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CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 7 January 2020	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Marylebone High Street	
Subject of Report	7 - 10 Beaumont Mews, London, W1G 6ED,		
Proposal	Erection of roof extension to form additional office space, rear roof terrace enclosed by a timber screen at first floor level, green roof, entrance lighting, seven new air conditioning units within proposed new roof plant enclosure and installation of new lift.		
Agent	Mr Luke Mosson		
On behalf of	Howard De Walden Estate		
Registered Number	19/05358/FULL	Date amended/ completed	21 November 2019
Date Application Received	9 July 2019		
Historic Building Grade	Unlisted		
Conservation Area	Harley Street		

1. RECOMMENDATION

Grant conditional permission

2. SUMMARY

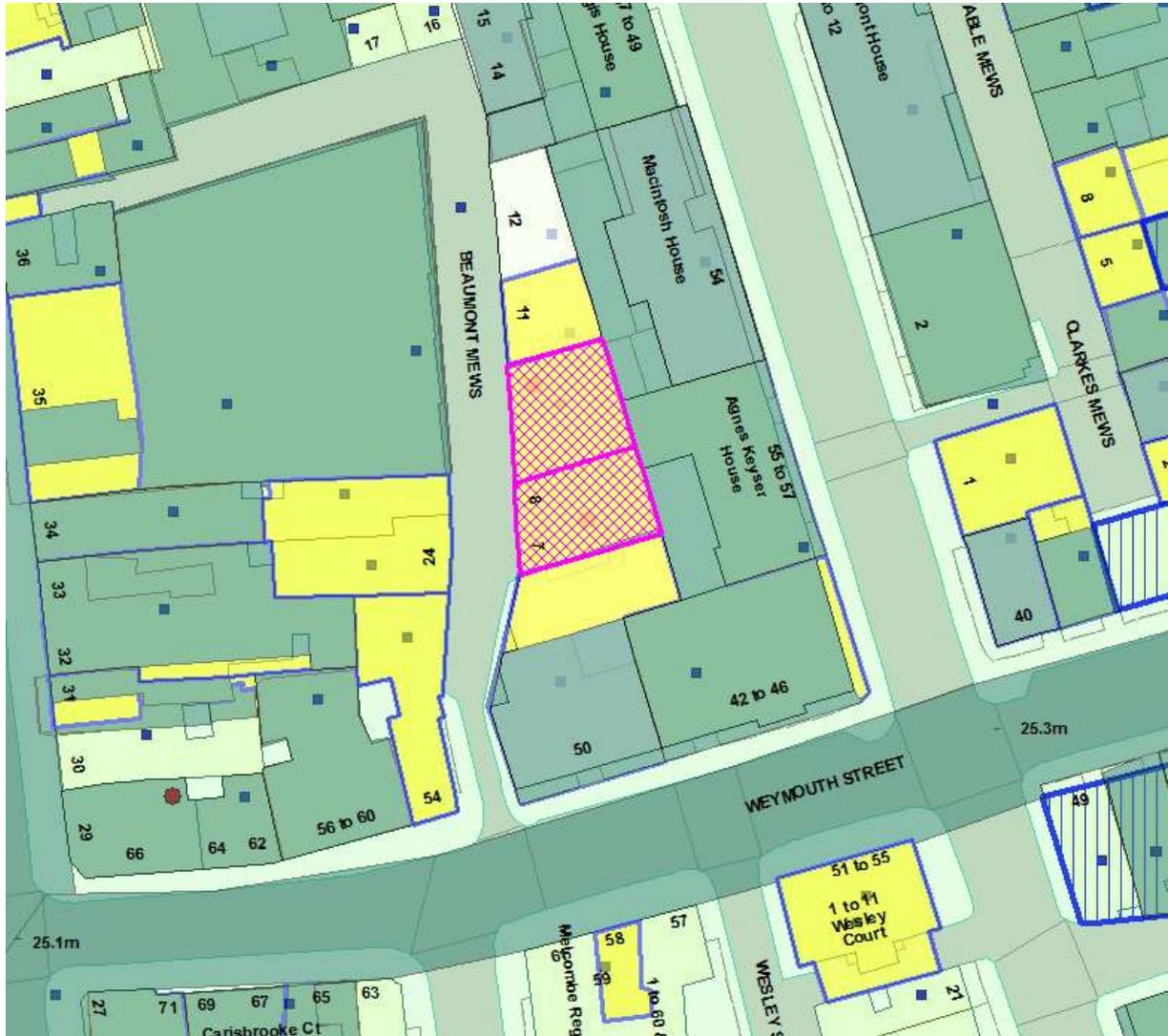
This report concerns proposals for the alterations to an existing two storey office building, including the erection of a single storey roof extension to provide additional office floorspace, the creation the installation of new plant and the creation of a rear roof terrace.

The key considerations are:

- the acceptability of the proposals in land use terms
- the impact of the proposals upon the character and appearance of the Harley Street Conservation Area and
- the impact of the development upon the amenity of neighbouring residents.

Subject to conditions, the proposals are considered acceptable in land use terms and there would be no material impact upon the amenity of neighbouring occupiers. The proposed works would also preserve the character and appearance of the Harley Street Conservation Area. The development is considered to comply with relevant UDP and City Plan policies and is therefore recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

MARYLEBONE ASSOCIATION

Any response to be reported verbally

HIGHWAYS PLANNING – CITY HIGHWAYS

No objection

WASTE PROJECT OFFICER

No objection

ENVIRONMENTAL HEALTH

No objection

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 54; Total No. of replies: 8

No. of objections: 6 (including from the Residents' Committee of 54 Weymouth Street);

No. in support: 0; Neutral: 2

Land use

- Welcome the provision of additional office floorspace
- Occupation of additional offices would adversely affect the character of the mews

Design

- Roof extension inappropriate as neighbouring buildings have flat roofs

Amenity

- Loss of daylight, particularly given recent permission for roof extension at the rear of 54 Weymouth Street (Beaumont Mews frontage)
- Overlooking from extension, obscured glass should be installed in front rooflights
- Overlooking and noise disturbance from roof terrace
- Impact on character and amenity of mews resulting from additional noise, smokers, litter generation

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site comprises two, internally linked, office buildings (nos. 7-8 and 9-10) located on the east side of Beaumont Mews within the Harley Street Conservation Area. Both buildings provide accommodation on ground and first floors. Although they are of similar appearance, the first floor facade of no. 9-10 is slightly taller than its neighbours, creating a central focus on the east side of the mews. The Harley Street Conservation Area Audit designates the building as an unlisted building of merit and all buildings on the east side of the mews, including the application site, as buildings where a roof extension would not normally be considered acceptable.

The site is located outside of the core Central Activities Zone but within the Marylebone and Fitzrovia CAZ, although not on a Named Street. The mews is in a mixture of residential and commercial use including offices and a gym at no. 14A. The neighbouring building at 50 Weymouth Street, at the junction of Weymouth Street and Beaumont Mews, is occupied as 12 flats at ground floor and above. Permission has recently been granted for the erection of a second floor roof extension to the rear (Beaumont Mews) frontage. There are also flats at 54 Weymouth Street, which has a return frontage on Beaumont Mews (8 flats), on the upper floors of 23-24 Beaumont Mews (3 flats), a single dwelling house at 11 Beaumont Mews and a new development of town houses at Nos. 22 A-E Beaumont Mews.

The neighbouring site at 42-46 Weymouth Street is in use as a private medical facility. To the rear, Agnes Keyser House (55-57 Beaumont Street) which is occupied as a hospital (Class C2) with basement training and conference rooms and a self-contained resident medical officer's flat; ground floor offices and a self-contained Matron's flat and nurses' accommodation on the first to fourth floors with shared bathroom, laundry and kitchen facilities. Macintosh House at 54 Beaumont Street, is currently being redeveloped to provide a medical facility (Class D1).

6.2 Recent Relevant History

9-10 Beaumont Mews

13 July 2000: Permission granted for the use of 9-10 Beaumont Mews as a television studio (Class B1) subject to a condition restricting the use of the premises to a television studio only.

12 May 2005: Permission granted to remove condition 1 of the permission dated 13 July 1999 to allow the use of 9-10 Beaumont use for unrestricted office purposes.

7-11 Beaumont Mews

9 December 2003: Permission refused for demolition behind retained facades and redevelopment including the erection of modern roof extension, all in connection with the use of the ground and first floors of No.7-8 and No.9-10, and second floor of No.7-8 for office (Class B1) purposes and ground and first floors of No.11, and second floors of No.11 and No.9-10 as one residential unit (Class C3) (03/07096/FULL) –reasons:
i) because of its height, bulk, design, materials and architectural relationship to existing building and the loss of chimney stacks, roof extension unacceptable in principle;
ii) works to front façade including loss of the existing windows and the new works;
iii) demolition of the existing rear facades and design of new works – proposals harmful to the appearance of the existing building and fail to preserve or enhance the character or appearance of the conservation area.

9 December 2003: Conservation area consent refused for demolition behind retained facades in connection with redevelopment of site (03/07686/CAC) – prematurity.

17 June 2005: Permission granted for alterations and change of use to provide Class B1 offices on ground and first floors of 7-8 Beaumont Mews and residential maisonette on

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ground and first floors of 11 Beaumont Mews (04/08783/FULL). The report confirmed that 9-10 Beaumont Mews would be occupied as offices pursuant to the 2005 permission.

23 Jan 2006: Permission granted for alterations during the course of construction to the scheme approved on 17 June 2005 (RN: 04/08783) namely, alterations to front and rear elevations of 9-10 Beaumont Mews including the installation of new rear windows at ground floor rear and within the rear roofslope.(05/08747/FULL). Implemented.

This permission was subject to condition requiring the installation of obscured glass in the rear ground and first floor windows and requiring the ground floor windows to be permanently fixed shut. A further condition was imposed requiring the roof level windows to be fitted with a restrictor which would permit the windows to be opened a maximum of 85mm. These conditions were imposed in order to safeguard the amenity of occupants of the residential (nurses') accommodation at Agnes Keyser and Macintosh Houses.

14 March 2006: Permission granted for alterations during the course of construction to the scheme approved on 17 June 2005 (RN: 04/08783) namely, alterations to the rear elevation of 11 Beaumont Mews to extend the residential accommodation (Class C3) by way of extension of the parapet wall to the rear and conversion of part rear ground floor level to residential accommodation. New asphalt flat roof and glass aluminium frame roof with four rooflights (06/00234/FULL).

25 April 2006: Permission granted for the removal of existing roof enclosure to 9 and 10 Beaumont Mews and installation of six air conditioning units and relocation of mansard windows on rear elevation (06/01727/FULL).

8 May 2006: Permission refused for the installation of five exterior lights on the ground floor front elevation of 7-11 Beaumont Mews(06/02270/FULL) – design and number of downlighters detrimental to appearance of buildings and character and appearance of the conservation area.

The applicant has submitted a separate application for a roof extension to the neighbouring dwelling house at 11 Beaumont Mews.

7. THE PROPOSAL

The application is for the erection of roof extensions to provide additional office floorspace. At 7-8 Beaumont Mews, the sloping roof to the existing ground floor extension would be replaced to create a roof terrace, enclosed by a 1.8m high timber screen. The first floor windows would be replaced with new windows and doors to provide access to the new terrace. At No. 9-10, the first floor rear mansard roof would be replaced by sheer brickwork and the existing rear projection, which provides w.c. accommodation, would be extended to second floor level, with seven air conditioning units within a rooftop plant enclosure. A new lift would be installed within the building with a centrally positioned, lift overrun. New downlighters to the front façade and green roofs are proposed to both buildings.

A separate application has been submitted for a roof extension to 11 Beaumont Mews to provide an extension to the existing dwelling.

8. DETAILED CONSIDERATIONS

8.1 Land Use/Amenity

New office floorspace

The proposal would result in the extension of existing offices to provide 191 sqm (GIA) of new office accommodation. City Plan policy S8 states that the Named Streets in Marylebone and Fitzrovia are appropriate locations for both residential use and a range of commercial uses. Outside of these locations, new commercial uses will not generally be appropriate unless they provide services to support the local residential community in that part of the CAZ. Policy S18 directs new commercial development to specified locations, including the Named Streets outside of the Core CAZ. In these locations, the development must be appropriate in terms of scale and intensity of land uses and to the character and function of the area. Policy S20 also directs new office development to these same designated areas. It is noted that the 2003 scheme for roof extensions to the buildings was refused on the grounds that new office development outside of the CAZ was unacceptable as the development did not provide local service offices.

The applicants acknowledge that the site is not located on a named Street within the Marylebone and Fitzrovia CAZ but have made the following points in support of their application:

- The extended offices would be let as administrative offices to a local medical provider (Phoenix Hospitals) to support their existing medical practices in Marylebone namely their clinic at 42-46 Weymouth Street (which provides an array of services including General Practice, including diagnostics and screening, and specialised services, such as allergy treatment, cardiology and surgery), and two further outpatient clinics at 9 and 25 Harley Street.
- The use of the application premises as independent office space will allow the potential occupier to better utilise their existing sites whilst retaining a close link to their existing medical facilities, which cater for the needs of the local community as well as patients from a wider area. Retaining and supporting such medical occupiers is vital to the continued success of the Harley Street SPA and the provision of ancillary administrative services is equally important to serve this medical function. Providing administrative services in close proximity to existing clinics would enable the highest standards of care to be delivered in the medical facilities.
- The new office would extend the existing offices rather than introduce a new medical office/commercial use within the mews. The relatively modest increase in floorspace would not result in a significant intensification of the existing use and any increase in staff numbers could be easily accommodated and would not have a material impact upon the character or amenity of the mews.

- The delivery and servicing requirements will reflect those of a typical office use and will not be significantly different from the existing.

Permission was granted in May 2005 for the use of 9-10 Beaumont Mews as offices. In approving this scheme it was acknowledged that the introduction of an office use outside of the CAZ was contrary to adopted land use policies. However, as the property was built for commercial use, had previously been in a variety of light industrial and office type uses, and given the mix of uses within the mews, it was considered that an unrestricted Class B1 use would not have an adverse impact upon the character of the area. Similarly, in June 2005, permission was granted for the use of 7-8 Beaumont Mews as offices as part of a 4-way land use package involving residential and office uses. In this case, it was again accepted that the proposed office use in this location was contrary to policies restricting office development outside of the CAZ. However, in the context of the land use package, including the overall reduction in Class B1 office floorspace across the four sites, the office use was considered acceptable.

The points made by the applicants in support of the application are noted. However, whilst it is acknowledged that the activities of the Phoenix Group, and the proposed office use, would have the potential to serve the local community, they also serve a wider patients from a wider area, including nationally and inter-nationally, and so the offices are not the type of local service office use envisaged by the policy e.g. local housing offices, which would directly serve the local community. Notwithstanding this, given the site history and the character of the mews, and as the proposals are for the extension of an existing office use, it is considered that an exception to the existing offices can be justified in land use terms.

One local resident has objected on the grounds that the provision of additional office space would have an adverse impact upon the character and amenity of mews as a result of additional noise disturbance nuisance from smokers within the mews and increased litter generation. However, given the modest increase in floorspace proposed, it is not considered that the extension of the existing office use, and any increase in staff numbers, would have a material impact on these issues when compared with the existing situation.

8.2 Townscape and Design

This building forms part of a terrace in which there are no roof extensions, and is therefore a relatively rare survival in the Harley Street Conservation Area. Consequently, there is a presumption against the addition of a storey at roof level. This is set out in the Harley Street Conservation Area Audit.

In 2003, planning permission was refused for demolition and redevelopment of 7-11 Beaumont Mews behind retained facades, including the erection of modern roof extension. The proposals, which were very different to those currently proposed, were refused partly because there were no roof extensions on the east side of the mews. The proposals were also considered harmful to the character and appearance of the conservation area for a number of detailed design reasons including the design of the proposed roof extensions, the loss of the chimney stacks, the alterations to the front facades, involving the loss of original windows, and the design of the rear facades.

Planning permission was refused in March 2018 for the erection of a mansard roof at the rear of 50 Weymouth Street, which is the mews building at the southern end of this terrace (19/01218/FULL). This was because the height and bulk of the mansard roof extension would harm the appearance of this building, the mews terrace of which it is part, and the character and appearance of the Harley Street Conservation Area. However planning permission was subsequently granted, on 20 August 2019, for a modified roof extension with a shallow roof pitch at the front, similar to that proposed in this current application. In granting this permission, it was acknowledged that, in future, the other buildings in the terrace could have similar shallow pitched extensions without have a major impact on the character of the mews.

The current proposal involves adding a roof storey with a shallow pitch at the front and a sheer wall at the rear. Like the approved scheme at 50 Weymouth Street, this has the advantage of having little visual impact from street level, thereby preserving the character of this side of the mews. The City Council would normally expect the rear of the roof to be pitched but the building is highly enclosed by the taller buildings on the west side of Beaumont Street (including the new hospital building) and views of the rear are very limited. In this context the proposed sheer wall is considered acceptable.

In 2006 planning permission was refused for the installation of five exterior lights on the ground floor front facade. The current proposal includes two small lights on the facade. These have much less visual impact than the refused proposals, and the proposed lights are considered acceptable.

The drawings have been revised to show a Mansafe/lanyard-style safety system to the proposed green roof: this would have limited visibility, other than from the upper floors of neighbouring buildings, and is considered acceptable in design terms.

The proposal is considered to comply with the City Council's urban design and conservation policies, including S25 and S28 of the City Plan and DES 1, DES 6 and DES 9 of the Unitary Development Plan.

8.3 Residential Amenity

UDP policy ENV 13 states that the City Council will normally resist proposals which result in a material loss of daylight/sunlight to existing dwellings and will refuse permission where the resulting level is unacceptable. In addition, developments should not result in a significant increase in the sense of enclosure, or overlooking, and should not cause unacceptable overshadowing, particularly on gardens or on adjoining buildings. Policy S29 also states that permission will be refused for developments that would result in a material loss of residential amenity. Although the policies are primarily designed with regard to residential accommodation, the supporting text to policy ENV13 confirms that the City Council may apply them to other uses, such as schools and other activities, where a loss of daylight and sunlight in particular may prejudice the use of the premises.

i) Daylight/Sunlight

The application is supported by a detailed daylight and sunlight assessment.

a) Daylight

Under BRE guidelines, if the Vertical Sky Component (VSC), which is the amount skylight available at the centre of a window, is greater than 27%, enough light should still be reaching the window. Where, as a result of the development, this figure is below 27% and less than 0.8 (or 20%) of its former value, the reduction in light to that room will be noticeable. Where rooms are served by more than one window of the same size, any loss of light to these individual windows can be considered as an average.

The use of the affected rooms has a major bearing on the weight accorded to the effect on residents' amenity as a result of material losses of daylight. For example, losses of light to living rooms, dining rooms, studies and large kitchens (if they include dining space and are more than 12.6m²) are of more concern than loss of light to non-habitable rooms such as stairwells, bathrooms, small kitchens and hallways. Additionally, principal living rooms are afforded more protection than bedrooms. The BRE guidance is clear that the advice given is not mandatory and that in some cases e.g. in historic city centres, "a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings". It also states that an assessment of relative impact figures should be treated cautiously as, where an existing value is low, a small reduction in real terms can appear as a large relative impact when, in practice, the loss would be barely perceptible.

The No- Sky Line assessment measures the distribution of daylight within a room and calculates the areas of the working plane which would have a direct view of the sky. Daylight may be adversely affected if the working area of the working plane which can receive direct skylight is reduced to less than 0.8 times its former value.

The existing buildings have flat roofs set behind a front parapet. The first floor rear roof at no. 7-8 is sheer, set back from the rear site boundary above a full-depth ground floor extension. The first floor rear roof at no 9-10 is a mansard, which springs from the rear site boundary wall.

The proposed roof extensions have been designed to minimise their visibility in views from Beaumont Mews. To the front, the extensions would take the form of a shallow (30 degree) roof pitch inset with rooflights. The roofs would rise to a maximum height of 3.2m above existing flat roof level at a point approximately 5m (no. 9-10) and 5.6m (no.7-8) from the front building line.

The rear of the extension at no. 7-8 would be formed in sheer brick, on the existing first floor building line. The existing rear mansard at no. 9-10 would be replaced with sheer brickwork. The rear of the proposed roof addition, also formed in sheer brickwork, would be slightly stepped back to accommodate new rooflights to the first floor offices.

The submitted daylight analysis assesses the impact of the proposed roof extension on neighbouring properties including flats at 50 Weymouth Street, 54 Weymouth Street, 47-49 Beaumont Street and 23-24 Beaumont Mews and houses at 11, 12 and 22A-E Beaumont Mews; the neighbouring clinic at 42-46 Weymouth Street; the hospital at 55-56 Beaumont Street (Agnes Keyser House) and the proposed hospital at 54 Beaumont Street (former Macintosh House).

54 Weymouth Street

Objections have been received from individual occupants of flats at 54 Weymouth Street, and from the Residents' Association, on the grounds that the extension would result in a loss of light to flats within that building. One objector has referred to the potential cumulative impact of the current proposals and the recent permission for a roof extension at the rear of 50 Weymouth Street. The objectors' property comprises two blocks: first to fifth floor flats in the main building fronting Weymouth Street (which also have windows on the return frontage), and first to third floor mezzanine level flats within the rear block, fronting Beaumont Mews. Particular reference has been made to the impact upon the kitchen, second bedroom and bathroom of Flats 2 and 4 (front block) and to the bedroom/study, living room and kitchen of Flats 1, 3, and 8 (rear block).

Officers have secured access to:

Flat 4 (at second floor) where windows light the kitchen to a dual aspect living/kitchen area, (the principal windows to the living area overlook Weymouth Street); a second bedroom, (currently in storage use) and bathroom (obscured glazed).

Flat 1 (ground floor mezzanine) where windows serve a separate kitchen, a living room (two windows) and a study.

Flat 3 (first floor mezzanine level) where three windows serve a large kitchen/ living space (dual aspect) and further window serving a bedroom.

The residents have advised that other flats have a similar layouts.

A previous daylight assessment for the proposed second floor roof extension to the rear of 50 Weymouth Street (Beaumont Mews frontage) approved on 20 August 2019, showed that the proposals would not have a material impact on windows/rooms at 54 Weymouth Street. Of the 26 windows tested, 18 would see no reduction in VSC values and the remaining windows would experience marginal reductions of between 1 and 4%. The NSL assessment confirmed that there would be minimal reductions in NSL to habitable rooms, with any reduction ranging from between 2 and 4%, with the exception of a bedroom window at rear first floor mezzanine level, which would see a 23% reduction. This bedroom, is directly opposite the boundary of 54 Weymouth Street (Beaumont Mews frontage) and 7-8 Beaumont Mews, at a point where the existing sloping roof at 54 Weymouth Street was to be altered to meet the adjacent party wall upstand. As the VSC analysis showed only a 3% reduction in light to this bedroom window, it was not considered that light to this bedroom will be materially affected.

The assessment of the current proposals shows that there would be no material impact on windows/rooms at 54 Weymouth Street. Of the windows tested (rear block only), there would be no reduction on VSC other than in the case of Flat 1 (ground floor mezzanine) where losses to the study and living room windows would be limited to 1%, with a retained VSC to the study window of 19% and to the living room windows of 16.6 and 18.1%. Given these figures, it is not considered necessary to test windows in the front block which are located further away from the proposed extension.

The previous NSL assessment confirmed that there would be minimal reductions in NSL to habitable rooms, with any reduction ranging from between 2 and 4%, with the

exception of a bedroom window at rear first floor mezzanine level, which would see a 23% reduction. This bedroom, is directly opposite the boundary of 54 Weymouth Street (Beaumont Mews frontage) and 7-8 Beaumont Mews, at a point where the existing sloping roof at 54 Weymouth Street was to be altered to meet the adjacent party wall upstand. As the VSC analysis showed only a 3% reduction in light to this bedroom window, it was not considered that light to this bedroom will be materially affected.

The submitted daylight report has been updated to include an assessment of Daylight Distribution to flats at 54 Weymouth Street and demonstrates that there would be no change.

Existing flats at 50 Weymouth Street

There are flats within the front building at 50 Weymouth Street and also flats on the lower floors of the Beaumont Mews building, where there is extant permission, granted in 2017) for the reconfiguration and extension of these flats within the existing lightwell on the boundary with 7-8 Beaumont Mews and for a roof extension to provide an addition flat (approved August 2019). No objections have been received from occupants of the flats in the main building. The flats in the Beaumont Mews building are vacant.

The proposed extension would be screened from windows in the main rear elevation of 50 Weymouth Street by the approved second floor roof extension to the rear of the building (Beaumont Mews frontage). This extension forms part of a three-way land use package and the permission is considered likely to be implemented. The submitted daylight assessment shows that there would be no impact on levels of light to windows in the main building.

However, should the approved roof extension not be constructed, the impact of the proposed extension, which is of a similar height and form to the approved rear extension to 50 Weymouth Street, is likely to have a lesser impact on existing rear windows to no. 50 than the approved roof extension, being located further away from these windows that the approved extension.

50 Weymouth Street - Beaumont Mews building

The daylight and sunlight assessment also includes an assessment of the proposals on the flats within the Beaumont Mews building which are served by windows fronting the mews and also by windows to a lightwell on the northern boundary with 7-8 Beaumont Mews and facing the rear of 50 Weymouth Street.

The report assesses the impact on layouts approved in August 2017 (which approved the partial infilling of the northern lightwell to provide additional accommodation to the existing ground and first floor flats) and windows within the approved second floor roof extension, where windows also face onto the lightwell.

Under the 2017 approval, the lightwell serves windows to each of three ground floor bedrooms and to two bedrooms and one of three windows to a, dual aspect, living/dining/kitchen room to a separate first floor flat. Lightwell windows to the approved second floor flat (2019) serve bedrooms and a dual aspect living/kitchen dining room.

In approving the 2017 and 2019 schemes, it was accepted that daylight received to the lightwell windows was restricted due to the lightwell location and proximity to the boundary with 7-8 Beaumont Mews.

The current daylight assessment shows that there would generally be no additional loss of light to most windows at 50 Weymouth Street or that losses would be within BRE targets, with the exception of lightwell windows on the boundary with the application site including:

- the three ground floor bedroom windows, which would see reductions in VSC of between 36 and 69%, with existing VSC values of between 1.1 and 1.3% being reduced to between 0.4 and 0.7%. The NSL assessment shows, similarly, that the ground floor bedrooms would experience reductions in NSL of 50% (from 2 to 1%) and 33% (from 3 to 2%).
- the first floor window to the dual aspect living/kitchen/dining room, where there would be a 56% VSC reduction (from 5.9 to 2.6%). The other windows serving this room would be unaffected. This living room would see a reduction in NSL of 60%, from 10 to 4%
- the first floor bedroom windows, which would experience VSC losses of 80% (from 8.8 to 1.8%) and 51% (from 5.5 to 2.7%). The NSL assessment shows that the most badly affected room would see an almost complete loss of NSL (from 29% to 2%), with the second room seeing a reduction of 46% from 13 to 7%.
- the second floor bedroom windows which would see VSC reductions of 22% (from 20.5 to 16%) and 34% (from 26.3 to 17.3%). There would be limited impact on NSL to these bedrooms (1%)

Whilst it is acknowledged that the impact on the ground and first floor lightwell windows would be significant, these are generally bedrooms or secondary windows to a dual aspect living rooms, where the other windows are unaffected. In these circumstances, as bedrooms are afforded a lesser degree of protection than main living rooms, and given that light to these rooms is already severely restricted, it is not considered that there would be a material impact on light levels sufficient to justify a recommendation for refusal.

23 and 24 Beaumont Mews

This building is occupied as ground and first floor offices and flats on the second and third floors. The daylight assessment demonstrates that there would be no losses to residential windows of either VSC or NSL and that any reduction of VSC to offices would be minimal.

22 A-E Beaumont Mews

The daylight analysis shows that, there would be limited impact on the level of light received to these houses. Where there are any losses in VSC, these are generally at 1 or 2%, with a maximum reduction of 6% in the case of one window.

The NSL assessment indicates losses to ground and first floor living rooms of 7 and 1% respectively.

47-49 Beaumont Street

The assessment shows that there would be no reduction in VSC to windows at the rear of these flats. Although the report does not include an NSL assessment for this building, it is not considered that there is likely to be any material impact.

11 Beaumont Mews

The daylight report has been updated to assess the impact of the proposed development on the existing dwelling at 11 Beaumont Mews and on current proposals (by the same applicant) to provide a roof extension to the neighbouring house.

The existing building comprises a ground floor living/kitchen/diner with windows to the front. The rear kitchen area is served by a rooflight at main roof level, which illuminates a void above the kitchen. There are internal windows at rear first floor level, below the rooflight, including three corridor windows in the eastern façade and a bedroom window in the southern facade, which overlook a rear lightwell. This bedroom and corridor are also served by rooflights.

The report shows that any reductions in VSC to habitable rooms within the existing house would be below 20% with the exception of one window and a rooflight to the first floor corridor and a loss of 44% to the first floor bedroom (from 12.6% to 7.1%) but the rooflight to the bedroom would retain a VSC value of over 60%. The assessment of daylight distribution shows that there would be no losses to habitable rooms.

The scheme for the extension of 11 Beaumont Mews also reconfigures the first floor accommodation to replace the bedroom with a bathroom. The new second floor would include a bi-fold door to a corridor in the rear elevation, leading out onto a terrace. This terrace includes two walk-on rooflights serving the void below/ground floor kitchen area. The window in the southern façade serves a new bedroom.

The VSC assessment shows that any reductions in VSC to the ground floor living/kitchen/dining room windows/rooflights would be below 20%. The first floor windows would not serve habitable rooms. At second floor level, the only window where losses exceed 20% serves a corridor.

The assessment of daylight distribution for the proposed development also shows that there would be no impact on the principal living space and that the second floor bedroom would see a minimal loss (7%).

12 Beaumont Mews

The report also assesses the impact of the proposals on daylight (and sunlight and overshadowing to the roof terrace) to the dwelling house at 12 Beaumont Mews and concludes that there would be no impact. However, any impact on no. 12 is more likely to arise from separate proposals for a roof extension to 11 Beaumont Mews.

Agnes Keyser House (55-57 Beaumont Street)

A Certificate of Lawful Use has been granted for the use of the building as a hospital comprising part of the Edward VII hospital. Drawings submitted in support of the CLEUD

application show a doctor's and matron's flat on part of the lower ground and ground floors and nurses' accommodation on the first to fourth floors. The daylight assessment shows that any reductions in VSC to rear windows would be below the 20% threshold with the exception of:

- a lower ground floor door fanlight and adjacent window which appear to serve a rear habitable room to a staff flat. The assessment shows a 21% reduction in NSL to this room (from 28 to 22%) although reductions in VSC to the windows are below 20%. There would also be a 22% VSC reduction (from 12.5 to 9.7%) to an adjacent window, which appears to another habitable room to the same flat. The report shows that this room would see a 34% reduction in NSL (from 71 to 41%).

In the case of breaches to other windows/rooms at lower ground floor level. The affected areas would appear to serve non-residential accommodation, including a glazed corridor link.

- Four windows at ground floor level which would appear to serve (non-designated but habitable) habitable rooms to a staff flat(s) and are affected as follows:

W34: 25% reduction in VSC (from 12.8 to 9.6%) and 46% reduction in NSL (from 94 to 51%)

W35: 27% loss of VSC (22.1 to 16.2%) but a reduction in NSL within BRE targets(5%)

W36: 45% reduction in VSC (from 15.5 to 8.65%) and a 52% reduction in NSL (from 95 to 46%).

W37: a reduction in VSC of 53% (from 5.9 to 2.85) but no reduction in NSL.

Light to these windows is currently affected by cantilevered window bays and access walkways on the floor above.

- Three window panes within a first floor 5-pane bay window serving nurse's accommodation. This would see reductions in VSC of between 21 and 30%, with retained values of between 15.8 and 22.7%. The other windows in the bay are unaffected and the reduction in NSL is within BRE targets (18%).
- A 4-pane bay window, which appears to serve a kitchen/communal area, would see reductions in VSC of between 27 and 56% (with retained values of between 3.4 and 17.2%). The NSL analysis shows that this room would experience a reduction of 61%, with 38% of the room maintaining views of the sky.

One window pane within a five-pane bay window at second floor level, which also serves a kitchen/communal area, would see a 22% reduction in VSC (from 8.5 to 6.6%). All other panes would meet the 20% threshold and the reduction on NSL to the room would be limited to 2%.

In this case, whilst there would be reductions in both NSL and VSC to rear windows, some of them serving staff living accommodation; it is acknowledged that as the lawful

use of the building is for medical purposes, that this accommodation could be converted to a different use without the need for planning approval and, in these circumstances, it is not considered that these losses could reasonably be resisted.

New medical use 54 Beaumont Street (former Macintosh House)

The applicants have also assessed the impact of the proposed development upon light to the new medical use at 54 Beaumont Street, currently under construction, based upon the approved drawings. The report shows that any reductions in VSC would be well within BRE targets with the exception of two windows and a maintenance access door which serve a single, dual aspect, space which occupies the majority of the first floor. Losses to these windows range between 37 and 63%. However, the retained values of between 11 and 17% re considered acceptable given the use of the building. The NSL assessment shows a maximum loss of 7% on the lower floors, where a minimum of 66% of the working plane would retain a view of the sky.

42-46 Weymouth Street

The report shows that there would be no material loss of light to this building, which is in Class D1 medical use, and occupied by the prospective tenant of the application building.

To conclude the daylight analysis, although the VSC reductions to some rear habitable rooms at 50 Weymouth Street would exceed BRE thresholds, given that these windows serve bedrooms, as the resulting VSC values are not unusual in this built up central location and as the ADF assessment shows that they would achieve minimum targets for bedrooms, it is not considered that the application could justifiably be recommended for refusal on the grounds that there would be a material adverse impact on levels of light received to neighbouring properties.

b) Sunlight

BRE guidelines state that access to sunlight should be checked for all neighbouring main living (habitable) rooms which have a window facing within 90 degrees of due south. Windows which face 90 degrees of due north do not need to be tested as they have no expectation of sunlight. The BRE guidance acknowledges that kitchens and bedrooms are of less importance, but states that in the case of these rooms care should be taken 'not to block too much sun'.

If the tested window receives more than one quarter of annual probable sunlight hours, including at least 5% of annual probable winter sun (during the winter months between 21 September and 21 March), then the room should still receive enough sunlight. Any reduction in sunlight below this level should be kept to a minimum. If available sunlight hours are both less than the amount given and less than 0.8 (20%) of their former value, either over the whole year or just during the winter months, and greater than 4% (APSH) over the whole year, then the loss of sunlight will be noticeable.

Windows to the rear of 50 Weymouth Street face north and do not require testing. The assessment shows that there would be impact on the levels of annual or winter sun received to flats within the Beaumont Mews building with the exception of lightwell bedroom to the approved second floor flat, where the loss would be below 20%.

54 Weymouth Street

The sunlight analysis submitted in relation to the proposed roof extension to the rear of 50 Weymouth Street showed that the reduction in annual sunlight levels at 54 Weymouth Street was limited to three windows (at 4 and 5%) which would continue to experience annual sunlight values of 20% or more, and that there would be no loss of winter sun. The sunlight analysis for the current scheme shows that there would be no additional impact on annual and winter sunlight to this neighbouring property.

11 Beaumont Mews

The sunlight assessment also looks at the impact of the proposed extension upon the existing dwelling house at 11 Beaumont Mews and the current proposals for an extension to this building and the reconfiguration of the existing accommodation.

In terms of the existing situation, the analysis shows that there would be significant reduction in annual sunlight and winter sunlight to two rooflights close to the site boundary. However, these rooflights serve a corridor. There would also be a 40% annual sunlight reduction to the first floor bedroom (from 25 to 15%) and an 80% loss of winter sun (to 1%). However, the rooflights serving the same bedroom would continue to receive annual sunlight values of 37% and 4% winter sun.

In terms of the impact of on the proposed development, the sunlight analysis shows the same impact in terms of the ground floor accommodation. Whilst there would be significant reduction in annual sunlight to the first floor windows in the southern façade, these windows would serve a bathroom rather than a bedroom. The proposed second floor bedroom would maintain an annual sunlight value of 27% and a winter sunlight values of 4% (from 10%), which is considered acceptable.

12, 22, 23 and 24 Beaumont Mews and 47-49 Beaumont Street

The sunlight analysis shows that there would be no impact on annual or winter sunlight levels to these flats and houses.

The report includes an assessment of overshadowing to the residential roof terrace at 12 Beaumont mews, and conforms that there would be no impact. However, any impact is more likely to result from proposals for a roof extension to the neighbouring house at 11 Beaumont Mews.

55-57 Beaumont Street

At Agnes Keyser House, there would be reductions in sunlight to lower floor windows which appear to serve general accommodation, including the lower ground floor glazed corridor link, rather than habitable accommodation.

There would be a 24% reduction in annual sunlight (from 21 to 16%) in the case of a ground floor window, which appears to serve a habitable room to a staff flat; a 29% loss of annual sunlight (from 31 to 22%) and a 60% loss of winter sun (from 5 to 2%) to a window that serves non-habitable accommodation.

There would also be a 46% reduction (from 37 to 20%) in annual sunlight to one of four window panes within a first floor kitchen/communal area. However, all other windows in

the same bay meet annual sunlight targets, or do not need to be tested due to their orientation, and would meet winter sunlight targets.

Although some sunlight reductions exceed BRE targets it is not considered that the impact on the affected rooms would be significant. In addition, as stated above, these rooms could be converted to "non-residential" use at any time.

The report also assesses potential overshadowing to the lower ground floor courtyard and first floor terrace at the rear of the property and indicates that there would be no impact upon the level of sunlight received to these spaces.

54 Beaumont Street (former Macintosh House)

The sunlight analysis shows that there would be no impact on annual or winter sunlight levels to the new medical facility other than to the two first floor windows and maintenance access door detailed above. These would see losses in annual sun of between 57 and 70% (with retained values of between 13 and 16%) and losses of winter sun of between 71 and 83% (with retained values of between 2 and 4%). Although these losses are significant, it is not considered that the future use of the building as a medical facility would be compromised.

44-46 Weymouth Street

The report confirms that there would be no loss of sunlight to the clinic at 44-46 Weymouth Street.

In conclusion, it is not considered that the proposed extension to 50 Weymouth Street would have a material impact on levels of daylight and sunlight received to neighbouring properties.

ii) Sense of enclosure

The proposed roof addition to no 7-8 Beaumont Mews would extend in front of second floor windows at the rear of Agnes Keyser House. Whilst most windows serve W.C.s and stairs, the extension would project in front of a bay window, currently occupied as nurses' bedroom accommodation, at a distance of approximately 8m.

At 9-10 Beaumont Mews, the existing first floor mansard, which projects above the height of the site boundary wall, would be altered to create a sheer profile, forming part of the extended W.C core and rooftop plant enclosure. This part of the extension would sit in front of rear windows to Agnes Keyser house, including the northernmost bay window, which appear to serve the communal/kitchen areas, at a minimum distance of 4.8m. The main part of the roof extension (to the north), would sit approximately 6m in front of this same window (at a minimum distance of approximately 6m) and approximately 2.4m in front of windows to the rear of the new clinic at 54 Beaumont Mews. While it is clear that there would be some increased sense of enclosure in views from these neighbouring windows, given that the lawful and permitted use of these buildings is as a hospital and a clinic, and as the nurses' accommodation could be converted to any other hospital use without the need for planning permission, it is not considered that this impact could justifiable form the basis of a recommendation for refusal.

As existing rear windows at 11 Beaumont Mews are all internal, enclosed by the glazed roof to the lightwell, and as the only window serving a habitable room is the south facing bedroom window at first floor level, it is not considered that there would be any significant increase in the sense of enclosure to these windows as a result of the proposals.

Under the scheme to extend 11 Beaumont Mews, the only upper level window serving a habitable room would be the new, south facing, bedroom window at second floor level. Whilst this window would certainly experience some increased sense of enclosure as a result of the neighbouring extension, it is not considered that the impact on this window would be so significant as to justify a recommendation for refusal, particularly when there is no guarantee that any permission to extend the dwelling house would be implemented.

Given the form of the proposed roof extension, the most significant increase in height and bulk would be set well back from the main front elevation, it is not considered that there would be a significant impact on the sense of enclosure to windows on the opposite side of Beaumont Mews.

The proposed extension would be screened from windows in the main rear elevation of 54 Weymouth Street by the approved second floor roof addition to the Beaumont mews frontage of that property. This extension was permitted as part of a three-way land use swap and is therefore considered highly likely to be implemented. However, as rear windows to 54 Weymouth Street serve bedrooms, bathrooms and non-habitable kitchens, and given the distance between these windows and the proposed extension to no 7-8 Beaumont Mews, it is not considered that the impact up residents' amenity would be so significant as to justify a recommendation for refusal.

iii) Overlooking (and noise disturbance)

The front roofslopes to the proposed extensions would be fitted with 10 conservation rooflights, eight of which serve the new offices with the remainder serving the stair core. Objections have been received from residents of 54 Weymouth Street and on behalf of the Managing Agents of the houses at 22A-E Beaumont Mews on the grounds that the proposal would result in overlooking to flats and houses opposite. Consequently, one respondent has requested that the rooflights should be fitted with obscured glass.

The windows in the front block at 54 Weymouth Street look towards the flank elevation of the front building at 50 Weymouth Street, the closest windows to the site of the proposed extension being obscured glazed bathroom windows. Windows to flats in the rear block largely overlook the site of the approved roof extension to the rear of 54 Weymouth Street. In approving that scheme, which also proposed a shallow roof pitch set with rooflights, the Committee considered that there would not be a material loss of privacy to residents at 54 Weymouth Street. Whilst windows to flats in the rear block at 54 Weymouth Street are closer to the application site, there would be no direct views from the proposed rooflights across the mews and into those flats.

Although the flats on the upper floors of 23-24 Beaumont Mews and the houses at 22A and 22B Beaumont Mews are situated directly opposite the proposed roof extension, it is not considered that there would be a material loss of privacy to these buildings. The

proposed rooflights would be set within a shallow roof pitch with the lowest point of the window at approximately 1.6m above floor level and the highest point at approximately 2.3m above floor i.e. generally above the eyeline of most potential office occupants. Given the position of these rooflights in relation to the internal floor level, it is considered that the opportunity for direct overlooking into rooms on the opposite site of the mews would be limited and that there would be no material loss of privacy given the relationship of opposing windows on the lower floors, where the distance is less. In these circumstances, it is not considered that it would be reasonable to require these rooflights to be obscured glazed or fixed shut.

The drawing show that existing ground floor rear windows at 9-10 Beaumont Mews, which were previously required to be obscure glazed and fixed shut, would now be bricked up. At 7-8 Beaumont Mews, the replacement windows and new access doors at rear first floor level would largely be set behind the screen to the terrace beyond. The area of glass projecting above the height of the adjacent screen would be at a minimum of 2m above the internal floor level within the offices. In these circumstances, the opening of these windows and the use of clear glazing is considered acceptable.

The drawings show that the new rear second floor windows would be fitted with obscured glass in the lower panes. It is recommended that a condition is imposed requiring the submission of a sample of the obscured glass and requiring the obscured lower panes of these windows to be fixed shut, given their proximity to nurses' and hospital accommodation to the rear of the site. However, as the upper window panes would be sited a minimum of 2m above internal floor levels, it is considered that these windows can be clear glazed and openable. It is also considered that the two lower window panes to the second floor office/store window (south elevation) should be obscured glazed and fixed shut.

Objections have been received from residential occupiers of 54 Weymouth Street concerning overlooking and noise disturbance from the proposed roof terrace at 7-8 Beaumont Mews. Given the terrace location and proposals to install a 1.8m privacy screen, which would be secured by condition, it is not considered that the use of the terrace would give rise to a material loss of privacy to neighbouring occupiers, including those on the west side of Beaumont Mews.

Subject to a condition to limit the use of the office terrace to between 08.00 and 19.00 hours on Monday to Friday only, it is not considered that the use of this, relatively small, amenity space would result in any significant noise disturbance.

In view of the above, subject to appropriate conditions, it is not considered that the proposals would result in a loss of amenity to neighbouring occupiers and objections received on these grounds cannot be supported.

8.4 Transportation/Parking

The site is located within a Controlled Parking Zone and in an area with good access to public transport. The use of Residents' parking bays is restricted from 08.30 until 20.30 hours each day and the use of single yellow lines and parking bays is controlled between 08.30 and 18.30 hours on Monday to Saturday. Given the level of parking restriction and in view of good public transport accessibility, it is not considered that the proposals

would have a significant impact on on-street parking demand in the area. In addition, it is not considered that the increase in floorspace would have a material impact on site servicing demands.

Eight cycle parking spaces are proposed at ground floor level. This level of provision is welcomed and would be secured by condition.

8.5 Economic Considerations

Any economic benefits generated by the increase in office floorspace are welcomed.

8.6 Access

The scheme involves the installation of a new lift which would provide access to the upper floors of the building, which is welcomed.

8.7 Other UDP/Westminster Policy Considerations

Plant

The scheme involves the installation of seven new air conditioning units to the roof of the extended W.C core at the rear of 9-10 Beaumont Mews. The application is supported by an acoustic report which has been assessed by the City Council's Environmental Health Officer. Subject to conditions relating to noise emissions and vibration, a requirement for the plant to operate in low noise mode between 23.00 and 07.00 each day, the submission of a supplementary noise report (post commissioning survey) to demonstrate that these noise levels can be achieved, and a condition requiring the installation of the acoustic enclosure prior to the operation of the plant (and its permanent retention), it is considered that the proposals would comply with Council standards relating to plant noise and that there would be no material impact upon the operation or amenity of neighbouring noise sensitive properties. The proposals are therefore considered to comply with UDP policies ENV6 and ENV 7 and policy S32 of the City Plan.

Refuse /Recycling

The scheme includes provision for refuse and recycling at ground floor level. The Project Officer (Waste) has confirmed that the proposed arrangements are satisfactory. These would be secured by condition.

Biodiversity and Sustainability

The scheme would include a green roof to the proposed extension, which is welcomed. Conditions are therefore recommended requiring the submission of construction details and a Management Plan for the proposed living roof to ensure that this aspect of the development complies with policies S38 of the City Plan and ENV 17 of the UDP.

Given the nature of the development, it is not supported by an energy statement. However, it is anticipated that the refurbished building would provide energy efficient heating and lighting systems and that the roof extension would be constructed from thermally efficient building fabric. New windows would be double glazed.

8.8 Westminster City Plan

The City Council is currently working on a complete review of its City Plan. Informal consultation on the first draft of Westminster's City Plan 2019-2040 took place between Monday 12 November 2018 and Friday 21 December 2018. Following this informal consultation, the draft plan has been revised and formal consultation was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between Wednesday 19 June 2019 and Wednesday 31 July 2019. In the case of a draft local plan that has been published for consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012, including a second revision Regulation 19 plan, it remains at a pre-submission stage (i.e. has yet to be submitted to the Secretary of State for Examination in Public) and therefore, having regard to the tests set out in para. 48 of the NPPF, it will generally attract very limited weight at this present time.

8.9 Neighbourhood Plans

Not relevant

8.10 London Plan

This application does not raise any strategic issues.

8.11 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.

Further to the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the City Council cannot impose a pre-commencement condition (a condition which must be discharged before works can start on site) on a planning permission without the written agreement of the applicant, unless the applicant fails to provide a substantive response within a 10 day period following notification of the proposed condition, the reason for the condition and justification for the condition by the City Council. It is not proposed to impose any pre-commencement conditions.

8.12 Planning Obligations

The application does generate a requirement for any planning obligations.

The estimated CIL payments are Mayoral CIL 2: £35,335.00 and Westminster CIL: £35,733.21.

8.13 Environmental Impact Assessment

The development is not of a nature or scale to require the submission of an Environmental Impact Assessment.

8.14 Other Issues

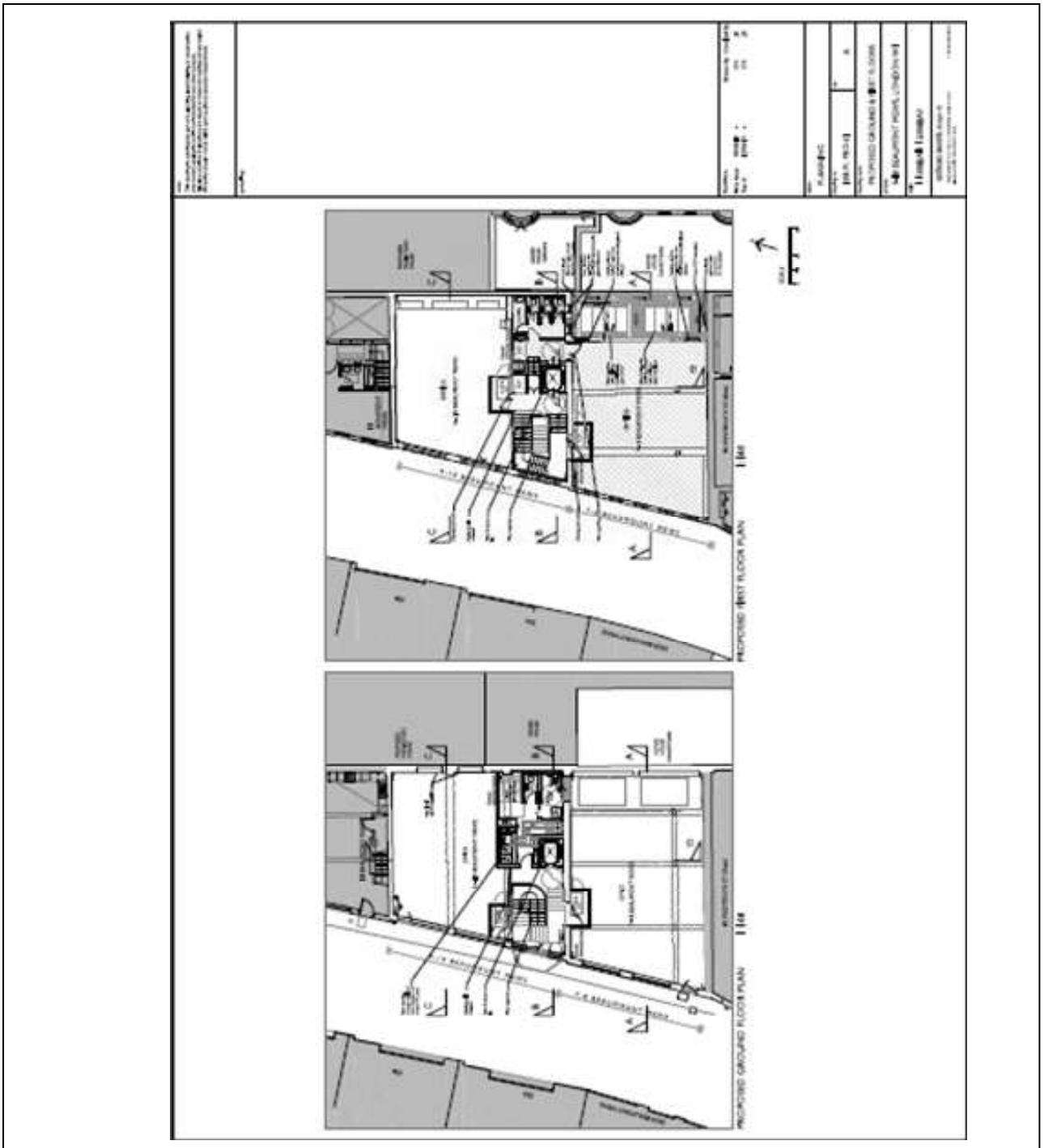
Construction impact

In order to ameliorate the potential impact of building works upon neighbouring noise sensitive properties a condition is recommended to limit the permitted hours of building works. Subject to this condition, it is considered that the amenities of neighbouring occupiers would be safeguarded as far as possible,

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

9. KEY DRAWINGS



DRAFT DECISION LETTER

Address: 7 - 10 Beaumont Mews, London, W1G 6ED,

Proposal: Erection of roof extension to form additional office space, rear roof terrace enclosed by a timber screen at first floor level, green roof, entrance lighting, seven new air conditioning units within proposed new roof plant enclosure and installation of new lift.

Reference: 19/05358/FULL

Plan nos. Sections 5.3 and 5.6 of Acoustic Report dated 30 May 2019 (RBA Acoustics); 18B PL PRO/01, 02A, 03B

Case Officer: Sara Spurrier **Direct Tel. No.** 020 7641 3934

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 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 Harley Street 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)

3 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:

Because these would harm the appearance of the building, and would not meet S25 or S28, or both, of Westminster's City Plan (November 2016) and DES 1 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R26HC)

4 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 residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

5 Before anyone occupies the office extension hereby approved, you must provide the separate stores for waste and materials for recycling shown on drawing number 18B PL PRO 01. You must clearly mark them and make them available at all times to everyone using the offices.

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)

6 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 2016 (R22FA)

7 The timber screen to the roof terrace at the rear of 7-8 Beaumont Mews must be provided prior to the use of the terrace and thereafter permanently maintained.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

8 The first floor roof terrace at 7-8 Beaumont Mews shall only be used between 0800 and 1900 hours on Monday to Friday 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)

9 (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. (R46AB)

10 The plant/machinery hereby permitted shall operate in low noise mode between 23.00 hours and 07.00 the following morning, each day, as set out in sections 5.3 and 5.6 of the report by RBA Acoustics dated 30 May 2019 hereby approved.

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. (R46AB)

11 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. (R48AA)

12 You must put up the plant screen shown on the approved drawings before you use the machinery. You must then maintain it in the form shown for as long as the machinery remains in place. (C13DA)

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. (R46AB)

13 You must provide, maintain and retain the following bio-diversity features before you start to use any part of the development, as set out in your application – the green/living roofs. You must not remove any of these features. (C43FA)

Reason:

To increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43FB)

14 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the living/green roofs to include construction method, layout, species and

maintenance regime.

You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan.

Reason:

To protect and increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43CB)

15 The glass that you put in the lower panes of the following windows must not be clear glass and you must fix it permanently shut:

- i) the rear second floor windows, as shown on the drawing 18B PL PRP 03B hereby approved and
- ii) the lower two panes of the second floor office/stores windows (south facade).

You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

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, neighbourhood plan (where relevant), 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 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.

3 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.

* Window cleaning - where possible, install windows that can be cleaned safely from within the building.

* Internal atria - design these spaces so that glazing can be safely cleaned and maintained.

* Lighting - ensure luminaires can be safely accessed for replacement.

* Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).

More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm.

Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)

4 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.

5 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.