## Strategic planning application stage 1 referral


## The proposal

Redevelopment to provide a hotel (Use Class C1) with ancillary ground floor cafe/restaurant in a 14 storey building.

## The applicant

The applicant is Whitbread Group, the planning agent is JLL and the architect is Sheppard Robson.

## Strategic issues summary

**Land use principle:** the proposed hotel in this accessible location in the CAZ is supported and the loss of office space is acceptable. (paragraphs 11-13)

**Urban design and heritage:** the height, massing and high quality architecture is supported, although there is a concern over the loss of street trees, which requires further justification. There would be no harm to heritage assets. (paragraphs 14-16)

**Transport:** a contribution of £45,000 should be secured towards the expansion of the nearby cycle hire docking station. (paragraphs 20-26)

## Recommendation

That Westminster Council be advised that, whilst the principle of the proposal is supported, the application does not comply with the London Plan, for the reasons set out in paragraph 30 of this report. However, the resolution of those issues could lead to the application becoming compliant with the London Plan.
Context

1. On 1 June 2017 the Mayor of London received documents from Westminster Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 and by agreement with Council, the Mayor has until 19 July 2017 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor’s use in deciding what decision to make.

2. The application is referable under the following Categories of the Schedule to the Order 2008:

   • Category 1C: Development which comprises or includes the erection of a building more than 30 metres high and outside the City of London.

3. Once Westminster Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4. The Mayor of London’s statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5. The site is on the corner of Old Marylebone Road and Harcourt Street, close to the junction with Marylebone Road. It is occupied by a 9 storey office building constructed in the 1980s, which is faced with red cladding and glazing. Abutting the eastern boundary is Westminster Magistrates Court and abutting the south eastern boundary is a residential block. On the opposite side of Old Marylebone Road is Griffith House, a 5 storey building, with the open section of Edgware Road London Underground station beyond. The site is not within a conservation area, but is close to the boundary with Portman Estate Conservation Area to the south and Lisson Grove Conservation Area to the north, as well as a number of listed buildings.

6. The site is within the Central Activities Zone (CAZ) as designated in the London Plan and the CAZ Frontage in the Westminster City Plan. The site is in an area of excellent public transport accessibility (PTAL 6b) with a wide range of rail and bus services close by. It is also within walking and cycling distance to numerous central London facilities and attractions. The site fronts Old Marylebone Road, which forms part of the Transport for London Road Network (TLRN) and for which TfL is the highway authority.

Proposal details

7. It is proposed to demolish the existing office building and construct a 14 storey hotel with 294 rooms, which would be operated by Premier Inn as part of their Hub brand. The hotel would also incorporate a ground floor ancillary cafe, which would also be open to the public.

Case history

8. Since the 1985 approval for the existing office building, there is no planning history relevant to the current proposal.
Strategic planning issues and relevant policies and guidance

9 The relevant issues and corresponding policies are as follows:

- **Land use principle**  
  *London Plan; Central Activities Zone SPG*
- **Urban design and heritage**  
  *London Plan; OAPF; Character and Context SPG;*
- **Inclusive design**  
  *London Plan; Accessible London: achieving an inclusive environment SPG;*
- **Sustainable development**  
  *London Plan; Sustainable Design and Construction SPG;*
- **Transport and parking**  
  *London Plan; Crossrail SPG*

10 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the Westminster City Plan (November 2016) and Unitary Development Plan (2007) (saved policies) and the London Plan (Consolidated with Alterations since 2011). The Central Activities Zone SPG (2016), the National Planning Policy Framework and Technical Guide to the National Planning Policy Framework are also relevant material considerations.

**Land use principle**

**Loss of office**

11 Whilst the London Plan does not specifically protect office uses, Policy 4.2 does support rejuvenation of the office stock within the CAZ in order to improve the quality and flexibility of office stock so that it can meet the distinct needs of the Central London market. Strategic policy also acknowledges the diverse range of uses that exist within the CAZ, and that having a range of residential and visitor infrastructure uses within the CAZ helps to support its strategic function. Paragraph 2.3.5 of the CAZ SPG seeks to ensure that additional hotel provision does not constrain the availability of local employment and commercial floorspace, having regard to demand and viability.

12 Prior to the applicant acquiring the site, the building had been marketed for over a year with no interest from office operators, in part due to the office floorplates not being suitable for the current market. Furthermore, the site is not located in a core office location and transport and public realm improvements (including Crossrail) along Oxford Street and around Paddington is likely to further marginalise the office market in Marylebone, making the redevelopment of existing stock less attractive. It is also noted that commercial space will be re-provided in the form of the hotel and retail use, which would help to support the strategic function of the CAZ. The loss of office space on this site would not undermine the primary business function of the CAZ or any locally defined office market, nor would it adversely impact on the wider strategic function of the CAZ. As such, the loss of office space on this site is acceptable in principle.

**Hotel and retail use**

13 London Plan Policy 4.5 directs hotel provision to Opportunity Areas and CAZ fringe locations with good public transport. The proposal would be consistent with this strategic policy objective. The additional hotel use in this CAZ Frontage location would be appropriate and would not lead to an over-concentration of such uses in this area. The ancillary cafe use would also be appropriate to support the hotel use and provide animation to the ground floor frontage. The proposed hotel and retail uses are therefore supported in line with London Plan policy.
Urban design and heritage

Layout and public realm

14 The replacement building, with its ground floor cafe use and hotel lobby entrance, would increase the amount of active frontage to the street compared to the existing situation and this is supported. The applicant has responded positively to comments made at pre-application stage and set the ground floor building line back to ensure adequate footway widths, which is welcomed. There is however a concern over the loss of mature street trees and GLA officers question whether the locations for the proposed replacements are feasible, given the presence of underground services in the footway. Priority should be given to retaining the existing trees and further justification is required if replacements are proposed, in order to comply with London Plan Policy 5.10.

Height, massing, architecture and heritage impact

15 The massing would comprise three separate angled cuboid forms of varied heights. The 10 and 11 storey shoulders would face Harcourt Street and Old Marylebone Road respectively and would address the lower scale of buildings on either side. The 14 storey element would be centrally located and angled to face towards Griffith House. The approach to massing would modulate the bulk of this corner building, ensuring that it steps down to the surrounding lower context and mitigate the visual impact of the tallest element. A high quality, masonry clad, approach has been taken to the elevations, comprising horizontal pre-cast stone banding and vertical brick piers, with contrasting dark aluminium windows. This would pick up on the attractive qualities of nearby buildings and is strongly supported.

16 The application proposes development which could affect the setting of nearby heritage assets. The site lies between the Portman Estate (to the south) and Lisson Grove (to the north) Conservation Areas. The Portman Estate Conservation Area has significance due to the survival of substantial parts of its original street layout and Georgian terraces, with some 19th and 20th century mansion block development. Lisson Grove Conservation Area is also noted for its residential terraces, interspersed with larger buildings. A number of listed buildings are also located within these Conservation Areas, including the Grade II listed Swedish Church and Georgian terraces on Harcourt Street and the Grade II* listed Christ Church on Cosway Street. Verified views have been submitted from a number of positions within the Conservation Areas and the setting of listed buildings. The proposed building would be noticeably larger than the existing office block, particularly in views from the south looking north up Harcourt Street and behind the Swedish Church (View 4). However, given the high quality of architecture and complementary use of materials, the visual impact in this view, or any other view, would not be harmful in this densely developed urban context. As such, having applied the statutory tests for dealing with heritage assets set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the guidance in the NPPF, GLA officers consider, having special regard to the desirability of preserving the listed building’s setting and paying special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area, that the proposal preserves the setting of nearby listed buildings and the character and appearance of the adjacent Conservation Areas. As such there would be no harm to the setting of heritage assets as a result of the proposal.

Inclusive design

17 In accordance with London Plan Policy 4.5, 10% of the new hotel will be accessible, and these are shown on the plans. The Council should secure this provision by condition.
Climate change

A range of energy efficiency measures are proposed. The applicant should investigate further measures to reduce solar gain and an overheating analysis should be undertaken. The applicant has carried out and investigation and there are no planned heat networks in the vicinity of the development, although a commitment to allow future connection has been made. The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install air source heat pumps, although it should be demonstrated that the use of photovoltaic panels is not feasible.

An on-site reduction of 156 tonnes of carbon dioxide per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected. This is equivalent to an overall saving of 43%. The carbon dioxide savings exceed the target set in London Plan Policy 5.2, but the applicant should address the technical queries raised in order to verify these savings.

Transport

Parking and drop off

The proposed car free development is welcomed. However, the proposals for blue badge parking and drop off/pick up especially for staff, guests and visitors with mobility difficulties are not yet acceptable. It is currently proposed to use the blue badge spaces on York Street, but these are a long way from the hotel entrance. The current proposals for coach and taxi drop off/pick up would block the flow of traffic on Old Marylebone Road and further discussions are required to identify a suitable location.

Trip generation

The development will not have a significant impact upon local highways or public transport capacity.

Cycling and walking

To comply with London Plan policy, wayfinding should be improved by updating Legible London signage. This should be secured through a S106 contribution.

Cycle parking provision is not compliant with London Plan standards as the proposed folding bike spaces are not a suitable substitute for regular spaces. This should be revised, with the detailed overall arrangements meeting the London Cycle Design Standards (LCDS).

Hotel guests and visitors are expected to make use of the nearby cycle hire docking station on Seymour Place, which is within the top 25% busiest docking stations. To mitigate this impact in accordance with London Plan policy a contribution of £45,000 should be secured through the S106 agreement to expand this docking station.

Travel planning, construction and delivery management

A travel plan, including all agreed measures therein should be secured, enforced, monitored and reviewed as part of the S106 agreement, with a delivery and servicing plan and construction logistics plan secured by condition.
Crossrail

26 As well as being chargeable under the Mayoral CIL, the site is also within the Central London Charing Area where S106 contributions for Crossrail will be sought in accordance with London Plan Policy 6.5 and the Crossrail Funding SPG (March 2016).

Local planning authority’s position

27 The Council are awaiting a number of consultation responses, but do have some concerns over the height of the building and servicing arrangements.

Legal considerations

28 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor’s statement and comments.

Financial considerations

29 There are no financial considerations at this stage.

Conclusion

30 London Plan policies on employment, visitor infrastructure, urban design, heritage, inclusive design, climate change and transport are relevant to this application. The principle of the redevelopment of this site for a hotel is supported. Outstanding concerns are raised with regard to urban design, climate change and transport:

- **Urban design**: the loss of mature street trees is a concern. These should ideally be retained or if replacement is necessary further justification is required, in order to comply with London Plan Policy 5.10.

- **Climate change**: the energy strategy does not fully accord with London Plan Policies 5.2, 5.6, 5.7 and 5.9. Further information regarding overheating, CHP and renewable energy is required. The final agreed energy strategy should be appropriately secured by the Council.

- **Transport**: to ensure that the scheme accords with London Plan policies 6.3, 6.9, 6.10 and 6.13 the applicant should make a contribution towards wayfinding and cycle hire docking stations. Blue badge parking and drop off/pick up requires further consideration and cycle parking should be increased. A travel plan, construction logistics plan and delivery and servicing plan should be secured by condition.
for further information, contact GLA Planning Unit (Development & Projects Team):

**Juliemma McLoughlin, Assistant Director – Planning**
0207 983 4271    email juliemma.mcloughlin@london.gov.uk

**Sarah Considine, Senior Manager – Development & Projects**
020 7983 5751    email sarah.considine@london.gov.uk

**Shelley Gould, Strategic Planning Manager (Development Decisions)**
020 7983 4803    email shelley.gould@london.gov.uk

**Nick Ray, Senior Strategic Planner, case officer**
020 7983 4178    email nick.ray@london.gov.uk