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CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 17 May 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Bryanston And Dorset Square	
Subject of Report	44-48 Great Cumberland Place and 16 Brunswick Mews, London, W1H 7BS		
Proposal	Erection of a mansard roof extension to 44-48 Great Cumberland Place; plant enclosure to the roof of 16 Brunswick Mews; a pergola on a 1 st floor rear terrace and landscaping; alterations to the front facade including new doors, windows, balconies and railings and associated works, and internal alterations.		
Agent	Gerald Eve LLP		
On behalf of	Quintillion UK Limited		
Registered Number	15/10586/FULL 15/10587/LBC	Date amended/ completed	16 November 2015
Date Application Received	13 November 2015		
Historic Building Grade	Grade II		
Conservation Area	Portman Estate		

1. RECOMMENDATION

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

2. SUMMARY

The application site is located on the eastern side of Great Cumberland Place with frontages onto both Upper Berkeley Street and Brunswick Mews. The buildings have been vacant since 2014 prior to which they were in use as a private members club (Sui Generis). Permission and listed building consent is sought for alterations including a mansard roof extension to 44-48 Great Cumberland Place in-connection with the continued use as a private members club (Sui Generis).

The key issues for consideration are:

- * The impact of the extension to the private members club upon the amenities of neighbouring residents.
- * The impact of the works upon the character and appearance of the listed building and the conservation area.

The application is considered acceptable in land use, amenity, design and conservation terms and is in accordance with the policies set out in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (City Plan).

3. LOCATION PLAN



4. PHOTOGRAPHS

Photograph 1. View of 44-48 Great Cumberland Place and Upper Berkeley Street



Photograph 2. West elevation and aerial view



Photograph 3. Easterly view to nearest residential property (No. 16 Upper Berkeley Street) abutting the site.



Photograph 4. View to shared rear boundary of site with No. 15 Upper Berkeley Street



5. CONSULTATIONS

Historic England (Listed Builds/Con Areas):

Comments relate primarily to the intervention at roof level, notably the demolition of roof structures. Advise that the harm resulting from loss of original fabric, proportions and historic roof forms would be permanent and irreversible. The heritage benefits put forward are recognised and welcomed and can be considered to help mitigate, though not ameliorate, the harm caused. On balance, the harm would be considered to be less than substantial.

Marylebone Association:

Objection-The new mansard construction is oversized in proportion to the existing building. The cheeks and head of the proposed dormer windows are far too wide with 'squeezed' clear vision areas.

If WCC are minded to grant, this should be done so with conditions to ensure that noise and disturbance resulting from the terrace is restricted and documented in a comprehensive operational and servicing management plan. Request a comprehensive construction management plan to ensure that full consideration has been given to neighbouring residents and their amenity during construction.

Environmental Health:

No objections, subject to conditions relating to a supplementary acoustic report, and hours of use of a terrace.

Twentieth Century Society:

Any response to be reported verbally.

The Victorian Society:

Any response to be reported verbally.

Ancient Monuments Society

Any response to be reported verbally.

Council for British Archaeology:

Objections were raised and recommended that the revised proposal be sought as the present scheme would harm the significance of the heritage asset.

Major concerns were expressed about the mansard extension as it would give an artificial regularity and create an awkward corner feature.

The Committee also suggested fewer dormers (two per bay rather than three) and better detailing to give narrower appearance.

Society for the Protection Of Ancient Buildings

Any response to be reported verbally.

The Georgian Group:

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 70
Total No. of replies: 3
No. of objections: 3
No. in support: 0

3 objections received on some or all of the following grounds.

Amenity
Noise nuisance from terrace and plant and location of club entrance
Overlooking loss of privacy

PRESS ADVERTISEMENT / SITE NOTICE: Yes

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

The application site comprise of 44-48 Great Cumberland Street and 16 Brunswick Mews. The site is located on the eastern side of Great Cumberland Place with frontages onto Upper Berkeley Street and Brunswick Mews. The site is located within the Portman Estate Conservation Area but is located outside the Core Central Activities Zone.

No. 44-48 Great Cumberland Place are grade II listed buildings comprising four early 19th century traditional Georgian terrace houses. No 16 Brunswick Mews to the rear is an unlisted building of merit.

The buildings were occupied by the VAD Ladies Club in 1959. The club changed its name to the New Cavendish Club and occupied the site until mid-2014, after which the buildings have remained vacant.

Recent Relevant History

No relevant.

7. THE PROPOSAL

Permission and listed building consent is sought for works which would retain the use as a private members club (Sui Generis). The intention being that Home House would occupy the site complimenting their facilities at 20 Portman Square.

Proposed works include the erection of a mansard roof extension to 44-48 Great Cumberland Place; plant enclosure to the roof of 16 Brunswick Mews; alterations to the front facade including new doors, windows, balconies and railings, the erection of a pergola, landscaping and internal alterations.

The existing building provides 44 bedrooms over basement and first to fourth floors along with bar/reception and lounges. The proposals seek to reconfigure the internal arrangement of the building, to provide 35 bedrooms in total. The basement ground and first floors would be used as entertaining and function spaces, with the majority of bedrooms at 2nd to 4th floors and two bedrooms on the 1st floor. The maximum capacity of the club would be 320 visitors and 50 staff on site during peak periods. Proposed opening hours are Monday-Saturday 07:00-01:00 and 07:00-00:00 on Sundays. It is proposed to use a rear terrace at 1st floor level between 08:00-22:00 daily.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The buildings have historically been used as a private members club since the 1950's. The continued use of the premises as a private members club albeit by a different operator 'Home House' raises no land use issues.

8.2 Townscape and Design

The site comprises a terrace of four Grade II listed buildings dating from around 1810 in the Portman Estate Conservation Area. The Portman Estate Conservation Area Audit identifies the buildings as being unsuitable for a roof extension, because these are listed buildings with their original Georgian roofs. In considering the proposed scheme, the principle urban design and conservation issue is the loss of the existing roofs. The proposal adds a roof extension to 42, 44 and 46, remodels the front façade at ground floor level with the reintroduction of front doors, entrance bridges, balconies and windows.

Officers have inspected and assessed the existing roofs in conjunction with Historic England. The roofs are original early eighteenth century (late Georgian) structures, in good condition, which are of considerable architectural and historic interest. They are relatively rare survivors since over the years such roofs have been replaced, often with mansard type roofs. They form an important part of the special interest of the listed buildings and the Portman Estate Conservation Area.

As with most Georgian houses of this period, the buildings were designed with shallow pitched roofs behind the parapet; the roof was invisible from the street. The horizontal parapet was intended to be seen against the sky.

The demolition of the roofs would cause harm to the listed buildings, through the loss of significant historic fabric, and the change to the appearance of the buildings, by adding a double pitched mansard roof above the parapet. The listed buildings make a positive contribution to the character and appearance of the Portman Estate Conservation Area and this contribution would be diminished because of the harm to the buildings. In terms of the NPPF this would be less than 'substantial' harm. Nevertheless the harm could only be considered acceptable if there were public benefits to outweigh that harm.

Objections have been received regarding the proposed roof extensions, including their height and bulk, from Historic England, Marylebone Association and the London and Middlesex Archaeological Society (Council for British Archaeology). Historic England considers the loss of the historic roof forms and fabric to be unacceptably harmful.

Benefits

To outweigh the harm identified the applicants highlight a number of benefits. These include:

- The restoration of the missing front doors, entrance bridges, fan lights.
- The reinstatement of Georgian style windows to the front façade.
- The reinstatement of Georgian (Regency) style features internally at ground and first floor.

The loss of the existing roofs is harmful to the special interest of the listed buildings and the character and appearance of the Portman Estate Conservation Area. However, the package of benefits is considered, on balance, to outweigh that harm.

If the proposals are to be permitted there are some aspects of the proposals which need further revision, and it is recommended that these be handled by condition. These include:

- Redesign of the roof of no.48 to be closer to a traditional mansard roof and for the design of the plant to be more carefully handled.
- Redesign of the balustrades to the balconies (to be of Regency design)

8.3 Residential Amenity

Daylight and Sunlight

Policy S29 of the City Plan aims to improve the residential environment of Westminster whilst UDP Policy ENV13 aims to protect and improve residential amenity, including sunlighting and daylighting to existing properties. In implementing Policy ENV13 the advice of the Building Research Establishment (BRE) with regard to natural lighting values is used. A daylight and sunlight report has been submitted as part of the application which assesses the impact of the development on residential properties at 2 and 15 Brunswick Mews, 15 and 16 Upper Berkeley Street, 42, 37, 37a and 39 Great Cumberland Place.

Daylight

Under the BRE guidelines the amount of daylight received to a property may be assessed by the Vertical Sky Component which 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 window will have the potential to provide good levels of daylight. The guidelines also suggest that reductions from existing values of more than 20% should be avoided as occupiers are likely to notice the change.

The report indicates that with the exception of a single rear ground floor kitchen window at 16 Upper Berkeley Street, all windows tested would comply with BRE guidelines with regards to daylight. With regards to this kitchen window an existing VSC value of 9.26% would be reduced to 7.23% (resulting in a VSC loss of 21.92%). Therefore although this would result in a minor breach BRE guidelines the actual loss is relatively minor. The daylighting implications of the extensions are considered to be acceptable.

Sunlight

In terms of sunlight, the BRE guidance states that if any window receives more than 25% of the Annual Probable Sunlight Hours (APSH where the total APSH is 1486 hours in London), including at least 5% during winter months (21 September to 21 March) then the room should receive enough sunlight. If the level of sunlight received is below 25% (and 5% in winter) and the loss is greater than 20% either over the whole year or just during winter months, then the loss would be noticeable. Only those windows facing within 90 degrees of due south require testing. In this case No's 2 and 15 Brunswick Mews and 42 Great Cumberland Place have been tested. The report demonstrates that all the windows tested would compliance with the BRE guidelines with regards to sunlight.

Use of 1st floor terrace.

Objections have been received from both the managing agents of 16 Upper Berkeley Street and occupier which abuts the application site to the east that use of a rear terrace would result in overlooking and noise nuisance.

The site has a long standing historic use as a private members club, and there have been no conditions which prevented a first floor flat roof area which is enclosed by railings, being used as a terrace. The objectors state that the roof area was used as an external terrace on a very limited occasional basis.

The application is supported by an operational management plan which sets out that the terrace would have seating (10 covers) with waiter service but no vertical drinking will be permitted. Plans include acoustic screening to the rear back wall. A ground floor lightwell is intended to be a designated smoking area.

Of note, the Council's Licensing Sub-Committee has recently (4th February 2016) agreed to vary a premises licence for the Club, subject to conditions including restricting the capacity of the terrace to 10 persons (excluding staff), that sale of alcohol is restricted to Fridays and Saturdays and must be by waiter or waitress service only; restricting the use to 7pm except for persons using the area to smoke.

Historically however, previous licensing certificates have allowed the use of the terrace (as a licensable area) beyond the times the applicants have put forward under this application (07:00-01:00 Monday to Sunday).

With the exception of a lower ground floor kitchen window at no 16 Upper Berkeley Street there are no habitable windows in the rear of No's 15 and 16 Upper Berkeley Street which are adjacent to the rear terrace. The objections to overlooking are not therefore considered sustainable.

The application includes an acoustic screen on the rear boundary wall, and an operational management plan which would control how the terrace would be used. This will limit the number of covers to 10 and restrict the use to between 08:00 and 22:00 daily. Although it is acknowledged that the terrace would be more intensively used, given that its use was previously unrestricted, and measures proposed to prevent noise nuisance this aspect of the application is considered acceptable

8.4 Transportation/Parking

It is not considered that the proposals would have a significant impact on the level of demand for on-street parking in the area. The site has a good level of public transport accessibility. On site cycle parking will be provided.

Servicing will take place via the existing service door to the rear of the building in Brunswick Mews and via No. 48 Great Cumberland Street to the front of the building.

8.5 Economic Considerations

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

8.6 Access

Access to the Club will be as existing, from the main entrance on Upper Berkeley Street. Objections have stated that they would prefer the entrance to be relocated onto Great Cumberland Place. Given that this entrance is for Club members and servicing and staff entrances will be undertaken from Great Cumberland Place or the rear entrance via 16 Brunswick Mews, the use of an existing entrance is considered acceptable in this regard, and objection on these grounds would be unsustainable.

8.7 Other UDP/Westminster Policy Considerations

Plant

The proposed scheme seeks to install plant within two areas; on the roof of 16 Brunswick Mews and within an acoustic enclosure within a plant room on the 4th fourth floor of the main Great Cumberland Place buildings.

An objection has stated that existing plant at the adjoining hotel (The Arch) can be heard during summer months and that further plant is likely to result in more noise nuisance.

An acoustic report has been submitted in support of the application which details existing background noise levels. Environmental Health raise no objection to the application subject to a condition which requires all plant to operate at a level 10dB below background noise levels. As the exact details of the plant are at this stage unknown a further condition is recommended requiring a supplementary acoustic report to be approved which will confirm that the plant is capable of operating at the required noise levels. Subject to these conditions this aspect of the application is considered acceptable in accordance with policy.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

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

8.10 Planning Obligations

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

8.11 Environmental Impact Assessment

There are no environmental impact issues relating to this proposal.

8.12 Other Issues

9. BACKGROUND PAPERS

1. Application form
2. Response from Marylebone Association, dated 19 April 2016
3. Response from Marylebone Association, dated 21 March 2016
4. Response from Plant And Equipment, dated 7 December 2015
5. Response from Marylebone Association, dated 21 March 2016
6. Letter from occupier of 14 Upper Berkeley Street, London, dated 26 April 2016
7. Letter from occupier of Director, Lord Estates, dated 5 February 2016
8. Letter from occupier of 15 Upper Berkeley St, London, dated 23 April 2016

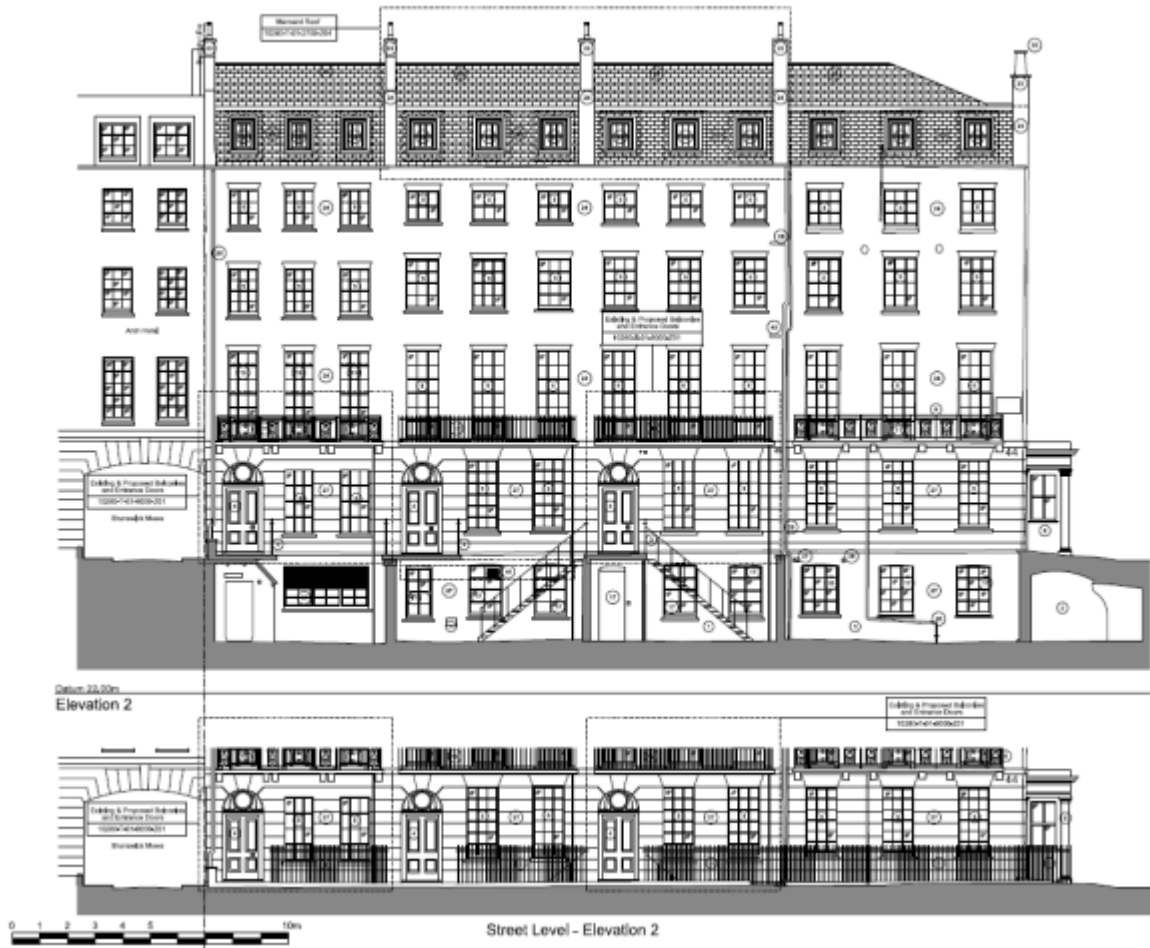
Selected relevant drawings

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

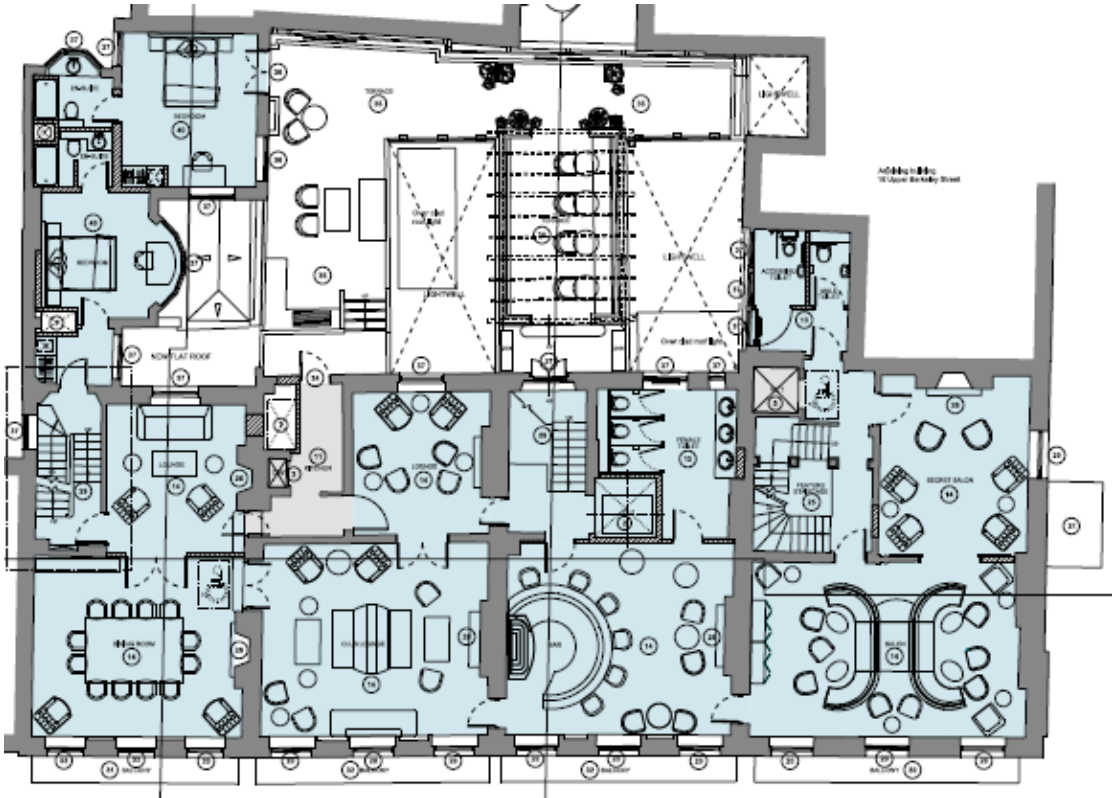
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT LINDSAY JENKINS ON 020 7641 5707 OR BY EMAIL AT CentralPlanningTeam@westminster.gov.uk

10. KEY DRAWINGS

Drawing 1. Proposed front elevation



Drawing 2. Proposed first floor plan including terrace area



DRAFT DECISION LETTER

Address: 44 - 48 Great Cumberland Place, London, W1H 7BS,

Proposal: Erection of a mansard roof extension to 44-48 Great Cumberland Place; plant enclosure to the roof of 16 Brunswick Mews; a pergola to the existing rear terrace and landscaping; alterations to the front facade including new doors, windows, balconies and railings and associated works, and internal alterations including removal of existing fabric and alterations to the plan layout.

Reference: 15/10586/FULL

Plan Nos: 10280-T-01-0210-ZB1-02; 0211-Z00-03;0212-Z01-04; 0213-Z02-02; 0214-Z03-02;0215-Z04-02; 0216-Z05-03; 0410-ZNO-02; 0411-ZEA-03; 0412-ZSO-03; 0413-ZWE-03; 0414-ZXX-03; 0415-ZXX-04; 0510-ZAA-03; 0511-ZBB-03; 0512-ZCC-03; N2700-Z04-03; 2701-ZXX-03; 2702-Z02-02; 9000-ZXX-02.
DEMOLITION PLANS- 10280-T-01-1400-ZB1-01; 1401-ZOO-02; 1402-Z01-02; 1403-ZO2-01; 1404-ZO3-01; 1405-Z04-01;1410-ZNO-02; 1411-ZEA-02; 1412-ZSO-01;1413-ZWE-02; 1414-ZXX-02; 1415-ZXX-01; 1420-ZAA-01;1421-ZBB-01; 1422-ZCC-01.

Case Officer: Lindsay Jenkins

Direct Tel. No. 020 7641 5707

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 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)

3 (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.

- 5 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 3 and 5 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels.

- 6 You must install the acoustic plant enclosure to the roof of 16 Brunswick Mews as shown on the approved drawings before you use the machinery. You must then maintain it in the form shown for as long as the machinery remains in place. (C13DA)

Reason:

To protect neighbouring residents from noise nuisance and 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 Portman Estate Conservation Area. This is as set out in S25, S28, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6, ENV 7, 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.

- 7 You must apply to us for approval of a management plan to show how you will prevent customers who are leaving the building and for the management and prevention of noise from the premises more generally from causing nuisance for people in the area, including people who live in nearby buildings. You must not use the building as a private members club until we have approved what you have sent us. You must then carry out the measures included in the management plan at all times that the private members club is in use. (C05JB)

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in

S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 8 Customers and guest shall not be permitted on the rear terrace before 07:00 or after 22:00 Monday to Sunday. Staff shall not be permitted in this area between 22:00 and 07:00 except in an emergency.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, 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. (R12AC)

- 9 Customers and guest shall not be permitted on the balconies and lightwells before 07:00 or after 22:00 Monday to Sunday. Staff shall not be permitted in this area between 22:00 and 07:00 except in an emergency.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, 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. (R12AC)

- 10 No amplified music shall be played in the external amenity areas.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, 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. (R12AC)

- 11 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 Portman Estate 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)

- 12 You must apply to us for approval of samples and specifications 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 any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

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 Portman Estate 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)

- 13 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building unless they are shown on the approved drawings. (C26KA)

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 Portman Estate 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)

- 14 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace. (C26NA)

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 Portman Estate 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)

- 15 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Portman Estate 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)

- 16 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme

i, Roof level plant room: the dormers and roof scape to be a closer match to a traditional mansard roof, for the design of the plant to be redesigned to sit within the roof envelope and the removal of industrial louvres to the dormer windows.

ii, front facade external balconies: these should be detailed as per original design as illustrated in the Historic Building Report.

You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

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 Portman Estate 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)

- 17 You must apply to us for approval of detailed drawings (scale 1:20 and 1:5) of the following parts of the development - .
- i, new doors
 - ii, new fanlights
 - iii, new windows
 - iv, railings, balcony railings and balcony construction showing interface with original fabric
 - v, roof top plant room
 - vi, dormers
 - vii, reinstated bridges over lightwell's
 - viii, rebuilt chimney stacks

You must not start any work on these parts of the development until we have approved what you have sent us.

You must then carry out the work according to these approved documents;. (C26DB)

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 Portman Estate 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)

- 18 The proposals must be completed in their entirety within 2 years of the commencement of the works.

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 Portman Estate 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)

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: 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 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

- 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.

- 4 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)

- 5 Conditions 3 and 4 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)

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.

DRAFT DECISION LETTER

Address: 44 - 48 Great Cumberland Place, London, W1H 7BS,

Proposal: Erection of a mansard roof extension to 44-48 Great Cumberland Place; plant enclosure to the roof of 16 Brunswick Mews; a pergola to the existing rear terrace and landscaping; alterations to the front facade including new doors, windows, balconies and railings and associated works, and internal alterations including removal of existing fabric and alterations to the plan layout.

Plan Nos: 10280-T-01-0210-ZB1-02; 0211-Z00-03;0212-Z01-04; 0213-Z02-02;
0214-Z03-02;0215-Z04-02; 0216-Z05-03; 0410-ZNO-02; 0411-ZEA-03;
0412-ZSO-03; 0413-ZWE-03; 0414-ZXX-03; 0415-ZXX-04; 0510-ZAA-03;
0511-ZBB-03; 0512-ZCC-03; N2700-Z04-03; 2701-ZXX-03; 2702-Z02-02;
9000-ZXX-02.
355-EL-1.01; 02; 03; 04; 05; 06; 355-GF-03; 09; 355-EL-GF-01; 355-EL-G-06.
DEMOLITION PLANS- 10280-T-01-1400-ZB1-01; 1401-ZOO-02; 1402-Z01-02;
1403-ZO2-01; 1404-ZO3-01; 1405-Z04-01;1410-ZNO-02; 1411-ZEA-02;
1412-ZSO-01;1413-ZWE-02; 1414-ZXX-02; 1415-ZXX-01;
1420-ZAA-01;1421-ZBB-01; 1422-ZCC-01.

Case Officer: Lindsay Jenkins

Direct Tel. No. 020 7641 5707

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 1 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 Portman Estate 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 paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 2 You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

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 Portman Estate 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 paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 3 You must not disturb existing original floor boards unless changes are shown on the approved drawings. (C27MA)

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 Portman Estate 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 paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 4 The new joinery work must exactly match the existing original work unless differences are shown on the drawings we have approved. (C27EA)

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 Portman Estate 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 paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 5 You must

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 Portman Estate 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 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 March 2012, the London Plan July 2011, Westminster's City Plan: Strategic Policies adopted November 2013, 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 character of this building of special architectural or historic interest.

In reaching this decision the following were of particular relevance:

S25 and S28 of Westminster's City Plan: Strategic Policies and DES 10 including paras 10.130 to

Item No.
7

10.146 of the Unitary Development Plan, and paragraph 2.3 and 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.