

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 08 January 2019	Classification For General Release	
Addendum Report of Executive Director Growth Planning and Housing		Ward(s) involved St James's	
Subject of Report	4 - 5 Buckingham Gate, London, SW1E 6JP		
Proposal	Demolition behind the retained front and side facades on Buckingham Gate and redevelopment to provide a hotel (Class C1) comprising of 53 rooms and ancillary services. Excavation to provide a single-storey basement and pool. External alterations for the provision of a new off street loading area to the rear, raising of boundary garden wall to the rear, alterations to windows and provision of mechanical plant at roof level and a pavilion at roof level. Provision of a terrace at rear second floor level within recessed part of the building and a terrace at roof level fronting Buckingham Gate.		
Agent	CBRE Ltd		
On behalf of	Cofingham Limited		
Registered Number	18/06103/FULL 18/06104/LBC	Date amended/ completed	13 December 2018
Date Application Received	19 July 2018		
Historic Building Grade	II		
Conservation Area	Birdcage Walk		

1. RECOMMENDATION

1. Grant conditional permission subject to completion of a Section 106 Legal Agreement to secure the following:

- i) funding for the provision of a formal footway crossover to access the service bay on Stafford Place;
- ii) funding for the costs to reconfigure the existing on-street parking bays in both Stafford Place and the cul-de-sac off Buckingham Gate;
- iii) secure details of the service management plan;
- iv) an employment and training opportunities strategy during construction and for the hotel use; and
- v) costs of monitoring the 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 permissions with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorised to determine and issue the decisions under Delegated Powers; however, if not;
- b) The Director of Planning shall consider whether the permissions 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 applications and agree appropriate reasons for refusal under Delegated Powers.
3. Grant conditional listed building consent.
4. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.

2. SUMMARY

The applications were reported to the Planning Applications Sub-Committee on the 04 December 2018. Committee resolved to defer the applications for a site visit and to clarify servicing of the site, waste collection and taxi drop off. The Committee site visit is to take place prior to being reported to the Planning Applications Sub-Committee on the 08 January 2019.

In order to address the matters raised by committee members the applicant has submitted further information, which is set out below and appended to this report.

Principle of new hotel

Policy S23 of the City Plan relates to new hotel and visitor accommodation. The policy directs new hotel development to various locations including the Core CAZ. Hotels will be directed to streets not of a predominantly residential character. As Members will recall from the presentation to committee on 4 December, late representations referred to the principle of a hotel use in this location in relation to the requirements of S23. The site is within Core CAZ. The surrounding area is considered to be of mixed character – whilst there are several residential units to Stafford Place to the rear of the site and adjacent to it on Buckingham Gate, there are a variety of office, commercial, cultural and residential uses along Buckingham Gate itself. Buckingham Gate is a busy arterial route. In principle, the site is considered an acceptable location for the hotel, given the location and conditions recommended to control servicing and other potential impacts arising from the proposed use.

Servicing

The applicant has now widened the servicing bay doors from 3.1m to 4.5m, which will make it easier for servicing vehicles to enter and exit from the servicing area in a forward gear whilst passing a vehicle parked on the single yellow lines on Stafford Place. This is shown on the swept path drawings in the background papers.

As set out in the supplementary transport statement, servicing of the site is estimated to be between 6-7 trips daily (including refuse collections), Monday to Saturday. This is based on the operation of the applicant's existing hotels of a similar size and nature. The applicant also states that they can split the servicing with approximately 4-5 trips along Stafford Place, and the remainder being

undertaken along the cul-de-sac from Buckingham Gate. This can be secured through the servicing management plan

The applicant has offered a further restriction to the hours of servicing of the site to between 0830-1830, Monday to Saturday, which would match the existing parking restriction to the rear of the site along Stafford Place. It is therefore proposed to amend condition 11 presented to committee on 4 December 2018 to refer to the revised hours of servicing.

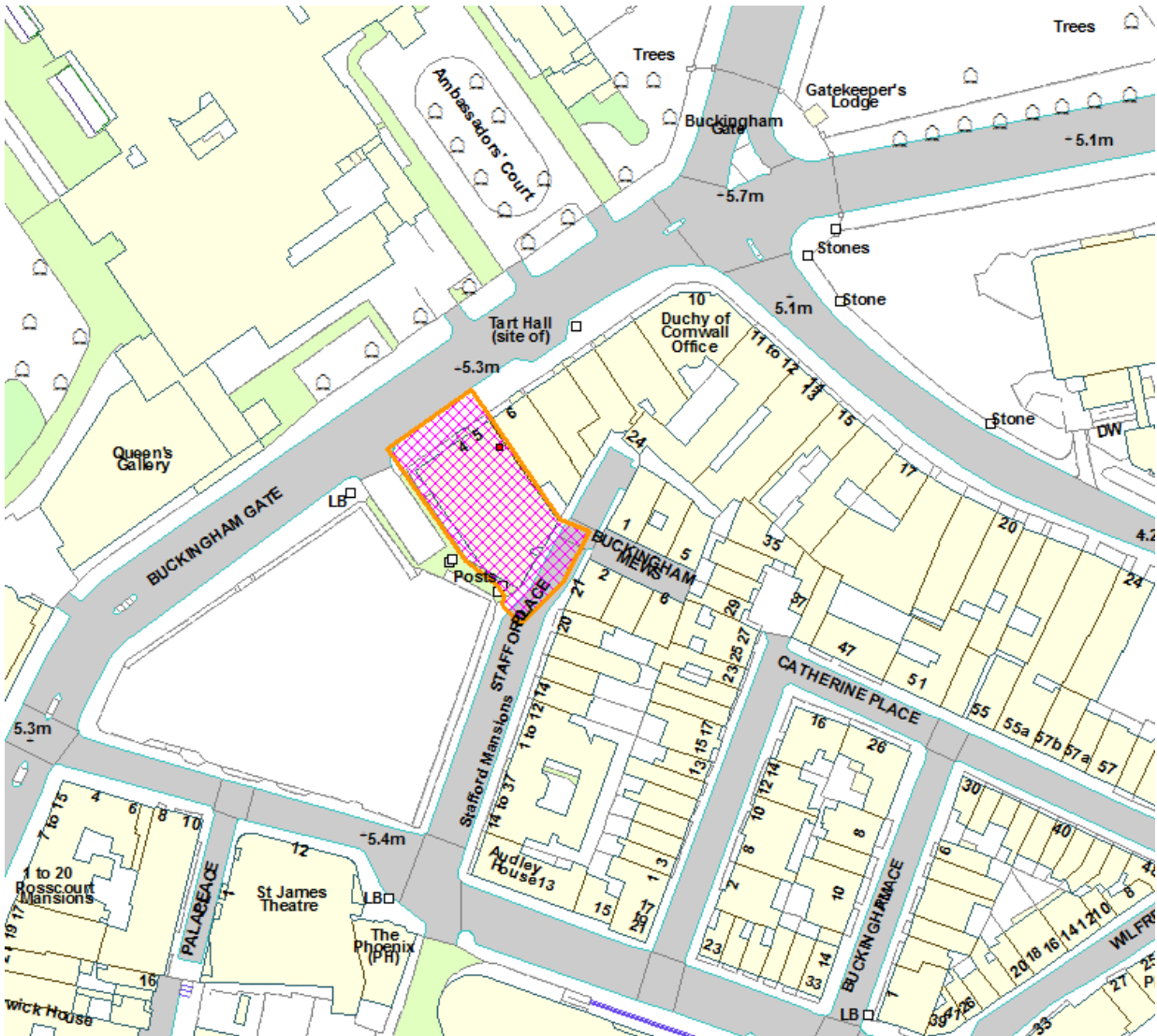
Taxis

The scheme proposes to utilise the existing cul-de-sac off of Buckingham Gate by relocating an existing pay-by-phone parking bay at the southern end in order to allow vehicles to reverse. The principle of using this area has been agreed with the City Council's Highways Planning Manager.

Refuse

Waste and recyclable stores are provided on site and are capable of holding two days' worth of waste. Refuse collection is four times per week (Monday, Wednesday, Friday and Saturday) and will be undertaken by a private contractor within the proposed servicing hours. All waste collection will be undertaken on site within the dedicated servicing bay.

3. LOCATION PLAN



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4. PHOTOGRAPHS



4 - 5 Buckingham Gate

5. CONSULTATIONS

ADDITIONAL REPRESENTATIONS (not listed in the background papers to sub-committee dated 4 December)

THORNEY ISLAND SOCIETY

Object on the basis that the hotel will have a far greater impact on the nature of the area than the permitted residential scheme. Servicing is impractical. The terraces will compromise amenity of existing residents.

4 representations making the following points:

Land use

Should the application be approved then consider the imposition of conditions to control operation of hotel use.

The original committee report did not include any assessment or justification of non compliance with S23. Committee members will need to consider whether this breach of S23 means that the proposal is in overall accord with the development plan.

Loss of employment floorspace is contrary to S23.

Amenity

Terraces are not required for hotels.

The fenestration to the rear will be harmful to nearby residents.

The disturbance caused by the servicing will be harmful to the living conditions of residents.

Design/heritage

There is no assessment of the effect of the proposals on the setting of nearby listed buildings on Stafford Place.

The scheme does not preserve or enhance the conservation area.

Highways

Stafford Place unsuitable for servicing; no servicing has ever taken place from Stafford Place.

RE-CONSULTATION ON 17 December 2018

(The re-consultation took place following amendments to increase the size of the servicing bay doors to the rear of the site from 3.1m to 4.5m.)

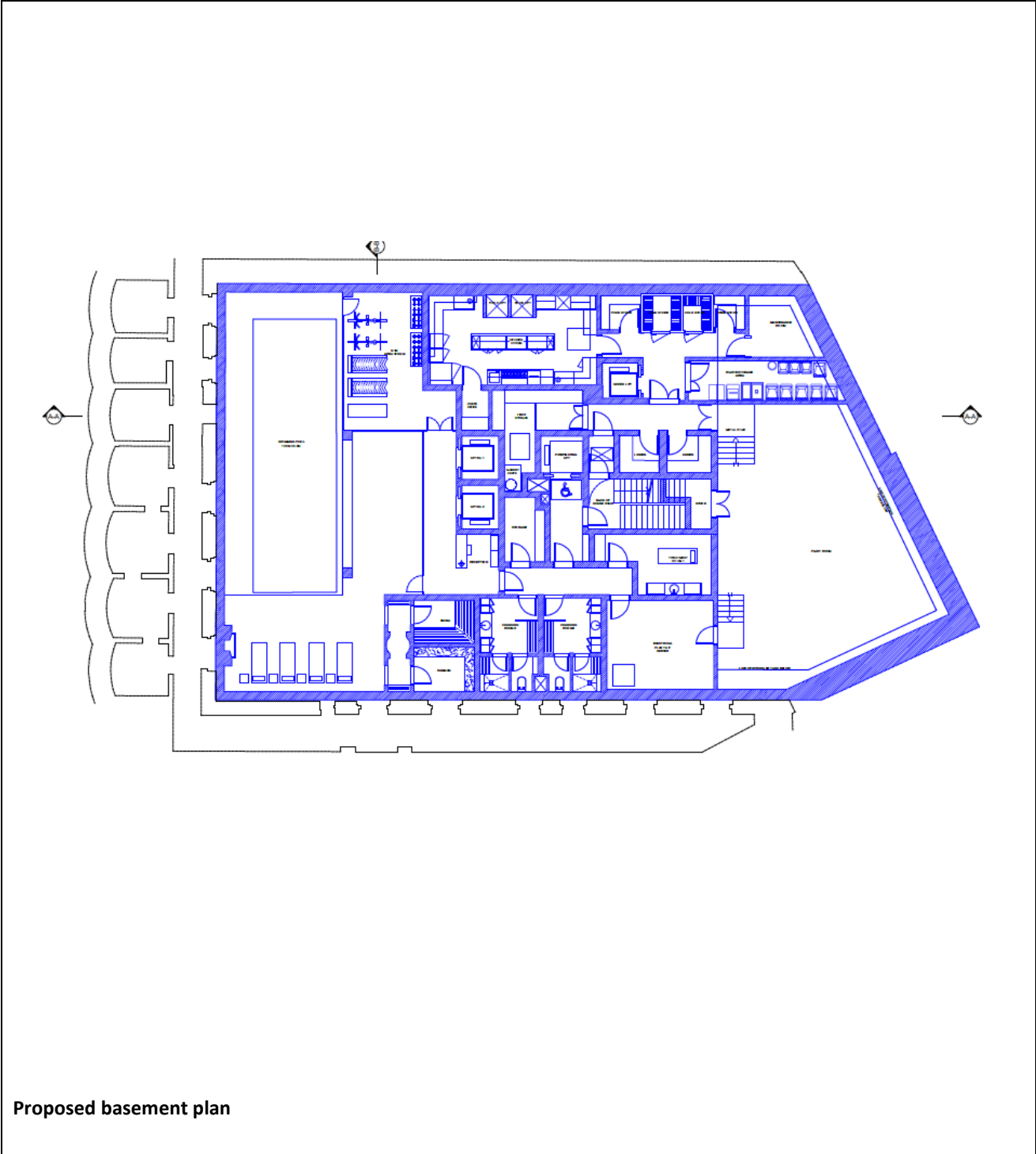
Number re-consulted: 73

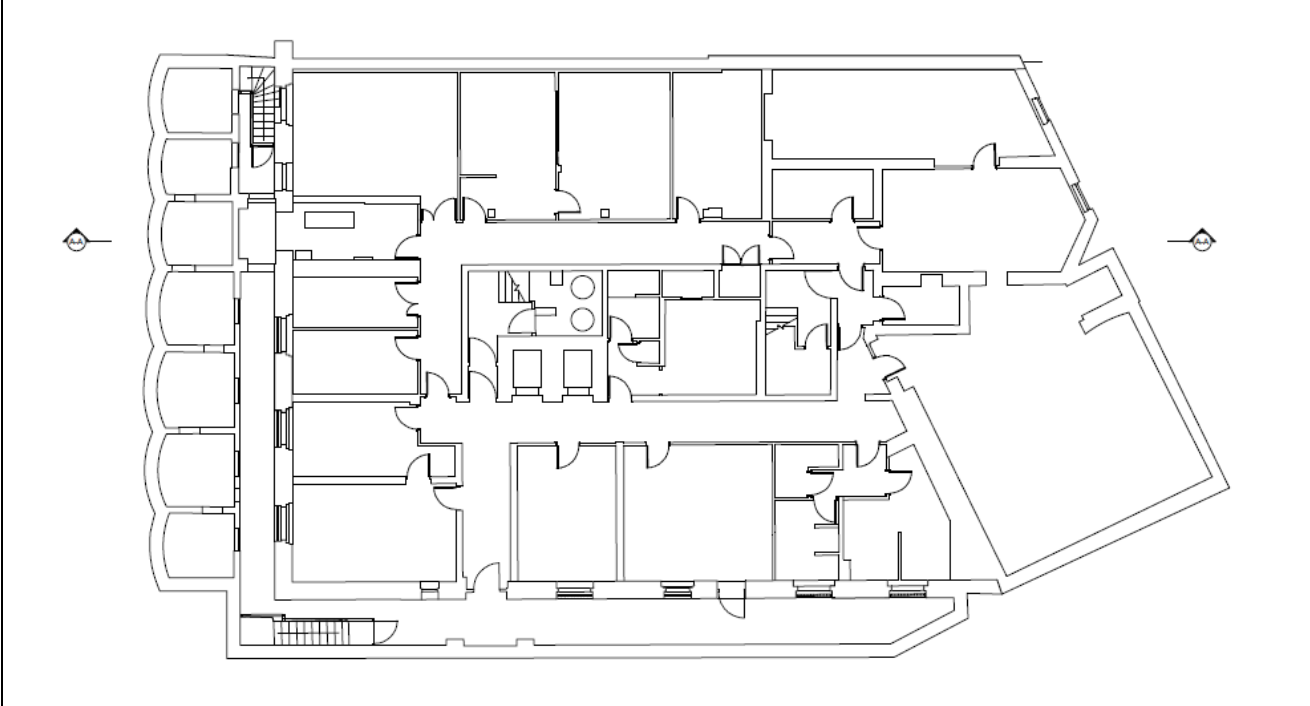
Number of replies: to be reported verbally.

(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

6. KEY DRAWINGS

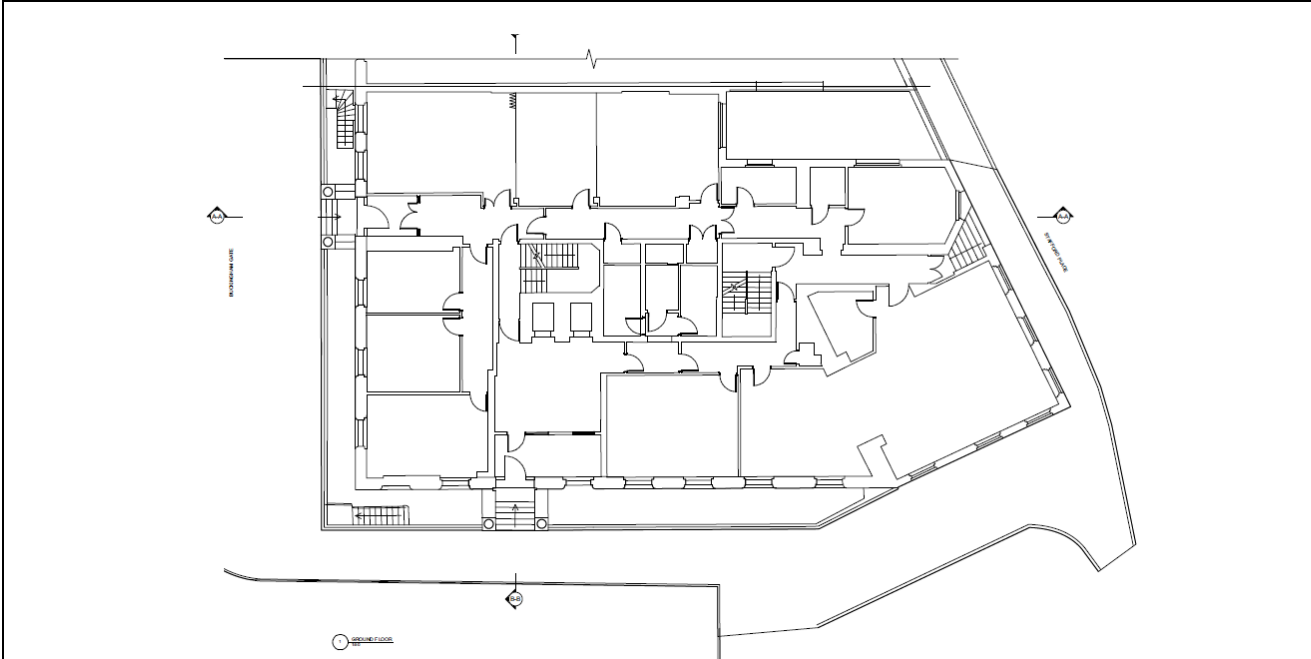




Existing lower ground floor plan

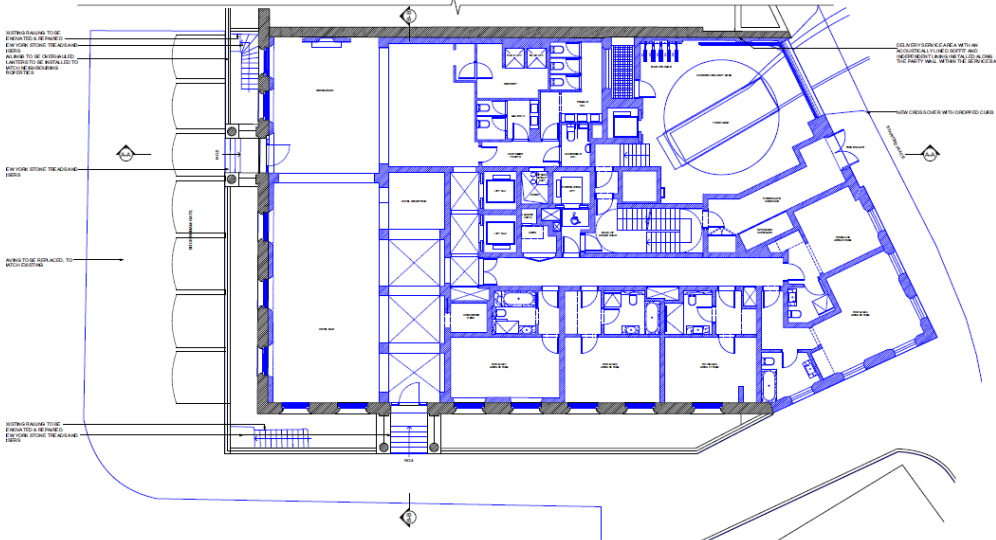
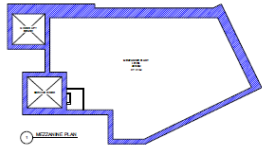


Proposed lower ground floor plan

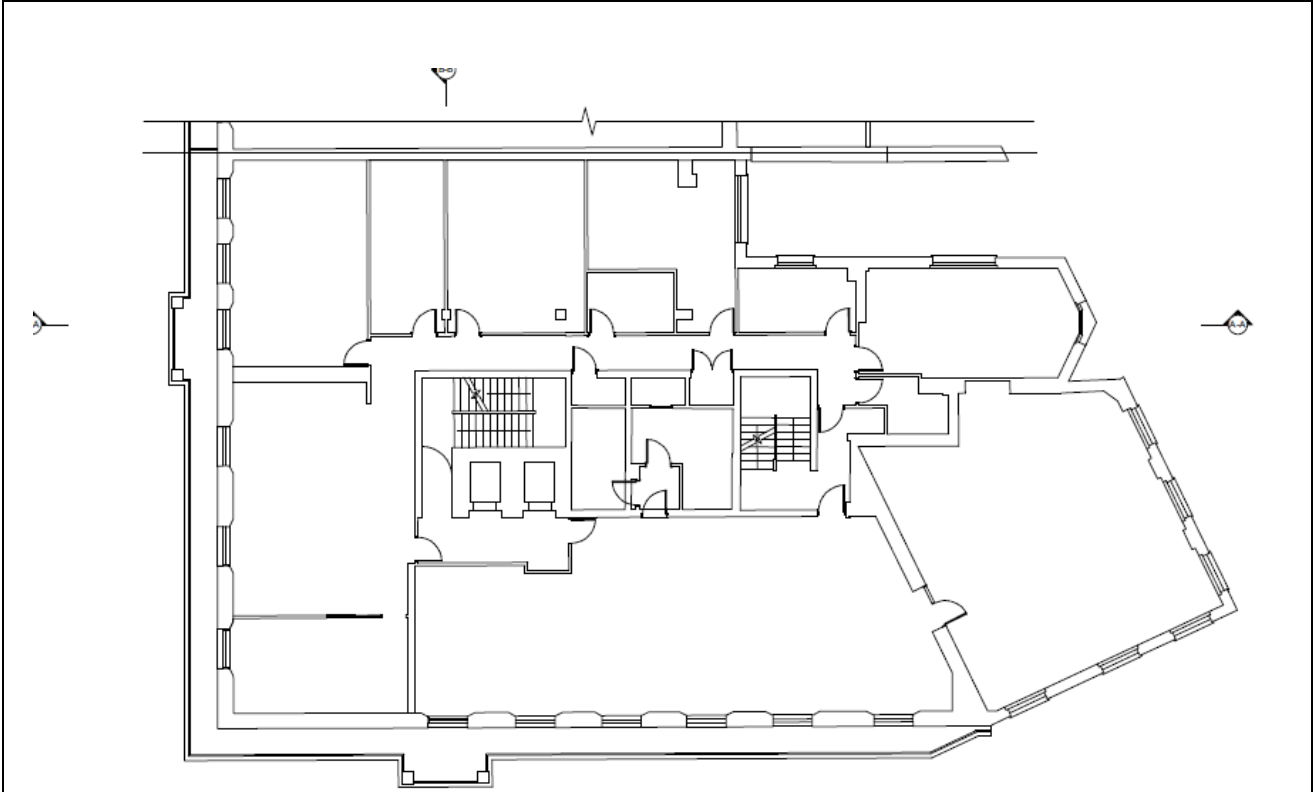


Existing ground floor plan

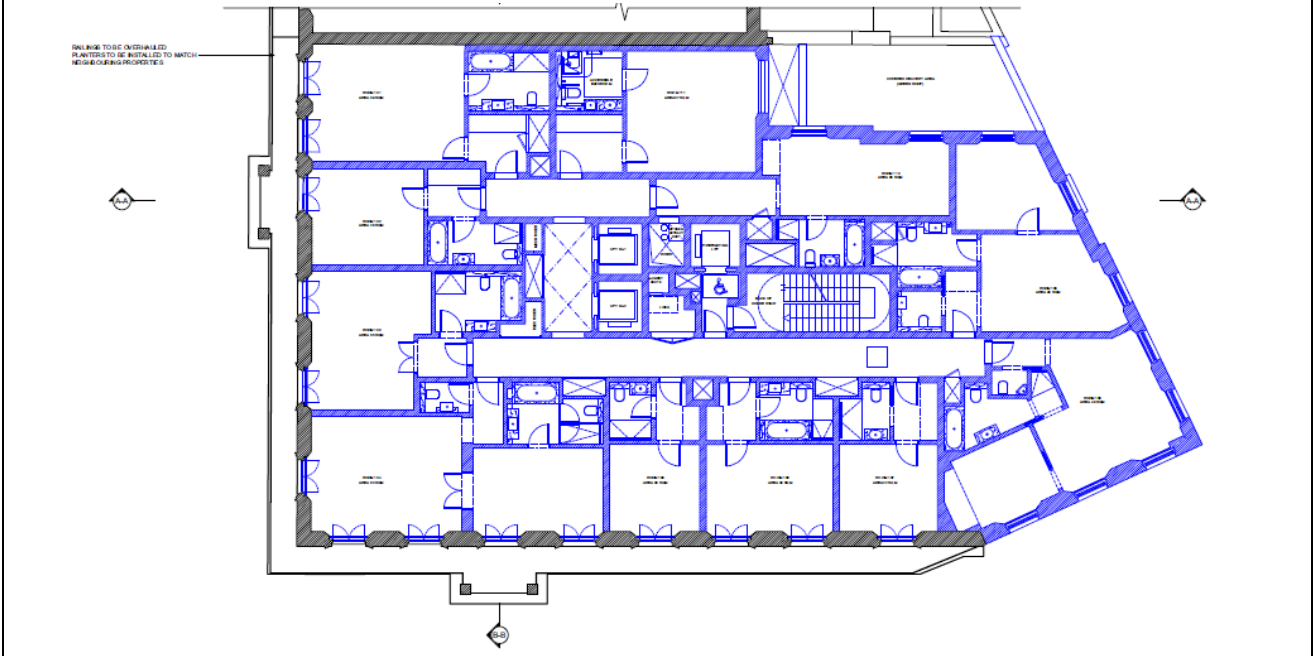
REVISIONS:
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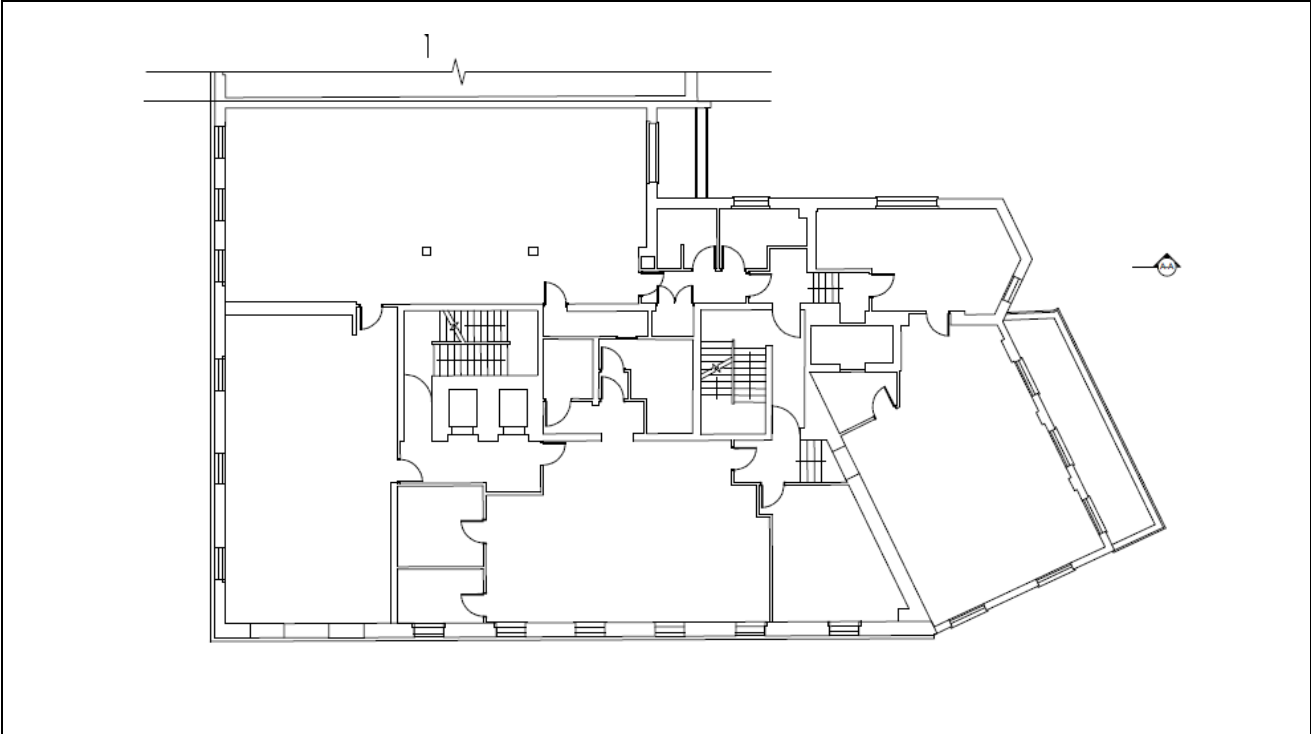
Proposed ground floor plan



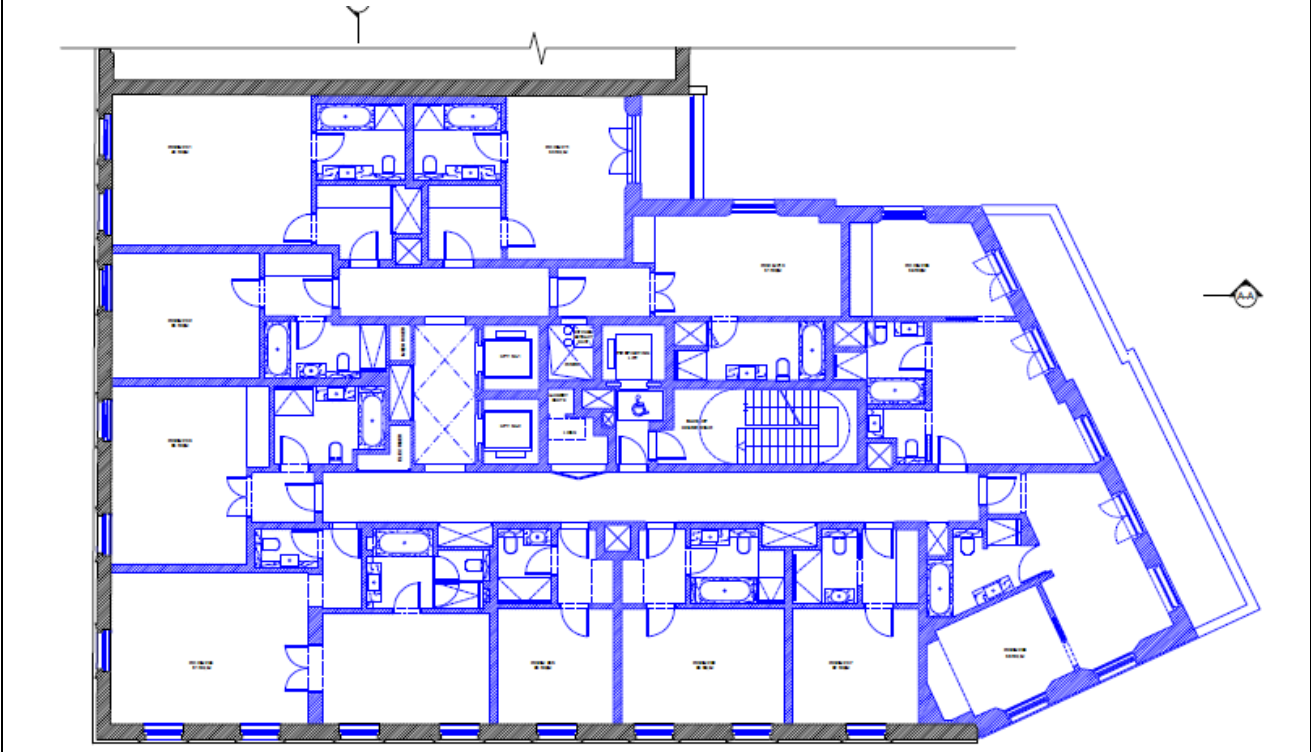
Existing first floor plan



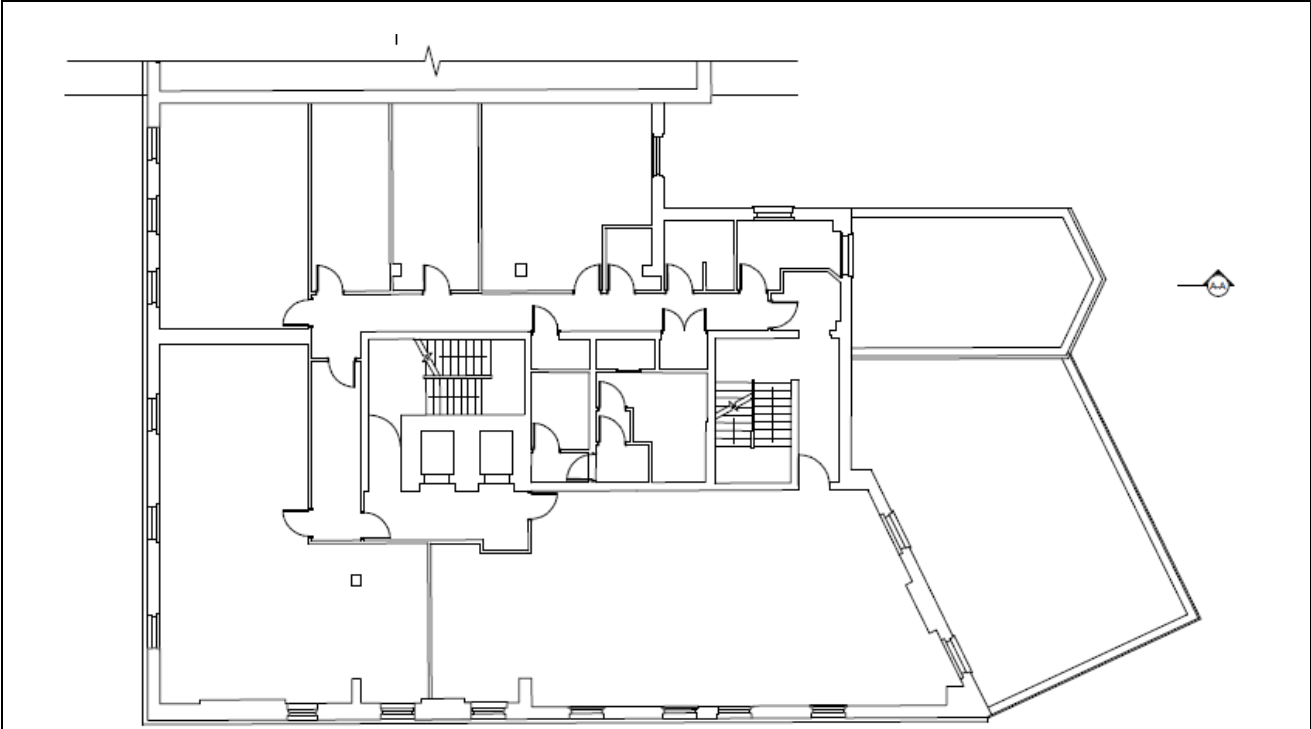
Proposed first floor plan



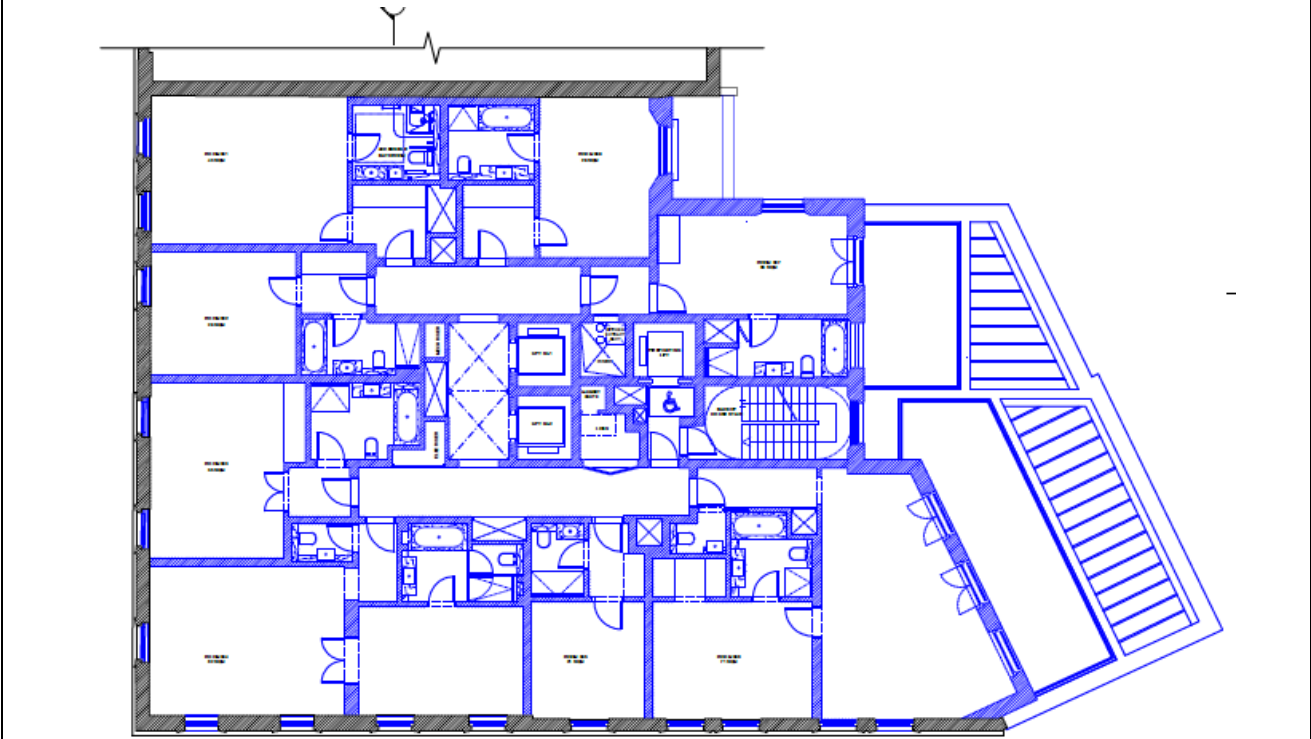
Existing second floor plan



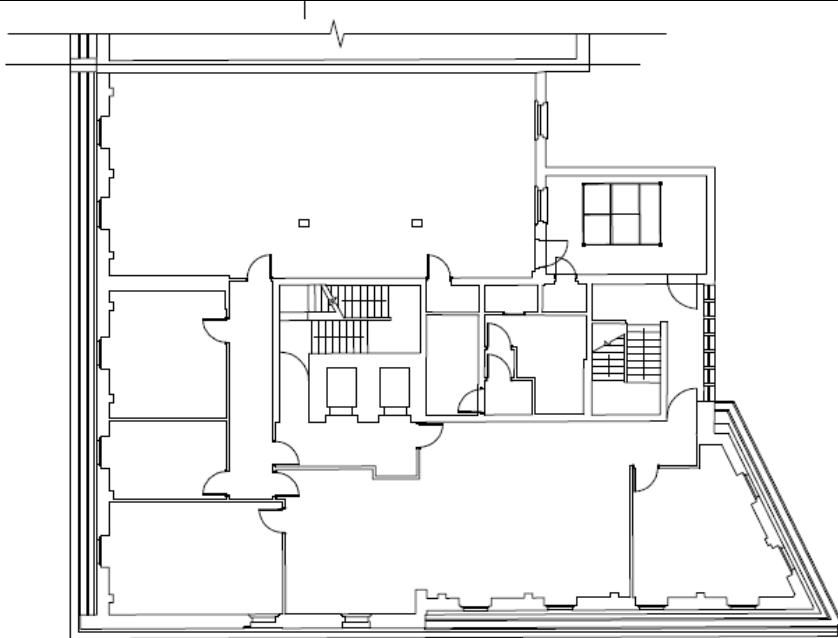
Proposed second floor plan



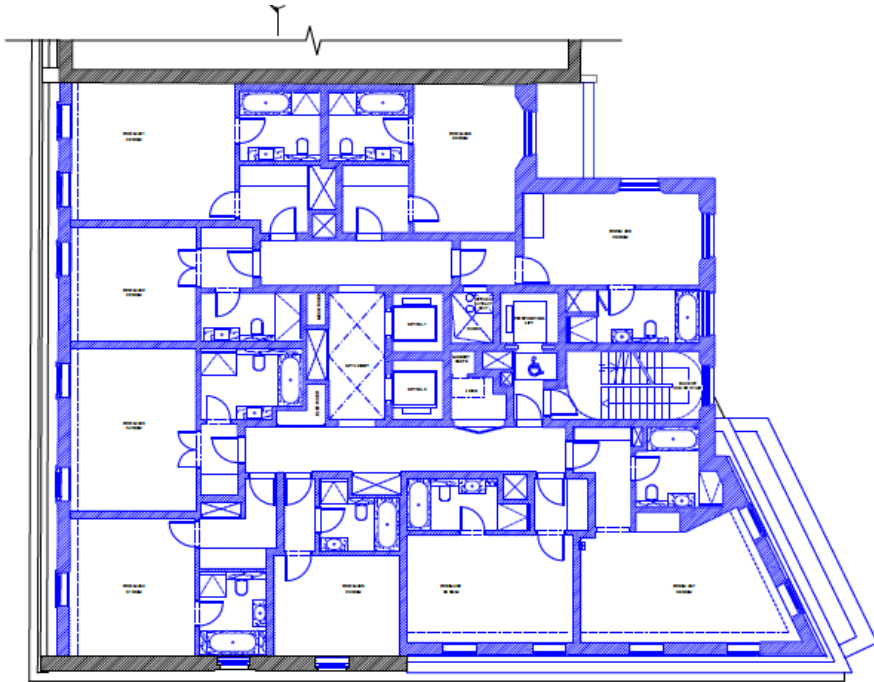
Existing third floor plan



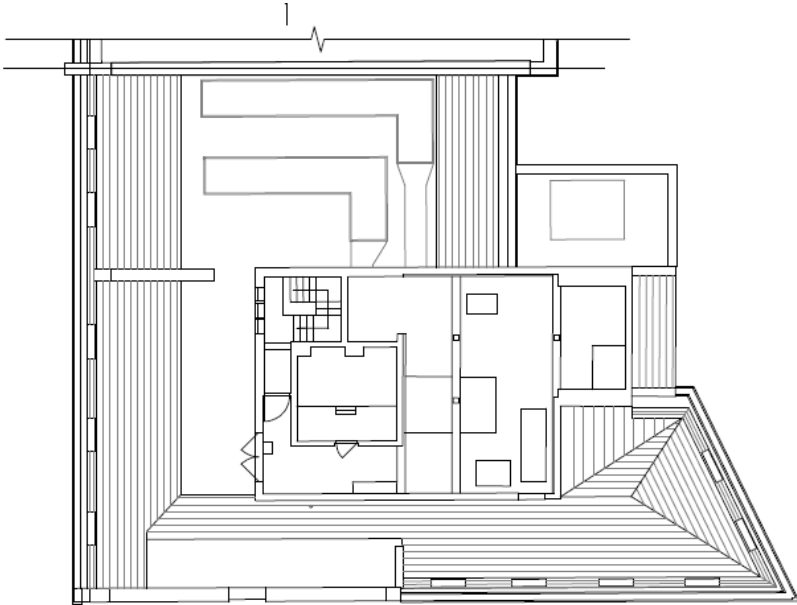
Proposed third floor plan



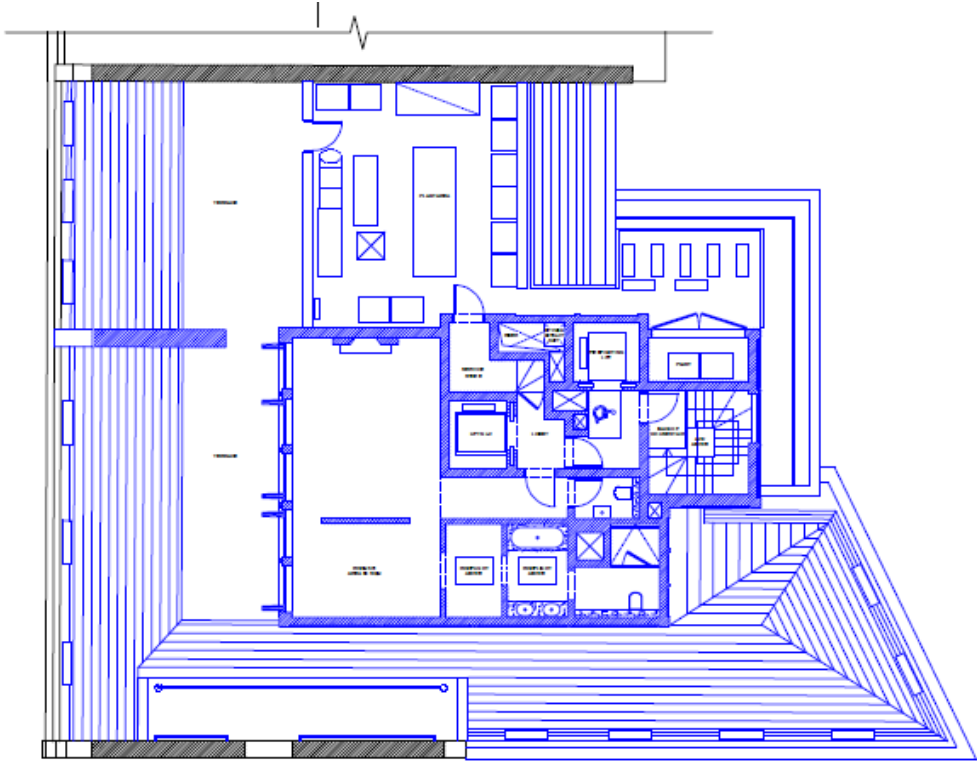
Existing fourth floor plan



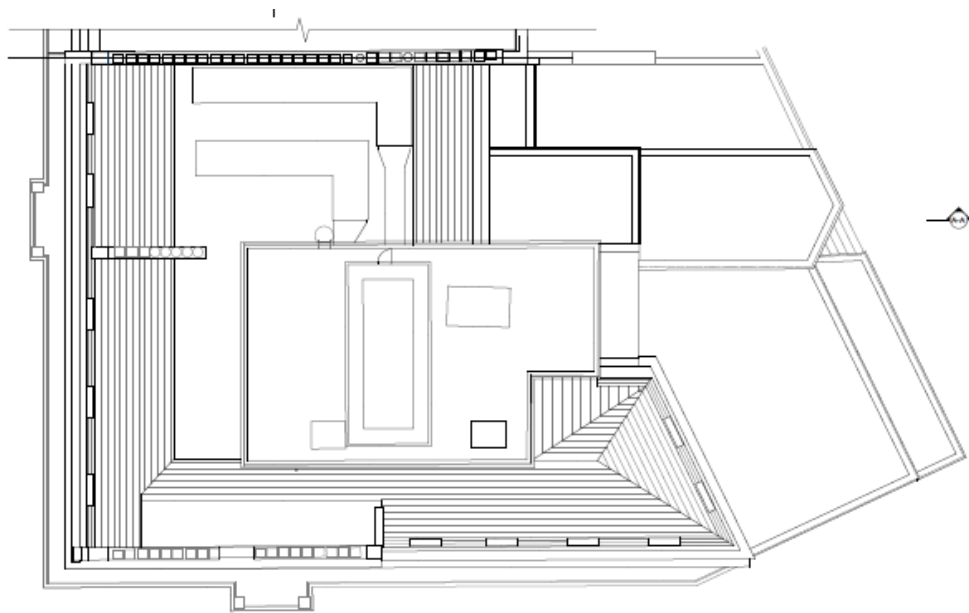
Proposed fourth floor plan



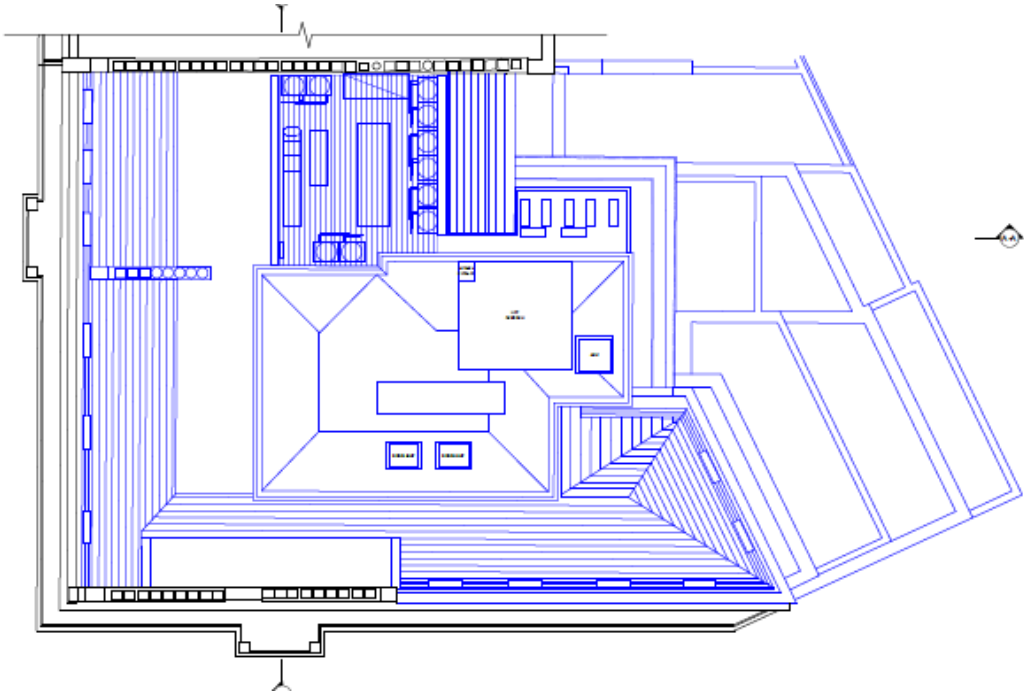
Existing fifth floor plan



Proposed fifth floor plan



Existing roof plan

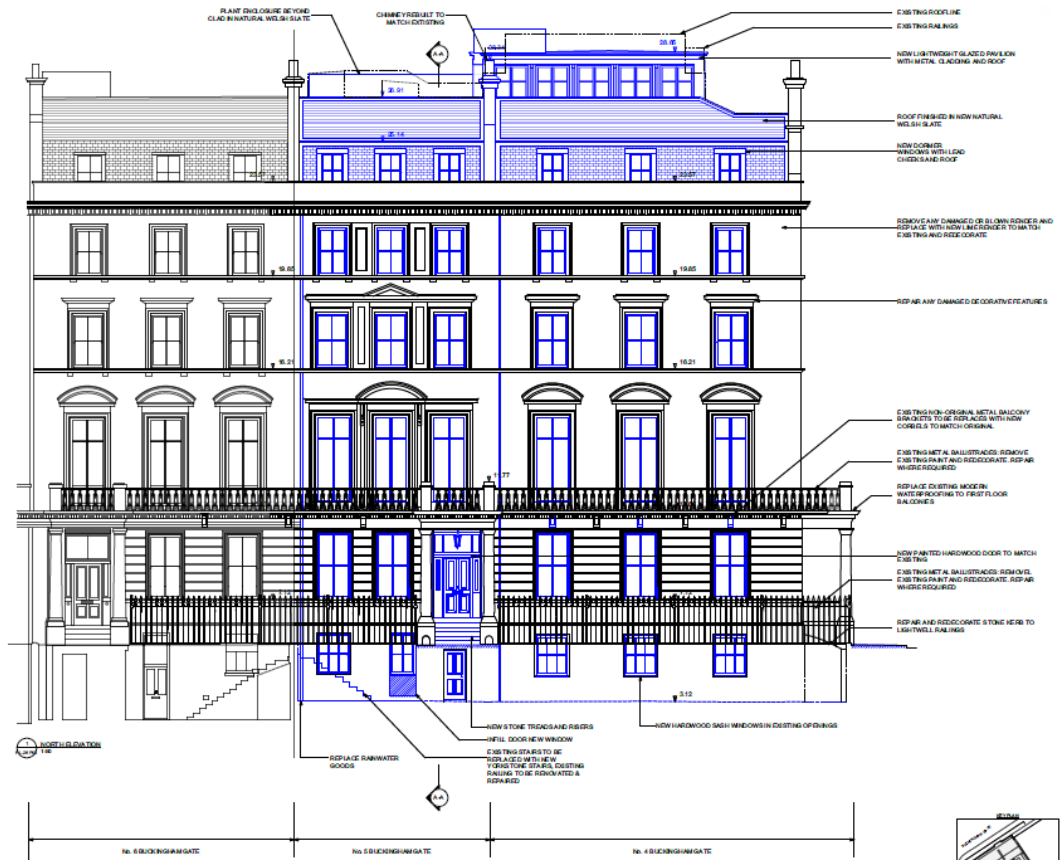


Proposed roof plan

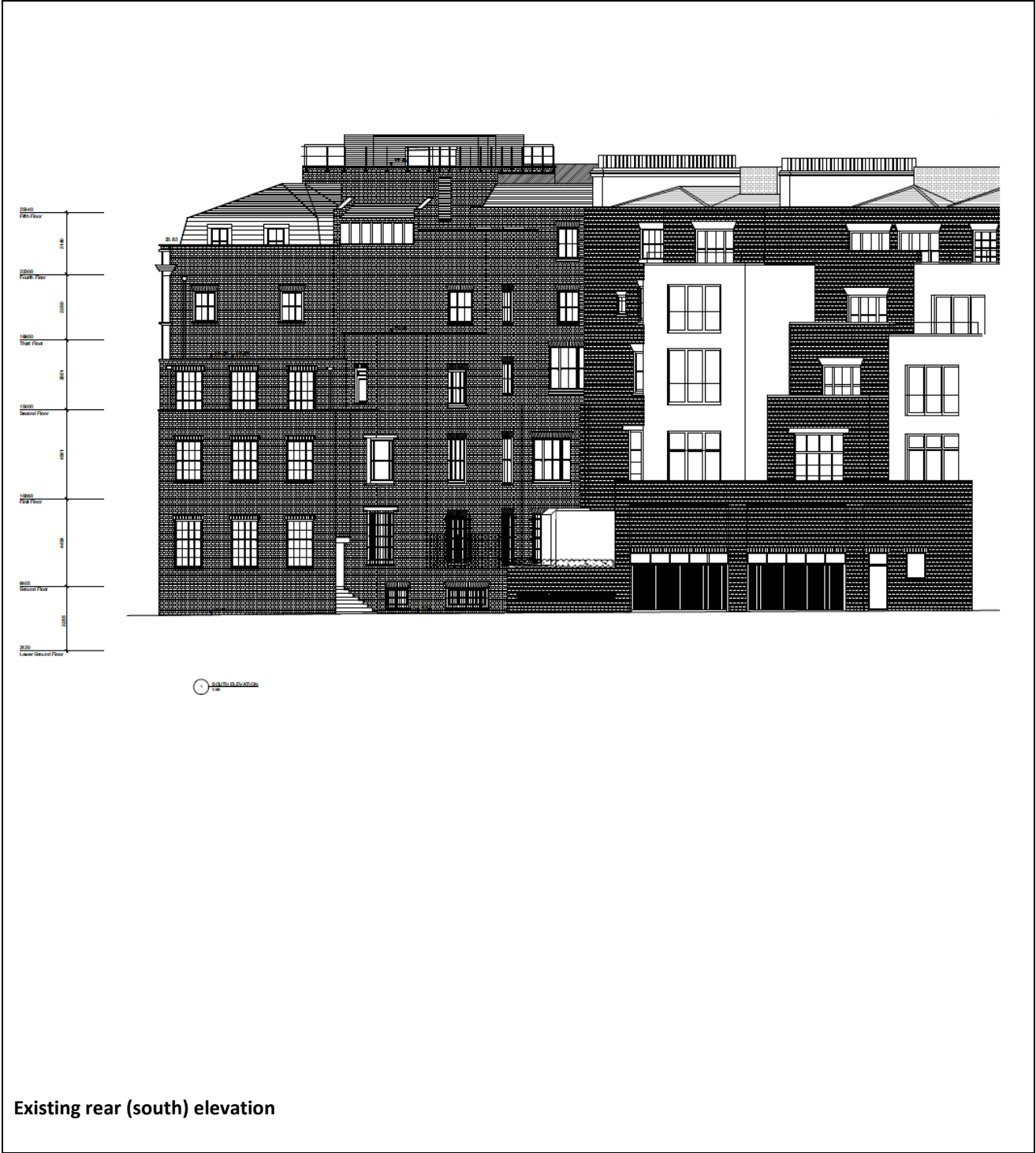


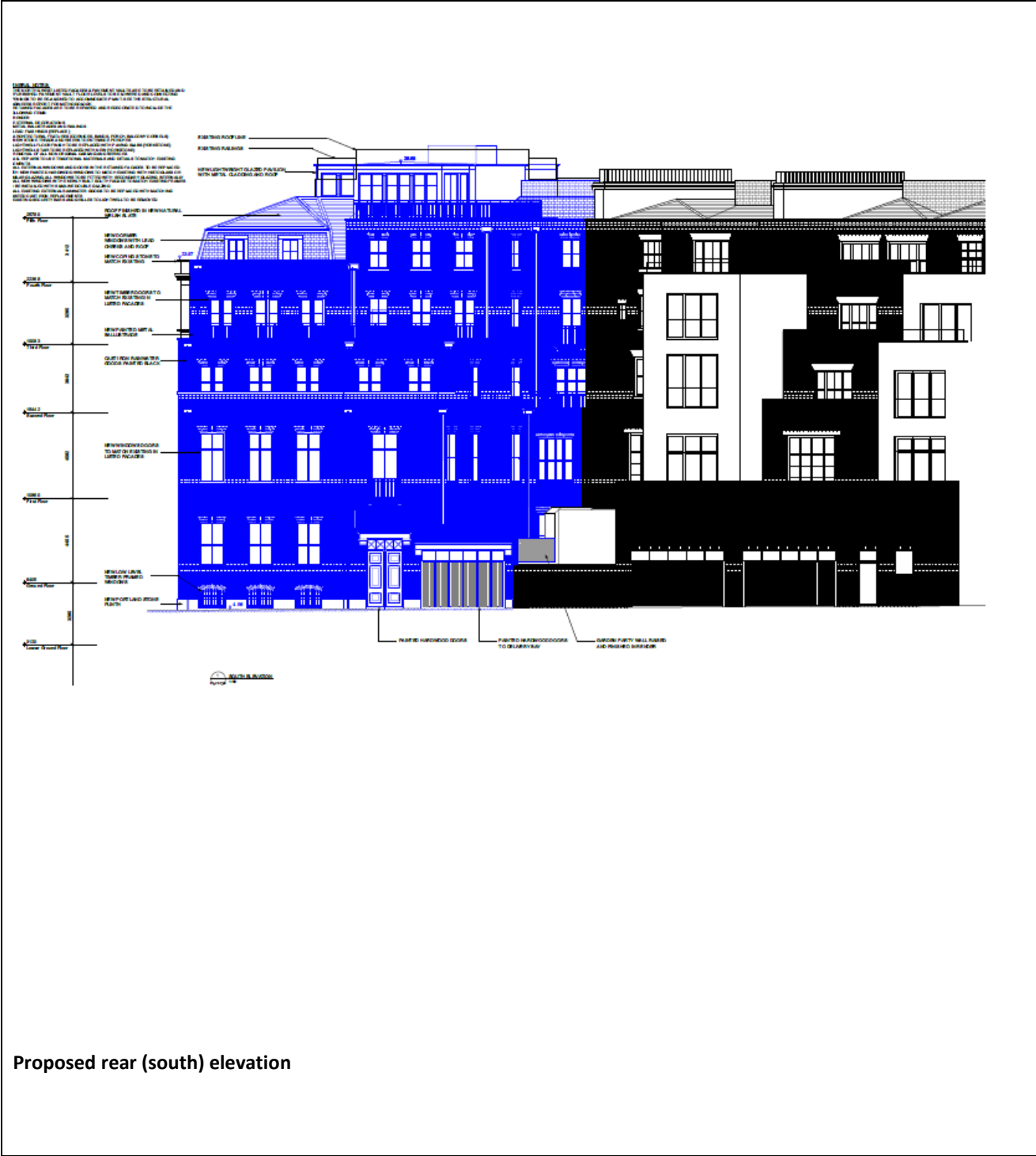
Existing front (north) elevation

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EXISTING BRICKWORK, ORIGINAL CORNICES,
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EXISTING STAIRS TO REMAIN TO BE REFINISHED
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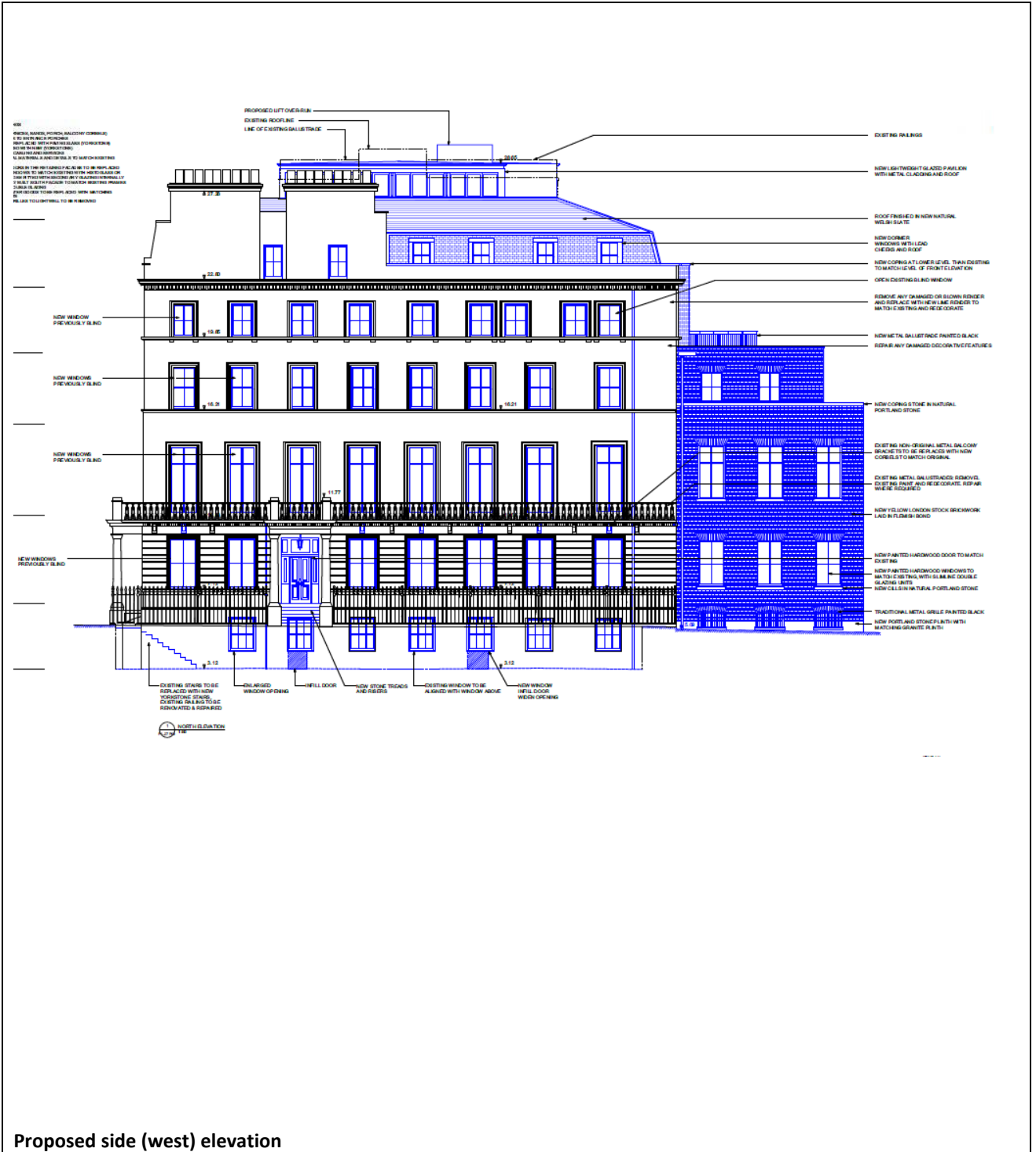


Proposed front (north) elevation

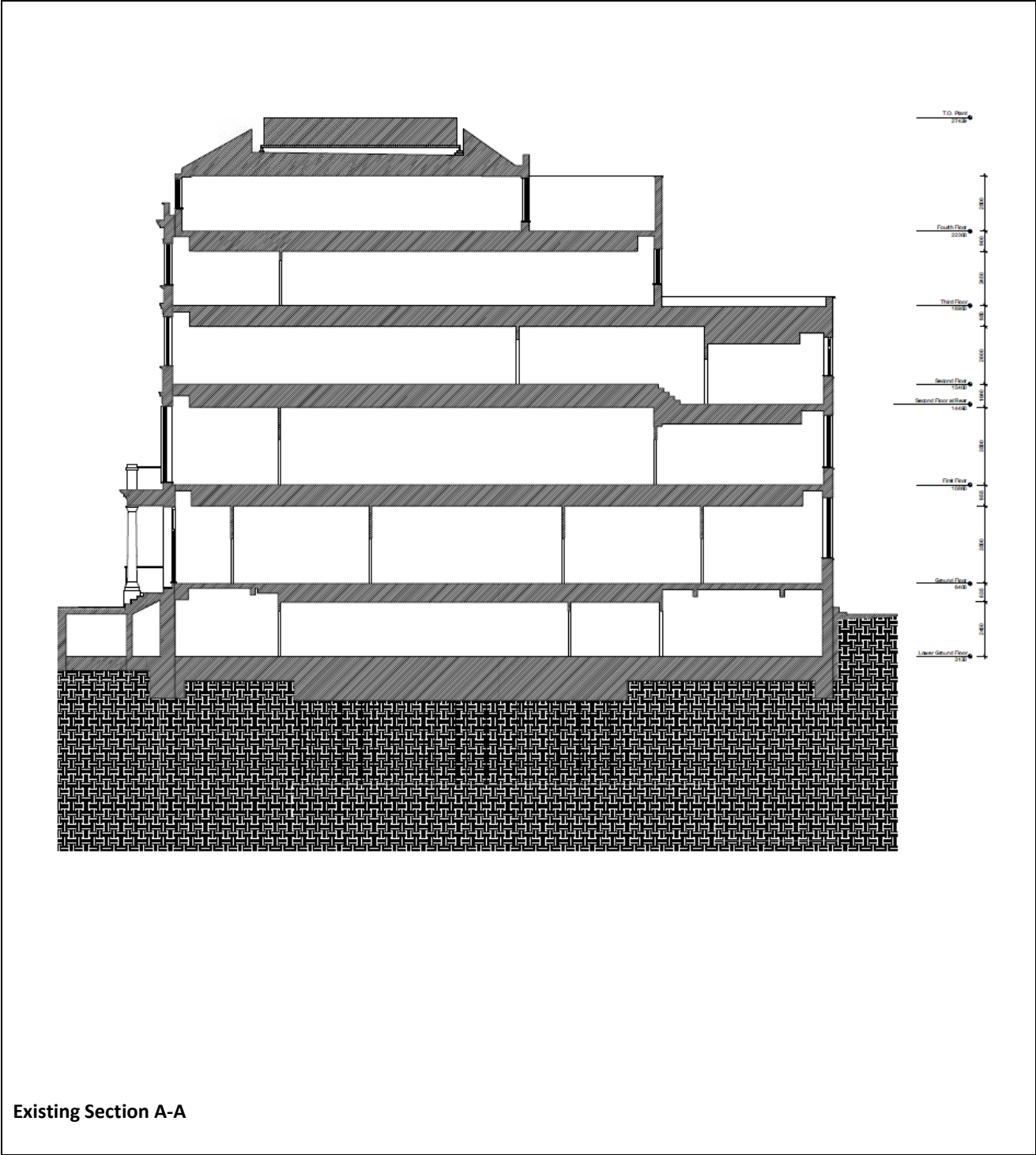








Proposed side (west) elevation



NOTE: EXISTING FACINGS AND FINISHES SHALL BE TO BE REMOVED AND RECONSTRUCTED TO BE CONFORMED TO THE LATEST CODES AND STANDARDS. SEE THE STRUCTURAL AND MECHANICAL DRAWINGS FOR THE EXISTING AND PROPOSED CONDITIONS.

CONCRETE SHALL BE REPAIRED AND RECONSTRUCTED TO FOLLOW THE REPAIR AND RECONSTRUCTION SPECIFICATIONS.

REPAIRS TO DAMAGED DECORATIVE FEATURES SHALL BE TO BE TO MATCH THE ORIGINAL FINISHES AND CONDITIONS. SEE THE ARCHITECTURAL DRAWINGS FOR THE EXISTING AND PROPOSED CONDITIONS.

EXISTING METAL BALUSTRADES REMOVE EXISTING PAINT AND REDECORATE. REPAIR WHERE REQUIRED.

REPAIR AND RECONSTRUCT TO FOLLOW THE REPAIR AND RECONSTRUCTION SPECIFICATIONS.

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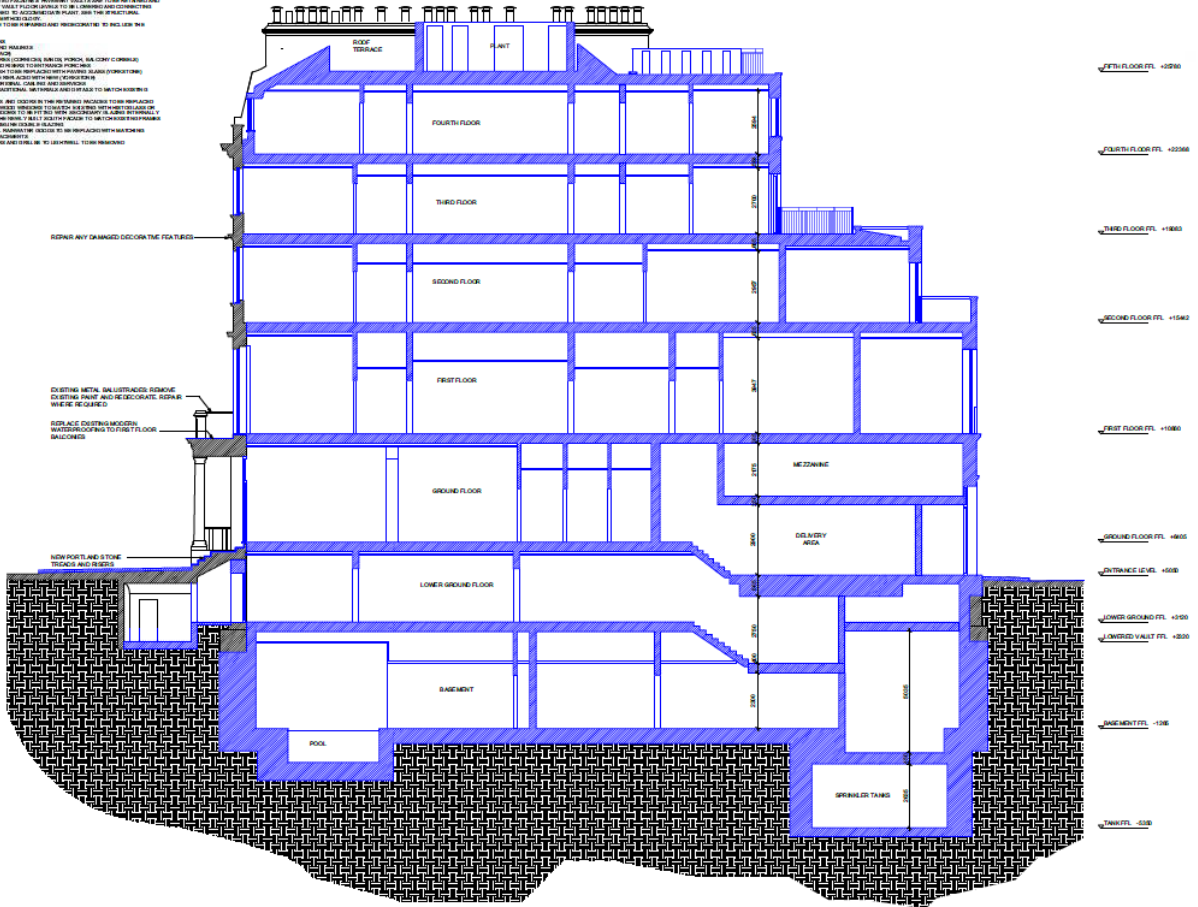
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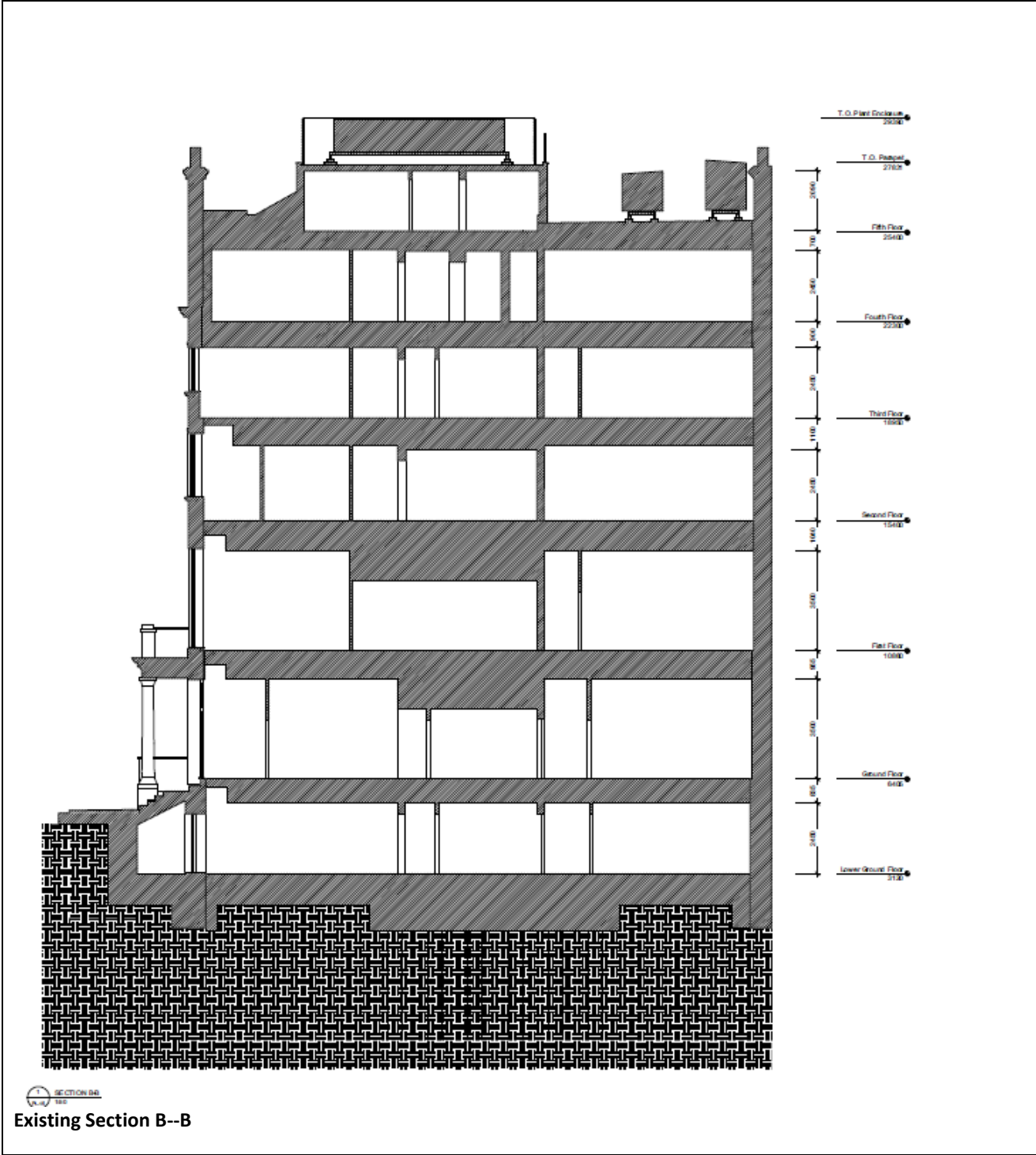
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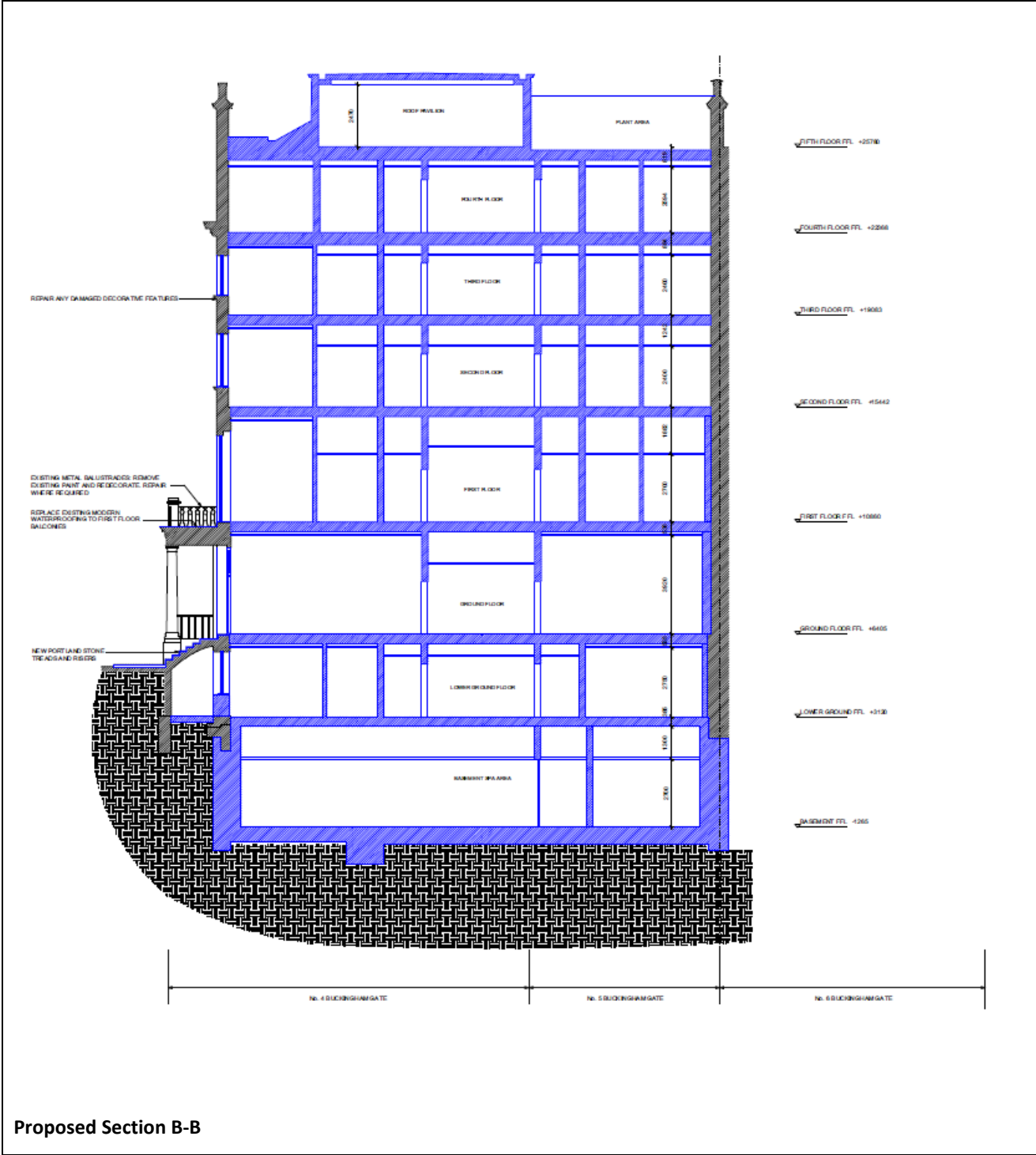
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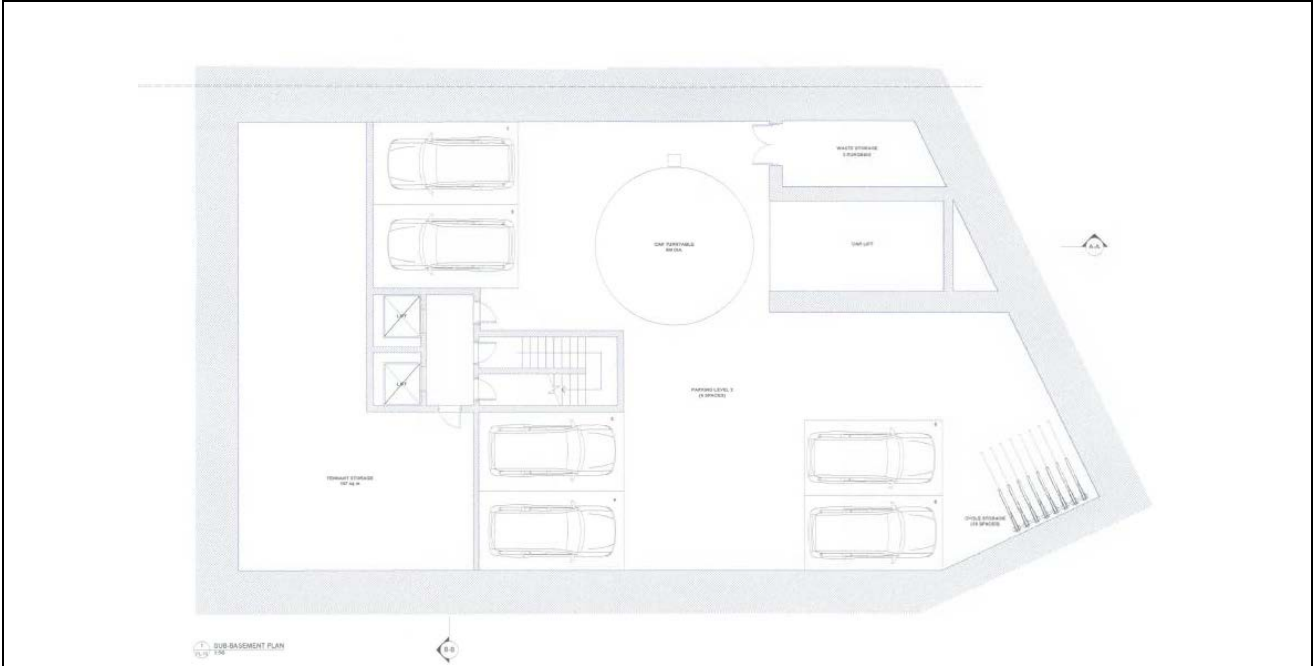


Proposed Section A-A

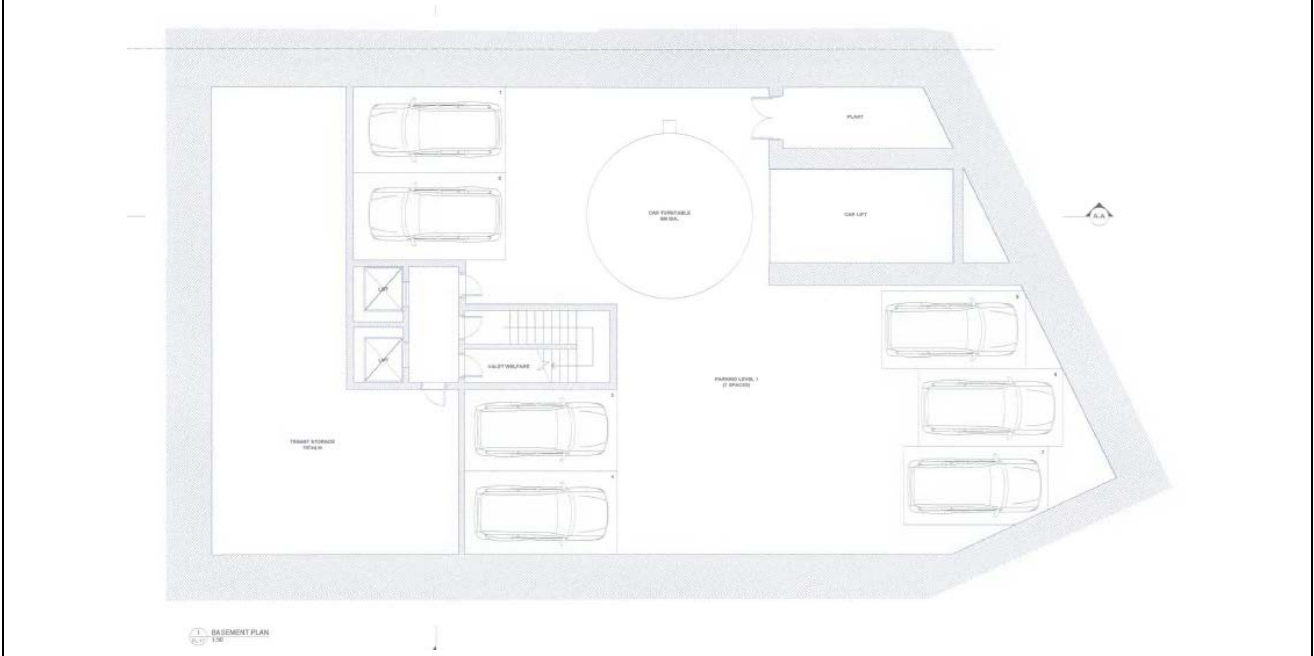




Proposed Section B-B

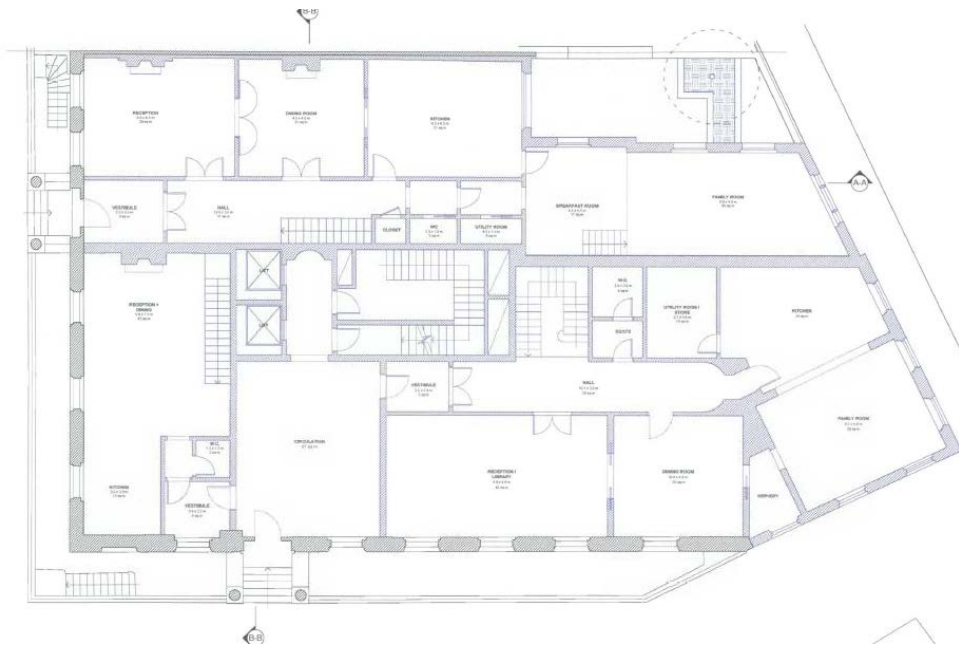


Approved sub-basement plan

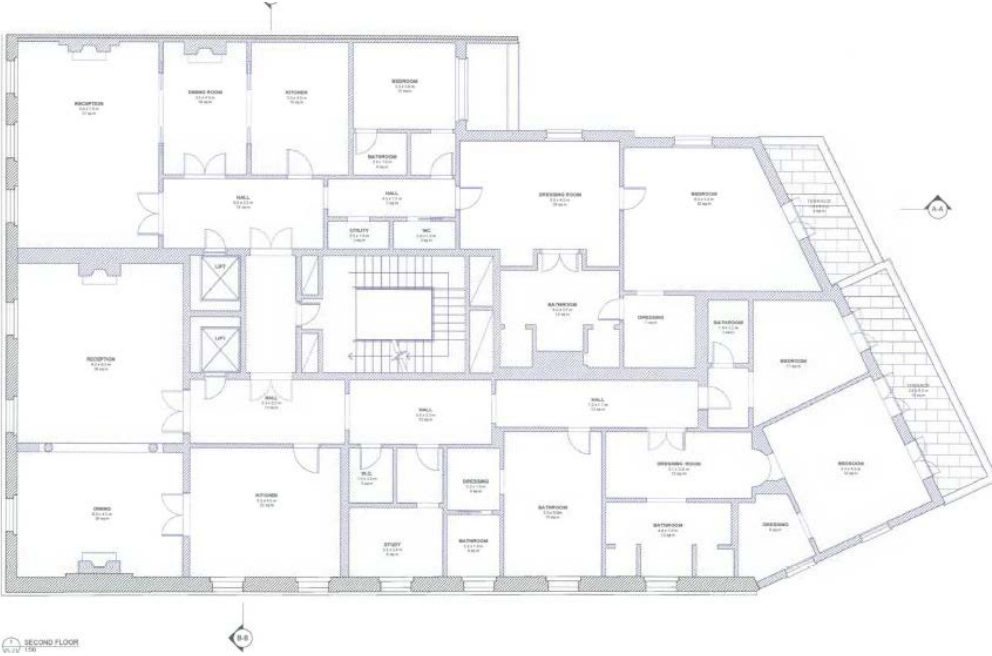


Approved basement plan

Approved 2014 scheme (14/06822/FULL & 14/06823/LBC)
(Drawings also as approved under 15/05134/FULL & 15/05135/LBC dated 07 September 2015)

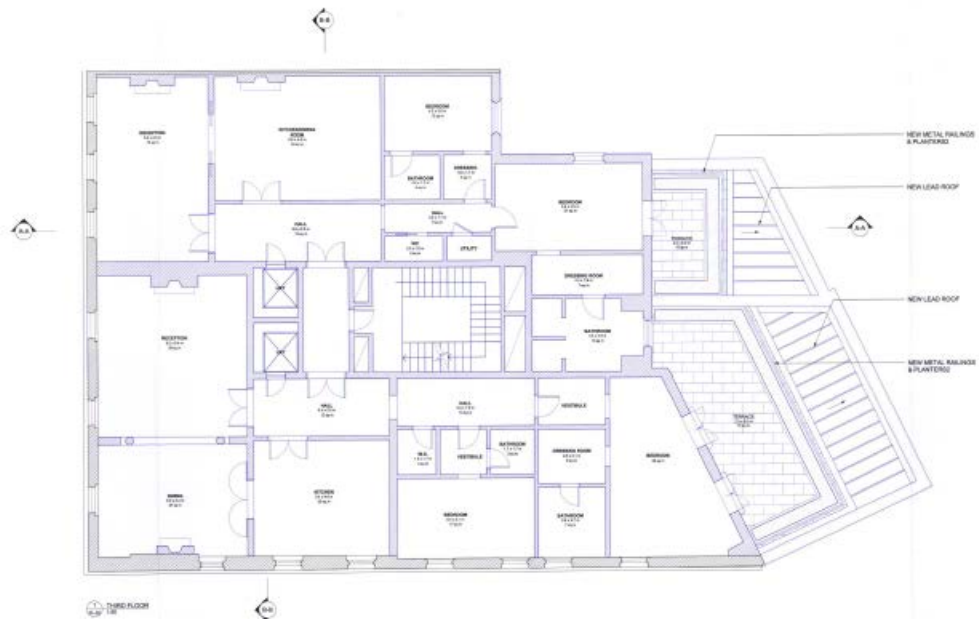


Approved ground floor plan

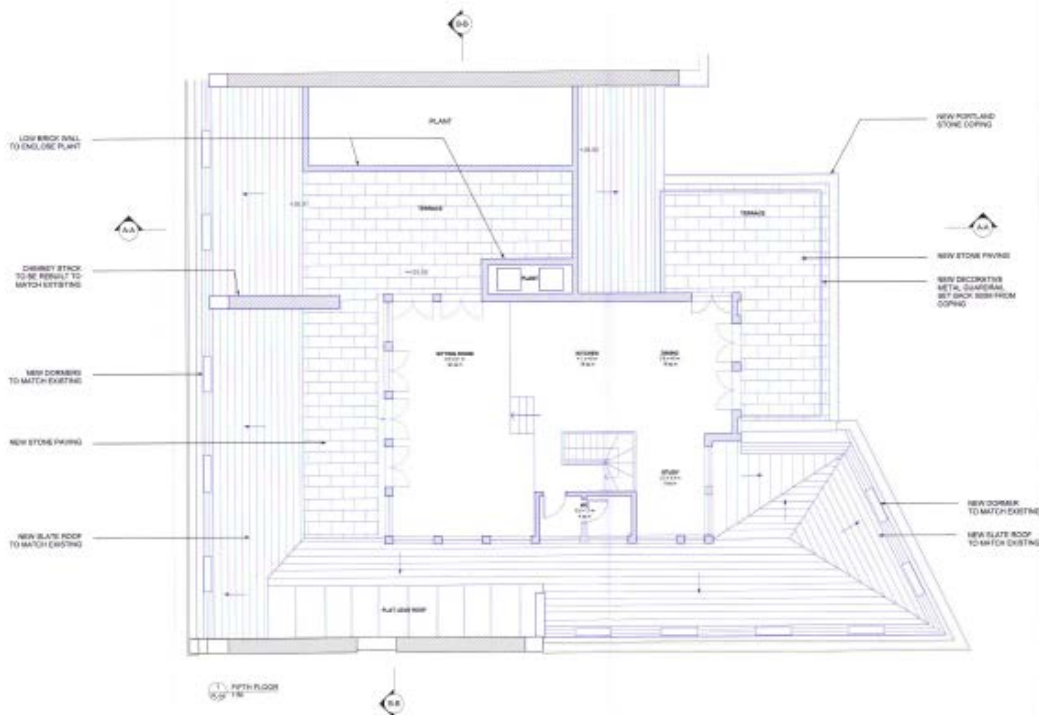


Approved second floor plan

**Approved 2014 scheme (14/06822/FULL& 14/06823/LBC)
 (Drawings also as approved under 15/05134/FULL & 15/05135/LBC dated 07 September 2015)**

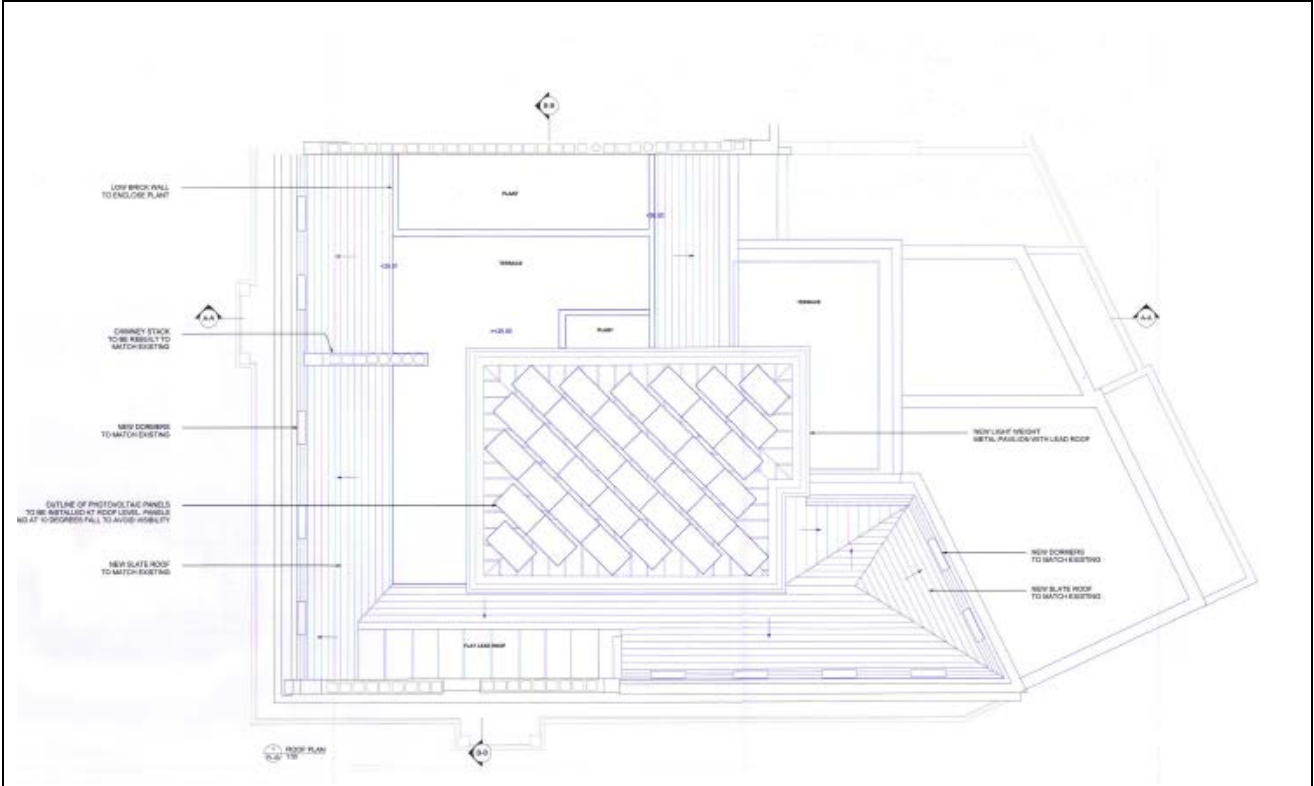


Approved third floor plan



Approved fifth floor plan

**Approved 2014 scheme (14/06822/FULL & 14/06823/LBC)
 (Drawings also as approved under 15/05134/FULL & 15/05135/LBC dated 07 September 2015)**



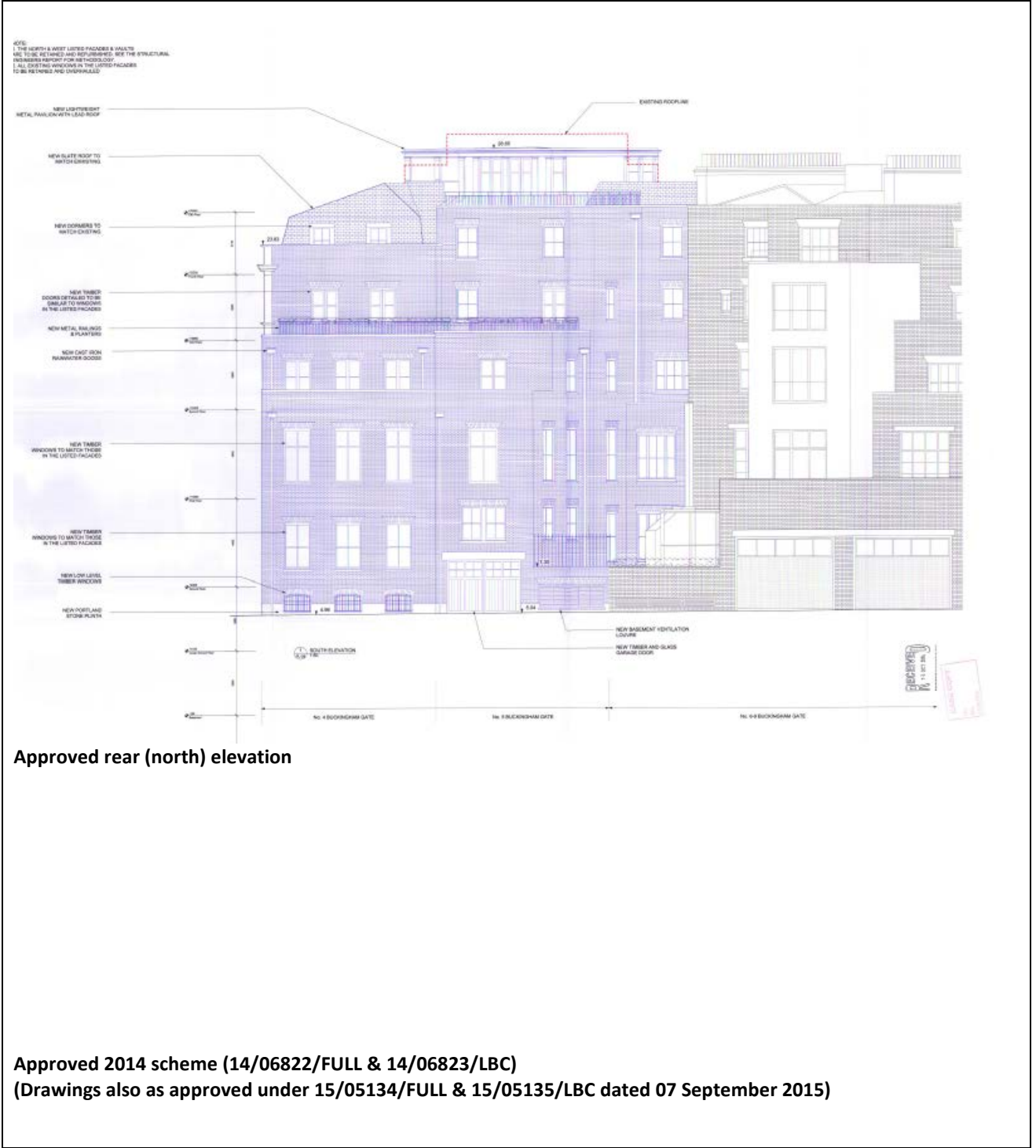
Approved roof plan

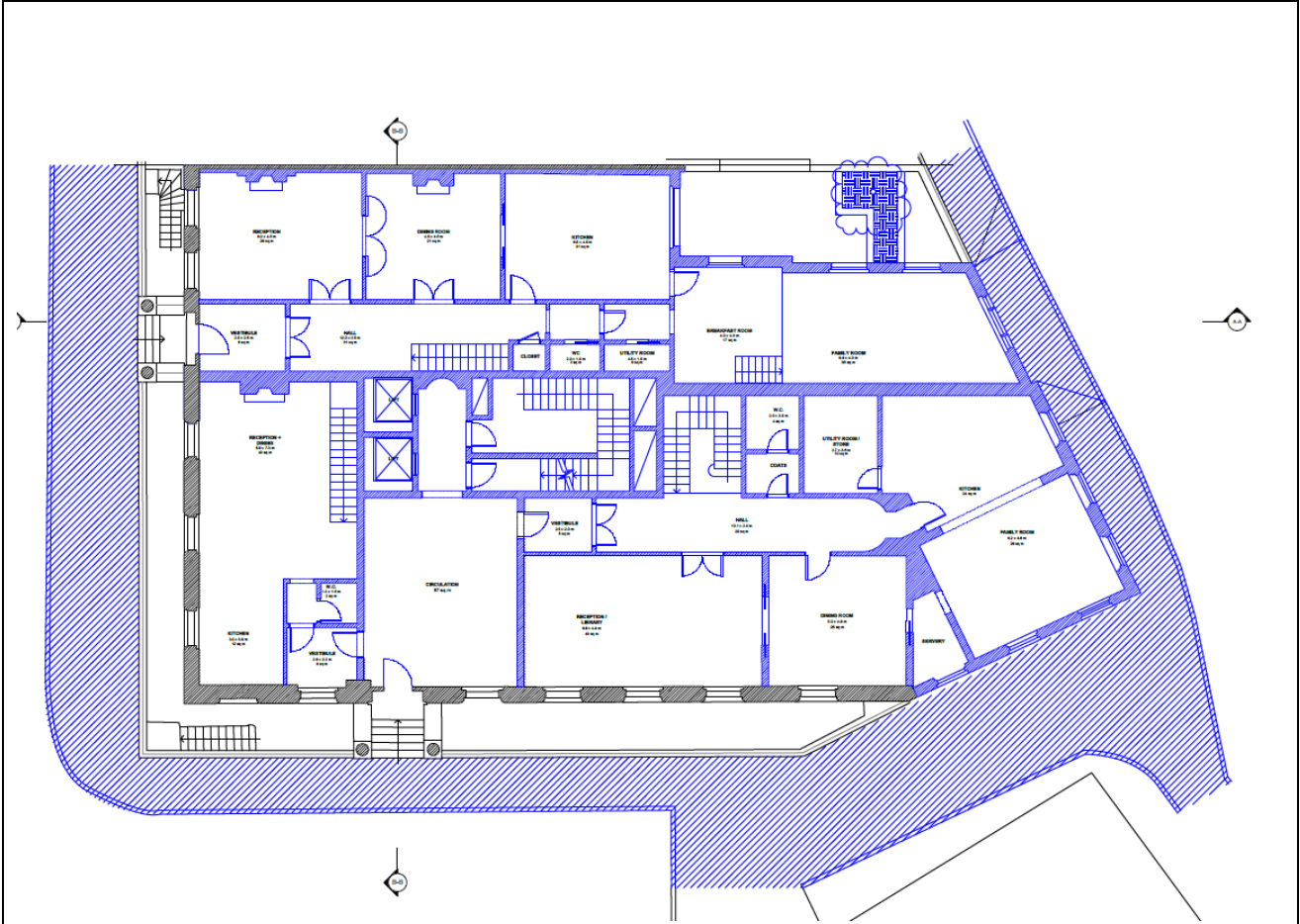
Approved 2014 scheme (14/06822/FULL & 14/06823/LBC)
(Drawings also as approved under 15/05134/FULL & 15/05135/LBC dated 07 September 2015)



Approved side (west) elevation

Approved 2014 scheme (14/06822/FULL & 14/06823/LBC)
 (Drawings also as approved under 15/05134/FULL & 15/05135/LBC dated 07 September 2015)





Approved ground floor plan (includes new paving and kerb at ground floor level (hatched in blue) to match paving on Buckingham Gate

Approved under 15/05134/FULL & 15/05135/LBC dated 07 September 2015.

DRAFT DECISION LETTER

Address: 4 - 5 Buckingham Gate, London, SW1E 6JP,

Proposal: Demolition behind the retained front and side facades on Buckingham Gate and redevelopment to provide a hotel (Class C1) comprising of 53 rooms and ancillary services. Excavation to provide a single-storey basement and pool. External alterations for the provision of a new off street loading area to the rear, raising of boundary garden wall to the rear, alterations to windows and provision of mechanical plant at roof level and a pavilion at roof level. Provision of a terrace at rear second floor level within recessed part of the building and a terrace at roof level fronting Buckingham Gate.

Reference: 18/06103/FULL

Plan Nos: PL-01 P01, PL-02 P01, PL-003 P01, PL-004-P01, PL-005 P01, PL-006 P01, PL-007 P01, PL-008 P01, PL-009 P01, PL-010 P01, PL-011 P01, PL-012 P01, PL-013 P01, PL-14 P01, PL-15 P01, PL-03 P01, PL-04 P01, PL-05 P01, PL-06 P01, PL-07 P01, PL-08 P01, PL-09 P01, PL-10 P01, PL-11 P01, PL-12 P01, PL-13 P01, PL-014 P01, PL-015 P01, PL-17-P03, PL-18-P03, PL-19 P03, PL-20 P02, PL-21 P03, PL-22 P03, PL-23 P02, PL-24 P04, PL-25 P01, PL-26 P02, PL-27 P02, PL-28 P04, PL-29 P03, PL-30 P02, Planning Compliance Report (Report 13704-NIA-01 Rev. C dated 18 July 2018 prepared by Clement Acoustics, Noise Exposure Assessment (Report 13704-NEA-01 Rev. A0 dated 06 July 2018 prepared by Clement Acoustics, Ventilation/Extraction System (303515) dated 10/07/2018 prepared by Harley Haddow, Daylight and Sunlight Report for the proposed alterations at 4-5 Buckingham Gate, London, SW1E 6JP (Reference 66765/IM (Rev. B) dated 12 July 2018 prepared by Malcolm Hollis, Energy and Sustainability report dated July 2018, Flood Risk Assessment Issue P01- 16 July 2018, Planning Statement, Transport Statement (Ref: 22662903) dated October 2018 prepared by Steer Davies Gleave, Addendum Planning Report dated December 2018 and Supplementary Transport Assessment dated 13 December 2018.

For information purposes: Accurate Visual Representations (AVR1/3) prepared by Preconstruct Limited dated July 2018, Heritage Statement dated July 2018, Design and Access Statement Rev. A dated October 2018, Structural Method Statement Issue P2- 16 July 2018 (Doc. Ref. 2358-S-SMS-001) prepared by Meinhardt and Site Investigation Report (10260/OT (Rev 0) prepared by Soil Consultants dated 23 July 2018.

Case Officer: Zulekha Hosenally

Direct Tel. No. 020 7641 2511

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 , onot 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 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 Birdcage Walk 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)

- 4 You must carry out the works in accordance with the Structural Method Statement Issue P2- 16 July 2018 (Doc. Ref. 2358-S-SMS-001) or in accordance with other details as submitted to and approved by the City Council.

Reason:

To protect the parts of the building which are to be preserved during building work. (R28AA)

- 5 You must submit detailed drawings at a scale of 1:10 and sections at 1:5 where appropriate of the following parts of the development:

- i) Roof level pavilion;
- ii) Windows and balconies to windows at rear second and third floor level;
- iii) External doors, including garage;
- iv) Decorative metal guard rails; and
- v) Roof level plant equipment (to rise no higher than the adjacent roof ridge line)

You must not start work of these parts of the development until we have approved what you have sent us. You must then carry out the works according to the approved details.

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 Birdcage Walk 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)

- 6 The railings shall be painted black and retained that colour.

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 Birdcage Walk 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)

- 7 You must apply to us for approval of a sample panel of the following parts of the development:
- Brickwork to all new elevations.

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 sample panels. (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 Birdcage Walk 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)

- 8 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the balcony. (C26OA)

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 Birdcage Walk 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)

- 9 You must use the parking, access, loading, unloading and manoeuvring areas shown on the approved plans only for those purposes. (C23AA)

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 10 With the exception of collecting rubbish, no goods (including fuel) that are delivered or collected by vehicles arriving at or leaving the building must be accepted or sent out if they are unloaded or loaded on the public road. You may accept or send out such goods only if they are unloaded or loaded within the boundary of the site. (C23CB)

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 11 All servicing must take place between 0830 to 1830 on Monday to Saturday and not on Sunday. Servicing includes loading and unloading goods from vehicles and putting rubbish outside the building. (C23DA)

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 12 The hotel shall not knowingly accept bookings from parties using a vehicle with a capacity of 14 or more persons to travel to and from the premises.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

13 **Pre Commencement Condition.**

(a) You must apply to us for approval of a written scheme of investigation for a programme of archaeological work. This must include details of the suitably qualified person or organisation that will carry out the archaeological work. You must not start work until we have approved in writing what you have sent us.

(b) You must then carry out the archaeological work and development according to this approved scheme. You must produce a written report of the investigation and findings, showing that you have carried out the archaeological work and development according to the approved scheme. You must send copies of the written report of the investigation and findings to us, and to the Greater London Sites and Monuments Record, Greater London Archaeological Advisory Service, Historic England, 4th floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA.

(c) You must not use any part of the new building until we have confirmed in writing that you have carried out the archaeological fieldwork and development according to this approved scheme.

Reason:

To avoid damage to any archaeological remains on site as set out in S25 of Westminster's City Plan (November 2016) and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32AC)

- 14 **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),

- 15 (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;

Item No.
1

- (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)

- 16 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)

- 17 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the path between the delivery vehicles and the receiving area and the access doors to the loading bay are designed so as not to cause noise disturbance, and will comply with the Council's noise criteria as set out in Condition(s) 16 and 17 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. 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)

You must install the mitigation measures as set out Planning Compliance Report (Report 13704-NIA-01 Rev. C dated 18 July 2018 prepared by Clement Acoustics prior to the operation of the mechanical plant hereby approved. The mitigation measures must be retained and maintained for as long as the units remain operational.

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)

- 19 The full height extract duct discharging at roof level hereby permitted shall not be operated except between 0600 hours and 2300 hours daily.

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)

- 20 Customers shall not be permitted within the ancillary restaurant and bar before 0600 or after 2300 daily.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and TACE 2 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 21 You must not allow more than 130 customers in total into the ancillary restaurant and bar at ground floor level at any one time.

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and TACE 2 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 22 You must apply to us for approval of an operational management plan for the hotel. You must not start the use until we have approved what you have sent us. Thereafter you must carry out the use according to the approved plan.

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and 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. (R13AC)

- 23 The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development. (R49BA)

- 24 You must not use the roof of the extension at rear second and third floor levels as shown on drawings PL-21-P03 and PL-22-P03 for sitting out or for any other purpose. You can however, use the smaller terrace areas set within the recess of the building at rear second and third floor levels for amenity purposes and you can use the roof to escape in an emergency or for maintenance purposes. (C21BA)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 25 No music shall be played in the hotel such as to be audible outside the premises.

Item No.
1

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and 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. (R13AC)

- 26 You must provide the waste store shown on drawing PL-17-P03 before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the hotel. 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 and materials for recycling 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. (R14CC)

- 27 You must provide each cycle parking space shown on the approved drawings prior to occupation. 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)

- 28 All servicing and deliveries must take place using the off street loading bay hereby approved on Stafford Place or the cul-de-sac sited adjacent to the site between Buckingham Gate and Stafford Place. No servicing or deliveries for the hotel use hereby approved must take place from the public highway along Buckingham Gate.

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):

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 The servicing management plan is to be secured as part of the Section 106 Legal Agreement.

- 3 Please make sure that the lighting is designed so that it does not cause any nuisance for neighbours at night. If a neighbour considers that the lighting is causing them a nuisance, they can ask us to take action to stop the nuisance (under section 102 of the Clean Neighbourhoods and Environment Act 2005). (I39AA)

- 4 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.

- 5 You may need separate licensing approval for the ancillary restaurant and bar premises. Your approved licensing hours may differ from those given above but you must not have any customers on the premises outside the hours set out in this planning permission. (I61AB)

- 6 Conditions 16 and 17 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)

- 7 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.

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)

- 9 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)
- 10 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: , <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.**
- 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. For further information on how to make an application and to read our guidelines on street naming and numbering, please visit our website: <https://www.westminster.gov.uk/street-naming-numbering> (I54AB)
- 12 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)

- 13 You must apply for a licence from our Highways Licensing Team if you plan to block the road or pavement during structural work to support the building. Your application will need to show why you cannot support the building from private land. For more advice, please phone 020 7641 2560. (I36AA)
- 14 You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website <https://www.westminster.gov.uk/contact-us-building-control>
- 15 The Economy Team at Westminster City Council provide support and guidance to developers and contractors in the creation and delivery of employment & skills plans. The Team will provide guidance on local priorities, drafting of employment & skills plans and implementation of activities to deliver commitments. For further information please contact Soyful Alom, Economy Job Broker (salom@westminster.gov.uk)
- 16 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.
- 17 With reference to condition 15 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
- 18 One or more of the conditions above prevent work starting on the development until you have applied for, and we have given, our approval for certain matters. It is important that you are aware that any work you start on the development before we have given our approval will not be authorised by this permission. (I77BA)
- 19 This permission is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council and as a consequence we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the building itself. The construction itself will be subject to the

Item No.
1

building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.

- 20 Developing this site is likely to damage archaeological remains. Archaeological work must be carried out in line with condition 14. Please contact English Heritage's Archaeological Officer on 020 7973 3732 to discuss the work which is necessary. (I66AA)

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: 4 - 5 Buckingham Gate, London, SW1E 6JP,

Proposal: Demolition behind the retained front and side facades on Buckingham Gate and redevelopment to provide a hotel (Class C1) comprising of 53 rooms and ancillary services. Excavation to provide a single-storey basement and pool. External alterations for the provision of a new off street loading area to the rear, raising of boundary garden wall to the rear, alterations to windows and provision of mechanical plant at roof level and a pavilion at roof level. Provision of 1no. terrace each at rear second and third floor level within recessed part of the building.

Reference: 18/06104/LBC

Plan Nos: PL-01 P01, PL-02 P01, PL-003 P01, PL-004-P01, PL-005 P01, PL-006 P01, PL-007 P01, PL-008 P01, PL-009 P01, PL-010 P01, PL-011 P01, PL-012 P01, PL-013 P01, PL-14 P01, PL-15 P01, PL-03 P01, PL-04 P01, PL-05 P01, PL-06 P01, PL-07 P01, PL-08 P01, PL-09 P01, PL-10 P01, PL-11 P01, PL-12 P01, PL-13 P01, PL-014 P01, PL-015 P01, PL-17-P03, PL-18-P03, PL-19 P03, PL-20 P02, PL-21 P03, PL-22 P03, PL-23 P02, PL-24 P04, PL-25 P01, PL-26 P02, PL-27 P02, PL-28 P04, PL-29 P03, PL-30 P02, Structural Method Statement Issue P2- 16 July 2018 (Doc. Ref. 2358-S-SMS-001) prepared by Meinhardt

For information purposes: Accurate Visual Representations (AVR1/3) prepared by Preconstruct Limited dated July 2018, Heritage Statement dated July 2018, Design and Access Statement Rev. A dated October 2018, Site Investigation Report (10260/OT (Rev 0) prepared by Soil Consultants dated 23 July 2018.

Case Officer: Zulekha Hosenally

Direct Tel. No. 020 7641 2511

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 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 Birdcage Walk 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 You must carry out the works in accordance with the Structural Method Statement Issue P2- 16 July 2018 (Doc. Ref. 2358-S-SMS-001) or in accordance with other details as submitted to and approved by the City Council.

Reason:

To protect the parts of the building which are to be preserved during building work. (R28AA)

- 4 You must submit detailed drawings at a scale of 1:10 and sections at 1:5 where appropriate of the following parts of the development:

- i) Roof level pavilion;
- ii) Windows and balconies to windows at rear second and third floor level;
- iii) External doors, including garage;
- iv) Decorative metal guard rails; and
- v) Roof level plant equipment (to rise no higher than the adjacent roof ridge line)

You must not start work of these parts of the development until we have approved what you have sent us. You must then carry out the works according to the approved details.

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 Birdcage Walk 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)

- 5 The railings shall be painted black and retained that colour.

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 Birdcage Walk 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)

- 6 You must apply to us for approval of a sample panel of the following parts of the development:

- Brickwork to all new elevations.

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 sample panels. (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 Birdcage Walk 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)

- 7 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the balcony. (C26OA)

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 Birdcage Walk 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 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, the London Plan 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 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:

- * any extra work which is necessary after further assessments of the building's condition;
- * stripping out or structural investigations; and
- * any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents.

It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (159AA)

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.



CITY OF WESTMINSTER

MINUTES

Planning Applications Sub-Committee (1)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Sub-Committee (1)** held at 6.30pm on **Tuesday 4th December, 2018**, Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR.

Members Present: Councillors Timothy Barnes (Chairman), Susie Burbridge, Louise Hyams and Guthrie McKie

Also Present: Councillor Mark Shearer (Item 2)

1 MEMBERSHIP

- 1.1 It was noted that from the membership set out on the agenda Councillor Guthrie McKie had replaced Councillor Tim Roca.
- 1.2 Councillor Barnes was appointed Chairman for the meeting.

2 DECLARATIONS OF INTEREST

- 2.1 Councillor Barnes explained that a week before the meeting, all four Members of the Sub-Committee were provided with a full set of papers including a detailed officer's report on each application; together with bundles of every single letter or e-mail received in respect of every application, including all letters and e-mails containing objections or giving support. Members of the Sub-Committee read through everything in detail prior to the meeting. Accordingly, if an issue or comment made by a correspondent was not specifically mentioned at this meeting in the officers' presentation or by Members of the Sub-Committee, it did not mean that the issue had been ignored. Members will have read about the issue and comments made by correspondents in the papers read prior to the meeting.
- 2.2 Councillor Louise Hyams declared that she had previously had a Ward Member briefing on Item 2 but not engaged with residents.
- 2.3 Councillor Guthrie McKie declared that he lived in the Bayswater Ward but not close to the sites being considered tonight.

3 MINUTES

3.1 RESOLVED:

That the minutes of the meeting held on 13 November 2018 be signed by the Chairman as a correct record of proceedings.

4 PLANNING APPLICATIONS

1 APPLICATION 1: 11 BRICK STREET, LONDON, W1J 7DF & APPLICATION 2: 17 BELGRAVE SQUARE, LONDON SW1X 8PG

- 1.1 Use of the building as a private members' casino (Sui Generis) and external and internal alterations including replacement of roof level plant.
- 1.2 Application 2: Demolition of annexe building and replacement with rear extensions to 17 Belgrave Square; excavations to create pool hall extension under garden of 17 Belgrave Square and basement beneath mews property; and associated internal alterations; all in connection with the use of the mews property and 17 Belgrave Square as two single family dwelling houses (Class C3).
- 1.3 A representation from DWD Property and Planning (27.11.18) had been circulated.
- 1.4 Late representations from Councillors Glanz and Lewis and Montagu Evans, on behalf of the applicants and a local resident were tabled at the meeting.

RESOLVED: Application 1: 11 Brick Street (Councillor McKie in favour of granting, Councillors Barnes, Burbridge and Hyams against)

1. That conditional permission be refused due to the adverse impact of the introduction of a casino use on the amenity of the area contrary to City Plan Policy CM47.1 and also contrary to City Plan and Unitary Development Plan policies relating to a large entertainment use and resultant loss of residential floorspace. Officers were authorised to approve the detailed reasons for refusal under delegated powers in consultation with the Chairman.
2. Grant conditional listed building consent.
3. That the reasons for granting listed building consent as set out in Informative 1 of draft decision notice be agreed.

Application 2: 17 Belgrave Square and 17 Belgrave Mews West (all in favour)

1. That conditional permission be granted subject to the completion of a legal agreement to secure a contribution to the City Council's Affordable Housing Fund of £1,427,000 (index linked and payable prior to the commencement of development) and the S.106 agreement to also secure the costs associated with the escrow account.

2. That 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 permissions with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorised to determine and issue the decisions under Delegated Powers; however, if not;
 - b) The Director of Planning shall consider whether the permissions 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 applications and agree appropriate reasons for refusal under Delegated Powers.
3. That conditional listed building consent be granted.
4. That the reasons for granting conditional listed building consent as set out in Informative 1 of draft decision notice be agreed.

2 4 - 5 BUCKINGHAM GATE, LONDON, SW1E, 6JP

- 2.1 Demolition behind the retained front and side facades on Buckingham Gate and redevelopment to provide a hotel (Class C1) comprising of 53 rooms and ancillary services. Excavation to provide a single-storey basement and pool. External alterations for the provision of a new off street loading area to the rear, raising of boundary garden wall to the rear, alterations to windows and provision of mechanical plant and a pavilion at roof level. Creation of 1 a terrace each at rear second floor level within recessed part of the building and a terrace at roof level fronting Buckingham Gate.
- 2.2 During the course of the presentation officers advised of minor revisions to the description of the proposal as reflected above. A copy of Counsel's opinion, obtained by objectors, was attached.

RESOLVED UNANIMOUSLY: That consideration be deferred for a site visit with a view of seeing how the parking, waste management and servicing issues could be resolved.

3 COLLEGE PARK SCHOOL, GARWAY ROAD, LONDON, W2 4PH

- 3.1 Installation of play equipment within playground area to south west corner of school site adjacent to Monmouth Road and installation of canopy to the south elevation of rear wing of school building.
- 3.2 A representation from 3GM on behalf of the applicant clarifying school numbers dated 28.11.18 had been circulated. Representations from Ward Councillors and local residents were clarified.

RESOLVED UNANIMOUSLY:

That consideration be deferred to enable the schools operating hours to be confirmed and whether issues raised by objectors concerning noise and disturbance could be resolved by discussion by relocation of play equipment and/or noise mitigation measures.

4 27A MONMOUTH ROAD, LONDON, W2 4UT

- 4.1 Demolition of existing raised terrace and erection of single storey rear extension at lower ground floor level with terrace above, erection of single storey side extension at lower ground floor level and associated internal and external alterations to lower ground and ground floors. Replacement of part of garden boundary with No.25 with a new wall, with trellis above.
- 4.2 A batch of drawings and photos on behalf of the applicants had been circulated. A late representation from Councillor Payne was tabled together with representations from local residents.

RESOLVED UNANIMOUSLY:

1. That conditional permission be granted.
2. That conditional listed building consent be granted.
3. That the reasons for granting conditional listed building consent as set out in Informative 1 on the draft decision letter be agreed.

5 186 FERNHEAD ROAD, LONDON. W9 3EL

- 5.1 Excavation of basement floor below existing house with front and rear lightwells, erection of rear extension at ground floor level and associated external alterations, including replacement of windows.

RESOLVED UNANIMOUSLY:

That conditional permission be granted.

The Meeting ended at 9.30pm.

CHAIRMAN: _____

DATE _____

Item No.

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 04 December 2018	Classification For General Release	
Report of Director of Planning	Ward(s) involved St James's		
Subject of Report	4 - 5 Buckingham Gate, London, SW1E 6JP,		
Proposal	Demolition behind the retained front and side facades on Buckingham Gate and redevelopment to provide a hotel (Class C1) comprising of 53 rooms and ancillary services. Excavation to provide a single-storey basement and pool. External alterations for the provision of a new off street loading area to the rear, raising of boundary garden wall to the rear, alterations to windows and provision of mechanical plant and a pavilion at roof level. Creation of 1no. terrace each at rear second and third floor level within recessed part of the building.		
Agent	CBRE Ltd		
On behalf of	Cofingham Limited		
Registered Number	18/06103/FULL 18/06104/LBC	Date amended/ completed	19 July 2018
Date Application Received	19 July 2018		
Historic Building Grade	II		
Conservation Area	Birdcage Walk		

1. RECOMMENDATION

<p>1. Grant conditional permission subject to completion of a Section 106 Legal Agreement to secure the following:</p> <ul style="list-style-type: none"> i) funding for the provision of a formal footway crossover to access the service bay on Stafford Place; ii) funding for the costs to reconfigure the existing on-street parking bays in both Stafford Place and the cul-de-sac off Buckingham Gate; iii) secure details of the service management plan; iv) an employment and training opportunities strategy during construction and for the hotel use; and v) costs of monitoring the agreement. <p>2. If the S106 legal agreement has not been completed within six weeks of the date of this resolution then:</p>
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a) The Director of Planning shall consider whether it will be possible or appropriate to issue the permissions with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorised to determine and issue the decisions under Delegated Powers; however, if not;

b) The Director of Planning shall consider whether the permissions 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 applications and agree appropriate reasons for refusal under Delegated Powers.

3. Grant conditional listed building consent.

4. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.

2. SUMMARY

4-5 Buckingham Gate is a six-storey corner property comprising basement level, ground and four upper floor levels. The building is currently vacant but was previously in office use and occupied by The Mayor's Office for Policing and Crime. The rear of the building backs onto Stafford Place and neighbours residential properties to the rear. The adjoining property at Nos. 1-3 is currently being redeveloped to provide residential flats.

Planning permission and listed building consent are sought for the demolition behind the retained front and side facades on Buckingham Gate and redevelopment to provide a hotel (Class C1) comprising of 53 rooms and ancillary services. Excavation to provide a single-storey basement and pool. External alterations for the provision of a new off street loading area to the rear, raising of boundary garden wall to the rear, alterations to windows and provision of mechanical plant and a pavilion at roof level. Creation of 1no. terrace each at rear second and third floor level within recessed part of the building.

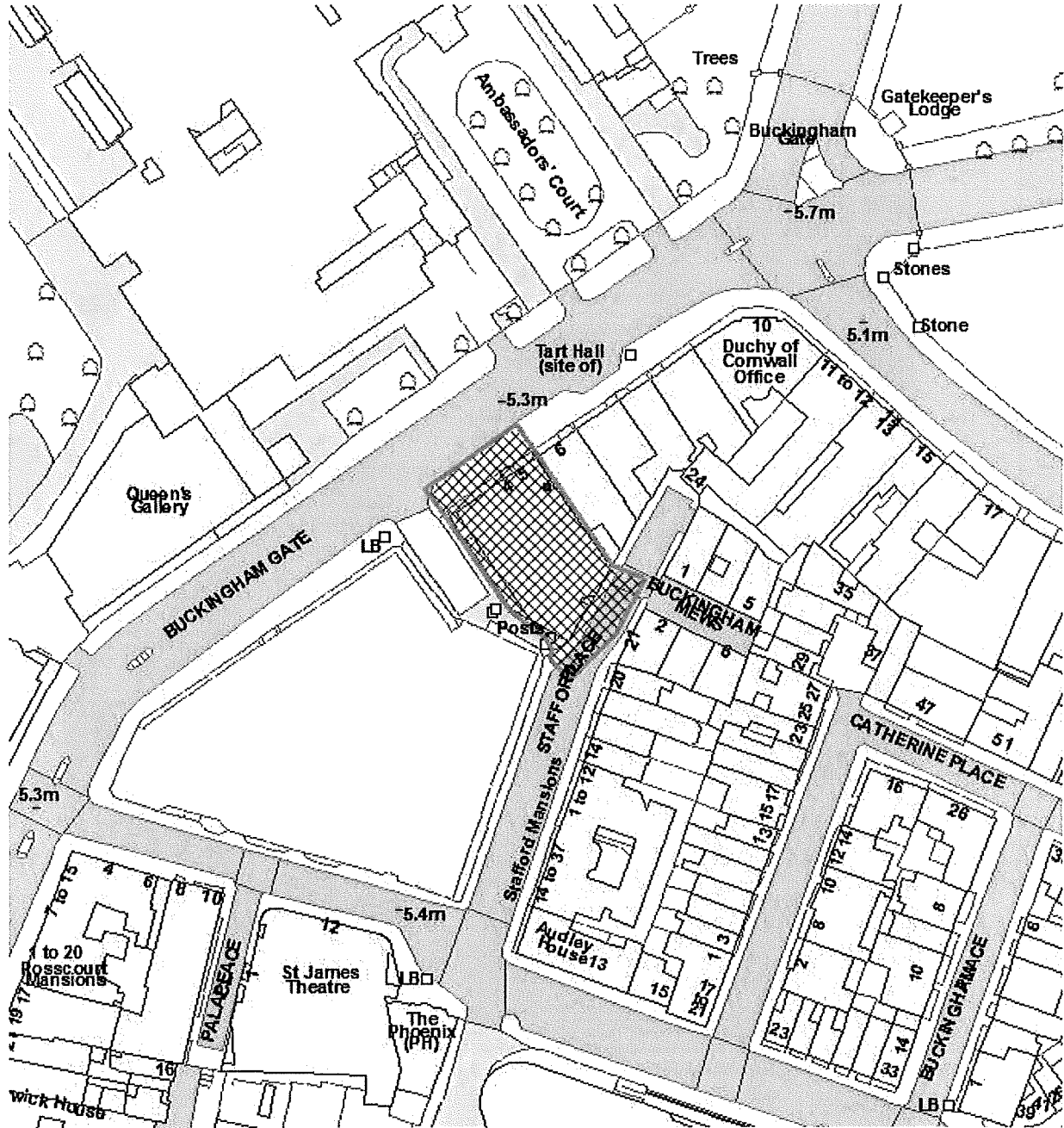
The building is Grade II listed and within the Birdcage Walk conservation area. The site is also located within the Core Central Activities Zone (CAZ).

The key issues for consideration are:

- The land use implications on the surrounding area;
- The impact of the proposal on the amenity of surrounding residents;
- The impact of the proposals on the surrounding highway network; and
- The impact of the proposed alterations on the character and appearance of the building and Birdcage Walk Conservation Area.

The proposed hotel use and associated works are considered acceptable in land use, amenity, design and conservation area terms and in accordance with the Westminster City Plan and Unitary Development Plan policies.

3. LOCATION PLAN



4. PHOTOGRAPHS



4 - 5 Buckingham Gate

5. CONSULTATIONS

WESTMINSTER SOCIETY:

Objection.

- concentration of hotel uses in the area approaching saturation.
- adverse impact of servicing, increased traffic and use of rear terraces on residential amenity.

BUCKINGHAM PALACE:

Any comments to be reported verbally.

HISTORIC ENGLAND:

Authorisation received (01 August 2018) to allow City Council to determine application as seen fit.

HISTORIC ENGLAND (ARCHAEOLOGY):

- Proposal could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation.
- Recommend a condition to secure a written scheme of investigation.

HIGHWAYS PLANNING MANAGER:

No objection subject to securing via a S106 Legal Agreement

- servicing details via a servicing management plan;
- provision of a footway crossover to access the rear off street service bay; and
- reconfiguration of existing on-street parking bays in both Stafford Place and the cul-de-sac off Buckingham Gate.

TRANSPORT FOR LONDON:

No objection subject to the following:

- End of journey (shower and changing) facilities should be provided for staff who travel to the site by sustainable modes.
- TfL recommend that a Construction Logistics Plan (CLP) to be submitted and approved by the Council prior to construction work taking place on site, in accordance with the London Plan policy 6.14 'Freight'.
- TfL requests that a travel plan should be secured and monitored through a S106 obligation, in accordance with the London Plan policy 6.3 'Assessing Effects of Development on Transport Capacity'. The Travel Plan should be produced in accordance with DfT and TfL guidance and that its content is reviewed in accordance with the ATTrBuTE assessment tool.
- The Hotel should not accept coach bookings and this should be secured by condition.

VICTORIA BUSINESS IMPROVEMENT DISTRICT (BID):

- supportive of proposals to increase vibrancy of Victoria.
- Concerns over energy system proposed.
- Inclusion of a loading bay is welcomed but concerns raised over the level of trips generated by the proposed hotel.

WASTE PROJECT OFFICER:

No objection subject to condition requiring the provision of waste and recyclable stores.

ENVIRONMENTAL HEALTH:

No objection subject to noise conditions.

BUILDING CONTROL:

The structural method statement is considered to be acceptable. An investigation of existing structures and geology has been undertaken and found to be of sufficient detail.

ENVIRONMENT AGENCY:

No objection.

METROPOLITAN POLICE:

Any comments to be reported verbally.

DESIGNING OUT CRIME:

Any comments to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 73

Total No. of replies: 22

No. of objections: 22

Objections on some or all of the following grounds:

LAND USE

- Change of use to a hotel is unsuitable.
- Saturation of hotels in the area.
- Building more suited to providing low density flats.
- Loss of office space.

AMENITY

- Noise caused by vehicles entering and exiting the loading bay on Stafford Place.
- No peace during the night due to activity from hotel.
- Provision of a rooftop bar and terraces would increase noise and disturbance.
- Residents already experiencing noise and disturbance from existing developments/construction works neighbouring the site.
- Terraces to the rear of the site would face residential properties.
- Noise from terraces to the rear and at roof level.
- Loss of privacy due to location of the balconies to the rear.
- Only Juliette balconies should be permissible to the rear.
- Provision of a roof garden at roof level would improve amenity of the building and wider area.
- Stafford Place is a dead end and a residential street, uncontrolled 24 hour access for servicing and deliveries would cause noise, disturbance and nuisance to residents.
- Rooftop pavilion, mechanical plant at roof level and terraces would be unbearable to residents.
- Pavilion only used as a guest bedroom and not as external amenity space.
- Intense of use of rooms.

DESIGN

- Objection to complete demolition behind the retained front and side facades.
- Impact of proposals on the listed building and conservation area.
- Proposal would affect the setting of the adjoining listed buildings.

HIGHWAYS

- Long term impact of proposal and servicing of the site.
- Access to the loading bay in Stafford Place is along a small narrow road/cul-de-sac.
- Increase volume of traffic along Stafford Place.
- Servicing and deliveries should be at the front of the building on Buckingham Palace Road.
- Increase pressure on existing on street parking.
- Resident bays would be affected by proposals.
- Cars waiting for hotel guests.
- No public access to the rear/south side of the building.
- Vehicle servicing and deliveries should be from 7.30am to 10.30pm.
- Refuse will be collected daily at unspecified times.
- Stafford Place already used as a shortcut.
- Loading bay has a fairly small entrance for delivery vehicles (van size) not suitable for larger vehicles.
- Proposed loading bay would destroy the residential feel of this small cul-de-sac.
- Proposal is impractical as larger vehicles would find it difficult to manoeuvre along the narrow street.
- Ancillary services unclear what these are.
- Deliveries in excess of what has been stated.
- Taxis will be using and parking in Stafford Place.
- Daily collection of waste would impact on residential amenity and would be unsightly.
- Stafford Place will turn quiet single cul de sac into a service road.
- Increase noise, traffic and reduced parking.
- Increased frequency of delivery and servicing for the hotel.
- No provision for on-site facilities for setting down and picking up of visitors.

BASEMENT DEVELOPMENT

- Vibration and cracking and damage to the row of Grade II listed buildings.
- Impact of basement construction on foundations of adjoining buildings.
- Impact of basement works.

OTHER

- Disruption caused by construction works.
- Congestion due to delivery vehicles along Stafford Place with vehicles reversing in and out of the loading bay.
- No proposal to clean/maintain neighbouring housing.
- Waste management proposals.
- Air pollution caused by construction works.
- Cumulative impact of construction works and traffic with No. 1 Palace Street.

Should the application be approved then consider the imposition of conditions to control operation of hotel use.

Item No.


RE-CONSULTATION ON 15 OCTOBER 2018

(The re-consultation took place following amendments to introduce a turntable within the proposed service bay to the rear of the site.)

ADJOINING OWNER/OCCUPIERS:

No. consulted: 23.

No. of objections: 10.

Objections on some or all of the following grounds:

DESIGN

- The hotel would impact on the character of the Birdcage Walk Conservation Area and adjoining listed buildings.

AMENITY

- Noise created by smaller terraces.
- Loss of privacy.
- Noise disturbance from roof top pavilion and terraces.
- Overlooking caused by balconies.

HIGHWAYS

- Even with the inclusion of a turntable within the loading bay it is evident vehicles would still reverse out into Stafford Place.
- Difficulty in enforcing phased deliveries.
- Congestion on Stafford Place due to deliveries to the hotel.
- Entrance to delivery bay appears too small.
- Unclear whether access door to garage would operate silently.
- Increase in traffic to the hotel and people gathering at entrances to the hotel.

OTHER

- Security issues raised by presence of hotel within a residential area.
- Other developments in the area already increasing traffic in the area.

PRESS ADVERTISEMENT / SITE NOTICE: Yes



6. BACKGROUND INFORMATION

6.1 The Application Site

4-5 Buckingham Gate is a six storey corner property comprising basement level, ground and four upper floor levels. The building is currently vacant but was previously in office use and occupied by The Mayor's Office for Policing and Crime. The rear of the building backs onto Stafford Place and neighbours residential properties to the rear. The adjoining property at Nos.1-3 Buckingham Gate is currently being redeveloped to provide 72 residential units.

The building is Grade II listed and within the Birdcage Walk conservation area. The site is also located within the Core Central Activities Zone (CAZ).

6.2 Recent Relevant History

15/05134/FULL and 15/05135/LBC

Demolition behind retained front and side facades on Buckingham Gate and redevelopment to provide eleven residential flats including excavation to provide additional basement and sub-basement levels. External alterations including alterations to windows, installation of plant equipment at roof level to provide additional residential accommodation and creation of terraces on Stafford Place frontage at rear second, third and fifth floor level together with vehicular crossover from Stafford Way and associated highway works.

Applications Permitted

7 September 2015

14/06822/FULL and 14/06823/LBC

Demolition behind the retained front and side facades on Buckingham Gate and redevelopment to provide 11 residential flats including excavation to provide additional basement and sub-basement levels. External alterations including alterations to windows, installation of plant equipment at roof level, an extension at roof level to provide additional residential accommodation and creation of terraces on Stafford Place frontage at rear second, third and fifth floor level.

Applications Permitted

3 November 2014

The adjacent building Nos. 1-3 Buckingham Gate has planning permission and listed building consent for the provision of 72 residential units and associated external and internal alterations and is currently under construction (15/04136/FULL and 15/04347/LBC).

7. THE PROPOSAL

Planning permission and listed building consent are sought for the demolition behind the retained front and side facades on Buckingham Gate and redevelopment to provide a hotel (Class C1) comprising of 53 rooms and ancillary services. Excavation works include the provision of a single-storey basement to accommodate a swimming pool, spa and gym facilities and associated plant room and ancillary hotel facilities. External alterations include the provision of a new off street loading area to the rear, raising of boundary garden wall to the rear, alterations to windows and provision of mechanical

plant at roof level and a pavilion at roof level. Terraces are provided at rear second, third and front fifth floor levels.

In 2014 and 2015 planning permission and listed building consent were granted for the demolition behind the retained front and side facades on Buckingham Gate and redevelopment to provide 11 residential flats. Excavation works to provide a basement and sub-basement levels. External alterations included alterations to windows, mechanical plant at roof level and an extension at roof level to provide additional residential accommodation. Terraces at rear second, third and fifth floor levels fronting Stafford Place (14/06822/FULL & 14/06823/LBC and (15/05134/FULL & 15/05135/LBC respectively). The 2015 was similar to the 2014 scheme but was amended to include highways works to provide a vehicular crossover from Stafford Way. These works were included as part of the red line relating to the application site. Both the 2014 and 2015 schemes have not been implemented and both have now lapsed.

The proposals in terms of the external alterations are broadly similar to those previously approved. The main changes to the previously approved schemes can be summarised as follows:

- Use of the building as a hotel;
- Alterations to the internal layout to accommodate the proposed hotel use;
- Provision of a rear service yard/ bay and associated highways changes;
- Alterations to the rear and side elevations;
- Provision of mechanical plant at roof level; and
- Omission of the previously approved sub-basement level.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The table below shows the existing and proposed floorspace figures (sqm):

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Office (Class B1a)	3133	0	- 3133
Hotel (Class C1)	0	3653	+ 3653
Total	3133	3653	+ 520

Loss of office use

The lawful use of the premises is as offices and although vacant, was until recently occupied by The Mayor's Office for Policing and Crime (MOPAC).

Since the approval of the 2014 and 2015 schemes the City Council formally adopted the latest version of Westminster's City Plan (November 2016), which includes the Special Policy Areas and Policies Map Revision, as well as the previously adopted Basements Revision and the Mixed use Revision. Therefore the policies, which are of particular relevance to the proposals in light of the revised Westminster City Plan are Policy S20 (Offices and Other B1 Floorspace) and Policy CM28.1 (Basement Development).



The aim of Policy S20 is to restrict the change of use from offices to residential within the Core Central Activities Zone, Opportunity Areas and the Named Streets. However, Policy S20 does not preclude the loss of offices to other commercial uses within these areas. The application site is within the Core Central Activities Zone. The proposed use of the building as a hotel (Class C1) would result in the loss of 3,133sqm of office floorspace. However, in accordance with Policy S20 this is considered acceptable in land use terms.

Proposed hotel use

Policy S23 (Hotels and Conference Facilities) states that new hotels will be directed to the Paddington, Victoria and Tottenham Court Road Opportunity Areas, the Core Central Activities Zone, Named Streets, the Knightsbridge Strategic Cultural Area and the North Westminster Economic Development Area. Hotels are directed to those streets, which do not have a predominantly residential character.

Policy TACE 2 relates to new hotels and extensions to existing hotels. Part A of TACE 2 states that within the CAZ, in streets which do not have a predominantly residential character, on CAZ Frontages and in the PSPA, planning permission will be granted for new hotels and extensions to existing hotels where:

- 1) no adverse environmental and traffic effects would be generated and;
- 2) adequate on-site facilities are incorporated within developments proposing significant amounts of new visitor accommodation, including spaces for the setting down and picking up of visitors by coaches and for taxis serving the hotel.

The proposal is for a 53 bedroom hotel which is to be operated by Cofingham Ltd. Cofingham is new British subsidiary of a family owned business, which already operates hotels in Luxembourg and has two boutique hotels in Paris (Hotel D'Aubusson and Hotel Millesime). There are two entrances into the proposed hotel (which utilise the existing access arrangements) at ground floor level, which would provide access to the proposed restaurant/ hotel bar from Buckingham Gate and the side entrance to the concierge desk/ reception as well as the hotel restaurant and bar. The room sizes range from 18 to 65sqm. The hotel and bar area would be open to both non-hotel guests and hotel guests and accommodate a maximum of 130 guests. The hotel will be staffed 24 hours a day, seven days a week. At night time no less than two employees will be on site, with an average of 25 employees on site during the daytime.

The proposed new basement level will provide a swimming pool, spa and gym facilities, a dedicated area for mechanical plant, as well as the hotel's kitchen and storage facilities. At lower ground floor level 8no. hotel rooms are to be provided along with ancillary hotel facilities (changing rooms, hotel office and plant rooms). At ground floor level in addition to the proposed restaurant/bar and hotel reception 5no. hotel rooms are to be provided and to the rear a new on-site loading bay is to be provided. The upper floor levels will provide the remainder of the hotel rooms with a penthouse within a new pavilion and terrace provided at roof level.

All the proposed hotel rooms have windows. Terraces are proposed at rear second, third and fifth floor levels. At rear second and third floor level 2no. rooms each (Rooms

208 and 209 and Rooms 306 and 307) will have access to a terrace. At fifth floor level a terrace is proposed at fifth floor level to the front of the building facing Buckingham Gate.

The hotel will have a hotel manager on duty 24 hours a day and approximately 25 members of staff will be employed by the hotel.

The application site fronts Buckingham Gate and is located opposite Buckingham Palace and the mews. Buckingham Gate is a red route, which is a fairly busy route. In contrast the rear of the site backs onto Stafford Place, which is primarily residential in character and by contrast quieter.

A number of objections have been received from residential occupiers within Stafford Place and the surrounding area. One of the main issues raised is the inappropriateness of use of the building as a hotel and that there is an oversaturation of hotels within the vicinity of the site.

8.2 Townscape and Design

The proposed design alterations take their cue from the approved 2014 and 2015 schemes and whilst largely based on the previously approved schemes, where they do differ, this is in order to accommodate changes in line with the proposed use of the building as a hotel.

Records indicate that the building was largely rebuilt behind the existing Buckingham Gate and side façades in the 1970's. The only remaining features of interest are the front and side elevations. The internal core and floors levels are constructed of concrete and the rear section built as part of earlier renovation works. As a result there is very little in the way of surviving historic features.

Given the interior of the building was rebuilt behind the façade and that the previously approved schemes allowed a total rebuild, the internal works including the new basement are considered acceptable in design and listed building terms.

Rear and side elevation

The rear of the building currently has an awkward mix of extensions. The rear extensions are to be rebuilt using a similar massing to existing, although there is a modest increase in height and depth by an additional 1.3m and 1.13m respectively. These extensions in terms of their built form are identical to the extensions approved under the 2014 and 2015 schemes. The extensions are to be built in materials matching those currently found on the site.

The extensions at rear second and third floor level introduce terrace areas, which will be accessed from a total number of four hotel rooms at these levels. These terraces are to have simple black metal railings around the perimeter and are as previously approved.

The windows on the rear elevation are designed to complement the windows in the original listed building facades. The proposed rear elevation includes four additional windows and doors to that previously approved, but in doing so creates a more ordered

appearance. On the side elevation (west) the unblocking of windows on this elevation is considered acceptable subject to design details.

It is proposed to include off street servicing through the provision of a new loading bay at rear ground floor level. Under the previously approved scheme garage doors were approved to provide access to the sub-basement and basement level car parking areas. The proposed loading bay and its external treatment is considered acceptable in design terms.

The proposals are considered to make a positive contribution to the conservation area, improving the appearance of the Stafford Place frontage.

Roof Level Alterations

At roof level a new roof extension is proposed which replaces the existing unsightly plant enclosure and railing. The principle of an extension at roof level has previously been accepted and is therefore considered acceptable in this instance. However the roof extension associated with the approved residential schemes, in terms of usable floorspace, occupied a larger area to that now proposed and included two large terrace areas, which wrapped around the residential unit at roof level.

The proposed extension, will accommodate a hotel room and is located to the front of the roof area facing Buckingham Gate. The remainder of the extension will accommodate lift/lobby area and back of house staircase. The area to the rear where the terrace was approved is to now accommodate mechanical plant within an enclosure.

As with the approved scheme the verified views confirm that the pavilion will not be visible from street level on either the north or west elevations. Whilst roof level extensions are contentious in this case it replaces an existing taller addition and is considered acceptable in principle.

Notwithstanding the above, the proposed design of the pavilion is important to the overall appearance of the building and therefore a condition is recommended to secure details of the extension. A new plant enclosure is to be provided within the east side of the roof and enclosed by the roof pitch and a low level brick wall. The roof pitch neatly hides the enclosure, making it unnoticeable from street level.

Alterations to the Vaults

Policy TRANS 19 of the Unitary Development Plan (UDP) 2007 aims to limit the extent of new basement vaults under the highway. The City Council will generally restrict the lateral and vertical extent of new or extended basement areas under the adjacent highway so that there remains a minimum vertical depth below the footway or carriageway of about 900 mm and the extent of the new or extended basement area does not encroach more than about 1.8m under any part of the adjacent highway. This is to ensure that services and essential street furniture can be provided, and that adequate space is available between the highway and any basements.

Item No.

The lowering of the floor within the vaults is modest and considered acceptable. The openings between the vaults are to be rationalised and maintain a single door width opening between each vault.

8.3 Residential Amenity

Policy S29 of the City Plan and ENV 13 of the UDP aim to protect the amenity of residents from the effects of development. Policy ENV13 states that the Council will resist proposals that would result in a material loss of daylight/sunlight, particularly to dwellings, and that developments should not result in a significant increased sense of enclosure, overlooking or cause unacceptable overshadowing.

4-5 Buckingham Gate has two entrances, one fronting Buckingham Gate and the other on the side elevation. The nearest residential property is located adjacent to the application site at No. 6 Buckingham Gate. Other residential properties are located at Nos. 7-9, which comprises of flats. To the rear of the site are other residential properties including Nos. 14-23 Stafford Place, Nos. 1-5 Buckingham Mews, and Stafford Mansions in Stafford Place. The rear of the site also leads into Buckingham Gate, Palace Street and Catherine Place, which are predominately residential in character.

Nos. 1-3 Buckingham Gate has planning permission and listed building consent for the provision of 72 residential units and associated external and internal alterations and is currently under construction (15/04136/FULL and 15/04347/LBC).

Sunlight and Daylight

A daylight and sunlight report has been submitted with the application and the following properties have been assessed:

Located to the east of the site:

6 Buckingham Gate; 22, Stafford Place, 23 Stafford Place and Nos. 1, 3 and 5 Buckingham Mews.

Located south-east of the site:

2 Buckingham Mews.

Located south of the site:

14 Stafford Place, 16 Stafford Place, 18 Stafford Place, 20 Stafford Place and 21 Stafford Place.

Located west of the site:

1 Palace Street

Located north of the site:

Buckingham Palace.

Nos. 21-24 Stafford Place and the properties in Buckingham Mews are two storey buildings. Nos. 14-20 Stafford Place are five storey buildings and Stafford Mansions is 8/9 storeys tall.



The following tests were undertaken:

The Vertical Sky Component (VSC)

For a window to be considered as having a reasonable amount of skylight reaching it, the BRE Guidelines suggests that a minimum VSC value of 27% should be achieved. If the VSC with the new development in place is both less than 27% and less than 0.8 times its former value, then the reduction in light to the window is likely to be noticeable.

A total of 205 windows in the properties named above were tested. All properties tested demonstrated compliance with the BRE standards with the exception of three windows at No.6 Buckingham Gate located at basement and lower ground floor level. At basement level the VSC change is 0.78 times its former value and at lower ground floor level, windows 1 and 2 were 0.76 and 0.68 times its former value.

The basement plan of No. 6 Buckingham Gate (08/05779/FULL and 08/05780/LBC) approved a swimming pool at basement level, a kitchen at rear lower ground floor level leading into a glazed atrium/conservatory to the rear and a formal dining room at rear ground floor level with a void at rear ground floor level over the over the lower ground floor atrium/conservatory. A representation on behalf of No. 6 has stated that there is a dining room/kitchen at rear ground floor level. Whilst the VSC levels for the basement and ground floor level represent a technical breach, the figures for two of the windows tested are only marginally below the requisite criteria. In addition these windows are located within a light well area and are bounded by the boundary wall fronting Stafford Place. Given that the remainder of the single dwelling house satisfies the BRE guidelines it is not considered a refusal is justified on this basis in this instance.

No Sky Line

This describes the distribution of daylight within rooms by calculating the area of the 'working plane', which can receive a direct view of the sky ((0.7m from floor level in offices and 0.85m in dwellings and industrial spaces). The BRE Guidelines state that if following the construction of a new development the No Sky Line moves such that the area of existing room that does not receive direct skylight is reduced to less 0.8 times its former value, the impact will be noticeable to the occupants.

Of 91 rooms tested in the properties identified, all were BRE compliant.

Annual Probable Sunlight Hours (APSH)

Compliance will be demonstrated where a room receives:

- At least 25% of the APSH (including at least 5% in the winter months), or
- At least 0.8 times its former sunlight hours during either period, or
- A reduction of no more than 4% APSH over the year.

The properties tested here were No.6 Buckingham Gate, Nos. 1, 3 and 5 Buckingham Mews, 1 Palace Street and Buckingham Palace. Of the 62 windows tested all were BRE compliant.

Overshadowing

An assessment in terms of overshadowing has been made on No.6 Buckingham Gate. This specifically tested the amenity area at lower ground floor level, which comprises an area of approximately 10.24sqm and showed no change to the existing and proposed lit area and therefore meets the BRE guidelines.

Sense of Enclosure

The proposed extensions follow the same line as that approved under the 2014 and 2015 schemes. Notwithstanding this the proposals do not result in a material sense of enclosure to warrant a refusal of the application proposals.

Privacy

Under the 2014 and 2015 schemes (14/06822/FULL & 14/06823/LBC and 15/05134/FULL & 15/05135/LBC) terraces were approved. The proposed terraces at second and third floor level are identical in terms of size and location to the terraces previously approved.

There are two small terraces, one each at rear second and third floor level, set within the recessed part of the building. These smaller terraces do not have direct views of the Stafford Place properties but overlook the roofs of the Buckingham Mews properties. These are not considered to give rise to overlooking as they are some distance away from the residential buildings fronting Stafford Place, which are located some distance away so as not to cause direct overlooking into these properties. Due to the inset nature of these smaller terraces it is not considered these terraces would adversely affect the adjoining property at No. 6 Buckingham Gate in terms of overlooking.

Two large terraces were approved to the fifth floor level under the 2014 and 2015 schemes, which wrapped around the approved roof top pavilion. In this latest proposal, the fifth floor terrace is smaller and only located to the front part of the roof. The roof top pavilion, which is to accommodate a hotel room does have full openable doors onto the terrace. On officer's advice the opening to the pavilion has been amended and is as per the approved scheme and provides fixed panels and individual door frames/openings onto the terrace. In amenity terms the terrace at fifth floor level is smaller and located to the front of the building overlooking Buckingham Gate. The terrace is not considered to have an adverse impact on residential amenity in terms of overlooking or loss of privacy.

The proposed terrace does have a line of sight towards the mews and the side elevation of Buckingham Palace. Buckingham Palace have not commented on the proposals.

Off-street servicing bay

The proposed servicing of the hotel will take place in an off-street servicing bay with a turntable accessed from Stafford Place to the rear. The expected number of servicing trips per day for the hotel will be 9, whereas the existing office generated 6 daily trips and was not the subject of any conditions controlling servicing of the site.

Item No.
2

The proposed off-street servicing bay is located adjacent to Nos.6-9 Buckingham Place, which is in residential use, at ground floor level.

No.6 gained approval for use as a single dwelling house in 2008. The rear ground floor of No. 6 was approved as a formal dining room leading into a glazed atrium/ conservatory. Representations on behalf of No. 6 have stated that the rear ground floor is in use as a dining room/ kitchen and raise concerns with regards to the proximity of the loading bay and noise arising from its use. The proposed loading bay is to be acoustically lined along the party wall and soffit area to mitigate against noise transference to the neighbouring property.

No. 6 has its own garage at rear ground floor level, which is located adjacent to the ground floor void and to the rear of the entrance hallway. In addition a garage is also provided for a studio flat to the rear of No. 7, which is located adjacent to the entrance hallway of No. 6. The proposed loading bay in comparison to the garages provided at Nos. 6 and 7 is likely to be more used than the adjoining domestic dwellings. However, in terms of noise the actual loading bay would be located adjacent to the rear amenity space and void serving the lower ground floor atrium/ conservatory as opposed to the habitable room. It is not considered that the location of the loading bay would cause material harm to the amenity of the occupiers of the dwelling house at No. 6.

The proposed off-street servicing bay is also located opposite No.21 Stafford Place, which is also in residential use. Although there will be an increase in number of servicing trips compared to the existing hotel use, it is not considered to result in significant harm in terms of disturbance given that servicing will take place off-street compared to the existing situation where servicing is unregulated and would take place on street.

8.4 Transportation/Parking

Servicing and deliveries

Policy S42 of the City Plan and TRANS20 of the UDP require the provision of off-site servicing. The existing building has no vehicular access and no off-street servicing or parking. Servicing and refuse collection is currently undertaken on street.

The site is located along a red route on Buckingham Gate. The footway along Buckingham Gate has been widened and the carriageway of Buckingham Gate has been reduced in width in recent years. There is now one wide lane for south-westbound traffic where there were previously two. This is coupled with double yellow lines and the introduction of an anytime loading restriction. Servicing is not possible from Buckingham Gate.

There is existing on-street parking bays in both Stafford Place and the cul-de-sac off Buckingham Gate. These are within a Controlled Parking Zone (Monday to Friday between 0830 and 1830), which means that single and double yellow lines in the vicinity allow loading and unloading to occur. The largest regular service vehicle expected to be associated with this development in this location is the refuse collection vehicle.



The submitted transport statement states the main entrance into the hotel will be from Buckingham Gate, with a secondary access from No. 5. The applicant has stated that the proposed hotel will use the same vehicular access as approved under the residential scheme.

Visitor drop-off will take place within the cul-de-sac adjacent to No. 4. It is proposed that the southernmost parking bay is relocated to the northern end, thereby allowing a 'turning head' to be provided to enable vehicles to enter and exit from and onto Buckingham Gate.

Alterations are proposed to the rear to include an off-street loading bay with a turntable for servicing. In the cul-de-sac off Buckingham Gate there are parking bays and the hotel proposes using this area for taxi drop-off at the front of the hotel within this cul-de-sac. The Highways Planning Manager has welcomed the provision of off street servicing, as this will enable vehicles to enter the loading bay, which will be equipped with a turntable so that vehicles do not have to reverse back into Stafford Place as the turntable would enable them to drive out forwards. Officers consider this is preferable to the existing situation. If the building were to re-open as an office there would be no servicing bay or turntable and the only option would be to service from Stafford Place. The only way of servicing in a vehicle of any size would be to reverse all the way up or back down Stafford Place, which officers consider a less satisfactory situation than the one proposed.

The servicing bay to the rear will be accessed via a new 3.3m crossover. This will also involve the reconfiguration of the existing parking bays along Stafford Place but will not result in the reduction in the current parking bays provided. All costs are to be covered by the applicant.

There have been a number of concerns from residents that the proposed loading bay is not of a sufficient size to accommodate vehicles and that servicing will end up being undertaken on street. The loading bay has been designed to accommodate a 4.6 tonne panel van. Conditions are recommended that all servicing is undertaken within the loading bay and not on street. All deliveries will be pre-booked. The proposed servicing trips per day for the hotel will be 9, whereas the existing office generated 6 daily trips and was not the subject of any conditions controlling servicing of the site.

Transport for London (TfL) as highways authority has been consulted on the proposals, as well as the City Council's Highways Planning Manager.

TfL have raised no objections to the proposals provided that a condition is secured for details of a construction logistics plan prior to construction on site and that a travel plan is secured through a Section 106 Legal Agreement for a travel plan, and no coach bookings are accepted by the hotel.

The Highways Planning Manager has raised no objections to the proposal but as with TfL has requested a Section 106 Legal Agreement to secure funding for the provision of a formal footway crossover to gain access to the servicing bay across the footway in Stafford Place and will need to fund the costs associated with moving a parking bay.

The applicant has agreed to accept a condition relating to the submission of a servicing management plan to be secured as part of any proposed Section 106 Legal Agreement.

Coaches and Taxis

No provision for coach party arrivals is provided. The applicant indicates that they would not accept coach parties. Coach activity is common for hotels and the drop off or collection of guests from coaches can have a significant impact on the safety and operation of the highway network, including on pedestrians.

TfL and the City Council's Highways Planning Manager request a condition prohibiting the application site from knowingly accepting coach bookings. On this basis, a condition is recommended to restrict the size of party bookings to minimise the risk of coaches attending the site.

Cycle Parking

The London Plan Policy 6.9 requires one cycle space per 20 bedrooms (long stay) and 1 space per 50 bedrooms (short stay). The cycle parking must be within the site, have convenient level access, be secure and weatherproof.

The proposal is seeking to provide five cycle spaces, which will be accommodated within the ground floor servicing bay. The provision of five cycle spaces exceeds that required by policy and is considered acceptable. A condition is recommended to secure the provision of the cycle spaces.

8.5 Economic Considerations

The economic benefits associated with the creation of a new hotel are welcomed. The proposed hotel will employ 50-55 employees, with 25 members of staff (full-time) on site during the daytime. An employment and training opportunities strategy will be secured by condition.


8.6 Access

Access into the building remains unchanged. The only alteration is to the rear elevation to provide an off street servicing bay.

8.7 Other UDP/Westminster Policy Considerations

Sustainability

The applicant has submitted an Energy and Renewables Statement in support of their application. The existing building will incorporate energy efficient mechanical and electrical elements including high performance glazing, heat recovery ventilation, lighting efficiency and low carbon energy technology comprising of Air Source Heat Pumps and



Photovoltaic panels, which will achieve a 22.9% improvement in carbon emissions based on the current Building Regulations (2014) for the hotel.

Victoria Bid have submitted a letter in support of the application proposals but have raised concerns over the energy system proposed. They state that the air quality impact of the Combined Heat and Power (CHP) system on air quality is not covered in the documents; and that abatement equipment should be proposed where the plant is forecasted to worsen air quality. The applicants in consultation with their technical team have stated that the CHP acts as a lead boiler and as such is an internal piece of equipment. The equipment will discharge in accordance with the clean air act (with reference to Institute of Gas Engineers and Managers (IGEM) document 10) as to adequately disperse any flue gases away from the adjacent properties.

The previously approved scheme included proposals for solar panels on the roof but this is not proposed as part of the submitted scheme. The development achieves compliance with the 22.92% reduction in carbon (as identified in the submitted energy report) by the use of other renewable technologies including CHP and air source heat pumps.

Refuse and Recycling


The proposed refuse store is to be located within the new basement level. The waste will be transferred internally from the basement to ground floor adjacent to the inset loading bay during waste collection to transfer wheeled bins from the building out onto Stafford Place where they are to be collected by a private waste contractor.

The Waste Project Officer has raised no objection provided the storage arrangements for waste and recyclable materials, as shown on the submitted plan is secured by condition. A condition is recommended to ensure that no waste should be left or stored on the public highway.

Mechanical Plant

Mechanical plant is proposed at roof level and within the new basement and lower ground floor level. In addition to this provision has been made to acoustically line the proposed servicing bay given the proximity to the adjoining residential dwelling at No. 6. The proposed mechanical plant at roof level, which also includes the kitchen extract is sited within an acoustic enclosure. An acoustic report has been submitted with the application proposals, which has been assessed by Environmental Health. They have confirmed that the report assessment demonstrates compliance with the City Council's planning noise conditions. Subject to conditions controlling noise from the mechanical plant and internal noise levels, the proposal is considered acceptable in noise terms.

Although it is proposed to acoustically line the internal area of the off street servicing bay, comment has been made as to whether the proposed access door to the bay would be within the noise levels governed by the planning noise conditions. Whilst the noise report demonstrates compliance with the City Council's noise conditions it is recommended that details are secured to ensure that the path between the delivery vehicles and the receiving area to be smooth and to ensure that any noise from the access doors to the servicing bay are designed so as not to cause noise disturbance.



8.8 Neighbourhood Plans

The draft Knightsbridge Neighbourhood Plan and all submission documents, representations received, and subsequent modifications proposed to it have been considered by an independent examiner who has issued their final report with recommendations. The council will now consider the examiner's recommendations before publishing its 'Decision Statement'. Depending on the outcome of this, the plan will then need to proceed to a referendum before it can formally become part of the statutory development plan and be attributed full weight. Where any matters relevant to the application subject of this report are directly affected by the policies contained within the draft neighbourhood plan, these are discussed elsewhere in this report.

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.

The proposals due to their location are not affected by the Knightsbridge Neighbourhood Plan nor the Mayfair Neighbourhood Plan.

8.9 London Plan

This application raises no strategic issues.


8.10 National Policy/Guidance Considerations

Further to the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the City Council cannot impose a pre-commencement condition (a condition which must be discharged before works can start on site) on a planning permission without the written agreement of the applicant, unless the applicant fails to provide a substantive response within a 10 day period following notification of the proposed condition, the reason for the condition and justification for the condition by the City Council.

During the course of this application a notice was served relating to the proposed imposition of a pre-commencement condition to secure the applicant's adherence to the following:

- a) A written scheme of investigation or a programme of archaeological work.
- b) City Council's Code of Construction Practice during the demolition/excavation and construction phases of the development

The applicant has agreed to the imposition of the conditions.



8.11 Planning Obligations

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

- i) Funding for the provision of a formal footway crossover to access the service bay on Stafford Place.
- ii) Funding for the costs to reconfigure the existing on-street parking bays in both Stafford Place and the cul-de-sac off Buckingham Gate.
- iii) Secure details of the service management plan.
- iv) Provision of an employment and training opportunities strategy during construction and for the hotel use.

The estimated CIL payment is £123,571.96 Westminster CIL and £37,542.60 Mayor's CIL

8.12 Environmental Impact Assessment

Not applicable.

8.13 Other Issues

Basement excavation

The main change in policy since the 2014 and 2015 schemes is the adoption of Policy CM28.1 of the Westminster City Plan (November 2016). Policy CM28.1 requires the submission of a structural methodology statement in relation to the proposed excavation works, together with a signed proforma Appendix A which demonstrates that the applicant will comply with the relevant parts of the council's Code of Construction Practice (CoCP). The previously approved schemes (2014 and 2015) approved two new levels of basement accommodation.

The proposal will provide a new floor level beneath the existing ground floor level. The proposed basement does not extend beneath the front lightwell and vaults which is welcomed in light of the building being Grade II listed. The proposed basement level is to provide a swimming pool, sauna and gym and back of house hotel facilities including kitchen, storage areas and an area for plant room, with a sub area for the sprinkler tanks.

The policy text of policy CM28.1 states that the most appropriate form of basement extension will be no more than one storey, with an approximate floor to ceiling height of 2.7m floor below the lowest part of the original floor level.

The central part of the new basement level has a floor to ceiling height of 2.7m with a service void factored in at ceiling level. The proposed basement accommodating the swimming pool area has a floor to ceiling height of 5.4m. However, the floor to ceiling height above the pool would be 3.5m. Whilst this is above the requirement set out in the policy text this increase in the floor to ceiling height is only confined to the area occupying the swimming pool in this area. To the rear of the site a floor to ceiling height

greater than 2.7m is provided, however this area occupies the plant room and sprinkler tanks. Whilst this is not strictly compliant with the aims of Policy CM28.1 the areas to the rear provide functions ancillary to the safe functioning of the hotel.


In line with policy CM28.1 the applicant has submitted a structural method statement. This statement has been assessed by Building Control who advised that the structural approach and consideration of local hydrology is considered to be acceptable. An investigation of existing structures and geology has been undertaken and found to be of sufficient detail. The existence of groundwater has been researched and the likelihood of local flooding or adverse effects on the water table has been found to be negligible. Objections have been received from neighbouring properties concerning the impact of the proposals on their properties and in context of ongoing development adjoining and surrounding the application site.

The purpose of such a report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the site, existing structural conditions and geology. It does not prescribe the engineering techniques that must be used during construction which may need to be altered once the excavation has occurred. The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act.

As highlighted above the method of excavation has been considered by Building Control officers who advised that the structural approach and consideration of local hydrology appears satisfactory. We are not approving this report or conditioning that the works shall necessarily be carried out in accordance with the report. Its purpose is to show, with professional duty of care, that there is no reasonable impediment foreseeable at this stage to the scheme satisfying the Building Regulations in due course. This report will be attached for information purposes to the decision letter. It is considered that this is far as we can reasonably take this matter under the planning considerations of the proposal as matters of detailed engineering techniques and whether they secure the structural integrity of the development and neighbouring buildings during construction is not controlled through the planning regime but other statutory codes and regulations as cited above. To go further would be to act beyond the bounds of planning control. A condition requiring more detailed site investigations to be carried out in advance of construction works commencing, together with the written appointment and agreement of a competent contractor to undertake the works is not therefore considered reasonable.

Code of Construction Practice (CoCP)

Since the adoption of Policy CM28.1 the requirement to submit a construction management plan has been replaced with the CoCP. Objections have been received from neighbours adjoining the application site, especially in light of the ongoing development at Nos. 1-3 Buckingham Gate. Since the adoption of Policy CM28.1 the requirement to submit a construction management plan has been replaced with the CoCP. The CoCP sets out the minimum standards and procedures for managing and minimising the environmental impacts of construction projects within Westminster. The key issues to address as part of the CoCP and production of a CMP are liaison with the public, general requirements relating to the site environment, traffic and highways matters, noise and vibration, dust and air quality, waste management and flood control.

Item No.


Subject to conditions limiting the hours of work in relation to the proposed excavation works and requiring the applicant to adhere to the council's Code of Construction Practice, the proposed basement extension complies with the requirements of Policy CM28.1.

Crime and security

The hotel will provide active supervision through its own management of the hotel.

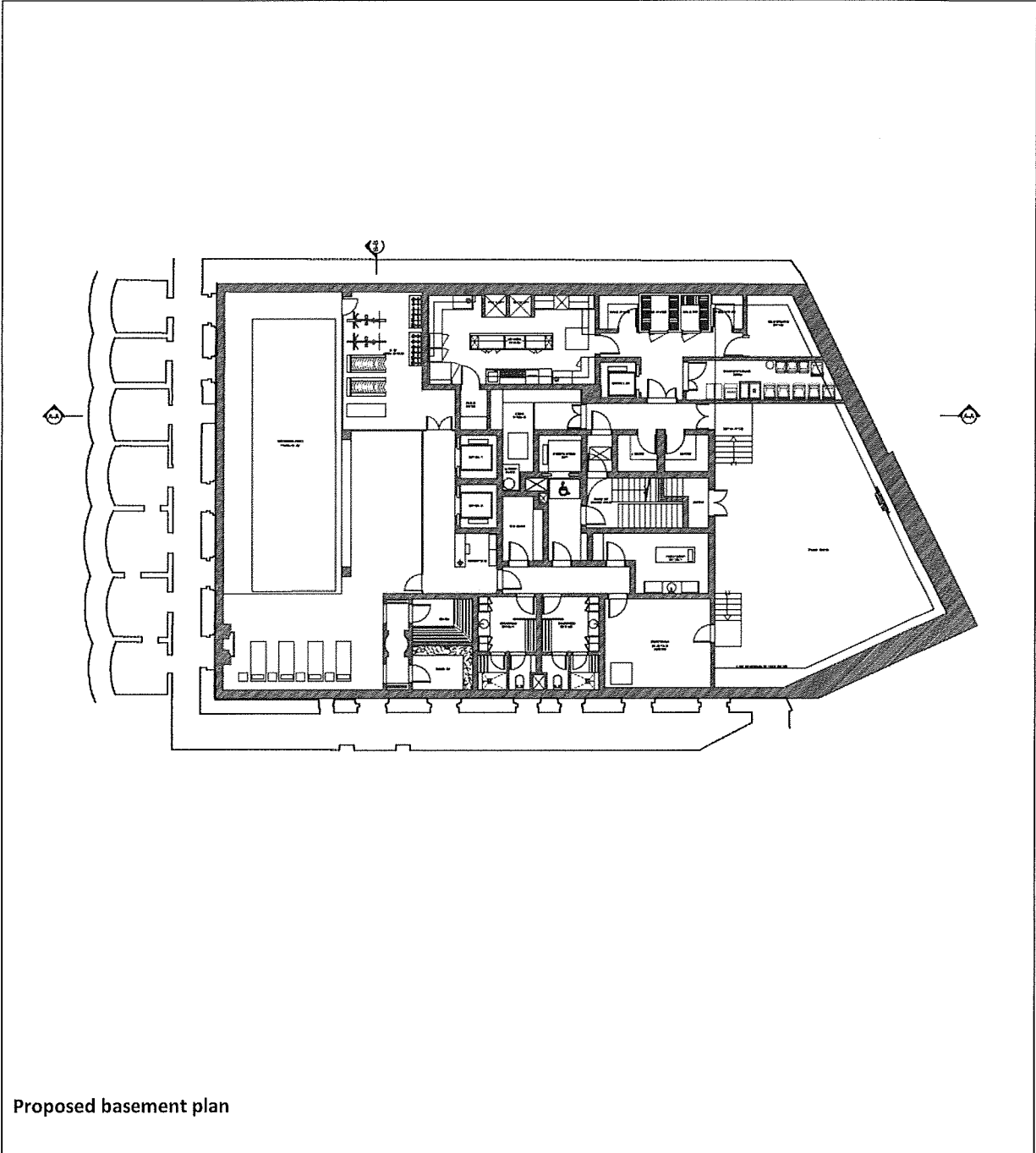
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: DAVID DORWARD BY EMAIL AT ddorward@westminster.gov.uk



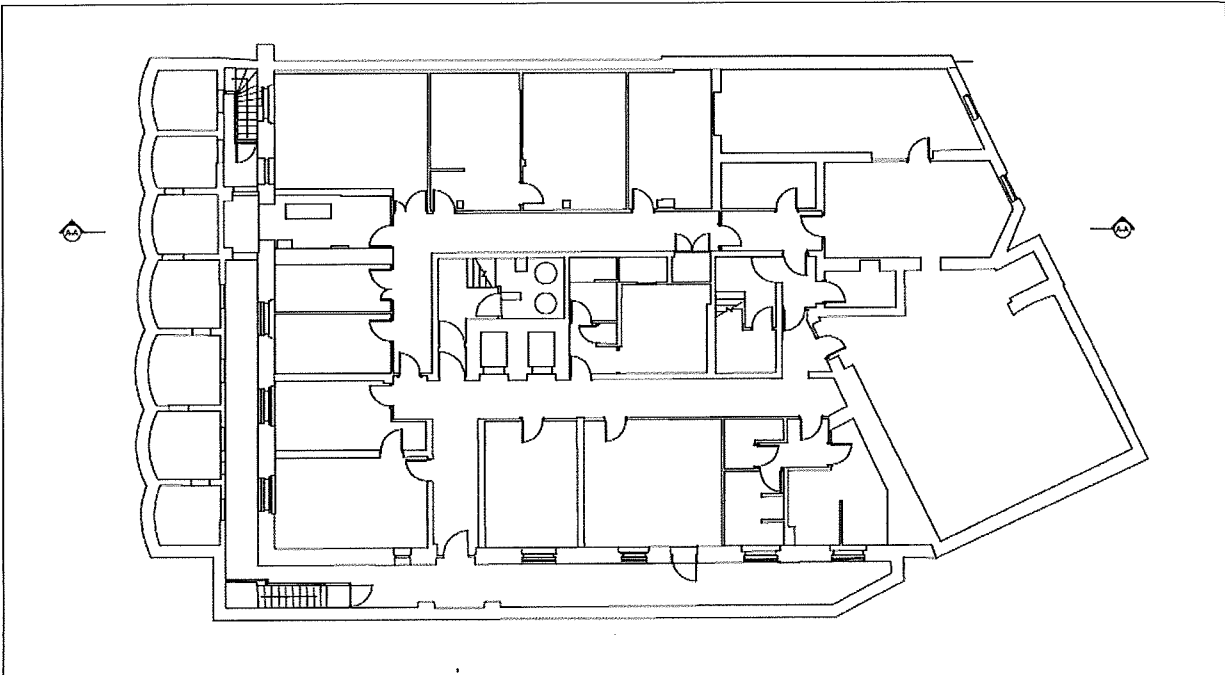
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9. KEY DRAWINGS

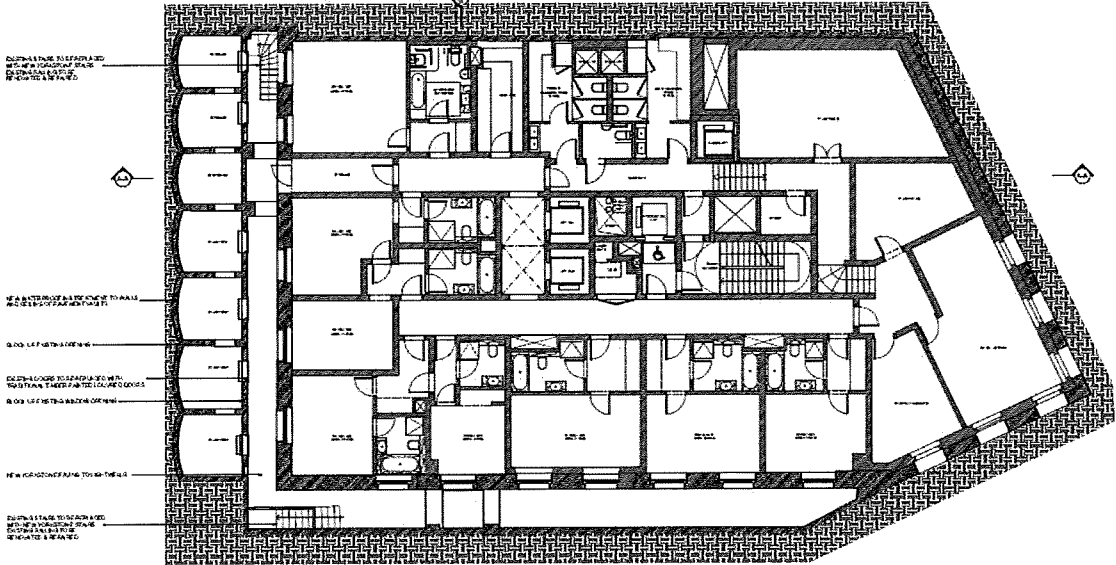


Proposed basement plan

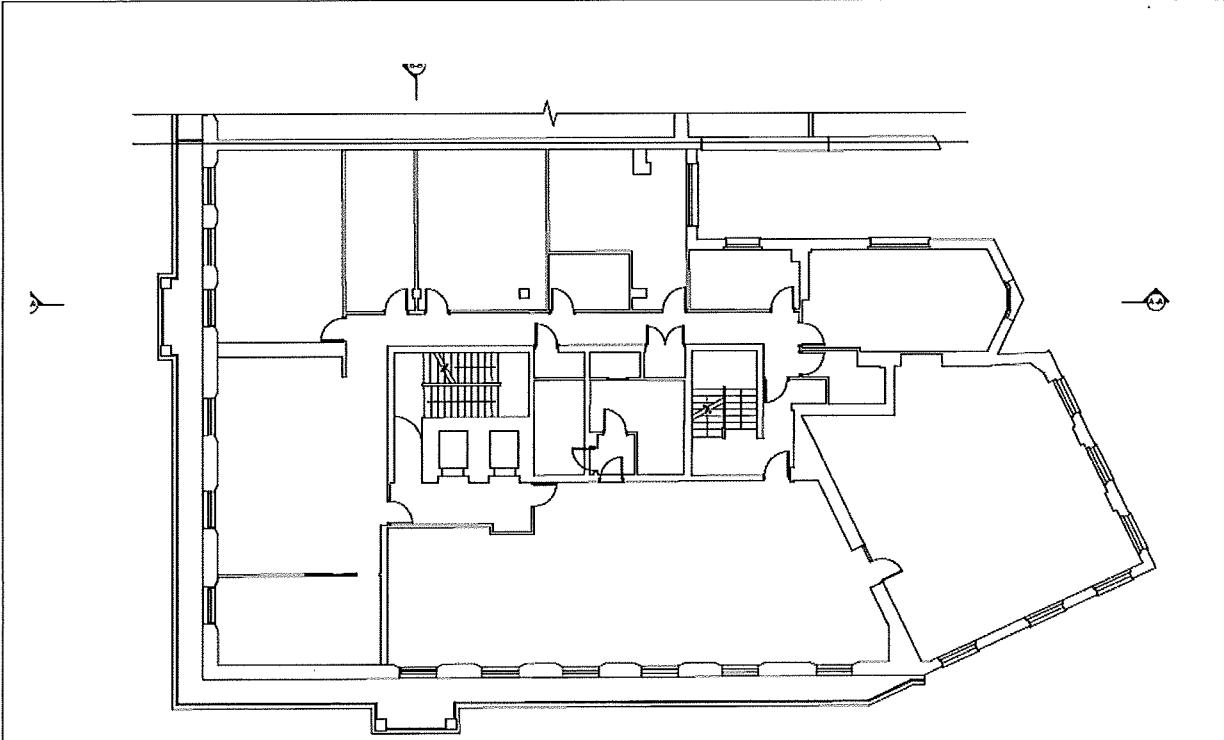




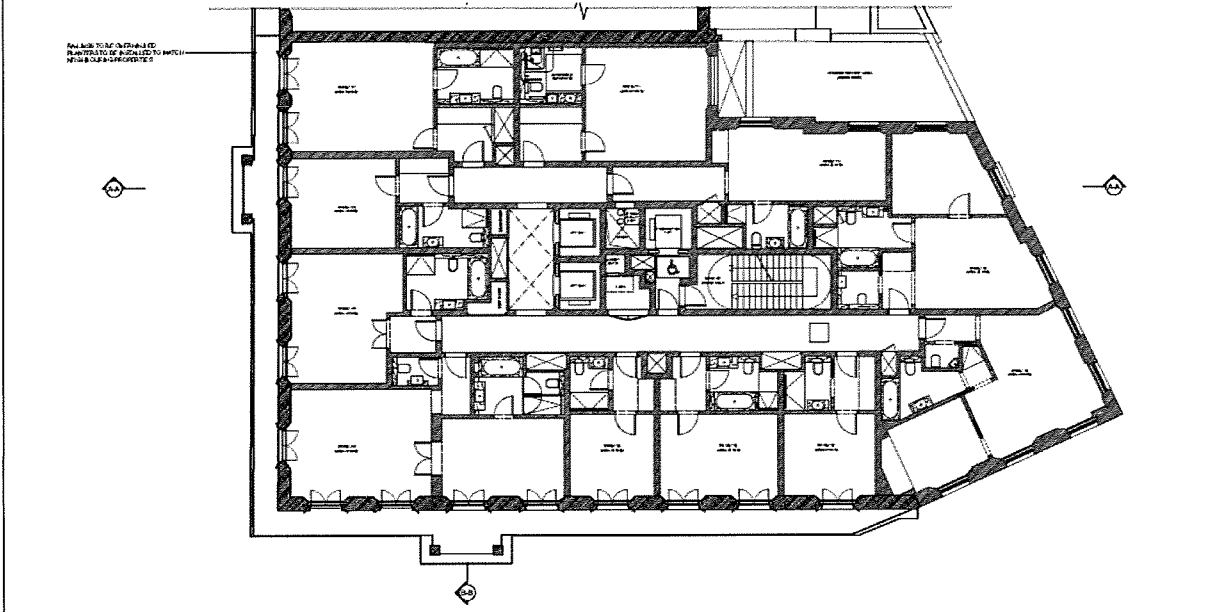
Existing lower ground floor plan



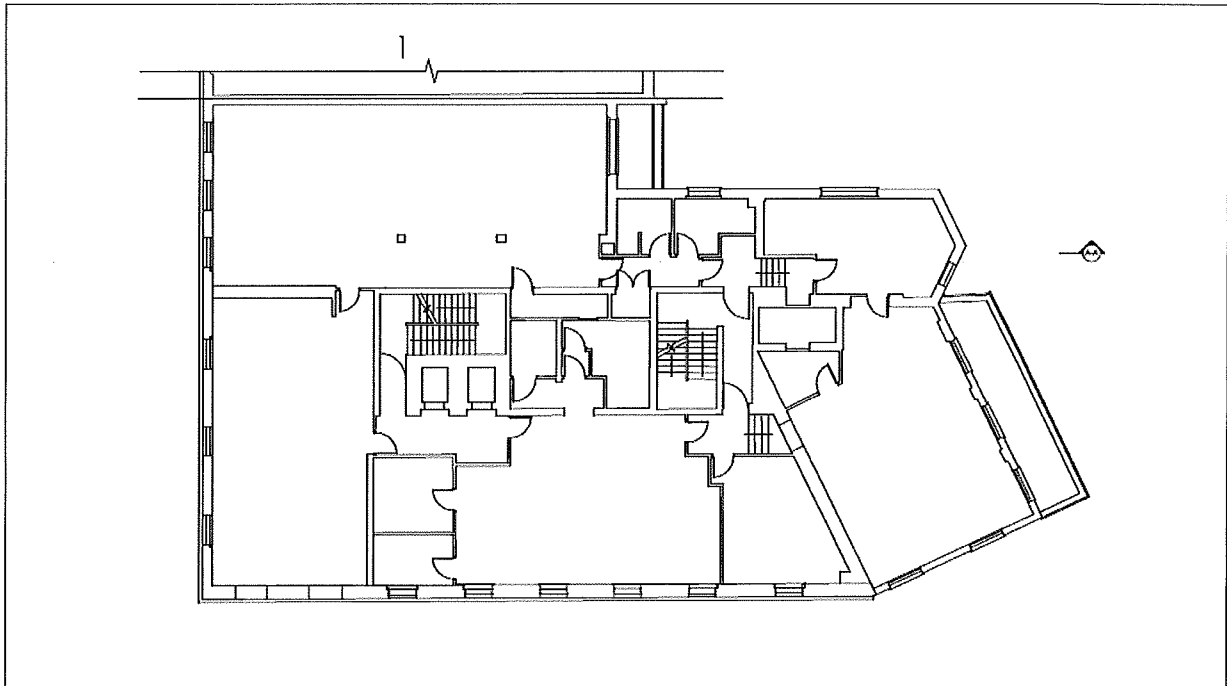
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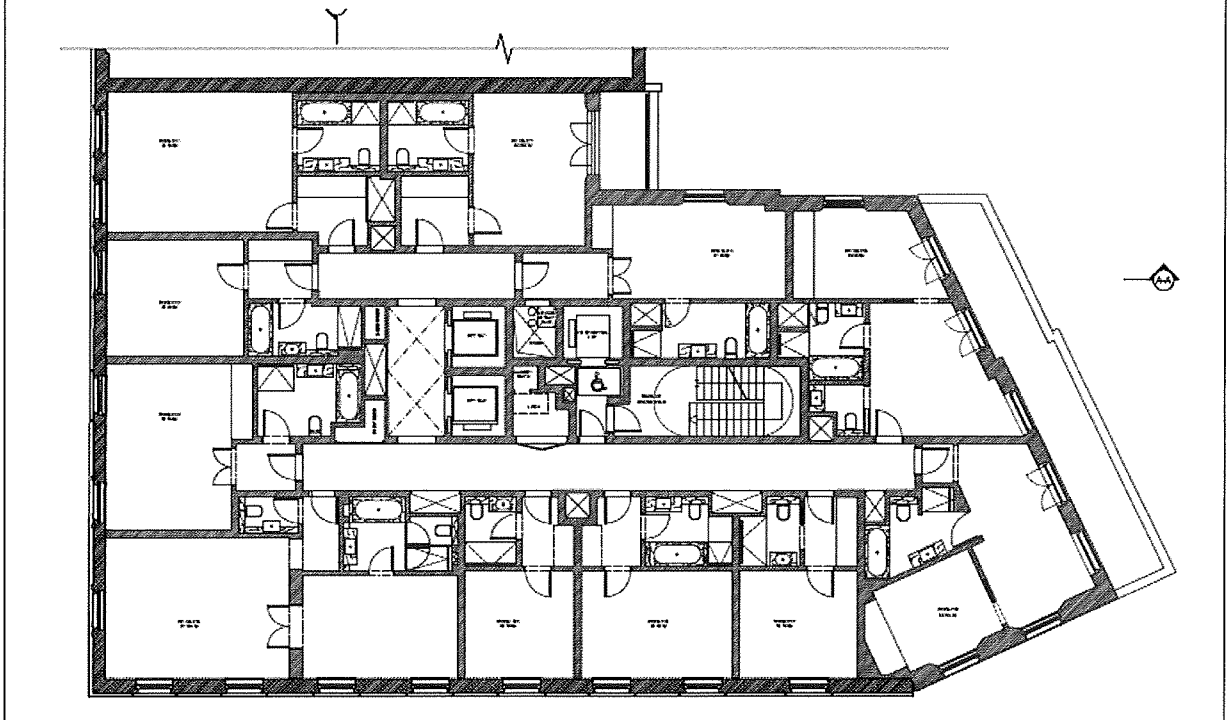
Existing first floor plan



Proposed first floor plan

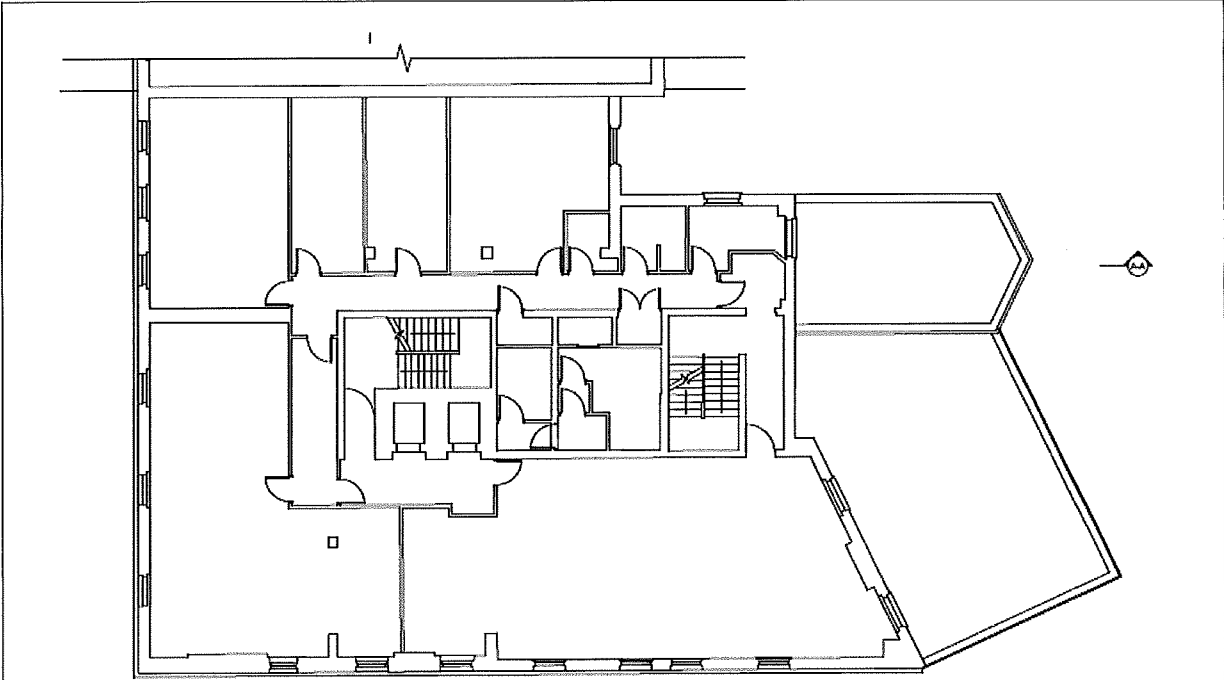


Existing second floor plan

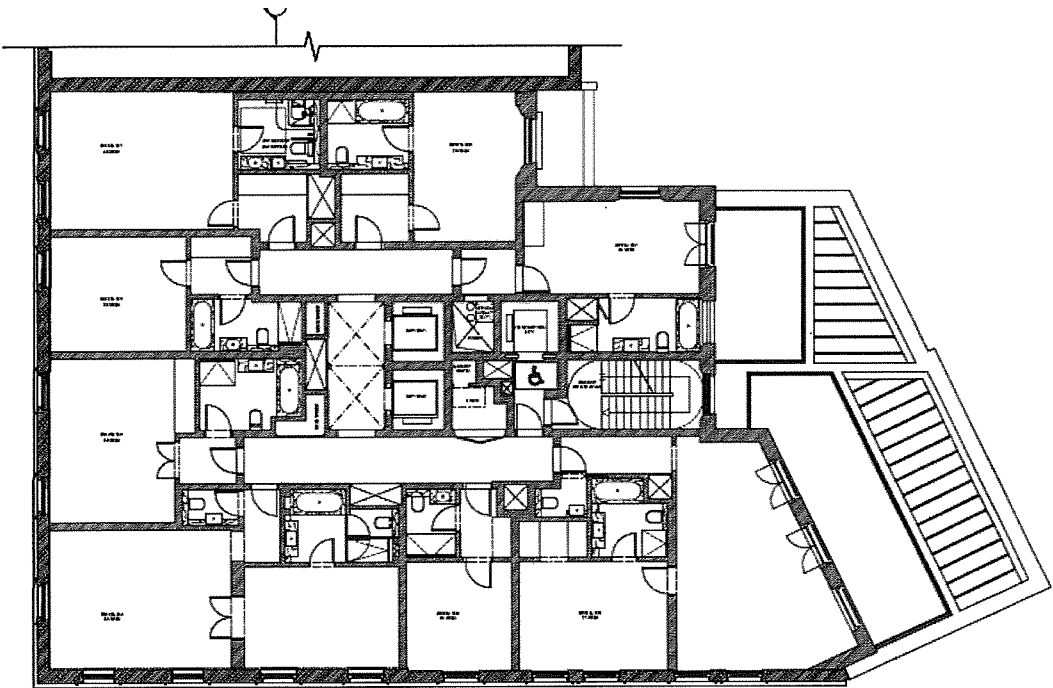


Proposed second floor plan

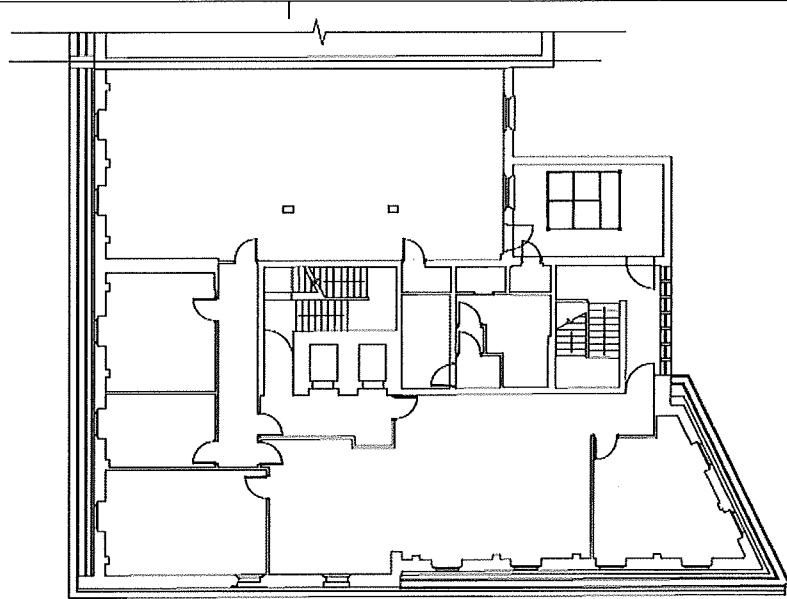




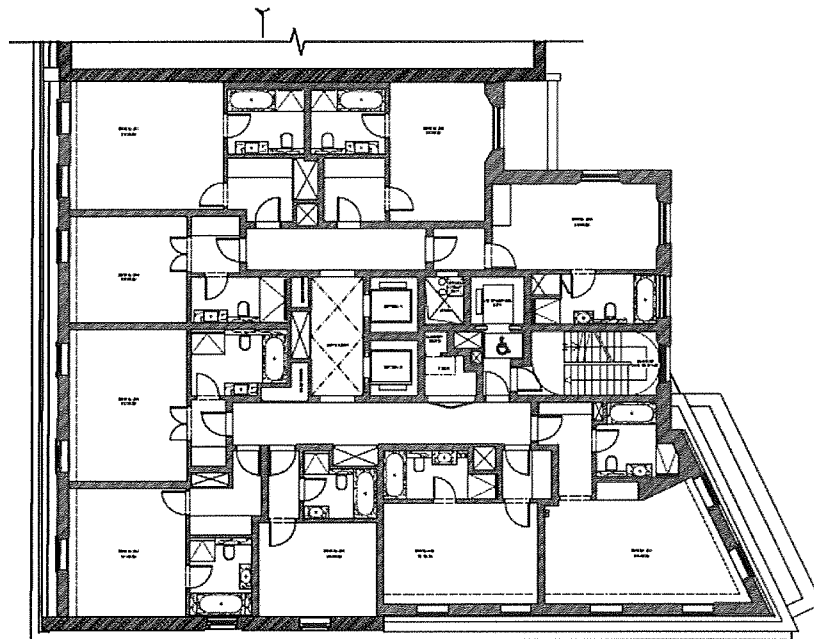
Existing third floor plan



Proposed third floor plan

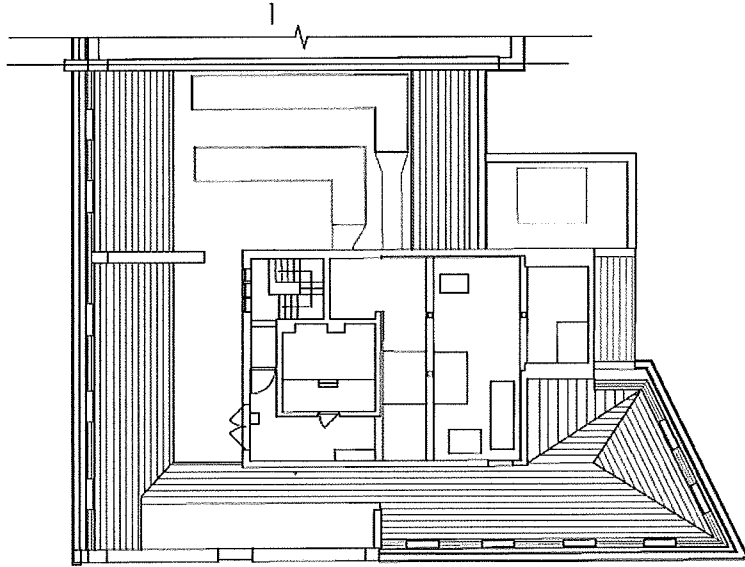


Existing fourth floor plan

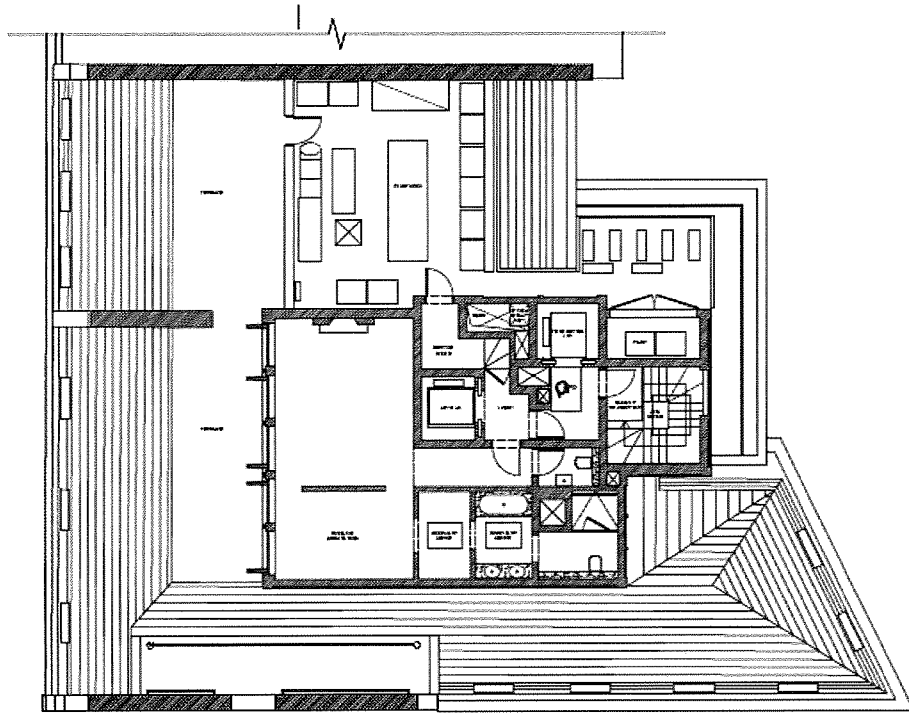


Proposed fourth floor plan





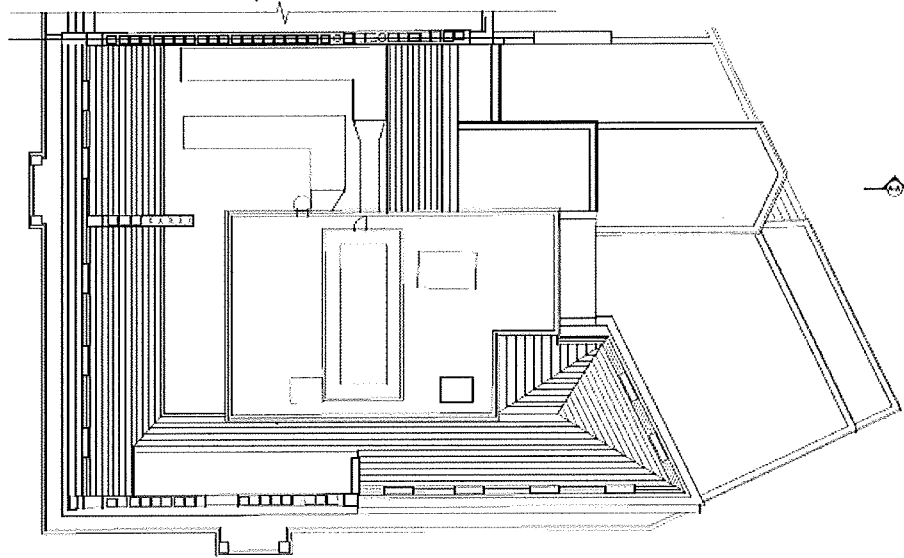
Existing fifth floor plan



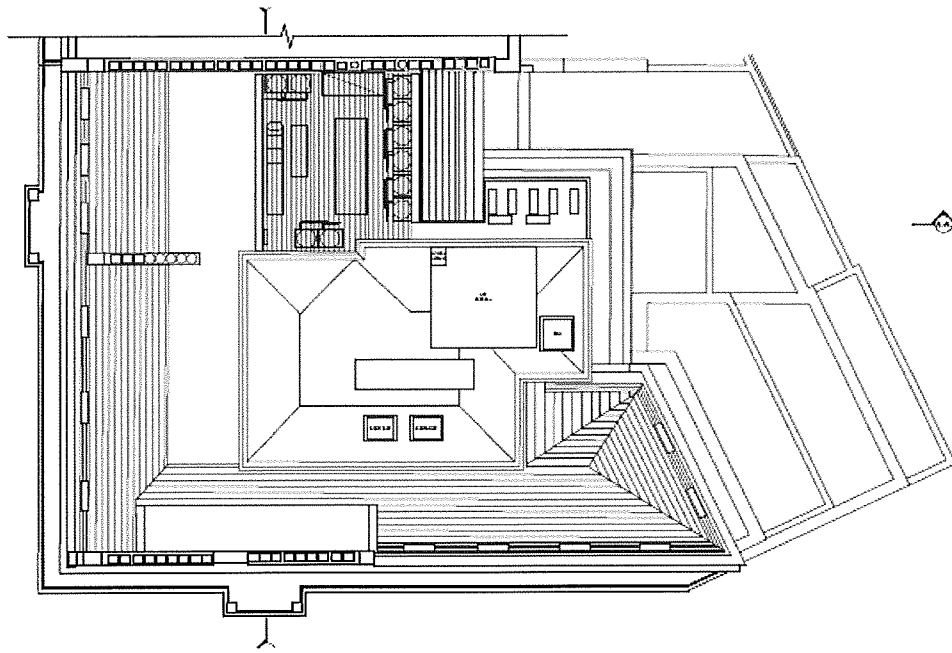
Proposed fifth floor plan



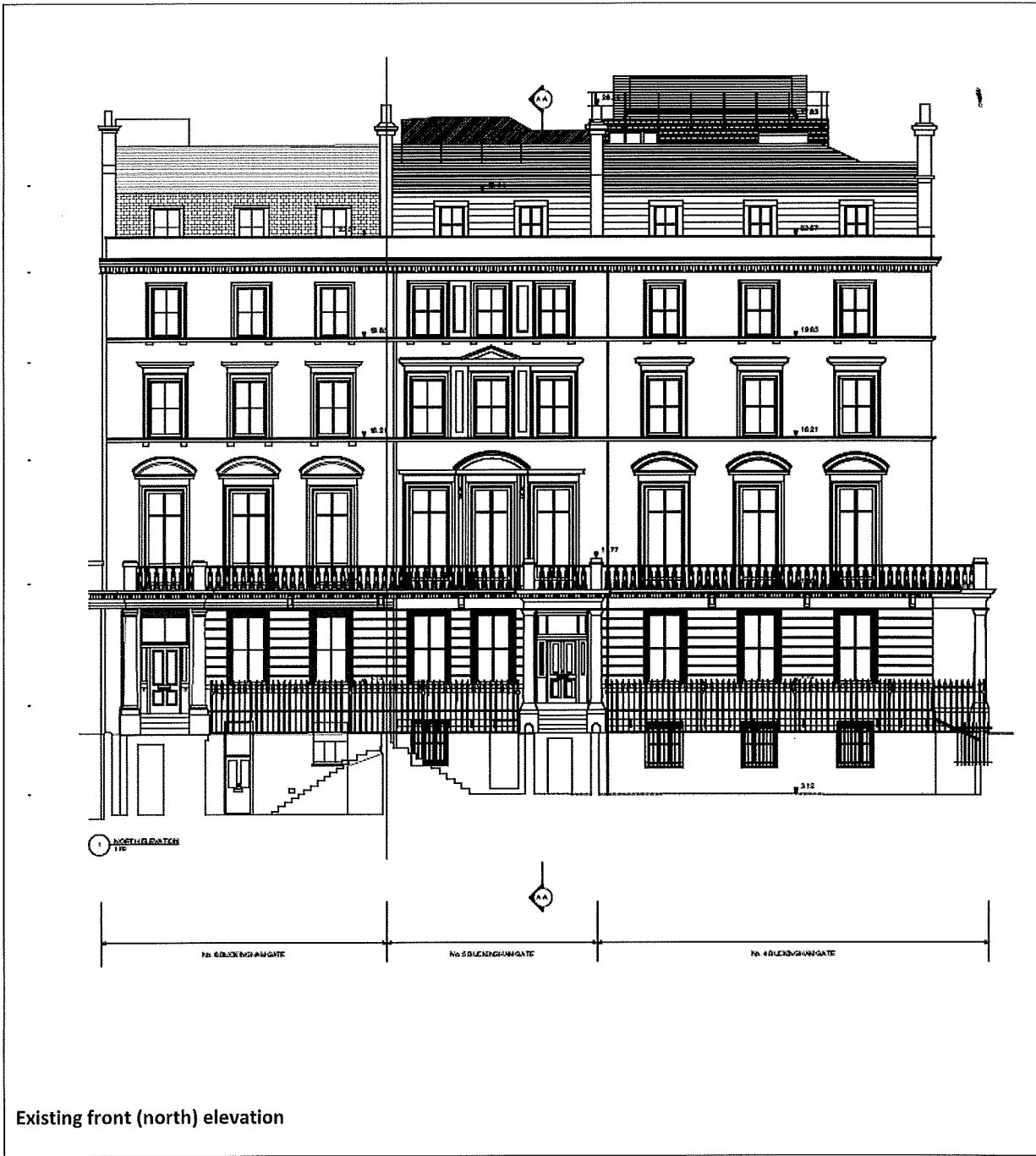
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Existing roof plan



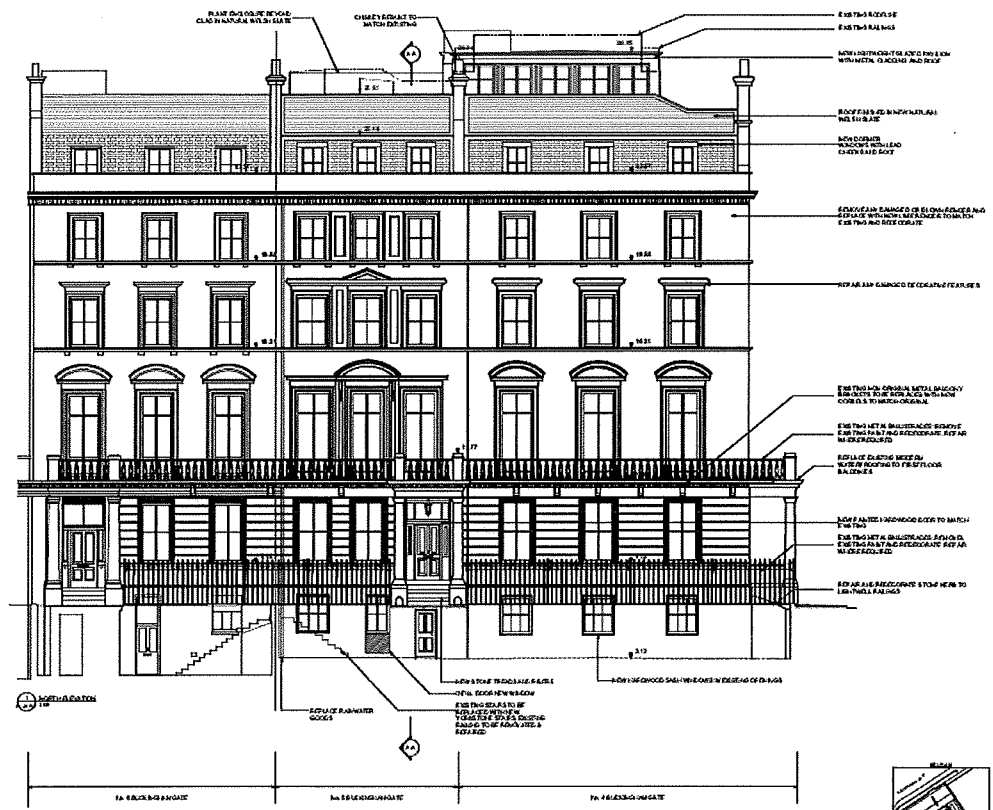
Proposed roof plan



Existing front (north) elevation

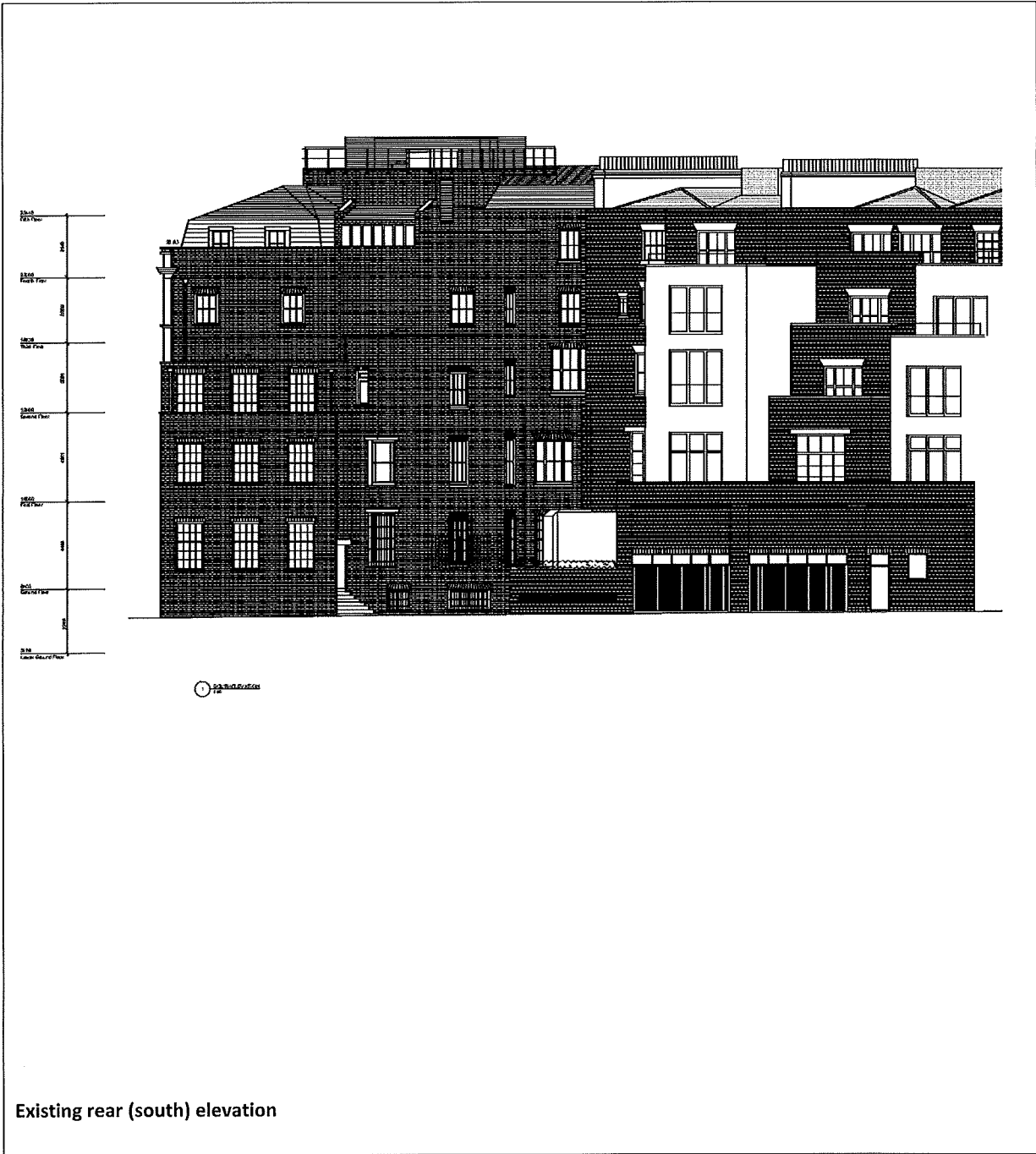


1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND STANDARDS OF THE CITY OF BOSTON AND THE STATE OF MASSACHUSETTS.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF BOSTON AND THE STATE OF MASSACHUSETTS.
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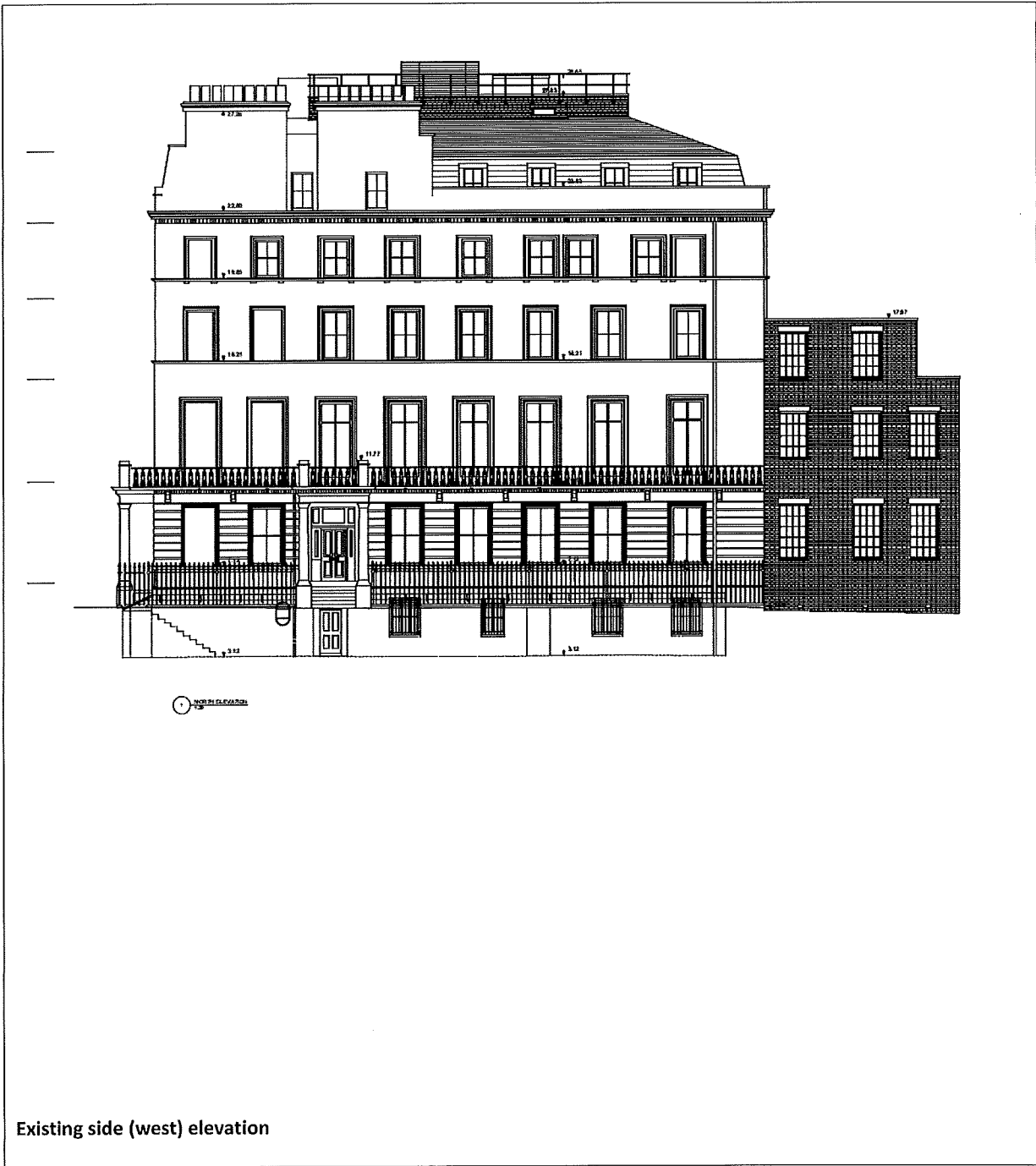


Proposed front (north) elevation

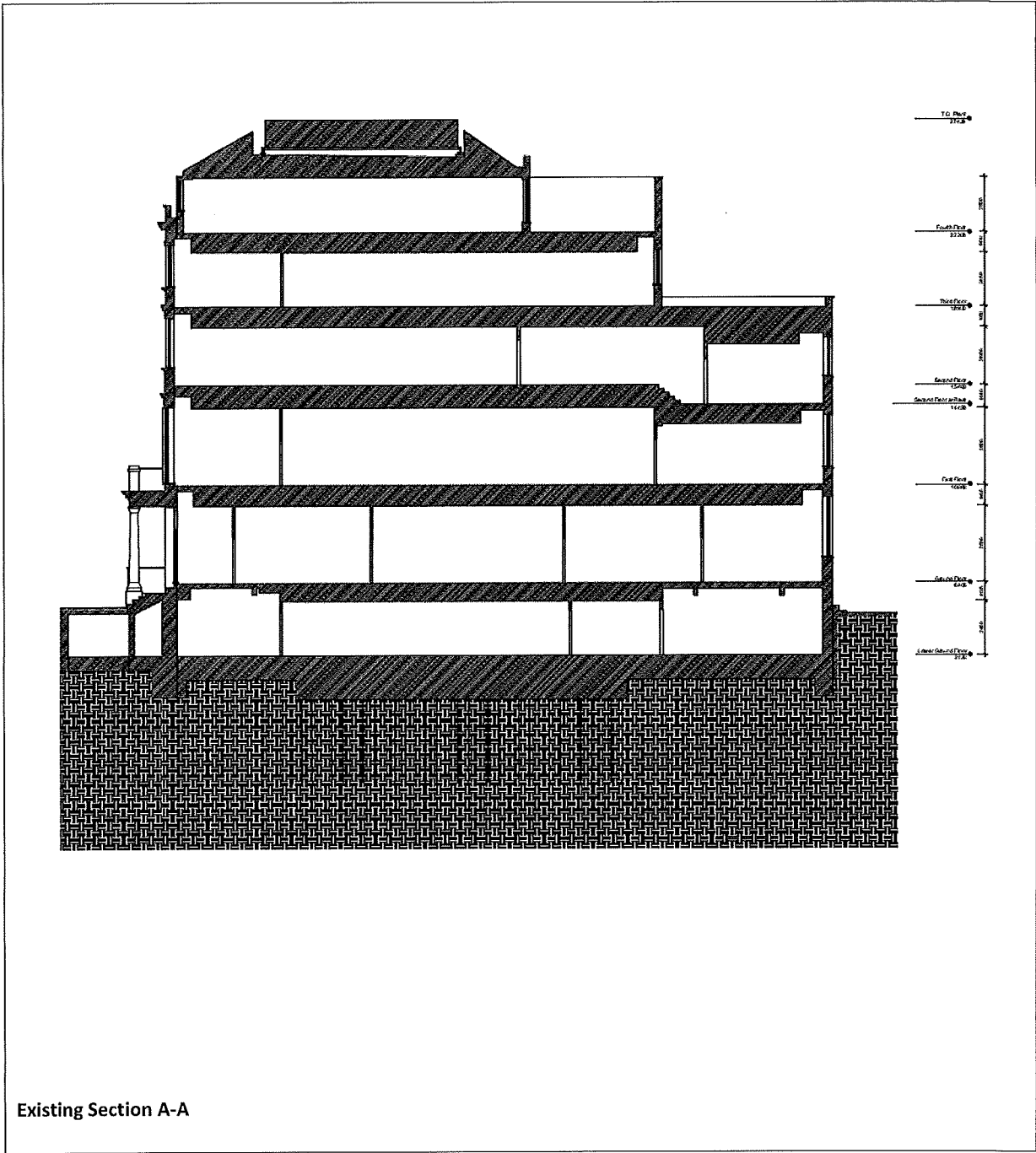
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Existing rear (south) elevation



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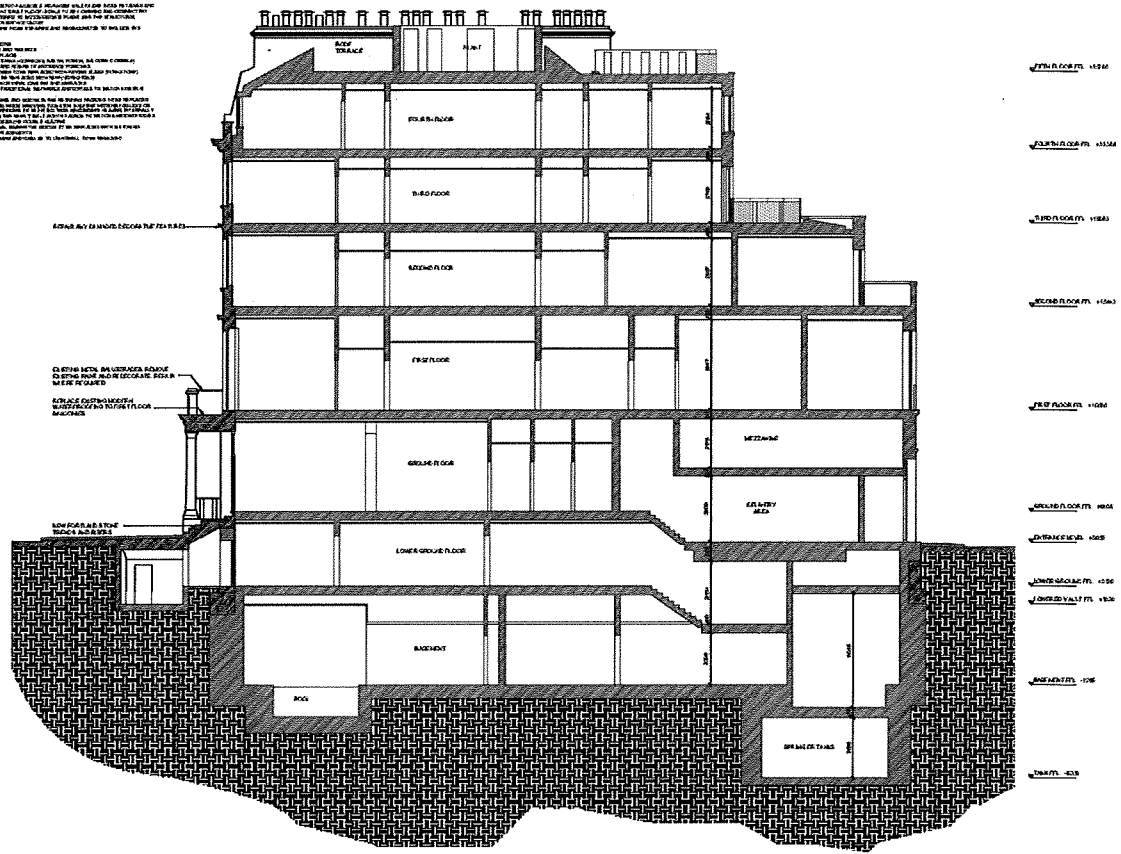


Existing Section A-A



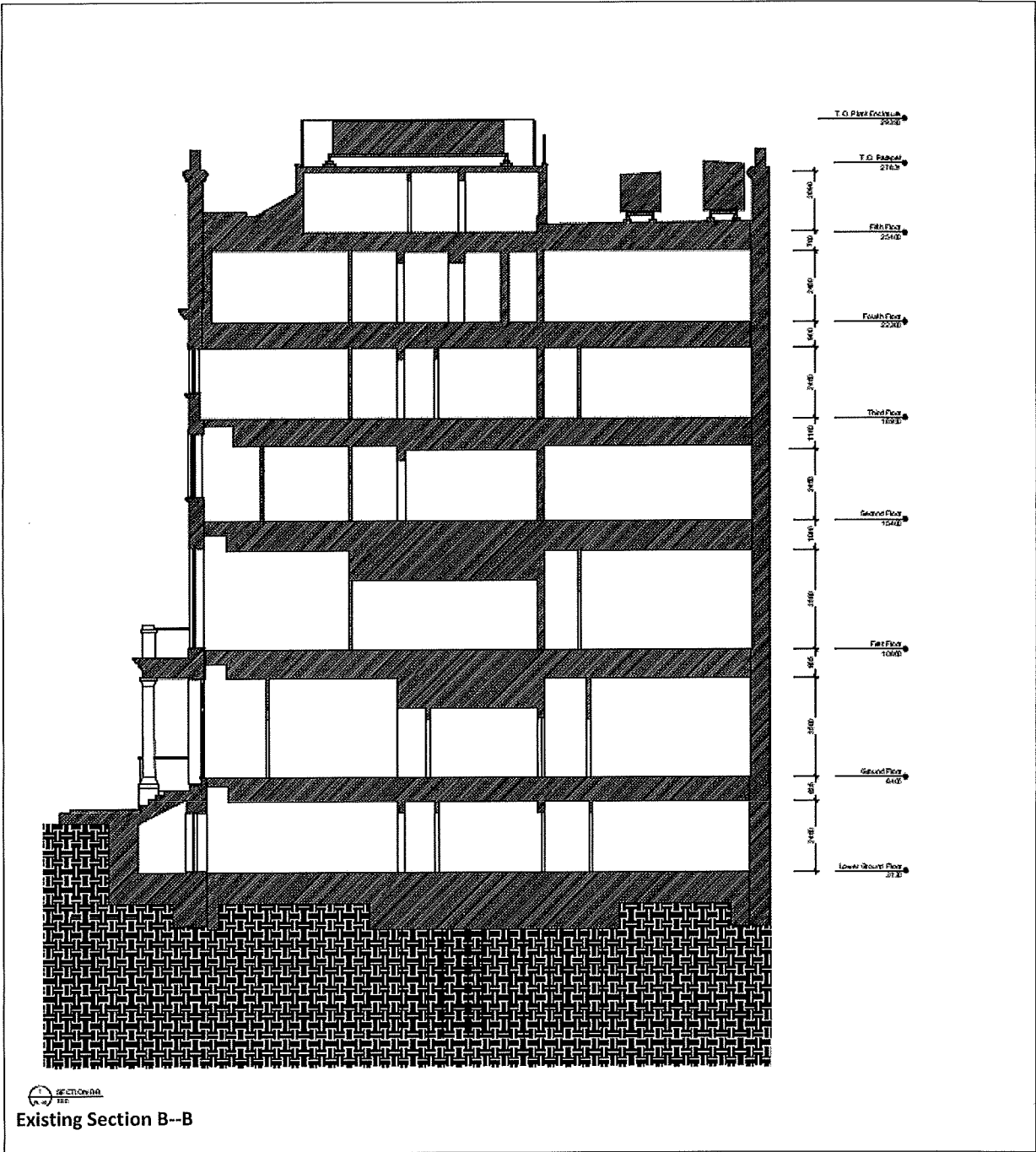
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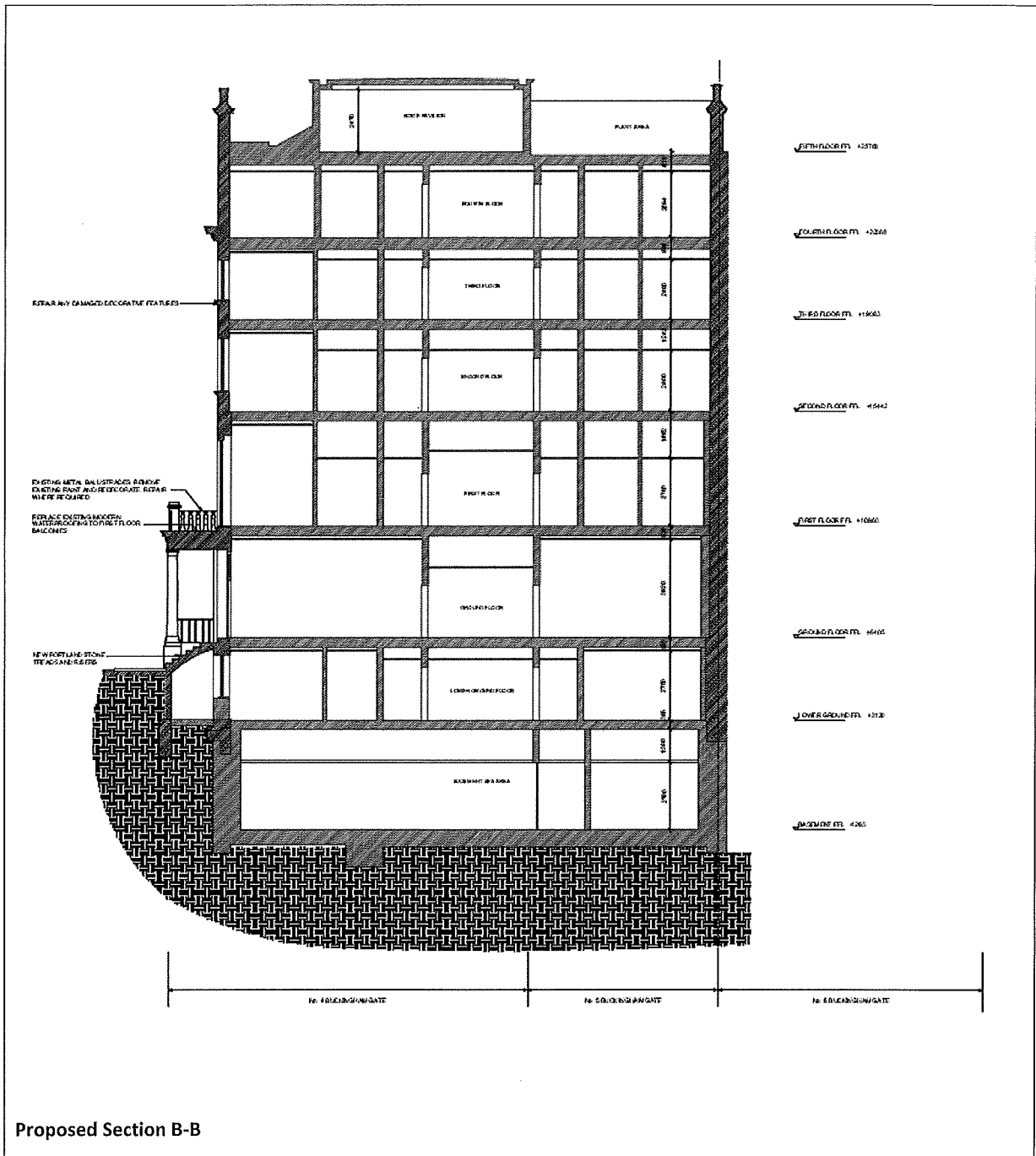
NOTES:
1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
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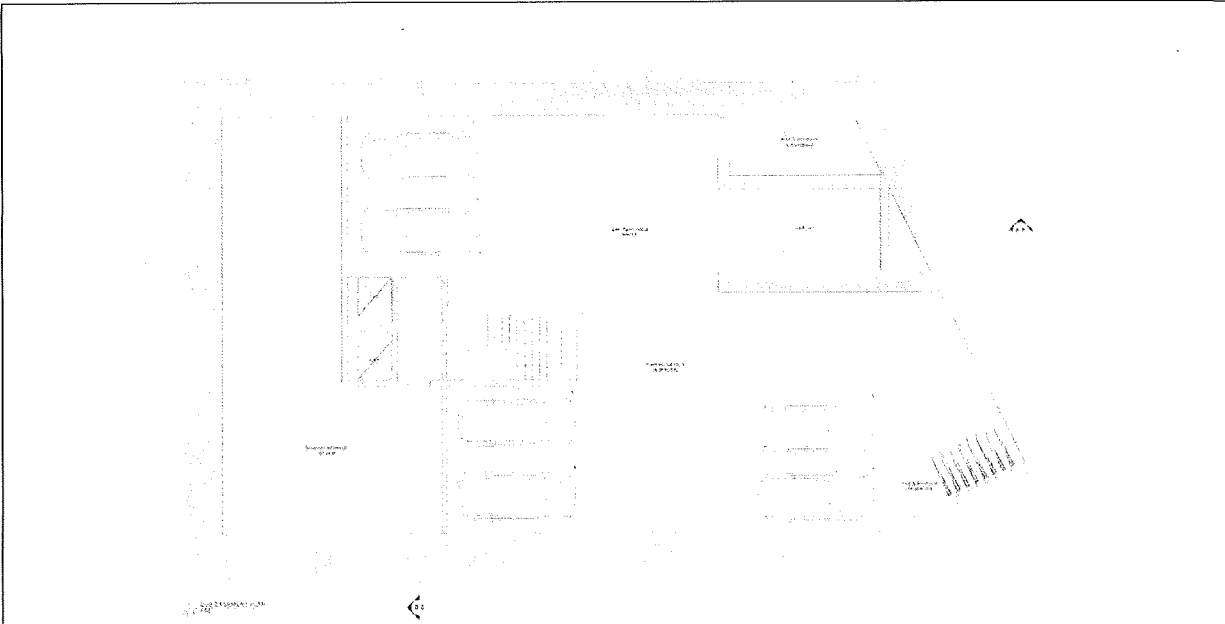


Proposed Section A-A

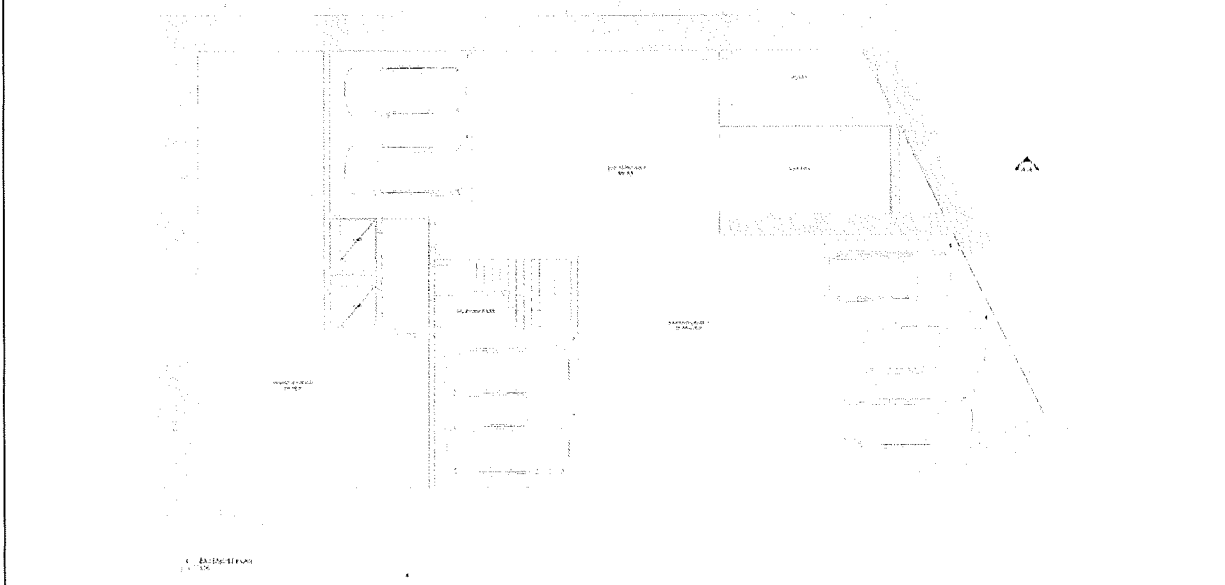








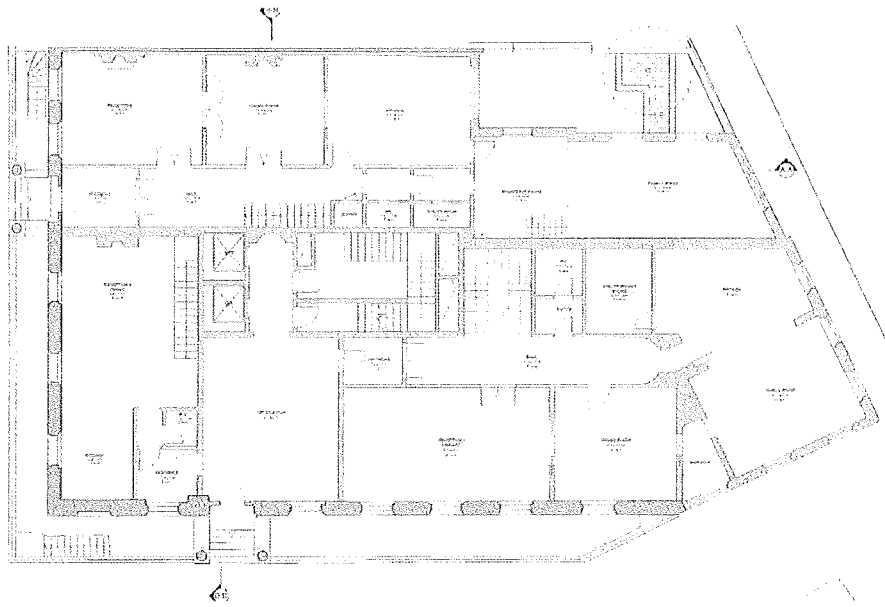
Approved sub-basement plan



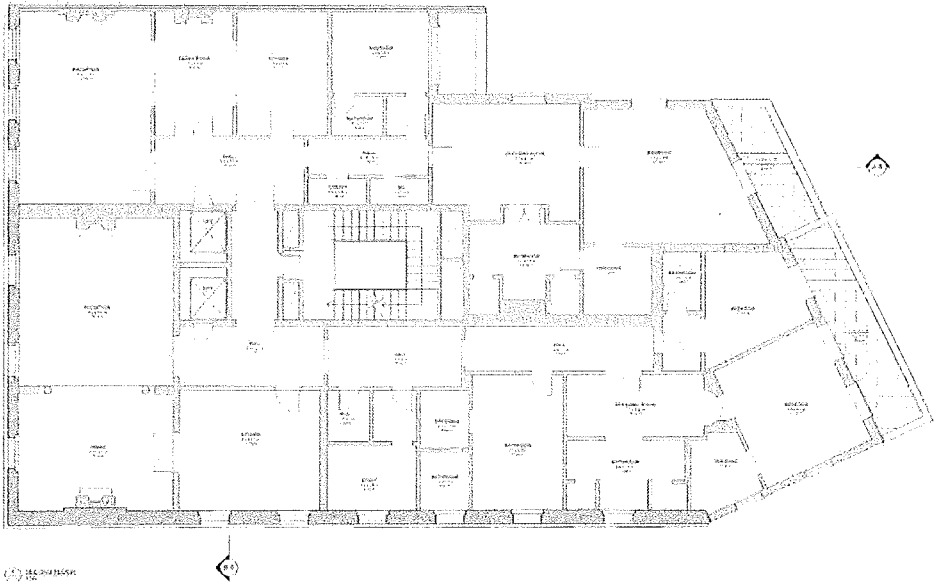
Approved basement plan

Approved 2014 scheme (14/06822/FULL & 14/06823/LBC)
(Drawings also as approved under 15/05134/FULL & 15/05135/LBC dated 07 September 2015)





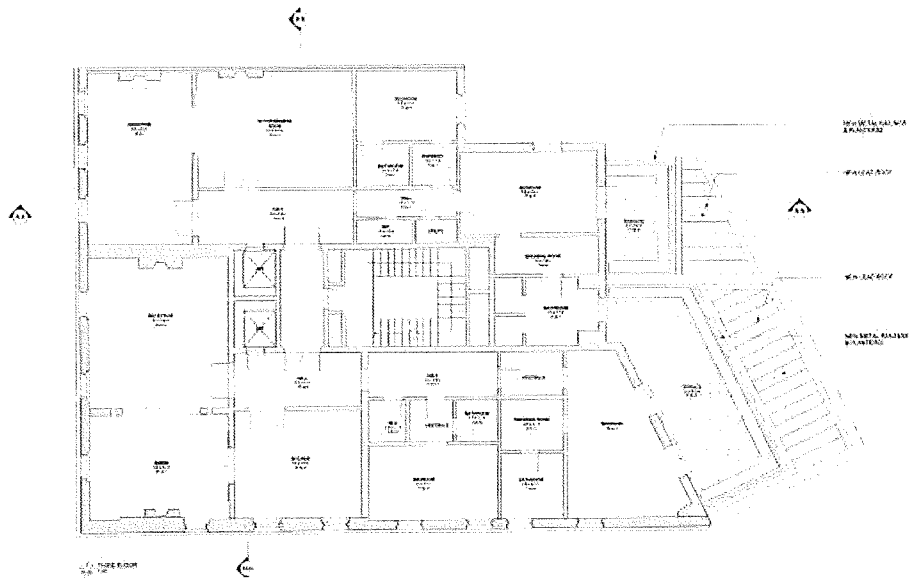
Approved ground floor plan



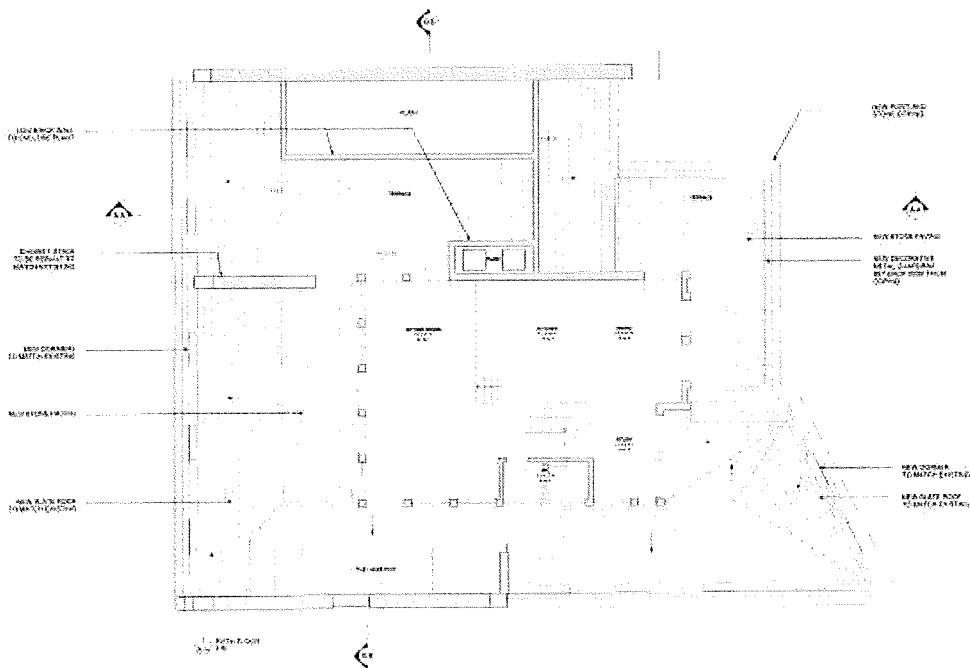
Approved second floor plan

Approved 2014 scheme (14/06822/FULL & 14/06823/LBC)
(Drawings also as approved under 15/05134/FULL & 15/05135/LBC dated 07 September 2015)





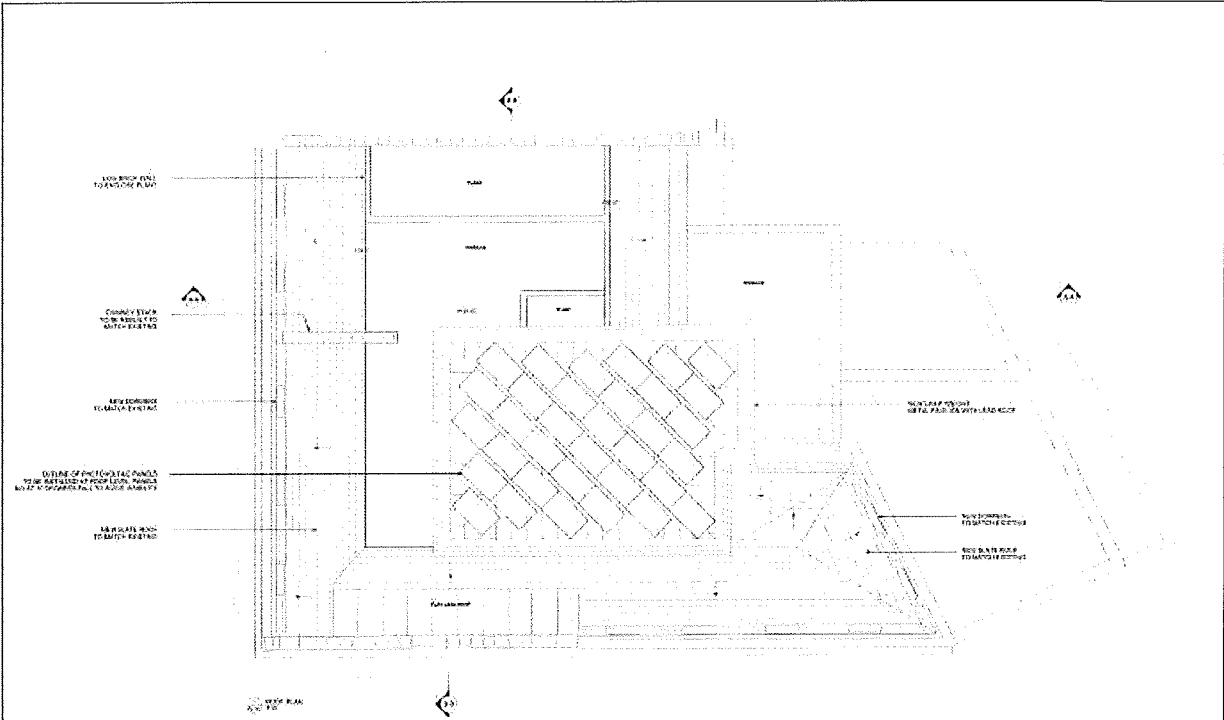
Approved third floor plan



Approved fifth floor plan

Approved 2014 scheme (14/06822/FULL & 14/06823/LBC)
 (Drawings also as approved under 15/05134/FULL & 15/05135/LBC dated 07 September 2015)

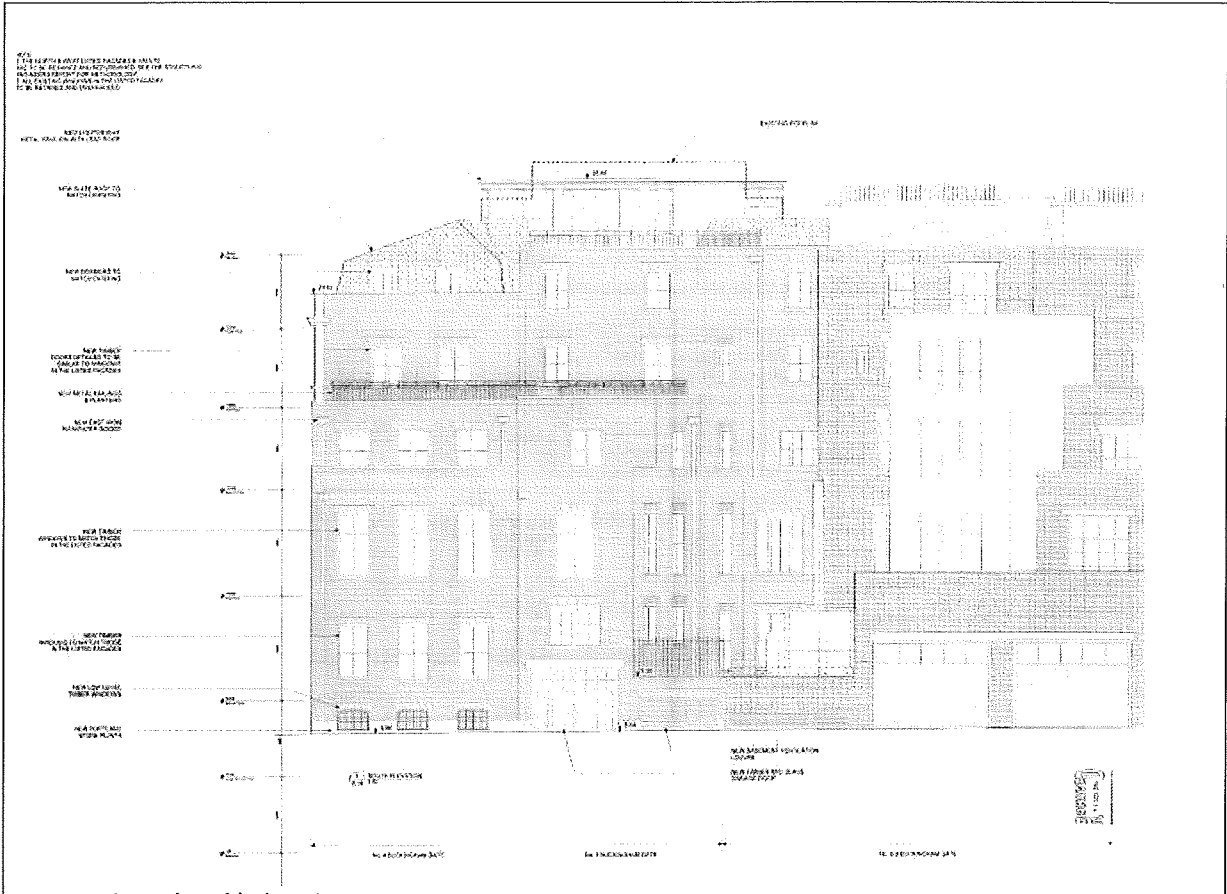




Approved roof plan

Approved 2014 scheme (14/06822/FULL & 14/06823/LBC)
(Drawings also as approved under 15/05134/FULL & 15/05135/LBC dated 07 September 2015)

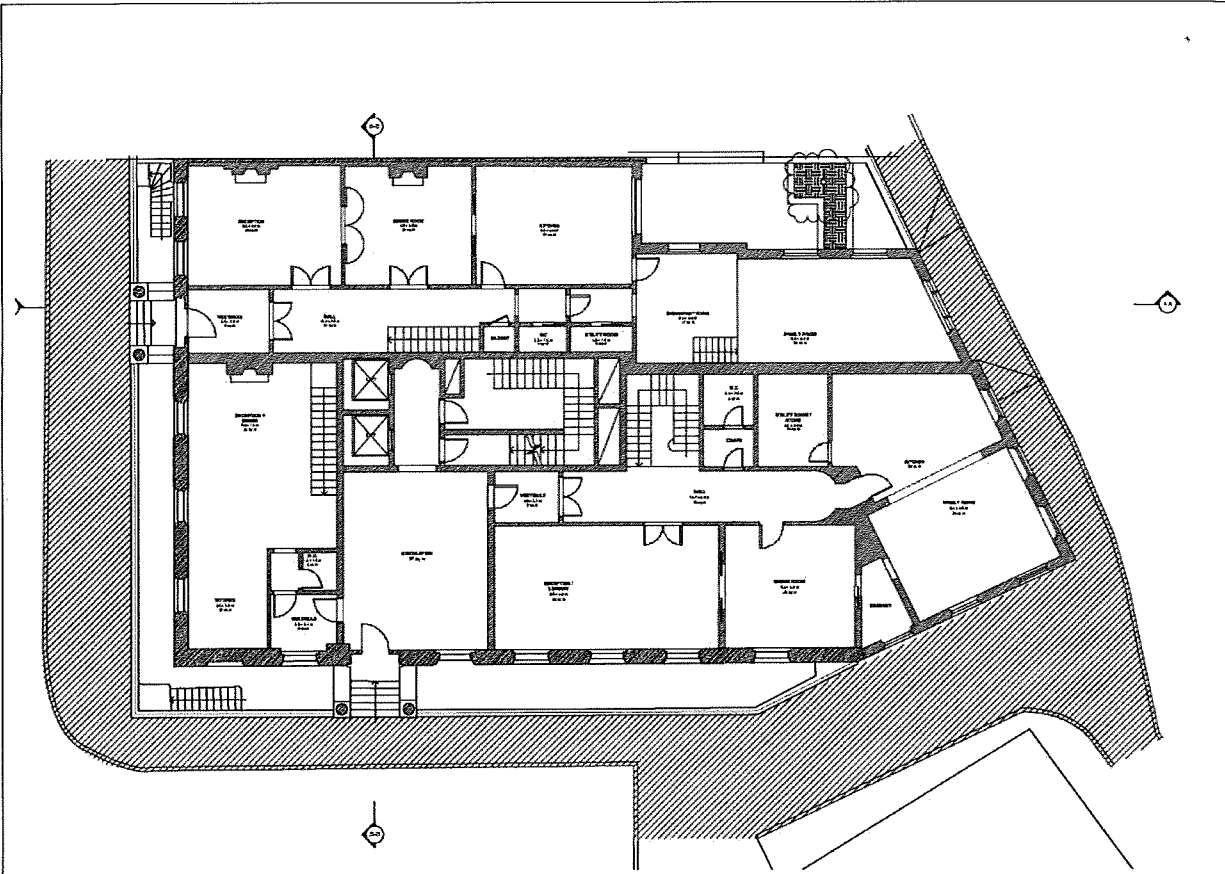




Approved rear (north) elevation

Approved 2014 scheme (14/06822/FULL & 14/06823/LBC)
 (Drawings also as approved under 15/05134/FULL & 15/05135/LBC dated 07 September 2015)

Item No.



Approved ground floor plan (includes new paving and kerb at ground floor level (hatched in blue) to match paving on Buckingham Gate

Approved under 15/05134/FULL & 15/05135/LBC dated 07 September 2015.



DRAFT DECISION LETTER

Address: 4 - 5 Buckingham Gate, London, SW1E 6JP,

Proposal: Demolition behind the retained front and side facades on Buckingham Gate and redevelopment to provide a hotel (Class C1) comprising of 53 rooms and ancillary services. Excavation to provide a single-storey basement and pool. External alterations for the provision of a new off street loading area to the rear, raising of boundary garden wall to the rear, alterations to windows and provision of mechanical plant and a pavilion at roof level. Creation of 1no. terrace each at rear second and third floor level within recessed part of the building.

Reference: 18/06103/FULL

Plan Nos: PL-01 P01, PL-02 P01, PL-003 P01, PL-004-P01, PL-005 P01, PL-006 P01, PL-007 P01, PL-008 P01, PL-009 P01, PL-010 P01, PL-011 P01, PL-012 P01, PL-013 P01, PL-14 P01, PL-15 P01, PL-03 P01, PL-04 P01, PL-05 P01, PL-06 P01, PL-07 P01, PL-08 P01, PL-09 P01, PL-10 P01, PL-11 P01, PL-12 P01, PL-13 P01, PL-014 P01, PL-015 P01, PL-17-P03, PL-18-P03, PL-19 P02, PL-20 P02, PL-21 P03, PL-22 P03, PL-23 P02, PL-24 P04, PL-25 P01, PL-26 P02, PL-27 P02, PL-28 P03, PL-29 P03, PL-30 P02, Planning Compliance Report (Report 13704-NIA-01 Rev. C dated 18 July 2018 prepared by Clement Acoustics, Noise Exposure Assessment (Report 13704-NEA-01 Rev. A0 dated 06 July 2018 prepared by Clement Acoustics, Ventilation/Extraction System (303515) dated 10/07/2018 prepared by Harley Hadow, Daylight and Sunlight Report for the proposed alterations at 4-5 Buckingham Gate, London, SW1E 6JP (Reference 66765/IM (Rev. B) dated 12 July 2018 prepared by Malcolm Hollis, Energy and Sustainability report dated July 2018, Flood Risk Assessment Issue P01- 16 July 2018, Planning Statement, Transport Statement (Ref: 22662903) dated October 2018 prepared by Steer Davies Gleave, Structural Method Statement Issue P2- 16 July 2018 (Doc. Ref. 2358-S-SMS-001) prepared by Meinhardt.

For information purposes: Accurate Visual Representations (AVR1/3) prepared by Preconstruct Limited dated July 2018, Heritage Statement dated July 2018, Design and Access Statement Rev. A dated October 2018, Site Investigation Report (10260/OT (Rev 0) prepared by Soil Consultants dated 23 July 2018.

Case Officer: Zulekha Hosenally

Direct Tel. No. 020 7641 2511

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:



Item No.

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 , onot 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 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 Birdcage Walk 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)

- 4 You must carry out the works in accordance with the Structural Method Statement Issue P2- 16 July 2018 (Doc. Ref. 2358-S-SMS-001) or in accordance with other details as submitted to and approved by the City Council.

Reason:

To protect the parts of the building which are to be preserved during building work. (R28AA)

- 5 You must submit detailed drawings at a scale of 1:10 and sections at 1:5 where appropriate of



Item No

the following parts of the development:

- i) Roof level pavilion;
- ii) Windows and balconies to windows at rear second and third floor level;
- iii) External doors, including garage;
- iv) Decorative metal guard rails; and
- v) Roof level plant equipment (to rise no higher than the adjacent roof ridge line)

You must not start work of these parts of the development until we have approved what you have sent us. You must then carry out the works according to the approved details.

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 Birdcage Walk 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)

- 6 The railings shall be painted black and retained that colour.

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 Birdcage Walk 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)

- 7 You must apply to us for approval of a sample panel of the following parts of the development:
- Brickwork to all new elevations.


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 sample panels. (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 Birdcage Walk 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)



Item No


- 8 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the balcony. (C26OA)

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 Birdcage Walk 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)

- 9 You must use the parking, access, loading, unloading and manoeuvring areas shown on the approved plans only for those purposes. (C23AA)

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 10 With the exception of collecting rubbish, no goods (including fuel) that are delivered or collected by vehicles arriving at or leaving the building must be accepted or sent out if they are unloaded or loaded on the public road. You may accept or send out such goods only if they are unloaded or loaded within the boundary of the site. (C23CB)


Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 11 All servicing must take place between 0700 on Monday to Saturday and 1900 on Sunday. Servicing includes loading and unloading goods from vehicles and putting rubbish outside the building. (C23DA)

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and



STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 12 The hotel shall not knowingly accept bookings from parties using a vehicle with a capacity of 14 or more persons to travel to and from the premises.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

13 **Pre Commencement Condition.**

(a) You must apply to us for approval of a written scheme of investigation for a programme of archaeological work. This must include details of the suitably qualified person or organisation that will carry out the archaeological work. You must not start work until we have approved in writing what you have sent us.

(b) You must then carry out the archaeological work and development according to this approved scheme. You must produce a written report of the investigation and findings, showing that you have carried out the archaeological work and development according to the approved scheme. You must send copies of the written report of the investigation and findings to us, and to the Greater London Sites and Monuments Record, Greater London Archaeological Advisory Service, Historic England, 4th floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA.

(c) You must not use any part of the new building until we have confirmed in writing that you have carried out the archaeological fieldwork and development according to this approved scheme.

Reason:


To avoid damage to any archaeological remains on site as set out in S25 of Westminster's City Plan (November 2016) and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32AC)

- 14 **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),

- 15 (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.
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Item No.
2

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)

- 16 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)

- 17 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the path between the delivery vehicles and the receiving area and the access doors to the loading bay are designed so as not to cause noise disturbance, and will comply with the Council's noise criteria as set out in Condition(s) 16 and 17 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. 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)

- 18 You must install the mitigation measures as set out Planning Compliance Report (Report 13704-NIA-01 Rev. C dated 18 July 2018 prepared by Clement Acoustics prior to the operation of the mechanical plant hereby approved. The mitigation measures must be retained and maintained for as long as the units remain operational.



Item No.

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)

- 19 The full height extract duct discharging at roof level hereby permitted shall not be operated except between 0600 hours and 2300 hours daily.

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)

- 20 Customers shall not be permitted within the ancillary restaurant and bar before 0600 or after 2300 daily.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and TACE 2 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 21 You must not allow more than 130 customers in total into the ancillary restaurant and bar at ground floor level at any one time.

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and TACE 2 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)



Item No.

- 22 You must apply to us for approval of an operational management plan for the hotel. You must not start the use until we have approved what you have sent us. Thereafter you must carry out the use according to the approved plan.

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and 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. (R13AC)

- 23 The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development. (R49BA)

- 24 You must not use the roof of the extension at rear second and third floor levels as shown on drawings PL-21-P03 and PL-22-P03 for sitting out or for any other purpose. You can however, use the smaller terrace areas set within the recess of the building at rear second and third floor levels for amenity purposes and you can use the roof to escape in an emergency or for maintenance purposes. (C21BA)


Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 25 No music shall be played in the hotel such as to be audible outside the premises.

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and 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. (R13AC)



Item No.
2

- 26 You must provide the waste store shown on drawing PL-17-P03 before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the hotel. 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 and materials for recycling 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. (R14CC)

- 27 You must provide each cycle parking space shown on the approved drawings prior to occupation. 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)

- 28 All servicing and deliveries must take place using the off street loading hereby approved on Stafford Place. No servicing or deliveries for the hotel use hereby approved must take place from the public highway along Buckingham Gate.

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
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Item No.
12

application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- 2 The servicing management plan is to be secured as part of the Section 106 Legal Agreement.
- 3 Please make sure that the lighting is designed so that it does not cause any nuisance for neighbours at night. If a neighbour considers that the lighting is causing them a nuisance, they can ask us to take action to stop the nuisance (under section 102 of the Clean Neighbourhoods and Environment Act 2005). (I39AA)
- 4 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.
- 5 You may need separate licensing approval for the ancillary restaurant and bar premises. Your approved licensing hours may differ from those given above but you must not have any customers on the premises outside the hours set out in this planning permission. (I61AB)
- 6 Conditions 16 and 17 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)
- 7 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.
- 8 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)

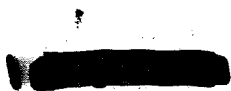
- 9 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)

- 10 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: , <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.**

- 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. For further information on how to make an application and to read our guidelines on street naming and numbering, please visit our website: <https://www.westminster.gov.uk/street-naming-numbering> (I54AB)


- 12 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)

- 13 You must apply for a licence from our Highways Licensing Team if you plan to block the road or pavement during structural work to support the building. Your application will need to show why you cannot support the building from private land. For more advice, please phone 020 7641 2560. (I36AA)



- 14 You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website <https://www.westminster.gov.uk/contact-us-building-control>
- 15 The Economy Team at Westminster City Council provide support and guidance to developers and contractors in the creation and delivery of employment & skills plans. The Team will provide guidance on local priorities, drafting of employment & skills plans and implementation of activities to deliver commitments. For further information please contact Soyful Alom, Economy Job Broker (salom@westminster.gov.uk)
- 16 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, sitenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 17 With reference to condition 15 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
- 18 One or more of the conditions above prevent work starting on the development until you have applied for, and we have given, our approval for certain matters. It is important that you are aware that any work you start on the development before we have given our approval will not be authorised by this permission. (I77BA)
- 19 This permission is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council and as a consequence we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.
- 20 Developing this site is likely to damage archaeological remains. Archaeological work must be carried out in line with condition 14. Please contact English Heritage's Archaeological Officer on 020 7973 3732 to discuss the work which is necessary. (I66AA)



Item No.


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: 4 - 5 Buckingham Gate, London, SW1E 6JP,

Proposal: Demolition behind the retained front and side facades on Buckingham Gate and redevelopment to provide a hotel (Class C1) comprising of 53 rooms and ancillary services. Excavation to provide a single-storey basement and pool. External alterations for the provision of a new off street loading area to the rear, raising of boundary garden wall to the rear, alterations to windows and provision of mechanical plant at roof level and a pavilion at roof level. Provision of 1no. terrace each at rear second and third floor level within recessed part of the building.

Reference: 18/06104/LBC

Plan Nos: PL-01 P01, PL-02 P01, PL-003 P01, PL-004-P01, PL-005 P01, PL-006 P01, PL-007 P01, PL-008 P01, PL-009 P01, PL-010 P01, PL-011 P01, PL-012 P01, PL-013 P01, PL-14 P01, PL-15 P01, PL-03 P01, PL-04 P01, PL-05 P01, PL-06 P01, PL-07 P01, PL-08 P01, PL-09 P01, PL-10 P01, PL-11 P01, PL-12 P01, PL-13 P01, PL-014 P01, PL-015 P01, PL-17-P03, PL-18-P03, PL-19 P02, PL-20 P02, PL-21 P03, PL-22 P03, PL-23 P02, PL-24 P04, PL-25 P01, PL-26 P02, PL-27 P02, PL-28 P03, PL-29 P03, PL-30 P02, Structural Method Statement Issue P2- 16 July 2018 (Doc. Ref. 2358-S-SMS-001) prepared by Meinhardt

For information purposes: Accurate Visual Representations (AVR1/3) prepared by Preconstruct Limited dated July 2018, Heritage Statement dated July 2018, Design and Access Statement Rev. A dated October 2018, Site Investigation Report (10260/OT (Rev 0) prepared by Soil Consultants dated 23 July 2018.

Case Officer: Zulekha Hosenally

Direct Tel. No. 020 7641 2511

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 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 Birdcage Walk 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 You must carry out the works in accordance with the Structural Method Statement Issue P2- 16 July 2018 (Doc. Ref. 2358-S-SMS-001) or in accordance with other details as submitted to and approved by the City Council.

Reason:

To protect the parts of the building which are to be preserved during building work. (R28AA)

- 4 You must submit detailed drawings at a scale of 1:10 and sections at 1:5 where appropriate of the following parts of the development:

- i) Roof level pavilion;
- ii) Windows and balconies to windows at rear second and third floor level;
- iii) External doors, including garage;
- iv) Decorative metal guard rails; and
- v) Roof level plant equipment (to rise no higher than the adjacent roof ridge line)

You must not start work of these parts of the development until we have approved what you have sent us. You must then carry out the works according to the approved details.

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 Birdcage Walk 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)

- 5 The railings shall be painted black and retained that colour.

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 Birdcage Walk Conservation



Item No.

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)

- 6 You must apply to us for approval of a sample panel of the following parts of the development:
- Brickwork to all new elevations.

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 sample panels. (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 Birdcage Walk 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)

- 7 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the balcony. (C26OA)

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 Birdcage Walk 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 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, the London Plan 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



Item No.


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 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:
- * any extra work which is necessary after further assessments of the building's condition;
 - * stripping out or structural investigations; and
 - * any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents.

It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

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.

