

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 2 May 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	27-41 Half Moon Street, London, W1J 7BN		
Proposal	External and internal alterations and extensions to the existing hotel including the excavation of a new basement beneath part of the site, erection of rear infill extensions, and roof level alterations to nos. 35, 36, 37 and 38 to provide additional hotel accommodation (Class C1). Installation of external plant at main roof level on nos. 28, 29 and 30.		
Agent	QUOD		
On behalf of	London and Regional Properties		
Registered Number	16/08673/FULL 16/08675/LBC	Date amended/ completed	5 October 2016
Date Application Received	6 September 2016		
Historic Building Grade	II		
Conservation Area	Mayfair		

1. RECOMMENDATION

1. Grant conditional planning 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

The site relates to a group of 15 terraced properties (27-41 Half Moon Street) of which 29 to 34 (consecutive) and 41 are Grade II listed. They are currently occupied by the Hilton London Green Park Hotel, providing a 163 bedroom hotel with ancillary restaurant and bar facilities. The site is located on the western side of Half Moon Street within the Mayfair Conservation Area and Core Central Activities Zone but outside of any designated stress areas.

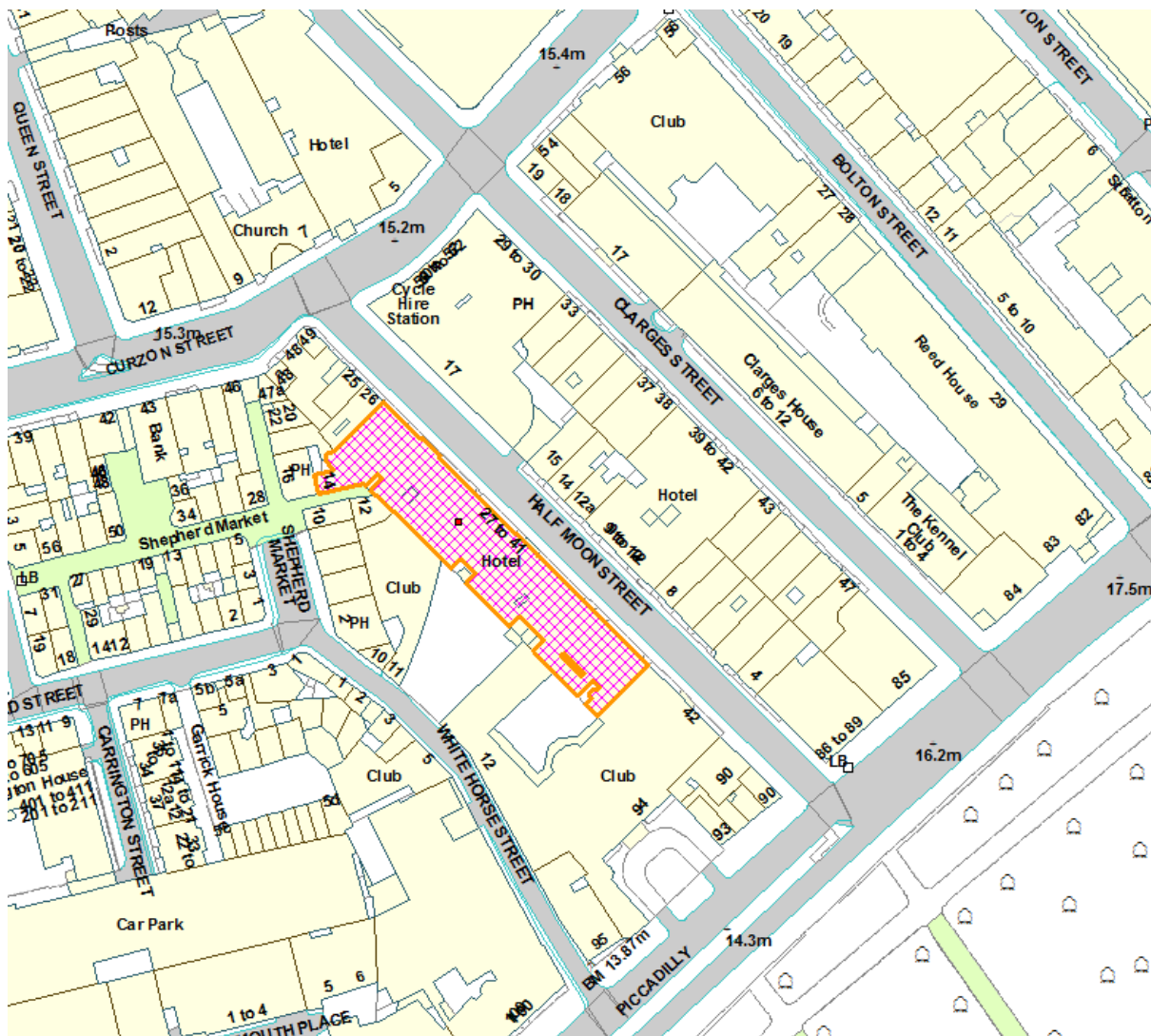
Permission is sought for internal and external alterations including the excavation of a new sub-basement level beneath part of the hotel and extensions on the rear elevation and at main roof level. The proposal also creates a dedicated servicing entrance on the northern side of the hotel along Half Moon Street and installation of plant with associated screening at main roof level.

The key issue for consideration is:

- The impact of a dedicated servicing entrance on the amenities of neighbouring occupiers.

The extension of the existing hotel is considered acceptable in land use, design, amenity and highways terms and is in accordance with the relevant policies within the Unitary Development Plan (UDP) and Westminster's City Plan.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Photograph 1. Front Elevation:



Photograph 2. Rear Elevation:



5. CONSULTATIONS

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

HIGHWAYS
No objection.

ENVIRONMENTAL HEALTH
No objection.

BUILDING CONTROL
No objection.

CLEANSING
No objection

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 217
Total No. of replies: 2
No. of objections: 2
No. in support: 0

Objections on the grounds of noise and traffic disruption from servicing.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

27-41 Half Moon Street is occupied by a Hilton Hotel, providing a 163 bedroom hotel with ancillary restaurant and bar facilities on the western side of Half Moon Street. The premises comprise a group of fifteen terraced properties of which 29 to 34 (consecutive) and 41 are Grade II listed. The property is located within the Mayfair Conservation Area and the Core Central Activities Zone. The properties currently comprise basement, ground and first to fourth floors with some of the buildings also having hotel accommodation at fifth floor level, there are internal openings at all levels between the buildings.

The lower ground floor currently houses meeting rooms, kitchens and staff facilities, the ground floor accommodates the restaurant / bar, reception and some guest rooms and the upper floors are used entirely as guest accommodation. The applicant contends that the hotel needs major refurbishment works and there are a number of issues with the current hotel including a large number of single rooms, noise from the street affecting bedrooms, poor servicing layout and a need to improve accessibility and hotel facilities.

6.2 Recent Relevant History

08/04046/FULL

Installation of mechanical plant equipment at fifth floor roof level behind a 'false' mansard with windows.

Application Permitted 12 August 2008

08/04047/LBC

Installation of mechanical plant equipment at fifth floor roof level behind a 'false' mansard with windows.

Application Permitted 12 August 2008

00/08870/FULL

Erection of fifth floor rear extension to create two additional hotel bedrooms plus associated alterations at roof level, including relocation of plant.

Application Permitted 1 May 2001

97/00744/FULL

New mansard roof extension at fifth floor level.

Application Refused 17 April 1997

Demolition of existing rear structure and rebuilding to provide additional floor space at basement to 4th floor levels and a new 5th floor mansard roof extension to 3 houses. Installation of a new pedestrian access from Shepherd Market to Half Moon Street and the use of part of the basement as a wine bar and as two retail shopfronts and part of the ground floor as a shop.

Application Permitted 6 January 1986

This permission did not include any conditions restricting the use / operation of the hotel.

7. THE PROPOSAL

Permission is sought for the excavation of an additional (sub) basement level under part of the existing lower ground floor level to be utilised for the installation of plant; alterations to the front elevation including the removal of existing canopy structures and the creation of a new main entrance; creation of a dedicated servicing entrance; extensions and alterations at main roof level to Nos. 28-30, 32 and 35-38 and extensions at the rear of Nos. 31-33 and 36 and demolition and lowering of extensions at the rear of Nos. 37-40.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The existing hotel provides 163 bedrooms and comprises 7,931m² (GEA), the proposed hotel scheme would provide 164 bedrooms and 8,764m² (GEA) which is a floor space increase of 833m².

Policy S23 of the City Plan states that 'proposals to improve the quality and range of hotels will be encouraged.' This is because hotels make a 'significant contribution to London's visitor accommodation and in supporting Westminster's role in global business. Hotels are

important to support the visitor and business economy, and have strong links with other activities in central London such as shopping, theatre and other cultural and entertainment activities.'

Policy TACE2 of the UDP states that within the Core 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.

The hotel occupies a large proportion of the western side of Half Moon Street (15 properties), opposite the site is the Flemings Hotel with a large restaurant further to the north. Adjoining the site to the south is the In and Out Club, with the remainder of the street either occupied by offices or residential accommodation. Whilst the proposal seeks to increase the hotel floor area by 833m² the number of proposed bedrooms in the hotel only increases by one. The increase in floor area enables a reduction in the number of single rooms and an increase in the number of suites, and facilitates the installation of new plant equipment in the basement, and improved guest, staff and servicing facilities.

There is no existing on-site parking provided at the hotel and this remains the case with the proposal. The main entrance to the hotel will be retained in the current location and improvements are proposed to provide level access to the ground floor of the property. Alterations are proposed to the servicing arrangements which are discussed in further detail in the Highways section below.

The extension to the existing hotel within the Core CAZ is considered to be acceptable as it 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 and in accordance with City Plan policy S23 and UDP policy TACE2

Policy S1 of City Plan considers mixed uses in the Central Activities Zone, and requires that office extensions provide an equivalent residential uplift in certain circumstances, however, this is only applicable to office increases and is not applied to increases of other commercial land uses within the Core CAZ.

8.2 Townscape and Design

As a result of the historic conversion of the properties to hotel use little of special interest remains inside the buildings and the roof scape is cluttered with unattractive plant. Part of the rear façade and roof are visible in longer views from Shepherd Market and the rear of the Grade I listed 94 Piccadilly adjoins the southern end of the site. The historic course of the Tyburn crosses the site and a sewer associated with its early enclosure runs diagonally beneath Nos. 30, 31 and 32 from northeast to southwest.

Internally, the buildings are characterised by small rooms accessed from long corridors which frequently change levels with short flights of stairs. In the rooms there are no obvious features of architectural interest and the plan-form and hierarchy of the buildings is barely legible. In this context, further substantial alterations are acceptable in principle subject to preservation of the listed buildings' remaining features of special interest along

with those features of the unlisted buildings which contribute positively to the character and appearance of the surrounding conservation area.

In the basement the floors are to be lowered to a uniform level and sub-basement created for plant. The sub-basement is not continuous because the sewer under Nos. 30-32 is in the way.

The ground floor is also to be re-levelled to provide a more consistent level through the buildings, although there will still be some variation of levels at the north and south ends. The upper floors generally require less intervention, with most being in No. 36 and some in Nos. 39 and 40. These floor level alterations are acceptable in design and heritage asset terms and will maintain the special interest of the listed buildings and help to secure the long term viable use of the site as a hotel.

Windows are to be refurbished with secondary glazing to be installed in the listed buildings. New external doors are to be provided in most of the existing openings and a new main entrance provided in No. 35 with step-free access from the street. Another new entrance is to be provided in No. 27 where there was historically a large opening (currently a large window).

At roof level, a modest infill extension is proposed at Nos. 36, 37 and 38 which will unify the roofscape by removing the current anomalous set back arrangement and the plant will be rearranged and tidied.

To facilitate construction the ground floor walls of No 28 and Nos. 39 and 40 will be removed and rebuilt in facsimile. This is acceptable in design and heritage asset terms.

Overall, the alterations will maintain the special interest of the listed buildings and the character and appearance of the surrounding conservation area in accordance with UDP policies DES 1, DES 5, DES 6, DES 9 and DES 10 and the City Council's 'Repairs and Alterations to Listed Buildings' supplementary planning guidance.

8.3 Residential Amenity

There is an existing ancillary restaurant / bar area within the ground floor of the hotel which has its own separate entrance from street level, which is open to the general public. The proposal involves the relocation of this ancillary restaurant area to the lower ground floor level where it will only be available to hotel guests and will only serve breakfast. It is not considered these changes to the function of the restaurant facility would have any negative implications for residential amenity in the vicinity of the site. As the applicant has stated only guests will be able to use the on-site restaurant a condition has been applied to this affect and this has been agreed with the applicant. It is not considered necessary to condition the hours for which hotel guests can be served in the restaurant.

Sunlight and Daylight

A Daylight and Sunlight Assessment has also been submitted with the application to assess the impact of the development on surrounding sensitive properties including 14 Half Moon Street (opposite the site and in use as a single family dwelling), 90-93, 94 and 95 Piccadilly (being the In and Out Club, the adjacent building to the south of the

application site with consent for re-development as residential accommodation) and 10-12 White Horse Street (being the adjacent site to the west of the application site).

In relation to 10-12 White Horse Street the previous consent for redevelopment has now expired and whilst there is an application pending determination with the City Council for the redevelopment of the site for residential flats this has not been determined. Therefore the site should be considered with regard to its lawful use as commercial accommodation which is not afforded protection in terms of daylight and sunlight.

Given the limited extent of the alterations at the rear and main roof level the assessment confirms that any reductions in daylight and sunlight to the residential dwellings detailed above are well within the identified margins in the BRE Guidance and therefore the proposal is acceptable in this regard. It is also not considered the proposal would result in a significant increase in the sense of enclosure to any nearby residential occupiers.

8.4 Transportation/Parking

The existing servicing provision is from the street and there is no opportunity for this to be provided off-street without unacceptable alterations to the buildings. The current hotel is serviced directly from the highway in Half Moon Street. The location of the servicing access is to be relocated towards the northern end of the hotel, with a dedicated servicing entrance with access internally to the lift to enable goods to be transported to the storage areas at basement level. This arrangement is considered an improvement on the existing situation and the Highways Planning Manager considers the changes will result in improved efficiency of loading and servicing from Half Moon Street and will reduce the time that delivery vehicles are on the highway outside the hotel. There are no conditions attached to previous planning permissions restricting the hours or operation of servicing at the hotel. The applicant has carried out a survey at the property and advises that currently servicing and deliveries are taking place over a 24 hour period, with ten deliveries over the course of the day, seven of which were between the hours of midnight and 06:00. Eight deliveries were carried out through the main hotel entrance with one each at the 'southern delivery stair' and the 'northern delivery stair'.

Two objections have been received to the application from residential occupiers in 30 Clarges Street which is a large block of flats which extends along Half Moon Street to the east of the application site. The objectors are concerned that the new dedicated servicing door will be nearer to their properties and that the existing servicing of the hotel has caused problems for years in terms of noise and traffic disruption (making reference to deliveries late at night and in the early hours of the morning). It is noted that there are also residential flats within 26 Half Moon Street being the adjoining property to the north.

The Highways Planning Manager considers that the creation of a dedicated servicing entrance with suitable storage areas and an internal goods lifts will reduce the time required for servicing and deliveries to take place. This should alleviate some of the existing issues that the residents are referring to. As detailed above there are no conditions currently controlling the servicing of the hotel and it would not be possible to create an off-street servicing area, however as the proposed servicing entrance is closer to residential flats the applicants have agreed to a condition restricting the hours of servicing to between 06:00 and 22:00 daily. It should also be noted that there are bedrooms for the hotel at ground floor level adjacent to the servicing entrance and at first

floor level above the servicing entrance so it is in the hotels best interest to ensure servicing is carried out quickly and quietly. Taking into account the existing unrestricted arrangements for servicing and the new proposed dedicated entrance with controlled hours of servicing the proposal is considered an improvement and the objections cannot be sustained. A condition is proposed requiring the submission of a Servicing Management Plan to ensure that the servicing of the hotel does not negatively impact upon highway movements and to protect the environment of people living in neighbouring properties.

To accord with the requirements of the London Plan nine cycle parking spaces would be required for a hotel of this size, the applicant is proposing eleven cycle parking spaces and this is welcomed and secured by condition.

8.5 Economic Considerations

The benefits of the refurbishment to the hotel are welcomed.

8.6 Access

The refurbishment of the hotel enables the provision of level access to the communal areas of the lower ground and ground floor levels and also enables the increase in the number of 'accessible rooms' from 1 to 9. The improvements to the accessibility of the building are noted and welcomed.

8.7 Other UDP/Westminster Policy Considerations

Plant

The proposal includes the installation of new plant equipment at various locations on the roof of the premises. The nearest noise sensitive properties were identified as the In and Out Club which has planning consent to be converted to residential accommodation and is 20m from the nearest plant items and 12 Shepherd Market which is 13m from the nearest plant item. As the final plant specification has not been determined the application is only supported by a background noise assessment. This has been deemed acceptable by Environmental Health subject to standard conditions and the requirement for a supplementary acoustic report to be submitted once the plant is finalised. The installation of the plant at roof level is therefore considered acceptable subject to applicable safeguarding conditions.

Refuse /Recycling

Internal waste storage is shown within the demise of the hotel and a condition is attached to ensure this is provided and retained in perpetuity. An informative is proposed to advise the applicant that all doors to the refuse area will need to be of a certain width to facilitate the movement of the bins.

8.8 London Plan

Policy 4.5 of the London Plan considers the provision of 'London's visitor infrastructure' and states that the mayor and boroughs will, 'support London's visitor economy and

stimulate its growth, taking into account the needs of businesses as well as leisure visitors and seeking to improve the range and quality of provision especially in outer London'. Part B of the policy also states that boroughs should 'seek to achieve 40,000 net additional hotel bedrooms by 2036, of which 10 per cent should be wheelchair accessible.'

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 City Council adopted its own Community Infrastructure Levy on the 1st May 2016. The estimated CIL payment is £37,300 for the Mayoral CIL and £149,200 for the Westminster CIL, resulting in a total requirement of £186,500. (These figures are based on the information provided by the applicant within their CIL Form and are subject to future verification, as well as indexation.)

8.11 Environmental Impact Assessment

There are no environmental impact issues associated with this proposed development.

8.12 Other Issues

Basement

The proposal includes the excavation of a new sub-basement level and therefore the application must be considered with regard Policy CM28.1 of the City Plan. As the site is a 'non-residential development adjoining residential properties where there is a potential for an impact on those adjoining properties' Part B of the policy is applicable. This requires all basement developments to have regard to the site specific requirements and a structural methodology statement to be submitted in support of the development. Further, relevant information must be provided in relation to landscaping, tree protection, drainage and flood risk, protection of the character and appearance of the Mayfair Conservation Area and listed buildings.

The proposed sub-basement is in accordance with City Plan Policy CM28.1(B) through: (i) being entirely under the footprint of the existing building; (ii) not resulting in the loss of any trees or impacting upon garden areas; (iii) solely being used for the accommodation of plant; (iv) having no detrimental impact on the character and appearance of the Mayfair Conservation Area or listed building (as detailed within Section 8.2 of this report); and (v) having negligible impact on the flood risk for the immediate area and incorporating suitable measures to protect the new floor level from potential flooding. All required documentation has been submitted to the City Council and Building Control have confirmed they are satisfied with the structural information provided.

The application is also supported by a 'Flood Risk Assessment' which assesses the hydrology of the site including surface water run-off. The site is located within a 'surface

water flood risk hotspot' as identified by the adopted 'Basement Development in Westminster' Supplementary Planning Document. This has been identified and assessed within the submitted Flood Risk Assessment and also noted by Building Control in their response which states: 'the existence of groundwater, including underground rivers, has been researched and the likelihood of local flooding or adverse effects on the water table has been found to be negligible.' A condition is recommended to ensure that the measures detailed in the floodrisk assessment are incorporated into the new sub-basement design.

The impact of the basement upon the heritage asset has been addressed above in the design section of the report. The proposed excavation of the new basement level in the proposal is therefore considered compliant with the relevant requirements of Policy CM28.1 of the City Plan.

Construction Impact

The Code of Construction Practice was published in July 2016 and is designed to monitor, control and manage construction impacts on construction sites throughout Westminster. It applies to all major developments from September 2016.

The publication of the Code represents a fundamental shift in the way the City Council deals with the construction impacts of developments. Before September 2016, developments of this scale used legal agreements to fund the Environmental Inspectorate (EI) and required Site Environmental Management Plans to be submitted to and approved by the City Council.

In recognition that there is a range of regulatory measures available to deal with construction impacts and that planning is the least effective and most cumbersome of these, the new approach is for a condition to be imposed requiring the applicant to provide evidence that any implementation of the scheme (by the applicant or any other party) will be bound by the Code. The applicant provided evidence that they will sign up to the Code of Construction Practice and a condition is proposed to ensure that if the permission is implemented the applicant carries out the development under the supervision of the Code of Construction Practice

Demolition Impact

Conditions are proposed to ensure that any demolition associated with this consent is only carried out as part of the complete redevelopment and a condition is attached requiring the submission of a construction contract to ensure the rebuilding to maintain the listed buildings and the appearance of the Mayfair Conservation Area.

9. BACKGROUND PAPERS

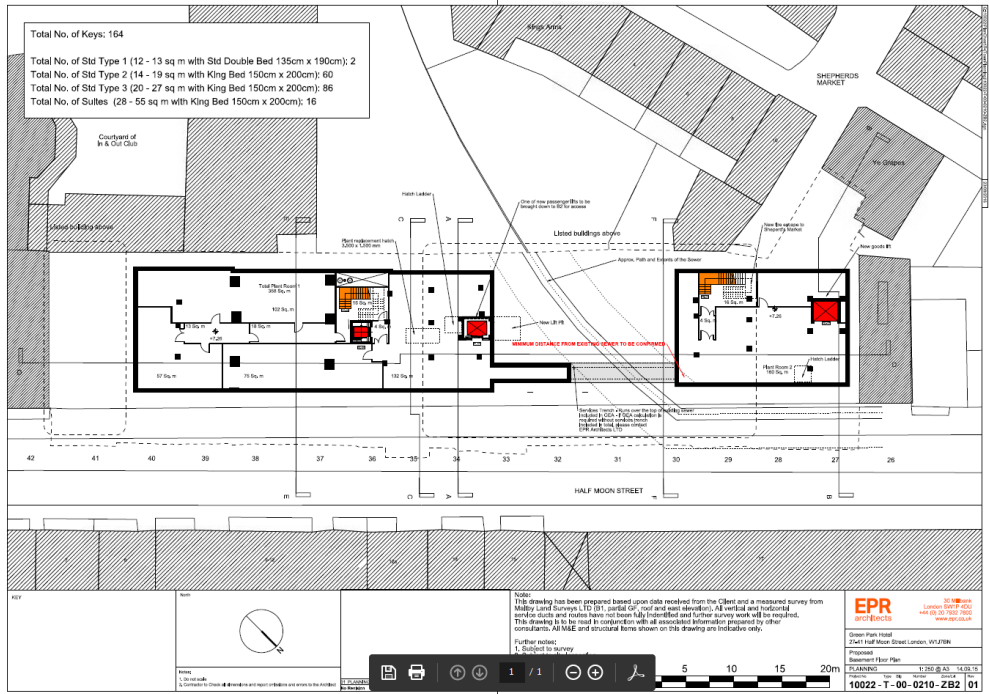
1. Application form
2. Response from Building Control, dated 27 October 2016
3. Response from Environmental Health, dated 1 November 2016
4. Response from Highways Planning Manager, dated 8 November 2016
5. Response from Cleansing Manager dated 19 April 2017
6. Letter from occupier of Flat 6, Glendore House, dated 17 November 2016
7. Letter from occupier of Flat 9, Glendore House, dated 23 November 2016

(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

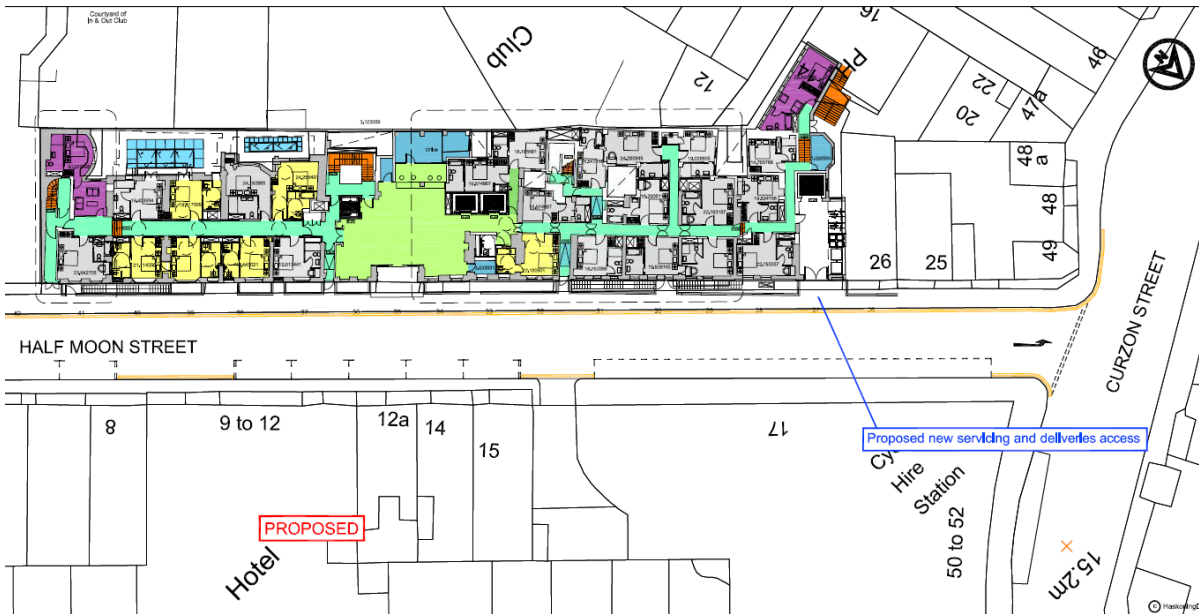
Drawing 1. Proposed Sub-Basement Plan:



Drawing 2. Existing Ground Floor Plan:



Drawing 3. Proposed Ground Floor Plan:



Drawing 4. Proposed Front Elevation:



DRAFT DECISION LETTER (PLANNING)

- Address:** 27-41 Half Moon Street, London, W1J 7BN,
- Proposal:** External alterations and extensions to the existing hotel including the excavation of a new basement beneath part of the site, erection of rear infill extensions, and roof level alterations to nos. 35, 36, 37 and 38 to provide additional hotel accommodation (Class C1). Installation of external plant at main roof level on nos. 28, 29 and 30.
- Reference:** 16/08673/FULL
- Plan Nos:** Transport Statement (T&PPB4491-101-101), Acoustic Assessment (20746/A/AC01/01), Flood Risk Assessment and Surface Water Run-Off Analysis dated 19/08/2016, Drawings: ZB2 Rev01, ZB1 Rev01, Z00 Rev01, Z01 Rev01, Z02 Rev01, Z03 Rev01, Z04 Rev01, Z05 Rev01, Z06 Rev01, ZEA Rev01, ZFF Rev01, ZWE Rev01, ZSW Rev01, ZEE Rev01, ZDD Rev01, D00 Rev01, D01 Rev01, D02 Rev01, D03 Rev01, D04 Rev01, D05 Rev01, DB1 Rev01.

Case Officer: Matthew Giles

Direct Tel. No. 020 7641 5942

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 (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 4 You must provide each cycle parking space shown on the approved drawings 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.

- 5 Prior to the commencement of any demolition or construction on site the applicant shall provide evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. (C11CA)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 6 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.

- 7 (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 (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.

- 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 7 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 (November 2016), by contributing to reducing excessive ambient noise levels.

- 9 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. (C26AA)

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 (November 2016) 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)

- 10 You must apply to us for approval of detailed drawings of the new hotel entrance at No. 35 and all new external doors facing Half Moon Street including vault doors. 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 drawings.

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 (November 2016) 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)

- 11 You must paint all new outside rainwater and soil pipes black and keep them that colour. (C26EA)

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 (November 2016) 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.

- 12 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.

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 (November 2016) 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.

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

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 (November 2016) 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.

- 14 All servicing must take place between the hours of 06:00 and 22:00. Servicing includes loading and unloading goods from vehicles and putting rubbish outside the building.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 15 You must not carry out demolition work unless it is part of the complete development of the site. You must carry out the demolition and development without interruption and according to the drawings we have approved. (C29BB)

Reason:

To maintain the character and appearance of the Mayfair Conservation Area and the special architectural and historic interest of this listed building as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 9 (B) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29CC)

- 16 **Pre Commencement Condition.** You must not start any demolition work on site until we have approved either:
- (a) a construction contract with the builder to complete the redevelopment work for which we have given planning permission on the same date as this consent, or,
 - (b) an alternative means of ensuring we are satisfied that demolition on the site will only occur immediately prior to development of the new building.

You must only carry out the demolition and development according to the approved arrangements. (C29AC)

Reason:

To maintain the character and appearance of the Mayfair Conservation Area and the special architectural and historic interest of this listed building as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 9 (B) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29CC)

- 17 You must provide the waste store shown on the approved drawings before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the property. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose.

Reason:

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

- 18 Only residents of the hotel or their guests may utilise the restaurant / bar areas at the hotel.

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S23, S24, S29 and S32 of Westminster's City Plan (November 2016) and TACE2 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

- 19 The measures set out within the Flood Risk Assessment and Surface Water Run-Off Analysis dated September 2016 shall be implemented in full and retained for the life of the development.

Reason:

To ensure that the development does not exacerbate and is resilient to surface water flooding, as required by Policy CM28.1 of our City Plan that we adopted in November 2016 and in order to accord with the guidance contained with the Basement Development in Westminster Supplementary Planning Document (adopted October 2014).

- 20 Prior to the operation of the hotel use hereby approved you must apply to us for approval of details of a Servicing Management Plan. You must not occupy the hotel use until we have approved what you have sent us. Thereafter you must operate the hotel in accordance with the approved Servicing Management Plan at all times.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S29 and S42 of Westminster's City Plan (November 2016) and STRA 25, ENV5, ENV6, TRANS 20 and TRANS 21 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 (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.
- 2 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would

require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)

- 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 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 5 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.
- 6 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.**
- 7 You are advised to ensure that all doors, entrances and passages that the Euro bins (1,100L) will pass through, have a minimum width of 1.5m. This is to allow easy movement of the bins from the lower ground level to the ground level during waste servicing.

DRAFT DECISION LETTER (LISTED BUILDING)

- Address:** 27-41 Half Moon Street, London, W1J 7BN,
- Proposal:** Internal and external alterations and extensions to the existing hotel including the excavation of a new basement beneath part of the site; and roof level alterations to nos. 35, 36, 37 and 38 to provide additional hotel accommodation. Installation of external plant at main roof level on nos. 28, 29 and 30.
- Reference:** 16/08675/LBC

Plan Nos: Transport Statement (T&PPB4491-101-101), Acoustic Assessment (20746/A/AC01/01) Drawings: ZB2 Rev01, ZB1 Rev01, Z00 Rev01, Z01 Rev01, Z02 Rev01, Z03 Rev01, Z04 Rev01, Z05 Rev01, Z06 Rev01, ZEA Rev01, ZFF Rev01, ZWE Rev01, ZSW Rev01, ZEE Rev01, ZDD Rev01, D00 Rev01, D01 Rev01, D02 Rev01, D03 Rev01, D04 Rev01, D05 Rev01, DB1 Rev01.

Case Officer: Matthew Giles

Direct Tel. No. 020 7641 5942

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 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)

- 3 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 (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 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 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 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 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.

- 6 You must apply to us for approval of detailed drawings of the new hotel entrance at No. 35 and all new external doors facing Half Moon Street including vault doors. 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 drawings.

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.

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 2.3 and 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)

Item No.

3

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.