

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 22 November 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	313 Oxford Street, London, W1C 2HR		
Proposal	Erection of a roof extension at fourth floor level and creation of a terrace, use of second, third, fourth floors as three-bedroom dwelling (Class C3), associated alterations including a link to the adjacent residential access core (from 315-319 Oxford Street including 24 Dering Street). Installation of plant within second floor lightwell and fourth floor levels in connection with the retail and residential uses within the building.		
Agent	Strathmore Estates		
On behalf of	AAA Investment Ltd		
Registered Number	16/06485/FULL 16/06486/LBC	Date amended/ completed	8 July 2016
Date Application Received	8 July 2016		
Historic Building Grade	Grade II		
Conservation Area	Mayfair		

1. RECOMMENDATION

1. Grant conditional permission.
2. Grant conditional listed building consent.
3. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision notice.

2. SUMMARY

313 Oxford Street is a Grade II listed building. It occupies a basement, ground, first - third floors and is lawfully in retail (Class A1) use; however the second and third floors are currently vacant. The site also includes 24 Dering Street, which is unlisted and is in wholly in residential (Class C3) use containing 11 apartments.

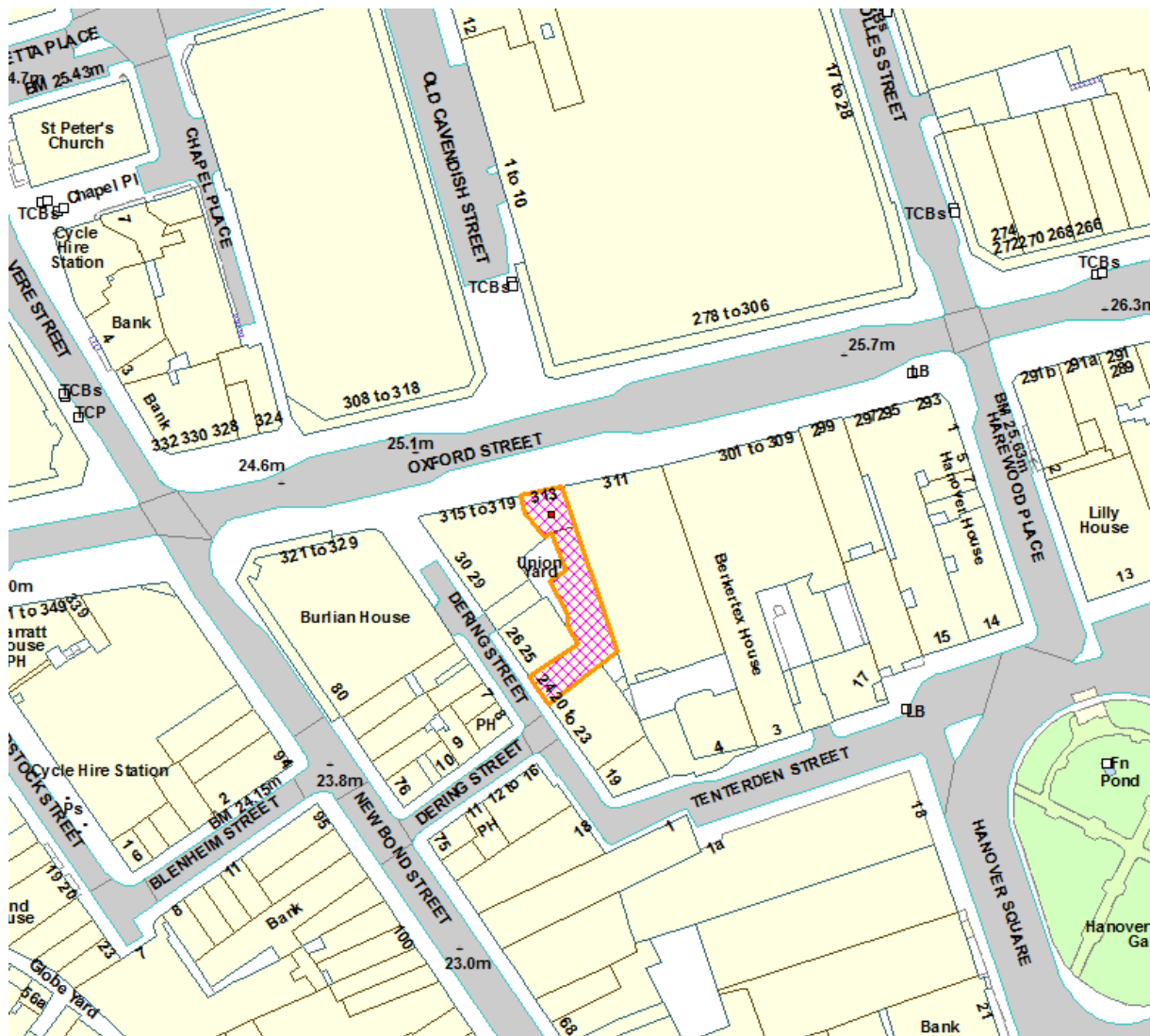
Planning permission and listed building consent is sought for the erection of a roof extension at fourth floor level and creation of a terrace and use of second, third, fourth floors as three-bedroom dwelling (Class C3) and the installation of plant within a second floor lightwell and at fourth floor levels. In order to provide access, it is also proposed to provide a link to the adjacent residential access core (from 315-319 Oxford Street including 24 Dering Street).

The key issues for consideration are:

- The loss of lawful retail use within the building

The application is acceptable in land use, design, amenity and highways terms and is 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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4. PHOTOGRAPHS

Front elevation of building



Residential entrance and entrance to residential waste store at 24 Dering Street



5. CONSULTATIONS

RESIDENTS SOCIETY OF MAYFAIR AND ST JAMES'S: Any response to be reported verbally

CLEANSING: No objection

HIGHWAYS PLANNING MANAGER: Objection-lack of car parking.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 37; Total No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

313 Oxford Street is a Grade II listed building. It occupies a basement, ground, first - third floors and is lawfully in retail (Class A1) use; however the second and third floors are currently vacant. The site also includes 24 Dering Street, which is unlisted and is in wholly in residential (Class C3) use containing 11 apartments.

Access is provided from Oxford Street to the small retail unit (ground and basement floors) which is currently occupied by Swatch. Access to the upper floors (first - third) is via the first floor of the neighbouring retail unit at 315-319 Oxford Street and is currently occupied by the retailer Pull and Bear; however they only use the first floor for storage.

The application site is located within the Mayfair Conservation Area, the Core Central Activities Zone (CAZ), West End Special Retail Policy Area (WESPRA) and Oxford Street is designated as a Primary Shopping Frontage in the City Policies: Strategic Policies.

6.1 Recent Relevant History

April 2013 – listed building consent granted for the creation of a doorway to the adjoining building and internal alterations at first floor level.

7. THE PROPOSAL

Planning and listed building consent at 313 Oxford Street are sought for the erection of a roof extension at fourth floor level and creation of a terrace and use of second, third, fourth floors as three-bedroom dwelling (Class C3). In order to provide access, it is also proposed to provide a link to the adjacent residential access core (from 315-319 Oxford Street including 24 Dering Street). The applications also include installation of plant within second floor lightwell and fourth floor levels in connection with the retail and residential uses within the building.

The residential use will consist of one 3-bedroom apartment, over 3 storeys including a fourth floor roof extension and terrace at the rear set into the fourth floor extension. The dwelling will provide 188.7m² (GIA).

8. DETAILED CONSIDERATIONS

8.1 Land Use

Loss of retail use

This property is located on a Primary Shopping Frontage and within the West End Special Retail Policy Area and Core CAZ. Policies S6 (Core CAZ) and S7 (West End Special Retail Policy Area) of the City Plan encourages retail floorspace in these locations. Policy S21 (retail) considers that existing retail will be protected, except where the Council considers that the unit is not viable. Policy SS3 of the UDP protects retail use in general and specifies that, except in the most exceptional circumstances, planning permission will not be granted for a change of use from A1 use at basement, ground floor or first floor levels within the Primary Shopping Frontages.

The lawful use of the whole of the property is for Class A1 retail purposes. Only the basement and ground floors are currently occupied as a retail use (by Swatch), with the first floor used as ancillary (storage) use by the adjoining shop. The second and third floors appear to have been left vacant for a number of years.

The applicant has submitted marketing evidence from Harper Dennis Hobbs in support of the application. It states that a new lease was negotiated with Swatch in 2011 in which Swatch refused to take on the upper floors (the basement providing sufficient ancillary accommodation) and did not want to sacrifice any part of the ground floor space that would be necessary to provide access to the upper parts. With no grounds to reject the tenancy or to force them to take additional space, a 10 year lease over ground and basement was agreed with Swatch.

The landlord in July 2013 agreed a deal with Inditex (brand being Pull and Bear) to take the first floor above 313 Oxford Street as additional storage, accessed via 315-319 Oxford Street. They were offered concessionary terms to take the second and third floors, however the first floor was sufficient to meet Inditex's requirement. The second and third floor is isolated without independent access and un-lettable until the expiry of the two tenant's leases. The submitted information, suggests that there is unlikely to be any interest in occupying the top two floors for retail purposes.

The City Council acknowledges in SS3 that in some cases not all the upper floors can be effectively used for A1, and that other A2 or A3 uses may be offered. This situation is mostly offered by large retail shops, department and flagship stores, however; this building would not be classified as one of the above.

Given that the first floor has been let for retail use to the adjoining retail premises, and based on the information submitted by the applicant setting out the leases of the basement- first floors and the long term vacancy and access restrictions in respect to the second and third floors and the floors, the loss of retail use is considered to be acceptable. Exceptional circumstances are considered to have been demonstrated that justifies an exception being made to the normal policy presumption to protect the retail use.

Residential use

Policy H3 in the UDP aims to maximise the amount of housing outside the Core CAZ and, where appropriate, within the Core CAZ. This is emphasised by City Plan policy S14 which states that residential use is the priority across Westminster except where specifically stated. Therefore the principle of providing residential floorspace within the second and third floors of 313 Oxford Street is supported by City Plan policies S6 and S14 and UDP policy H3.

The residential use will consist of one 3 bedroom apartment, over 3 storeys including a fourth floor roof extension. The dwelling will provide 188.7m² (GIA) and exceeds the requirements set out in the GLA Housing Standards and will be a family sized unit complying with policy H3 of the UDP. The unit will be single aspect, onto Oxford Street; however, there is amenity space in the form of a terrace at the rear set into the fourth floor extension.

The windows will have secondary glazing and subject to conditions to ensure that the unit would achieve satisfactory internal noise levels in relation to internal and external noise sources, the scheme is considered to provide a good standard accommodation for future residents.

The increase in residential floorspace does not trigger the requirement to provide a proportion of affordable housing within this scheme.

8.2 Townscape and Design

313 Oxford Street is an attractive grade II listed building dating from the late 19th Century in the Mayfair Conservation Area. Originally it was built as a public house.

The building has suffered substantial unsympathetic modification; however some original detailing survives at the third floor, along with floor boards and the staircase. Much of the special interest is concentrated in the front façade, however no work is proposed to this area. A roof extension is proposed which is shown in the position of a previous roof form that historically existed at the time the premises were used as a public house. However, the modern design of the roof extension is considered acceptable as it has limited public visibility and is not considered to be harmful to the character and appearance of the listed building.

On balance the proposals are considered to be acceptable in design terms and to be in accordance with DES 5, DES 6, DES 9 and DES 10 of the City Councils UDP.

8.3 Residential Amenity

The properties to either side, 311 and 315-319 Oxford Street, are higher than the application site. The roof extension and terrace would be set behind the existing building's façade in an enclosed area. No surrounding property is considered to overlook this area and there would be no impact on surrounding properties in terms of daylight and sunlight.

The proposals include measures to ensure that there is adequate separation between the retail and residential unit and that the residential unit is protected from external noise levels by secondary glazing from road traffic etc on Oxford Street.

8.4 Transportation/Parking

There is no prospect of providing off street parking and the area is well served by public transport. It is recognised that this site is located within a highly accessible location and as the proposed development is for one residential unit, it is unlikely to result in a significant increase in demand for on-site parking in the vicinity. A refusal could not be sustained on these grounds and the objection from the Highways Planning Manager is not sustainable.

The plans indicate 2 cycle parking spaces will be provided within the flat at third floor level, consistent with the London Plan (2016) and a condition is recommended to ensure that they are provided and retained.

8.5 Economic Considerations

Any economic benefits generated by the proposals are welcomed.

8.6 Access

The new flat would be accessed via the existing stair core/lifts serving the flats at 315-319 Oxford Street (accessed from 24 Dering Street).

8.7 Other UDP/Westminster Policy Considerations

Noise

The proposed terrace measures 8.5m² and there are high walls to this area. Given the distances from neighbouring properties and the high boundary walls, the small terrace is unlikely to give rise to any significant noise disturbance and would help to maintain privacy for both the occupiers and any neighbouring occupiers.

Plant

The plant area is proposed to be relocated to the building lightwell, and will provide plant to serve both the retail and residential uses within the building. The site is located within an area in which existing ambient noise levels are above WHO guideline levels. The operational time for the air conditioning plant is 08:30-19:00 Monday -Saturdays and 10:00-17:00 on Sundays with the air conditioning units operated by an automatic time switch system. The residential plant is proposed to operate 24 hours a day. The nearest noise sensitive property is the new apartment and residential units over 315 Oxford Street. A condensing unit for the residential property will be installed at 4th floor roof level. The proposed plant is likely to comply with the design level criterion at the proposed residential noise receptor and raises no objections from environmental health.

Refuse /Recycling

A waste and recycling storage area will be provided in an existing waste and recycling bin store within the neighbouring building at 315-319 Oxford Street/24 Dering Street (where residential access will be taken from). The cleansing officer has confirmed that the refuse area has capacity to accommodate the waste and recycling for the residential unit. As the existing waste and recycling storage facilities are within the control of the applicant, a condition is recommended to ensure that this facility is maintained for the lifetime of the development.

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

Planning obligations are not relevant in the determination of this application. The estimated CIL payment is: Mayor: £3,488.43; WCC: £31,460.00.

8.11 Environmental Impact Assessment

There are no environmental impact issues associated with this proposed development

8.12 Other Issues

None

9. BACKGROUND PAPERS

1. Application form
2. Response from Cleansing - Development Planning, dated 30 August 2016
3. Response from Highways Planning - Development Planning, dated 7 October 2016
4. Response from Environmental Health, dated 28 October 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 THE PRESENTING OFFICER: PAUL QUAYLE BY EMAIL AT pquayle@westminster.gov.uk

10. KEY DRAWINGS

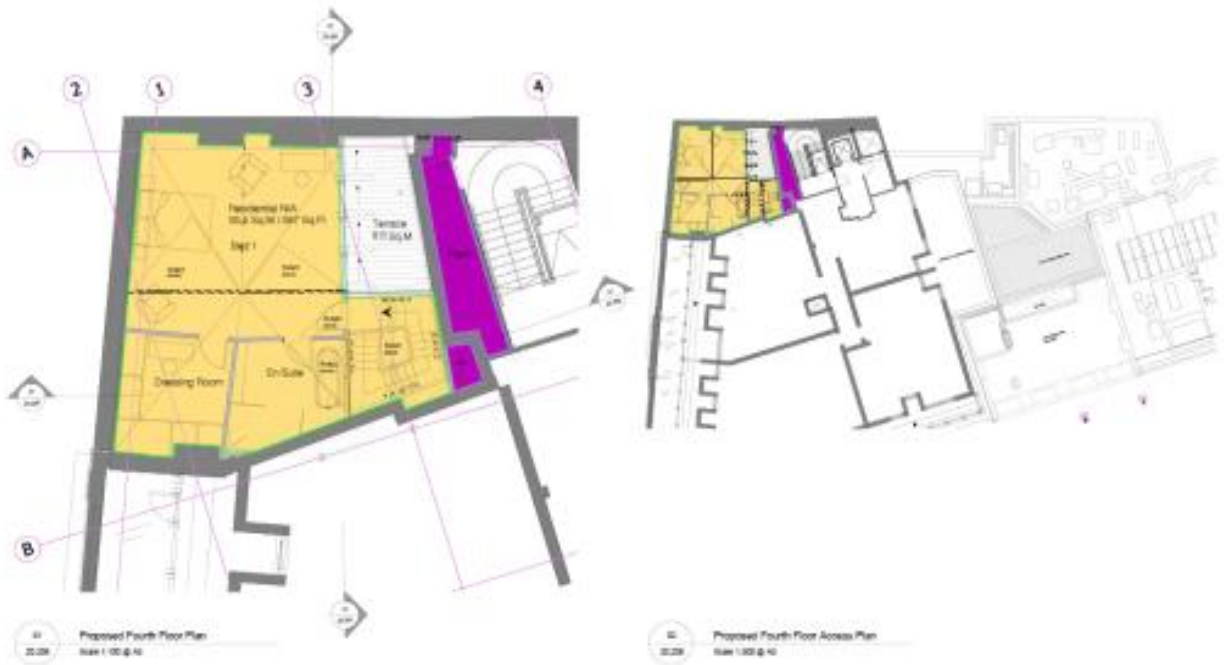
Drawing 1. Proposed second floor



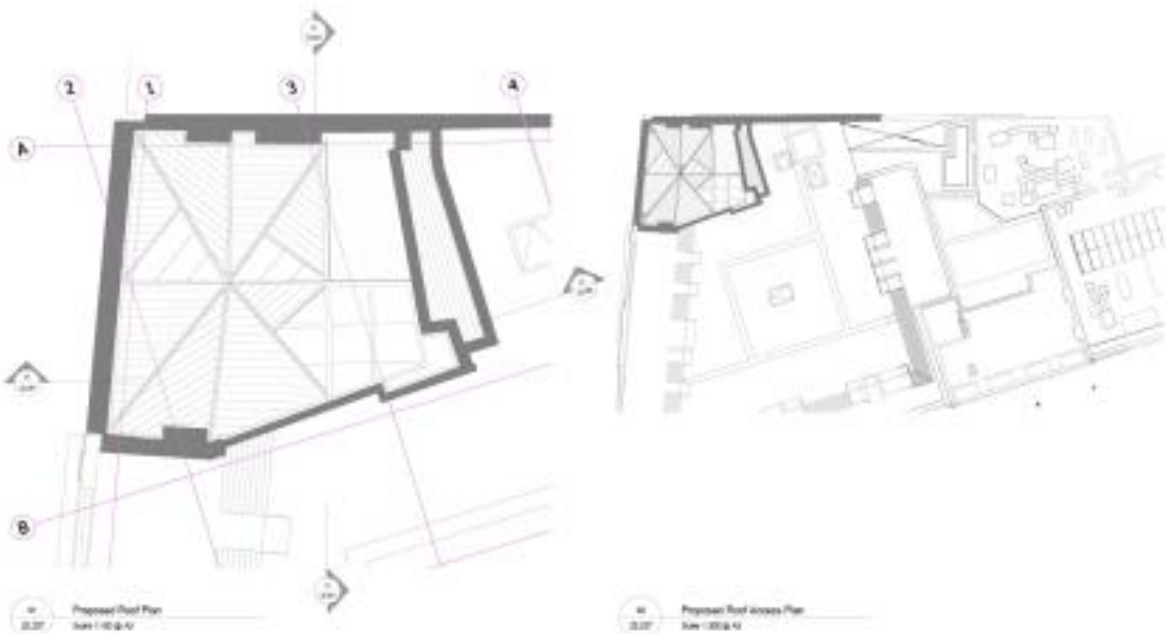
Drawing 2. Proposed third floor



Drawing 3. Proposed fourth floor



Drawing 4. Proposed roof plan



Drawing 5. Proposed front elevation



Key:
 - Extent of site
 - Line of ridge for extension behind each gable

Notes:
 1. Ridge line set back 3m from each gable.
 (See notes from surrounding context at sheet 0001)



View from the corner of Old Cambridge Street and Colton Street at eye height



View from Old Cambridge Street

For Planning

App. No.	20/271	Site No.	102/10
App. No.	20/271	App. No.	20/271
App. No.	20/271	App. No.	20/271

Client:
AAA Investments

Project:
313 Oxford Street

The
**Proposed North Elevation
 (Front)**

Project No.	Drawing No.	Rev.
5513	20.271	P2

Notes:
 1. Do not scale from this drawing. The Contractor is to take and check all dimensions on site before work commencing. Discrepancies must be reported to the ARCHITECT IMMEDIATELY. THIS NOTE IS APPLICABLE TO ALL WORK TAKING PLACE DURING OR CONNECTING WITH THIS DRAWING. THIS DRAWING IS COPYRIGHT ©

DRAFT PLANNING DECISION LETTER

Address: 313 Oxford Street, London, W1C 2HR

Proposal: Erection of a roof extension at fourth floor level and creation of a terrace, use of second, third, fourth floors as three-bedroom dwelling (Class C3), associated alterations including a link to the adjacent residential access core (from 315-319 Oxford Street including 24 Dering Street) at 313 Oxford Street. Installation of plant within second floor lightwell and fourth floor levels in connection with the retail and residential uses within the building.

Reference: 16/06485/FULL

Plan Nos: 20.201 P1; 20.202 P1; 20.203 P1; 20.204 P1; 20.205 P2; 20.206 P1; 20.207 P1; 20.251 P2; 20.252 P1; 20.271 P2; 20.272 P2; 20.273 P2. 20.221 P1. Marketing Letter dated 20 June 2016.

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 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
- o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and
 - o not at all on Sundays, bank holidays and public holidays.

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

- o between 08.00 and 18.00 Monday to Friday; and
- 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). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) 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.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.

- 4 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number 20.221 P1. You must clearly mark them and make them available at all times to everyone using the residential unit. (C14FB)

Reason:

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

- 5 You must provide each cycle parking space shown on drawing 20.205 P2 prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

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.

- 6 The three bedroom residential unit shown on the approved drawings must be provided and thereafter shall be permanently retained as accommodation which (in addition to the living space) provides three separate rooms capable of being occupied as bedrooms.

Reason:

To make sure that the development is completed and used as agreed, and to make sure that it meets H3 of our Unitary Development Plan that we adopted in January 2007. (R07AB)

- 7 The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development.

- 8 The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

- 9 You must apply to us for approval of samples and specification 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.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.

- 10 You must apply to us for approval of detailed drawings (scale 1:20 and 1:5) of the following parts of the development –
i) roof lights; ii) windows iii) external doors iv) new roof. You must not start any work on these parts of the development until we have approved what you have sent us.

You must then carry out the work according to these details. (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.

- 11 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building unless they are shown on the approved drawings. (C26KA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.

- 12 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace. (C26NA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.

- 13 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:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.

14 (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 (July 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.

- 15 The commercial retail plant hereby permitted shall not be operated except between 08:30-19:00 hours on Monday to Saturdays and 10:00-17:00 hours on Sundays.

Reason:

To safeguard the amenity of occupiers of noise sensitive properties and the area generally by ensuring that the plant/machinery hereby permitted is not operated at hours when external background noise levels are quietest thereby preventing noise and vibration nuisance as set out in S32 of Westminster's City Plan (July 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.

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 (July 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 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: , www.westminster.gov.uk/cil, , Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**, , CIL forms are available from the planning on the planning portal: , <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>, , Forms can be submitted to CIL@Westminster.gov.uk, , **Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.**

DRAFT LISTED BUILDING CONSENT DECISION LETTER

Address: 313 Oxford Street, London, W1C 2HR

Proposal: Erection of a roof extension at fourth floor level and creation of a terrace, use of second, third, fourth floors as three-bedroom dwelling (Class C3), associated alterations including a link to the adjacent residential access core (from 315-319 Oxford Street including 24 Dering Street) at 313 Oxford Street. Installation of plant within second floor lightwell and fourth floor levels in connection with the retail and residential uses within the building.

Reference: 16/06486/LBC

Plan Nos: 20.201 P1; 20.202 P1; 20.203 P1; 20.204 P1; 20.205 P2; 20.206 P1; 20.207 P1; 20.251 P2; 20.252 P1; 20.271 P2; 20.272 P2; 20.273, 30.251 P2; 30.252 P250.601 P2.

Case Officer: Lindsay Jenkins

Direct Tel. No. 020 7641 5707

Recommended Condition(s) and Reason(s)

- 1 The works 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 and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 3 You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 4 The works approved are only those shown on the drawings listed on this decision letter. (C27NA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 5 You must not disturb existing original floor boards and doors at third floor level unless changes are shown on the approved drawings. (C27MA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 6 You must apply to us for approval of detailed drawings (scale 1:20 and 1:5) of the following parts of the development -
- i) roof lights
 - ii) windows
 - iii) internal doors
 - iv) new roof
 - v) secondary glazing
 - vi) new stair case extension

You must not start any work on these parts of the development until we have approved what you have sent us.

You must then carry out the work according to these details. (C26DB)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 7 All new outside rainwater and soil pipes must be made out of metal and painted black. (C27HA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

Informative(s):**1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT -**

In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan March 2016, Westminster's City Plan (July 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council decided that the proposed works would not harm the character of this building of special architectural or historic interest. In reaching this decision the following were of particular relevance: S25 and S28 of Westminster's City Plan: Strategic Policies and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.3 and 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

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.