

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 27 June 2023	<b>Classification</b> For General Release	
<b>Report of</b> Director of Town Planning & Building Control		<b>Ward(s) involved</b> St James's	
<b>Subject of Report</b>	<b>Ryder Court, 14 Ryder Street, London, SW1Y 6QB</b>		
<b>Proposal</b>	Replacement of window with door, lowering of windowsills and installation of platform lift at upper ground floor level on Ryder Street; upgrade works to ground floor entrance including new lighting; extension of existing lift overrun at roof level; creation of roof terrace with planting, landscaping and pergola; installation of PVs; and associated works.		
<b>Agent</b>	Gerald Eve LLP		
<b>On behalf of</b>	M &G TS Ryder Limited		
<b>Registered Number</b>	22/08649/FULL	<b>Date amended/ completed</b>	22 December 2022
<b>Date Application Received</b>	22 December 2022		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	St. James's		
<b>Neighbourhood Plan</b>	N/A		

## 1. RECOMMENDATION

Grant conditional permission.

## 2. SUMMARY & KEY CONSIDERATIONS

Ryder Court is a commercial office building dating from c1900 located within the St. James's Conservation Area and Central Activities Zone (CAZ). The building has frontages on to Bury Street to the west and Ryder Street to the south. It is in close proximity to the grade II\* listed Economist Group Buildings immediately opposite the site on Bury Street, forming part of its setting. The building makes a positive contribution to the character and appearance of the conservation area and is identified as an unlisted building of merit in the adopted audit.

The application proposes extensions and alterations including:

- Provision of a new level access from Ryder Street through the replacement of a window with a door, lowering of window sills and the installation of a platform lift.
- Upgrade works to the main ground floor entrance including new lighting; and
- Works at roof level to create a new roof garden with living green walls, a timber pergola, screening, new lighting, and photovoltaic (PV panels); and
- Extension of the lift to main roof level to provide level access to the external amenity space, allowing for full accessibility.

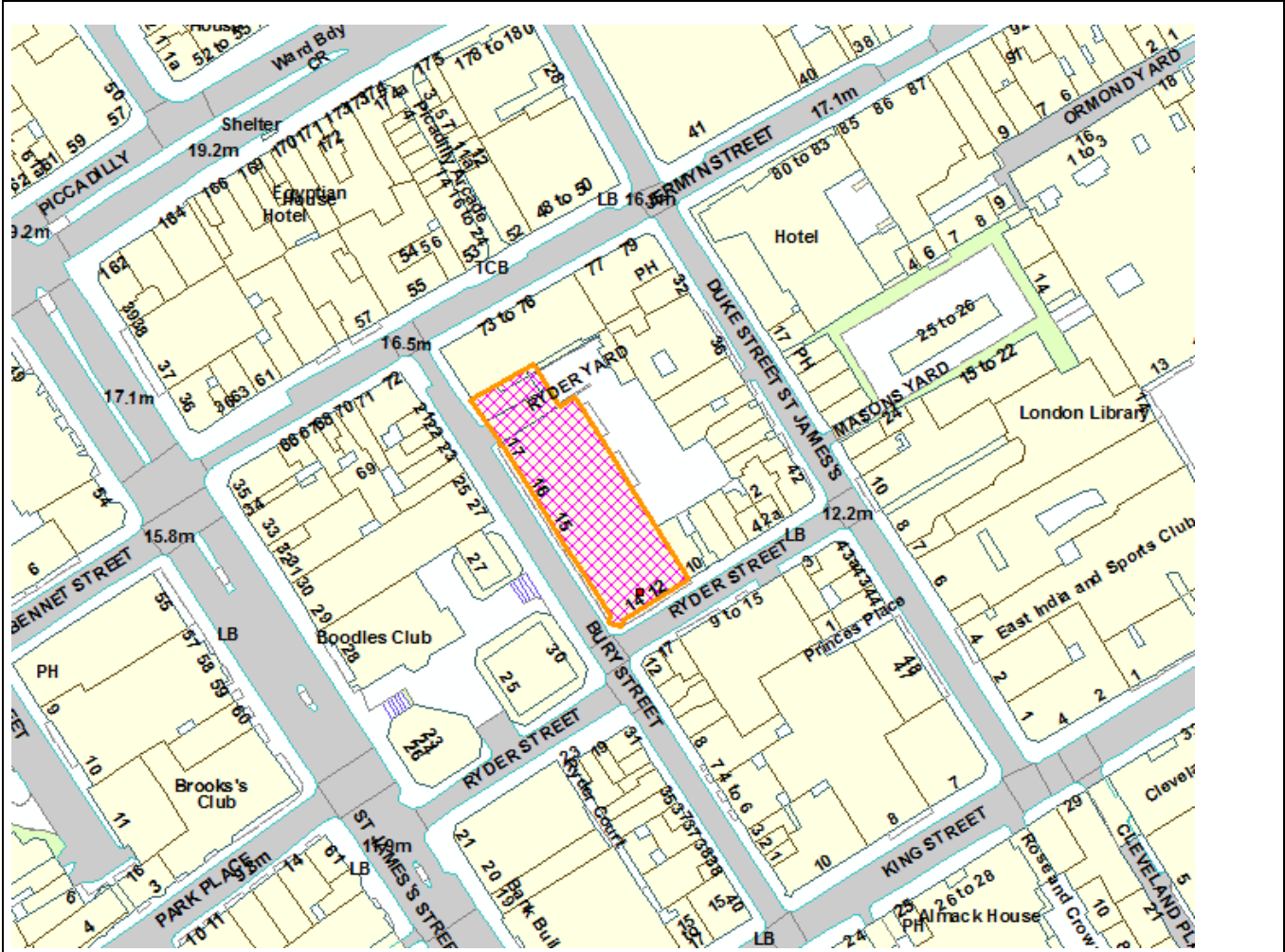
The key considerations in this case are:

- The impact of the proposed alterations upon the appearance of the building, the character and appearance of the St. James's Conservation Area, and the setting of other nearby designated heritage assets, such as the grade II listed Economist Building adjoining the site; and
- The impact on the amenity of neighbouring residential properties.

For the reasons set out in this report, the proposed development is considered to accord with the the relevant policies in Westminster's City Plan 2019-2040 (adopted April 2021). The provision of improved office facilities is welcomed in principle. The proposals would result in some minor harm to the appearance of the building, notably through the installation of the platform lift, but this is outweighed by the associated benefits of providing level access to the building. The new roof terrace is considered not to have a harmful impact on the amenity of neighbouring residents in terms of overlooking or noise and disturbance. The provision of green infrastructure on the roof terrace would improve its contribution to biodiversity and the local environment.

The application is considered acceptable in design, heritage, amenity, and environmental terms, and is recommended for approval subject to the conditions set out in the draft decision letter.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Ryder Court



**Ryder Court Aerial View**



**Ryder Court Roof**

**5. CONSULTATIONS**

**5.1 Application Consultations**

ST. JAMES'S CONSERVATION TRUST:

No response to date.

RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S:

No response to date.

ARBORICULTURAL OFFICER

No objection, subject to conditions relating to the roof terrace planting and management; and the pergola.

ENVIRONMENTAL SCIENCES:

No objection, subject to conditions to control hours of use.

ADJOINING OWNERS/ OCCUPIERS AND OTHER REPRESENTATIONS:

No. consulted: 42

No. of objections: 2

The objections are summarised as follows:

Amenity issues

Lack of engagement

- There has been no direct consultation with the residents who will overlook the proposed new rooftop leisure area.

Loss of privacy

- The amenity space on the roof terrace is only few metres from the nearest residential units which would cause loss of privacy from high degree of mutual overlooking

Noise

- Mass social gathering on the roof terrace would bring noise nuisance to the nearby residents.
- No mitigation measures on noise nuisance has been provided

Lighting

- The extensive lighting would cause light pollution.

Other matters

- A roof garden is unnecessary given the given the site's proximity to several public parks.

**5.2 Applicant's Pre-Application Community Engagement**

The application is supported by a Statement of Community Involvement (SCI) prepared by Kanda Consulting on behalf of the applicant, M&G Real Estate. The SCI sets out that the applicant sought to engage with the Local Planning Authority, elected Members, and the local community prior to the submission of this planning application. The applicant's approach to public consultation includes newsletters posted to the surrounding area, and hosting webinars for members of the local community to receive a briefing on the proposals. In addition, further meetings were held with local stakeholders including, The St. James's Conservation Trust, Ward Councillors, The Westminster Society, and The Residents Society of Mayfair and St. James. This level of engagement is welcomed and in accordance with the principles set out in the Early Community Engagement guidance.

## **6. WESTMINSTER'S DEVELOPMENT PLAN**

### **6.1 City Plan 2019-2040 & London 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 Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 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.

### **6.2 Neighbourhood Planning**

The application site is not located within an area covered by a Neighbourhood Plan.

### **6.3 National Policy & Guidance**

The City Plan 2019-2040 policies referred to in the consideration of this application have been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in the NPPF (July 2021) unless stated otherwise.

## **7. BACKGROUND INFORMATION**

### **7.1 The Application Site**

Ryder Court is a large commercial office building c1900 located within the St. James's Conservation Area and Central Activities Zone (CAZ). The building has frontages on to Bury Street to the west and Ryder Street to the south. It is located in close proximity to the grade II\* listed Economist Group Buildings which is located immediately opposite the site on Bury Street, forming part of its setting. The building makes a positive contribution to the character and appearance of the conservation area and is identified as an unlisted building of merit in the adopted audit.



## 7.2 Recent Relevant History

29 March 2016:

Permission granted for 'Alterations to existing entrance steps' (ref. 15/11692/FULL).

9 February 2015:

Permission granted for 'Replacement of the existing entrance doors and numbering of property' (ref. 14/11530/FULL).

07 May 1987:

Permission granted for 'Demolition of building behind facades & erection of new office building including new 4th & 5th floor mansard roof accommodation - revised drawings' (ref. 86/04765/FULL).

22 November 1995:

Permission granted for 'Alteration to existing railings, removal of window and formation of new entrance to Bury Street elevation (ref. 95/03538/FULL)'.

## 8. THE PROPOSAL

The proposed development seeks to upgrade and improve the existing office building, improving its amenities and reception and create an accessible workplace.

The proposed development comprises ground floor façade works to facilitate the installation of a platform lift and the replacement of a window on Ryder Street with a power assisted double door to provide level access to the raised ground floor reception area. In association with these works, the remaining windows on the Ryder Street façade would be lowered to align with the proposed door to maintain existing building symmetry.

Also, at ground floor level it is proposed to upgrade the existing main building entrance through the reinstatement of traditional brass ironmongery, the installation of new signage above the entrance door, and the addition of wall lights.

At main roof level a landscaped roof terrace is proposed, comprising of a timber pergola, planting, and breakout areas, which will deliver amenity space to office occupiers. The existing plant enclosures will be re-screened, new lighting, and PV panels are also proposed.

## 9. DETAILED CONSIDERATIONS

### 9.1 Land Use

City Plan Policy 13 supports improved office floorspace in principle within parts of the CAZ with a commercial or mixed-used character. The proposals would upgrade the existing offices amenities and improve accessibility through the provision of a new level entrance, lift extension to roof level, and also with creation of a new roof terrace for use by office occupants. The proposals are acceptable in land use terms.

The existing offices fall within Use Class E which includes a wide range of uses such as restaurant use. A condition is recommended to ensure that the roof terrace approved can only be used by office occupants and not in connection with any other use within Class E of the Town and Country Planning (Use Classes) Order 1987.

## 9.2 Environment & Sustainability

### Sustainable Design

Policy 38D of the City Plan seeks to ensure all development is designed to be durable, adaptable and limit long-term resource use, including water and energy consumption, with features to mitigate and adapt to climate change integrated in development design from the outset.

The roof garden can enhance biodiversity of the building and the area and the provision of PV panels can increase the amount of on-site renewable energy.

The Sustainability Statement states that the development would incorporate several sustainability measures to achieve energy saving, carbon reduction and circular economy. It confirms the development would adopt fabric first approach to optimise energy performance and improve U-values of the existing fabric and replace glazing in parts of the building. The new roof would be thermally upgraded in line with Building Regulations Part L2B guidance (Conservation of fuel and power in existing buildings) and the mechanical building services would be improved through replacement of the lighting system and the provision of PVs. All the measures are welcomed and supported in sustainability terms.

It is stated that the project is committed to achieving a minimum of 90% diversion of demolition, construction, and excavation waste from landfill. The reuse of the existing materials is welcomed in this case.

### Light Pollution

Policy 33B of the City Plan, requires d to be designed to minimise the detrimental impact of glare and light spill on local amenity, biodiversity, highway and waterway users.

An objector has raised the concern over extensive lighting of the proposed terrace. During the course of the application, the scheme was revised to remove most of the lighting from the area of roof beyond the pergola where the PV panels are sited. This area of roof, which is nearest to the residential flats at 76 Jermyn Street, is not to be used as a terrace but only for maintenance and emergency access only. A few lights in this area have been retained and are only to be uses for emergency and maintenance purposes only.

'Light Pollution' is addressed in the council's Environmental SPD (ESPD) where it advises that all external lighting will meet the criteria of the Institution of Lighting Professionals' (ILP) Guidance Notes for the Reduction of Obtrusive Light. An informative is added in this respect.

To prevent light pollution adversely affecting nearby residents, a condition is

recommended to ensure that the lighting can only be switched on when the terrace is in use (between 08:00 and 19:00 hours on Monday to Friday and not at all on Saturdays and Sundays).

### 9.3 Biodiversity & Greening

Policy 34 of the City Plan and the council's Environmental SPD (ESPD) seek to protect and enhance the city's green infrastructure to maximise its environmental, social, and economic value. The proposals incorporate soft landscaping including new planting, green walls and green roofing on the roof garden which is welcomed as it would provide new green infrastructure and would positively increase the biodiversity of the site.

The Arboricultural Manager has reviewed the landscaping details and advises that further detail is required of the roof terrace greening proposals in line with the council's Environmental SPD (ESPD). The concerns relate to soil volumes, method of proposed irrigation, the proposed green walls and pergola.

Conditions are recommended requiring further details of the roof terrace planting together with a management plan; detailed drawings of the pergola; and amendments to show an increase in green infrastructure features at roof level (for example rainwater harvesting, bird/ bat boxes etc.)

An objector queries the necessity of the roof garden given the site's proximity to St. James's Park and Green Park. This objection is not sustainable as the proposals would contribute to the further greening of the city.

### 9.4 Townscape, Design & Heritage Impact

#### Legislative & Policy Context

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

Whilst there is no statutory duty to take account of effect on the setting of a conservation area, Policy 39(K) in the City Plan 2019-2040 requires that where development will have a visibly adverse effect upon a conservation area's recognised special character or appearance, including intrusiveness with respect to any recognised and recorded familiar local views into, out of, within or across the area, it will not be permitted.

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.

#### Roof terrace

The proposals comprise the creation of a roof level terrace, with associated landscaping and trees. A new timber pergola structure is also proposed, which is located immediately

adjacent to the existing stair enclosure. Given its location concealed behind the stair enclosure, it will not be visible from any public vantage points. Some private high-level views will be available of the structure from buildings fronting on to Duke Street St. James's. However, the proposed structure is not considered harmful to these views of the 1980s rear elevation. A 2.5m tall living wall is also proposed which, given its orientation and location, will not be visible from street level and will serve to enhance private views of the roof when fully planted and maintained. A 2.5m high slatter timber screen is also proposed to mask the existing plant rooms, which will be visible from some public viewpoints.

The visuals provided in support of the application indicate that some elements of the roof terrace will be visible from Smithson Plaza and St. James Street. From Smithson Plaza, the 2.5m timber screen is clearly defined above the ridge level as well as some greenery. However, the overall extent of high-level clutter is reduced compared to the existing arrangement and the proposed visible elements are not considered harmful to the overall appreciation of this building from Smithson Plaza. Likewise, when viewed from St. James Street, the slatted timber screen will be visible but providing it is appropriately stained to a muted tone, it is not considered harmful to the appearance of the building. The imposition of a condition to secure details of facing materials is therefore recommended.

The existing passenger lift is to be extended up to roof level, resulting in minor additional high-level bulk. However, this will have a negligible impact on high level bulk which will not be visible from public views and is not considered harmful to the appearance of the building.

New PV panels are located on the north side of the roof, which are acceptable subject to securing further detail regarding their upstands and projection above roof level.

### **Platform lift**

The proposal involves the installation of a platform lift to allow level access to the ground floor level. The drawings show that parts of the existing railings will be removed to form a gate opening and other elements are to be reused. The design of the new gate does not reflect the existing decorative metalwork and the imposition of an amending condition securing a more decorative design is recommended. The modifications proposed to the railings will result in the loss of some historic fabric and will disrupt the consistent rhythm of the railing design which is regrettable. However, the harm caused to the appearance of these townscape features is minor and is outweighed by the associated benefits of providing level access to the building, for which a double leaf gate is required. This is providing the detailing of the new gate blends in very discreetly with the existing railings, so the imposition of an amending condition is required as set out above.

The proposed platform lift is located immediately behind these gates and is to be positioned within the basement lightwell when not in use, which should be secured via condition. When in use, it will have a detrimental impact on the appearance of the building. However, this will be momentary before the lift is returned to its discreet resting position. Any minor harm for short periods is outweighed by the benefits associated with providing level access to the building.

## **Fenestration**

To the Ryder Street elevation, permission is sought to lower the cill height of existing ground floor windows. Concerns have been raised by officers regarding the subsequent loss of voussoirs and decorative detail above three of the lower ground floor openings. However, it is acknowledged that the remaining lower ground floor openings have already been altered in several locations and the voussoirs affected are located in a secondary, low-level location which is reasonably hidden from public view.

Further, lowering these windows allows for a consistent cill height with the proposed level access door furthest to the west. Given that the lower ground floor area affected is not a principal part of the building, the impact on its appearance and its contribution to the conservation area is minor and refusal on these grounds would not be sustainable. The proposed ground floor window openings relate appropriately to the proportions and composition of the building. However, the imposition of a condition to secure details of the new windows is recommended to ensure they reflect the fine detailing of the existing windows on an exact like for like basis.

The proposed amendments to the main entrance door include reinstatement of combed brass ironmongery, new signage above the entrance door, and the addition of wall mounted façade lighting. The amendments to the main entrance door are also considered acceptable in design terms.

### **9.5 Residential Amenity**

Policies 7 and 33 of the City Plan seek to protect residential amenity in terms of light, privacy, sense of enclosure and to encourage development, which enhances the residential environment of surrounding properties.

Two objections have been received from neighbouring residents on grounds that the new roof terrace would harm neighbouring residents in terms of overlooking, noise and disturbance, and increased light pollution.

#### **Overlooking and privacy**

The nearest residential units are located to the north of the site within 76 Jermyn Street, who have windows looking across the roof of the application site. The proposals include mitigations measures to reduce the impact of overlooking on these neighbours. The area of roof nearest to these residents would comprise of a sedum green roof with PV panels that is only to be accessed for maintenance or emergency purposes only. This area of the roof will therefore provide a buffer zone of approximately 13.5m between the users of the terrace and the neighbouring residential occupiers to the north. Tall screening, in the form of a planted pergola, is also provided to visually, and acoustically shield the building on Jermyn Street to the north from the central terrace area.

To the west, the roof terrace is considered to be sufficiently set back, circa 18m, from neighbours at 37 Duke Street. In this respect it is considered not to cause harm in terms of overlooking.

## **Noise**

Objections have been made on grounds that the roof terrace would result in noise and disturbance for neighbouring residential occupiers.

The application is supported by a Noise Impact Assessment that aims to assess the potential noise impact on nearby receptors based on a viable set of scenarios for the rooftop terrace and noise data for human speech. There is no standard method for assessing the sound of activity on commercial rooftop terraces. The purpose of the acoustic report is to provide a robust demonstration of noise levels which might be expected based on the capacity of the terrace, proximity of nearest residential receptors and the current ambient noise climate.

Environmental Sciences have reviewed the acoustic report and consider that the proposed use of the terrace is unlikely to have an adverse impact on nearby sensitive receptors provided that the number of users and times of access to the terrace are controlled by condition. Conditions are recommended limiting the number of users to no more than 60; controlling the hours of use from between 8am – 7pm; and also preventing music from being played on the roof terrace.

The application is also supported by an Operational Management Plan (OMP) which sets out how the terrace would be managed when in operation with the aim of preventing users from causing nuisance to neighbours. The measures set out in the OMP are welcome and secured by condition.

## **9.6 Transport, Accessibility & Servicing**

### **Accessibility**

Policy 25 of the City Plan promotes sustainable transport by prioritising walking in the city. Policy 25B states that development must create step-free legible access and entrance points.

Policy 38 also seeks to encourage inclusive design. Supporting text 38.8 states that buildings and the spaces which adjoin them should be fully accessible and inclusive for all, including people of all ages and those with mobility and sensory impairment or other health concerns or disabilities.

The proposal involves the creation of a new access via a new platform lift to allow level access to the ground floor. The alterations would result in some minor harm to the appearance of the building but this is outweighed by the associated benefits of providing level access.

The extension of the lift over-run would also enable the lift to be extended to main roof level to provide level access to the new external amenity space/roof terrace, allowing for full accessibility.

## **9.7 Economy including Employment & Skills**

No economic considerations are applicable for a development of this size.

## 9.8 Other Considerations

### Lack of engagement

An objection is made on ground that there has been a lack of engagement with local residents. The application is supported by a Statement of Community Involvement (SCI) that details how the applicant sought to engage with the Local Planning Authority, elected Members, and the local community prior to the submission of this planning application. The applicant's approach to public consultation included newsletters posted to the surrounding area, and hosting webinars for members of the local community to receive a briefing on the proposals.

The council also carried out its own consultation exercise for this planning application as detailed in section 5.1 of this report.

## 9.9 Environmental Impact Assessment

The proposed development is not of sufficient scale or impact to require an Environmental Impact Assessment.

## 9.10 Planning Obligations & Pre-Commencement Conditions

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

## 10. Conclusion

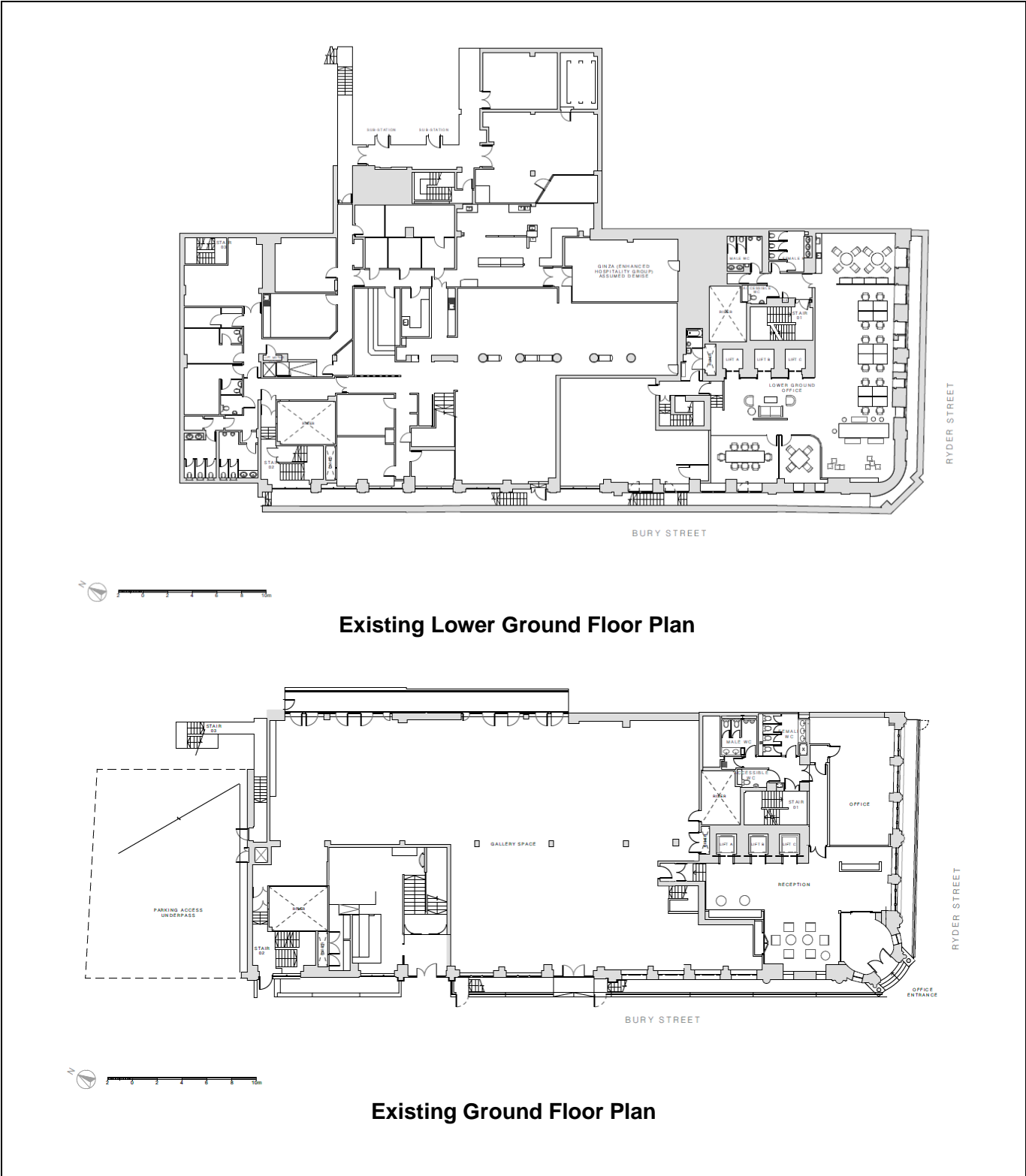
For the reasons set out in this report, the proposed development is considered to accord with the relevant policies in Westminster's City Plan 2019-2040 (adopted April 2021). The provision of improved office facilities is welcomed in principle. The proposals would result in some minor harm to the appearance of the building, notably through the installation of the platform lift, but this is outweighed by the associated benefits of providing level access to the building. The new roof terrace is considered not to have a harmful impact on the amenity of neighbouring residents in terms of overlooking or noise and disturbance. The provision of green infrastructure on the roof terrace would improve its contribution to biodiversity and the local environment.

The application is considered acceptable in design, heritage, amenity, and environmental terms, and is recommended for approval subject to the conditions set out in the draft decision letter.

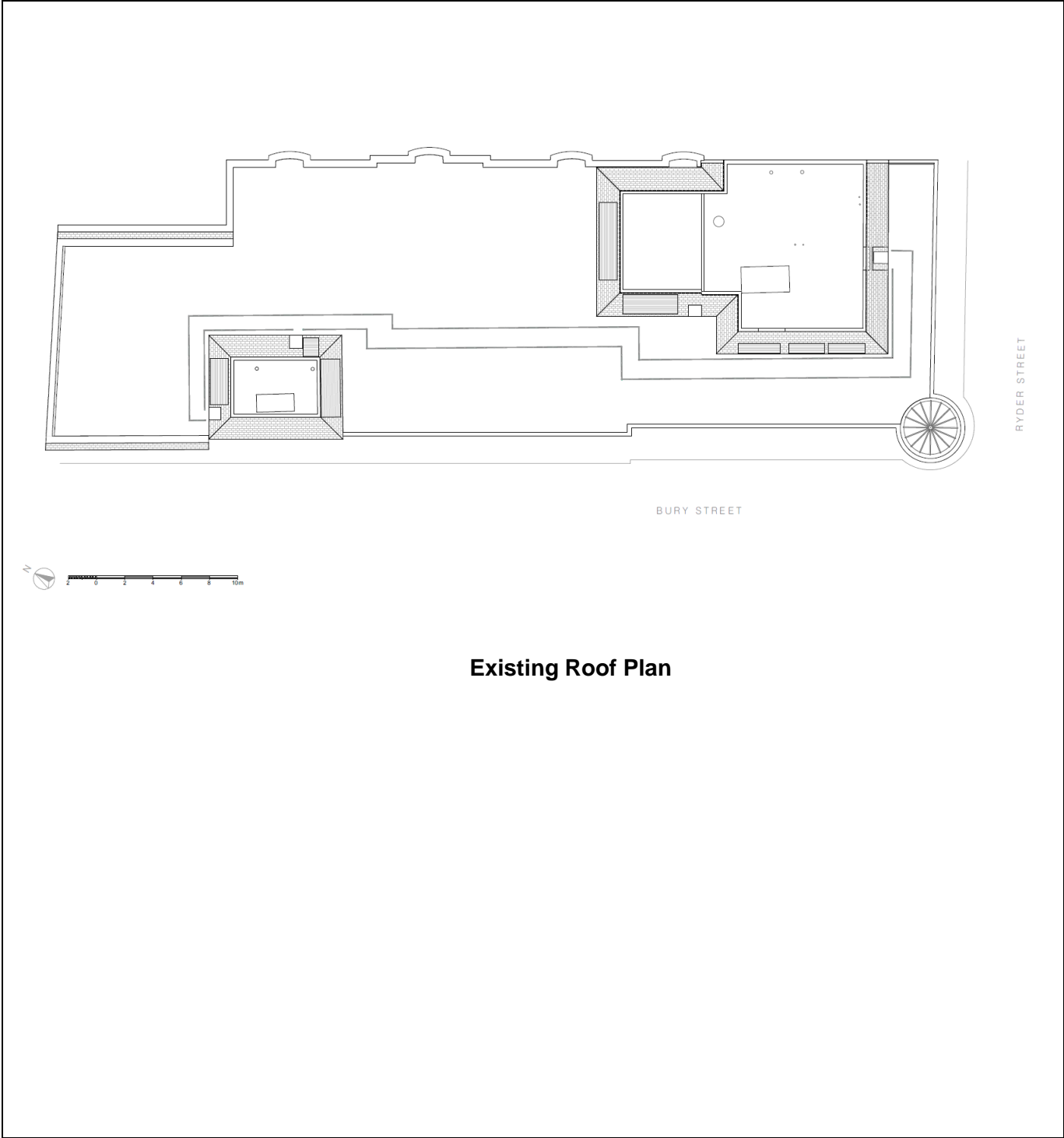
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

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

**11. KEY DRAWINGS**







**Existing Roof Plan**



**Existing Ryder Street Elevation**



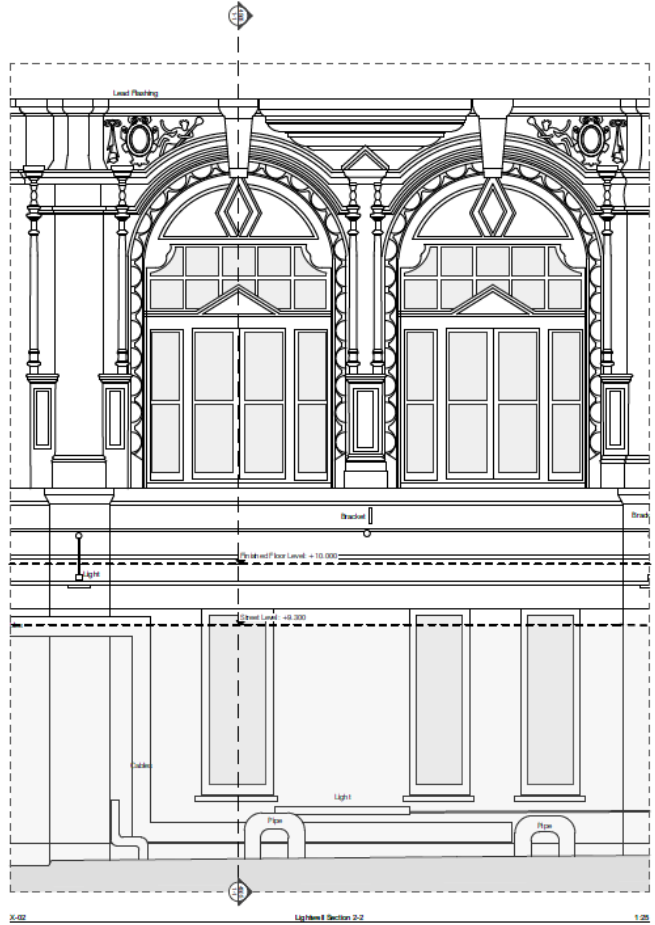
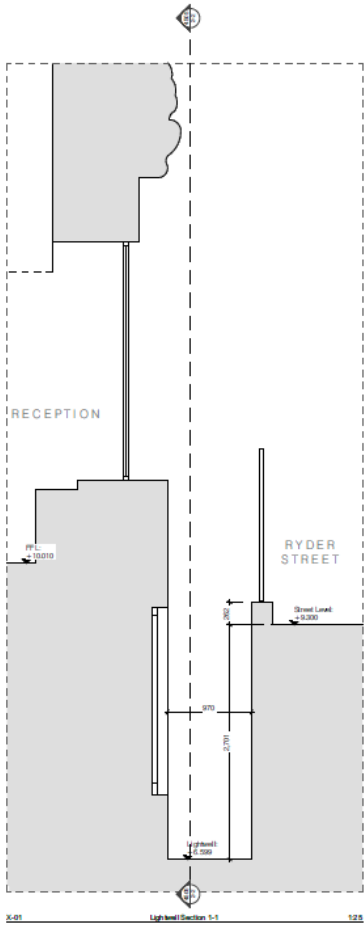
**Existing Main Entrance**



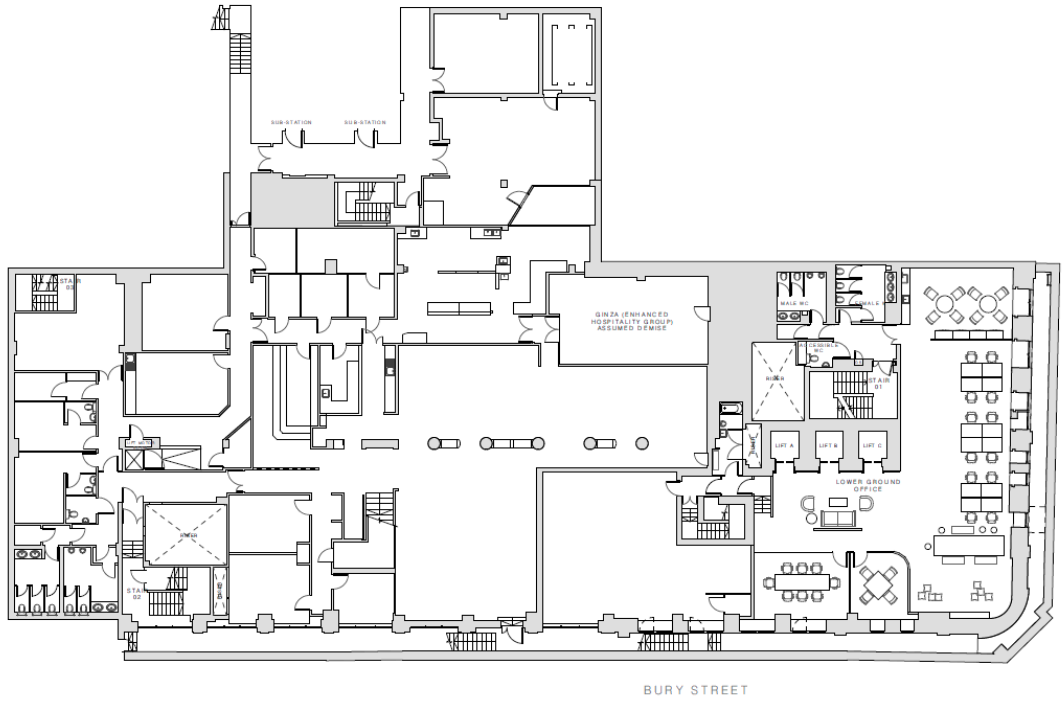
**Existing Ryder Street Elevation**



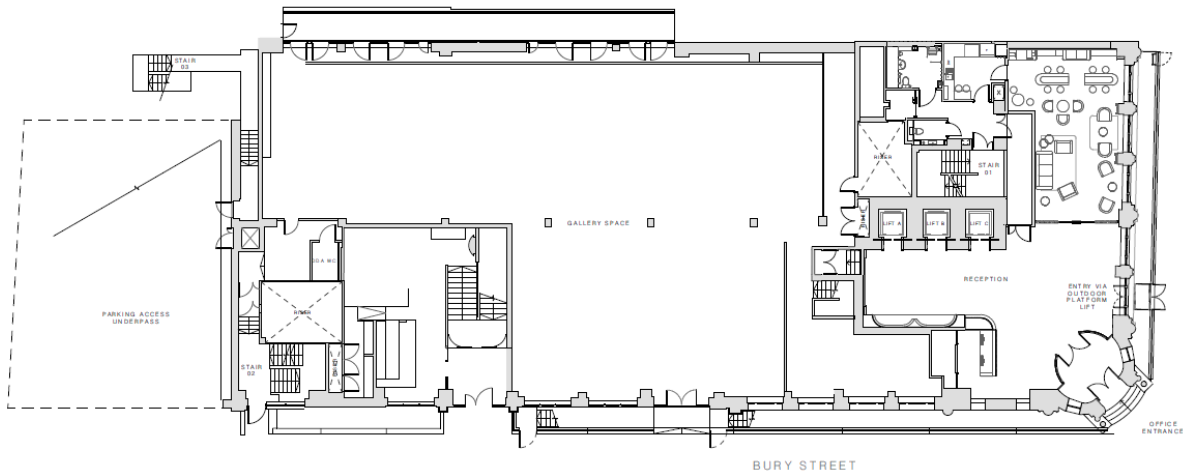
**Existing Ryder Street Elevation incl. railings**



**Existing Ryder Street Lightwell Sections 1 & 2**



**Proposed Lower Ground Floor Plan**



**Proposed Ground Floor Plan**





3211  
Detail

**Proposed Ryder Street Elevation**





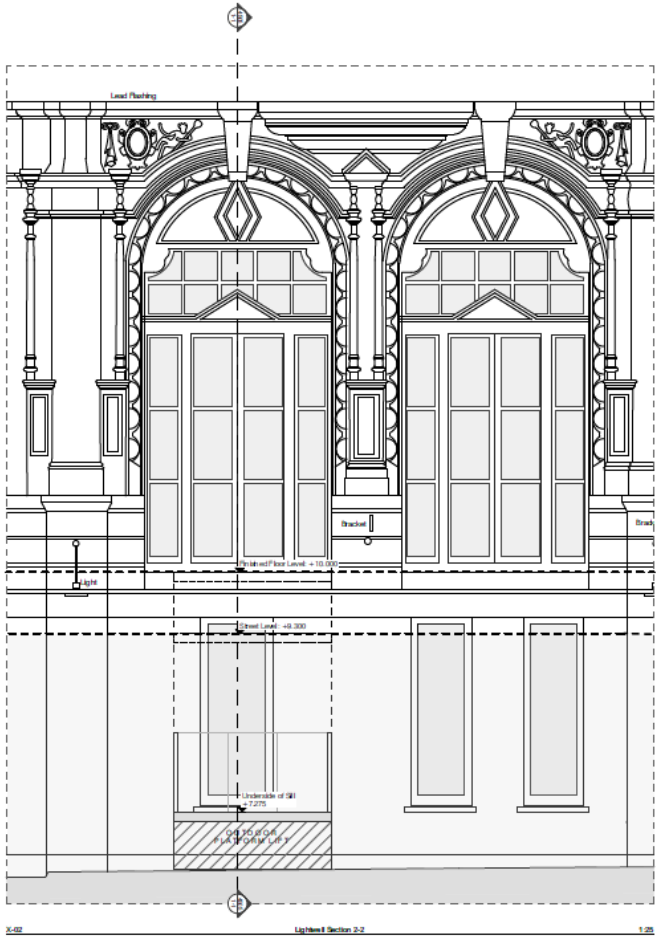
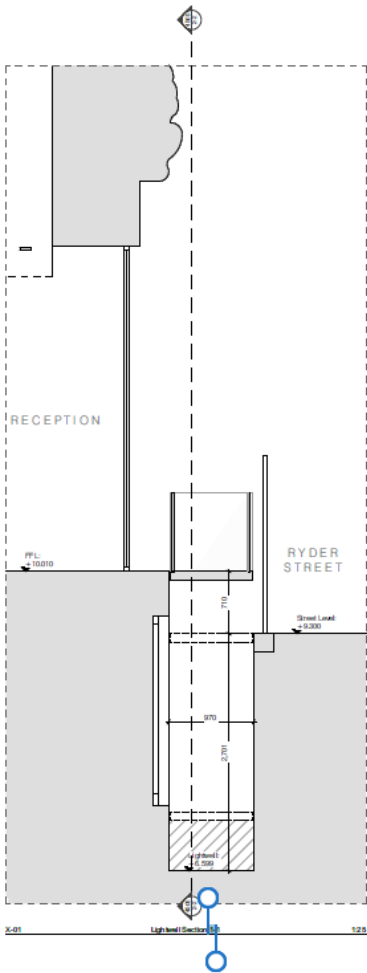
**Proposed Main Entrance**



**Proposed Ryder Street Elevation**



**Proposed Ryder Street Elevation incl. railings**



**Proposed Ryder Street Lightwell Sections 1 & 2**

**DRAFT DECISION LETTER**

**Address:** Ryder Court, 14 Ryder Street, London, SW1Y 6QB

**Proposal:** Replacement of window with door, lowering of window sills and installation of platform lift at upper ground floor level on Ryder Street; upgrade works to ground floor entrance including new lighting; extension of existing lift overrun at roof level; creation of roof terrace with planting, landscaping and pergola; installation of PVs; and associated works.

**Reference:** 22/08649/FULL

**Plan Nos:** Existing drawings:  
LGF-DR-A-2001, 00-DR-A-2002, 06-DR-A-2008, 06-DR-A-2009, ZZ-DR-A-3001, ZZ-DR-A-3002, ZZ-DR-A-3031, ZZ-DR-A-3011, ZZ-DR-A-3021, ZZ-DR-A-4305, ZZ-DR-A-4306;

Proposed drawings:  
LGF-DR-A-2201, 00-DR-A-2202, 06-DR-A-2208, 063-101-7, 06-DR-A-2209, ZZ-DR-A-3201, ZZ-DR-A-3202, ZZ-DR-A-3231, ZZ-DR-A-3221, ZZ-DR-A-4305, ZZ-DR-A-4506, Elevation Study dated April 2023, Pergola and Roof Massing Visualisations dated April 2023; Operational Management Statement - Roof Terrace; Lighting statement (except the lighting plan), 06-DR-A-2208 (Proposed Roof Terrace with amended lighting plan), Planning Compliance Report dated 15 December 2022

**Case Officer:** Morgan Cheung

**Direct Tel. No.** 020 7641  
07971092759

**Recommended Condition(s) and Reason(s)**

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
  - o between 08.00 and 18.00 Monday to Friday;
  - o between 08.00 and 13.00 on Saturday; and
  - o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and

- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

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

- 3 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St James's Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 4 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved materials. (C26BD)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St James's Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St James's Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 6 You must apply to us for approval of detailed drawings of the following parts of the development:

- a. New ground floor windows including 1:5 details of mouldings to match existing on like for like basis.
- b. Platform lift (1:20) showing relationship to existing railings.
- c. Gate at ground floor level on Ryder Street frontage (1:10)

- d. Control mechanisms for platform lift (1:5)
- e. PV panels (1:20) including details of upstands and relationship to finished roof level.
- f. External lights (1:10)
- g. Roof level balustrade (1:10)

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 details. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St James's Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 7 The platform lift hereby approved shall be positioned at the base of the lower ground floor lightwell in its resting position at all times when not in use and the gate at ground floor level must be closed. The lift shall only move upwards from this location when in use and shall return to its resting position at lower ground floor immediately after.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St James's Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 8 You must apply to us for approval of detailed drawings showing the following alteration to the scheme:
- a. Design of new gate on Ryder Street frontage to be amended to reflect existing decorative metalwork pattern.

You must not start on these parts of the work until we have approved in writing what you have sent us. You must then carry out the work according to the approved drawings. (C26UC)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St James's Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 9 The roof level balustrade hereby approved shall be painted black and maintained that colour.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St James's Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 10 You must apply to us for approval of details showing the following alteration to the scheme:

- an increase in green infrastructure features at roof level.

You must provide, maintain and retain the green infrastructure features before you start to use any part of the roof terrace. You must not remove any of these features.

Reason:

To improve its contribution to biodiversity and the local environment, as set out in Policy 34 of the City Plan 2019 - 2040 (April 2021).

- 11 You must apply to us for approval of detailed drawings and management plan in relation to the roof terrace planting to include construction method, layout, planting scheme which includes the number, size, species and position of trees and shrubs and other green infrastructure. You must not commence works on the roof terrace until we have approved in writing what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain it in accordance with the approved management plan.

Reason:

To protect and increase the biodiversity of the environment, as set out in Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43CC)

- 12 You must apply to us for approval of detailed drawings (scale 1:20 and 1:5) of the following parts of the development:

- Pergola at roof level, including hydroponic green wall.

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 details.

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)

- 13 You must not play live or amplified music on the roof terrace.

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 Environmental Supplementary Planning Document (February 2022). (R13FC)

- 14 Other than in the case of emergency or for maintenance purposes, the roof terrace

hereby approved shall only be used between 08:00 and 19:00 hours on Monday to Friday and not at all on Saturdays and Sundays.

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 Environmental Supplementary Planning Document (February 2022). (R13FC)

- 15 You must not allow more than 60 people on the roof terrace at any one time.

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 Environmental Supplementary Planning Document (February 2022). (R13FC)

- 16 You must install the Pergola, Hydroponic Green Wall and screening shown on the approved drawings before you allow anyone to use the roof terrace. You must then maintain the structures in the form shown for as long as the roof terrace remains in place. You must not allow anyone to enter the area where the PV panels are located (close to the boundary with 76 Jermyn Street), except in an emergency or for maintenance.

Reason:

To protect the environment of people in neighbouring properties and to ensure the appearance of the development is suitable and would not harm the appearance of this part of the city. This is in line with Policies 7, 33, 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R13CD)

- 17 You must carry out the measures included in your 'Operational Management Statement - Roof Terrace' hereby approved at all times that the roof terrace is in use.

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). (R13BD)

- 18 Other than in the case of emergency or for maintenance purposes, the external roof terrace lighting hereby approved shall only be switched on between 08:00 and 19:00 hours on Monday to Friday and not at all on Saturdays and Sundays.

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).

- 19 Notwithstanding the provision within Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended September 2020) or any equivalent class in any



order that may replace it, the terrace hereby approved may only be used by office occupants.

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 Environmental Supplementary Planning Document (February 2022).

### 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.
- 2 **HIGHWAYS LICENSING:**  
Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please visit our website at [www.westminster.gov.uk/guide-temporary-structures](http://www.westminster.gov.uk/guide-temporary-structures).  
**CONSIDERATE CONSTRUCTORS:**, You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, [siteenquiries@ccscheme.org.uk](mailto:siteenquiries@ccscheme.org.uk) or visit [www.ccscheme.org.uk](http://www.ccscheme.org.uk).  
**BUILDING REGULATIONS:**, You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website at [www.westminster.gov.uk/contact-us-building-control](http://www.westminster.gov.uk/contact-us-building-control)
- 3 In respect of condition 11 (roof terrace planting and management) you are advised to maximise soil depths and volumes to accommodate adequate tree and shrub planting and thereby limit the need for artificial irrigation and maximise the biodiversity potential of the roof terrace.
- 4 All external lighting will meet the criteria of the Institution of Lighting Professionals' (ILP) Guidance Notes for the Reduction of Obtrusive Light.

Item No.
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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.