

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 16 July 2019	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved St James's	
Subject of Report	78 St James's Street, London, SW1A 1LF.		
Proposal	<p>Application 1: Installation of additional plant rooms and replacement plant at roof level, creation of an auditorium at the lower ground floor level together with the in-fill of the atrium space to provide access to the upper floors of the building. Associated alterations to Little St James's Street entrance.</p> <p>Application 2: Alterations at roof level including the installation of plant rooms and the creation of a pavilion rooftop extension and terrace area, along with other alterations including creation of an auditorium at the lower ground floor level together with the in-fill of the atrium space to provide access to the upper floors of the building. Associated alterations to Little St James's Street entrance.</p>		
Agent	Miss Katharine Bramson, DP9		
On behalf of	78 St James's Street Unit Trust		
Registered Number	Application 1: 19/02989/FULL 19/02990/LBC Application 2: 19/03873/FULL 19/03874/LBC	Date amended/ completed	17 April 2019
Date Application Received	17 April 2019 – application 1 21 May 2019 – application 2		
Historic Building Grade	II star		
Conservation Area	St James's		

1. RECOMMENDATION

Application 1:

1. Grant conditional permission and conditional listed building consent.
2. Agree the reasons for approving conditional listed building consent as set out in Informative 1 of the draft decision letter.

Application 2:

1. Grant conditional permission and conditional listed building consent.

2. Agree the reasons for approving conditional listed building consent as set out in Informative 1 of the draft decision letter.

2. SUMMARY

The application site comprises the Grade II star listed former Conservative Club, fronting St James's Street, and the linked modern building to the rear (constructed in the early 2000's). The entire building is in office use. The site is located within the Core Central Activities Zone.

The applicant has submitted two applications for works on this site, following the refusal of a large roof extension at this site in February 2019. The first application involves the installation of additional plant rooms to the front and rear of the building, as well as works to the main entrance from Little St James's Street and associated internal alterations. The second application essentially builds on these works to also include a small rooftop extension to provide an office amenity area at sixth floor with associated terrace.

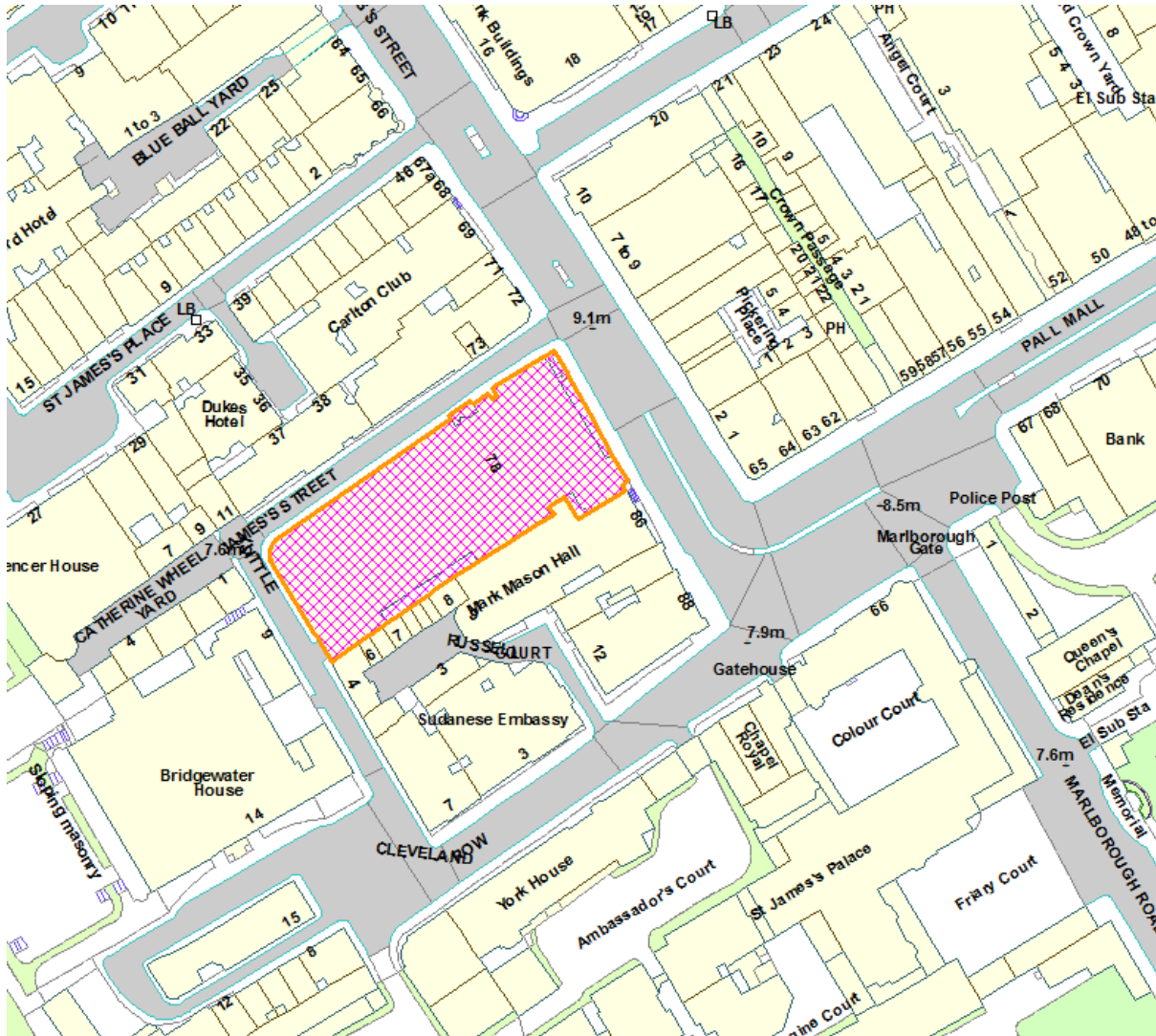
Objections have been received in respect of both schemes, primarily on the grounds of amenity and design/listed building issues.

The key considerations in each of these applications are:

- The impact on the Conservation Area, townscape and surrounding listed buildings.
- The impact on the amenity of nearby residential buildings.

As set out in the main report, the alterations at roof level and internally are considered acceptable for each application.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

Application 1 (plant rooms and associated alterations)

HISTORIC ENGLAND

Authorisation to determine as seen fit, in line with local and national guidance.

RESIDENTS ASSOCIATION OF MAYFAIR AND ST JAMES'S

No response to date.

ENVIRONMENTAL HEALTH

No objection.

ADJOINING OWNERS/OCCUPIERS

Number consulted: 74

Number of replies: 1 objection on the following grounds:

Design

- No need for additional plant rooms.
- Failure to address the previous reasons for refusal.
- Additional bulk in the most sensitive area of the site.

Amenity

- The additional plant room introduces further sense of enclosure to an already poor outlook.
- The acoustic report has failed to identify the nearest affected residential - the rear plant room will affect properties on Little St James's St as well.

Other

- The application is a first stage in a multi stage process to gain an additional storey at roof level.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

Application 2 (roof extension, plant rooms and associated alterations)

RESIDENTS SOCIETY OF MAYFAIR AND ST JAMES'S

Any response to be reported verbally.

THE ROYAL PARKS

Any response to be reported verbally.

HISTORIC ENGLAND

Authorisation to determine in line with national and local guidance.

ENVIRONMENTAL HEALTH

No objection.

HIGHWAYS PLANNING MANAGER

Generally acceptable however doors should not be opening out over the public highway.

WASTE PROJECT OFFICER

Recommends a condition to provide clarification on refuse storage.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

Number consulted: 132

Number of replies: 2 objections on the following grounds:

Design

- The application is not compliant with adopted policies relating to roof extensions, or with the contents of the St James's Conservation Area audit SPG.

Other

- Unclear how the property will be cleaned.
- Insufficient detail on the structural report.
- No 'existing roof plan' submitted.
- The refusal of the previous scheme must be a material consideration in the assessment of the submitted application.
- Given how recently the previous roof extension application was refused, the presumption that the planning application is a gateway to a more substantial development on the rooftop is a legitimate planning consideration.

6. BACKGROUND INFORMATION**6.1 The Application Site**

The site is located on the corner of St James's Street and Little St James's Street. It essentially comprises two distinct structures which are linked internally - the Grade II* listed building fronting St James's Street dating from the 1840s and a former Gentleman's Club, and the rear structure running along Little St James's Street which was added in 2001 pursuant to a planning permission for the site's redevelopment for office purposes.

The building comprises two levels of basement, lower ground, ground and five upper storeys. The current fifth floor extends around half way down the Little St James's Street elevation, having a large set-back and roof terrace.

The site is within Core CAZ and the St James's Special Policy Area.

The surrounding area comprises a mix of commercial and residential uses. There are residential flats immediately opposite the site on the other side of Little St James's Street, as well as to the south and north west. There are other listed buildings in close proximity to the site, including Bridgewater House (Grade I) to the rear of the site, and the Constitutional Club (Grade II) adjacent at 86 St James's Street.

6.2 Recent Relevant History

13 December 2001 – permission granted for 'alterations and additions to 74 St James's Street, demolition and rebuilding of 14 and 15 Little St James's Street, all to provide

offices.’ This was a revision to the scheme approved in February 2001, replacing the 7 approved flats at fifth floor level with additional offices. The permission is subject to a legal agreement to secure residential accommodation at 36-38 Old Queen Street and a further minimum of 532 square metres elsewhere in the vicinity. This was later secured as six flats at 61 Pall Mall.

The December 2001 office permission was implemented. The application included the restoration of the listed building as well as the demolition of the rear annex and a 1960s office infill building, to be replaced by the building currently in situ.

26 February 2019 - Sub-Committee refused permission and listed building consent for the erection of a replacement fifth floor extension and new sixth floor extension for use in connection with the existing offices. The reason for refusal was the bulk, height, detailed design and range of visibility and consequent impact on surrounding listed buildings (Spencer House and Bridgwater House).

7. THE PROPOSAL

The existing office building is in the process of being refurbished. The applicants have submitted two applications as follows:

Application 1:

This application seeks permission for the replacement of air conditioning units and addition of new plant rooms at roof level (to the front and rear of the site), alterations to the main entrance from Little St James’s Street, and other internal alterations including the creation of an auditorium at the lower ground floor level together with the in-fill of the atrium space to provide a reconfigured access to the upper floors of the building.

Application 2:

This application contains all the alterations described above, but also includes what is described by the applicant as a ‘pavilion’ extension at sixth floor, along with a terrace for use by the office occupiers, whilst the existing railings at 5th floor are set back to reduce the extent of the existing terrace.

8. DETAILED CONSIDERATIONS

8.1 Land Use

No change of use is proposed and the building will continue to be used for office (Class B1) purposes. The applicant intends it to be a multi-let office building as opposed to one single occupier for which it had originally been designed.

Under application 2, the rooftop extension comprises 293 square metres GIA. The additional office floorspace does not trigger the mixed use policy S1 in the City Plan. The additional office floorspace is an appropriate land use within Core CAZ.

8.2 Townscape and Design

Residing on the Corner of St James Street and Little St James's Street, no. 78 is the former Conservative Club, an 1840s grade II star listed building, and a later extension constructed in the early 2000s. The principal listed building was significantly altered in the 1960's with the demolition of the rear wing of the building, including its principal staircase. However more recent developments retained and restored the principal front rooms and roof lantern.

Objections on design grounds have been received in relation to both applications, primarily concerned with the principle of any additional bulk at roof level given the previously refused scheme and sensitive historic nature of the site.

The proposed works are assessed against the National Planning Policy Framework (NPPF), specifically chapter 16, policies S25 and S28 of the City Plan: Strategic Policies (2016), policies DES 1, DES 6, DES 9 and DES 10 of our Unitary Development Plan (2007) and the guidance contained within Westminster's 'Repairs and Alterations to Listed Buildings' and 'Roofs' SPG. There is an adopted St James's Conservation Area Audit (Supplementary Planning Guidance).

Application 1 (plant rooms)

Proposals include the replacement of air conditioning units and plant rooms at roof level, creation of an auditorium at the lower ground floor level together with the in-fill of the atrium space to provide access to the upper floors of the building.

Internally, works relate predominantly to modern fabric within the recent extensions and would avoid the more sensitive historic fabric, other than modern cladding applied to the atrium/gallery walls. To create a basement level auditorium, a section of 2003 floor construction between the basement and lower ground floor is proposed to be removed, this would alter the internal character of this part of the historic building, but given the fabric is modern and isolated to a less sensitive area, the proposals are not considered harmful. The internal works affect modern fabric and will not harm the significance of the grade II star listed building.

Externally, proposals include the consolidation of the plant towards the eastern end of the site, beyond the historic building. This would result in an increase in height and bulk with the new plant room approximately 2.7m above the level of the mansard style screen. Whilst the extension marginally exceeds the height of the 1840s building, this difference is barely visible from street level, particularly in views along St James's Street, Pall Mall and Little St James's Street. Whilst remaining just as bulky as the previously refused proposal towards the front of the site, there is no extension to the rear - the previously refused scheme was considered far too bulky in views particularly from outside Spencer House and Green Park, to the detriment of the setting of surrounding listed buildings and the host building itself. This proposal does not involve any extension of the office floorplate at either 5th or 6th floor. It is not considered that the works as proposed would be harmful in views from Green Park and would not cause harm to the setting of either the Grade I listed Bridgwater House or Spencer House.

Elevational alterations to Little St James's Street include modifications to the entrance including a new canopy. Affecting the modern extension, the proposals will not diminish the appearance of the building.

The works as proposed are acceptable in design and conservation terms and are not considered to harm the host building or the setting of any nearby listed buildings. They are in accordance with DES1, DES6, DES9 and DES10 of the UDP and S25 and S28 of our City Plan.

Application 2 (roof extension and plant rooms)

The application comprises a pavilion roof storey at sixth floor level, along with the plant rooms, internal alterations and entrance alterations as contained in 'application 1'. This application also includes the setting back of the existing 5th floor balustrade to reduce the accessible area of terrace at 5th floor, along with landscaping those areas of the 5th floor roof formerly accessible. At 6th floor, the atrium is infilled to provide a glazed lift lobby.

The additional internal works affect modern fabric and will not affect the significance of the listed building.

The roof extension involves a modest increase in height and bulk just to the rear of the historic building which is not considered to affect the significance of the host building. Additionally, the run of glazing to the west elevation of the extension is partially concealed by the existing plant screen at sixth floor. The extension will be faced in stone to match the existing facade and the single window will match existing.

The creation of a terrace at level 6 in place of the plant is not opposed in this context. Given its position and delineation by simple railings, the terrace is unlikely to be readily seen from street level views, and barely discernible from long views from Green Park to the west.

Whilst the extension marginally exceeds the height of the 1840s building, this difference is barely visible from street level, particularly in views along St James's Street, Pall Mall and Little St James's Street.

The previously refused application involved a large roof extension over 5th and 6th floors and presented a significant increase in bulk to this building when viewed from Green Park and Cleveland Row in particular. Overall, the current proposals are not considered to impair views from Green Park and would not cause harm to the setting of either the Grade I listed Bridgwater House or Spencer House as the proposed works are largely confined to the eastern side of the site.

The works as proposed are acceptable in design and conservation terms and are not considered to harm the host building or the setting of any nearby listed buildings. They are in accordance with DES1, DES6, DES9 and DES10 of the UDP and S25 and S28 of our City Plan.

8.3 Residential Amenity

Policy S29 of the City Plan relates to health, safety and wellbeing, stating that the Council will resist proposals that would result in an unacceptable material loss of amenity. Policy ENV13 of the UDP relates to protecting amenities, daylight and sunlight, and environmental quality. Policy ENV 13 (D) states that the City Council will resist proposals which result in a material loss of daylight/sunlight, particularly to existing

dwellings and educational buildings. Policy ENV 13 (E) goes on to state that developments should not result in a significant increase in sense of enclosure, overlooking, or cause unacceptable overshadowing, particularly on gardens, public open space or on adjoining buildings, whether in residential or public use. Policy ENV 6 seeks to protect noise sensitive properties from noise disturbance. Objectors are concerned that the extension will result in loss of daylight and will be overbearing.

Sunlight and Daylight

The City Council generally has regard to the standards for daylight and sunlight as set out in the Building Research Establishment (BRE) 'Site Layout Planning for Daylight and Sunlight' (as revised 2011). The applicant's consultant, Point 2, has carried out the necessary tests using the methodology set out in the BRE guidelines on residential properties surrounding the site. The assessment considers the impact of the development on the vertical sky component (VSC) and daylight distribution (no sky line) available to windows in these properties. VSC is a measure of the amount of sky visible from the centre point of a window on its outside face. If this achieves 27% or more, the BRE guidelines state that the window will have the potential to provide good levels of daylight. The BRE guidelines state that reductions of over 20% of existing daylight levels are likely to be noticeable.

In respect of sunlight, the BRE guide suggests that a dwelling will appear reasonably well sunlit provided that at least one main window wall faces within 90% of due south and it receives at least a quarter of annual probable sunlight hours (APSH), including 5% of APSH during the winter months. As with the tests for daylighting, the guidelines recommend that any reduction below this level should be kept to a minimum; if a window will not receive the amount of sunlight suggested, and the available sunlight hours is less than 0.8 times their former value, either over the whole year or just in winter months, then the occupants of the existing building will notice the loss of sunlight; if the overall annual loss is greater than 4% of APSH, the room may appear colder and less cheerful and pleasant.

Each application has been subject to a daylight and sunlight assessment in line with the guidance.

The properties tested for daylight and sunlight levels comprise:

- 71-74 Little St James's Street
- 1-2, 4, 5, 6, 11 Little St James's Street
- 1 and 9 Catherine Wheel Yard
- 1-3 and 12 Russell Court,
- 3 Cleveland Row.

Application 1 – plant enclosures

The plant enclosures effectively increase the height of the structures immediately behind the historic building, directly adjacent to the building immediately to the south. An area of plant is also labelled on the east side of the building, which effectively involves the removal of the existing plant and its replacement with a plant room which is of very similar height to the plant it replaces. It may be perceived as slightly bulkier than the plant it replaces as it will have more of a solid, enclosure like appearance.

There will be no material impact upon either Vertical Sky Component or daylight distribution as a result of the additional bulk at roof level from the larger plant rooms to the east and west of the roof.

Application 2: rooftop extension and plant enclosures

The additional bulk from the 6th floor extension will be apparent in views from the upper floors of 71-74 Little St James's Street.

There is however, no material impact upon either VSC or daylight distribution as a result of the proposed extension and plant enclosures.

Sense of Enclosure

Application 1 – plant enclosures

Whilst the plant rooms will be visible and bulkier than the current situation, they are well set back from nearby residential windows. They will be in the line of sight from some upper floors of properties on Little St James's Street and from the uppermost floor(s) of the flats at 73 St James's Street. Whilst the views from windows facing the application site (principally bedrooms and living areas) will change, it is not considered that the additional bulk would be so significant as to cause an undue sense of enclosure to these windows.

Application 2 – roof extension and plant enclosures

The additional bulk from the 6th floor extension will be apparent in views from the upper floors of 71-74 Little St James's Street. The extension is set back approximately 1.4m from the existing plant screen which will mitigate the impact of the new extension somewhat. The main bulk of the extension is set back approximately 10m from the main street elevation. Given the significant set back from the main elevation and the mitigating effect of the existing plant screen, again, it is not considered that the additional bulk would be so significant as to cause an undue sense of enclosure to these windows. Again, given the set back of the extension from the rear elevation it is not considered that the additional bulk will result in an unacceptable degree of enclosure to other properties to the rear of the site.

Privacy

The additional plant rooms proposed in application 1 will not cause any additional overlooking.

The extension proposed under application 2 has a largely glazed elevation facing west. It does not directly overlook residential windows at 71-74 Little St James's Street and is very well set back from any residential windows to the rear of the site.

The existing fifth floor terrace is reduced in size, with the handrail being set back between 1.2 and 2.5 metres from the existing balustrade line to the rear of the building and replaced with an inaccessible landscaped area to the majority of the north and south sides. The accessible area is reduced from 455 square metres to 250 square metres. There is a new terrace proposed at sixth floor, accessible from the extension. The terrace is well concealed from Little St James's Street by the existing plant screen. To the west (rear) it is partially screened by the rearmost plant room. There will be views to the south and limited views to the west. The terrace is however well set back from nearby residential windows to both the rear and south sides of the site. It is

recommended a condition is attached restricting access to 8am to 7pm daily to both terraces to ensure any potential for noise disturbance at unsocial hours is limited.

8.4 Transportation/Parking

No changes are proposed to the existing on site car parking arrangements – the vehicular access to the basement remains where it is at the rear of the building. The basement cycle store is proposed to accommodate 150 cycle parking spaces, which is sufficient to serve the whole building. This will be secured by condition.

8.5 Economic Considerations

Any economic benefits generated are welcomed.

8.6 Access

The alterations to the entrance on Little St James's Street incorporate level access.

8.7 Other UDP/Westminster Policy Considerations

Plant

The City Council's Environmental Health officer has confirmed that for both applications, based on the submitted reports, the plant will comply with the City Council's noise standards for plant in relation to the nearest affected residential windows. The objector to the rear of the site maintains that their window is the closest affected, however, having looked at the measurements in relation to the surrounding windows relative to plant areas, the nearest affected windows are still considered to be those flats at 73 St James's Street, though the objector's windows are only marginally further away. On this basis, the acoustic report for each application is considered to be sound, but in any event, the plant will need to comply with the noise standards as set out in the proposed conditions.

The objectors' comments in relation to the purpose of the additional plant areas are noted, but the applications have to be determined on the information available to us rather than looking at what the intention of the applicant may or may not be.

Refuse /Recycling

The existing basement contains refuse storage and recycling arrangements including 6 no 1100 litre Eurobins and a rotary compactor. This will be secured by condition.

Sustainability

The building is likely to meet the 'very good' category as set out in BREEAM non-domestic refurbishment.

8.8 Westminster City Plan

The City Council is currently working on a complete review of its City Plan. Informal consultation on the first draft of Westminster's City Plan 2019-2040 took place between Monday 12 November 2018 and Friday 21 December 2018. Following this informal consultation, the draft plan has been revised and formal consultation is now being carried out under Regulation 19 of the Town and Country Planning Act (Local Planning)

(England) Regulations 2012 between Wednesday 19 June 2019 and Wednesday 31 July 2019.

In the case of a draft local plan that has been published for consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012, including a second revision Regulation 19 plan, it remains at a pre-submission stage (i.e. has yet to be submitted to the Secretary of State for Examination in Public) and therefore, having regard to the tests set out in para. 48 of the NPPF, it will generally attract very limited weight at this present time.

8.9 Neighbourhood Plans

There is no neighbourhood plan in place for this area.

8.10 London Plan

This applications raise no strategic issues.

8.11 National Policy/Guidance Considerations

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

8.12 Planning Obligations

Planning obligations are not relevant in the determination of this application.

The Council's own Community Infrastructure Levy was introduced on 1 May 2016. The Westminster CIL payable will be approximately £71,357 for application 2 due to the roof extension. This figure is provisional and may be subject to any relief or exceptions which may apply in accordance with the Community Infrastructure Levy Regulations 2010 (as amended).

8.13 Environmental Impact Assessment

The application is of insufficient scale to require EIA.

8.14 Other Issues

Objectors raise the point that with both applications, the applicants are potentially 'paving the way' for a more significant roof extension akin to that previously refused. The City Council must determine applications on their own merits in line with the policies of the development plan and other material considerations and we cannot speculate about the motives of the applicant. It is considered that each application when looked at on its merits is acceptable in terms of the City Council's policies. The roof extension is of significantly lesser impact than the previously refused scheme in terms of its bulk and mass and consequent impact upon the settings of nearby listed buildings.

(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
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9. KEY DRAWINGS

Application 1 (plant rooms)

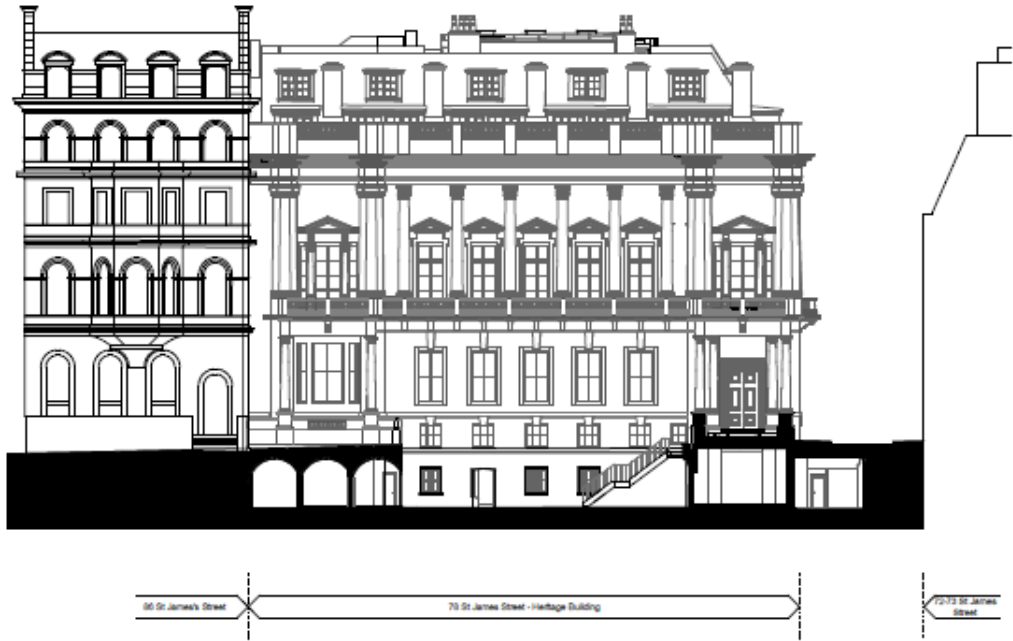


Existing Little St James's Street elevation

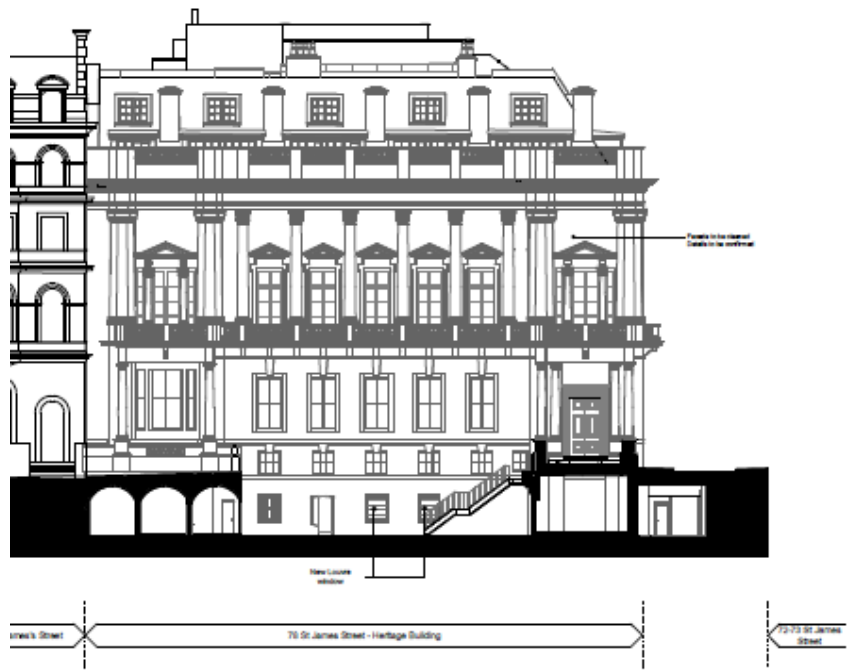


Proposed Little St James's Street elevation

Existing front elevation



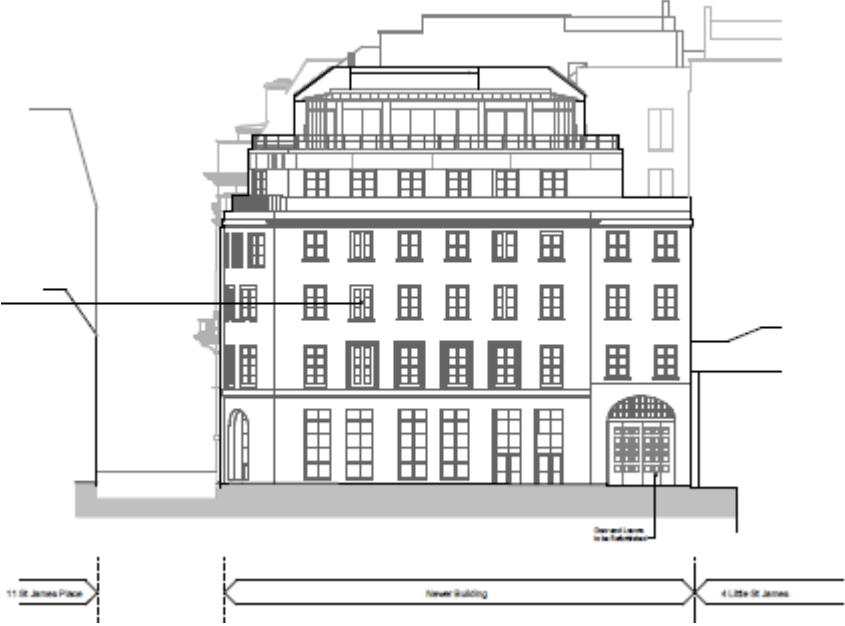
Proposed front elevation (below)



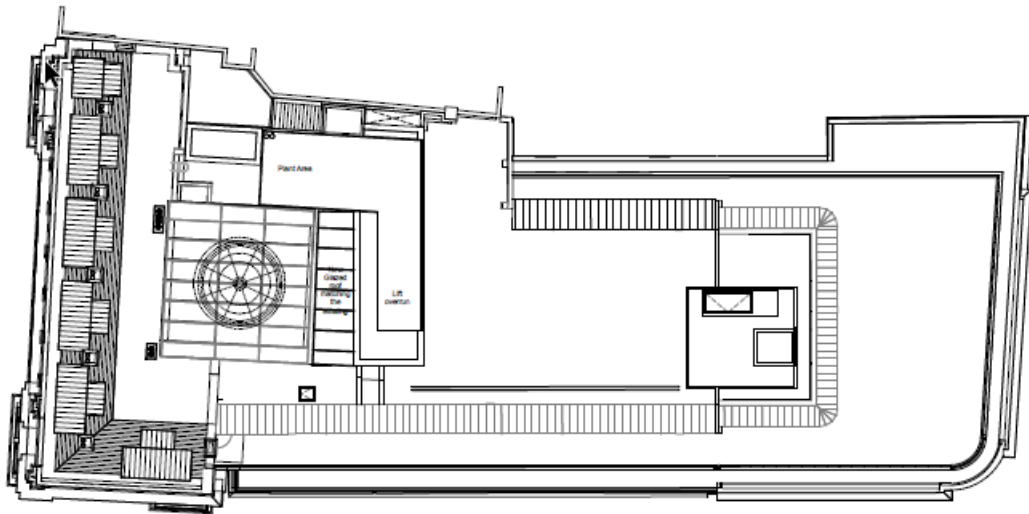
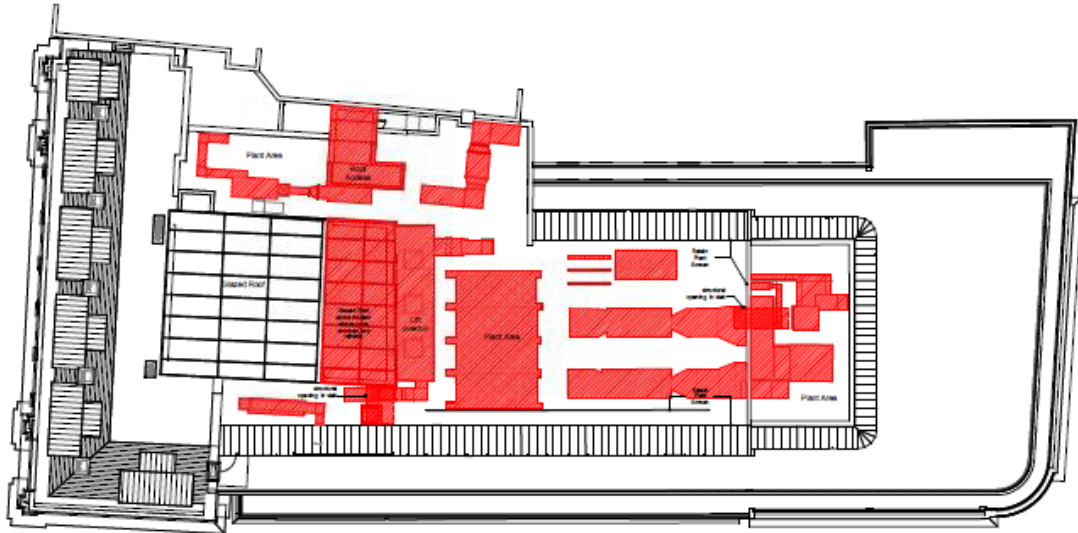


Existing rear (west) elevation

Proposed rear elevation (below)



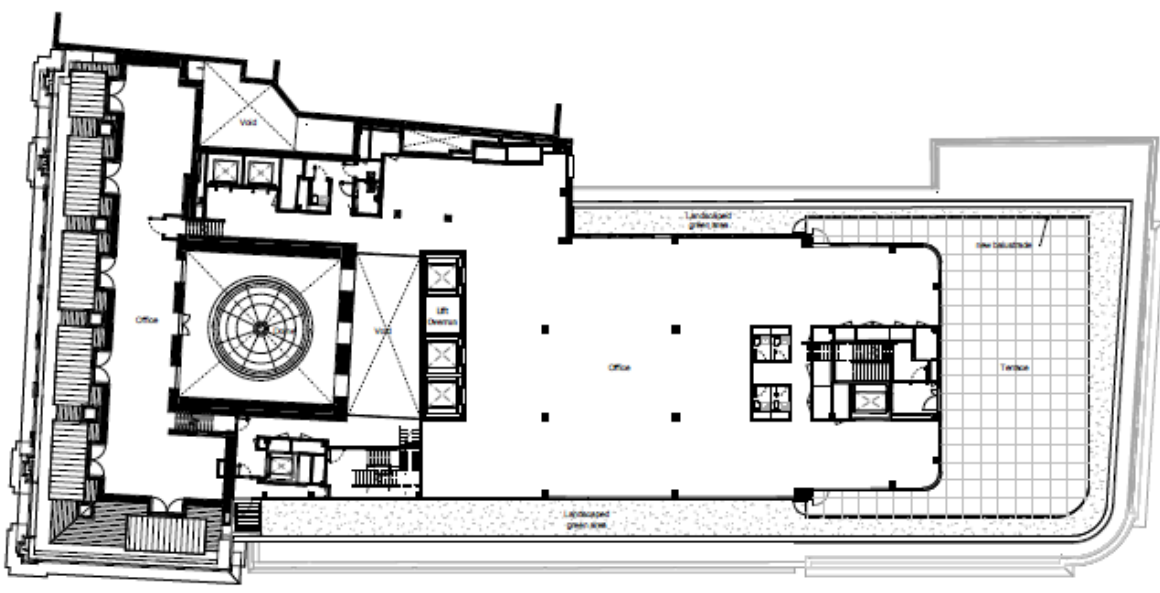
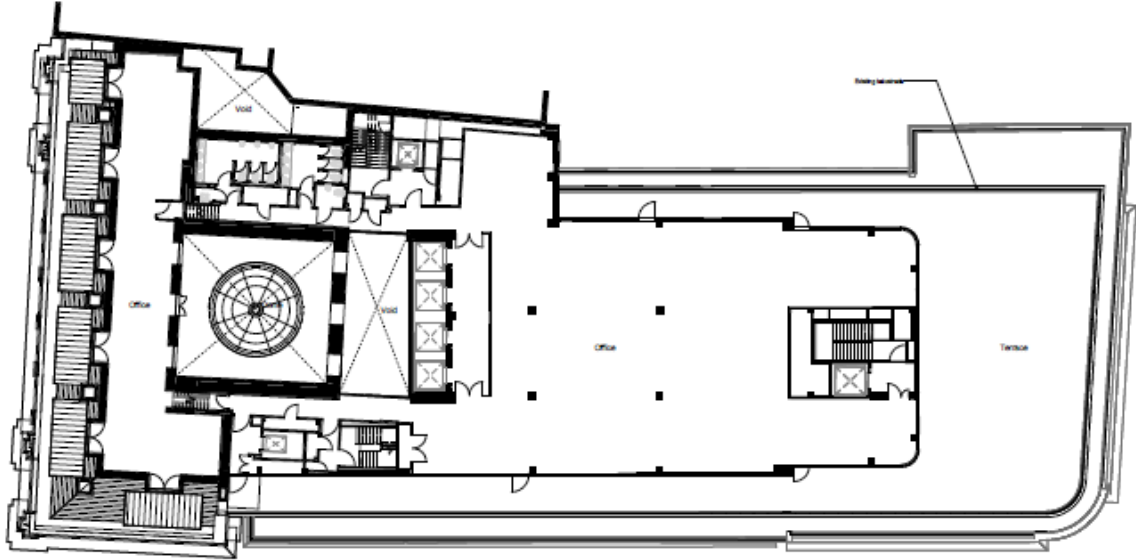
Existing roof plan showing demolition



Proposed roof plan

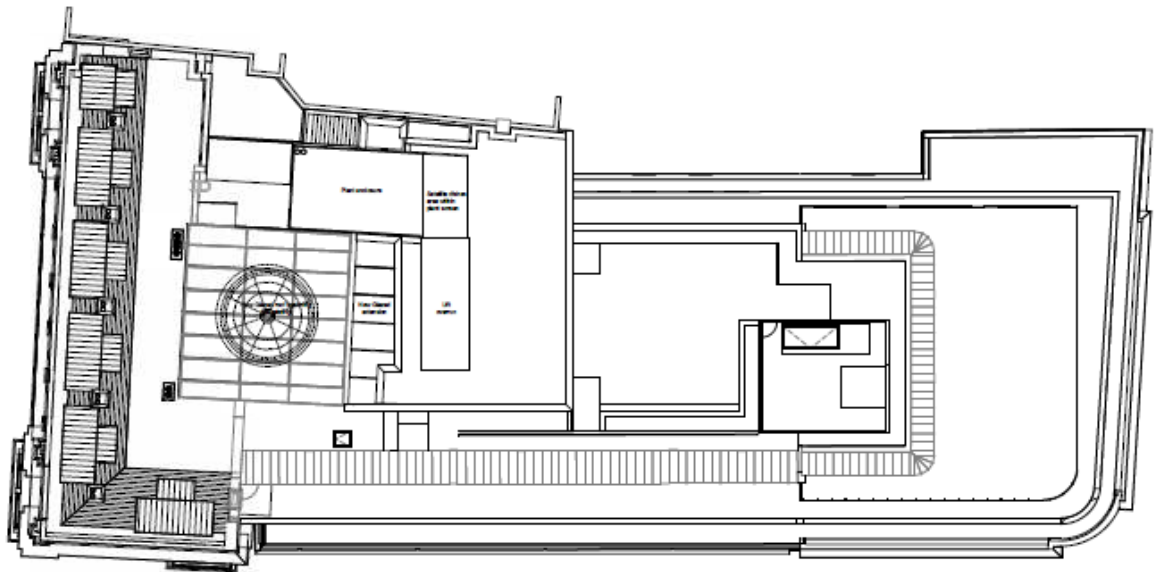
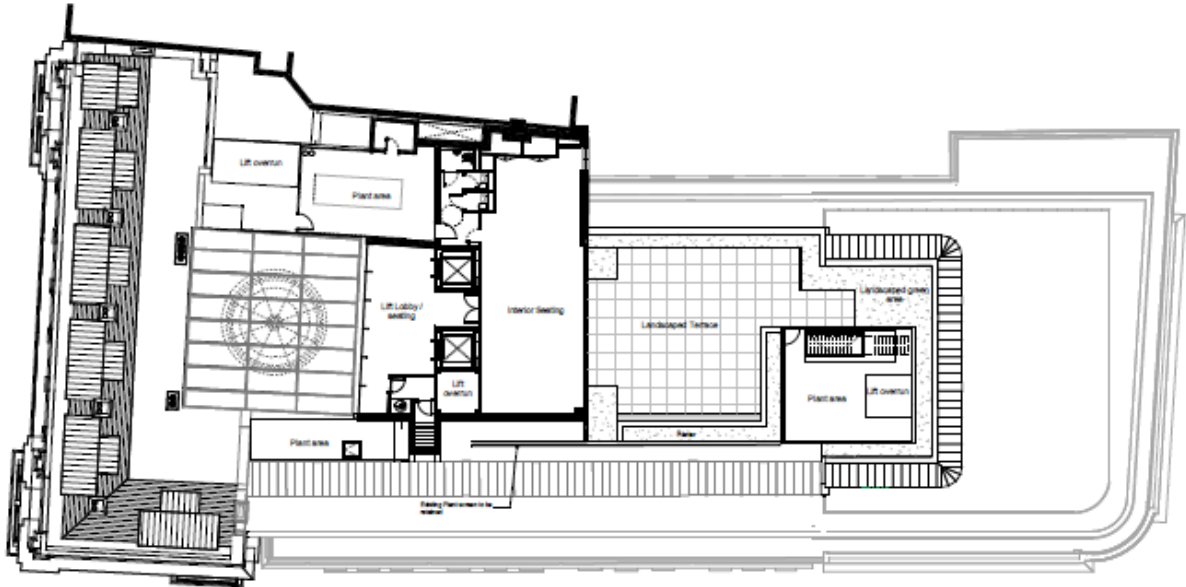
Application 2 (plant rooms and roof extension)

Existing 5th floor



Proposed 5th floor

Proposed 6th floor

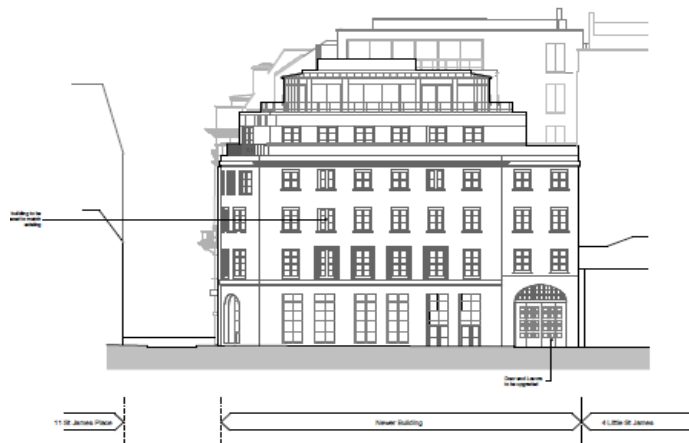


Proposed roof plan

Proposed Little St James's Street elevation

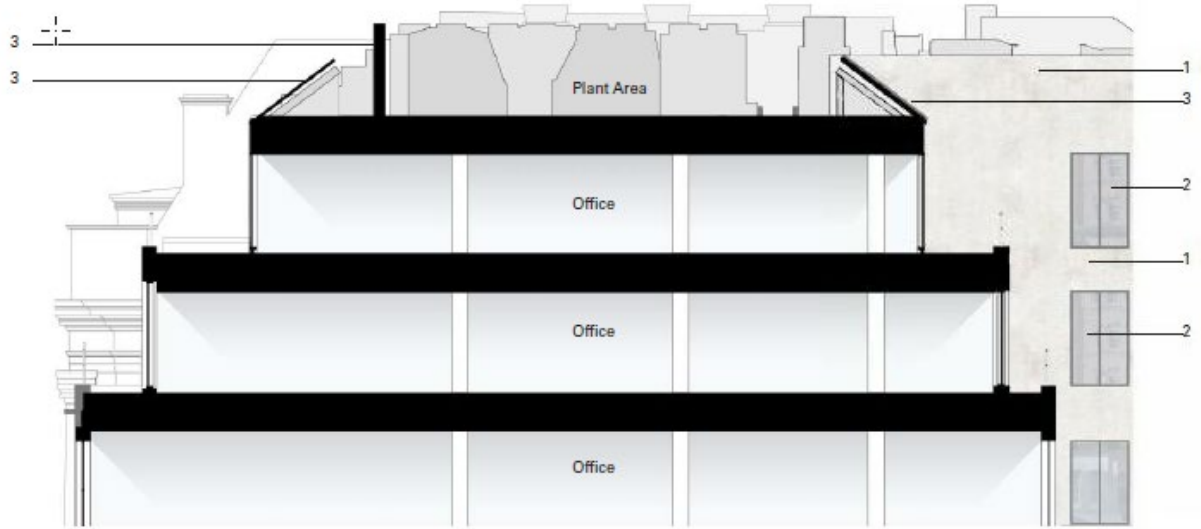


Proposed front elevation (below)



Proposed rear elevation (above)

Existing and proposed section (looking eastwards)



Existing section - Bay Study



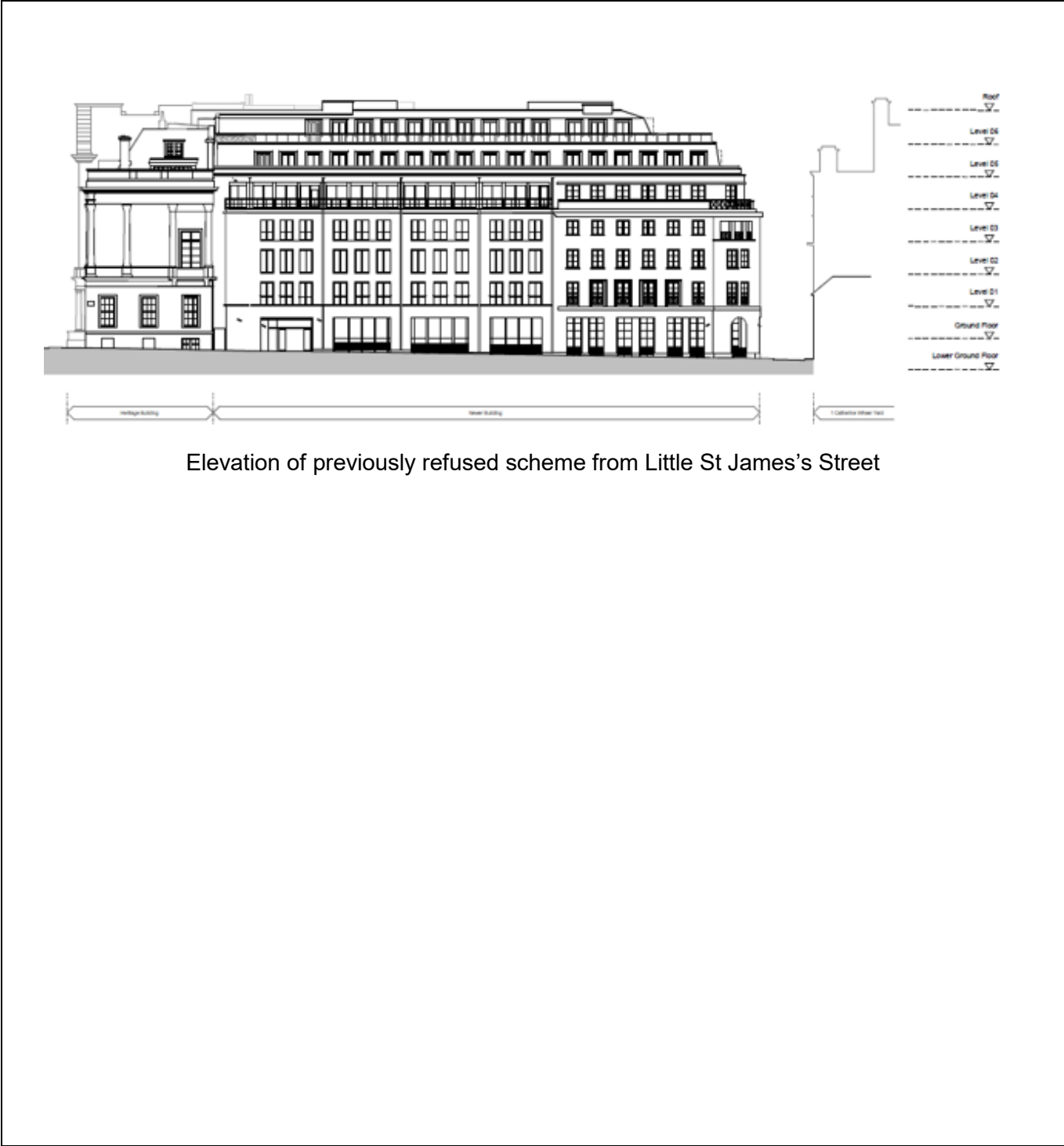
Proposed section - Bay Study



Existing view (above) from Cleveland Row

View of previously refused scheme from Cleveland Row





Elevation of previously refused scheme from Little St James's Street

DRAFT DECISION LETTER

Address: 78 St James's Street, London, SW1A 1LF.

Proposal: Installation of additional plant rooms and replacement plant at roof level, creation of an auditorium at the lower ground floor level together with the in-fill of the atrium space to provide access to the upper floors of the building. Associated alterations to Little St James's Street entrance.

Reference: 19/02989/FULL

Plan Nos: 17063-SQP-ZZ-ZZ-DP-A-PL00001.

Existing:

17063-SQP-01-00-DP-A-PL00104; 17063-SQP-01-01-DP-A-PL00105; 17063-SQP-01-02-DP-A-PL00106; 17063-SQP-01-03-DP-A-PL00107; 17063-SQP-01-04-DP-A-PL00108; 17063-SQP-01-05-DP-A-PL00109; 17063-SQP-01-06-DP-A-PL00110; 17063-SQP-01-B1-DP-A-PL00102; 17063-SQP-01-B2-DP-A-PL00101; 17063-SQP-01-LG-DP-A-PL00103; 17063-SQP-01-ZZ-DE-A-PL00301; 17063-SQP-01-ZZ-DE-A-PL00302; 17063-SQP-01-ZZ-DS-A-PL00601; 17063-SQP-01-ZZ-DS-A-PL00602; 17063-SQP-01-ZZ-DS-A-PL00603; 17063-SQP-01-ZZ-DB-A-PL02703, 17063-SQP-01-ZZ-DB-A-PL02703

Demolition:

17063-SQP-01-00-DP-A-PL01104; 17063-SQP-01-01-DP-A-PL01105; 17063-SQP-01-02-DP-A-PL01106; 17063-SQP-01-03-DP-A-PL01107; 17063-SQP-01-04-DP-A-PL01108; 17063-SQP-01-05-DP-A-PL01109; 17063-SQP-01-06-DP-A-PL01110; 17063-SQP-01-B1-DP-A-PL01102; 17063-SQP-01-B2-DP-A-PL01101; 17063-SQP-01-LG-DP-A-PL01103; 17063-SQP-01-ZZ-DE-A-PL01301; 17063-SQP-01-ZZ-DE-A-PL01302; 17063-SQP-01-ZZ-DS-A-PL01601; 17063-SQP-01-ZZ-DS-A-PL01603;

Proposed:

17063_SQP_01_LG_DP-A_PL02003; 17063-SQP-01-00-DP-A-PL02004; 17063-SQP-01-01-DP-A-PL02005; 17063-SQP-01-02-DP-A-PL02006; 17063-SQP-01-03-DP-A-PL02007; 17063-SQP-01-04-DP-A-PL02008; 17063-SQP-01-05-DP-A-PL02009; 17063-SQP-01-06-DP-A-PL02010; 17063-SQP-01-07-DP-A-PL02011; 17063-SQP-01-B1-DP-A-PL02002; 17063-SQP-01-B2-DP-A-PL01101; 17063-SQP-01-ZZ-DB-A-PL02703; 17063-SQP-01-ZZ-DB-A-PL02704; 17063-SQP-01-ZZ-DE-APL02301; 17063-SQP-01-ZZ-DE-A-PL02302; 17063-SQP-01-ZZ-DS-A-PL02601; 17063-SQP-01-ZZ-DS-A-PL02602; 17063-SQP-01-ZZ-DS-A-PL02603; Acoustic Report by Hann Tucker Associates dated 11 April 2019.

For information only: Design and access statement (Squire and Partners dated April 2019); BREEAM pre assessment by Huntley Palmer Flatt; Heritage Statement (Turley, April 2019); Daylight Assessment (Point 2, April 2019); Planning Statement (DP9); Structural statement (Bridges Pound, April 2019).

Case Officer: Louise Francis

Direct Tel. No. 020 7641 2488

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:

- between 08.00 and 18.00 Monday to Friday;
- between 08.00 and 13.00 on Saturday; and
- not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- between 08.00 and 18.00 Monday to Friday; and
- not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

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

- 3 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 St James's 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 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., (3) Following installation of the plant

and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include: (a) A schedule of all plant and equipment that formed part of this application; (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment; (c) Manufacturer specifications of sound emissions in octave or third octave detail; (d) The location of most affected noise sensitive receptor location and the most affected window of it; (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location; (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures; (g) The lowest existing L A90, 15 mins measurement recorded under (f) above; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition; (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R46AB)

- 5 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)

- 6 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved materials. (C26BD)

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 St James's 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 (1) Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10 dB one metre outside any premises., (2) The emergency plant and generators hereby permitted

may be operated only for essential testing, except when required by an emergency loss of power., , (3)
Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays.

Reason:

As set out in S32 of Westminster's City Plan (November 2016) and ENV 7 (B) of our Unitary Development Plan that we adopted in January 2007. Emergency and auxiliary energy generation plant is generally noisy, so a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing and other non-emergency use is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby. (R50AB)

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, neighbourhood plan (where relevant), 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 Conditions 4 and 5 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)
- 3 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.
- 4 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)

DRAFT DECISION LETTER

Address: 78 St James's Street, London, SW1A 1LF,

Proposal: Installation of additional plant rooms and replacement plant at roof level, creation of an auditorium at the lower ground floor level together with the in-fill of the atrium space to provide access to the upper floors of the building. Alterations to the entrance on Little St James's Street.

Reference: 19/02990/LBC

Plan Nos: 17063-SQP-ZZ-ZZ-DP-A-PL00001.

Existing: 17063-SQP-01-00-DP-A-PL00104; 17063-SQP-01-01-DP-A-PL00105; 17063-SQP-01-02-DP-A-PL00106; 17063-SQP-01-03-DP-A-PL00107; 17063-SQP-01-04-DP-A-PL00108; 17063-SQP-01-05-DP-A-PL00109; 17063-SQP-01-06-DP-A-PL00110; 17063-SQP-01-B1-DP-A-PL00102; 17063-SQP-01-B2-DP-A-PL00101; 17063-SQP-01-LG-DP-A-PL00103; 17063-SQP-01-ZZ-DE-A-PL00301; 17063-SQP-01-ZZ-DE-A-PL00302; 17063-SQP-01-ZZ-DS-A-PL00601; 17063-SQP-01-ZZ-DS-A-PL00602; 17063-SQP-01-ZZ-DS-A-PL00603; 17063-SQP-01-ZZ-DB-A-PL02703; 17063-SQP-01-ZZ-DB-A-PL02703

Demolition: 17063-SQP-01-00-DP-A-PL01104; 17063-SQP-01-01-DP-A-PL01105; 17063-SQP-01-02-DP-A-PL01106; 17063-SQP-01-03-DP-A-PL01107; 17063-SQP-01-04-DP-A-PL01108; 17063-SQP-01-05-DP-A-PL01109; 17063-SQP-01-06-DP-A-PL01110; 17063-SQP-01-B1-DP-A-PL01102; 17063-SQP-01-B2-DP-A-PL01101; 17063-SQP-01-LG-DP-A-PL01103; 17063-SQP-01-ZZ-DE-A-PL01301; 17063-SQP-01-ZZ-DE-A-PL01302; 17063-SQP-01-ZZ-DS-A-PL01601; 17063-SQP-01-ZZ-DS-A-PL01603;

Proposed: 17063-SQP-01-LG-DP-A-PL02003; 17063-SQP-01-00-DP-A-PL02004; 17063-SQP-01-01-DP-A-PL02005; 17063-SQP-01-02-DP-A-PL02006; 17063-SQP-01-03-DP-A-PL02007; 17063-SQP-01-04-DP-A-PL02008; 17063-SQP-01-05-DP-A-PL02009; 17063-SQP-01-06-DP-A-PL02010; 17063-SQP-01-07-DP-A-PL02011; 17063-SQP-01-B1-DP-A-PL02002; 17063-SQP-01-B2-DP-A-PL01101; 17063-SQP-01-ZZ-DB-A-PL02703; 17063-SQP-01-ZZ-DB-A-PL02704; 17063-SQP-01-ZZ-DE-A-PL02301; 17063-SQP-01-ZZ-DE-A-PL02302; 17063-SQP-01-ZZ-DS-A-PL02601; 17063-SQP-01-ZZ-DS-A-PL02602; 17063-SQP-01-ZZ-DS-A-PL02603.

For information only:., Heritage Statement (Turley, April 2019); Design and Access Statement by Squire and Partners dated April 2019.

Case Officer: Louise Francis

Direct Tel. No. 020 7641 2488

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

3. You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved materials. (C26BD)

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

Informative(s):

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.

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

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3

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)

DRAFT DECISION LETTER (application 2)

Address: 78 St James's Street, London, SW1A 1JB

Proposal: Alterations at roof level including the installation of plant rooms and the creation of a pavilion rooftop extension and terrace area, along with other alterations including creation of an auditorium at the lower ground floor level together with the in-fill of the atrium space to provide access to the upper floors of the building. Associated alterations to Little St James's Street entrance.

Reference: 19/03873/FULL

Plan Nos: Existing drawings:
 17063-SQP-01-B2-DP-A-PL00101; 17063-SQP-01-B1-DP-A-PL00102; 17063-SQP-01-LG-DP-A-PL00103; 17063-SQP-01-00-DP-A-PL00104; 17063-SQP-01-01-DP-A-PL00105; 17063-SQP-01-02-DP-A-PL00106; 17063-SQP-01-03-DP-A-PL00107; 17063-SQP-01-04-DP-A-PL00108; 17063-SQP-01-05-DP-A-PL00109; 17063-SQP-01-06-DP-A-PL00110; 17063-SQP-01-ZZ-DE-A-PL00301; 17063-SQP-01-ZZ-DE-A-PL00302; 17063-SQP-01-ZZ-DS-A-PL00601; 17063-SQP-01-ZZ-DS-A-PL00602; 17063-SQP-01-ZZ-DS-A-PL00603; 17063-SQP-01-ZZ-DB-A-PL02703

Demolition:
 17063-SQP-01-00-DP-A-PL01104; 17063-SQP-01-01-DP-A-PL01105; 17063-SQP-01-02-DP-A-PL01106; 17063-SQP-01-03-DP-A-PL01107; 17063-SQP-01-04-DP-A-PL01108; 17063-SQP-01-05-DP-A-PL01109B; 17063-SQP-01-06-DP-A-PL01110B; 17063-SQP-01-B1-DP-A-PL01102; 17063-SQP-01-B2-DP-A-PL01101; 17063-SQP-01-LG-DP-A-PL01103; 17063-SQP-01-ZZ-DE-A-PL01301B; 17063-SQP-01-ZZ-DE-A-PL01302B; 17063-SQP-01-ZZ-DS-A-PL01601B; 17063-SQP-01-ZZ-DS-A-PL01602B; 17063-SQP-01-ZZ-DS-A-PL01603B

Proposed:
 17063-SQP-01-B2-DP-A-PL02001; 17063-SQP-01-B1-DP-A-PL02002; 17063-SQP-01-LG-DP-A-PL02003; 17063-SQP-01-00-DP-A-PL02004; 17063-SQP-01-01-DP-A-PL02005; 17063-SQP-01-02-DP-A-PL02006; 17063-SQP-01-03-DP-A-PL02007; 17063-SQP-01-04-DP-A-PL02008; 17063-SQP-01-05-DP-A-PL02009B; 17063-SQP-01-06-DP-A-PL02010B; 17063-SQP-01-07-DP-A-PL02011B; 17063-SQP-01-ZZ-DB-A-PL02704; 17063-SQP-01-ZZ-DE-A-PL02301B; 17063-SQP-01-ZZ-DE-A-PL02302B; 17063-SQP-01-ZZ-DS-A-PL02601B; 17063-SQP-01-ZZ-DS-A-PL02602B; 17063-SQP-01-ZZ-DS-A-PL02603B., Acoustic Assessment (Hann Tucker, 1 May 2019).
 For information only: , Design and access statement (Squire and Partners dated May 2019); BREEAM pre assessment by Huntley Palmer Flatt; Heritage Statement (Turley, May 2019); Daylight Assessment (Point 2, May 2019); Planning Statement (DP9); Structural statement (Bridges Pound, 3 May 2019).

Case Officer: Louise Francis

Direct Tel. No. 020 7641 2488

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:
 - between 08.00 and 18.00 Monday to Friday;
 - between 08.00 and 13.00 on Saturday; and
 - not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- between 08.00 and 18.00 Monday to Friday; and
- not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

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

- 3 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 St James's 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 apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved materials. (C26BD)

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 St James's 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 (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 LA90, 15 mins measurement recorded under (f) above; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition; (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R46AB)

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

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration. (R48AA)

- 7 (1) Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10 dB one metre outside any premises., (2) The emergency plant and generators hereby permitted may be operated only for essential testing, except when required by an emergency loss of power., (3) Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays.

Reason:

As set out in S32 of Westminster's City Plan (November 2016) and ENV 7 (B) of our Unitary Development Plan that we adopted in January 2007. Emergency and auxiliary energy generation plant is generally noisy, so a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing and other non-emergency use is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby. (R50AB)

- 8 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)

- 9 The terraces shown on the approved drawings at fifth and sixth floor levels shall only be accessible to users of the building between the hours of 0800 to 1900 daily unless required as an emergency means of escape.

Reason:

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

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, neighbourhood plan (where relevant), 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 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work., , Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974., , 24 Hour Noise Team, Environmental Health Service, Westminster City Hall, 64 Victoria Street, London, SW1E 6QP, , Phone: 020 7641 2000, , Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)
- 3 Conditions 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)
- 4 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)
- 5 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)
- 6 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.**

DRAFT DECISION LETTER (application 2 – listed building consent)**Address:** 78 St James's Street, London, SW1A 1JB**Proposal:** Internal alterations together with rooftop alterations including the removal and reconfiguration of plant and the creation of a pavilion rooftop extension and terrace area. Associated alterations to Little St James's Street entrance.**Reference:** 19/03874/LBC**Plan Nos:** Existing drawings:
17063-SQP-01-B2-DP-A-PL00101; 17063-SQP-01-B1-DP-A-PL00102; 17063-SQP-01-LG-DP-A-PL00103; 17063-SQP-01-00-DP-A-PL00104; 17063-SQP-01-01-DP-A-PL00105; 17063-SQP-01-02-DP-A-PL00106; 17063-SQP-01-03-DP-A-PL00107; 17063-SQP-01-04-DP-A-PL00108; 17063-SQP-01-05-DP-A-PL00109; 17063-SQP-01-06-DP-A-PL00110; 17063-SQP-01-ZZ-DE-A-PL00301; 17063-SQP-01-ZZ-DE-A-PL00302; 17063-SQP-01-ZZ-DS-A-PL00601; 17063-SQP-01-ZZ-DS-A-PL00602; 17063-SQP-01-ZZ-DS-A-PL00603; 17063-SQP-01-ZZ-DB-A-PL02703**Demolition:**

17063-SQP-01-00-DP-A-PL01104; 17063-SQP-01-01-DP-A-PL01105; 17063-SQP-01-02-DP-A-PL01106; 17063-SQP-01-03-DP-A-PL01107; 17063-SQP-01-04-DP-A-PL01108; 17063-SQP-01-05-DP-A-PL01109B; 17063-SQP-01-06-DP-A-PL01110B; 17063-SQP-01-B1-DP-A-PL01102; 17063-SQP-01-B2-DP-A-PL01101; 17063-SQP-01-LG-DP-A-PL01103; 17063-SQP-01-ZZ-DE-A-PL01301B; 17063-SQP-01-ZZ-DE-A-PL01302B; 17063-SQP-01-ZZ-DS-A-PL01601B; 17063-SQP-01-ZZ-DS-A-PL01602B; 17063-SQP-01-ZZ-DS-A-PL01603B

Proposed:

17063-SQP-01-B2-DP-A-PL02001; 17063-SQP-01-B1-DP-A-PL02002; 17063-SQP-01-LG-DP-A-PL02003; 17063-SQP-01-00-DP-A-PL02004; 17063-SQP-01-01-DP-A-PL02005; 17063-SQP-01-02-DP-A-PL02006; 17063-SQP-01-03-DP-A-PL02007; 17063-SQP-01-04-DP-A-PL02008; 17063-SQP-01-05-DP-A-PL02009B; 17063-SQP-01-06-DP-A-PL02010B; 17063-SQP-01-07-DP-A-PL02011B; 17063-SQP-01-ZZ-DB-A-PL02704; 17063-SQP-01-ZZ-DE-A-PL02301B; 17063-SQP-01-ZZ-DE-A-PL02302B; 17063-SQP-01-ZZ-DS-A-PL02601B; 17063-SQP-01-ZZ-DS-A-PL02602B; 17063-SQP-01-ZZ-DS-A-PL02603B.

Information only - Heritage Statement (Turley, May 2019); Design and Access Statement (Squire and Partners, May 2019).

Case Officer: Louise Francis**Direct Tel. No.** 020 7641 2488**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 St James's Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 3 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved materials. (C26BD)

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

- 4 The works approved are only those shown on the drawings listed on this decision letter. (C27NA)

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

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. (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.