Berwick Street, Peter Street, Broadwick Street and Ingestre Place, W1

Adopted planning brief

Version: Post Committee 1.3.07
Date: March 2007
Status: Adopted brief
Executive Summary

This brief seeks, in consultation with key stakeholders, to guide development by setting out the planning framework for the area around Berwick Street. The site is principally occupied by the city council owned Kemp House including the podium block at 90-104 Berwick Street and Ingestre Court. It also includes Trenchard House, which is owned by English Partnerships and Westminster Kingsway College who occupy a former London Board School building in Peter Street and the Berwick Street market.

The site is located within the Central Activities Zone (CAZ), the Soho Conservation Area, the Creative Industries Special Policy Area and the West End Stress Area as defined in the Unitary Development Plan (UDP)

The planning brief is part of a wider project for the Berwick Street area, which is being progressed in partnership with the local community and will assist in bringing forward local benefits.

Although in the heart of Soho, an area sometimes associated with entertainment uses and sex establishments, the site contains all the prerequisites which make for a successful and sustainable urban community. This includes its existing uses, for example; residential accommodation, social and community use and retail use (including a street market). All of these are protected under Unitary Development Plan (UDP) policy, and would be the preferred uses for any development within the site.

It is not practical or reasonable to redevelop (demolish and re-build) Kemp House (including the podium at 90-104 Berwick Street) or Ingestre Court and, despite the large size of the site, there is limited opportunity for major redevelopment. The exception to this could be Trenchard House. There are constraints (including design, amenity and transportation considerations) on other existing buildings within the site which may restrict development.

There are opportunities to improve the urban fabric and the local environment, assist in crime prevention, reduce anti-social behaviour and strengthen local community.
Contents

1. Introduction ........................................................................................................ 3
2. Policy Framework ................................................................................................ 6
3. Summary of Development Goals ...................................................................... 7
4. The Site, Location and Planning History ........................................................ 8
5. Potential Land Uses .......................................................................................... 14
6. Design and Conservation .................................................................................. 23
7. Other Standards and Controls .......................................................................... 29
8. Transportation Issues ....................................................................................... 31
9. Principles for Development - Constraints and Opportunities for Premises
   Within the Site ................................................................................................. 35
10. Planning Benefits .............................................................................................. 39
11. The way Forward and Implementation ........................................................... 41
12. Contacts ........................................................................................................... 43
13. Further Information ........................................................................................ 44

Maps

Map 1 Site Map ........................................................................................................ 2
Map 2 Berwick Street Area Existing Ground Floor Land Uses ......................... 22
Map 3 Listed Buildings, Unlisted Buildings of Merit and Strategic Views ......... 25
Map 4 Traffic Restrictions/Flows ........................................................................... 33
Map 1 Site Bounded by Berwick Street, Peter Street, Broadwick Street & Ingestre Place, W1
1. Introduction

1.1 The preparation of this planning brief is part of a partnership initiative for the Berwick Street area, which is being progressed in consultation with the local community, via the Berwick Street Advisory Group. The group includes local residents (The Kemp House Residents Association), representatives from local businesses including the market traders, City West Homes, Westminster Kingsway College and English Partnerships – the owners of Trenchard House).

Figure 1: Berwick Street Area Aerial Photograph

1.2 On 28 July 2005, the council’s Planning and City Development Committee considered a planning application submitted by the city council’s own Corporate Property Group for a site bounded by Peter Street, Hopkins Street, Ingestre Place, Kemps Court and Berwick Street. This included the redevelopment of the podium blocks of Kemp House (including a new underground car park) and Ingestre Court.

1.3 Through the consultation process, the local community raised significant objection to this proposal and the application was presented to Committee to seek their views. Although the Committee acknowledged the major opportunity that exists for a development of this area of Soho to secure regeneration, improvement of the local environment and improvements for the community. They considered it premature to consider the application in advance of the publication of the city council’s emerging Soho Action Plan. Committee therefore requested that a decision was deferred and asked that the applicants
carry out a broader and more inclusive consultation process with all stakeholders to assist in the evolution of the scheme which should:

- Explore the potential for a wider development including the adjacent sites (Trenchard House and Westminster Kingsway College),
- Explore further the access, servicing and parking issues, which they felt had not yet been satisfactorily resolved;
- Reduce the impact on residents’ amenity;
- Reassess the A3 and A4 uses; and
- Reconsider the nature of the proposed community uses.

1.4 To take these matters forward, the Berwick Street Corporate Group, which comprises senior officers from Planning, Corporate Property, Licensing, Environment and Leisure and the Chief Executive’s department, was established in August 2005.

1.5 On 5 September 2005 a report was presented to the Cabinet Member for Economic Development and Transportation requesting approval for the Berwick Street Project Strategy. The recommendations in this report were that authority be given for the Berwick Street Corporate Group to progress the following matters:

   a) managing the project through an officer action group reporting to the Cabinet for Economic Development and Transportation, having responsibility for West End Action Plans.
   b) engaging the community and other stakeholders.
   c) Commencing discussions with owners of neighbouring sites, with a view to bringing them into a wider development.
   d) drafting a planning brief for the site.
   e) commissioning architects to produce alternative options that fulfil council objectives for the site.
   f) bringing forward a further proposal using an approach that actively engages with local representatives and businesses, to ensure a scheme of genuine local benefits with demonstrable local involvement and support, linked to the Soho Action Plan.
   g) marketing the site for development.

1.6 This report was approved on 10 October 2005 and this brief, fulfils point d) of the recommendations. Despite the criteria set out in g) above it is not however an essential requirement for the site to be developed as one single scheme and individual schemes can come forward so long as they are consistent with the overall aims of the brief. Given this, in terms of phasing it is unlikely that all the works would be done at the same time however if such a proposal came forward any phasing would be looked into at this time.

1.7 A number of meetings of the Berwick Street Advisory Group and the Berwick Street Working Group have now taken place which have included discussions on various options for the planning brief site, some of which have been included in the brief.
1.8 The draft brief was approved for public consultation on 5 October 2006. The consultation period ended on 12 January 2007 and the brief was agreed for adoption on 1 March 2007.

1.9 The Soho Action Plan was approved by Cabinet for consultation purposes on 10 July 2006. The consultation process ended on 1 December 2006 and it is anticipated that this document will be re-drafted for approval in May 2007.
2. Policy Framework

(A) Statutory Planning Framework

2.1 The relevant statutory planning framework for this site is set out in:
- The Government’s Planning Policy Guidance (PPG) and Statements (PPS);
- The London Plan – Spatial Development Strategy for Greater London (February 2004);
- The City of Westminster Adopted Unitary Development Plan (UDP);
- The city council has published a number of relevant SPG’s and a full list of these can be found in Section 13 of this document.

2.2 The statutory development plan for Westminster is the Unitary Development Plan (UDP) which was adopted by Full Council on 24 January 2007.

2.3 The London Plan (February 2004) is the Spatial Development Strategy for Greater London and together with the UDP forms the development plan for Westminster. Draft alterations to the London Plan are currently being proposed and there will be a public examination of these alterations in Spring 2007.

2.4 This draft brief has been prepared in accordance with the policies contained within the UDP and is in general conformity with the London Plan.

2.5 The brief will be regarded as a material consideration in the assessment of any planning application and will be used for development control purposes.

(B) Corporate Framework

2.6 The draft brief has been prepared in the context of the city council’s corporate objectives as set out in One City, The City Plan and the draft Soho Action Plan.
3. **Summary of Development Goals**

3.1 The city council will expect any scheme to:

(i) Ensure high quality design worthy of the Soho conservation area and have special regard to buildings which make a positive contribution to this area.

(ii) Include the provision of uses appropriate to this area and retain any existing uses, which are protected in the UDP.

(iii) Achieve sustainable development and assist in the prevention of anti-social behaviour and crime in the area.

(iv) Ensure that the existing amenity of residents is protected.

(v) Have regard to the relevant actions in the draft Soho Action Plan and any issues arising from consultation with the Berwick Street Advisory Group and the Berwick Street Working Group.
4. The Site, Location and Planning History

4.1 The brief refers to a large site in the centre of Soho which is bounded by Berwick Street, Peter Street, Broadwick Street and Ingestre Place. (Map 1). The site is inside the Central Activities Zone, the Soho Conservation Area, the Creative Industries Special Policy Area (CISPA) and the West End Stress Area as defined in the Unitary Development Plan (UDP). None of the buildings in the site are listed, but Westminster Kingsway College has been designated as an unlisted building of merit (Soho Conservation Area Audit December 2006). The area contains a well established residential community, a long standing street market and variety of local shops and services, Westminster Kingsway College which offers both higher and further education programmes and a former Metropolitan Police hostel. Unlike some other parts of Soho, there are very few entertainment uses within the planning brief area and no sex establishments.

(i) The buildings and main features within the planning brief site (area inside the back line on Map 1).

Kemp House (including podium block at 90–104 Berwick Street).

4.2 This council development was designed by LC Holbrook of Richies and Blythin, and was completed in 1962. It comprises just under 7000 sqm of primarily residential accommodation. This building is in the freehold ownership of the city council, with the exception of The Endurance public house (90 Berwick Street) which is owned by Unique Pub Properties Ltd. The rear of this area is however in the freehold ownership of the city council. Planning permission was granted in 2001 for the use of the rear of the Endurance public house for the placing of tables and chairs for a one year period only. There have been no further permissions granted for tables and chairs in this area.

4.3 The podium consists of a ground floor mainly in shop use but also containing a betting office, cafe, and a public house. The ground floor also includes entrances to the residential accommodation and commercial accommodation on the upper floors of the podium. This area is partially enclosed by a large concrete canopy which projects out at first floor level (above the fascia) towards the kerb. The first and second floors of the podium consist of some 2420 sq m. of primarily commercial uses. The first floor is mainly occupied (since 2001) by a company involved in web and print design and text editing for films. A charity associated with the advertising industry also occupy space on this floor, in the former Westminster City Council social services offices. The second floor is mainly in use by a PR company specialising in the film industry.

4.4 Above this is a 17 storey tower block which contains 57 flats, (19% of these are leaseholder). The majority of the flats (54) contain one bedroom. The flats have windows on all sides serving habitable rooms including kitchens.
4.5 There is an underground car park, containing 23 car-parking spaces, 17 of these are used by residents in Kemp House and the remainder are used for commercial parking. The basement also includes storage areas and an enclosed vacant area at the northern end of the car park (formally used for estate office facilities). The car park is accessed via a ramped entrance from Hopkins Street, which is surrounded by a low-level brick wall and adjacent to the ramp is a servicing area (including refuse storage) for the ground floor units in Berwick Street. This area includes nine grilled light-wells (surrounded by railings) to the basement car park and steps down to this area. The southern most part of the ground floor servicing area is used by some of the market traders on an informal basis to park their vans.

**Kemp House Planning History**

4.6 The city council gave itself permission on 26 February 1959 for the development of the site bounded by Berwick Street (east), Hopkins Street (west) Kemp Court (north) and Peter Street (south) for the erection of a building comprising basement, ground and two floors over and a tower for residential purposes; the basement to be used for car parking (25 spaces for use by occupiers and businesses in the premises) and shop and public house storage; the ground floor for shops and public house. The first and second floors for workshop and and/or offices and public house accommodation.

4.7 Between 1959 and 2005 there have been a number of applications submitted for Kemp House, none of these have a major significance for this brief.

4.8 On 23 July 2005 a planning application submitted by Corporate Property was presented to the Planning and City Development Committee. This was for the following: part redevelopment and extensions to podiums to Kemp House and Ingestre Court beneath retained residential tower blocks, to provide a maximum of ground and five upper floors to Kemp House and ground and three upper floors to Ingestre Court. Creation of a new basement car park, retail and restaurant units and public house (Classes A1, A2, A3, A4), offices, 49 new residential units, leisure and community facilities (Class D1/D2) and new public space to Hopkins Street.

4.9 Committee deferred decision of this application and it was formally withdrawn by the Corporate Property Group on 2 February 2006. Details of the background to this are contained in paragraphs 1.2 –1.3.

**Ingestre Court**

4.10 This building was designed by the city council’s architects department and is still owned by the council. It consists of a podium of ground and two upper floors of just under 1150sqm, currently occupied by a post production and media company. Above this is tower with 15 floors in residential use and containing 52 flats (35 % of these are leaseholder).

4.11 To the north of this building is a ground floor area containing a car park comprising some 50sq m. There are currently six residential parking spaces
and three (double) parking spaces for commercial occupiers. The space around the base of the podium is used for servicing facilities and planting. This building is in the freehold ownership of city council.

**Ingestre Court Planning History**

4.12 Conditional permission was granted on 16 July 1970, with construction being completed in 1975. The development consisted of residential accommodation in a tower block and commercial accommodation on basement, ground, first and second floors.

4.13 Conditional permission was granted on 2 December 1996 for the use of the basement, ground, first and second floors of Ingestre Court for Class B1 office purposes.

**Trenchard House**

4.14 This large neo Georgian purpose built police section house was designed by SG Livock and built between 1938-40, on the site of the previously demolished Lion Brewery. Until the Metropolitan Police Authority vacated the premises in 2000, it provided a total of 8,950 sq m of hostel accommodation for police officers for the following purposes: The first to eighth floors as 214 single occupancy hostel rooms and the lower floors (ground, basement and sub-basement, some 3,000 sq m) for ancillary hostel use including a gym, function room, billiard room, kitchen and dining area.

4.15 The building has remained vacant since 2000 and is now owned by English Partnerships. The main entrance to the buildings is on Broadwick Street and to the rear is a delivery yard, which is enclosed by a high brick wall and is gated.

**Trenchard House Planning History**

4.16 A Certificate of Lawfulness (existing) (CLUED) was refused on 23 December 2002 for the use of the premises as a hostel (sui-generis use). The reason for this being that the applicants failed to submit sufficient evidence to demonstrate that a hostel use had subsisted for a period of ten years prior to the date of the application. The applicants were however advised that the refusal was not necessarily conclusive that the hostel use was not lawful and reminding them that in these cases the onus of proof rests with the applicants.

**Westminster Kingsway College, Peter Street**

4.17 This building was erected for the London Board School in 1880, from the plans of E.R. Robson, architect to the board. Previously known as the Pulteney L.C.C School, the building is currently in further/higher educational use by Westminster Kingsway College, who have occupied (and owned) these premises since the early 1970’s.
4.18 Westminster Kingsway College provides a range of further, adult and higher educational courses and on the Peter Street site this includes Zero-One ‘creative learning lab’ offering specialist short media related courses.

4.19 The site (which has a total area of 2150 sq m) comprises a main school building (some 1980 sq m) with ancillary outbuildings including a caretaker’s house (some 270 sq m). A high brick wall surrounds the perimeter of the site, with the main entrance on Peter Street. The building has been identified as an unlisted building of merit and is considered to make a strong positive contribution to the character and appearance of the area.

4.20 Westminster Kingsway College advise that the existing premises in Peter Street no longer provides functionally suitable accommodation and does not offer fit for purpose education floorspace. They wish to deliver high quality teaching in a modern environment and cannot do this from this site. The College occupy a number of other sites in central London and they are currently in the process of reorganisation, including rationalising existing sites. The College have stated that they would like to stay within the area but will require bigger premises to provide a larger campus and additional facilities, which would provide it with the opportunity of consolidating its provision in Westminster onto one site within Soho.

**Berwick Street Market**

4.21 This is an important local street market, which sells fruit and vegetables, flowers, fabric and other commodities. The trading hours of the market are from 8am to 6pm Monday to Saturday and it is located between Peter Street and Broadwick Street. Records indicate that the market probably originated in 1778 with shopkeepers displaying their wares on the pavement outside their stores, and was officially recognised as a street market in 1892.

**Berwick Street, Hopkins Street, Ingestre Place (part), Kemp’s Court**

4.22 Despite fairly extensive redevelopment, this area has retained much of its historic street layout (since at least the 1890’s). One main exception being the removal of a small street (known as Ingestre Court) which formed a cut though between Ingestre Place and Hopkins Street (more or less in line with Silver Place) This street now forms a gated delivery area to the rear of Trenchard House.

4.23 The predominant street pattern is narrow footways which were originally in York stone and now generally in asphalt and an asphalt carriageway with granite kerbs.

4.24 The function of the streets vary over the time of the day, with Berwick Street being the most complex involving its use as a street market, for servicing purposes and as a public highway. Hopkins Street is mainly used for servicing purposes, including as an access to the existing underground car park in Kemp House. Kemps Court is a short pedestrian alleyway, which forms a cut through from Berwick Street to Hopkins Street.
ii) Planning brief area context (hatched area on Map 1)

4.25 The brief recognises that these buildings form an important context for the site and their inclusion allows for some flexibility for improvements related to the planning brief site and the planning obligations framework.

**NCP Car Park, Brewer Street**

4.26 This multi-storey car park providing parking over five floors is one the earliest surviving ramped car parks in the country and was listed (Grade 2) in 2003. The west elevation of the building (containing windows to the car park and access and egress points at ground floor) abuts the side wall of Westminster Kingsway College and is a highly visible feature in the planning brief area.

4.27 This façade could benefit from a sensitive clean of the brickwork and having its windows redecorated and additions such as air-conditioning ducts could be rationalised and/or redecorated. In addition the recessed doorways and accesses are associated with anti-social behaviour and improvements to these areas would be welcome.

**Peter Street**

4.28 This street is a cul-de-sac, with the NCP car park on Brewer Street forming its most western boundary. The buildings mainly comprise basement ground and two/three upper floors but there are some examples of five storey buildings at No.s 20 and 30-31. These premises are in either commercial or residential use.

4.29 Part of the ground floor of the building at 20-23 Peter Street (which is owned by the city council) is used by the market traders for storage purposes; the upper floors of this building are in residential use.

4.30 The city council has been involved in the compulsory purchase of 2, 3 and 4 Peter Street and 2 Berwick Street. These proceedings will ensure that the upper floors of the premises, which have long been associated with sex use, are brought back into permanent residential use. No.s 2 and 3 Peter Street are already in the city council’s ownership. The Housing Department will make a decision on taking ownership of 4 Peter Street 2 Berwick Street by the end of April 2007.

4.31 A planning application for the demolition of 3-5 Peter Street, Blore Court and 1-5 Berwick Street and the erection of a new building comprising retail at ground and basement floors and fifteen residential units at first, second, third and fourth floors was granted conditional approval on 28 July 2006.

**Berwick Street (east side – between Peter Street and Broadwick Street)**

4.32 The premises on the eastern side of Berwick Street (1- 22 consecutive) mainly consist of basement and ground floors with three to four storeys above. These
buildings are typical of the conservation area. Many date from the later eighteenth or early nineteenth centuries and all preserve the original small plot sizes. The upper floors are largely in residential use but there are also commercial uses evident. Although there are some entertainment uses (café/restaurant/public house) and office uses at ground floor, there is a predominance of retail premises including some convenience stores. No. 7 Berwick Street is used for market storage. Towards the junction with Peter Street there are a number of sex establishments.

**Ingestre Place (west side)**

4.33 To the south of Silver Place, the buildings are primarily in residential use. Pargiter Court (33 flats) is owned by the Soho Housing Association and includes sheltered housing for the elderly. This building is an unlisted building of merit.

4.34 The properties on Ingestre Place (to the north of Silver Place) consist of basement ground and three upper floors and are in commercial use at ground floor, (mainly independent retail use) with flats above. These buildings are attractive, small scale and appear well maintained. The premises in Silver Place are of a similar character and appearance and all premises here make a positive contribution to the Soho Conservation Area.

**Broadwick Street (eastern end)**

4.35 This street is outside the main context of the site but forms its northern most boundary. The Ingeni office development on the south side of Broadwick Street (No.s 15-18) was completed in 2000. Designed by the Richard Rogers Partnership, the building has a distinctive curved roof reflecting the change in scale from the domestic Victorian and early 20th Century buildings of Berwick Street to the much larger commercial scale of the late 20th Century development of Broadwick Street. The ground floor of the building is currently occupied by a restaurant. The rear facade of this property forms the boundary wall of Kemps Court.

4.36 The north side is dominated by the red brick 1980’s office development (No.s 32-34) which rises to a maximum of six storeys). There are offices and retail premises at ground floor including a long-standing art supplier at No.s 26-28.
5. Potential Land Uses

5.1 The following section indicates the range and type of uses (in order of preference) which are likely to be acceptable on this site in accordance with the relevant criteria as set out in the UDP for sites inside the CAZ, the Creative Industries Special Policy Area and the West End Stress Area. This section also provides advice on the potential relocation of uses within the planning brief site. Map 2 shows the existing land uses within the planning brief site and in the surrounding area.

Residential

5.2 The city council’s policies for housing are contained in Chapter 3 of the UDP. These place the highest possible policy protection for existing residential floorspace and aim to increase the amount of housing in Westminster. Policy H 3 (A) states that the city council will seek to maximise the amount of land or buildings in housing use outside the CAZ and where appropriate, within the CAZ. Policy H 3 (B) advises that the city council will require additional housing to be provided in association with commercial or other developments in accordance with policies COM 2 and CENT 3. In terms of premises that are currently in office use, Policy H 3 (C) states that proposals to covert these into permanent housing will generally be acceptable.

5.3 The city council considers that this is a suitable location for the provision of additional residential accommodation, and the provision of affordable residential accommodation.

Provision of Affordable Housing

5.4 The London Plan states that affordable housing comprises:- social housing; intermediate housing (sub-market housing which is affordable by households on incomes of less than £49,000 as at September 2005); and in some cases, low cost market housing, and specialist provision such as workers’ hostels and Houses in Multiple Occupation (HMOs).

5.5 Policies for the provision of affordable housing in Westminster are contained in Policy H 4 of the UDP. The city council expects affordable housing to be provided as part of housing developments on sites of over 0.3 hectares or 10 or more dwellings, or in other cases which would have been equivalent to these thresholds but fall below because of the exceptional size of the units or the phasing of development. Developments resulting in the loss of affordable housing will not be permitted.

5.6 The percentage of affordable units sought varies depending upon the location within Westminster, the type of land and the size of the scheme. Within the Central Activities Zone, 30% of additional units should be affordable on schemes proposing 25 additional units or more. Where the number of
additional units proposed is between ten to 24 units, the proportion sought is stepped from 10% to 30%.

5.7 The city council expects that most of the affordable housing provided by developers will go to meet residents’ housing need. As a general guideline, where 30% on-site affordable housing is being provided, 25% should be for residents in housing need (social housing) with 5% for intermediate housing. The city council has defined key workers as the element within intermediate housing most in need of affordable housing in Westminster.

5.8 Requiring developers to develop part of their sites to be used for affordable housing may reduce the financial viability of some residential schemes. The city council will therefore require developers to meet the equivalent of the land cost element of the affordable housing rather than the total cost of the completed affordable housing units where the developer can, with the support of the city council, secure funding in the form of social housing grant from the Housing Corporation.

5.9 The city council will require applicants to provide on-site affordable housing unless they can satisfactorily show that:
   a) it would not be reasonably practical to do so because the affordable housing cannot be designed for transfer and management to an RSL or other appropriate body; or
   b) providing on-site affordable housing would reduce the viability of the whole development to such an extent that it would not proceed, or that the site would be developed for non-residential purposes.

5.10 The waiving the requirement for affordable housing to be provided on-site does not mean that the city council considers that sites are inherently unsuitable for affordable housing. Rather, the council recognises that in these cases a financial contribution to a special affordable housing fund administered by the city council instead of on-site provision may make it easier to develop housing on these particular sites. In cases where a financial contribution instead of on-site provision is appropriate, the city council will expect this to be a sum per affordable unit that would have been provided on site, multiplied by the percentage increase of market units that occur in place of the affordable units, in order to reflect the advantage to the developer of not providing affordable housing on site.

5.11 In rare cases it may be more beneficial for the required affordable housing to be provided by the developer on an alternative site where this provides a more appropriate and cost effective affordable housing outcome, provided it is of similar standard and in the same vicinity.

Key Workers

5.12 The UDP requires affordable housing for groups of key workers who work for the benefit of Westminster residents where recruitment and retention problems are particularly bad for low paid key workers. The city council currently considers that health care, police and education occupational groups meet this
criteria. There is a wider Central Government definition of key workers which as well as the above includes some local government employees (planners, social workers, therapists) probation service staff, fire fighters and certain MOD staff. In accordance with government guidance the narrower definition adopted by the city council reflects the local circumstances of Westminster.

**Housing Mix and Family Housing**

5.13 An appropriate mix of unit sizes should be provided in any scheme. The city council wishes to encourage families to live in Westminster, and to provide appropriately sized accommodation for those in housing need. Policy H 5 (B) states that the city council will normally require 33% of housing units in housing developments to be family-sized (3 or more bedrooms) and will require 5% of this family housing to have five or more habitable rooms.

5.14 The affordable housing element should provide suitable accommodation for its occupants. Such housing is likely to comprise mainly two and three bedroom units. One bedroom dwellings may be suitable for some key workers, but accommodation smaller than two bedrooms is not likely to be suitable for residents in housing need.

5.15 As part of housing developments the city council will normally expect the provision of amenity space. In particular high quality amenity and private space should be included for the family sized units, this can include balconies and roof level gardens provided they are well designed and form an integral part of the architectural approach and subject to all other policy considerations.

**Standards**

5.16 In accordance with policy H8 the city council will expect all new housing units to meet the Lifetime Homes Standard. In all housing developments of 25 or more dwellings, the Council will require that 10% of the units should be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.

5.17 The layout of affordable housing units should comply with Scheme Design Standards as specified by the Housing Corporation.

**Hostel Use**

5.18 Trenchard House was in use for many years as a hostel for police officers, providing key worker (affordable) hostel accommodation. There are generally two forms of hostels in Westminster. (a) those that cater for workers and students and (b) those that cater for those with special housing needs. Trenchard House is considered to fall within category (a) but was specifically used for key workers. A hostel catering for key workers is therefore the most appropriate hostel use for the site. There are currently 214 single occupancy rooms in Trenchard House and it is considered that a hostel of this size catering for vulnerable people would have a potentially detrimental impact on
the local area. Within Soho there are already 2 hostels for young homeless people plus a hostel for adult rough sleepers, with a total of 115 bedspaces. In addition, the Director of Children and Community Services has advised that it is not a strategic requirement to increase the stock of hostel accommodation for the street homeless in central Westminster.

5.19 The city council’s hostel policy is contained in H 6 (C). This states that planning permission will only be granted for the change of use of hostels to housing. This however will only be acceptable if the existing hostel is surplus to the requirements of the existing operator and there is no demand from another organisation for a hostel in that location.

5.20 Any application submitted for Trenchard House involving the loss of the existing key worker hostel use will need to be accompanied by full details to show that it has been actively marketed for this use in order to prove that it is indeed surplus to requirements. This information will be assessed by the city council who will also consult hostel operators in order to assess demand. If there is clear demand, then the city council will refuse permission for conversion or redevelopment for housing. If there is no demand then the city council will allow the premises to be converted or redeveloped for housing.

5.21 Given Trenchard House contains affordable residential accommodation UDP policy H4 (A) applies which states that developments resulting in the loss of affordable housing will not be permitted. Therefore if the city council accepts the loss of the hostel then all the existing key worker affordable residential floorspace must be replaced in any housing scheme. Normal policy requirements for the provision of affordable housing will apply for any additional residential floorspace proposed on this site.

**Housing Density**

5.22 The site falls in an area with a zoned density range of 400-850 habitable rooms per hectare (hrh) as set out in Policy H11 of the UDP. However, any development on this site will primarily be assessed having regard to the proposed mix, bulk, layout and compliance with other relevant standards and policies set out in the UDP, including ENV 13 sunlight/daylight controls and the design polices contained in DES 1, DES 5, DES 6 and DES 9.

5.23 It is essential however that all housing issues are discussed with the city council’s housing and planning officers at the earliest possible stage.

**Social and Community Facilities**

5.24 In order to sustain viable, flourishing local communities it is essential to make adequate provision for social and community facilities. The city council’s policies for the provision of social and community, health, education, leisure facilities and libraries are contained within Chapter 6 of the UDP. These policies aim to protect and improve the range of community facilities in Westminster. Policy SOC 1 states that the provision of community facilities will be sought on appropriate sites, including the provision of community facilities
in new developments and the public use of private facilities in development schemes.

Community Centre

5.25 The draft Soho Action Plan has identified the need to undertake an audit of Soho’s community facilities and services and working with the West End Community Network investigate options for a new community centre. If this audit identifies that there is a requirement it is considered that this site may provide an opportunity for such a facility.

Education

5.26 Educational use is protected under UDP policy SOC 1(A). The city council aims to ensure that the needs for education and training facilities are met. Policy SOC 3 supports the provision for education use and encourages the design of new facilities so that they can be used for other community uses outside teaching hours.

5.27 The UPD identifies Westminster Kingsway College as a further/higher educational institution of local, national and international importance, which can contribute to Westminster’s role as a world and capital City. In order to assist Westminster Kingsway College in rationalising its estate and significantly improving its education provision in Soho, the city council supports, subject to all other policy considerations, the provision of additional Further Education floorspace within the planning brief area.

Shopping and Services

5.28 The existing retail floorspace in the ground floor of Kemp House podium building and else where inside the CAZ is protected under UDP policies SS1 and SS5.

5.29 The UDP contains polices which welcome the provision of new retail floorspace. This part of Soho provides an oasis of local shopping facilities and acts as an important local shopping centre for residents, workers and visitors alike. Berwick Street in particular contains a number of local convenience stores however Broadwick Street and Ingestre Place also have a retail function including some speciality shopping. Policy SS4 (A) states that within CAZ development schemes in existing shopping frontages, or in areas that would benefit from more shops and or services, must include an appropriate number of shop-type premises at street level.

5.30 New retail use at street level would be particularly appropriate on the Broadwick Street and Ingestre Place frontages.

5.31 The draft Soho Action Plan makes reference to the importance of small shop units in this area and includes an aim to encourage Berwick Street as ‘Soho’s local High Street’.
Berwick Street Market

5.32 Berwick Street Market contributes to the interest and variety of local shopping, provides a range of goods not provided by other local shops and adds to the sustainability of the local community. The city council recognises the importance of maintaining its street markets. It protects existing licensed markets and wishes to reinforce the quality and function of these areas (UDP policy SS13 (A)).

5.33 UDP policy SS13 (C) advises that existing storage for market traders will be protected and additional preparation and storage space will be required where there is an inadequate provision in the immediate area.

5.34 The city council’s licensing department recognises that the market has, in recent years, declined in popularity and success. The Berwick Street market traders have raised some concerns about the lack of existing storage space and toilet and hand washing facilities. Although there are existing storage facilities in this area, given the shortage, some of the traders now use other facilities (including existing shop storage) on an informal basis.

5.35 At present, waste from the market is taken in electric ‘carts’ to the Dufour’s Place Street cleansing depot and deposited in the skip compactor. To minimise bulk waste storage it is suggested, subject to all other policy consideration (in particular any impact to residents in terms of noise), that a rotary waste compactor and cardboard baler be provided within the site. This would assist in re-cycling, improve waste storage facilities for the traders and result in some reduction in vehicular activity in Dufour’s Place.

5.36 The formulation of a long term vision for both Berwick Street and Rupert Street Market to help them operate more effectively and flourish is an action in the draft Soho Action Plan.

Creative Industries

5.37 The planning brief area is within the Creative Industries Special Policy Area (CISPA) where existing light industrial floorspace (Class B1c) is protected. Soho, and in particular the area around Wardour Street has a concentration of media related uses with companies involved in the creative processes in the film, television, music and publishing fields. In accordance with UDP policy COM 9, the inclusion of new light industrial floorspace for use by creative industries in this area would be welcome, subject to the requirements of CENT 3 (the provision of residential floorspace) and other requirements in the brief. As part of its review of the Economic Development Strategy the city council are carrying out a review of the creative industries in Westminster and the findings of this study will inform any consideration of such uses on this site.
Office Use

5.38 General Office (Class B1) floorspace is not a use, which affords policy protection in the UDP.

5.38 As the site is inside the CAZ the provision of new (Class B1) office floorspace may be acceptable subject to all other policy considerations and requirements of this brief.

5.40 The city council seeks to maintain and enhance the mixed-use character of the CAZ and expects office development on sites here to provide accommodation for activities, which contribute to the character and function of that particular locality. This area has strong associations with the media industry and the provision of accommodation for small businesses requiring flexible floorspace, suitable for media based activities would be particularly appropriate.

5.41 The provision of additional (Class B1) office floorspace of 200sq. m or more will need to comply with UDP policies CENT 3, COM 2 and H3, in particular the requirement for the provision of residential floorspace equivalent to any increase in office floorspace.

Entertainment Use

5.42 The UDP policies concerning entertainment uses (including restaurants, cafes, pubs and bars, take-away premises, nightclub, live music venues and casinos) are set out in TACE 8-10. The site is inside the West End Stress Area. Detailed guidance for the planning brief area is contained within the Draft Supplementary Planning Guidance Entertainment Uses in Westminster (Phase One), which has recently been the subject of public consultation.

5.43 The site is covered by two sub-areas these are; Portland Mews/Hopkins Street, which includes the area to the rear of Kemp House and Wardour Street/Berwick Street/Poland Street which includes Kemp House and podium and Berwick Street. The impact of existing entertainment uses on these two sub-areas is quite different but given the proximity and number of residential occupiers, the existing character and function of the area and amenity/local environmental quality, new entertainment uses will not be permitted within the planning brief area.

Other Uses

5.44 Amusement arcades and centres, sex-related uses and mini-cab offices will not be permitted in the planning brief area.

Relocation of Uses

5.45 UDP Policy COM 3 advises on the criteria for swapping office and residential accommodation between sites, which are in the vicinity of each other. However it is considered that the principle of this policy may be applied to
other appropriate uses and in this case assist in the retention of Westminster Kingsway College within the area. In addition given the existing property portfolio of the college it may be possible, in this instance, for any existing hostel (or affordable residential accommodation) in Trenchard House to be re-located within alternative premises outside the planning brief site. If such a land use swap is entered into all other UDP policy requirements will need to be met. The details and acceptability of such a proposal will need to be fully assessed at application stage.
6. Design and Conservation

6.1 The planning brief area is within the Soho Conservation Area, which is the densest area of urban fabric in the city. Soho contains an eclectic mix of Georgian, Victorian, Edwardian, inter war, post war and modern developments. The Berwick Street area is a microcosm of this character with a tremendously rich variety of architectural styles evident. Within the wider context of the planning brief site, there are examples of good architecture from many eras, including listed buildings. Within the site, the buildings contribute to the conservation area in various ways.

**Westminster Kingsway College**

6.2 Of particular architectural note is the building occupied by Westminster Kingsway College, which is considered to make a strong positive contribution to the character of the conservation area. It has a distinctive appearance and forms an important and high quality piece of local townscape and has been designated as an unlisted building of merit.

6.3 As such any proposal for redevelopment of this property will be assessed against Policy DES 9 (B) (2) which states that there is a general presumption against demolition of such buildings. The city council will apply the tests as set out in Planning Policy Guidance Note (PPG) 15 paragraphs 3.15 to 3.19. In particular the council will assess the economic viability of retaining and refurbishing the existing building, and the relative contribution of the existing building and the anticipated contribution of the proposed building to the character and appearance of the conservation area. In making this assessment the contribution of the existing and proposed uses to the character or appearance of the conservation area will be considered.

**Trenchard House**

6.4 Trenchard House is a large 1930’s building, which, whilst not without interest is not considered to make a positive contribution to the character of the conservation area. Through its use of brickwork, (the prevalent material of the conservation area), as well as the rhythmic symmetry, deep recesses and set backs of its facades, the large scale of the building and its impact on the conservation area is relieved.

6.5 The refurbishment of this building would be acceptable. Any works of refurbishment should take care to respect the architectural style of the building (for example windows should be retained or exactly replicated).

6.6 However the redevelopment of this site may also be acceptable subject to a convincing PPG 15 assessment to demonstrate that the proposed replacement building makes a positive contribution to the conservation area. Any redevelopment must pay special regard to the height and bulk, as the building is within the strategic viewing corridor (see Map 3) and is already considerably larger than most of its neighbours. All proposals will be assessed
against Adopted Polices DES 4 and DES 9. There is a strong policy presumption against any new building which is taller and more bulky than the existing building.
Map 3 Listed Buildings, Unlisted Buildings of Merit, and Strategic Views
Kemp House and Ingestre Court

6.7 Kemp House and Ingestre Court are more recent additions and are considered to be at odds with the character of the conservation area. Although the city council accepts that it is not practical or reasonable to redevelop these premises, they could benefit from some design improvements especially to assist in reducing the potential for crime and anti-social behaviour. There is some limited potential for an extension on the existing podium of Kemp House. The details of the principles for development – constraints and opportunities for premises within the site are contained in Section 9 of the brief (pages 36-39).

6.8 Proposals for alterations and extensions to buildings within this area will be assessed against UDP policies DES 1, DES 5, DES 6 and DES 9.

Sustainable development

6.9 UDP policy ENV1 encourages sustainable and resource efficient buildings and any development of this site will be expected to adhere to this policy and the guidance contained within the city council’s Supplementary Planning Guidance (SPG) on Sustainable Buildings.

6.10 Of particular note is the use of high quality resource efficient, recycled and indigenous materials, which are complementary to the palette of materials characteristic of the traditional built form of the Soho Conservation Area. Development should incorporate facilities to produce 20% of its energy requirements through renewables (further guidance on this matter can be found in the Mayor of London’s Renewable Toolkit). Other environmentally sustainable features that should be investigated include – natural ventilation, ground sourced heating and cooling, heat recovery systems, grey water recycling, rainwater harvesting, porous ground surfaces, water conservation measures, waste minimisation and storage and recycling.

6.11 Appropriate independent environmental appraisal/s should be carried out, such as BREEAM, Eco-Homes, etc. A BREEAM ‘Excellent’ or equivalent would be appropriate.

6.12 Further advice on sustainable development can be found in the Mayor’s SPG ‘Sustainable design and construction’ – May 2006.

Crime and Security

6.13 Policy STRA 18 states that it is the city council’s aim to reduce the fear of crime, actual crime and nuisance for residents, businesses and visitors.

6.14 In accordance with policy DES 1 the city council will seek to ensure that high standards of security and crime prevention measures are incorporated into all
new developments (including the public realm) to reduce the opportunity for crime and anti-social behaviour. There is evidence that attractive well cared for environments are less prone to vandalism. Circular 5/94 accepts that crime prevention is a material planning consideration which can legitimately be taken into account in preparing plans and determining planning applications.

6.15 The planning brief area is included in the Civic Watch programme and as such is patrolled by City Guardians.

6.16 The main problems in this area (as reported by the City Guardians) are drug dealing, suspicious loitering, graffiti and flyposting, street sleepers and abandoned hypodermic needles and street urination. They advise on badly and unlit parts of streets in the area. Residents have reported a fear of crime in the Ingestre Court entrances and fear of crime and anti-social behaviour as a consequence of the design of the servicing structures to the rear of Kemp House, in Hopkins Street and canopy overhang on the front of the building on Berwick Street.

6.17 Active frontages at ground floor level encourage street level vitality. Providing attractive and safe ground floor areas where the definition between public and private space is clear can assist in the creation of a safe environment. The design of upper stories with windows overlooking public spaces can also ensure a safer ground floor environment. Further details on this matter can be found in ‘Safer Places’ ODPM, (2004) and ‘By Design’ DTLR (2000)

**Access for disabled people**

6.18 The city council expects all new development to make proper provision for people with disabilities, including residential development (policy DES 1 of the UDP). Central Government standard BS8300 and part M of the Building Regulations set out the standards for access and facilities for people with mobility and sensory disabilities. Further information and advice can be found in the council’s supplementary guidance note ‘A guide to improving access for all’ (1995), the Department for Transport document ‘Inclusive Mobility’ (2002) and London Plan Supplementary Planning Guidance: Accessible London (April 2004). Section 42 (1) of the Planning and Compulsory Purchase Act August 2006) requires the submission of design and access statements for planning applications.

**Public Art**

6.19 Public Art should be an intrinsic element of any major proposals.

6.20 The city council encourages the provision of public art and would welcome the inclusion of appropriate visual art as part of any development proposal. Policy DES 7(a) of the UDP encourages the provision of suitable and high quality public art and advice on this matter can be found in ‘Public Art in Westminster’ Supplementary Planning Guidance (2000). The city council’s public Art Advisory Panel should be consulted on the commissioning and use of public art. Consideration will need to be given to maintenance and funding.
Historic route

6.21 The existing pedestrian network could be enhanced by the re-introduction of the historic route from Ingestre Place to Hopkins Street. This in accordance with Policy DES 1 which seeks to maintain and enhance pedestrian movement and reinstating the distinctive pattern of alleys and spaces in Soho. The design of the new route should be considered in the context of Circular 5/94 Planning out Crime and the key objectives to reduce anti-social behaviour. Consultation should be undertaken on the options to establish if it would be supported by the community.

Strategic views

6.22 Kemp House lies within the strategic view from Parliament Hill to the Palace of Westminster. Trenchard House, Ingestre Court and Westminster College are inside the strategic view from Primrose Hill to the Palace (See Map 3). Policy DES 14 states that developments within these viewing corridors should not exceed the height of the Development Plane, this being the level from the viewpoint (Primrose Hill or Parliament Hill) to the general roof line of the Palace of Westminster. New development proposals in the viewing corridor should seek to reduce the impact of that development rather than perpetuating an inappropriate scale or indeed causing further harm by increasing that height.

6.23 Further details on the city council’s approach to high buildings can be found in the High Buildings Study produced by EDAW in 2000 and in supplementary planning guidance ‘Strategic Views in Westminster’ (1994). Applications involving new development in the strategic view area will need to be accompanied by an assessment of the impact of this development on the strategic viewing corridor.

6.24 It is likely that the strategic views in Westminster will be altered when the GLA’s draft strategic guidance, the London View Management Framework, is adopted. It is therefore premature to include any specific advice contained within the current draft strategic guidance in this brief.

Archaeological works

6.25 The site has some potential for the remains of civil war defence ditches and the foundations and cellars of houses dating from the 18th Century. There may also be the foundations of the 17th Century French churches Le Quarré de Sohoe and La Patente church. Some of the public areas in the site for example between Trenchard House and Ingestre Court which have not been developed will have maintained archaeological and stratigraphy features. Any application for this site will require an archaeological assessment.
7. **Other Standards and Controls**

**Protecting Amenities, Daylight and Sunlight and Environmental Quality**

7.1 This planning brief site and surrounding premises contain a large number of residential occupiers and protecting resident’s amenities is a key consideration. Any development in this area will need to be very carefully designed to ensure that they do not result in any material loss of daylight/sunlight or any increase in the sense of enclosure or overlooking, and are designed in accordance with UDP Policy ENV 13. A daylight/sunlight assessment report will be required to be submitted to the city council to demonstrate the acceptability of any scheme in accordance with the standards set out in the Building Research Establishment (BRE) publication, ‘Site Layout Planning for Daylight and Sunlight’ (1991).

**Greening**

7.2 UDP Policy ENV 4 encourages planting around and on buildings to provide a greener, more attractive city and Policy ENV 17 aims to protect and enhance nature conservation and biodiversity.

7.3 The provision of ‘green roofs’ would comply with the objectives of these polices and would be welcome. The provision of a ‘green roof’ on the roof to the podium of Kemp House would be particularly welcome. This presents a valuable opportunity for extending and improving the quality of the green environment (bio-diversity) in this part of central London and could provide (subject to maintaining the privacy and amenities of neighbouring residential occupiers) amenity space for residents.

7.4 Any landscaping or planting must be considered with a management scheme in place for its maintenance.

**Waste Storage and Recycling**

7.5 The city council will require any proposals in this area to comply with the standards for waste and recycling storage as contained in Policy ENV 12 in the UDP.

**Assessing Environmental Effects**

7.6 The city council aims to ensure that the environmental effects of developments are systematically assessed and considered. The criteria for this are set out in UDP policy ENV2. Applications for any significant development on this site will require an Environmental Performance Statement (EPS) The definition of significant development is set out in table 9.2 and 9.3 in the annex to Chapter 9 of the UDP. This will help facilitate the efficient appraisal of the scheme and will ensure that any likely adverse environmental effects are minimised and at best avoided. Major urban developments (urban development projects where the area of the development exceeds 0.5 hectares (5000m2)) in areas with a
dense residential population may also require the submission of an Environmental Impact Assessment (EIA). Applicants are required to submit either an EPS or an EIA depending on the scale of the development and this matter will be assessed at application stage. You are advised to speak to the principal planning officer responsible for sustainability as soon as possible about this matter.
8. Transportation Issues

Residential Parking

8.1 The policy for off street parking for residential development is contained in Trans 23: TRANS 23(A) states that the permanent loss of existing residential car parking spaces will not be permitted other than in exceptional circumstances.

8.2 In terms of new residential developments TRANS 23 (A) states that the city council will, where appropriate and practical, require a maximum off-street parking standard to be accommodated on the basis of:
1. One car space per unit of residential accommodation containing two bedrooms or less
2. One or two car spaces per unit of residential accommodation comprising three bedrooms or more, providing that the aggregate provision does not exceed 1.5 spaces per dwelling.

8.3 TRANS 23 (C) Refers to parking for hostel use, which includes the requirement that a minimum of one parking space per ten bed spaces should be provided but that the city council will accept a lower amount where will be no impact on on street parking. Although Trenchard House is currently vacant, it was used for key worker hostel purposes for many years without off-street parking.

8.4 TRANS 23 (D) advises on the criteria where residential development intended or designed without on site parking provision may be acceptable. The criteria for this as follows:
1. A surplus of on-street parking space is available
2. The development is extremely well-served by public transport; and
3. On site, parking provision is physically impossible or impractical, but key objectives of the UDP would be put at risk if the development were not permitted. Developments falling into this category include:
   (i) the displacement of a commercial use that is inappropriately sited
   (ii) listed building(s) in need of restoration
   (iii) mixed use developments incorporating community uses
   (iv) housing for those with a known and continuing special need.

8.5 However special justification is required where five or more additional units are proposed.

8.6 TRANS 23 (D) 4 states that where appropriate, the potential impact of additional cars being parked on-street in the vicinity of a proposed development will be mitigated by either:
(i) a financial contribution towards the cost of parking improvements that would directly benefit residents, or
(ii) the long-term provision, by the developer, of off-street parking in the vicinity.
8.7 It is not practical or appropriate in this case to request residential parking in compliance with the maximum standards as set out in TRANS 23 (A). It is considered however that the requirements of TRANS 23 (D) 2 and 3 (iii) and (iv) have been met. This site is in the centre of Soho and well served by public transport (both buses and tube). It is physically impossible and impractical to provide off street parking within the planning brief site. The Corporate Property Group scheme considered by Committee on 28 July 2005 included an underground car park, this part of the scheme was subject to local opposition and Members requested that parking issues were further resolved. The brief requests a mixed-use scheme including community uses and includes the provision of housing with a known and continuing need.

8.8 For these reasons off-street parking will not be required however any development will be expected to comply with the terms of TRANS 23 (D) 4 in terms of parking mitigation.

Pedestrian movement

8.9 In accordance with TRANS 3, the city council is keen to improve the pedestrian environment in this area and any development should include proposals that will improve the public realm.

Servicing

8.10 Policy TRANS 20 requires convenient access to all premises for servicing vehicles (to include access for the emergency services) and refuse collection and will, in most cases require that services needs are adequately accommodated on-site and off-street. Dependant on the details of any scheme the servicing of the various uses must be at the appropriate level and dimensions to maximise off street facilities and minimise impact on residents and other users.

8.11 If the area to the rear of Trenchard House is reinstated for public access, then a shared surface may be required here to allow for servicing for this property.

Cycle and motorcycle parking

8.12 The city council aims to make cycling safer and more attractive and to promote cycling as an alternative to the use of the private car. In accordance with TRANS 9(B) and TRANS 10, the provision of secure on-street cycle parking facilities is encouraged. This brief also seeks compliance with the Council’s standards for off-street bicycle parking (to serve new residential units). Appendix 4.2 of the UDP provides details of the cycle parking standards according to proposed use.

8.13 The city council does not have motorcycle parking standards. However there the provision of motorcycle parking for any scheme in the planning brief area would be welcomed.
Map 4 Traffic Restrictions / Flows

Vehicles cannot circulate between 7am until 7.30pm Monday to Saturday
8.14 Whilst it is likely that the area will be required to continue to perform a traffic circulatory function changes to flow direction and routes may be considered if they are accompanied by a detailed assessment of the impact. Map 4 shows existing traffic restrictions/flows in the area.

**Transport Impact Assessment**

8.15 Depending on the details of the proposal the city council may require the submission of a Transport Impact Assessment and applicants are advised to speak to a highways officer at the earliest possible stage regarding this requirement. Appendix 4.1 of the UDP provides further details on this matter.
9. **Principles for Development –Constraints and Opportunities for Premises within the Site**

**Kemp House (including podium block at 90-104 Berwick Street)**

9.1 There is only limited scope for any development on the roof of the existing podium. There are residential windows in Kemp House (tower block) at podium level facing onto the existing flat roof. Any new development in the form of extension/s on the roof of the podium should no higher than one storey and would need to be very carefully designed to ensure no loss of amenity (in terms of material loss of daylight/sunlight, increased sense of enclosure and loss of privacy) to the residents who occupy these flats or to any other nearby residential occupiers. Any application for such extension/s would also be assessed in terms of scale, visibility from the street and detailed design. An extension of more than one storey on the roof of the podium is unlikely to be acceptable given amenity concerns and the likely impact this would have on the occupiers of Kemp House and other residential occupiers in Berwick Street and Peter Street.

9.2 In terms of the use of the first and second floor of the podium existing general office (Class B1) is not a use, which affords policy protection in the Adopted UDP, however the loss of any lawful creative industrial use (Class B1c) would be resisted. If a change of use is proposed an application for a Certificate of Lawfulness (existing) (CLUED) would assist in determining the lawful use of these floors. Subject to policy considerations regarding the existing lawful use of the first and second floors a proposed social and community use, (for example a public library or educational use) may be an acceptable use here provided that this was not detrimental to existing residential amenity and subject to highways considerations. If these floors were in public use signage and an improved entranceway to the first and second floors would be required to improve visibility and access.

9.3 It is considered that the existing canopy, which projects onto Berwick Street, above the shop fascias, of this building is an obtrusive element, which dominates the footway. In combination with the market stalls, it affords the street an unnecessarily cramped atmosphere and concerns have been expressed by residents regarding fear of crime and anti-social behaviour in this area. The removal or reduction in size of this canopy, provided this does not result in any loss of amenity by way of increased noise levels to the residential occupiers above, would therefore be welcomed and would provide a more open aspect to the street and make the footway more attractive for pedestrians. Other options could include the replacement of the existing canopy with a light weight glazed canopy or high quality retractable awnings of a consistent design.

9.4 The shop units in the podium building have a variety of shopfronts and signs. Any alterations to the existing shopfronts should consider the character of this part of Berwick Street. A co-ordinated approach to the shopfronts (using...
timber or steel framed glazing with integral fascia detail) and signs would therefore be welcomed. This should not however result in a homogeneous uniform look that would be out of keeping with the variety that characterises this area. Alterations to improve the current situation of anti-social behaviour (especially street urination) in the ground floor recesses of the podium on Berwick Street would also be desirable.

9.5 There is currently a blank ground floor frontage to the retail unit (occupied by Somerfield) on the Peter Street and Hopkins Street frontages. The re-instatement/creation of new windows would provide a welcome opportunity to increase natural surveillance in this location, which is associated with crime and anti/social behaviour.

9.6 The potential for development at the rear of the podium on Hopkins Street is constrained by the existing use of this area for servicing purposes and by the access ramp to the basement car park (used by residents and businesses). This area however presents an unattractive environment and is associated with anti-social behaviour The removal of unnecessary structures in this area including the railings around the lightwells and any redundant plant would be particularly welcomed. The existing brick wall around the entrance to the car park could be replaced with railings. Existing waste facilities and plant (including air-conditioning units) could be re-ordered or screened by well designed enclosures and lighting which clearly relates to the uses that should be carried out in this area could be installed. This area would also benefit from improved management and clarification of function and usage rights.

9.7 If the existing servicing constraints to the rear of the podium can be overcome proposed building should also include an ‘active’ use at ground floor level. However such a use would require its own servicing arrangements and this limits development here because of the potential narrowing or loss of the existing pavement and impact on residential amenity by bringing servicing facilities closer to the flats in Ingestre Court.

9.8 The flat roof of the podium or any extension to the podium provides an opportunity to provide a ‘green roof’. There may be opportunities to integrate vertical as well as horizontal habitats to various parts of the building in order to encourage biodiversity.

9.9 The roofs also provide opportunities for the integration of renewable energy solutions including solar water heating and photovoltaic cells.

9.10 Water conservation measures such as rainwater runoff collection could be introduced. This water could in turn be used for watering any new green areas on the building.

Ingestre Court

9.11 The existing car park has limited potential for development, given the policy to protect existing residential parking spaces. If this constraint could be overcome, any development in this area would need to be very carefully
designed to ensure that it did not result in any loss of amenity (in terms of material loss of daylight/sunlight, increased sense of enclosure and loss of privacy) to the residents who occupy the flats in Pargiter Court or to any other residential occupiers in the area including those above the podium level in Ingestre Court. The existing car park however provides a sterile environment and could benefit from some landscaping.

9.12 Subject to amenity and design considerations, there may be some scope for infilling around the base of Ingestre Court provided that the open character around the base of the building is not lost and the entranceways for residents are not obstructed. Improvements to the existing residential entranceways would be welcomed.

9.13 Alterations to the existing ground floor recesses to reduce incidents of anti-social behaviour in these areas would be welcome.

9.14 The existing brick planters could be removed or replaced by more appropriate features.

9.15 Any new development in the form of an extension/s on the top of the existing podium adjacent to residential windows would be unacceptable. There are a number of residential windows (including to kitchens) to the flats, which are in very close proximity to the podium. Development at this level would result in a loss of amenity to these occupiers in terms of material loss of daylight/sunlight and increased sense of enclosure. The roof of the podium however provides an opportunity for the creation of a ‘green roof’. There may be opportunities to integrate vertical as well as horizontal habitats to various parts of the building in order to encourage biodiversity.

**Trenchard House**

9.16 The consultation exercise for the draft brief has identified three options for the development of his site:

1. English Partnership bringing forward housing led scheme.

2. The Peabody and First Base scheme involving integrated social and community facilities and supported housing and key worker accommodation.

3. Westminster Kingsway College incorporating the site into their proposals as part of a linked series of schemes to deliver a new Further Education facility on this site.

9.17 Trenchard House presents a rare opportunity to bring back into use a large amount of key worker/hostel floorspace in this very central location, in Soho. If however it can be satisfactorily demonstrated to the city council that there is no demand for such a hostel use then the provision of affordable residential accommodation will be required in accordance with policy. There may be an opportunity to provide uses in the ground and lower floors of this building to
improve retail activity in the area and assist in the provision of community facilities.

9.18 The area to the rear of Trenchard House (currently fenced in and previously used for servicing) provides an opportunity to reinstate a historic cut through between Ingestre Place and Hopkins Street and therefore improve pedestrian access in the area. This may result in a shared surface to facilitate any servicing requirements for this building.

9.19 Although the refurbishment of the existing building would be acceptable, its redevelopment may also be acceptable provided the replacement building is of a high quality and preserves the character and appearance of the conservation area. There is a strong policy presumption against any new building which is taller and more bulky than the existing building.

**Westminster Kingsway College, Peter Street**

9.20 The Westminster Kingsway College response to the consultation on the draft planning brief has revealed their emerging proposals which could bring forward their existing site and Trenchard House for a combination of Further Education and housing uses, in accordance with UDP and planning brief policy.

9.21 The building the college occupies is an unlisted building of merit and therefore there is a presumption against its demolition. Westminster Kingsway College has indicated that they require larger premises and would like to stay within this area. Given the city council’s policies for educational use and the long standing contribution the college has made to the area it is considered important to further develop options to facilitate their continued presence in this locality. This includes the possibility of land use swaps (subject to all other policy considerations) with other premises within the planning brief area and exploring the possibilities of extensions to their existing premises.

9.22 There may be opportunities to extend the existing building to the west of the site. The impact of any westward extension however would need to be assessed in terms of its impact on the grade 2 listed Soho car park adjacent to the site as well as on the character and appearance of the Soho Conservation Area.

9.23 The existing small-scale school-keepers cottage provides a dramatic change of scale, especially when seen against the backdrop of the Soho car park building. The cottage could be restored to beneficial use and as with the main college building it has a presumption against demolition.

9.24 The existing high-level perimeter wall around the college does not form an important feature or make a positive visual contribution to the area and there is an opportunity for its removal and replacement with high quality traditional railings.
10 Planning Benefits

10.1 In accordance with UDP policy STRA 7 and in addition to the other policy requirements set out in this brief, the city council may seek to use conditions on the grant of any planning permission or may use its powers under Section 106 of the Town and Country Planning Act (1990) or other forms of agreement to secure the following key elements of the scheme or provide additional environmental benefits.

10.2 Based on the city council’s assessment of requirements for the area and policy consideration and following consultation these are required in the following order of preference.

1. Timing and securing of the affordable housing as part of the residential elements of any scheme.

2. Environmental improvements including new lighting and CCTV coverage.

3. Improvement measures to the rear of Kemp House podium (and on the Peter Street frontage) to discourage anti-social behaviour and crime.

4. The provision of a rotary waste compactor and cardboard baler for the market refuse and other facilities for the market traders including storage, washing and toilet facilities.

5. Improvements to the canopy on the Kemp House podium (involving its removal or reduction in size) or the replacement of the existing canopy with a light weight glazed canopy or high quality retractable awnings of a consistent design.

6. Removal of existing high-level perimeter wall to the building occupied by Westminster Kingsway College and replacement with railings (subject to agreement of the land owners).

7. The provision and operation of community facilities (including library facilities).

8. Improved pedestrian access by the re-introduction of the historic route between Ingestre Place and Hopkins Street.

9. The provision of ‘green roofs’ and vertical planting (which should include a management scheme in place for maintenance).

10. The provision of motorcycle and secure bicycle parking.

11. A co-ordinated design approach for the shopfronts and signs to the ground floor premises in the Kemp House Podium and improvements to the ground floor recesses to discourage anti-social behaviour.
12. Design improvements or removal of the brick planters at the base of Ingestre Court.

13. New paving to accord with the current Westminster Way aspirations and standards.


15. Design improvements to the rear facade of the NCP car park (subject to details and agreement by the owners).

16. Design improvements to shopfronts and signs on the eastern side of Berwick Street (Subject to details and agreement by owners).

10.3 The City Council is currently finalising Supplementary Planning Guidance on S.106 obligations and benefits including financial contributions, with an anticipated date for adoption in February 2007.
11. The Way Forward and Implementation

11.1 On 10 October 2005, Cabinet approved the Berwick Street Project Strategy, which included the following items to be taken forward:

(i) Commissioning architects to produce alternative options that fulfil council objectives for the site. Any architectural and viability studies will be linked to discussions that have taken place with the owners of Trenchard House and Westminster Kingsway College and local area needs

(ii) Bringing forward a further proposal using an approach that actively engages with local representatives and businesses, to ensure a scheme of genuine local benefits with demonstrable local improvements and support, linked to the Soho Action Plan.

11.2 Since the Cabinet meeting the City Council has met regularly with the Berwick Street Advisory Group in pursuit of item (ii) and the community have worked up some draft proposals, which will be detailed and used in pursuit of item (i).

11.3 Therefore the revised Project Strategy for Berwick Street is as follows:

(i) Create a working group structure to bring forward a further proposal taking forward alternative options for the Berwick Street area using an approach that actively engages with local residents and businesses, to ensure a scheme of genuine local benefit and with demonstrable local involvement and support, linked to the Soho Action Plan.

(ii) Commission architects to produce costed options based on the community proposals and objectives of the city council with any architectural and viability studies taking into account discussions with the owners of Trenchard House and Westminster Kingsway College.

(iii) Assess the scope of the regeneration scheme based on the availability of council and external funding and any planning benefits from the proposals.

(iv) Develop detailed/final designs for the regeneration scheme, marketing the site where relevant and submitting a planning application if required on the fully worked up scheme.

11.4 This revised strategy remains in line with the recommendations and resolutions from the Cabinet meeting on 10 October 2005.

11.5 The brief will be regarded as a material consideration in the assessment of any planning application and will be used for development control purposes.

Code of Construction Practice

11.6 Given the size of the planning brief area, the potential for a number of buildings to be under construction at the same or similar times, the number of residential occupiers in this area and their previous concerns regarding
disturbance during building works it may be appropriate for development on this site to comply with the city council's Code of Construction Practice and this will be considered in due course, at planning application stage.

11.7 The city council’s Code of Construction Practice is intended to define environmental standards and outline procedures pertaining to major construction works. It covers the environmental and public health and safety aspects affecting the interests of local residents, businesses, the general public and the surroundings in the vicinity of the proposed construction sites. Activities and impacts covered by the Code include: site set up and servicing arrangements, management of construction traffic and highway works, site management, public safety, noise and vibration, hours of working, dust and air pollution, waste disposal and protection of water quality and urban ecology.

11.8 The Code is intended to clarify for the developers and their contractors their responsibilities and requirements, as well as providing assurances to residents and others about the standards that they can expect during construction.

11.9 The Code is a two-part document with Part A being generic and applicable to all developments. Part B is site-specific and is drafted by the city council usually at tender stage and refined once a main contractor/construction manager has been appointed.
12 Contacts

For further information about the City Council's policies and to discuss this brief, please contact Sally Alderman on (020 7641 6063) or Email salderman@westminster.gov.uk).

Other Useful Contacts

Steve Brandon  Development Control matters  020 7641 8541
Email: sbrandon@westminster.gov.uk

John Wilman  Conservation and Design  020 7641 2561
Email: jwilman@westminster.gov.uk

Matthew Pendleton  Conservation and Design  020 7641 5871
Email: mpendleton@westminster.gov.uk

Matthew Blades  Economic Development  020 7641 2336
Email: mblades@westminster.gov.uk

Lydia Clarkson  Berwick Street Project Strategy and Soho Action Plan  020 7641 7923
Email: lclarkson@westminster.gov.uk

Steve Moore  Housing  020 7641 3211
Email: spmoore@westminster.gov.uk

Rachel Yorke  Highways  020 7641 2625
Email: ryorke@westminster.gov.uk
13. Further Information

www.westminster.gov.uk/environment/planning/unitarydevelopmentplan/ourplan.cfm

http://www3.westminster.gov.uk/spgs/publications/Access%20for%20all.pdf


Supplementary Planning Guidance ‘Food and Drink Premises’ (March 1999).

http://www3.westminster.gov.uk/spgs/publications/Public%20art.pdf


Supplementary Planning Guidance ‘Shopfronts, Blinds and Signs’ (May 1993)

Supplementary Planning Guidance ‘Sustainable Buildings’ (March 2003).
http://www.westminster.gov.uk/environment/planning/sitesandprojectspolicies/spg.cfm

www.westminster.gov.uk/environment/planning/sitesandprojectspolicies/planning-obligations-spg.cfm

www.westminster.gov.uk/environment/planning/sitesandprojectspolicies/draft-entertainment-spg.cfm
The draft Soho Action Plan – Approved for Public consultation on 10 July 2006. 
www.westminster.gov.uk/onesoho/

Waste and Recycling and Storage Requirements booklet (March 2005).

Soho Conservation Area Audit (December 2005).


Further information can also be obtained from the Internet through the following websites:

City of Westminster – www.westminster.gov.uk for the City of Westminster UPD and other relevant planning guidance.

Department for Communities and Local Government – www.communities.gov.uk for national Policy Guidance (PPG’s) and advice on Building Regulations. This site includes documents produced by the OPDM and DTLR.

Mayor of London – www.london.gov.uk for The London Plan and other related planning guidance and SPG’s.

Design for Biodiversity – www.lda.gov.uk/server/show/nav.001005006002, LDA.