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| CITY OF WESTMINSTER | | | |
| PLANNING APPLICATIONS SUB COMMITTEE | Date 9 th October 2018 | Classification For General Release | |
| Report of Director of Planning | | Ward(s) involved West End | |
| Subject of Report | 37 Conduit Street, London, W1S 2YF | | |
| Proposal | Erection of a ground floor rear extension, demolition and re-build of the 6th and 7th floors, and extensions to form 8th floor. Extension at basement level and formation of second basement level. All to enlarge existing hotel (Class C1). | | |
| Agent | CGMS | | |
| On behalf of | Westbury Hotel Limited | | |
| Registered Number | 17/10621/FULL | Date amended/ completed | 29 November 2017 |
| Date Application Received | 29 November 2017 | | |
| Historic Building Grade | Unlisted | | |
| Conservation Area | Mayfair | | |

1. RECOMMENDATION

1. Grant conditional permission subject to the completion of a legal agreement to secure the following:

- a) A Crossrail contribution of £76,494 (index linked) payable within 60 days of commencement of development (minus any relevant Mayoral Community Infrastructure Levy paid).
- b) Costs of monitoring the S106 agreement.

2. If the S106 legal agreement has not been completed within six weeks of the date of this resolution then:

- a) The Director of Planning shall consider whether it will be possible or appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorised to determine and issue the decision under Delegated Powers; however, if not;
- b) The Director of Planning shall consider whether the permission should be refused on the grounds that the proposals are unacceptable in the absence of benefits which would have been secured; if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2. SUMMARY

The application site is occupied by the Westbury Hotel (C1 use class) which is an unlisted building located in the Mayfair Conservation Area. The site falls within the Core CAZ (Central Activities Zone), and is partially within the West End Special Retail Policy Area (WESRPA).

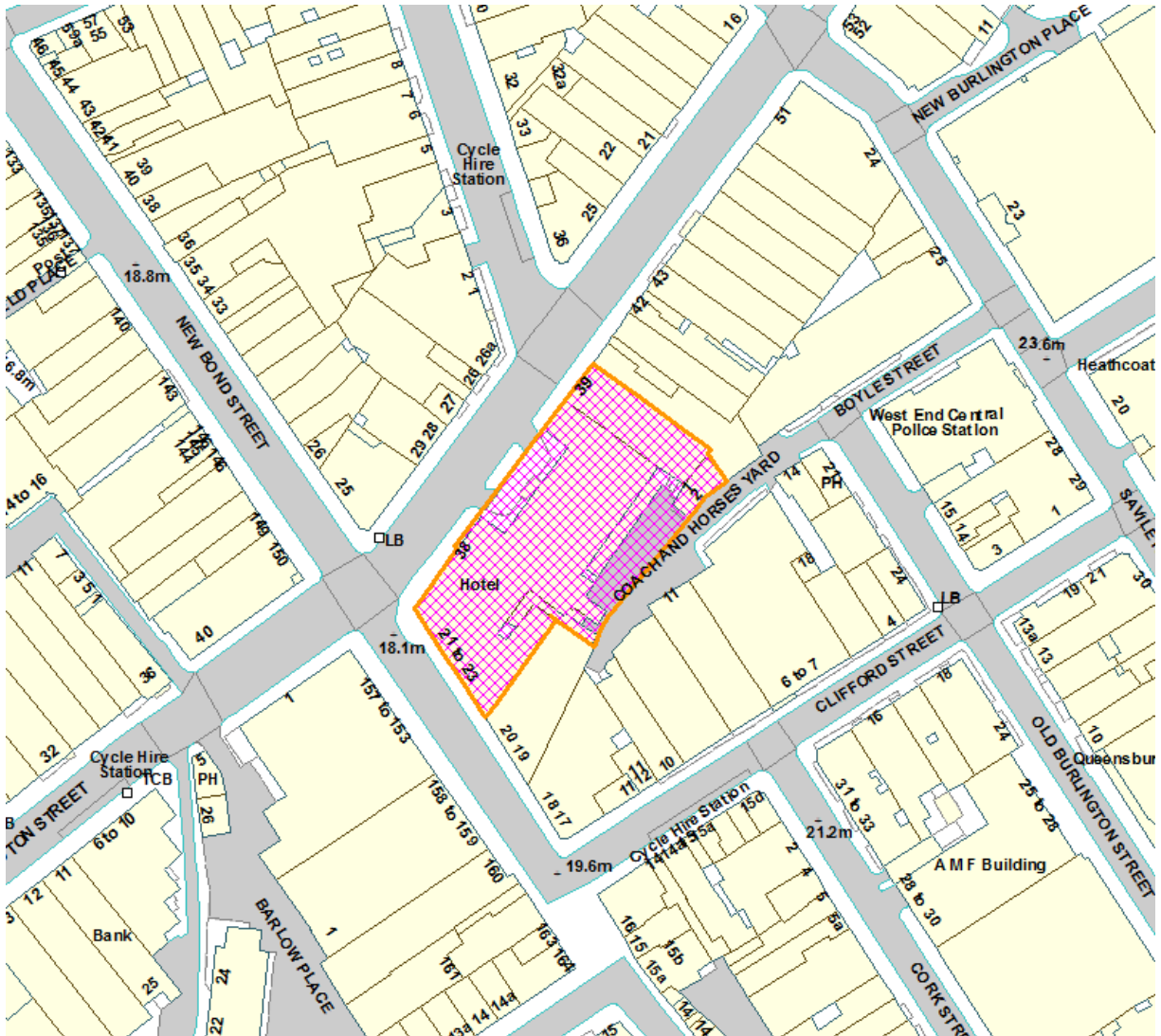
The proposal is to extend the hotel by an additional storey at roof level, a single storey rear ground floor extension, and excavation of a sub-basement level to re-locate the existing roof plant.

The main issues for consideration are:

- Whether the proposal would preserve the setting of the grade II* Time and Life building
- Whether the proposal would preserve or enhance the character and appearance of the Mayfair Conservation Area
- Whether the proposal would preserve the amenity of nearby residents.
- Whether the extensions to the hotel would have an acceptable impact upon the local highway network and public safety.

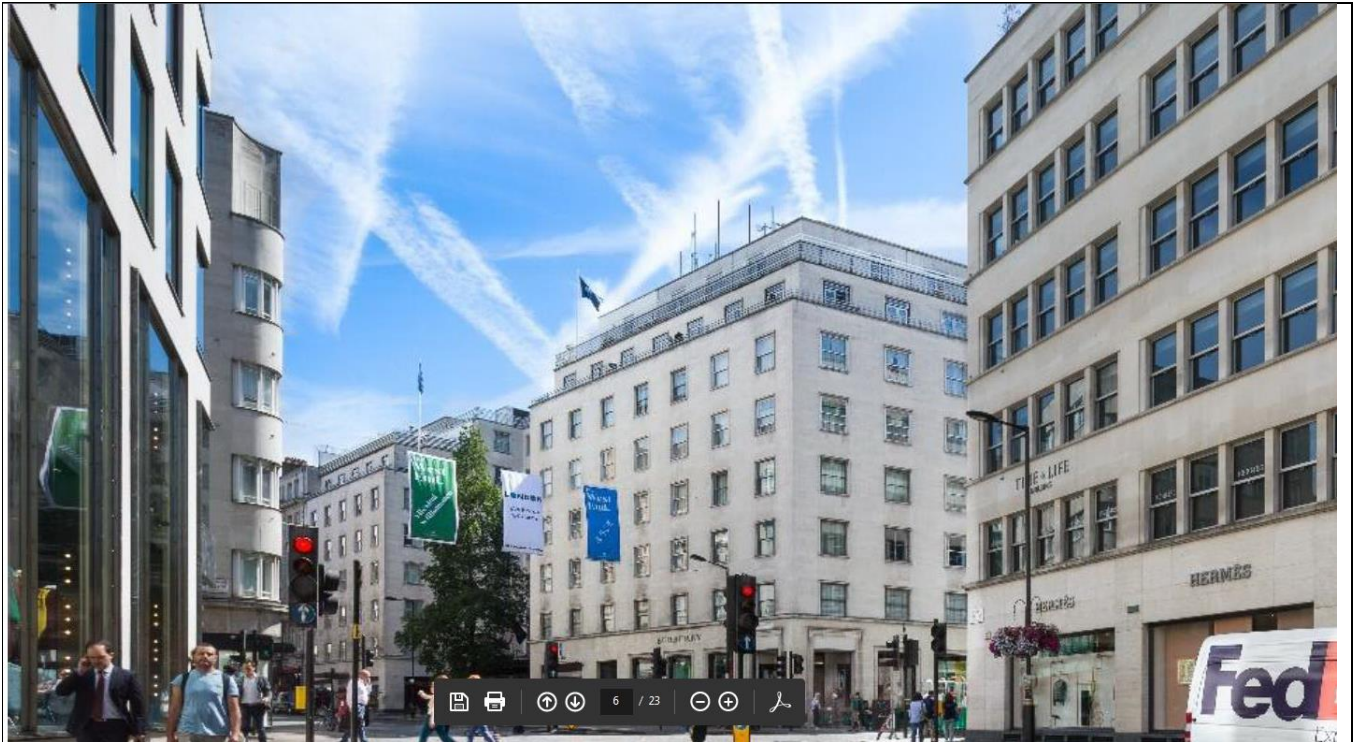
The site's location within the Core CAZ means that the proposed extensions to this hotel are acceptable in principle. The proposed extensions are also considered to be acceptable in design and conservation terms. Furthermore, the extensions will not have a harmful impact upon the local highway network, public safety or the amenity of local residents. For these reasons the proposal is considered to comply with the policies contained within the London Plan (2016), the City Plan (2016) and the Unitary Development Plan (UDP) (2007). It is accordingly recommended that permission be granted.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S : Any response to be reported verbally.

HIGHWAYS PLANNING MANAGER: No objection

WASTE PROJECT OFFICER: No objection subject to conditions

BUILDING CONTROL: No objection

ENVIRONMENTAL HEALTH: No objection subject to conditions

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 210

Total No. of replies: 2

No. of objections: 0

No. in support: 1

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is an unlisted building located in the Mayfair Conservation Area. The site falls within the Core CAZ (Central Activities Zone), and is partially within the West End Special Retail Policy Area (WESRPA).

The site is in use as the Westbury hotel (C1 use class) which has a five-star rating. It is also known as 32 Conduit Street. The existing hotel has a single basement level and seven floors with a significant amount of plant equipment set back at roof level (eighth floor). The hotel has a restaurant and two private dining/meeting rooms along with the Polo Bar, and kitchens at ground floor level. It provides 246 hotel bedrooms and 13 suites on the upper floors, rooms on the sixth and seventh floors benefit from balconies.

The rear of the building fronts onto Coach and Horses Yard which functions as a servicing yard, and a number of informal car parking spaces which are currently used by hotel staff. The hotel is serviced entirely from Coach and Horses Yard with vehicles required to reverse into the yard.

6.2 Recent Relevant History

17/02513/FULL

Use of part of the ground floor for retail purposes (Class A1) in connection with the existing retail unit fronting New Bond Street and associated external alterations to the Conduit Street facades.

Application Permitted

30 May 2017

15/08696/FULL

Installation of replacement double glazed aluminium sash windows at all floors above the ground floor.

Application Permitted 30 December 2015

11/07897/FULL

Retention of air intake through shopfront stall-riser. Installation of decorative grille covers to air intake.

Application Permitted 14 October 2011

**1 - 2 Coach And Horses Yard & Westbury Hotel
32 Conduit Street**11/01292/FULL

Excavation to create a basement on the Coach and Horses elevation to provide storage space for the existing hotel. Installation of a new electricity sub-station.

Application permitted 14 July 2011

03/06881/FULL

Alterations, including demolition of 1 & 2 Coach And Horses Yard, and erection of part single-storey to part five-storey rear extension (incorporating plant and associated enclosure at fifth floor level) to the Coach and Horses Yard elevation, all in connection with the provision of additional hotel floorspace and two replacement residential units.

Application permitted 20 November 2003

00/04322/FULL

Demolition of 1-2 Coach and Horses Yard and parts of the rear of the Westbury Hotel; rebuilding and extension at rear basement, ground and first to third floor levels to provide additional hotel accommodation and 2 s/c residential units

Application permitted 03 May 2001

7. THE PROPOSAL

The application proposes the removal of the eighth floor plant and formation of an additional floor of hotel accommodation. The general increase in height to the building would be 3.8m; the drawings show that the highest point of the proposed building would be 47.035m above ordnance datum (AOD).

The works would result in the removal of existing balconies to the sixth and seventh floor level, and a front extension to the north east wing of the hotel at seventh floor level. In total, the proposal would create 30 new en-suite guest rooms (26 at eighth floor, 4 at seventh floor level); 3 of which would be fully accessible. The net increase in the number of hotel rooms is 29.

In addition, a new sub-basement level would be excavated to accommodate plant equipment, and some plant would also be installed at second floor roof level within an existing acoustic enclosure.

A single storey rear extension is proposed to replace the car parking spaces on Coach and Horses Yard. This would form a new 212 sq.m. restaurant at ground floor, and re-configuration of front of house facilities would form a second restaurant of 375 sq.m.

Overall, the proposal would extend the premises by 1,254 sq.m which comprises:

| | |
|--|--------------------------|
| Basement and Lower Basement Floor [-1] | 279m ² |
| Ground Floor [+0] | 190m ² |
| Seventh Floor [+7] | 35m ² |
| Eighth Floor [+8] | 751m ² |
| Total Proposed | 1254m² |

At present there are 2 internal access points at ground floor level across to the ground floor of Washington House (40 Conduit Street) these are proposed to be removed. There would be no change to the main access to the hotel.

There are a number of telecommunications antennae currently projecting from the roof that would be removed from the site entirely.

8. DETAILED CONSIDERATIONS

8.1 Land Use

London Plan Policy 4.5 seeks to achieve 40,000 net additional hotel bedrooms by 2036, of which at least 10 per cent should be wheelchair accessible. City Plan Policy S6 outlines how the Core CAZ is an appropriate location for a range of commercial uses. City Plan Policy S23 sets out that existing hotels will be protected where they do not have any significant adverse effects on residential amenity. Proposals to improve the quality and range of hotels will be encouraged.

UDP Policy TACE 2 also directs new hotels and permits extensions to existing hotels to streets in the Core CAZ which do not have a predominantly residential character. This is provided that no adverse environmental and traffic effects would be generated and adequate provision is made for setting down of visitors by coaches or taxis where a significant amount of new visitor accommodation is proposed.

The works would extend the existing Westbury Hotel by 29 additional rooms, and provide additional ancillary floorspace, which would contribute towards the London Plan targets. It is understood that the current restaurant offer is not sufficient to service the projected increase in demand. The addition of new ancillary facilities is considered to improve the overall offer and experience for visitors. The proposed hotel extensions are therefore acceptable in land use terms.

8.2 Townscape and Design

The existing building is a post war building which constructed at a similar time to the former Time Life Building on the west side of the street, which is listed grade 2 Star. The building has an important architectural relationship to the Time Life building. It lies within, and contributes positively to, its setting.

The existing building comprises three sections; The middle section, which is seven bays wide, is eight storeys high with a recessed plant room. The east and west wings are six storeys high to the parapet, with two storeys set back above. The highest part of the existing building is at 47.686 metres (AOD).

The proposal involves demolishing the existing floors above the parapet levels. The top of the roof will be slightly lower than the existing plant room, at 47.035 m AOD. Three new floors will be built above parapet level, stepping back progressively. The design of the floors will echo the facades below.

The main impact of this increased bulk is on New Bond Street, where the roof extension will be one storey higher than existing. However, given that it will be set back, its visual impact is reduced, and it is considered that this increase in massing is acceptable. It is considered that the proposed massing is the maximum acceptable on this building, and if in future there are proposals for roof level plant, on top of the proposed flat roof, these are very likely to be resisted, on urban design and conservation grounds.

The proposals are considered to comply with the City Council's urban design and conservation policies including S25 and S28 of the City Plan and DES 1, DES 5, DES 6, DES 9 and DES 10 of the Unitary Development Plan.

8.3 Residential Amenity

The City Council places high priority on protecting residential amenity, with UDP Policy ENV 13 stating that the City Council will normally resist proposals which result in a material loss of daylight or sunlight to neighbouring properties. Similarly, City Plan Policy S29 seeks to ensure that development proposals safeguard the amenities of neighbouring residents in terms of privacy, outlook and noise.

The nearest residential dwelling is 2 Coach and Horses Yard which adjoins the rear of the north east wing of the hotel. There are also nine flats at 26 Conduit Street which is directly opposite the front of the hotel.

Sunlight and Daylight

Policy ENV13 states that regard should be given to the Building Research Establishment guidance entitled, '*Site layout planning for daylight and sunlight: a guide to good practice*' (the BRE Guide). The second edition of this guidance was published in September 2011.

A full sunlight and daylight assessment by Waldrams accompanies the application, and assesses the impact of the proposed hotel extensions on residential windows at the following properties:

- 26-27 Conduit Street
- 2 Coach and Horses Yard
- 14 Coach and Horses Yard
- 14 Barlow Place

The assessment finds that the proposed extensions will not adversely impact on any adjoining residential buildings in respect to daylight or sunlight, with any losses not being noticeable.

As such, the proposal is fully compliant with the BRE Guide (2011) and therefore UDP Policy ENV 13 and City Plan Policy S29.

Privacy and Sense of Enclosure

2 Coach and Horses Yard is a single dwelling, at ground floor level it has a large corner window it is noted that no objection has been received from the owners or occupiers of this property.

The proposed single storey rear extension would be built to follow the rear line of 2 Coach and Horses Yard. The extension would be stepped back by 2.1m where it directly adjoins this neighbouring property, to allow for a recessed, single door fire escape. Given the recess, and that this neighbouring residential window is dual aspect and south facing, it is not considered that the proposed extension would cause unacceptable sense of enclosure to the ground floor of 2 Coach and Horses Yard.

There would be no windows in the proposed extensions that would directly overlook 2 Coach and Horses Yard. The proposed front extension at seventh floor level and additional hotel rooms at eighth floor level would be set back from 26 Conduit Street to a greater degree than the existing hotel windows thereby preserving the privacy of residential units in this neighbouring property. Similarly, the set back and angle of outlook from 14 Coach and Horses Yard, and 14 Barlow Place would mean that the proposed additional hotel rooms would not result in any loss of privacy. It follows that the proposals are not considered to result in any unacceptable loss of privacy.

8.4 Transport & Accessibility

Cycle Parking

For a development of this type, the London Plan requires 14 long stay cycle parking spaces for the hotel, 4 long stay cycle parking spaces for the restaurant use, and 23 short stay cycle parking spaces.

The submission proposes 14 long stay cycle spaces, and 27 short stay spaces, which would result in a total of 41 cycle parking spaces. These spaces would all be located at ground floor level; 14 spaces would be accessible for staff via Coach and Horses Yard, and 31 spaces would be made available to customers accessed from a doorway to the front of the hotel.

Whilst the proposal falls short on the provision of long stay cycle parking spaces, there is an over-provision of short stay spaces, so on balance, this is not considered a sustainable reason for refusal.

Servicing

UDP Policy Trans 20 requires off-street servicing, which the building does not currently have. Servicing is currently undertaken from Coach and Horses Yard which is approximately 7.5m wide at its widest point. Owing to the use of part of the yard as approximately 8 parking spaces, servicing vehicles have to either reverse in, or reverse out as there is insufficient space to turn around in the Yard - which is undesirable.

It should be noted that in 2003 and in 2001 consent was granted for a single storey rear extensions in the same location as currently proposed. The acceptability of the loss of the parking spaces, and therefore prospective turning space has already been established.

The proposal would increase the overall amount of restaurant floorspace, which will increase the amount of servicing required by the site. The applicant has set out that the existing deliveries have capacity to accommodate the extra goods required, and therefore there would be no increase to the number of servicing trips. On this basis it is considered that the proposal would be acceptable.

The main entrance will remain as existing and will be managed by 24hr door staff. Basement access will be from both stairs and a lift. Level access is proposed to the main hotel lobby and to the other areas of the main building.

8.5 Economic Considerations

Any economic benefits generated by the scheme are welcome.

8.6 Other UDP/Westminster Policy Considerations

Plant

Some plant would be relocated to basement level -2, and some would be located on the flat roof at second floor level within an acoustic screen. There would be no plant at main roof level. The proposed plant will not be harmful to views from the public realm or from local private views.

Environmental Health Officers have assessed the acoustic report that was submitted with the application and consider that subject to a supplementary noise report, the proposed plant is likely to comply with the City Council's noise policy ENV 7 of the UDP. The supplementary noise report will be secured by condition.

Refuse /Recycling

The existing waste storage is informally located in a number of euro bins on Coach and Horses Yard. The proposal includes a designated refuse store within the ground floor rear extension which would have direct access to Coach and Horses Yard for collection. This would significantly improve the current waste storage situation and is considered to be acceptable.

8.7 Neighbourhood Plans

The submission version of the Mayfair Neighbourhood Plan has been submitted by Mayfair Neighbourhood Forum to the council for consultation and an independent examiner is due to be appointed shortly.

8.8 London Plan

London Plan Policy 4.5 aims to support London's visitor economy and stimulate its growth to achieve 40,000 net additional hotel bedrooms by 2036.

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 draft 'Heads' of agreement are proposed to cover the following issues:

- Crossrail payment £76,494 (index linked, to be offset against Mayoral CIL as allowed by the SPG)

The estimated CIL payment is: £388, 533.95 (made up of £90,535 Mayoral CIL and £297,999 WCC CIL). These figures assume that CIL is paid immediately upon permission being granted. They are, however, index linked and therefore the amount eventually paid will depend on when the CIL payment is made.

The Crossrail payment is required to be index linked from April 2011 and therefore will exceed the above Mayoral CIL figure. There will therefore be a residual payment that needs to be secured by legal agreement.

8.11 Environmental Impact Assessment

The proposal is of an insufficient scale to require an Environmental Impact Assessment

8.12 Other Issues

Basement

The proposal includes the excavation to create an additional sub-basement level under part of the application site. The proposed basement would not extend under the whole of the site and would be used as a plant room.

City Plan Policy CM28.1 does not restrict the size or the depth of basements within the Core CAZ. Part C (c) of the policy states that basement development to non-residential development adjoining residential properties where there is potential for an impact on those adjoining properties outside Core CAZ; will not involve the excavation of more than one storey below the lowest original floor level. Therefore, as the site is located within the Core CAZ, the excavation of more than one basement level complies with this section of the policy.

Policy CM28.1 requires that basement development be accompanied by a detailed structural methodology statement and a signed proforma Appendix A which demonstrates that the applicant will comply with relevant parts of the COCP. **T** A condition is recommended to secure full compliance with the COCP.

The applicant has submitted a structural methodology statement which has been reviewed by Building Control officers who advised that the structural approach appears satisfactory.

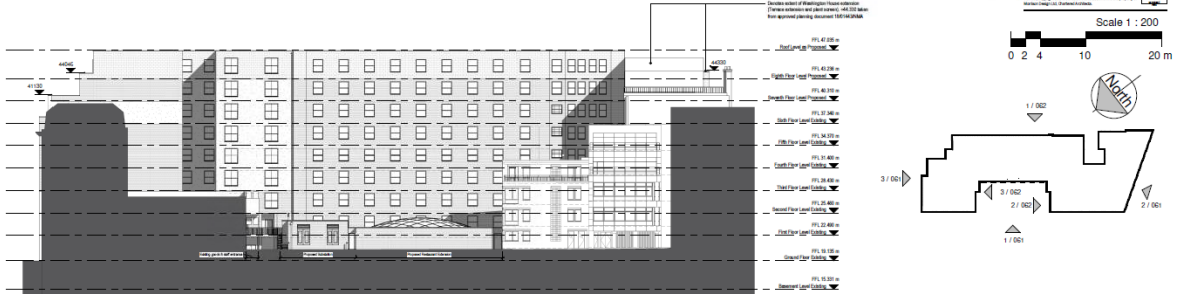
Hours of building and excavation work will be secured by condition.

(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: MARK HOLLINGTON BY EMAIL AT mhollington2@westminster.gov.uk

9. KEY DRAWINGS

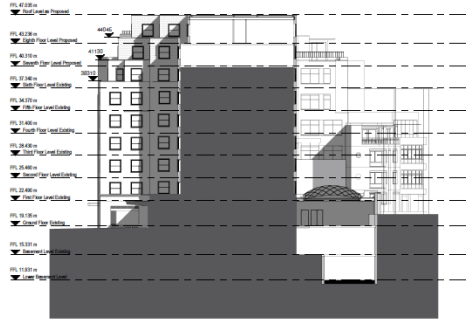
Proposed elevations



1 Coach & Horses Yard Proposed
1 : 200



Conduit Street Proposed (2 of 3)
1 : 200



Conduit Street Proposed (3 of 3)
1 : 200

D. F.E. Area adjacent to highway property boundary 20/08/20
 20/08/20
 C. Drawing updated to show proposed alterations 17/08/20
 17/08/20
 B. Not for construction without written permission 02/08/20
 02/08/20
 A. Initial design concept including proposed 3D floor 12/04/20
 12/04/20
 Revision: 02/08/20

MORRISON DESIGN
 QUARTERS ARCHITECTS

81 Almonds Road, 819 Balguy Road, Chelvey DE13 9BS
 01202 824246 01202 824247 01202 824248

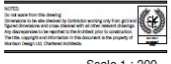
The Westbury Hotel
 Proposed Extensions and Alterations

Cola Holdings Ltd
 Drawing Title
 Proposed Elevations 2 of 2

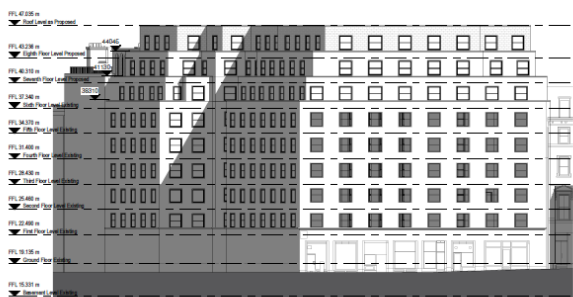
Author
 Peter Wadley

| | | | | | |
|------------------|--------|-----------|---------|--------------|----------|
| Drawn @ A1 Scale | Client | Author | Checked | Checked Date | 19/07/20 |
| 1:200 | | Wadley, P | | | |
| 3550 | | 062 | | | D |

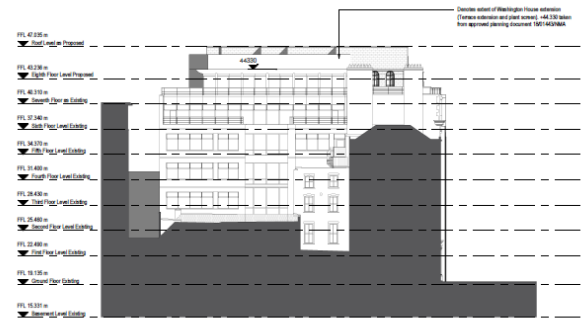
PLANNING APPLICATION



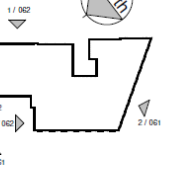
Conduit Street Proposed (1 of 3)
1:200



New Bond Street Proposed
1:200



East Elevation Proposed
1:200



8. All floor levels are highlighted to indicate building levels based on the datum of Wellington House extension (indicated on sheet 0000)

9. Height of proposed building to proposed floor level

10. Date

11. Description

12. Date

13. The Westbury Hotel Proposed Extensions and Alterations

Cola Holdings Ltd

Drawing Title

Proposed Elevations 1 of 2

Scale

1:200

Date 02/01/21

Drawn: PH

Checked: -

Date 02/01/21

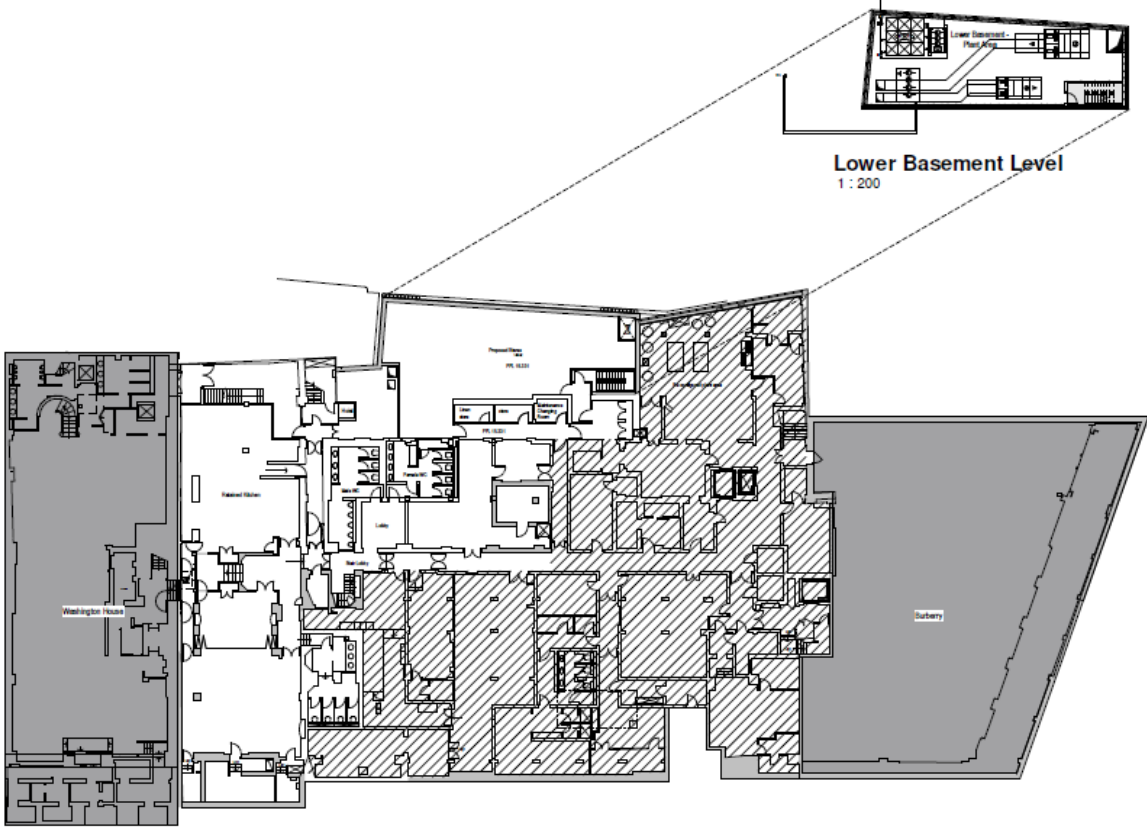
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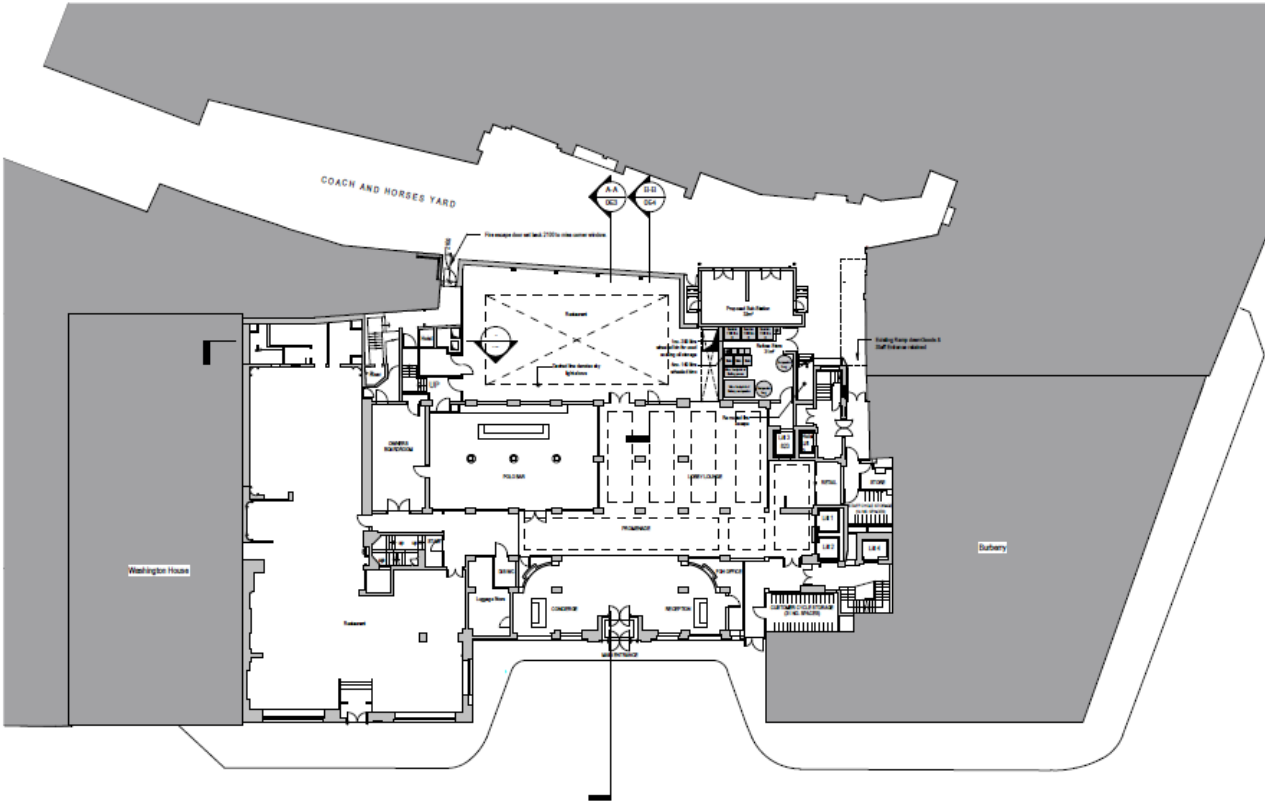
Revision

0

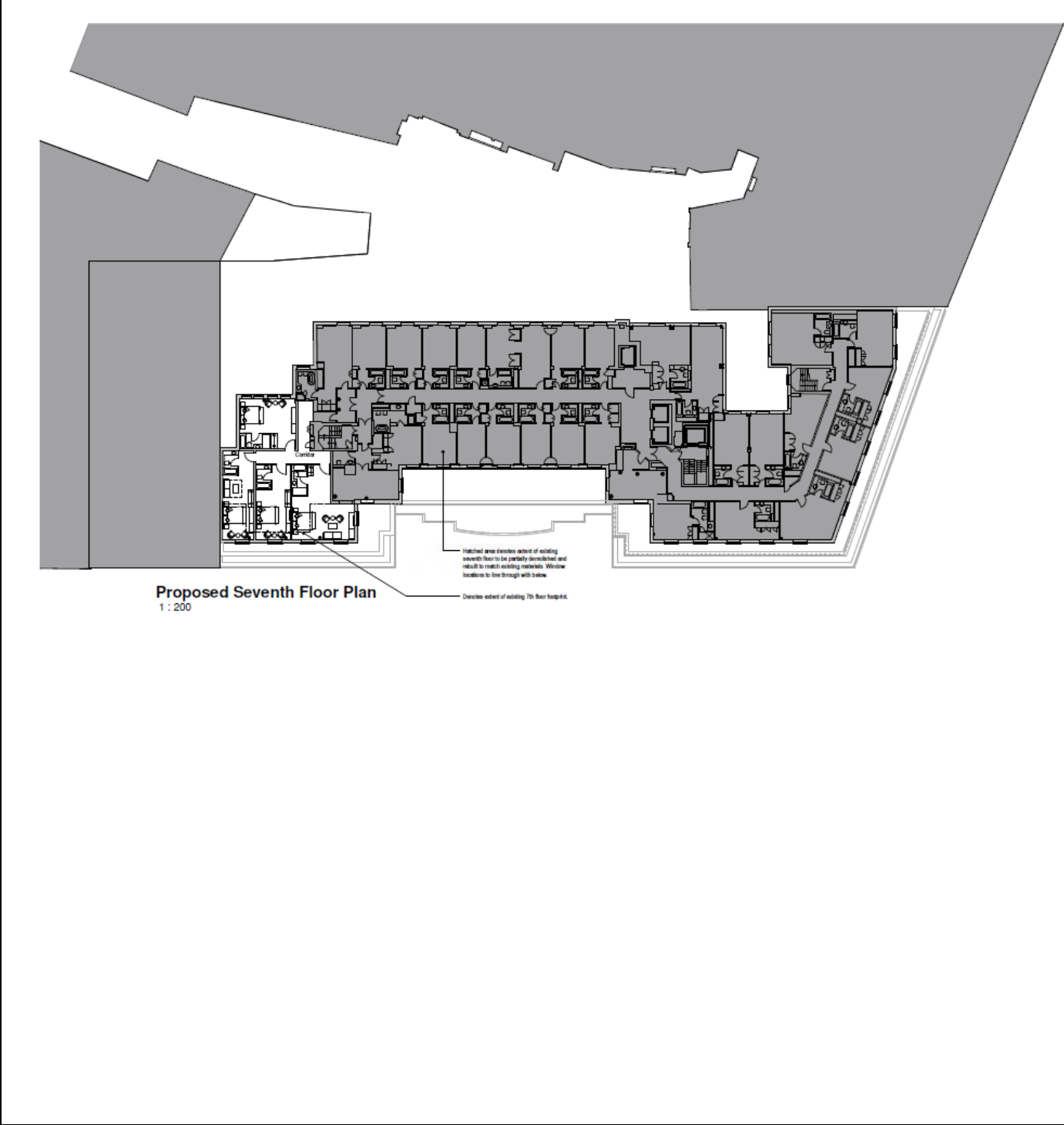
PLANNING APPLICATION



Proposed Basement & Lower Basement Plan
1 : 200



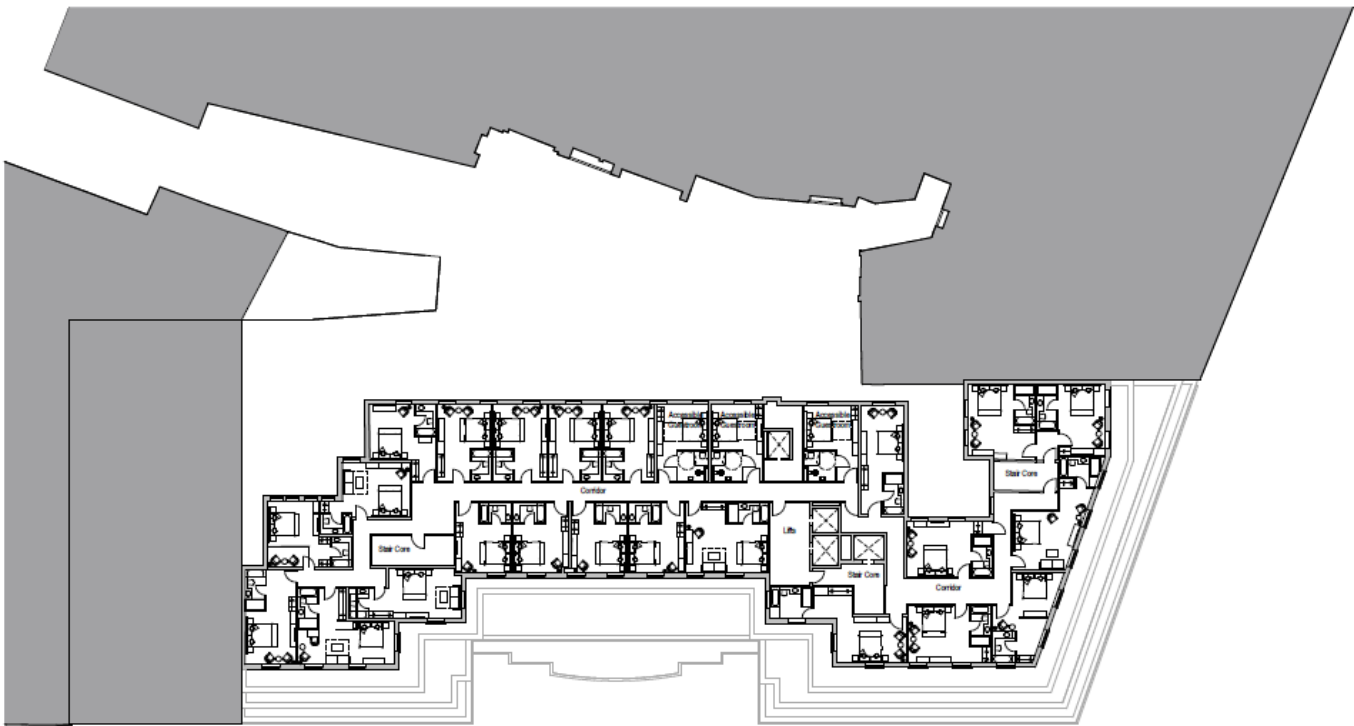
Proposed Ground Floor Plan
1 : 200



Proposed Seventh Floor Plan
1 : 200

Hatched area denotes extent of existing seventh floor to be partially demolished and rebuilt to match existing materials. Window locations to line through with below.

Denotes extent of existing 7th floor footprint.



Proposed Eighth Floor Plan

1 : 200

DRAFT DECISION LETTER

Address: 37 Conduit Street, London, W1S 2YF,

Proposal: Erection of a ground floor rear extension, demolition and re-build of the 6th and 7th floors, and extensions to form 8th floor. Extension at basement level and formation of second basement level. Internal alterations to form new guest rooms, restaurant/bar facilities, function rooms and ancillary facilities.

Reference: 17/10621/FULL

Plan Nos: 050 Rev B, 051 Rev I, 052 Rev D, 053 Rev D, 057 Rev C, 058 Rev C, 059 Rev E, 060 Rev F, 061 Rev B, 062 Rev D, 063 Rev D, 064 Rev A, 065

Case Officer: Gemma Bassett

Direct Tel. No. 020 7641 2814

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 residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 You must provide each cycle parking space shown on the approved drawings prior to first use of the eighth floor hotel rooms. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2016 (R22FA)

- 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)

- 5 (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. (R46AB)

- 6 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. (R48AA)

- 7 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition(s) 5 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

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. (R51AB)

- 8 You must provide the waste store shown on drawing 051 Rev I before first use of the eighth floor. You must clearly mark it and make it available at all times to everyone using the waste

store. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

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)

- 9 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 Mayfair 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)

10 **Pre Commencement Condition.**

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 of Construction Practice and requirements contained therein. Commencement of any demolition or construction cannot take place until the City Council as local planning authority has issued its written approval of such an application (C11CC)

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 11 You must put up the plant screen shown on the approved drawings before you use the machinery. You must then maintain it in the form shown for as long as the machinery remains in place. (C13DA)

Reason:

To protect the environment of people in neighbouring properties, as set out in S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13BC)

- 12 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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the 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)

- 13 All kitchen extracts must terminate at roof level.

Reason:

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)

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 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 3 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)

With reference to condition 10 please refer to the Council's Code of Construction Practice at (<https://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). These documents must be sent to environmentalsciences2@westminster.gov.uk.

Appendix A or B must be signed and countersigned by Environmental Sciences prior to the submission of the approval of details of the above condition.

You are urged to give this your early attention

- 5 We recommend all hoteliers to join the Westminster Considerate Hoteliers scheme and to support the Considerate Hoteliers Environmental Charter. This aims to promote good environmental practice in developing and managing hotels. For more information, please contact:

John Firrell MHCIMA
Secretary - Considerate Hoteliers Association
C/o Wheelwright's Cottage
Litton Cheney
Dorset DT2 9AR

E-mail: info@consideratehoteliers.com
Phone: 01308 482313

(I76AA)

- 6 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 7 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: www.westminster.gov.uk/cil

Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form** **immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**

CIL forms are available from the planning on the planning portal:

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<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

Forms can be submitted to CIL@Westminster.gov.uk

Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.

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.