

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 17 May 2016	Classification For General Release	
Addendum Report of Director of Planning		Ward(s) involved West End	
Subject of Report	12 Bourdon Street, London, W1K 3PG		
Proposal	Use of the ground floor as a retail unit (Class A1) and alterations to the ground floor front elevation.		
Agent	Grosvenor		
On behalf of	Grosvenor		
Registered Number	15/10035/FULL 15/10036/LBC	Date amended/ completed	14 January 2016
Date Application Received	28 October 2015		
Historic Building Grade	Grade II		
Conservation Area	Mayfair		

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

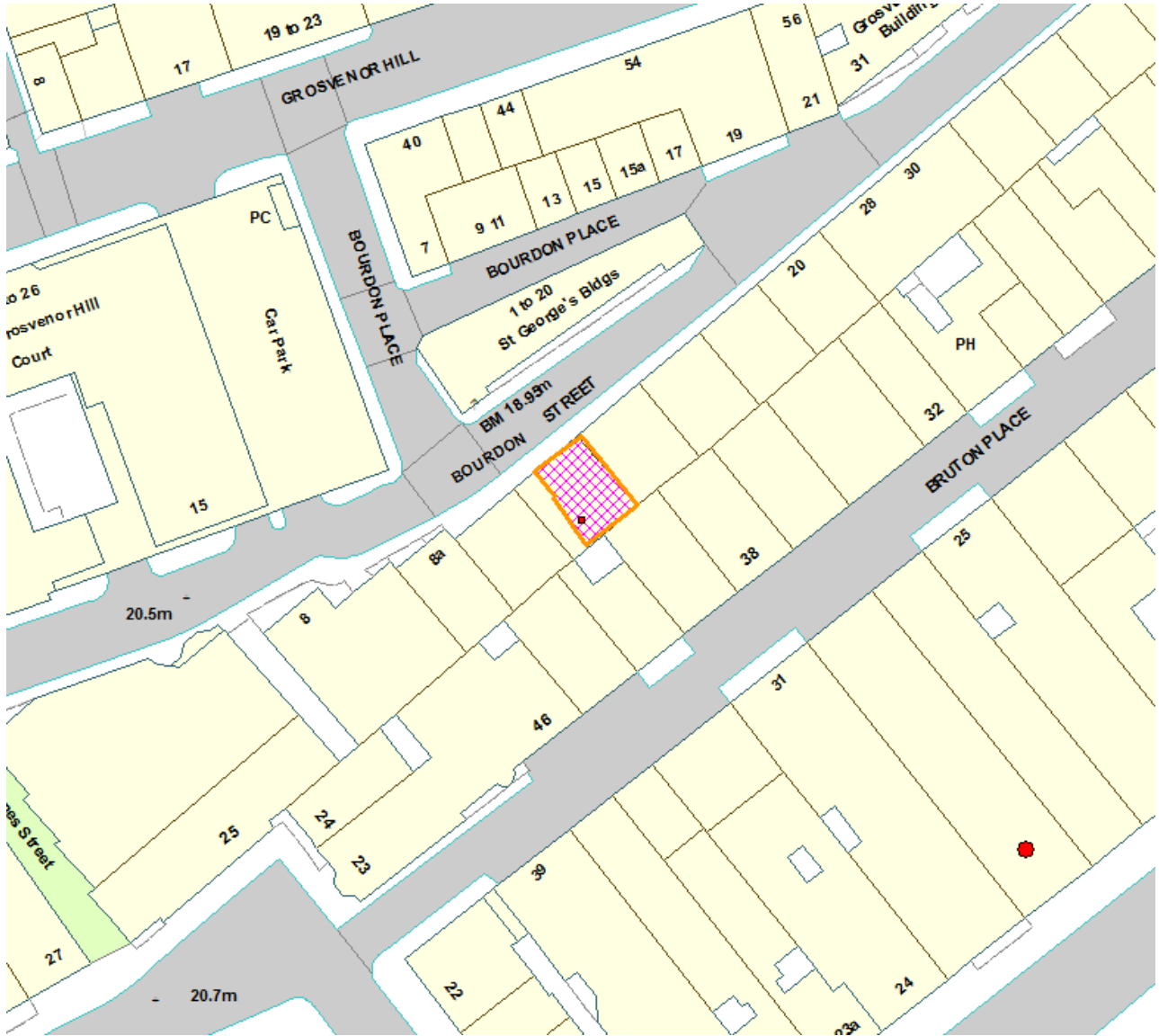
These applications for permission and listed building consent were reported to the Planning Applications Committee on 23 February 2016. The applications were deferred to enable Members to visit the site (ref minutes and report attached).

Since the applications were reported to Committee there has been one minor change to the scheme. The inwardly opening garage doors were operating on a sliding mechanism and are now operating on a hinge mechanism which is acceptable in historic building terms.

No further consultations have been undertaken, however, Cllr Church has requested that all correspondence is included in the background papers to the report. Email exchanges are accordingly now added to the background papers.

The applications are reported back for determination.

3. LOCATION PLAN



This production includes mapping data licensed from Ordnance Survey with the permission of the controller of Her Majesty's Stationary Office (C) Crown Copyright and/or database rights 2013. All rights reserved License Number LA

4. PHOTOGRAPHS



12 Bourdon Street Front Elevation
(Door Open)



12 Bourdon Street Front Elevation (Door Closed)



5. CONSULTATIONS

ADDITIONAL REPRESENTATIONS RECEIVED AFTER THE PREVIOUS REPORT WAS COMPLETED BUT WERE VERBALLT REPORTED TO COMMITTEE ON 23 FEBRUARY 2016

MAYFAIR RESIDENTS GROUP:

Increased activity in a primarily residential area.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No of replies 2

Objections on the following grounds:

impact on pedestrian safety;

impact on traffic;

nuisance from customers loitering.

NO FURTHER CONSULTATIONS UNDERTAKEN

6. BACKGROUND PAPERS

1. Application form
2. Planning Applications Committee Report and minutes dated 8 December 2015
3. Emails from Councillor Roberts, dated 25 November 2015
4. Email from Councillor Church, dated 30 November 2015
5. Response from Highways Planning - Development Planning, dated 30 November 2015
6. Response from Cleansing - Development Planning, dated 2 December 2015
7. Letter from occupier of Flat 5 Grosvenor Hill Court, 15 Bourdon Street, dated 26 November 2015
8. Letter from occupier of 12A Grosvenor Hill Court, 15 Bourdon Street, dated 14 December 2015
9. Letter from occupier of 17 St Georges Buildings, Mayfair, dated 5 December 2015
10. Letters from occupier of 14 bourdon street, London, dated 24 November 2015 and 14 December 2015
11. Letter from occupier of 6 St Georges Buildings, Mayfair, dated 12 December 2015
12. Letter from occupier of 14 St Georges Buildings, Bourdon Street, dated 2 December 2015
13. Letter from occupier of 5, Grosvenor Hill Court, 15 Bourdon Street, dated 11 December 2015
14. Letter from occupier of 32 Bourdon street, London, dated 3 December 2015
15. Letter from occupier of Flat 18 Grosvenor Buildings, Bourdon Street, dated 11 December 2015
16. Letter from occupier of Flat 3, 10 Bourdon Street, London, dated 4 December 2015
17. Letter from occupier of flat 2, 15 bourdon street, Grosvenor hill court, dated 15 December 2015
18. Letter from occupier of Apartment 2, 10 Bourdon Street, dated 16 December
19. Letter dated 24 November 2015 (details withheld)
20. Letter dated 12 December 2015 (details withheld)

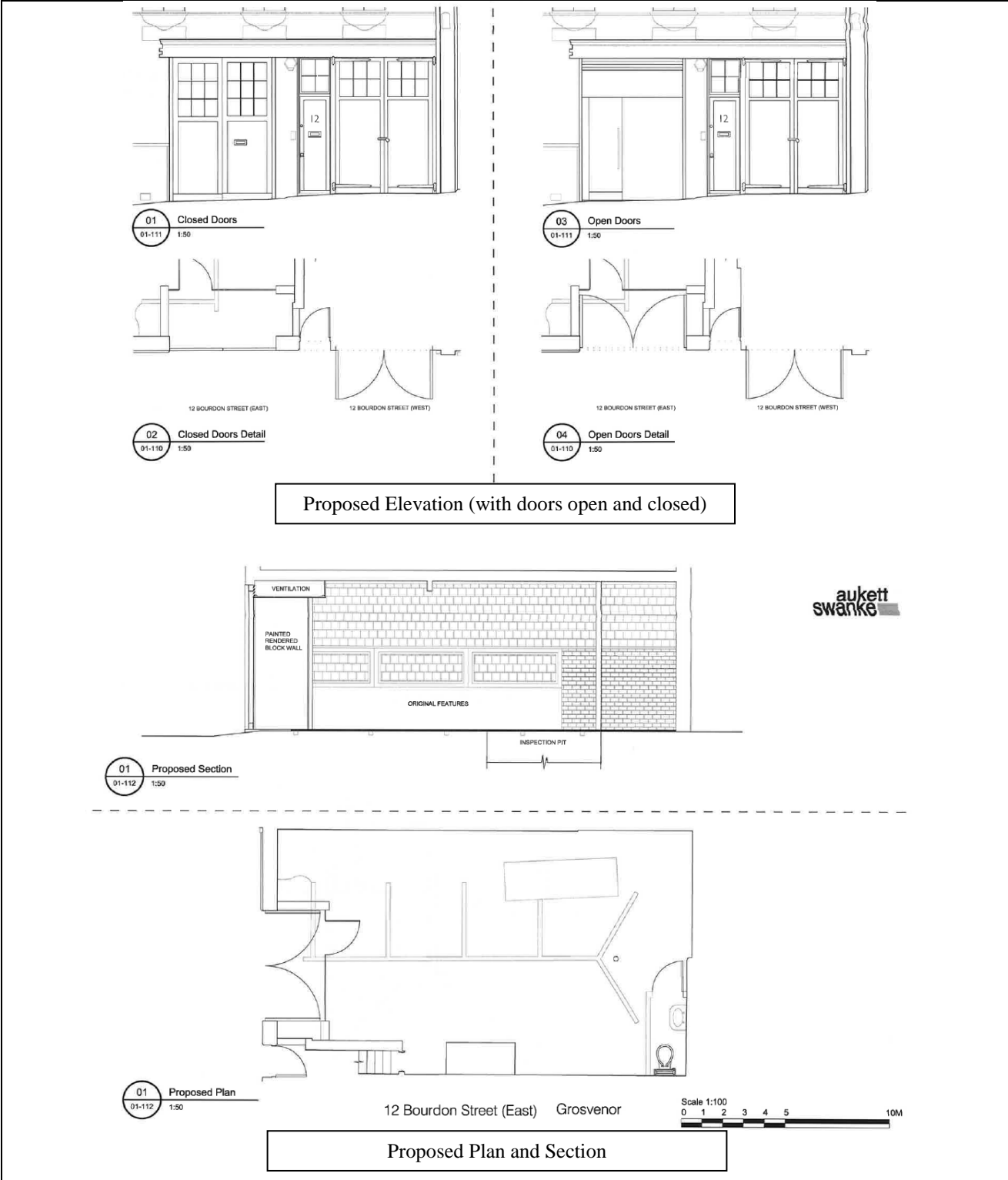
21. Letter dated 14 December 2015 (details withheld)
22. Petition from Bourdon Street & Grosvenor Hill Residents Group, dated 10 December 2015.
23. Email correspondence titled Consultation meeting on Bourdon street/Grosvenor Street
24. Email correspondence titled Total exploitation of parking enforcement
25. Email correspondence titled 5th May Grosvenor meeting 5.30pm & Petition
26. Email correspondence titled Noise Nuisance - Bourdon Street
27. Email correspondence titled Picking up on Craig McW 7th April to Glenys DRAFT
28. Email correspondence titled Bourdon Street
29. Email correspondence titled Dangerous Parking in Bourdon Street
30. Email correspondence titled 6:25am Outside Chalaylan
31. Email correspondence titled Follow up from Fridays Meeting
32. Email correspondence titled First Mile Waste Collection 14th March
33. Email correspondence titled 77 Grosvenor St/35-39 Grosvenor Hill
34. Email correspondence titled Bourdon Street Planning and Highways Issues
35. Email correspondence titled 12 Bourdon Street
36. Email correspondence titled 4 MTec Vans
37. Email correspondence titled Planning Application FYI
38. Email correspondence titled NCP Incident etc.

(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 MIKE WALTON 020 7641 2521 OR BY EMAIL AT mwalton@westminster.gov.uk

Item No.
8

7. KEY DRAWINGS



Proposed Elevation (with doors open and closed)

Proposed Plan and Section

Address: 12 Bourdon Street, London, W1K 3PG,

Proposal: Use of the ground floor as a retail unit (Class A1) and alterations to the ground floor front elevation.

Plan Nos: Document 21321-01-RP-00-100B Pages 18 and 19.

Case Officer: Damian Lavelle

Direct Tel. No. 020 7641 5974

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

- 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 You must apply to us for approval of details of how waste is going to be stored on the site prior to occupation. You must then provide the waste store in line with the approved details, and clearly mark it and make it available at all times. You must not use the waste store for any other purpose.

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

- 4 No waste shall be left on the highway

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

- 5 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)

- 6 You must apply to us for approval of drawings of the following parts of the development - changes to the cast iron garage door hinges. 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 drawings. (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 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)

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 The works hereby approved do not include any shop signage. Signage on the glass doors is likely to be acceptable. Signs on the exterior of the building are likely to be contentious.
- 3 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. If you would like more information, you can contact Ray Gangadeen on 020 7641 7064. (I54AA)
- 4 The development will result in changes to road access points. Any new threshold levels in the building must be suitable for the levels of neighbouring roads. If you do not plan to make changes to the road and pavement you need to send us a drawing to show the threshold and existing road levels at each access point.

If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and the development. You will have to pay all administration, design, supervision and other costs. We will carry out any work which affects the road. For more advice, please phone 020 7641 2642. (I69AA)

- 5 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 6 Please contact our District Surveyors' Services to discuss how you can design for the inclusion of disabled people. Email: districtsurveyors@westminster.gov.uk. Phone 020 7641 7240 or 020 7641 7230. If you make a further planning application or a building regulations application which relates solely to providing access or facilities for people with disabilities, our normal planning and building control fees do not apply.

The Equality and Human Rights Commission has a range of publications to assist you, see www.equalityhumanrights.com. The Centre for Accessible Environment's 'Designing for Accessibility', 2004, price £22.50 is a useful guide, visit www.cae.org.uk.

If you are building new homes you must provide features which make them suitable for people with disabilities. For advice see www.habinteg.org.uk

It is your responsibility under the law to provide good access to your buildings. An appropriate and complete Access Statement as one of the documents on hand-over, will provide you and the end user with the basis of a defence should an access issue be raised under the Disability Discrimination Acts.

- 7 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)
- 8 You are advised that shop signage will require an advertisement consent application. A projecting sign or fascia sign may not be acceptable in this location. The glass transom is the most suitable location for shop signage.

DRAFT DECISION LETTER (LBC)

Address: 12 Bourdon Street, London, W1K 3PG,

Proposal: Alterations to the ground floor front elevation and internal alterations arising from proposed change of use to retail.

Plan Nos: Document 21321-01-RP-00-100B Pages 18 and 19.

Case Officer: Damian Lavelle

Direct Tel. No. 020 7641 5974

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

- 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 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 listed building. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 3 You must apply to us for approval of detailed drawings at 1:5 and 1:20 of the following parts of the development - 1) sliding door mechanism, 2) glass door installation, 3) water and waste servicing routes for WC. 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 drawings.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 4 You must not disturb existing original features including tiling, ironmongery, fireplace or sinks. 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 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 paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 5 You must apply to us for approval of drawings, samples and a method statement of the following parts of the development; reinstatement of damaged and missing floor and wall tiles . 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 drawings, samples and method statement. (C26DB)

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

- 2 You are advised that shop signage will require an advertisement consent application. A projecting sign or fascia sign may not be acceptable in this location. The glass transom is the most suitable location for shop signage.

12 Bourdon Street, London W1K 3PG pdf icon PDF 341 KB

Minutes:

Use of the ground floor as a retail unit (Class A1) and alterations to the ground floor front elevation.

Additional representations were received from Clive Jones (17.02.16) and Lucy Whitcutt (18.02.16).

Late representations were received from the Mayfair Residents Group (22.02.16).

Councillor Glenys Roberts and Councillor Paul Church addressed the Committee as Ward Members.

RESOLVED:

That consideration of the application be deferred, to enable Members to undertake a site visit.

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 23 February 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	12 Bourdon Street, London, W1K 3PG,		
Proposal	Use of the ground floor as a retail unit (Class A1) and alterations to the ground floor front elevation.		
Agent	Grosvenor		
On behalf of	Grosvenor		
Registered Number	15/10035/FULL 15/10036/LBC	Date amended/ completed	14 January 2015
Date Application Received	28 October 2015		
Historic Building Grade	Grade II		
Conservation Area	Mayfair		

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 comprises a Grade II listed mews building dated 1889-1900. The site is located within the Mayfair Conservation Area and the Core Central Activities Zone (Core CAZ). The site is not located within a Stress Area. The existing unit is in use as a commercial garage (Class B8) with residential accommodation on the upper floors.

Planning permission and listed building consent are sought for the use of the ground floor as a retail unit (Class A1) and alterations to the ground floor front elevation.

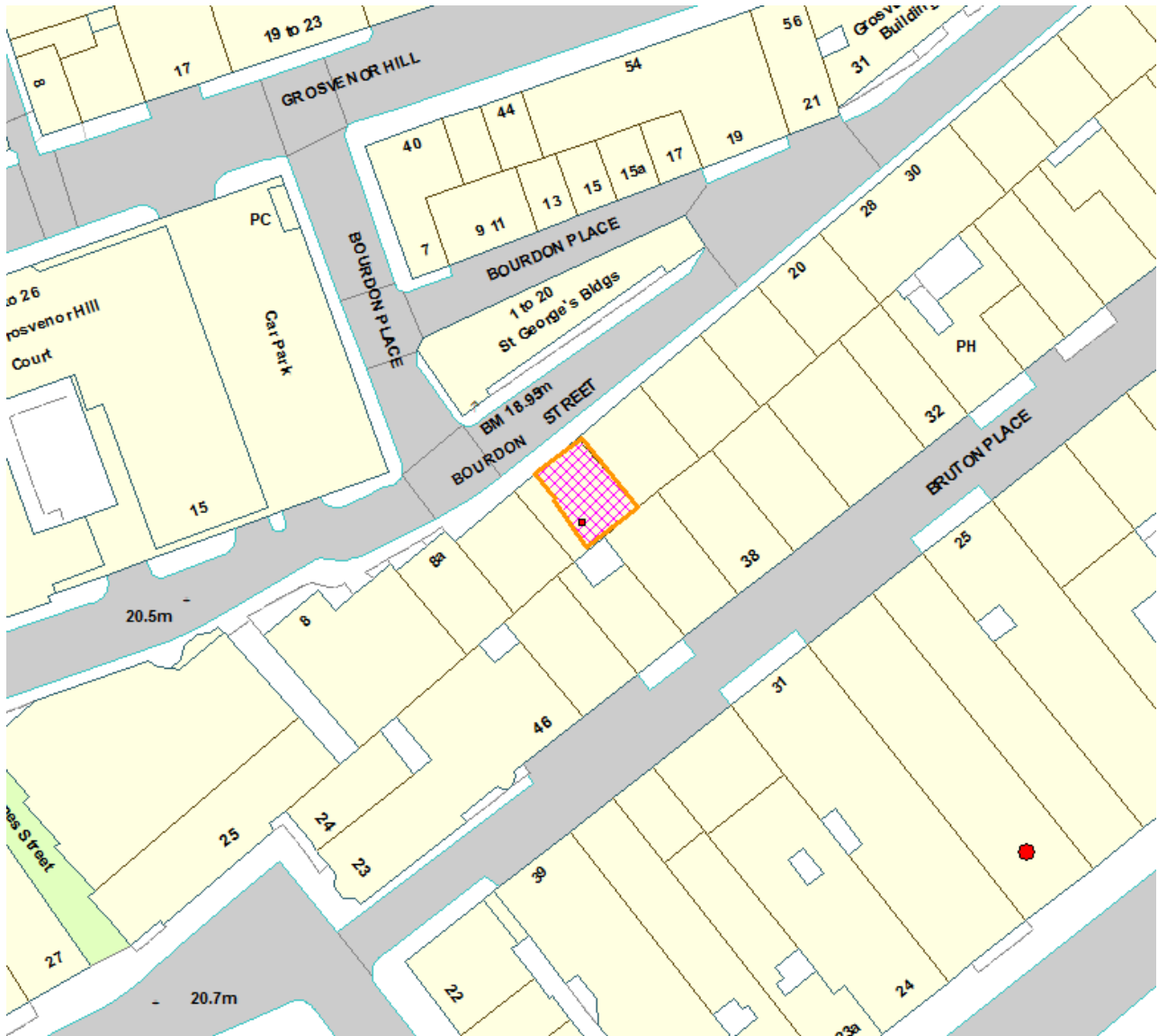
The key issues in this case are:

- The impact of the proposed A1 retail unit and the cumulative impact of this proposal and the consented commercial development in proximity to the site (No. 20 Bourdon Street) on the amenity of the occupants of the adjoining residential properties in terms of disturbance;
- The impact of the proposed internal and external alterations on the special interest of No. 12 Bourdon Street; and
- The impact of the proposed external alterations on the character and appearance of the Mayfair

Conservation Area.

The proposal is considered acceptable in land use and amenity terms, complying with the policies set out in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (City Plan). Furthermore, the proposal is considered to preserve the character and appearance of the Mayfair Conservation Area and not harm the special interest of No. 12 Bourdon Street. For these reasons it is recommended that conditional planning permission and conditional listed building consent be granted.

3. LOCATION PLAN



This production includes mapping data licensed from Ordnance Survey with the permission of the controller of Her Majesty's Stationary Office (C) Crown Copyright and /or database rights 2013. All rights reserved License Number LA

4. PHOTOGRAPHS



12 Bourdon Street Front Elevation
(Door Open)



12 Bourdon Street Front Elevation (Door Closed)



12 Bourdon Street (Floor)



12 Bourdon Street (Internal)

5. CONSULTATIONS

WARD COUNCILLORS FOR WEST END

Objections received from two Ward Councillors on the following grounds:

- Concerns of local residents;
- Character of the residential street should not be for a connecting thoroughfare between the commercial activities on Davies Street and Bond Street;
- Increased footfall; and
- The loss of garage space.

RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S

To be reported verbally

CLEANSING

No objection subject to condition.

HIGHWAYS PLANNING

No objection subject to condition

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 54

Total No. of replies: 15

No. of objections: 15 plus one petition with eight names received on the following grounds:

- Detrimental to the character of the listed building and conservation area;
- Increase traffic volumes;
- Pedestrian safety;
- Cumulative effect of retail development changing the character of the street;
- Operational noise (e.g. moving supplies internally) ;
- Exacerbate existing levels of footfall, deliveries, vermin and antisocial behaviour;
- Setting a precedent for the redevelopment of other garages in the solely residential mews;
- Air pollution;
- Potential for increased illegal parking;
- Proposed shopfront is not in keeping with the land uses within the conservation area

Press Advertisement / Site Notice: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

12 Bourdon Street is a Grade II listed late 19th Century mews building in a terrace of similar mews buildings. The application site is located in the Mayfair Conservation Area, on the southern side of Bourdon Street. The building comprises a ground and two upper floors; however, the application relates to the eastern garage at ground floor level only. The property lies within the Core Central Activities Zone but is outside the West End Special Retail Policy Area. At present the unit is being used a commercial garage (Class B8) for business and employee use.

6.2 Recent Relevant History

No relevant history (but see land use section below).

7. THE PROPOSAL

The proposal seeks permission for the use of the ground floor as a retail unit (Class A1) and alterations to the ground floor front elevation as listed below:

- Alterations to the existing garage doors to enable them to be accommodated internally during retail trading;
- Installation of internal glass door, fixed behind the existing garage doors;
- Installation of a WC to the rear of the unit; and
- Refurbishment and maintenance of existing heritage features.

The application has been submitted by the freeholder. They envisage that the premises, subject to permission, will be used as an art gallery; however, no specific occupier has been identified to date.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Loss of Garage

The application site's planning history has been investigated to check whether there are any planning conditions which tie the parking to the residential units or seek to retain the commercial parking.

Planning permission was granted in 1997 for the residential unit located on the upper floors and associated vehicle parking located within the western garage but omits any reference to the eastern garage. There is no additional planning history tying the use of the garage any other residential use or commercial use. Information has been submitted in the form of leases to demonstrate the long term commercial use of the unit.

There is currently no policy that protects the loss commercial garages, therefore it is considered that it would be unreasonable to withhold planning permission on this basis.

Proposed Retail Use

Policy SS4 of the Unitary Development Plan (2007) and policies S6 and S21 of the City Plan: Strategic Policies promote the introduction of new retail floorspace within the CAZ and CAZ frontages. Therefore the use of the ground floor for retail purposes is considered acceptable in land use terms. Although the application site is not located on a designated shopping frontage it is considered that the introduction of a use open to visiting members of the public will enhance the character and function of this part of central London.

It should be noted that planning permission was granted for a ground floor retail unit (Class A1) at no. 20 Bourdon Street in January 2015.

Cumulative Impact/ Conservation Area

Objections have been raised relating to the cumulative impact of commercial development on the character of the street and the conservation area as a whole. The site is located

within the core CAZ. In line with Policy S1 of the City Plan, the Council will encourage a mix of uses consistent with its vitality, function and character. Appropriate CAZ uses include offices, shopping, entertainment, cultural, social and community and residential which can coexist within the same building, street or localities. As such the proposal is an identified appropriate use, it is considered to contribute towards the vitality of the CAZ providing the site does not affect the amenity of the neighbouring occupiers discussed in section 8.3 below.

Land Use Summary

Having regard to the above, the principle of the Proposed Development is therefore considered to be in accordance with the UDP and the City Plan and considered acceptable in land use terms.

8.2 Townscape and Design

12 Bourdon Street is mews building of 1889-1900 in the Mayfair Conservation Area. It was listed at Grade II in 2002. It is one of a row of 10 former stables with accommodation above.

The interior has an exceptional level of preservation of the turn of the century fittings. In particular, the channelled brick floor, tiled walls, and surviving doors with massive cast iron hinges, marked Cottam and Company London.

The original stable fabric has been adapted for motor car garaging, probably soon after construction (this row would have been one of the very last purpose built stable mews in London). This manifests through the removal of the stalls, and the insertion of an inspection pit. While these changes were damaging to the original stable fit-out, they form part of the evolution of the site and are of historic interest in their own right.

The principal heritage impacts of the scheme on the listed building are:

1. The insertion of a WC at the rear of the building;
2. The demounting of the timber doors from their hinges and installation of a sliding door apparatus; and
3. The insertion of secondary glass doors behind the original doors.

The impact of the scheme on the character and appearance of the Mayfair Conservation Area is the changed appearance of the building when the doors are open during trading hours.

The applicant's heritage statement concedes that without particularly careful design, the proposals will cause harm to the special interest of the listed building. They also make the case that there is a public interest benefit in opening the building to the public – better revealing the heritage significance of the interior.

The applicant makes the argument that the proposed works are self-supporting, non-intrusive and reversible. This is accepted in the case of the new door structure, but is not clear in the case of the proposed WC. This involves the construction of a new wall, and will require the insertion of new services – hot and cold water and a waste pipe. The application does not contain sufficient information to assess the impact on the historic fabric of these elements.

Insertion of a WC

The insertion of the WC is acceptable in plan form terms. A condition will be necessary to control the route of water /waste pipes, and the method of construction of the wall to minimise impacts on historic fabric.

Demounting of Timber Doors

The demounting of the timber doors from their original hinges is the most contentious part of the proposal in listed building terms. The new sliding arrangement will inevitably have an impact on the appearance of the doors when closed, despite the retention of the hinge straps. If the application is approved, a condition will be required showing the detail of the sliding mechanism and its relationship to the hinges.

Glass Doors

The insertion of the new glass doors is acceptable, subject to a condition requiring details showing that the installation will have no impact on historic fabric.

Future works

The applicants consider that the unit can be offered to a lessee as specified in the application drawings, and that further works will not be necessary to operate the building as a shop. If a future tenant requires works beyond the installation of freestanding furniture, a further listed building consent application will be required.

The application does not provide for signage for the proposed shop unit. This would need to be carefully considered. A projecting sign in this location may well be unacceptable. The glass transom would be the most suitable location for shop signage.

Character of the conservation area

Outside of business hours the appearance of the unit will be almost identical to the existing arrangement. During trading hours, with the outer doors open there will clearly be a changed appearance, though this is not considered to be harmful to the character of the conservation area.

The changed use of the building will also have an impact on the character of the conservation area. Bourdon Street is a quiet mews with a service and residential character. Currently, Bourdon Street has no other retail premises thus the introduction of a shop unit will introduce a more commercial character (during trading hours).

This is not considered to be particularly harmful to the character of the conservation area. One other unit in the mews (number 20) already has consent for a change of use to retail and there are numerous other examples of mews in Mayfair with mixed residential and retail. The mews has historically had some commercial uses, and much of the garaging is understood to be commercial, rather than residential.

Public Benefit

The applicants argue that there is a public benefit in opening up a private garage in to a public use. It is considered that there is indeed a minor public benefit, but that this in itself is not considered sufficient to overcome harmful works. A further public benefit would arise from the making good of the damage to the stable brick floor, and careful repair of the tiling where necessary. Taken together, it is considered that these works would balance the

harm to the door hinges. The applicant has agreed to undertake these works and they will be secured by condition.

8.3 Residential Amenity

The application has been considered in the context of policies ENV6 and ENV13 of the Unitary Development Plan 2007 and S29 and S32 of the adopted City Plan. These policies seek to protect nearby occupiers of noise sensitive properties and the area generally from excessive noise, disturbance and impact of structure.

The proposal includes vents above the door; however, these are fresh air vents only. There is no other mechanical engineering or structure which would detract from the existing resident's amenity included within this proposal.

Objections have been raised due to concerns of potential noise as a result of moving stock internally and people talking. Due to the small size of the proposal, it is envisaged that any increase in noise will be negligible. It should be noted the retail with residential occupants on the upper floors happily coexist throughout Westminster and within the Mayfair Conservation Area.

It is likely that the premises will open from 08:00-20:00 Monday to Saturday and 11:00 – 18:00 on Sunday. As the occupier is not yet known, the Applicant is not willing to accept a condition restricting opening hours. It should be noted that there is no condition imposed on the permitted retail unit at no. 20 Bourdon Street.

8.4 Transportation/Parking & Waste

Parking

The garage is associated with commercial use. The proposed use as a retail unit is unlikely to have a significant impact on on-street car parking in the surrounding controlled parking area due to the size of the unit. Parking is available at the NCP on Grosvenor Hill if customers wish to arrive by car.

Servicing

TRANS20 requires off-street servicing. No off-street servicing is provided for the development. It is proposed that servicing takes place via the main entrance on Bourdon Street in accordance with a daily delivery schedule. It is anticipated that the majority of deliveries will be made by small/medium sized vans and these are limited to short waiting times to allow for loading/unloading. The applicant has stated that servicing will take place between the hours of 08:00 to 20:00 Monday to Saturday and 12:00 - 1800 on Sundays and Bank Holidays.

The site is located within a Controlled Parking Zone, which means that locations single and double yellow lines in the vicinity allow loading and unloading to occur. The largest regular service vehicle expected to be associated with this development in this location is the refuse collection vehicle.

The applicant has stated that they will utilise WCC waste collection service which currently collect. One rubbish collection per day (general waste: Monday to Friday:

06:00 to 08:00 and recycling waste on Friday: 08:00 – 14:00). Utilising the WCC service ensures that there is no increase in refuse vehicle movements as a result of the proposed development.

Waste

The applicant has stated that refuse, glass and recycling will be stored internally within the building to the rear; however, this has not been illustrated on the submitted drawings. As such, a drawing showing the location where waste will be permanently stored for the lifetime of the operation of the retail unit will be secured by a condition, ensuring that waste will not be stored on the public highway

Objections

Objections have been raised in location to increased traffic volumes, highway safety, air pollution, potential for illegal parking and vermin.

Due to the small size of the shop, it is not considered that there will be a significant increase in traffic volumes (both pedestrian and vehicular traffic) which submission indicates would increase accidents, and increase air pollution thus this objection cannot be supported.

There is no evidence to support objections that the proposal would increase illegal parking there this objection cannot be supported.

As detailed above, the Applicant will be required to submit drawings showing the waste storage location which shall be made available for the lifetime of the development. An additional condition ensuring waste storage on the highway will not be permitted. This, in addition to the frequency of waste collection proposed will limit the potential to increase vermin.

8.5 Economic Considerations

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

8.6 Access

The existing level access to the premises will be maintained. Pedestrian access to the site will be provided via the Bourdon Street as existing.

8.7 London Plan

This application raises no strategic issues.

8.8 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.

8.9 Planning Obligations

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

8.10 Environmental Impact Assessment

An Environmental Impact Assessment is not required for a scheme of this size.

8.11 Other Issues

Crime and security

Objections have been submitted due to the potential of increased crime and reduced security as a result of the introduction of the proposed retail unit. It is considered that the presences of an occupied retail unit may increase passive surveillance on the adjacent publically accessible street thus there is the possibility that existing levels of crime may reduce. There is no evidence to support that the proposal would result in a change in levels of crime therefore this objection cannot be supported.

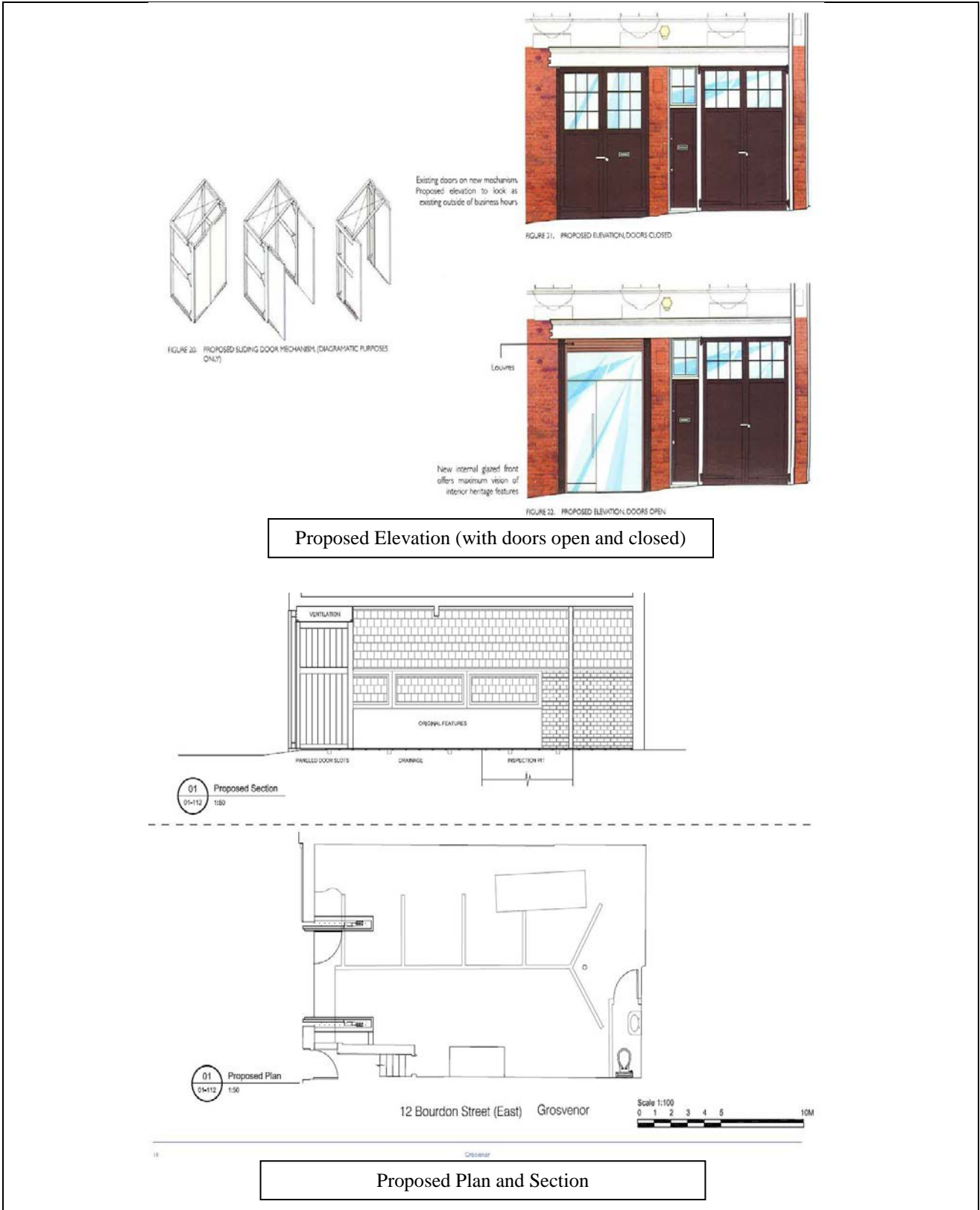
9. BACKGROUND PAPERS

1. Application form
2. Emails from Councillor Roberts, dated 25 November 2015
3. Email from Councillor Church, dated 30 November 2015
4. Response from Highways Planning - Development Planning, dated 30 November 2015
5. Response from Cleansing - Development Planning, dated 2 December 2015
6. Letter from occupier of Flat 5 Grosvenor Hill Court, 15 Bourdon Street, dated 26 November 2015
7. Letter from occupier of 12A Grosvenor Hill Court, 15 Bourdon Street, dated 14 December 2015
8. Letter from occupier of 17 St Georges Buildings, Mayfair, dated 5 December 2015
9. Letters from occupier of 14 bourdon street, London, dated 24 November 2015 and 14 December 2015
10. Letter from occupier of 6 St Georges Buildings, Mayfair, dated 12 December 2015
11. Letter from occupier of 14 St Georges Buildings, Bourdon Street, dated 2 December 2015
12. Letter from occupier of 5, Grosvenor Hill Court, 15 Bourdon Street, dated 11 December 2015
13. Letter from occupier of 32 Bourdon street, London, dated 3 December 2015
14. Letter from occupier of Flat 18 Grosvenor Buildings, Bourdon Street, dated 11 December 2015
15. Letter from occupier of Flat 3, 10 Bourdon Street, London, dated 4 December 2015
16. Letter from occupier of flat 2, 15 bourdon street, Grosvenor hill court, dated 15 December 2015
17. Letter from occupier of Apartment 2, 10 Bourdon Street, dated 16 December
18. Letter dated 24 November 2015 (details withheld)
19. Letter dated 12 December 2015 (details withheld)
20. Letter dated 14 December 2015 (details withheld)
21. Petition from Bourdon Street & Grosvenor Hill Residents Group, dated 10 December 2015.

(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 DAMIAN LAVELLE ON 020 7641 5974 OR BY EMAIL AT pquayle@westminster.gov.uk

10. KEY DRAWINGS



Proposed Elevation (with doors open and closed)

Proposed Plan and Section

DRAFT DECISION LETTER (FULL)

Address: 12 Bourdon Street, London, W1K 3PG,

Proposal: Use of the ground floor as a retail unit (Class A1) and alterations to the ground floor front elevation.

Plan Nos: Images 3950173, 3950178, 3950180

Case Officer: Damian Lavelle

Direct Tel. No. 020 7641 5974

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

- 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 You must apply to us for approval of details of how waste is going to be stored on the site prior to occupation. You must then provide the waste store in line with the approved details, and clearly mark it and make it available at all times. You must not use the waste store for any other purpose.

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

- 4 No waste shall be left on the highway

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

- 5 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)

- 6 You must apply to us for approval of drawings of the following parts of the development - changes to the cast iron garage door hinges. 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 drawings. (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 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)

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 The works hereby approved do not include any shop signage. Signage on the glass doors is likely to be acceptable. Signs on the exterior of the building are likely to be contentious.
- 3 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. If you would like more information, you can contact Ray Gangadeen on 020 7641 7064. (I54AA)
- 4 The development will result in changes to road access points. Any new threshold levels in the building must be suitable for the levels of neighbouring roads. If you do not plan to make

changes to the road and pavement you need to send us a drawing to show the threshold and existing road levels at each access point.

If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and the development. You will have to pay all administration, design, supervision and other costs. We will carry out any work which affects the road. For more advice, please phone 020 7641 2642. (I69AA)

- 5 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 6 Please contact our District Surveyors' Services to discuss how you can design for the inclusion of disabled people. Email: districtsurveyors@westminster.gov.uk. Phone 020 7641 7240 or 020 7641 7230. If you make a further planning application or a building regulations application which relates solely to providing access or facilities for people with disabilities, our normal planning and building control fees do not apply.

The Equality and Human Rights Commission has a range of publications to assist you, see www.equalityhumanrights.com. The Centre for Accessible Environment's 'Designing for Accessibility', 2004, price £22.50 is a useful guide, visit www.cae.org.uk.

If you are building new homes you must provide features which make them suitable for people with disabilities. For advice see www.habinteg.org.uk

It is your responsibility under the law to provide good access to your buildings. An appropriate and complete Access Statement as one of the documents on hand-over, will provide you and the end user with the basis of a defence should an access issue be raised under the Disability Discrimination Acts.

- 7 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)
- 8 You are advised that shop signage will require an advertisement consent application. A projecting sign or fascia sign may not be acceptable in this location. The glass transom is the most suitable location for shop signage.

DRAFT DECISION LETTER (LBC)

Address: 12 Bourdon Street, London, W1K 3PG,

Proposal: Alterations to the ground floor front elevation and internal alterations arising from proposed change of use to retail.

Plan Nos: Images 3950173, 3950178, 3950180

Case Officer: Damian Lavelle

Direct Tel. No. 020 7641 5974

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

- 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 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 listed building. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 3 You must apply to us for approval of detailed drawings at 1:5 and 1:20 of the following parts of the development - 1) sliding door mechanism, 2) glass door installation, 3) water and waste servicing routes for WC. 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 drawings.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 4 You must not disturb existing original features including tiling, ironmongery, fireplace or sinks. 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 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 paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 5 You must apply to us for approval of drawings, samples and a method statement of the following parts of the development; reinstatement of damaged and missing floor and wall tiles . 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 drawings, samples and method statement. (C26DB)

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

- 2 You are advised that shop signage will require an advertisement consent application. A projecting sign or fascia sign may not be acceptable in this location. The glass transom is the most suitable location for shop signage.