

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 26 September 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Bryanston And Dorset Square	
Subject of Report	Western Marble Arch Synagogue, 1 Wallenberg Place, London, W1H 7TN,		
Proposal	Use of part fourth floor, new fifth floor extension and adjacent fifth floor plant room to provide hotel accommodation with associated terrace areas (Class C1) in connection with the hotel at 2 Wallenburg Place; installation of new access ladder, platform and access doors to the existing flue at rear second floor level and internal alterations at third and fourth floor levels. (Site includes 2 Wallenburg Place)		
Agent	Jon Dingle Ltd		
On behalf of	Western Charitable Foundation and Montcalm Marble Arch Hotel		
Registered Numbers	17/04338/FULL + 17/04339/LBC	Date amended/ completed	20 June 2017
Date Application Received	17 May 2017		
Historic Building Grade	II		
Conservation Area	Portman Estate		

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

These applications relate to the Western Marble Arch Synagogue at 1 Wallenburg Place, (formerly Great Cumberland Place). The adjacent property, 2 Wallenburg Place is in hotel use (the Montcalm Marble Arch Hotel). The buildings are linked at basement level, with the hotel utilising part of the synagogue building as a banqueting and conference facility. Both properties are grade II listed and located within the Portman Estate Conservation Area.

Permission and listed building consent are sought for internal and external alterations including the erection of a fifth floor roof extension to the synagogue and for the use of this new accommodation, an

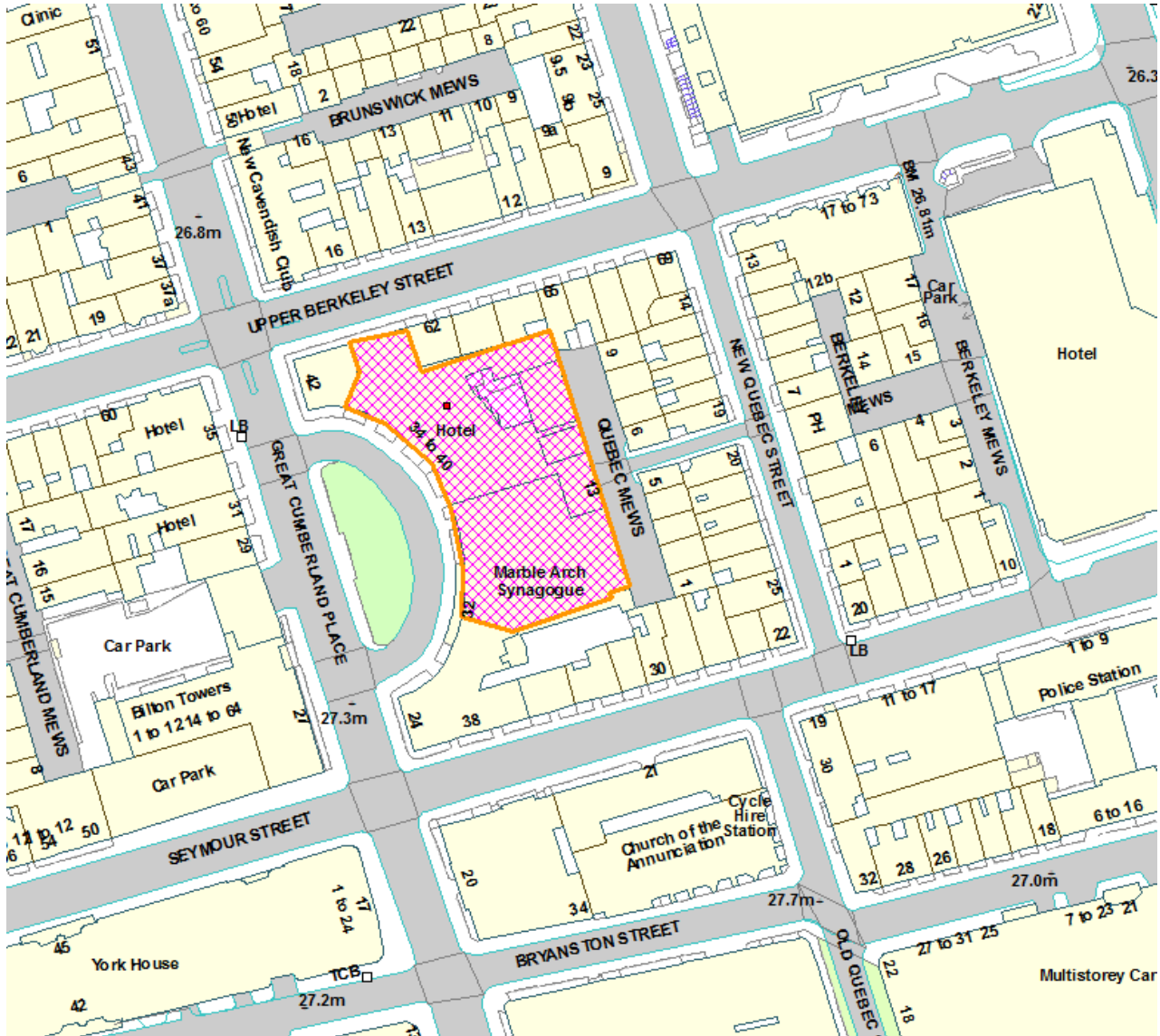
adjacent (redundant) plant enclosure and part of the fourth floor, comprising the upper level of the Rabbi's apartment and an adjacent, vacant, flat (both ancillary to the synagogue use) as an additional hotel suite, with front and rear terraces, in association with the neighbouring hotel.

The key issue for consideration is:

- the acceptability of the loss of the synagogue accommodation, which is considered a social and community use.

Given the particular circumstances of this case, the loss of the social and community floorspace and extension of the existing hotel are considered acceptable in land use terms. The proposals are also considered acceptable on design, amenity and highways grounds and the applications are therefore recommend for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS





5. CONSULTATIONS

HISTORIC ENGLAND

Do not wish to comment.

MARYLEBONE ASSOCIATION

No objection.

HIGHWAYS

No objection.

CLEANSING

Objection – further information required with regard waste storage facilities for the hotel.

DESIGNING OUT CRIME

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 54

Total No. of replies: 0

No. of objections: 0

No. in support: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

1 Wallenburg Place is occupied by the Western Marble Arch Synagogue. No. 2 Wallenburg Place, the adjoining building to the north, is occupied by the Montcalm Marble Arch Hotel. Both of the buildings are Grade II listed buildings located in the Portman Estate Conservation Area, outside of the Core Central Activities Area. Wallenburg Place was formerly known as Great Cumberland Place.

The synagogue building comprises basement, ground and first to fourth floors, with a plant room and lift overruns at main roof (fifth floor) level. The ground and first floors are occupied by the main synagogue and associated meeting rooms and halls. The second to fourth floors provide ancillary office and residential accommodation including the Rabbi's apartment (on part third and fourth floors), and a further staff flat at fourth floor level. The basement of the synagogue building provides shared banqueting and conference facilities with the hotel, which comprises basement, ground and five upper floors.

6.2 Recent Relevant History

23 September 2008; Permission granted for external alterations to east and south elevations including new plant and associated enclosure at roof level and generator to rear ground floor level.

28 June 2011; Certificate of Lawful Use (Existing) granted for the use of the basement and basement mezzanine for the purposes of a function room (sui generis), hired to companies, societies and members of the public for the purposes of social and corporate celebrations, meetings and events with or without the provision of food and drink for consumption on the premises and with or without music or other entertainment between the hours of 07.00 - 01.30 daily with licensable activities finishing at 01.00.'

28 July 2011; Permission granted for the use of the basement and basement mezzanine of No.32 Great Cumberland Place (now 1 Wallenburg Place) as a banqueting and function facility by the existing hotel at 34 - 40 Great Cumberland Place (now 2 Wallenburg Place); installation of new air conditioning units within acoustic louvres at roof level, secondary glazing at basement level and associated internal alterations.

7. THE PROPOSAL

Permission is sought (jointly by the synagogue and the hotel operator) for alterations to 1 Wallenburg Place including the erection of a fifth floor roof extension and for the use of this extension, an adjacent redundant plant room, the upper level of the Rabbi's apartment and the adjacent fourth floor flat) as a single hotel suite, with front and rear roof terraces, as part of the neighbouring hotel. The hotel suite would only be accessible from the neighbouring building, via a new fourth floor opening in the party wall between the two buildings.

At rear second floor level it is proposed to install an access ladder, platform and new access doors to serve an existing external riser. Internal alterations are also proposed at third and fourth floor levels, including the reconfiguration of the existing accommodation and the removal of the internal stair between the two floors.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Loss of social / community use:

The proposal would result in the change of use of part of the existing synagogue - the upper (fourth floor) level of the Rabbi's apartment and the whole of an adjacent fourth floor flat – measuring 153m². These flats can only be accessed through the synagogue itself. This accommodation is considered to be ancillary to the main function of the property as a place of worship.

UDP Policy SOC1 aims to 'protect and improve the range of community facilities in Westminster'. Places of worship are included within the definition of such uses. The policy (part D) seeks to protect existing social and community facilities and will only permit their loss where an adequate replacement facility is being provided. The supporting text to the policy (para. 6.15) states that the loss of a community facility may be permitted if it is no longer needed, either by the current occupier or other community organisations in the area. In assessing applications for a change of use, the City Council will normally ask relevant organisations whether they have any interest in using the facility in question. If the facility is surplus to requirements, any new development on the site should include an alternative community facility which is needed in the area.

Policy S34 of the City Plan has similar aims and states that 'all social and community floorspace will be protected except where existing provision is being re-configured, upgraded or is being re-located in order to improve services and meet identified needs as part of a published strategy by a local service provider.' The policy further states that the overall level of social / community floorspace needs to be maintained and that an assessment will be made of the demands from alternative providers for the space. Where the council does consider the loss is justified, the replacement priority use will be as residential floorspace.

The applicants have made the following points in support of the application:

- the staff flat at fourth floor level has been unused for two years and the Rabbi's apartment on third and fourth floors, at 223m² (GIA) is unnecessarily large. The retained accommodation at third floor level (129m²) will satisfy the Rabbi's living requirements. The space is under-utilised and does not contribute towards the main synagogue use. The synagogue already has a large amount of ancillary space on the lower floors of the building (offices, meeting rooms and conference facilities).
- The synagogue has a high level of security and access is strictly controlled. As the only access to the space is currently through the synagogue, it would not be feasible for the fourth floor to be utilised for an alternative social/community use or an independent residential use (Class C3) as both of these alternatives would have major security implications.

It is accepted that the existing accommodation is surplus to the synagogue's requirements. The retained portion of the Rabbi's flat would still provide a good standard of accommodation. It is also acknowledged that the fourth floor cannot be independently accessed and that the proposed hotel use, with direct access from the neighbouring site, alleviates the access/security concerns which would be generated by another use, and would also provide the synagogue with a useful source of income to support its activities. In these circumstances, given the ancillary nature of the existing accommodation, it is considered that there are exceptional circumstances which justify the loss of the existing community floorspace and its replacement with a non-residential use.

Extension to the hotel accommodation:

Policy TACE2 of the UDP states that extensions to existing hotels on sites outside of the CAZ will be permitted where they are appropriate to the surroundings and linked to the upgrading of the hotel; facilities utilised by non-residents are not being introduced; the proposal does not result in an intensification of use of existing facilities by non-residents and there are no adverse impacts upon residential amenity. City Plan policy S23 encourages proposals which improve the quality and range of hotels, acknowledging that hotels make a 'significant contribution to London's visitor accommodation and in supporting Westminster's role in global business'.

The proposal would provide 241m² of new hotel floorspace, in the form of a single hotel suite. This relatively modest extension to this large hotel is considered appropriate in terms of its scale. No new facilities would be provided for non-residents and it is not

considered that the proposed use would have an adverse impact upon neighbours' amenities or vehicular or pedestrian movements in the vicinity of the site. The extension of the hotel is therefore considered acceptable in land use terms and accords with policies TACE2 and S23.

Policy S1 of City Plan considers mixed uses in the Central Activities Zone, and requires that office extensions provide an equivalent residential increase, in certain circumstances. However, this policy is not applicable to increases in non-office floorspace.

8.2 Townscape and Design

1 and 2 Wallenberg Place are mid-terrace, grade II listed properties which form part of a group of buildings on the east side of the street, originally dating from the 18th century. No. 1 Wallenberg Place is identified in the Portman Estate Conservation Area Audit as being unsuitable for a roof extension. Planning permission and listed building consent are sought for a roof level extension to 1 Wallenberg Place, between the existing redundant tank/ lift motor room and the neighbouring party wall, and for internal alterations including a new opening in the party wall to link the property laterally to the adjacent hotel..

The buildings suffered severe bomb damage following World War II and were subsequently restored. The roofscape to this terrace has been rebuilt inconsistently; the northern buildings retain a traditionally detailed mansard, whilst the group to the south has been extended upwards with a sheer attic storey, with plant accommodation and a modern colonnade above. It is evident that the buildings have been heavily altered and the fabric to the rear of these buildings, and at roof level, appears to be entirely modern.

The existing arrangement at roof level to 1 Wallenberg Place - a sheer attic storey with a tank/ lift motor room and colonnade above - is incongruous and fails to relate to the otherwise well detailed facades of the building, and crescent as a whole. The proposed roof extension is set back from the front elevation, projecting no further forward than the existing tank room. Given the existing modern roofscape, it is considered that the proposed roof level infill will cause no additional harm to the character and appearance of the conservation area, nor to the special interest of the listed building. Consequently, this aspect of the scheme is considered acceptable in design terms.

The proposed installation of an external access platform at second floor level is considered acceptable in design terms. The lift motor room is to be retained as existing. The applicant has confirmed that the rest of the plant currently at roof level is redundant and no longer required.

The removal and replacement of the roof level railings is considered uncontentious. The imposition of a condition to secure design details of the replacement is recommended.

The interior of this part of the building is not of interest, having been substantially redeveloped as a result of bomb damage and following a façade retention scheme in the 1970s. The proposed internal alterations at third and fourth floor levels are therefore not considered contentious in listed building terms and are recommended for approval.

Overall, the proposals are considered compliant with policies DES 5, DES 6, DES 9 and DES 10 of the UDP and are recommended for conditional approval.

8.3 Residential Amenity

Given the relationship of the proposed roof extension to neighbouring buildings, it is not considered that the roof extension would have any impact upon the amenity of neighbouring uses with regard to any increased sense of enclosure or impact upon the levels of daylight and sunlight received.

Given their relationship to adjoining sites, the use of the proposed front and rear fifth floor terraces would not result in a significant increase in overlooking to neighbouring properties. As they would serve a single hotel suite, their use is also considered unlikely to give rise to significant noise disturbance. Consequently, it is considered unnecessary to impose conditions to control the use of the terraces...

8.4 Transportation/Parking

The provision of one extra hotel suite would have a negligible impact upon pedestrian and vehicular movements associated with the hotel.

8.5 Economic Considerations

Any economic benefits associated with the proposal are welcomed.

8.6 Access

There will be level access to the new hotel suite at fourth floor level via the fourth floor of the neighbouring hotel, which is served by a lift.

8.7 Other UDP/Westminster Policy Considerations

Refuse /Recycling

The applicant has confirmed that the additional hotel suite will be serviced as part of the existing hotel operation, with no proposed changes to the existing storage arrangements for waste and recycling materials.

The Cleansing Manager has objected to the application requesting detailed drawings of the proposed waste and recycling stores, including details of cooking oil storage. However, any additional servicing requirements generated by the proposal could be accommodated under existing arrangements operations and it is not considered that additional information requested can reasonably be required.

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. Due to the increase in floorspace there would be no requirement for a CIL payment.

8.11 Environmental Impact Assessment

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

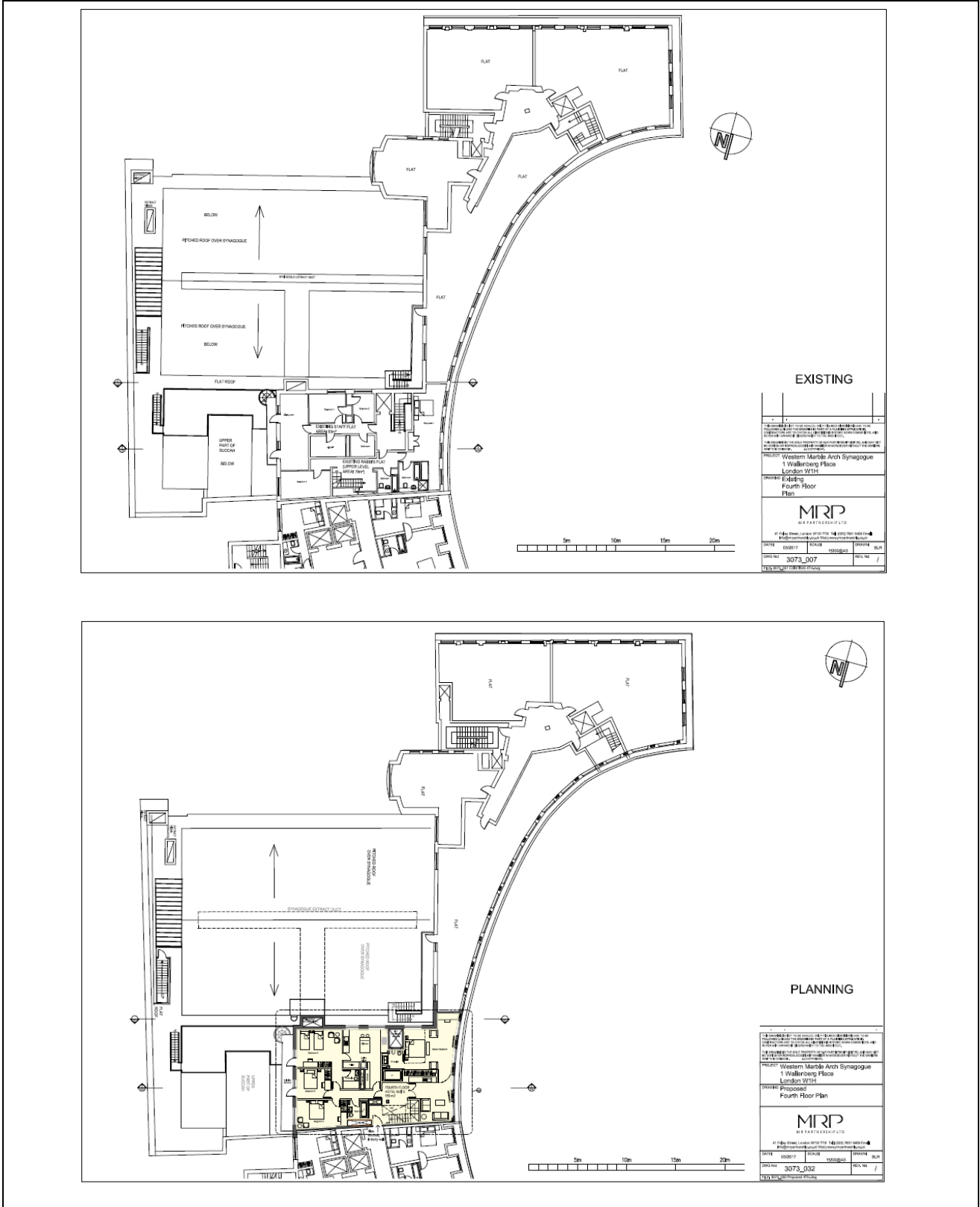
9. BACKGROUND PAPERS

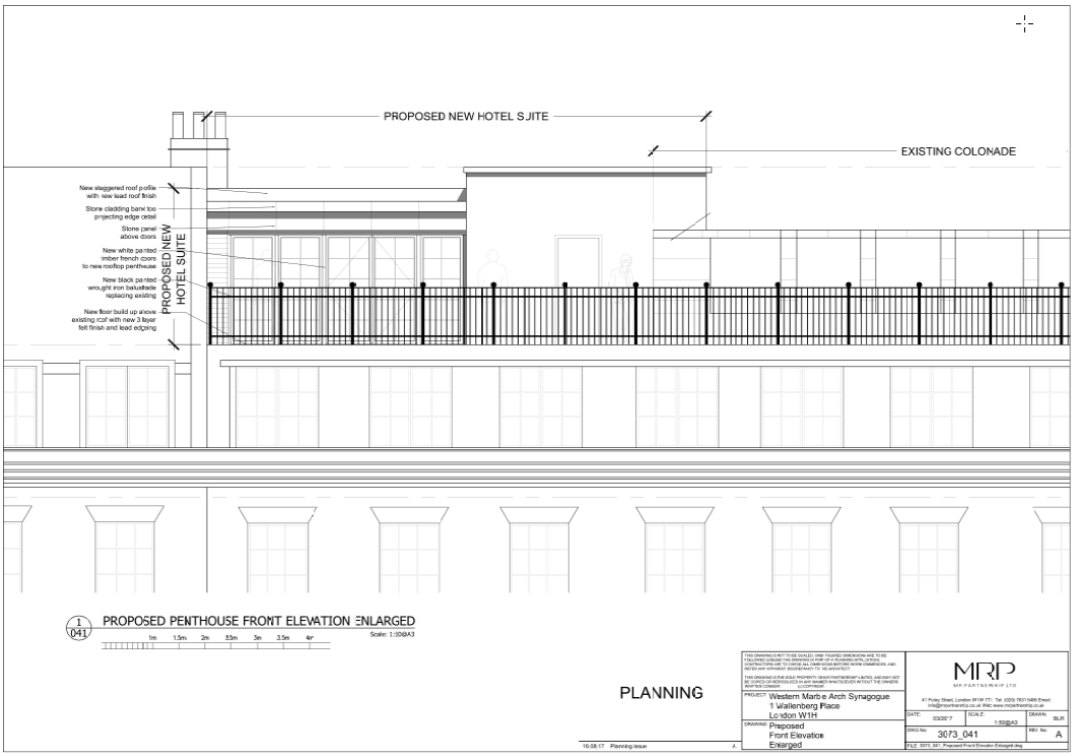
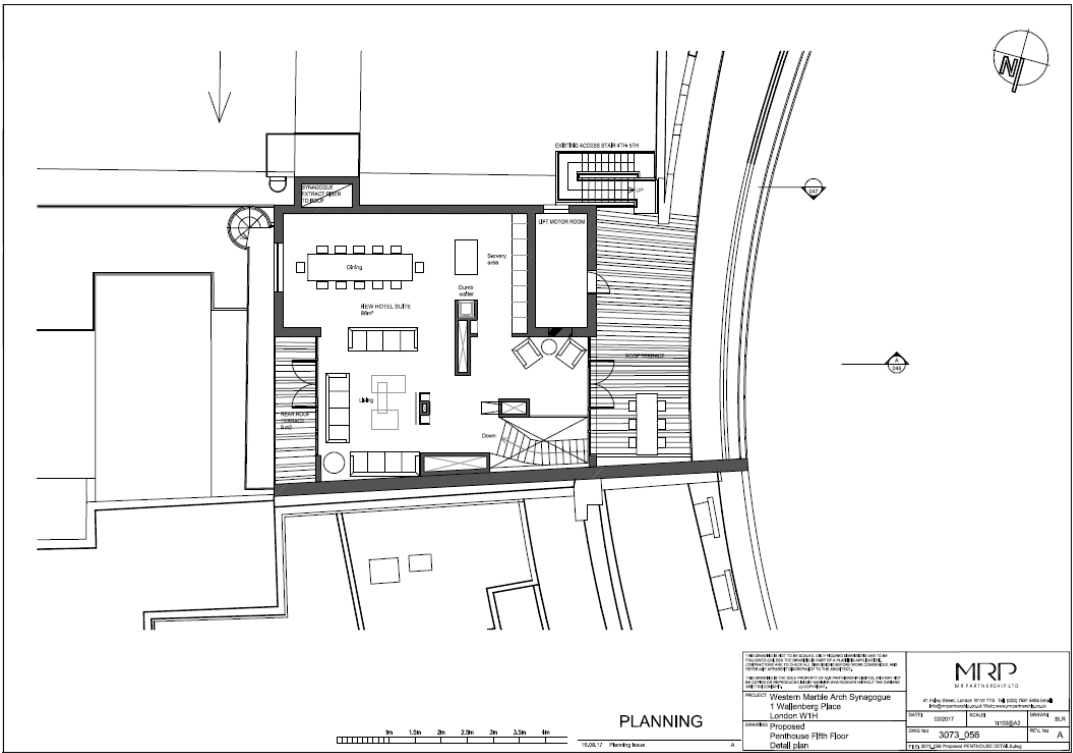
1. Application form
2. Response from the Marylebone Association, dated 25 July 2017
3. Response from Historic England, dated 3 July 2017
4. Response from Cleansing Manager dated 11 July 2017
5. Response from Highways Planning Manager, dated 2 August 2017

(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: SARA SPURRIER BY EMAIL AT SSPURRIER@WESTMINSTER.GOV.UK

10. KEY DRAWINGS





DRAFT DECISION LETTER

Address: Western Marble Arch Synagogue, 1 Wallenberg Place, City Of Westminster, London, W1H 7TN,

Proposal: Use of part fourth floor, new fifth floor extension and adjacent fifth floor plant room to provide hotel accommodation with associated terrace areas (Class C1) in connection with the hotel at 2 Wallenberg Place; installation of new access ladder, platform and access doors to the existing flue at rear second floor level. (Site includes 2 Wallenberg Place)

Reference: 17/04338/FULL

Plan Nos: Drawings: (3073) 025, 030 RevA, 031, 032, 033RevA, 034 RevA, 040 RevA, 041 RevA, 042 RevA, 043 RevA, 045, 047 RevA, 052, 055, 056 RevA.

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: between 08.00 and 18.00 Monday to Friday; between 08.00 and 13.00 on Saturday; and not at all on Sundays, bank holidays and public holidays. You must carry out piling, excavation and demolition work only: between 08.00 and 18.00 Monday to Friday; and 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 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 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 Portman Estate 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)

- 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 listed building and to make sure the development contributes to the character and appearance of the Portman Estate 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 of the following parts of the development: , - New external windows and doors (1:5 and 1:20), - External railings (1:20), , 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 drawings. (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 Portman Estate 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 The roof of the extension shall be clad in traditional rolled lead.

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 Portman Estate 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)

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: Western Marble Arch Synagogue, 1 Wallenberg Place, City Of Westminster, London, W1H 7TN,

Proposal: Erection of a single storey extension at fifth floor level with terraces; internal alterations at third and fourth floor levels and installation of a new access ladder, platform and access doors to the existing flue at rear second floor level. (Site includes 2 Wallenberg Place)

Reference: 17/04339/LBC

Plan Nos: Drawings: (3073) 025, 030 RevA, 031, 032, 033RevA, 034 RevA, 040 RevA, 041 RevA, 042 RevA, 043 RevA, 045, 047 RevA, 052, 055, 056 RevA.

Case Officer: Matthew Giles

Direct Tel. No. 020 7641 5942

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 Portman Estate 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 apply to us for approval of detailed drawings of the following parts of the development: - New external windows and doors (1:5 and 1:20), - New external railings (1:20). 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 drawings. (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 Portman Estate 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 roof of the extension shall be clad in traditional rolled lead.

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 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 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

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 SPG/HB1-3 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 special architectural and historic interest of this listed building. In reaching this decision the following were of particular relevance: S25 and S28 of Westminster's City Plan 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)

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.

Item No.

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