

Crossrail: Tottenham Court Road Station (Eastern Ticket Hall):

- 1-23 Oxford Street, 1-6 Falconberg Court, and 157-165 Charing Cross Road, including the Astoria Theatre – the Astoria site, and
- 135-155 Charing Cross Road, and 12 Sutton Row - the Goslett Yard site



Adopted Planning Brief

Date: 14th September 2009

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Executive Summary

As part of its approach towards Crossrail, the City Council has prepared a series of planning briefs for key sites across the city affected by it. The aim of the briefs is to set out all the relevant Council policies and concerns relating to the sites and seek to obtain the promoters' of Crossrail (Crossrail Limited (CRL), formerly Cross London Rail Links Limited (CLRLL)) agreement to incorporate these matters into their proposals. These briefs assisted the City Council in its negotiating and petitioning strategy in respect of CRL's hybrid bill which was deposited in parliament on 22 February 2005 for the powers to construct and operate Crossrail Line 1, and which received Royal Assent in 2008. The City Council supports the principle of Crossrail subject to considerations set out in this and the other briefs.

This brief concerns the following buildings (as shown on Map 1):

- 1-23 Oxford Street, 1-6 Falconberg Court, and 157-165 Charing Cross Road, including the Astoria Theatre – “the Astoria site”, and*
- 135-155 Charing Cross Road and 12 Sutton Row - “the Goslett Yard site”.*

The sites are required for the construction of Crossrail 1. Crossrail Limited have indicated that the Astoria site will be required for the construction of part of the new Crossrail station and emergency access. The rest of the ticket hall and station facilities would be constructed underneath Charing Cross Road and the Centre Point Plaza. The Goslett Yard site is proposed as the main work site for the construction of deep level station tunnels and passages, and to accommodate ventilation and emergency escape/access.

Works required for the construction of Crossrail are approved by the Crossrail Act. Whilst the design and to some extent the location of the station entrances remains subject to Schedule 7 approval, the Council is unable to refuse permission for these proposals in principle, but can influence their design. Oversite development i.e. development above the new stations will require planning permission. The Crossrail Context Reports provide an overview of the Crossrail works that will take place within each local authority (see www.crossrail.co.uk/construction/crossrail-and-the-community/crossrail-context-reports).

The construction of Crossrail will result in considerable disruption to those living and working in the area, and to traffic and pedestrians, which the Council will seek to minimise. This brief sets out the main

concerns that the Council considers the promoters of Crossrail will need to address, both during the construction process and afterwards. The effect on and interaction of different transport modes, including pedestrians, buses, taxis, general traffic and cyclists will need to be fully considered by Crossrail, and adequate evidence provided to justify proposals and their impacts.

Since the previous version of this planning brief was published, CRL and the landowner of the planning brief site, Derwent London, have been in discussions and have prepared a draft oversite development scheme for the sites.

Proposals for replacement buildings on both sites must reflect the character of the Soho Conservation Area, and relate to the height and scale of adjacent buildings and townscape.

The Council would expect mixed use developments on the sites, including a replacement theatre/live performance venue, retail and employment uses reflective of the location within the Creative Industries Special Policy Area. If the total commercial floorspace on the sites increases by more than 200m², then the Council would require 50% of the increase as residential. Given the exceptional circumstances of this development with its need to accommodate a Crossrail station, ticket hall and associated infrastructure in a relatively small space, the residential element could be provided offsite subject to complying with the policy test to deliver an increased quality and quantity of housing provision, and subject to an appropriate legal mechanism to bring forward the residential provision off-site within an agreed timeframe. Other Central London Activities may also be appropriate at this site, and further guidance on these is given in the brief.

Crossrail's final proposals for the Tottenham Court Road Station (Eastern Ticket Hall), and associated oversite development, should take account of and address the City Council's concerns as set out in this brief which is a material consideration in the determination of any planning applications or any reserved matters that fall to the City Council to determine in relation to the Crossrail Act.

The Council will work with all stakeholders, including London Borough of Camden, Crossrail, Transport for London, landowners and amenity societies to ensure that the aims as set out in this brief are incorporated into the proposals.

1 Introduction

- 1.1 This brief concerns the following buildings (as shown on Map 1):
- 1-23 Oxford Street, 1-6 Falconberg Court, and 157-165 Charing Cross Road, including the Astoria Theatre – “the Astoria site”, and
 - 135-155 Charing Cross Road, and 12 Sutton Row – “the Goslett Yard site”.
- 1.2 Where this brief refers to “the sites”, this refers to the entire area above. The sites are safeguarded for a new station entrance, ticket hall and associated infrastructure, and construction worksites for the Crossrail Line 1 Tottenham Court Road Station Eastern Ticket Hall, as included in the Crossrail Act.
- 1.3 The City Council strongly supports Crossrail Line 1 as the best medium to long term opportunity to improve rail based transport in London. It is being promoted by – Crossrail Limited (CRL), which was a joint venture between Transport for London (TfL) and the Department for Transport (DfT), until December 2008 when it became a fully owned subsidiary of TfL. To assist in the Council’s negotiations with CRL, planning briefs have been prepared for key Crossrail sites across the City, of which this is one.
- 1.4 CRL’s proposals for these key sites have been set out in the Crossrail Act and supporting documentation.
- 1.5 A separate congestion relief scheme for the Tottenham Court Road Underground Station was planned by London Underground. This entailed the provision of new escalators down to platform level, and the creation of a new ticket hall and station entrance at the base of Centre Point tower. This scheme has now been incorporated into the Crossrail Act (see section 4 below)
- 1.6 Policy ENV 2 (A) of the Council’s Adopted Unitary Development Plan (UDP) 2007 lists a number of developments for which Environmental Impact Assessments (EIAs) are usually required. The Crossrail Act contains provision that modify the 1999 Environmental Impact Assessment Regulations and which requires that any oversight development will either require an EIA (where the works are integral to the new works) or will require it where the local planning authority determines that such development is likely to have significant environmental impacts.

The Brief Area

- 1.7 The Crossrail Tottenham Court Road Station would be located south of Oxford Street, between Great Chapel Street and St. Giles High Street. The Crossrail underground line is designed for larger trains, with exits

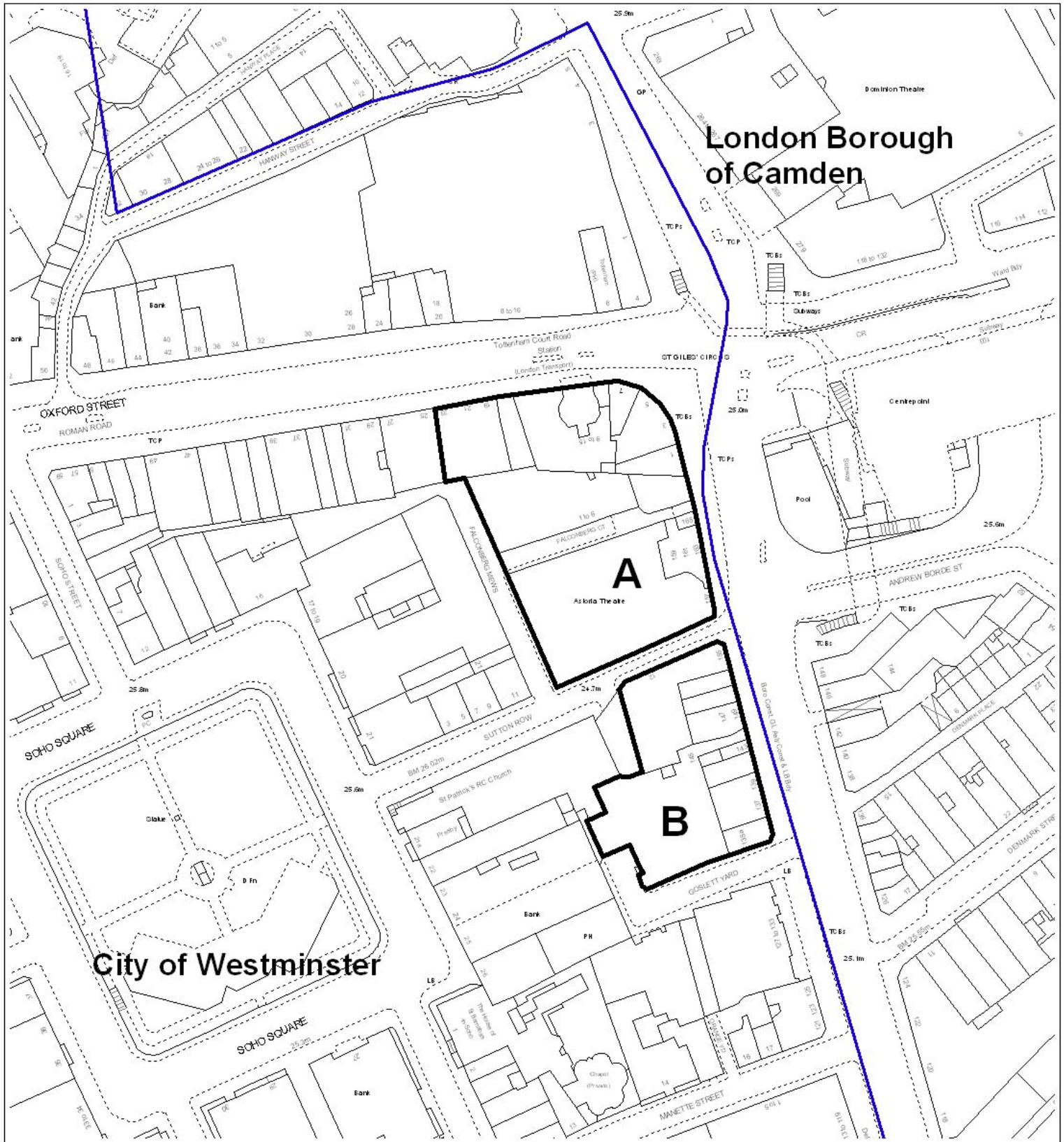
at each ends of the platforms. There are therefore two new ticket halls proposed: the Eastern ticket hall, at the junction of Charing Cross Road and Oxford Street; and the Western ticket hall under the block bounded by 91-101 Oxford Street, 97-102 Dean Street, 6 and 7 Fareham Street, and 1 to 8 Great Chapel Street.

- 1.8 This brief relates to proposals for the Eastern Ticket Hall; a separate brief (Tottenham Court Road Station Western Ticket Hall: Site bounded by 91-101 Oxford Street, 93-102 Dean Street, 1-12 Great Chapel Street and Diadem Court W1) covers the Western ticket hall site.
- 1.9 This planning brief is written to help guide proposals assuming that CRL are proposing to demolish and redevelop all of the buildings on the sites covered by this brief.
- 1.10 The brief should be read in conjunction with the Draft Planning Brief for the Western Ticket Hall site and the Tottenham Court Road Area Framework adopted by the London Borough of Camden in July 2004.

Purpose of the Brief

- 1.11 Crossrail line 1 is a major new transport infrastructure project to introduce a new east-west railway linking Maidenhead and Heathrow with Abbey Wood and Shenfield through new tunnels under central London. The City Council strongly supports Crossrail Line 1 with a link to Heathrow as the best medium to long term opportunity to improve rail based transport in London. The project is now being implemented for the Mayor of London and Secretary of State for Transport through Crossrail Limited (CRL), which was a joint venture between Transport for London (TfL) and the Department for Transport (DfT) until December 2008 when it became a fully owned subsidiary of TfL. To assist in the Council's negotiations with CRL draft planning briefs have been prepared for key Crossrail sites across the City, of which this site is one.
- 1.12 The purpose of this brief is to set out the City Council's considerations for this site in relation to matters arising from the construction of Crossrail, covering in particular potential amenity, traffic and environmental impacts. The brief also sets out the Council's considerations on existing land uses, as well as CRL's proposed long term use of the site.

Map 1: Tottenham Court Road Station (Eastern Ticket Hall) Planning Brief Sites

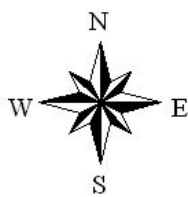


 Borough Boundary

Planning Brief Sites

 A - Astoria Site

 B - Goslett Yard Site



0  50 Meters

Area shown on map



- 1.13 This brief is a revised version of the draft planning brief for Tottenham Court Road Station (Eastern Ticket hall) which was approved by the Planning and City Development Committee on 26 May 2005 following a period of public consultation. The principal issues raised through consultation were incorporated into the 26 May version which served as a key document in negotiations with CRL following the Crossrail Hybrid Bill being deposited in Parliament to secure the powers to construct and operate Crossrail Line 1. This, along with the other Crossrail draft planning briefs, provided the basis for setting out the City Council's petitioning strategy throughout Parliament's consideration of the Bill. The briefs were instrumental in securing a number of assurances and undertakings from the promoter in respect of the impact of the Crossrail proposals on the City. There are a number of generic undertakings and assurances as well as those that are site specific. Those relevant to the site covered by this draft planning brief are included as Appendix 1.
- 1.14 Since the deposit of the Bill, on 22 February 2005, and the publication of the 26 May 2005 draft planning brief a number of detailed aspects of CRL's proposals for this site have changed and, as mentioned above, a number of the City Council's concerns have been met by securing appropriate undertakings and assurances. The Bill received Royal Assent and became an Act of Parliament in July 2008. The purpose of this revised brief is therefore to update on circumstances generally and to provide a basis for continuing negotiations with CRL as the Crossrail proposals are developed to the next stage of detailed design. On 8 May 2008 CRL wrote to the City Council confirming that regard will be given to the provision of the Planning Briefs when preparing technical submissions to the Council under the Act in relation to Crossrail works. This reaffirms their status as key documents in the negotiation process.
- 1.15 On 16 June 2008 the Planning Sub-Committee (Planning Briefs and Local Development Framework) approved a draft of this planning brief for the purpose of further public consultation. The draft brief was subject to extensive consultation with key stakeholders, and where appropriate the main issues raised have been addressed in the revisions to the draft brief. A full report setting out the planning considerations on the representations made was presented to the Planning Sub-Committee (Planning Briefs and Local Development Framework) on 14th July 2009. At this meeting, the Sub-Committee agreed to recommend to the Cabinet Member for the Built Environment that this revised brief be adopted as a Supplementary Planning Document (SPD). Following the incorporation of amendments requested by the committee, the Cabinet Member for the Built Environment agreed to adopt this brief as an SPD. The brief has now been adopted as a Supplementary Planning Document (SPD) following

the procedures set out in Planning Policy Statement (PPS)12: Local Development Frameworks. The planning brief has been prepared in accordance with the planning policies in the City of Westminster UDP and is also in general conformity with the London Plan. The brief is a material consideration in determining any planning application.

- 1.16 Following enactment of the Crossrail Act, the DfT have conferred planning permission to construct and operate Crossrail Line 1. Notwithstanding this, through the provisions laid out in the Act the Council signed an undertaking to enable it to become a 'qualifying authority' which allows the Council to assess more detailed aspects of the proposals as set out in Schedule 7 of the Act. Through this process the City Council is not able to refuse permission for proposed works on points of principle however, they are able to request additional details or amendments to proposals on the grounds of the provisions laid out in the Act. This may include the impact of proposals on design and location within the defined Safeguarding Limits. Furthermore, by setting out the City Council's principal planning issues and requirements this brief will form the basis of negotiations with CRL and the DfT throughout the further development of the Crossrail proposals.

2 Background

Site and surroundings

- 2.1 The “Astoria site” covers 3,210m² and is bisected by Falconberg Court. This road is needed for the Crossrail station and so on redevelopment the site would form one complete plot. The buildings fronting onto Oxford Street and Charing Cross Road are a mixture of five and six storey buildings with retail uses at ground floor. The upper storeys and basements are a mixture of small offices, language schools, and included two nightclubs and the Astoria Theatre.
- 2.2 The building at 1-6 Falconberg Court has four storeys and was used for shop/storage space at ground level, a nightclub at basement level (although “The Ghetto” club which was on the site is known to have closed in December 2008) and small offices and studios on the upper floors.
- 2.3 “The Goslett Yard site” covers 1,610m². The buildings there were refurbished in 2003 and are a mixture of three to six storeys high. There is continuous retail frontage at street level fronting onto Charing Cross Road with office uses above.
- 2.4 The buildings fronting Oxford Street are of late 19th Century construction and, though diverse in appearance, do form a cohesive frontage to this important shopping street and were considered of sufficient merit to be included in the Soho Conservation Area. The Astoria Theatre building is a large five storey building which was originally built as a Cross and Blackwell pickle factory. It was converted to a cinema in 1927, and was more recently used as a live music venue and nightclub until it closed in 2009, prior to planned demolition.
- 2.5 The immediate area surrounding the sites has continuous retail frontage at street level on the Oxford Street and Charing Cross Road frontages, with a mixture of office, financial and education services on upper floors. Charing Cross Road and Oxford Street have very heavy pedestrian and vehicular traffic flows 24 hours a day. In contrast, Goslett Yard, Sutton Row and Falconberg Mews are narrow streets, with vehicular traffic mainly confined to servicing. Goslett Yard has pedestrian activity attracted by two bars, and Falconberg Mews and Falconberg Court have some pedestrian activity at night arising from the two nightclubs there. Sutton Row has some vehicular traffic emerging onto Charing Cross Road from Soho Square and is well used throughout the day and night by taxis and pedestrians.

- 2.6 There are problems of crime and anti-social behaviour in this area. Problems include drug use, discarded needles, urination, faeces, smell, graffiti, discarded food and litter.
- 2.7 Soho Square is 60m west of the site and is a quiet green square, well used by workers and residents for leisure. While the enclosed part of the square is closed at night, the wider square is busy 24 hours a day but still retains a relatively quiet atmosphere.
- 2.8 St. Giles Circus is a key node on the central London road network as it is the junction of Oxford Street, Charing Cross Road and Tottenham Court Road. Nevertheless, it lacks a strong identity and traffic dominates the area. Building heights range from 4 storeys on Charing Cross Road to 35 storeys at Centre Point Tower in Camden. Many of the buildings facing onto St. Giles Circus have been blighted by the uncertainty over Crossrail and are in a poor state of repair, while the south side of Andrew Borde Street was until recently dominated by large advertisement hoardings.
- 2.9 The area at the base of Centre Point tower is isolated from its surroundings by roads and until recently a raised pool, both of which disrupted pedestrian movement through the area. The junction also has a very poor record in terms of road traffic collisions causing personal injuries, with St. Giles Circus having four times the average collisions for a signal controlled junction in inner London.
- 2.10 The development of Crossrail's Tottenham Court Road eastern ticket hall and redevelopment of the London Underground station will be accompanied by extensive improvements to the public realm and changes to the existing road layout (mainly in Camden). These include the creation of a new public space at the foot of Centre Point. The aim of the St. Giles Public Realm Design Project is to ensure the highest quality public realm across the St. Giles area. The study will produce a consolidated design for the Traffic Management works required, and the public realm works proposed.
- 2.11 The 'St. Giles Circus Strategic Framework Study' was commissioned by the LDA/Design for London to set out a plan for the area's public realm, to manage increased pedestrian numbers, improve pedestrian links and more generally improve this important part of the West End.

Planning history

1-23 Oxford Street and 157-165 Charing Cross Road

- 2.12 Conservation Area Consent was granted for the demolition of all the buildings on the site of 1-23 Oxford Street and 157-165 Charing Cross Road on 22nd April 1996 (Application number 94/00150/CAC).

- 2.13 Planning permission was granted on the same date for the erection of a single building with central atrium comprising a retail arcade on the ground floor to include a Class A1 and Class A3 space plus entrances to a new station ticket hall below, a venue for live theatre in the sub-basement, a gallery (class D1) on part of the first floor and within a partially free standing tower at the corner of Oxford Street and Charing Cross Road, offices (Class B1) on the remainder of the first floor and the whole of the second to sixth floors, and a plant enclosure at seventh floor level plus associated alterations to the public highway (94/00149/FULL).
- 2.14 The permission was given subject to a Section 106 agreement securing highway works around the site, and the provision of a theatre in the sub-basement (see section 6.11 below).
- 2.15 Both the Conservation Area Consent and the Planning Permission have now expired.
- 2.16 London Underground Limited currently propose to demolish 17 Oxford Street as part of the CRL / LUL station scheme. The site is identified in the Crossrail Environmental Statement as a building to be acquired, but not demolished. Accordingly, any proposal to demolish this building will require Conservation Area Consent from Westminster City Council.

135-155 Charing Cross Road and 12 Sutton Row

- 2.17 There is no Crossrail associated planning permission for the Goslett Yard site.
- 2.18 This site is within a conservation area. Permission was granted for works including a new 5th floor for offices, roof plant room and office entrance on Sutton Row on 3rd August 1999 (99/00130/FULL). This and subsequent permissions amending various aspects of the proposal was implemented. There are B1 uses on the upper floors, with various retail uses on the ground and basement levels.

Crossrail Line 1

Timing

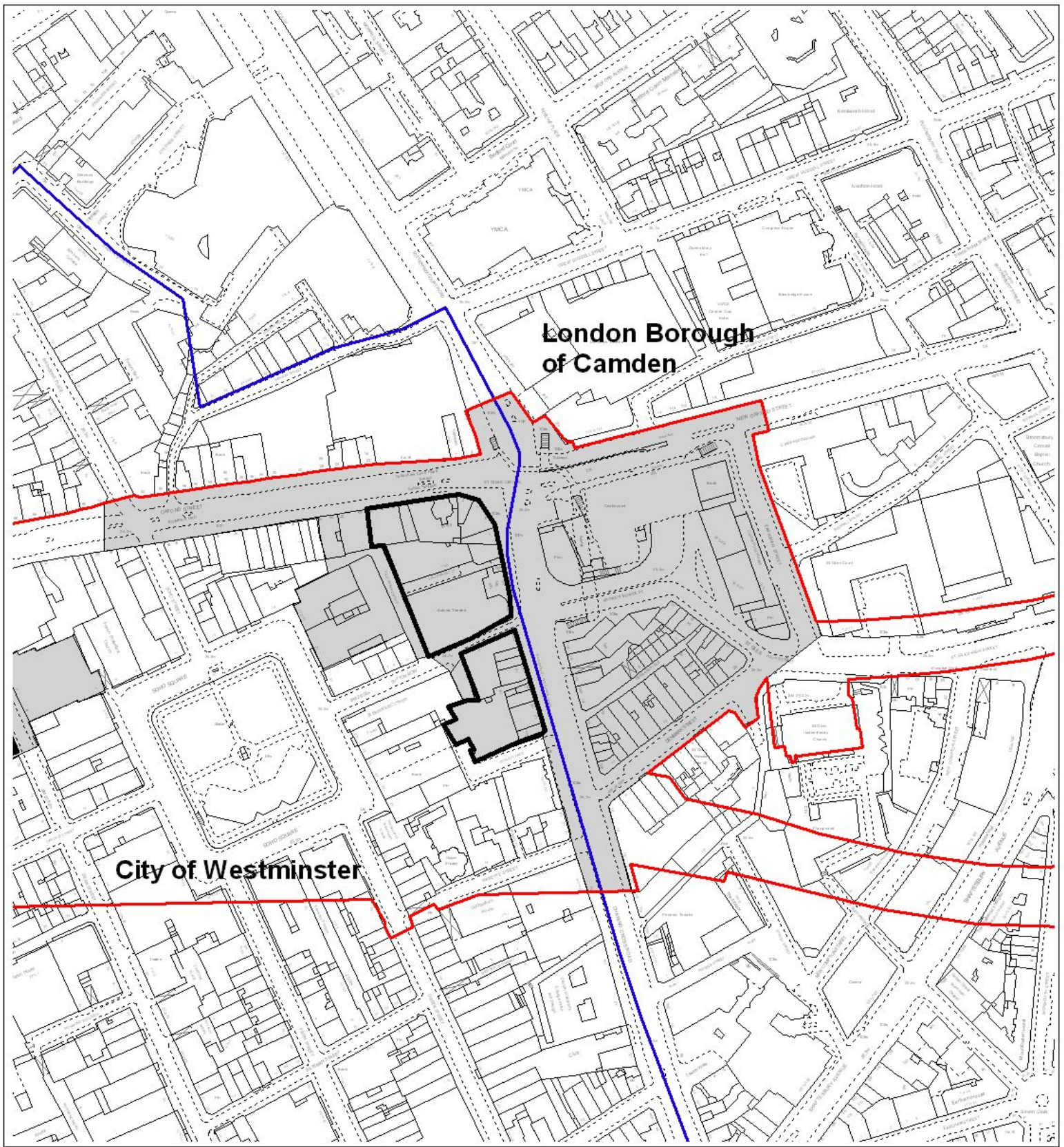
- 2.19 The Secretary of State for Transport deposited a Hybrid Bill to Parliament on 22 February 2005 to seek the necessary powers to construct and operate Crossrail Line 1. The Bill was accompanied by an Environmental Statement, (consisting of a Non Technical Summary, 9 supporting volumes and annexed with a variety of technical appendices). Subsequently CRL issued Amendment of Provisions Environmental Statement (AP) in January 2006 with further amendments AP2 published in May 2006, AP3 in November 2006 and AP4 in May 2007.





- 2.20 The Bill went before a House of Commons Select Committee and the City Council petitioned this Committee twice on both generic and detailed provisions contained in the Bill and Environmental Statement and the AP3 amendment to the Environmental Statement. In December 2007, the Bill went to the House of Lords, which reported its findings in May 2008. The City Council petitioned this Committee on several points relating to the Bill and Environmental Statement (including the AP3 amendments). The Hybrid Bill received Royal Assent in July 2008 to become the Crossrail Act.
- 2.21 Crossrail Limited's timetable for Crossrail line 1 was revised and now assumes that the start of passenger service could be 2017 with advanced works beginning in 2009 and full construction starting in 2010.

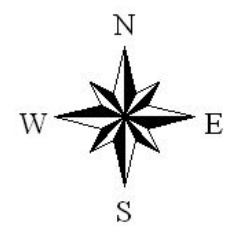
Safeguarding

- 2.22 The central tunnelled section of Crossrail (west of Paddington to east of Liverpool Street) was made the subject of a Safeguarding Direction by the Secretary of State for Transport in October 1991, and was most recently revised in January 2008. The main purpose of the Direction is to prevent development that could preclude the future construction of the line. Accompanying the Direction are plans which identify:
- limits of land subject to consultation with the promoters of Crossrail (before granting planning permission); and
 - areas within these limits which are of "surface interest" (areas of possible surface intervention such as ticket halls, ventilation shafts and work sites).
- 2.23 The sites which are the subject of this planning brief are "areas of surface interest", and the safeguarding designation is shown on Map 2.

Map 2: Crossrail 1 Safeguarding Directions and Sites of Surface Interest around Tottenham Court Road Station (Eastern Ticket Hall)



-  Crossrail 1 safeguarding direction
-  Crossrail line 1 sites of surface interest
-  Planning Brief Sites
-  Borough Boundary



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3 Planning Policy Context

- 3.1 The relevant statutory planning framework for this site is set out in:
- The Government's Planning Policy Guidance (PPG) notes and Planning Policy Statements (PPS), particularly PPG1: General Policy and Principles, PPS12: Local Development Frameworks, PPG13: Transport, and PPG 15: Planning and the Historic Environment;
 - 'The Mayor of London's London Plan Spatial Development Strategy for Greater London Consolidated with Alterations Since 1994, February 2008', in particular Policy 5G.4 Central Activities: Retailing, 5G.3: CAZ/Offices, 5G.2: Strategic priorities for CAZ, and 5B.2: Opportunity Areas;
 - The City of Westminster's Adopted Unitary Development Plan (UDP), January 2007;
 - City of Westminster Supplementary Planning Guidance (SPGs) and Supplementary Planning Documents (SPDs).
- 3.2 The Council's UDP contains the policies against which the future redevelopment of sites for Crossrail purposes will be considered.
- 3.3 The most relevant policies in the UDP concern transport, the environment, urban design and conservation and shopping and services, but any development will need to comply with the UDP as a whole.
- 3.4 Map 4 shows the UDP policy designations which affect this planning brief site. The effect of these designations is set out below in section 5 on traffic and public realm issues, section 6 on land use, and section 7 on design. Proposals for oversite development here should also have regard to the Council's emerging Local Development Framework (LDF) policies which will eventually replace the UDP policies.
- London Plan – Area for Intensification (Afi) / Opportunity Area**
- 3.5 The Mayor's London Plan is the strategic spatial development strategy for London. It aims to accommodate significant growth in the London economy, mainly in central and east London through the identification of a series of Opportunity Areas and Areas for Intensification. Crossrail is fundamental to enabling the projected growth and development set out in the London Plan.
- 3.6 The February 2008 London Plan identifies Tottenham Court Road as an Opportunity Area (Tottenham Court Road had been previously been identified in the London Plan as an Area for Intensification). Policy

5B.2 of the London Plan gives an indicative estimate of growth for the Tottenham Court Road Opportunity Area of 5,000 new jobs and 1,000 new homes (minimum) in the period between 2001 and 2026. The Area contains a series of development sites either side of the Westminster/Camden boundary, with key development opportunities in Camden being outlined in the adopted Tottenham Court Road Area Framework (see 3.8 below). Both the Tottenham Court Road Station (East) and Tottenham Court Road Station (West) sites are included in the Opportunity Area.

- 3.7 In the City Council's view the potential of the Tottenham Court Road area as an Opportunity Area is dependent on the construction of the Crossrail interchange. Crossrail would significantly increase the transport accessibility and capacity at Tottenham Court Road station. The London Plan mentions the potential to redevelop at higher densities in the wider Holborn/Midtown area which would be possible with improved public transport infrastructure. The emphasis of the London Plan is on the potential to raise density following construction of Crossrail. The potential scope to intensify development within the Westminster section of the Opportunity Area will also be affected by all other UDP policies including those relating to design and conservation issues.
- 3.8 Camden has adopted a planning framework for the Tottenham Court Road station and St. Giles High Street area (July 2004). One of the main issues is the need to improve traffic and pedestrian circulation through the area and to improve the quality of the environment. The Camden planning framework identifies several major opportunities for redevelopment east and south of Centre Point, and planning briefs have been adopted (also July 2004) for:
- St. Giles Court,
 - 21-31, New Oxford Street, and
 - Denmark Place (which is opposite the site which is the subject of this brief).
- 3.9 The delivery of Opportunity Area growth will also be severely impacted upon by the impact of Crossrail Limited's advanced works and major construction activity (2010-1016). The need to maintain and improve bus and London Underground services and pedestrian environments through this lengthy construction programme must be taken account of in all proposals.

Non-statutory documents

- 3.10 The Report of the West End Central Area Retail Area Planning and Development Commission to the Mayor of London provides useful

background information about the challenges facing the West End retail area, and provides potential solutions.

- 3.11 The Oxford, Regent and Bond Street (ORB) Action Plan identifies a series of transport, public realm matters that have been identified by the City Council and other key stakeholders such as TfL and the New West End Company as part of a programme to improve these shopping streets. They include; investing in high-quality retail space; tackling pedestrian and traffic congestion; transforming the street environment; and creating and improving public spaces. The full list of objectives and timeline for actions is set out in the ORB Action Plan www.westminster.gov.uk/orb. The ORB Action Plan underwent public consultation during part of 2007 and the findings were subject of a Cabinet Report (12 November 2007). It was adopted on 12 March 2008.
- 3.12 As part of the Action Plan initiatives, the City Council has commissioned designs for the public realm both for the major shopping streets and 'Oasis' areas in designated side streets. The design approach taken could be a useful basis for Crossrail to consider in their public realm and highway design proposals on the principal pedestrian routes predicted to be generated from the Crossrail stations.

Emerging Studies

- 3.13 In 2007/8 a study by Gillespies and Stanton Williams was commissioned by London Underground Limited (LUL) and Design for London (DfL) in conjunction with London Borough of Camden and City of Westminster into the options for improving the area around Centre Point and securing the best design option for the two LUL station entrances proposed for the area in front (to the west of) the Centre Point building as set out in paragraph 4.2 below.
- 3.14 In 2008 DfL, again in conjunction with Camden and Westminster, commissioned Terry Farrell & Partners to review the area wide development issues in the wider St Giles area. See paragraph 2.11 above.
- 3.15 London Underground Limited (LUL), with Crossrail Limited (CRL), London Borough of Camden (LBC), Westminster City Council (WCC), and Transport for London (TfL), are now commissioning a further report from their consultants (AECOM, formerly Faber Maunsell - engineers, and Gillespies - landscape architects) to develop the public realm projects at St. Giles Circus for inclusion into the CRL/LUL works at this location. This will supersede the earlier study and will incorporate the current City Council/TfL work on the Oxford Street highway layout.
- 3.16 Proposals include public realm improvements including the assessment of the layout and function of Sutton Row and the location

size of any new pedestrian crossing on Charing Cross Road. The current studies will enable a proper assessment of these issues.

- 3.17 Westminster City Council has commissioned a study of infrastructure needs and requirements in accordance with PPS 12. The study covers transport, utilities and low carbon energy, and social and community infrastructure. Incorporating plans from infrastructure providers, it will highlight key delivery agents and indicative costs. Once published any relevant recommendations will be considered in the preparation of the final scheme.

4 LUL Station Upgrade Scheme

- 4.1 The current London Underground station at Tottenham Court Road is congested and substandard. It suffers a range of problems, including:
- Demand at peak periods, close to capacity;
 - There are cramped conditions – in the ticket hall, access to the ticket hall and at the bottom of the escalators;
 - Congestion around the street entrances;
 - No MIP (mobility impaired persons) access; and
 - No secondary means of emergency escape.
- 4.2 Crossrail 1 and London Underground had previously developed separate proposals to address these problems by significantly upgrading facilities:
- Crossrail 1 – included a new ticket hall under the Astoria at basement level; and
 - London Underground's congestion relief scheme – known as the Plaza scheme – included a new ticket hall under the Centre Point Plaza. This scheme reached detailed design stage both for the underground ticket hall, escalators and lifts, and the design of the north and south entrance canopies in front of Centre Point.
- 4.3 The Act now contains an amalgamation of these 2 schemes, referred to as 'Centre Point Plaza' (including the Astoria Theatre and Goslett Yard sites). This scheme allows the London Underground congestion relief scheme to be implemented in conjunction with the Crossrail 1 proposal. The scope of LU works are for the upgrade and expansion of the London Underground station at Tottenham Court Road. The scope of Crossrail works are for the Goslett Yard site which includes the new lower concourse which connects to the London Underground ticket hall, and the new station entrance at number 1 Oxford Street. Full details are set out in Crossrail's 'Planning Context Report' for Westminster.

Key elements of the joint scheme:

- 4.4 An extension to the existing basement level ticket hall will be constructed beneath the plaza at the front of Centre Point and beneath Charing Cross Road. Upon opening of the new station entrances, the existing Hornes Corner entrance on the North West corner of the Oxford Street/Tottenham Court Road junction will be permanently closed and removed. The Dominion Theatre entrance on Tottenham Court Road will be retained and three new entrances provided at the:

- corner of Oxford Street and Charing Cross Road containing three escalators and a lift that will replace the existing station entrance;
- the front of Centre Point and facing northwards containing a fixed stair and a lift; and
- the front of Centre Point and facing southwards containing two escalators and a fixed stair.

4.5 From the eastern ticket hall, two new shafts each containing three escalators will be provided down to the Northern line and Crossrail platforms. To accommodate the Crossrail works, Andrew Borde Street will be permanently closed and landscaped, and 138-148 Charing Cross Road (even numbers) are identified for acquisition and demolition to facilitate construction of the new Northern Line escalator shaft and allow for temporary diversion of Charing Cross Road during the works. The existing underground station must remain open whilst the construction works are carried out.

Demolition and Oversight Development

- 4.6 In terms of the implications of the above for the two sites which are the subject of this brief, the Crossrail Act shows that all buildings would be demolished and presumes oversight development carried out on both.
- 4.7 London Underground's previous plaza scheme proposed the demolition and redevelopment of 1-23, Oxford Street and 1-6, Falconberg Court. Within the Oxford Street frontage of this block, nos. 19-23 Oxford Street may not have been required to enable the Plaza scheme to proceed. The Astoria Theatre would not have been required to be demolished, Falconberg Court would remain open on completion of the scheme and the Goslett Yard site would not have been required.
- 4.8 Given this, the council would have needed to have been fully convinced of the necessity of the extent of demolition indicated on the northern site as it is in a conservation area, and the Council has policies to protect theatres, or buildings previously used as theatres. See sections 6.11 - 6.13 below for more guidance. However, the Crossrail Act gives powers to demolish the whole Astoria Site.
- 4.9 The Goslett Yard site is proposed as the main work site for the construction of the deep level station tunnels and passages, and to accommodate a ventilation and emergency intervention shaft.

Options for alternative scenarios

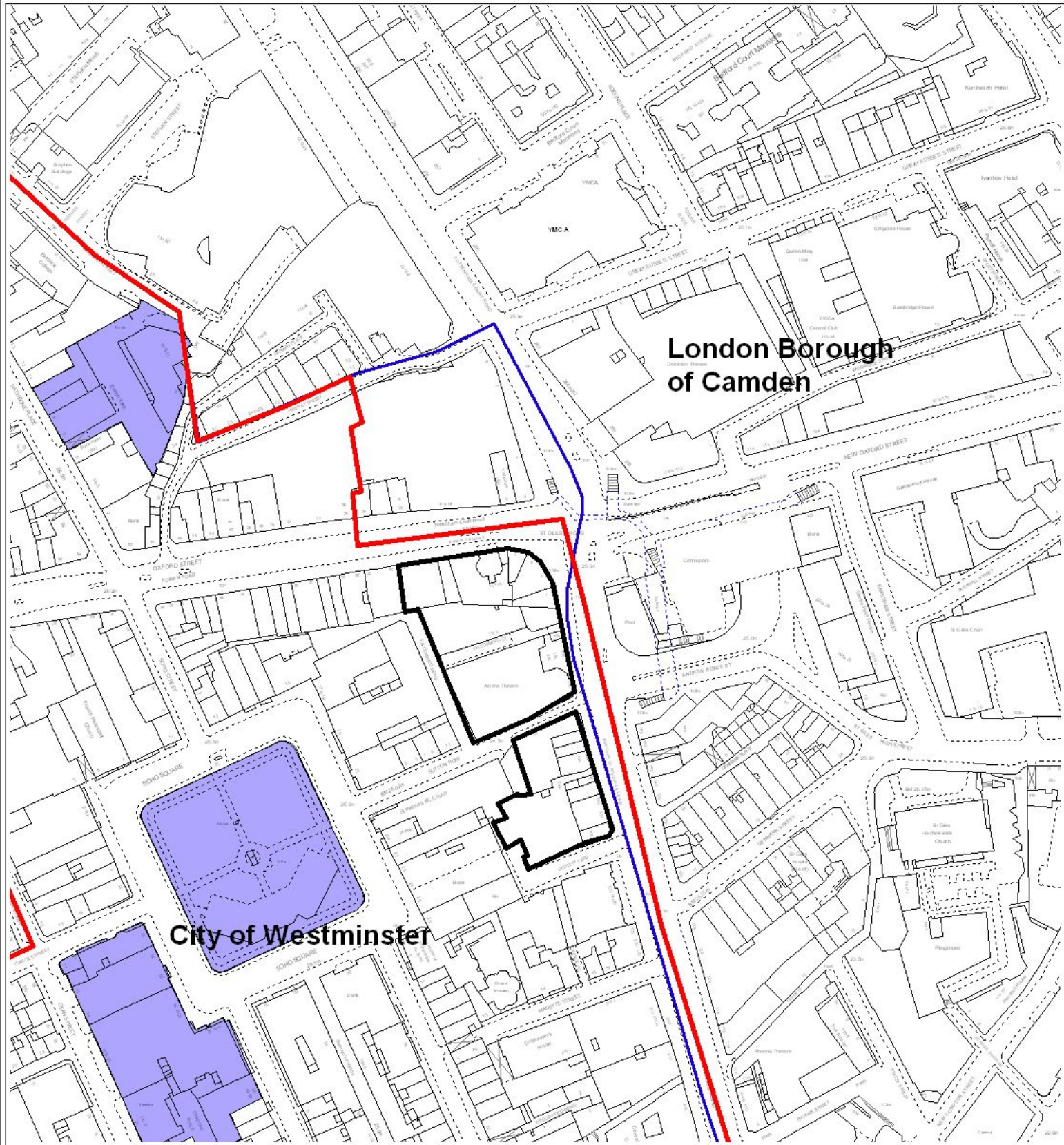
- 4.10 The London Underground congestion relief scheme - the Plaza scheme - was conceived and designed to provide extra capacity and modernise facilities at Tottenham Court Road Station in case Crossrail did not proceed. The City Council supports this scheme in order to





alleviate the current problems at the Underground Station as highlighted in 4.1 (above) to provide the extra capacity and modernised facilities, even if Crossrail does not go ahead. The scheme proposes to allow for integration with Crossrail at a later stage if Crossrail is delayed and implemented after upgrading of the station.

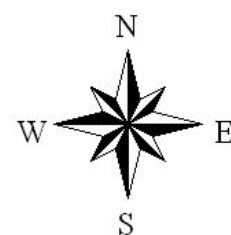
Crossrail 2 / Chelsea-Hackney

- 4.11 The future development of the Crossrail 2 scheme (previously the Chelsea – Hackney line) will further increase the capacity of the station. Crossrail 2 is not programmed to be pursued until after completion of Crossrail 1 in 2017 and there are very few details of the station facilities for this scheme, but the line is subject to a safeguarding direction and included in the UDP (see map 3). The 1991 safeguarding direction was reviewed by Crossrail Limited and revised direction was issued by the Secretary of State for Transport during 2008. As there is no programme for its implementation, the implications of Crossrail 2 are not addressed directly in this brief, but as far as possible the design of the station for Crossrail 1 should include adequate capacity to accommodate Crossrail 2, and should allow for the future construction of, and interchange with, Crossrail 2.
- 4.12 Further discussions on the overall route and site specific implications of Crossrail 2 are expected during 2009 with Crossrail and TfL.

MAP 3: Crossrail 2 Safeguarding Route and Areas of Surface Interest surrounding Tottenham Court Road Station (Eastern Ticket Hall)



-  Crossrail Line 2 Safeguarding Route
-  Crossrail Line 2 Areas of Surface Interest
-  Planning Brief Sites
-  Borough boundary



0 50 100 Meters



5 Traffic / Access and Public Realm Issues

- 5.1 Any proposed improvements to the highway and public realm need to be developed holistically, and should be able to accommodate pedestrian movements, minimise conflict and, wherever possible, enhance the urban realm and the character of the area. The City Council expects Crossrail to fully consider all transport modes and their interaction in and around the St. Giles Circus area. Facilities for disabled people should also be improved.

Pedestrians

- 5.2 Pavements and crossings at St. Giles Circus are already very heavily congested with pedestrian traffic. Pedestrian congestion is particularly acute on both sides of Oxford Street at its eastern end and the existing entrances to the Underground station, on the south side of Oxford Street and the north-west corner of St. Giles Circus at Tottenham Court Road. There is also pedestrian congestion within the station, within the ticket hall and in passageways underground. In contrast, the entrances to the station from Centre Point and Andrew Borde Street and connecting underpass are relatively lightly used, being isolated from the main pedestrian flows and having an unwelcoming environment.
- 5.3 Evidence of current pedestrian flows will need to be provided by the promoters of Crossrail to enable the City Council to properly assess the adequacy of station proposals. Information is also required on the current capacity at the station and the current number of pedestrians using the station.
- 5.4 The new Crossrail station aims to address pedestrian congestion within the station below street level. It will provide a new, larger ticket hall and more capacity within the station in passageways and escalators, and a new entrance/exit at the Western Ticket Hall. The new station will need to have larger entrances to cope not only with existing pedestrian congestion but also with the new capacity of the station. Larger entrances can be designed into the new station but careful consideration needs to be given to:
- a) pavement capacity and how pedestrians will disperse from the station – both along the streets and across the streets;
 - b) the location of the new station entrances in the street and the provision of adequate circulation space around them for pedestrians;
 - c) how pedestrians not using the station will circulate around the entrances;

- d) how station users can interchange with bus and taxi services; and
 - e) signage and pedestrian management.
- 5.5 The completion of the new station and proposed increase in capacity of the Northern line will add substantially to the numbers of pedestrians using the station and the surrounding streets. This will exacerbate the existing problems of pavement congestion and pedestrian/vehicular conflict, particularly at the St. Giles' Circus junction and at the narrowest point of the eastern end of Oxford Street.
- 5.6 The completion of Crossrail may encourage redevelopment of sites at higher densities east of Charing Cross Road within Camden and in the context of Camden's planning framework, further increasing on street pedestrian activity at St. Giles' Circus. Redevelopment of the Astoria and Goslett Yard sites could also lead to an increase in people in the area, and access to the upper floors should be provided in a way that does not hinder pedestrian movement. Current proposals suggest the entrances to these upper floor uses will primarily be from Sutton Row, which is considered desirable.
- 5.7 There are four existing entrance/exit points to the station. They are small and inadequate for the number of people using them. On the other hand, the access points are dispersed and connect directly with the different parts of the area. It follows that the dispersed provision of entrances/exits disperses the pedestrian flow.
- 5.8 Plans of Crossrail's current proposals are attached at Appendix 1 and are summarised in section 4.6 of this brief.
- 5.9 At present, the station entrance on the North West side of Oxford Street and Tottenham Court Road is heavily used and the Council is concerned that its loss would add significantly to pedestrian flows on other pavements and crossings. On the other hand, the entrance is substandard, may not operate satisfactorily with increased demand and is in a heavily used area of footway. The City Council may accept the loss of this entrance but needs to be satisfied:
- that pedestrians can be adequately dispersed without this entrance as it will lead to more pedestrians crossing the streets;
 - of the benefits of its removal in terms of relieving pedestrian congestion; and
 - that pedestrian crossings will be improved so the effect of losing the entrance is minimised, a diagonal pedestrian crossing at St. Giles Circus should be studied which might improve pedestrian crossing movements and help to justify the loss of the Centre Point pool.

- 5.10 Particular attention should be paid to the location and design of the new entrance proposed on the south west corner of Oxford Street and Charing Cross Road. The Council has major concerns about the capacity of footways around the proposed Oxford Street entrance and how passengers will be dispersed. The promoters and developers of Crossrail will need to ensure that adequate provision is made for the dispersal of pedestrians from the station through the design of the entrances and the layout of the spaces outside and around the entrances. Additional entrances at other locations could be considered as a means of achieving this.
- 5.11 The redevelopment of the station should be taken as an opportunity to provide more direct, quicker and safer movement through the area. It will be necessary to increase the capacity of pavements and crossings by widening footways and providing wider and new pedestrian crossings. The Council is encouraged to see that such proposals are part of the planned development proposals, and will want this provided through the schemes. Improved surface access and circulation east of Charing Cross Road should be addressed to provide direct access to the station and to provide for pedestrian circulation at surface level as well as underground.
- 5.12 The proposed removal of the pool in the forecourt of Centre Point as part of both station schemes will allow the creation of space for pedestrians on the eastern side of Charing Cross Road. This should help ease pedestrian congestion at St. Giles Circus and make the area more legible by providing a footway on all sides of the circus. The Council will work with Camden to ensure that improvements to footways and the public realm at St. Giles Circus are coordinated, and provided to a design that is informed by data on the anticipated pedestrian flows from the new station and in the wider area.
- 5.13 The existing Hornes Corner LUL subway and station entrance on the North West corner of the Oxford Street/Tottenham Court Road junction would be permanently closed and removed as part of this development.
- 5.14 The promoters of Crossrail should have regard to the provisions of TRANS 3 (A) of the UDP which sets out the various considerations that should be taken into account in providing for the needs of pedestrians.
- 5.15 Proper provision for interchange between the station and buses and taxis should be made by the promoters and developers of Crossrail. This will be particularly important as the station's role as a strategic interchange will become even more important. Provision should be made for direct, simple routes from the station to bus stops and taxi stands. Appropriate signage and information should be put in place

inside and outside the station to direct pedestrians towards the location of alternative modes of travel and clear, convenient routes to nearby areas, such as north Covent Garden and Soho. Provision for 'Legible London' way finding signage should be included in the proposals both for during construction and operation of Crossrail. However, the new station should also be taken as an opportunity to rationalise street signage in the area and reduce street clutter. The eastern entrance will be of particular benefit to the sites of Camden's planning framework area immediately to the east, but only if of a high quality design and made more attractive and usable than the existing entrances in the area. Transport for London, Crossrail, the London Borough of Camden and the City of Westminster are working together to draw up temporary and permanent traffic schemes that manage impacts during and post Crossrail construction.

- 5.16 In order to understand the impacts of pedestrians the City Council will expect any proposals relating to ticket hall entrances to be illustrated by appropriate modelling techniques (e.g. LEGION) to assess the operation of the ticket hall and of the public highways leading to it and associated wider public realm.
- 5.17 The Council expects Crossrail to consider the implications of the St. Giles area study for public realm and pedestrian movement in the area (see paragraph 3.14).

Vehicular traffic

- 5.18 The junction of Oxford Street, Tottenham Court Road, New Oxford Street and Charing Cross Road is busy with traffic 24 hours a day. There is a high rate of accidents at the junction and any redesign of the junction will need to improve safety for pedestrian and vehicle movements.
- 5.19 The London Borough of Camden is responsible for maintenance of the junction and had funding from TfL for an accident remedial scheme to be implemented in 2005. Design work is still being carried out but it could include an all red phase (so that a pedestrian crossing can be provided across the east arm of the junction) and additional improvements for bus routes 25 and 38.
- 5.20 Crossrail in conjunction with LB Camden, TfL and WCC must consider the potential for improvements to this junction that may be dependent on the design of the new station, as well as the impact during construction.
- 5.21 The option of Tottenham Court Road reverting to two-way traffic as promoted by LB Camden, partly to improve road safety on Tottenham Court Road, is currently being considered. This will have fundamental implications for this junction and for the road network in the wider area.

- 5.22 It is proposed to permanently close Andrew Borde Street to create the new eastern side of Charing Cross Road station entrance. Consideration must be given as to how best to accommodate traffic diverted from Andrew Borde Street and to ensure that the closure provides better conditions for pedestrians at surface level on the eastern side of Charing Cross Road. This should enable direct and convenient pedestrian routes from the eastern side of Charing Cross Road to Tottenham Court Road and New Oxford Street. The London Borough of Camden have indicated that further work is required on the final design for Andrew Borde Street to look at the desirability and feasibility of retaining part of the road for some traffic.

Servicing

- 5.23 The completed development of the Astoria site should be serviced from Sutton Row and Falconberg Mews. On-street servicing from Oxford Street or Charing Cross Road would disrupt traffic flow and will not be acceptable.
- 5.24 Sutton Row is currently used by taxis and local traffic emerging from Soho onto Charing Cross Road. It will need to be closed during the construction period but could be reopened on completion of the Crossrail 1 project. However, there is potential to close the east end of Sutton Row to create improved public realm and to enhance views of the listed church, subject to a suitable traffic study being undertaken and assessed by the Council, in accordance with UDP Policy TRANS3. The Crossrail Act does not provide powers for the permanent 'stopping up' of the public highway at this location, therefore an application would need to be made to the council, demonstrating that the area of the public highway concerned is no longer required for highway purposes. Servicing and delivery facilities will need to be in accordance with Council policy as set out in UDP policy TRANS 20: Off-street servicing, deliveries and collection, and should take account of local traffic and amenity considerations.

Buses

- 5.25 There are many bus routes which pass through the area, and four which terminate at the gyratory surrounding Centre Point (routes 1, 14, 134 and 242). Bus movements are one of the main sources of congestion on Oxford Street and any effort to reduce the number of buses along Oxford Street may require the area around Centre Point to be used to accommodate terminating buses. The closure of Andrew Borde Street could reduce options available to reduce bus congestion on Oxford Street. Transport for London have confirmed that they will continue to work with both Camden and Westminster to facilitate future bus movement and standing for the routes affected by the closure of

Andrew Border Street. Southbound buses are currently planned to be diverted along Denmark Street and/or Shaftesbury Avenue.

Highway reinstatement

- 5.26 The Crossrail project must include reinstatement of the highway within and around the Astoria, Goslett Yard and Centre Point forecourt worksites following completion of the station and oversite development. The new public realm must be designed to do everything possible to improve traffic and pedestrian flows at this junction. Any plans must be agreed between Westminster City Council, the London Borough of Camden with TfL, and the promoters and developers of Crossrail.

Oversite development

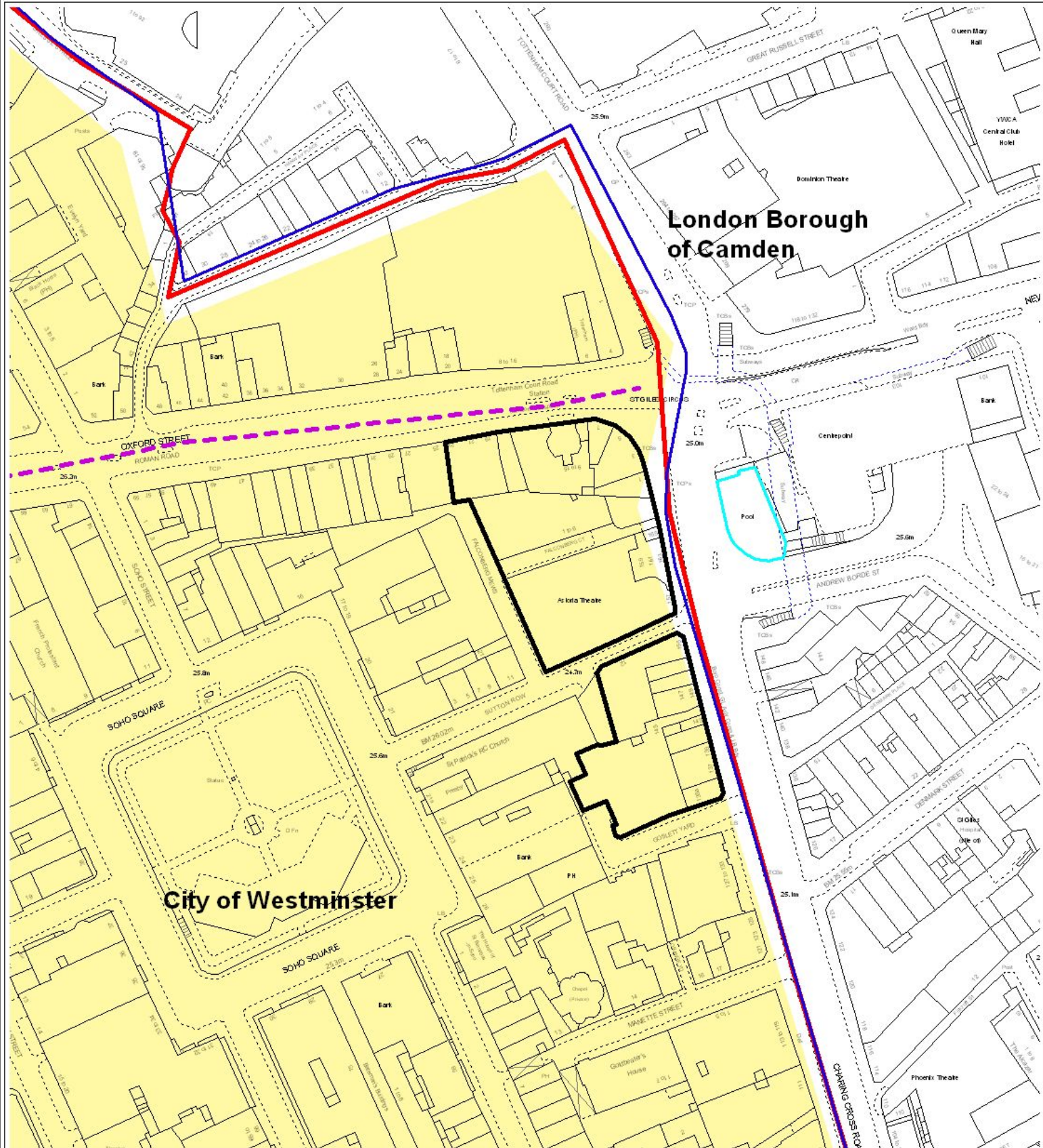
- 5.27 Planning applications for development on the brief sites would need to be accompanied by a Transport Assessment, prepared in accordance with guidance in the UDP and revised PPG13. Proposals should also provide cycle parking (TRANS 10), and servicing (TRANS 20) in accordance with the standards set out in the UDP. Proposed cycle parking facilities for the development should be integral to the redesign of the public realm and other street furniture. The level of car parking provision that would be allowed is set out in TRANS 22 for non-residential developments and TRANS 23 for residential developments. Where mixed residential and non-residential development is proposed the parking provision should be separate (TRANS 24: Off-street parking: mixed development).
- 5.28 Oxford Street, Charing Cross Road and Tottenham Court Road are all part of the strategic road network (SRN) but are not TfL roads. Although not a requirement of the Act, all changes to the highways proposed as part of the oversite development or as part of adjoining development must be accompanied by robust and comprehensive transport assessments, which should assess the highway and transport impacts on the nearby TLRN and SRN as well as the local road network, in accordance with TfL's Transport assessment best practice guidance May 2006. All public realm and traffic safety improvements should take into account of cyclists using the station.
- 5.29 Although not required under the Crossrail Act, a Construction Management Plan (CMP), and a Construction Logistics Plan (CLP), as referred in the London Freight Plan should be prepared and submitted to TfL for the oversite and surrounding developments, to provide details and identify measures to minimise highway and traffic impacts in the Oxford Street and surrounding TLRN and SRN. The plans should provide details of routing of construction vehicles, types of vehicles expected, frequency and their expected time of arrivals and departures,

and any temporally traffic management measures which may be required during the course of construction. As surrounding roads are heavily trafficked with pedestrians and vehicular traffic for most parts of the day, the movements of construction vehicles should be restricted outside the daytime working hours to minimise the highway and traffic impact. TfL may require financial contributions from the developer via section 106 and 278 agreements in order to mitigate traffic and pedestrian impacts to the nearby TLRN when the full likely extent of impact is identified.

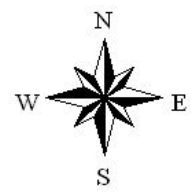
6 **Oversite Development: Land Use**

- 6.1 Improved public transport infrastructure is the main driver for redevelopment of the sites. It is the Council's policy as set out in the UDP to maintain and improve the quality, reliability and accessibility of public transport; supporting proposals to improve the rail networks and passenger safety; and ensuring that new projects reflect the needs of people who are frail, elderly or have disabilities (UDP Policy STRA 20). Improvements to public transport are also supported by UDP policies TRANS 1: Protecting the environment for the effects of transport activities, TRANS 5: Surface, Underground railways and trams. and TRANS 8: Improved public transport access. However, the oversite development should still meet UDP standards and must be satisfactory in terms of its transport impacts.
- 6.2 Crossrail should fully consider all transport modes and their interaction in and around the St. Giles Circus area. The redesign of St. Giles Circus should improve pedestrian access and the safety and interaction of all transport modes.

Map 4: Creative Industries Special Policy Area covering
Tottenham Court Road Station (Eastern Ticket Hall)



-  Borough Boundary
-  Planning Brief Sites
-  Creative Industries Special Policy Area
-  Central Activities Zone
-  Primary Shopping Frontages



Central Activities Zone / Mixed Use

- 6.3 The sites lie within the Central Activities Zone (CAZ) as defined in UDP policy STRA 3: Westminster's Central Area. It is the Council's aim to maintain and enhance the mix of uses in central Westminster (STRA 4), as defined by the CAZ. The Council will require the equivalent provision of housing when increases in commercial floorspace above 200m² are proposed in the CAZ (CENT 3), where it is appropriate and practical to do so. In principle this site would be appropriate for a range of Central London Activities as shown in table 1.1 of the UDP (CENT 1). However, the site is covered by a number of policy designations, and the character of the existing uses, and the issues affecting this unique location may well affect which uses would be required in any replacement buildings on the Tottenham Court Road eastern ticket hall sites. Both sites are within the emerging Tottenham Court Road Opportunity Area (see London Plan policy 5B.2) where development will be expected to maximise densities and contain mixed use. They are also likely to give rise to substantial planning obligations, and have capacity to provide employment opportunities and new homes. This approach is being developed in the Council's emerging Local Development Framework (LDF).

Shopping

- 6.4 The Oxford Street frontage (1-23, Oxford Street) is within the Primary Shopping Frontage of the West End International Shopping Centre. The 'West End Special Retail Policy Area' (WESRPA) is being established to manage issues affecting this centre, to improve its shopping environment, and allow for retail growth. This approach is being developed through the Council's emerging LDF to support the West End as global shopping destination. See also London Plan Policy 5G.4.
- 6.5 Existing policies for this area require that on redevelopment, A1 uses should be provided throughout basement, ground and first floor levels, and that there should be no loss of A1 floorspace compared to the existing (SS 5). The size and type of units must be appropriate to the character and function of the street (SS 4). UDP policy SS 2 protects non-A1 retail uses, and A2 and A3 uses should also be replaced.
- 6.6 The Charing Cross Road frontage of the sites is outside the Primary Shopping Frontages but within the CAZ where policy SS 5 applies. This seeks to ensure an appropriate balance of town centre uses and protects A1 uses at ground, basement and first floor levels. The Council would therefore expect that an equivalent or increased amount of A1 retail would be provided upon redevelopment of these frontages,

as well as an equivalent level of non-A1 retail uses. The retail frontages should also be retained wherever possible.

- 6.7 The City Council recognises the benefits that the new transport infrastructure will bring, and that the requirements for shopping facilities could be relaxed to accommodate some of the new infrastructure at basement level. The ticket hall should be located at basement level, with retail on as much of the ground floor as possible on the active frontages, with maximised provision of retail provided at other levels. City Council officers will require information about the retail mix proposed and location of units proposed and will seek retail units to be of an appropriate size and character for the Oxford Street and Charing Cross Road frontages. The prominent position of the site on Oxford Street offers an important opportunity to provide flagship stores that improve the shopping facilities at the eastern end of Oxford Street. The requirement for retail at ground floor at number 1 Oxford Street will be set aside where this is necessary to allow the new Station entrance at street level to be incorporated into the development. This entrance has deemed planning consent under the Crossrail Act.

Entertainment Uses

- 6.8 The criteria for considering new entertainment uses are set out in policies TACE 8-10 of the UDP. The main aim of these policies is to maintain Westminster's position as an internationally important entertainment centre, whilst controlling the size and activities of entertainment uses in order to safeguard residential amenity. The sites are located within the West End Stress Area in the UDP where the amount of entertainment uses has reached a level of saturation, resulting in stress on local environmental quality.
- 6.9 If uses such as restaurants, cafes, public houses, bars and other entertainment uses above 150m², are proposed on this site, permission would only be granted under exceptional circumstances according to UDP policy TACE 9. The Council would seek to limit the impact of any entertainment uses by using conditions and Section 106 planning obligations to control, for example opening hours and the character of the entertainment uses if they were considered appropriate for these sites.
- 6.10 There were three nightclubs at basement level of the Astoria ticket hall site. The UDP does not protect nightclub uses and their replacement on the sites would also be assessed against the criteria of TACE 8-10.

The Astoria Theatre

- 6.11 The Astoria Theatre was originally built as a Cross and Blackwell pickle factory. It was converted to a cinema by Edward A Stone and opened 12 January 1927. It was modernised in 1956 and more extensively in

1968 when much of the plasterwork was stripped out. Seating was reduced then from 1650 chairs to 1121. It closed in 1976 and was altered again to become a live theatre which proved unsuccessful and closed in 1984. Between 1985 and January 2009 it operated as nightclub and live music venue. This finally closed in January 2009 to make way for the proposed Crossrail redevelopment. This planning brief site, although within the stress area, is considered to be appropriate for continued use as a theatre which could also be used as a live music venue, but not a nightclub.

- 6.12 Policy TACE 6 applies to buildings built as, or previously used as theatres. In those very exceptional circumstances where it is necessary to redevelop a theatre, a suitable replacement theatre will be required to be provided within a stated period. The approved scheme from 1996 for redevelopment of the Astoria site would have provided a replacement theatre at sub-basement level, beneath the ticket hall, with seating for 250. This was secured through a Section 106 agreement. The agreement also allowed for the payment of a financial contribution towards a suitable theatre group or alternative theatre development, if it was not possible to construct the theatre at an appropriate cost, or that it would be unlikely to be let to an appropriate theatre group.
- 6.13 In accordance with TACE 6 the Council will continue to require a replacement theatre to be provided on either the Astoria or Goslett Yard site. The council would require the theatre/live performance venue to be of a larger size than 250 seats, as it considers that a 250 seat theatre is unlikely to be viable. Applicants should seek the advice of a recognised specialist theatre planning consultant. The Council will consult widely, including the Theatre's Trust, the Society of London Theatre and Save London's Theatres campaign on proposals for a replacement theatre. As an indication, the floor area that should be allocated to the theatre/live performance venue is a minimum of approximately 2000m². The previous nightclub uses are not protected under the Council's UDP policies.

Employment Uses

- 6.14 The predominant existing use of the upper floors in the planning brief site is offices (B1). However, the character of these uses is reflective of Soho and the creative industries that have tended to agglomerate there in recent decades. The upper floors of the buildings are generally occupied by many small firms. These include several media-related companies, and there are language schools accommodated on the Astoria site.

- 6.15 A detailed survey of the actual users on these sites has not been carried out (i.e. whether the uses are light industrial or office uses) but the Creative Industries Special Policy Area, within which these sites are situated (see Map 4), contains one of the most significant concentrations of light industrial floorspace in Westminster. Within this area the Council requires the retention of light industrial floorspace (COM 8).
- 6.16 Many of the office units are likely to be less than 250m² and are thus considered as small office units. Policy COM 4 seeks the retention and provision of small offices which are less than 250m², and seeks to restrict the redevelopment of small offices within central Westminster under certain circumstances. The Council recognises that because of the importance of Crossrail as a strategic transport project, resisting the redevelopment of this site to retain the existing small offices and light industrial floorspace would not be appropriate. However, the replacement buildings should take this into account and be designed to accommodate a range of uses appropriate to the character of the Creative Industries Special Policy Area. The Council would normally seek to ensure this through a Section 106 agreement. The GVA Grimley LLP and Burns and Owens Partnership Limited, report: 'Westminster's Creative Industries' (June 2007) commissioned by the Council and the Council's Economic Development Strategy provides useful background information about creative industries in Westminster.
- 6.17 In accordance with policies CENT 3 and COM 2 the Council would normally require the provision of self-contained on site residential accommodation equivalent to the increase in commercial floorspace proposed on both the Astoria and Goslett Yard sites. However, where it is not considered practical or appropriate to provide this residential accommodation on site, then the Council will seek the provision of this accommodation on another site in the vicinity. The physical implications of incorporating a Crossrail station, ticket hall and associated infrastructure at this site are so extraordinary that the Council are willing to consider offsite residential provision in this case. The scale of the ground level works, and underground infrastructure would make it difficult to establish access for residential cores and entrances. Essential above ground features associated with the new railway such as escape stairs, vent shafts, and the necessary mechanical plant, restricts the siting and scale of any above ground (and especially) residential uses..
- 6.18 Current proposals suggest a 2 site approach to development of the eastern and western ticket halls, with the upper floors of the western ticket hall site used primarily for residential to in-part offset the

commercial uplift proposed on the eastern ticket hall site, with provision of retail and office uses on Site A (the Astoria Site) at the eastern ticket hall with a theatre/live performance venue on Site B (the Goslett Yard site) to replace the existing Astoria Theatre.

- 6.19 The Council considers that these sites would also be appropriate for the provision of new light industrial floorspace in accordance with policies COM 2 and CENT 3 as part of mixed-use development.

Hotel, Conference and related facilities

- 6.20 Policy TACE 2 sets out the considerations that the City Council will look at when determining planning applications for new hotels within the CAZ and in streets which do not have a predominantly residential character. These considerations include whether there would be adverse environmental and traffic effects, and adequate provision of space for coaches and taxis.
- 6.21 Policy TACE 4 considers conference and related facilities in the same way, and permission will be granted for such uses where they would not have adverse effects on residential amenity or the character and function of residential areas.
- 6.22 Such floorspace falls within the UDP's definition of commercial floorspace and any increase in commercial floorspace on the site will trigger the requirements of policy CENT 3 (see above). Other potential commercial uses, such as language schools, will be considered on their merits and against relevant policies in the UDP.

Residential

- 6.23 There is no residential on the site at the moment. As set out above when increases in commercial floorspace are proposed in the Central Activities Zone, equivalent levels of residential should be provided (CENT 3). Therefore if the total commercial floorspace on the site increases by more than 200m², then the Council would require that 50% of the increase was residential.
- 6.24 It is the expectation of the City Council that the residential element required to offset the commercial increase occurs on each site in the first instance. However, given the physical constraints of these sites as set out in paragraph 6.17 above, where it is clearly not appropriate or practical to provide residential accommodation on these sites, the City Council will consider the provision of residential housing on another site/other sites in the immediate area where these meet the relevant policy tests contained in policies CENT 3 and COM 2. The off-site provision of housing units should yield substantial benefits in terms of the quantity and timing of the delivery of affordable housing. There is potential for some or all of the anticipated off-site residential

requirement to be met at the Tottenham Court Road western ticket hall site in Dean Street, subject to meeting all other policy requirements.

- 6.25 If it can be demonstrated by the developer to the satisfaction of the City Council that it is neither appropriate nor practical to provide residential to match the commercial / office increase on the Astoria and Goslett Yard sites then the City Council may consider such offsite provision subject to complying with the policy test to deliver an increased quality and quantity of housing provision, and subject to an appropriate legal mechanism to bring forward the residential provision off-site within an agreed timeframe. Offsite residential provision could be on the Western Ticket hall sites if Crossrail Limited and the developers involved are able to bring forward proposals which can be secured by legally binding agreements and provided in advance of commercial / office space on the Astoria and Goslett Yard sites being occupied.
- 6.26 Any residential element should include a mix of unit sizes. The UDP requirement is for 33% of housing units to be family sized, with 5% of this family housing to have five or more habitable rooms (UDP policy H5: Providing a Range of Housing Sizes).
- 6.27 All new housing units on the site should meet the Lifetime Homes Standard. 10% of the units should be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users (UDP policy H8: Provision of Homes for Long Term Needs). The threshold is subject to change on publication of the Sub Regional Strategic Housing Market Assessment, due for publication in late 2009.
- 6.28 If 10 or more additional dwellings are provided, the affordable housing requirements under policy H4: Provision of Affordable Housing would be triggered.

Ventilation Shafts and other Crossrail Limited Equipment

- 6.29 Crossrail have indicated that ventilation shafts will be incorporated into the development of this site. When designing and locating ventilation shafts the impact on residential amenity should be considered, and best practical means used to limit the impact as much as possible. The relevant policies in the UDP are ENV 6: Noise Pollution and ENV 7: Controlling noise from plant, machinery and internal activity. The current proposals would incorporate the ventilation shaft into the redevelopment of the Goslett Yard site for a proposed theatre/live performance venue.

Public Toilets

- 6.30 As this site is a transport interchange the council would normally seek safe and secure public toilets, which include baby changing and feeding facilities as part of the development proposals (UDP policy

SOC 8). However, these will not be required for this planning brief site. They will not form part of the Crossrail stations, as they are not required under the Crossrail Act, and are not proposed for Crossrail stations within central London. Given the physical constraints of this site with the need to accommodate Crossrail and its associated infrastructure, public toilets will not be sought here.

7 Oversight Development : Design

Conservation areas and listed buildings

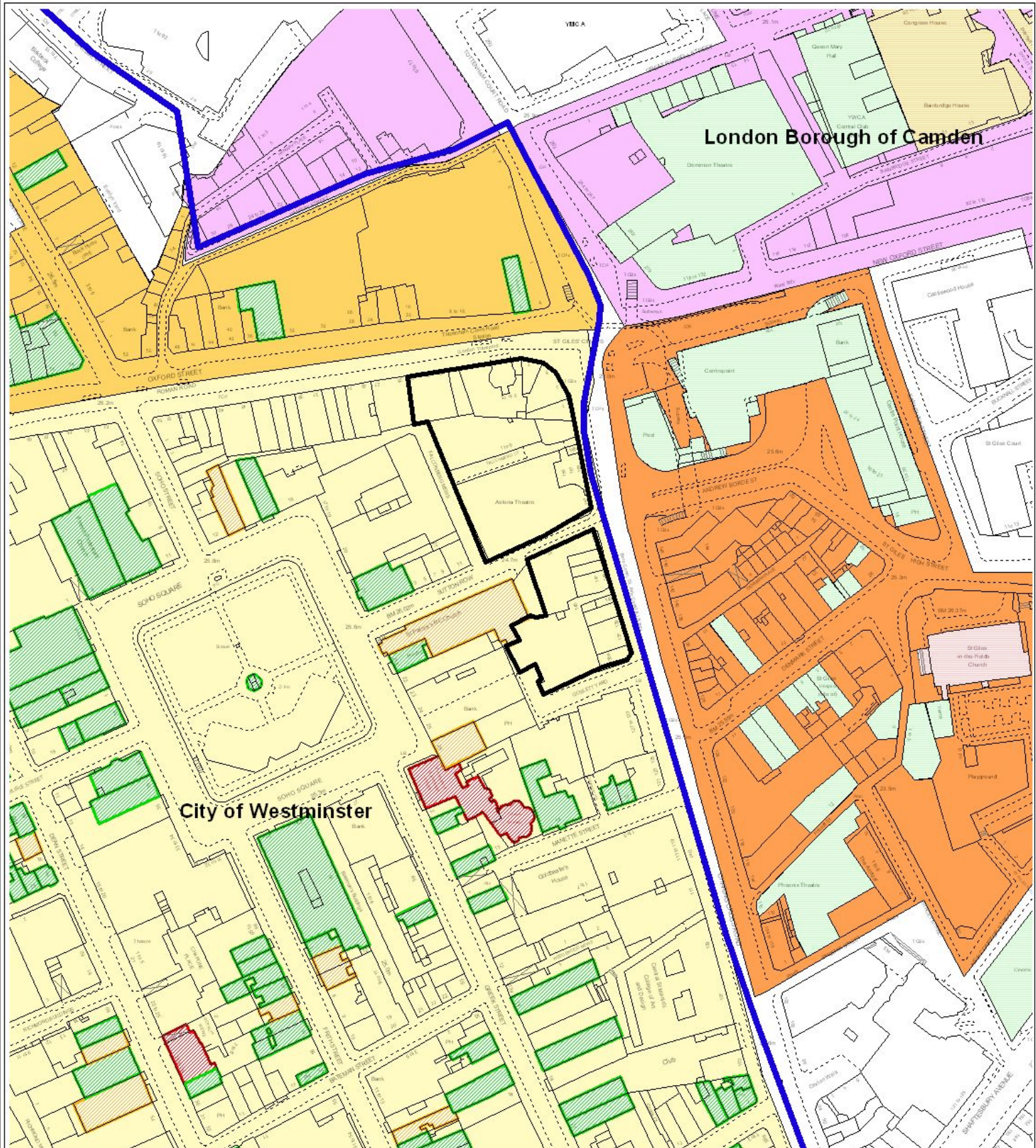
- 7.1 Map 5 shows the conservation areas and listed buildings that are located in the vicinity of the brief area.
- 7.2 Development of the sites will need to comply with policies STRA 26-30 of the UDP, and the urban design and conservation policies set out in Chapter 10 of the Plan, and should consider the impact of any proposed demolition/development upon Westminster's conservation areas and adjoining conservation areas in Camden. In particular, Westminster's UDP policy DES 9 concerns the preservation and enhancement of conservation areas and their settings and DES 10 concerns the protection of both the fabric and setting of buildings of special architectural or historic interest. Development here should have a positive relationship with associated developments in Camden. Reference should also be made to 'Design Matters in Westminster' (2001) and other supplementary guidance relevant to the design policies.
- 7.3 The Astoria site forms part of the Soho Conservation Area and although it does not contain any listed buildings, in terms of townscape all the buildings fronting Oxford Street and Charing Cross Road are considered to make a positive contribution to the character of the conservation area. However, the Act gives powers for Crossrail to demolish the whole Astoria site. Buildings identified for demolition by London Underground are: 1-15 Oxford Street (odd numbers), 157-167 Charing Cross Road (odd numbers including the Astoria Theatre and whole existing Astoria site), and 1-6 Falconberg Court. The principle of demolishing the buildings on this site was accepted at the time of the last planning permission for station development on this site (permission no. 94/00149/FULL). Demolition to enable the Crossrail station to be constructed will still be acceptable provided the replacement buildings are of a sufficiently high quality for this prominent and sensitive location and preserve or enhance the character and appearance of the conservation area.
- 7.4 The strategic importance of the site as a gateway to Oxford Street means that it is very significant in terms of townscape and any new buildings must positively enhance the character and appearance of this part of the Soho Conservation Area. Reference should be made to the relevant provisions of the adopted Soho and Chinatown Conservation Area Audit (December 2005).

- 7.5 Both station schemes entail the removal of the pool and fountains from the front of Centre Point to create a new pedestrian area and new eastern station entrance. The pool and fountain are included in the listing of Centre Point. The City Council would not oppose removal of the listed fountains in the context of a scheme demonstrably enhancing the public realm on the eastern side of Charing Cross Road (although the London Borough of Camden is the Local Planning Authority with responsibility for Centre Point).
- 7.6 The Goslett Yard site is also in the Soho Conservation Area and consent is required for the demolition of the buildings on this site. The buildings are good examples of late 19th/early 20th century commercial development and provide an appropriate setting for the London Borough of Camden's Denmark Street Conservation Area on the other side of Charing Cross Road. Westminster Council is likely to accept the demolition of these buildings, provided there is a planning permission for replacement buildings that will preserve and enhance the character of the conservation area, and the settings of nearby listed buildings including the Grade II* listed St. Patrick's Church to the rear of the site. The council would also need to be satisfied that the over site development would be constructed as soon as possible after construction of the station is finished so the site is not left vacant for any longer than necessary. It would seek to do this via a Section 106 agreement.
- 7.7 Any proposed changes to layout, dimensions and use of Sutton Row must take conservation area and townscape issues into account.

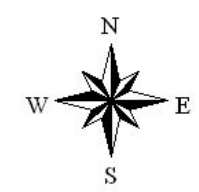
Design

- 7.8 Policy DES 1 sets out principles of urban design that the Council will expect any development on these sites to satisfy. Policy DES 4 sets out further guidance on the form and design of new buildings in a varied townscape of significant quality as appropriate for these sites. The design treatment of the public realm should reflect the approach and materials outlined in the city council's "Oasis" proposals contained in the ORB Action Plan.

MAP 5: Conservation Areas and Listed Buildings around Tottenham Court Road Station, Eastern Ticket Hall



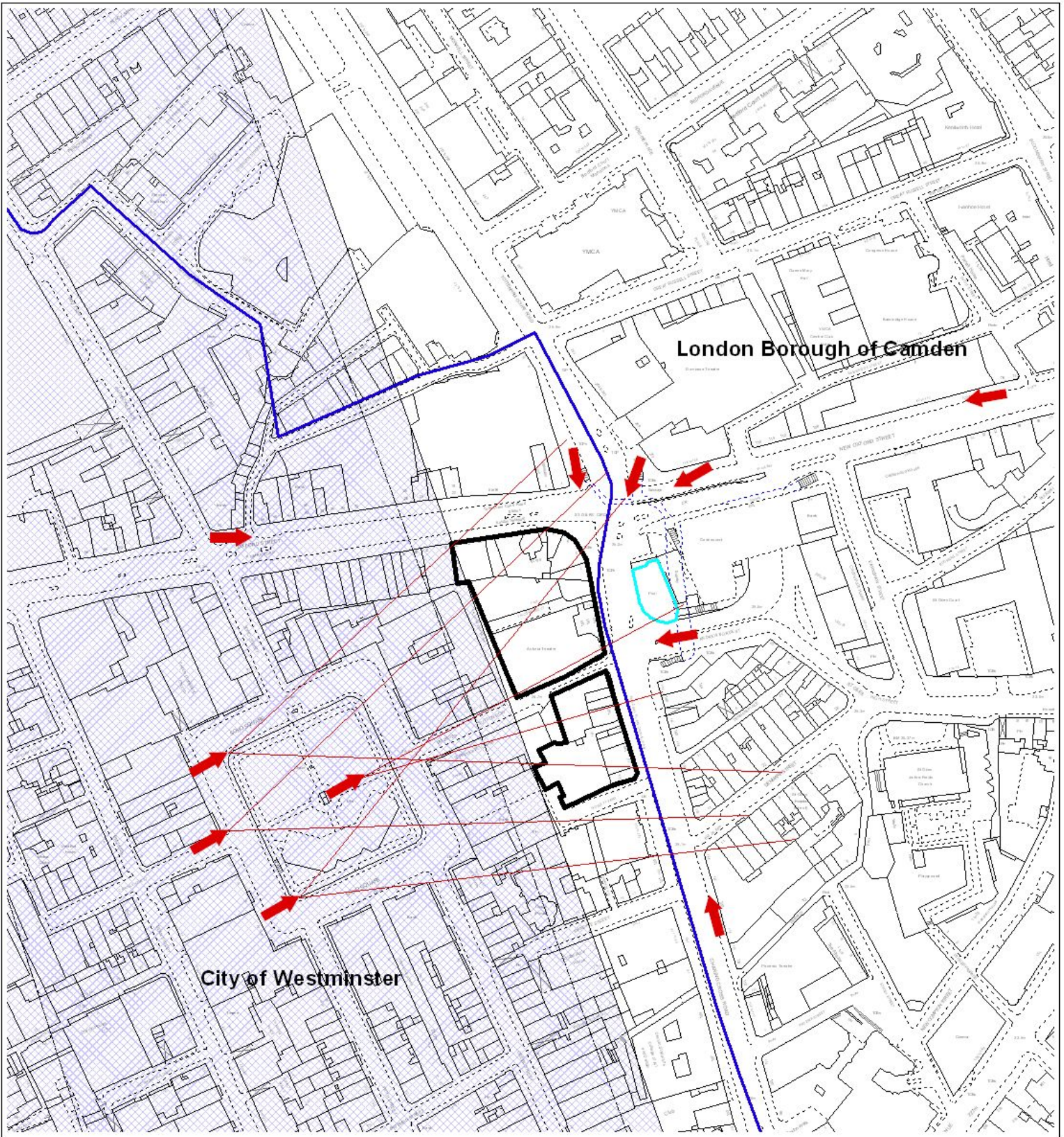
- | | |
|-------------------------|------------------------------|
| Listed buildings | Conservation Areas |
| Grade I | Hanway Street |
| Grade II* | Soho |
| Grade II | Bloomsbury (LB Camden) |
| Grade I (LB Camden) | Charlotte Street (LB Camden) |
| Grade II* (LB Camden) | Denmark Street (LB Camden) |
| Grade II (LB Camden) | |
| Borough Boundary | |
| Planning Brief Sites | |




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- 7.9 Modern design of the highest architectural quality will be required on both sites. The design of any new building should respond to the scale, height, form and massing of the existing buildings on the site and those adjacent in Oxford Street. The facades should be modelled to create a rhythm which reflects the existing plot width patterns, exhibit vertical and horizontal emphases and a solid: void ratio comparable to adjacent buildings. An extensively glazed façade is unlikely to be acceptable in this location.
- 7.10 The massing of the new building should not be uniform across the whole site. Modest variations in the massing are desirable to create a varied and interesting skyline. The proposed massing should include all necessary plant areas. The amount of roof level plant must be kept to a minimum and integrated into the design of the new building.
- 7.11 Facing materials should be of high quality and appropriate to the local context. Natural Portland stone, brick, and metals such as bronze and lead would be acceptable.
- 7.12 The Oxford Street frontage should make a positive contribution to the image of the street as an international shopping centre. It would be desirable to maintain the existing curved corner, and celebrate this architecturally, as the entrance to Oxford Street.
- 7.13 Any proposals should be accompanied by a design statement dealing with the rationale behind the proposed design and its impact on the character and appearance of the Soho Conservation Area and surrounding townscape. Accurate photo montages of the proposals in their context should be included.

Map 6: Local and Strategic Views, Tottenham Court Road Station (Eastern Ticket Hall)

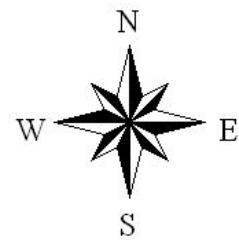


 Strategic View:
Parliament Hill to the Palace of Westminster
(London Panorama)

 Local views

 Planning Brief Sites

 Borough Boundary



0  100 Meters

Local Views

- 7.14 Policy DES 15 of the UDP resists development that would have an adverse effect upon important views of listed buildings, landmark buildings, important groups of buildings and parks, squares and gardens. The brief area is in a very prominent location at the entrance to Oxford Street and it is also located close to Soho Square and impacts on views from the Square will be carefully considered. The impact of new development on the views from all directions will be an important consideration. See Map 6 for the key local views. A view study and analysis will be expected to be lodged with any oversight development planning applications to ascertain the impacts of new development upon local views.

Tall buildings

- 7.15 The Council's policies on tall/high buildings are set out in UDP policy STRA 28 and DES 3. The aim of policy STRA 28 is to protect or enhance important or acknowledged views across or within Westminster, and to resist inappropriately designed or intrusively located tall buildings.
- 7.16 Centre Point, to the east of the site, is a Grade II listed 35 storey building dating from 1966 designed by Richard Seifert and partners. However, surrounding buildings are of a much smaller scale, reflecting the character of this end of Oxford Street and the Soho Conservation Area.
- 7.17 Centre Point is visible in views from much of the City of Westminster, and the Council considers that it is an important landmark building that defines the eastern end of Oxford Street, both from within the City of Westminster and across London as a whole.
- 7.18 Policy DES 15 states that permission will not be granted for developments which would have an adverse effect upon important views of listed buildings and landmark buildings. Tall buildings on either the Astoria or Goslett Yard sites are likely to have an adverse effect on views of Centre Point, and detract from its iconic design and landmark status.
- 7.19 Tall buildings in this location are likely to have a seriously adverse impact upon the character and appearance of the Soho Conservation Area and the Denmark Street Conservation Area in Camden (DES 9), on listed buildings and their settings including Centre Point and the Grade II* listed St Patrick's Church (DES 10), and upon the views obtained from Soho Square (DES 15). These matters would be contrary to UDP policy DES 3: High Buildings. A tall building would undesirably intrude into the backdrop and views of the Grade I listed St. Giles Church in the London Borough of Camden.

- 7.20 The Council therefore considers that further tall buildings at this end of Oxford Street, on either the Astoria or Goslett Yard sites, would be unacceptable.

Soho Square

- 7.21 Policy DES 12: Parks, gardens and squares, considers development adjacent to open spaces such as Soho Square. Any development of the planning brief site should protect and enhance views into and out of these spaces, and not project above existing trees or building lines. Development should also safeguard the appearance, wider setting and ecological value of the open space, and preserve its historic integrity.
- 7.22 Soho Square is within the safeguarding direction for Crossrail 2008, but is not identified as an area of Surface Interest. The Council would be opposed to any use of the gardens as part of the construction process as it would impact on the character of the square, as well as restricting the use and amenity value of the square as public open space. Soho Square is protected under the London Squares Preservation Act (1931) and development within its gardens, whether temporary or permanent, would be unacceptable.

Scale and layout

- 7.23 Given the above, development on the Astoria site should not exceed the height of the redevelopment scheme approved in 1996 (permission no. 94/00149/FULL). This approved Crossrail scheme had a total height of 31m (including plant enclosure) above street level, and had a parapet height of 25m. This height, scale and layout was considered to provide an appropriate landmark building at the entrance to Oxford Street while not overly dominating the other buildings in this part of the street.
- 7.24 Development on the Goslett Yard site should be to a similar building height as existing in order to respect the scale of other buildings on Charing Cross Road and the adjacent conservation areas.
- 7.25 Any proposals for buildings which exceed these heights would need to be supported by a statement seeking to justify the proposed height in terms of its impact on the local area.
- 7.26 Development on both sites should extend no further than the existing building lines, and it may be beneficial for these to be moved backwards to enabling the widening of the pavement on Charing Cross Road. Consideration needs to be given to how more space could be provided for pedestrians. Arcading of development on the Astoria site and a new pedestrian route connecting Falconberg Mews with Oxford Street to assist pedestrian dispersal may be appropriate. The loss of Falconberg Court in order to facilitate the development of the station

would be acceptable. If arcading is proposed, measures to deter rough sleepers should be incorporated into the design.

Designing Out Crime

- 7.27 The area around Tottenham Court Road station has a high rate of criminal activity associated with drugs. The Plaza element of the station redevelopment is intended to replace the hostile environment below the Centre Point forecourt and create more activity on the eastern side of Charing Cross Road which should help to create a safer environment. Improved provision for pedestrians at street level will also create more activity on this side of the street and provide safer routes at night.
- 7.28 Providing for public surveillance and self-policing should be a key objective of any development. This will be particularly important for the oversite development of the Astoria and Goslett Yard sites which both have poorly supervised routes to the rear which can provide opportunities for crime. A new pedestrian route to connect Falconberg Mews directly with Oxford Street could encourage more self-policing activity, but the design of the development should aim to ensure that this route is safe and attractive.
- 7.29 Consideration should also be given to lighting, particularly of entrances and exits. Interesting and vibrant streetscape with active ground floor uses should also encourage vitality after dark and improve pedestrian routes. This would all help to significantly reduce crime and anti-social behaviour around the entrances to the ticket hall.
- 7.30 The development should also be designed to meet the requirements of the Secure By Design initiative. Details of the initiative can be found in the 'Designing out crime in Westminster' SPG (1998), and more information can be found on the Home Office website (www.securedbydesign.com).
- 7.31 Counter terrorism measures should be considered at the outset of any design in order to protect any new public spaces or buildings from potential attack by vehicles loaded with explosive devices.

Public Art

- 7.32 Policy DES 7 (A) is also relevant as it sets out the City Council's aim to ensure the highest standards of design in all townscape details. DES 7 (A) states that the provision of public art will be encouraged in association with all large development proposals, including redevelopments. Policy DES 7 (A) also outlines the standards that are expected for any public art feature that is provided as part of a development proposal. Reference should also be made to the Council's Public Art in Westminster SPG (1994).

- 7.33 The City Council encourages the provision of high quality public art and welcomes the inclusion of appropriate visual arts within development proposal schemes and will seek their provision as planning agreements through the operation of Policy STRA 7: Planning obligations and benefits.

Archaeology

- 7.34 The promoters of Crossrail must properly assess and plan for the archaeological implications of the proposals in association with the advice of GLAAS, so that the scheme includes appropriate archaeological safeguards in line with DoE PPG's 15 & 16 and policy DES 11 of the UDP following archaeological assessment including evaluation. Such safeguards normally consist of design measures to ensure the permanent preservation of archaeological remains in situ or, where that is not appropriate, archaeological excavation and recording in advance of development. Historic building recording prior to and during works may also be required.
- 7.35 Historic and archaeological remains are likely to survive in this area. A Site Specific Archaeological Written Scheme of Investigation (WSI) has been prepared in relation to the London Underground works at this site. This sets out the archaeological and historical development of the site, and outlines the archaeological works required for the LUL works here. The Crossrail station works will be dealt with in a separate WSI.

Supplementary Planning Guidance

- 7.36 Further advice is contained within the City Council's 'Design Matters in Westminster' SPG (2001), and 'Development and Demolition in Conservation Areas' SPG (1996).
- 7.37 The City Council's 'Sustainable Buildings' SPG (2003) should also be referred to when the design of the building is being planned. This guidance provides information about how buildings can become more sustainable as well as explaining the need for sustainable buildings, the rich building heritage of Westminster and the City Council's planning policies.
- 7.38 The Council will require a high standard of design in the public realm and reference should be made to the 'Westminster Way', the Council's draft guidance on street furniture and the public realm.

8 Other Standards And Controls

Green Buildings, Recycling and Sustainability

- 8.1 The City Council will encourage the developer to take into consideration the environmental impact of their development. There is considerable potential for reducing environmental damage by improving the design of buildings, for example, by reducing carbon dioxide and particulate emissions by the application of cost-effective current technology.
- 8.2 The City Council supports the development of environmentally friendly buildings in accordance with Policy ENV 1: Sustainable and resource-efficient buildings, and the detailed requirements provided at Annex 9.1 and tables 9.2 and 9.3 in the UDP. In addition, a new development on the site should be aiming for 20% of energy requirements to be generated from on-site renewable sources where feasible in accordance with London Plan policy 4A.7: Renewable Energy. The developer will also be expected to comply with the London Plan energy hierarchy, to use less energy, use energy more efficiently, and use renewable energy wherever possible. London Plan policy 4A.5 requires boroughs to ensure that all development is designed for future connection to a heating and cooling network. Policy 4A.6 requires boroughs to ensure that all developments demonstrate that heating, cooling, and power systems have been selected to minimise carbon dioxide emissions. These considerations should be included in any proposed designs.
- 8.3 There are a number of resources available to assist the council and developers when considering the nature conservation implications of development proposals including the Mayor's 'Design for Biodiversity' and Natural London Office 'Protected Species Guidance Notes. The developer will be expected to use sustainable development checklists and will be advised to refer to best practice guides published by the Building Research Establishment Environmental Assessment Method (BREEAM) and the London Research Centre in preparing their planning application. The BREEAM provides a 'green building certificate' and can demonstrate the efficiency of energy use and in materials and methods of construction.
- 8.4 In addition to this, the City Council has produced Supplementary Planning Guidance on Sustainable Buildings (2003) in Westminster. The advice contained within this guidance will be a material consideration in the consideration of any subsequent planning application.
- 8.5 The City Council encourages the minimisation of waste and re-use and recycling of waste materials, and will expect appropriate provision to be

made for the storage of materials for recycling as well as for refuse collection (off-street and within buildings).

Code of Construction Practice

- 8.6 The City Council's Code of Construction Practice defines environmental standards and outlines procedures pertaining to construction works. It was recently updated in April 2008. The City Council will require developers of the oversite development works to carry out any demolition and construction works in accordance with the City Council's Code of Construction Practice.
- 8.7 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, land contamination, waste disposal and protection of water quality and urban ecology. Its purpose is to protect the amenity of residents, businesses and visitors to our City.
- 8.8 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. The City Council will seek to minimise the disruption to local residents, businesses, traffic and pedestrians in the immediate vicinity and the surrounding areas of the construction site.
- 8.9 A site specific code of construction practice would be written for each development with the primary concept being to protect residential amenity. The phasing of works would also need to be carefully considered, particularly in respect of the various developments taking place in the area, and developers would be expected to discuss their phasing programmes at an early stage.
- 8.10 Funding towards the actual cost of monitoring and enforcement of the Code is mandatory. This is undertaken by the Council's Environmental Inspectorate (UDP policies ENV 5-6).
- 8.11 Crossrail Limited has prepared their own Construction Code which is set out in Annex 1 to the Environment Minimum Requirements document which applies to the Crossrail works only. These works include the ticket hall and related entrances, and other rail related infrastructure at the site such as emergency exits and ventilation shafts as authorised under the Crossrail Act. The Secretary of State will require the Nominated Undertaker to achieve the Environment Minimum Requirements (ERM), including the Construction Code, in designing and constructing the Crossrail works.

- 8.12 Although works under the Crossrail Act are governed by the EMR and Code of Construction, for the oversight and surrounding development, materials should where possible be conveyed by sustainable means, e.g. rail and water. Where required to travel by road, trips should be as short and few in number as possible, in accordance with London Plan policies 3C.25, 4A.3 and 4C.8.

9 Planning Benefits

- 9.1 In addition to the other policy requirements set out in this brief, the City Council may seek to use conditions on any grant of planning permission or may use its powers under Section 106 of the Town and Country Planning Act (1990) to require the following matters to be covered by planning obligations:
- Redesign of St. Giles Circus and associated public realm areas within Westminster;
 - Highway and footway (public realm) works, including to deal with the impact of the new Crossrail / Plaza ticket halls and payment for ORB public realm implementation on Oxford Street;
 - Environmental improvements, such as improvements to Sutton Row, Falconberg Court and the Centre Point forecourt (in Camden);
 - Public Art;
 - City management measures, including contributions to closed-circuit television (CCTV) and other measures that address community safety and the impact of entertainment uses; and
 - Timing and securing of any affordable housing provision provided as part of residential elements of the development.
- 9.2 Reference should be made to the Council's Planning Obligations Supplementary Planning Guidance (Adopted January 2008) and policy STRA 7: Planning obligations and benefits, of the UDP.
- 9.3 As the Crossrail Act only provides for public realm improvements in the immediate vicinity of Crossrail station entrance, improvements to the wider area, including in Sutton Row may not be the responsibility of Crossrail, and some of the public realm improvements will be delivered through the oversite development, In addition, TfL expects contributions from oversite and surrounding development for the maintenance and upgrade of the strategic walk network.
- 9.4 A GLA Crossrail Benefits Board has been set up to oversee, prioritise and drive a programme of work to secure the business and regeneration benefits of Crossrail. Initiatives to create training and employment opportunities (both during construction and within the completed development) and to address other barriers to employment may be sought and secured by section 106 agreement.
- 9.5 On 18 May 2009, The Mayor of London published drafts of (a) Proposed London Plan Alterations and (b) associated Supplementary Planning Guidance (SPG) on 'the Use of planning obligations in the

funding of Crossrail' for consultation purposes. The drafts propose raising funds towards the costs of Crossrail from schemes which (i) are within the London Plan Central Activities Zone boundary and (ii) involve an increase, of 500 sq.m. or more in gross office space. No land uses other than offices are affected by the draft policy and SPG.

- 9.6 The publication of these documents is a material consideration in planning terms, but leading counsel advises that they have only low weight in the determination of planning applications, due to the early stage they have reached in the statutory process. It is considered that the City Council is correct to continue to apply the policies of the statutory development plan in deciding what planning obligations should be secured in this case – namely the London Plan published in February 2008 (consolidated with alterations since 2004) and the Unitary Development Plan adopted in January 2007, supported by the Section 106 Supplementary Planning Guidance until the proposed alterations to the London Plan are adopted.

10 **Contacts and Further Information**

Department of Planning and City Development

Graham King	Strategic issues and the Crossrail Act	020 7641 2749
Hilary Skinner	Policy, UDP and planning brief issues	020 7641 2531
Mike Walton	Planning Applications, Land use and Development Control	020 7641 2521
Rob Ayton	Conservation and Design issues	020 7641 2978

Department of Transportation

Don Murchie	Transport Policy Issues	020 7641 2517
Brent Turton	Construction Management	020 7641 1224
Andrew Grimm	Refuse planning	020 7641 7962
Andrew Holdsworth-Wild	Access Officer	020 7641 6347

APPENDIX 1

The Promoter has, in response to petitions made by the City Council and others on Tottenham Court Road East Ticket Hall and the surrounding areas, made these undertakings and assurances during the petitioning stage at the House of Parliament. The register, named as Register of Undertakings and Assurances, captures all the individual undertakings and assurances given to petitioners and to Parliament to ensure that the "nominated undertaker" (any person appointed to construct Crossrail), as well as the Secretary of State for Transport or any other organisation exercising the Act's powers, complies with them. Below is an extract of the undertakings and assurances that are relevant to this site.

The register forms part of the Crossrail Environmental Minimum Requirements (EMRs) and an undertaking has been given that "any nominated undertaker will be contractually bound to comply with the controls set out in the EMRs". The register should be read in conjunction with the other documents that are also part of the EMRs, namely the Construction Code, the Environmental Memorandum and the Planning and Heritage Memorandum.

No	Type	To whom	Date given	Subject	Reference	Text
111	Assurance	EMI Music Publishing Ltd (89)	09/03/2006	Noise and vibration	Letter from Winckworth Sherwood (Anderson) to agent acting for EMI Music Publishing - Page 1 – Paragraph 4 - Third and Fourth Sentences	Information Paper D10 (Groundborne Noise) places an obligation on the nominated undertaker to endeavour to ensure that 30dB _L A _{max,S} for recording studios from the construction railway or no greater noise impact than is already experienced due to existing noise sources such as LU, whichever is the greater is met, and for operation that 30dB _L A _{max,S} is to be met. The promoter is willing to give an undertaking on this basis.

121	Assurance	GMS Estates Ltd (212)	Letter undated	Over Site Development - Tottenham Court Road	Letter from CLRL to agent acting for GMS Estates Ltd (Mantey-Walker) - Page 2 - Paragraph 1 - Second Sentence	Further to the request of the Local Planning Authority, Westminster City Council), the planning applications for TCR (west) and TCR (east) will be co-ordinated by the Promoter.
244	Assurance	Really Useful Theatres Limited (73)	24/02/2006	Settlement - mitigation in risk category 3 case	Letter from CLRL to agent acting for RUT Ltd (Smith-Reilly) - Paragraph 4 - Third and Fourth Sentences	The aim of the settlement policy is to ensure that the degree of damage to any building will be kept below risk category 3. If it was found that it was not possible to keep below this category of damage, then at this point the Promoter would explore a number of options to mitigate against further damage, including purchasing the property.
324	Assurance	Westminster City Council (321)	January 2006	Tottenham Court Road - cumulative environmental impacts	Petition Response Document - Tottenham Court Road-Hyde Park - Page 84 - Paragraph 3 – Second Sentence	Where possible, CLRL will seek to work with developers to accommodate their proposals and to minimise any cumulative environmental impacts.
325	Assurance	Westminster City Council (321)	January 2006	Hyde Park - trees	Petition Response Document - Tottenham Court Road-Hyde Park - Page 23 - Paragraph 3 and Paragraph 4 - First Two Sentences	For specific worksites where mature tree loss is a concern, such as at Hyde Park and Hanover Square, a landscape management plan will be drawn up by the nominated undertaker as part of the environmental management plan process, and the plan will be discussed with the local planning authority and, as far as reasonably practicable, take account of their observations prior to any relevant construction activity. For Hyde Park, consultation will also take place with the Royal Parks Agency. The plan will cover such issues as tree protection measures, monitoring during construction, replanting and post-construction monitoring. It is

						intended that the trees which are lost at Hyde Park will be replaced by trees of the same species, or those appropriate to the local landscape and ecological character. It is intended that the ornamental shrub vegetation will be similarly replaced.
326	Assurance	Westminster City Council (321)	January 2006	Oxford Street - traffic liaison group	Petition Response Document - Tottenham Court Road-Hyde Park - Page 71 - Paragraph 3 – Second Sentence	The Promoter will require the nominated undertaker to work closely with Westminster City Council, through the Traffic Liaison Group (as described in response to the petitioner's paragraph 21), to plan and stage the works in such a way which will minimise disruption impacts for businesses and pedestrian and traffic flow in Oxford Street.
327	Assurance	Westminster City Council (321)	January 2006	Reroute of No. 8 bus - traffic liaison group	Petition Response Document - Tottenham Court Road-Hyde Park - Page 72 - Paragraph 5 – Second Sentence	The Promoter will require the nominated undertaker to provide advanced notice of the commencement of the works to enable the matter to be considered by the local Traffic Liaison Group (as described in response to the petitioner's paragraph 21) and the required measures to be put in place.
366	Assurance	First Out Café (AP3:29)	12/12/2006	Access - 52 St Giles High Street	Letter from CLRL to First Out Café (Smith-Tejada) - Paragraph 2	The Promoter will require the nominated undertaker (the person appointed to carry out the works) to: - maintain reasonable pedestrian access to and from the fire escape at the rear of 52 St Giles High Street to either Andrew Borde Street or the yard behind the property;

						<p>- not obstruct the operation of the existing ventilation equipment attached to the rear of 52 St Giles High Street;</p> <p>- in the event that the hoarding of the worksite at 138-146 Charing Cross Road interferes with the existing site for the commercial waste refuse bin, provide a reasonable alternative location for the bin.</p>
471	Undertaking	William & Denise Whelan and Gerald & Margaret Conlan	19/02/2007	21 Soho Square - construction impact	Undertaking signed on behalf of the Secretary of State	
524	Assurance	Really Useful Theatres Ltd (73)	06/03/2006	Settlement Deed	Letter from Winckworth Sherwood to agent acting for RUT Ltd (Anderson- Reilly) - Paragraphs 1.1, 1.2 and 2	<p>1.1 We confirm that the Secretary of State will ensure that the nominated undertaker will prior to commencements of relevant construction works enter into a settlement deed ("the Deed") in substantially the form of the draft deed appended to this letter with Really Useful Theatres Ltd ("the Petitioner") in respect of the Grade II listed building Manor House, 21 Soho Square ("the Property")</p> <p>shown on the parliamentary plans accompanying the Bill as plot 657 in the City of Westminster.</p> <p>("Relevant construction works" has the same meaning as in the draft deed).... should the nominated undertaker be unable to mitigate settlement damage to the property to a level which is below risk category 3 (as defined in the attached draft Deed) it will give proper consideration amongst other mitigation measures to purchasing the</p>

						property.
590	Assurance	Westminster City Council (56)	01/05/2008	Tottenham Court Road - pedestrian management	Letter from CLRL to Westminster City Council (Deaville-King) - Page 4 - Paragraph 6	In addition to the Traffic Liaison Group, the Promoter will establish a Pedestrian Working Group for the Tottenham Court Road area to maintain communications between the Crossrail project and other key stakeholders in order to plan and review, where reasonably practicable, pedestrian management arrangements including issues of public safety and security, legibility, provision for bus stops, maintaining local access and requirements for servicing. The Group will facilitate discussion, comment and agreement on all matters related to pedestrians impacted by the Tottenham Court Road work both in the immediate vicinity and in the wider area.
591	Assurance	Westminster City Council (56)	01/05/2008	Soho Square Gardens	Letter from CLRL to Westminster City Council (Deaville-King) - Page 5 - Paragraph 1	The Promoter can confirm that Soho Square Gardens will not be used as a worksite to facilitate the construction of Crossrail.
593	Assurance	Westminster City Council (56)	08/05/2008	Westminster planning briefs	Letter from CLRL to Westminster City Council (Deaville-King) - Page 1 - Paragraph 3	The Nominated Undertaker will have regard to the provisions of the Planning Briefs, where they are relevant, when preparing technical submissions to the Council under the Bill in relation to Crossrail works (including applications and submissions under the heritage deeds and Schedule 7 to the Bill), save that – • In relation to submissions under Schedule 7 to the Bill, this only

					<p>applies so far as those provisions are relevant to the permitted grounds of refusal with respect to the matters in question.</p> <ul style="list-style-type: none">• The provisions only apply so far as, upon consulting with Cross London Rail Links Limited (or other similar or replacement body concerned with Crossrail) in connection with the briefs, the Council has properly had regard to any observations or concerns expressed to it with respect to their contents so far as relevant to Crossrail.• The provisions do not apply to applications under conditions imposed by a direction under paragraph 2 of Schedule 16 to the Crossrail Bill with respect to the replacement concrete batching plant at Paddington New Yard. <p>For the purpose of this assurance “the Planning Briefs” means the planning briefs (at present in draft)</p> <p>for –</p> <ol style="list-style-type: none">a. Paddington New Yardb. Paddington Station and Environsc. Davies Streetd. Hanover Squaree. Dean Streetf. Tottenham Court Road
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604	Assurance	Westminster City Council (56)	18/01/2008	Heritage adviser	Letter from CLRL to Westminster City Council (Deaville-King) - Page 6 - Paragraph 5	The Promoter will require the nominated undertaker to have a dedicated, suitably qualified, heritage adviser for the works in Westminster, including Paddington station.
612	Assurance	Westminster City Council (56)	16/02/2007	Template for s61 applications	Letter from CLRL to Westminster City Council (Smith-King) - Page 2 – First Paragraph	I can confirm that the Promoter agrees to develop a standard template for section 61 applications and agrees that this work will be taken forward under the auspices of the Planning Forum.
675	Undertaking	Westminster City Council (56)	01/07/2008	Exceptional Costs	Undertaking signed on behalf of the Secretary of State	

APPENDIX 2 Construction and Site Access

1 Construction and Site Access

The Codes of Construction Practice: (Crossrail and City Council)

- 1.1 While it is acknowledged that this development will result in disruption to traffic and pedestrians during the construction period in the surrounding area, the City Council will endeavour to keep this disruption to a minimum. Where significant problems do occur, the City Council will manage them as effectively as possible in conjunction with all other relevant parties.
- 1.2 The City Council is anxious to minimise any disruption, whether temporary or permanent, to the surrounding area in accordance with UDP Policy TRANS 5: Surface, Underground railways and trams, and UDP Policy TRANS 14: Transport assessments. The Council will seek to minimise the impact of the scheme on the public highway, on residents and businesses in the surrounding area and on the character of Soho Square.
- 1.3 Lorry routes are a key issue and it will be necessary for vehicle types and routes to be agreed between the promoters and developers of Crossrail and the City Council and other interested parties in advance so that they can be incorporated into the Code of Construction Practice (see section 9 below). It is vital that the promoters and developers of the project satisfy the City Council that the project minimises the impact of construction vehicles on traffic flow, bus services and pedestrian traffic and parking. Lorry routes only are approved under Schedule 7 of the Crossrail Act and are not controlled by the Crossrail Construction Code. They will be subject to approval by the Council. The Westminster Code of Construction Practise does not apply to works authorised by the Crossrail Act. Crossrail works will be carried out using the Crossrail Construction Code. Crossrail currently propose to use the same lorry routes as LUL for their works at Tottenham Court Road.

Impacts of construction on the road network

- 1.4 The promoters of Crossrail will need to submit detailed plans and programmes of lorry routes and movements that demonstrate to the satisfaction of the Council that the impacts on the area will be minimised. Access for construction vehicles via Soho (to the south west of the site) will not be acceptable. Soho's streets are narrow and completely unsuitable for such traffic and residents and businesses would be severely affected. The London Borough of Camden also consider that there is a potential detrimental impact to St. Giles' residential and retail premises, and impacts on the bus interchange area. The City Council will work with Camden and other appropriate stakeholders to agree a programme that has minimal impacts on the area.
- 1.5 Charing Cross Road is an important part of the central London road network and accommodates several bus routes. It is therefore vital that Charing Cross Road is kept open throughout the construction period as far as possible. The Council is concerned that adequate details should be provided on how the ticket hall is to be constructed underneath Charing Cross Road

and assurance given that traffic flow would be able to continue while this is constructed. Network Assurance Submissions should be made to TfL to address these issues. Traffic diversions in Charing Cross Road will be in place for a number of years to enable the LUL works to proceed. The diversions will direct northbound traffic to the east of Centre Point. The diversions will direct north bound traffic to the east of Centre Point. The southbound bus contra-flow lane on Charing Cross Road will be removed for a number of years and southbound buses will be diverted along Denmark Street and/or Shaftesbury Avenue. Charing Cross Road will not be routed over the construction of the new ticket hall until the latter stages of the scheme when the new southern plaza entrance will be open to the public.

- 1.6 Crossrail requires the use of Andrew Borde Street in Camden for lorry access and holding area during the construction period. Andrew Borde Street would then be closed permanently to enable the creation of a new station access and pedestrian area.
- 1.7 Lorry traffic would need to cross Charing Cross Road from Andrew Borde Street to reach the Goslett Yard work site. This appears to conflict with other diversions proposed during the construction period and in particular the closure of Andrew Borde Street to create the new eastern entrance to the station. It is also likely to disrupt traffic on Charing Cross Road and the surrounding road network. Satisfactory details of lorry routes and movements to and from the Goslett Yard work site need to be provided.
- 1.8 Adequate provision also needs to be made for construction vehicles to leave Goslett Yard north via Charing Cross Road in particular ensuring that the works on the new ticket hall beneath Charing Cross Road do not preclude this option.
- 1.9 Although the Crossrail Act contains powers to close Sutton Row during construction, it should remain open throughout the construction period if possible. It is an important route for pedestrians accessing Soho, and will become even more important during the construction of the new station as a means to avoid St. Giles Circus. It is also an important route for traffic leaving Soho and should remain open to vehicular traffic if possible.
- 1.10 The Crossrail worksite will extend into the highways and require the closure of several smaller side streets. Falconberg Court will be closed as it will be incorporated into the development site. Falconberg Mews and Goslett Yard will remain open through most of the construction period but will be partially closed for part of the period. Alternative arrangements will need to be found for servicing premises on these streets.

Construction management issues

- 1.11 Development of Crossrail 1 will require the full use of the two sites shown on Map 1. The Goslett Yard site will be required for a temporary construction shaft to enable construction of deep level tunnels, new platforms and passageways. The extent of the working site areas will depend upon the technical requirements of Crossrail.

- 1.12 The Astoria site will be used to construct an escalator shaft and ticket hall, and be part of the overall construction site. However, it will only be required for part of the construction period and once the shaft and ticket hall have been finished, oversite development should commence at the earliest opportunity.
- 1.13 The Goslett Yard site abuts St. Patrick's Church, Soho Square, an important Grade II* listed building, and the safeguarding of this building will be of paramount importance. The promoters and developers of Crossrail should refer to the City Council's Supplementary Guidance Note on 'The Protection of Historic Buildings in Westminster' (2000), and consider at the earliest stage how excavation near to the church will be kept to an absolute minimum. Any application to redevelop should be accompanied by a method statement which sets out the safeguards to be employed during both demolition and reconstruction of the Goslett Yard site to ensure the retention of the church without damage to its structure. The Council will require categorical assurances on this matter. The Crossrail Heritage Deed puts in place a mechanism for undertaking works to protect listed buildings.
- 1.14 To mitigate projected noise levels from the construction site, the City Council will require acoustic screening to be put in place by the developer to protect the quiet environment of Soho Square. The construction site should be bounded by high quality and imaginative hoardings, to protect the surrounding environment from the adverse impacts of construction as far as is possible, and to contribute positively to the local streetscape. This should be sensitively introduced with consideration given to the impact on the conservation area. Requirements for noise management will be part of the Environmental Management Plans prepared by LUL and Crossrail as planning and construction progresses. Screening identified in the Construction Arrangements for approval may provide a sufficient acoustic barrier to Soho Square.

Co-ordination of construction of Crossrail 1 and London Underground congestion relief scheme (the Plaza scheme)

- 1.15 The Council fully supports the joint work of Crossrail Limited and London Underground on the Tottenham Court Road station. Previously two separate schemes were being progressed with conflicting construction requirements. A single scheme is now being progressed avoiding such conflicts, but the Council will need to be satisfied that access for construction vehicles to the Goslett Yard site can be safely achieved. Access is proposed via Andrew Borde Street but the street area is also required for the creation of the new station entrance, and possibly some diverted traffic from Charing Cross Road. Also, construction of the new ticket hall under Charing Cross Road may make this road unsuitable for construction vehicles leaving the Goslett Yard site.
- 1.16 Crossrail Limited also intended to use Andrew Borde Street as a lorry holding area. An alternative lorry holding area has since been identified on High Holborn. It will need to be clearly demonstrated that any proposed holding area will be available for the required construction period, or an alternative lorry holding area will need to be identified.

Construction Proposals as set out in the Crossrail Environmental Statement

- 1.17 Crossrail Limited's construction proposals in the Environmental Statement have been discussed with the City of Westminster, London Borough of Camden and Transport for London. As set out in the Environmental Statement by reason of their design, programme and impact, they are contrary to the Council's established policies.
- 1.18 Negotiations are continuing in an attempt to agree an improved proposal which includes measures to address the issues as set out below.
- a) Construction traffic, specifically routes to and from work sites e.g. spoil removal, major deliveries to site and the need to minimise the use of local road networks in preference to strategic routes. These will need to be approved under Schedule 7.
 - b) The impacts of construction vehicles on traffic flow, bus services, and pedestrian traffic and on parking facilities in the area.
 - c) The impact of any road closures on traffic and pedestrians, including which routes are to be closed, for how long, what the routes are currently used for and the impact of any diversions.
 - d) Satisfactory amelioration, mitigation and management of impacts, and these should be identified in detail in an Environmental Impact Assessment and Transport Statement.
 - e) A comprehensive plan to manage the construction process, e.g. site set-up / servicing arrangements, hours of working, issues concerning noise, dust and vibration. This should also include, amongst other issues, the impact on Listed Buildings, e.g. settlement.
 - f) Cumulative impact of the construction of Crossrail's sites and other developer activity throughout the City of Westminster and Camden – particularly those being promoted in Camden's planning framework for St. Giles' Circus.
- 1.19 The City Council petitioned both the House of Commons and House of Lords Select Committees on the issue of construction management and impacts arising from the construction of the Tottenham Court Road (east) Crossrail works and the LUL Tottenham Court Road Station upgrade. In their Petition Response Document (PRD) of 14 April 2008, the Promoter outlined their position on these issues, namely that:
- a) The evolving Traffic Management Plans, including pedestrian routes, prepared by the Promoter will not be finalised until closer to construction but will be the subject of consultation with the City Council and the Metropolitan Police through a proposed Traffic Liaison Group.
 - b) A Traffic Management Control Strategy will be prepared in consultation with the City Council to safely manage and practically provide pedestrian routes through the area, including access to existing properties within the construction zone.

- c) The Promoter and LUL have formed a Tottenham Court Road Traffic Forum to agree to all issues relating to pedestrian movement arising from the Tottenham Court Road works and in wider area.

