

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 19 September 2023	Classification For General Release	
Report of Director of Town Planning & Building Control		Ward(s) involved West End	
Subject of Report	Dorchester Hotel, 53 Park Lane, London, W1K 1QA,		
Proposal	Partial demolition of the ninth floor and erection of single storey extensions to the south, north and east (rear) of the ninth floor, erection of new kitchen extract riser, replacement windows, together with replacement plant and equipment to the roof of the ninth floor, and other associated internal and external alterations; includes use of part of the perimeter area of the south-eastern area [opposite the junction with Tilney Street-Deanery Street] of the ninth floor roof as a terrace and use of part of the rear eastern ninth floor wing, parallel to Deanery Street, as a roof terrace, both terraces being used as additional restaurant seating ancillary to the hotel.		
Agent	Montagu Evans LLP		
On behalf of	Dorchester Hotel Limited		
Registered Number	22/08705/FULL 22/08706/LBC	Date amended/ completed	23 December 2022
Date Application Received	23 December 2022		
Historic Building Grade	II		
Conservation Area	Mayfair		
Neighbourhood Plan	Mayfair Neighbourhood Plan		

1. RECOMMENDATION

1. Grant conditional permission and conditional listed building consent.
2. Agree the reasons for granting conditional listed building consent as set out in Informative 1 on the draft decision letter.

2. SUMMARY & KEY CONSIDERATIONS

The applications are the latest in a series of proposals as part of an on-going refurbishment programme for this iconic hotel. The current proposals relate to the top/ninth floor of the building where there is currently a restaurant alongside some hotel suites and back of house functions. The proposed works include reconfiguring the guest suites, conversion of some of the guest

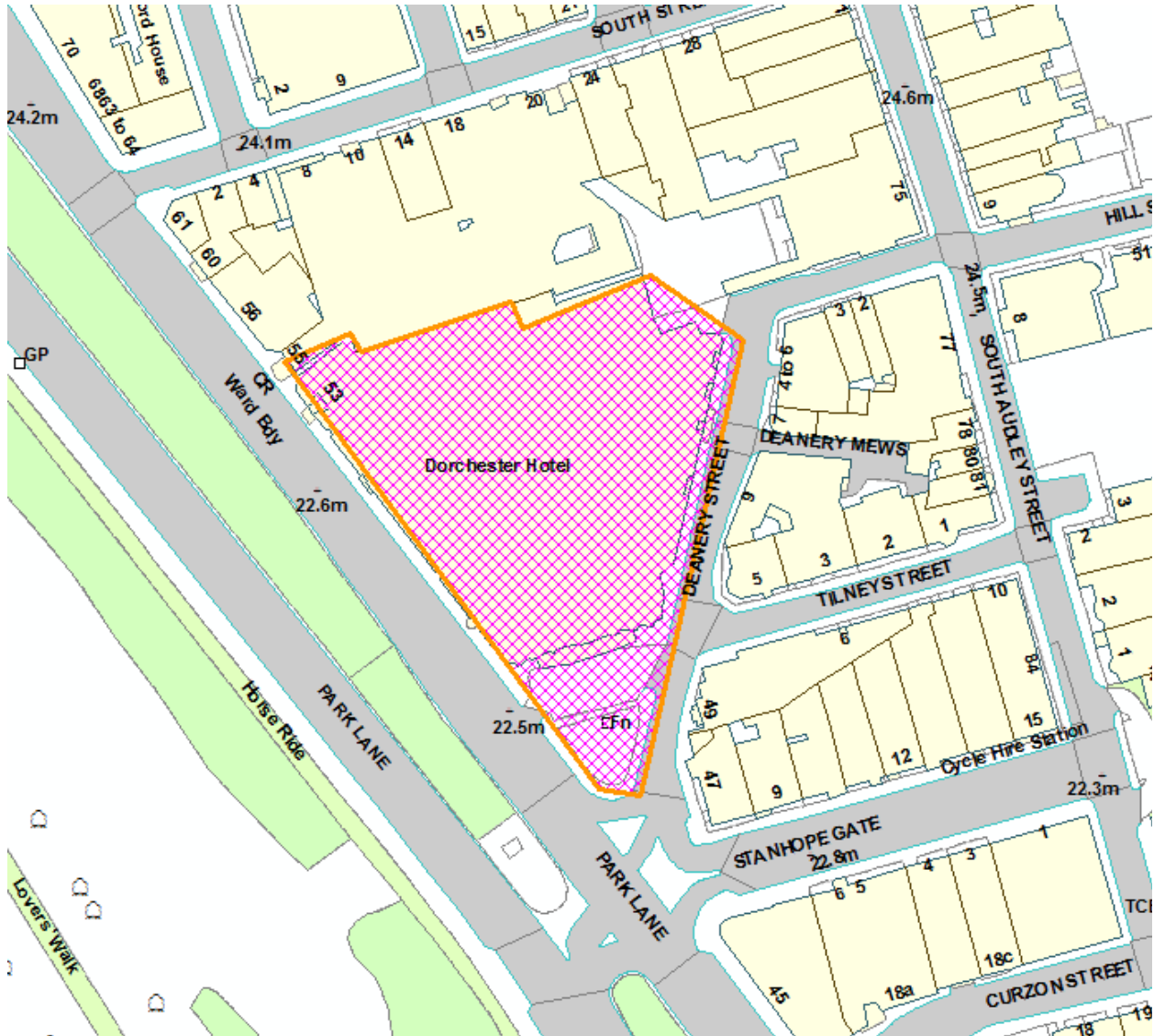
accommodation to additional ancillary restaurant accommodation, creation of a new guest suite in an existing plant room, relocation of new/replacement plant and improved circulation.

The key considerations in this case are:

- The acceptability of the proposed buildings in design terms.
- The impact of the proposed buildings on the character and appearance of the Mayfair Conservation Area and the setting of other nearby designated heritage assets, in particular Hyde Park.

There has been an objection from The Royal Parks concerned about the impact of the proposals on Hyde Park, and a representation on behalf of 25 flats in 55 Park Lane, concerned about noise and disturbance from building works. For the reasons set out in the main report, the proposals are considered to be in accordance with relevant policies in the City Plan 2019 – 2040 Adopted April 2021 and the objections are not considered to be sustainable.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

5.1 Application Consultations

HISTORIC ENGLAND

Do not wish to offer advice and have issued Authorisation for the Council to determine the listed building application.

MAYFAIR RESIDENTS GROUP

Any comments to be reported verbally

RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S

Any comments to be reported verbally

MAYFAIR NEIGHBOURHOOD FORUM

Any comments to be reported verbally

THE ROYAL PARKS

Initial objection on the grounds of the height of the vertical extension and its impact upon the sky space surrounding and general views from Hyde Park: the extension would add to the massing seen east from the Park, further darkening the sky space and offering no benefit to Park users and the natural environment.

Following meetings with the applicants and their agents, and revisions to the proposals, The Royal Parks subsequently commented that:

- they welcome the proposed decrease in the height of the proposed parapet wall at roof level by 300mm since it would reduce the massing of the hotel (as viewed from the Park), yet still hide some of the current roof-top plant;
- they are supportive of the revised proposed treatment of the chiller units at high level, namely the addition of screening clad in stone to match/blend in with the stonework of the building. However, the chiller units would be repositioned approximately in their current location but one level higher (thereby effectively increasing the building's massing) - disappointed that there is no scope to relocate the chillers to a lower-level storey or to set them back any distance away from the Park so that they would be less visible in short-range views from the Park;
- they appreciate the revisions made to the proposed fenestration at ninth floor level to both the west and east elevations, but the revised design relative to the existing building would increase the number of windows (and glazed area) overlooking the Park at high level. They believe that artificial lighting at this height, notably during the winter months, could impact upon the Park visitors' sense of separation from the metropolis;
- At the request of the applicant, they identified certain locations in the Park where they felt views out of the Park would or could be adversely affected by the proposed changes to the hotel. These views are different depending on the time of year and the leaf cover of the trees - of the viewpoints identified, they believe

that the impact upon the view from the 7 July Memorial is probably the most significant. From this spot, it would be possible to see the new windows to the proposed penthouse and the chiller units above. They would be keen to avoid/minimize any encroachment upon views out of the Park from this important location.

Therefore, in summary, they still have real concerns about the height of the vertical extension and the additional massing (particularly from the chiller units), the extra glazing at high level (when lit artificially), and the impact on the short-range views out of the Park.

PLANT AND EQUIPMENT

Following the submission of additional information, confirm that they have no objections on environmental noise or nuisance grounds subject to conditions and informatives as set out in their memorandum dated 14 March 2023.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 248;
No. of objections: 1;

Total No. of replies: 1
No. in support: 0

One letter of objection from the managing agent on behalf of a number of flats in 55 Park Lane commenting as follows: "The measures proposed to address noise and dust nuisance are inadequate and although monitoring is included in the proposal there is no sense of standards, measures and specifically contractor noise and dust in the proposal. We would like to be consulted on this matter please."

PRESS NOTICE/ SITE NOTICE: Yes

5.2 Applicant's Pre-Application Community Engagement

Public consultation was carried out in November 2022 and included the following:

- A digital website was created and has been live since 4th November 2022.
- Engagement with the site's ward members, who were emailed, inviting them to a virtual briefing on the 4th of November.
- Engagement with interested community stakeholders - the Applicant sought to invited the Mayfair Neighbourhood Forum and the Residents' Society of Mayfair and St. James's to a briefing with the project team. The Applicant has conducted briefings that took the form of a presentation from the project team followed by a question-and-answer sessions with the Mayfair Neighbourhood Forum.
- Direct liaison with residents and businesses through the delivery of a letter to 266 addresses in close proximity to the site, which directed people to the website and online comments box. A freephone number was also issued to residents within the consultation letter to ensure that those without internet access could still provide comments, ask any questions and request printed copies of the consultation materials.

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 Mayfair Neighbourhood Plan includes policies on a range of matters including public realm, directing growth, enhancing retail, commercial and public house uses, residential amenity, commercial growth, cultural and community uses, heritage, design, servicing and deliveries and environment and sustainability.

The plan has been through independent examination and was supported by local residents and businesses in a referendum held on 31 October 2019. It was adopted on 24 December 2019. It therefore forms part of the development plan for Westminster for development within the Mayfair neighbourhood area in accordance with accordance with Section 38 of the Planning and Compulsory Purchase Act 2004. 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 later in this report.

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

The application relates to the well-known Dorchester Hotel, that dates from 1930. The building, which is listed Grade II, is located within the Mayfair Conservation Area, the Central Activities Zone.

7.2 Recent Relevant History

The current application is the latest in a series of applications as part of an on-going

refurbishment of the hotel. The most relevant approvals are as follows:

8 March 2021 – planning permission and listed building consent granted for alterations including replacement windows, replacement entrance canopy, alterations to pick up/drop off area and landscaping, replacement of car park ramp with car lift, and introduction of new concession at ground floor facing Deanery Street with its own external alterations, all together with associated works.

3 December 2021 – listed building consent granted for internal alterations and decoration of the hotel guestrooms and corridors on the upper levels between the third and seventh floors, including the installation of a new accessible DDA room to each floor.

17 February 2023 – listed building consent granted for internal alterations and decoration of the hotel guestrooms and corridors on the eighth floor including the removal of later staircases to 9th floor, including the installation of a new accessible DDA room.

8. THE PROPOSAL

The development proposals seek to demolish the southern and northern parts of the 9th floor, retaining the central element. New single storey extensions are then constructed to the north and the south of the roof, to create a continuous holistic roof scape to the eastern and southern elevations which front Park Lane. A further single storey extension is proposed to the rear wing.

The southern extension provides an enhanced roof top restaurant (ancillary to the hotel) while the northern extension provides a new guest suite. The existing ninth floor area is refurbished to provide a refurbished Penthouse Suite. The rear extension provides back of house facilities. Two of the lifts are raised to the ninth floor for access.

The Chillers which are located on the ninth floor presently are unscreened. These are to be rehoused on top of the roof enclosure behind a new parapet. The parapet is a continuous architectural form used to screen all plant at roof level.

The restaurant and lounges are provided with new toilets, new back of house facilities, new entrance foyer with a series of roof lights, with the one located over the main dining area being retractable. The dining area is also fitted with retractable bi-fold doors to the north, western and southern elevations. These elements would be fixed shut by 11pm. Existing areas of flat roof on the southern section and the rear wing are to be used for external dining.

9. DETAILED CONSIDERATIONS

9.1 Land Use

The proposals seek improvements to the top floor of the existing hotel, with a reconfiguration of guest accommodation and improvements and small extensions to an ancillary restaurant, including improved access. There is a small increase in floorspace of 73 sqm, from 1,060 sqm (GIA) to 1,133 sqm.

London Plan Policy E10 (Visitor Infrastructure) seeks that *“within the CAZ, strategically-important serviced accommodation should be promoted in Opportunity Areas, with smaller-scale provision in other parts of the CAZ except wholly residential streets or predominantly residential neighbourhoods, and subject to the impact on office space and other strategic functions.”*

Policy 15 ‘Visitor Economy’ of the City Plan seeks to protect existing hotels. Part H of the policy states the following:

“Applications for extensions and upgrades to existing hotels will have regard to impacts on the wider area. Development proposals should improve accessibility and enable the extended lifetime of buildings by incorporating principles and measures of sustainable design wherever possible. Development proposals should, where appropriate, reveal the historic significance of hotels located within heritage assets.”

City Plan Policy 1. ‘Westminster’s spatial strategy’ states that Westminster will continue to grow, thrive and inspire at the heart of London as a World City by a number of measures that include addressing requirements for visitor attractions within the Central Activities Zone (CAZ). City Plan Policy 14(A) supports the intensification of the CAZ to provide additional floorspace for main town centre use, which includes hotel and conference facilities (as defined within the NPPF and London Plan). London Plan Policy E10(F) states:

“Within the CAZ, strategically-important serviced accommodation [which includes hotels] should be promoted in Opportunity Areas, with smaller-scale provision in other parts of the CAZ except wholly residential street or predominantly residential neighbourhoods”.

Mayfair Neighbourhood Plan Policy MSG2 encourages growth within several areas, including Park Lane and West and Central Mayfair generally for mixed use and residential growth.

Accordingly the proposal is considered to be acceptable in land use terms.

9.2 Environment & Sustainability

Part E of City Plan Policy 38 (Design Principles) requires applicants to demonstrate how sustainable design principles and measures have been incorporated into designs, utilising environmental performance standards. Given the relatively small scale nature of the proposals, there is a limit to what improvements can be achieved in this case. The application submission includes a BREEAM Pre-Assessment that assesses the development’s ability to meet various criteria. In this case the proposals are limited in their scope because they do not relate to the whole hotel and the main building services plant related to the fabric performance of the proposed extensions is not being replaced, i.e. the extensions incorporate the existing building services. The opportunity is taken to renew and replace some plant that already exists on the roof. A further constraint is the building’s listed status and location within the Mayfair Conservation Area, which does impose limitations. Overall, the development achieves a score of ‘Very Good’, with some improvement achieved from energy efficiency measures in the replacement extensions and the areas to be refurbished.

9.3 Biodiversity & Greening

Policy 34 of the City Plan requires that; ‘Developments will, wherever possible, contribute to the greening of Westminster by incorporating trees, green walls, green roofs, rain gardens and other green features and spaces into the design of the scheme.’ Part A of the policy states that; ‘The council will protect and enhance the city’s green infrastructure to maximise its environmental, social and economic value.’ Paragraph 34.3 of the City Plan states that; ‘All developments have opportunities to contribute to the further greening of the city. The type and scale of measures that will be suitable will depend on the specific type, scale and context of the development. Examples of greening measures include green roofs and walls, rain gardens, planting, grassland, vegetated sustainable drainage systems and trees.’

In this case, given the small-scale nature of the works and the listed status of the building, there are not considered any opportunities for greening.

9.4 Townscape, Design & Heritage Impact

Legislative & Policy Context

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 (‘the LBCA Act’) 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 LBCA 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 LBCA 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.”

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 states that features that contribute positively to the significance of the setting of a conservation area will be conserved and opportunities will be taken to enhance conservation area settings, wherever possible. 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 be clearly and convincingly justified and should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, including where appropriate securing the optimum viable use of the heritage asset, 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.

Policies 38, 39 and 40 of the City Plan 2019-2040 (adopted April 2021) and policies MD3 and MD4 of the Mayfair Neighbourhood Plan 2018-2038 (adopted December 2019) are pertinent in this case.

Consideration

The Dorchester Hotel is a Grade II listed building located in the Mayfair Conservation Area. It was built in 1930 in a Modernist style and forms a well-known focal building in the area. It is visible from the Royal Parks Conservation Area and Grade I registered Hyde Park. Internally, it has a mostly modern fit out, save for the communal spaces and Oliver Messel schemes within the seventh and eighth floors, which are of architectural value and contribute to the building's special interest. These internal spaces will be unaffected by the proposals.

This application will see the partial demolition of the ninth floor and addition of single storey extensions to the south, north and east at this level. These will read as a coherent roof extension. The proposals will also see the replacement of plant and its relocation within a large enclosure, as well as the erection of a new kitchen extract riser.

This application has been assessed against policies 38, 39 and 40 of the City Plan 2019-2040 (adopted April 2021) and policies MD3 and MD4 of the Mayfair Neighbourhood Plan 2018-2038 (adopted December 2019).

The ninth storey dates from the 1950s and was extended following approval of 05/07674/FULL & 05/07675/LBC. It is of no historic or architectural interest. The existing extension does not contribute to the special interest of the listed building or the character and appearance of the conservation area. Its roof form appears cluttered, due to piecemeal additions of plant and services, and fails to reflect the symmetry found on the lower levels of the facades.

The form, massing and detailed design of the proposals have been extensively negotiated during pre-application discussions. The proposals reflect officers' advice during this communication, as demonstrated within the Design and Access Statement.

Its height and stepped back position are sympathetic, remaining legible as a secondary roof addition, while the undulating footprint reflects that below, in terms of the chamfered corners, and serves to soften the appearance of the additional massing further. A slightly taller, central element to the main façade creates a focal piece at roof level and completes the building in an appropriate manner. The increase in height is approximately 0.5m across much of the ninth store when compared with the existing, while a taller plant room adds a further 1m to the northern portion of the roof. The height reflects the neighbouring property (55-61 Park Lane) and is considered appropriate in this case.

The proposals offer a coherent composition to the principal south and west façades. While the retention of a plant area is disappointing, it is proposed to be screened in the

same finish as the building beneath and is an improvement on the existing arrangement. It is noted that the applicant's has stated that there are no alternatives for the location of the plant. The extension fenestration largely reflects the building below. The ninth floor extensions to the rear wings are finished in the same stone with the same detailing, chamfered corners and fenestration.

The roof extension will introduce symmetry to the roofscape, reflective of the uniformity of the façade beneath. The extension will provide a balanced and considered roofscape to the building. This will enhance its appearance, special interest and the contribution that it makes to the character and appearance of the Mayfair Conservation Area and the setting of Hyde Park and the Royal Parks Conservation Area.

The proposed extract riser is to be located at the rear of the building within the southern lightwell and climb the rear of the building. This provides the opportunity for the low-level extract ductwork to be removed from the first-floor flat roof.

The additional bulk will add massing to the rear of the building, stepping proud of the original footprint of the upper floors. This will cause a low level of less than substantial harm to the special interest of the listed building and the character and appearance of the conservation area. This harm has been minimised by the location of the riser, which will sit against a secondary façade and will incorporate the matching cornice details. This will reduce its prominent appearance and serve to appear as part of the envelope of the existing building. The drawings state that this will be clad in concrete which would not be appropriate.

Paragraph 202 of the NPPF states 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

The riser forms a key part of the proposals, enabling the restaurant use of the proposed roof extension. It will also allow the removal of the kitchen extract ductwork from the low-level flat roof which will improve the outlook from neighbouring high-level windows. As such, when assessed against the scheme as a whole, the harm caused by the riser is outweighed by the built environmental benefits brought about by the roof extension.

A condition is recommended to ensure that it is finished in the same stonework as the rest of the building.

Objection from The Royal Parks

An objection has been received from The Royal Parks in relation to the following aspects of the scheme:

- a) The impact of the additional massing of the proposed rebuilt section of the northern part of the roof with relocated plant area above it, in views from Hyde Park.
- b) Increase in glazed areas and increase in artificial light viewed from Hyde Park, with particular concern raised regarding the impact on the views beyond the July 7 Memorial.

The Hyde Park Management Plan 2022-2032 identifies a series of key views within the park. It should be noted that none of these identified views will be affected by the proposals.

The additional height and bulk of the chiller units and screens will see additional bulk to the west portion of the roof. This is a localised area of increased bulk, which will sit below the height of the pitched roof form at 55-61 Park Lane. While the proposals will see a change in the roofscape of the Dorchester Hotel, it forms a small area of additional bulk and will not breach the established buildings heights in the locality. Furthermore, it will sit behind a stone clad screen and appear as part of the envelope of the building. As such, this part of the proposals will have a neutral impact on views from the park, forming a change within the urban context in which the park is experienced.

During the evenings and winter months, the proposals will see an increase in artificial illumination through the windows of the extension. The 7 July Memorial is located approximately 100m south of the application building. The memorial is experienced within a verdant setting with a dense tree canopy which serves to screen the built-up townscape to the north, particularly in the summer months. It should be noted that the memorial is not illuminated for evening visitation. While the proposals will result in an increase in artificial light from the building, given the existing, contrasting urban character of the east side of Park Lane, the height of the ninth floor parapet, and the mullioned/glazing bar window details, the proposals are not considered to harm the setting of the Royal Parks Conservation Area.

Overall, the proposals will enhance the special interest of the listed building and character and appearance Mayfair Conservation Area, and the settings of the Royal Parks Conservation Area and Grade I registered Hyde Park. This is in accordance with policies 38, 39 and 40 of the City Plan, as well as policies MD1, MD2, MD3 and MD4 of the Mayfair Neighbourhood Plan 2018-2038.

9.5 Residential Amenity

The City Council places high priority on protecting residential amenity, with City Plan Policy 7(A) stating that development will be neighbourly by, 'Protecting and where appropriate enhancing amenity, by preventing unacceptable impacts in terms of daylight and sunlight, sense of enclosure, overshadowing, privacy and overlooking'. City Plan Policy 33(A) states, 'The council will make sure that quality of life and health and wellbeing of existing and future occupiers, and the natural environment are not adversely affected by harmful pollutants and other negative impacts on the local environment'.

Daylight & Sunlight

The applicant has provided a daylight and sunlight report that identifies the nearest residential properties that could be affected by the proposal. The assessment identifies the nearby residential properties to be:

- 55 Park Lane
- 56-60 Park Lane
- 4-6 Deanery Street
- 7 Deanery Street
- Top Floor, 5 Deanery Street

- 75 South Audley Street .

Given the modest extensions proposed, the daylight and sunlight report concludes that the proposal is fully compliant with the BRE's publication 'Site layout planning for daylight and sunlight' in terms of the vertical sky component (VSC), Daylight Distribution (NSL) and Annual Probably Sunlight Hours (APSH) analysis. The technical analysis shows that the surrounding properties will still experience a very high level of compliance. No objections have been received on this matter.

Privacy & Noise – roof terraces

There are already areas of flat roof on the south-west corner of the building that have been used for outdoor dining, and there are no planning controls on this given that they are an ancillary use of the hotel. The proposals seek to retain and slightly extend these areas on the south side, including small areas along the southern frontage of the building, accessed through new bi-folding doors that lead from the re-built restaurant. There is also a small outside dining area (accommodating approximately 18 diners) created on a flat roof at the rear of the building, adjacent to an extension that will house a private dining room.

As there is residential at the rear of the site, it is considered appropriate to restrict the hours that these outside areas can be used. The applicant has submitted a Management Statement that confirms these areas will only be used until 23.00 hours and this is being secured by condition. At the request of Environmental Sciences a condition also prevents the playing of live or amplified music on these terraces.

Noise & Vibration – plant

Items of mechanical plant are proposed on the roof of the development enclosed by acoustic louvres. The assessment indicates that cumulative plant noise levels at the nearest residential properties would comply with standard noise conditions and with the requirements of policies 7 and 33 in the City Plan. This has been conditioned.

Building works

There has been an objection on behalf of 25 flats in the building immediately to the north of the application site, 55 Park Lane, on the grounds of noise and disturbance arising from building works. The small scale of the proposed works mean that they are not required to sign up to the Council's Code of Construction Practice. However, there is the standard condition controlling the hours that noisy building works can be carried out. It should also be noted that the hotel will continue to operate during the works and that it is in the applicant's own interest, on behalf of its guests, to ensure that there is minimum disruption.

9.6 Transportation, Accessibility & Servicing

The proposed changes have no highways-related implications.

9.7 Economy including Employment & Skills

Whilst the development is of insufficient scale to require an employment and skills plan, it will contribute positively to the local economy during the construction phase through the generation of increased opportunities for local employment, procurement and spending. The improvements to the hotel will help secure the provision of employment opportunities for hotel staff.

9.8 Other Considerations

None.

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

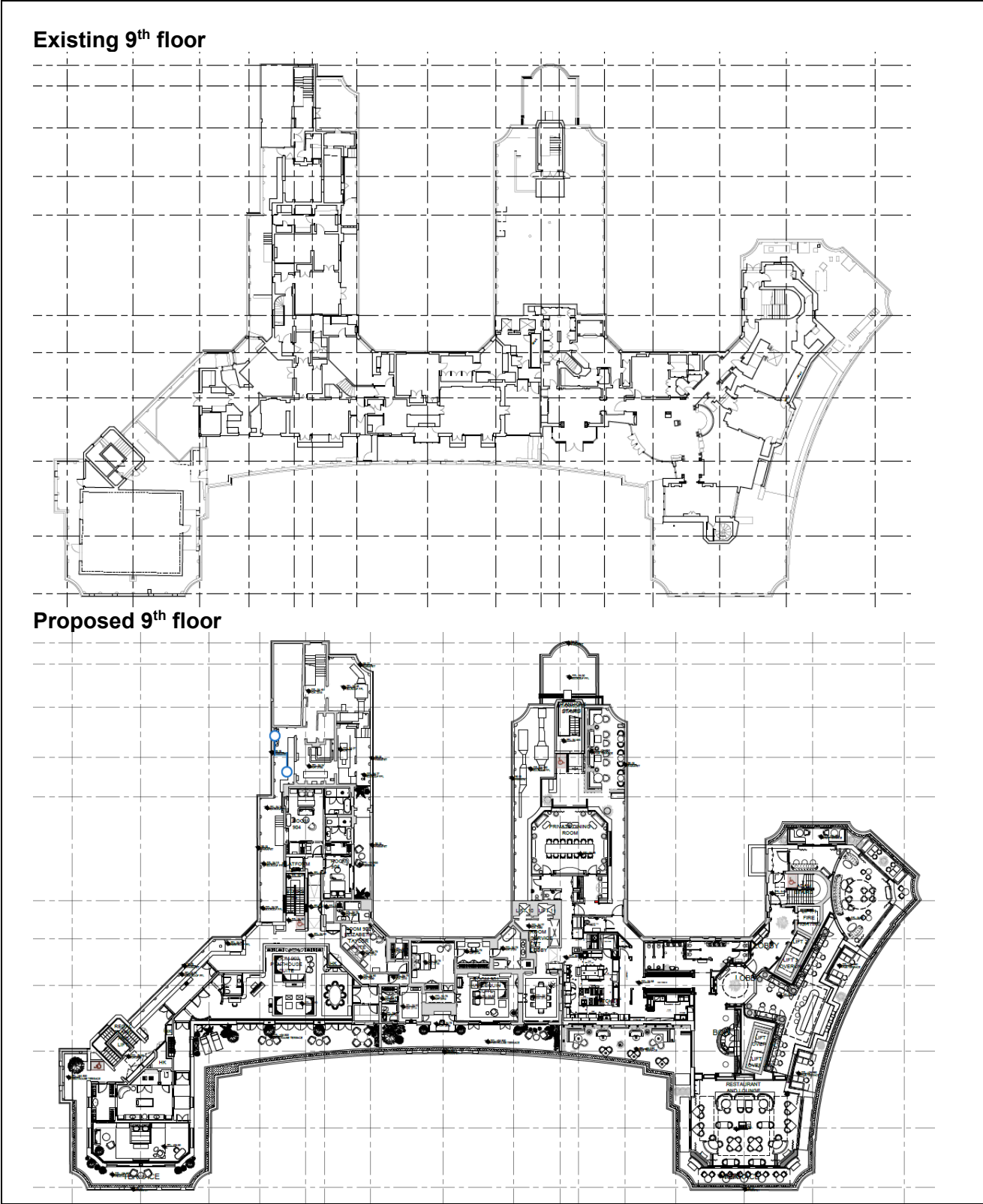
This report has considered the material planning issues associated with the proposed development in conjunction with all relevant national, regional and local planning policy. The concerns raised by The Royal Parks are noted and have been carefully assessed but it is considered that the impact on views from Hyde Park will not be adversely affected to a material extent. Having regard to this assessment, it has found that the proposed development is acceptable and the objection is not considered to be sustainable.

Accordingly, the proposed development would be consistent with the relevant policies in the City Plan 2019-2040, the London Plan 2021, the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is recommended that planning permission and listed building consent are granted, subject to the conditions listed at the end of this report.

(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

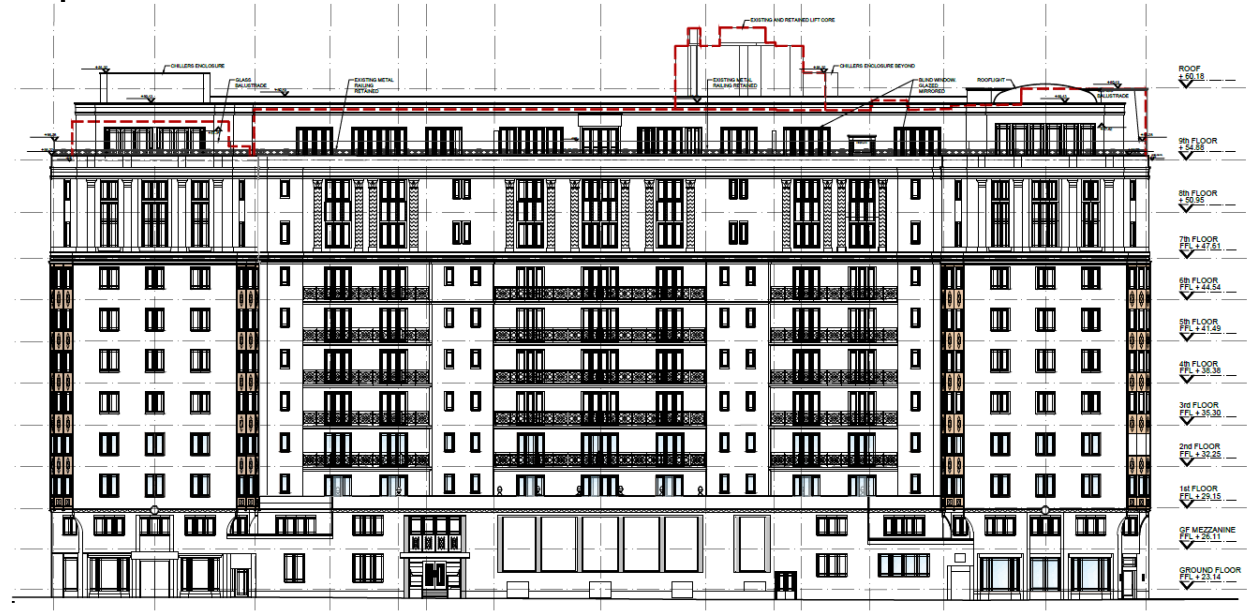
11. KEY DRAWINGS



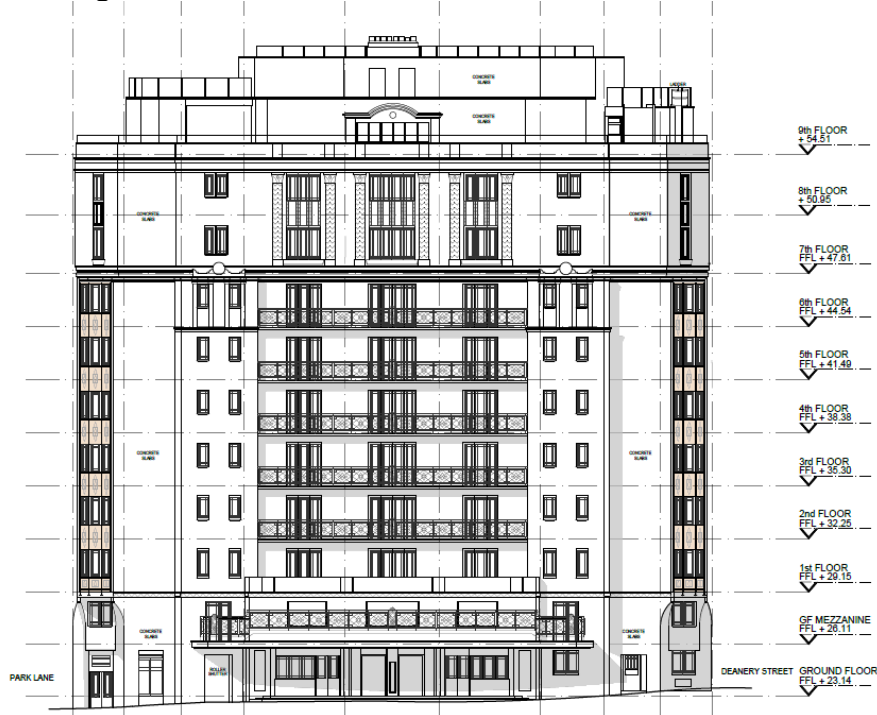
Existing west elevation



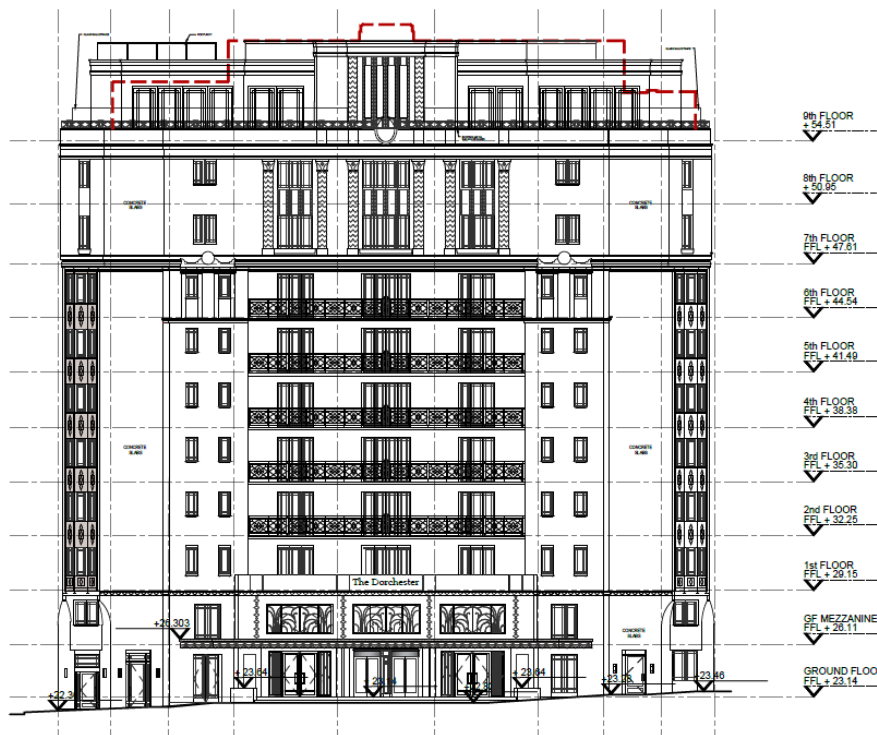
Proposed west elevation



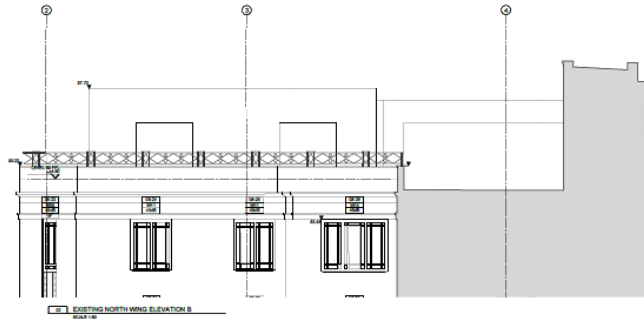
Existing south elevation



Proposed south elevation



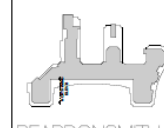
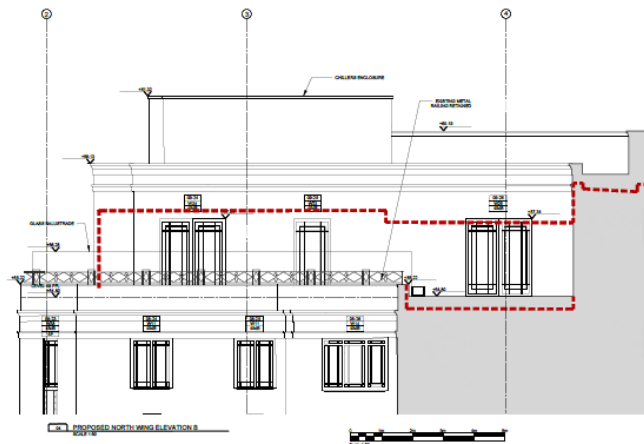
North wing side elevation, existing and proposed



Further information supplied by others. All dimensions and levels are to be checked in situ by contractors and subcontractors. Working dimensions to be given in parentheses and only the official dimensions to be used for construction. Dimensions and levels are given in millimetres unless otherwise stated. All dimensions are to be given in millimetres unless otherwise stated. All dimensions are to be given in millimetres unless otherwise stated. All dimensions are to be given in millimetres unless otherwise stated.

REV	REVISIONS	DATE	BY
01	PLANNING ISSUE	14.12.13	GP

PLANNING ISSUE



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020 7928 0800 www.reardonsmith.com

Client: THE DORCHESTER COLLECTION
Project: THE DORCHESTER HOTEL
Title: NORTH WING ELEVATION B
EXISTING
PROPOSED

Rev: 14.12.13 Date: 14.12.13 Drawn By: GP
No. 10133 Date: 14.12.13 Checked By: GP
Sheet: PL Drawing No: A-PL-169-200-13 Size: D1

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DRAFT DECISION LETTER - PLANNING

Address: Dorchester Hotel, 53 Park Lane, London, W1K 1QA,

Proposal: Partial demolition of the ninth floor and erection of single storey extensions to the south, north and east (rear) of the ninth floor, erection of new kitchen extract riser, replacement windows, together with replacement plant and equipment to the roof of the ninth floor, and other associated internal and external alterations; includes use of part of the perimeter area of the south-eastern area [opposite the junction with Tilney Street-Deanery Street] of the ninth floor roof as a terrace and use of part of the rear eastern ninth floor wing, parallel to Deanery Street, as a roof terrace, both terraces being used as additional restaurant seating ancillary to the hotel.

Reference: 22/08705/FULL

Plan Nos: TO BE ADDED

Case Officer: Paul Quayle

Direct Tel. No. 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 not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace. (C26NA)

Reason:

To protect the special architectural or historic interest of this 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 You must apply to us for approval of detailed drawings (scale 1:20 and 1:5) of the following parts of the development: , ,

- a) New doors,
- b) New windows,
- c) Balustrade.

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these drawings.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 5 Notwithstanding what is shown on the drawings, the riser shall be clad in artificial stone to match the material of the wall to which it is attached.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 6 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 protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 7 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 , onot 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)

- 8 (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 Environmental Supplementary Planning Document (February 2022), 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)

- 9 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 Environmental Supplementary Planning Document (February 2022). (R48AB)

- 10 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition(s) 8 of this permission. You must not start work on this part of the development until we have approved in writing what you have sent us. (C51AB)

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 Environmental Supplementary Planning Document (February 2022), 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)

- 11 You must install the acoustic attenuation measures/screening shown on the approved drawings before you use the machinery. You must then maintain the attenuation measures in the form shown for as long as the machinery remains in place. (C13DB)

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)

- 12 You must not play live or recorded music on the roof terraces at ninth floor level.

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)

- 13 The entertainment facilities at ninth floor level must be operated in accordance with the 'Management Statement The Dorchester Rooftop'. In particular the terraced areas must only be used by visitors and guests of the hotel between 07.00 and 23.00 hours and the bi-folding doors and skylights must be kept closed between 23.00 and 07.00 hours.

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)

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 When carrying out building work you must take appropriate steps to reduce noise and prevent nuisance from dust. The planning permission for the development may include specific conditions relating to noise control, hours of work and consideration to minimising noise and vibration from construction should be given at planning application stage. You may wish to contact to our Environmental Sciences Team (email: environmentalsciences2@westminster.gov.uk) to make sure that you meet all the requirements before you draw up contracts for demolition and building work. , , When a contractor is appointed they may also wish to make contact with the Environmental Sciences Team before starting work. The contractor can formally apply for consent for prior approval under Section 61, Control of Pollution Act 1974. Prior permission must be sought for all noisy demolition and construction activities outside of core hours on all sites. If no prior permission is sought where it is required the authority may serve a notice on the site/works setting conditions of permitted

work (Section 60, Control of Pollution Act 1974), , British Standard 5228:2014 'Code of practice for noise and vibration control on construction and open sites' has been recognised by Statutory Order as the accepted guidance for noise control during construction work., , An action in statutory nuisance can be brought by a member of the public even if the works are being carried out in accordance with a prior approval or a notice.

- 3 Condition 6 controls noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)

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

DRAFT DECISION LETTER – LISTED BUILDING

Address: Dorchester Hotel, 53 Park Lane, London, W1K 1QA,

Proposal: Partial demolition of the ninth floor and erection of single storey extensions to the south, north and east (rear) of the ninth floor, erection of new kitchen extract riser, replacement windows, together with replacement plant and equipment to the roof of the ninth floor, and other associated internal and external alterations. (Linked to 22/08705/FULL)

Reference: 22/08706/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 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)

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

Reason:

To protect the special architectural or historic interest of this 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 You must apply to us for approval of detailed drawings (scale 1:20 and 1:5) of the following parts of the development:

- a) New doors,
- b) New windows,
- c) Balustrade.

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these drawings.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 5 Notwithstanding what is shown on the drawings, the riser shall be clad in artificial stone to match the material of the wall to which it is attached.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 6 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 protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

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.