

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 25 April 2017	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> St James's	
<b>Subject of Report</b>	<b>80 – 81 Jermyn Street, London, SW1Y 6JF</b>		
<b>Proposal</b>	Alterations to shopfront including new entrance doors and pilasters on Jermyn Street elevation, amendments to the entrance door on the corner of Jermyn Street and Duke Street St. James's, and amendments to windows on Duke Street St. James's elevation.		
<b>Agent</b>	Gerald Eve LLP		
<b>On behalf of</b>	Cavendish Hotel London Limited		
<b>Registered Number</b>	16/10648/FULL	<b>Date amended/ completed</b>	19 December 2016
<b>Date Application Received</b>	8 November 2016		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	St James's		

## 1. RECOMMENDATION

Grant conditional permission.

## 2. SUMMARY

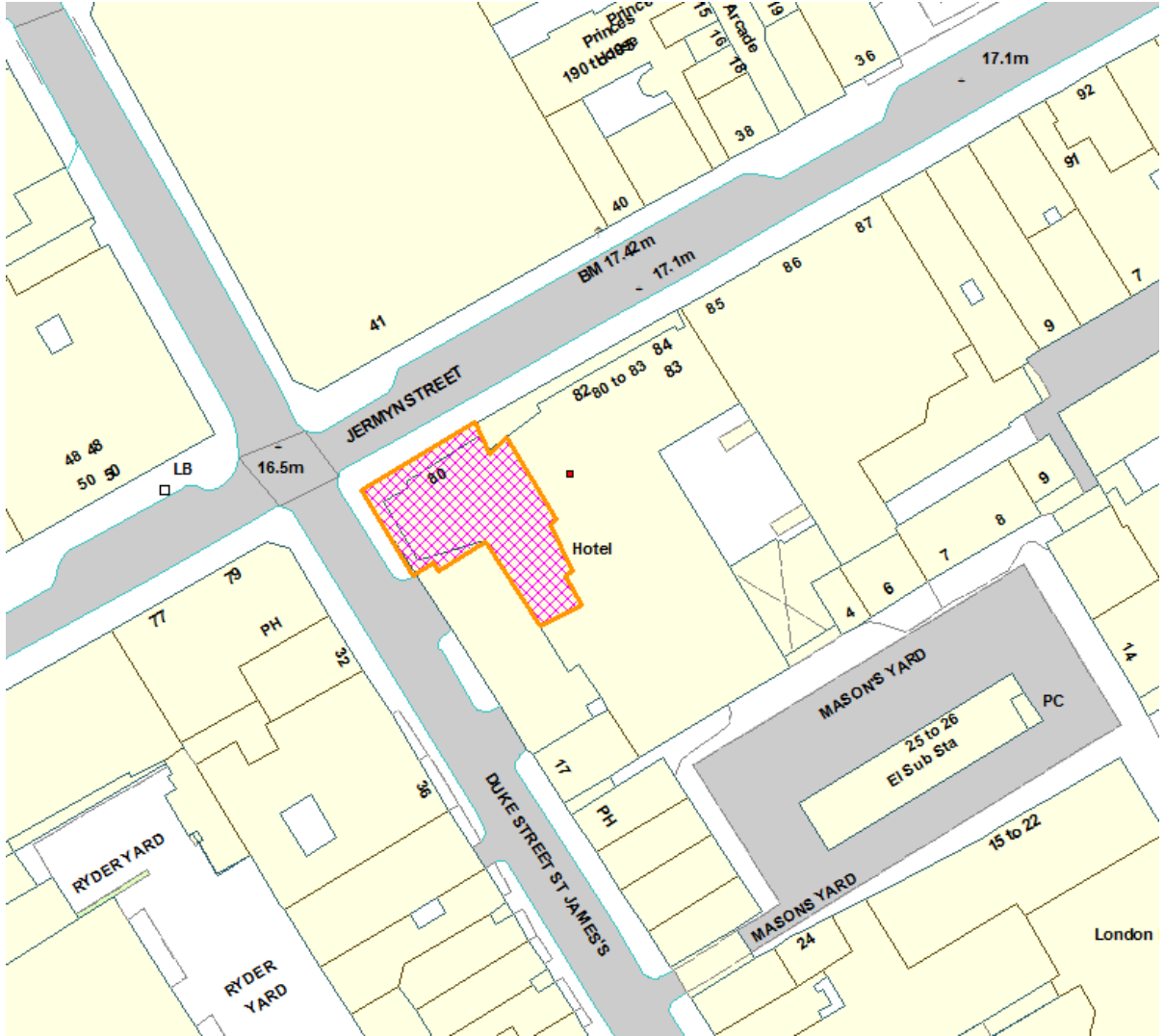
80 and 81 Jermyn Street are located within the footprint of The Cavendish Hotel, an unlisted building within the St James's Conservation Area and the St. James's Special Policy Area. 80 Jermyn Street is occupied by S Franses Ltd, a specialist in historic tapestries, textile art and carpets. 81 Jermyn Street is occupied by The Cavendish Hotel

This application has been submitted by The Cavendish Hotel London Limited. Planning permission is sought for alterations to the shopfront of 80 and 81 Jermyn Street, including new entrance doors and pilasters on the Jermyn Street elevation, amendments to the entrance door on the corner of Jermyn Street and Duke Street St. James's, and amendments to windows on Duke Street St. James elevation.

An objection has been received, on behalf of the existing occupier at 80 Jermyn Street, S Franses Ltd, principally on the grounds that the proposals would have an adverse impact on their existing use; and the underlying objective is to subdivide 80 Jermyn Street and create two units for retail use

The applicant has confirmed that this application relates solely to amendments to the shopfront and is not associated with any change of use of the premises. The proposal complies with the relevant design policies in the Unitary Development Plan (UDP) and City Plan and is recommended for approval.

### 3. LOCATION PLAN



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4. PHOTOGRAPHS



**Corner of Jermyn Street and Duke Street St. James's**



Jermyn Street Frontage



View down Jermyn Street

**Jermyn Street**





View down Duke Street



Hotel Entrance and Bar Windows

**Duke Street**

## 5. CONSULTATIONS

### WESTMINSTER SOCIETY:

No objection to the underlying concept of the proposed works. No comment on issues relating to landlord/tenant issues.

### HIGHWAYS PLANNING MANAGER:

No objection.

### ST. JAMES'S CONSERVATION TRUST:

Any response to be reported verbally.

### ADJOINING OWNERS/ OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 18

No. of replies: 1

Objection on behalf of S Franses Ltd, occupant of 80 Jermyn Street on the following grounds:

- The application is contrived and misleading. The Cavendish Hotel is using the planning system as a vehicle to replace the occupant of 80 Jermyn Street. The objective is to create two units for A1 retail use.
- Adverse impact on existing use. Loss of the current bespoke shopfront would have an adverse impact on the business of S Franses Ltd and would be a loss to the St. James's Special Policy Area.
- The proposal would result in loss of the existing niche luxury and specialist retail and gallery floorspace (S Franses Gallery) within the St. James's Special Policy Area.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

80 and 81 Jermyn Street are located within the footprint of The Cavendish Hotel building, which is an unlisted building located within the St James's Conservation Area, the Core Central Activities Zone, and the St. James's Special Policy Area.

The Cavendish Hotel occupies a prominent corner site on the southern side of Jermyn Street, at the junction with Duke Street St. James's. The building is a podium and tower construction, dating from the mid 1960s and formed of reinforced concrete clad in Portland Stone. The podium of the building comprises the ground and first floors, with a basement and sub-basement below, whilst the tower provides 14 floor levels.

80 Jermyn Street occupies part of the basement and ground floor on the corner with Duke Street St. James and is occupied by S Franses Ltd, a specialist in historic tapestries, textile art and carpets.

81 Jermyn Street is occupied by The Cavendish Hotel, and occupies part of the ground floor level (the remainder of the ground floor is occupied by retail units fronting Jermyn Street), with the main hotel reception entrance on Jermyn Street and the parking entrance and coach drop-off area located on the Duke Street St. James frontage.

## 6.2 Recent Relevant History

### 80 Jermyn Street

Lawful Development Certificate for a mixed use comprising retail, depository, research centre, archive library, consultancy, publishing, and conservation for historic tapestries, textile art and carpets at basement and ground level (sui generis) (16/06894/CLEUD).

Application Permitted 20 December 2016

## 7. THE PROPOSAL

The proposed development is for alterations to the elevations of 80 and 81 Jermyn Street. At 80 Jermyn Street, the alterations include new entrance doors and pilasters on the Jermyn Street elevation, and amendments to the entrance door on the corner of Jermyn Street and Duke Street St. James's. At 81 Jermyn Street, amendments are proposed to windows on part of the Duke Street St. James elevation.

## 8. DETAILED CONSIDERATIONS

### 8.1 Land Use

The objection from the occupant of 80 Jermyn Street states that this application is misleading to claim that its purpose is to enhance the character and appearance of the street scene and the conservation area. The objection states further that the objective of The Cavendish Hotel is to subdivide 80 Jermyn Street to create two units for A1 use.

In respect of 80 Jermyn Street, a lawful development certificate was issued on 20 December 2016 for a mixed use comprising retail, depository, research centre, archive library, consultancy, publishing, and conservation for historic tapestries, textile art and carpets at basement and ground level (sui generis).

The lawful development certificate granted at 80 Jermyn Street certified the use as 'sui generis' and any material change of use would require planning permission.

The occupier of 80 Jermyn Street objects to the altered main window display fronting Jermyn Street which was specifically purpose built for S Franses Ltd to allow display of large tapestries. These concerns are understood however it is not considered that the altered shopfront display window will have a significant adverse impact on the existing use so as to justify refusal.

The applicant has confirmed that this application relates solely to amendments to the elevations and is not associated with any change of use of the premises or internal works.

## **8.2 Townscape and Design**

The site is a prominent unlisted building within the St James's Conservation Area. Proposed alterations include the introduction of new entrance doors and pilasters on the Jermyn Street elevation of the building as well as a replacement entrance door on the corner with Duke Street St. James's. Along the Duke Street St. James's facade proposals seek to introduce an additional shop frontage beneath the entrance canopy, to match the adjacent shop front details.

The proposed alterations are considered relatively minor and would replicate the current design approach and materials taken with the existing shop front. The addition of doors and the new glazing along Duke Street St. James's will not diminish the appearance of the building nor detract from the character and appearance of the St James's Conservation Area.

The proposals comply with design policies DES1, DES5, and DES9 of the UDP and S25 and S28 of the City Plan.

## **8.3 Residential Amenity**

The proposals are not considered to raise any residential amenity issues.

## **8.4 Transportation/Parking**

The proposals are not considered to adversely affect the surrounding highway network. A condition is recommended requiring that all doors or gates so that they do not open over or across the road or pavement.

## **8.5 Economic Considerations**

No economic considerations are applicable for a development of this size.

## **8.6 Access**

The proposal will see access to 80 Jermyn Street improved with the introduction of an additional entrance, which is to provide step free access. The existing entrance on the corner of Jermyn Street and Duke Street St. James's will be retained.

## **8.7 Other UDP/Westminster Policy Considerations**

Not applicable.

## **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**

Planning obligations are not relevant in the determination of this application. The application is not CIL liable.

### **8.11 Environmental Impact Assessment**

Not applicable in this case.

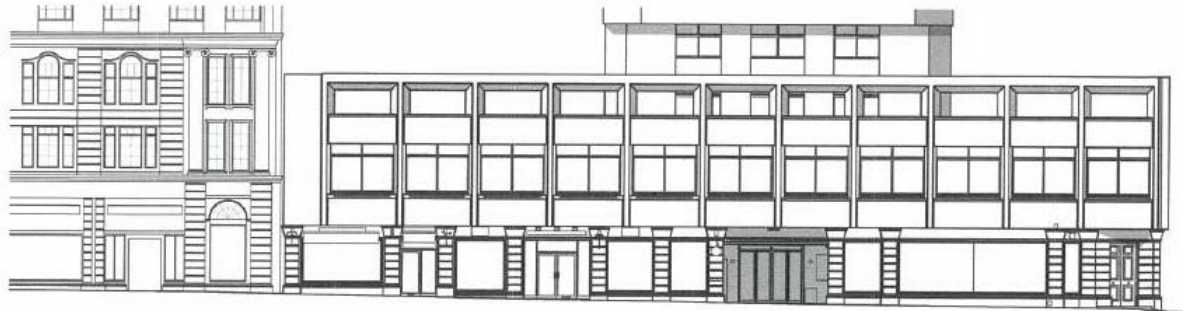
## **9. BACKGROUND PAPERS**

1. Application form
2. Response from Westminster Society dated 14 March 2017
3. Response from Highways Planning Manager dated 05 January 2017
4. Letters from Savills on behalf of the occupier of 80 Jermyn Street dated 20 January 2017 and 27 February 2017
5. Letter from Gerald Eve LLP dated 10 February 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: LOUISE FRANCIS BY EMAIL AT [lfrancis@westminster.gov.uk](mailto:lfrancis@westminster.gov.uk)

10. KEY DRAWINGS

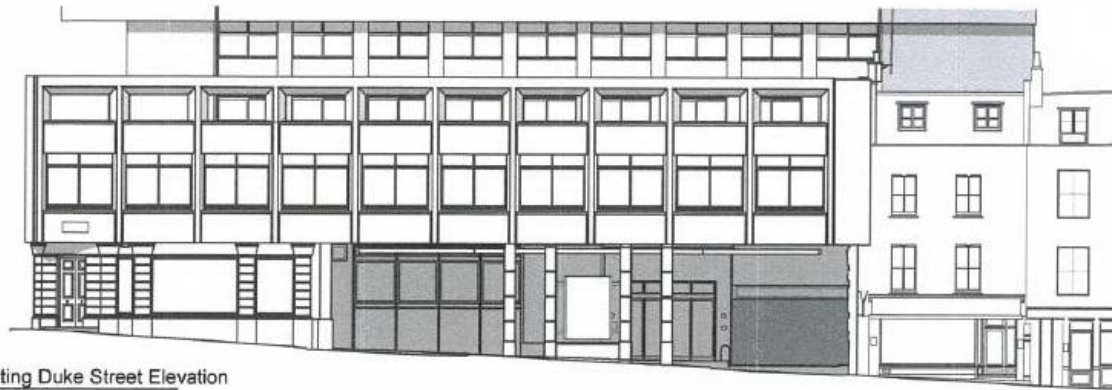


20.10.15 Existing Jermyn Street Elevation  
SCALE 1:200

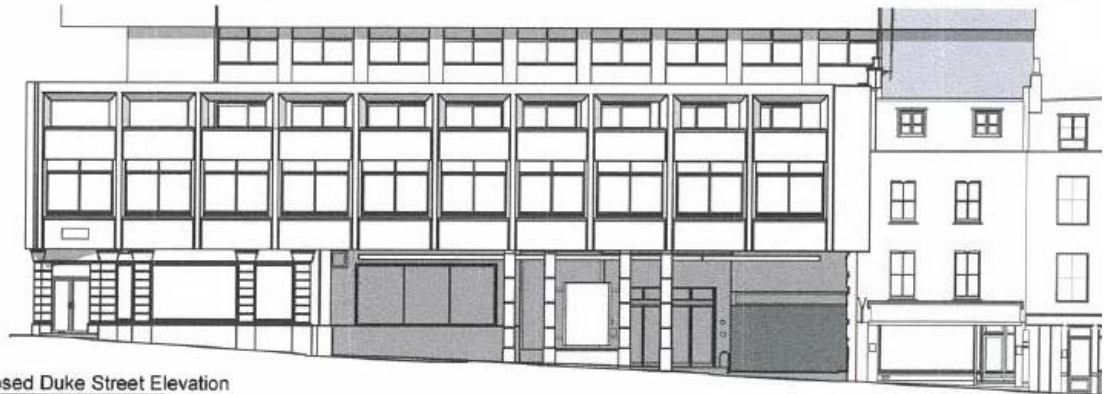


20.10.15 Proposed Jermyn Street Elevation  
SCALE 1:200

Existing and proposed Jermyn Street elevations

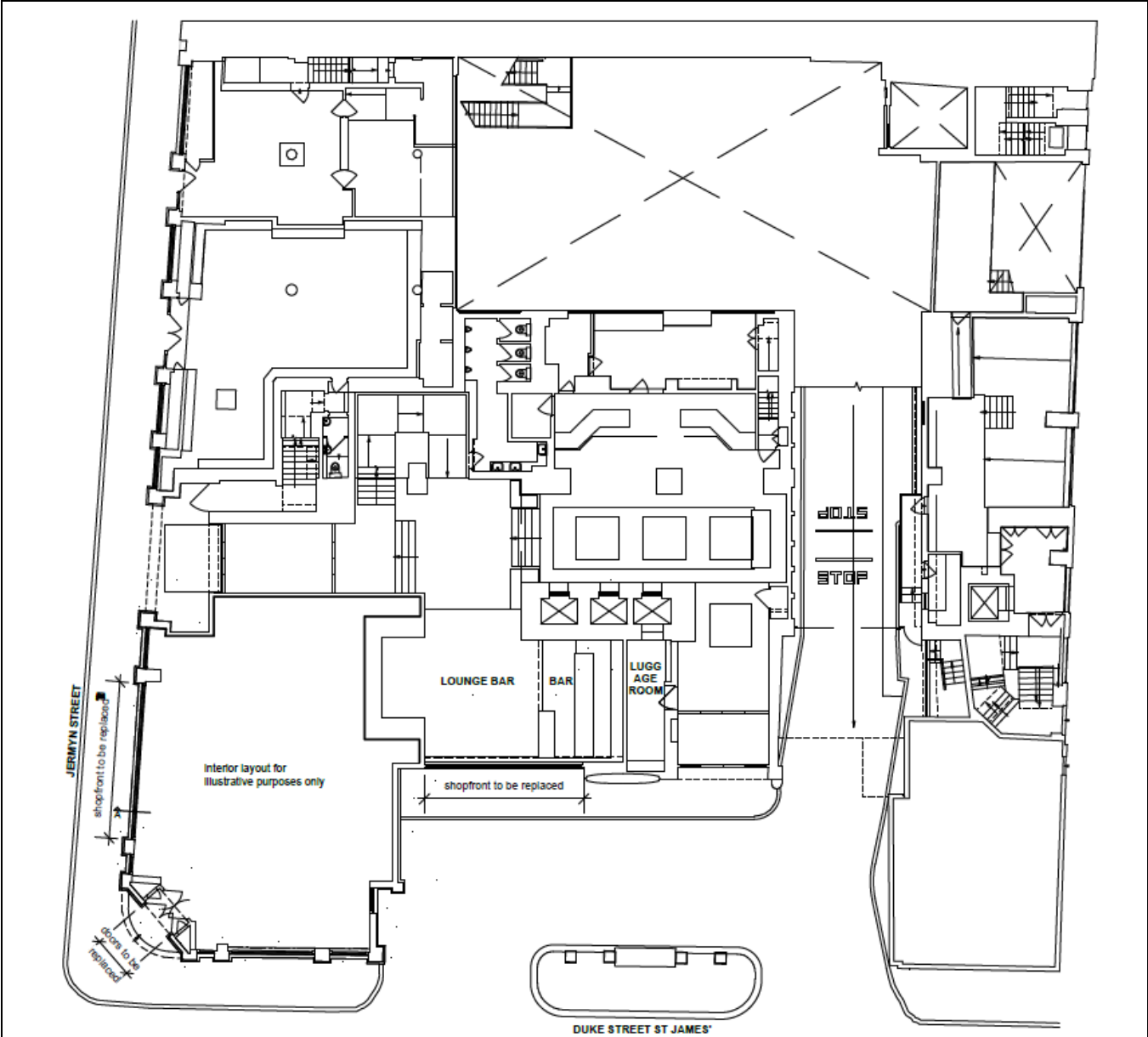


20.10.15 Existing Duke Street Elevation  
SCALE 1:200

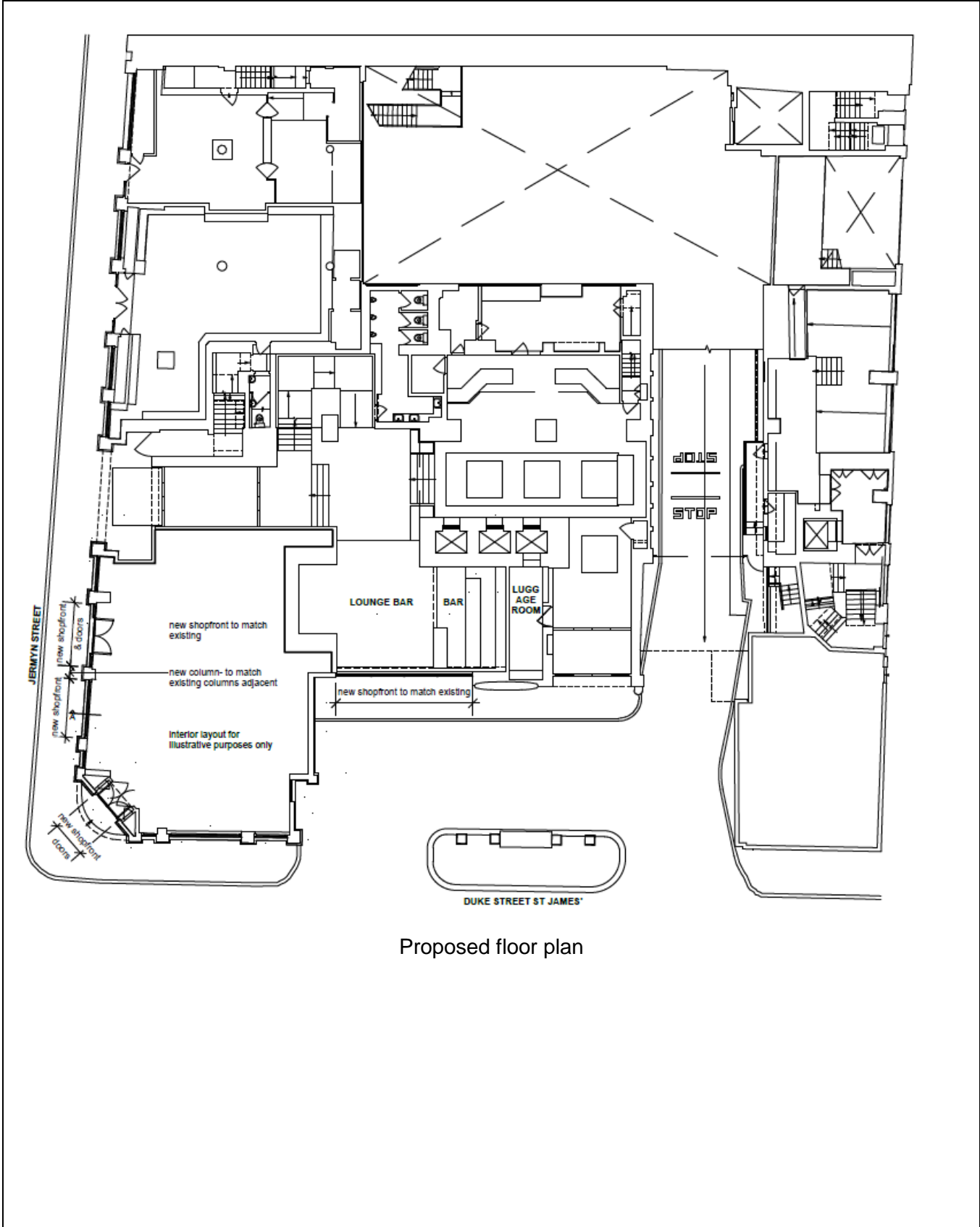


20.10.15 Proposed Duke Street Elevation  
SCALE 1:200

Existing and proposed Duke Street St. James's elevations



Existing floor plan



Proposed floor plan





Existing Jermyn Street



Proposed Jermyn Street CGI





Existing Duke Street St. James's



Proposed Duke Street St. James's

**DRAFT DECISION LETTER**

- Address:** 80 - 81 Jermyn Street, London, SW1Y 6JF,
- Proposal:** Alterations to shopfront including new entrance doors and pilasters on Jermyn Street elevation, amendments to the entrance door on the corner of Jermyn Street and Duke Street St. James's, and amendments to windows on Duke Street St. James's elevation.
- Reference:** 16/10648/FULL
- Plan Nos:** 4009/PL 01B, 4009/PL2 01C, 4009/PL2 02C, A-R1-250-01, A-R1-251-02; Letters from Gerald Eve LLP dated 07 November 2016 and 10 February 2017.

**Case Officer:** David Dorward

**Direct Tel. No.** 020 7641 2408

**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 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
- o between 08.00 and 18.00 Monday to Friday;
  - o between 08.00 and 13.00 on Saturday; and
  - o not at all on Sundays, bank holidays and public holidays.
- You must carry out piling, excavation and demolition work only:
- o between 08.00 and 18.00 Monday to Friday; and
  - o not at all on Saturdays, Sundays, bank holidays and public holidays.
- Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

**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 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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St. James's Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 4 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

**Reason:**

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

**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.

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.