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# Planning, Heritage, Design & Access Statement

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163 Piccadilly  
St. James's  
London  
W1J 9ED

**Prepared for:**

Pret A Manger (Europe) Limited

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## 1. Introduction

### 1.1. Introduction

- 1.1.1. This Planning, Heritage, Design & Access Statement (“statement”) has been prepared on behalf of Pret A Manger (Europe) Limited (“Pret”), who has an interest in 163 Piccadilly, St. James's, London, W1J 9ED (“the site”).
- 1.1.2. Pret is seeking to install external plant to the first floor roof level to allow Pret to continue their operation of the site from the retail unit at ground floor level. The following applications are submitted to Westminster City Council (“WCC”), as the Local Planning Authority (“LPA”):
- A) Listed Building Consent application for external plant and associated works; and
  - B) Full planning permission for external plant and associated works.
- 1.1.3. Although separate applications are submitted for both (A and B), for ease of reference and to allow the works to be read alongside one another and understood collectively, this statement outlines and assesses the proposals for each application in turn.

### 1.2. Application documents

- 1.2.1. The applications are accompanied by a number of detailed drawings illustrating the proposed works which should be referred to for full details. The descriptions and assessment within this statement provide an overview of the proposed works only, with the drawings containing full details. The drawings are:
- 21.01456-1 (Proposed AC Plant Layout Plan & Elevations);
  - 0072-SD-100 (Site Location Plan);
  - 0072-SD-001 (Existing General Arrangement Plan);
  - 0072-SD-401 (Roof North Elevation);
  - 0072-SD-402 (Roof South West Elevation); and
  - 0072-SD-403 (Roof South East Elevation)
- 1.2.2. A Plant Noise Impact Assessment, prepared by NSL Noise Consultants Ltd, is also submitted alongside the applications which assesses the proposed external plant and details the results.

### 1.3. Statement structure

- 1.3.1. This statement contains the planning and heritage context for the applications and assesses the development plan and material considerations relevant to each of the applications. In addition, this statement explains the design approach that has been applied to the proposed works at the site taking account of the special architectural and historic importance that justify its Grade II listing and the setting within the St. James's Conservation Area.
- 1.3.2. In accordance with the guidance contained within the National Planning Policy Framework (“NPPF”) (July 2021) and the online National Planning Practice Guidance (“NPPG”), the level of detail contained within

this statement, and thus the Design & Access Statement and Statement of Significance, is proportionate to the complexity of the application and reflects the nature of the proposals.

1.3.3. The remaining sections of this statement are structured as follows:

- **Section 2:** Provides an overview of the background to the site and relevant planning history;
- **Section 3:** Outlines the proposals across the applications;
- **Section 4:** Identifies and summarises the most pertinent planning policy framework to the site;
- **Section 5:** Provides an overview of design and access criteria;
- **Section 6:** Assesses material considerations in respect of each of the applications in turn; and
- **Section 7:** Draws together a summary and conclusion.

## 2. Background

### 2.1. Site description

- 2.1.1. The site is located to the north of St. James's, on Piccadilly (A4), and a short distance (approximately 200m) from Green Park station to the west, Piccadilly Circus station to the east (approximately 500m) and St. James's Square (approximately 270m) to the south-east.
- 2.1.2. The building is Grade II listed comprising 162-165 Piccadilly, an early 20<sup>th</sup> Century multi-storey building with retail floor space on ground floor and offices above.
- 2.1.3. The site is located to the north west edge of the St. James's Conservation Area with other listed buildings being located nearby, including White's Club (Grade I) to the south, Dudley House (Grade II) to the east, nos. 48-50 Old Bond Street (Grade II) to the north, and no. 49 St James's Street (Grade II\*) and Devonshire Club (Grade II) to the west of the building. Other conservation areas are close to the site including Mayfair Conservation Area (north), Regent Street Conservation Area (north east) and Royal Parks Conservation Area (south and west). Therefore, the heritage significance of this site and its setting are duly acknowledged and assessed further within this Statement.
- 2.1.4. The site itself is understood to have been listed in May 1972.
- 2.1.5. The list entry description reads as follows:

*"TQ 2980 SW CITY OF WESTMINSTER PICCADILLY WI 81/68 (south side) 30-5-72 Nos 162 to 165(consec.) (including No 39 St. James's Street) GV II Corner block of offices and shops. 1907-09 by Runtz and Ford. Marble clad, slate roof. Rich and busy Free Baroque. 4 main storeys with mezzanine to ground floor, attic storey and 2 roof storeys. Symmetrical Piccadilly front with 5 bay centre flanked by slightly advanced pavilions, splayed corner rising as bowed oriel and 3 bays to St. James's. Splayed corner entrance with pedestalled Ionic columns and pediment cut into by mezzanine. Ground floor of centre 5 bays obscured by mid C20 shop windows and fascias, the pavilions channelled with rusticated arches to mezzanine, cornice over central bays articulated by 2 storey engaged giant Ionic columns, enriched window architraves, segmental pedimented on 1st floor; pavilions have channelled giant pilasters and columned tripartite windows with cartouches and putti crowning. 3rd floor above deep entablature has enriched oculi framed by lion head capped inverted consoles, the Pavilions with cartouches. Bold crowning cornice. Attics to pavilions with rusticated arches and crowning bronze ornaments. The bowed corner oriel has tripartite windows and is surmounted above cornice by bronze sculpture group on large stone base. Similar 3 bay return to St. James's with pilastered semicircular arched doorway, with open pediment on scrolled brackets, in end bay. Survey of London; vol XXIX."*

Source: Historic England

- 2.1.6. The full listing description is provided at **Appendix 1.0**.

## 2.2. Planning history

- 2.2.1. A desktop planning history search has been carried out for the site. Given the age of the building and its uses over time, there have been a number of applications. The planning history indicates various alterations to the site over the years. The planning history largely relates to applications for the use of the public highway for external seating, as well as applications for advertisement consent and Listed Building Consent for internal alterations – most of which have been granted, however there is one refused application for the installation of banner signs dating back to 2018 refused on amenity grounds which has no bearing on the current proposals.
- 2.2.2. Of the planning history identified, the most significant would appear to be the works to the inside of the building to accommodate a new staircase between ground floor and basement, as well as other internal alterations.
- 2.2.3. A summary of the most pertinent available planning history relating to the site is as follows:
- April 1995 – Advertisement consent granted for the installation of a fascia sign behind glass and externally illuminated projecting sign (ref. 95/02225/ADV);
  - May 1995 – Listed Building Consent was granted for internal alterations including new internal stairs between ground and basement, and externally illuminated projecting sign and lettering to transom (ref. 95/02226/LBC);
  - January 2007 – Variation of Condition granted relating to tables and chairs application dated 31 October 2006 (RN: 06/07266) namely, change to permitted hours to between 0730 and 2000 on Mondays to Fridays, and between 0900 and 1900 on Saturdays and Sundays (ref. 06/09881/TCH); and
  - November 2012 – Listed Building Consent was granted for internal alterations at first floor level (ref. 12/09537/LBC)

## 3. Proposals

### 3.1. Proposals

3.1.1. To improve the technical operation of external plant serving the existing Pret unit at ground floor level at the site, works are proposed to the first floor roof level to the rear of the site for the installation of plant and associated works. The proposed alterations have been carefully considered by Pret and the designers to reflect the significance of the building and its setting. Much consideration has been given to make sure that the scheme sits comfortably on the building, respecting any historic features or value it possesses.

3.1.2. The application drawings detail the full extent and nature of the proposed works and should be referred to for full detail. The following list does not seek to be exhaustive, however, in summary the works include:

#### External works:

##### *Rear elevation first floor roof level*

- Installation of pipework and cables on cable tray;
- Pipework and cables connected to existing services and fixed to structure;
- Replacement of existing plant (eighth floor roof level) and installation of four condenser units and anti-vibration feet; and
- Associated works

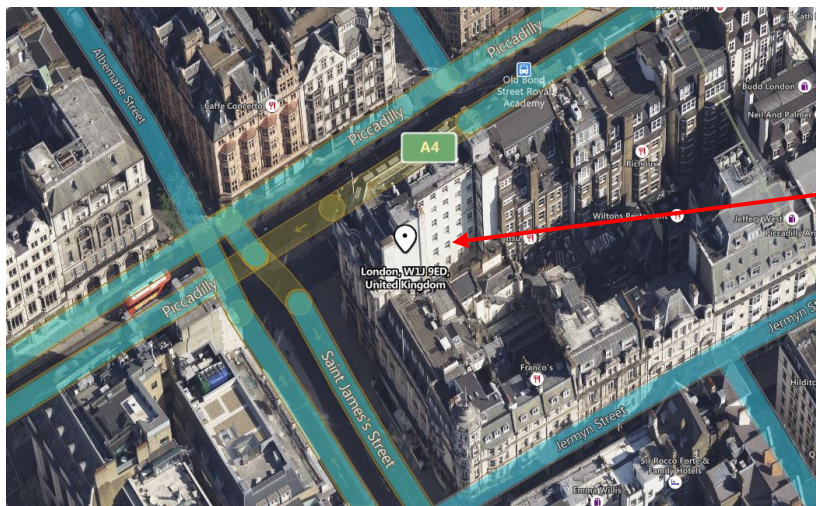


Figure 3.1: Site Location  
Source: Bing Maps

## 4. Planning policy framework

### 4.1. Introduction

- 4.1.1. This section of the statement establishes the key planning framework against which the applications should be determined.

### 4.2. National planning policy

#### National Planning Policy Framework (July 2021)

- 4.2.1. The NPPF sets out the national planning policy for England. The document covers a wide variety of planning matters, providing advice to LPAs on plan making and development control, the central theme being the presumption in favour of development. The most relevant aspects of the NPPF are identified below.
- 4.2.2. The NPPF provides general advice alongside the presumption in favour of sustainable development. Section 2 encourages LPAs to promote economic growth through sustainable development, create jobs and prosperity by ensuring that the planning system does everything it can to support sustainable development.
- 4.2.3. Section 12 expresses the importance of planning positively for the achievement of high quality and inclusive design for all development and to establish a strong sense of place, using streetscape and buildings to create attractive and comfortable places to live, work and visit.
- 4.2.4. The NPPF advises design should be sustainable and should conserve heritage assets. The NPPF provides general advice on design and the conservation of heritage assets, to be read alongside the presumption in favour of sustainable development. Paragraph 20 and 186 of the NPPF, amongst other matters, seeks the conservation of heritage assets in a manner “*appropriate to their significance*”.

### 4.3. Development Plan

- 4.3.1. In accordance with Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act (2004) (as amended), applications should be determined in accordance with the development plan unless other material considerations indicate otherwise. The development plan comprises the following:
- London Plan (March 2021); and
  - Westminster City Plan (April 2021)
- 4.3.2. These documents should be given the appropriate weight in the assessment of the applications in accordance with their conformity with the NPPF.



## London Plan (March 2021)

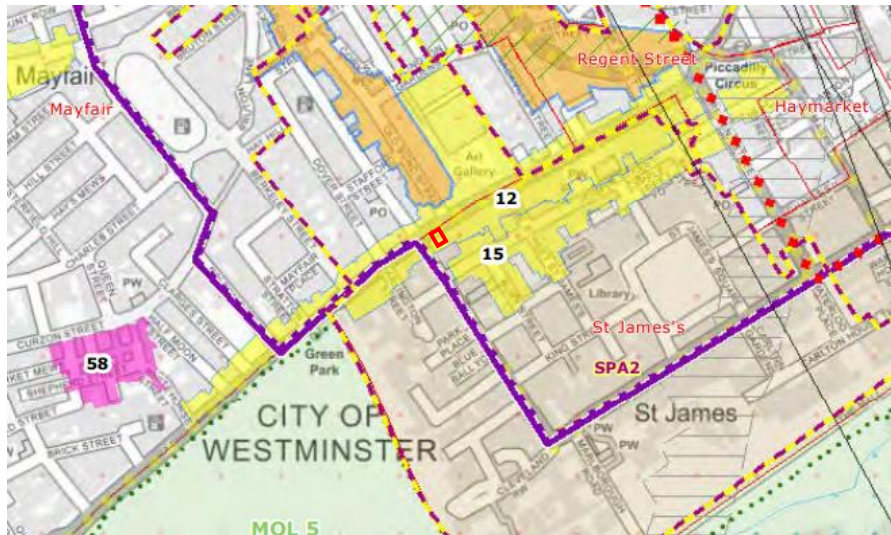
- 4.3.3. The London Plan provides a high level planning policy position for the preparation of planning policy and decision-making by LPAs within London. The most pertinent planning policy is identified below.
- 4.3.4. **Policy GG5 (Growing a good economy)** details the need to promote and enable the continued development of a strong and increasingly diverse economy;
- 4.3.5. **Policy HC1 (Heritage Conservation and Growth)** amongst other matters, requires an understanding of historic assets, by *“identifying, understanding, conserving, and enhancing the historic environment and heritage assets, and improving access to, and interpretation of, the heritage assets, landscapes and archaeology within their area”*. The policy continues in noting that development should be *‘sympathetic to the asset’s significance and appreciation within their surroundings.’*; and
- 4.3.6. **Policy D14 (Noise)** seeks to ensure all development avoids significant adverse noise impacts on health and quality of life.

## Westminster City Plan (April 2021)

- 4.3.7. The Westminster City Plan first sets out the out the strategic policies towards development management within St. James's. These policies are focussed on guiding development through strategic objectives. Further policies then provide detailed policies and criteria to assess planning applications against.
- 4.3.8. The following policies are considered of most relevance to the proposals, but do not seek to be exhaustive:
- **Policy 39 (G) (Westminster’s Heritage)** notes that *“works to listed buildings will preserve their special interest, relating sensitively to the period and architectural detail of the building and protecting or, where appropriate, restoring original or significant detail and historic fabric”*;
  - **Policy 38 (Design Principles)** encourages development of good design, to incorporate exemplary standards of sustainable and inclusive urban design and architecture;
  - **Policy S29 (Health, Safety and Well-Being)** considers matters relating to health, safety and well-being. It notes that development should ensure that the need to secure a healthy and safe environment is addressed; and
  - **Policy 33C (Local Environmental Impacts)** notes that the council will work to reduce noise pollution through various means.

## Proposals Map

4.3.9. An extract of the Proposals Map is provided in Figure 4.1 below with the site outlined in red.



**Figure 4.1: Westminster City Plan Proposals Map**  
Source: Westminster City Council

4.3.10. The site has several designations within the accompanying Proposals Map, including:

- Central Activities Zone: Central Activities Zone (Orange dashed line);
- West End Retail and Leisure Special Policy Area (Purple dashed line); and
- Conservation Area: St. James's

4.3.11. The surrounding roads are designated as:

- Westminster Strategic Road Network (WSRN) (yellow dashed line); and
- Transport for London Road Network (TLRN) (yellow solid line)

## 4.4. Supplementary Planning Documents

4.4.1. The statutory development plan is supported by a number of Supplementary Planning Documents ("SPD") and Supplementary Planning Guidance ("SPG"). Those which may have some relevance to the proposals are identified below.

### **St. James's Conservation Area Audit (December 2002)**

4.4.2. The Conservation Audit for St. James's was adopted as an SPG in November 2002 and seeks to provide detailed information about the Conservation Area in terms of its historical development, character and appearance. The Audit is designed to identify and explain the important features of buildings or merit, rooflines and local views.

4.4.3. The Audit identifies that Piccadilly is a primary space and street within the Conservation Area. The site is not identified as a landmark building but is noted as being listed.

4.4.4. Paragraph 3.24 states that there is an overall consistency in roof heights of the area with there being a distinct contrast between the varied roofscape and heights of properties along Piccadilly.

### **Repairs and Alterations to Listed Buildings Supplementary Planning Guidance (December 1995)**

4.4.5. This SPG provides general guidance and criteria in respect of listed buildings. The planning policy context in which it was drafted, consulted and adopted has changed, but provides general guidance on such matters.

4.4.6. Section 5.4 (Alterations to Listed Buildings) notes that, in general, "*works to listed buildings should retain historic fabric and features of architectural or historic interest in situ...*" The section notes that, in the case of air conditioning, for example, the local planning authority will apply policies with reasonable flexibility where there is convincing justification for proposed alterations.

4.4.7. Paragraph 6.17 (External Services and Fittings) reads:

*"Pipes, ducts and cables should always be carefully routed and located in the least obtrusive locations. Roof plant should be avoided if at all possible, but where it is necessary, it may be possible to sensitively locate it within the envelope of the building. If not, it must be concealed in views from ground level, and screened where appropriate..."*

## 5. Design & Access Statement

### 5.1. Introduction

5.1.1. In accordance with the guidance contained within the NPPF and the NPPG, the following sections briefly identify the design and access aspects of the site. The level of detail contained within this statement is proportionate to the relatively straightforward nature of the proposals and supplementary to the high level of detail contained within the submitted drawings.

### 5.2. Amount

5.2.1. No floorspace is being created and the amount of existing floorspace will not change.

### 5.3. Scale

5.3.1. Given the nature of the proposed works, which relate to internal and external alterations, the scale of the site will not change. The proposed external plant and associated works have been designed to be in good proportion and scale to the existing building and features of this Grade II listed building and its setting within the St. James's Conservation Area.

### 5.4. Materials

5.4.1. Proposed materials are noted on the submitted drawings. The materials have been carefully selected to complement the features and interest of this historic building as well as being sustainably and responsibly sourced.

### 5.5. Appearance

5.5.1. The proposed appearance of the site can be observed in detail through the submitted drawings. The external appearance will undergo very limited change, with works largely relating to installing external plant to the rear first floor roof area.

### 5.6. Access

5.6.1. Access to the site will remain as existing with the main entrance from the shopfront retained. The existing fire exits will also be retained as existing.

## 6. Assessment

### 6.1. Introduction

6.1.1. This section of the statement assesses the key issues of each of the application proposals against the planning policy framework identified in Section 4, as well as other material considerations. The assessment of the applications is considered in the following order:

- A) Listed Building Consent application for external plant and associated works; and
- B) Full planning permission for external plant and associated works.

#### **A) Listed Building Consent application for external plant and associated works**

6.1.2. As noted in previous sections, the site is Grade II listed and set within the St. James's Conservation Area. The building structure and fabric are generally considered to be in fair condition and commensurate with the age and nature of the property. Over the years, the building has undergone internal and external alterations, to accommodate former occupiers.

6.1.3. The primary significance of the building is attested by the Grade II listed designation. The unit has retained historical external aesthetic in the form of its façade and frontage which offer special architectural interest to the building. The rear first floor roof is of less architectural interest and is a typical roof appearance. The proposed works in this area are modest in nature, being limited to the installation of external plant only.

6.1.4. Listed Building Consent is sought for all necessary works relating to the installation of the external plant including any associated works, such as pipework, as detailed across the comprehensive set of drawings accompanying the applications. The following paragraphs assess the proposed external alterations in the context of the significance and special architectural and historic interest of the building.

6.1.5. The external alterations are considered modest, including the installation of four condenser units with anti-vibration feet together with associated works. These works are considered neither intrusive nor harmful to the significance of the building or its setting within the St. James's Conservation Area, where a variety of other external plant are evident.

6.1.6. The external works to the rear of the building are considered modest, primarily relating to the installation of the external plant and associated works. As noted above, the external works in this area are limited to the installation of the external condenser units which will be free standing on anti-vibration feet. Works will also entail installing ductwork, pipework and cabling to connect to existing services. General making good, repair works and associated works will also be undertaken to facilitate the installation of the plant.

6.1.7. As noted in the assessment of the external plant below, Pret require the installation of plant to facilitate its beneficial occupation of the site as shown on the submitted drawings. The external plant will be located to the rear first floor roof which is considered a suitable and discrete location for plant as confirmed by other plant installed in this location. Given that the area currently accommodates existing plant it is therefore

considered acceptable in this location. The use of the area for plant is well-established and it is considered preferable to co-locate external plant so as to minimise the areas subject to plant.

- 6.1.8. Given the existing plant area of the building, it is a visually discrete and enclosed area not visible at street level. The area offers a suitable location for plant in terms of practical maintenance and in avoiding negative amenity implications. The siting of plant here is therefore not considered to have any additional adverse impact upon the special architectural or historic interest of the Grade II listed building, or its setting within the St. James's Conservation Area while allowing for the beneficial occupation of the site by Pret. The proposed installation of plant together with the associated works is not considered to have any bearing on the character of the listed building and will result in less than substantial harm to the fabric of the building. On this basis therefore, the proposals are considered to accord with the relevant policies of the development plan and the relevant sections of the NPPF.
- 6.1.9. Individually and cumulatively, the modest external alterations would not have any adverse effect on the architectural and historic character or appearance of the Grade II listed building or its setting and the proposal respects the scale, design, materials and finishes of the existing building and preserves its historic fabric. Pret's continued occupation of the unit through the proposed works will deliver investment into the heritage asset to ensure its appearance and upkeep is maintained. The external alterations are therefore considered to, as a minimum, preserve and, in many respects enhance the character and appearance of the building and have no material impact upon other neighbouring listed buildings, and its setting within the St. James's Conservation Area. The external alterations will maintain the special architectural and historic interest of the Grade II listed building with no impact upon its significance.

## Summary

- 6.1.10. External works are required to facilitate technical operations and the continued beneficial occupation of this site by Pret. The external alterations are modest, relating to the installation of four condenser units at the rear first floor roof level including other associated works. These works have been designed so that they limit any harm to the special architectural interest of the building by not adversely affecting any areas of significance. The works are considered necessary to allow the long term use of the building by Pret. Overall, it has been concluded that the proposed external works would preserve the external aesthetic and architectural interest of the listed building.
- 6.1.11. There is considered to be very little historic significance to the roof of the unit given the alterations that have taken place over the years to accommodate the various occupiers. Modest alterations are required to enable the continued beneficial occupation by Pret. The proposed works respect the original fabric of the building by retaining existing features.
- 6.1.12. The proposals result in less than substantial harm to the Grade II listed building, not undermining its character or appearance. There is consequently no material impact upon this Grade II listed building, with the St. James's Conservation Area being preserved, and in many respects enhanced through the continued occupation of this site by Pret. There will be no material impact upon neighbouring listed buildings. The proposed works are therefore considered to be in accordance with the relevant policies of the development plan as well as the objectives and direction of the NPPF. It therefore follows that Listed Building Consent can be granted.

## **B) Full planning permission for external plant and associated works**

6.1.13. This section considers and assesses the material considerations with regard to the proposed external plant at the site. The key considerations relate to heritage, design and amenity.

### Heritage and design

6.1.14. The location of the external plant has been carefully considered so as to minimise its visibility. The presence of the plant being located on the rear first floor roof follows other plant being installed in this location and therefore maintains the earlier position. It is considered that this location would therefore be acceptable in design and amenity terms.

6.1.15. The external plant and associated works are indiscernible from street level with visibility only apparent when within the rear elevation, or when viewed within the offices of the upper floors to the rear. As such, there is no visibility of the area or impact upon the public realm. There are no visual or harmful impacts on surrounding buildings.

6.1.16. In this regard, the proposals result in less than substantial harm to the heritage asset. The modest nature of the proposals are such that they accord with the thrust of the NPPF, Policy HC1 of the London Plan, Policies 38 and 39 of the Westminster City Plan.

### Amenity

6.1.17. Pret's appointed HVAC consultants, Noise Solutions Ltd, have considered the best and most practical solution to ensuring the proposed external plant meets the standard expected and ensured that the amenity of neighbouring occupiers is not harmed, while also considering the heritage matters. The location of the external plant was also informed by what has previously proved practical for the existing plant installed in this location.

6.1.18. An Acoustic Assessment accompanies the application and details the assessment and results in detail. It identifies that the proposed plant and associated works are considered acceptable and meet the relevant noise levels to protect the amenity of neighbouring residents. Section 7.3 of the report notes that "*the cumulative plant noise emission levels for the proposed have been predicted at the nearest residential premises and will comply with Westminster City Council's usual requirements. Therefore, the plant proposals should not be a reason for refusal of planning permission*". The proposals are therefore considered to accord with the thrust of the NPPF, Policy D14 of the London Plan and Policy 33 of the Westminster City Plan.

## 7. Conclusion

### 7.1. Conclusions

- 7.1.1. Pret is seeking to install external plant to the rear first floor roof area at the site at 163 Piccadilly, to replace existing plant at roof level on the eight floor. The works are proposed to ensure the continued operation of their sandwich shop at the ground floor level. Consequently applications are submitted for the external plant and Listed Building Consent for the external plant and associated works.
- 7.1.2. The proposed alterations are required to facilitate the continued occupation of a prominent unit by Pret, to the benefit of the vitality and viability of St. James's, while also delivering improvements through sensitive alterations, repair and refurbishment of this Grade II listed building set within the St. James's Conservation Area. The proposed works have been designed to ensure that the special architectural and historic interest of the building is not harmed and the St. James's Conservation Area preserved, and in many respects enhanced, while retaining the key remaining areas of special architectural interest. The alterations preserve or enhance the established character and architectural interest of the heritage asset, its fabric and setting through the materials and design features proposed.
- 7.1.3. As such, the proposals are considered to satisfy the policy requirements of the statutory development plan and national planning policy. Collectively, the proposals have been assessed and are considered to have no adverse impact upon the significance or special architectural or historic interest of the site, as a Grade II listed building, or its setting within the St. James's Conservation Area. It is, therefore respectfully requested that full planning permission and Listed Building Consent be granted.



# Planning, Heritage, Design & Access Statement

163 Piccadilly, St. James's, London, W1J 9ED

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## Appendices

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## Appendix 1.0 Listing Description

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