

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 16 August 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	39-44 Grosvenor Square, London, W1K 2HP,		
Proposal	Alterations including removal of roof level plant, erection of an 8th floor extension and relocation of plant to new roof level; erection of rear 3rd floor level extensions either side of a central block fronting onto Adams Row, provision of new terraces at 3rd and 7th floor levels in connection with the refurbishment of an existing hotel.		
Agent	MD Associates		
On behalf of	London Britannia Hotels		
Registered Number	15/07731/FULL	Date amended/ completed	19 November 2015
Date Application Received	19 August 2015		
Historic Building Grade	Unlisted		
Conservation Area	Mayfair		

1. RECOMMENDATION

1. Grant conditional permission.

2. SUMMARY

The site, the Millennium Hotel is a large hotel on Grosvenor Square which also fronts onto Adams Row. The site lies within the Central Activities Zone and Mayfair Conservation Area. Two separate applications have been submitted for alterations and extensions to the hotel.

This application is for alterations including an 8th floor roof extension with new rooftop plant and 3rd floor rear extensions to provide an additional 19 guest suites and an executive lounge.

A second application for alterations to a vehicular access at the rear on Adams Row and the creation of 2 x retail units is considered elsewhere at item 10 on this agenda.

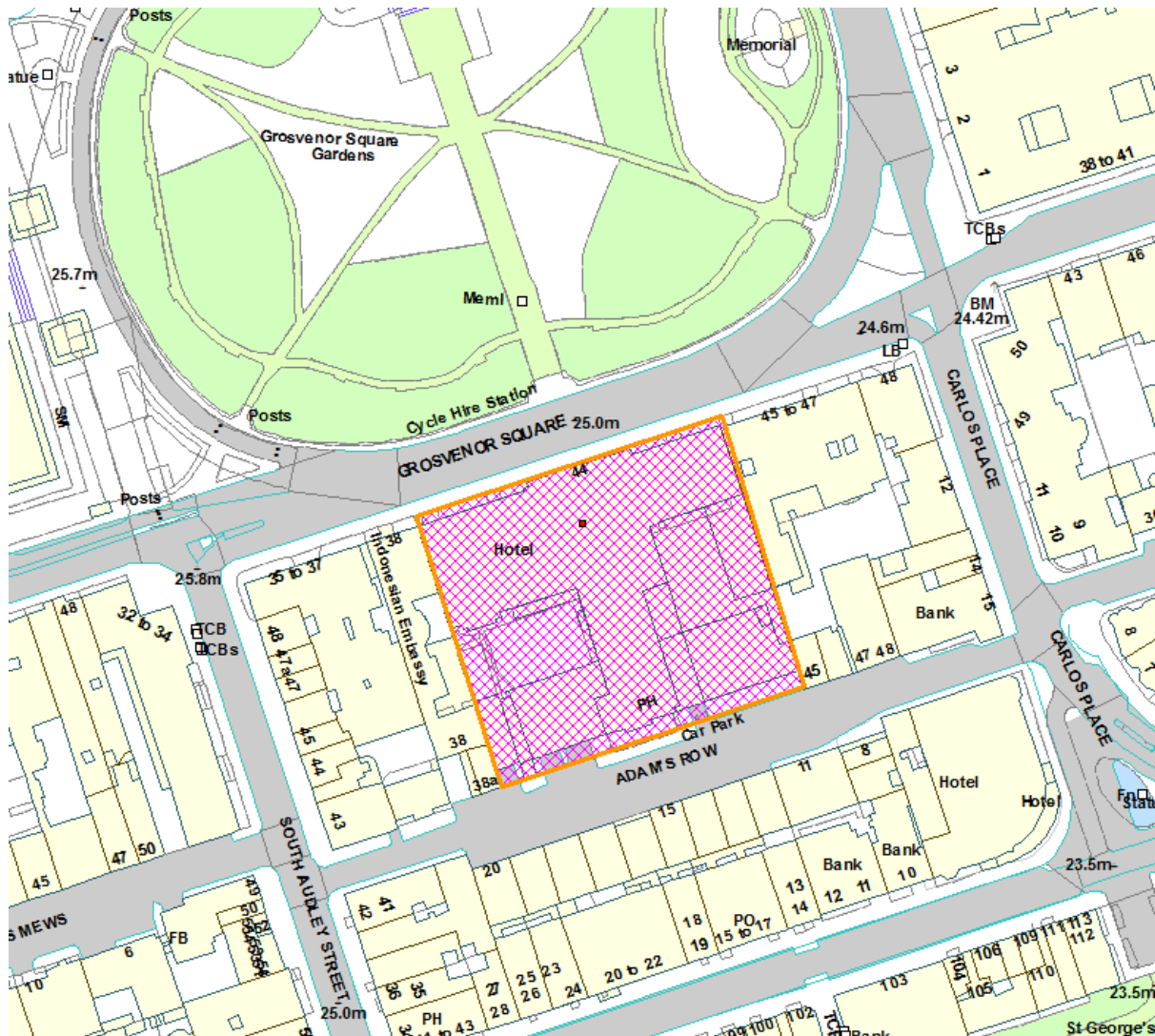
The key issue for consideration is:

- * The impact of the extensions on residential amenity
- * The impact in design terms on the appearance of the building and the character and appearance of the Conservation Area.

The application has been amended since the initial submission, setting in the proposed 3rd floor

extension in from the eastern boundary. As revised the application is considered acceptable. The proposal would result in relatively modest additions to the existing large hotel. The scheme is considered acceptable in land use, amenity, design and conservation terms in accordance with the policies set out in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (City Plan).

3. LOCATION PLAN



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Item No.

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4. PHOTOGRAPHS

Photograph 1. Front elevation of hotel on Grosvenor Square



Photograph 2. Aerial view of Hotel on Adams Row



Photograph 3. View from bedroom window of Flat 8 in 47 Grosvenor Street towards the third floor extension (eastern side).



Photograph 4. View of existing 8th floor.



5. CONSULTATIONS

WARD COUNCILLOR FOR WEST END (CLLR ROBERTS)

Development of a proposed restaurant bar would mean disruption to residents and loss of their quiet amenity.

RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S

No objection

HIGHWAYS PLANNING

No off-street cycle parking and car parking is provided. An additional of 20 bedrooms is unlikely to have a significant impact on on-street car parking in the area and the hotel will be serviced in a similar fashion to the existing use and nearby properties.

ENVIRONMENTAL HEALTH (PLANT AND EQUIPMENT)

No objection

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 107

Total No. of replies: 10

No. of objections: 10 (from 7 respondents)

No. in support: 0

Comments from initial consultation:

- Overlooking from additional windows and balconies
- Overshadowing and loss of daylight and sunlight. Report does not refer to the rear of 47 Grosvenor Square
- Noise and disturbance, especially from the proposed club lounge (openable windows and balcony) and given that visitors are transient.
- Light spillage
- Incorrect/ lack of drawings
- Impact on traffic on Adams Row (ref application 15/07087/FULL item 10 on this agenda)

No additional comments were provided following re-advertisement of the scheme.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The site is within the Central Activities Zone and Mayfair Conservation Area. The application premises the Millennium Hotel, is a large 336 bedroom hotel with 10 function rooms with frontages onto Grosvenor Square and Adams Row. There is a vehicle drop off and forecourt on Adams Row. The existing hotel building comprises basement, ground and 7 upper floors. Below the basement is a two storey car park leased to NCP.

Immediately to the east is the Indonesian Embassy at No. 38 and to the west is 45-47 Grosvenor Square, which is a residential block. This part of Mayfair is mixed use in character.

6.2 Recent Relevant History

None directly relevant

7. THE PROPOSAL

Permission is sought for the removal of 8th floor roof level plant, erection of a 8th floor roof extension and relocation a plant enclosure above and the erection of 3rd floor rear extensions either side of a central higher block fronting onto Adams Row. The additional floorspace will provide 19 hotel quest suites and an executive lounge. The proposal includes provision of small terraces at rear 3rd and 7th floor levels.

The application has been amended since the original submission in response objections from neighbouring residents. The third floor extension (on the eastern side of the central block) rather than occupying the full flat roof area as originally proposed has been set in from the boundary, resulting in a loss of a guest room and a reduction in the size of the executive lounge. In addition the applicant has confirmed that the executive lounge will be used by the hotel as a reading lounge with breakfast facilities. Furthermore the most easterly windows will be fitted with obscure glazing to avoid any overlooking.

DETAILED CONSIDERATIONS

7.1 Land Use

The existing hotel floorspace is 23,060 m². The scheme would result in an additional 912 m² (591sqm at 3rd floor and 66sqm at 8th floor).

Mixed Use Policy

The revised policy S1 (Mixed Use in the Central Activities Zone) adopted in July 2016 requires the provision of residential to offset increases in offices (Class B1) but not other commercial uses. This change in policy approach to adopted UDP policies means that the scheme does not require the provision of residential floorspace.

Increase in Hotel

Policy S23 (Hotels and Conference Facilities) of the City Plan: Strategic Policies state that hotels are important to support the visitor and business economy. Existing hotels will be protected where they do not have significant adverse effects on residential amenity and where proposals to improve the quality and range of hotels will be encouraged.

Policy TACE 2 of the UDP states that within the CAZ, extensions to existing hotels will be granted where no adverse environmental and traffic effects would be generated and adequate on-site facilities are incorporated within developments proposing significant amounts of new visitor accommodation, including setting down and picking up of visitors by taxis and coaches.

The hotel is located in the centre of Mayfair in an area mixed use in character. The nearest residential is in the adjacent building 45-47 Grosvenor Square immediately to the east and at Adams Row to the south of the site.

The existing large hotel comprising 336 quest rooms is a longstanding use that has been operating without complaints. The scheme would result in the provision of 19 additional bedrooms and an executive lounge, amounting to a 5% increase. No change is proposed servicing arrangements. The existing pick up and drop off points including entrances and exits to car parking will be retained to Adam's Row, to the rear. A separate application has been submitted for alterations to the vehicular entrance on Adams Row which is considered at item 10 on this agenda.

The additional floorspace is relatively modest would not result in a significant intensification of the existing hotel use. There would be no significant increase in either vehicular or pedestrian movements as a result of the proposal which is considered acceptable in principle in accordance with City Plan policy S23 and UDP policy TACE 2.

7.2 Townscape and Design

The proposals mainly affect the rear of the building. At the front the existing central plant room visible from Grosvenor Square is retained and converted to accommodation. Above this the north end of the new plant room will be visible, but this is a small intrusion which will not harm the appearance of the building. (However, this end of the plant room should be clad in slates to match the roof below). At the rear the plant room is replaced by a new floor of accommodation. This is a modern, largely glazed design which sits satisfactorily above the existing facades below. The plant room on top is set back from the sides and is clad in bronze finished aluminium panels. The addition of new floors on the lower wings is also acceptable in terms of height and bulk and design.

The proposals will not harm the appearance of the building or the character and appearance of the Mayfair Conservation Area. They are considered to comply with Unitary Development Plan urban design and conservation policies, including DES 6 and DES 9.

7.3 Residential Amenity

Sunlight and Daylight

Objections have been received that the proposal would result in a loss of light and enclosure to the rear of flats at 45-47 Grosvenor Square. In the light of these objections the application has been revised setting the 3rd floor eastern extension in from the site boundary.

A daylight and sunlight assessment has been submitted with regards to the revised scheme which assesses the impact of the development with regards to BRE guidelines with respect to residential properties at 45-47 Grosvenor Square, 12- 20 Adams Row and 38 Grosvenor Square which is occupied by the Indonesian Embassy.

The report demonstrates that all windows tested there in terms of both daylight and sunlight there would be no breach in BRE guidelines. This aspect of the application is therefore considered acceptable.

Sense of Enclosure

Objections received from adjoining residential block at 45-47 Grosvenor Square also refer to an increased sense of enclosure. In the light of the objections, the application was amended setting in the 3rd floor extension from the sites boundary. This amendment and reduction in bulk is considered to overcome concerns that the increased bulk and mass would result in an enclosure to the adjacent residential property.

Overlooking

Objections have also been received that the scheme would result in overlooking and a loss of privacy. The most easterly window in the 3rd floor extension will be fitted with obscure glazing which is welcomed and will maintain the privacy of the occupiers of 45-47 Grosvenor Square, particularly Flat 8 at third floor level. A condition is recommended to ensure the obscure glazing is retained in this window.

There are 6 terraces proposed to the guest bedrooms at third floor level with two at 8th floor and a further two at 7th floor level on the southern elevation overlooking Adam's Row. The distance between the terraces and the front elevation of properties on Adam's Row is 19m which is in excess of the typical distance found between Mews properties and is considered adequate to avoid any direct overlooking from the terraces. Given the sites location and distances, it is considered that the provision of terraces on the southern elevation would not result in direct overlooking to surrounding properties.

A condition is recommended that the terraces are only used between 08:00 and 21:00 daily to ensure there is no noise nuisance. It is recommended that this is secured by condition.

The proposal is considered to maintain the amenities of neighbouring residents, in terms of overlooking and the objections from the local occupiers are not sustainable in this regards.

7.4 Transportation/Parking

No additional car parking is provided but there is a drop off and collections area within the site, which is not being altered as part of this application. The additional number of bedrooms (19) is unlikely to have a significant impact on on-street car parking or servicing or refuse provision. The scheme will not therefore have any adverse impact upon the highway network.

There is currently no cycle parking, and no cycle parking is proposed as part of this scheme. Further Alterations to the London Plan (FALP) would require one space per 20 bedrooms. However as no works are being undertaken to the ground or basement levels as part of this application it is not considered that permission could reasonably be withheld due to the lack of cycle parking .

7.5 Economic Considerations

Any economic benefits arising from the proposal are welcomed.

7.6 Access

Access to the hotel will remain unchanged, with the main entrance being from Grosvenor Square and vehicular drop off at the rear on Adam's Row.

7.7 Other UDP/Westminster Policy Considerations

Plant

The proposed scheme seeks to relocate plant from the roof to above the new 8th floor in a dedicated screened enclosure. The exact plant specification is at this stage unknown. An acoustic report has been submitted in support of the application which details existing background noise levels. Environmental Health raise no objection to the application subject to the imposition of the normal condition which requires all plant to operate at a level 10dB below background noise levels.

As the exact details of the plant are at this stage unknown a further condition is recommended requiring a supplementary acoustic report to be approved which will confirm that the plant is capable of operating at the required noise levels.

The proposal includes the provision of Combined Heat and Power (CHP) flues on the roof. A condition is recommended to ensure that CHP complies with Environmental legislation.

7.8 London Plan

This application raises no strategic issues.

7.9 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.

7.10 Planning Obligations

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

7.11 Environmental Impact Assessment

The proposal is of insufficient scale to require an Environmental Assessment.

7.12 Other Issues

Objectors raise issues related to highways works to Adam's Row. These works are not however part of this application.

An objector initially commented that sufficient plans were not submitted as part of the application. Additional plans, elevations and details were subsequently provided which are considered sufficient to adequately determine the application.

8. BACKGROUND PAPERS

1. Application form
2. Letter from Councillor Roberts, dated 10 December 2015
3. Response from Residents Society Of Mayfair & St. James's, dated 7 December 2015
4. Response from Highways Planning - Development Planning, dated 25 November 2015
5. Response from Plant And Equipment, dated 4 December 2015
6. Letter from occupier of Flat 7, 47 Grosvenor, dated 7 December 2015
7. Letter from occupier of Flat 8, 47, dated 7 December 2015
8. Letter from occupier of 47 Grosvenor Square, London, dated 7 December 2015
9. Letter from occupier of Flat 12, 47 Grosvenor Square, dated 8 December 2015
10. Letter from occupier of 45-47 Grosvenor Square, London, dated 14 December 2015
11. Letter from occupier of Yorke Property Management Limited, 20 North Audley Street, dated 17 December 2015
12. Letter from occupier of 48, Adams Row, dated 15 December 2015
13. Letter from occupier of 47 Grosvenor Square, Mayfair, dated 20 January 2016
14. Letter from occupier of One Chapel Place, London, dated 6 April 2016

Selected relevant drawings

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

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT MIKE WALTON ON 020 7641 2521 OR BY EMAIL AT mwalton@westminster.gov.uk

9. KEY DRAWINGS

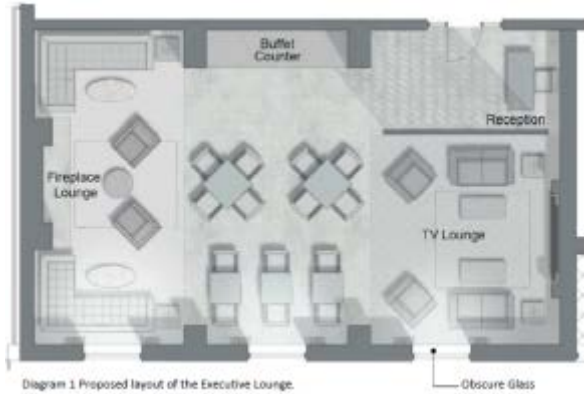
Drawing 1. Proposed Adams Row elevation



Drawing 2. Proposed third floor plan



Drawing 3. Proposed executive lounge layout at third floor level



Drawing 4. Proposed eighth floor plan



DRAFT DECISION LETTER

Address: 39-44 Grosvenor Square, London, W1K 2HP,

Proposal: Alterations including removal of roof level plant, erection of an 8th floor extension and relocation of plant to new roof level; erection of rear 3rd floor level extensions either side of a central block fronting onto Adams Row, provision of new terraces at 3rd and 7th floor levels in connection with the refurbishment of an existing hotel.

Reference: 15/07731/FULL

Plan Nos: PL-10-311 P6, PL-10-319, PL-10-312, PL-10-313, PL-10-315, PL-10-003, PL-10-314 P3, PL-10-316 A, PL-10-317 A, PL-10-319 P1.

Case Officer: Lindsay Jenkins

Direct Tel. No. 020 7641 5707

Recommended Condition(s) and Reason(s):

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

Reason:

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

- 2 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

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

- 3 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme The north end of the plant room to be clad in slates. 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 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)

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

Reason:

Because these would harm the appearance of the building, and would not meet S25 or S28, or both, of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R26HC)

- 5 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)

- 6 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise

report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 7 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

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

- 8 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 6 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in

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

- 9 You must apply to us for approval of a management plan to show how you will prevent guests from accessing the terraces at third, seventh and eighth floor levels outside the hours of 08:00 and 21:00 and how you will prevent noise from the terraces more generally causing nuisance in the area, including people who live in nearby buildings. You must not use the new guest accommodation as part of the hotel 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 hotel and new guest rooms are in use. (C05JB)

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and TACE 2 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 10 You must apply to us for approval of details of the CHP to demonstrate how it will meet the required benchmarks of the GLA SPG on Sustainable Design and Construction. You must not start work until we have approved what you have sent us. You must then provide the CHP flues according to these details.

Reason:

To ensure the development does not lead to an increase in local air pollution, as set out in S31 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 5 of our Unitary Development Plan that we adopted in January 2007.

- 11 The glass that you put in the eastern window of the executive lounge as shown on drawing PL-10-311 P6 must not be clear glass, and you must fix it permanently shut. You must then fit the type of glass we have approved and must not change it without our permission.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 12 Customers and guests shall not be permitted on the terraces before 08:00 or after 21:00 Monday to Sunday, except in an emergency.

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13AC)

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 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

24 Hour Noise Team
Environmental Health Service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (150AA)

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

- 4 We recommend all hoteliers to join the Westminster Considerate Hoteliers scheme and to support the Considerate Hoteliers Environmental Charter. This aims to promote good environmental practice in developing and managing hotels. For more information, please contact:

John Firrell MHCIMA
Secretary - Considerate Hoteliers Association
C/o Wheelwright's Cottage
Litton Cheney
Dorset DT2 9AR

E-mail: info@consideratehoteliers.com
Phone: 01308 482313

(I76AA)

- 5 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:

* Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;

* This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

- 6 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.

* Window cleaning - where possible, install windows that can be cleaned safely from within the building.

* Internal atria - design these spaces so that glazing can be safely cleaned and maintained.

* Lighting - ensure luminaires can be safely accessed for replacement.

* Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).

More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm.

Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your

drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)

- 7 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained.
Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following:
- * Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings;
 - * Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase;
 - * Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained;
 - * Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the centre of particularly wide staircases where necessary;
 - * Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.
- 8 Conditions 6 and 7 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 9 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.

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.