

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 10 April 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	32 Grosvenor Square, London, W1K 2HJ		
Proposal	Use of the ground and the first floors as a gymnasium (Class D2), for a temporary period of 10 years. Installation of louvres within front lightwell on the Upper Grosvenor Street frontage and on the rear elevation at first floor level.		
Agent	Gerald Eve		
On behalf of	Grosvenor West End Properties		
Registered Number	17/10376/FULL	Date amended/ completed	22 November 2017
Date Application Received	22 November 2017		
Historic Building Grade	Unlisted		
Conservation Area	Mayfair		

## 1. RECOMMENDATION

Grant conditional permission for a temporary period of 10 years.

## 2. SUMMARY

The application relates to the use of vacant offices on the ground and first floors of a building situated on the southwest corner of Grosvenor Square, situated within the Mayfair Conservation Area. Part of the ground floor was formerly in use as an estate agent (Class A2) the remainder was offices falling within Class B1.

Permission is sought for works in connection with use of the premises as a gymnasium (Class D2).

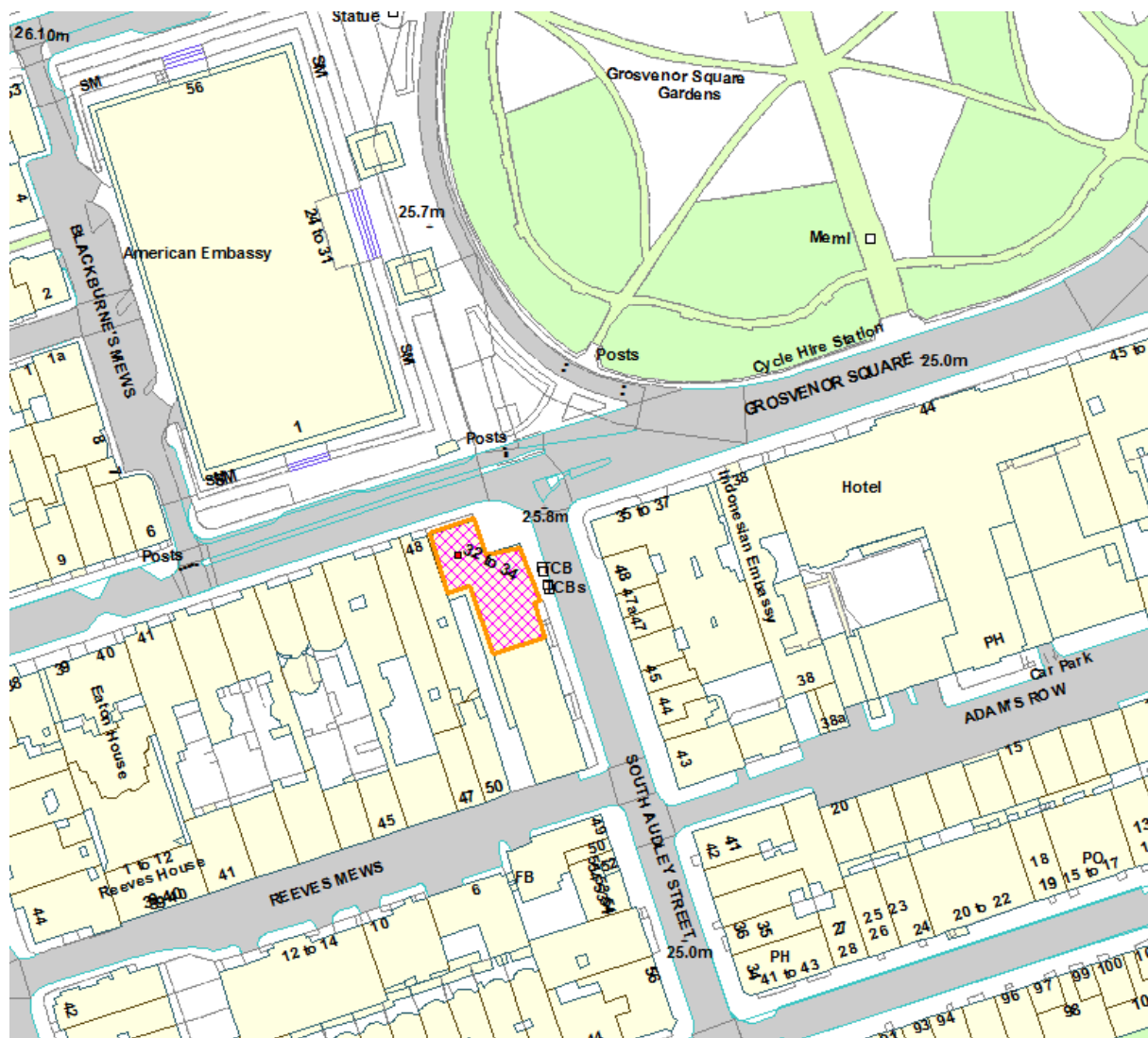
The key issues for consideration are:

- The acceptability of a gym in this location in land use terms,
- The impact on residential amenity,
- The impact of the introduction of louvres on the appearance of the building and the character and appearance of the Mayfair Conservation Area.

The site lies within the Core Central Activities zone in an area mixed use in character. Subject to appropriate conditions, the provision of a gym (Class D2) is considered acceptable in land use and

amenity terms. In design terms the proposed external louvres, are not considered to be unduly prominent due to their location. The scheme complies with policies set out in the Unitary Development Plan (UDP) and Westminster's City Plan and is therefore recommended for approval.

### 3. LOCATION PLAN



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#### 4. PHOTOGRAPHS







## 5. CONSULTATIONS

### RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S

Any response to be reported verbally.

### HIGHWAYS PLANNING MANAGER:

No objection subject to conditions

### CLEANSING

No objection subject to conditions

### ENVIRONMENTAL HEALTH

No objection subject to conditions

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 25

Total No. of replies: 3

No. in support: 0

3 letters of objection on behalf of 1 occupant on the following grounds:

#### Procedural

- Invalid application (layout not shown, no heritage statement, no acoustic report, no operational hours details, no construction management plan, no energy assessment)

#### Land Use

- Loss of offices/small scale offices
- Loss of Class A2 floorspace (which could change to Class A1 utilising PD rights)
- No active frontage
- No marketing information demonstrating long term vacancy
- Gymnasium is surplus to need
- No information provision of social facility

#### Amenity

- Impact on residential amenity (noise and vibration from plant and operation)
- No structural separation details

#### Design

- Impact on the heritage asset
- No details on materials or signage

#### Highways

- No waste/cycle storage

#### Environmental

- No identified water saving measures
- Unsustainable

PRESS ADVERTISEMENT / SITE NOTICE: Yes

## **6. BACKGROUND INFORMATION**

### **6.1 The Application Site**

No 32 Grosvenor Square comprises basement, ground and seven upper floors located on the southwest corner of the square. The building has frontages onto Grosvenor Square and South Audley Street. The site lies within the Mayfair Conservation Area and the Central Activities Zone.

The application relates to ground and first floors which are currently vacant. Part of the ground floor was previously occupied as an estate agents (Class A2), the remainder of the ground floor and first floor were in office use (Class B1). The upper floors on the application premises (but not part of the site) are also in office use. The adjacent building to the south No 33 Grosvenor Square is a residential block. The upper floors to this building are directly above part of the application site on the South Audley Street frontage.

The area is mixed use in character comprising commercial offices, embassies, retail, restaurants and residential. In addition to the residential flats at No 33 Grosvenor Square directly above part of the site there are also residential flats at 34 Grosvenor Square, 45-48 Upper Grosvenor Street and in Reeves Mews to the west and 35-37 Grosvenor Square to the east.

### **6.2 Recent Relevant History**

Permission was granted on 23 February 2010 for the use of part of the ground floor for financial and professional services (Class A2) (RN 10/00042/FULL).

Subsequently, permission was granted for the use of the ground and first floor as retail (Class A1) on 27 Oct 2016 (RN 16/08351/FULL). This permission remains unimplemented.

## **7. THE PROPOSAL**

Permission is sought for the use of ground floor and first floor as a gymnasium. The application, submitted on behalf of Grosvenor West End properties is speculative with no operator identified. Permission is sought for a temporary period of 10 years.

The proposed operating hours are between 0600 and 2200 Monday to Friday and between 0800 and 1800 Saturday and Sunday.

The application also seeks to install louvres within front lightwell on the Upper Grosvenor Street frontage and to the rear of the building at first floor level in order to provide fresh air for new mechanical plant located internally.

## **8. DETAILED CONSIDERATIONS**

Objections have been received from and on behalf of a resident of a flat at 2<sup>nd</sup> floor level of No 32 Grosvenor Square situated directly above part of the application site on South Audley Street. These objections are made on the grounds that there is insufficient information to enable the application to be determined and that the proposal is contrary

to the development plan and no material considerations have been provided to justify granting permission. The detailed points raised in objection are considered in the relevant sections of this report below.

## 8.1 Land Use

The floorspace figures are set out in the table below:

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Financial and Professional Services (Class A2)	58.3	0	-58.3
Office (Class B1)	534.1	0	-534.1
Gym (Class D1)	0	592.4	+592.4
Total	592.4	592.4	592.4

### **Loss of office use (Class B1) and financial and professional services (Class A2)**

The scheme will result in the loss of an estate agents (financial and professional services Class A2) at ground floor level fronting onto Grosvenor Square and offices (Class B1) at ground and first floor levels. The objection received refers to the loss of both of these uses as being contrary to policies and being harmful to the character and function of the area.

With regards to the offices (Class B1) the objection refers to the fact that the offices could accommodate small to medium sized business that are encouraged in Westminster City Plan Policy S18 and London Plan policies 2.10, 2.11 and 4.2.

The site lies within the Core Central Activities Zone (CAZ) where offices are encouraged. However City Plan policy S6 recognises that the CAZ is an appropriate location for a range of commercial and cultural uses and complementary residential use. There are no specific policies which prevent existing offices from changing to other commercial uses. The loss of the offices is not therefore contrary to adopted land use policies.

The objection to the loss of the financial and professional services (Class A2) is made on the grounds that the existing lawful Class A2 floorspace could under permitted development rights change to retail (Class A1). The objection is made on the grounds that the loss of the unit is contrary to City Plan policy S21 as an active frontage would be lost.

Policy S21 states that existing non-A1 retail uses, and uses occupying shop-type premises within designated shopping centres will be protected from changing to uses that do not serve visiting members of the public and that do not have active shop fronts. In this case however the estate agents did not occupy a shop type premises within a designated shopping centre. Furthermore, the proposed gym would provide a recognised service use.

The objection also refers to the fact that the applicant has not provided marketing information regarding long-term vacancy, required to demonstrate that the existing uses are not viable. The applicant has not advanced an argument that the existing uses are not viable. Nor is this a requirement of policy. City Plan policy S21 seeks to protect retail

uses throughout Westminster except where the Council considers that the unit is not viable, as demonstrated by long terms vacancy despite reasonable attempts to let. The application will not result in the loss of a retail unit (Class A1). The application is not therefore contrary to City Plan policy S21. The loss of the existing uses are considered acceptable in land use terms.

### **Proposed gymnasium**

The objection is made on the basis that the proposed gym would be surplus to requirements, that the scheme would not provide facilities for local community activities or social activities as required by UDP policy SOC 7. The objection is also made on the grounds that the operation of the gym would result in a material loss of residential amenity.

Westminster City Plan defines a gym as being a social and community facility. The proposed use accords with London Plan Policy 3.16, UDP policy SOC 1 and City Plan policy S34 which encourage the provision of community facilities in appropriate locations throughout Westminster. In this instance the provision of a gym is considered acceptable in land use terms the use would not be harmful to the character and function of the area.

The specific objection that the gym would be contrary to UDP policy SOC 7 is not sustainable. This policy relates to indoor leisure facilities and libraries and states that proposals for these uses will be required to include facilities for local community arts or social activities, where appropriate. The requirement to provide community or social activities such as space for performances, rehearsals, meeting and exhibitions is applicable to sports centres and pitches and not therefore appropriate in this case.

One of the main points raised in objection is that the operational activities in particular sound transfer through the structure of the building would result in noise nuisance. An acoustic report has been commissioned on behalf of the objector to support these concerns.

Environmental Health have assessed all the information and raise no objection. They recommend a condition limiting the maximum noise levels inside existing neighbouring properties. This will ensure that the operation does not result in noise nuisance. A condition which requires details of sound insulation in all the separating structures prior to occupation is also recommended. These conditions will ensure that there would be no nuisance from noise transfer.

The entrance to the gym is on Grosvenor Square on the opposite frontage to the residential flats on South Audley Street. As stated the proposed operation hours are 06.00 to 22.00 on Monday to Friday and between 08.00 and 18.00 on Saturday and Sunday. The proposal does not seek to introduce a late night entertainment use. Subject to conditions controlling the opening hours and requiring the use to be carried out in accordance with an Operational Management Plan (OMP), the use is considered an appropriate one for the site, as it would not result in a loss of amenity or be harmful to the character of the area.

## **8.2 Townscape and Design**



The proposal includes the installation of a louvres within the front lightwell on Upper Grosvenor Street frontage. The louvres are largely concealed by the external stair and The proposal also includes additional louvres to the top of two windows at to the rear at first floor level. These works are considered acceptable in design terms.

The proposed louvres at first floor level are located towards the end of a cul-de-sac off Reeves Mews. Due to the location and orientation of surrounding windows and the presense of a flank wall, private views of the louvres will be limited. Given that the louvres are contained within an existing window opening it will not add a significant amount of clutter to the building. The louvres are not considered to have a detrimental impact upon the character and appearance of the building or the Mayfair Conservation Area and are considered acceptable in design terms.

A number of objections have been received to the proposal on design grounds. These are addressed in turn below:

#### **Impact on the heritage asset**

It is considered that the impact of the proposal is minimal and, where it its perceptible, not harmful to the Mayfair Conservation Area, which is a designated heritage asset.

#### **No details on materials or signage**

As detailed above, the only external alterations are the proposed louvres within the front lightwell on the Upper Grosvenor Street frontage. A condition has been recommended requiring materials to match existing to ensure there is no harm to the conservation area.

Additional signage would require advertisement consent. If the future occupier requires additional signage, an application would be assessed under Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

### **8.3 Residential Amenity ( Daylight Sunlight and Sense of enclosure )**

Not applicable, as the applications involves no extensions.

### **8.4 Transportation/Parking**

#### **Parking**

The proposed site is well served by public transport and there is no significant change in pedestrian or vehicular traffic expected due to the proposal change to a gym. Although staff numbers are not provided, given the floor space is unchanged it is considered that numbers of people arriving and departing would not be substantially different from the existing position. The site is also within a Control Parking Zone which means anyone who does drive to the site will be subject to these controls.

#### **Servicing**

The change of use to gym in this location is unlikely to materially alter the servicing generated when compared to the existing uses

#### **Cycle Parking**

The objection received is also on the grounds that the proposal does not include cycle storage. The LP requires one cycle parking space per eight staff. Suitable cycle parking

will help encourage staff away from less sustainable modes of transport. Cycle parking is not shown on the application drawings. To ensure cycle parking is provided, a condition is recommended to secure details of cycle parking based on staffing numbers prior to occupation.

#### **8.5 Economic Considerations**

Any economic benefits generated by the proposed developments are welcome.

#### **8.6 Access**

No change to the access arrangement is proposed.

#### **8.7 Other UDP/Westminster Policy Considerations**

##### **Plant**

The proposal will be ventilated by plant located within the basement which will utilise new external louvres in the front lightwell. The objection received refers to potential noise nuisance from plant. Environmental Health raise no objection advising that the operation of plant is likely to comply with the City Council's standard noise conditions.

##### **Refuse /Recycling**

An objection has been raised on the grounds that the application does not include waste storage. No waste storage is shown on the submitted drawings. Details of waste storage is proposed to be secured by condition.

##### **Sustainability**

London Plan Policies 5.3 and 5.4 requires that developments incorporate sustainable design (including retrofitting), including the efficient use of natural resources. Specifically relating to water. Policy 5.15 indicates that developments should minimize the use of water through saving measures. An objection has been made on the grounds that the proposal does illustrate any water saving measures and that the proposed use is likely to result in a greater water consumption than the existing uses.

Whilst the basis behind this objection is understood the application is for the conversion of an existing building at ground and 1<sup>st</sup> floor levels. It is not therefore possible to include water saving measures that might be found in a new build or where there is access to the roof which could incorporate rainwater harvesting. It is not considered that permission could reasonably be withheld on the grounds that the development is not sustainable.

#### **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**

The application does not trigger any CIL requirements or planning obligations.

### 8.11 Environmental Impact Assessment

The proposal is of insufficient scale as to trigger an environmental assessment.

### 8.12 Other Issues

#### Construction impact

The objection raises concerns with regards to the potential impacts during construction. A condition is recommended to control the hours of building works. Subject to this condition, it is considered that the potential effects of the construction process will be ameliorated as far as reasonably possible.

#### Procedural

The objector considers that there is insufficient information to properly assess the proposal for the following reasons:

- the layout of the gymnasium is not shown;
- the submission did not include a heritage statement, construction management plan, energy assessment, or an acoustic report;
- the operational hours were not provided, there is no and there is no energy assessment.

As the future tenant is not known at this stage, the layout of the gym has not been specified. This is not unusual at planning stage, provided that the future tenants comply with the recommended conditions, it is not considered that the specifics of the internal layout will material impact neighbouring residents.

Given the size/nature of the proposal and the unlisted status of the application building, a heritage statement, construction management plan and an energy assessment are not required to properly assess the application.

Whilst the proposed operational hours of the gym were not initially indicated, they were provided during the course of the application and neighbours were subsequently re-consulted.

When initially submitted the application did not include a ventilation strategy in line with Officers advice, this information was subsequently provided and as stated Environmental Health have commented advising that subject to conditions this aspect of the application is acceptable.

## 9. BACKGROUND PAPERS

1. Application form
2. Response from EH Consultation, dated 28 February 2018
3. Response from EH Consultation, dated 30 January 2018
4. Response from Highways dated 12 January 2018
5. Response from Cleansing dated 12 January 2018
6. Letters from/on behalf of occupier of Flat 20, 33 Grosvenor Square, dated 15 December

2017

7. Letters from RPS on behalf of occupier of Flat 20, 33 Grosvenor Square, dated 19 and 23 March 2018

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

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MIKE WALTON BY EMAIL AT [MWALTON@WESTMINSTER.GOV.UK](mailto:MWALTON@WESTMINSTER.GOV.UK).

## 10. KEY DRAWINGS



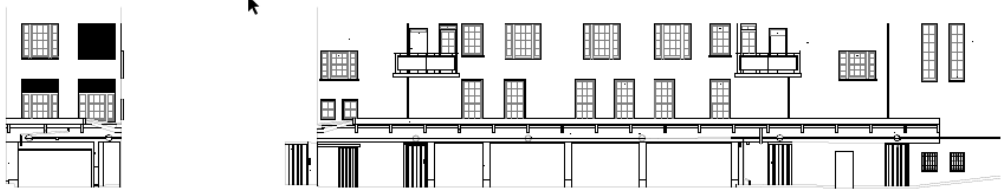
EXISTING FRONT ELEVATIONS



PROPOSED FRONT ELEVATIONS



Indicative North



EXISTING REAR ELEVATIONS

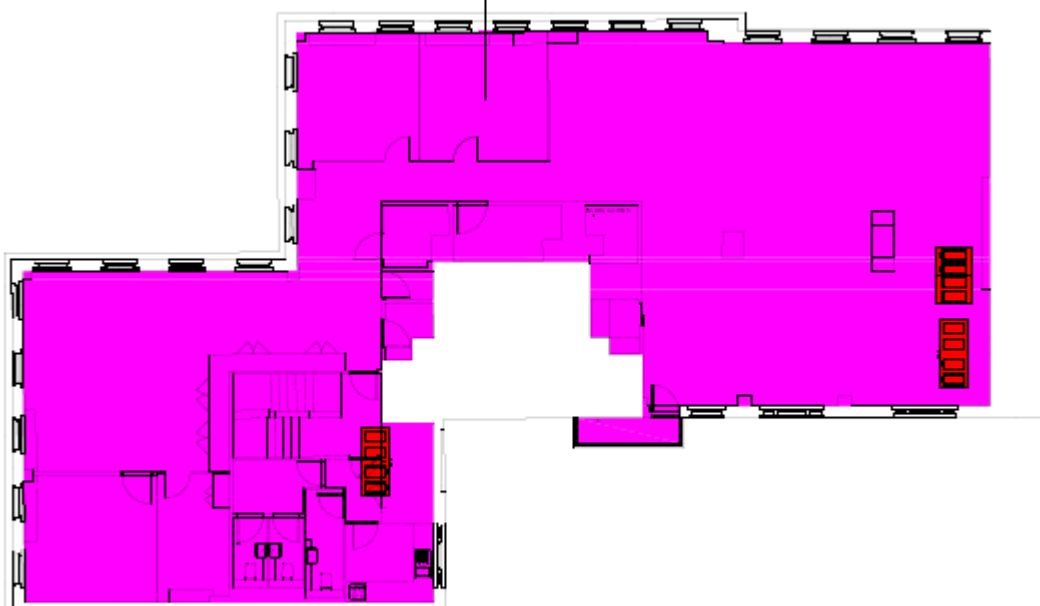


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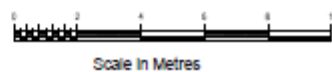
PROPOSED REAR ELEVATIONS







First Floor



**DRAFT DECISION LETTER**

**Address:** Ground Floor And First Floor , 32 Grosvenor Square, London, W1K 2HJ

**Proposal:** Use of the ground floor and all of the first floor to gym (Class D2) use. Installation of louvres within front lightwell on the Upper Grosvenor Street frontage and on the rear elevation at first floor level.

**Reference:** 17/10376/FULL

**Plan Nos:** SY/04, 6Y/06, 32 GS/ CoU04, 32 GS/ CoU03 Rev B, 32 GS/E04

**Case Officer:** Damian Lavelle

**Direct Tel. No.** 020 7641 5974

**Recommended Condition(s) and Reason(s)**

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents 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 in the interests of proper planning.

- 2 Except for piling, excavation and foundation work, you must carry out any building work which can be heard at the boundary of the site:

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

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

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

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

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

You must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the gym. (C14EC)

**Reason:**

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 4 You must apply to us for approval of details cycle parking for the gym uses. You must not start any work on this part of the development until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose.

**Reason:**

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

- 5 The use of part of the ground floor and the first floor of the premises for gym (Class D2) shall remain for a period of up to 10 years from the date of this Planning Permission. Beyond this date, the land use of the property shall revert to its previously permitted office (Class B1) and retail (Class A2) use.

**Reason:**

At applicants request.

- 6 Customers shall not be permitted within the gym before 06.00 or after 22.00 on Monday to Friday before 08.00 or after 18.00 on Saturday and Sundays.

**Reason:**

To make sure that the use will not cause nuisance for people in the area. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and SOC1 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 7 Prior to the occupation of the gym, you must apply to us for approval of a management plan to show how you will prevent customers who are arriving and leaving the premises from causing nuisance for people in the area, including people who live in nearby buildings. You must not occupy the gym 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 premises is in use.

**Reason:**

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13FB)

- 8 In the event that you use the premises for D2 use, you must use the property only for gym, fitness or health club use. You must not use it for any other purpose, including any within Class D2 of the Town and Country Planning (Use Classes) Order 1987 as amended April 2005 (or any equivalent class in any order that may replace it).

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet SOC1 of our Unitary Development Plan that we adopted in January 2007. (R05AB)

- 9 With the exception of the entrance door, you must keep the doors and windows in the premises closed. You can use them in an emergency or for maintenance only.

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and SOC1 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 10 (A) The maximum noise levels generated by the proposed new development in terms of LAFmax do not to exceed the NR 15 curve inside the existing neighbouring premises. This includes noise from all sources (including amplified sound, music, impact noise from gym activities and activities in ancillary retail areas).

(B) A Sound Limiter must be installed and set by a competent acoustic engineer so that it maintains compliance with the criteria detailed in (A) above. All amplification equipment within the development including music generating equipment and fitness instructor's announcement equipment must be routed and controlled through the sound limiter. The operational panel of the noise limiter must be secured by key or password so that only persons with management responsibility have access. No additional sound generating equipment can be used on the premises without being routed through the sound limiter device

Reason:

As set out in ENV13, ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007 and S32 of the City Plan we adopted in November 2016, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 11 You submit detail of all separating structures. You must not begin the use allowed by this permission until we have approved what you have sent us and you have carried out the work according to the approved detail.

Reason:

As set out in ENV13, ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007 and S32 of the City Plan we adopted in November 2016, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 12 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., , (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., , (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:; (a) A schedule of all plant and equipment that formed part of this application;; (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;; (c) Manufacturer specifications of sound emissions in octave or third octave detail;; (d) The location of most affected noise sensitive receptor location and the most affected window of it;; (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;; (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;; (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;; (i) The proposed maximum noise level to be emitted by the plant and equipment.

**Reason:**

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

- 13 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.



Item No.
<b>2</b>

**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.

- 14 You must apply to us for approval of details of how waste is going to be stored on the site. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the waste store in line with the approved details, and clearly mark it and make it available at all times to everyone using the gym. You must not use the waste store for any other purpose. (C14CD)

**Reason:**

To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

- 15 You must apply to us for approval of details of secure cycle storage for the gym use. You must not start any work on this part of the development until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose.

**Reason:**

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

- 16 The new louvres on the rear elevation must be painted white.

**Reason:**

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 17 The new louvres in the front basement lightwell must be painted dark grey or black.

**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 (November 2016) 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 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 (November 2016) 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 (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 That the design of the separating structures should be such that the received music noise level in the residential habitable spaces, with music playing, should be demonstrated to be 10 dB below the existing ambient and maximum noise levels in the residential habitable spaces when music is not playing, at the quietest time of day and night, measured over a period of 5 minutes and in the indices of Leq and LFmax in the octave bands 63 Hz and 125 Hz; The overall music noise level in terms of LAeq,5mins should be at least 10 dB below the existing background noise level in terms of dB LA90,5mins.

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.