

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 11 May 2021	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved West End	
Subject of Report	14-16 Park Street, London, W1K 2HY		
Proposal	Use of basement, ground, 1st, 2nd and 3rd floors as a hotel (including conference and private dining facilities) (Class C1) and use of 4th and 5th floors as two self-contained flats (Class C3), re-configuration of steel staircase linking the basement to the pavement fronting Aldford Street, installation of 2x air condenser units in lower ground lightwell on Aldford Street elevation, and associated works.		
Agent	C2J Architects & Town Planners		
On behalf of	Buckingham Securities		
Registered Number	20/07652/FULL & 20/07653/LBC	Date amended/ completed	30 November 2020
Date Application Received	30 November 2020		
Historic Building Grade	Grade II Listed		
Conservation Area	Mayfair		

1. RECOMMENDATION

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

2. SUMMARY

The application site comprises two Grade II listed buildings located within the Mayfair Conservation Area. The site is within an area of mixed-use character within the Central Activities Zone (CAZ) and outside of the town centre hierarchy. The lawful use of these buildings is two large dwellinghouses (Class C3) that were completed in 2018 but have never been occupied.

Planning permission is sought to use both buildings as a hotel (including conference and private dining facilities) (Class C1) over basement to third floor level, to use the fourth and fifth floors as 2 x self-contained flats (Class C3) and to make some minor external alterations. Listed building consent is also sought to make a number of internal and external alterations.

The key issues for consideration are:

- The impact of the proposals on the special character of the listed buildings and the character and appearance of the Mayfair Conservation Area;
- Whether the hotel and conference element of the proposed development is acceptable outside of a commercial area of the CAZ and outside of the town centre hierarchy.
- Whether the loss of 1,346 sq.m of residential floorspace is acceptable.
- The impact of the proposed hotel use on the amenity of the neighbouring residential occupiers.

The loss of residential floorspace and the introduction of a hotel outside of a commercial area of the CAZ that is outside of the town centre hierarchy is contrary to some policies within the development plan. Overall, however, the development is considered to be acceptable in land use, amenity and transportation terms. Furthermore, the alterations to the buildings will preserve their special architectural and historic interest and not harm the character and appearance of the Mayfair Conservation Area.

3. LOCATION PLAN



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4. PHOTOGRAPHS



22 Apr 2021 at 18:50:13

5. CONSULTATIONS

MAYFAIR RESIDENTS' GROUP

Any response to be reported verbally.

RESIDENTS' SOCIETY OF MAYFAIR AND ST JAMES'S

Any response to be reported verbally.

HIGHWAYS PLANNING

No objection subject to conditions.

ENVIRONMENTAL SCIENCES

No objections subject to conditions following revisions (which overcame initial objections).

WASTE PROJECT OFFICER

Objection – drawings submitted do not label the indicated bins in line with Council waste and recycling storage guidance.

THAMES WATER

Comments provided and informative requested.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. consulted: 125

Objections received: 7

3 x Objections were received against the planning application.

4 x Objections were received against the listed building consent (two of these are the same comments from the same people who have commented on the planning application).

Objectors have raised some or all of the following concerns:

Land Use:

- Contrary to Council aims to protect and add to family accommodation.
- Applicant trying to circumvent Mayfair Neighbourhood Plan policies that protect residential.
- Success of returning these sites from office to residential in past should not be reversed.
- Dereliction of duty by the City Council should the loss of two houses be permitted.
- Would set an unacceptable precedent for loss of residential uses and in particular family homes.
- Proposed hotel facilities are far greater than would be needed for the number or rooms, implying greater use by more than just hotel guests.
- Retail (humidor shop) is proposed in the scheme, setting an unacceptable precedent for retail uses in area.
- This residential area not suitable for a hotel.

- Question viability of proposed use when other nearby applications state such a use is not viable.
- Question claims that housing in this location is not viable.
- Proposed flats are accessible only through the hotel and therefore the applicant clearly intends for these to form part of the hotel and, as such, all residential use would be lost.

Design and Conservation:

- Application detrimental to character of listed buildings.
- Application detrimental to setting of listed buildings.
- Application detrimental to the Mayfair Conservation Area.

Amenity

- Noise disturbance from use of terraces.
- Disturbance from visitors to hotel and its facilities.

Highways

- Traffic issues from visitors to hotel from lack of parking spaces.

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site comprises 14 and 16 Park Street, two Grade II listed buildings located in the Mayfair Conservation Area and the CAZ. The site is located outside of the town centre hierarchy (as defined within the City Plan) and is outside a Mayfair Shopping Frontage (as defined within the Mayfair Neighbourhood Plan). The site is located within West Mayfair for the purpose of Mayfair Neighbourhood Plan and within an area of mixed-use character.

Both properties comprise of lower ground, ground and five upper floors, with No. 14 being located on the corner of Park Street and Aldford Street.

Following permission being granted in July 2013 in respect to 14 Park Street and in November 2011 in respect to 16 Park Street, these buildings were extended and converted into two dwellinghouses (Class C3). These works were completed in 2018 but the applicant advises that they have never been let or sold despite extensive marketing and have therefore remained vacant. Despite never having been occupied as dwellings, both buildings afford the facilities required for day-to-day private domestic existence. All the relevant pre-commencement and pre-occupation conditions for each of these permissions have also all been approved by the City Council. On this basis, the advice from the Head of Legal Services is that both buildings are lawfully dwellinghouses (Class C3).

6.2 Recent Relevant History

14 Park Street:

11/09301/FULL

Planning permission granted for: "Alterations including infilling of rear lightwell at basement and ground floor levels, creation of roof terrace at rear first floor level and associated internal alterations at all levels in connection with the use of the property as a single family dwelling." This was subject to making a policy compliant financial contribution to the Affordable Housing Fund in lieu of affordable housing provision prior to the commencement of development. This payment was made on 31 March 2014.

Application Permitted 18 July 2013

11/09302/LBC

Listed building consent granted for: "Alterations including infilling of lightwells at basement and ground floor levels, creation of roof terrace at rear first floor and associated internal alterations at all levels in connection with the use of the property as a single family dwelling."

Application Permitted 18 July 2013

16 Park Street:

11/09304/FULL

Planning permission granted for: "Alterations including rear extension at basement level, creation of terrace at ground floor level and associated internal alterations in connection with use as single family dwelling."

Application Permitted 25 November 2011

11/09305/LBC

Listed building consent granted for: "Alterations including rear extension at basement level, creation of terrace at ground floor level and associated internal alterations in connection with use as single family dwelling."

Application Permitted 25 November 2011

7. THE PROPOSAL

Planning permission is sought to:

- Use the basemen to third floors of both buildings as a hotel (Class C1) containing a total of eight bedrooms/suites on the second and third floors, and facilities including conference rooms, private dining facilities and a cigar room, along with back of house facilities such as a the kitchen on the other lower floors.
- Use of the fourth and fifth floors of both buildings as two self-contained two-bedroom flats (Class C3), with each flat occupying one floor of both buildings.
- Re-configure the steel staircase linking the basement to the pavement fronting Aldford Street, install 2 x air condenser units in the lower ground lightwell on the Aldford Street elevation, and undertake associated works.

Listed building consent is also sought for the physical internal and external works to both buildings.

The floorspace figures for the proposal are shown in the table below:

	Existing GIA (sqm)	Proposed GIA (sqm)	+/- GIA (sqm)
Residential (Class C3)	1,691	345	-1,346
Hotel (Class C1)	0	1,346	+1,346
Total	1,691	1,691	0 (no change)

- No. 14 Park Street total floorspace: 926sqm (GIA)
- No. 16 Park Street total floorspace: 765sqm (GIA)

8. DETAILED CONSIDERATIONS

Policy Context

The application is required to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises the London Plan (adopted March 2021), the City Plan (adopted April 2021) and the Mayfair Neighbourhood Plan (adopted December 2019).

The NPPF is a material consideration in the determination of this application

8.1 Land Use

Replacement Residential Units and Loss of Residential Floorspace

The proposal will result in the loss of the two very large dwellinghouses that occupy the two buildings. Two more modestly sized two-bedroom flats (167 sq.m and 125 sq.m) are proposed to be re-provided at fourth and fifth floor levels.

Access to the two re-provided flats will be from ground floor entrance of No. 16 Park Street. Access would be by lift or via a shared staircase to third floor level and then a private staircase to the 4th and 5th floors. While the shared access via the staircase in No.16 is not ideal, it is a common arrangement within Westminster, especially in large historic buildings. These access arrangements are therefore acceptable.

The London Plan and Nationally Described Space Standards identify minimum space standard for dwellings of this nature (i.e. 2-bed, 4-person) as 70 sq.m. Both units comply with these standards and therefore comply with City Plan Policy 12(C). City Plan Policy 12(E) identifies that, where it is not practicable or appropriate to provide external amenity space for new homes, as would be considered the case on these two upper floors of a terrace, additional living space must be provided. The generous sizes of the flats proposed provide more than the required additional floorspace required under the policy (7 sq.m).

A number of objections have been received to the loss of residential use, floorspace, family sized housing and questions have been raised against the applicant's argument

that housing in this location is not viable. An objector argues that the success of returning these sites from partly commercial uses to residential in the past should not be reversed

The re-provision of the two residential units currently on site would mean that there would be no loss of residential units, in accordance with Mayfair Neighbourhood Plan Policy MRU 2.3. However, the replacement of two very large dwellinghouses with two smaller dwellings would result in a loss of 1,346 sq.m of residential floorspace. The failure to re-provide the same residential floorspace as existing is contrary to London Plan Policy H8(A) that states, '*Loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace*'. Density is measured by units per hectare, habitable rooms per hectare, bedrooms per hectare and bedspaces per hectare (London Plan Para. 3.3.22). With the exception of units per hectare, the proposed re-provided housing would be less dense than the existing housing on site.

The loss of residential floorspace is also partly contrary to City Plan Policy 8(C) that protects all existing residential units, uses, floorspace and land except in two circumstances which are not satisfied in this instance. Whilst the proposal will protect residential units, uses and land, there will be a loss of residential floorspace.

In respect to the loss of residential floorspace, the applicant argues (please see legal opinion dated 26 February 2012 in the background papers) that the two dwellings on site have never been occupied and therefore the proposal would not result in a true 'loss' of residential floorspace. Rather, the applicant argues, that carrying out the development proposal would lead to the 'loss of the opportunity' for this additional residential floorspace to be provided over and above that proposed in this application. The applicant accepts that this 'loss of opportunity' is material consideration in the assessment of the application. The applicant's argument in this respect are accepted by officers.

The applicant has submitted no evidence that there is no demand for this type of housing in this part of Westminster. Officers, therefore, do not accept that the dwellings on site could not be sold or let. However, the City Council cannot compel the applicant to let or sell the buildings if market conditions are not currently favourable. As such, if permission is not granted for this development proposal, there is a risk that the buildings may remain vacant in the short-to-medium term. This risk of continued vacancy, the fact that these residential units have never been occupied and therefore the reduction in residential floorspace represents a lost opportunity rather than a real loss, means that in this instance the policy conflict within London Plan Policy H8(A) and partial policy conflict with City Plan Policy 8(C) is considered to be acceptable.

There have been objections to the application on the ground that there would be a loss of 'family-sized' residential units (defined with the City Plan as a housing unit with between three and five bedrooms). City Plan Policy 10(B) requires 25% of new homes across Westminster to be family sized. However, the two flats proposed are not 'new' but 'replacement' residential units. Furthermore, whilst City Plan Policy 10(C) welcomes the conversion of purpose-built single-family homes into multiple family homes, it does not state that conversion to non-family sized homes is unacceptable. As such, there is no policy basis for resisting the replacement of family-sized residential units with non-family

sized residential units.

Finally, objectors have raised concern that, as the flats are accessed through the shared stairwell, it may be the intention of the hotel operator to assimilate the residential flats into the hotel operation. Such action would represent a change of use of the residential units which would require planning permission. As such, the objections do not represent sustainable grounds for refusing permission.

Proposed Hotel Use

The proposed hotel use will include eight guest suites across second and third floors, a lobby, concierge, lounge and dining facilities at ground floor level, conference and dining facilities at first floor and a communal gym, pool, lounge, humidor shop/bar and service areas including kitchen at basement level. The entrance and lobby will be via No.14, which has its door on Aldford Street. Two existing terraces will be able to be utilised by guests of the hotel, one at ground floor (the rear of No.16) and the other at first floor (the rear of No.14).

In respect to the character of the area surrounding the application site, Para. 4.2.6 of the Mayfair Neighbourhood Plan states, *'The Forum recognises West Mayfair as a location which is predominantly residential. Whilst there are important streets which are not predominantly residential within West Mayfair – such as Upper Brook Street which is almost entirely office, and **Park Street** and Upper Grosvenor Street where uses are genuinely mixed, the overall use and feel is in the main residential'* (emphasis added).

This assessment of Park Street as being genuinely mixed in terms of uses is considered to be correct. There is office accommodation located immediately adjacent to the site at No.18 Park Street and at the northern end of this terrace (No. 22 and No. 68 Mount Street). There are, however, flats opposite the site within Fountain House, a house is located immediately to the rear at No. 7 Aldford Street and to the north at No. 20 Park Street. Based on the definition of 'predominantly commercial neighbourhoods' within the City Plan, the area is not considered to be predominantly commercial but a mixed-use area.

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(D) also supports conference facilities within the CAZ, stating, *'The provision of high-quality convention facilities in and around the CAZ should be supported'*. 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'*. The small size of the proposal hotel is not considered to represent 'strategically-important' serviced accommodation.

Mayfair Neighbourhood Plan Policy MSG2(f) identifies West and Central Mayfair for mixed use and residential growth. Mayfair Neighbourhood Plan Policy MRU 1 requires proposals for new commercial or entertainment uses in Mayfair to demonstrate how they

protect the amenity of nearby residential units and create no material additional adverse effects (after mitigation) between 23.00 and 07.00.

There is therefore general support for conference facilities throughout the CAZ, mixed use development in this part of Mayfair and hotels in streets within the CAZ that are not wholly residential and within neighbourhoods within the CAZ that are not predominantly residential.

Given the site's location within a mixed-use area of the CAZ outside of the town centre hierarchy, however, the hotel and conference facility element of the proposed development is contrary to the spatial direction within City Plan Policy 15(G) that states, *'New hotels and conference facilities will be directed to: 1. commercial areas of the CAZ; and 2. town centres that are District Centres or higher in the town centre hierarchy'*. Whilst the policy does not go as far as to state that new hotel and conference facilities are **only** acceptable in commercial areas or District Centres and higher in the town centre hierarchy, the policy wording is clearly in favour of directly such uses towards these areas.

The supporting text for Policy 15 provides guidance on how proposals for new hotel and conference facilities will be assessed, stating that such assessment will, *'... take into account the site location, relationship to neighbouring uses, scale of accommodation and facilities proposed (the number of bedrooms and nature of other services the hotel offers), highways and parking. ... When located within heritage assets and where appropriate, development should better reveal the historic significance of the building'* (Para. 15.13). Para. 15.14 adds, *'There is a need to ensure a balance between hotel and residential uses so that they can all function well, while also ensuring a good quality of life for residents. Particularly large or intensively used hotels or conference facilities are often not compatible with predominantly residential streets, because the amount of activity they generate can cause amenity problems.'*

Local residents have objected to the proposal on this basis, arguing that the area surrounding the site is a residential area that is not suitable for a hotel.

In order to assess whether or not this breach in policy is fatal to the development proposal, it is necessary to consider the nature of the proposed hotel and the objections to the proposed use from neighbouring residents.

To this end, the application was accompanied by an Operational Management Plan (OMP). This covers a range of topics of the operation of the unit. The key points from this document are:

- The external terraces will only be open for use between 08:00 and 20:30.
- Visitor entry via No. 16 Park Street will be controlled by automated door entry between 23:00-07:00 to prevent casual entry.
- Staff access will be from Park Street.
- Access to the bar and restaurant will be solely for residents and their guests, or guests of pre-booked function. There will be no general access to the public.
- The bar and restaurant will be open between 07:00-23:00 Monday- Saturday,
- Leisure facilities provided at ground floor will be open to residents between 07:00 and 20:00.

- Deliveries and collection for the site will only take place between 07:00 and 09:00 and between 15:00 and 17:00 (Monday – Saturday).

The hours set out in the OMP for guests to access the two terrace areas are considered suitable given the proximity of residential uses (to the rear of the site, at No. 7 Aldford Street, opposite the site in Fountain House and across Aldford Street at No. 12 Park Street) and are recommended to be secured by condition. Equally, the use of the hotel facilities shall be restricted to residents and their guests, or guests of pre-booked functions as set out in the OMP so as to minimise disturbance to neighbouring residents.

Objectors have raised concerns regarding the impact on residential amenity as a result of the use of the terraces and from the increased visitors to the site. It is considered that the hours of use restriction condition set out above is sufficient to address this concern. The increase in visitors to the site is not considered likely to significantly impact the amenity of the area given the site's location in a mixed-use area, the hours of operation of the facilities of the restaurant provided by the applicant and the limited size of the hotel. These objections therefore cannot be upheld.

Objectors have raised concerns that the proposed facilities for the hotel (lounges, dining facilities, conference facilities, gym, pool and humidor shop/bar) are far greater than would be needed for the number of rooms within the hotel (eight) and that this implies a far greater use and impact than a regular hotel. While the range of facilities may be greater than expected from a standard hotel, the applicant is clear that the hotel is intended to provide a luxury environment for guests. As such it may be expected that a wider range of facilities may be provided as evidenced here. Given the detail set out in the applicant's OMP in that the facilities will only be accessible for residents and their guests, or guests of pre-booked function, it is not considered that the use will have significantly more impact than other hotels of a similar type. This aspect of the objections raised therefore cannot be upheld.

The proposed humidor shop/bar located at basement level has attracted objections on that ground that is a retail use proposed in the scheme, and thus would set and unacceptable precedent for retail uses to be established in area. This room is not a retail use within its own right and simply forms part of the offer of the hotel. There is therefore no retail use proposed in this location and no precedent would be set. This aspect of the objections is therefore unsustainable.

Whilst the hotel and conference facilities are contrary to the spatial direction within City Plan Policy 15(G), the proposed mixed-use development will secure a use for these vacant buildings. Furthermore, the small size of the proposed hotel and conference facility and the proposed tight controls over its operation as set out in the draft decision letter, means that the development is not considered to be harmful to the amenity of local residents or to the character and function of this part of the CAZ. Whilst the applications have attracted objections, none live in the immediate vicinity of the site. For these reasons, there are considered to be material considerations that warrant departing from the spatial direction within City Plan Policy 15(G) in this instance.

8.2 Townscape and Design

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

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that *"In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

Section 66 of the same Act requires that *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

Section 72 of the same Act requires that *"In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."*

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

14 and 16 Park Street are Grade II listed buildings located within the Mayfair Conservation Area to which they make a positive contribution. They are part of block built circa 1896-97 to design by Balfour and Turner. The Survey of London notes *"... The range is a good if subdued example of the firm's approach to speculative housing; the elevations, in red brick with stone dressings, assume a late Queen Anne manner, with bold chimneys, occasional gables, and strong bay windows at the corners of Aldford Street and Mount Street, though most of the sash windows are of a conventional Georgian type. The houses have two main rooms on a floor with spacious central staircases of wood, of which a good example survives at No. 14... Inside the houses in Park Street, other architects and decorators were naturally involved. Of several interesting interiors those at No. 14 Park Street, where rich plasterwork in the drawing-room was perhaps due to H. C. Boyes, the first occupant's architect, may be singled out; this house has a lengthy single-storey extension along Aldford Street, converted into a single board room in about 1936. All the houses here are now at least in part used as offices."*

Since the Survey of London studied the buildings, they have been converted back to residential use retaining many features of special interest including those mentioned in the Survey.

The main areas of alteration are at basement level and on the top floors. These areas of both buildings have been subjected to the most alteration in the past and the further changes now proposed will have minimal impact on the special interest of the buildings.

A key feature of No. 16 affected by the proposals is the rear ground floor room in which partitions will be erected to provide a WC. The room is currently fitted out as a kitchen

and the WC will replace modern larder cupboards and an area of dropped-ceiling. The fine chimneypiece on the opposite wall will be unaffected by the alteration, and the removal of the incongruous kitchen fittings will be a benefit.

Another feature of No. 16 affected by the proposals is the secondary staircase which it is proposed to demolish at fourth floor level. This is unnecessarily harmful to the building's special interest and must be omitted. This may be secured by condition.

A key feature of No. 14 affected by the alterations is the secondary staircase which is to be closed-off and partly adapted to form a cupboard. This is undesirable but, in the overall context of the scheme, acceptable and at fifth floor level the staircase is entirely modern.

The principal benefit of the scheme, in heritage asset terms, is the public access that it will allow to the rooms of greatest architectural significance at ground and first floor levels. Whilst not 'public' in the same way as, say, a museum, the rooms would be more accessible than if still within a private house, and their proposed use is complementary to their original design.

Externally, there are minor changes to the modern metal steps from the street to the basement lightwell in Aldford Street and mechanical plant in the lightwell. There appears to be an existing pergola is to be erected at the eastern end of the Aldford Street lightwell, although the drawings are unclear on this point. Nevertheless, its retention is acceptable, as are the mechanical plant and the changes to the metal steps.

On the roof of the rear wing facing Aldford Street a terrace area is proposed. This is acceptable subject to conditions to prevent visual clutter that would detract from the appearance of the building and surrounding conservation area.

Objectors have raised concern that the proposals are detrimental to character of the listed buildings, the setting of listed buildings, and also detrimental to the Mayfair Conservation Area. Officers do not agree with these views and, subject to omission of the staircase demolition and with matters of detail reserved by condition, the proposal is acceptable in heritage asset terms, mindful of Westminster City Plan 2019-2040 Policies 38, 39 and 40, the Mayfair Neighbourhood Plan Policies MD1, MD2, MD3 and MD, and the City Council's 'Repairs and Alterations to Listed Buildings' supplementary planning guidance. Therefore, a recommendation to grant conditional permission and consent would be compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8.3 Residential Amenity

Kitchen Extract and Discharge

The originally submitted scheme included an extract system which was proposed to discharge at basement level into the lightwell on Aldford Street which would serve the restaurant for the hotel. Given that there are residents within close proximity directly across Aldford Street and next door at No. 7 Aldford Street, this arrangement of extract mechanism is considered to be unacceptable on the advice from colleagues in Environmental Sciences.

Following these comments and as the building is not suitable to host a full height extract duct, the applicant has revised the scheme to omit the low-level discharge and instead provide an internal recirculation system. The Environmental Sciences Officer has confirmed that this revised arrangement is suitable subject to the inclusion of conditions controlling the cooking equipment and nature of fuel (to ensure it is compliant with the system) and prohibiting external discharge of fumes. The revised proposal is therefore considered to be compliant with City Plan Policy 33(D).

Mechanical Plant and Equipment

The proposals include the installation of two air conditioning units at basement level in the lightwell on Aldford Street. An acoustic report has been submitted in support of this aspect of the proposals which has been assessed by Environmental Sciences. It has been confirmed that the units are likely to comply with policy in respect to noise and vibration. A supplementary acoustic report is recommended to be secured by condition to ensure compliance with City Plan Policy 22(C).

To ensure the environment of the flats on the fourth and fifth floor are protected, the Environmental Sciences Officer has recommended a condition be applied to ensure noise from internal activity from within the hotel does not exceed policy levels.

8.4 **Transportation/Parking**

Trip Generation and Servicing

The Highways Planning Manager notes that the Transport Statement submitted with the application estimates that there would be some 12 delivery trips per day. He considers that this seems quite high, given the size of the development, but these could be accommodated given the amount of single yellow line in the immediate vicinity and what the occupancy surveys show about the number of parking bays that are usually available. As such, he has no objection to the servicing aspect of the proposed use.

Objectors have raised concerns regarding increased traffic issues from visitors to the hotel as a result of the current lack of parking spaces. The Highways Planning Manager advises that it is not anticipated that any increased trip generation from the hotel will have a significant impact due to the excellent public transport connections and existing provision of suitable drop off locations in the vicinity and as such this objection cannot be upheld.

Car Parking

The lack of car parking for the hotel and residential units is policy compliant.
The

With regards to the proposed hotel, the Highways Planning Manager has noted that should residents stay for 90 days or more, there may be a possibility that parking permits could be sought and issued. This would result in an unacceptable increase in parking pressure in the surrounding area and as such, has recommended that a condition limiting the maximum stay for guest to 89 days be applied.

Cycle Parking

The provision of 6 cycle storage spaces located in a vault at basement level (on the Aldford Street elevation) is policy compliant.

8.5 **Economic Considerations**

Any economic benefits derived from the additional visitor accommodation is welcome.

8.6 **Access**

Access to the site will remain unchanged overall as a result of the proposals. The two flats on the upper floors will be accessed from the door and stairs at 16 Park Street, while the hotel will be accessed from No. 14.

8.7 **Other UDP/Westminster Policy Considerations**

Refuse /Recycling

The Waste Project Officer has assessed the application and raised objection on the grounds that the submitted plans do not show details for waste storage which are in line with Council requirements. While bins are shown on the submitted basement drawing, these are not labelled with the various waste streams or to differentiate between the commercial and residential stores. These details shall be secured by condition.

8.8 **Neighbourhood Plans**

The Mayfair Neighbourhood Plan includes policies on a range of matters including character, heritage, community uses, retail, offices, housing, cultural uses, transport and the environment. It has been through independent examination and supported at referendum on 31 October 2019, and therefore now forms part of Westminster's statutory development plan. It will be used alongside the council's own planning documents and the Mayor's London Plan in determining planning applications in the Mayfair Neighbourhood Area. Where any matters relevant to the application subject of this report are directly affected by the policies contained within the neighbourhood plan, these are discussed elsewhere in this report.

8.9 **London Plan**

This application raises no strategic issues.

8.10 **National Policy/Guidance Considerations**

The policies referred to above post-date the NPPF and are therefore in full compliance.

No pre-commencement conditions are required for this application.

8.11 Planning Obligations

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

8.12 Environmental Impact Assessment

Not applicable.

8.13 Other Issues

Thames Water

Thames Water, whilst not objecting to the proposals, have made comments regarding water construction details and water pressure. These matters will be dealt with by way of informatives, as appropriate.

Viability of Hotel Use

Objectors have questioned the viability of the proposed hotel in light of there being a nearby application which involved the loss of a similar style hotel. In that application the relevant applicant is arguing that such a use is not viable, and objectors raise concern that such different approaches in close proximity cannot be correct. While the point is noted, the City Council must consider each application on its own merits and there are likely to be site-specific issues that impact upon viability. To be pursuing this development proposal, the application must consider it to be a viable development. There are not reasons for officers to suspect otherwise.

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

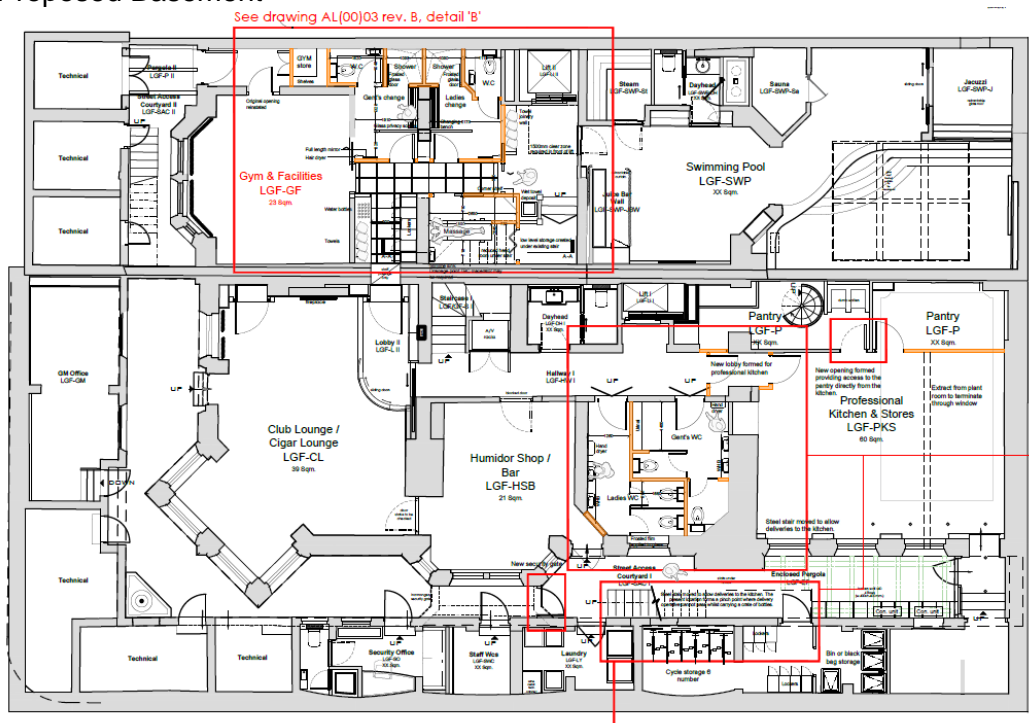
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MARK HOLLINGTON BY EMAIL AT mhollington2@westminster.gov.uk

9. KEY DRAWINGS

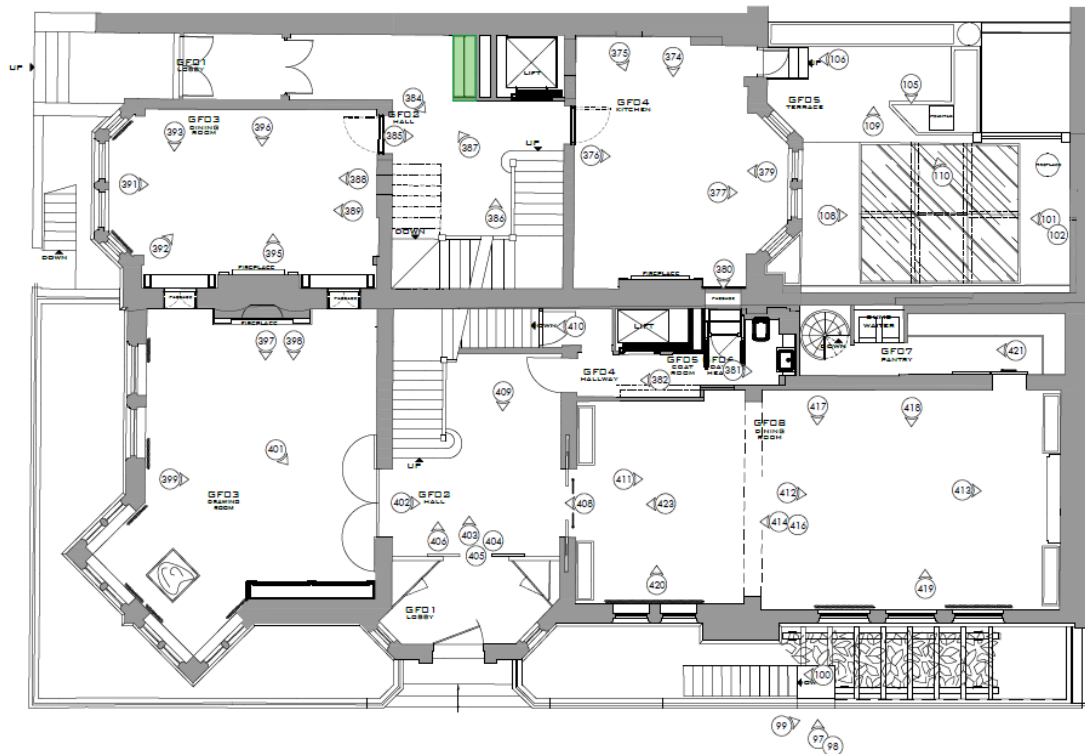
Existing Basement



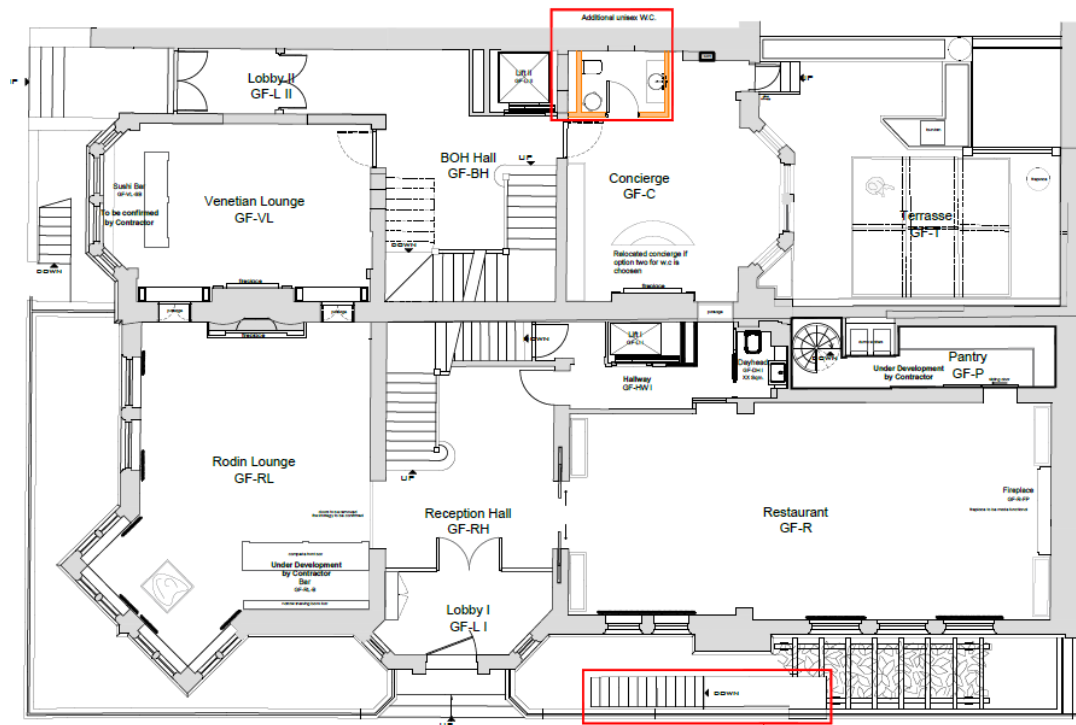
Proposed Basement



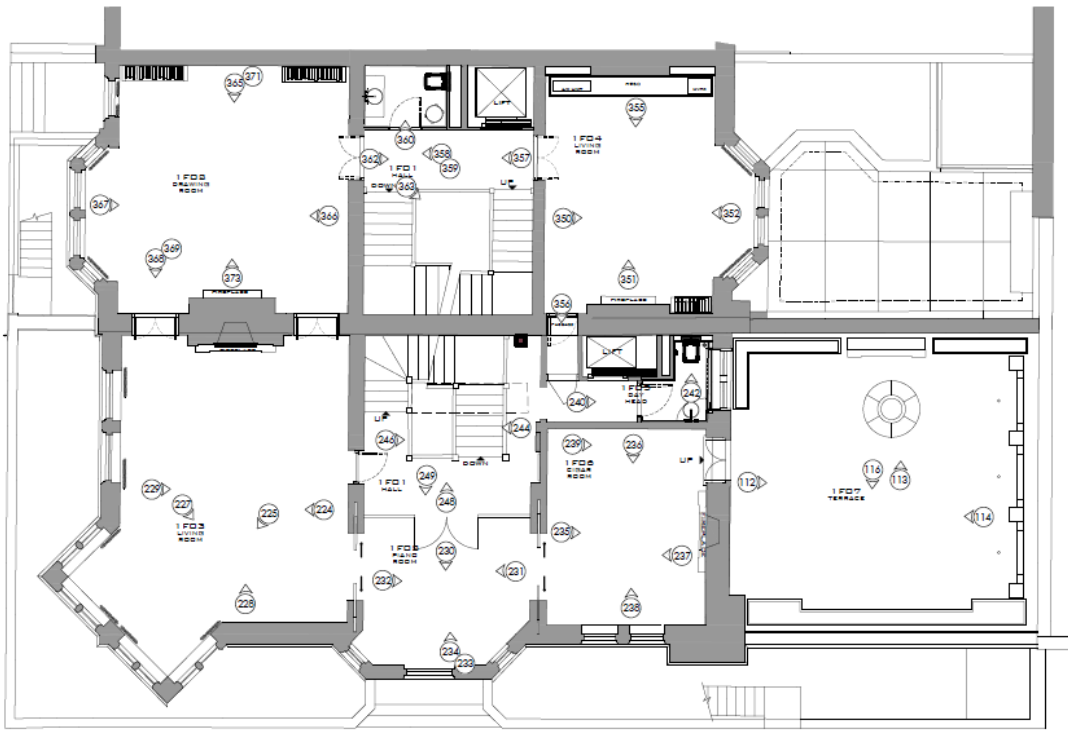
Existing Ground



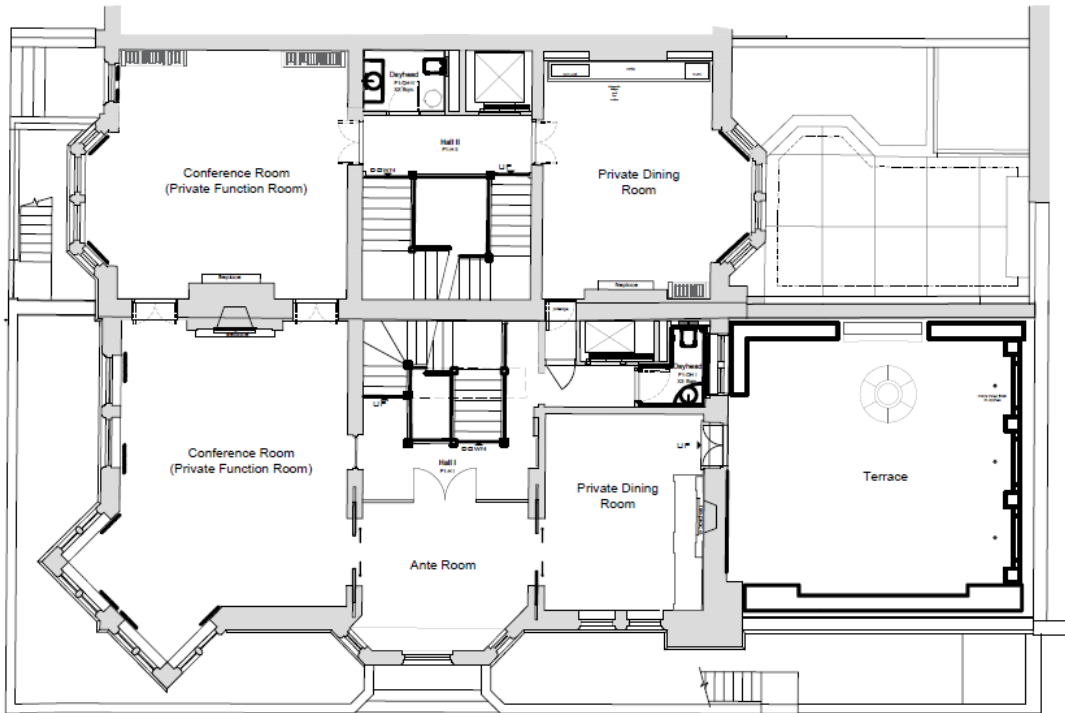
Proposed Ground



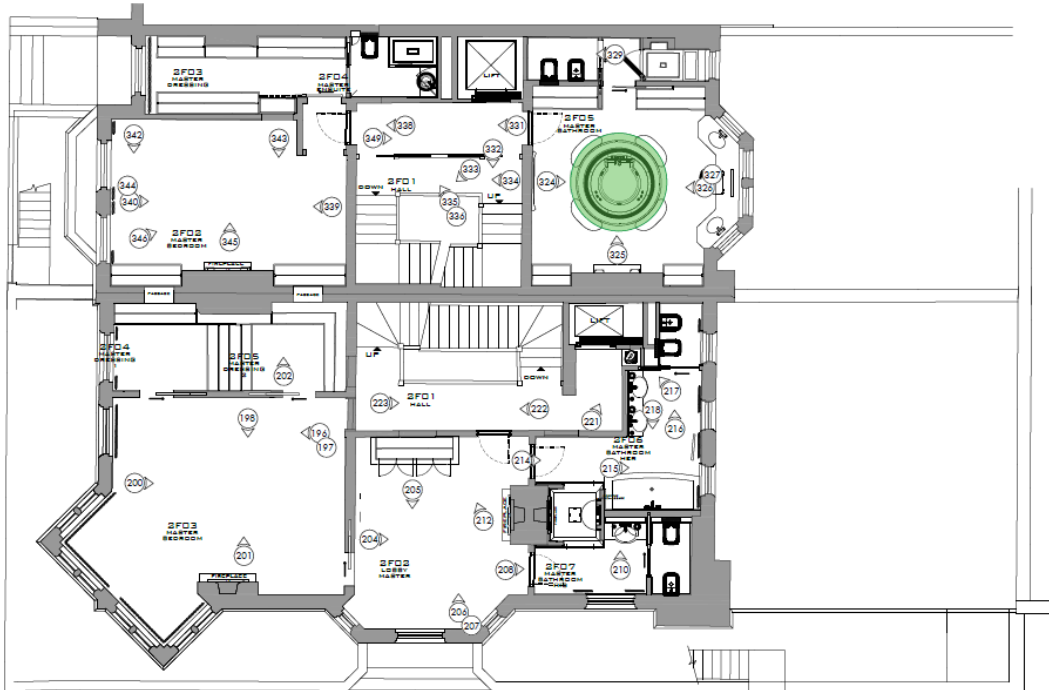
Existing First



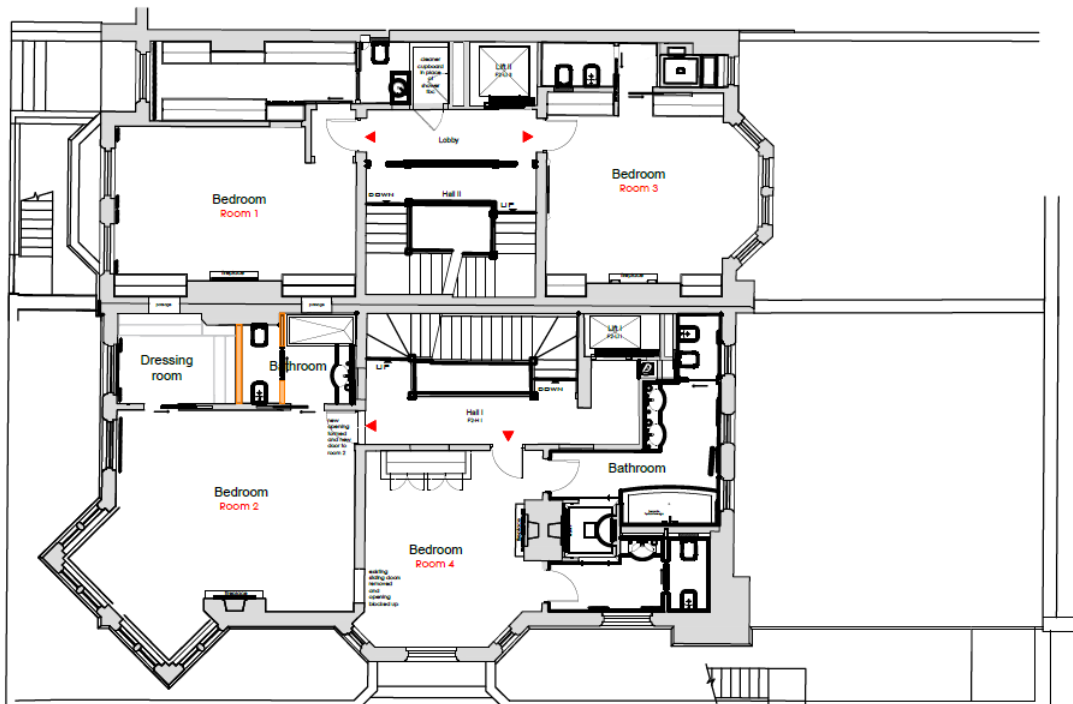
Proposed First



Existing Second



Proposed Second



The floor plan shows the 4th floor with the following rooms and call points:

- Top Left:** 4FD2 GUEST BEDROOM (271, 272, 273, 274, 275, 268, 269, 270), 4FD2 GUEST BATHROOM (276, 277, 278).
- Top Center:** 4FD1 HALL (279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000).
- Top Right:** 4FD3 GUEST BEDROOM (281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334,

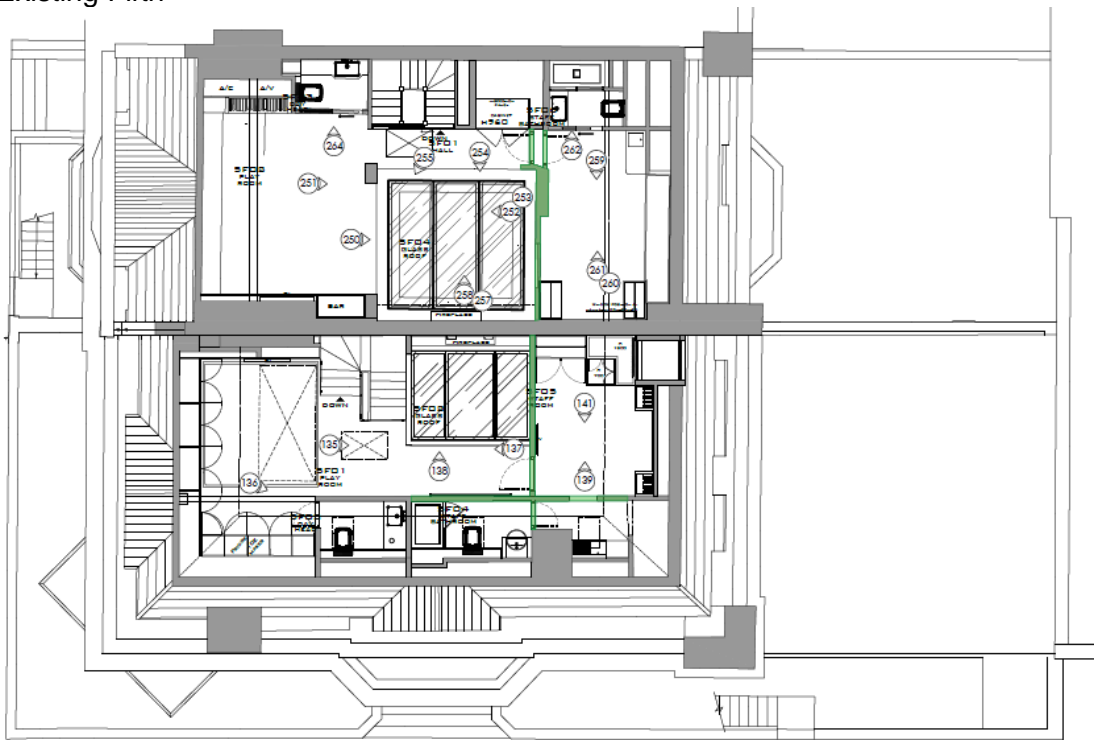
Legend:

- Area of Existing Building to be Retained (Yellow)
- Area of Existing Building to be Altered (Cyan)

Rooms and Features:

- Kitchen
- Dining Room
- Living Room
- Bedroom 1
- Bedroom 2
- Bathroom
- Hall I (Entrance)
- Hall II (Entrance)
- Apartment Entrance
- Costs Cupboard (Built above lower stair treads)
- United Stair Case (Left Unchanged)
- Lift I (Access)
- Lift II (Access)
- Existing Lift Shaft (Retained but not accessed)

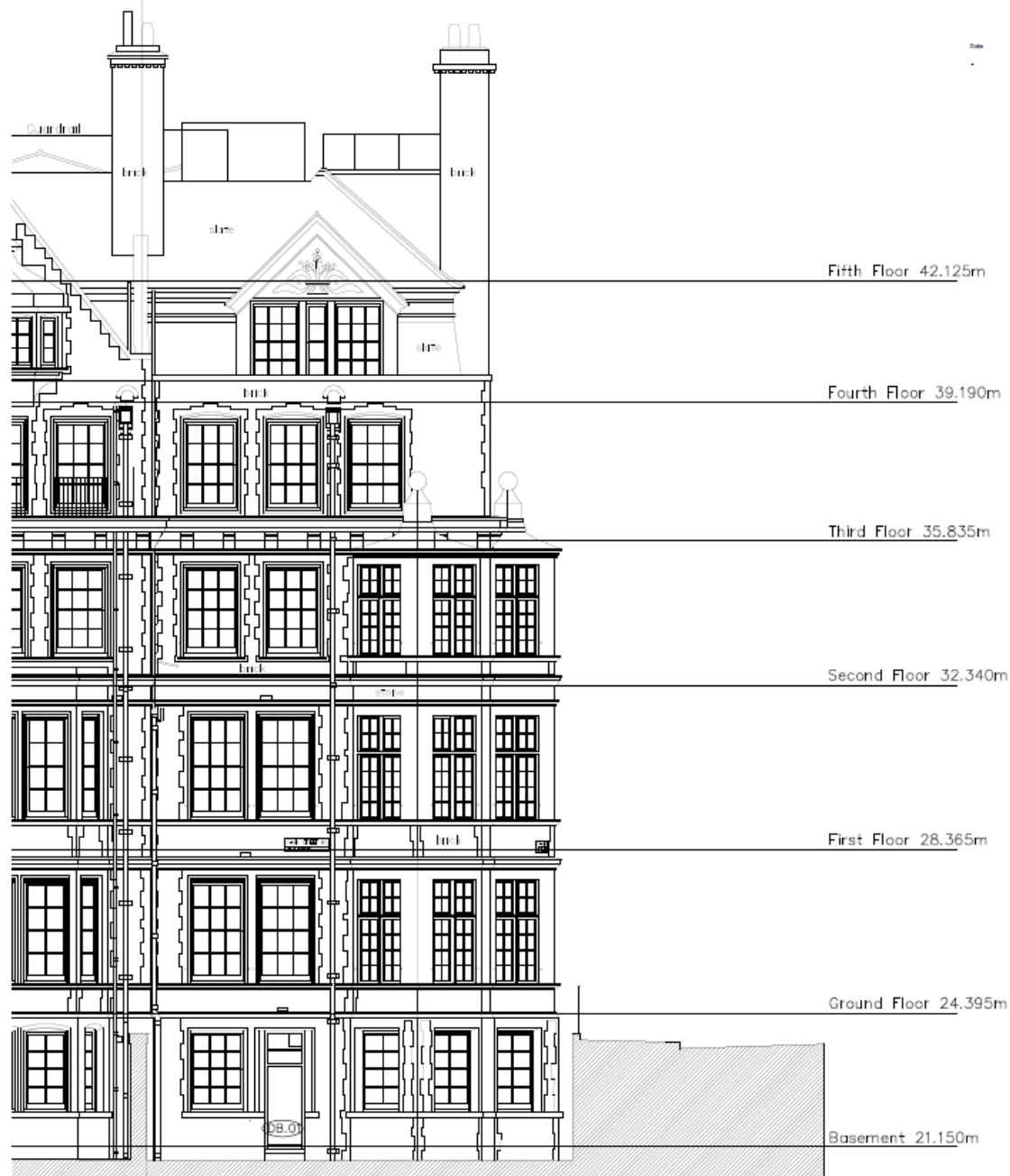
Existing Fifth



Proposed Fifth



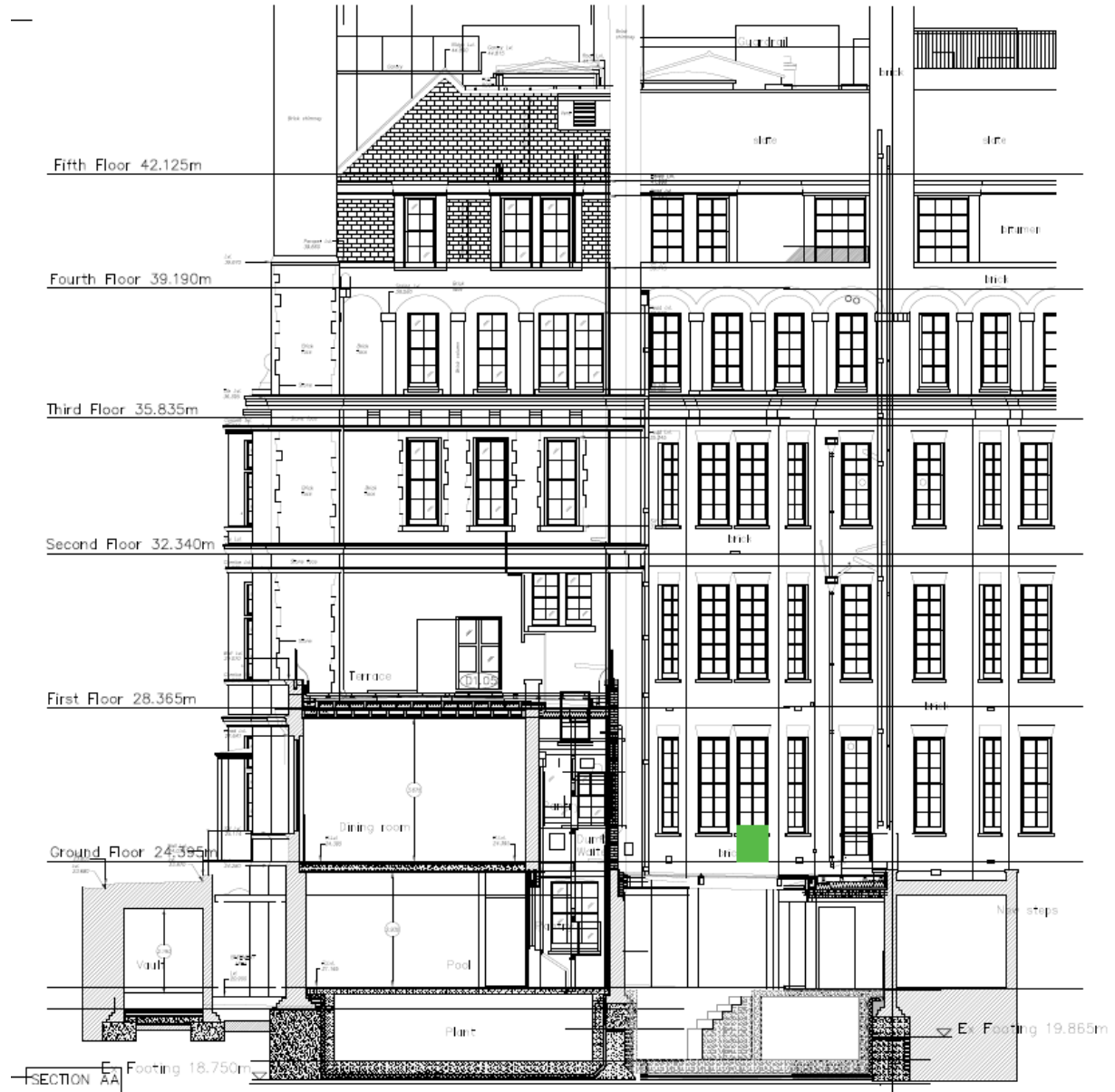
Existing/Proposed Park St Elevation (no change)



Existing/Proposed Aldford St Elevation (no change)



Existing/Proposed Rear Elevation/Section (no change)



DRAFT DECISION LETTER

Address: 14-16 Park Street, London, W1K 2HY

Proposal: Use of basement, ground, 1st, 2nd and 3rd floors as a hotel (including conference and private dining facilities) (Class C1) and use of 4th and 5th floors as two self-contained flats (Class C3), re-configuration of steel staircase linking the basement to the pavement fronting Aldford Street, installation of 2x air condenser units in lower ground lightwell on Aldford Street elevation, and associated works.

Reference: 20/07652/FULL

Plan Nos: AL(00)03 Rev. C ; AL(00)01 Rev. G ; AL(00)02 Rev. C ; AL(PL)13 Rev. C ; AL(PL)14 Rev. D ; AL(PL)15 Rev. D ; AL(PL)16 Rev. A ; AL(PL)17 ; AL(PL)18 Rev. C ; AL(PL)19 ; AL(PL)20 Rev. C

Case Officer: Adam Jones

Direct Tel. No. 020 7641
07779431391

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 Mayfair 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 detailed drawings of following parts of the development:
1) The Aldford Street lightwell external metal stairs.

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

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 Mayfair 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 paint all new outside rainwater and soil pipes black and keep them that colour. (C26EA)

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 Mayfair 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 not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building unless they are shown on the approved drawings. (C26KA)

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 Mayfair Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 7 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 Mayfair Conservation Area. This is as set out in

Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 8 The two external terraces may only be used by residents of the hotel and their guests, or guests of a pre-booked function held at the hotel, between the hours of 08:00-20:30 daily.

Reason:

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

- 9 Access to the hotel facilities (for example but not limited to the bar, restaurant, gym/spa, conference facilities etc.) will be solely for residents and their guests, or guests of a pre-booked function held at the hotel. There will be no general access to the public.

Reason:

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

- 10 Deliveries and servicing for the hotel use will only be between 07:00-09:00 and 15:00-17:00 Monday - Saturday.

Reason:

To make sure that the use will not cause nuisance for people in the area, as set out Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021) and to avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in Policy 29 of the City Plan 2019 - 2040 (April 2021).

- 11 The maximum length of stay for any guest staying in the extension to the hotel (Class C1) shall not exceed 89 days.

Reason:

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

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

Reason:

To provide cycle parking spaces for people using the development in accordance with Policy 25 of the City Plan 2019 - 2040 (April 2021). (R22FB)

- 13 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at

a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm and shall be representative of the plant operating at its maximum.

- (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm and shall be representative of the plant operating at its maximum.
- (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for written approval by the City Council. Your submission of a noise report must include:
- (a) A schedule of all plant and equipment that formed part of this application;
 - (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
 - (c) Manufacturer specifications of sound emissions in octave or third octave detail;
 - (d) The location of most affected noise sensitive receptor location and the most affected window of it;
 - (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
 - (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
 - (g) The lowest existing LA90, 15 mins measurement recorded under (f) above;
 - (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
 - (i) The proposed maximum noise level to be emitted by the plant and equipment. (C46AC)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Noise Technical Guidance Note (November 2019), 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)

- 14 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property. (C48AB)

Reason:

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

- 15 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 13 and 14 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 draft Noise Technical Guidance Note (November 2019), 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)

- 16 (1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the IN; use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm,, and shall be representative of the activity operating at its noisiest.
- (2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within the IN; use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest.
- (3) Following completion of the development, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report including a proposed fixed noise level for written approval by the City Council. Your submission of a noise report must include:
- (a) The location of most affected noise sensitive receptor location and the most affected window

- of it;
- (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
 - (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
 - (d) The lowest existing LA90, 15 mins measurement recorded under (c) above;
 - (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;
 - (f) The proposed maximum noise level to be emitted by the activity. (C47AC)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Noise Technical Guidance Note (November 2019), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R47AC)

- 17 The kitchen extract ventilation for the removal of cooking fumes and odours shall consist only of a recirculation system such that the cooking fumes will not be directly discharged externally and where:
- i. All cookline equipment shall operate by electricity only,
 - ii. All cookline equipment shall be placed under the recirculation canopy, and
 - iii. Prominent signage shall be placed on the recirculation equipment in the kitchen stating no combustible fuel such as gas, charcoal, wood etc. can be utilised within the kitchen.

This arrangement shall remain in situ and remain operational for the life of the development.

Reason:

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

- 18 You must apply to us for approval of details of how waste is to be stored on site for the hotel use hereby approved. You must not commence the hotel use until we have approved in writing what you have sent us. You must then provide and permanently retain the waste store in accordance with the approved details and clearly mark it and make it available at all times to everyone using the hotel. You must not use the waste store for any other purpose.

Reason:

To protect the environment and provide suitable storage for waste as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14BE)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, the City Plan 2019 - 2040: Intend to Adopt version (March 2021), neighbourhood plan (where relevant), supplementary planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 In relation to condition 9, the reference to "hotel facilities" includes all the facilities offered at the hotel such as, but not limited to, the bar, restaurant, gym/spa, conference facilities etc.. Should the facilities shown on the approved drawings evolve in their function over time, condition 9 shall still apply to these.
- 3 Conditions 13, 14 and 15 control 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. (182AA)
- 4 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (including date decision and planning reference number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 5 With regards to condition 17:
 - The general ventilation within the kitchen must be designed to achieve an ambient temperature of not more than 25 centigrade and provide sufficient air changes within the workspace in accordance with Building & Engineering Services Association (BESA) guidance DW172-2018.
 - If there is any intention in the future to utilise combustible fuel within the premises than approval must first be sought on an alternative to the recirculation system via a new planning application and listed building consent (as appropriate). Such applications must submit details of extraction which shall consist of a system discharging at 'full height' of the building housing the commercial kitchen and which is also higher than any buildings within 20m of the discharge point.
- 6 You must register your food business with the Council, please use the following link: www.westminster.gov.uk/registration-food-business. Please email the Environmental Health Consultation Team (Regulatory Support Team 2) at ehconsultationteam@westminster.gov.uk for advice on meeting our standards on ventilation and other equipment. Under environmental health legislation we may ask you to carry out other work if your business causes noise, smells or other types of nuisance.

- 7 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 and to apply online please visit www.westminster.gov.uk/suspensions-dispensations-and-skips.
- 8 Under the Greater London Council (General Powers) Act 1973, as amended by the Deregulation Act 2015, you need planning permission to use residential premises as 'temporary sleeping accommodation' (i.e. where the accommodation is occupied by the same person or persons for less than 90 consecutive nights) unless the following two conditions are met:
1. The number of nights in any single calendar year in which the property is used to provide 'temporary sleeping accommodation' does not exceed 90 [ninety].
 2. The person who provides the sleeping accommodation pays council tax in respect of the premises under Part 1 of the Local Government Finance Act 1992 (where more than one person provides the sleeping accommodation, at least one of those persons must pay council tax in respect of the premises).

This applies to both new and existing residential accommodation. Please see our website for more information: www.westminster.gov.uk/short-term-lets.

Also, under Section 5 of the Greater London Council (General Powers) Act 1984 you cannot use the property for any period as a time-share (that is, where any person is given a right to occupy all or part of a flat or house for a specified week, or other period, each year).

- 9 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. For further information on how to make an application and to read our guidelines on street naming and numbering, please visit our website: www.westminster.gov.uk/street-naming-numbering (I54AB)
- 10 We recommend all hoteliers to join the Westminster Considerate Hoteliers scheme and to support the Considerate Hoteliers Environmental Charter. This aims to promote good environmental practice in developing and managing hotels. For more information, please contact:
- Considerate Group
2 Eastbourne Terrace,
London
W2 6LG
E-mail: jk@considerategroup.com
Phone: 020 3865 2052
- 11 The term 'clearly mark' in condition 18 means marked by a permanent wall notice or floor markings, or both.

Our waste storage requirements guide, which outline the council's requirements and give examples of suitable waste management equipment, is available at the following link:
<https://www.westminster.gov.uk/recycling-and-rubbish/recycling-and-reusing/waste-storage-planning-advice>

- 12 Please contact Thames Water with any questions or concerns regarding discharge of waste water or sewerage from the site.

Should there be the intention as part of these proposals to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality

- 13 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: www.westminster.gov.uk/cil

Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**

CIL forms are available from the planning on the planning portal:
www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

Forms can be submitted to CIL@Westminster.gov.uk

Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.

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

Address: 14-16 Park Street, London, W1K 2HY,

Proposal: Re-configuration of steel staircase linking the basement to the pavement fronting Aldford Street, installation of 2x AC condenser units in lower ground lightwell on Aldford Street elevation, internal alterations at all floors, and associated works. [Site includes 14 and 16 Park Street]

Plan Nos: Existing/Demolition Drawings:
AL(PL)01 Rev. A ;

Proposed Drawings:
AL(00)03 Rev. C ; AL(00)01 Rev. G ; AL(00)02 Rev. C ; AL(PL)13 Rev. C ;
AL(PL)14 Rev. D ; AL(PL)15 Rev. D ; AL(PL)16 Rev. A ; AL(PL)17 ; AL(PL)18 Rev. C ; AL(PL)19 ; AL(PL)20 Rev. C

Case Officer: Adam Jones

Direct Tel. No. 07779431391

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

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

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

- 4 All new outside rainwater and soil pipes must be made out of metal and painted black.
(C27HA)

Reason:

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

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

Reason:

To protect the special architectural or historic interest of this 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)

- 6 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:

1) the retention in its entirety and without alteration of the secondary staircase in No.16.

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

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

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

1) All new internal doors, and

2) The enclosure/cupboard to the secondary staircase in No.14.

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

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)

- 8 You must apply to us for approval of samples, specifications, and colours of the following parts of the development:

1) All new internal floor finishes, and

2) Internal decorative schemes for all rooms at Ground and First Floor levels and to the entirety

of both main staircases.

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

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

- 9 You must apply to us for approval of detailed drawings of following parts of the development:
1) The Aldford Street lightwell external metal stairs.

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

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)

- 10 You must apply to us for approval of detailed drawings (scale 1:20 and 1:5) of following parts of the development:
1) Any new plant approved and its associated ventilation, ductwork and services within the building and their impact on the special interest on the listed building and its fabric.

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

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

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 decided that the proposed works would not harm the special architectural and

historic interest of this listed building.

In reaching this decision the following were of particular relevance:

Policies 38, 39 and 40 of the City Plan 2019 - 2040 adopted in April 2021 and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:

- * any extra work which is necessary after further assessments of the building's condition;
- * stripping out or structural investigations; and
- * any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents.

It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)