

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 20 February 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	7-12 Half Moon Street, London, W1J 7BH,		
Proposal	Demolition of 4 th floor mansard and roof, and rebuilding of the 4 th floor mansard and new 5 th floor mansard; extension on 3 rd floor terrace at 8 Half Moon Street to new 5 th floor level; extension to existing lift shaft with overrun and creation of new lift shaft with an overrun at new roof level; creation of a new living roof; relocation of existing roof plant within enclosures in two locations at fourth and fifth floor levels. reinstatement of Juliet balconies at first floor level and the erection of a new portico at ground floor level along the Clarges Street frontage. Internal alterations at all levels throughout all in connection with the provision of an additional seven bedrooms to an existing hotel (Class C1).		
Agent	Gerald Eve LLP		
On behalf of	Flemings Hotel Mayfair Ltd		
Registered Number	17/09342/FULL & 17/09343/LBC	Date amended/ completed	30 October 2017
Date Application Received	20 October 2017		
Historic Building Grade	Grade II		
Conservation Area	Mayfair		

1. RECOMMENDATION

- i. Grant conditional permission.
- ii. Grant conditional listed building consent.
- iii. Agree reasons for granting listed building consent as set out in informative 1 of the decision notice.

2. SUMMARY

The application premises is a hotel situated on the eastern side of Half Moon Street which links through to the western side of Clarges Street. Permission is sought for works to upgrade the hotel including removing a 4th floor mansard on the Half Moon Street frontage and rebuilding to create a double height mansard at 4th and new 5th floor levels. The proposal would result in the provision of an additional seven bedrooms, increasing the size of the hotel to 121 bedrooms.

The buildings comprise a group of 18th Century Grade II listed buildings within the Mayfair Conservation Area.

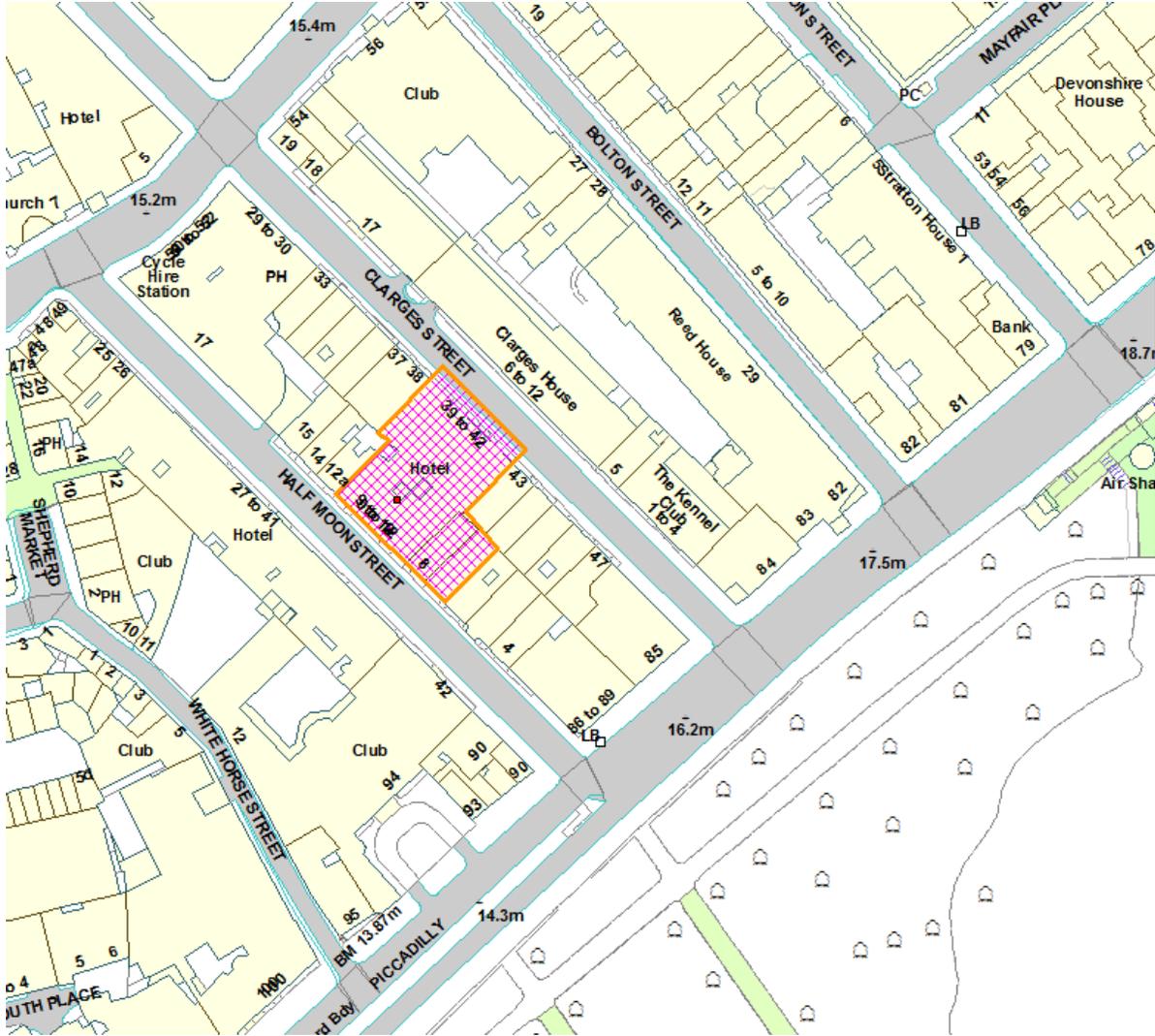
The scheme includes the installation of a portico on the Clarges Street frontage, internal alterations are proposed to both the Half Moon Street and Clarges Street properties.

The key issues for consideration are:

- * the impact of the increase in hotel floorspace in land use terms;
- * the impact of the works on the character and appearance of the building and the conservation area;
- * the impact of the proposal on residential amenity.

The proposals would not result in a significant intensification of the hotel use and the extensions would not result in a loss of amenity to surrounding residents. Although the erection of a double height mansard would normally be considered contrary to design policies, in this instance the roof addition would replace existing bulky and unsightly additions. Given the context the impact of the works are considered acceptable in listed building terms. The applications are compliant with relevant UDP and City Plan policies and are therefore recommended for approval.

3. LOCATION PLAN



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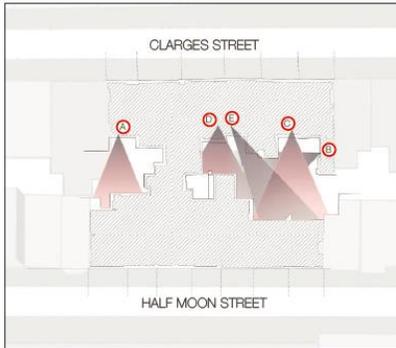
4. PHOTOGRAPHS



Half Moon Street Buildings



Clarges Street Buildings



5. CONSULTATIONS

RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S

Consider the proposal will greatly improve the roof facade.

HIGHWAYS

No objection

CLEANSING

No objection

ENVIRONMENTAL HEALTH

No objection

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 234

Total No. of replies: 7

7 objections have been received (from 3 objectors) on some or all of the following grounds

Objections received on the following grounds:

- Loss of light/right to light
- Noise from plant equipment
- Disruption during construction (noise, dust, air quality, road blockages/congestion)
- Potential impact on parking stress
- Loss of income.

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

7-12 Half Moon Street and 39- 42 Clarges Street comprises a group of 18th Century Grade II listed buildings fronting the eastern side of Half Moon Street and the western side of Clarges Street within the Mayfair Conservation Area. The site lies within the core Central Activities Zone (CAZ).

The buildings comprise basement, ground and four upper floors and are linked by smaller central sections. There is a large lift overrun, water tank and plant equipment at various locations at roof level. The site is currently occupied by the Flemings Mayfair as a 114 bedroom hotel (Class C1).

The surrounding area is mixed use in character comprising a variety of commercial uses and residential. The nearest residential to the site is located at 37-38 Clarges Street to the north and at No's 43 and 44 Clarges Street and 4-5 Half Moon Street to the south.

6.2 Recent Relevant History

On 17 December 2007 planning permission and listed building consent were granted for the “Erection of portico and installation of external lighting to the front elevation.”

On 24 November 2006 planning permission and listed building consent (refs: 06/05592/FULL and 06/05593/LBC) were granted for the “Installation of air conditioning plant and enclosure at roof level, alteration of hotel entrance and adjoining fenestration and the formation of a ramped access on the south side of the front entrance at 7-12 Half Moon Street.”

On 25 May 1989 planning permission and listed building consent (refs: 89/00680/FULL and 89/00696/LBC) were granted for “Alteration and addition to hotel including new fifth floor and improved staff facilities”. These permissions were not implemented.

7. THE PROPOSAL

Permission and listed building consent are sought for works to upgrade the existing hotel providing an additional 7 bedrooms.

The proposed works include rebuilding an existing 4th floor mansard on the Half Moon Street frontage with a double height 4th and 5th floor mansard with a living roof above. An infill extension at 3rd to new 5th floor levels. Infilling a lightwell to accommodate a lift from basement to new 5th floor level. The scheme includes the removal of existing adhoc roof structures and rationalising roof top plant.

Along the Clarges street frontage, the proposal also includes the reinstatement of Juliet balconies at first floor level and the erection of a new portico at groundfloor level and minor refurbishment and improvement works to the hotel.

Internally, modifications are proposed throughout to increase the number of executive kings and suites at all levels and improve the circulation space within the buildings.

The proposed works to the hotel will provide seven additional bedrooms and a net increase 562 m² of additional hotel (Class C1) floorspace.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Hotel Extension

The proposed extension to the existing hotel accords with the aims of City Plan Policy S23 and UDP Policy TACE 2. These policies recognise the importance of Westminster as one of the world’s premier visitor destinations and direct new hotels to the Core Central Activities Zone (CAZ), which do not have a predominantly residential character. The policies set out the criteria for assessing new hotels and extensions to existing hotels, in relation to their impact on residential areas, traffic and parking.

The existing hotel, which provides 114 guest rooms, is a longstanding use that has been operating without complaints. The addition of a further 7 hotel bedrooms is not considered to be a significant intensification of the use. No additional facilities are introduced that could be used by non-residents. The works to extend and upgrade the hotel accord with adopted policies and are acceptable in land use terms.

8.2 Townscape and Design

Flemings Hotel comprises a series of mid eighteenth century Grade II listed houses in the Mayfair Conservation Area. The buildings back on to each other between Clarges Street and Half Moon Street, they have been added to, altered and combined as Flemings Hotel since the mid nineteenth century. The hotel added a mansard roof extension in the early twentieth century and there have been a number of alterations to the roofscape since then which have not added positively to the special interest of the listed buildings.

The proposals are chiefly for a second mansard across all buildings and second portico to the Clarges Street elevation. The portico is acceptable, provided it is a facsimile of that already consented adjacent. The roof extensions would normally be unacceptable in principle as the existing listed buildings have already been extended with mansard roofs. Normally a second mansard would be contrary to DES 6 and DES 9 however the current roof scape is harmed by unsightly, unsympathetic and adhoc additions which this scheme offers to remove and replace it with a traditionally designed second mansard that is designed to be as set back and minimised as possible. The roof is hipped and set back to ameliorate the height and bulk when viewed from Green Park, the proposals are acceptable in design and listed building terms, subject to detail. In this case it is felt that the benefits of the scheme overcome the in principle objection and an exception can be made to normal policies. The proposals are considered to accord with DES 1, DES 5, DES 6, DES 9 and DES 10 of the City Councils 2007 UDP and are acceptable in listed building and design terms.

8.3 Residential Amenity

Daylight and Sunlight

City Plan Policy S29 and UDP Policy ENV13 both seek to ensure that new developments do not result in an unreasonable loss of amenity for existing local residents.

A daylight and sunlight report has been submitted which assesses the impact of the proposal on the following properties : No's 1-5, 12 and 37-38 Clarges Street, and No's 6 and 14 Half Moon Street. This assesses the impact on levels of daylight and sunlight using the Building Research Establishment's (BRE) methodology set out in the publication Daylight and Sunlight: A Guide for Good Practice.

For daylight matters, Vertical Sky Component (VSC) is the most commonly used method for calculating daylight levels. If the VSC value is more than 27%, it is generally accepted that there is sufficient light striking the face of the building for normal habitable

purposes. If the VSC measured at the centre of an existing main window is less than 27% and the reduction in percentage terms is subsequently more than 20% of this value then the diffuse daylight of the existing building may be adversely affected and occupiers are likely to notice the change.

With regard to the impact on levels of sunlight, the BRE guidelines state that rooms will appear reasonably sunlit provided that they receive 25% of annual probable sunlight hours (APSH), including at least 5% of annual winter sunlight hours. A room will be adversely affected if this is less than the recommended standards and reduced by more than 20% of its former values or by more than 4% of APSH over the whole year. Only windows that face within 90 degrees of due south need to be assessed in relation to the sunlight test. In this case, only 1-5 and 12 Clarges Street which face within 90 degrees of due south and these have been analysed as part of the submitted sunlight/daylight report. However, none of these windows are affected by the proposals.

Objections have been received from residents flats at 37-38 Clarges Street, which adjoins the application site, to a loss of light. The daylight and sunlight report submitted in support of the supplication demonstrates that where there are reductions in the vertical sky component (VSC) levels to windows at No 37-38 Clarges Street in all cases they would be less than 20%. The reductions are therefore within the BRE guidelines.

The report illustrates that of all the properties assessed the only breaches in excess of the BRE guidelines would be to two windows at No 14 Half Moon Street. Two first floors windows serving a dining room have existing VSC levels of 5.63% and 6.45% which would be reduced to 4.41 % and 5.07 % respectively. The percentage reduction to the room is 21.53% which is marginally in excess of a 20 % loss which the BRE guidelines state would be noticeable. However, in this instance the actual losses are relatively minor and the percentage reduction is magnified because existing VSC levels are low.

It is not therefore considered that the extensions would result in a material loss of daylight or sunlight to any of the nearby residential properties. Objections to loss of light cannot therefore be supported.

Sense of Enclosure

It is also not considered that the increase in bulk and mass at the application properties is great enough to result in a material increased sense of enclosure and loss of amenity to residents.

Privacy

Part (F) of Policy ENV13 seeks to resist development which would result in an unacceptable degree of overlooking.

The proposed new fifth floor extension introduces new windows that are immediately above windows on the lower floors. Given that they are at an oblique angle to the premises to the rear and the separation distance between the proposal and properties on the opposite side of the street, it is not considered that the proposal would result in any harmful increased overlooking.

8.4 Transportation/Parking

An objection has been raised due potential parking stress as a result of the proposal. As stated the scheme will not significantly intensify the existing hotel use. The Highways Planning Manager advises that the additional accommodation would not result in a significant increase in servicing requirements or traffic generation. As such, an objection on these grounds cannot be supported.

The Highways Planning Manager advises that the London Plan requires 1 cycle parking space per 20 bedrooms, and the provision of 1 cycle space would be welcomed. However, as the scheme would only provide 7 additional bedrooms and there are listed building constraints which will prevent cycle parking from being provided in this instance this cannot reasonably be required.

8.5 Economic Considerations

Any economic benefits as a result of the proposal are welcome.

8.6 Access

The proposed DDA compliant lifts to all floors would increase the inclusivity of the building which is compromised as existing.

8.7 Other UDP/Westminster Policy Considerations

Plant

A noise assessment has been submitted in support of the application. The plant equipment will be acoustically attenuated. Objections have been received from neighbours regarding noise from the proposed plant equipment. Environmental Health advise that plant is likely to comply with the normal noise criteria. The normal conditions regarding the operation of plant are recommended. Subject to these conditions this aspect of the application is considered acceptable.

Refuse /Recycling

Currently, the existing hotel utilises a single bin for mixed recyclables and five bins for food waste. Waste is collected twice daily. The increase in waste production is likely to be negligible. The Cleansing Officer has assessed the proposal and considers that the storage arrangements are in line with the requirements of the City Council.

Biodiversity

The proposals incorporate a green living roof. This is welcomed in line with City Plan Policy S38. It is recommended that this is secured by condition.

Sustainability

The applicant has stated that based on the BREEAM Pre-Assessment, the construction of the building is likely to achieve the 'Very Good' rating. Therefore, the reconstructed fourth floor and new fifth floor provide an opportunity for an improved thermal performance.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

8.10 Planning Obligations

The application does not trigger any planning obligations.

The estimated CIL payment is £140,000 (£28,000 for Mayor CIL and £112,000 for Westminster CIL).

8.11 Environmental Impact Assessment

The proposal is of insufficient scale as to trigger an environmental assessment.

8.12 Other Issues

Construction impact

Owners of residential properties with 37-38 Clarges Street objected due to the potential impacts during construction including noise nuisance, air quality, congestion/blockages from construction traffic, and general disruption.

Given the scale of the proposal, the applicant has sign up to the Council's 'Code of Construction Practice' (COCP) to ensure that the construction process is carefully managed, minimising disruption to neighbours and the highway and reducing the effects of noise, dust, traffic movements etc. resulting from the construction. This will be secured by condition. As part of this process, Environmental Health Officers will liaise with both the applicant and neighbouring occupants during the construction process to ensure that residents' concerns are addressed. Regular site visits will be undertaken to monitor construction operations and ensure compliance. A further condition is recommended to control the hours of building works. Subject to these conditions, it is considered that the potential effects of the construction process will be ameliorated as far as possible.

Right to light

An objector has stated that the proposal diminishes their 'Right to Light'. This is a legal matter and not a planning consideration therefore this application cannot be refused on this basis. However, for the reasons explained elsewhere in this report, it is not considered that levels of light received to neighbouring properties will be diminished.

9. BACKGROUND PAPERS

1. Application form
2. Memorandum from Environmental Health, dated 27 November 2017
3. Memorandum from Highways Planning dated 01 November 2017
4. Memorandum for Cleansing dated 17 November 2017
5. Memorandum from the Residents' Society of Mayfair and St. James, dated 5 December 2017
6. Letter from person occupier of Flat 11, 37-8 Clarges Street, London, dated 17 November 2017
7. Letters from person with interest in 37-38 Clarges Street, London, dated 17 and 29 November 2017

8. Letter from person with interest in Flat 12, 37 Clarges Street, dated 15 November and 4 December 2017

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MIKE WALTON BY EMAIL AT MWALTON@WESTMINSTER.GOV.UK.
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10. KEY DRAWINGS

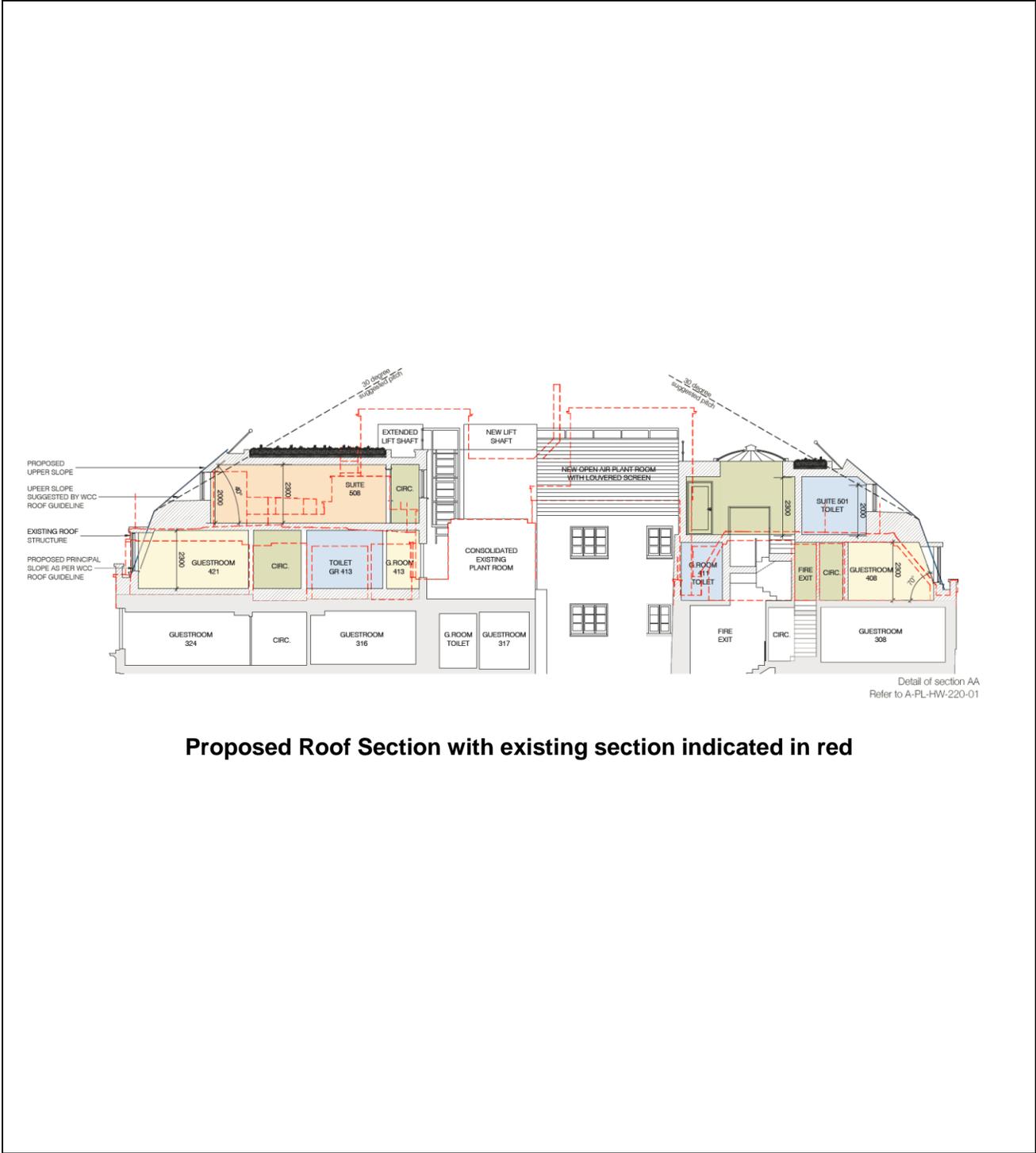




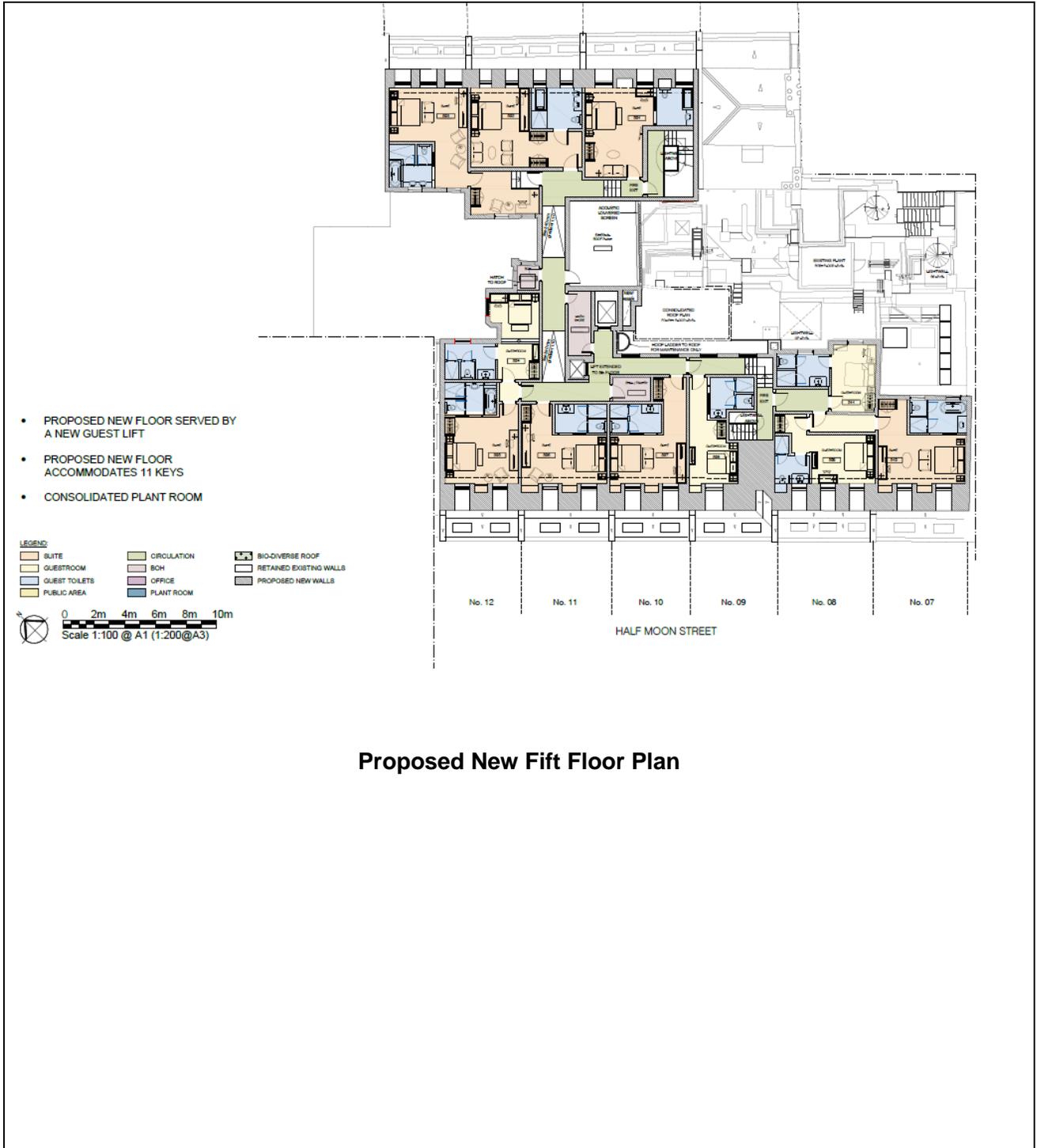
EXISTING ELEVATIONS



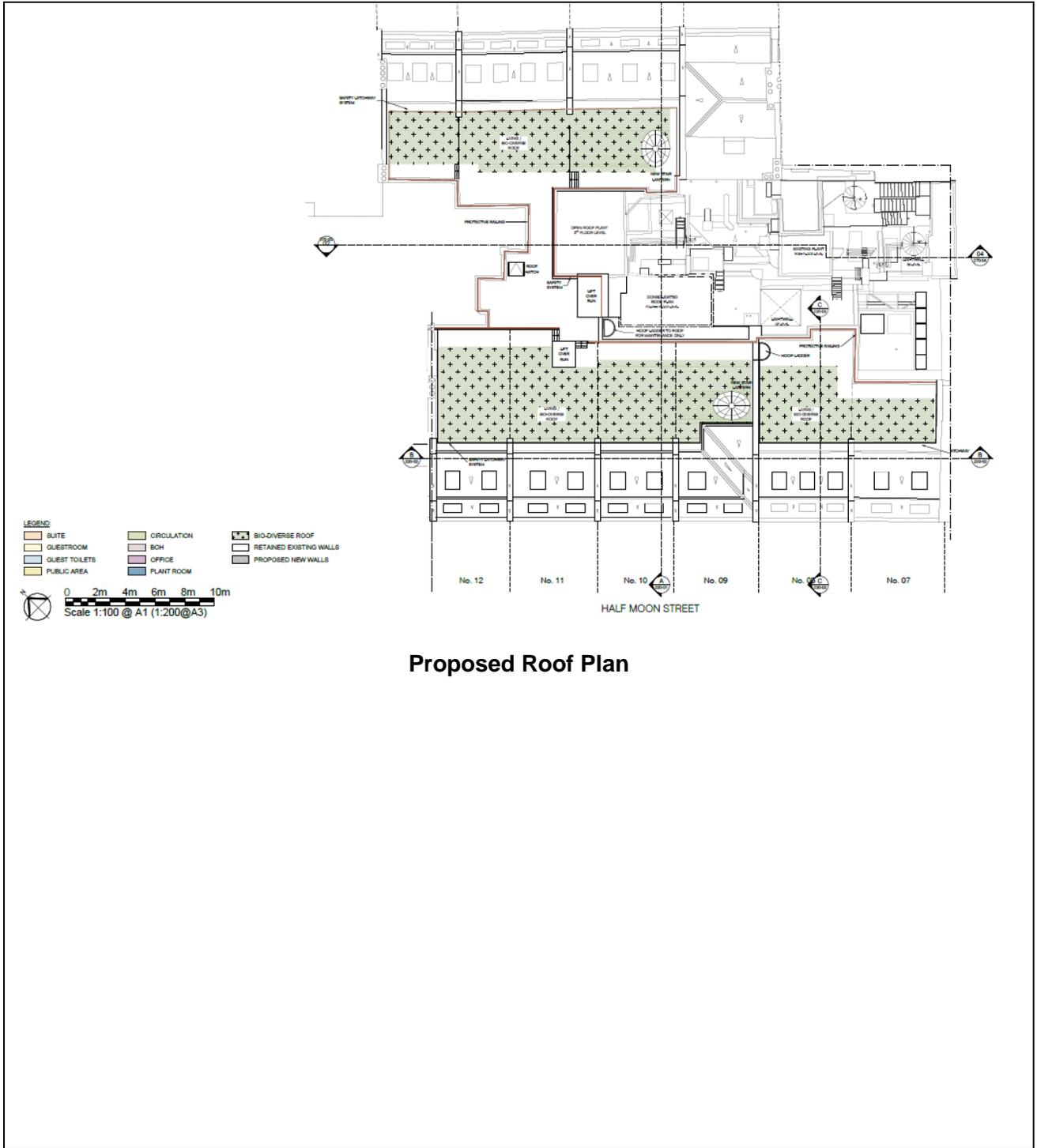
PROPOSED ROOF IMPROVEMENTS



Proposed Roof Section with existing section indicated in red



Proposed New Fifth Floor Plan



DRAFT DECISION LETTER

Address: 7-12 Half Moon Street, London, W1J 7BH,

Proposal: Demolition including the existing fourth floor and roof above. External alterations including the erection of an extension within the existing rear terrace at third floor level of 8 Half Moon Street to create a two-storey extension at third and fourth floor levels; erection of a replacement fourth floor with an additional single storey mansard storey at fifth floor level above to provide an additional seven bedrooms for use in connection with the existing hotel (Class C1); extension to existing lift shaft with overrun and creation of new lift shaft with an overrun at new roof level; creation of a new green roof; relocation of existing roof plant within enclosures in two locations at fourth and fifth floor levels. reinstatement of Juliet balconies at first floor level and the erection of a new portico at groundfloor level along the Clarges Street frontage. Internal alterations at all levels throughout. (Site includes 39-42 Clarges Street)

Reference: 17/09342/FULL

Plan Nos: A-PL-HW-1B1-01 Rev 11, A-PL-HW-100-01 Rev 13, A-PL-HW-101-01 Rev 14, A-PL-HW-102-01 Rev 14, A-PL-HW-103-01 Rev 14, A-PL-HW-104-01 Rev 17, A-PL-HW-105-01 Rev 19, A-PL-HW-106-01 Rev 19, A-PL-HW-220-01 rev 08, A-PL-HW-220-02 rev 8, A-PL-HW-220-03 Rev 06, A-PL-HW-270-01 Rev 08, A-PL-HW-270-02 Rev 08, A-PL-HW-270-03 Rev 08, A-PL-HW-270-04 Rev 08, A-PL-HW-5B1-01 Rev 02, A-PL-HW-500-01 Rev 02, A-PL-HW-501-01 Rev 02, A-PL-HW-502-01 Rev 02, A-PL-HW-503-01 Rev 02, A-PL-HW-504-01 Rev 02, A-PL-HW-505-01 Rev 02, A-PL-DT-861-01 Rev 03.

Case Officer: Damian Lavelle

Direct Tel. No. 020 7641 5974

Recommended Condition(s) and Reason(s)

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 You must carry out any building work which can be heard at the boundary of the site only: , ,

* between 08.00 and 18.00 Monday to Friday;

* between 08.00 and 13.00 on Saturday; and,

* not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3
- (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
 - (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
 - (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:
 - (a) A schedule of all plant and equipment that formed part of this application;
 - (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
 - (c) Manufacturer specifications of sound emissions in octave or third octave detail;
 - (d) The location of most affected noise sensitive receptor location and the most affected window of it;
 - (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
 - (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;

- (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 4 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 5 You must put up the plant screen shown on the approved drawings before you operate the relocated plant. You must then maintain it in the form shown for as long as the machinery remains in place. (C13DA)
- 5 To protect the environment of people in neighbouring properties and the appearance of the site. This is in line with S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7, DES 5 and DES 6 of our Unitary Development Plan that we adopted in January 2007. (R13CC)
- 6 Prior to the commencement of any demolition or construction on site the applicant shall submit an approval of details application to the City Council as local planning authority comprising evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an

agreement to comply with the code and requirements contained therein. Commencement of any demolition or construction cannot take place until the City Council as local planning authority has issued its approval of such an application (C11CB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 7 You must provide the waste store shown on drawing A-PL-HW-1B1-01 Rev11 before using the additional hotel accommodation hereby approved. You must clearly mark them and make them available at all times to everyone using the premises.

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 8 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the living roof to include construction method, layout, species and maintenance regime.

You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details prior to occupation of any of the residential units hereby approved and thereafter retain and maintain in accordance with the approved management plan.

Reason:

To increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43FB)

- 9 You must not use the roof of the extension for sitting out or for any other purpose. You can however use the roof for maintenance or to escape in an emergency.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 10 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 11 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 12 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building unless they are shown on the approved drawings. (C26KA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 13 You must apply to us for approval of samples and specification details of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 14 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 15 You must apply to us for approval of detailed drawings (scale 1:20 and 1:5) of the following parts of the development:

- i, portico
- ii, dormers
- iii, latchways
- iv, railings, ladders and handrails
- v, doors
- vi, windows
- vii, roof lights

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these approved drawings (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information, please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 3 Asbestos is the largest single cause of work-related death. People most at risk are those working in the construction industry who may inadvertently disturb asbestos containing materials (ACM's). Where building work is planned it is essential that building owners or occupiers, who have relevant information about the location of ACM's, supply this information to the main contractor (or the co-ordinator if a CDM project) prior to work commencing. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/asbestos/regulations.htm (I80AB)
- 4 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:
 - * Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;
 - * This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

It is now possible for local authorities to prosecute any of the relevant parties with respect to noncompliance with the CDM Regulations after the completion of a building project, particularly if such noncompliance has resulted in a death or major injury.

- 5 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.
- * Window cleaning - where possible, install windows that can be cleaned safely from within the building.
 - * Internal atria - design these spaces so that glazing can be safely cleaned and maintained.
 - * Lighting - ensure luminaires can be safely accessed for replacement.
 - * Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).
- More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm
- Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)
- 6 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained., Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following:
- * Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings;
 - * Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase;
 - * Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous.
- The markings must be fitted correctly and properly maintained;
- * Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained.
- Additional handrails should be provided down the centre of particularly wide staircases where necessary;
- * Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.
- 7 Conditions 3 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 8 The sound insulation in each new unit of a residential conversion should meet the standards set

out in the current Building Regulations Part E and associated approved documents. Please contact our District Surveyors' Services if you need more advice. (Phone 020 7641 7240 or 020 7641 7230). (I58AA)

- 9 The design and structure of the development shall be of such a standard that the dwelling is free from the 29 hazards listed under the Housing Health Safety Rating System (HHSRS). However, any works that affect the external appearance may require a further planning permission. For more information concerning the requirements of HHSRS contact:

Residential Environmental Health Team, 4th Floor East, Westminster City Hall, 64 Victoria Street, London SW1E 6QP, www.westminster.gov.uk, Email: res@westminster.gov.uk, Tel: 020 7641 3003 Fax: 020 7641 8504.

- 10 Please contact our District Surveyors' Services to discuss how you can design for the inclusion of disabled people. Email: districtsurveyors@westminster.gov.uk. Phone 020 7641 7240 or 020 7641 7230. If you make a further planning application or a building regulations application which relates solely to providing access or facilities for people with disabilities, our normal planning and building control fees do not apply.

The Equality and Human Rights Commission has a range of publications to assist you, see www.equalityhumanrights.com. The Centre for Accessible Environment's 'Designing for Accessibility', 2004, price £22.50 is a useful guide, visit www.cae.org.uk.

If you are building new homes you must provide features which make them suitable for people with disabilities. For advice see www.habinteg.org.uk

It is your responsibility under the law to provide good access to your buildings. An appropriate and complete Access Statement as one of the documents on hand-over, will provide you and the end user with the basis of a defence should an access issue be raised under the Disability Discrimination Acts.

- 11 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 12 With reference to condition 6, please refer to the Council's Code of Construction Practice at (www.westminster.gov.uk/code-construction-practice). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work. The Code does require the submission of a full Site Environmental Management Plan or Construction Management Plan as appropriate 40 days prior to commencement of works (including demolition). You are urged therefore to give this your early attention.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.

DRAFT DECISION LETTER

Address: 7-12 Half Moon Street, London, W1J 7BH,

Proposal: Demolition including the existing fourth floor and roof above. External alterations including the erection of an extension within the existing rear terrace at third floor level at 8 Half Moon Street to create a two-storey extension at third and fourth floor levels; erection of a replacement fourth floor with an additional single storey mansard storey at fifth floor level above to provide an additional seven bedrooms for use in connection with the existing hotel (Class C1); extension to existing lift overrun and creation of new lift overrun at new roof level; creation of a new green roof; relocation of existing roof plant within enclosures in two locations at fourth and fifth floor levels. reinstatement of Juliet balconies at first floor level and the erection of a new portico at groundfloor level along the Clarges Street frontage. Internal alterations at all levels throughout. (Site includes 39-42 Clarges Street)

Reference: 17/09343/LBC

Plan Nos: A-PL-HW-1B1-01 Rev 11, A-PL-HW-100-01 Rev 13, A-PL-HW-101-01 Rev 14, A-PL-HW-102-01 Rev 14, A-PL-HW-103-01 Rev 14, A-PL-HW-104-01 Rev 17, A-PL-HW-105-01 Rev 19, A-PL-HW-106-01 Rev 19, A-PL-HW-220-01 rev 08, A-PL-HW-220-02 rev 8, A-PL-HW-220-03 Rev 06, A-PL-HW-270-01 Rev 08, A-PL-HW-270-02 Rev 08, A-PL-HW-270-03 Rev 08, A-PL-HW-270-04 Rev 08, A-PL-HW-5B1-01 Rev 02, A-PL-HW-500-01 Rev 02, A-PL-HW-501-01 Rev 02, A-PL-HW-502-01 Rev 02, A-PL-HW-503-01 Rev 02, A-PL-HW-504-01 Rev 02, A-PL-HW-505-01 Rev 02, A-PL-DT-861-01 Rev 03.

Case Officer: Damian Lavelle

Direct Tel. No. 020 7641 5974

Recommended Condition(s) and Reason(s)

- 1 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 2 You must apply to us for approval of detailed drawings (scale 1:20 and 1:5) of the following parts of the development:

- i, portico
- ii, dormers
- iii, lathways
- iv, railings, ladders and handrails
- v, doors
- vi, windows
- vii, roof lights

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these approved drawings (C26DB)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 3 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 4 You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area.

This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.
(R27AC)

- 5 All new outside rainwater and soil pipes must be made out of metal and painted black. (C27HA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.
(R27AC)

- 6 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan March 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations., , The City Council decided that the proposed works would not harm the special architectural and historic interest of this listed building., , In reaching this decision the following were of particular relevance:, S25 and S28 of Westminster's City Plan and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.3 & 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.

Item No.

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