

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 01 October 2024	Classification For General Release	
Report of Director of Town Planning & Building Control		Ward(s) involved Marylebone	
Subject of Report	Site 1. 25 Wimpole Street, + 18/20 Harley Place London, W1G 8GL Site 2. 27 Wimpole Street, London, W1G 8GN		
Proposal	Site 1. Partial excavation of existing rear garden to create a new two storey link extension at lower ground and ground floor level behind 25 Wimpole Street and 18-20 Harley Place to provide Class E(g)(ii) medical research and development space in conjunction with a new single storey basement and mansard roof extension at 18-20 Harley Place in conjunction with the existing lower ground floor level of No 25 Wimpole Street and accommodation at 18-20 Harley Place, installation of new plant and photovoltaics on main roof at 25 Wimpole Street and roof at 18-20 Harley Place. New rear courtyard garden, green roofs and terrace spaces to the site. (Part of land swap with 27 Wimpole Street). Site 2. Use of ground and first floors as residential use (part of land use swap with 25 Wimpole Street and 18-20 Harley Place).		
Agent	Howard de Walden Management Ltd		
On behalf of	Howard de Walden Management Ltd		
Registered Number	24/01624/FULL 24/01626/FULL	Date amended/ completed	12 March 2024
Date Application Received	12 March 2024		
Historic Building Grade	Unlisted		
Conservation Area	Harley Street		
Neighbourhood Plan	Not Applicable		

1. RECOMMENDATION

1. Grant conditional permission
2. Grant conditional permission

2. SUMMARY & KEY CONSIDERATIONS

These proposals involve two different sites in a land use swap. 25 Wimpole Street, and 18-20 Harley Place are referred to as 'Site 1' and 27 Wimpole Street referred to as 'Site 2'.

At Site 1, permission is sought for a single storey mansard extension, excavation beneath 18-20 Harley Place and excavation and extensions to the rear to provide additional accommodation at basement/lower ground floor and ground floor level linking 18-20 Harley Place and 25 Wimpole Street. Alteration to both the Wimpole Street and Harley Place facades are also proposed as well as the provision of additional plant, greening and photovoltaics. In terms of use, it is proposed to use the lower ground floor (including basement level of 18-20 Harley Place), the ground floor of both 25 Wimpole Street 18-20 Harley Place and the new link extension as medical research accommodation Class E(g)(ii). Two residential units are proposed with the mansard to 18-20 Harley Place.

At Site 2, permission is sought for the change of use of the ground and first floor from medical accommodation to two residential flats.

The key issues are:

- The amenity impact of the proposed extensions at Site 1 on surrounding properties;
- The impact of the proposed alterations at Site 1 on the character and appearance of the Harley Stret Conservation area;
- The extent of basement development /loss of garden land at Site 1;
- The ability for Site 1 to provide a minimum of 10% biodiversity net gain;
- The implications of the proposal on the local highway network at Site 1; and
- The acceptability of the proposal land use swap package across both sites.

There have been a number of objections to the proposals at both Site 1 and Site 2, but both applications are considered acceptable in land use, sustainability, biodiversity. design, highways and amenity terms for the reasons set out in the main report and are recommended for conditional approval.

Site 2:



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4. PHOTOGRAPHS

Site 1:

Wimpole Street Frontage



Harley Place Frontage



Garden Area



Site 2:



5. CONSULTATIONS

5.1 Application Consultations

SITE 1:

CLLR SCARBOROUGH:

Objects of behalf of Marylebone Councillors on the following grounds:

- Loss of light to Harley Place residents particularly No 16A Harley Place
- Loss of open space in relation to both a reduction of amenity space as well as a reduction of biodiversity.
- Requests a bat survey to be conducted
- Impact of increase level of footfall on the quiet enjoyment of Harley Place residents
- Potential for Harley Place become an area for smokers.

MARYLEBONE ASSOCIATION

Any response to be reported verbally.

HSE

No objection

LONDON UNDERGROUND

No objection subject to condition.

BUILDING CONRTOL

No objection

ENVIRONMENTAL HEALTH

No objection subject to condition

ABROCULTURAL SECTION

Do not support the loss of the garden.

HIGHWAYS

No objection subject to condition.

WASTE PROJECT OFFICER

Further detail required.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 204

Total No. of replies: 4 objections plus 1 further objection submitted against site 2 on the following grounds:

- Development should priorities additional residential units rather than private commercial ventures
- Queries whether the new residential unit will be affordable

- Impact of proposed research and development facility on the character and function of the area
- Clarity is sought as to whether the research and development facility is for medical purposes
- No confirmation of the type of business or its operation
- Impact of increased footfall and associated traffic
- Difficulty ensuring that staff and visiting tradesmen utilise Wimpole Street access only
- Concerns that the main building entrance on Wimble Street will be used for commercial purposes.
- Proposal should include less demolition, less redevelopment and significant priority given to refitting of current buildings
- Impact of architecturally unsuitable additions on the character and appearance of the area
- Loss of garden land, its plants, trees and wildlife
- Biodiversity Assessment is flawed as it incorrectly categorised the baseline condition.
- Loss of daylight and sunlight/overshadowing
- Impact of proposal on living conditions and health of neighbouring residential occupants
- Noise nuisance from mechanical plant and as a result of the commercial use associated with the use of the remaining garden.
- Impact on privacy
- Structural assessment includes various risks associated with groundwater, slope stability and surface water flooding.
- Potential impact on TfL underground tunnels
- Construction impacts
- Considered consultation by the Council inadequate
- In the event permission is granted request condition to:
 - Control hours of work during construction phase
 - Request glazing facing 16A Harley Place is obscured, fixed shut and double glazing
 - Request that hours of use should be limited to between 09:00 Monday to Friday and between 09:00 and 12:00 on Saturdays only and access to the garden is restricted to those times.
 - Exterior lighting is restricted to operating hours only.

PRESS NOTICE/ SITE NOTICE:

Yes

SITE 2:

MARYLEBONE ASSOCIATION

Any response to be reported verbally.

HIGHWAYS

No objection

WASTE PROJECT OFFICER

Further detail required

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 77

Total No. of replies: 3 objections (including one relating to site 1) on the following grounds:

- Reduction of privacy within 16A Harley Place from rear window
- Principle of a land use swap
- Raises concerns relating to the application site 1 which are dealt with in the assessment of that application

PRESS NOTICE/ SITE NOTICE:

Yes

5.2 Applicant's Pre-Application Community Engagement**Site 1:**

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. In addition to pre-application engagement with the Council, activities undertaken by the applicant (as stated within the submitted Statement of Community Involvement) are summarised below:

- The Applicant hosted an in-person exhibition on 10, 12 and 19 January 2023 and a further round of exhibitions was conducted on 07 and 13 February 2024.
- Similarly online consultation events were held on 10, 16 and 19 January 2023 and a further event was held on 05 February 2024.
- To provide greater flexibility and increased awareness of the project, Howard De Walden Estates also provided details of the application on their website (25 Wimpole Street/18-20 Harley Place)
- Briefings were given to the Marylebone Association 08 November 2021 and 05 September 2022

The table below indicates concerns/comments made as a result of the above process:

Stakeholder	Feedback	Applicants Response
Marylebone Association	<p>Raised a concern regarding the proposed silver birch trees and the rate in which they grow so could be planted in pots.</p> <p>Stated that the energy improvements now proposed within the application including the</p>	No response

	PV's and decarbonising of the buildings is an improvement on the previous scheme.	
Cllr. Arzymanow	<p>Raised concerns regarding the new trees within the courtyard blocking out daylight and that the opinions of neighbours should be considered around this point.</p> <p>Suggested that trees should be placed in containers to reduce how much they grow.</p>	No response
Neighbouring Residents	Concerns regarding overlooking from first floor windows within the Wimpole Street building.	Through further conversation it was made clear that concerns regarding overlooking relates to the existing windows present to the rear of 27 Wimpole Street which the applicant clarified.
	Question regarding if the daylight and sunlight report and separately the ecology reports will be updated?	Hdwe confirmed that these reports would be updated, and they now form part of the submission for the new application.
	Question regarding the overall height of the proposed link building?	Hdwe confirmed that the height reduction will be approximately 250mm.
	Will bat boxes be incorporated into the scheme?	Hdwe confirmed the revised proposals incorporates bat boxes.
	The increased number of trees within the courtyard garden is supported but could the species of this tree be considered so it is not a fast-growing species that could block out more light to neighbouring properties.	Hdwe confirmed that they would address this.
	Where will the main entrance for staff arrivals to the commercial facility be?	Hdwe confirmed this would be by the lower ground floor door at 25 Wimpole Street.

How will the new link building affect the balcony to rear of the flat at first floor within 25 Wimpole Street?	Hdwe confirmed that the new rooftop the link building is below the level of windows/ Juliet balcony and no planting is to provide directly outside the 1st floor of 25 Wimpole Street.
Can the height of the wall on the western side of 18-20 Harley Place be confirmed?	Hdwe confirmed that the height of the wall will be raised to the same level as in the previous application.
Could it be secured within a future lease that all members of staff and deliveries must be taken from the lower ground floor of Wimpole Street?	Hdwe confirmed that would look to see if this was possible in due course.
Regarding a future research and development occupier, would residents have a say on how this might be?	Hdwe confirmed that no residents and neighbours would not have a say on who the future occupier might be.
What was Westminster City Councils position on the previous application end. Were they minded to refuse?	Hdwe confirmed that the City Council stated that the application was highly contentious and that it may be worthwhile withdrawing the application and re-submitted addressing as many objections and concerns as possible which the Estate believes has been done.
Will 27 Wimpole Street still be connected as a use swap site?	Hdwe confirmed that this would be used as the swap site.
Could the windows to the rear of the 1st floor of 27 Wimpole Street be obscured?	Hdwe confirmed that they would look at that as part of this application.
Concerns regarding the commercial entrance on Harley Place?	Hdwe confirmed that only visitors will enter the commercial premises on Harley Place and that all staff, deliveries and servicing of the building will take place via the lower ground floor entrance of Harley Place.
Will the lift within 25 Wimpole Street be accessible to staff of the commercial unit?	Hdwe confirmed that the lift will still arrive at lower ground floor but the commercial unit will not have access to this lift.
Due to concerns of potential noise and vibration coming from the proposed plant at roof level of 25 Wimpole Street, could Hdwe confirm the dimensions of the	Hdwe confirmed that these dimensions would be shared.

	proposed plant area?	
	What would be the timing of the works at roof level, and would there be scaffolding and a crane associated with these works?	Hdwe confirmed that the works to the roof level would be further down the line of the programme, and there would be scaffolding the rear elevation of 25 Wimpole Street and a crane.
	Will the upper floors of 25 Wimpole Street remain as their existing uses?	Hdwe confirmed that all upper floors from first to fifth floor levels of 25 Wimpole Street will not form part of this application
	Have the existing London Underground lines been considered as part of this proposal.	The Structural Engineers as employed by the Estate have considered the proximity to the London Underground lines and there are no concerns
	How will parking for deliveries and servicing be dealt with on Wimpole Street?	Hdwe confirmed this will be as existing.
	How much noise will there be during the construction process, and will there be hours in which noisy works can be undertaken?	Hdwe confirmed that there will be noisy works associated with this project, but the contractors will need to comply with the hours set by the Environmental Health team at Westminster City Council for noisy works which is two hours on and two hours off Monday- Saturday.
	Listened to the discussion around the proposals agreed the changes to the proposals especially removing the staff arrivals, servicing, and deliveries from Harley Place to be an improvement to the scheme.	No response
	Raised concerns regarding the height of the party wall with 21A and wanted to know more details on this in due course.	Hdwe confirmed that this would be possible.
	Will a conditions survey be undertaken to the party wall at the beginning of the project?	Hdwe confirmed that this will be undertaken as part of the project.
	Raised concerns regarding the height of the green roof on the proposed link building.	Hdwe confirmed that the overall height of the link building had been lowered but that the depth of the proposed green biodiverse roof has increased to 1m as per the requirements from WCC.

	Concerns were raised of potential damage to the cobbles on Harley Place during and after the construction works	Hdwe confirm that all repairs would be made to the road surface as existing following the proposed works.
	Positive comments were made regarding the proposed works associated with decarbonising the buildings and adding more greenery to the site.	No response

Site 2:

The applicant has not submitted a Statement of Community Involvement and the other application documents do not indicate that engagement was carried out by the applicant with the local community and key stakeholders in the area, prior to the submission of this planning application. However, the Early Community Engagement guidance only expects such engagement to take place where proposals may have a significant impact on residential amenity or other noise sensitive receptors. Given this relates solely to a change of use to residential accommodation, as detailed below, it is not considered that neighbours will experience any of those impacts as a result of this proposal.

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 closed on 9 May 2024 and the council is currently considering the responses received. 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:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- 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
- 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

Both 25 Wimpole Street and 27 Wimpole Street are unlisted buildings located on the east side of Wimpole Street, south of New Cavendish Street and north of Queen Anne Street. 18-20 Harley Place is located to the rear of 25 Wimpole Street.

25 Wimpole Street, and 18-20 Harley Place are referred to as ‘Site 1. 25 Wimpole Street is arranged over lower ground, ground, and five upper floors and is a mixed use building comprising medical use at ground floor level and residential use on the lower ground and 1st to 5th floors.

18-20 Harley Place are three storey mews houses consisting of commercial garages at part ground floor level. There is one residential flat access from the side elevation on

Harley Place at ground floor level. On the main Harley Place frontage, access is provided to the six residential flats at first and second floor level.

The back land area between the two buildings contains mix of hard and soft landscaping across an area which changes in level between Harley Place and moving down towards Wimpole Street. Although there is no planning history relating to this space, it is understood that this space was only accessed by the residents of 16A Harley Place and some of the flats within 18-20 Harley Place; however, this is only to a designated terrace space. Access to this garden by the occupants of 16A Harley Place is via a licence which expired in August 2023 and since this time the garden has been taken back by the Estate with the paved area only allocated for the sole use of the occupants of 16A Harley Place which adjoins their property.

27 Wimpole Street is referred to as 'Site 2'. This building comprises lower ground, ground and 1st to 4th floors. The ground and first floor are used as medical accommodation, with self-contained residential units at lower ground and a maisonette at third and fourth floor levels. Permission was granted for the use of the second floor as a part medical/ part residential (Sui generis use) for a temporary period of up to five years which is personal to the current occupier on 06 March 2024 (RN: 23/00945) which means that by the 05 March 2029 or before, the second floor unit will revert back to residential use.

Whilst there is a predominance of residential uses in the vicinity of both sites, this section of Wimpole Street and Harley Place are mixed-use in character.

In terms of planning designations and of relevance to the proposals, both sites are located within an area with the following designations:

- Harley Street Conservation Area;
- Central Activities Zone (CAZ);
- Harley Street Special Policy Area; and
- London Underground Structures 10m Buffer.

7.2 Recent Relevant History

Site 1:

25 Wimpole Street

Planning permission granted 6th October 1955 for the use of the ground floor at Nos 25/26 Wimpole Street, St. Marylebone as consulting rooms (Class XV of the Town and Country Planning (Use Classes) Order, 1950).

Planning permission granted 16th April 1954 (RN:27300/C) for the redevelopment of the sites of Nos 25-26 Wimpole Street St. Marylebone, by the erection of a six-storey building plus basement, comprising 13 self-contained flats and a caretaker's flat, as a variation from the permission issued by letter dated 23rd March 1954.

Planning permission granted 18th March 1954 (RN: SR.50/2225) for the redevelopment of the sites of Nos. 25-26 Wimpole Street, St. Marylebone, by the erection of a six-storey building, plus basement, comprising 13 self-contained flats and caretaker's flat.

Planning permission granted (RN: T.P. 6a 54) for the redevelopment of the sites of Nos 25/26 Wimpole Street, and NOS 16/20, Harley Place St. Marylebone, by the erection of a seven-storey building with basement for use as a consulting rooms and flats.

18-20 Harley Place

Planning permission granted 11 September 1958 (RN: T.P.27300/NW)for the rebuilding of Nos 16-20 Harley Place, St. Marylebone as a three-storey building comprising seven self-contained flats and five private garages.

Planning permission granted 03 April 1958 (RN: T.P. 27300/NW) for the rebuilding of Nos. 16-20 Harley Place, St. Marylebone as five three-storey terrace houses, each with a garage, generally as shown on drawing submitted.

Planning permission granted 14 April 1955 (RN: T.P 27300/NW) for the rebuilding of Nos. 17-20 Harley Place St. Marylebone to comprise ground, first and second floor for use as six self- contained flats with four lock garages on the ground floor.

Site 2:

27 Wimpole Street

Planning permission was granted on the 07 March 2024 (RN: 23/00945) for the use of the second floor as a sui generis use comprising part residential and part medical accommodation for a temporary period of five years.

An application determined on 23 March 1989 (RN: 98/02104) confirmed that the formation of opening through internal block wall for access to shower unit did not require conservation area consent.

Planning permission was granted on 15 May 1989 (RN: 98/02103) for the use of second floor as a 2-bedroom flat; insertion of louvres to fanlights in bathroom window at rear.

Permission was refused on the 19 March 1991 (RN: 90/06651) for the change of use of second floor to offices.

Permission was refused on the 14 August 1990 (RN: 90/03316) for the change of use of part first floor to offices.

Permission was refused on the 14 August 1990 (RN: 90/03315) for the change of use of part ground floor to offices.

Permission was granted on 05 February 1988 (RN: 87/02697) for the use of consultants' rooms on ground, first and second floors as 3 residential units.

Planning permission was granted on 21 March 1986 (RN: 85/05283) for the change of use from medical consulting room and residential to residential.

Planning permission was granted on 23 December 1985 (RN: 85/03113) for the use of the basement use as a self-contained residential flat.

A planning application was marked as Unknown – Legacy Data on 17 June 1985 (RN: 85/01669) for single storey addition to existing rear extension to create new mews house which likely indicated that the application was not valid,

Permission was granted on 17 June 1985 (RM 85/01669) for a single storey addition to existing rear extension to create new mews house.

Permission was granted on 15 August 1986 (RN86/00521) for the conversion of second floor medical suite to self-contained flat.

Permission was granted on 31 January 1985 (RN: 84/01984) for a Single storey addition to create new mews house with integral consulting room.

Permission was granted on 17 October 1984 (RN: 84/01983) for a single storey mansard roof extension to create 2-bedroom flat.

Permission was granted on 07 November 1972 (RN: TP 10019 (03357)) for alterations to form two self-contained flats at 3rd and 4th floor level, 27 Wimpole Street

Permission was granted on 04 August 1972 (RN: TP 10019 DAI PMM (01693)) for the Erection of an additional storey on the roof of 27 Wimpole Street to provide one self-contained unit of residential accommodation.

8. THE PROPOSAL

Site 1

The main aspects of the proposal at Site 1 are as follows:

- Excavation of a single storey extension beneath 18-20 Harley Place.
- Partial excavation and erection of an extension to the rear of 18-20 Harley Place at lower ground and ground floor level linking to 25 Wimpole Street with planted residential terraces and biodiversity roofs above.
- Erection of a single storey mansard extension to 18-20 Harley Place to provide accommodation and an open top plant enclosure.
- Installation of green roof and photovoltaics to new roof of 18-20 Harley Place
- Installation of a replacement, albeit enlarged, plant enclosure and photovoltaics to the roof of 25 Wimpole Street.
- Installation of replacement windows to 18-20 Harley Place
- Alterations to ground floor frontage of 18-20 Harley Place including partial infill of building recesses.
- Installation of replacement stair with the front lightwell along the Wimpole Street frontage.

- Adaptation of railing and installation of platform lift to lightwell
- Creation of a new staff and services and deliveries entrance at lower ground floor level of 25 Wimpole Street.
- Installation of louvre to existing lower ground floor window facing lightwell along the Wimpole Street frontage.

In terms of use, it is proposed to use the lower ground floor (basement level of 18-20 Harley Place) and ground floor of 25 Wimpole Street, 18-20 Harley Place and the new link extension as medical research accommodation Class E(g)(ii).

Alterations and reconfiguration are proposed to the six existing 1-bedroom residential units (Class C3) at first and second floor level at 18-20 Harley Place. A further two residential unit (Class C3) are proposed to be created at third floor level with 18-20 Harley Place, comprising of one 1-bedroom unit and one 2-bedroom unit. This represents a loss of one residential unit within this site. The upper floors of 25 Wimpole Street which contain residential flats are not within the scope of this planning application.

Site 2

At Site 2, permission is sought for the change of use of the ground and first floor from medical accommodation to two residential units comprising of one studio unit and one 2-bedroom unit. No external alterations are proposed.

The floorspace figures across the sites are set out in the table below. The scheme will result in an additional 703.5 m² GIA of floorspace. This includes a very slight increase in residential floorspace of 2.6 m² GIA. Overall, there will be 1 additional (studio) unit in comparison with the existing position.

Table: Existing and proposed land uses.

Land Use*	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Residential	512.4	515	+2.6
Commercial Garages	98.1	0	- 98.1
Medical	280.1	0	- 280.1
Medical Research	0	1,068	+ 1,068
Communal Area	66	77	+11
Total	956.5	1,600	703.5

*Not including upper floors of either 25 or 27 Wimpole Street which fall outside the scope of these applications

9. DETAILED CONSIDERATIONS

9.1 Land Use

As detailed on Page 174 of the City Plan, almost every land use in one way or another throughout the city is protected in some form. Floorspace can be better protected when it can be transferred to another site as part of estate management or dual site developments. This approach can avoid lengthy marketing exercises leaving floorspace

vacant where it can accommodate a different use if the original land use is satisfactorily re-provided elsewhere. Therefore, a system of land use swaps may be appropriate in the following circumstances to enable better development outcomes:

1. the sites are in the vicinity of each other;
2. there is no net loss of floorspace which is protected by other policies in the Plan across sites taken as a whole;
3. the uses are appropriate within each area;
4. any residential accommodation is of a higher quality than could have been achieved without the land use swap.

The applications for all sites must be submitted at the same time and must be accompanied by a full schedule of the existing and proposed floorspace.

If agreed, the sites subject to the land use swap will be treated as though the development is on a single site, including for consideration of viability (the sites should be within sufficient proximity to one another that there is no significant differential in site value) and all elements of the scheme are to be completed within a time frame agreed by the council.

Commercial Garage

The proposal would result in the loss of 98.1 sqm GIA of commercial garages (Sui Generis). Objections have been received on the basis that the proposal will reduce the available car parking in the area. Policy 27 (G) states that proposals for the redevelopment of existing car parks for alternative uses will be supported. Therefore, the loss of the commercial garages which can accommodate vehicles is acceptable.

Medical/Medical Research & Development

The proposal results in the loss of 280.1 sqm GIA of medical floorspace and an increase of 1,068 sqm GIA of medical research and development floorspace.

Objections have been received to the additional commercial floorspace stating that additional residential should be prioritised. Given the sites are located within the Harley Street Special Policy Area and the CAZ, City Plan Policies 13, 14 and 22 are applicable.

Policy 22 part A states that 'development in the Harley Street Special Policy Area will support and enhance its continued role as an international centre of medical excellence'. Policy 22 part B goes on to say that 'proposals for additional floorspace to upgrade or provide new medical facilities ... will be supported subject to impact on townscape and heritage'.

Policy 13 part A states that 'new and improved office floorspace will be supported to provide capacity for at least 63,000 new jobs over the Plan period, enabling the continued growth and clustering of the creative, knowledge, and research-based sectors. Additional floorspace that meets the needs of modern working practices, including through the provision of co-working space and a range of Class E (commercial, business and service) uses on site, is supported in principle in ...parts of the Central Activities Zone (CAZ) with a commercial or mixed-use character'.

Policy 14 part G states that 'town centre uses (including office use) will also be supported in principle throughout the parts of the CAZ with a commercial or mixed-use

character, having regard to the existing mix of land uses and neighbourhood plan policies’.

Whilst the loss of medical floorspace would normally be unacceptable in principle, given the application sites are located within the Harley Street SPA and the proposals would result in a net increase of floorspace through the increase in medical research and development, it is considered that the proposal would support and enhance the Harley Street SPA’s continued role as an international centre of medical excellence’.

As above, the application site is located in an area which is mixed-use in character. As such, the proposed research and development use is acceptable in principle and objections to the contrary cannot be supported.

Objectors have queried whether the proposed commercial use is for medical research or general research and development. The proposal is for medical research and development, which is considered an appropriate use for the site. As the use falls within Class E(g)(ii) a condition is recommended which would prevent the lower ground and ground floors changing to other uses within Class E.

Objectors also raised concerns that the occupier and their operational arrangement remain unknown. Concern was also raised regarding the potential for staff members smoking and loitering on Harley Place. Whilst it is not unusual for an operator to be unknown at this stage, a condition is recommended requiring an Operational Management Plan to be approved prior to the medical research use commencing. The OMP will include details of hours of operation, and a code of conduct for staff including a request not to smoke on Harley Place. Subject to adherence to the OMP it is considered that the medical research use would operate without being harmful to residential amenity or the character and function of the area.

Residential

There are currently 7x 1-bedroom units and 2x 2-bedroom units across the two sites. Within 27 Wimpole Street, it is proposed to create one studio and one 2-bedroom unit. The existing 6x 1-bedroom units within the first and second floor level of 18-20 Harley Place are being slightly modified to accommodate enlarged cores required to accommodate the residential accommodation contained within the mansard extension to its roof. Terraces are being proposed to the rear of two of the first floor residential units. The new mansard extension to 18-20 Harley Place will provide an additional 1x 1-bedroom and 1x 2-bedroom units. The proposals across both sites would result in the net increase of one studio unit (ref table below).

	Studio	1-bedroom	2-bedroom
Existing		7	2
Proposed	1	7	2

Policy 8 of the City Plan 2019-2040 (April 2021) states that Westminster seeks to optimise housing delivery by optimising site densities, delivering a higher number of homes on small sites, permitting appropriate upwards extensions, and planning positively for tall buildings in certain locations. As such the principle of an additional residential unit in this location is acceptable in principle, subject to impacts of the additional bulk as discussed in the design and amenity sections below.

Furthermore, the policy goes on to state that no new homes in Westminster will exceed 200 m² Gross Internal Area. The proposed flats range between 37 sqm GIA and 87 sqm GIA in accordance with policy.

Policy 10 of the City Plan states that residential developments will provide a mix of units in terms of size, type and tenure to secure mixed and inclusive communities and contribute towards meeting Westminster's housing needs; however, the policy does go on further to state that 25% of all new homes across Westminster will be family sized (3 bed or more). Given the proposal only result in an increase on one studio unit, it is not considered appropriate to insist upon in this case.

Policy 12 of City Plan requires that all new homes and residential extensions will provide a well-designed, energy efficient and high-quality living environment and all new homes will meet or exceed the Nationally Described Space Standards. The policy goes on to say that all new-build homes will provide at least 5 m² of private external amenity space for each dwelling. Where it is sufficiently demonstrated that it is not practicable or appropriate to provide any type of external amenity space, additional internal living space equivalent to the external requirement is required.

Two of the existing flats are being modified to incorporate private amenity space. Additionally, as a gesture of good will, the Howard de Waldon Estate have also granted a license for 16sqm of private amenity space to 16A Harley Space. As proposed, all of the units meet the Nationally Described Space Standards. With the exception of one studio unit all of the proposed units are dual aspect flats that would provide a good standard of accommodation. The reconfigured accommodation is considered an improvement on the existing position.

Policy 9 of the City Plan 2019 – 2040 (April 2021) requires that at least 35% of all new homes will be affordable across Westminster where 10 units are being provided or the increase in residential floorspace totals 1,000 m² GIA. Objectors have queried whether the proposed residential unit contained within the mansard of 18-20 Harley Place are affordable. The proposal is solely for private housing. The scheme does not trigger the requirements to provide affordable housing.

Garden Land

City Plan Policy 8 part C states that 'all existing residential...land will be protected.' City Plan Policy 34 part C also states that 'All open spaces and their quality, heritage and ecological value, tranquillity and amenity will be protected'. The proposal will result in the loss of garden land which as stated above, has been used by some of the surrounding residential properties. The proposal does retain a significant terraced area alongside 16A Harley Place for the sole use of its residents, as well as private terraces for 2 flats on the first floor of 18-20 Harley Place. Right of access to garden is a landlord/tenant issue and not a reason that permission could reasonably be withheld.

9.2 Environment & Sustainability

Site 1:

Sustainable Design

City Plan Policy 38(E) (Design Principles) states, “Applicants will demonstrate how sustainable design principles and measures have been incorporated into designs, utilising environmental performance standards as follows:

1. Non-domestic developments of 500 sq. m of floorspace (GIA) or above will achieve at least BREEAM “Excellent” or equivalent standard.”

An objection has been received to the extent of demolition proposed stating that priority should be given to refurbishment of the existing buildings.

The proposal is however one of retrofitting and extension. Demolition is relatively limited and is required to facilitate the extensions and improvements in environmental performance. As such, the extent of demolition proposed is considered to be acceptable.

A BREEAM Assessment has been conducted and the commercial element of the proposal is targeting BREEAM “Excellent” in line with the policy requirement.

Energy Performance

Policy 36 of the City Plan requires that all development reduces on-site energy demand and maximise the use of low carbon energy sources.

An Energy Statement has been submitted in support of the proposal.

With regards to ‘Be Lean’ (energy demand reduction), the high-performance building fabric, airtightness and thermal bridging is specified to reduce heat loss. Natural ventilation will be retained throughout the refurbishment. Within the new commercial space, mechanical ventilation with heat recovery will be utilised, with appropriate time and temperature control. An efficient building services systems is proposed, including the use of smart metering and controls. All lighting will be efficient LED fittings with automatic controls.

In respect of ‘Be Clean’ (building heating), there are no existing or proposed district heat networks in close proximity to the proposed development. As a standalone development site of limited footprint there is limited scope to provide a site-wide heat network.

In terms of ‘Be Green’ (renewable generation), the scheme includes the provision of ASHP’s and PVs.

By utilising good design principles led by the Energy Hierarchy and then incorporating low/zero carbon generating technologies, there has been a total saving of 87% in non-domestic regulated CO2 emissions, compared to the baseline building for the non-domestic aspect and a 57% reduction in carbon emissions compared to a Part L 2021 compliant baseline model for the new build element, as required in the GLA Energy Assessment Guidance (June 2022). This complies with the London Plan and City Plan requirement for at least a 35% saving in carbon emissions achieved on site.

The residential development will achieve a total saving of 74% for the new development. For the refurbished areas, a 67% reduction will be achieved. This also complies with the GLA Energy Assessment Guidance benchmark of 50% savings in carbon emissions achieved on site.

Given the development is not a major application, no payment in lieu is required to offset the remaining emissions to Net Zero Carbon.

Air Quality

Although not required for a development of this type and scale, the applicant has submitted an air quality assessment. The assessment submitted with the application considers the impact of potential dust generation during the construction period, the suitability of the site for the proposed uses and the potential impact of traffic and energy-related emissions associated with the proposed development once operational. Environmental Health are satisfied that the Air Quality assessment has demonstrated that the proposed development is air quality neutral in terms of its on-going operational impact.

Flood Risk & Sustainable Drainage

The existing site is located within Flood Zone 1 and is considered to be a low risk of flooding from fluvial and tidal sources.

City Plan Policy 35 and London Plan Policy SI13 requires that developments utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so.

In order to reduce surface water run-off, the proposal incorporates a landscaped roof area to the proposed link building and also a green roof to the extension to 18-20 Harley Place. Both of these will help manage and provide treatment to surface water runoff. The landscaped roof would comprise a substrate depth of up to 1000mm of soil with a 200mm drainage layer below which will significantly reduce water running off from this section of accommodation. The existing permeable courtyard will be remodelled with loose decorative gravel, new planting and tree pits to maintain its permeability. It is considered that opportunity of SUDS measures has been maximised.

Site 2:

Given the proposal relates to a change of use only, the opportunity for environmental improvements are limited.

9.3 Biodiversity & Greening

Site 2:

Green Infrastructure

City Plan Policy 34 states, 'Developments will, wherever possible, 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'. As above, the proposal does result in the loss of garden land. To mitigate this, the proposal incorporates an intensive green roof of 1000mm of topsoil on top of a 200mm drainage layer to roof of the rear extension link building which will be visible from both Harley Place and 25 Wimpole Street. In addition, areas of green roof are proposed to the rear terraces at first floor level and to the main roof of 18-20 Harley Place. As evident from the section below, the proposal results in both an increase in area of green infrastructure and increases the biodiversity contribution of the site. The biodiversity benefits of the

proposal are welcome and are recommended to be secured by condition.

Biodiversity Net Gain

Chapter 15 of the NPPF states opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

London Plan Policy G6 states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain.

City Plan Policy 34 part G states that 'developments should achieve biodiversity net gain, wherever feasible and appropriate. Opportunities to enhance existing habitats and create new habitats for priority species should be maximised. Developments within areas of nature deficiency should include features to enhance biodiversity, particularly for priority species and habitats.

Biodiversity net gain (BNG) is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains. The PPG notes that it would generally be inappropriate for decision makers, to refuse an application on the grounds that the biodiversity gain objective will not be met (as this is assessed post permission through the BG Plan)

Under the statutory framework for BNG, subject to some exceptions, the objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits. The area of onsite habitat is greater than 25 m² s and therefore requires a BNG assessment.

A report has been submitted in support of the application which concludes the development would result in a BNG increase of 56%. An objection has been received which queries the validity of the baseline calculation in the report submitted. It is acknowledged that there are number of variables governing how BNG is calculated, however given that the report concludes that the BNG is significantly in excess of the policy expectation it is considered that the scheme is likely to achieve the required BNG. It is recommended that this is secured by condition'

Ecology

All bat species are designated and protected as European protected species (EPS). EPS are protected under the Conservation of Habitats and Species Regulations 2017.

Councillor Scarborough requested that a bat survey was conducted. The application is supported by a Bat Survey Report. In accordance with guidance from the Bat Conservation Trust (BC T) Best Practice Guidelines, a single emergence survey was undertaken on the 15 August 2023, which indicated the absence of roosting bats from the 18-20 Harley Place building. A second precautionary survey was undertaken on 25

Wimpole Street on 22 August 2023, due to bats appearing in the garden from the direction of 25 Wimpole Street. This second survey also confirmed the absence of roosting bats within the 25 Wimpole Street building. Foraging and commuting behavior from common pipistrelle (*Pipistrellus pipistrellus*) and soprano pipistrelle (*Pipistrellus pygmaeus*) was recorded on site at the time of the surveys. Foraging from common pipistrelle was noted within the garden area of the site close to the average emergence time of this species, suggesting bats are likely to be roosting somewhere nearby the site.

No mitigation actions in relation to roosting bats are required; however, a condition is recommend to ensure that no external lights are installed to the rear of the site and that windows to the research and development accommodation at lower ground (including basement of 18-20 Harley Place) and ground floor level facing the courtyard area are fitted with internal automated blinds set to close between the hours of sunset and sunrise and requiring the installation of bat boxes as shown on the submitted drawings.

Considering the above, it is considered that the proposal will enhance the site for both roosting and foraging bats.

To further enhance the sites ecological contribution, the proposal includes the provision of bird and bat boxes. These features will contribute to the enhancement of the qualitative biodiversity value of the site beyond the quantitative uplift secured as part of the BNG.

9.4 Townscape, Design & Heritage Impact

Site 1:

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

Section 66 of the LBCA Act requires that, *“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”*.

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”*.

This application has been assessed against policies 34, 38, 39 and 40 of Westminster’s City Plan 2019-2040 (adopted April 2021).

25 Wimpole Street is mid-twentieth century building arranged over lower ground, ground and five upper storeys. 18-20 Harley Place is a three storey mews building and is located directly to the rear of 25 Wimple Street. The site has an unusually large, attractive and well established garden between 25 Wimpole Street and 18-20 Harley Place.

There are a number of listed buildings in the vicinity, including 23 and 24 Wimpole Street

which are grade II listed.

With respect to 25 Wimpole Street, the proposal is largely limited to alterations to the fenestration at lower ground floor level, alterations to the railing to the lightwell, the installation of a platform lift and the erection of additional roof top plant.

The proposals to the Wimpole Street elevation are modest and largely confined to the alteration of a short section of existing railing to install a gate giving access to a platform lift for wheel chair access to the lower ground floor. It should be noted that there is already a gate leading to existing stairs down to the lower ground floor and the proposed gate will mirror and therefore balance the existing arrangement. With regards to the platform lift, this type of alteration has minimal visual impact if done sensitively. They are also frequent features in the Harley Street Special Policy Area given the prevalence of medical type uses and the associated access requirements for such facilities. A condition has been added to ensure the detailed design is suitable and that the alterations to the railings are well considered.

At lower ground floor level, the alterations involve the installation of louvres instead of glazing within the window frame to one of the existing windows at that level. The replacement of an existing door under the entrance bridge which would not be clearly visible from the public realm is also proposed. The alterations to the window to replace the glazing with inset louvres is not felt to significantly or materially affect the appearance of the building given the window is set down in the lightwell and the window frame and window surround will be retained. A condition has been attached to control the detailing of this alteration to ensure it is suitably achieved in design terms.

The new plant to the roof of 25 Wimpole Street has been reduced in scope and relocated further back from the facade behind a zone for PV's and is now considered acceptable.

The principal alterations are the redevelopment of Harley Place including facade alterations, a mansard extension incorporating a plant enclosure, a new green roof, installation of PV panels, and a 2 storey link building running through the garden connecting Harley Place and Wimpole Street buildings.

In Harley Place many of the adjacent buildings have been extended with a mansard. The existing building at 18-22 Harley Place had a partially pitched roof and the modest increase in height to accommodate a mansard extension is not considered to be contentious in design terms, given the floor to ceiling height has been kept as modest as possible and is aligned in design terms with the City Councils published guidance on mansard and dormer design. The other alterations to the facades have been negotiated by officers and are now considered to be minor and in keeping with the mews character of the immediate context.

There is a new biodiverse green roof over the proposed link structure which is 1.2m in depth. The height of the link building has been brought down so as to be the same height as the garden wall and the width has been reduced. In design terms, the link building is now noticeably subservient to both buildings it connects. The high quality green roof replaces much of the green space it occupies. The link building is a well-designed, contemporary intervention with openable roof lights to allow for less

mechanical plant and the possibility of natural purge ventilation.

The remaining garden has been designed as a courtyard garden by a landscape architect to assist the setting of the proposed link building.

Objections have been raised regarding the impact of architecturally unsuitable infill and alteration on the character and appearance of the area and to the loss of garden land.

The proposals have been negotiated in design terms and considered to respond well to their context as well as character and appearance of the area. The loss of the green space has been lessened from previous proposals and given the reduction in height to being close to that of the existing garden wall and the provision of a meaningful good quality green roof with 1 metre depth of topsoil on the full depth of the link building the applicants have mitigated the impact in as far as they can.

The proposed infill extension will have one elevation that is visible and has contemporary detailing. This addition links a mid-twentieth century rear façade to a twentieth century mews building, using colour matched brick but with contemporary windows. A more traditional design would have been considered unsuitable in this context and the design has been developed around the garden and the green roof. Whilst the loss of some of the garden space is regrettable, the applicants have mitigated the impact of this in design terms, with the green roof and landscaped proposals.

In light of the above, it is considered that the proposals will preserve the character and appearance of the Harley Conservation Area and will not have a harmful impact on the settings of nearby listed buildings. The development proposal, therefore, complies with Policies 34, 38, 39 and 40 of the City Plan 2019-204 and therefore, the recommendation to approve permission is compliant with the requirements of the NPPF and the above statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Site 2:

This application does not alter any external features.

9.5 Residential Amenity

Policy 7 of the City Plan 2019-2040 seeks to protect and, where appropriate, enhance amenity by preventing unacceptable impacts in terms of daylight and sunlight, sense of enclosure, overshadowing, privacy and overlooking.

Policy 33, Part B of the City Plan 2019 – 2040 states, ‘Developments must be designed to minimise the detrimental impact of glare and light spill on local amenity’.

Policy 33, Part C of the City Plan 2019 – 2040 states that ‘development should prevent adverse effects of noise and vibration and improve the noise environment in compliance with the council’s Noise Thresholds, with particular attention to: minimising noise impacts and preventing noise intrusion to residential developments and sensitive uses’.

Site 1:

Daylight and Sunlight

The applicant has submitted a Daylight and Sunlight Report that assesses the impact on the proposed development on the amount of daylight and sunlight received by the following properties:

- o 16a Harley Place
- o 27 Wimpole Street
- o 62 Wimpole Street
- o 61 Wimpole Street
- o 24 Wimpole Street
- o 21a Harley Place
- o 10 Harley Place
- o 9 Harley Place
- o 8 Harley Place
- o 7 Harley Place

Daylight

The most commonly used BRE method for assessing daylighting matters is the ‘vertical sky component’ (VSC), which measures the amount of sky that is visible from the outside face of a window. Using this method, if an affected window is already relatively poorly lit (i.e. the VSC is less than 27%) and the light received by the affected window would be reduced by 20% or more as a result of the proposed development, the loss would be noticeable, and the adverse effect would have to be taken into account in any decision-making. The BRE Guidelines seek to protect daylighting to rooms where daylight is required, including living rooms, kitchens and bedrooms. Windows to non-habitable rooms, such as bathrooms, storerooms or circulation space, do not need to be analysed.

Where the layout of affected room is known, the daylight distribution test can plot the ‘no sky line’ (NSL) which is a point on a working plane in a room between where the sky can and cannot be seen. Comparing the existing situation and proposed daylight distributions helps assess the likely impact a development will have. If, following construction of a new development, the no sky line moves so that the area of the existing room, which does not receive direct skylight, is reduced to less than 0.8 times its former value, this is likely to be noticeable to the occupants. Again, habitable rooms need to be analysed although bedrooms are less important.

One property is expected to experience material reductions in both VSC and NSL beyond the BRE thresholds. The applicant has obtained floor plans for this property to ensure that the development proposal’s impact is as accurate as possible.

16A Harley Place is a single family dwelling arranged over lower ground, ground first and second floor level. Objection have been received due to loss of light to this property. This residential building is located to the rear of the application site arranged over ground, first and a second floors. The table below summarises the predicted impact upon the daylight received for all of the windows serving habitable rooms and the impact upon the distribution of daylight within the affected habitable rooms.

			Vertical sky component	No Skyline
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Floor	Use	Window ref:	Before %	After %	Loss	% loss	Whole Room sq. m	Before %	After %	Loss %	Loss sq. m
Lower Ground	Reception	W2/B01	0.7	0.7	0	0	20	79.9	61.2	23.4%	3.7
		W4/B01	0.8	0.8	0	0					
		W5/B01	16.6	11.7	4.9	29.5%					

One window serving a reception room at lower ground floor level would experience reductions in VSC of 29.5% and a predicted NSL reduction for this room of 23.4%. Given that this room is served by two additional windows where there is no impact on VSC and diffused daylight at the working plane of the impacted room would reach 12.24 sq. m of the 20 sq. m room, which is considered relatively high for this central London location, it is not considered that proposal would adversely harm the living conditions of its residential occupants. For these reasons, it is not considered it would be reasonable to refuse this application due to the daylight impacts to this room and therefore objections in relation to loss of daylight cannot be sustained.

Sunlight

With regard to sunlight, the BRE guidelines state that rooms will appear reasonably sunlit provided that they receive 25% of annual probable sunlight hours, including at least 5% of winter sunlight hours. A room will be adversely affected if, following the construction of the development proposal, a room will receive less than these recommended standards and reduced by more than 20% of its former values over the whole year or over the winter months, and the total loss over the whole year is greater than 4%. Only windows facing within 90 degrees of due south of the proposed development need to be tested. Bedrooms and kitchens are less important and do not normally need to be analysed.

One window to a reception room within 16A Harley Place would experience a reduction of 30% of ASPH and an 85.7% loss of winter sunlight hours and objections have been received on this basis. Whilst this is significant, given that the retained annual sunlight hours to this window would be 21% including 1% of winter sunlight hours, it is considered that the impacted room will still experience reasonable levels of sunlight for this central London location.

Overshadowing

Objections have been received on the grounds that the proposals would result in unacceptable levels of overshadowing to terraces to 16A Harley Place.

BRE guidance recommends, with respect to the impact of developments on the overshadowing of private and communal gardens and terraces, that at least 50% of the area of each amenity space should receive at least two hours of sunlight on 21 March. If, as a result of new development, the space does not meet this target, and the area which can receive two hours of sunlight on 21 March is less than 0.8 times its former value, then the loss of light is likely to be noticeable.

The applicant has undertaken an assessment of the open spaces to the two terraces to 16A Harley Place. The assessment indicates that there would be no reduction in the areas receiving less than two hours of sunlight on the appointed day to the terrace

referred to as Area A3/A4. The assessment indicates that 81% of the second terrace referred to as Area A1 currently receives two hours of direct sunlight on the appointed day and this would be completely lost as a result of the proposal. Whilst not part of the assessment criteria, the assessment also indicated that on the 21 June, 90.75% of this terrace will receive two hours of direct sunlight in the proposed condition and therefore the impacted terrace will receive some direct sunlight in the warmer months. Whilst the impacts of to this terrace are material, it is not considered that this alone could justify a recommendation for refusal.

Sense of Enclosure

Objections have been received on the basis that the proposal will result in a loss of outlook. Given the relationship between the proposed development and the surrounding residential accommodation, it is not considered that their occupants will experience any material reduction of outlook.

Privacy

The proposal includes the creation of two new residential terraces at first floor level to the rear of 18-20 Harley Place, a commercial courtyard, and window to the extended accommodation.

Given both the distance and relationship between the proposed first floor terraces and surrounding residential properties, it is not considered that they would result in a material reduction of privacy felt within surrounding residential properties subject to a condition ensuring the screen to the south of the most southerly terrace, as shown on the submitted drawings, is installed prior to its use and retained for as long as the terrace is being used.

No. 16A Haley Place has windows which would be visible from the commercial courtyard. These windows are currently visible from the existing garden and from the rear windows to 25 Wimpole Street. As such, it is not considered there will be a material impact on privacy as a result of the use of the courtyard.

Subject to a condition ensuring the north facing windows to the link extension proposed at both ground and lower ground floor level are obscured to a height of 1.7m above the finished internal floor level, it is not considered that they will impact residential privacy locally. Consequently, objections on the basis of loss of privacy cannot be supported.

Noise

Objections have been received on the basis that the proposed plant and use of the commercial courtyard will result in noise nuisance.

Due to the potential of the commercial courtyard being used for gatherings, it is considered necessary to impose a condition to control the hours of use of these spaces to between 09:00 and 19:00 and ensuring no music is played externally at any time. With these restrictions it is not considered that neighbouring residents would be unduly impacted by the proposed courtyard.

Subject to the imposition of suitable conditions, Environmental Health has no objection from an environmental nuisance perspective, agreeing that the plant is capable of complying with the relevant criterion within Policy 33 of the City Plan 2019 - 2040 (April

2021) and the Environmental Supplementary Planning Document (February 2022).

In light of the above, it is not considered that the objection in relation to noise nuisance are sustainable.

Site 2:

Objections have been received on the basis that the windows to the rear of residential units will result in a reduction of privacy felt within 16A Harley Place. No additional windows are proposed, therefore there will be no material change with respect to the degree of mutual overlooking between the two properties as a result of the proposal.

This application does not raise any other amenity issues.

9.6 Transportation, Accessibility & Servicing

Site 1:

Access

Objections have been received on the basis that the proposal will increase activity on Harley Place.

Unlike previous versions of the proposal, the main entrance to the research and development facility is proposed from Wimpole Street. This access will be for all staff and deliveries to access the building. There will be a level access from Harley Place which is reserved for visitors to the facility only. There is an existing external staircase on Wimpole Street leading to the basement level. This will be replaced with a new staircase incorporating a ramp to allow access to cycle storage. A platform lift will be provided from Wimpole Street ground level to the lower ground floor to improve accessibility and to assist with deliveries. Access and egress for visitors (i.e. external visitors attending meetings), those maintaining the substation, and egress for all building occupants in the event of an emergency would still be permissible via Harley Place. It is not considered that the residual level of activity associated with the research and development facility via Harley Place would be materially harmful.

It should also be noted that as a result of this proposal, the means of access for the commercial and residential accommodation in both 25 Wimpole Street and 18-20 Harley place would be entirely separate.

Trip Generation

Objections have been received on the basis that the proposal will increase vehicular and pedestrian traffic. Due to the proposed increase in floorspace and the proposed uses on site, it is likely that the proposal will result in additional trips in the area; however, it is accepted that the majority of these trips will utilise the public transport network or will be by sustainable modes. As such, it is not considered that the objection in relation to increase movement locally, can be sustained.

Servicing

City Plan Policy 29 requires the servicing, collection and delivery needs of a development to be fully met. Policy 29 does also make an allowance for development

where it is not possible to fully meet these needs within the site itself and states (part D) that in this situation the needs, '...must be met in such a way that minimises adverse effects on other highway and public realm users, and other residential or commercial activity'.

The proposal does not include off-street servicing. It is however considered that the development is unlikely to generate increased servicing. A condition is recommended requiring the approval of a servicing management plan and thereafter the development to adhere to the SMP.

Car Parking

Objections have been received in the basis that the proposal will exacerbate the existing car parking shortage in the vicinity of the site. The Highways Manager considers that the impact of the increase floorspace and proposed uses on parking levels will be minimal.

Cycle Parking

The London Plan Policy T5 requires would require five long stay cycle parking spaces for and one short stay cycle parking spaces for the research and development floorspace. 16 spaces are proposed at lower ground floor level and 2 cycle spaces for residential. The cycle parking is welcomed.

Doors

The plans show doors opening to the rear of the site over Harley Place. The highways Officer has raised concerns regarding this arrangement which may impact pedestrian safety. The doors in question are doors which must open outwards in an emergency to comply with building regulations. A condition has been recommended to ensure all doors open inwards only with the exception of the emergency access doors which must be connected to buildings emergency system / fire alarm and is only permitted to open outwards when the system is activated.

Waste

The applicant has not indicated waste storage in accordance with the Council's waste storage requirement. A condition has been recommended to secure revised details.

Site 2:

Access

The proposed residential flats would be accessed from the main entrance door on Wimpole Street. Should this proposal be permitted, upon the expiry of planning permission dated 07 March 2024 (RN: 23/0094) which permitted the use of the second floor as a sui generis use comprising part residential and part medical accommodation for a temporary period of five years, the access and communal area will be solely for residential occupants of the building.

Car parking

Policy 27 supports residential development without car parking provision. However, it is noted that increased residential units in the area will increase demand for on-street spaces. Section 5.4 of the council's recently published Planning Obligations and Affordable Housing Supplementary Planning Document (March 2024) sets out that in order to prevent negative impacts resulting from increased car ownership, usually on-

street parking permits for new dwellings will not be permitted. A condition has been added to secure this.

Cycle Parking

The proposal incorporates three cycle spaces within a shared store which accords with London Plan Policy T5.

Waste

The applicant has not indicated waste storage in accordance with the Council's waste storage requirement. A condition has been recommended to secure revised details.

9.7 Economy including Employment & Skills

Whilst the development at both site 1 and site 2 are of insufficient scale to require an employment and skills plan, they will contribute positively to the local economy during the construction phase through the generation of increased opportunities for local employment, procurement and spending. Further, the new research and development floorspace proposed is expected to generate 51 new jobs. The increase in jobs supported by this site will help to promote opportunities for local employment and will lead to increased spending in existing nearby shops and services and other town centre uses.

9.8 Other Considerations

Site 1:

Basement development/Structural Implications and Construction Impact

The application involves the excavation of an additional basement level beneath and the extension to the rear of 18-20 Harley Place. Excavation is also required within the rear garden to accommodate the two storey link extension. This basement development must be considered under City Plan Policy 45.

Of relevance to this proposal, policy 45 part B states that basement developments will be supported where they:

1. do not extend beneath more than 50% of the garden land;
2. leave a margin of undeveloped garden land proportionate to the scale of the development and the size of the garden around the entire site boundary;
3. not comprise more than one storey beneath the lowest original floor level – exceptions may be made on large sites with high levels of accessibility for construction;
4. provide a minimum of one metre of soil depth (plus minimum 200mm drainage layer) and adequate overall soil volume above the top cover of the basement

The extent of the basement excavation beneath 18-20 Harley Place accords with the limits set out within the policy. The extent of basement development to the rear of the site encompasses circa 53.7% of the garden land which is above the 50% threshold and concentrates all of the remaining undeveloped area in one section rather than around the boundary of the site. The Council's Abrocultural Section has raised concerns regarding the loss of the garden land. Paragraph 45.7 of the reasoning justification states that limiting the extent and depth of basement development can help reduce both

the risks associated with basement development and mitigate negative environmental and amenity impacts. Paragraph 45.8 states that the standards for extent of the garden (site area excluding the footprint of the original building) are intended to strike a balance between allowing development, while ensuring a substantial area remains undeveloped (without any impermeable surfacing installed) to ensure adequate drainage and preserve the garden setting. Given the level difference between Wimpole Street and Harley Place, the proposed extent of the excavation in footprint terms inflates the total volume of excavation as part of the proposed lower ground floor within the garden is above the existing garden level. It is considered that the total volume of excavation is within permissible limits under this policy, albeit in a different form. Further, the commercial courtyard to the rear will remain undeveloped. The link extension includes a replacement garden to its roof totalling 1.2m in depth (1m of soil and 0.2m drainage layer) in addition to the sections of green roof to both 18-20 Harley Place and the greening to the rear first floor terraces and the greening along the Harley Place frontage (return elevation) to improve biodiversity and reduce surface water run off rates. Locating the proposed quantum of accommodation in the centre of the garden land to accommodate a margin of undeveloped land around the boundary of the site would result in unacceptable amenity and design implications in this case. With the above mitigation and given that the extent of excavation is only marginally above that permissible, it is considered that the aims of the policy are adhered to, and it would be unreasonable to refuse permission due to the proportional size of the footprint alone.

As required by this policy, the applicant has provided a structural method statement setting out the construction methodology. Any report by a member of the relevant professional institution carries a duty of care, which should be sufficient to demonstrate that the matter has been properly considered at this early stage. The purpose of such a report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the site, existing structural conditions and geology. It does not prescribe the engineering techniques that must be used during construction, which may need to be altered once the excavation has occurred. The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act.

Building Control have advised that the structural method statement was considered to be acceptable. An investigation of existing structures and geology has been undertaken and found to be of sufficient detail. The existence of groundwater, including underground rivers, has been researched and the likelihood of local flooding or adverse effects on the water table has been found to be negligible. The basement is to be constructed using 300mm thick RC traditional underpinning to walls, which considered to be appropriate for this site. Basement floor will be a 450mm thick RC slab on subsoil. The proposals to safeguard adjacent properties during construction are considered to be acceptable.

Objectors raised concerns regarding the potential impact of the proposal on London Underground structures. London Underground raised no objection subject to a condition requiring the submission of detailed design and method statements (to demonstrate, to the satisfaction of LUL engineers, that the development would not have detrimental effect on underground tunnels and structures). This has been recommended.

Neighbouring residents have raised concerns regard this construction phase on their

amenity. A condition has been imposed requiring the applicant to sign up to the Council's 'Code of Construction Practice' (COCP) to ensure that the basement construction process is carefully managed, minimising disruption to neighbours and the highway and reducing the effects of noise, dust, traffic movements etc. resulting from the construction. As part of this process, Environmental Services Officers would liaise with both the applicant and neighbouring occupiers during the construction process, undertaking regular site visits to monitor construction operations and ensure compliance. A further condition has been recommended to limit the hours of noisy work during the construction phase. Subject to these conditions, it is considered that the potential effects of the construction process will be ameliorated as far as possible.

Fire Safety

Given the floor level of the top floor of accommodation with 25 Wimpole Street, which contains residential accommodation, is in excess of 18m above the rear courtyard level, it is considered a gateway 1 development. The HSE has reviewed the application and is content with the fire safety design of the specific proposed development, to the extent that it affects land use planning.

Consultation

A neighbouring resident has expressed concern about the consultation carried out by the City Council. The City Council sent a total of 207 letters to occupants of the application buildings and neighbouring properties. A site notice was posted outside the building and the application was advertised in the local press in accordance with the Council's usual procedures. In these circumstances, it is considered that adequate consultations have been undertaken.

Site 2:

None

9.9 Environmental Impact Assessment

Neither of proposals at Site 1 or Site 1 are of sufficient scale or impact to require an Environmental Impact Assessment.

9.10 Planning Obligations & Pre-Commencement Conditions

Planning obligations are not relevant in the determination of the applications at either Site 1 or Site 2.

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.

With respect to Site 1, 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 Council's Code of Construction Practice during the demolition/excavation and construction phases of the development
- To provide an assessment of the impact of the demolition, excavation, and construction of the development on London Underground Structures
- Requiring and updated BNG assessment demonstrating that BNG for the site has been maximised with a minimum 10% net gain in biodiversity habitats secured for at least 30 years.

With respect to Site 2, during the course of this application a notice was served relating to the proposed imposition of a pre-commencement condition to secure:

- That the future residential occupants will be not permitted to obtain parking permits.

The applicant has agreed to the imposition of these conditions.

10. Conclusion

This report has considered the material planning issues associated with the proposed development at both Site 1 and Site 2. The proposal is considered acceptable and would be consistent with the relevant policies in the City Plan 2019-2040 and London Plan 2021. It is recommended that planning permission is granted, subject the conditions listed at the end of this report, which are necessary to make the development acceptable.

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

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MIKE WALTON BY EMAIL AT mwalton@westminster.gov.uk.

11. KEY DRAWINGS

Site 1:

Existing Wimpole Street Elevation



Demolition Wimpole Street Front Elevation (01)

Proposed Wimpole Street Elevation



Proposed Wimpole Street Front Elevation (01)

Existing Harley Place Elevation



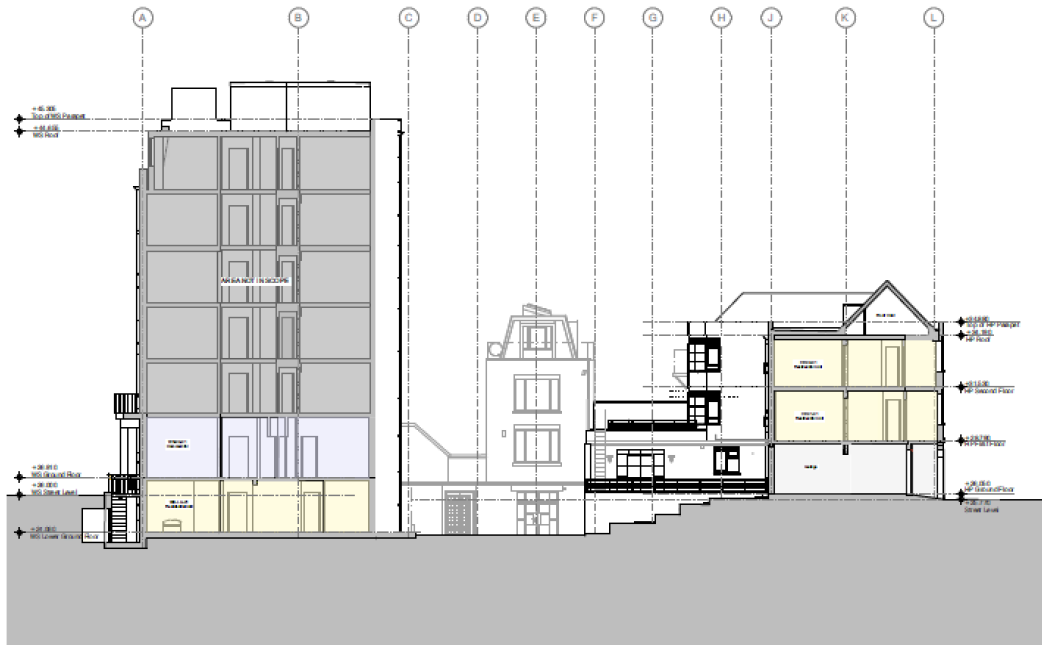
Demolition Harley Place Front Elevation (02)

Proposed Harley Place Elevation

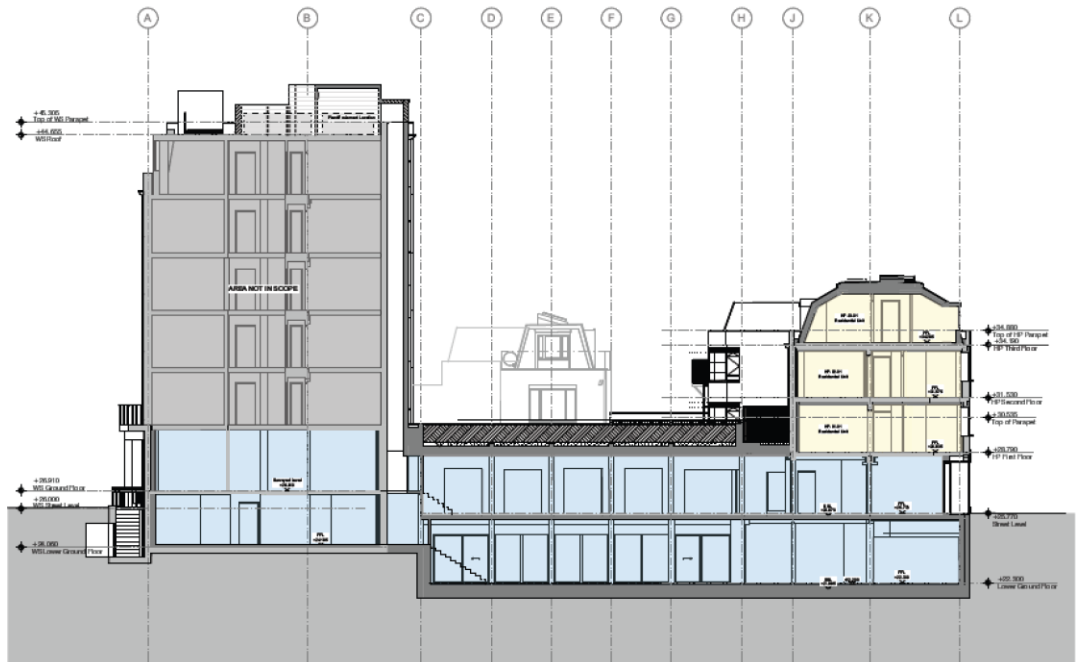


Proposed Harley Place Front Elevation (02)

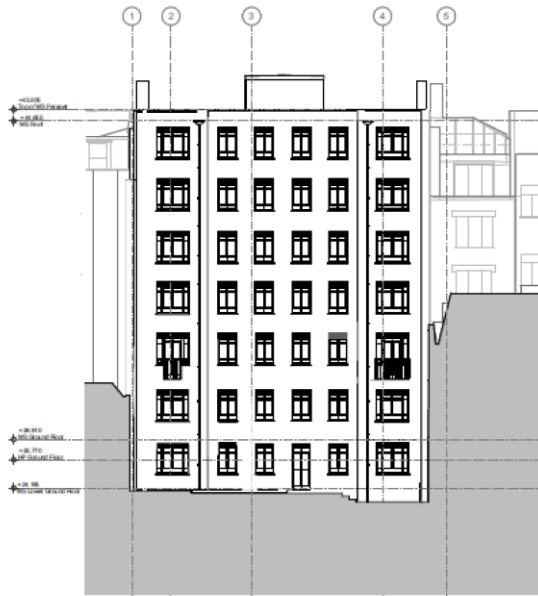
Existing Long Section



Proposed Long Section

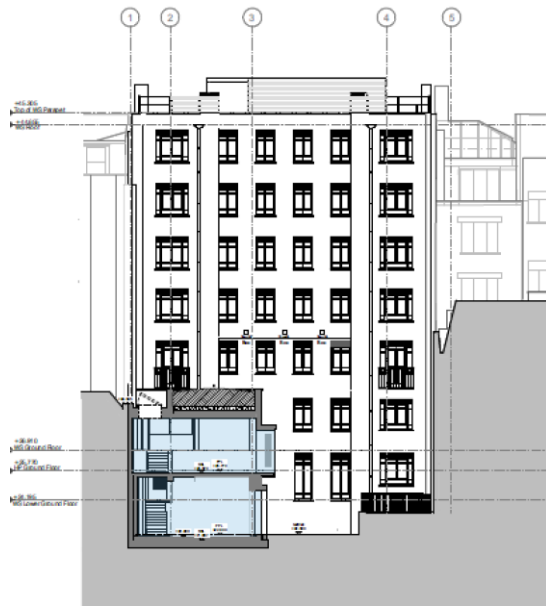


Existing Short Section



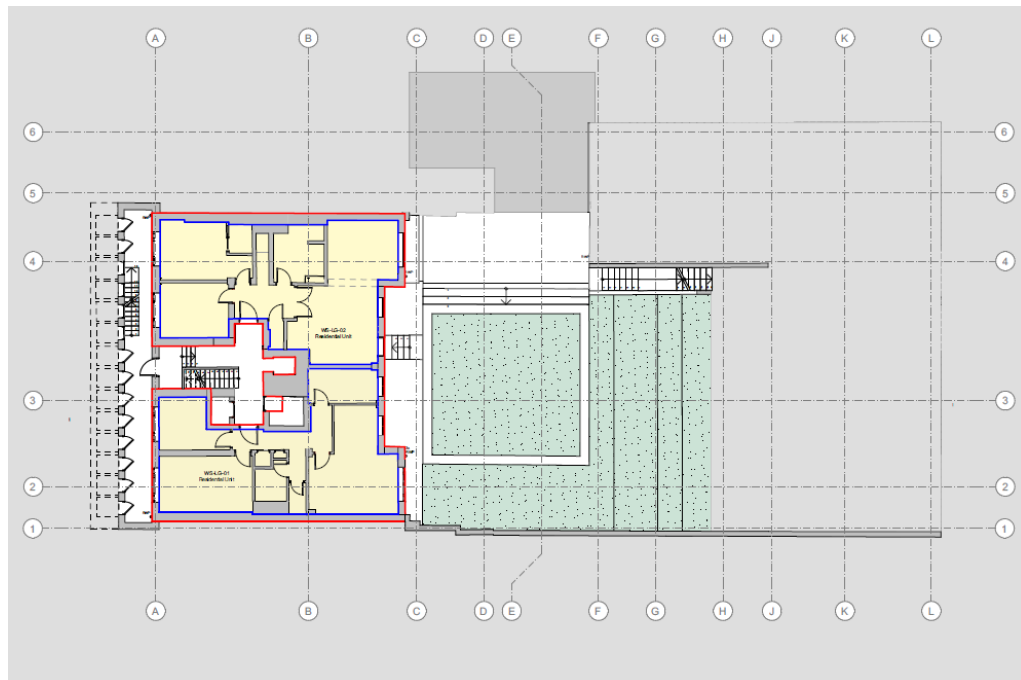
Existing Section B - B'

Proposed Short Section

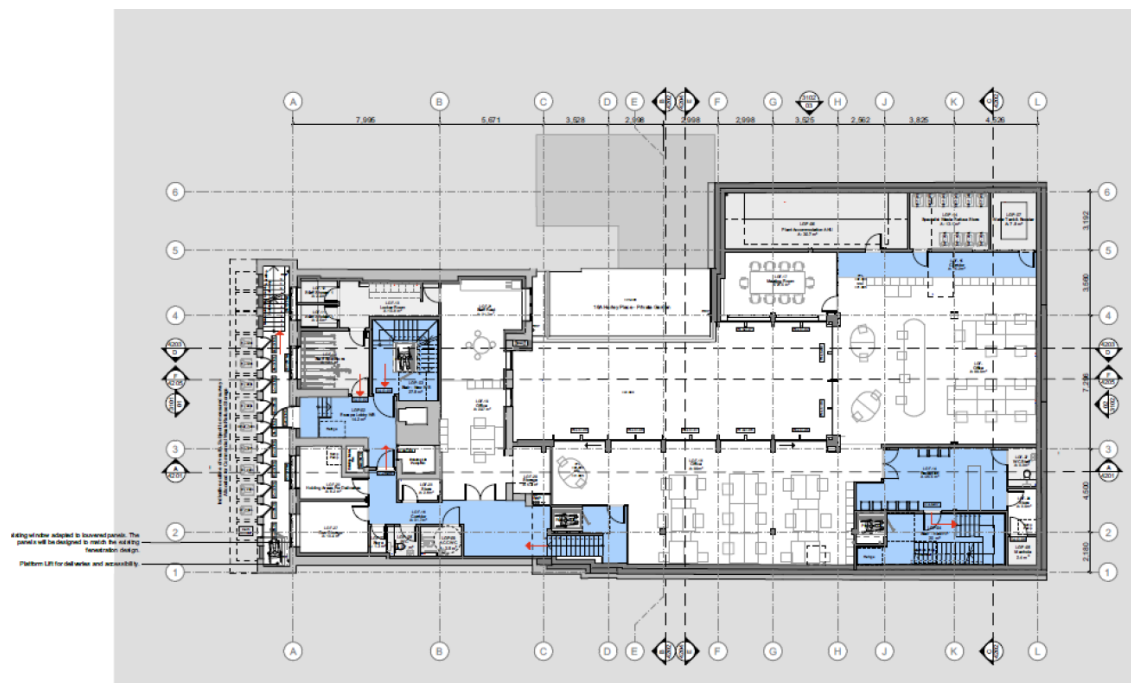


Proposed Section B - B'

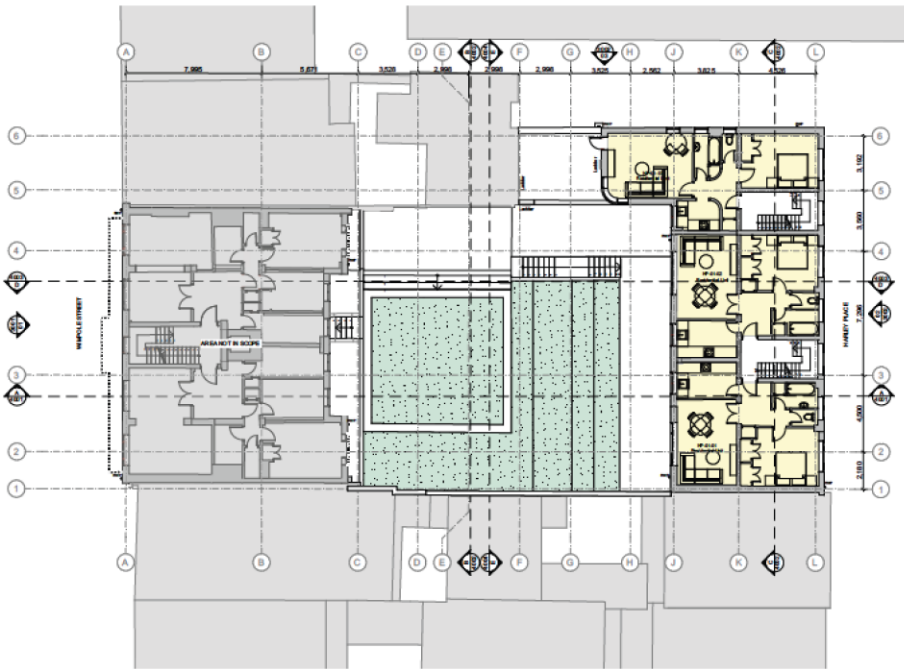
Existing Lower Ground Floor Plan



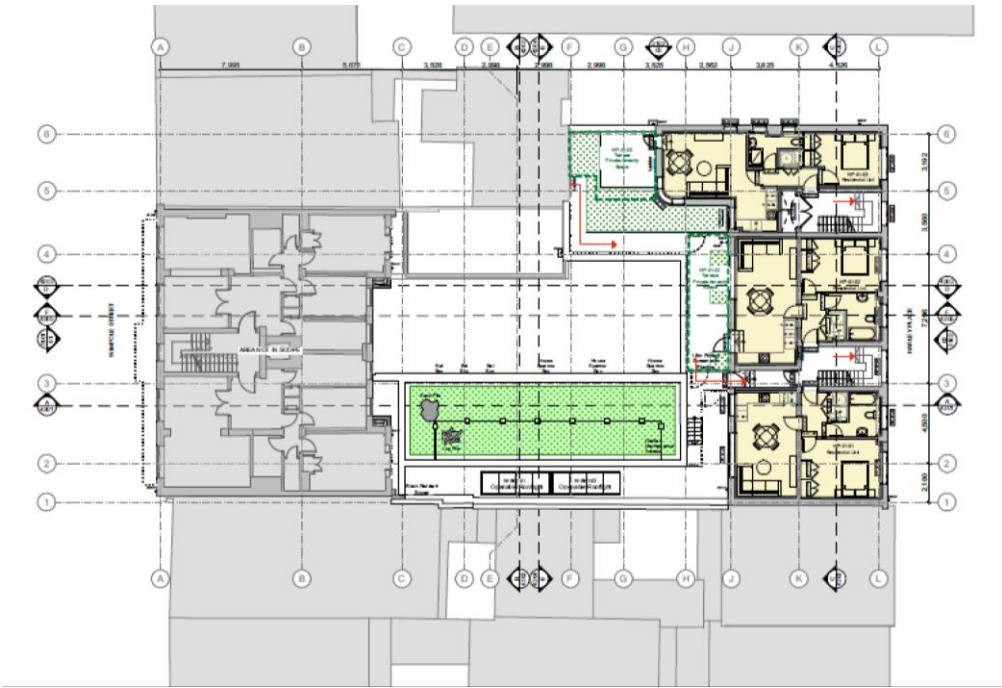
Proposed Lower Ground Floor Plan



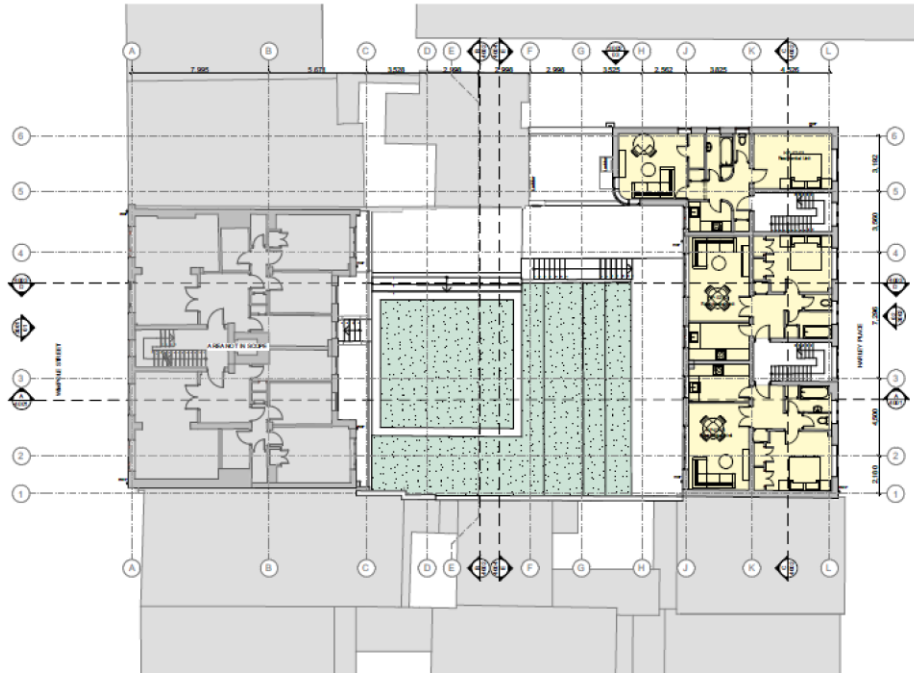
Existing First Floor Plan



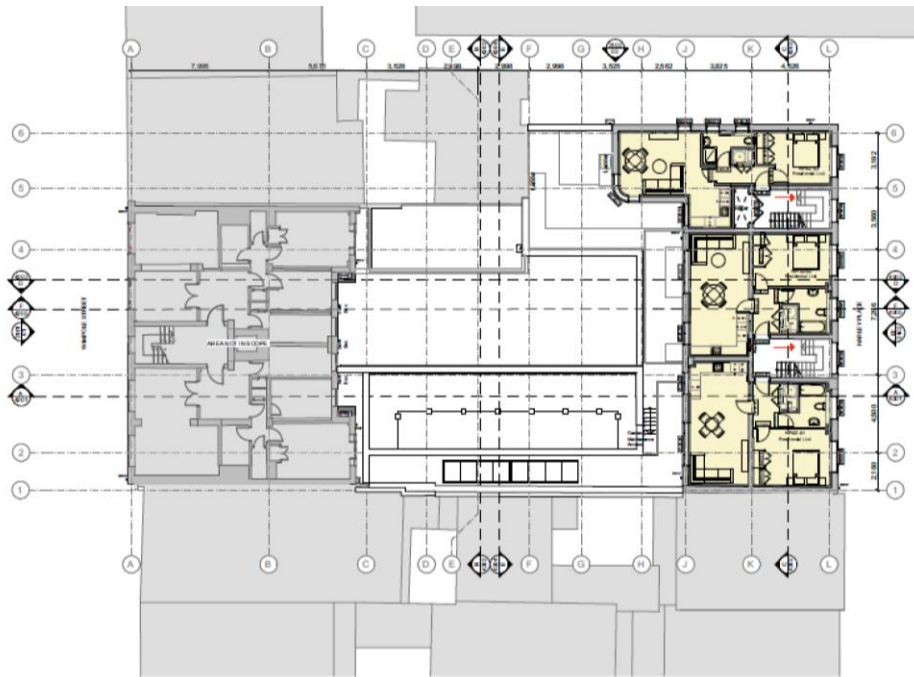
Proposed First Floor Plan



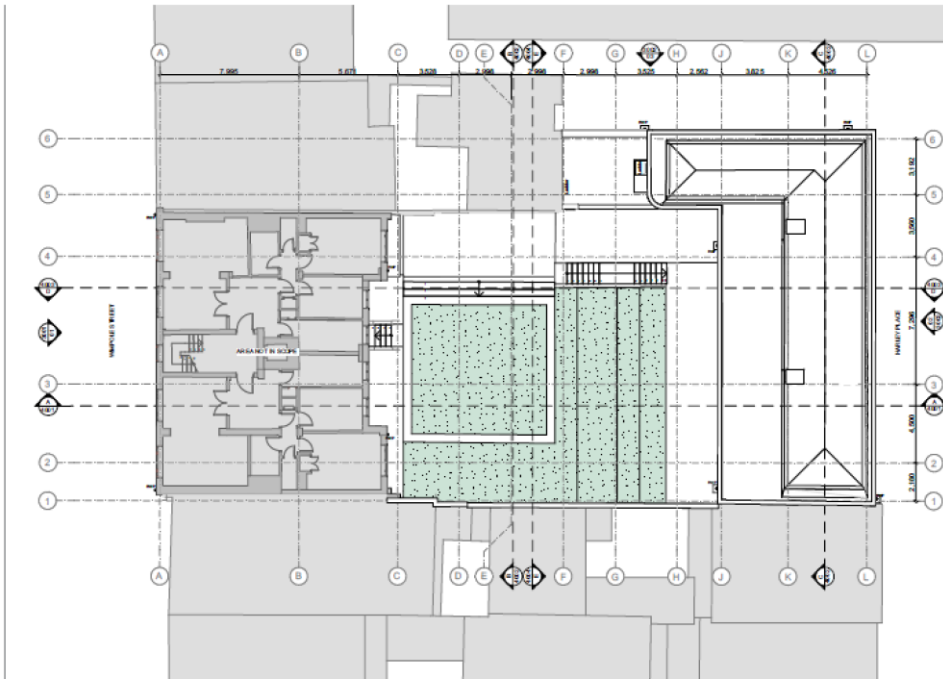
Existing Second Floor Plan



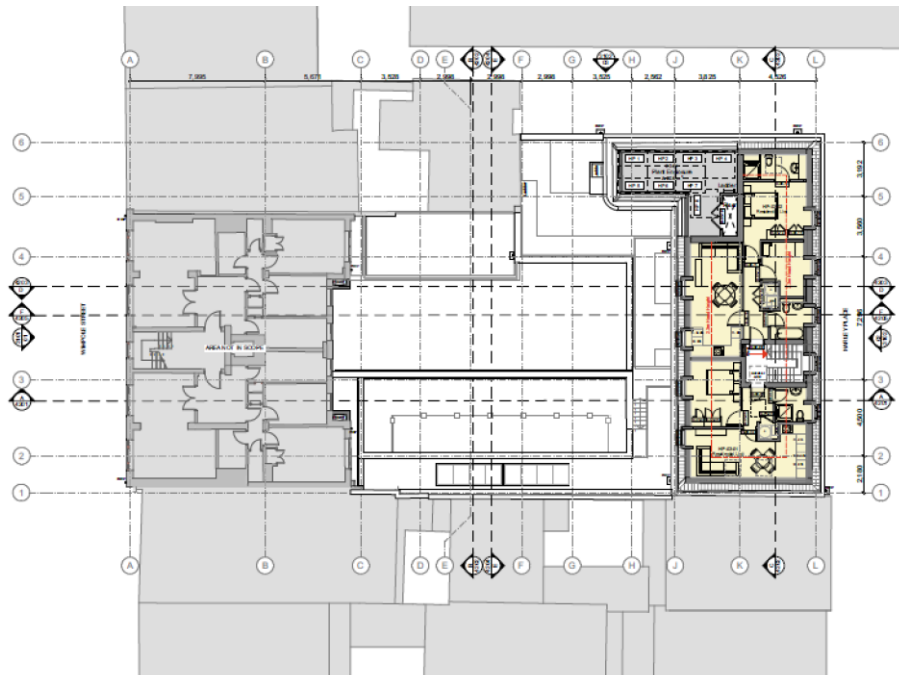
Proposed Second Floor Plan



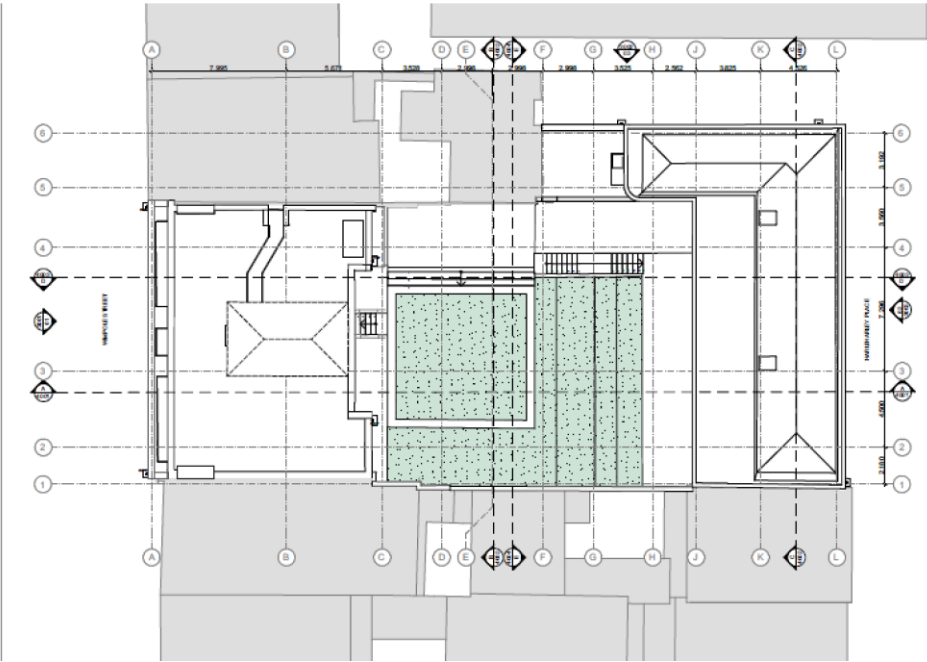
Existing Third Floor Plan



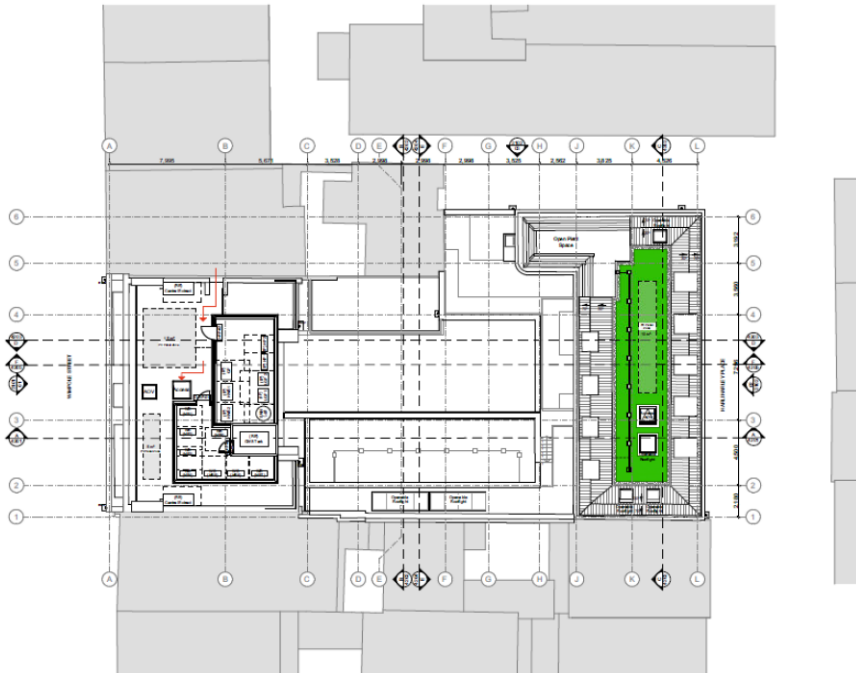
Proposed Third Floor Plan



Existing Roof Plan



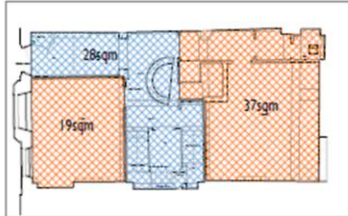
Proposed Plan



Site 2:

Existing & Proposed Plans

EXISTING GIA



EXISTING GROUND FLOOR GIA



EXISTING FIRST FLOOR GIA



PROPOSED GIA



PROPOSED GROUND FLOOR GIA



PROPOSED FIRST FLOOR GIA

DRAFT DECISION LETTER

Address: 25 Wimpole Street, London, W1G 8GL,

Proposal: Partial excavation of existing rear garden to create a new two storey link extension at lower ground and ground floor level behind 25 Wimpole Street and 18-20 Harley Place to provide Class E(g)(ii) medical research and development space in conjunction with a new single storey basement and mansard roof extension at 18-20 Harley Place in conjunction with the existing lower ground floor level of No 25 Wimpole Street and accommodation at 18-20 Harley Place, installation of new plant and photovoltaics on main roof at 25 Wimpole Street and roof at 18-20 Harley Place. New rear courtyard garden, green roofs and terrace spaces to the site. (Part of land swap with 27 Wimpole Street).

Plan Nos: 2052 P05, 5102 P07, 5512 P10, 2053 P05, 2103 P13, 5103 P08, 2054 P05, 2104 P12, 5104 P08, 2055 P05, 2105 P12, 5105 P08, 2051 P05, 5101 P07, 5511 P07, 2056 P05, 2106 P13, 3051 P04, 3052 P04, 3101 P08, 3102 P09, 4051 P05, 4052 P05, 4053 P05, 4054 P04, 4201 P07, 4202 P07, 4203 P08, 4204 P09, 4205 P07.

Case Officer: Damian Lavelle

Direct Tel. No. 07779431364

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Harley Street Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 3 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Harley Street Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Harley Street Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 5 You must apply to us for approval of detailed drawings (scale 1:20 and 1:5) ; of the following parts of the development:

- a, new windows, showing key junctions with adjacent fabric and openability
- b, new doors
- c, dormers showing key junctions with adjacent fabric
- d, railings
- e, new roof lights, showing key junctions with adjacent fabric and openability
- f, platform lift and associated alterations to railings
- g, window and louvres to lower ground floor front elevation, including colour and weather proofing

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 approved documents (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Harley Street Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 6 You must not play live or recorded music within the courtyard at lower ground floor level hereby approved.

Reason:

To protect neighbouring residents from noise nuisance, as set out in Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R13ED)

- 7 The lower ground floor courtyard hereby approved shall only be used between 0900 and 1900 hours only.

Reason:

To protect neighbouring residents from noise nuisance, as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R13ED)

- 8 The glass that you put in north facing windows/doors to the extension at lower ground and ground floor level must not be clear glass to a height of 1.7m above the finished floor level and must be fixed shut permanently with the exception of the door at lower ground floor level which may be opened for immediate access or egress from the rear courtyard only. You must apply to us for approval of a sample of the glass (at least 300 mm square). You must not start work on the relevant part of the development until we have given our written approval for the sample. You must then install the type of glass we have approved and must not change it without our permission.

Reason:

To protect the environment of people in neighbouring properties. This is as set out in Policies 7 and 38 of the City Plan 2019 - 2040 (April 2021). (R21ED)

- 9 You must install an automated blind to the inside of each new window facing the central courtyard at lower ground and ground floor level which must be set to close between sunset and sunrise daily prior to the use of the additional office accommodation hereby approved. You must then retain the blinds in each of these locations and operated in this way in perpetuity.

Reason:

To protect the environment of people in neighbouring properties. This is as set out in Policies 7 and 38 of the City Plan 2019 - 2040 (April 2021). (R21ED)

- 10 You must erect the privacy screen to the south of the most southerly terrace to the rear of 18-20 Harley Place at first floor level as shown on the drawings hereby approved prior to the terrace being used for recreational purposes. You must then maintain the screen in the position shown for as long as the terrace is being used.

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)

- 11 (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 in writing by the City Council pursuant to Part (3) below. 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 in writing 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 written 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 LA90, 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. (C46AD)

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 Environmental Supplementary Planning Document (February 2022), 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)

- 12 You must install the acoustic attenuation measures shown on the approved drawings before you use the machinery. You must then maintain the attenuation measures in the form shown for as long as the machinery remains in place. (C13DB)

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R13AD)

- 13 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 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property. (C48AB)

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 Environmental Supplementary Planning Document (February 2022). (R48AB)

- 14 You must apply to us for approval of an Operational Management Plan prior to commencement of the medical research and development use. The OMP must identify hours of operation, process, scheduling and staffing, and measures to ensure no staff members will smoke or loiter on Harley Place and a code of conduct for all staff members. You must not commence the medical research and development use hereby approved until we have approved in writing what you have sent us. You must then operate the medical research and development use hereby approve in accordance with the approved Operational Management Plan for life of development.

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). (R13BD)

- 15 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 Environmental Supplementary Planning Document (February 2022). (R49AB)

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

(2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within the medical research and development use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background

noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest.

(3) Following completion of the development, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report including a proposed fixed noise level for written approval by the City Council. Your submission of a noise report must include:

- (a) The location of most affected noise sensitive receptor location and the most affected window of it;
- (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (d) The lowest existing LA90, 15 mins measurement recorded under (c) above;
- (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;
- (f) The proposed maximum noise level to be emitted by the activity. (C47AC)

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 Environmental Supplementary Planning Document (February 2022), 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. (R47AC)

- 17 You must provide each cycle parking space shown on the approved drawings prior to occupation of the development. Thereafter the cycle spaces must be retained and the space used for no other purpose. (C22FC)

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)

- 18 You must apply to us for approval of details of how waste is to be stored on site and how materials for recycling will be stored separately. You must not occupy the fourth floor office accommodation hereby approved until we have approved what you have sent us. You must then provide the waste and recycling storage prior to occupation of the development and thereafter permanently retain the stores according to these details. You must clearly mark them and make them available at all times to everyone using the fourth floor office accommodation. You must not use the waste and recycling store for any other purpose. (C14GB)

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)

- 19 You must apply to us for approval of a Servicing Management Plan (SMP) for the medical research and development accommodation hereby approved. The SMP must contain specific measures to ensure that no goods, delivered or collected by vehicles arriving at or departing from the building shall be accepted or despatched (including waste collection) utilising any other entrance other than the Wimpole Street access at lower ground floor level. The medical research and development accommodation shall not be occupied until we have approved what you have sent us. The approved SMP shall be adhered to for the life of the development.

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)

- 20 The medical research and development accommodation hereby approved shall not be occupied until i) to iv) below have all taken place:
- i) The works to create the two residential units within the ground and first floors of 27 Wimpole Street has been completed in accordance with the planning permission (RN: 24/01626/FULL) and the dwellings are ready for occupation;
 - ii) The works to create the two residential units within the third floor of 18-20 Harley Place has been completed in accordance with the approved drawings and the dwellings are ready for occupation;
 - iii) The City Council has been notified in writing that the dwellings are complete;
 - iii) Access has been arranged to the dwellings for a planning officer from the City Council to inspect; and
 - iv) The City Council has confirmed in writing that the works to two residential units at ground and first floors of 27 Wimpole Street and two units within the third floor of 18-20 Harley Place are complete to our satisfaction.

Reason:

To make sure that replacement residential accommodation on an alternative site and to make sure that the development meets Policy 8 of the Westminster City Plan (April 2021).

- 21 You must provide, maintain and retain the following energy efficiency measures before you occupy the extended accommodation hereby approved, as set out in your application.

- Air Source Heat Pumps
- Photovoltaic's

You must not remove any of these features. (C44AA)

Reason:

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

(R44AD)

22 **Pre Commencement Condition.**

The development hereby permitted shall not commence until the following documents, in consultation with London Underground, have been submitted to and approved in writing by the local planning authority which:

- a. identify and accommodate the location of the existing London Underground structures;
- b. provide predicted building load changes for temporary construction stages and permanent long term stage on London Underground structures;
- c. provide assessment of ground movement impact on London Underground structures due to temporary and permanent changes in building loads;
- d. provide detailed design and Risk Assessment Method Statement (RAMS) on all works including temporary and permanent works;
- e. provide details on the use of tall plant, scaffolding, lifting equipment and cranes, if any;
- f. mitigate the effects of noise and vibration arising from the adjoining railway operations;
- g. No claims to be made against TfL or London Underground by the Local Authority, purchasers, tenants, occupants or lessees of the development for any noise or vibration resulting from London Underground running, operating and maintaining the adjacent railway.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the development hereby permitted is occupied.

Reason:

To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2021, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

23 **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)

- 24 **Pre Commencement Condition.** You must apply to us for approval of details of a biodiversity gain plan, associated detailed drawings and maintenance plan in accordance with the Paragraph 034 of the Planning practice guidance on biodiversity net gain demonstrating that biodiversity measure employed on site have a been maximised with a minimum of 10% biodiversity net gain on site. You must not start any work until we have approved in writing what you have sent us. You must carry out this work according to the approved details before you start to use the additional accommodation hereby approved. You must then maintain the habitats for a minimum of 30 years in accordance with the approved details.

Reason:

To protect and increase the biodiversity of the environment, as set out in Policy 34 of the City Plan 2019 - 2040 (April 2021) and required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).

- 25 You must provide, maintain and retain the following biodiversity features before you occupy the extended accommodation hereby approved, as set out in your application.
- Green roof/urban greening to the roof and at rear first floor level of 18-20 Harley Place;
 - Raised garden including sand pile and log pile to roof of the link extension within the rear garden; and
 - House sparrow, bat and black redstart boxes to link extension.

You must not remove any of these features.

Reason:

To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43FC)

- 26 You must apply to us for approval of details of a post construction stage report which demonstrates that the medical research and development element of the proposal meets an "Excellent" rating under BREEAM UK Refurbishment and Fit-Out (RFO) 2014. This report shall be submitted to us within 6 months of the occupation of medical research and development element of the proposal part of the building. If you use another method, you must achieve an equally high standard.

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)

- 27 Access and egress to and from the medical research and development facility a hereby approved via the Harley Place entrance shall be limited to those visiting the site for meetings or presentations and those maintaining the substation only. All building users can however use the Harley Place access to escape in an emergency.

Reason:

To protect neighbouring residents from noise nuisance, as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R13ED)

- 28 With the exception of the residential entrance cores, the remainder of the ground and lower ground floor accommodation and associated courtyard hereby approved must not be used for any other purpose other than for medical research and development purposes, including any within Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended September 2020) or any equivalent class in any order that may replace it.

Reason:

To ensure that the development is carried out in accordance with the use sought and assessed, to ensure that the parts of the building are not used for other uses within Class E that may have different or unacceptable waste storage, servicing, amenity or transportation requirements and / or impacts and to ensure that the character and function of the Harley Street Special Policy Area is preserved and enhanced in accordance with Policies 16, 17, 18, 22, 24, 26, 28, 29, 25, 32, 33, 34, 37, 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021).

- 29 You must hang all doors or gates so that they do not open over or across the road or pavement with the exception of the emergency access doors to Harley Place as shown on the approved drawings which must be connected to buildings emergency system / fire alarm and is only permitted to open outwards when the system is activated.

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)

- 30 The rear courtyard must not contain any external lighting.

Reason:

To make sure the conservation status of a protected species is maintained, and so protect the biodiversity of the environment, as set out in Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43EC)

- 31 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)

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 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (including date decision and planning reference number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 3 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.

- 4 Under the Construction (Design and Management) Regulations 2015, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety

throughout all stages of a building project. By law, designers must consider the following:

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

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

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

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

- 5 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained.
Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following:
 - * Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings;
 - * Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase;
 - * Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained;
 - * Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the centre of particularly wide staircases where necessary;
 - * Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.
- 6 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.
- 7 For advice on BREEAM, including appointment of a licensed assessor and how to obtain a post completion certificate, please visit the Building Research Establishment (BRE) website:

<https://bregroup.com/products/breeam/>. (I15AB)

- 8 Under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990, certain grants of planning permission are subject to a condition ("the biodiversity gain condition") requiring submission of a Biodiversity Gain Plan before the development can commence.

This condition is subject to exemptions and transitional arrangements. You can find information on exempt development and transitional arrangements at www.gov.uk/guidance/biodiversity-net-gain-exempt-developments and www.gov.uk/guidance/biodiversity-net-gain

Where the biodiversity gain condition applies, a Biodiversity Gain Plan must be submitted and approved by Westminster City Council (the planning authority under paragraph 12(1) of Schedule 7A) before the development can begin. Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action.

Paragraph 14 of Schedule 7A (www.legislation.gov.uk/ukpga/2021/30/schedule/14/enacted) specifies the matters the Biodiversity Gain Plan must consider. Paragraph 15 of this schedule sets out the matters that the Local Planning Authority must consider before approving the Plan.

If the onsite habitat includes irreplaceable habitat within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024 there are additional requirements for the content and approval of Biodiversity Gain Plans. Further information can be found here: <https://www.gov.uk/guidance/biodiversity-net-gain#para42>.

If permission is granted on an application made under section 73 of the Town and Country Planning Act and a Biodiversity Gain Plan was approved in relation to the previous planning permission there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition (see sections 73(2C) and 73(2D) of the Town and Country Planning Act 1990).

Further guidance and a template are provided in the Government's Planning Practice Guidance: www.gov.uk/government/publications/biodiversity-gain-plan.

- 9 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, sitenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 10 With reference to condition 23 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.

- 11 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is also a condition of the London Building Acts (Amendment) Act 1939, and there are regulations that specify the exact requirements. For further information on how to make an application for street naming and numbering, and to read our guidelines, please visit our website: www.westminster.gov.uk/street-naming-numbering. (I54AB)
- 12 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

Item No.

1

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.

DRAFT DECISION LETTER

Address: 27 Wimpole Street, London, W1G 8GN,

Proposal: Use of ground and first floors as residential use (part of land use swap with 25 Wimpole Street and 18-20 Harley Place).

Plan Nos: 22V PL ARE 101 B, 22V PL PRO 101 B.

Case Officer: Damian Lavelle

Direct Tel. No. 07779431364

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 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 **Pre Commencement Condition.** You must not start work on the site until we have approved in writing appropriate arrangements to secure measures to mitigate the potential increased demand for on-street residents car parking in the vicinity of the site.

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

Reason:

To make sure that the potential increased demand for on-street residents car parking in the vicinity of the site is mitigated, in accordance with Policy 27 of the City Plan 2019-2040 (April 2021), Policy T6 of the London Plan 2021 and the guidance in our Planning Obligations and Affordable Housing Supplementary Planning Guidance (March 2024).

- 3 You must provide each cycle parking space shown on the approved drawings prior to occupation of the development. Thereafter the cycle spaces must be retained and the space used for no other purpose. (C22FC)

Reason:

To provide parking spaces for people using the development as set out in Policy 27 of the City Plan 2019 - 2040 (April 2021). (R22AC)

- 4 You must apply to us for approval of details of how waste is to be stored on site and how materials for recycling will be stored separately. You must not occupy the residential use hereby approved until we have approved what you have sent us. You must then provide the waste and

recycling storage prior to occupation of the development and thereafter permanently retain the stores according to these details. You must clearly mark them and make them available at all times to everyone using the flats hereby approved. You must not use the waste and recycling store for any other purpose. (C14GB)

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)

- 5 The residential use hereby approved shall not be occupied until i) to iv) below have all taken place:

- i) The works to build the medical research and development accommodation at 25 Wimpole Street (including 18-20 Harley Place) has been constructed in accordance with planning permission (RN: 24/01624/FULL);
- ii) The City Council has been notified in writing that the medical research and development accommodation is complete;
- iii) Access has been arranged to the dwellings for a planning officer from the City Council to inspect; and
- iv) The City Council has confirmed in writing that the works to create that medical research and development accommodation at 25 Wimpole Street (including 18-20 Harley Place) is complete to our satisfaction.

Reason:

To make sure that replacement accommodation on an alternative site is provided which conserve and enhance the character and function of the Harley Street Special Policy Area as required by Policy 22 of Westminster City Plan.

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.

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.