

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 17 January 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	55 Shepherd Market, London, W1J 7PU		
Proposal	Use of an area of public highway measuring 18.9m x 3.5m for the placing of 15 tables and 37 chairs and associated timber decking, planters with awning support stations and removable glazed screens, timber trellis and free-standing external heaters and lighting in connection with the existing ground floor use.		
Agent	Mr Daniel Rinsler		
On behalf of	5 Hertford Street Ltd		
Registered Number	16/09864/TCH 16/09865/LBC	Date amended/ completed	15 October 2016
Date Application Received	15 October 2016		
Historic Building Grade	Grade 2		
Conservation Area	Mayfair		

1. RECOMMENDATION

Refuse permission and listed building consent – design grounds

2. SUMMARY

The site comprises a group of listed buildings which together form a block bounded by Trebeck Street, Hertford Street, Shepherd Street and Shepherd Market. Since July 2012 the buildings have been operating as a prestigious private members club, known as '5 Hertford Street'. Prior to this the buildings had been vacant and derelict for over 10 years.

Temporary permission was initially granted for tables and chairs on the Shepherd Market frontage on timber decking on 20 September 2012. Subsequently permission was granted again on 16 April 2013 and on 24 July 2014. The latest permission granted on 11 August 2016, permits the tables and chairs on the decking and the associated structure to remain in place until 31 August 2018. Listed building consent was also granted on the same date for the awning support stations and decking.

Although the provision of decking is contrary to UDP policies DES7 (E) DES 9 and DES 10, the committee recognised that external tables and chairs are part of the distinctive character of Shepherd

Market. Furthermore without the proposed decking it would not be possible to use the area for external dining. Permission was therefore granted.

Permission is again sought for the tables and chairs on the decking along with the associated structures and listed building consent for the structures. However, the current applications seek to introduce demountable frameless glass panels on all sides of the structure between the timber posts. The proposed glass panels would be secured within a channel integrated within the vertical circular posts and upstand planters. The applicant advises that the demountable glass panels would only be retained during inclement weather and would provide greater comfort to external diners.

The key issue for consideration is one of design and the impact that the provision of the glass screens would have on the appearance of the Grade 2 listed buildings, and the Mayfair Conservation Area.

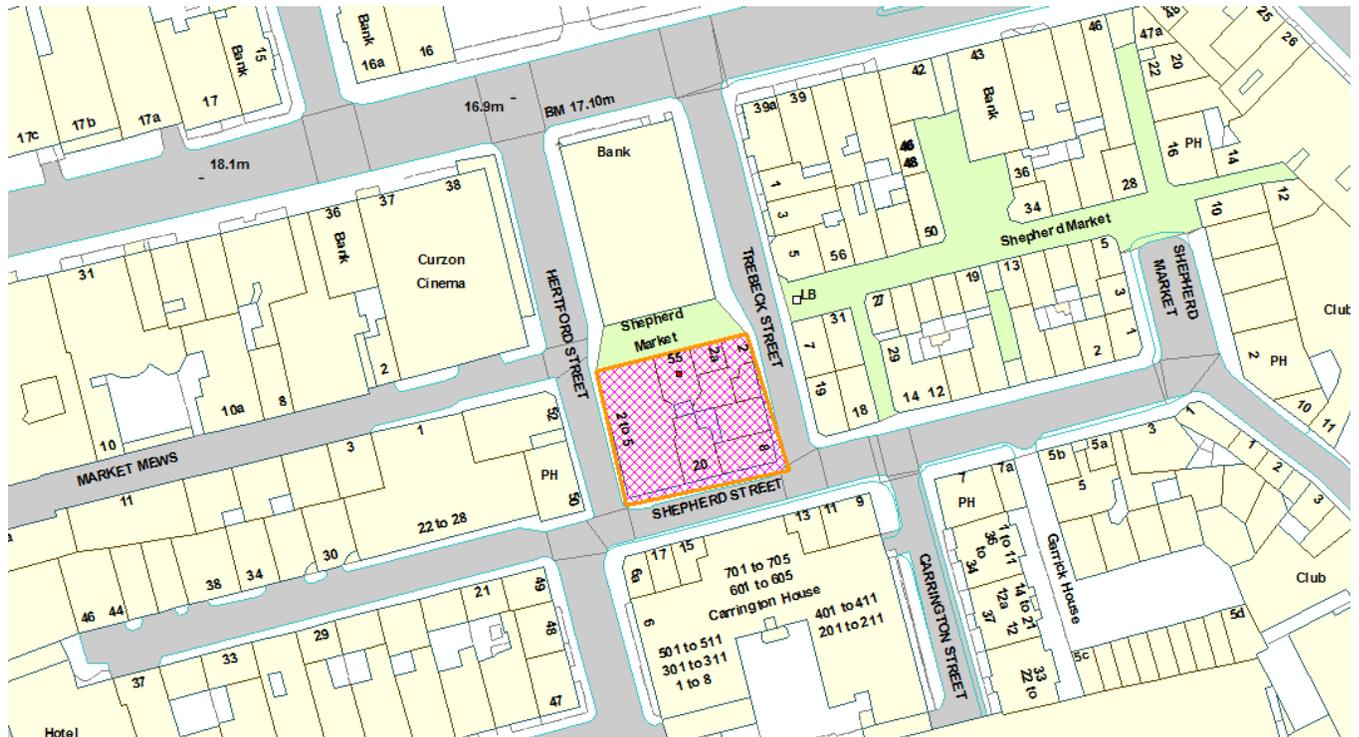
Shepherd Market is 6.2m wide from building line to building line. The tables and chairs occupy an area of 3.5m, leaving an area 2.7m free and unobstructed. The Highways Planning Manager objected to previous applications and again maintains an objection to the latest application on the grounds that the proposal does not comply with Westminster Way public realm strategy, which states that as a general principle streets should not have more than half their width taken over for commercial activities. Whilst this objection is noted, the area proposed remains as previously permitted. The principle of tables and chairs in the area proposed has been firmly established and this remains acceptable in principle.

As stated the salient point for consideration is the impact that the provision of the glazed screens would have in design terms. The erection of glazed screens would effectively enclose the space in front of the listed buildings, thereby creating what is in effect a single storey extension in front of the building line, on the public highway. The enclosure of this forecourt area changes its character significantly. It is considered that this is an unacceptable alteration to the front of these listed buildings and it will harm their appearance and their special architectural and historic interest.

Such 'extensions' in front of buildings, on the public highway, are not a feature of the Mayfair Conservation Area or indeed of any conservation area in the City of Westminster. It is considered that the proposed works will harm the appearance of the street, and fail to preserve or enhance the character and appearance of this part of the Mayfair Conservation Area.

The proposals are contrary to the City Council's urban design and conservation policies as set out in the City Plan and in chapter 10 of the Unitary Development Plan; policies DES 1, DES 5, DES 7, DES 9 and DES 10 are all applicable.

3. LOCATION PLAN



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4. PHOTOGRAPHS



View from Shepherd Market (top)

View from Market Mews (below)



5. CONSULTATIONS

RESIDENTS SOCIETY OF MAYFAIR AND ST JAMES:
No response received

HIGHWAYS PLANNING MANAGER:
Objection, obstruction on the highway

CLEANSING
No objection

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 32
Total No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND PAPERS

1. Application form
2. Memorandum from Cleansing dated 3 November 2016
3. Memorandum from Highways Planning Manager dated 30 November 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: JO PALMER BY EMAIL AT jpalme@westminster.gov.uk.

7. KEY DRAWINGS

Proposed Elevation 1:50

Proposed Plan 1:50

Proposed Section 1:25

Proposed Planter and Removable Glass Screen

LINE OF NEIGHBOUR'S PROPERTY

Notes

1. Existing circular decorative posts act as support stations to the temporary glazing

2. Removable sliding glazed wind protection screen

15.95

PLANNING

BLAIR ASSOCIATES

5 Hertford Street

Drawn by: Proposed Elevation & Plan

Author	Checked	Approved	Date Issued
1472			25.10.2019
Project No.	Scale	Sheet No.	of
149624003		08	12

DRAFT DECISION LETTER

Address: 55 Shepherd Market, London, W1J 7PU

Proposal: Use of an area of public highway measuring 18.9m x 3.5m for the placing of 15 tables and 37 chairs and associated timber decking, planters with awning support stations and removable glazed screens, timber trellis and free-standing external heaters and lighting in connection with the existing ground floor use. , ,

Reference: 16/09864/TCH

Plan Nos: 1496-P-003

Case Officer: Mike Walton

Direct Tel. No. 020 7641 2521

Recommended Condition(s) and Reason(s)

- Reason:
- 1 Because of its detailed design and materials of construction the covered area with glazed screens would harm the appearance and special architectural interest of this grade II listed building. It 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 (July 2016) and DES 1, DES 5, DES 7, DES 9, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (X17AC)

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 so far as practicable. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

DRAFT DECISION LETTER

Address: 55 Shepherd Market, London, W1J 7PU

Proposal: Installation of timber decking, planters with awning support stations and removable glazed screens, timber trellis and free-standing external heaters and lighting in connection with the use of the public highway for the placing of tables and chairs.

Reference: 16/09865/LBC

Plan Nos: 1496-P-003

Case Officer: Mike Walton

Direct Tel. No. 020 7641 2521

Recommended Condition(s) and Reason(s)

- Reason:
- 1 Because of its detailed design and materials of construction the covered area with glazed screens would harm the appearance and special architectural interest of this grade II listed building. It 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 (July 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (X17CB)

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