 9ER		
Proposal	Installation of new extract duct shaft and mechanical plant to rear of building; lowering of ground floor window cills on Bedford Street and Maiden Lane elevations; opening up of existing blocked up windows and replacement doors on Maiden Lane; new stone steps; new façade lighting to ground floor elevations and regrading of pavement to create level access from Bedford Street.		
Agent	Gerald Eve		
On behalf of	Shaftesbury Capital PLC		
Registered Number	23/06521/FULL	Date amended/ completed	12 March 2024
Date Application Received	21 September 2023		
Historic Building Grade	Unlisted		
Conservation Area	Covent Garden		
Neighbourhood Plan	Not Applicable		

1. RECOMMENDATION

Refuse permission – harm to the appearance of the building, harm to the character and appearance of the Covent Garden Conservation Area and insufficient information regarding the re-grading of the public highway.

2. SUMMARY & KEY CONSIDERATIONS

Two of the St James's Ward Councillors, Cllr Hyams and Cllr Shearer have requested that the application be reported to Planning Applications Sub-Committee for determination.

The application relates to the basement, ground and first floors of 39-40 Bedford Street which was the former headquarters of 'The Lady' magazine, which is an unlisted building of townscape merit in the Covent Garden Conservation Area. The application premises have been vacant since 2019 but were previously used as offices, a use falling within Class E.

The application proposes the installation of new extract duct shaft and mechanical plant to rear of building, lowering of ground floor window cills on the Bedford Street and Maiden Lane frontages, opening up of existing blocked up windows and replacement doors on Maiden Lane, new stone steps, new façade lighting and regrading of pavement to create level access from Bedford Street. The proposed works are intended to facilitate the occupation of the lower floors of the building as a restaurant or a retail shop; uses which also fall within Class E.

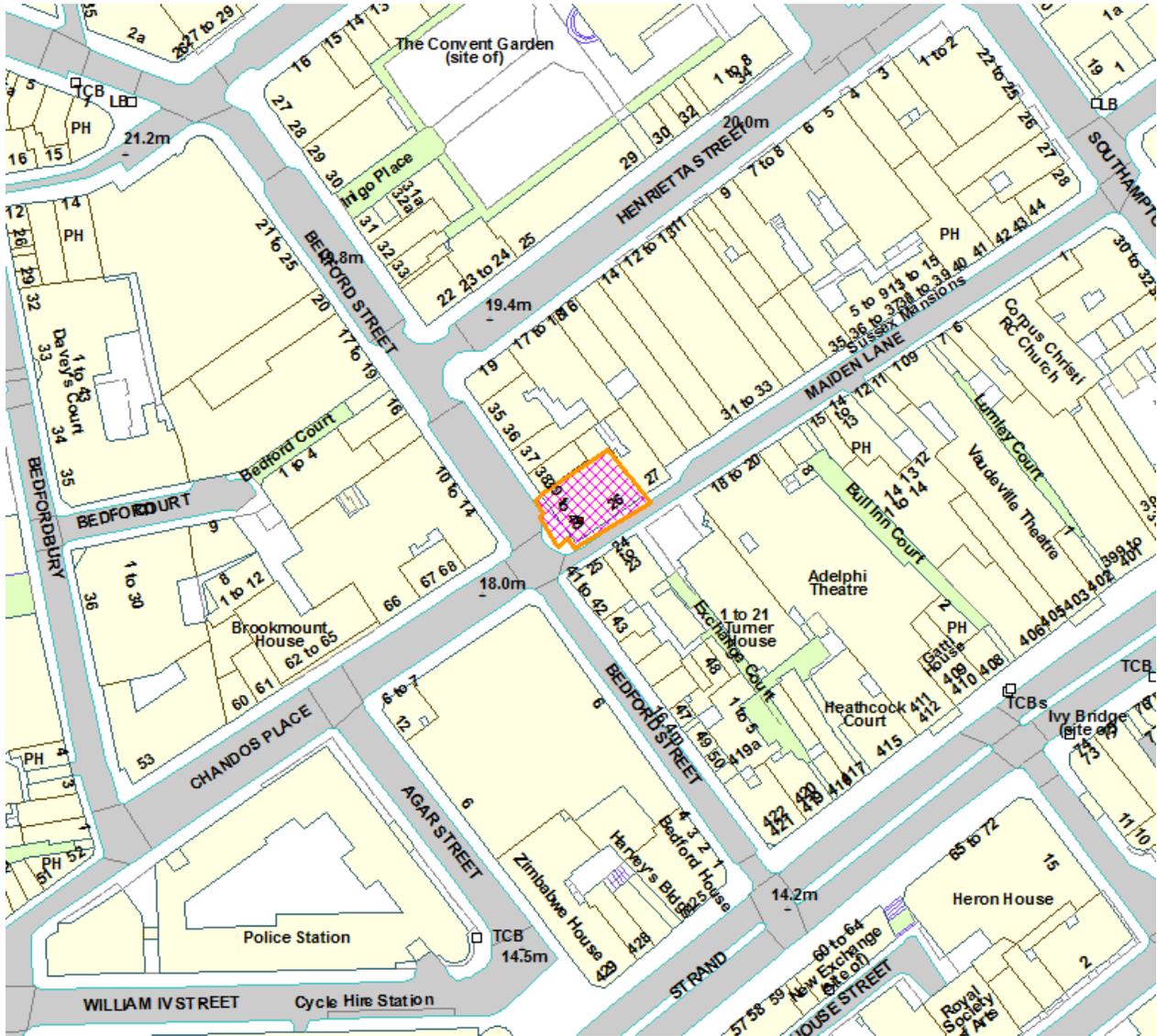
The key considerations in this case are:

- The impact of the proposed alterations on the character and appearance of the building and the Covent Garden Conservation Area.
- The impact of the proposed works on the safety and movement of pedestrians on the public highway.

This report explains the proposed fenestration alterations to all four ground floor windows along Bedford Street frontage would harm the appearance of the building and would harm the character and appearance of the Covent Garden Conservation Area. Also, the applicant's information relating to the proposed re-grading works to the public highway to enable step free access into the site has failed to show that this level access could not be accommodated within the building, failed to show that the re-grading would in fact allow level access and failed to show how a re-grading of the public highway could be achieved without having an adverse impact on the highway.

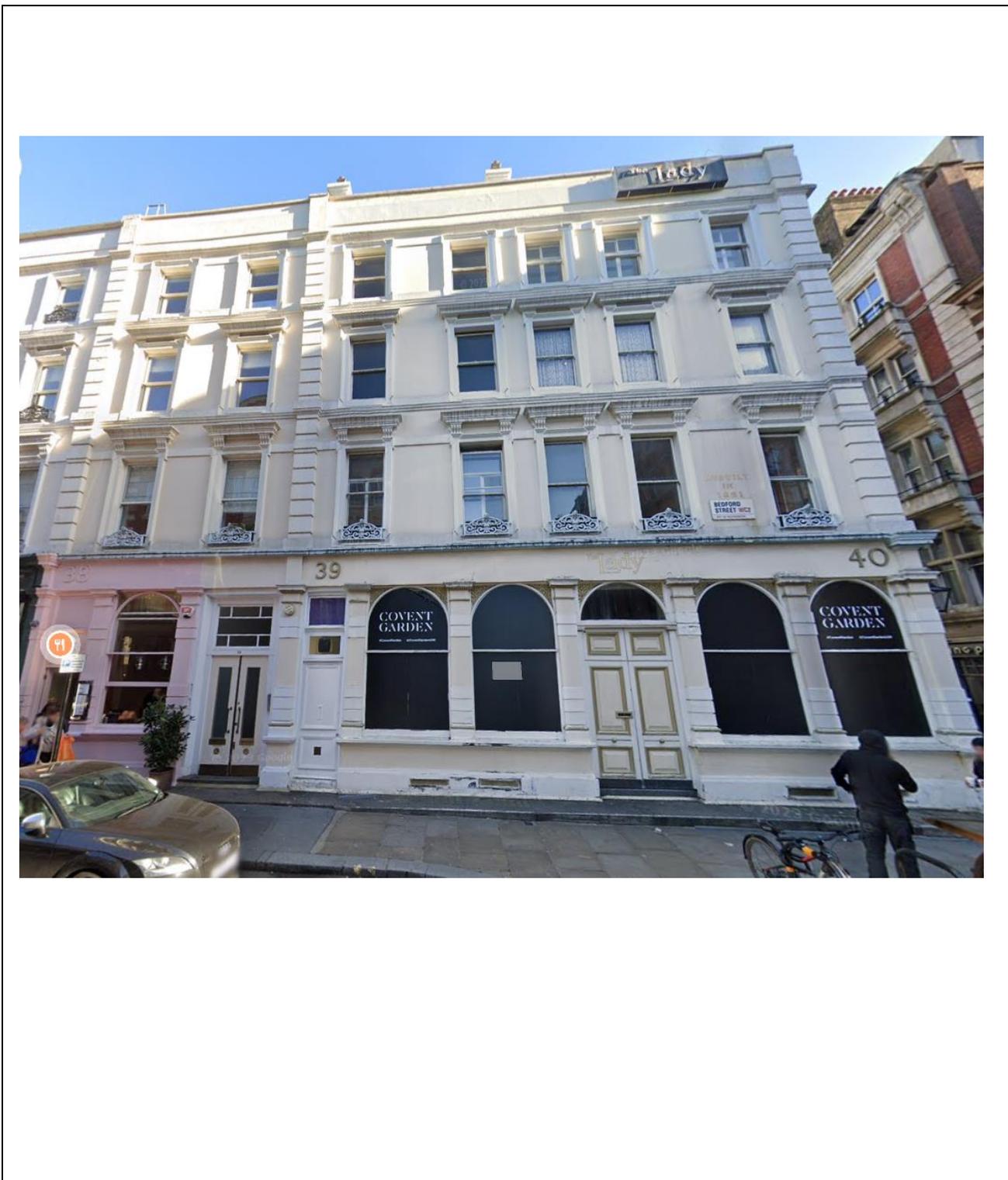
The proposal is assessed against the relevant policies set out in the City Plan 2019-2040. For the reasons set out in the report, the proposed works, are unacceptable in design, heritage, townscape and highways terms. The heritage harm identified in this report is not outweighed by public benefits. The application is therefore recommended for refusal as set out in the draft decision letter appended to this report.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

5.1 Application Consultations

WARD COUNCILLORS FOR ST JAMES'S, COUNCILLORS HYAMS AND SHEARER:
Request that the application is reported to Sub-Committee for decision.

COVENT GARDEN AREA TRUST:

Object. Lowering of the ground floor window cills would disrupt the scale and proportions of the building's elevations and create a sense of disunity between it and No. 38 which forms part of the same building. Concerned that the proposed new lantern lights should conform to the Covent Garden Lantern Design. The façade illumination would be inappropriate and create light pollution.

COVENT GARDEN COMMUNITY ASSOCIATION:

Any comments received to be reported verbally.

ENVIRONMENTAL HEALTH:

No objection subject to conditions to control noise emission levels from mechanical plant.

HIGHWAYS PLANNING:

Object. Very limited and conflicting information has been submitted regarding the 'regrading of the highway' to create a ramp which would appear to extend far beyond the site's frontage and is therefore likely to have an adverse impact on other users of the public highway.

WASTE PROJECT OFFICER:

Object. The applicant must provide permanent (for the duration of the use) not temporary waste storage as currently indicated on the submitted basement drawing.

STREET LIGHTING:

The existing 'listed cherished' wall mounted gas lantern on 26 Maiden Lane cannot be removed and must be protected during any building works. Full details of the proposed additional 'heritage type' lantern lights must be submitted for review. The swan neck signage downlighters should be aligned to minimise excessive light spill into the public domain. N.B. Originally proposed LED wall grazer uplighters have subsequently been omitted.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 28

Total No. of replies: 1

No. of objections: 0.

No. in support: 1 from The Northbank BID.

SITE NOTICE AND PRESS NOTICE:

Yes.

5.2 Applicant's Pre-Application Community Engagement

Engagement was carried out by the applicant with the local community and key stakeholders in the area prior to the submission of the planning application in accordance with the principles set out in the Early Community Engagement guidance. The engagement activities undertaken by the applicant (as listed in the submitted Statement of Community Involvement) are summarised in the table below:

Engagement Method/Event/Activity	Date	Attendance	Summary of Discussions
Stakeholder meetings	3 rd May 2023	Project team met with representatives of the Covent Garden Community Association	Licensing, Kitchen extracts, Pavement reprofiling and the impact of this on railings.
Stakeholder meetings	3 rd May 2023	Project team met with the St James Ward Councillors	Change of use, Pavement reprofiling, Enhanced Street Lighting and Lowering Window Cills.
Estate wide newsletter drop	5 th May 2023	4,507 addresses	Promote existing estate wide consultation website, summarising existing consultations and encourage to sign up to mailing list.
Email to 131 email addresses who signed up to receive updates on consultations in Covent Garden			
Advertised telephone number			
A designed summary of proposal newsletter distributed to 193 addresses	5 th May 2023		Provided residents and immediate neighbours with further details about the proposals and to encourage people to get in touch or provide their feedback.
Consultation website		Viewed 278 times with 261 unique visits.	

In summary, across the range of engagement undertaken by the applicant the principal issues raised relate to the lowering of the window cills, the impact of the proposed lighting of the building façade and clarification regarding the potential future occupier of the restaurant.

6. WESTMINSTER'S DEVELOPMENT PLAN

6.1 City Plan 2019-2040 & London Plan

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (December 2023) and should be afforded full weight

in accordance with paragraph 225 of the NPPF. Therefore, in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

6.2 City Plan Partial Review

The council published its draft City Plan Partial Review for consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 on 14 March 2024. The consultation continues until 25 April 2024. The Partial Review includes updated policies for affordable housing, retrofitting and site allocations.

An emerging local plan is not included within the definition of “development plan” within s.38 of the Planning and Compulsory Purchase Act 2004. However, paragraph 48 of the NPPF provides that a local authority may give weight to relevant policies in emerging plans according to:

1. the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
2. the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
3. the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

Footnote 22 to paragraph 48 states that during the transitional period for emerging plans consistency should be tested against the version of the Framework, as applicable, as set out in Annex 1 (paragraph 230). This means that the consistency of the policies in the City Plan Partial Review must be tested for consistency for the purposes of paragraph 48(c) against the September 2023 version of the NPPF.

Accordingly, at the current time, as the Partial Review of the City Plan remains at a pre-submission stage, the policies within it will generally attract limited if any weight at all.

6.3 Neighbourhood Planning

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

6.4 National Policy & Guidance

The City Plan 2019-2040 policies referred to in the consideration of this application have been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in the NPPF (December 2023) unless stated otherwise.

7. BACKGROUND INFORMATION

7.1 The Application Site

39-40 Bedford Street is a six-storey building located on the corner of Bedford Street and Maiden Lane. Formerly the headquarters of 'The Lady' a weekly magazine publication, the basement, ground to first floors are currently vacant office space and the upper floors (second to fourth) are occupied as a single residential unit. The building is an unlisted building of merit within the Covent Garden Conservation Area. The site is also located within the Central Activities Zone and the West End Retail and Leisure Special Policy Area.

7.2 Recent Relevant History

Planning permission was granted on 16 January 2023 for the installation of new vents within aluminium acoustic enclosures and new walk on rooflight at first floor roof level, new sash window with ventilation grill and new door on the Maiden Lane elevation at ground floor level, and removal of first floor redundant servicing and associated works (22/07508/FULL). These works have not yet been implemented and are indicated on the submitted drawings for the planning application currently under consideration and the subject of this report.

8. THE PROPOSAL

Planning permission is sought for the lowering of the ground floor window cills on the Bedford Street and Maiden Lane elevations; the opening up of existing blocked up windows, a replacement door and stone steps on Maiden Lane; new ground floor façade lighting; regrading of the pavement to create level access from Bedford Street and a replacement full height extract duct at the rear.

The LED facade uplighters originally proposed to the upper floors on both street elevations have been omitted.

9. DETAILED CONSIDERATIONS

9.1 Land Use

The basement, ground and first floors have been vacant since 2019 but were previously used as offices, a use falling within Class E. The proposed works are intended to facilitate the occupation of the lower floors of the building as a restaurant or a retail shop; uses which also fall within Class E and do not therefore require planning permission from the City Council.

9.2 Environment & Sustainability

Light Pollution

Policy 39 (B) requires that developments must be designed to minimise the detrimental impact of glare and light spill on local amenity, biodiversity, highway and waterway users.

The LED uplighting of the upper floors of the building originally proposed has been omitted in order to avoid light pollution nuisance to the residential occupiers of the upper floors of the building and nearby buildings. The proposed façade lighting is now limited to three swan neck signage lamps to each street elevation and new three new heritage lanterns to the ground floor corner of the building.

The City Council's Street Lighting Consultants have advised that the swan neck signage downlighters should be positioned to avoid excessive light spill into the public domain. Had the application being considered acceptable in all other respects, the applicant would be advised of this by way of an informative attached to the decision.

9.3 Biodiversity & Greening

Not applicable for this proposal.

9.4 Townscape, Design & Heritage Impact

Legislative & Policy Context

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

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

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

Also of consideration are policies with Westminster's City Plan 2019-2040 (April 2021).

Policy 38 Design Principles (A) states that new development will incorporate exemplary standards of high quality, sustainable and inclusive urban design....(B) respond to Westminster's context by positively contribution to Westminster's townscape and streetscape.

Policy 39 Westminster's Heritage (K) Conservation Areas, states that development will preserve or enhance the character and appearance of Westminster's conservation areas. (L) goes on to states that there will be a presumption that unlisted buildings that make a positive contribution to a conservation area will be conserved.

Policy 40 Townscape and Architecture, states that (A) Development will 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. (D). Alterations and extensions will respect the character of the existing and adjoining buildings, avoid adverse visual and amenity impacts and will not obscure important architectural features or disrupt any uniformity, patterns, rhythms or groupings of buildings and spaces that contribute positively to Westminster's distinctive townscape. Supporting text contained in Para 40.14 states that, even small-scale alterations and additions can have a cumulative impact on townscape character. The design of new doors, windows or shopfronts should be carefully considered to relate sensitively to the existing building and adjoining townscape.

Assessment

There are significant design and townscape concerns with regards to the proposed fenestration alterations to all four ground floor windows along Bedford Street. The scheme seeks to drop the cills of the windows, elongating their traditional scale and proportions in order to increase the extent of glazing.

Currently the building's façade has a uniformity with 38 Bedford Street, which will be eroded by the proposals. The proposed glazing arrangement also introduces a more contemporary and uncharacteristic aesthetic which is uncomplimentary and detracts from the buildings architectural character.

These ground floor fenestration alterations to the Bedford Street frontage are contrary to Policy 38 because they are not of an adequate design quality and Policy 39, as the proposed alterations detract from the appearance of this unlisted building of merit and the character and appearance of the Covent Garden conservation area. In addition, the proposals do not conform to Policy 40 as the alterations do not relate sensitively to the existing building and adjoining townscape.

These fenestration alterations would harm the significance of this unlisted building of merit and would harm the character and appearance of the Covent Garden conservation area.

The proposed façade alterations to Maiden Lane are not opposed from a design and townscape perspective. While the alterations to this façade would also lower the cills, this façade is not seen in the context of a uniform context described above for the Bedford Street façade.

The proposed replacement duct would follow the same route as the existing duct but terminate slightly higher (1m) above roof level. There would be only limited views of the new duct from Maiden Lane and in private views from the upper floors. The proposed duct is therefore considered acceptable in design and townscape terms and had the application been considered acceptable in all other respects a condition would have been recommended requiring the duct to be coloured to match the appearance of the facing material of the rear of the building.

Overall, while some works cause no harm to heritage assets, because of the loss of the original fenestration and window proportions to the principal facade, the lowering the Bedford Street cills would cause low to moderate levels of less than substantial harm to the significance of this unlisted building of merit and the character and appearance of the

conservation area. In accordance with para 208 of the NPPF, this harm must be weight against any public benefits and this assessment is carried out below in paragraph 9.11.

9.5 Residential Amenity

Noise & Vibration

Policies 7 and 33 of the City Plan require developments to be neighbourly and designed to ensure that proposals will not adversely affect the local environment in terms of noise and odours.

The application is supported by a noise assessment report. The Council's Environmental Sciences Team have raised no objections to the proposed replacement duct subject to conditions controlling noise emission levels. Had the application been considered acceptable in all other respects it would have been recommended that these conditions were attached.

9.6 Transportation, Accessibility & Servicing

Re-grading the pavement

The applicant wishes to carry out re-grading works to the public highway to enable step free access into the site. However, it has not been demonstrated that level access could not be accommodated within the building which would be the normal expectation. The applicant has provided information indicating a potential alternative internal solution which would provide level access without the re-grading of the highway, but this would limit the usability of the internal area of the unit. All internal solutions would have an impact on the usability of the space internally to some degree, but it is clear that this could be achieved and it is likely that the potential alternative internal solution they have shared with officers could be improved upon to better align with the applicant's aspirations for the internal environment of the unit.

Limited and conflicting information has been submitted to demonstrate if and how a re-grading of the public highway could be accomplished without having an adverse impact on other highway users (principally pedestrians). The information submitted is also unclear as to whether level access would in fact be achieved by the changes proposed (some of the drawings submitted indicate that after the re-grading is carried out, a step would be maintained at the entrance – defeating the stated purpose of the works). The applicant has not been able to submit additional information that satisfies the Highway Planning Manager nor was willing to amend the application so that level access is achieved within the building. Because of the existing gradients around the frontage of the building, including the significant level difference from the north of the site to the junction with Maiden Lane, the Highway Planning Manager does not consider re-grading the highway in the manner suggested by the applicant is achievable nor could it likely achieve the applicant's stated aim of level access into the building. The Council's Highways Planning Manager has therefore recommended that the application be refused on the grounds that the applicant has failed to demonstrate how the proposed re-grading of the public footway could be achieved without adversely affecting the safety and convenience of pedestrian movement on the public highway and whilst achieving level access into the building, and this is contrary to Policies 25 and 43B of the City Plan.

The Highways Planning Manager is also concerned that insufficient information has been submitted to demonstrate that the required vertical clearance depth of no less than 900mm below the footway/carriageway and horizontal extent of no more than 1.8m under the adjacent highway would be achieved.

Had the application been considered acceptable in terms of the impact on the public highway and other respects, the applicant would be required to enter into a S106 legal agreement to ensure that the cost of all the highway works including the removal and reinstatement of existing street furniture (cycle stands, wayfinding sign and traffic management sign) and the making good of the pavement are paid for by the developer.

Waste & Recycling Storage

Policy 37 requires new developments to provide dedicated waste storage facilities for separate waste streams. The Council's Waste Officer has objected on the grounds that the proposed waste store in the basement is shown on the submitted drawing as temporary. Had the application been considered acceptable in all other respects a condition requiring the submission and approval of a permanent waste store would have been secured by condition.

Cycling & Cycle Storage

Policy 25 of the City Plan seeks to promote and prioritise walking and cycling as a sustainable method of transport and requires provision of dedicated cycle parking. The basement plan shows that one of the vaults would be used to provide four long stay cycle storage spaces for staff, which is welcomed (particularly given the applicant is not required to provide it because use as a restaurant or retail unit does not require planning permission in this case as the unit is already within class E).

9.7 Economy including Employment & Skills

The development is of insufficient scale to require an employment and skills plan.

Bringing a vacant unit back into use is welcomed. Given that the floorspace remains as existing, and given the nature of the proposed uses, this will likely create a similar or moderate increase level of employment and jobs as compared to the former bank. It will also contribute positively to the local economy during the construction phase through the generation of increased opportunities for local employment, procurement and spending.

9.8 Other Considerations

The Council's Street Lighting Consultants have advised that the existing 'listed cherished' wall mounted gas lantern on 26 Maiden Lane cannot be removed and must be protected during any building works. Full details of the proposed additional 'heritage type' wall mounted lantern lights are also required to ensure that these meet the Council's street lighting requirements and are adoptable standard. Had the application been otherwise acceptable, this would have been ensured by condition.

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

Had the application been considered acceptable in all other respects and had the proposed works to the public highway also been considered acceptable, the applicant would be required to enter into a S106 legal agreement to ensure that the cost of all the highway works including the removal and reinstatement of existing street furniture (cycle stands, wayfinding sign and traffic management sign) and the making good of the pavement where the existing plinth is proposed to be removed are paid for by the developer.

9.11 Assessment of Planning Balance

As set out within Section 9.4 of this report, the proposal is considered to cause less than substantial heritage harm to the unlisted building of merit and the character and appearance of the Covent Garden Conservation Area. The harm would be caused by the alterations to the Bedford Street frontage. The harm to the significance of the unlisted building merit would be a moderate level of less than substantial given the works harm the main façade of the building. The impact to the conservation area would be a low level of less than substantial harm given this building forms a relatively small part of the overall area. Section 9.6 also identifies potential harm to the highway.

Paragraph 208 of the NPPF states that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the 'public benefits' of the proposal, including optimising its optimum viable use. 'Public benefits' could be anything that delivers economic, social or environmental progress as described in the NPPF. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public to be genuine public benefits.

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

The applicant argues that the works are necessary for the building to be leased as a retail/restaurant unit, however officers are not persuaded that the harmful alterations to the Bedford Street frontage are essential for the building to be a viable commercial unit, as the ground floor façade is already highly glazed, with existing views into the interior. In addition, the alterations to Maiden Lane frontage are not opposed which would themselves improve the visibility of internal parts of the unit. While creating level access into the building would be a benefit, the information submitted with the application does not demonstrate satisfactorily that the works would achieve level access and achieve it without wider harm to the highway (notwithstanding that this is the applicant's intention). Moreover, works to provide level access could be provided within the applicant's own

property without the highway impact.

Although ensuring the prompt reuse of the building would be an economic benefit, there is no evidence that a refurbished building with a less harmful set of alterations would be of little / no interest to operators within the broad E use class. There are many buildings in Westminster which do not have a highly glazed retail/restaurant façade (shopfront) yet are successfully trading.

For the reasons set out above, the application is considered unacceptable in design, heritage and townscape terms due to the harmful impact that the proposed lowering of the window sills on the Bedford Street elevation would have on the character and appearance of the unlisted building of merit and the character and appearance of the Covent Garden Conservation Area, harm which, it is considered, is not outweighed by public benefits associated with the proposed scheme.

10. Conclusion

This report has considered the material planning issues associated with the proposed development in conjunction with all relevant national, regional and local planning policy, and harm that would arise from the scheme. Having regard to this assessment, it has found that the proposed development is unacceptable.

Accordingly, the proposed development would fail to accord with policies 25, 38, 39, 40 and 43 would not meet the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990. Therefore, it is recommended that planning permission should be refused on grounds that the proposed development would harm the appearance of this unlisted building of merit and fail to maintain or improve (preserve or enhance) the character and appearance of the Covent Garden Conservation Area and failed to demonstrate how the proposed re-grading of the public footway could be achieved without adversely affecting the safety and convenience of pedestrian movement on the public highway and while also providing level access into the building.

(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

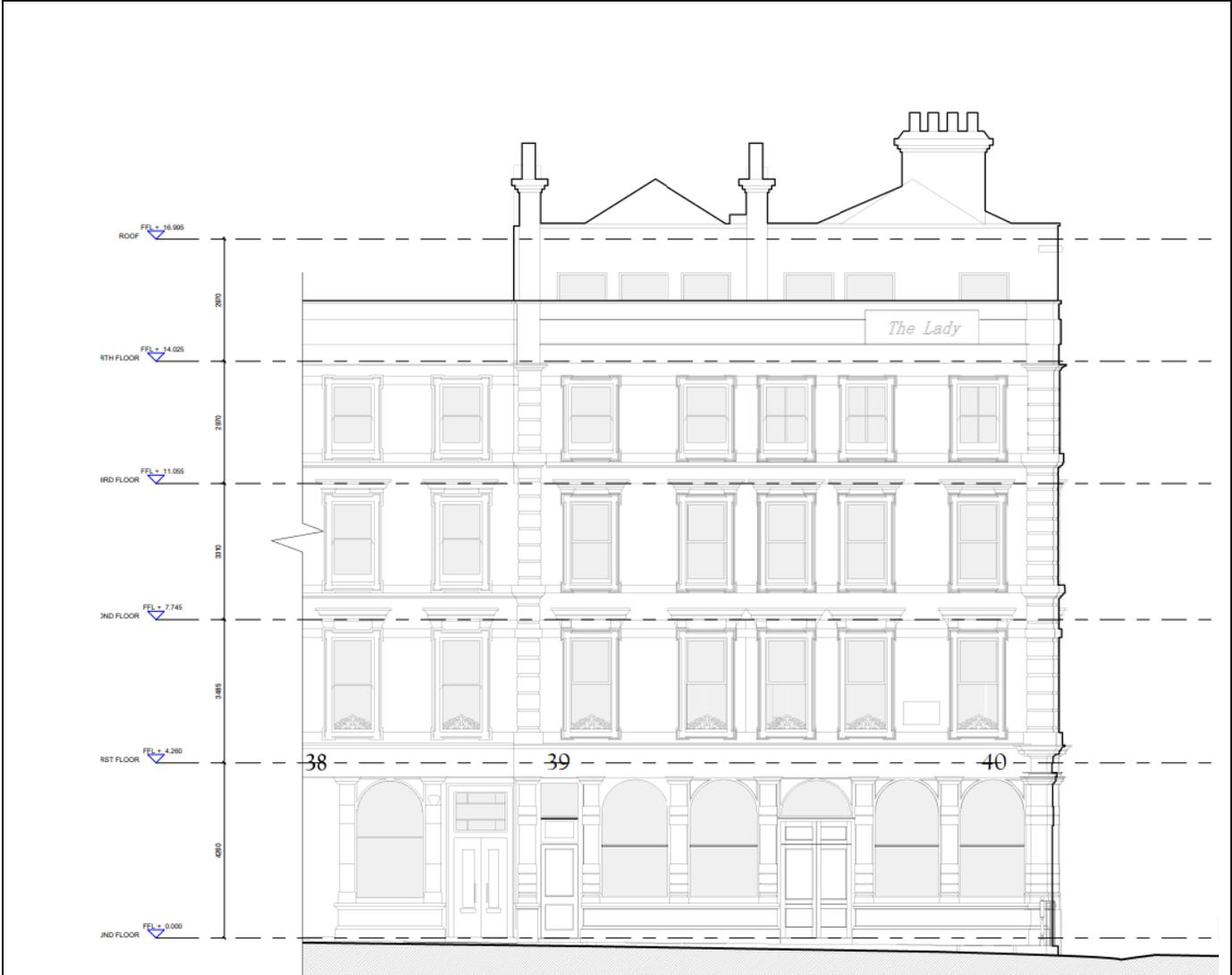


Existing



Proposed

Existing and Proposed Images of the Bedford Street Frontage



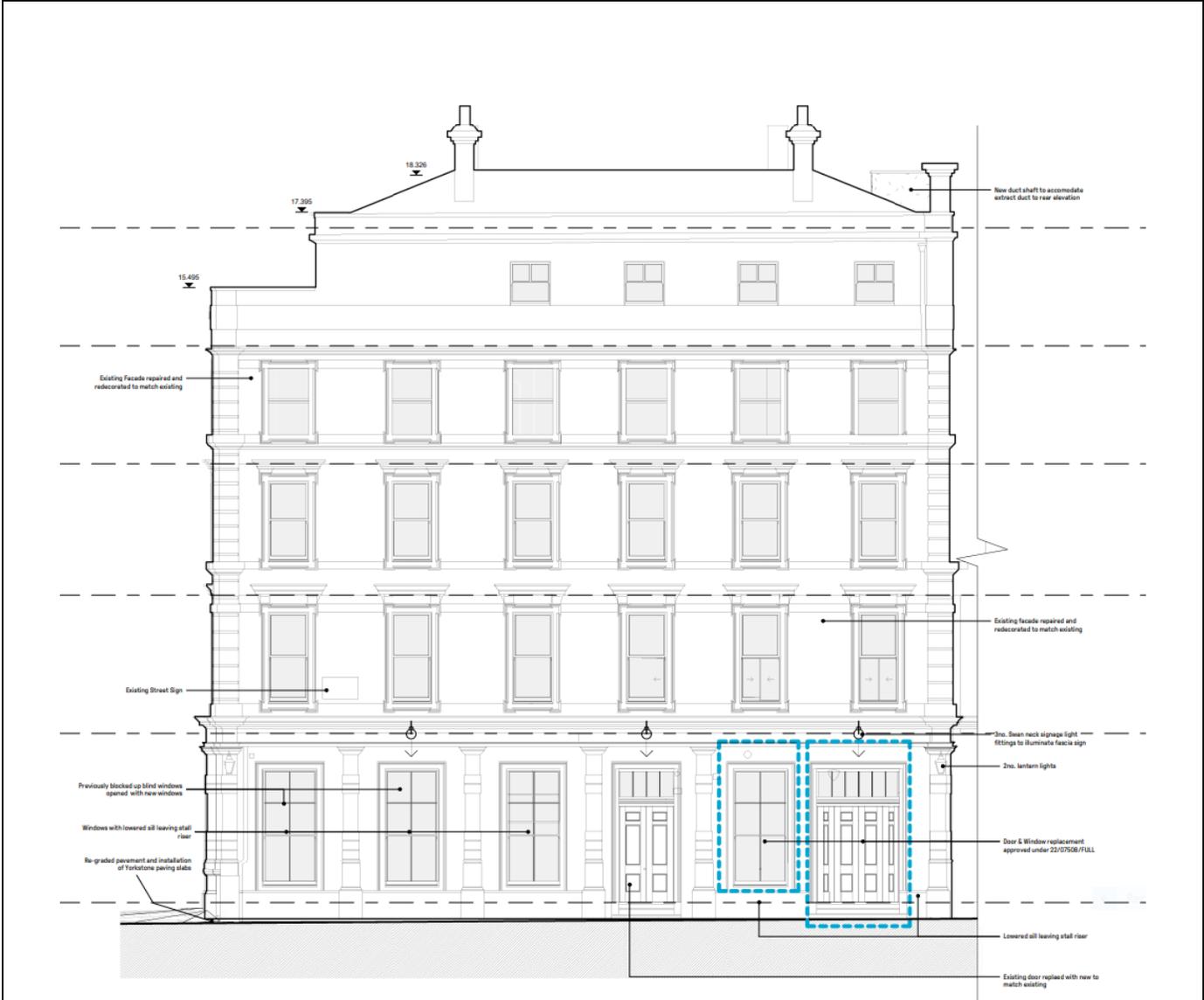
Existing Bedford Street Elevation



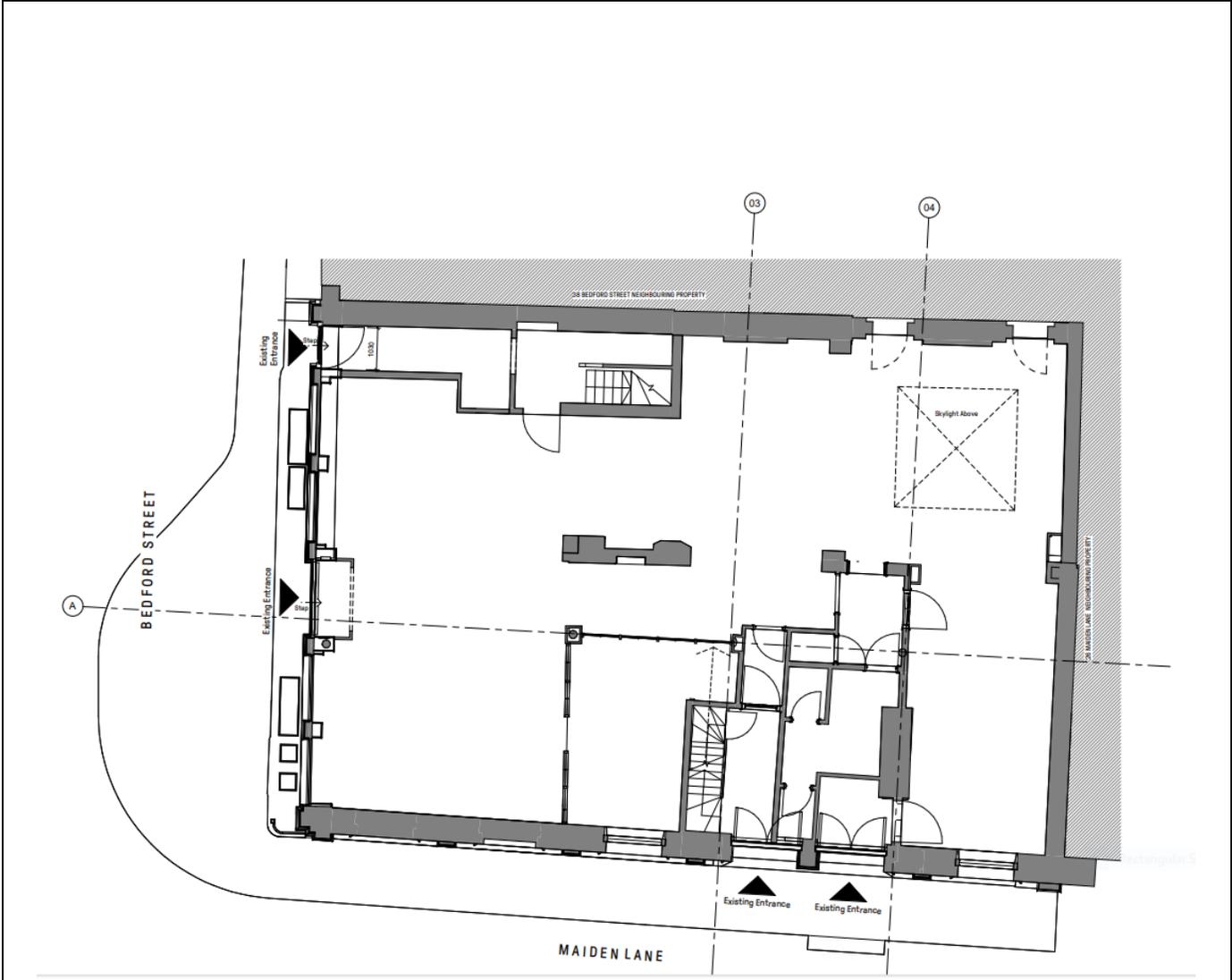
Proposed Bedford Street Elevation



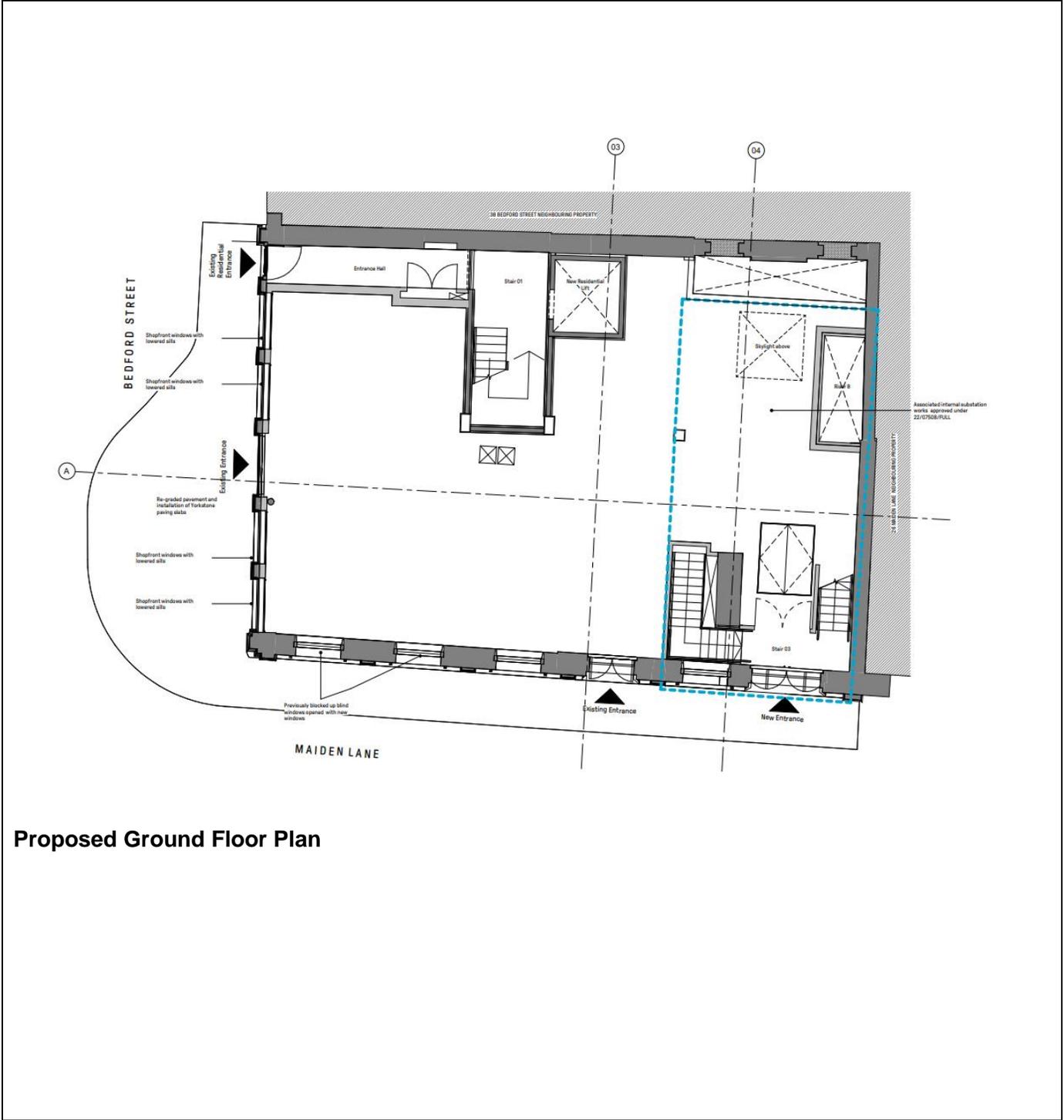
Existing Maiden Lane Elevation



Proposed Maiden Lane Elevation



Existing Ground Floor Plan



Proposed Ground Floor Plan

DRAFT DECISION LETTER

Address: 39 - 40 Bedford Street, London, WC2E 9ER

Proposal: Installation of new duct shaft and mechanical plant to rear of building; lowering of ground floor window cills on Bedford Street and Maiden Lane elevations; opening up of existing blocked up windows and replacement doors on Maiden Lane; new stone steps; new façade lighting to ground floor elevations and regrading of pavement to create level access from Bedford Street.

Reference: 23/06521/FULL

Plan Nos: PL0001 Rev. 0A, PL0002 Rev. A, CGL-Z1-B1-DR-A-PL1103 Rev. A, CGL-Z1-00-DR-A-PL1104 Rev. A, CGL-Z1-01-DR-A-PL1105 Rev. A, CGL-Z1-R1-DR-A-PL1106 Rev. A, CGL-Z1-XX-DR-A-PL1107 Rev. A, CGL-Z1-XX-DR-A-PL1108 Rev. A, CGL-Z1-XX-DR-A-PL1109 Rev. A, CGL-Z1-XX-DR-A-PL1115 Rev. B, CGL-Z1-B1-DR-A-PL1110 Rev. A, CGL-Z1-00-DR-A-PL1111 Rev. A, CGL-Z1-01-DR-A-PL1112 Rev. A, CGL-Z1-R1-DR-A-PL1113 Rev. A, CGL-Z1-XX-DR-A-PL1114 Rev. B, CGL-Z1-XX-DR-A-PL1115 Rev. B, CGL-Z1-XX-DR-A-PL1116 Rev. A, CGL-Z1-XX-DR-A-PL1117 Rev. A, CGL-Z1-XX-DR-A-SK210, CGL-Z1-00-GA-A-SK200 Rev. 01, Planning Noise Assessment (22502-R01-D) dated 26 April 2023 prepared by Sandy Brown Consultants in Acoustics, Noise and Vibration, Operational Management Statement and Planning Statement dated 19 September 2023.

For information only: Heritage Statement dated June 2023, Fire Statement Rev. 1 dated 22 May 2023, Statement of Community Involvement dated July 2023 and Sustainability Statement Issue No. 4 dated 03/05/2023.

Case Officer: Zulekha Hosenally

Direct Tel. No. 07866037615

Recommended Condition(s) and Reason(s)

Reason:

- 1 Because of the loss of the original fenestration and window proportions to the principal facade, the lowering the Bedford Street cills would harm the appearance of this building, failing to maintain or improve (preserve or enhance) the character and appearance of the Covent Garden Conservation Area. This would not meet Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021).

The works are also contrary to adopted and published supplementary planning advice, namely 'Shopfronts Blinds and Signs' (City of Westminster: 1993).

Reason:

- 2 Insufficient information has been submitted to demonstrate how the proposed regrading of the public footway could be achieved without adversely affecting the safety and convenience of pedestrian movement on the public highway, nor has the submitted information demonstrated that the highway works would improve access into the building. This would not meet Policies 25, 38 and 43B of the City Plan 2019-2040 (April 2021).

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way so far as practicable. We have made available detailed advice in the form of our statutory policies in the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, London Plan (March 2021), planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, further guidance was offered to the applicant by the case officer during the processing of the application to identify amendments to address those elements of the scheme considered unacceptable. However, these amendments were not made. You are therefore encouraged to consider submission of a fresh application incorporating the material amendments set out below which are necessary to make the scheme acceptable.

Required amendments:

- omit the lowering of the ground floor windows cills on the Bedford Street elevation.
- further consideration to provide accessible access into the building.

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.