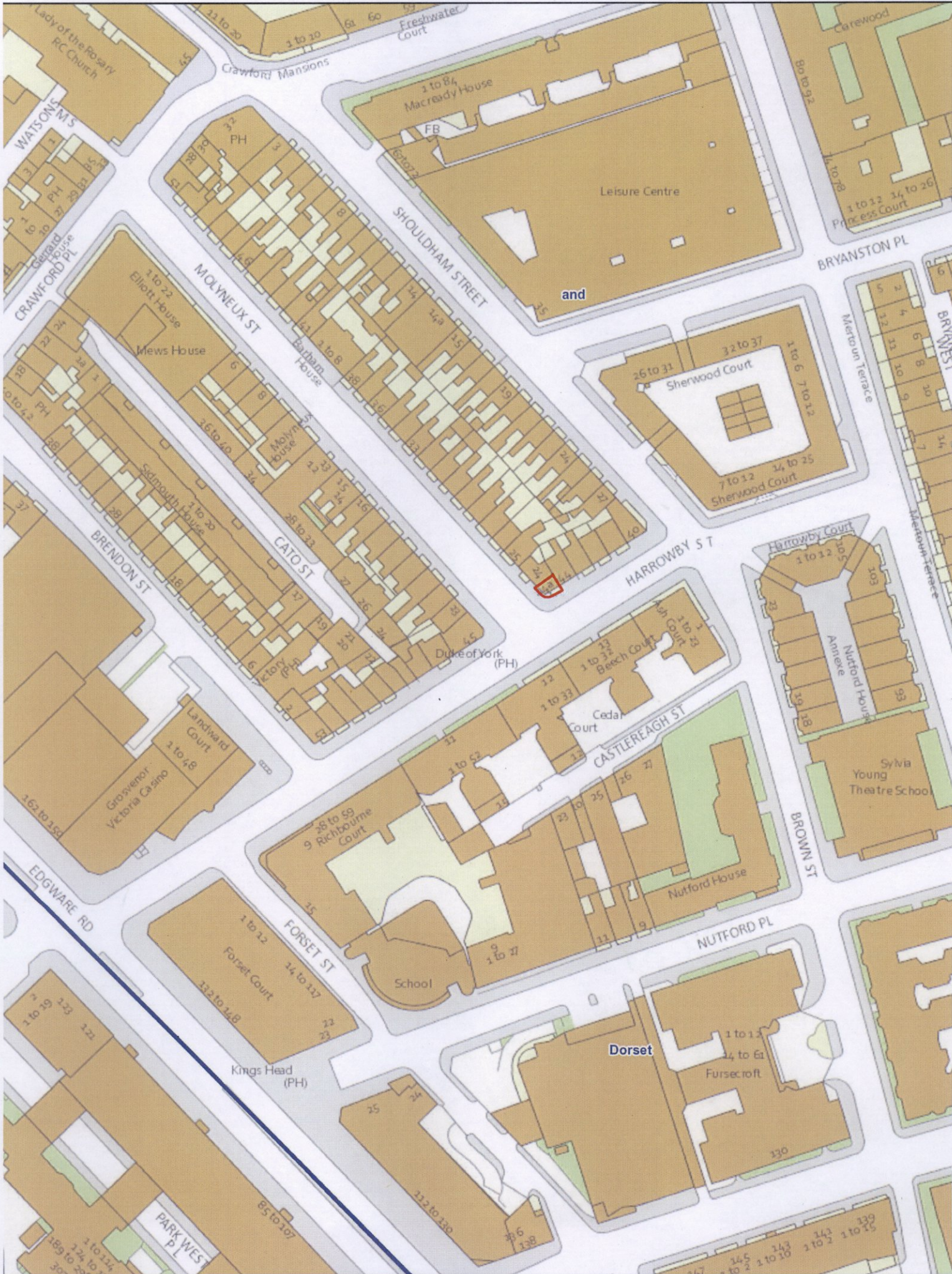


<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 26 May 2015	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Wards involved</b> Bryanston And Dorset Square	
<b>Subject of Report</b>	<b>44A Harrowby Street, London, W1H 5HY</b>		
<b>Proposal</b>	1. Installation of railings and four pavement lights to forecourt on Molyneux Street and Harrowby Street elevations. 2. Installation of a new shopfront on Molyneux Street and Harrowby Street elevations.		
<b>Agent</b>	Architectural Services		
<b>On behalf of</b>	Tourists Travel Bureau Ltd		
<b>Registered Number</b>	1. 15/01550/FULL 2. 15/01554/FULL	<b>TP / PP No</b>	TP/13896
<b>Date of Application</b>	05.02.2015	<b>Date amended/ completed</b>	04.03.2015
<b>Category of Application</b>	Minor		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Molyneux Street		
<b>Development Plan Context</b> - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Within London Plan Central Activities Zone  Outside Central Activities Zone		
<b>Stress Area</b>	Outside Stress Area		
<b>Current Licensing Position</b>	Not Applicable		

## 1. RECOMMENDATION

Application 1  
Grant conditional permission.

Application 2  
Grant conditional permission.





Photographs taken August 2014 (top) and April 2015 (bottom)

**44A HARROWBY STREET, W1**

## 2. SUMMARY

The application site comprises the ground and basement floors of an unlisted building located within the Molyneux Street Conservation Area. Until recently the unit was occupied by a cafe (Class A3). The application form suggests that the unit is to be used as a travel agent (Class A1), and works have started on site to install a new shopfront. Two applications have been submitted; one for the installation of new railings and pavement lights to the existing forecourt on Molyneux Street and Harrowby Street and the second application is for the installation of a new shopfront.

The Molyneux Street Conservation Area is characterised by lightwells enclosed by railings. It is considered that the installation of railings around this forecourt would represent an improvement to the street scene, clearly defining the boundary between the public and private realm. The proposed pavement lights are a common feature in enclosed lightwells and will not be visually intrusive. Representations have been received relating to the detailed design of the railings, the location of the entrance door, concern over how the forecourt is to be used, and whether the lightwell could be opened up. UDP Policy DES 7 states permission will be granted for the addition of boundary walls and railings where they replicate an existing or traditional pattern which is characteristic of the immediate locality. Whilst it is accepted that the submitted drawings are not clear in respect to the detailed design of the railings, conditions are recommended securing the detailed design of the railings, and that they are constructed of cast iron and painted black.

It would be desirable for the lightwells to be opened up, but the City Council cannot insist upon it. Furthermore, the City Council cannot insist that the entrance door is relocated. The plans do not indicate a store for waste, however, as this application is only for external works, the City Council cannot insist that a storage area is shown on the plans. As the unit is to be used as a travel agent, it is not considered that it will generate sufficient waste that it will need to be stored on the forecourt. The site is serviced by frequent waste collection vehicles so there is no reason for this area to be used to store waste.

The objections are not considered sustainable to justify a reason for refusal and therefore the railings and pavement lights are considered acceptable.

With regards to the application for a new shopfront, 10 letters of objection have been received. These objections relate to the following; the use of the property as a travel agent; the proposed hours of operation; the implications the use will have on the highway; the submitted drawings are misleading; the lack of consultation with neighbours and works taken place without the benefit of planning permission.

The existing shopfront is of no merit and its replacement with an appropriately proportioned and detailed shopfront is acceptable in design and conservation area terms. It is regrettable that the works to install the new shopfront have been started without the planning permission. However, this application seeks to regularise the shopfront.

The main thrust of the objections relate to the amenity and transportation impact of the use of the ground and basement floors as a travel agent (Class A1). The previous use of the basement and ground floors was as a cafe (Class A3), which operated with no planning restrictions. Planning permission is not required to convert a cafe into a travel agent as this constitutes permitted development under Class A, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. For this reason, the objections relating to the use of the premises and the hours of operation are not sustainable.

No neighbour consultation letters have been sent. The City Council has complied with both the legal requirements to display a site notice on or near the land and to advertise the

application in the press. Furthermore, it is City Council procedure not to consult on shopfronts (apart from openable shopfronts).

The reports of unauthorised works (air conditioning and new rear windows) have been reported to the City Council's Planning Enforcement Team to investigate. These objections do not relate to this application. On this basis the proposed shopfront is considered acceptable and is recommended for approval.

### 3. CONSULTATIONS

Application 1

**THE MARYLEBONE ASSOCIATION**

Any response to be reported verbally.

**ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS**

No. Consulted: 5; Total No. of Replies: 5.

Five objections received (two from the same address) raising the following:

Design and Conservation

- Railings are a good thing in general and would improve the local streetscape but requests that the applicant installs cast iron railings to match one of the historic styles on Molyneux Street and that they be painted black.
- The drawing does not provide sufficient detail on the proposed railings.

Other

- Concern that the forecourt behind the new railings could be used to store waste and rubbish.
- Request that the applicant relocates the opening to the ground floor unit so that it is on Harrowby Street rather than keeping it in its current location at the corner of Molyneux Street and Harrowby Street.
- Internal works have taken place, the shopfront windows have been covered in 'frosting' and poorly attached beading has been placed on the outside of the building.

ADVERTISEMENT/SITE NOTICE: Yes.

Application 2

**COUNCILLOR MOHAMMED**

Supports the comments from the Chairman of the Harrowby and District Residents Association.

**THE MARYLEBONE ASSOCIATION**

Any response to be reported verbally.

**ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS**

No. Consulted: 0; Total No. of Replies: 10.

Ten letters of objection received, raising all or some of the following concerns.

Land Use

- The proposed travel agency would be very unwelcome and not fit in well with the local street.
- It would be desirable to ensure that no café-type operation were associated with the business.

#### Amenity

- The proposed travel agency has long opening hours (09.00 - 21.00 daily) which would impact severely on the residential stress (already in a stress area) and bring further trade into Harrowby and Molyneux Street long after the regular operating hours.
- Works have been taking place in the evenings and on Saturday afternoons / evenings.

#### Highways

- The proposed hours of operation will generate extra traffic and parking issues in an essentially residential area.

#### Other

- Lack of notification letters from the City Council.
- The drawings submitted with this application are erroneous and misleading.
- An air condensing unit has been installed on the roof of the infill extension over rear ground and basement floors.

ADVERTISEMENT/SITE NOTICE: Yes.

## BACKGROUND PAPERS

### Application 1

1. Application form and covering letter dated 5 February 2015.
2. Letter from the occupier of No. 44 Molyneux Street dated 16 March 2015.
3. Letter from the occupier of No. 27 Molyneux Street dated 16 March 2015.
4. Letter from the occupier of No. 27 Molyneux Street dated 16 March 2015.
5. Letter from the occupier of No. 21 Molyneux Street dated 30 March 2015.

### Application 2

1. Application form and covering letter dated 5 February 2015.
2. E-mail from Cllr Mohammed dated 16 March 2015.
3. Letter from the Harrowby and District Residents Association dated 4 March 2015.
4. Letter from the occupier of No. 7 Molyneux Street dated 11 March 2015.
5. Letter from the occupier of No. 28 Molyneux Street dated 13 March 2015.
6. Letter from the occupier of No. 18 Brendon Street dated 15 March 2015.
7. Letter from the occupier of No. 27 Molyneux Street dated 16 March 2015.
8. Letter from the occupier of No. 32a Molyneux Street dated 16 March 2015.
9. Letter from the occupier of No. 6 Molyneux Street dated 16 March 2015.
10. Letter from the occupier of No. 47 Molyneux Street dated 17 March 2015.
11. Letter from the occupier of the ground and basement flat, No. 44 Harrowby Street dated 26 April 2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT HELEN MACKENZIE ON 020 7641 2921 OR BY E-MAIL – [hmackenzie@westminster.gov.uk](mailto:hmackenzie@westminster.gov.uk)

**DRAFT DECISION LETTER**

**Address:** 44A Harrowby Street, London, W1H 5HY

**Proposal:** 1. Installation of railings and four pavement lights to forecourt on Molyneux Street and Harrowby Street elevations.

**Plan Nos:** 44AHS/P0001A.

**Case Officer:** Mark Hollington

**Direct Tel. No.** 020 7641 2523

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

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

**Reason:**

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

- 2 All new work 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 Molyneux Street 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)

- 3 You must apply to us for approval of detailed drawings at a scale of 1:10 showing the following alteration to the scheme:

- The redesign of the railings to show traditional standards and finials.

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 Molyneux Street 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)

- 4 The railings hereby approved shall be constructed in cast iron, be painted black and maintained in that colour hereafter.

**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 Molyneux Street 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 For the purposes of Condition 3 you are advised to provide detailed drawings showing the railing heads, finials and relationship of the railings with the plinth. There are a number of styles of traditional railings on Molyneux Street that would be suitable to be replicated on this site.



**DRAFT DECISION LETTER**

**Address:** 44A Harrowby Street, London, W1H 5HY

**Proposal:** Installation of replacement shopfront on Molyneux Street and Harrowby Street elevations.

**Plan Nos:** 44AHS/P001.

**Case Officer:** Mark Hollington

**Direct Tel. No.** 020 7641 2523

**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)

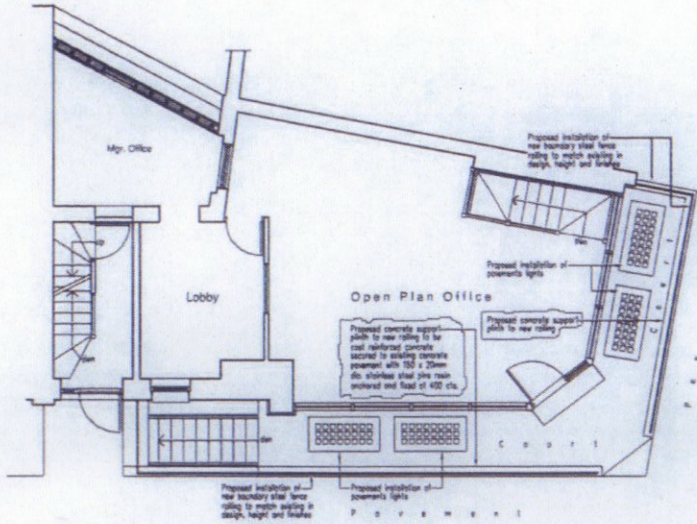
- 3 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

**Reason:**

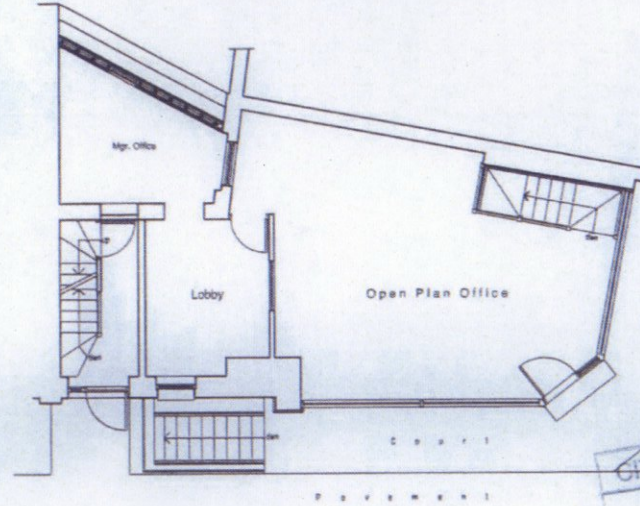
To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Molyneux Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 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.



• PROPOSED GROUND FLOOR PLAN

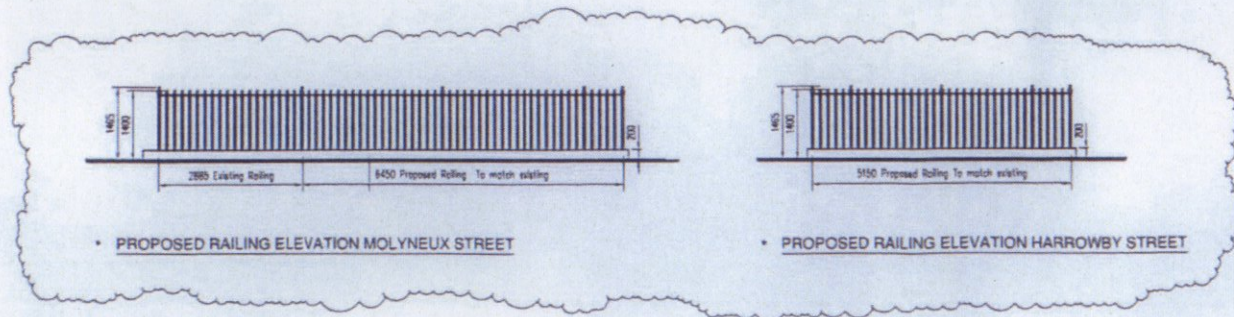


• EXISTING GROUND FLOOR PLAN

CITY OF WESTMINSTER  
- 103 15 - 1501550  
PLANNING AND CITY DEVELOPMENT

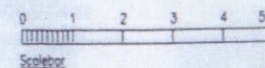


1.1.16 COPY  
TP:  
RU:  
ADDRESS:



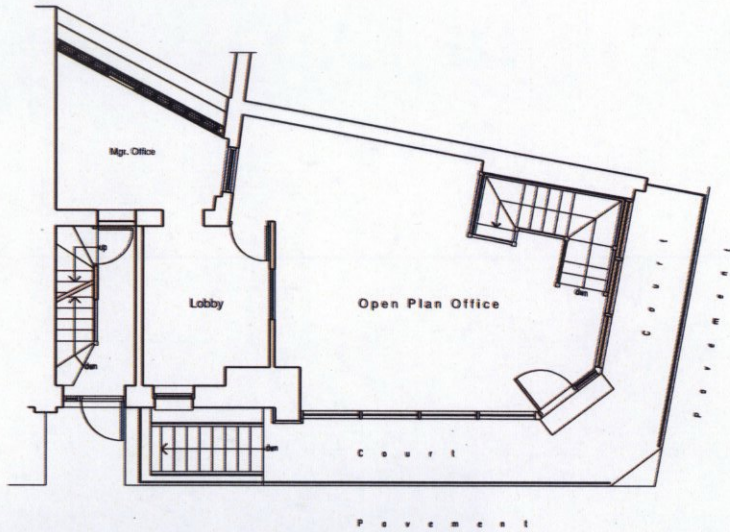
• PROPOSED RAILING ELEVATION MOLYNEUX STREET

• PROPOSED RAILING ELEVATION HARROWBY STREET

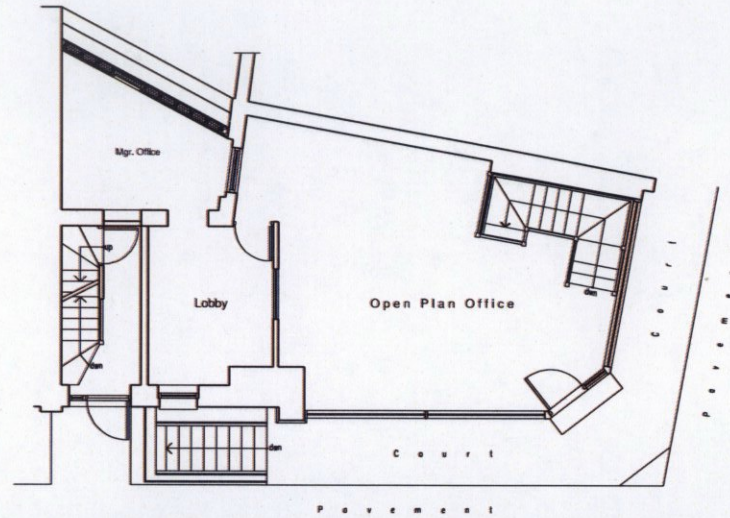


A 27/2/16 Proposed railing elevations added	
Date:	16/02/2016
Colin L. Davis MCIQB Architectural Services 1000, 0776409208 1000 Fax: 0208 8405265 Email: cl@clsd.co.uk	
Job Title <b>PROPOSED INSTALLATION OF BOUNDARY FENCE RAILING AND 4 NO. PAVEMENT LIGHTS AT 44A HARROWBY STREET LONDON W1H 5HY</b>	
Title <b>PROPOSED AND EXISTING FLOOR PLANS AND ELEVATIONS</b>	
Scale 1 : 50	Sheet No 44AHS/P0001A
Date 17 FEBRUARY 2016	
Copyright: This drawing is not to be copied or reproduced without prior permission.	

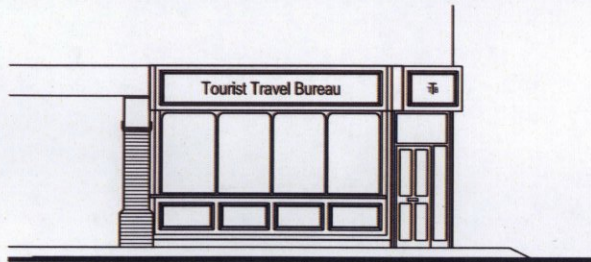
APPLICATION 1



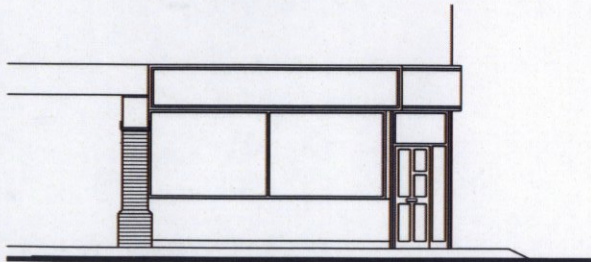
• PROPOSED GROUND FLOOR PLAN



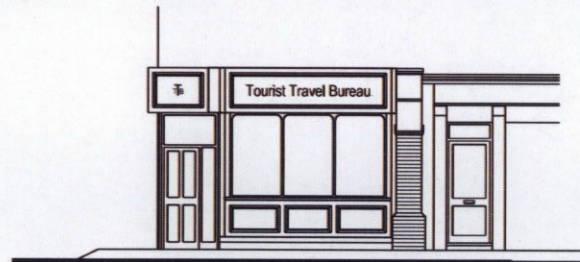
• EXISTING GROUND FLOOR PLAN



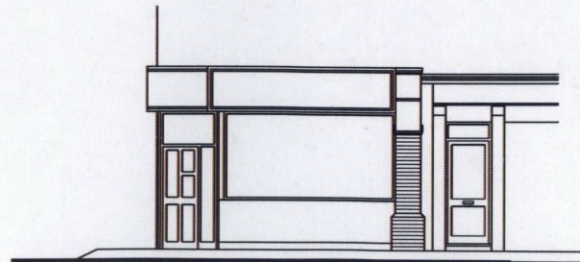
• Proposed Elevation Molyneux Street



• Existing Elevation Molyneux Street



• Proposed Elevation Harrowby Street

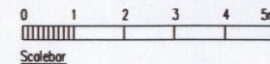


• Existing Elevation Harrowby Street



**NOTE:**  
SIGN COMPOSING OF 2D LETTERS  
MADE OF 18MM TREATED WOOD, WITH GOLD PAINY FINISHING,  
INSTALLED WITH TRANSPARENT PLASTIC LOCATORS  
BIG LETTERS ARE 200mm / small LETTERS ARE 150mm

Rev	Date	Description
Collin L. Davis MCIQB Architectural Services Mob: 07764406336 Tel/Fax: 0208 8458888 Email: cld@collindavis.co.uk		
<b>Job Title</b> PROPOSED DISPLAY OF NEW SIGNAGE TO SHOPFRONT AT 44A HARROWBY STREET LONDON W1H 5HY		
<b>Title</b> PROPOSED AND EXISTING FLOOR PLANS AND ELEVATIONS		
<b>Scale</b> 1 : 50		<b>Draw No</b> 44AHS/P1
<b>Date</b> MARCH 2015		© Copyright. This drawing is not to be copied or reproduced without prior written consent.



APPLICATIONS 2