PLANNING APPLICATIONS COMMITTEE	Date	Classification	
	19 May 2015	For General R	For General Release
Report of		Wards involved	
Director of Planning		West End	
Subject of Report	17 Berkeley Street, London, W1J 8EA		
Proposal	Erection of new plant and kitchen extract equipment with associated screening at roof level, new refrigeration pipework within lightwells, new flue within southern lightwell and extension of an approved due from the northern lightwell across the roof.		
Agent	Meeson Williams Phillips Ltd		
On behalf of	Park Chinois Limited		
Registered Number	14/07972/FULL	TP / PP No	TP/11725
Date of Application	12.08.2014	Date amended/ completed	12.08.2014
Category of Application	Minor		
Historic Building Grade	Unlisted		
Conservation Area	Mayfair		
Development Plan Context - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Within London Plan Central Activities Zone Within Core Central Activities Zone		
Stress Area	Outside Stress Area		
Current Licensing Position	Premises licence until 01.30		

1. RECOMMENDATION

Grant conditional permission.



City of Westminster

Data Source:

0 5 10 20 Metres



17 BERLELEY STREET, W1

2. SUMMARY

No. 17 Berkeley Street is an unlisted property located within the Mayfair Conservation Area and the Core Central Activities Zone. Permission is sought for the installation of new plant at roof level with associated visual and acoustic screening. It is also proposed to install refrigerant pipework, flues and ductwork within two internal lightwells at the property. The proposed plant is to serve a lawful restaurant use at basement and ground floor which is connected internally to a restaurant use at sub-basement, basement and ground floor levels of 33 Dover Street to the rear.

The key issues in this case are:

- The impact of the proposed works on the character and appearance of this part of the Mayfair Conservation Area.
- The impact of the plant operation upon the amenity of neighbouring residents in terms of daylight and sunlight and potential odour and noise disturbance.

Subject to appropriate conditions, the proposals are considered acceptable in design and amenity terms. The application is therefore recommended for conditional approval being in compliance with the relevant Unitary Development Plan (UDP) and City Plan policies.

3. CONSULTATIONS

COUNCILLOR ROBERTS

Objection on the following grounds:

- Amalgamation of the two restaurant units (17 Berkeley Street and 33 Dover Street) would require the benefit of planning permission.
- Queries if the installation of the ductwork within a lightwell is lawful under the 1995 planning permission.
- Supports residents' objections with regard noise, odour, increased sense of enclosure and loss of daylight / sunlight.
- Advises that all plant should not operate beyond 23.30.

RESIDENTS SOCIETY OF MAYFAIR AND ST. JAMES'S No objection.

ENVIRONMENTAL HEALTH

No objection subject to conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 116; Total No. of Replies: 8. Eight objections on the following grounds:

Amenity:

- Noise nuisance including vibration transfer from the operation of plant items.
- Odour nuisance from extracted kitchen fumes.
- Plant should be switched off at 23.30.
- Loss of daylight and sunlight.
- Other Issues:
- Works are unauthorised.
- Structural implications for 33 Dover Street.

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• Query as to whether the lawful use of the basement of the property is a bar or as a restaurant.

ADVERTISEMENT/SITE NOTICE: Yes

4. BACKGROUND INFORMATION

4.1 The Application Site

No. 17 Berkeley Street is an unlisted building located within the Mayfair Conservation Area and the Core Central Activities Zone as defined by the City Plan. The property currently has lawful use as a restaurant (Class A3) at basement and ground floors which is connected internally to the existing restaurant at ground, basement and sub-basement of 33 Dover Street to the rear of the application premises. The first to sixth floors of the property are in use as residential flats. The property has northern and southern lightwells.

4.2 Relevant History

01/08268/CLOPUD – A Certificate of Lawfulness was granted on the 23 April 2002 for the 'use of basement and ground floors of Berkeley Street as a restaurant (Class A3). Installation of ductwork within internal lightwells and new shopfronts (Site includes 33 Dover Street.)'

95/03340/FULL – Planning permission was granted on the 19 June 1995 for the 'retention of ductwork, rooftop plant, associated screening.'

94/05443/FULL – Planning permission was granted on the 12 January 1995 for the 'use of basement and ground floors of 17 Berkeley Street as a restaurant (Class A3) and installation of full height ductwork in internal lightwells, new shopfronts to 17 Berkeley Street and 33 Dover Street'.

94/05444/FULL – Planning permission was granted on the 12 January 1995 for the 'use of basement and ground floors of 17 Berkeley Street and sub-basement and basement of 33 Dover Street as a casino (D2), installation of full height ductwork in internal lightwells; new shopfronts to 17 Berkeley Street and 33 Dover Street.'

5. THE PROPOSAL

The scheme involves the installation of plant items at main roof level with associated acoustic and visual screening. It is also proposed to install refrigeration pipework within both southern and northern lightwells, a new flue in the southern lightwell to extend a duct within the northern lightwell across the main roof. All the new plant and ductwork will serve a lawful restaurant at basement and ground floors.

The majority of the plant, pipework and ducting for which consent is now sought has now been installed as has a high level duct from first to sixth floor levels within the northern lightwell to serve the commercial kitchen. This duct is lawful by virtue of a planning consent granted in 1995. A subsequent Lawful Development Certificate granted in 2002 confirmed that the 1995 permission had been implemented. This duct does not therefore form part of this application. This application does, however, involve the extension of the duct from the top of the lightwell to the rear of the roof.

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6. DETAILED CONSIDERATIONS

6.1 Land Use

A Lawful Development Certificate granted in 2002 confirms the lawful use of the basement and ground floors as a restaurant (Class A3). In response to consultations a resident has queried whether restaurant use at the application premises linked to an existing restaurant at 33 Dover Street would require permission. The restaurant use permitted in 1995 at 17 Berkeley Street was linked internally to an existing restaurant at 33 Dover Street on both the basement and ground floors. Notwithstanding this, permission would not be required to internally connect to two existing restaurants within unlisted buildings.

An objector has commented on the lawful use of the property. They note that whilst a new licence has been granted for the use of the premises as a restaurant, the previous licence was for the use of the basement of the property as a bar. This does not have any implications for this application; no evidence has been provided that the basement of the unit has ever been used as a separate bar and the Certificate of Lawfulness granted in 2002 confirmed the use of the premises as a restaurant.

6.2 Townscape and Design

The proposed plant is located on the roof of No. 17. At the front of the roof, it is proposed to add a pitched screen to hide the plant. This is considered acceptable and would not detract from the appearance of the building. At the rear of the roof, it is proposed to extend a duct from a lightwell. Although this is quite bulky it will not be seen from street level views. Whilst it would be desirable to also include visual screening on the rear elevation of the property, it is noted that this is likely to have implications for the levels of daylight and sunlight received by a skylight at roof level serving residential accommodation. It is therefore considered in this instance the installation of visual screening on the rear of the roof is not necessary.

Conditions are also required to ensure that the refrigerant pipework in the lightwells is boxed in and finished white as shown on the approved drawings and that the visual screening is installed within two months of the date of any decision and maintained in this form for as long as the plant remains in place.

6.3 Amenity

The application has been considered in the context of Policies ENV6 and ENV7 of the UDP and Policy S32 of the adopted City Plan. These policies seek to protect the amenity of nearby noise sensitive properties.

Noise

The site experiences background noise levels which are above WHO guideline levels and the scheme proposes the 24 hour use of some equipment. To accord with Policy ENV7 of the UDP the noise levels emitted by the plant will have to be 10dB below background at the nearest noise sensitive windows. A 24 hour noise survey was carried out at the site and the lowest background noise level was identified for the different periods of plant operation.

Objections have been received from a number of occupiers of the residential flats on the upper floors of the application site and within a neighbouring property with regard to the potential for noise disturbance resulting from the plant operation.

In order for the plant operation to comply with the stipulated criteria for noise levels at the nearest sensitive windows, acoustic mitigation is required and this has been detailed within the acoustic report and includes acoustic barriers, cladding and high performance attenuators.

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Certain condenser units also need to be programmed to operate at reduced capabilities as detailed in the report between 23.00 and 01.30. It is proposed for some of the refrigeration plant at roof level to operate continuously over a 24 hour period with reduced power levels during the night to ensure the plant operates at quieter levels to accord with the City Council requirements.

Taking into account the proposed acoustic mitigation including the reduction in capacity of certain units at quieter times in the evening, Environmental Health have confirmed that the operation of the plant would be acceptable and would comply with the normal noise criteria. In these circumstances, it is not considered that permission could reasonably be withheld for noise reasons.

Objections have been raised by residents regarding potential vibration from the operation of the rooftop plant through the building structure to the flats on the floors below. The standard condition has been proposed in relation to vibration from the plant items and the installations will have to comply with its requirements. It should also be noted that the majority of the plant will be installed on a metal support structure and will not be directly in contact with the roof of the property which will alleviate structural borne vibration.

Whilst the concerns of the neighbouring residents that plant would result in noise nuisance are noted, noise levels from the plant can be controlled by the imposition of conditions. If in the future the operation of the plant breaches conditions resulting in nuisance, this could result in enforcement action. It is noted that some plant items were 'tested' on the 30 April 2015 which a neighbouring resident attests significant noise disturbance within their property. This was raised with the applicant who advises that the test did not represent the expected noise levels from the plant. However, given the objections received, a condition requiring the submission of a post-installation acoustic report is recommended which will demonstrate all the plant complies with standard noise criteria before it becomes fully operational.

Councillor Roberts and residents have suggested that the terminal hour for the plant operation should be 23.30 daily. It is not however considered that it would be reasonable to restrict the hours of operation as Environmental Health have advised that based on the acoustic report that the plant mitigation measures proposed including reduced power levels between 23.00 and 07.00, the plant would operate to acceptable noise levels on a 24 hour basis.

Odours

Neighbouring residents object to potential odours from ductwork serving the kitchen. It is standard Westminster practice that all ductwork extracting fumes from commercial kitchens terminates at high level, above any nearby sensitive windows. As already stated the majority of the ductwork within the northern lightwell does not form part of this application as it was recently installed pursuant to permission granted in 1995. This application does involve extending this duct from the northern lightwell across the main roof. As the duct will terminate on the rear roof above residential windows in accordance with policy and as Environmental Health raise no objection, this aspect of the application is considered acceptable.

Daylight and Sunlight

Residents have also objected to the application with regard to the impact of the ductwork installed within the lightwell on the levels of daylight and sunlight within the flats on the upper floors of the building. As discussed, this ductwork has been lawfully installed in accordance with the 1995 planning approval and therefore does not form part of this planning application. It is not considered smaller refrigeration pipework or the plant at roof level would have any material impact upon the levels of the daylight and sunlight received by surrounding neighbouring residents and the objections on these grounds are not therefore considered sustainable.

6.4 Transportation/Servicing

Not applicable.

6.5 Economic Considerations

Any economic benefits generated by the proposals are welcomed.

6.6 Access

Not applicable.

6.7 Other UDP/Westminster Policy Considerations

Objections have been received to the application from a resident within 33 Dover Street to plant installed at roof level of this property. Roof level plant at 33 Dover Street was approved on the 15 December 2014. This application is solely for plant at 17 Berkeley Street.

Objectors have also commented that the majority of the plant items have already been installed on the roof of the property prior to obtaining permission. Whilst this is unfortunate, these works have been carried out by the applicant at their own risk and permission could not reasonably be withheld on the grounds that the application is in part retrospective.

6.8 London Plan

The proposal does not raise strategic issues and does not have significant implications for the London Plan.

6.9 National Policy/Guidance Considerations

Central Government's National Planning Policy Framework (NPPF) came into effect on 27 March 2012. It sets out the Government's planning policies and how they are expected to be applied. The NPPF has replaced almost all of the Government's existing published planning policy statements/guidance as well as the circulars on planning obligations and strategic planning in London. It is a material consideration in determining planning applications.

Until 27 March 2013, the City Council was able to give full weight to relevant policies in the Core Strategy and London Plan, even if there was a limited degree of conflict with the framework. The City Council is now required to give due weight to relevant policies in existing plans "according to their degree of consistency" with the NPPF. Westminster's City Plan: Strategic Policies was adopted by Full Council on 13 November 2013 and is fully compliant with the NPPF. For the UDP, due weight should be given to relevant policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the NPPF, the greater the weight that may be given).

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

6.10 Planning Obligations

Not applicable.

6.11 Environmental Assessment including Sustainability and Biodiversity Issues

The proposal is of an insufficient scale to require an environmental assessment.

6.12 Conclusion

The proposed works are considered acceptable on design and amenity grounds and the proposal is considered to accord with the requirements of the adopted UDP and City Plan.

BACKGROUND PAPERS

- 1. Application form.
- 2. Emails from Councillor Roberts dated 10 November 2014, 12 February 2015, 20 February 2015 and 30 April 2015.
- 3. Emails from the Residents Society of Mayfair and St. James's dated 16 September 2014 and 25 February 2015.
- 4. Memorandum from Environmental Sciences dated 3 February 2015 and an email dated 28 April 2015
- 5. Emails from the occupier of Flat 9, 17 Berkeley Street and representative of the 17 Berkeley Street Residents' Association dated 2 September 2014, 10 November 2014, 16 January 2015 and 30 April 2015.
- 6. Email from the owner of Flat 11, 18 Berkeley Street dated 13 September 2014.
- 7. Email from the occupier of Flat 9, 33 Dover Street dated 21 September 2014.
- 8. Email from the occupier of a flat within 17 Berkeley Street dated 11 November 2014.
- 9. Emails from the director of the residents association at 18 Berkeley Street dated 19 November 2014 and 16 February 2015.
- 10. Email from the owner of Flat 2, 18 Berkeley Street dated 21 November 2014.
- 11. Email from Coniston Horizon Limited dated 27 November 2014.
- 12. Email from Pembertons (Managing Agents of 18 Berkeley Street) dated 4 December 2014.
- 13. Email from the owner of Flat 11, 17 Berkeley Street dated 16 February 2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT MIKE WALTON ON 020 7641 2518 OR BY E-MAIL — mwalton@westminster.gov.uk

DRAFT DECISION LETTER

Address: 17 Berkeley Street, London, W1J 8EA

Proposal: Erection of new plant and kitchen extract equipment with associated screening at

roof level, new refrigeration pipework within lightwells, new flue within southern lightwell and extension of an approved duct from the northern lightwell across the

roof.

Plan Nos: Site Location Plan, Acoustic Report dated 26th September 2014, Drawings: (1040)

04.P17.01, 04.P17-33.01, 04.P17-33.02 RevA, 04.P17.02 RevA, 04.P17.03,

04.P17.04, 04.P17.05, 04.P17.06.

Case Officer: Matthew Giles Direct Tel. No. 020 7641 5942

Recommended Condition(s) and Reason(s):

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

Reason:

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

- 2 You must carry out any building work which can be heard at the boundary of the site only:
 - * between 08 00 and 18,00 Monday to Friday;
 - * between 08 00 and 13 00 on Saturday, and
 - * not at all on Sundays, bank holidays and public holidays.

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

Reason:

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- (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: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

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

Reason:

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

You must install the acoustic screening and other acoustic mitigation measures as shown on the approved drawings and to the specification detailed within the acoustic report dated the 26th September 2014 at the same time as the plant is installed. The screening and stipulated mitigation measures must thereafter be maintained in this form for as long as the plant is in place.

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13AC)

You must operate the plant in accordance with the stipulations of the acoustic report dated 26th September 2014 with regard the hours of operation of the different plant units and the power levels of the plant items at different times of the day.

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13AC)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

You must install the boxing around the refrigerant pipework within both the lightwells within two months of the date of this decision and paint / finish it white. The boxwork must thereafter be retained in this position for as long as the pipework remains in place.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

You must install the visual screening at the front of the roof as shown on the approved drawings within two months of the date of this permission. This screening must thereafter be maintained in the form shown for as long as the plant remains in place.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

Notwithstanding what is shown on the approved drawings this permission only relates to the installation of plant on the roof and within the internal lightwells of 17 Berkeley Street.

Reason:

The plant installation relating to 33 Dover Street has been considered under a separate planning application.

11 You must not operate the plant/ machinery that we have allowed (other than to carry out the survey required by this condition) until you have carried out and sent us a post-commissioning noise survey and we have approved the details of the survey in writing. The post-commissioning noise survey must demonstrate that the plant/ machinery complies with the noise criteria set out in conditions 3 of this permission.

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13AC)

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: Strategic Policies adopted November 2013, 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 Conditions 3, 5 and 7 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 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:
 - * Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;
 - * This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

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

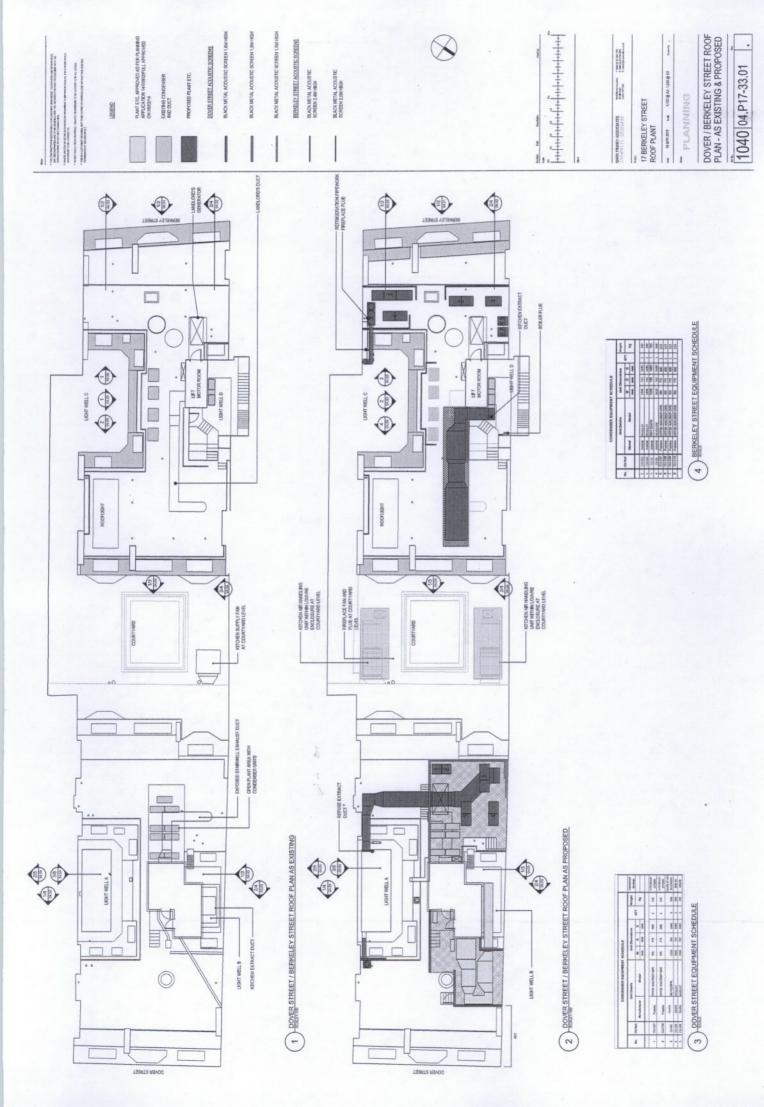
It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

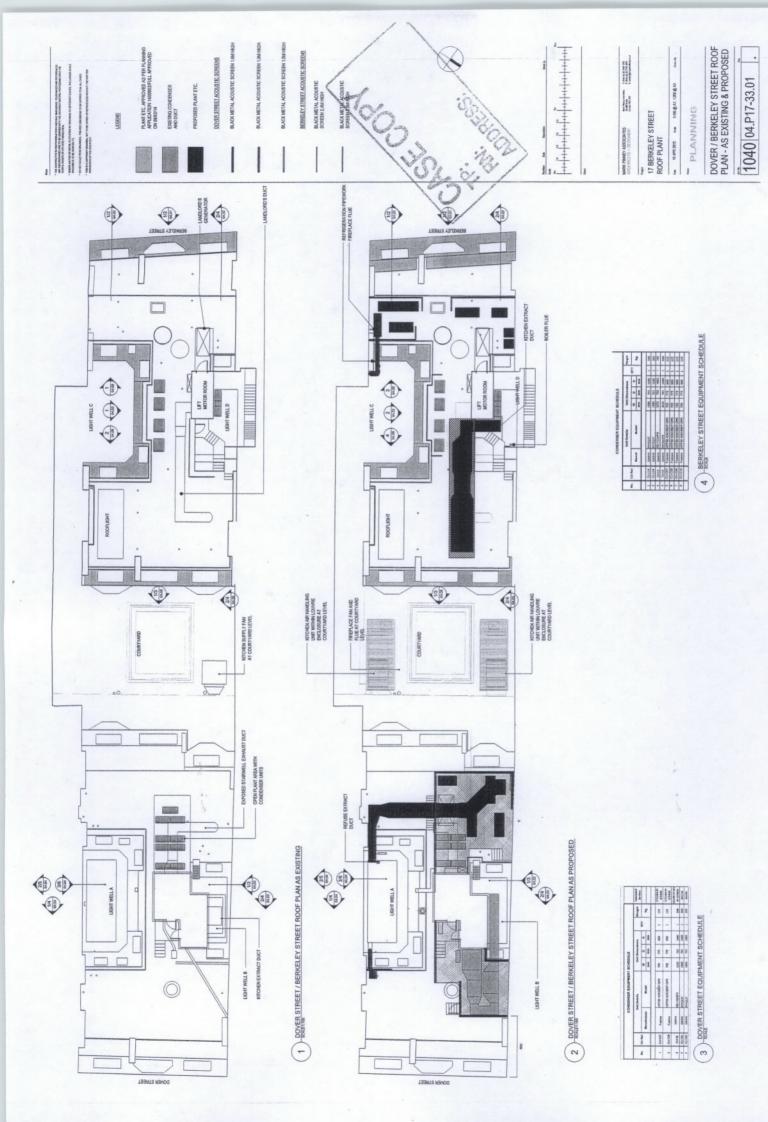
- Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained.
 - Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following:
 - * Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings;
 - * Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase;
 - * Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained;
 - * Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the centre of particularly wide staircases where necessary;
 - * Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.
- Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.
 - * Window cleaning where possible, install windows that can be cleaned safely from within the building.
 - * Internal atria design these spaces so that glazing can be safely cleaned and maintained.
 - Lighting ensure luminaires can be safely accessed for replacement.
 - * Roof plant provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).

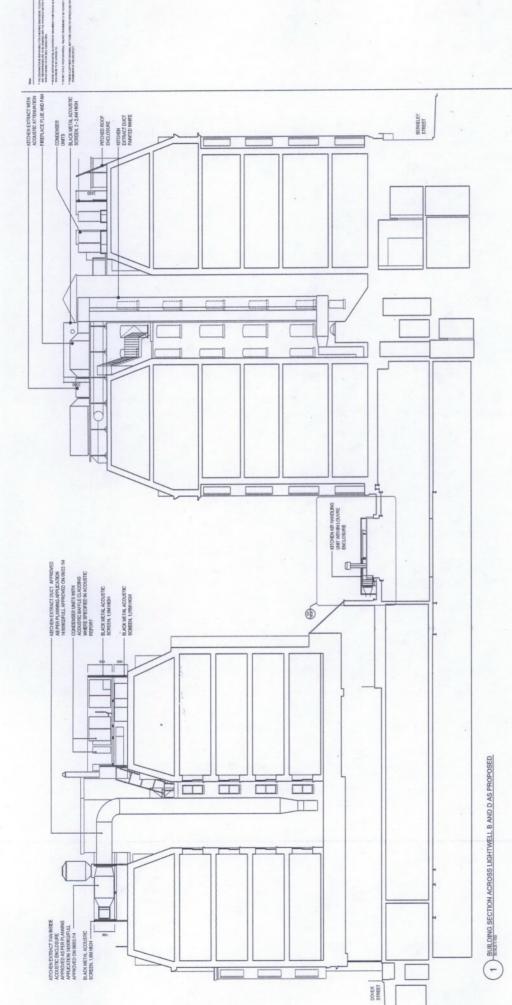
 More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm.

Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)

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.







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17 BERKELEY STREET ROOF PLANT

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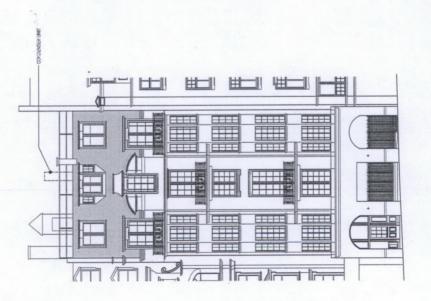
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17 BERKELEY STREET ROOF PLANT 1040 04.P17.01



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