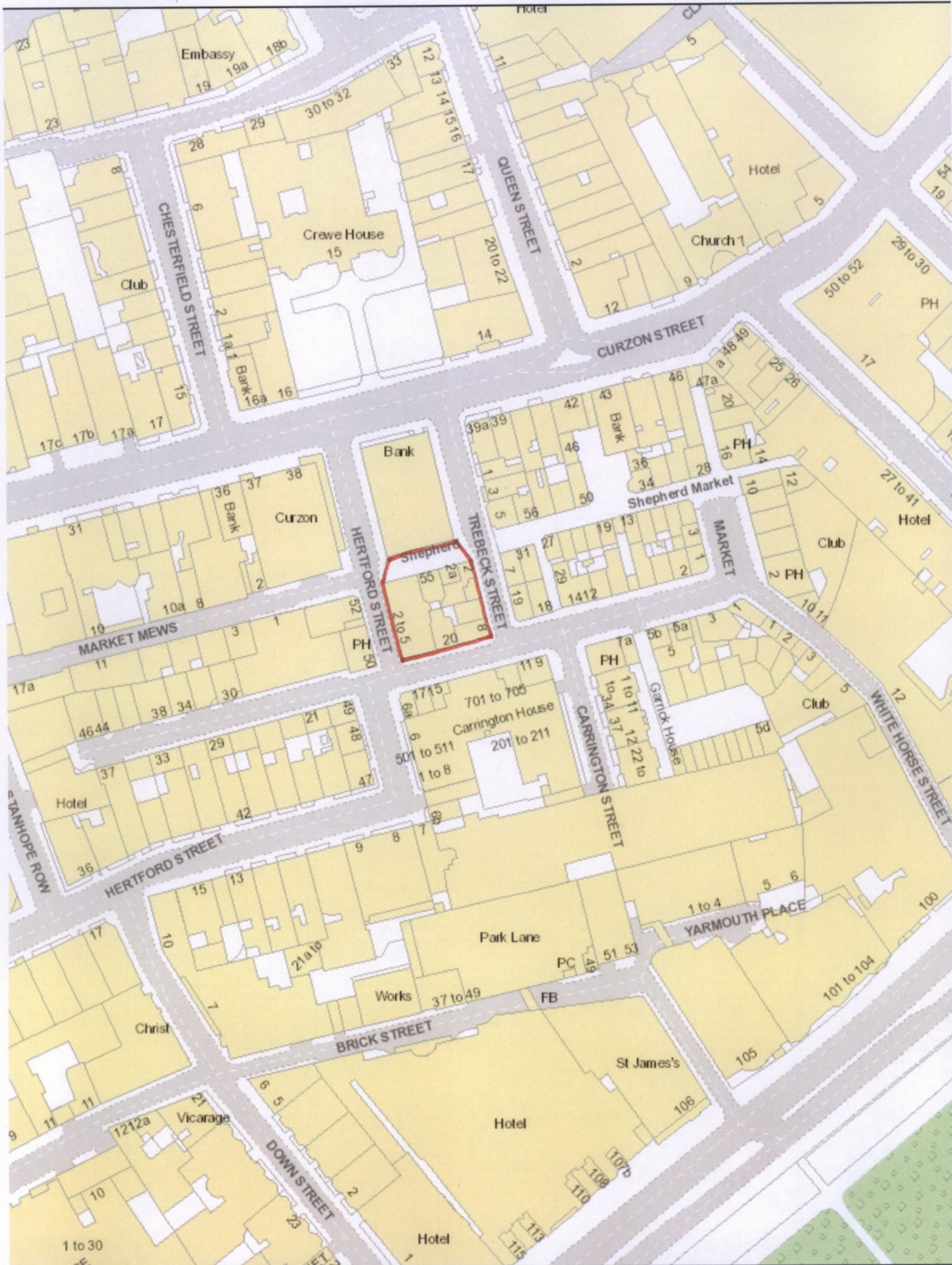


CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 15 July 2014	Classification For General Release	
Report of Strategic Director Built Environment		Wards involved West End	
Subject of Report	55 Shepherd Market, London, W1J 7PU		
Proposal	Variation of Condition 1 of planning permission dated 12 April 2013 (RN:13/00755/FULL) for alterations to the existing shopfronts and installation of new canopies and fabric namely to allow the installation of electronically retractable awnings, with fixed support stanchion attached to existing planters on the Shepherd Market frontage. [Site includes 2, 3, 4 and 5 Hertford Street; 2, 4, 6 and 8 Trebeck Street].		
Agent	Daniel Rinsler & Co		
On behalf of	5 Hertford Street Ltd & The Reuben Foundation		
Registered Number	14/02264/FULL 14/03032/LBC	TP / PP No	TP/8297
Date of Application	10.03.2014	Date amended/ completed	31.03.2014
Category of Application	Minor		
Historic Building Grade	Grade II Listed Building		
Conservation Area	Mayfair		
Development Plan Context - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Within London Plan Central Activities Zone Within Central Activities Zone		
Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

Refuse permission and listed building consent - design and conservation.





55 SHEPHERD MARKET, W1

2. SUMMARY

The application premises, known as "5 Hertford Street" is a private members' club which has occupied the major part of a group of Grade II listed buildings within the Mayfair Conservation Area since July 2012. Permission and listed building consent has previously been granted for the installation of traditional retractable canvas awnings at ground floor fascia level on the Shepherd Market frontage.

The applicant considers that the existing awnings, which employ a manual retraction system, are not sufficiently robust to provide adequate protection for customers sitting on external terraces beneath, and that they are vulnerable to damage from vehicles which may mount the pavement. Consequently, these applications propose the installation of replacement, electronically operated awnings, supported by 19 fixed, bronze support stanchions linked by tracks and valances.

The detailed design of the awnings and support structures are not traditional in appearance. It is considered that the support stanchions and blind box would add to visual clutter and would harm the special architectural interest of listed buildings and would be out of character with the surrounding conservation area. The proposal would therefore be contrary to design policies of Westminster's City Plan and the adopted Unitary Development Plan (UDP).

3. CONSULTATIONS

RESIDENTS SOCIETY OF MAYFAIR AND ST JAMES'S
No response received.

HIGHWAYS PLANNING MANAGER
Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS
No. Consulted: 15; Total No. of Replies: 0.

4. BACKGROUND INFORMATION

4.1 The Application Site

The application premises comprises a group of Grade II listed buildings in Shepherd Market, which form an entire street block bounded by Trebeck Street, Hertford Street, Shepherd Street and Shepherd Market. With the exception of No. 5 Hertford Street, which is Edwardian, all of the buildings are Georgian.

The basement, ground, part first, second and third floors of the street block have been in use as a private members' club since July 2012. Part of the third floor is in separate residential use.

4.2 Relevant History

On 16 September 2010 permission was granted for alterations in connection with use of basement and part ground to part third floors as a private members' restaurant (Class A3), the use of part ground floor for retail purposes (Class A1) and the use of part first to part third floors as seven residential flats.

On 15 September 2011 permission was granted for use of the basement, part ground and part first, second and third floors as a private members' club, comprising dining rooms with associated lounge, bar areas and dance floor (sui generis).

On 23 December 2011 permission and listed building consent were granted for alterations to the existing shopfronts and installation of new awnings to the external elevations.

On 15 February 2012 permission and listed building consent were granted for the approval of details of drawings showing omission of all awnings at first floor level and omission of all awning end panels pursuant to Condition 3 of planning and listed building consents granted on 23 December 2011.

On 12 April 2013 permission and listed building consent were granted for a variation to Condition 1 of the permission dated 23 December 2011 (RN 11/10195) for alterations to existing shopfronts and the installation of new awnings to the external elevations: to allow the installation of new canopies on the Shepherd Market frontage.(RN 13/00755/FULL)

5. THE PROPOSAL

Permission and listed building consent are sought for the installation of replacement awnings, at ground floor level, along the Shepherd Market frontage.

Permission and listed building consent were granted for the installation of the existing awnings in April 2013. However, the applicant considers that the design of the awnings is not robust enough to provide sufficient coverage to customers sitting beneath and that, using the existing manual retraction system, they cannot be retracted quickly enough in the event of an emergency. The current scheme therefore proposes the installation of replacement awnings, replacing the traditional mechanism with an electronically operated design, and incorporating bronze support stanchions linked by tracks and valences.

6. DETAILED CONSIDERATIONS

6.1 Land Use

The proposal does not raise any land use issues.

6.2 Townscape and Design

Permission and listed building consent are sought for the installation of replacement canvas canopies on the Shepherd Market frontage of the buildings. The proposed canopies are traditional retractable canvas awnings.

The existing traditional canvas awnings suit the style and period of the building and many such examples can be found throughout the city. Since their approval, as part of the overall package of works to the buildings, further approvals have been given for the use of the pavement beneath the awnings for the placing of tables, chairs, heaters, lights, planters and decking.

The applicant states that the existing awnings are not sufficiently robust/tort to provide adequate protection for customers sitting beneath them. The applicant contends that, although set well back from the pavement edge, the awnings are vulnerable to damage, should high sided vehicles mount the pavement and reverse into them, as has happened on a previous occasion. In addition, the applicant contends that the awnings cannot be retracted quickly enough in the event of such an incident. Consequently, it is proposed to replace the existing awnings, which utilise a traditional manual mechanism, with a modern electrically operated design incorporating 19 bronze support stanchions linked by tracks and valances.

Even though an electronic system would enable the awnings to be retracted more quickly in the event of an emergency, they would need to be uncoupled from the fixed support stanchions before they could be retracted. Given the amount of time this would be likely to take, it is not considered that the replacement awnings would be any less vulnerable to

potential vehicle damage than the existing. In addition, in the event of a collision, the substantial and heavy stanchions and tracks could collapse and damage the listed buildings to which the new awnings would be fixed, rather than just damaging the awnings themselves.

It is considered that the proposals would further increase the amount of clutter in the street and add an entirely inappropriate awning type to the façade of these listed buildings. This would be an unprecedented and harmful visual intrusion, damaging to the special architectural interest of the listed buildings and out of character with the appearance of the surrounding conservation area, contrary to Policies DES 1, DES 5, DES 9 and DES 10 of the UDP and S25 and S28 of Westminster's City Plan: Strategic Policies. It is not considered that the arguments put forward by the applicant would justify a departure from these policies

6.3 Amenity

Not applicable.

6.4 Transportation/ Parking

Not applicable.

6.5 Equalities and Diversities

Not applicable.

6.6 Economic Considerations

Not applicable.

6.7 Other UDP/Westminster Policy Considerations

Not applicable.

6.8 The London Plan

The proposal raises no strategic issues.

6.9 National Policy/Guidance Considerations

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

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

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

6.10 Planning Obligations

None required.

6.11 Environmental Assessment including Sustainability and Biodiversity Issues

Not applicable.

6.12 Other Issues

None.

7. CONCLUSION

The replacement awnings with fixed support stanchions are considered to add to the visual clutter on the northern side of this block of listed buildings. The proposal would be harmful to these listed buildings and it is therefore recommended that permission and listed building consent are refused.

BACKGROUND PAPERS**1. Application forms**

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT SARA SPURRIER ON 020 7641 3934 OR BY E-MAIL – sspurrier@westminster.gov.uk

DRAFT DECISION LETTER

Address: 55 Shepherd Market, London, W1J 7PU

Proposal: Variation of Condition 1 of planning permission dated 12 April 2013 (RN:13/00755/FULL) for alterations to the existing shopfronts and installation of new canopies and fabric namely to allow the installation of electronically retractable awnings, with fixed support stantions attached to existing planters on the Shepherd Market frontage. [Site includes 2, 3, 4 and 5 Hertford Street; 2, 4, 6 and 8 Trebeck Street].

Plan Nos: 100413-A-P-Si-10008, 1496-P-002 rev A

Case Officer: Mike Walton

Direct Tel. No. 020 7641 2521

Recommended Reason for Refusal:

Reason:

Because of their detailed design the awnings and support structures would harm the appearance of this grade II listed building. They would also fail to maintain or improve (preserve or enhance) the character and appearance of the Mayfair Conservation Area. This would not meet S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 5, DES 9, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.

DRAFT DECISION LETTER

Address: 55 Shepherd Market, London, W1J 7PU

Proposal: Installation of electronically retractable awnings, with fixed support stantions attached to existing planters on the Shepherd Market frontage.

Plan Nos: 100413-A-P-Si-10008, 1496-P-002 rev A

Case Officer: Mike Walton

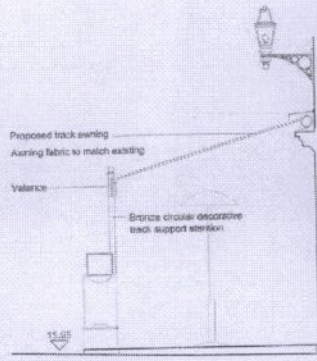
Direct Tel. No. 020 7641 2521

Recommended Reason for Refusal:**Reason:**

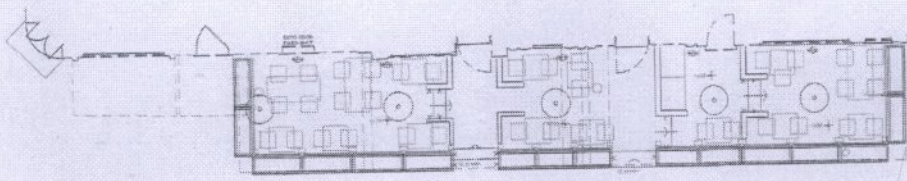
- 1 Because of their detailed design the awnings and support structures would harm the appearance of this grade II listed building. They would also fail to maintain or improve (preserve or enhance) the character and appearance of the Mayfair Conservation Area. This would not meet S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 5, DES 9, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.



Proposed Elevation 1:50



Proposed Section 1:25



Proposed Plan 1:50

Notes

1. All work shall be in accordance with the current edition of the Building Code of Ontario and the Ontario Building Act, 1992. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The contractor shall be responsible for ensuring that all work is completed in accordance with the approved plans and specifications. The contractor shall be responsible for ensuring that all work is completed in a timely and efficient manner. The contractor shall be responsible for ensuring that all work is completed in a safe and sound manner. The contractor shall be responsible for ensuring that all work is completed in a professional and courteous manner. The contractor shall be responsible for ensuring that all work is completed in a clean and neat manner. The contractor shall be responsible for ensuring that all work is completed in a safe and sound manner. The contractor shall be responsible for ensuring that all work is completed in a professional and courteous manner. The contractor shall be responsible for ensuring that all work is completed in a clean and neat manner.

Rev.	Date	Description
1	11/14/14	Issue for Review
2	11/14/14	Issue for Construction

PRELIMINARY

BLAIR ASSOCIATES

5 Hertford Street

Proposed Elevation & Plan

Rev.	Date	Approved	Date Created
1	11/14/14		11/14/14
2	11/14/14		11/14/14

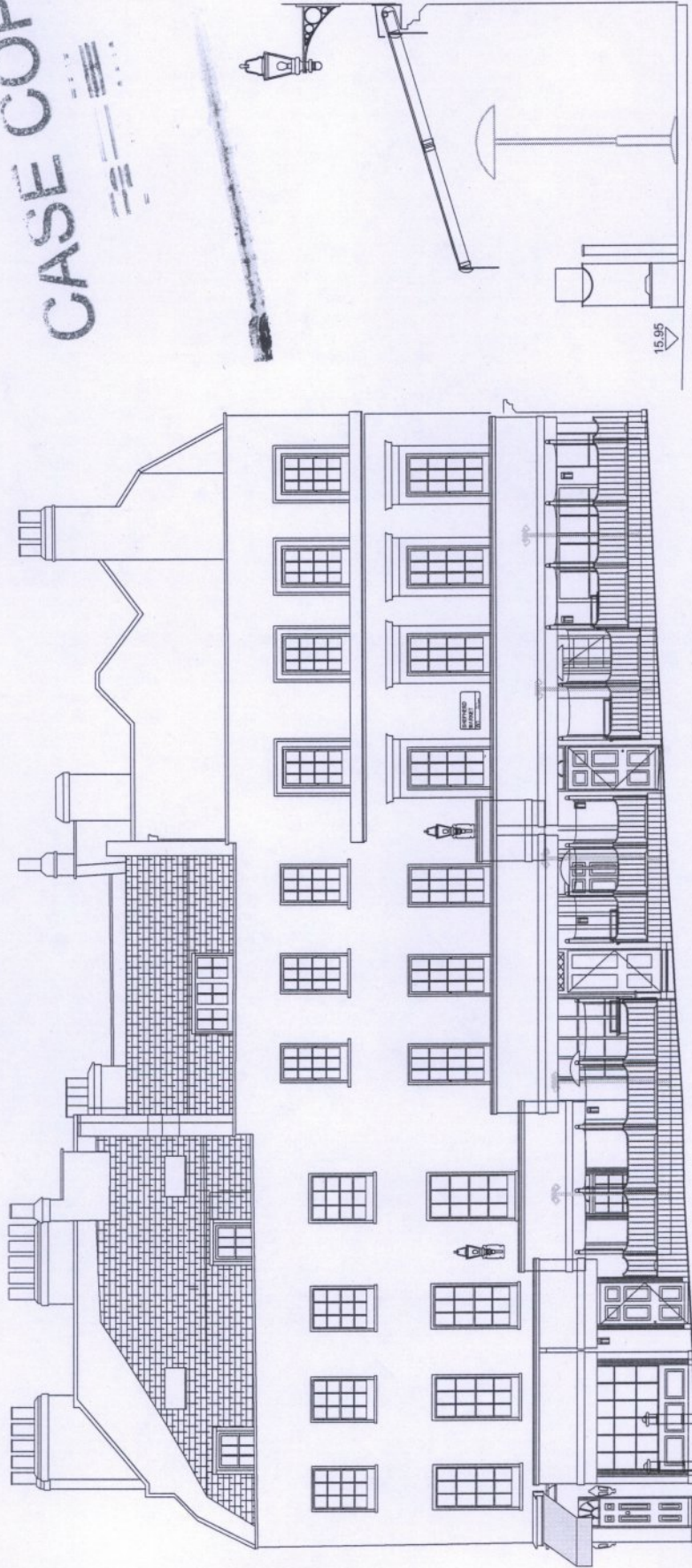
1496-R-002

NOTES

Any conditions hereover stated shall be observed and the drawings shall be used in accordance with the conditions of the building contract. Do not make any alterations to the drawings without the written consent of the architect. All work shall be carried out in accordance with the relevant building regulations and safety considerations.

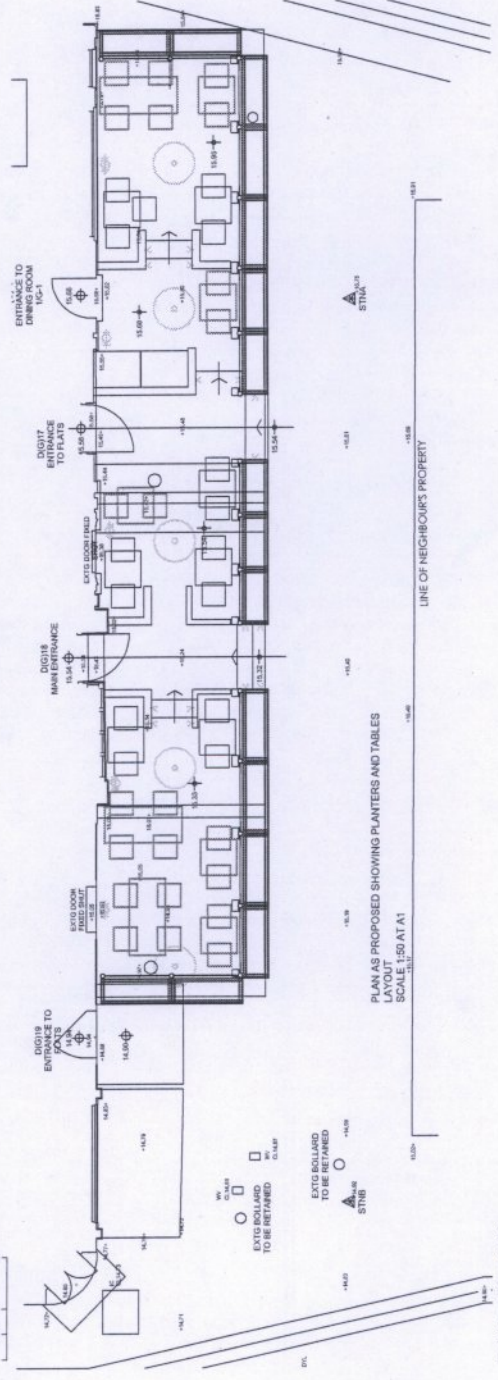
Revision Schedule	
No.	Description
A	07/03/14 Amendments
B	08/03/14 Amendments for planting
C	08/03/14 Amendments for planting
D	27/03/14 Amendments for planting

CASE COPY



Existing Elevation 1:50

Existing Section 1:25



Existing Plan 1:50

BLAIR ASSOCIATES
 ARCHITECTS
 5 Hertford Street
 PROJECT

5 Hertford Street
 Existing Elevation

Drawn	Checked	Approved	Date Created
RF			13.02.14
Project Number	Scale	Original sheet size	
1496-P-001	1:50	A1	
Drawn By	Drawn Number	Rev	
		D	