

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 5 April 2022	<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>30 Sackville Street, London, W1S 3DY</b>		
<b>Proposal</b>	Internal and external alterations including the erection of a single storey conservatory extension at rear ground floor level for additional Class E floorspace (to be used in connection with the restaurant proposed in the main building) , installation of plant, provision for cycle parking, landscaping and other associated works incidental to the application proposals.		
<b>Agent</b>	DP9		
<b>On behalf of</b>	Raymond Estates Ltd		
<b>Registered Number</b>	21/03068/FULL 21/03069/LBC	<b>Date amended/ completed</b>	10 May 2021
<b>Date Application Received</b>	10 May 2021		
<b>Historic Building Grade</b>	II		
<b>Conservation Area</b>	Mayfair		

## 1. RECOMMENDATION

1. Grant conditional permission.
2. Grant conditional listed building consent.
3. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision notice.

## 2. SUMMARY

The application site is currently used as an office building. Under the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended September 2020) that use now falls within Class E, along with a number of other uses, "which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit". Those other uses include restaurants, and it is the applicant's intention to use the whole of the existing building for that purpose. This in itself does not require planning permission, but the proposals include a number of alterations which do require both planning permission and listed building consent. A key change is a proposed single storey extension to be built on the existing ground floor terrace at the rear of the site, adjacent to Albany, an historic residential enclave. Other

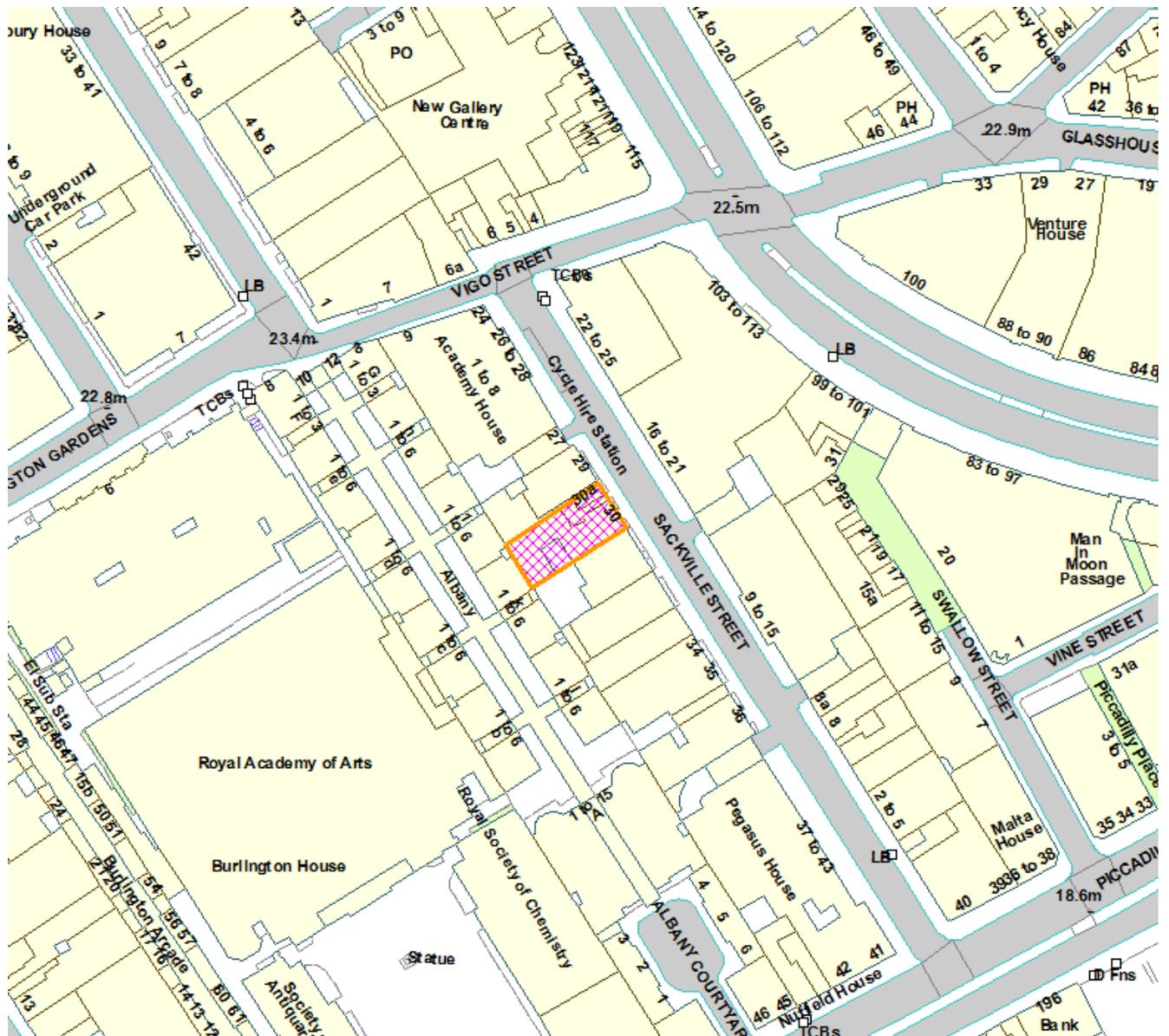
alterations include decking over the rear basement with a planted area above some new mechanical plant, a high level extract duct taken through the interior of the building and discharging at roof level, alongside some other plant and photo voltaic panels, and alterations to the interior, in particular the reinstatement of a main staircase between the ground and first floors.

These applications are a re-submission of a previous scheme for similar proposals that were subsequently withdrawn in early 2021; the main changes are the design of the rear extension and the new staircase. The current proposals, like the previous ones, generated a number of objections from the residents in Albany and the recently converted single dwelling house next door (31 Sackville Street). The main issues are considered to be:

1. the impact of the extension on the amenity of neighbouring residents;
2. the acceptability of the alterations in design and listed building terms; and
3. the adequacy of the acoustic information about the proposed plant.

For the reasons set out in the main report, the proposals are considered to be acceptable, subject to conditions.

### 3. LOCATION PLAN



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4. PHOTOGRAPHS

Front of property



Part view of rear terrace & lightwell to No. 30 & lightwell to Albany (from 31 Sackville Street)



## 5. CONSULTATIONS

### HISTORIC ENGLAND

Do not wish to comment; authorisation issued for the council to determine the listed building application.

### GEORGIAN GROUP

Any response to be reported verbally.

### VICTORIAN SOCIETY

Any response to be reported verbally.

### TWENTIETH CENTURY SOCIETY

Any response to be reported verbally.

### COUNCIL FOR BRITISH ARCHAEOLOGY

Any response to be reported verbally.

### SOCIETY FOR PROTECTION OF ANCIENT BUILDINGS

Any response to be reported verbally.

### ANCIENT MONUMENTS SOCIETY

Any response to be reported verbally.

### SAVE BRITAIN'S HERITAGE

Strong objection on the grounds that the proposals are unsympathetic to the listed application building, including alterations to the fabric of the interior that erode its character and significance, and 'a harmful intrusion into the environs of the Grade I listed Albany'.

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

Any response to be reported verbally.

### MAYFAIR RESIDENTS GROUP

Any response to be reported verbally.

### ENVIRONMENTAL HEALTH

Initial holding objection due to clarification required about the submitted acoustic information and the kitchen extract proposals and whether issues raised in the previous (withdrawn) application had been addressed;  
Following the submission of additional information, no objection subject to conditions.

### HIGHWAYS PLANNING

Advises that the proposal is acceptable with regard to cycle parking, servicing, waste storage and car parking/traffic generation and has no objection subject to conditions.

### WASTE

No objection subject to a condition to secure the storage areas for waste and recycling.

## ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 116

Total No. of replies: 26

No. in support: 0

No. of objections: 26 (including one on behalf of The Trustees of Albany);

Objections received on some or all of the following grounds:

Land use

- The proposed use is unsuitable for the area, which is characterised by some businesses and residential uses, with other restaurants in Sackville Street being smaller and less harmful in amenity terms;
- The proposed extension would significantly increase the capacity of the restaurant and materially change the nature of the Class E use in the main building;

Design and Heritage

- The proposed extension at the rear constitutes inappropriately scaled development in a highly sensitive location causing harm to the significance of the surrounding heritage assets including listed buildings [in particular, Albany] and the Mayfair Conservation Area;
- The proposals will cause harm to 30 Sackville Street [as a listed building], in particular the partial infilling of the rear yard with the free-standing deck;
- That the assessment of the impact of the development on Albany, the Conservation Area and other surrounding listed buildings is inadequate and its conclusions unconvincing;
- Mistakes in the Heritage Statement and questionable statements about the relationship of the application site with Albany;
- Potential adverse impact on heritage and visual amenity if greater plant attenuation is required;
- That the revised proposals are largely the same as the withdrawn scheme;
- The green roof is not visually appropriate;

Residential amenity

- Noise nuisance from the restaurant use within the main building, including the playing of music, particularly uses adjacent to the party wall with 31 Sackville Street, and the proposed extension;
- Noise/vibration nuisance from mechanical plant;
- concerns about the lack of adequate assessment of noise transmission via party walls (Albany and 31 Sackville Street) and glazing and the use of an inadequate secondary glazing system for acoustic purposes;
- Outdoor noise at the front of the property with the arrival and departure of staff and guests, smokers and vehicles, including service vehicles and possibly rickshaws;
- That the departure of potentially large groups of patrons leaving late at night has not been assessed;
- Concerns that old noise surveys were initially used, that a subsequent noise survey was taken during 'abnormally low' background noise levels during the covid-19 pandemic and that when a new survey was more recently carried out it appears to contradict earlier findings - that the noise survey remains inadequate and that an adequate survey dataset is provided;
- Inadequate assessment of the proposed plant itself and the likely requirement for greater

attenuation;

- Concerns that the proposed extension is not structurally separate from the Albany party wall (as stated in the application) and that there is some solid connection that may allow sound transmission;
- Incorrect assessment of the proposed 'barrier attenuation' for plant noise [at roof level] with potential noise nuisance;
- Increased sense of enclosure from the proposed extension, loss of privacy from overlooking from windows in the main building and the new extension;
- Inadequate sound mitigation measures;
- Loss of light, and "breezes" to two Albany staircases and their residents;
- Loss of privacy through overlooking;
- Concerns about the use of flat terraces/planted deck as dining/drinking/smoking areas, causing loss of amenity to residents in Albany and 31 Sackville Street, that the proposed use of conditions to restrict use of these areas is inadequate and that there should be a Section 106 legal agreement to preclude use of these areas and even a restrictive covenant;
- Light pollution from the proposed illumination of the ground floor green deck between the new extension and the main building – with a request that it is conditioned not to be lit after 8pm during summer months and 6pm during winter months;
- Absence of a draft operational management plan referred to in the submission [this was accidentally missing from the application documentation but submitted shortly afterwards];
- No reference to how smokers will be managed;
- Questions about the effectiveness of the proposed filtering system for the kitchen extract system;
- That the revisions to the scheme, in particular to the design of the rear extension, are insufficient to overcome the concerns previously expressed about the withdrawn application;
- Odour pollution and other airborne particulates;
- Possibilities of pest/vermin;
- Noise/disturbance during building works;

#### Traffic/Highways

- Intensification of vehicular movements due to guests and servicing, with associated impacts on noise pollution, air pollution and amenity;
- Under estimation of servicing deliveries;
- Questions about the accuracy of information and assumptions in the Transport Note.

Requests that if permission is granted, it should be subject to a number of conditions, including a Section 106 Legal agreement that binds the property in perpetuity by obligations regulating use restrictions of certain areas and the prohibition of noise, and even a restrictive covenant. Where possible conditions are proposed that address objectors' concerns and these are considered within the body of the report below.

#### PRESS ADVERTISEMENT / SITE NOTICE:

Yes

There was a reconsultation with the agent acting on behalf of The Trustees of Albany, who had appointed their own acoustic consultant, when the revised acoustic report was submitted.

The applicant has also carried out consultation with neighbouring residents, as outlined in the Statement of Community Involvement. This included conversations with both the owners of 31 and 29 Sackville Street and the Albany residents at the rear of the site, with engagement including a number of online meetings and various letters.

## **6. BACKGROUND INFORMATION**

### **6.1 The Application Site**

The building (technically comprising 30 and 30a Sackville Street but used as one building) is located on the west side of Sackville Street and backs on to Albany (which comprises a number of residential apartments and is listed Grade I). The application site is listed grade II and dates from the early eighteenth century, with nineteenth century alterations. The interior retains elements of panelling, doorcases to the ground floor and the first floor front room is fully panelled with enriched plaster cornice. Comprising basement, ground and three upper floors, it is used wholly for unrestricted office purposes within Class E.

This application lies in the Central Activities Zone, the West End Retail and Leisure Special Policy Area and the Mayfair Conservation Area. It is just outside the West End International Shopping Centre (the boundary runs along most of Sackville Street).

Although located within a part of the West End that is predominantly commercial, close to Regent Street and Piccadilly, there is some residential accommodation in the vicinity of the site as well. In addition to Albany mentioned above, records indicate that there are a couple of penthouse flats in 16-21 Sackville Street (opposite the site), eight flats in Academy House to the north (on the corner with Vigo Street) and a single dwelling house immediately next door to the south of the site, 31 Sackville Street.

It is noted that The Heart of London Business Alliance have produced a report titled 'The Economic Case for Public Realm Investment in the Heart of London Area' (October 2019), which includes a case study for the potential transformation of the public realm of Sackville Street. This report notes that "Sackville Street maintains a low profile compared to its better known neighbours". It is understood that this report is aspirational and that there is no immediate likelihood of significant changes being introduced.

### **6.2 Recent Relevant History**

February 2021 – planning and listed building applications withdrawn for 'Continued use of the whole building as Class E floor space ('Commercial, business and service'), as a restaurant, with alterations including the erection of a single storey conservatory extension at rear ground floor level for additional restaurant floorspace, installation of plant at roof level, alterations to the servicing arrangements, provision for cycle parking, landscaping and other associated internal and external works. (20/06565/FULL and 20/06566/LBC). This followed advice that the proposed extension and certain aspects of the internal alterations (in particular the modern design of the reinstated staircase within the main building) were unacceptable in design and historic building terms, that there were outstanding environmental health issues with regard to the submitted acoustic report and a number of objections from residents that also referred to the above concerns.

The current applications are a revised submission of that withdrawn scheme.

January 2002 - A Certificate of Lawfulness issued for the use of the ground floor of No. 30 and front parts of basements of Nos. 30 and 30A [the parts previously approved in 1986 for retail use] as offices (Class B1) (01/06490/CLEUD). The officer's report noted that "The whole of the building is currently in Class B1 office use".

October 1986 – planning permission granted for 'Alterations in connection with refurbishment and restoration including demolition of the rear extension to reinstate courtyard, and use of basement and ground floors as part retail, part offices and first to third floor as offices' (85/05494/FULL).

The applicant has also drawn attention to a permission granted in February 2020 for the redevelopment of Pegasus House and Nuffield House (to the south of the site, on the corner of Sackville Street and Piccadilly, which also backs on to Albany) including demolition behind a retained facade (west, south and east) of Nuffield House and a replacement building comprising two levels of basement, ground, mezzanine and first to seventh floor, and demolition and replacement of Pegasus House, comprising two levels of basement, ground, mezzanine and first to fifth floors, and amalgamation of the two buildings to provide new office, retail, restaurant [on the Sackville Street frontage], flexible office / retail, and residential accommodation, and other associated works.

## 7. THE PROPOSAL

The applicant's intention is to convert the existing office building into a restaurant - planning permission is not required for this change of use. The overall capacity of the restaurant would be 150 covers, based on the fire capacity of the building. 25 of these covers are shown located in the proposed rear ground floor extension. The opening hours would be 10am to 12am (midnight) daily. Planning permission is required for the external alterations to the building, which include:

- the addition of a rear extension (an additional 38.8 m<sup>2</sup> GIA (representing a 4% increase in floorspace, with the existing building comprising 940 sqm GIA) at ground floor level on an existing terrace, the roof of which will be landscaped as a green roof;
- construction of a free-standing deck, also to be landscaped, at ground floor within an existing rear lightwell to screen the plant at basement level and provide visual amenity for guests within the new rear extension;
- a 'green screen' at ground floor level on the boundary between the application site and 31 Sackville Street next door;
- installation of additional plant at the roof level and minor access openings.

Listed building consent is also required for these alterations and works to the interior of the building, which are summarised as follows:

### Basement

To reconfigure the existing basement to include the main kitchen facilities, including preparation areas and storage rooms, a staff room, dedicated waste storage, cycle parking facilities and rearranged WC facilities. A new lift will be installed, and an existing

stair well will be removed to improve the overall layout of the basement. The WC facilities at this level will be available for the use of staff. An accessible WC will be provided for and patrons which will be accessible via the lift. Dumbwaiters will be installed to all levels of the building, allowing food from the kitchen in the basement to be easily transported throughout the building.

The waste store will be provided within the existing vaults below the Sackville Street and will be accessible both internally via the basement and externally via the lightwell from Sackville Street. New plant will be installed within the existing external rear courtyard within the basement level, which will be covered with a new free-standing suspended deck at the ground floor level.

### Ground Floor

The ground floor will be used as the main reception area, the main dining area and bar, with the proposed extension at the rear to create an enclosed dining area. This extension will be accessed from the ground floor via a new door formed via the removal of an existing full height sash window within the external facing of the rear wall. The extension will have a staircase linking it with the basement kitchen below. The rear extension will have glass doors that can open onto the suspended deck area. However, these doors will be required to remain closed during dining hours of operation.

The new extension will have a rendered finish to match the existing and will have a blue-green roof on top of it. The rear wall of the extension is largely independent and setback from the Albany wall, with a void between them, apart from along the line of the extension's roof and with a gutter where the extension is set back from Albany's lightwell.

The main entrance is retained. The period features, architraves and cornices will be refurbished and protected to enhance decorative order within the front rooms. A new traditional stairwell is proposed to be introduced into the front room reception area to connect the ground floor with the first floor. A new glazed lift is also proposed to be installed in the building to improve circulation to the upper floors. There are a number of restorative works proposed to the ground floor including the reinstatement of a currently blocked fireplace and new linings. New alcove cupboards are proposed on both sides of the historic fireplaces to conceal new ventilation ducts and to help provide an improved acoustic separation against the party wall. These cupboards will extend up through the building for the same purpose. Any skirtings/mouldings will be reused where possible and installed to match the original.

### First Floor

The existing rooms at the first-floor level will be used as smaller dining room areas. The new stairwell from the ground floor will provide the main access to this level. Part of the first floor in the front room is proposed to be removed to accommodate the new stairwell and to create a void. The proposed staircase will be of a Georgian design and will increase circulation within the building, while providing a staircase that is in keeping with the character of the building. The service riser will extend through this floor.

### Second Floor

The second floor is proposed to be used by the restaurant staff for admin purposes. It is also proposed to reconfigure the layout of the WC facilities for the use of both diners and staff at this level. Again, the service riser will extend through this floor.

### Third Floor

The third floor is proposed to be used for private dining and sitting areas. The existing terrace at this level is proposed to be refurbished and landscaped to encourage habitats for wildlife. The terrace will be used for maintenance purposes only and to provide access to the plant machinery. A green screen will be installed around the perimeter of the balcony to screen the terrace and the dining area from the neighbouring windows in Albany.

### Roof Level

The roof currently supports air conditioning units, located within the inner roof valley. It is proposed to consolidate all the mechanical plant into the existing plant room zone, currently defined by a lower level lead roofed structure located to the north boundary adjacent to 29 Sackville Street. The plant will be further screened by acoustic louvers to help mitigate any potential for noise generation. The new kitchen extract flue is located between the two pitched roof forms to remain hidden from views. The extraction system will incorporate the latest carbon filtration technology to ensure that the discharge is odourless.

The key revisions to the scheme compared with the withdrawn one are a redesign of the rear extension (in particular the removal of rooflights) and a more traditional design of the replacement staircase between ground and first floor levels, as well as updated acoustic information. The detailed changes to the proposed rear extension are as follows:

- Two new external parapet copings walls (with 'ball balusters') have been raised by 537mm compared to previous. These have a 'perforate' design.
- The new parapet to the Albany light well has now lowered by 176mm.
- Previous raised rooflight/lantern has been omitted, reducing overall height to the adjacent light well by 340mm.

Objections to the proposals being largely the same are not considered to be reasonable as the scheme does include material changes and any legitimate issues of concern can be addressed by condition.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Land Use**

The lawful use of the building is for office purposes. This is unrestricted by any previous planning permission. This use falls within Class E (introduced by central government in September 2020) and it means that the building can be used for any other use within that Use Class without the need for planning permission. This includes retail sale of goods, financial/professional services, indoor sport/recreation/fitness, the provision of medical or health services, as a creche/day nursery/day centre, offices/light industrial use, and for the sale of food and drink which is mostly consumed on the premises (namely café/restaurants). It is the latter use which the applicant intends to use the building for.

Planning permission and listed building consent is however required for the external alterations, including the proposed rear extension. It will provide an additional 38.8 m2 of

GIA floor area, which the applicant advises would be a 5% increase in floorspace. It would contain 25 covers, out of a total of 150.

#### Policy 16 (Food, drink and entertainment) of the City Plan

*Mayfair Neighbourhood Plan 2019-2040 states that “Proposals for food and drink and entertainment uses will be of a type and size appropriate to their location. The over-concentration of those uses will be further prevented where this could harm residential amenity, the vitality and character of the local area or the diversity that defines the role and function of the town centre. Applications for entertainment uses will need to demonstrate wider benefits for the local community, where appropriate.”*

#### Policy MSG1 (Sustainable Growth) of the Mayfair Neighbourhood Plan

*States that “Growth is encouraged within Mayfair which shall for the purpose of this policy be construed (where appropriate) as including increased density, intensity of use, efficient use of existing floorspace, amount of mixed use floorspace, numbers of units (where subdivision is appropriate), and activity (by providing restaurants, cafés, galleries, shops, and other uses which animate the streetscene for the public). Mixed use will generally include residential and commercial floorspace.”*

*Policy MRU1 (Residential Amenity) states that “Proposals for new commercial or entertainment uses in Mayfair must demonstrate how they protect the amenity of nearby residential units and create no material additional adverse effects (after mitigation) such as noise and rubbish between 11pm and 7am.”*

There have been objections to the proposed restaurant use, but given that the use of the main building for this purpose does not require planning permission, the principle of restaurant use cannot be resisted. Objections to the extension creating an unacceptable intensification of the use are not considered to be sustainable given its small size. It should also be noted that if the building converted to a restaurant, planning permission would not be required to use the existing terrace at rear ground floor level for outdoor dining (albeit subject to weather and potential restrictions on a Premises Licence).

Objectors refer to the absence of an operational management plan (OMP) that is referred to in the planning documentation. This was accidentally not uploaded with the main submission but provided a month later and added to the planning documents. However, it is only a draft and a condition requires an updated version to be submitted, which can be more specific once there is a prospective operator for the restaurant.

The draft OMP does not refer to how the management would deal with guests who wish to smoke. This can be dealt with in an updated OMP but the applicant has advised that customers who want to smoke will be directed northwards up Sackville Street, away from the neighbouring residences. The rear terraces will not be accessible to customers. Smokers will be monitored by the building management and asked to keep noise to a minimum and not to congregate in front of the doorway.

Objectors' request that use of the proposed extension is only permitted between 10am – 9pm Sunday to Thursday and 10am – 10pm on Friday and Saturday is not considered reasonable nor necessary, as midnight is considered to be an acceptable time given the

conditions that are proposed to ameliorate any potential impact on amenity.

The applicant has argued that the proposal will create benefits, including the restoration of the main staircase between the ground and first floors, and that public access will enable appreciation of the interior of the listed building.

It is considered appropriate to restrict the use of the extension to restaurant and office use only, as the scheme has not been assessed if it were used for any of the other uses within Class E. However, given the existing use of the building as offices, the small increase in floorspace and the fact that policy 13 of the City Plan supports office growth within the CAZ, this is also considered to be an acceptable alternative use.

One objector refers to the possibilities of pests/vermin: this is a difficult issue to control whatever the use but the provision of an adequate waste storage area within one of the front basement vaults should help keep this to a minimum.

## 8.2 Townscape and Design

### Site

The building is listed grade 2 and makes a positive contribution to the character and appearance of the Mayfair Conservation Area. It forms part of a terrace of listed buildings on the west side of Sackville Street, which includes the grade 2 star listed No.29. The other buildings are listed grade 2. At the rear of the building is the eastern (rear) facade of Albany which is listed grade 1.

No. 30 is a large house of the 1730's but it has been much altered. The ground floor was refashioned, probably in the late nineteenth century, to provide a shopfront and two doorways. The interior has been altered but its plan form and some decorative features, including panelling and other joinery and plasterwork, have survived. One significant change has been the removal of the original main stair from ground to first floor in the north east corner of the building.

### Legislation and Policy

The key legislative requirements in respect to designated heritage assets are as follows:

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that

*"In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

Section 66 of the same Act requires that

*"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

Section 72 of the same Act requires that

*“In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”*

Furthermore Chapters 12 and 16 of the NPPF require great weight be placed on design quality and the preservation of designated heritage assets including their setting. Chapter 16 of the NPPF clarifies that harmful proposals should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, taking into account the statutory duty to have special regard or pay special attention, as relevant. This should also take into account the relative significance of the affected asset and the severity of the harm caused.

### The proposals

The proposals involve internal and external works including a rear extension. These works will affect the special interest of the listed building, the character and appearance of the Mayfair Conservation Area and the settings of adjacent listed buildings.

#### 1. External works

The main changes are at the rear of the building and include a rear extension adjacent to the rear wall of Albany, a deck over the rear area between the main building and the existing basement extension and roof level plant.

##### a). Rear extension

The proposed ground floor extension at the rear of the site would be above the existing basement extension, adjacent to the rear wall of Albany. This wall is largely blind, although there are a few small windows. Most of the rear windows in Albany are set within small lightwells. The upper two storeys of the rear wall are of unpainted brickwork. The base of the rear wall, where the proposed extension will be located, is rendered and painted, and is of plain, utilitarian design. It is not, in itself, of high heritage significance. A key consideration is that there are other rear extensions to the buildings in the Sackville Street terrace with a similar architectural relationship to Albany. Nos. 29, 32 and 34 have rear extensions, of two storeys or more, which are adjacent to the rear wall of Albany.

The proposed rear extension will have an impact on the plan form of the listed building at ground floor level. The current, traditional, 'L' shaped plan form will be lost, and the rear wall of the main house will be more enclosed. At present the rear windows in the main face of the rear façade (particularly at first floor level) are 10 metres from the rear wall of Albany, but they will be only 5 metres from the proposed extension. It is considered that this will cause less than substantial harm to the special interest of the listed building.

The proposals will affect the setting of the rear (east) wall of Albany. Had the proposed extension been the first in this location there may have been a stronger case for arguing that it would harm the setting of Albany but as there are a number of other existing extensions in similar locations, the setting is already much altered from its original arrangement. In this context it is considered that the proposed extension would not cause harm to the setting of Albany, to the settings of other neighbouring listed buildings in Sackville Street, or to the character and appearance of the Mayfair Conservation Area.

Officers had previously advised that if an extension in this location was considered acceptable in principle then a lightweight, glazed conservatory-type structure might be more appropriate. However, such a structure could have been seen as incongruous at the rear of the terrace where there are no other conservatories, and it may also have created greater amenity issues for neighbouring properties, including Albany.

The proposed extension is largely glazed on its eastern front facing the rear of the main house, with a bottle balustrade, similar to the existing one on the roof of the basement extension, and a green roof above. It is considered that this design is appropriate to its context. While a traditional roof would be appropriate in listed building terms, the use of a green roof in this location complies with the City Council's environmental policies and is not considered to harm the special interest of the listed building.

#### b). Rear basement area

The existing rear area, between the main building and the existing basement extension, is to be covered with a deck supporting a landscaped area. A planted screen is provided on the southern side, adjacent to No.31, above the existing single storey wall that separates the two properties. Mechanical plant will be installed below the deck. The existing enclosing walls, including the windows in the rear wall of the main building, will be retained. Although the rear basement area will no longer be open to the sky, the deck is well designed, and the works are potentially reversible. These alterations are not considered to harm the special interest of the listed building.

#### c. Roof level

There is an existing plant room between the front and rear roofs at the northern end of the building. Additional plant is proposed in the area between this plant room and the party wall with the No.29. Photovoltaic panels will be installed on the west facing slope of the front roof. These works are located discreetly and will not harm the significance of the listed building or the conservation area. At the west end of the rear wing there is an existing roof level terrace to which a simple metal balustrade and a planted screen will be added. This is considered acceptable in listed building terms.

#### d. Front facade

The front facade will be largely unaltered. A new pair of traditionally designed double doors is proposed in the southern door opening and a handrail added adjacent to the northern entrance. These works will not harm the significance of the listed building or the conservation area.

## 2. Internal works

The proposed works include the reinstatement of a traditional stair (in the likely location of the original), the installation of a glazed lift (to replace the existing modern lift), risers in the rear wing (adjacent to the secondary stair) and on the party wall with no.31, toilets in the south west room at first floor, and the reinstatement of missing chimneypieces. Where original historic fabric survives, such as panelling and decorative joinery work, this will be retained and new work designed to suit. Detailed drawings and samples of

new joinery and plasterwork should be required by condition if listed building consent is to be granted.

The introduction of the staircase from ground floor to first floor is based on the designs of other stairs of the period, in Sackville Street and Old Burlington Street. This work does involve the removal of some later work (probably from the 19<sup>th</sup> century ) on the northern party wall, but this is more than outweighed by the benefits of re-instating the staircase. All other panelling will be retained and replicated where it is missing. The later arched opening on the west wall of the entrance hall will be replaced with a new door opening to match the originals.

The front and rear rooms at ground floor (south) have been extensively modernised and contain few features of historic or architectural interest. In the ground floor front room a new cornice will be installed to match that in the entrance hall. A new skirting board will be used to match that in the rear wing. A similar approach is proposed in the rear room. In the rear wing the existing sash window is removed to create a link to the new extension, which will cause a low level of less than substantial harm to the significance of the interior and exterior of this part of the rear wing. The framework, architraves and side lights of the existing arrangement will be retained. If the principle of the rear extension is agreed then the proposed design is an acceptable way of providing access to the extension.

### Consultations

Historic England and the National Amenity Societies, including the Georgian Group, have been consulted. Historic England because of the potential impact on the setting of Albany (Grade 1) and the National Amenity Societies because of the demolition works, although these are relatively small in extent and impact. Historic England state that they do not wish to comment and have issued authorisation for the City Council to determine the application for listed building consent as it thinks fit.

The strong objection from SAVE Britain's Heritage is noted but it is considered that this is overstated. The impact of the proposed alterations to the rear are not considered to have such an adverse impact on Albany as to justify a refusal, for the reasons stated above. Similarly the internal alterations are considered to be acceptable and the reintroduction of a staircase based on a traditional design is welcomed. The proposals have a minimal impact on the front of the building, and its contribution to the character and appearance of the townscape is maintained. Accordingly, this objection is not considered to be sustainable. No representations have been received from the national amenity societies, including the Georgian Group, who specifically asked to be consulted.

There have been a number of objections on heritage grounds, mainly from residents in Albany and the owner/occupier of No. 31. There are several objections to the proposed rear extension and its impact on the setting of Albany and on the conservation area. An objector states that there is no precedent for such a rear extension, but this ignores the fact that there are other extensions adjacent to the rear wall.

There is criticism of the heritage assessment submitted with the application. However, whatever deficiencies the statement may have, officers have made their own assessment of the heritage impacts, taking into account the submitted statement.

An objector raises concerns about potential structural implications. However, there are no reasons to believe that structural problems will arise from these proposals that will affect the listed building or adjacent listed buildings, including Albany. Therefore it is not considered necessary to reserve (by condition) details of structural works in this particular case.

In conclusion, it is considered that some of these works, such as the rear extension, the removal of the rear window at ground floor level and the internal risers, will cause a small degree of less than substantial harm to the significance of the listed building. This harm must be weighed against proposed public benefits, which include improvements to the interior of the listed building and enabling public access to a listed building. It is considered that the reinstatement of a traditional stair and other decorative features are benefits which would outweigh that low level harm.

Overall the proposals will safeguard the special interest of the listed building, and will not harm the significance of the Mayfair Conservation Area or the settings of adjacent listed buildings. They comply with the City Council's urban design and conservation policies including policies 38, 39 and 40 of the City Plan.

### **8.3 Residential Amenity**

City Plan 2019-2040 Policy 7 (Managing Development for Westminster's People) seeks to ensure proposals are neighbourly by protecting and enhancing amenity, preventing unacceptable impacts such as loss of daylight and sunlight, sense of enclosure, overshadowing, privacy and overlooking and protecting local environmental quality.

Policy 33 (Local Environmental Impacts) of City Plan 2019-2040 seeks to protect the local environment from adverse impacts from developments such as from pollution, noise and vibration, odour, land contamination and construction impacts.

The proposals have generated a number of objections (see section 5. Consultations above) on several amenity issues, addressed below.

#### Daylight - Vertical Sky Component and Daylight Distribution/No Skyline - and Sunlight

The applicant has submitted a Daylight and Sunlight Report which has been carried out with reference to the recommended Building Research Establishment (BRE) guidelines (2011). (Although this is a re-submission of the report that accompanied the withdrawn application, it is accompanied by a Supplementary statement from the daylight consultants stating that they consider additional technical assessments to those carried out previously have been deemed unnecessary bearing in mind the relatively minor nature of the proposed changes. This approach is considered reasonable.)

The BRE guidelines states that bathrooms, toilets, storerooms, and circulation space need not be analysed as these rooms are non-habitable rooms and do not have a requirement for daylight. The guidelines state that the tests may also be applied to non-domestic buildings where there is a reasonable expectation of daylight. The BRE guide explains that this would normally include schools, hospitals, hotels and hostels, small workshops and some offices.

The daylight and sunlight report assesses the impact of the development on windows at the closet properties to the site namely, 31 Sackville Street and the rear lightwell that serves Blocks I and K in Albany.

With regard to daylight, Vertical Sky Component (VSC) is the most commonly used method for calculating daylight levels and is a measure of the amount of sky visible from the centre point of a window on its outside face. This method does not need to rely on internal calculations, which means it is not necessary to gain access to the affected properties. If the VSC achieves 27% or more, then the BRE advises that the windows will have the potential to provide good levels of daylight. If, however, the light received by an affected window, with the new development in place, is both less than 27% and would be reduced by 20% or more as a result of the proposed development, then the loss would be noticeable.

The distribution of daylight within a room is calculated by plotting the 'no sky line' (NSL). The NSL is a line which separates areas of the working plane that do and do not have a direct view of the sky. Daylight may be adversely affected if, after the development, the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value. The report identifies that all rooms assessed comply with BRE guidelines for NSL, including the objector's property.

In terms of sunlight, the BRE guidance states that if any window receives more than 25% of the Annual Probable Sunlight Hours (APSH where the total APSH is 1486 hours in London), including at least 5% during winter months (21 September to 21 March) then the room should receive enough sunlight. If the level of sunlight received is below 25% (and 5% in winter), the loss is greater than 20% either over the whole year or just during winter months and the absolute loss of APSH is greater than 4%, then the loss would be noticeable. Only those windows facing within 90 degrees of due south require testing.

### Results of Daylight and Sunlight Analysis

The report demonstrates that with regard to the impact of the proposed extension on 31 Sackville Street, there are small losses of daylight to the two dining room windows at lower ground floor level (19% and 8% VSC), negligible losses to some of the upper windows and negligible losses to daylight distribution to the lower ground floor dining room. There is no loss of sunlight.

At Albany there is a rear lightwell that is partially open towards the rear of 30 Sackville Street. This serves apartments in Block I and K: there are duplex apartments at ground and basement level, and other apartments above, each of which has windows either side of the lightwell at right angles to the application site (with obscure glazed windows which face directly towards the rear of the application site. The ground floor windows (which serve bedrooms) are just below the level of the boundary wall; the basement windows (serving small kitchens) are at the bottom of the lightwell and receive very little natural light. It is not known what room the first floor window in Block K serves, but the opposite first floor window in Block I is to a kitchen.

The proposed extension is adjacent to the rear wall of Albany but there is a setback where it aligns with the Albany lightwell, to reduce the impact on the amenity of the

windows in the lightwell.

The Daylight and Sunlight Report has assessed the ground and first floor windows but not the basement ones. These have been visited by the case officer and the light levels to the basement are extremely low and it is not considered that an assessment of these windows is required as any loss of daylight will be negligible/non-existent.

The report states that there is a 28% reduction (in relative terms) in daylight to the ground floor bedroom in Block I. However, this is from a low starting point of an existing VSC of 4.02% reduced to 2.91%: as the absolute loss is small (1.11), the low existing light levels cause a disproportionate high percentage reductions. The report also concludes that there is a loss of 13% to the ground floor bedroom in Block I, which is within the recommended guidelines; no other windows are affected in terms of daylight distribution. As a consequence, it is not considered that the amenity of this room will be materially harmful in terms of daylight, especially as it is a bedroom.

The only loss of sunlight is to the ground floor bedroom in Block I: this only receives 6 annual probable hours of sunlight (APSH) at the moment and the proposed extension would reduce this to 2, i.e. a loss of 4. The BRE Guidelines (para. 3.2.3) do advise that *“To assess the loss of sunlight to an existing building, it is suggested that all main living rooms of dwelling, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun.”* The Guidelines also state that the sunlighting of an existing dwelling may be adversely affected if the window has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours, which is the amount of loss estimated for the ground floor window in Block I. Again, given that this is a bedroom, and in accordance with the BRE Guidelines, there is not considered to be any grounds for resisting the proposals in this respect.

There is no loss of daylight or sunlight to the windows in Block K, which face north.

#### Sense of Enclosure

There have been objections that the extension will result in an increased sense of enclosure to the rear of 31 Sackville Street and Albany's lightwell. The rear of 31 Sackville Street is already enclosed by the rear of Albany, which is considerably taller than the proposed extension. The extension is also diagonally opposite the rear of No. 31, not directly behind it, and it is not considered that it will result in a material increase in the sense of enclosure when viewed from that property.

There will be some enclosure to the bedroom windows in the Albany lightwell, but this is mitigated by the proposed set back in the extension where it aligns with the lightwell. Given that the affected rooms are bedrooms and are already enclosed (because they face into the narrow lightwell) the impact is not so great as to justify a refusal.

#### Privacy

There are objections that the proposal will cause loss of privacy through overlooking. The only window in the extension is the glazing along the side that faces the rear of the application site. Potential overlooking towards the rear of 31 Sackville Street is

prevented by the installation of a screen along the boundary between the two properties. A screen is also proposed to the flat roof at third floor level to prevent overlooking towards Albany. These screens will be secured by condition.

Objections that there will be overlooking from the main building towards the Albany lightwell cannot be sustained as these are existing windows.

Objections that the roof of the extension, the landscaped area on the freestanding platform within the basement lightwell and the existing flat roof at third floor level are addressed by a condition limiting access to these areas to maintenance or escape only.

### Acoustic information

The Environmental Health Officer (EHO) has confirmed that he has no objection to this application on environmental noise or nuisance grounds. The site has been assessed as being in an area in which existing ambient noise levels are below World Health Organisation (WHO) guideline levels during the daytime (LAeq,16hrs of 55dB daytime (07.00-23.00hrs)) but above WHO guideline levels during the night-time (LAeq,8hrs 45dB night-time (23.00-07.00hrs)). The application is supported by an acoustics planning assessment by Hepworth Acoustics (on behalf of the applicant) dated November 2021. This report was produced following objections made to a previous version dated April 2021. As well as the November 2021 report, the EHO has also reviewed further comments from RSK Acoustics (on behalf of objectors in Albany) dated 24 January 2022 and a response report from Hepworth Acoustics dated 4 February 2022 [included in the background papers].

Hepworth confirm that the restaurant's proposed opening hours are from 1000 to 0000hrs daily. The concept is a luxury fine-dining restaurant, with diners distributed across several, smaller rooms, with a relatively low number of people in each space. The proposed total number of patrons is 150, split across three levels. The EHO comments that this will allow internal activity noise levels to remain reasonably controlled. The applicant has stated that background music will be played in the restaurant areas, at an inobtrusive level.

The updated acoustic report refers to a noise survey where measurements were carried out simultaneously from two distinct locations to determine the design level for the proposed mechanical plant. This was at the request of the previous EHO [who subsequently left the council]. Measurements were carried out over both weekday and weekend periods. One of the measurement positions was to roof level and the other position was to a 3rd floor terrace to the rear of 30 Sackville Street. It is this second position that is deemed representative of the nearest residential receptors at the Albany. The nearest windows to properties at the Albany are said to be 7 metres away from the measurement position.

The results of the survey measured the lowest background noise level to be 45 dB LA90 (15 min) for the proposed operating hours of 10.00 to 00.00hrs (these hours would be conditioned). As ambient noise levels are above WHO guideline levels the proposed plant is required to operate at least 10 dB below the lowest background noise level. Hence the proposed design level is 35 dB LPA at the nearest noise sensitive receptor.

RSK (on behalf of objectors) highlight that Hepworth state that the noise climate is dominated by road traffic with some mechanical plant noise evident. RSK comment that there is no noticeable drop in noise levels overnight which would be expected with road traffic noise. The EHO comments that it is apparent that there is minimal fluctuation in the measured noise levels, and it may be that there is some existing plant noise, but given the location, the lowest measured background noise level is deemed representative.

### Mechanical Plant

The proposed plant comprises mechanical ventilation and heat recovery (MVHR) unit to the basement, two air source heat pumps (ASHPs) to the rooftop, and kitchen supply and extract fans within an internal riser with an intake and exhaust at rooftop. Hepworth confirm that the refrigeration and freezer units will be internal and will not require an outdoor condenser/compressor unit. To mitigate noise levels Hepworth, recommend that the duct attenuators ('silencers') are installed to the atmospheric side of the MVHR intake and exhaust and to the intake and exhaust for the kitchen extraction system. Hepworth recommend that all external ductwork is acoustically lagged. These measures can be conditioned.

The ASHPs at roof level will be screened from noise sensitive receptors at The Albany by the roof line. There is a difference of opinion between Hepworth and RSK as to the attenuation provided by this barrier/screening. Hepworth have used the barrier calculation as per BS5228 to predict the barrier attenuation. Hepworth's detailed calculations indicate that the proposed mechanical plant installation is likely to comply with the relevant design level. However, given some of the doubts expressed by RSK in relation to the uncertainty with the barrier calculation, the EHO recommends that a condition requiring the submission of a post-commissioning noise survey demonstrating that the plant/machinery complies with a condition restricting noise levels of the plant is applied to the permission.

There are objections that the proposed plant etc may be inadequate, about the effectiveness of the proposed filtering system for the kitchen extract system, creation of odour pollution and other airborne particulates, and that further mitigation measures may be required that have a harmful impact of the listed building. However, Environmental Health are satisfied with the proposals and do not require any further physical interventions.

### Glazing/Open windows

The applicant's consultants say that secondary glazing should be installed to protect against music noise breakout to the existing elevations. They specify that 6.4 mm thick laminated glass secondary glazing should be installed at a minimum depth of 100 mm inside the existing window frames, which should provide adequate sound insulation.

During the hours of operation, the applicant has offered to close the rear facing windows. This is a direct response of the pre-application engagement with the residents to the rear of the site. The windows will still be able to be opened outside these times if required for cleaning or air flow purposes. The objectors have requested that a condition be placed requiring windows to always remain closed at all times, but the applicant wishes to have

the ability to open windows for purge ventilation. Environmental Health consider this to be a reasonable compromise, but do suggest that a condition be placed on any permission stating that no music is to be played when the windows are open. This would ensure that, after service when staff are clearing or when the premises are being cleaned, there is less likelihood of disturbance being caused to neighbours.

One condition requires that any music played within operating hours is not audible outside the premises or in adjoining properties. Another condition requires the provision of a sound limiter to be fitted to the restaurant's sound system. This would be fitted with anti-tamper plates or within a locked cabinet to prevent unauthorised adjustment.

Some of the objectors have requested all that all doors are kept closed when the restaurant is open. There is a restriction on the door to the third floor flat but it is not considered to reasonable to restrict the doors that open into the basement courtyard – these are enclosed within the lightwell and are beneath the proposed freestanding platform that supports the landscaped deck and with the other noise-related conditions that are proposed, it is not considered that this will cause any noise nuisance.

### Customer Noise

The objector's acoustic consultant has queried the assessment of customer noise externally to the front of the building for ingress and egress of customers. The applicant's consultant has assessed the likely impact based upon the numbers of covers and type of clientele: they expect between 4 and 6 persons to be leaving or arriving every 15 minutes. The objectors believe that this is possibly underestimating the numbers and impact. Such a matter is difficult to measure with any certainty but the noise from customers can be controlled via the operational management plan. It might also be addressed as part of any Premises Licence.

The applicant has highlighted that Policy HRS1 of the Statement of Licencing Policy for the Council notes that with the supply of alcohol for consumption on the premises, the core hours when customers are permitted to be on the premises are:

- Friday and Saturday- 10am – midnight
- Sundays immediately prior to Bank Holidays- midday to midnight
- Other Sundays- Midday to 11:30pm
- Monday to Thursday- 10am to 11:30pm

The proposed hours of operation of 10:00 to 24:00 are generally in accordance with the core hours of operation outlined within the Statement of Licencing Policy. The applicant also notes that the development of Pegasus House at 37-43 Sackville Street has a planning permission to redevelop the site and construct a large restaurant (Planning Reference 19/00529/FUL). The conditions attached to the decision notice restrict patrons' access to the building to between the hours of 0800 and 2400 each day. Given that this restaurant will be of a similar scale and is within the general location, the proposed hours of operation are considered to be appropriate for the proposed restaurant, subject to the additional management measures outlined within the OMP.

A request from objectors that there should be a legal agreement or a restrictive covenant that controls the distribution of customer areas within the building and other restrictions

on the use of the outside spaces is considered to be excessive. How the restaurant within the main building is not a matter that can be controlled as permission is not required for this. Conditions can protect amenity where possible. With regard to enforceability, this depends on neighbours reporting any breaches of conditions and enforcement action can be taken if necessary.

#### Sound insulation/internal activity

There are objections that the application submission does not include an assessment of sound transmission between the party walls with 31 Sackville Street and Albany. This is not entirely correct as the applicant's consultant has sought to estimate the potential transmission and acoustic integrity of the fabric of the application building. They have not been able to gain access to the adjoining properties. To protect the neighbouring residential occupier, a condition does control noise levels within the building.

With regard to the proposed extension, this has been set back from the boundaries of the site to reduce any potential impact on the Albany. The applicant advises that the new extension structure is physically, structurally and acoustically separated from the Albany wall. The gap avoids any structural connections to the Albany wall and will prevent any structure-borne sound transfer etc, but the roof of the extension would need some form of lead flashing to prevent water penetrating into the gap against the Grade 1 listed wall. There is already an existing lead flashing across this wall and this is method is a typical detail with minimal impact. This is likely to require party wall agreements.

In conclusion therefore, it is considered that given the limited planning control over the main building and the conditions that are proposed, the proposals will not have a material impact on the amenity of neighbouring residents, and that objections on these grounds are not sustainable.

#### External lighting

Policy 33 of the City Plan notes that developments must be designed to minimise the detrimental impact of glare and light spill on local amenity and bio-diversity. The ground floor terrace is proposed to be externally lit, with minimal lighting (LED down-cowled lighting) to provide some visual appeal to those in the dining areas, while minimising light spill upwards.

The objectors request that the lighting should not be allowed after 8pm during summer months and 6pm during winter months. This is not considered to be reasonable, given the proposed low intensity, and a condition is proposed that any external lighting at the rear of the premises must be restricted to lighting the landscaped planting deck at rear ground floor level only, it must be restricted to down-cowled LED lighting and must only be switched on between 16.00 hours and 23.00 hours daily.

### **8.4 Transportation and Servicing including waste**

Sackville Street is a one-way street and is located in close proximity to Piccadilly Circus Underground Station to the east and Green Park Underground Station further away to the west. The site has a PTAL rating of 6b, indicating the highest level of public transport servicing possible.

Seven cycle parking spaces will be provided on site for staff members. The spaces will be provided within the basement and access is proposed to be via the existing light well. This is welcome and will be secured by condition.

Diners will be able to be picked up and dropped off on Sackville Street from the single yellow lines situated south of the site, outside 31 Sackville Street. Loading and unloading of goods will also take place here. As the site is a listed building, it is not possible to incorporate a service lift within the proposed development and access to the basement will be via the stairs located adjacent to the bike store in the front light well.

The Delivery and Servicing Management Plan notes that the Manager of the site will ensure no goods are stored on the public highway and that the scheduling of deliveries and co-ordination with suppliers will reduce the overall servicing duration from Sackville Street outside No 31.

In regard to trip generation, the submitted Transport Note outlines that in total 20 trips are expected to be generated by the small increase in class E restaurant floor area. This includes 10 arrivals and 10 departures. It is expected that the highest increase of 6 daily trips will be vehicle passengers, comprising of 3 arrivals and 3 departures. The Highways Planning Manager considers that these matters are acceptable and objections on grounds of noise and disturbance from increased vehicular activity are not considered to be sustainable. Conditions require the premises to be serviced in accordance with the Delivery and Servicing Plan, and that servicing only takes place between 07-00 – 21.00 hours on Mondays to Saturdays: this is considered to be reasonable given the location, whilst giving some protection to the amenity of residents.

Whilst there is an objection to increased activity, including servicing, resulting in a loss of residential amenity, given the fact that the main building could be used as a restaurant without planning permission anyway, the location within the West End and the proposed conditions, the objections are not considered to be sustainable.

Waste storage facilities have been provided in accordance with Westminster City Council's Waste and Storage Requirements. In the absence of any specific policy guidance specific to the application of planning applications involving Class E floor space, waste calculation has used previous Class A3 use class guidance. The waste strategy will be that waste is transferred to and from the basement floor via the staircase on Sackville Street. The private contractors will use the stairs to transport the waste once they have arrived for the scheduled collection time. The waste storage area will be secured by condition.

Concerns about the accuracy of the transport-related documents are not considered to be sustainable as the Highways Planning Manager was satisfied with this information.

## **8.5 Economic Considerations**

No significant economic considerations are applicable for a development of this size but the its contribution to the recovery of the West End after the covid pandemic is welcomed.

## 8.6 Access

There are steps at the existing entrance and it is not considered possible to provide level access without detriment to the listed building. The applicant has indicated in the draft operational management plan that a portable wheelchair ramp will be stored in the Reception Area for use should a patron with accessibility issues wish to enter the premises. The ramp will be operated by the Reception Staff to ensure that it is operated in a safe manner. This will be secured by condition.

## 8.7 Other UDP/Westminster Policy Considerations

### Biodiversity

City Plan Policy 34 notes that developments will, where possible, contribute to the greening of Westminster by incorporating trees, green walls, green roofs, rain gardens and other green features into the design of the scheme. Policy 34G also notes that developments should achieve a biodiversity net gain wherever feasible and appropriate. This includes maximising the creation of new habitats for priority species. Developments within areas of nature deficiency are also guided by Policy 34 to include features to enhance biodiversity, particularly for priority species and habitats.

Policy MG11 of the Mayfair Neighbourhood Plan notes that development proposals in Mayfair should enhance and/or protect existing green infrastructure and shall take opportunities to deliver new green infrastructure.

The proposed development includes three areas of greening, being the third-floor terrace, the roof of the extension and the ground floor decked area. An Ecological Supporting Statement has been submitted that believes that these three areas will deliver ecological benefits, as well as assisting in micro climatic cooling, improve air quality and form an integral part of the proposed water sensitive design for the extension. The semi-intensive green roof on top of the proposed ground floor extension will also help manage surface water runoff

A condition requires the planted areas (including the boundary screen) to be provided, maintained and retained in accordance with the submitted Landscaping Strategy.

There have been objections that the green roof is not visually appropriate. This is not accepted by officers, as it is considered beneficial to provide greening wherever reasonably possible, in accordance with the above policies. Given the location at the rear of the property, where it is not visible from any public vantage points, only a limited number of private ones, the impact on the setting of the listed buildings is considered to be negligible and will in fact provide a beneficial visual amenity.

### Sustainability

Policy 36 of the City Plan promotes zero carbon developments and expects all developments to reduce on-site energy demand and maximise the use of low carbon energy sources. The Mayfair Neighbourhood Plan policy MES4 requires all new non-domestic developments to be zero carbon, defined as a 100% improvement over the target emission rate outlined in the national building regulations. In line with Policy

MES4.2, all new developments shall demonstrate that measures will be put in place to manage energy use in operation.

An Energy Strategy has been submitted which outlines how the building will be serviced. This includes the removal of existing gas fired heating and hot water boiler plant and the radiators and the installation of a comprehensive air source heat pump solution. Hot water will be provided by a hydro box converting the energy from refrigerant to domestic hot water, stored within unvented cylinders. This will also be supplemented by solar energy from roof mounted panels.

The proposed Energy Strategy will reduce the overall carbon emissions using a fabric first approach were by the energy consumption of the building is reduced. The installation of additional mechanical plant and other energy efficiency measures has been designed to result in the least over all harm to the listed fabric of the building. The Energy Strategy notes that as a result of the proposed energy strategy, the CO2 emissions from the building are estimated to be reduced by 53% from the current levels utilising a conventional system, which is consistent with Policy 33 of the City Plan.

As this is a listed building there are limits to what can be achieved but the retro-fitting measures that are proposed are welcomed and secured by condition.

## **8.8 Westminster City Plan**

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in accordance with paragraph 219 of the NPPF. Therefore, in accordance with s.38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan adopted in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 8.9). As set out in s.38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

## **8.9 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.

## **8.10 London Plan**

This application raises no strategic issues.

### **8.11 National Policy/Guidance Considerations**

The City Plan 2019 - 2040 (April 2021) policies referred to in the consideration of this application are considered to be consistent with the NPPF 2021 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.

There are no pre-commencement conditions proposed in this case.

### **8.12 Planning Obligations**

Planning obligations are not relevant in the determination of this application.

No CIL payment is required given the small size of the extension.

### **8.13 Other Issues**

Some of the objectors have requested that a structural survey is submitted. However, the Council only normally requires this when there are excavations at basement level and it is not considered necessary in this case. The applicant has in fact submitted a letter from an engineer which notes that the proposed development is acceptable from a structural engineering point of view.

Objectors refer to disruption due to building works but this is not a ground for refusing permission. The draft permission includes the Council's standard condition restricting the hours that noisy building works can take place. A request that a construction management plan is submitted is not considered to be sustainable given the relatively modest nature of the works.

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

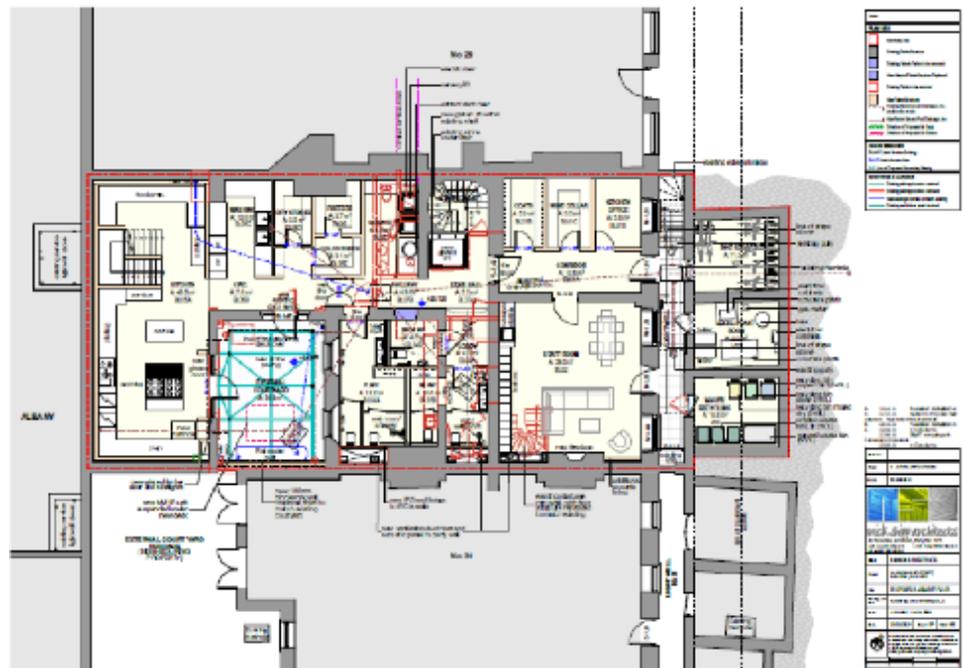
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: PAUL QUAYLE BY EMAIL AT [pquayle@westminster.gov.uk](mailto:pquayle@westminster.gov.uk)

### 9. KEY DRAWINGS

Existing basement

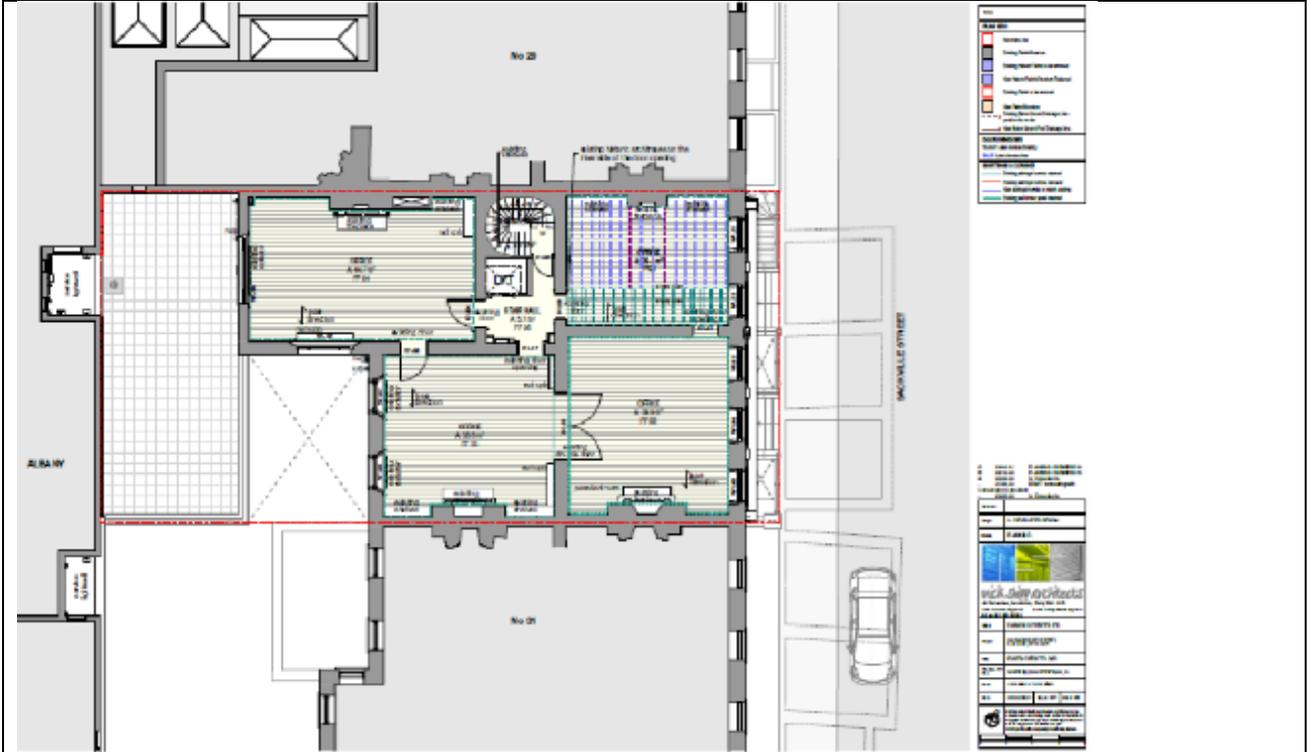


Proposed basement

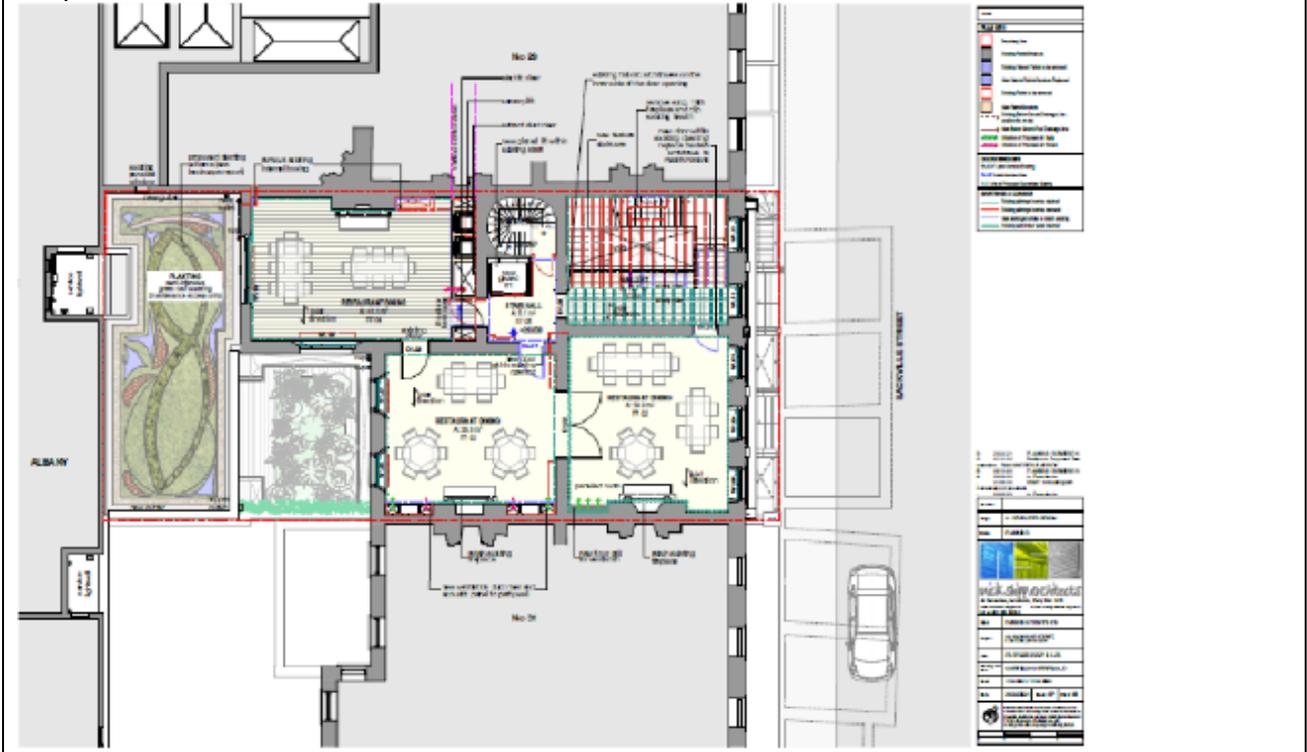


Existing ground floor





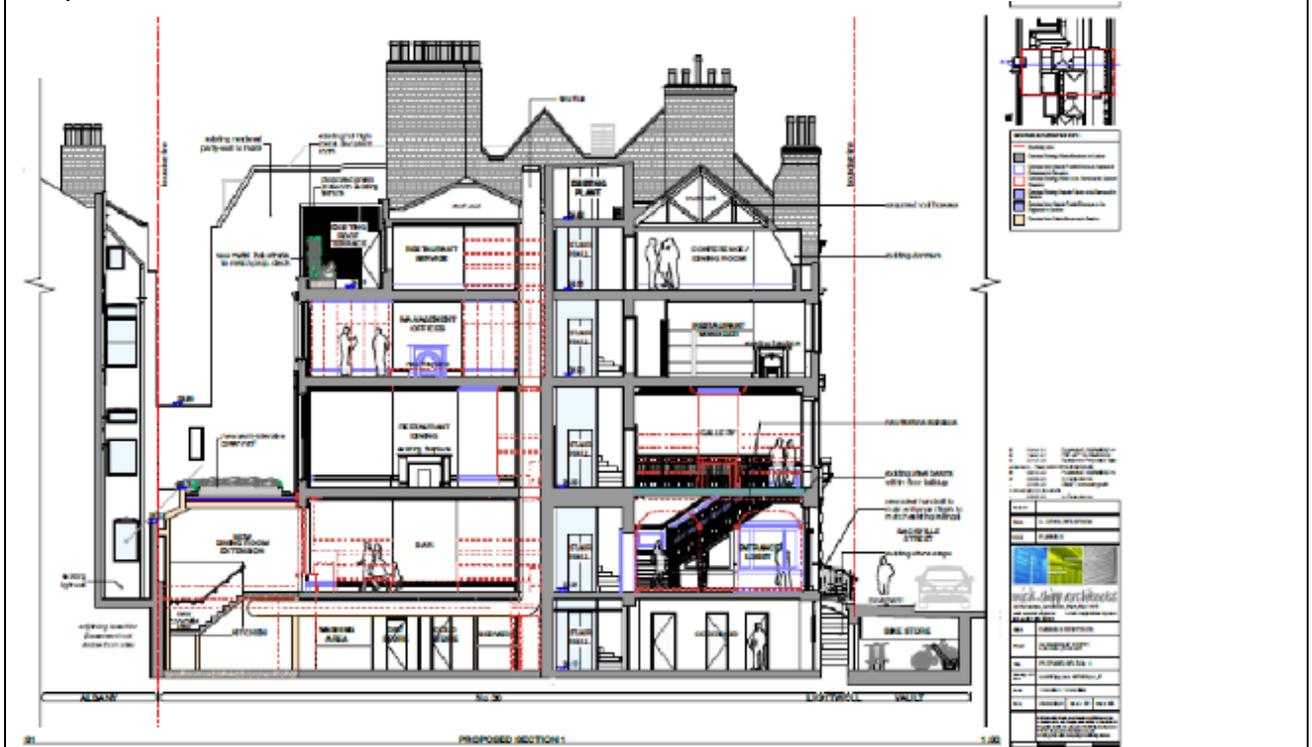
Proposed first floor



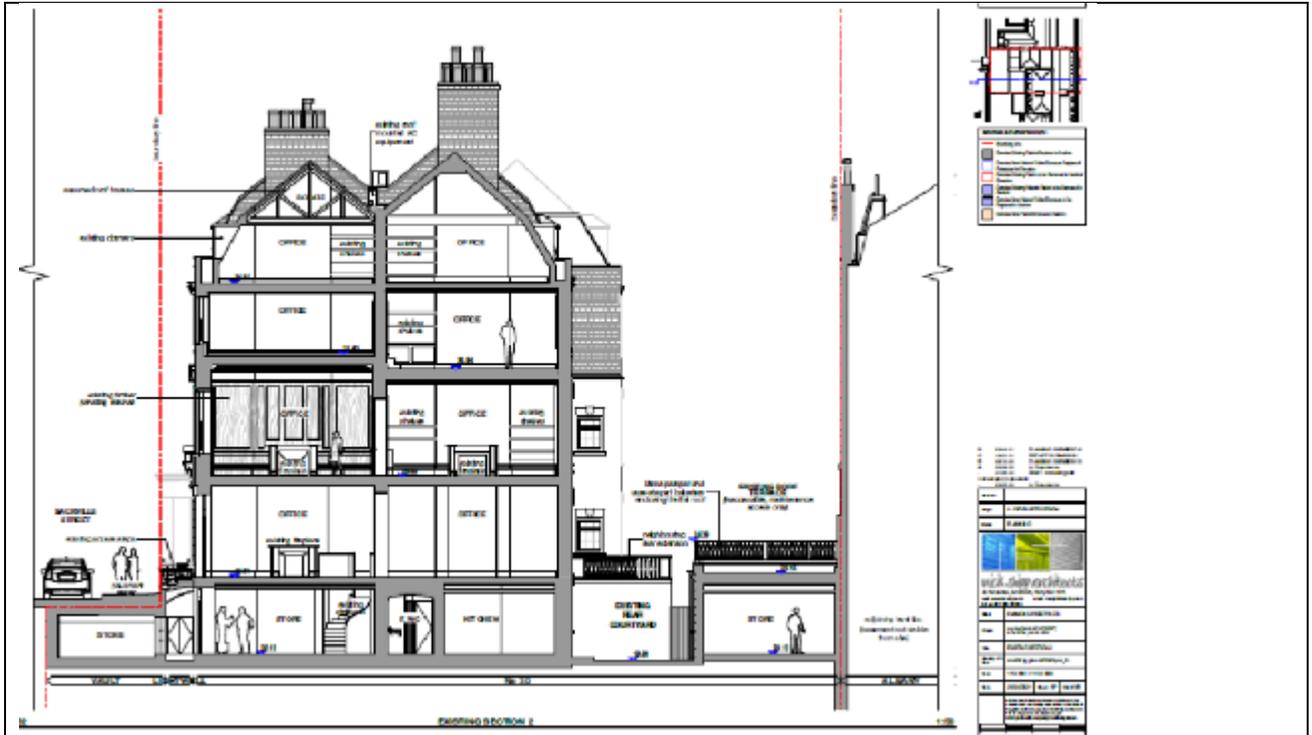
Existing section 1



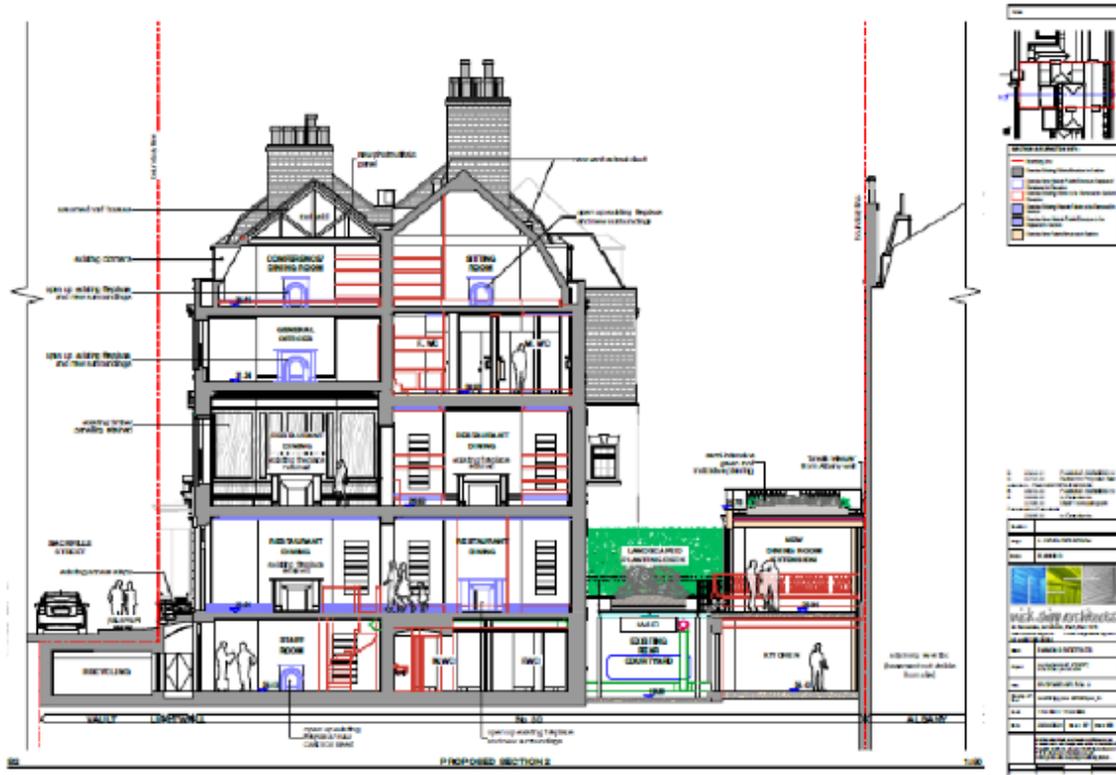
Proposed section 1



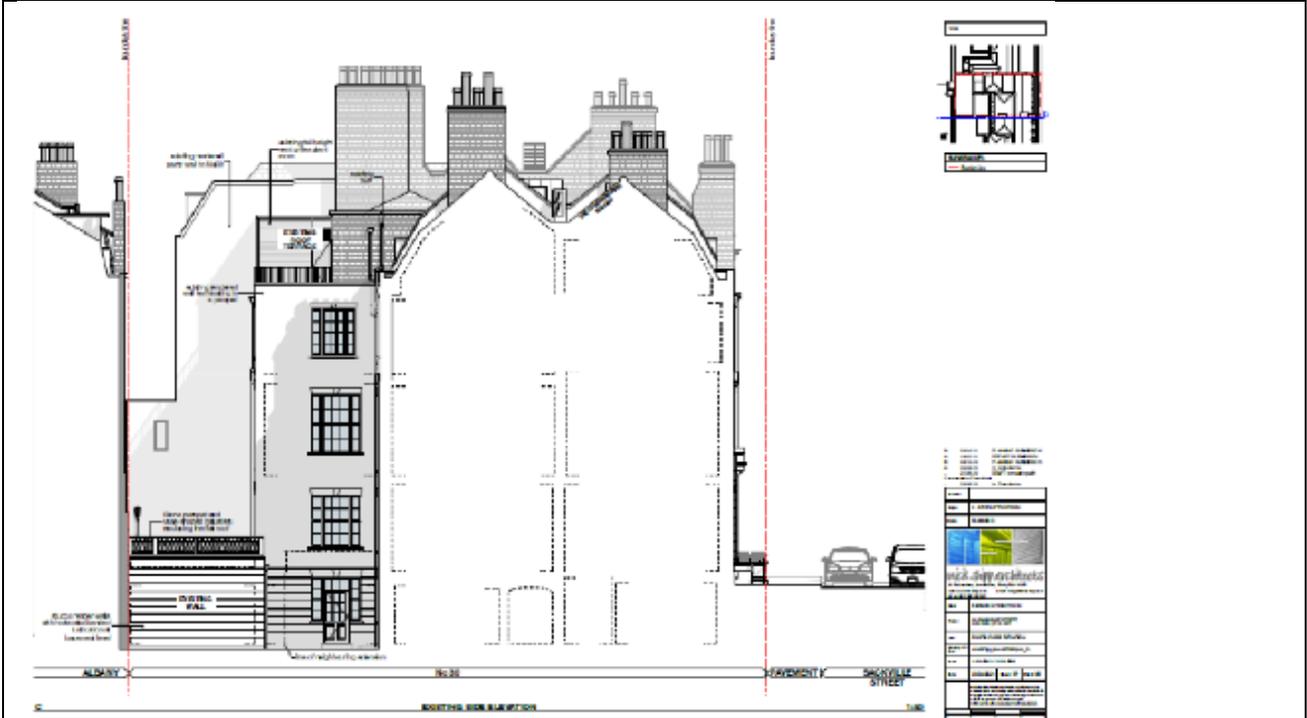
Existing section 2



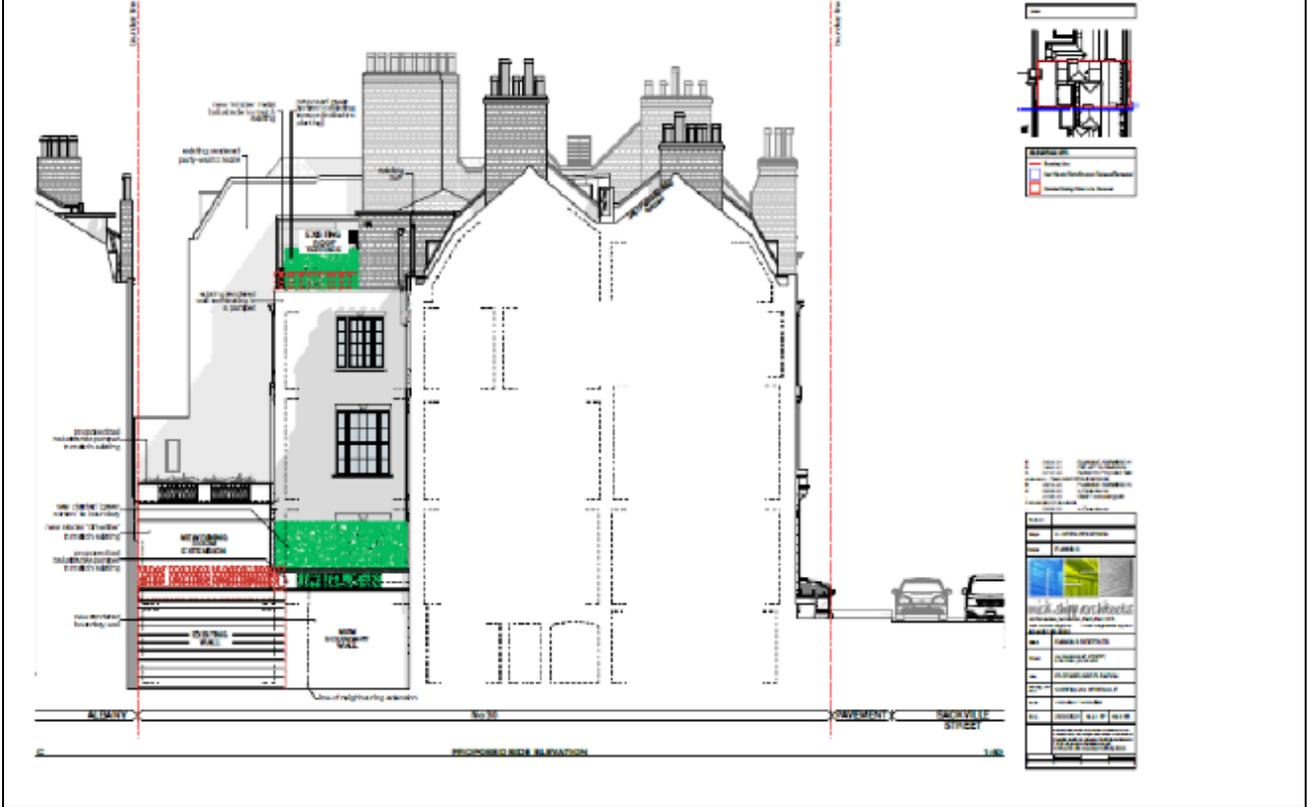
Proposed section 2



Existing side (south) elevation



Proposed side (south) elevation



**DRAFT DECISION LETTER - PLANNING**

**Address:** 30 Sackville Street, London, W1S 3DY

**Proposal:** Internal and external alterations including the erection of a single storey conservatory extension at rear ground floor level for additional Class E [restaurant] floorspace, and continued use of Class E floor space [as a restaurant], installation of plant, provision for cycle parking, landscaping and other associated works incidental to the application proposal.

**Reference:** 21/03068/FULL

**Plan Nos:** [to be added]

**Case Officer:** Paul Quayle

**Direct Tel. No.** 020 7641  
07866039895

**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 protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 3 You must apply to us for approval of detailed drawings (Scales 1:20 and 1:5) of the following parts of the development: , 1. Rear extension, 2. New front doors (moulding details at 1:1), , You must not start any work on these parts of the development until we have approved what you have sent us., , You must then carry out the work according to these detailed drawings. (C26DB)

Reason:

To protect the special architectural or historic interest of this building and to make sure

the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 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 neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 5 You must not allow more than 150 customers into the property at any one time. (C05HA)

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R05GC)

- 6 Customers shall not be permitted within the restaurant premises before 10.00 hours or after 00.00 hours (midnight) each day. (C12AD)

Reason:

To protect the environment of people in neighbouring properties as set out in Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R12AD)

- 7 You must apply to us for approval of an updated operational management plan to show how you will prevent customers who are leaving the building, and people who wish to smoke outside, from causing nuisance for people in the area, including people who live in nearby buildings. You must not start the restaurant use until we have approved in writing what you have sent us. You must then carry out the measures included in the approved management plan at all times that the restaurant is in use. (C05JC)

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R05GC)

- 8 All windows to the property, and the door to the flat roof at third floor level, must remain

closed during the hours that the restaurant is open to customers.

Reason:

To protect neighbouring residents from noise nuisance, as set out in Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021). (R13FC)

- 9 You must not play live or recorded music in the property that will be audible externally or in the adjacent properties. No music must be played at all when windows are opened outside of operational hours, no music is to be played outside the building and no speakers must be fixed to the party walls.

Reason:

To protect neighbouring residents from noise nuisance, as set out in Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021). (R13FC)

- 10 You must apply to us for details of a limiting device to be fitted to the sound system. The limiter should be set to an appropriate level, in agreement with the Council's Environmental Health officer. The limiting device/graphic equaliser must be fitted with anti-tamper plates or within a locked cabinet to prevent unauthorised adjustment. The limiter must be installed before the restaurant use commences and must thereafter be permanently retained in correct working order for as long as the premises are used as a restaurant.

Reason:

To protect neighbouring residents from noise nuisance, as set out in Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R13ED)

- 11 You must install all the acoustic panels and linings shown on the proposed floorplans hereby approved and install the secondary glazing to all window in rooms used by customers (as set out in the Hepworth Acoustics Planning Assessment dated April 2021) before the restaurant use commences and thereafter permanently retain them for as long as the premises is used as a restaurant.

Reason:

To protect neighbouring residents from noise nuisance, as set out in Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021). (R13FC)

- 12 (1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the IN; use 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 in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins

during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest., , (2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within the IN; use 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 in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest., , (3) Following completion of the development, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report including a proposed fixed noise level for written approval by the City Council. Your submission of a noise report must include:, (a) The location of most affected noise sensitive receptor location and the most affected window of it;, (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;; (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;; (d) The lowest existing LA90, 15 mins measurement recorded under (c) above;; (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;; (f) The proposed maximum noise level to be emitted by the activity. (C47AC)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R47AC)

- 13 You must not use the roof of the permitted extension, the landscaped planting deck nor the terrace at rear third floor level as a balcony for sitting out or for any other purpose. You can however use these areas for maintenance purposes or to escape in an emergency. (C21CA)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in Policies 7, 33 and 38 of the City Plan 2019 - 2040 (April 2021). (R21BD)

- 14 You must install the full height 'green screen' at ground floor level along the boundary with 31 Sackville Street and the planted screen to the flat roof at rear third floor level

before the restaurant use commences. The screens must thereafter be maintained and retained for as long as the premises are used as a restaurant.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in Policies 7, 33 and 38 of the City Plan 2019 - 2040 (April 2021). (R21BD)

- 15 You must only use the extension hereby approved as a restaurant or office, and no other use within Class E.

Reason:

To ensure that the development is carried out in accordance with the use sought and assessed, to ensure that the parts of the building are not used for other uses within Class E that may have different or unacceptable waste storage, servicing, air quality, amenity or transportation requirements and / or impacts in accordance with Policies 16, 17, 18, 24, 26, 28, 29, 25, 32, 33, 34, 37 and 38, of the City Plan 2019 - 2040 (April 2021).

- 16 All servicing must take place between 07.00 and 21.00 hours on Monday to Saturday and not at all on Sunday. Servicing includes loading and unloading goods from vehicles and putting rubbish outside the building. (C23DA)

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in Policy 29 of the City Plan 2019 - 2040 (April 2021). (R23AD)

- 17 The premises must be serviced in accordance with the Delivery and Servicing Plan dated April 2021 (except where varied by another condition in this permission).

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in Policy 29 of the City Plan 2019 - 2040 (April 2021). (R23AD)

- 18 The extract duct hereby approved shall be installed in full prior to the commencement of the restaurant use and shall be retained in situ for as long as the premises are used as a restaurant.

Reason:

To protect the environment of people in neighbouring properties as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R14AD)

- 19 (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 in writing 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 in writing 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 written 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 LA90, 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. (C46AC)

**Reason:**

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R46AC)

- 20 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 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

(C48AB)

Reason:

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise environment in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021). (R48AB)

- 21 The plant/machinery hereby permitted shall not be operated except between 10.00 hours and 00.00 hours (midnight) hours daily. (C46CA)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R46AC)

- 22 You must not operate the plant/ machinery that we have allowed (other than to carry out the survey required by this condition) until you have carried out and sent us a post-commissioning noise survey and we have approved the details of the survey in writing. The post-commissioning noise survey must demonstrate that the plant/ machinery complies with the noise criteria set out in condition 19 of this permission.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and by contributing to reducing excessive ambient noise levels. (R51AC)

- 23 Before the restaurant use commences, you must provide the separate stores for waste and materials for recycling shown on drawing number 529RE (3) (110 SERIES) 02\_D prior to commencement of the restaurant use and thereafter you must permanently retain them for the storage of waste and recycling for as long as the premises is used as a restaurant. You must clearly mark them and make them available at all times to everyone using the premises. (C14FC)

- 23 You must provide each cycle parking space shown on the approved drawings prior to occupation of the development. Thereafter the cycle spaces must be retained and the space used for no other purpose. (C22FC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)

Reason:

To provide cycle parking spaces and associated cycling facilities for people using the development in accordance with Policy 25 of the City Plan 2019 - 2040 (April 2021). (R22GA).

- 24 You must provide, maintain and retain the green roof on top of the new rear ground floor extension before you start to use the extension as a restaurant, as set out in your application. You must not remove any of these features. (C43FA)

Reason:

To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43FC)

- 25 You must provide, maintain and retain the photo-voltaic panels and air source heat pumps before you commence the restaurant use, as set out in your application. You must not remove these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44AD)

- 26 You must provide the access for people with disabilities as outlined in the draft operational management plan (and to be included in any updated operational management plan) before the restaurant use commences. (C20AB)

Reason:

To make sure that there is reasonable access for people with disabilities and to make sure that the access does not harm the appearance of the building, as set out in Policy 38 of the City Plan 2019 - 2040 (April 2021). (R20AD)

- 27 The planted areas on the roof of the new extension, the planting deck at rear ground floor level (including the boundary screen) and the flat roof at rear third floor level, must be provided, maintained and retained in accordance with the Greenhalgh Landscaping Strategy dated April 2021.

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of the area, and to improve its contribution to biodiversity and the local environment. This is as set out in Policies 34 and 38 of the City Plan 2019 - 2040 (April 2021). (R30BD)

- 28 Any external lighting at the rear of the premises must be restricted to lighting the landscaped planting deck at rear ground floor level. It must be restricted to down-cowled LED lighting and must only be switched on between 16.00 hours and 23.00 hours daily.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in Policies 7, 33 and 38 of the City Plan 2019 - 2040 (April 2021). (R21BD)

### 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 the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), 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.

### DRAFT DECISION LETTER – LISTED BUILDING

**Address:** 30 Sackville Street, London, W1S 3DY

**Proposal:** Internal and external alterations, erection of a rear extension and installation of plant.

**Reference:** 21/03069/LBC

**Plan Nos:** [to be added]

**Case Officer:** Paul Quayle

**Direct Tel. No.** 020 7641  
07866039895

### 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 You must apply to us for approval of detailed drawings (scales 1:20, 1:5 and 1:1 as appropriate) and full size samples of the following parts of the development: , 1. New joinery - include the staircase, panelling, doors, architraves , 2. Decorative plasterwork, , You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these samples. (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R26EE)

- 3 You must apply to us for approval of detailed drawings (Scales 1:20 and 1:5) of the following parts of the development: , 1. Rear extension, 2. New front doors (moulding details at 1:1), , You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these detailed drawings. (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R26EE)

- 4 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 5 You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R26EE)

- 6 The new joinery work must exactly match the existing original work unless differences are shown on the drawings we have approved. (C27EA)

**Reason:**

To protect the special architectural or historic interest of this listed building. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R26EE)

**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 (March 2021), the City Plan (April 2021), as well as relevant supplementary planning guidance, representations received and all other material considerations., , The City Council has had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses and has decided that the proposed works would not harm this special architectural or historic interest; or where any harm has been identified it has been considered acceptable in accordance with the NPPF., , In reaching this decision the following were of particular relevance:, Policies 38, 39 and 40 of the City Plan 2019 - 2040 adopted in April 2021 and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.
  
- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:, , \* any extra work which is necessary after further assessments of the building's condition;, \* stripping out or structural investigations; and, \* any work needed to meet the building regulations or other forms of statutory control., , Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents., , It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.