

**Crossrail: 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.



## Adopted Planning Brief

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Produced by: City of Westminster  
Planning & City Development  
City Planning Group  
City Hall, 64 Victoria Street  
London SW1E 6QP

Contact: Hilary Skinner  
E-mail: [hskinner@westminster.gov.uk](mailto:hskinner@westminster.gov.uk)  
☎ 020 7641 2531  
Fax: 020 7641 3050

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## **Executive Summary**

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*As part of its approach towards Crossrail, the City Council has prepared a series of planning briefs for key sites across Westminster affected by it. These set out all the relevant Council policies and issues 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 planning 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 has since received Royal Assent. The City Council supports the principle of Crossrail subject to considerations set out in this planning brief.*

*Works required for the construction of Crossrail are approved by the Crossrail Act. The Crossrail Act provides powers to demolish the buildings in the blocks bounded by Diadem Court, Great Chapel Street, Dean Street and Oxford Street, including a Grade II listed building at 94 Dean Street. 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](http://www.crossrail.co.uk/construction/crossrail-and-the-community/crossrail-context-reports)).*

*The site of the Tottenham Court Road Station (Western Ticket Hall) covers two street blocks within the Soho Conservation Area. Crossrail have indicated that they would need to demolish both blocks, including the Grade II listed building at 94 Dean Street in the southern block. All of the buildings within the block make a positive contribution to the character and appearance of the conservation area, and there is a strong presumption to retain all of them, particularly the listed building. Crossrail should therefore carefully consider retention of these buildings and adaptation of their proposals as an alternative to complete demolition. Any proposals for their demolition and redevelopment will have to be fully justified in terms of UDP policy and PPG15: Planning and the Historic Environment, and any replacement must enhance the Conservation Area.*

*Since the previous version of this planning brief was published, Crossrail Limited have been in discussions and have prepared a draft oversite development concept for this planning brief site which also includes proposals for the 1-23 Oxford Street, 1-6 Falconberg Court, and 157-165 Charing Cross Road, including the Astoria Theatre and the 135-155 Charing Cross Road and 12 Sutton Row sites owned by Derwent London (which is subject to a separate planning brief).*

*If it can be demonstrated 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 offsite provision. Offsite residential provision could be on the Western Ticket hall sites if CRL 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.*

*Proposals for new buildings on both the northern and southern blocks of the Western Ticket Hall sites must reflect the height, scale and character of the Soho Conservation Area, relate to the adjacent buildings and townscape, and take account of their impact on adjacent residential units and their amenity.*

*The Council would normally expect a mixed-use development on this site including retail; employment uses reflective of the location within the Creative Industries Special Policy Area; and replacement of existing residential. If the total commercial floorspace on the site increases by more than 200m<sup>2</sup>, then the Council would require that 50% of the increase was*

*residential. Other Central London Activities may also be appropriate and further guidance on these is given in the brief.*

*Crossrail's final proposals for the Tottenham Court Road Western Ticket Hall, and associated oversite development will be expected to 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 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

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- 1.1 The site that forms the subject of this planning brief is bounded by 91-101 Oxford Street, 93-102 Dean Street, 1-12 Great Chapel Street and Diadem Court, W1. A site location plan is included as Map 1.
- 1.2 This area of land is of key importance to the Crossrail Limited (CRL) proposed east-west Crossrail Line 1 railway, as it is required for the construction of a ticket hall entrance and other above ground Crossrail infrastructure.
- 1.3 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 promoted by the 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 planning briefs have been prepared for key Crossrail sites across the City, of which this site is one.

### **Purpose of the Brief**

- 1.4 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.
- 1.5 This brief is a revised version of the draft planning brief for the site 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 in to the 26 May version, and it served as a key document in negotiations with CRL when the Crossrail Hybrid Bill was deposited in Parliament to secure the powers to construct and operate Crossrail Line 1. The draft brief, along with the other Crossrail planning briefs, provided the basis for setting out the City Council's petitioning strategy throughout Parliaments 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 planning brief are included as Appendix 1.
- 1.6 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 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 Crossrail Limited 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.

- 1.7 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 14<sup>th</sup> 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. It has since been adopted as a Supplementary Planning Document (SPD) by following the procedures set out in Planning Policy Statement Note 12 (PPS12: 'Local Development Frameworks'). The planning brief was prepared in accordance with the planning policies in the City of Westminster UDP and is also in general conformity with the London Plan. In its current form the brief is a material consideration in determining any planning application.
- 1.8 The Bill received Royal Assent and became an Act of Parliament in July 2008. The Crossrail Act provides the DfT with conferred planning permission to construct and operate Crossrail Line 1. Notwithstanding this, through the provisions laid out in the Act the City Council has signed an undertaking to enable it to become a 'qualifying authority' which will allow 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 would not be able to refuse permission for proposed works on points of principle however, they would be 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 Crossrail Act 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.

### **Timing**

- 1.9 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.

- 1.10 CRL's timetable for Crossrail line 1 has been revised and now assumes that the start of passenger service could be 2017 with advanced works beginning in 2009, with full construction starting in 2010.
- 1.11 The City Council supports any rail project that seeks to improve the quality, reliability and accessibility of public transport and this is set out in the Unitary Development Plan, (policy STRA 20). The City Council has consistently supported the Crossrail proposal, on the alignment safeguarded by the Secretary of State since 1991. However, the City Council also has clear policies to protect the general amenity of residents, businesses and visitors in Westminster against any adverse environmental impact. Therefore a petition was required to identify and to seek amendments to those aspects of the Bill which did not, at the time, meet the Council's policies.
- 1.12 This process made it clear that the Department for Transport / CRL had not submitted all of the relevant information needed to enable a clear judgement to be made on the impact of the project. In response to the potential impacts of Crossrail, the City Council hosted and chaired meetings with other London Local Authorities to establish areas of common concern, to consider joint petitioning and to explore the economies and protocols of "Lead Authority" being adopted on specific petitioning points. Adoption of the Crossrail planning briefs means their content has become a material consideration in the consideration of any planning applications received for the over site development proposals brought forward by Crossrail or private developers for those sites.
- 1.13 In response to the negotiations and proposed development a number of generic policy statements have been agreed with the Promoter including:
- Community Relations Strategy;
  - Settlement Policy;
  - Environmental Minimum Requirements; and
  - Code of Construction Practice.
- 1.14 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).

### **Safeguarding**

- 1.15 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 revised in February 2005. 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).
- 1.16 The site which is the subject of this planning brief is an “area of surface interest”, and the safeguarding designation is shown on Map 2. Additional areas of surface interest are shown on this map including a motor vehicle parking area on the Royal Mail Sorting Office site on Newman Street (which is currently used as a motor vehicle parking area and which is proposed to be used as a lorry holding area during the Crossrail construction works). There is also an area of surface interest on the 2-4 Dean Street / 7 Soho Square site which is identified for protective works only.

### **Crossrail 2 / Chelsea-Hackney**

- 1.17 The future development of the Crossrail 2 scheme (previously the Chelsea – Hackney line) will further increase the capacity of Tottenham Court Road station. Although not programmed to be pursued until after completion of Crossrail 1, the line is subject to a safeguarding direction and included in the UDP. 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. See also Tottenham Court Road (Eastern Ticket Hall) Planning Brief for further details.
- 1.18 Further discussions on the overall route and site specific implications of Crossrail 2 are expected during 2009 with Crossrail and TfL.

### **The Brief Area**

- 1.19 The Crossrail Tottenham Court Road Station would be located south of Oxford Street, between Great Chapel Street and St. Giles High Street. Draft plans of the station provided by Crossrail are attached at Appendix 2. 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 for this station: one at the junction of Charing Cross Road and Oxford Street (the Eastern ticket hall), the other (the Western ticket hall) under the block bounded by 91-101 Oxford Street, 97-102 Dean Street, 6 and 7 Fareham Street, and 1-8 Great Chapel Street.
- 1.20 This brief covers the site of the Western Ticket Hall, a separate brief (Crossrail: Tottenham Court Road 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) covers the other site. CRL have indicated that they will also seek to redevelop the block to the south of Fareham Street, bounded by Dean Street, Fareham Street, Great Chapel Street and Diadem Court, to enable construction of the ticket hall and associated railway ventilation equipment under the provisions of the Crossrail Act. This planning brief therefore covers both of these blocks, and is written to help guide proposals assuming that CRL are proposing to demolish and rebuild both street blocks.

## 2 Planning Policy Context

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- 2.1 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, PPG15: Planning and the Historic Environment, and PPG17: Transport;
  - The Mayor's London Plan (Consolidated with Alterations since 2004), February 2008;
  - The Mayor's Supplementary Planning Guidance to the London Plan;
  - The City of Westminster's Adopted Unitary Development Plan (UDP), January 2007; and
  - The City of Westminster's Supplementary Planning Guidance.
- 2.2 The City of Westminster's Adopted Unitary Development Plan (UDP) January 2007 contains the policies against which the future redevelopment of this site for Crossrail purposes will be considered.
- 2.3 The most relevant policies in the UDP relate to issues regarding transport, the environment, urban design and conservation, shopping and services and mixed use. 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**
- 2.4 The Mayor of London's London Plan was originally published in January 2004 and is the strategic spatial development strategy for London. The London Plan 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 where the Mayor expects significant development to occur. Crossrail is fundamental to enabling the projected growth and development set out in the London Plan. In February 2008 the Mayor of London published the London Plan (Consolidated with Alterations since 2004).
- 2.5 This version proposes to identify Tottenham Court Road as an Opportunity Area (Tottenham Court Road had been previously 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 to 2026. The Area contains a series of development sites either side of the Westminster / Camden boundary, with some of the largest development opportunities being in Camden (see paragraph 3.8 below). Both the Tottenham Court Road (East) and Tottenham Court Road (west) Crossrail sites are included in the Opportunity Area.
- 2.6 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 and draft Further Alterations is on the potential to raise density following construction of Crossrail. The scope to intensify development within the Westminster section of the Opportunity Area will also be affected by design and conservation constraints.

2.7 Camden has adopted a planning framework for the Tottenham Court Road station and St. Giles High Street area (July 2004). This identifies the need to improve traffic and pedestrian circulation through the area and to improve the quality of the environment. It 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.

2.8 The delivery of Opportunity Area growth will also be severely impacted upon by the impact of CRL advanced works and major construction activity (2010-2016). 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**

2.9 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 potential solutions.

2.10 The Oxford, Regent and Bond Street Action Plan (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 (NVEC) 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](http://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 in March 2008.

2.11 As part of the ORB 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 in the 'Oasis' areas will be a useful basis for Crossrail Limited to consider in their public realm and highway design proposals on the principal pedestrian routes predicted to be generated from the Crossrail stations.

### **3 The Site**

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- 3.1 The 2 street blocks that are covered by this brief are shown on Map 1.
- 3.2 The scale of the existing buildings as a whole and their uses are characteristic of this part of Central London.
- 3.3 The 2 street blocks have different characters, which is reflected in the conservation area designation, and their locations. The northern block is more related in scale to Oxford Street, with retail uses at ground and basement levels, and office uses above. The southern block buildings are smaller in scale, and are of more historic interest with some residential dwellings on the upper floors.
- 3.4 There are a mixture of ground floor uses, including A1, A2, A3 and B1 uses on both sites, however, the predominant use of the upper floors is B1 on both blocks, with a significant proportion of small office and possibly light industrial uses, which are occupied by the media industry. City Council records indicate that there are 9 residential units within the southern block, as well as one unit which is ancillary to the Bath House Public House on the corner of Dean Street and Fareham Street.
- 3.5 The buildings are a mixture of ages and styles, with varying building heights across the 2 blocks. The oldest building on the site as a whole is a Grade II listed terraced house on Dean Street which dates from the early 18th Century. Most of the rest of the buildings are mid to late 19th Century, and include a few post-war buildings.
- 3.6 The buildings are generally in good condition, and some of them such as 91-101 Oxford Street and 6/7 Fareham Street have been refurbished comparatively recently.
- 3.7 The adjacent blocks around the site are in similar uses, with 2 residential units on Great Chapel Street to the west immediately opposite the site at numbers 22 and 24. There is a homeless hostel for men in the street block immediately to the south, on the opposite side of Diadem Court.

## **4 Planning History**

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- 4.1 There are no major planning decisions that affect the site. Relatively minor applications for roof extensions to some of the buildings have been granted, and some of these have been implemented. A list of the planning decisions that affect the site are shown in Appendix 4.

## **5 Policy Designations**

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- 5.1 There are a number of policy designations that affect the site.
- 5.2 The main designations relevant to this brief are:
- Central Activities Zone;
  - Creative Industries Special Policy Area;
  - The Parliament Hill to the Palace of Westminster Strategic View Cone; and
  - Listed buildings and conservation areas.
- 5.3 These designations are shown on Maps 5 and 5.
- 5.4 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.

## 6 Station Proposals and Traffic / Access and Public Realm Issues

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- 6.1 The Crossrail Act and Environmental Statement propose a new ticket hall to be constructed on a site bounded by Oxford Street to the north, Great Chapel Street to the west, Dean Street to the east and Diadem Court to the south. The original plans included a bank of four escalators to provide access to the ticket hall from an entrance building on Oxford Street, with two further banks with three escalators each to provide access down to the Central line interchange level and Crossrail platforms, and a ventilation and emergency intervention shaft to be sunk immediately south of the Western Ticket Hall.
- 6.2 At the present time CRL is proposing another option for the ticket hall entrance whereby the entrance to the Crossrail station is located on Dean Street and a large retail unit is located on the Oxford Street frontage. Under this option passengers would enter or depart the entrance on the Dean Street frontage via escalators to and from the basement ticket hall. The City Council see potential benefits from this design approach, including:
- reduced impact of CRL cost and operation;
  - improved public access and legibility;
  - enhancement to the conservation area;
  - support for the City Council's ORB public realm aspirations and related projects with TfL and NWECC; and
  - provision of new residential and commercial space in line with the UDP.
- 6.3 The amenity impacts on existing and future residential dwellings adjacent to or on the site are to be addressed as part of development of station entrance location options.
- 6.4 In conjunction with this proposal, proposals for the closure of Dean Street between Oxford Street and Fareham Street will need to be brought forward subject to an analysis of local highway impacts. Crossrail has no powers under the Act to close or improve Dean Street. The closure of the street to vehicular traffic, or joint use of the street will require support from the Council as highway authority.
- 6.5 Proposed public realm improvements should be developed holistically, taking into account any future traffic management or public realm improvements and their implications. Public realm improvements at surface level should be able to accommodate pedestrian movements, minimise conflict and, wherever possible, enhance the urban realm and the character of the area. Responsibility for the co-ordination of the wider public realm improvements lies with the City Council and Transport for London. The design treatment should reflect the approach and materials outlined in the City Council's Oxford Street 'Oasis' proposals contained in the ORB Action Plan (See Map 7). Other public realm proposals in the immediate vicinity of the site will need to comply with the provisions of the City Council's draft Westminster Way SPG. Crossrail is fully supportive of achieving an integrated public realm that is coherent, legible and of the highest quality. Although larger areas of public realm improvements may be desirable, it is not within Crossrail's remit and

powers to implement urban realm enhancements across a wider area. Crossrail will implement public realm improvements in the immediate vicinity of Crossrail station entrances as provided for by Parliamentary Act and its related undertakings. Some of the public realm improvements will be delivered through the oversite development.

- 6.6 The City Council expects Crossrail to fully consider all transport modes and their interaction in and around the ticket hall area (See UDP Policy TRANS 3).
- 6.7 Careful consideration needs to be given to:
- pavement capacity and how pedestrians will disperse from the station – both along the streets and across the streets;
  - the location of the new station entrances in the street and the provision of adequate circulation space around them for pedestrians;
  - how pedestrians not using the station will circulate around the entrances;
  - how station users can interchange with bus and taxi services;
  - signage and pedestrian management; and
  - the needs of disabled users.
- 6.8 The City Council will expect any proposals relating to the 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 public areas.
- 6.9 Atkins design consultants have been commissioned by Crossrail to analyse options for the public realm around the Crossrail station entrances. Using an 800m radius, which equates to approximately a 10 minute walk, they are investigating likely pedestrian movements to and from the station, and providing options for the treatment of the public realm around what they consider the most appropriate locations for station entrances.



## **Crossrail 2**

- 6.10 The future development of the Crossrail 2 scheme (previously the Chelsea – Hackney line) will further increase the capacity of this station. Crossrail 2 is not programmed to be pursued until after the completion of Crossrail 1 in 2016 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). 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.
- 6.11 A review of the Crossrail 2 safeguarding took place in 2008.

### **Over Site Development**

- 6.12 Improved public transport infrastructure is the main driver for redevelopment of this site, and improvements to public transport are supported by policies TRANS 1, TRANS 5 and TRANS 8 of the UDP.
- 6.13 However, the over site development should still meet UDP standards and must be satisfactory in terms of its transport impacts.
- 6.14 Applications on the brief site would need to be accompanied by a Transport Assessment, prepared in accordance with guidance in the UDP and revised PPG13 and Travel Plan where planning applications are submitted for oversite and surrounding development. Proposals should also provide cycle parking (TRANS 10), and servicing (TRANS 20) in accordance with the standards set out in the UDP. The level of 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).
- 6.15 Oxford Street is part of the strategic road network (SRN). 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 the 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.
- 6.16 Design and location of proposed cycle parking facilities for the development should be integral to the redesign of the public realm and other street furniture, and should be in accordance with the Council's UDP policies and TfL's cycle parking standards.

## **7 Construction Impact**

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- 7.1 While it is acknowledged that this development will result in disruption to traffic and pedestrians during the construction period, the City Council will endeavour to keep these problems 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 and in accordance with UDP Policy TRANS 5 and UDP Policy TRANS 14.
- 7.2 The City Council will require acoustic screening to be put in place around the construction sites to protect the amenity of residents in the buildings facing and near to the site. The Council petitioned for full noise mitigation measures to residential properties affected by noise from the site. Developers should be encouraged to provide high quality and imaginative hoarding which contributes positively to the local streetscape. This should include way finding information as part of the 'Legible London' programme.

### **Code of Construction Practice**

- 7.3 The City Council's Code of Construction Practice (CCP) for developers defines environmental standards and outline procedures pertaining to construction works. It was updated in April 2008. The City Council will require developers of the over site development works to carry out any demolition and construction works in accordance with the City Council's Code of Construction Practice.
- 7.4 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.
- 7.5 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 surrounding areas of the construction site.
- 7.6 A site specific code of construction practice would be written for the planning brief site with the primary objective 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.
- 7.7 Funding towards the actual cost of monitoring and enforcing the Code is mandatory. This is undertaken by the Council's Environmental Inspectorate (UDP Policies ENV 5 and 6).
- 7.8 Crossrail Limited has prepared their own Construction Code which is set out in Annex 1 to the Environment Minimum Requirements document which will apply to the Crossrail works only. These works will include the ticket hall and related entrances, and other rail relating 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, including the Construction Code, in designing and constructing the Crossrail works.

### **Construction Proposals as set out in the Crossrail Environmental Statement**

- 7.9 Crossrail Limited's construction proposals in the Environmental Statement have been discussed with the City of Westminster, the 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.
- 7.10 Negotiations are continuing in an attempt to agree improved proposals which include measures to address the issues as set out below. This matter was also covered in the Council's petition to Parliament on the Crossrail Bill.
- 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.
  - 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 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.
- 7.11 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. Although works under the Crossrail Act are governed by the EMR and Code of Construction, for the oversite 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.
- 7.12 Developers should be urged to keep the time scales of demolition and construction on these sites to a minimum.
- 7.13 Again, 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.

## **8 Over Site Development: Land Use**

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### **Mixed Use**

- 8.1 It is the Council's aim to maintain and enhance the mix of uses in central Westminster (UDP Policy STRA 4), as defined by the Central Activities Zone (CAZ). The council will require the equivalent provision of housing when increases in commercial floorspace above 200m<sup>2</sup> are proposed in the Central Activities Zone (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 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 may well affect which uses would be required in any replacement buildings.

### **Shopping**

- 8.2 The Oxford Street frontage is within the Primary Shopping Frontage of the West End International Centre, designated a 'Primary Shopping Frontage' for its concentration of shops of international appeal. 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. Existing policies for this frontage 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 (UDP Policy SS 5). The size and type of units must be appropriate to the character and function of the street (SS 4). At present on the Oxford Street frontage there are 4 shop units accommodating an electronics shop (A1) bureau de change (A2), unlicensed sex shop (A1) and coffee bar (A3/A1). The sex shop and coffee bar have public access to the basement levels, it is assumed that the others have ancillary storage at basement level. A2 and A3 uses are also protected through policy SS 2, which protects non-A1 retail uses. As the sex shop is unlicensed it would be treated in policy terms like any other A1 use.
- 8.3 Outside the Primary Shopping Frontages but within the CAZ, so for the purposes of this brief along Dean Street, Great Chapel Street, Fareham Street and Diadem Court, Policy SS 6 seeks to ensure an appropriate balance of town centre uses. A1 uses at ground, basement and first floor will be protected. 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. Currently there are three A3 uses on the Dean Street frontage, and two A1 uses.
- 8.4 The City Council recognises however 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. However, ticket halls should be located at basement level, with retail on as much of the ground floor as possible, and maximising the provision of

retail at other levels. Retail should be provided at ground and first floor levels of 91-101 Oxford Street, except where the ticket hall entrance will be located. Provision should also be made for adequate pedestrian space on footways around the blocks.

### **Entertainment Uses**

- 8.5 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.
- 8.6 As the site is within a Stress Area, the Council would have to consider carefully any proposals for new entertainment uses on this site. This would include assessment of the impact on adjacent residential units along Great Chapel Street, and the potential impact if on replacement and new residential uses on the planning brief site.
- 8.7 If entertainment use were permitted, the Council would seek to limit the impact of any such uses by using conditions and Section 106 planning obligations to control, for example opening hours and the character of the entertainment uses.

### **Employment Uses**

- 8.8 The predominant use of the upper floors on both blocks is B1. However, the character of these uses is reflective of Soho and the creative industries that have tended to agglomerate there in recent decades. Site inspections revealed that the upper floors of the buildings are generally occupied by different firms on each floor. Most of these users were found to be media related companies.
- 8.9 A detailed survey of the actual users on this site has not been carried out (i.e. whether the uses are light industrial or office uses) but the Creative Industry Special Policy Area, within which this site is situated, does contain the most significant concentration of light industrial floorspace in Westminster. Within this area the Council requires the retention of light industrial floorspace (UDP policy COM 8).
- 8.10 Many of the office units are likely to be less than 250m<sup>2</sup> and are thus considered as small office units. Policy COM 4 seeks the retention and provision of small offices which are less than 250m<sup>2</sup>, 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 commercial space in the replacement buildings should 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 mechanism used in this case would therefore be an undertaking in the Act. The GVA Grimley LLP and Burns and Owens Partnership Ltd report

'Westminster's Creative Industries' (June 2007) commissioned by Westminster City Council, and the City Council's Economic Development Strategy provides additional background information about small office units within central Westminster.

- 8.11 The Council considers that this site would also be appropriate for the provision of new light industrial floorspace in accordance with policies COM 9 and CENT 3 as part of mixed use development.
- 8.12 In accordance with policies CENT 3 and COM 2 and London Plan policies 3B.3 and 5G.3, should an increase in commercial floorspace be proposed on the site (above 200m<sup>2</sup>) then the Council will require the provision of self-contained residential accommodation equivalent to the proposed increase in commercial floorspace. In exceptional circumstances, where it is not considered appropriate or practical to provide this residential accommodation on site, then the Council will require the provision of this accommodation on another site in the vicinity. Current proposals would see the western ticket hall site used primarily for residential use at upper floor level, to in-part offset the commercial uplift proposed on the eastern ticket hall site.

#### **Hotel, Conference and related facilities**

- 8.13 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.
- 8.14 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.
- 8.15 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**

- 8.16 Existing residential on the site will be expected to be replaced. As set out above when increases in commercial floorspace are proposed in the CAZ, equivalent levels of residential should be provided (CENT 3 / COM 2). Therefore if the total commercial floorspace on the site increases by more than 200m<sup>2</sup>, then the Council would require that 50% of the increase was residential. The residential units should be located on the most appropriate part of the site in amenity terms, in order to maximise the quality of the residential accommodation achieved.
- 8.17 At the time of writing (May 2009) the Tottenham Court Road Western Ticket Hall site is in fragmented ownership. The City Council will expect the Tottenham Court Road Eastern and Western Ticket Hall sites to be considered separately and on their own merits with regard to the provision of residential dwellings. However, should Crossrail Limited and Derwent

London wish to secure the Tottenham Court Road Eastern and Western Ticket Hall sites in single ownership then it may be possible for them to bring forward proposals for a legally binding agreement to link the development and delivery of the 2 sites in order to satisfy the City Council's mixed use policies. As mentioned in paragraph 9.12, current proposals would see the western ticket hall site used primarily for residential at upper floor level, to in-part offset the commercial uplift proposed on the eastern ticket hall site.

- 8.18 Any proposed residential element should include a mix of unit sizes. The UDP requirement is 33% of housing units to be family sized, with 5% of this family housing to have five or more habitable rooms (H 5: Providing a Range of Housing Sizes).
- 8.19 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 (H 8: 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.
- 8.20 If 10 or more additional dwellings are provided, the affordable housing requirements under H 4: Provision of Affordable Housing would be triggered.
- 8.21 The Council does not consider it would be appropriate for residential dwelling fronting onto Oxford Street to have balconies fronting this busy shopping street. Any proposal for residential uses on this site should demonstrate that the units will provide a good living environment for their potential occupants, and be compliant with the Council's standards in respect of environmental quality including in terms of daylight and sunlight, security and noise. This is especially important given the location of the residential above a new underground station entrance, adjacent to the Primary Shopping Frontage of Oxford Street and to a potential new public open space.

#### **Ventilation Shafts and CRL Equipment**

- 8.22 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.

#### **Ticket Hall and Entrances**

- 8.23 The location of entrances to the underground station should be carefully considered, and full supporting information provided to support the design. This supporting information should include analysis of pedestrian flows in the area, and measures to ensure adequate safe dispersal of pedestrians into surrounding streets.
- 8.24 The possible adaptation of the upper part of Dean Street as currently proposed by Crossrail would help facilitate the safe dispersal of pedestrians onto Oxford Street. An urban design and traffic study, in partnership with WCC, is currently underway and will look at traffic management and public



realm enhancement opportunities in the local area of the Dean Street entrance.

- 8.25 The section of Dean Street north of Fareham Street is only lightly trafficked but is important for servicing the premises along it and for taxis. The City Council would not advocate pedestrianisation (i.e. the exclusion of traffic) but if the main station entrance is to open onto this part of Dean Street there is significant merit in ensuring sufficient and safe pedestrian priority is secured. The studies to support such a proposal would also need to address how it is reconciled to the overall design and compared to the impact of the pedestrian entrance to the station directly onto Oxford Street by way of suitable LEGION or Fruin modelling.
- 8.26 Crossrail Limited passenger forecasting of likely demand (2016 + 35%) will need to be further reviewed as the project develops and reassessment of opportunities to update the pedestrian environment in the eastern half of Oxford Street occurs.

### **Public Toilets**

- 8.27 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 (SOC 8: Public Toilets). 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.

## **9 Oversight Development: Design**

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### **Conservation Areas and Listed Buildings**

- 9.1 The block bounded by Oxford Street, Dean Street, Fareham Street and Great Chapel Street, and the block bounded by Fareham Street, Dean Street, Diadem Court and Great Chapel Street are within the Soho Conservation Area

### **Listed Street Furniture**

- 9.2 There are 4 grade II listed bollards in the vicinity of the site on Great Chapel Street. A pair at Holland Street Junction, one each at Fareham Street and Sheraton Street junctions. These are early 19<sup>th</sup> Century, cast iron of the canon type and inscribed "St. Annes Soho 1812". These should be removed and stored during construction, and replaced after construction is complete.

### **Demolition of a listed building and buildings in a Conservation Area**

- 9.3 94 Dean Street is a Grade II listed building, and apart from this building all other buildings on the planning brief site are unlisted. However, all of the buildings, except 91-101 Oxford Street, 3-4, 5, 8 and 10-12 Great Chapel Street and 6-7 Fareham Street are considered by the Council to be unlisted buildings of merit that make a positive contribution to the character and appearance of the Soho Conservation Area. There is therefore a strong presumption against their demolition (DES 9: Conservation Areas).
- 9.4 However, the Crossrail Act grants Crossrail Ltd powers to demolish the buildings in the blocks bounded by Diadem Court, Great Chapel Street, Dean Street and Oxford Street, including the Grade II listed building at 94 Dean Street. The City Council's preference would be that CRL carefully consider retention of these buildings and adaptation of their proposals as an alternative to complete demolition of this street block. However, CRL have powers to demolish and erect new operational railway structures on the sites. Firm proposals and a timescale for the replacement buildings should be provided before demolition of the buildings takes place, to prevent vacant sites being created.
- 9.5 The listed building description for 94 Dean Street is attached as Appendix 5.

### **Height and Bulk**

- 9.6 The acceptable height and bulk of the replacement buildings will be determined in accordance with UDP policies STRA 27: Standards of Design, DES 3: High Buildings, DES 4: Infill Development, DES 9: Conservation Areas, and DES 1: Principles of Urban Design, which require that new development should respect, and where necessary, maintain: "the character, urban grain, scale and hierarchy of existing buildings (DES 1 (A) 4)) and the spaces between them (DES 1 (A) 5))". This means that the height and scale of the buildings should relate to the adjacent buildings and townscape. This site is not considered to be suitable for the development of tall buildings.
- 9.7 There may be scope for increasing the height of buildings on the site of 91-101 Oxford Street, as the existing building is a few storeys lower than the blocks to the east and west.

- 9.8 Generally, the buildings on the other frontages are at heights that are appropriate to the character of those streets, and their varying heights add character to these street blocks and to the character and appearance of the Soho Conservation Area. The Council would therefore expect that upon redevelopment the height, scale and massing of buildings on the Dean Street, Great Chapel Street, Fareham Street and Diadem Court frontages are broadly similar to the existing.

### **Design**

- 9.9 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 supplementary planning guidance 'Design Matters in Westminster' and 'Development and Demolition in Conservation Areas' should also be referred to.
- 9.10 If the existing buildings cannot be retained, then the council will seek replacement buildings on both sites to be of modern design and of the highest architectural quality. The design of a new building on the block bounded by Oxford Street, Dean Street, Fareham Street and Great Chapel Street should respond to the scale, height, form and massing of the immediately adjacent existing buildings around the block and those adjacent in Oxford Street. However, the design of the block bounded by Fareham Street, Dean Street, Diadem Court and Great Chapel Street should be treated differently by responding to the finer development grain which characterises the Soho area. Accordingly, 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.

### **Layout**

- 9.11 Any new building should respect and follow the existing street pattern and building lines. Fareham Street must be retained as a public highway. Active frontages will be sought wherever practical.

### **Local Views**

- 9.12 In line with policy DES 15, careful consideration will need to be given during the design process for oversite development at the site of local views of the site (see Map 6). This would be for the purpose of ensuring the visual presence of the Crossrail entrance is apparent to pedestrians and to ensure the designs of the new oversite developments sit harmoniously within the townscape. Accordingly, a view study and analysis will be expected to be submitted with any oversite development planning applications to ascertain the impacts of new development upon local views. Important local views include views from Oxford Street, Dean Street, Newman Street, Great Chapel Street and Noel Street.

### **Public Art**

- 9.13 Policy DES 7 (A) sets out the City Council's aim to ensure high standards of design in all townscape details. It states that the provision of public art will be encouraged in association with all large development proposals, including

redevelopments, and 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 supplementary planning guidance note 'Public Art in Westminster' (1994).

- 9.14 The City Council encourages the provision of high quality public art and welcomes the inclusion of appropriate visual arts within development proposals and will seek their provision through planning agreements (STRA 7: Planning Obligations and Benefits). A desirable option for public art at this site would be the provision of public art on non-active frontages of the new development given their impact on the street scene and the Soho Conservation Area.

### **Archaeology**

- 9.15 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 PPGs 15 and 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.

### **Sustainable Buildings**

- 9.16 The City Council supports the development of environmentally friendly buildings in accordance with Policy ENV 1 and the detailed requirements provided at Annex 9.1 and tables 9.2 and 9.3 of 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. 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.
- 9.17 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. Proposals for the development of this site will be addressed against the policies set out in the UDP and London Plan. In particular the Council would like to see the following principles incorporated into designs from the outset:
- Energy efficient design;
  - Natural ventilation;
  - Use of sustainable building materials;

- Incorporation of any necessary plant into the overall design envelope; and
- Ability for flexible reuse of the buildings over the long term.

9.18 Other measures to improve sustainability may also be required through other policies for example Travel Plans.

## **10 Amenity Considerations**

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- 10.1 The council's policies on amenity are set out in STRA 16 and ENV 13. The council will normally resist proposals which result in a material loss of daylight and sunlight particularly to dwellings. Most of the buildings surrounding the blocks are not in residential use, but there are residential properties at 20, 21 and 22 Great Chapel Street. The property to the south of Diadem Court is currently in use as a hostel for homeless men.
- 10.2 Any proposals must protect and improve the residential environment and amenity of the existing and proposed residential uses on this site, including ensuring adequate daylight, sunlight and privacy. The Council will need to be satisfied that proposed uses would have no adverse effect upon residential amenity or local environmental quality as a result of noise and increased late night activity amongst other things. For this reason the 'Oasis' concept considered in the ORB Action Plan should be introduced sensitively. The location and design of the Crossrail Limited entrance / exit also needs to be carefully considered in regard to its impact on residential amenity and the proposed oversite development.

## **11 Servicing Waste and Recycling Storage**

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- 11.1 Adequate provision should be made for servicing the different uses on the site, including facilities for waste and recycling storage (TRANS 20, ENV 11). Further information on the City Council's requirements is given in the Environment and Transport chapters of the UDP, and can be obtained from the Council's Environment and Leisure Department.

## **12 Planning Benefit**

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- 12.1 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:
- Highway and footway (public realm) works, including to deal with the impact of the new Crossrail ticket hall;
  - Public Art;
  - Community Safety, such as CCTV coverage; and
  - Affordable housing provision, as part of any residential accommodation incorporated into the development.
- 12.2 Reference should be made to the council's Planning Obligations SPG (Adopted January 2008) and policy STRA 7 of the UDP. 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 London Strategic Walks Network.
- 12.3 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.

- 12.4 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 sqm or more in gross office space. No land uses other than offices are affected by the draft policy and SPG.13.4 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.

## **13      Contacts and Further Information**

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### **Department of Planning and City Development**

Graham King	Head of City Planning	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
Robert Ayton	Conservation and Design issues	020 7641 2978



### **Department of Transport**

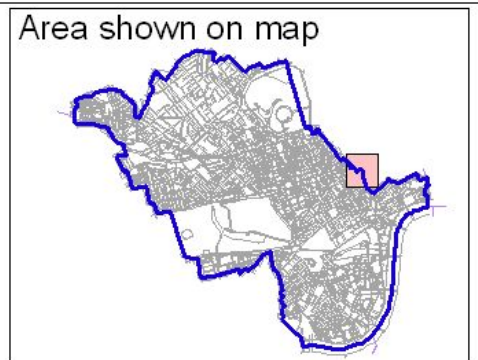
Don Murchie	Transport Policy Issues	020 7641 2517
Brent Turton	Construction Management	020 7641 1224
Andrew Grimm	Refuse Planning	020 7641 7026
Andrew Holdsworth-Wilde	Access Officer	020 7641 6347



# MAP 1: Tottenham Court Road Station (Western Ticket Hall) Planning Brief Site

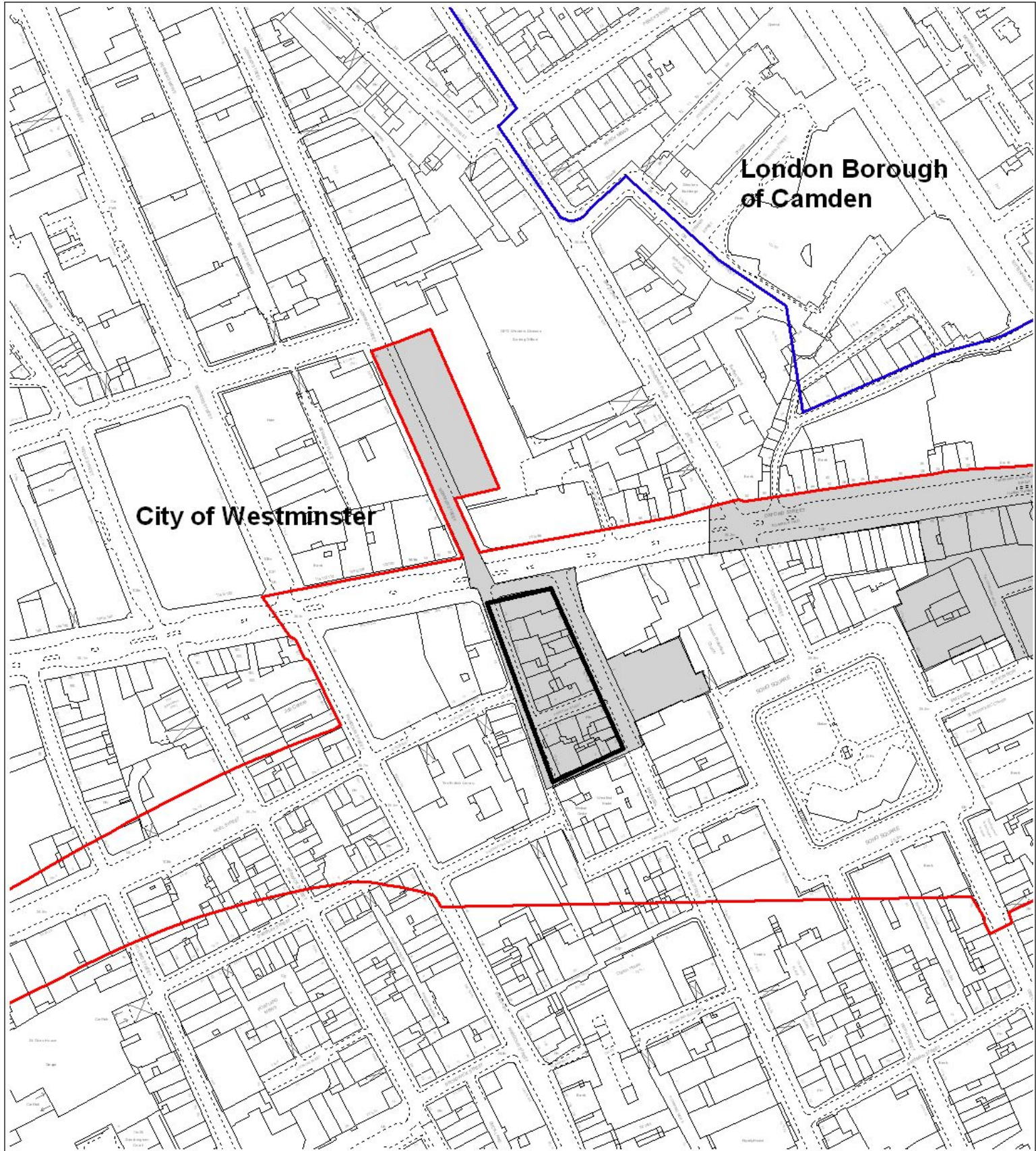


-  Planning Brief Site: 91-101 Oxford Street, 93-102 Dean Street, 1-12 Great Chapel Street, Diadem Court
-  Borough Boundary

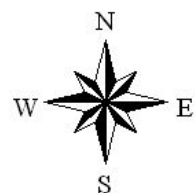


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Map 2: Crossrail 1 Safeguarding Directions and Sites of Surface Interest around Tottenham Court Road Station (Western Ticket Hall)



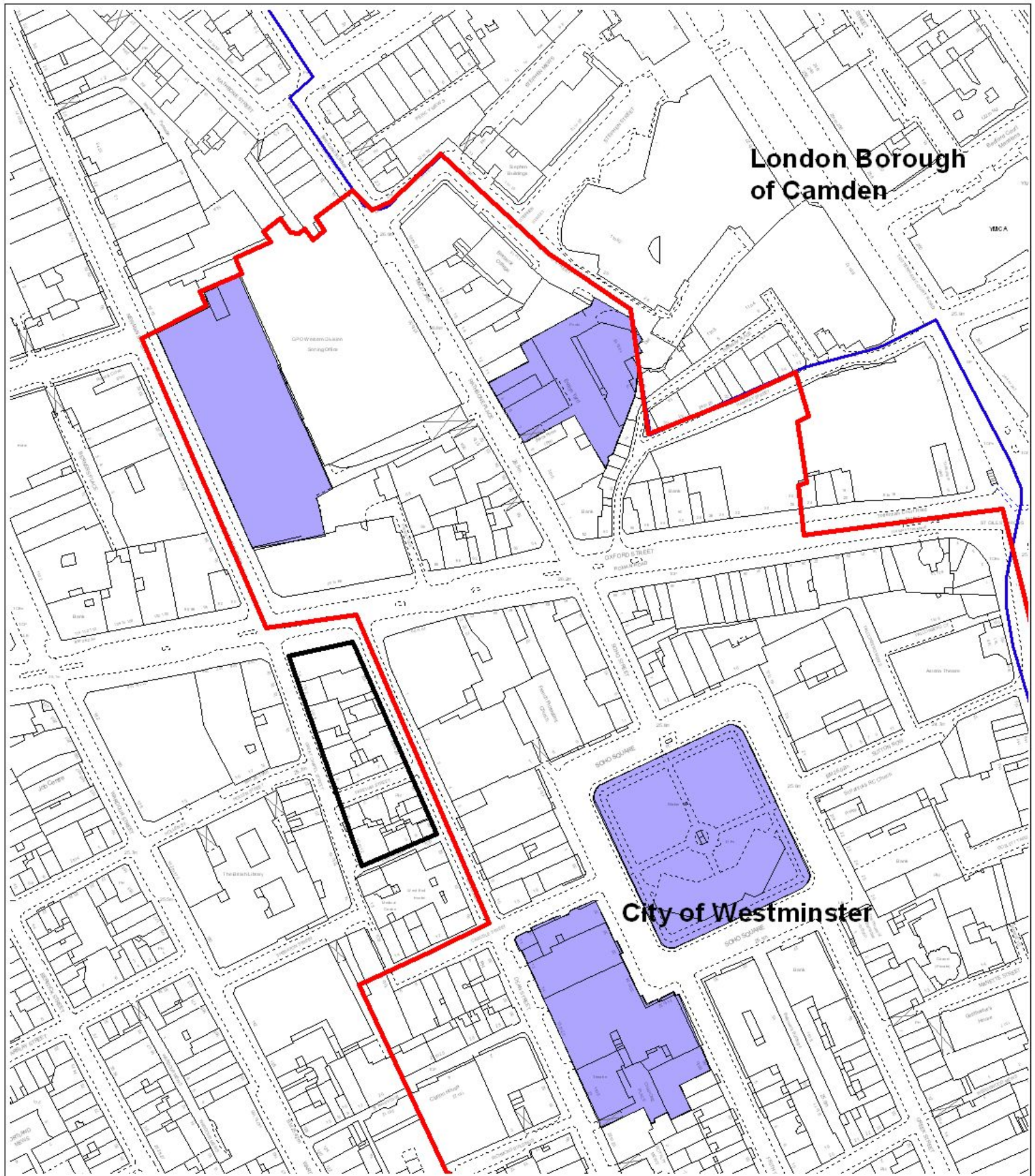
-  Crossrail 1 Safeguarding Direction
-  Crossrail 1 Sites of Surface Interest
-  Planning Brief Site
-  Borough Boundary



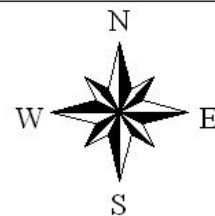
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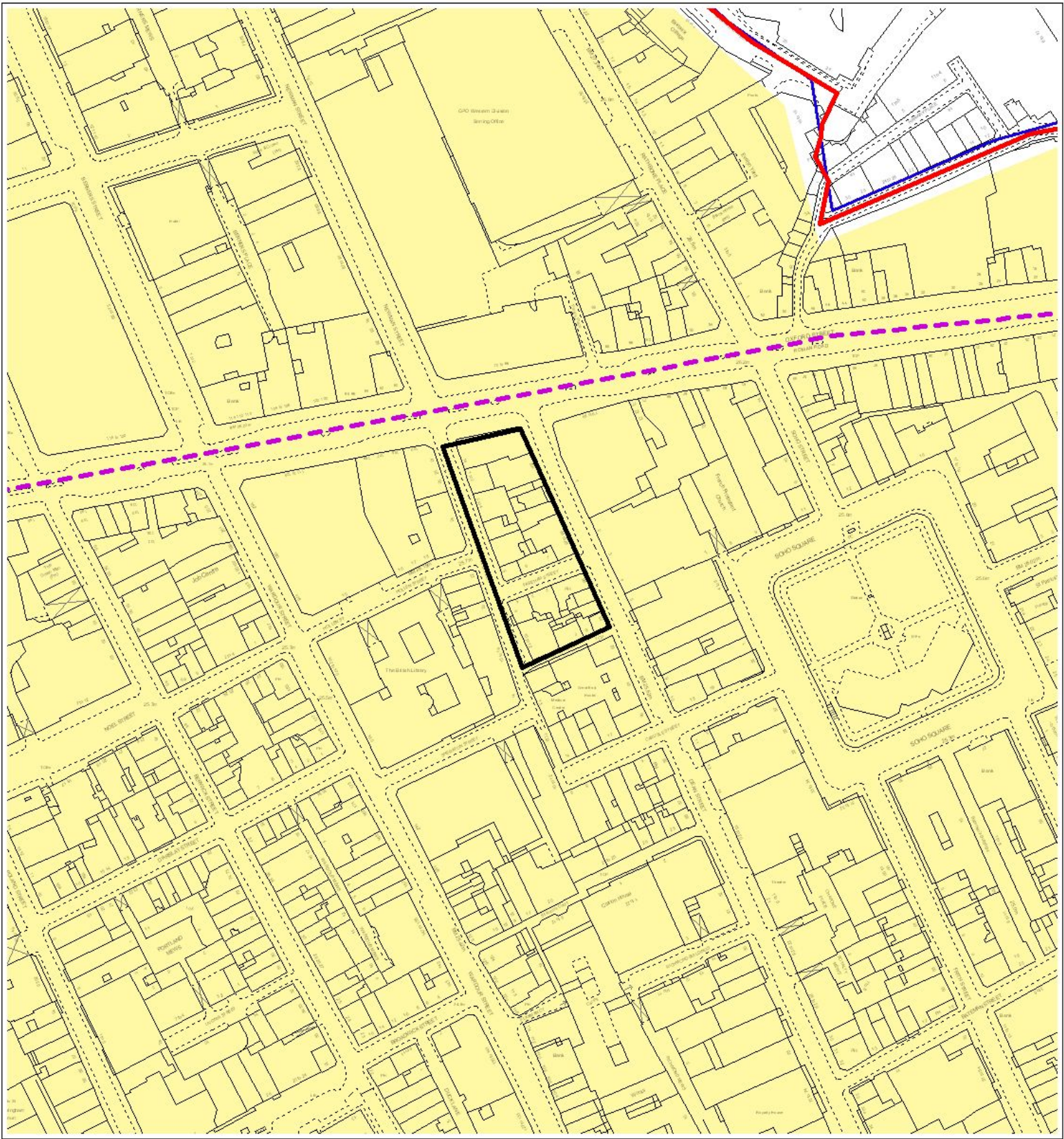
Map 3: Crossrail 2 Safeguarding Route and Areas of Surface Interest around Tottenham Court Road Station (Western Ticket Hall)



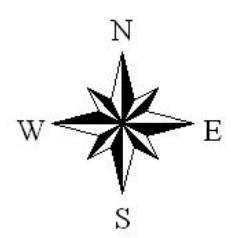
-  Crossrail 2 Safeguarding Route
-  Crossrail 2 Sites of Surface Interest
-  Planning Brief Sites
-  Borough Boundary



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

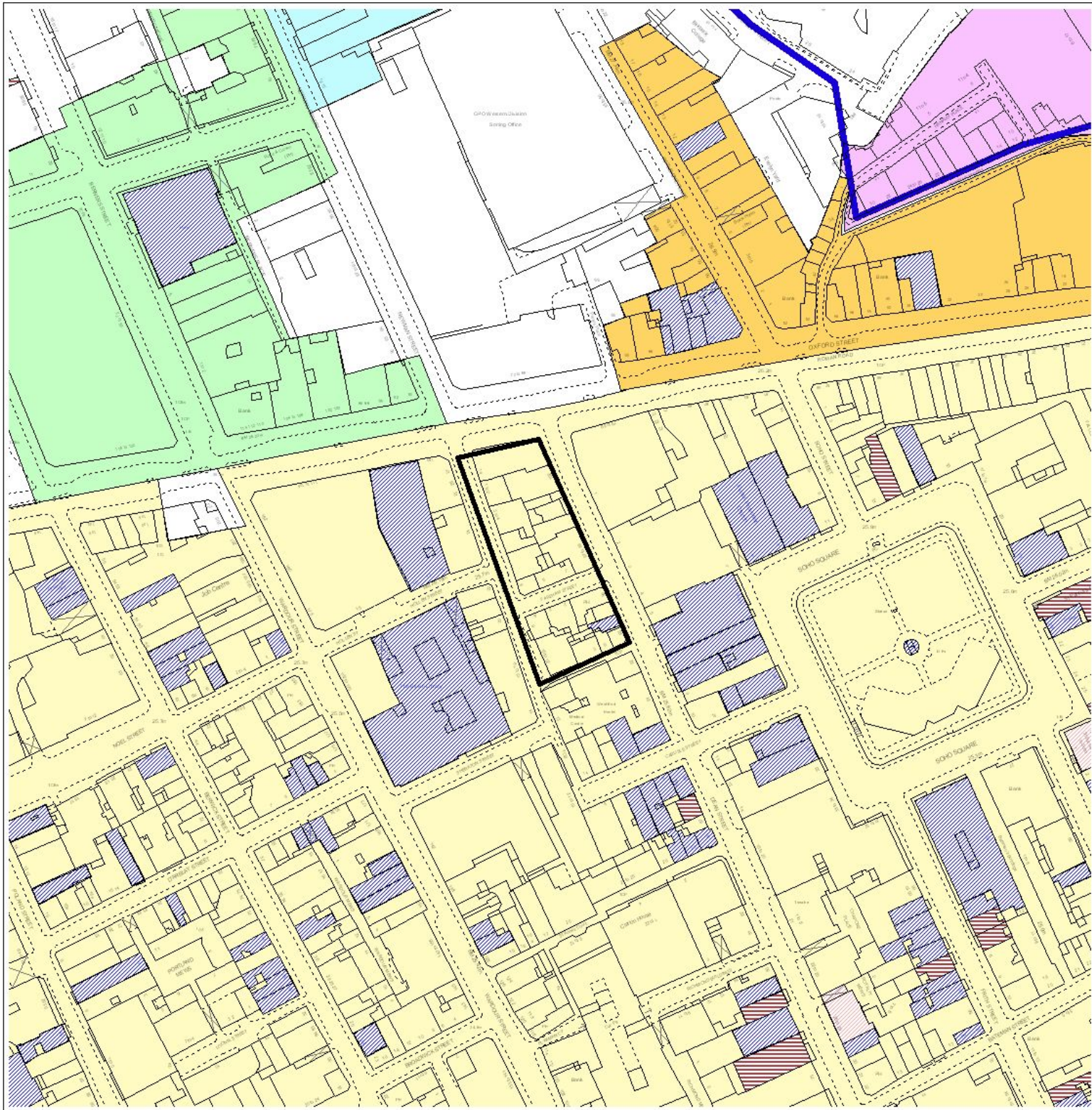


-  Planning Brief Site
-  Borough Boundary
-  Creative Industries Special Policy Area
-  Central Activities Zone
-  Primary Shopping Frontages






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Map 5: Tottenham Court Road Western Ticket Hall:  
Conservation areas and listed buildings




Listed buildings

-  I
-  II\*
-  II


Conservation Areas

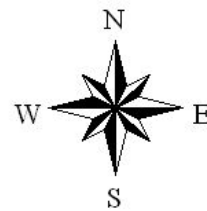
-  Charlotte Street, West
-  East Marylebone
-  Hanway Street
-  Soho

Camden Conservation Areas

-  Bloomsbury

 Planning Brief Site

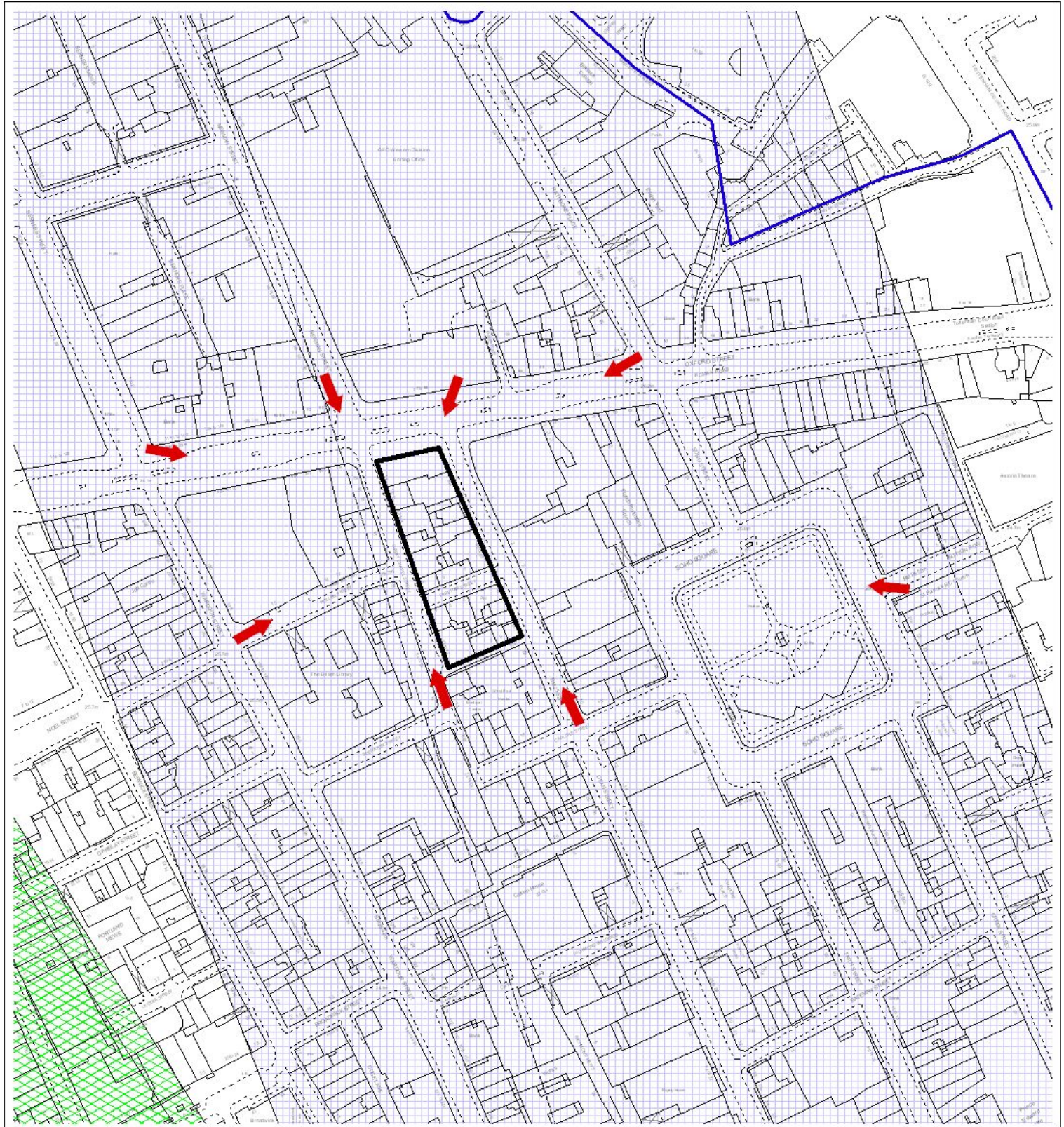
 Borough Boundary





0 50 100 Meters



# Map 6: Tottenham Court Road Station (Western Ticket Hall) Local and Strategic Views



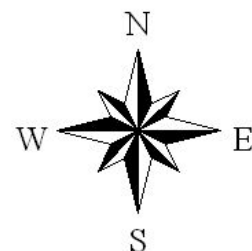
## Strategic Views


-  Parliament Hill to the Palace of Westminster
-  Primrose Hill to the Palace of Westminster

 Local View

 Planning Brief Site




 Borough Boundary





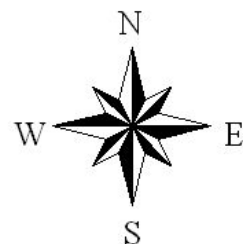
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# Map 7: Local Public Realm Areas around Tottenham Court Road Station (Western Ticket Hall)



-  Possible monetary contributions to ORB programme of public realm improvements
-  General Public Realm Streetscape Improvements
-  Possible Pedestrian Priority/ORB Oases Concept

-  Planning Brief Site
-  Borough Boundary



0 50 100 Meters



## Appendix 1: Undertakings and Assurances

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### Assurances and undertakings from the Promoter in respect of the impact of the Crossrail proposals on the City

The Promoter has, in response to petitions made by the City Council and others on the Tottenham Court Road Western 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 30dBLA <sub>max,S</sub> 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 30dBLA <sub>max,S</sub> 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	Letter from CLRL to agent acting for RUT Ltd (Smith-Reilly) - Paragraph 4 - Third and	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

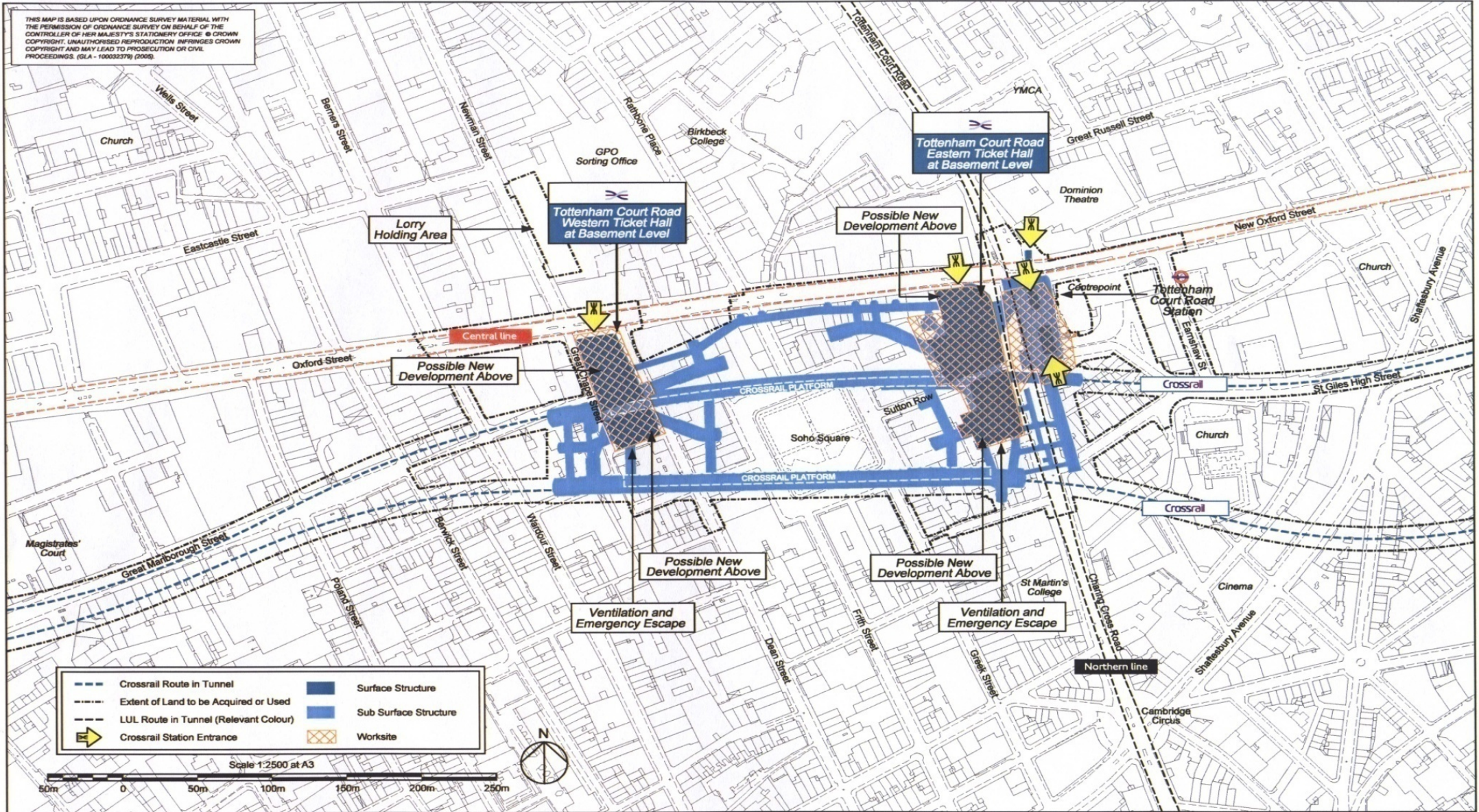


				case	Fourth Sentences	against further damage, including purchasing the property.
324	Assurance	Westminster City Council (321)	January 2006	Tottenham Court Road - cumulative environmental impacts	Petition Response Document - Tottenham Court Road-Hyde Park - Page 84 - Paragraph 3 – Second Sentence	Where 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.
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) -	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

					Paragraphs 1.1, 1.2 and 2	Really Useful Theatres Ltd ("the Petitioner") in respect of the Grade II listed building Manor House, 21 Soho Square ("the Property") shown on the parliamentary plans accompanying the Bill as plot 657 in the City of Westminster.  ("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 property.
<b>541</b>	<b>Undertaking</b>	Westminster City Council (56)	08/01/2008	Heritage Undertaking - Stratford Place Porter's Lodge, 94 Dean Street and Fareham Street bollards	Undertaking signed on behalf of the Secretary of State (D0390.9)	
<b>590</b>	<b>Assurance</b>	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.
<b>591</b>	<b>Assurance</b>	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.
<b>593</b>	<b>Assurance</b>	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 –

						<ul style="list-style-type: none"> <li>• In relation to submissions under Schedule 7 to the Bill, this only applies so far as those provisions are relevant to the permitted grounds of refusal with respect to the matters in question.</li> <li>• 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.</li> <li>• 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.</li> </ul> <p>For the purpose of this assurance “the Planning Briefs” means the planning briefs (at present in draft) for –</p> <ol style="list-style-type: none"> <li>a. Paddington New Yard</li> <li>b. Paddington Station and Environs</li> <li>c. Davies Street</li> <li>d. Hanover Square</li> <li>e. Dean Street</li> <li>f. Tottenham Court Road</li> </ol>
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:



Crossing the Capital, Connecting the UK

## TOTTENHAM COURT ROAD STATION CROSSRAIL PROPOSALS

This plan is indicative of Cross London Rail Links Limited's proposals for the construction activity and completed works in this area. The size, detail and position of works are subject to alteration as a result of consultation, parliamentary and planning scrutiny.

SHEET  
07

February 2005

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## Appendix 3

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### Listed Building Description 94 Dean Street

TQ 2981 SE 58/9	City of Westminster	Dean Street, W1 (West Side)
23.11.78		No. 94
		II

Terrace house, Early C18. Stock brick front probably mid C19 refronting, slate roof. 4 storeys. 2 windows wide. Slightly altered mid C19 plastered shop front with fascia. Upper floors have recessed sash windows, no glazing bars, under flat gauged arches. Parapet with coping. Original internal features include closed string staircase with turned balusters, remains of panelling and box cornices 1<sup>st</sup> floor etc.

### Listed Bollards Description, Great Chapel Street

TQ 2981 SE Street, W1 58/89 at Hollen Junction, one each at Fareham Street and Sheraton Street junctions.	City of Westminster	Great Chapel 4 bollards, A pair Street
		II

Bollards. Early C19; cast iron of the cannon type inscribed "St. Annes Soho 1812."