

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 15 February 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	87 - 88 Mount Street, London, W1K 3NE,		
Proposal	Replacement of shopfronts on Mount Street and South Audley Street with fixed stallriser and openable windows.		
Agent	Miss Jennifer Carroll		
On behalf of	See Company Name		
Registered Number	16/11321/FULL & 16/11322/LBC	Date amended/ completed	1 December 2016
Date Application Received	29 November 2016		
Historic Building Grade	II		
Conservation Area	Mayfair		

1. RECOMMENDATION

- i. Grant conditional permission.
- ii. Grant conditional listed building consent.
- iii. Agree the reasons for granting listed building consent as set out in informative 1 of the draft decision letter.

2. SUMMARY

The building is a grade II listed building, located on the southern side of Mount Street at the junction with South Audley Street, in the Mayfair Conservation Area. The application premises is a private members club (primarily dining). The club has outdoor dining with tables located on a private forecourt, on both its Mount Street and South Audley Street frontages. The upper floors are residential flats.

Permission and listed building consent is sought for the installation of partially openable shopfronts on both Mount Street and South Audley Street .

The key issues for consideration are :

The impact on the appearance of the building and the Mayfair Conservation Area,

The impact on residential amenity

The proposed replacement shop front will be constructed in timber with a fixed stall riser and fixed arched transoms and transom lights above a central glazed area. The central glazing area will have open able elements, although a fixed area of glazing will be retained in each bay, resulting in over a third of the glazing to each bay being fixed. The introduction of a fixed stall riser and glazed transom lights ensures the new shop fronts retain a traditional appearance and avoid any visual voids in the facade. The detailed design of the shop front takes reference from adjoining shop fronts in the listed terrace. The removal of the existing timber transom lights and replacement with an arched transom and glazed lights improves the overall appearance of the shop front ensuring a consistent frontage to the terrace as a whole. The works are considered to be acceptable in design terms.

With regards to residential amenity openable shopfronts are generally discouraged on the basis that internal noise can escape and cause nuisance for nearby residents as set out in Policy ENV 7 of the UDP (2007).

There has in the past been a noise issue with regards to the operation of the private members club. In December 2015 a Section 80 Noise Abatement Notice was issued following a performance of live music. An acoustic report has been submitted in support of the application. This states that any noise break-out from the ground floor bar and dining areas would be unlikely to be noticeable as it would be below existing noise levels dominated by road traffic. The report predicts that the comparison between the noise levels at the face of the building when the windows are open and shut would be insignificant.

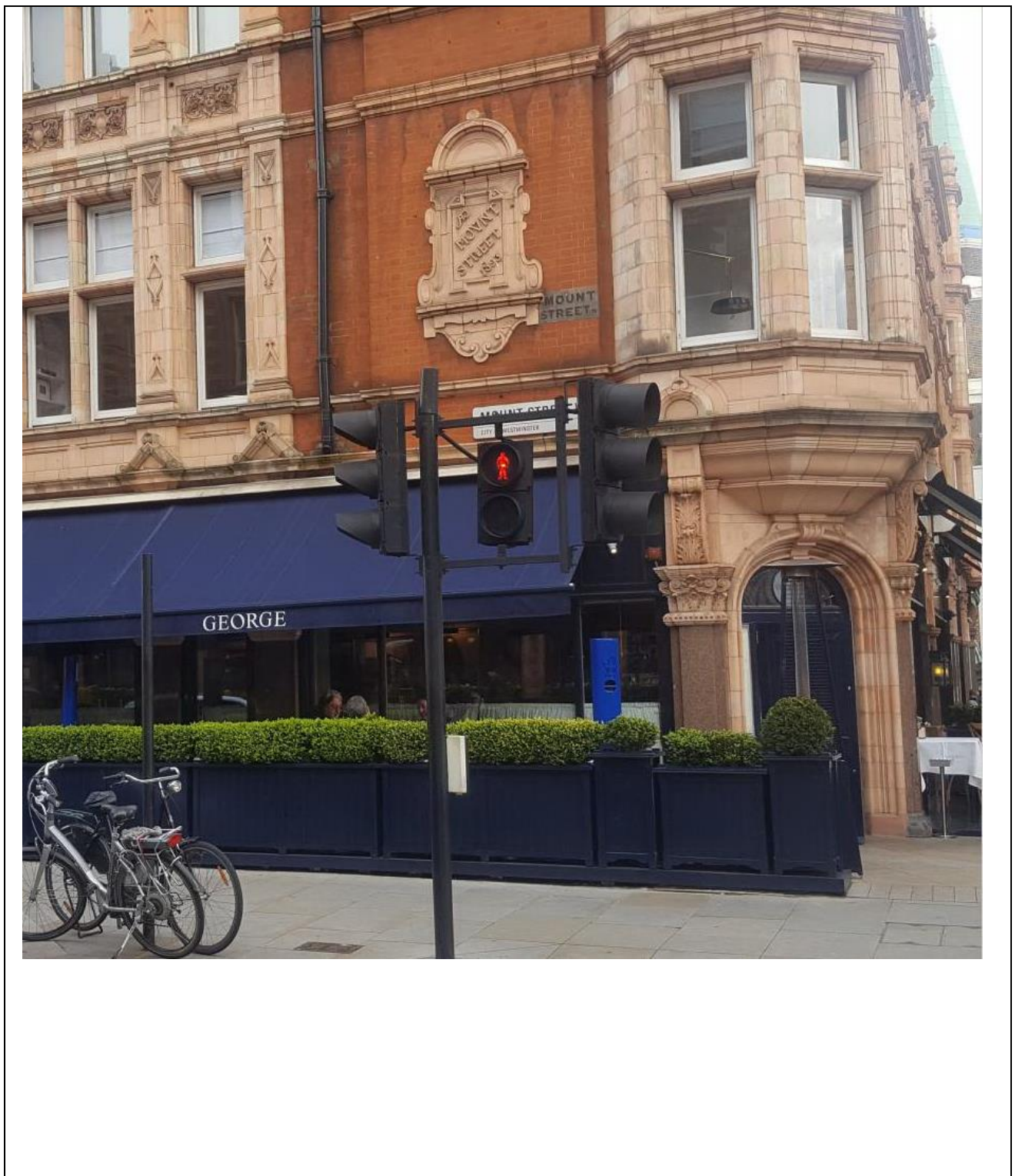
No objections have been received to the applications in response to neighbour consultations. Environmental Health have however expressed concern that the premises licence allows the playing of recorded music which could potentially result in noise nuisance if windows are open. They requested that any permission is subject to a condition which requires windows to be kept closed during the playing of live or recorded music. The applicant has confirmed that the shopfront windows would be kept shut after 22.00 hours.

Subject to these conditions it is considered that the installation of partially openable shopfronts as proposed would be unlikely to result in noise nuisance to neighbouring residents. However to ensure that this is the position it is recommended that permission is granted for a temporary period of 1 year in the first instance to enable the position to be monitored.

3. LOCATION PLAN



4. PHOTOGRAPHS



5. CONSULTATIONS

ENVIRONMENTAL HEALTH

No objection, subject to conditions

RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S

No response received to date.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 37

Total No. of replies: 0

No. of objections: 0

No. in support: 0

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND PAPERS

1. Application form
2. Response from Environmental Health Consultation, dated 4 January 2017

(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: MIKE WALTON BY EMAIL AT MWALTON@WESTMINSTER.GOV.UK.

7. KEY DRAWINGS

The drawing set includes three main components:

- Color-coded Elevation:** A detailed architectural elevation of a building facade. It features a central entrance with a pedimented roof and a decorative finial. To the left, there is a section with a red-colored wall and a window with a decorative arch. To the right, there is a section with a blue-colored wall and a large window with a decorative arch. The drawing shows architectural details such as window frames, door panels, and decorative moldings.
- Line Drawing Elevation:** A detailed architectural elevation of the same building facade, rendered in black lines on a white background. It shows the same architectural details as the color-coded version, including the central entrance, the red-walled section, and the blue-walled section.
- Legend and Scale:** A legend located at the bottom of the drawing set. It includes a scale bar at the bottom left, which is marked from 0 to 20. The legend contains several entries with corresponding symbols:
 - A symbol consisting of a horizontal line with a small square at the end, labeled "GLASS CURTAIN WALL SYSTEM".
 - A symbol consisting of a horizontal line with a small square at the end, labeled "ALUMINUM WINDOW FRAME SYSTEM WITH GLASS".
 - A symbol consisting of a horizontal line with a small square at the end, labeled "ALUMINUM WINDOW FRAME SYSTEM WITH GLASS".
 - A symbol consisting of a horizontal line with a small square at the end, labeled "ALUMINUM WINDOW FRAME SYSTEM WITH GLASS".

MONIAL STREET ELEVATION 1:30

NOT TO SCALE
NOT TO SCALE
NOT TO SCALE

PLANNING 1237E

DATE: 12/15/2023
TIME: 10:00 AM

DRAFT DECISION LETTER

Address: 87 - 88 Mount Street, London, W1K 3NE,

Proposal: Replacement of shopfronts on Mount Street and South Audley Street with fixed stallriser and openable windows.

Reference: 16/11321/FULL

Plan Nos: PL201 and 202

Case Officer: Susanna Miller

Direct Tel. No. 020 7641 2459

Recommended Condition(s) and Reason(s)

- 1 (1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the private members' club, 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 permitted hours of use. The activity-specific noise level should be expressed as LAeqTm,, and shall be representative of the activity operating at its noisiest., , (2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within private members' club, 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 permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest., , (3) Following completion of the development, 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 including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:; (a) The location of most affected noise sensitive receptor location and the most affected window of it;; (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;; (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;; (d) The lowest existing LA90, 15 mins measurement recorded under (c) above;; (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;; (f) The proposed maximum noise level to be emitted by the activity.

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 (UDP), 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 (November

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.

- 2 You must keep the external doors and windows closed whenever there is music entertainment taking place at the premises. You can use them in an emergency or for maintenance only.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 3 The opening of the windows in the shopfront allowed by this permission can continue until 31 January 2018. After that the windows shall be closed and fixed shut. You can use them in an emergency or for maintenance only

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13FB)

- 4 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme - Removal of fall arrest bar - South Audley Street elevation. 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 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 (November 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. (R26FD)

- 5 You must apply to us for approval of detailed drawings (scale 1:20 and 1:5); of the following parts of the development - New shopfront including openable and non-openable sections showing junctions with existing original fabric. 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 approved documents (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 (November 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. (R26FD)

- 6 You must not attach space heaters, 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 (November 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. (R26FD)

- 7 All windows to be clear glazed with no opaque sections.

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 (November 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. (R26FD)

- 8 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.

- 9 You must close the windows within the shopfronts hereby approved between 22:00 each day and 07.00 the following morning.

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and S32 of Westminster's City Plan (November 2016) 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 (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, 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.

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.

DRAFT DECISION LETTER

Address: 87 - 88 Mount Street, London, W1K 3NE,

Proposal: Replacement of shopfronts on Mount Street and South Audley Street with fixed stallriser and openable windows.

Reference: 16/11322/LBC

Plan Nos: PL201 and 202

Case Officer: Susanna Miller

Direct Tel. No. 020 7641 2459

Recommended Condition(s) and Reason(s)

- 1 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 (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 2 You must apply to us for approval of detailed drawings (scale 1:20 and 1:5); of the following parts of the development - New shopfront including openable and non-openable sections showing junctions with existing original fabric. 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 approved documents (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 (November 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 (November 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 (November 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 apply to us for approval of detailed drawings showing the following alteration(s) to the scheme - Removal of fall arrest bar - South Audley Street elevation. 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)
- 6 All windows to be clear glazed with no opaque sections.

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 (November 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 (November 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 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes: , * any extra work which is necessary after further assessments of the building's condition; , * stripping out or structural investigations; and, * any work needed to meet the building regulations or other forms of statutory control. , Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents. , It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

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.