

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING (MAJOR APPLICATIONS) SUB-COMMITTEE</b>	<b>Date</b> 21 July 2020	<b>Classification</b> For General Release	
<b>Report of</b> Director of Place Shaping and Town Planning		<b>Ward(s) involved</b> West End	
<b>Subject of Report</b>	<b>Site 1 - Claridge House, 32 Davies Street, London, W1K 4ND</b> <b>Site 2 - 1-7 Davies Mews and 28-30 South Molton Lane, London, W1K 5AB</b> <b>Site 3 - 58 Brook Street, London, W1K 5DT</b> <b>Site 4 - 60 Brook Street, London, W1K 5DU</b>		
<b>Proposal</b>	Site 1 - Use of part first floor and second floor as 8 x flats (Class C3). Site 2 - Use of part first and second floor as offices (Class B1) and internal alterations. Site 3 – Use of 4th floor as offices (Class B1). Site 4 - Use of 2nd and 3rd floor as offices (Class B1).		
<b>Agent</b>	Gerald Eve		
<b>On behalf of</b>	Grosvenor West End Properties		
<b>Registered Number</b>	Site 1 - 20/02661/FULL Site 2 - 20/02575/FULL and 20/02576/LBC Site 3 - 20/02577/FULL Site 4 - 20/02578/FULL	<b>Date amended/ completed</b>	17 April 2020
<b>Date Application Received</b>	17 April 2020		
<b>Historic Building Grade</b>	Site 2 – Grade II. Sites 1, 3 and 4 – unlisted.		
<b>Conservation Area</b>	All sites - Mayfair		

## 1. RECOMMENDATION

Site 1 (Claridge House, 32 Davies Street):

Grant conditional permission subject to the completion of a legal agreement to secure the following:

- a) Part of the first floor and second floor of Claridge House, 32 Davies Street be ready for occupation as 8 x flats before or within 12 months of part of the first floor and second floor of 1-7 Davies Mews and 28-30 South Molton, the fourth floor of 58 Brook Street and the second and third floors of 60 Brook Street all being ready for occupation as offices.
- b) Costs of monitoring the S106 agreement.

Site 2 (1-7 Davies Mews and 28-30 South Molton Lane):

1. Grant conditional permission subject to the completion of a legal agreement to secure the

following:

- a) Part of the first floor and second floor of 1-7 Davies Mews and 28-30 South Molton Lane being ready for occupation as office floorspace before or within 12 months of part of the first floor and second floor of Claridge House, 32 Davies Street being ready for occupation as 8 x flats.
  - b) The development shall not be commenced until the location for the provision of 6 x Sheffield cycle parking stands in the immediate vicinity of the site have been agreed in writing with the City Council and any necessary changes to traffic orders have been confirmed. The Sheffield stands must be provided prior to occupation of any part of the site for office (Class B1) use.
  - c) Costs of monitoring the S106 agreement.
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 letter.

Site 3 (58 Brook Street):

Grant conditional permission subject to the completion of a legal agreement to secure the following:

- (a) The fourth floor of 58 Brook Street be ready for occupation as office floorspace before or within 12 months of part of the first floor and second floor of Claridge House, 32 Davies Street being ready for occupation as 8 x flats.
- (b) The development shall not be commenced until the location for the provision of 1 x Sheffield cycle parking stand in the immediate vicinity of the site has been agreed in writing with the City Council and any necessary changes to traffic orders have been confirmed. The Sheffield stand must be provided prior to occupation of any part of the site for office (Class B1) use.
- (c) Costs of monitoring the S106 agreement.

Site 4 (60 Brook Street):

Grant conditional permission subject to the completion of a legal agreement to secure the following:

- (a) The second and third floors of 60 Brook Street be ready for occupation as office floorspace before or within 12 months of part of the first floor and second floor of Claridge House, 32 Davies Street being ready for occupation as 8 x flats.
- (b) The development shall not be commenced until the location for the provision of 1 x Sheffield cycle parking stand in the immediate vicinity of the site has been agreed in writing with the City Council and any necessary changes to traffic orders have been confirmed. The Sheffield stand must be provided prior to occupation of any part of the site for office (Class B1) use.
- (c) Costs of monitoring the S106 agreement.

In respect to the planning applications for all four sites:

If the S106 legal agreement(s) has not been completed within six weeks of the date of this resolution then:

- a) The Director of Place Shaping and Town Planning shall consider whether it will be possible or appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Place Shaping and Town Planning is authorised to determine and issue the decision under Delegated Powers; however, if not;
- b) The Director of Place Shaping and Town Planning shall consider whether the permission should be refused on the grounds that the proposals are unacceptable in the absence of benefits which would have been secured; if so, the Director of Place Shaping and Town Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

## 2. SUMMARY

Four application sites are included in this land use package, all of which are located within the Core Central Activities Zone (Core CAZ) and the Mayfair Neighbourhood Plan. Permission is sought to convert part of the first floor and the entirety of the second floor of Claridge House, 32 Davies Street (Site 1) from offices into eight flats. The entirety of the second floor and part of the first floor of 1-7 Davies Mews and 28-30 South Molton Lane (Site 2) are proposed to be converted from five flats to office accommodation. Finally, a flat at fourth floor level of 58 Brook Street (Site 3) and another flat at third and fourth floor levels of 60 Brook Street (Site 4) are proposed to be converted to office accommodation.

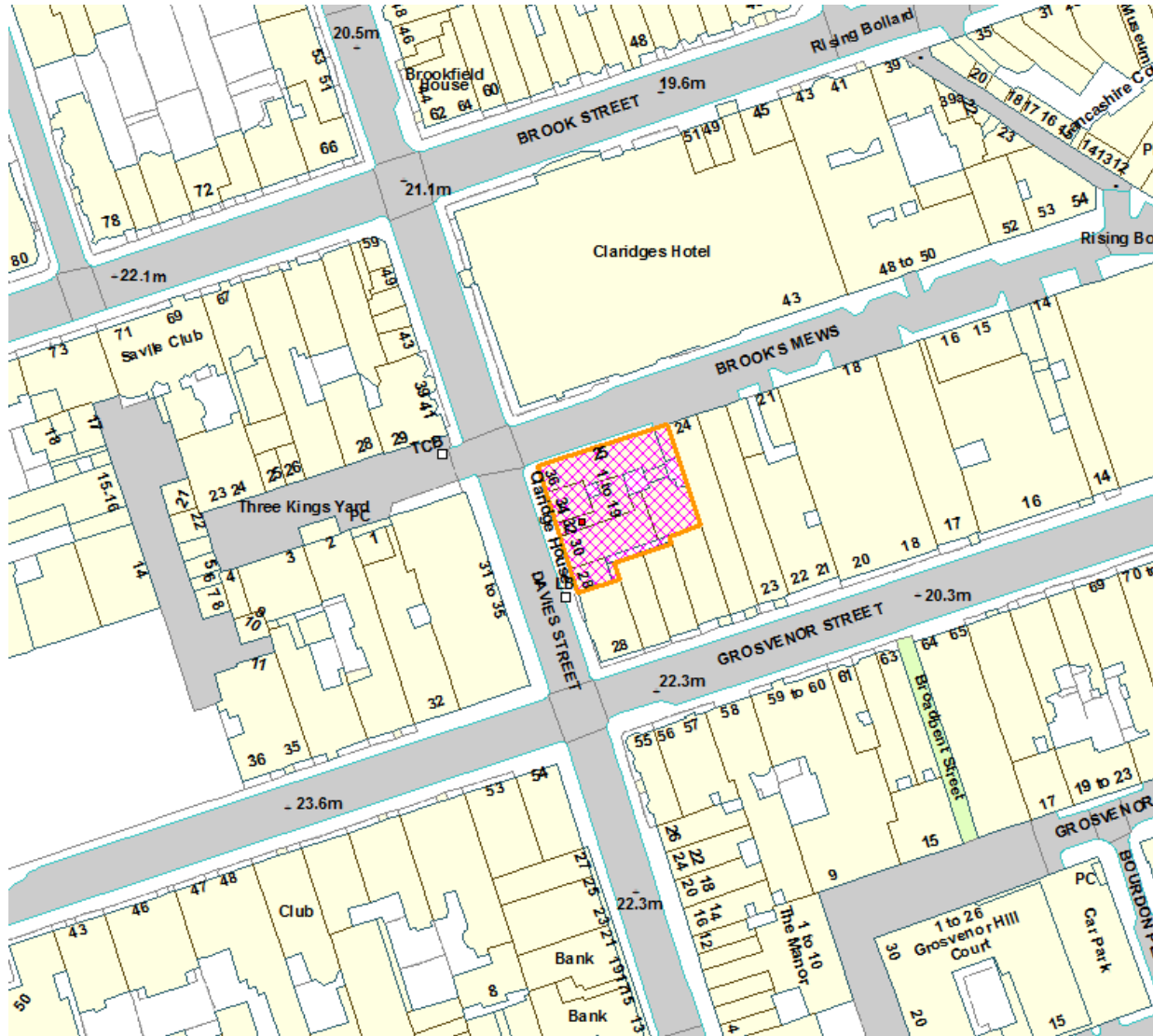
Listed building consent is sought to undertake internal alteration to 1-7 Davies Mews and 28-30 South Molton Lane (Site 2) to facilitate the proposed change of use. This building is Grade II listed.

When taken as a land use package, the result is a net increase in 33 sq.m GIA of residential floorspace and one additional residential unit and a net loss of 38 sq.m GIA of office floorspace. The sites are in close proximity to each other and will result in a more appropriate arrangement of uses, higher quality residential units and an increase in both residential floorspace and units. These benefits outweigh the small loss of office floorspace. Subject to the completion of a legal agreement to ensure the delivery of the land use package as a whole within a 12 month window and to secure some off-site cycle parking provision in connection with the new office floorspace at Sites 2, 3 and 4, it is recommended that conditional permission be granted for all four sites.

Finally, the internal works to 1-7 Davies Mews and 28-30 South Molton Lane (Site 2) will preserve the special interest of this listed building and it is accordingly also recommended that conditional listed building consent be granted.

### 3. LOCATION PLANS

#### Site 1 - Claridge House, 32 Davies Street



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Site 2 - 1-7 Davies Mews and 28-30 South Molton Lane



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Site 3 - 58 Brook Street



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Site 4 - 60 Brook Street



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4. PHOTOGRAPHS

Site 1 - Claridge House, 32 Davies Street





Site 2 - 1-7 Davies Mews and 28-30 South Molton Lane



Sites 3 and 4 - 58 Brook Street (right) and 60 Brook Street (left).



## 5. CONSULTATIONS

### Site 1 - Claridge House, 32 Davies Street

#### RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S:

- Any response to be reported verbally.

#### MAYFAIR RESIDENTS GROUP:

- Any response to be reported verbally.

#### WASTE PROJECT OFFICER:

- Objection – further information requested.

#### HIGHWAYS PLANNING MANAGER:

- No objection from an on-street car parking stress perspective.  
- No objection to the proposed cycle parking.

#### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 63

Total No. of replies: 2

No. of objections: 1

No. in support: 1

Support for the proposal on the basis that it will return Claridge House back to a residential apartment building.

Objection to the proposal on the grounds that the works required could be detrimental to the health of the existing residents of Claridge House during the current COVID-19 pandemic.

#### PRESS ADVERTISEMENT / SITE NOTICE:

Yes

### Site 2 - 1-7 Davies Mews and 28-30 South Molton Lane

#### RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S:

- Any response to be reported verbally.

#### MAYFAIR RESIDENTS GROUP:

- Any response to be reported verbally.

#### WASTE PROJECT OFFICER:

- No objection.

#### HIGHWAYS PLANNING MANAGER:

- No objection to on-street servicing for this small office.  
- No objection to cycle parking being provided off-site (but within close proximity) provided the location(s) have been agreed by the City Council in its capacity as

Highways Authority.

CROSS LONDON RAIL LINKS:

- No comment.

HISTORIC ENGLAND:

- Does not consider it necessary for the application to be referred to Historic England.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 64

Total No. of replies: 0

No. of objections: 0

No. in support: 0

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

**Site 3 - 58 Brook Street**

RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S:

- Any response to be reported verbally.

MAYFAIR RESIDENTS GROUP:

- Any response to be reported verbally.

WASTE PROJECT OFFICER:

- No objection.

HIGHWAYS PLANNING MANAGER:

- No objection to on-street servicing for this small office.

- No objection to cycle parking being provided off-site (but within close proximity) provided the locations has been agreed by the City Council in its capacity as Highways Authority.

CROSS LONDON RAIL LINKS:

- No comment.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 5

Total No. of replies: 0

No. of objections: 0

No. in support: 0

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

**Site 4 - 60 Brook Street****RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S:**

- Any response to be reported verbally.

**MAYFAIR RESIDENTS GROUP:**

- Any response to be reported verbally.

**WASTE PROJECT OFFICER:**

- Objection to proposed storage for refuse and recyclable materials.

**HIGHWAYS PLANNING MANAGER:**

- No objection to on-street servicing for this small office.

- No objection to cycle parking being provided off-site (but within close proximity) provided the locations has been agreed by the City Council in its capacity as Highways Authority.

**CROSS LONDON RAIL LINKS:**

- No comment.

**ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED**

No. Consulted: 16

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 Sites**

All four sites are located within the Core CAZ and the Mayfair Conservation Area. For the purposes of the Mayfair Neighbourhood Plan (2019), the sites are all located within Central Mayfair.

**Site 1 - Claridge House, 32 Davies Street**

Arranged over basement, ground and six upper floors, it is understood that this unlisted residential mansion block has commercial uses at basement and ground floor levels, offices at first and second floor levels and flats on the remaining upper floors.

As set out in more detail within Section 6.2 of this report, planning permission was granted in 1981 to: (i) Consolidate the unauthorised (although in some cases lawful) office suites throughout the building to the first and second floor levels; and (ii) To revert the unauthorised office suites over some of the remaining upper floors back to flats. This permission was subject to a legal agreement that ensured that the development was completely in its entirety. Due to the COVID-19 pandemic, it has not been possible to

visit the site in order to check whether the entirety of the third-sixth floors are solely in residential use and the first and second are solely in office use. The applicant, however, has confirmed in writing that this is the case. Council tax and electoral roll records support this position. It therefore appears that the 1981 permission has been implemented in its entirety and the current situation on site is in compliance with the legal agreement

### **Site 2 - 1-7 Davies Mews and 28-30 South Molton Lane**

This Grade II listed building has commercial uses over the majority of the ground and first floors levels. The second floor is made up of four flats with independent access from Davies Mews. There is also a flat at first floor level at the corner of Davies Mews and South Molton Lane, with independent access from South Molton Lane.

### **Site 3 - 58 Brook Street**

Arranged over basement, ground and four upper floors, the lower floors are in commercial use whilst the fourth floor is in use as a flat. This flat shares with the commercial occupiers of the building a communal area at front ground floor level for access.

### **Site 4 – 60 Brook Street**

Arranged over basement, ground and three upper floors, the lower floors are in commercial use and the third floor is in use as a flat. Again, this flat shares with the commercial occupiers of the building a communal area at front ground floor level for access.

## **6.2 Recent Relevant History**

### **Site 1 - Claridge House, 32 Davies Street**

Residential roof extension at 7<sup>th</sup> floor together with alterations at 6<sup>th</sup> floor level to form the lower part of a new maisonette. Use of 1<sup>st</sup> and 2<sup>nd</sup> floors as offices. Uses of 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> floors as residential.

Permitted – 22 December 1981. This decision was subject to a legal agreement that secured:

- Upon commencement of the approved office use at first and second floor levels, all office uses on the third to sixth floor levels shall cease and those floors forthwith be used for residential purposes. This is with the exception of:

- a) Flat 10 (fourth floor level) that was permitted to remain in mixed office and residential use only for the three-year duration of the temporary planning permission granted at appeal dated 17 April 1979; and
- b) Flats 8 (third floor level) and 15 (fifth floor level) that were permitted to be continued to be used as offices only on the condition that one or two suites (as

the case may be) at first and/or second floor shall continue to be used for residential purposes. When Flats 8 and/or 15 cease to be used for office purposes, the suites at first and/or second floor may then be used as offices.

### **Site 2 - 1-7 Davies Street and 28-30 South Molton Lane**

None.

### **Site 3 - 58 Brook Street**

03/05942/FULL

Use of lower basement, basement and ground floor as Class A1 (retail) and/or Class B1 (office) use.

Permitted – 1 October 2003.

The reconstruction behind existing façade to provide office accommodation on the basement, ground, first and third floor with a residential flat at fourth floor.

Permitted – 20 July 1971.

### **Site 4 - 60 Brook Street**

94/04363/CLEUD

Use of basement, lower ground, ground, upper ground and first floor as exhibition and retail art gallery and ancillary offices, all within Class A1.

Permitted – 27 July 1994

Redevelopment by the erection of a building comprising basement, ground and part four and part one upper floors to provide shop, office and residential accommodation.

Permitted – 27 July 1976.

The approved drawings show a shop at front ground and rear basement, offices over rear ground, first and second floor level, and a maisonette over third and fourth floor levels.

## **7. THE PROPOSAL**

Planning permission is sought to convert the seven residential flats within Sites 2, 3 and 4 into office accommodation and the convert part of the first floor and the entirety of the second floors of Claridge House, 32 Davies Street (Site 1) into eight flats. The remainder of the first floor will remain in use as offices.

Listed building consent is sought to undertake internal alterations to 1-7 Davies Mews and 28-30 South Molton Lane (Site 2) in order to facilitate the conversion of this floorspace to office accommodation.

The applications have been submitted as land use package. Table 1 below sets out the land use implications if all four development proposals are built out in their entirety.

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Office (Class B1)	871.03	833.28	-37.75
Residential (Class C3)	833.28 (7 x flats)	866.7 (8 x flats)	+33.45 (+1 x flat)
<b>Total</b>	<b>1,704.31</b>	<b>1,699.98</b>	<b>-4.33</b>

Table 1: Land use summary of proposed land use package.

The slight decrease in the total floor area of the four sites is as a result of some increases in wall thickness within Claridge House, 32 Davies Street (Site 1).

A comparison between the residential unit types and the overall number of flat is summarised in Table 2 below.

Residential unit types	As existing	As proposed	+/-
Three-bed	2	2	0
Two-bed	3	2	-1
One-bed	2	4	+3
<b>Total</b>	<b>7</b>	<b>8</b>	<b>+1</b>

Table 2: Residential units summary of proposed land use package.

The proposed size of the residential units proposed at Claridge House, 32 Davies Street (Site 1) is summarised below:

Unit	Flat Unit Type	Proposed Floor Area (sqm GIA)
1A	3b6p	143.9
1B	2b4p	77.0
1C	1b1p	41.4
2A	3b6p	143.9
2B	1b2p	52.9
2C	1b1p	40.6
2D	1b1p	40.6
2E	2b4p	154.1

Table 3: Floorspace of proposed residential units within Claridge House, 32 Davies Street (Site 1).

No external alterations are proposed to any of the sites.

The application forms part of the applicant's preparation for the redevelopment of the wider South Molton Triangle (SMT) site (site bound by Brook Street, Davies Street and South Molton Lane (excluding 58 Davies Street) and 10, 15-25, 27 and 42 South Molton Street). This application was received on 24 June 2020 and is therefore at a very early stage in its assessment.

If the current applications are granted, officers have agreed that the baseline for assessing the wider SMT application will be based, not on the current uses on the SMT site, but as if the current package of applications have been implemented in full. If the City Council resolves to grant permission for the wider SMT application, there will be a need to ensure that the residential units at Claridge House, 32 Davies Street (Site 1) are



delivered at an appropriate point in time in relation to the redevelopment of the SMT site. As is recommended in the current package of applications, ensuring that the replacement residential floorspace / units and corresponding replacement office floorspace are delivered in a timely manner would be secured by legal agreement.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Land Use and Amenity**

In isolation, the loss of the residential floorspace and residential units at Site 2, 3 and 4 is contrary to City Plan Policy S14. Furthermore, the loss of office floorspace to provide flats within Claridge House, 32 Davies Street (Site 1) is contrary to City Plan Policy S20 and Mayfair Neighbourhood Plan Policy MC2.

However, City Plan Policy CM47.1 allows the City Council to assess land use packages for site within the CAZ as though the development is on a single site. The four sites that are the subject of these application are within the CAZ and within close proximity to each other. There is therefore no in-principle objection to assessing them as a land use package.

Whilst there is a small (38 sq.m GIA) loss of office floorspace which in contrary to City Plan Policy S20 and Mayfair Neighbourhood Plan Policy MC2, there are a number of reasons why the proposed distribution of land uses within this part of Mayfair is beneficial. The replacement of the isolated residential units that share awkward access arrangements with other commercial parts of the building within 58 Brook Street (Site 3) and 60 Brook Street (Site 4) with good quality residential units in a residential mansion block at Claridge House, 32 Davies Street (Site 1) is welcome. The proposal will also result in the almost all of the Claridge House, 32 Davies Street (Site 1) returning to its historic residential use (above ground). This will be of benefit for the current residential occupants of the building through reducing potential conflict with commercial users of the building and associated security concerns.

Whilst one occupier of a flat within Claridge House has raised concern over the works taking place during the COVID-19 pandemic, this does not represent a sustainable reason for refusing permission.

Furthermore, whilst none of the residential units within Sites 2, 3 and 4 are of poor quality, the proposed replacement residential units within Claridge House, 32 Davies Street (Site 1) are considered to represent an improvement, with the majority being dual aspect, all meeting minimum space standards and benefitting from good layouts and with good access to daylight. This is despite two of the existing flats within 1-7 Davies Mews and 28-30 South Molton Lane (Site 2) having outdoor amenity space whereas none of the replacement units would enjoy such a facility. The number of 'family-sized' units (i.e. containing three or more bedrooms) would remain unchanged and, whilst there is a more of a focus on smaller sized units within Claridge House, 32 Davies Street (Site 1), this is more than compensated by the net increase in one residential unit and an increase in residential floorspace of 33 sq.m GIA.

The proposed uses are considered to be suitable for each site, not resulting in any loss of residential amenity or intensification of a use into an area.

Overall, the proposal is considered to be in accordance with City Plan Policies S14, S15 and CM47.1, UDP Policy H5 and Mayfair Neighbourhood Plan Policies MSG2 and MRU2.2. Departing from City Plan Policy S20 and Mayfair Neighbourhood Plan Policy MC2 in respect to the small loss of office floorspace is considered to be justified in this instance.

## **8.2 Townscape and Design**

As set out above, no external alterations are proposed to any of the sites and therefore there will be no impact on the character and appearance of the Mayfair Conservation Area.

### **Site 2 - 1-7 Davies Mews and 28-30 South Molton Lane**

The building dates to 1902-03 and was designed by Reginald Blomfield in the manner of a Georgian stable block. It was originally used as workshops. In the 1930s the workshops were converted into a warehouse and garages, with flats on the second floor. In the late 1970s the building became an indoor antiques market at ground and basement level. The interior has been extensively altered over the years. The plan form has been changed and there are little or no historic features of interest.

The proposed internal works are modest. The works at first floor level include removing a modern bathroom, creating a new bathroom and rebuilding a staircase. At second floor level it is proposed to reinstate a corridor, which is likely to be part of the original plan. New traditional doors in keeping with the date of the building will be used. These works will be beneficial to, and will not harm, the special interest of the building.

The proposals comply with the City Council's listed building policies and supplementary planning guidance, 'Repairs and Alterations to Listed Buildings', and are considered appropriate and acceptable. A recommendation to grant conditional consent would therefore be compliant with the requirements of the NPPF and the statutory duty set out within Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **8.3 Transportation/Parking**

### **Site 1 – Claridge House, 32 Davies Street**

The evidence of the Council's most recent parking survey in 2018 indicates that the parking occupancy of Residents' Bays and Shared Use Bays within a 200m radius of Claridge House, 32 Davies Street (Site 1) is 74.2% at daytime and 53.6% overnight. This is below the 80% parking stress level set out within UDP Policy TRANS 23. Given that there is a net increase in the number of residential units across the four sites of just one, this will not result in the parking stress levels exceeding 80%. As such, the proposal is policy compliant in terms of its impact upon on-street car parking stress.

The provision of on-site cycle parking for the new residential units within the basement of Claridge House, 32 Davies Street (Site 1) is acceptable and it is recommended to be secured by condition.

### **Sites 2, 3 and 4.**

It is accepted that it is not physically possible to accommodate cycle parking within these three sites. Whilst officers do not normally accept off-site cycle parking provision, the Highways Planning Manager is prepared to make an exception in this instance. It is recommended that a legal agreement secures a total provision of 8 x Sheffield stands prior to occupation in location(s) to be agreed in writing with the City Council.

#### **8.4 Economic Considerations**

The small loss of office floorspace is acceptable for the reasons set out within Section 8.1 of this report.

#### **8.5 Access**

The residents of the eight new flats within Claridge House, 32 Davies Street (Site 1) will benefit from level access from the street and lift access to all eight flats.

The access arrangement for Sites 2, 3 and 4 will remain unchanged, with level access not possible without significant alterations that are not considered necessary to make the development acceptable.

#### **8.6 Other UDP/Westminster Policy Considerations**

##### **Refuse /Recycling**

Following comments from the Projects Officer (Waste), amendments and additional details has been provided by the applicant which overcome any concerns. The provision and retention of the storage facilities for waste and recyclable material are recommended to be secured by condition.

#### **8.7 Westminster City Plan**

The City Council is currently working on a complete review of its City Plan. Formal consultation on Westminster's City Plan 2019-2040 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 and on the 19 November 2019 the plan was submitted to the Secretary of State for independent examination. In the case of a draft local plan that has been submitted to the Secretary of State for Examination in Public, under Regulation 22(3) of the Town and Country Planning Act (Local Planning) (England) Regulations 2012, having regard to the tests set out in para. 48 of the NPPF, it will generally attract very limited weight at this present time.

#### **8.8 Neighbourhood Plans**

The Mayfair Neighbourhood Plan includes policies on a range of matters including character, heritage, community uses, retail, offices, housing, cultural uses, transport and the environment. It has been through independent examination and supported at

referendum on 31 October 2019, and therefore now forms part of Westminster's statutory development plan. It will be used alongside the council's own planning documents and the Mayor's London Plan in determining planning applications in the Mayfair Neighbourhood Area. Where any matters relevant to the application subject of this report are directly affected by the policies contained within the neighbourhood plan, these are discussed elsewhere in this report.

### **8.9 London Plan**

This application raises no strategic issues.

### **8.10 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.

No pre-commencement conditions are proposed.

### **8.11 Planning Obligations**

The draft 'Heads' of agreement are proposed to cover the following issues:

- Secure the delivery of all four developments in full within a 12-month window.
- Secure the provision of 8 x Sheffield cycle parking stands in the vicinity of Site 2, 3 and 4 prior to occupation of any part of these sites as offices (location to be agreed in writing with the City Council and any necessary changes to traffic orders having been confirmed).

### **8.12 Environmental Impact Assessment**

The proposal is of insufficient scale and impact to require assessment under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

### **8.13 Other Issues**

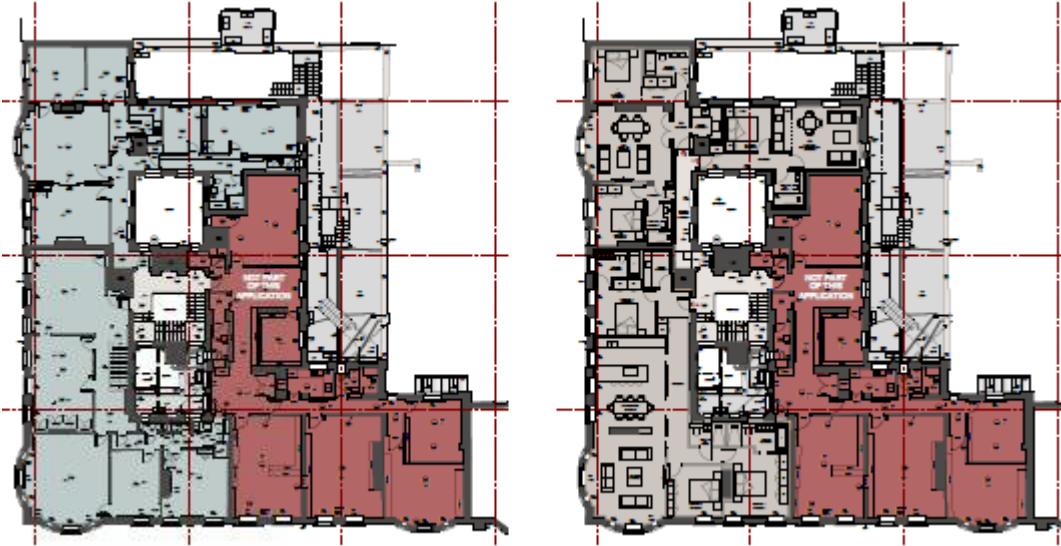
None.

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

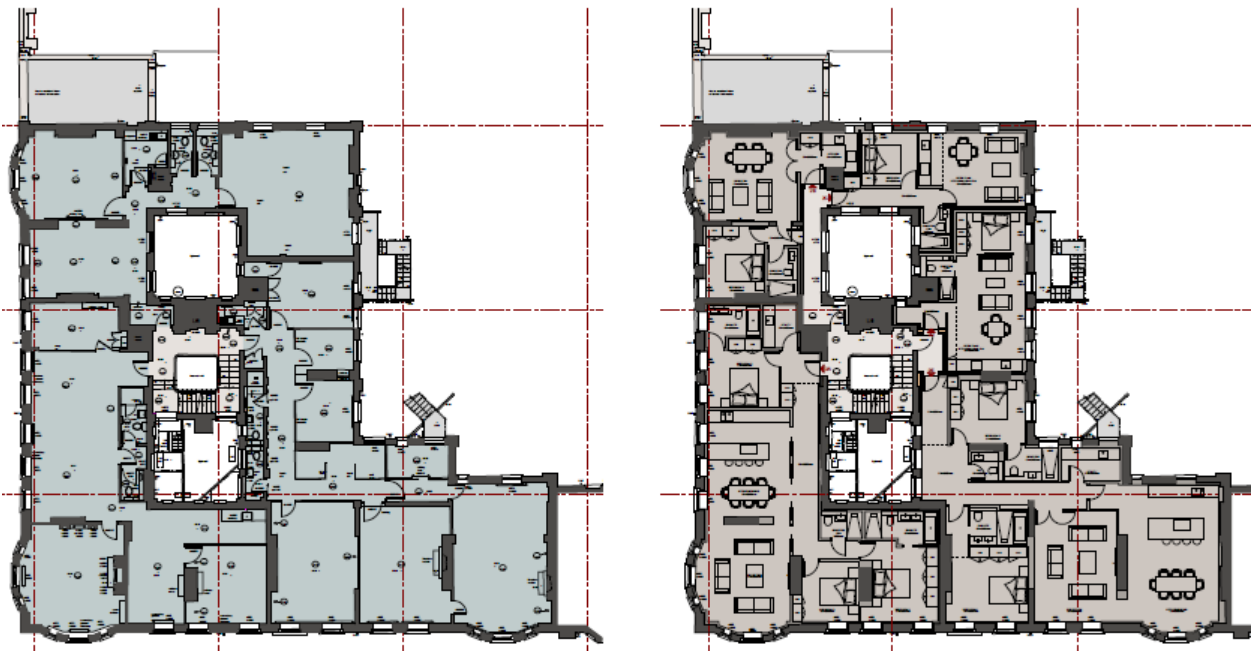
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MARK HOLLINGTON BY EMAIL AT [mhollington2@westminster.gov.uk](mailto:mhollington2@westminster.gov.uk)

9. KEY DRAWINGS

Site 1 - Claridge House, 32 Davies Street.

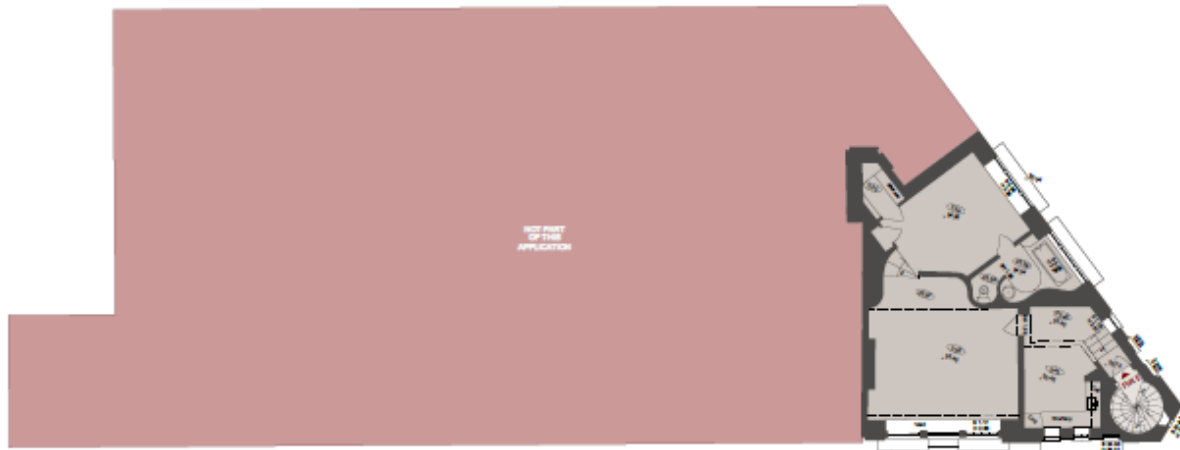


Existing and proposed first floor plan.

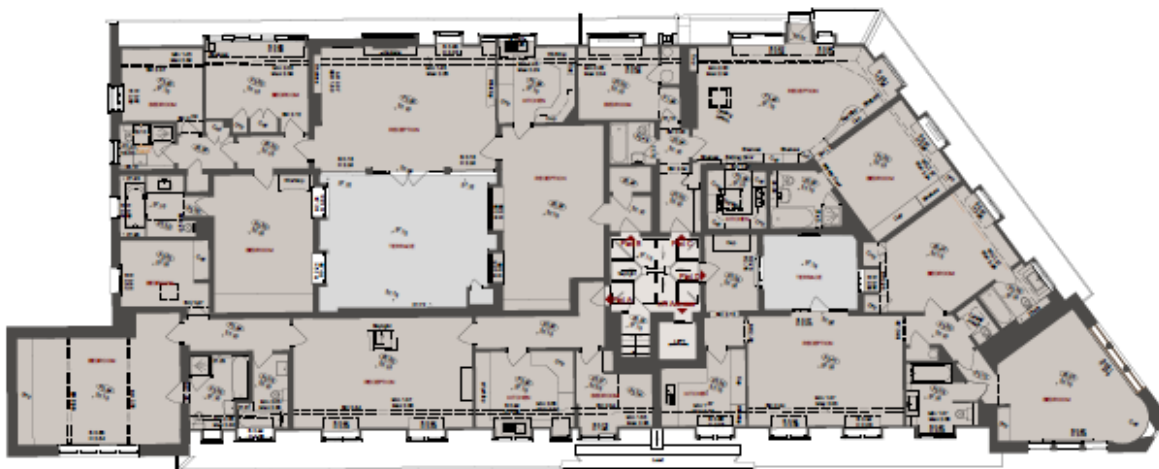


Existing and proposed second floor plan.

Site 2 - 1-7 Davies Mews and 28-30 South Molton Lane.

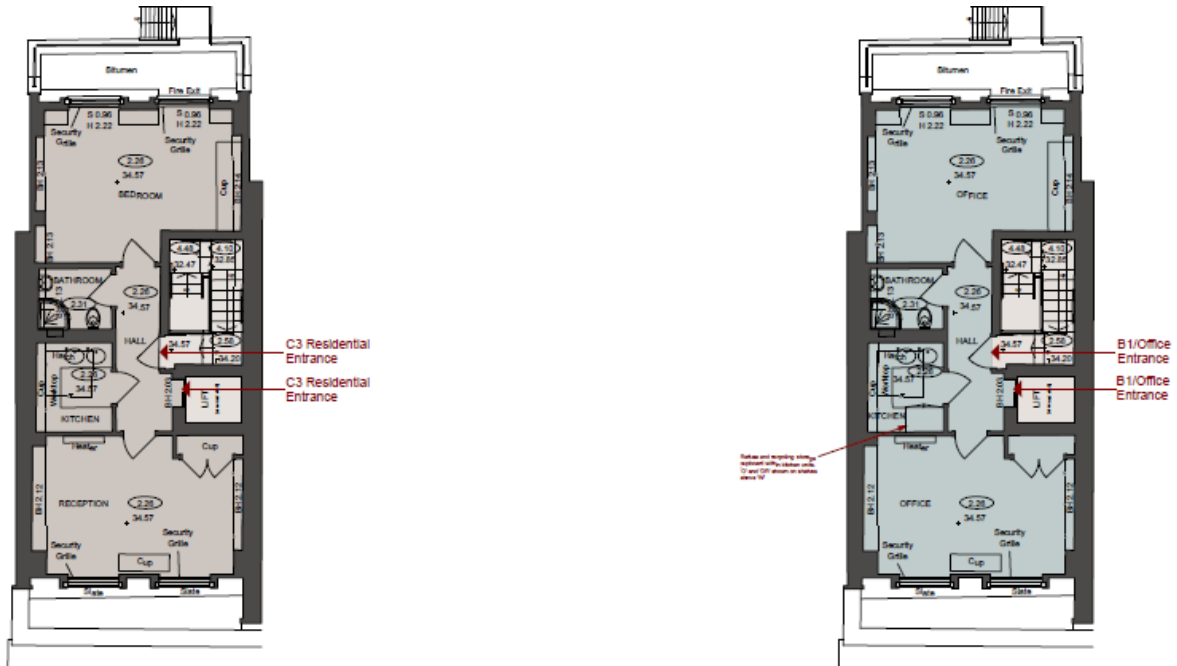


Existing first floor plan.



Existing second floor plan.

Site 3 - 58 Brook Street



Existing and proposed fourth floor plan.

Site 4 - 60 Brook Street, London, W1K 5DU



Existing and proposed third and fourth floor plans.

**DRAFT DECISION LETTER (SITE 1)**

**Address:** Claridge House, 32 Davies Street, London, W1K 4ND

**Proposal:** Use of part first floor and second floor as 8 x flats (Class C3).

**Plan Nos:** 0506.101.03B, 0506.102.03B and 0506.100.02 Rev. A.

**Case Officer:** Mark Hollington

**Direct Tel. No.** 07866040156

**Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:**

- 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:**

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.

- 2 Before anyone moves into any of the eight flats hereby approved, you must provide the separate stores for waste and materials for recycling shown on drawing number 0506.100.02 Rev. A. You must clearly mark them and make them available at all times to everyone using the flats. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose.

**Reason:**

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

- 3 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.

**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)

- 4 The design and structure of the development shall be of such a standard that it will



protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise. (R49AA)

- 5 The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development. (R49BA)

#### **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 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](http://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:

*[www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)*

Forms can be submitted to [CIL@Westminster.gov.uk](mailto: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.**

- 3 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to:
  - a) Part of the first floor and second floor of Claridge House, 32 Davies Street be ready for occupation as 8 x flats before or within 12 months of part of the first floor and second floor of 1-7 Davies Mews and 28-30 South Molton, the fourth floor of 58 Brook Street and the second and third floors of 60 Brook Street all being ready for occupation as offices.
  - b) Costs of monitoring the S106 agreement.

**DRAFT DECISION LETTER (SITE 2 – FULL)**

**Address:** 1-7 Davies Mews, London, W1K 5AB

**Proposal:** Use of part first and second floor as offices (Class B1).

**Plan Nos:** 0506.1.101.03 Rev. A and 0506.1.102.03.

**Case Officer:** Mark Hollington

**Direct Tel. No.** 07866040156

**Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:**

- 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 Prior to occupation of the office floorspace hereby approved, you must provide the separate stores for waste and materials for recycling shown on drawing number 0506.1.102.03. You must clearly mark them and make them available at all times to everyone using the offices. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose.

Reason:

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

**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 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to:
- a) Part of the first floor and second floor of 1-7 Davies Mews and 28-30 South Molton Lane being ready for occupation as office floorspace before or within 12 months of part of the first floor and second floor of Claridge House, 32 Davies Street being ready for occupation as 8 x flats.
  - b) The development shall not be commenced until the location for the provision of 6 x Sheffield cycle parking stands in the immediate vicinity of the site have been agreed in writing with the City Council and any necessary changes to traffic orders have been confirmed. The Sheffield stands must be provided prior to occupation of any part of the site for office (Class B1) use.

**DRAFT DECISION LETTER (SITE 2 – LBC)**

**Address:** 1-7 Davies Mews, London, W1K 5AB

**Proposal:** Internal alterations.

**Plan Nos:** 0506.1.101.02, 0506.1.102.02, 0506.1.101.03 Rev. A and 0506.1.102.03.

**Case Officer:** Mark Hollington

**Direct Tel. No.** 07866040156

**Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:**

- 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.

**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, the London Plan 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 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

**DRAFT DECISION LETTER (SITE 3)**

**Address:** 58 Brook Street, Mayfair, London, W1K 5DT

**Proposal:** Use of 4th floor as offices (Class B1).

**Plan Nos:** 0506.2.104.03.

**Case Officer:** Mark Hollington

**Direct Tel. No.** 07866040156

**Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:**

- 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 Prior to occupation of the office floorspace hereby approved, you must provide the separate stores for waste and materials for recycling shown on drawing number 0506.2.104.03. You must clearly mark them and make them available at all times to everyone using the offices. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose.

**Reason:**

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

**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 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to:
- (a) The fourth floor of 58 Brook Street be ready for occupation as office floorspace before or within 12 months of part of the first floor and second floor of Claridge House, 32 Davies Street being ready for occupation as 8 x flats.
  - (b) The development shall not be commenced until the location for the provision of 1 x Sheffield cycle parking stand in the immediate vicinity of the site has been agreed in writing with the City Council and any necessary changes to traffic orders have been confirmed. The Sheffield stand must be provided prior to occupation of any part of the site for office (Class B1) use.

**DRAFT DECISION LETTER (SITE 4)**

**Address:** 60 Brook Street, Mayfair, London, W1K 5DU

**Proposal:** Use of 2nd and 3rd floor as offices (Class B1).

**Plan Nos:** 0506.3.102.05 Rev. A and 0506.3.103.03.

**Case Officer:** Mark Hollington

**Direct Tel. No.** 07866040156

**Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:**

- 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 Prior to occupation of the office floorspace hereby approved, you must provide the separate stores for waste and materials for recycling shown on drawing number 0506.3.102.05 Rev. A. You must clearly mark them and make them available at all times to everyone using the offices. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose.

**Reason:**

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

**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 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to:
- (a) The second and third floors of 60 Brook Street be ready for occupation as office floorspace before or within 12 months of part of the first floor and second floor of Claridge House, 32 Davies Street being ready for occupation as 8 x flats.
  - (b) The development shall not be commenced until the location for the provision of 1 x Sheffield cycle parking stand in the immediate vicinity of the site has been agreed in writing with the City Council and any necessary changes to traffic orders have been confirmed. The Sheffield stand must be provided prior to occupation of any part of the site for office (Class B1) use.