

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved St James's	
Subject of Report	The Ritz Hotel, 150 - 156 Piccadilly, London, W1J 9BR		
Proposal	Alterations and extensions to the Ritz hotel at roof level and on the site of 22 Arlington Street comprising an extension of five basements, lower ground, ground, mezzanine and seven upper floors to provide additional hotel floorspace including new hotel rooms/suites, entrances on Arlington Street, arrival and drop off facilities, changes to the servicing and refuse facilities, car and cycle parking, plant, associated hotel facilities and upgrades and all necessary works, including demolition, enabling, highways and other ancillary works.		
Agent	DP9		
On behalf of	The Ritz Hotel (London) Limited		
Registered Number	21/02959/FULL 21/02960/LBC	Date amended/ completed	4 May 2021
Date Application Received	4 May 2021		
Historic Building Grade	Ritz Hotel – Grade II* William Kent House – Grade II* 22 Arlington Street - unlisted		
Conservation Area	St James's		

1. RECOMMENDATION

1. Grant conditional permission and conditional listed building consent subject to the completion of a S106 legal agreement to secure:
 - i. Employment and Skills Plan including operational phase employment targets and a Financial Contribution of £188,911.40 to support the Westminster Employment Service (index linked and payable on commencement of development).
 - ii. Highway works including repaving, highway reinstatement and making good of dropped kerbs to site frontage along Arlington Street.
 - iii. Carbon-off set payment of £509,352.
 - iv. Financial contribution of £10,000 for replacement tree planting.
 - v. Monitoring costs.

2. If the legal agreement has not been completed within six weeks of the date of the Committee resolution, then:

a) The Director of Place Shaping and Town Planning shall consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this is possible and appropriate, the Director of Place Shaping and Town Planning is authorised to determine and issue such a decision under Delegated Powers; however, if not

b) The Director of Place Shaping and Town Planning shall consider whether permission should be refused on the grounds that it has not proved possible to complete an agreement within the appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Director of Place Shaping and Town Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

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

2. SUMMARY

The Ritz is a long established, world renowned, Grade II* listed hotel. To the rear at 22 Arlington Street is William Kent House, which is also Grade II* listed and the former Eagle Star House a 1970's office building which is currently being demolished. They all lie within the St James's Conservation Area.

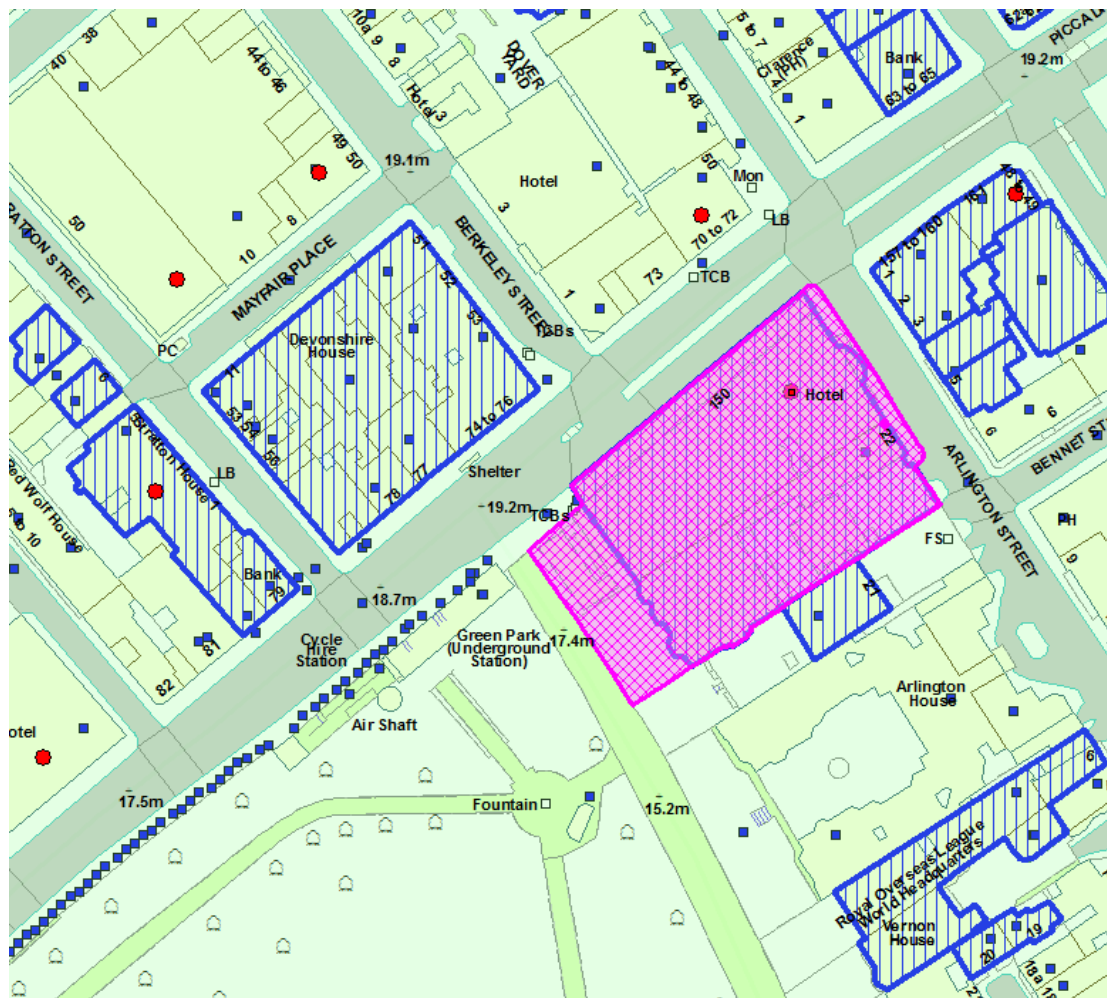
Permission and consent were granted for the demolition of Eagle Star House and redevelopment to provide an extension to the Ritz Hotel along the Arlington Street frontage in 2007, as amended in 2009. The 2009 permission has commenced and can be implemented in perpetuity. This application again seeks to extend the Ritz hotel to the Arlington Street wing and on the site of Eagle Star House, with a building of the same architecture and massing as that granted under the extant 2009 permission, the key difference being the provision of a five storey basement (beneath the extension only), as opposed to two storeys as consented.

The key issues in this case are:

- The impact of the proposals on the significance of the listed buildings, the character and appearance of the St James's conservation areas and on the setting of nearby designated heritage assets;
- The land use implications of the proposals;
- The impact of the proposals on the amenity of surrounding residents; and
- The impact of the proposals on the surrounding highway network.

The proposed development is considered against the policies in the adopted City Plan 2019-2040 and London Plan. The proposals are considered acceptable in design, conservation, heritage, land use, amenity, highways and environmental terms for the reasons set out in the report. The development is therefore recommended for approval subject to the conditions set out in the draft decision letters.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

GREATER LONDON AUTHORITY

It does not appear that the application is referable to the Mayor as the proposals are an extension to the building

TRANSPORT FOR LONDON

TfL has no in principal objection to the proposed development, subject to conditions to secure the proposed cycle parking; details of the electric vehicle spaces and blue badge spaces; servicing; and a Construction Logistics Plan (CLP) in line with current TfL guidance.

HISTORIC ENGLAND

Authorisation received.

HISTORIC ENGLAND (ARCHAEOLOGY)

Any response to be reported verbally.

THE ROYAL PARKS

Any response to be reported verbally.

THE GARDENS TRUST

No comment.

NATIONAL AMENITY SOCIETIES (Georgian Group, Victorian Society, 20th Century Society, Design Council ; Society for the Protection of Ancient Buildings and Council for British Archaeology)

Any response to be reported verbally.

LONDON UNDERGROUND LIMITED

No objection, subject to condition.

RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S

Any response to be reported verbally.

ST. JAMES'S CONSERVATION TRUST

Any response to be reported verbally.

WESTMINSTER SOCIETY

No objection. A comprehensive refurbishment and upgrade of the entire hotel will ensure the status of this iconic hotel will be retained. The previous consent has already established the principle of a replica Ritz Hotel façade on Arlington Street. Reassured by the supporting documentation and the experience of the design team that the proposed additional works are needed and required to support a 5-star hotel.

HEART OF LONDON BUSINESS ALLIANCE

The proposals will help contribute to the longevity and attractiveness of The Ritz as well as the wider commercial attraction of the West End, which is particularly important

following the impacts of COVID 19. The Ritz is an iconic part of the West End's visitor and tourist economy, and we believe this development would ensure that it maintains its strong quality of service, secure its longevity, and help it compete in an increasingly competitive global market. Importantly, the building will have high sustainability standards, including energy efficiency and supporting sustainable, zero carbon travel, servicing and delivery options. The scheme builds upon and improves the consent given by Westminster City Council in 2009 and the proposals represent a significant improvement to the area's historic built environment and provides a complementary addition to enhance the listed setting and neighbourhood.

METROPOLITAN POLICE

Any response to be reported verbally.

ENVIRONMENTAL HEALTH

No objection, subject to conditions.

WASTE PROJECT OFFICER

No objection.

HIGHWAYS PLANNING MANAGER

No objection. Car parking on the site will be reduced and include charging of electric vehicles. 4 additional cycle parking spaces (24 in total) is acceptable. No objection to the creation of a secondary pedestrian entrance on Arlington Street. The hotel is currently serviced from the street. An off-street loading bay is proposed and whilst vehicles will have to reverse in it is an improvement on the existing situation. Compliance with the Delivery and Servicing Management Plan should be secured by condition.

BUILDING CONTROL

Any response to be reported verbally.

ECONOMY TEAM

An Employment and Skills Plan and a Financial Contribution of £188,911.40 is required.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 328

Total No. of replies: 1

One letter of objection has been received on behalf of a resident opposite within 6 Arlington Street on the following grounds:

Amenity

- The fact that a similar scheme was granted in 2009, is not reason to approve the current application. Each application must be considered separately.
- The proposal will breach BRE guidelines and will result in noticeable changes in daylight and/or sunlight amenity and overshadowing to surrounding residential properties.
- The daylight enjoyment to a bedroom within 6 Arlington Street will be significantly adversely affected.

- Arlington Street is a narrow street and the proposal will result in a sense of enclosure to residents opposite.
- Overlooking and loss of privacy to residential windows and a terrace opposite.
- There is legal precedent for refusing applications on amenity grounds. Examples have been given of surrounding boroughs refusing applications (including appeals dismissed) on grounds including loss of sunlight/daylight amenity, sense of enclosure and overlooking/loss of privacy to neighbouring residents.

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

a. The Application Site

The Ritz is a world renowned grand hotel built in 1906, located on the south side of Piccadilly with frontages also to Green Park and Arlington Street. The building is Grade II*listed. Immediately to the rear lies William Kent House, also Grade II* listed, which is internally linked to and forms part of the hotel.

Immediately in front of William Kent House, at 22 Arlington Street, a former 1970's office building known as Eagle Star House, comprising basement, ground and seven upper floors is currently being demolished under the extant permission granted in 2009 to extend the hotel.

All of the properties are located within the St James's Conservation Area and fall within the Central Activities Zone (CAZ), CAZ retail cluster and Mayfair and St James Special Policy Area. The site and its setting is one of high townscape value and heritage significance, with many designated heritage assets surrounding the site including 21 Arlington Street (grade II*); 157-160 Piccadilly (grade II*); 4 Arlington Street (grade II); and 5 Arlington Street (grade II*). The Mayfair Conservation Area lies to the north on the opposite side of Piccadilly and Green Park which is part of the Royal Parks Conservation Area lies immediately to the west. Green Park is also a grade II* registered park.

b. Recent Relevant History

Planning permission, conservation area consent and listed building consent were granted on 14 May 2007 for the demolition and redevelopment of 22 Arlington Street (Eagle Star House) to form an extension to the Ritz Hotel comprising basement, lower ground, ground and eight upper floors to provide 45 guest bedrooms/suites and related guest and staff facilities comprising arrival and drop off facility; 10 car parking spaces; off street servicing; new refuse store; and a centralised plant area. Relocation of existing and the provision of new roof top plant and screening on the roof of the Ritz Hotel.

Planning permission was granted on 23 October 2009 (section 73 application) for the variation of condition 15 of permission dated 14 May 2007 to allow all other parts of the development except the additional bedrooms/suites to be brought into use before the provision of the environmental sustainability features; and deed of variation to the section 106 legal agreement dated 14 May 2007 to vary the stage of works whereby

compliance with the various planning obligations will be triggered, namely to the date upon which the construction of the extension to the Ritz Hotel is commenced. This permission has been implemented and works are currently underway, with the demolition of Eagle Star House.

A Non-Material Amendment application was granted on 29 November 2010 for amendments to planning permission dated 23 October 2009; namely, for the installation of alternative plant on the roof of the Ritz Hotel.

A Non-Material Amendment application was granted on 15 March 2021 for Amendments to planning permission dated 23 October 2009 (RN:09/06640/FULL), namely, to introduce a new Condition 22 which states that 'You must not carry out demolition work unless it is part of the complete development of the site. You must carry out the demolition and development without interruption and according to the drawings we have approved or such other drawings as may be approved by the Council' and amendments to the wording of Conditions 8, 19, 20 and 21 to reflect that these conditions are carried out in accordance with details approved.

Planning permission and listed building consent were granted on 23 July 2021 for the erection of a temporary fire escape staircase for 21 Arlington Street for a period of 3 years and facilitating works including demolition of modern conservatory to William Kent House and a blockwork wall, associated cuts into listed fabric to enable structural support of the escape stair, and works to make good the fabric upon removal of the temporary escape stair and permanent hard landscaping in place of removed conservatory.

There is a current application for the change of use of the existing casino (Sui Generis) to a dual flexible use as hotel (C1) and/or private members club (Sui Generis).

7. THE PROPOSAL

Planning permission is sought for alterations and extensions to the Ritz hotel to the Arlington Street frontage and on the site of 22 Arlington Street/Eagle Star House. It is proposed to extend the main Ritz hotel building at roof level to the Arlington Street wing, replacing an existing steeply pitched roof above the principal cornice, and a new extension on the land to be made vacant by Eagle Star House (currently under demolition) comprising five basements, lower ground, ground, mezzanine and seven upper floors, which will replicate the design of the Piccadilly façade of the existing hotel.

The additional hotel floorspace will provide 53 additional guest bedrooms and new guest and staff facilities including a new pool and spa area, new arrival and drop off facilities with underground parking for 10 cars (to accommodate VIP guests and disabled parking), a new hotel entrance from Arlington Street to provide step free access, an off street servicing bay, new refuse facilities, additional plantrooms, back of house facilities and a new courtyard between the proposed extension and William Kent House.

The architecture, design and massing of the extensions closely match that granted under the extant 2009 permission which can be implemented in perpetuity. The key difference being the provision of a 5 storey basement, as opposed to 2 storeys as consented.

8. DETAILED CONSIDERATIONS

a. Land Use

The existing and proposed land uses can be summarised as follows:

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Hotel (C1)	17,917.9	23,746.7	+ 5,828.8
Ritz club (D2)	1583.4	1583.4	+/- 1583.4
UKPN	15.7	59.1	+43.4
Office (Eagle Star House – currently under demolition by virtue of 2009 extant permission)	3380.3	0	-3380.3
Total	22,897.3	25,389.2	+2,491.9

Applicant calculations

Loss of office use

The existing office building, Eagle Star House is currently being demolished under the extant and implemented 2009 permission to extend the Ritz Hotel. The loss of the office floorspace has therefore been accepted and established.

Proposed Hotel Use

Policy 15 'Visitor Economy' of the new City Plan 2019-2014 (April 2021) states that we will maintain and enhance the attractiveness of Westminster as a visitor destination, balancing the needs of visitors, businesses and local communities. Policy 15 H relates to hotels and conference facilities and states that 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.

The supporting text to this policy 15.12 gives a strong level of protection to existing hotels. Para 15.13 states that when assessing proposals for hotel extensions account will be taken of 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. Proposals for extensions and upgrades to existing hotels will also consider how the sustainability and accessibility of the building can be improved. When located within heritage assets and where appropriate, development should better reveal the historic significance of the building. Para 15.14 states that 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.

When the Ritz hotel was built in 1906, it was one of the most luxurious hotels in the

world and its name continues to hold this reputation. The applicant states that despite major internal renovation works in the 1970s and 1980s, the hotel has not been upgraded for decades and has now fallen behind the modern standards for luxury hotels. It is therefore the applicant's intention to extend and upgrade the hotel to again become one of the most luxurious hotels in the world.

The Ritz Hotel currently has 138 rooms and is supported by ancillary facilities including the Ritz Restaurant, Palm Court, The Rivoli Bar, The Ritz Club, a cigar shop and back of house areas. The ground floor and basement levels of the main Ritz Hotel building predominately house the ancillary facilities and back of house with the guest rooms on the upper floors. William Kent House includes reception and function rooms and three guest bedrooms. Much of the hotel is open to the public including the Ritz Restaurant, Palm Court and Rivoli Bar. A small gym and hair and beauty salon for hotel guests is located at seventh floor level of the main hotel building.

The proposed extension is to be used in connection with, and will be linked internally to, the existing hotel. The main hotel entrance and bar, restaurant and function areas will remain unchanged. No additional bars or restaurants are proposed as part of this application. The servicing and setting down/picking up of guests to the Ritz Hotel is currently all carried out on-street from the Arlington Street frontage.

The proposals will result in 53 additional hotel bedrooms, bringing the total number of bedrooms to 191. Brand new facilities including a new pool, gym and spa area are proposed within basement levels 3 to 5 which the applicant states is critical in order for the Ritz to be able to compete with other leading hotels in London and the Hotel's future success. The proposed extension incorporates a new guest entrance to provide step free access into the building and to improve circulation to the hotel internally. A new parking area is proposed at lower ground floor level to provide 10 car parking spaces for VIP guests, which the applicant states include the Royal Family and international heads of state, who require high levels of security, as well as providing disabled car parking. An off-street servicing bay is proposed to accommodate all servicing and delivery vehicles and a new refuse and recycling facility to serve the hotel as a whole.

There are residential properties immediately surrounding the site on Arlington Street. However, given the scale and level of activity generated by the existing hotel it is not considered that the proposed increase in hotel bedrooms and ancillary hotel facilities will significantly intensify the hotel use to the detriment of surrounding resident's amenity or local environmental quality. The proposed back of house facilities, servicing and refuse facilities will result in operational benefits to the hotel as a whole.

The proposal will upgrade and improve the quality of the hotel, improve accessibility, and enable the extended lifetime of the building through sustainable design in accordance with policy 15 of the City Plan. The principle of an extension to the existing hotel is therefore considered acceptable in land use terms.

b. Townscape and Design

Legislation and Policy

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

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

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

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

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

Consideration

The Ritz Hotel is an internationally recognised grand hotel which was built in 1906 for Cesar Ritz to the designs of Mewes & Davis. It is a grade II* listed building and lies within the St James's Conservation Area. Immediately to the south of the hotel building and internally linked to it is Wimbourne House (also known as William Kent House) at 22 Arlington Street. This is a former residential townhouse which dates to the mid-eighteenth century to designs by William Kent although has undergone several phases of extension and alteration. Like the hotel William Kent House is a grade II* listed building. Also at 22 Arlington Street and abutting and linked to the hotel building on its south side and lying between William Kent House and Arlington Street is Eagle Star House, which is an unlisted 1970s office building. The latter has been identified as a negative feature within the adopted St James's Conservation Area Audit and consent was given for its demolition in the 2007 permission (subsequently amended in 2009) and works to implement that demolition have now commenced.

The surrounding townscape also features many designated heritage assets thus making the site and its setting one of high townscape value and heritage significance. The applicant's Heritage, Townscape and Visual Impact Assessment presents a detailed assessment of the surrounding heritage assets, but some of the most notable are the immediately adjacent listed buildings: 21 Arlington Street (grade II*); 157-160 Piccadilly (grade II*); 4 Arlington Street (grade II); and 5 Arlington Street (grade II*). In addition to these listed buildings the Mayfair Conservation Area lies to the north on the opposite side of Piccadilly and Green Park which is part of the Royal Parks Conservation Area lies immediately to the west. Green Park is also a grade II* registered park.

The demolition of Eagle Star House is being undertaken under the 2009 implemented and extant permission and consent and this current application seeks permission and consent for the replacement building, extensions to the roof of the existing hotel building (facing onto Arlington Street) and for a large 5-storey basement beneath the new extension. For the most part the external appearance of the new extension and the roof level changes to the Ritz are very much the same as the 2007 scheme which was designed by Blair Associates. The differences between this scheme and the current proposals largely relate to the ground floor of the Arlington Street façade, some of the internal arrangements and to the extensive basement provision.

The 1906 Ritz Hotel was designed in a Parisian Beaux Arts style with a very solid base in Norwegian granite including the arcade base to Piccadilly. The main upper floors (first to fifth) are faced in Portland stone with restrained classical detailing. There is a prominent cornice line above the third-floor windows and a stone balustraded parapet above the fourth-floor windows. The fifth floor is also in stone, albeit slightly recessed and the upper two floors are within slate clad mansards with copper detailing. The roofscape has the greatest level of flamboyance, with corner and centred pavilions featuring stone pedimented dormers and prominent stone chimney stacks. This architectural expression is presented to the long Piccadilly frontage; to the 5-bay wide park-facing façade; and the 2-bay return onto Arlington Street. However, the remaining 5 bays along Arlington Street which include the main entrance to the hotel, while maintaining the same style and materials appear rather truncated rising only to second and third floor levels in stone before setting back with sloped roofs above which are exposed rather utilitarian rooftop structures and plant. Pevsner describes this side of the building as “the weakest part...badly balanced and with the entrance under-emphasized...”

The proposals involve a new extension on the site of the demolished Eagle Star House, which will comprise 5 levels of basement, ground, mezzanine and seven upper storeys; the existing return wing onto Arlington Street is also significantly extended and remodelled to add additional floors. The overall design effect is to copy the architecture and materials of the main Ritz building to effectively create a seamless enlargement of the original building. The matching architectural treatment not only extends along Arlington Street, but returns in a matching style to its new south façade on the boundary with 21 Arlington Street; and also returns onto the rear façade, which faces westward towards William Kent House and is visible in longer views from the west. The Arlington Street extension will feature a second main entrance, which will be step free and will also feature a vehicle entry point to access parking accessed by ramp to the first basement level and from there by lift to the second basement level. The other basement levels will contain plant, spa and swimming pool facilities. A new single-storey gallery building links the new extension to William Kent House in the same position as an existing structure and to its south will be formed a new courtyard. Some internal modifications are also proposed to connect the new extensions to the main building and associated with this there is a small extension to the rear of the main building.

The demolition of Eagle Star House has previously been approved and is now being implemented. As a negative building within the conservation area, its loss and replacement is uncontentious in design terms. The proposed extensions seek to ‘complete’ the hotel, replicating the architectural detail with the clear intention of introducing a seamless addition, such that original and new are indistinguishable. There

is evidence to suggest that this had always been the intention of Ritz and Mewes & Davis, perhaps most evident in the highly utilitarian flanking and rear walls, which appear to have presented an interim finish. While such a facsimile approach is not often appropriate - significantly enlarging an historic building such that it appears to have always been a larger building - but the form and architecture of the original building rather dictate than anything other than a scholarly replica would have a highly discordant impact not just to the listed building but to the surrounding heritage assets and townscape.

The impact upon the Ritz hotel is considered to be beneficial, representing a seamless addition in place of the poorly placed and designed Eagle Star House. The proposal complements and provides a more satisfying architectural integrity to the building and of course the new extension provides a range of facilities which would significantly allow the Ritz to retain its function as a deluxe hotel experience, which is considered to support its optimum viable use.

In terms of the impact upon setting to neighbouring listed buildings, conservation areas and the registered Green Park again the proposals are considered to have a beneficial impact. The existing listed hotel represents a landmark building, distinguished but positively contributing to the character and appearance of the conservation area and the setting of adjacent designated heritage assets. The proposal will simply underscore that relationship. In views from the west, the new extension will be visible rising above William Kent House (eg. View 3 in the HTVIA), but the high design quality and its contrast with the materials and architecture of the eighteenth-century house ensures that the latter's setting is not harmed. In other views where the unresolved nature of the Arlington Street façade and Eagle Star House represent townscape views of low value (eg. Views 5 & 6 of the HTVIA) the proposal introduces an architectural integrity which is beneficial both to the hotel building and the St James's Conservation Area, but also to the setting of adjacent designated heritage assets.

As such the proposals are considered acceptable in terms of the impact on all affected designated heritage assets, to be well designed and respond appropriately to the townscape. The proposals would accord with policies 38, 39 and 40 of the Council's City Plan; and a recommendation to grant permission and consent would be compliant with the requirements of the NPPF and our statutory duties in relation to the Planning (Listed Buildings and Conservation Areas) Act 1990, notably s.16, 66 and 72.

c. Residential Amenity

Policy 7 of the City Plan relates to managing development for Westminster's people. It states 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.

A strong letter of objection has been received on behalf of a resident on the opposite side of Arlington Street on amenity grounds with regards to loss of sunlight/daylight, sense of enclosure and overlooking/loss of privacy.

Sunlight and Daylight

The City Council generally has regard to the standards for daylight and sunlight as set out in the Building Research Establishment (BRE) 'Site Layout Planning for Daylight and Sunlight' (as revised 2011), whilst recognising that these Guidelines should be applied flexibly.

The recommendation in the BRE guide is that a window may be affected if the vertical sky component (VSC) measured at the centre of the window is less than 27% with a reduction of over 20% of existing daylight (VSC) levels likely to be noticeable. In conjunction with the VSC test, the BRE guidelines also suggests that the daylight distribution is assessed using the No Sky Line (NSL) test, where internal arrangements are known. If the NSL moves so that the area of the existing room which receives direct skylight is reduced by over 20%, this is likely to be noticeable.

The BRE Guidelines explain that the advice given is not mandatory, that the numerical guidelines should be interpreted flexibly, for example in an historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable. In special circumstances the Planning Authority may wish to use different target values. Inner city development is one of the examples where a different approach might be justified. This approach is encouraged by the London Plan's Housing SPG which states that 'guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets.' It goes on to state that 'the degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London.'

In respect of sunlight, the BRE guide suggests that a dwelling will appear reasonably well sunlit provided that at least one main window wall faces within 90° of due south and it receives at least a quarter of annual probable sunlight hours (APSH), including 5% of PSH during the winter months. As with the tests for daylighting, the guidance recommends that any reduction below this level should be kept to a minimum.

The applicant's consultant, Point 2 Surveyors, has carried out the necessary tests using the methodology set out in the BRE guidelines. Daylight and sunlight tests have been carried out on the nearest, most affected residential properties at:

- 157-160 Piccadilly and 1-3 Arlington Street;
- 50 James's Street;
- 4-5 Arlington Street;
- 6 Arlington Street and 6-8 Bennet Street;
- 8 Arlington Street, 55 St James's Street and 1 & 6 Bennet Street;
- 11 Arlington Street;
- Arlington House; and
- 21 Arlington Street.

A number of residential windows within 157-160 Piccadilly and 1-3 Arlington Street; 4-5 Arlington Street; 6 Arlington Street and 6-8 Bennet Street; Arlington House; and 21 Arlington Street will experience some losses in daylight and/or sunlight to living rooms kitchens and/or bedrooms beyond BRE guidelines and are considered in turn below. Bedrooms are not considered to be main habitable rooms and are therefore considered

to be less important.

It is important to note that the proposed above ground massing of the development (height and bulk) matches that of the implemented and extant 2009 permission. The proposal will not therefore result in a change to the daylight and sunlight amenity of the surrounding neighbours and areas of amenity space beyond the extant permission.

157-160 Piccadilly and 1-3 Arlington Street

This property contains residential flats with 23 windows serving 14 rooms facing the application site. In terms of daylight, all windows will comply with the VSC test for daylight, however, two rooms will marginally breach the NSL method with losses of 25.2% and 28.9%. However, these rooms serve bedrooms and will retain a VSC level of 18.38 and 20.86 which is considered a good level of light for an urban location. It is not therefore considered that it will result in a detrimental loss of daylight to these flats. All windows will comply with BRE guidelines for sunlight.

4-5 Arlington Street

This property is located to the east and contains residential flats with 39 windows serving 14 rooms facing the application site. 28 windows serving 13 rooms in use as living rooms and bedrooms will experience losses of daylight (VSC) beyond BRE guidelines of between 20.68% and 39.66% (with retained VSC levels between 9.61 and 21.68 to living room windows). These rooms will also see a reduction of between 28.9% and 83.2% in NSL. With regards to sunlight, two rooms will see a reduction in APSH of 32.3 and 36.1%, but will retain 21% and 23% APSH with no breach in winter sunlight.

The occupants of these rooms are therefore likely to notice a change in their daylight levels which is regrettable. However, the consent for the conversion of 4-5 Arlington Street to residential use was granted in July 2007 following the grant of planning permission for an extension to the Ritz of the same massing as that proposed (originally granted in May 2007). Given that the 2009 permission for a development of the same massing as currently proposed can be implemented in perpetuity, it is not considered that the proposal could be refused on the grounds of loss of light to this property.

6 Arlington Street and 6-8 Bennet Street

This property is located immediately opposite the site to the east and is in commercial use at ground to fourth floor level with residential accommodation at fifth floor level containing four windows serving two residential rooms facing the application site. Three windows serving the living room will fully comply with BRE guidelines. One window serving a bedroom will marginally breach BRE guidelines for daylight with a loss of 20.89% VSC, but will have a retained level of 25.15 VSC which is considered a good level of light for an urban location. This room will comply with the NSL measure for daylight and will also be fully compliant with BRE guidelines for sunlight.

Arlington House

This property is located to the south of the site and contains residential flats with 74 windows serving 64 rooms facing the site. 29 windows will experience losses of daylight (VSC) beyond BRE guidelines of between 20.51% and 43.5%. These rooms will also see a reduction of between 20.5% and 40.7% in NSL.

The majority of the effected windows serve bedrooms which are not considered to be

main habitable rooms and are afforded less protection than main living room and kitchen windows. Five kitchen windows will be affected and will see a loss of between 33.81 and 20.55 VSC (with retained VSC levels between 10.59 and 22.58). The occupants of these rooms are therefore likely to notice a change in their daylight levels which is regrettable. All windows will comply with BRE guidelines for sunlight.

21 Arlington Street

This property is located immediately to the south of the site and is in office use. According to the applicants report 6 windows serving 3 rooms serve a caretakes flat. Five of the windows will fully comply with BRE guidelines. One window which appears to serve a living room will marginally breach BRE guidelines for daylight with a loss of 24.94% VSC, but will have a retained level of 24.95 VSC which is considered a good level of light for an urban location. This room will comply with the NSL measure for daylight and will also be fully compliant with BRE guidelines for sunlight.

Daylight and Sunlight Conclusion

As set out above, the proposed development will result in some noticeable losses of light to a number of residential flats surrounding the site, where residents will experience a worsening of their lighting standards. However, the above ground massing of the development proposed matches that of the extant 2009 permission which can be implemented in perpetuity. The proposed construction will not therefore materially harm residential amenity beyond the extant and implemented permission.

The BRE also makes special mention of the need to interpret its guidance flexibly where there are other competing issues such as the need to respect the historic environment. The proposed architecture of the new building, will provide substantial townscape benefits, reinforcing the streetscape along Arlington Street, and enhancing the setting of the surrounding listed buildings and this part of the St. James's Conservation Area. Overall, the design benefits of the scheme (which would be severely compromised were revisions to be sought to address daylighting issues) are considered to outweigh the diminution of light to the affected rooms, which is not considered to be so significant as to inhibit their use.

Whilst the daylight losses are highly regrettable, given that there is an extant permission for the site and given the benefits of the scheme, it is considered that the losses of amenity to surrounding residents are acceptable in this instance.

Sense of Enclosure and Privacy

An increase in a sense of enclosure occurs where a development would have an adverse overbearing effect that would result in an unduly oppressive living environment.

The proposed extension will create a continuous building line to the Arlington Street frontage, with a streets width of approximately 15m between the new extension and the residents opposite; and approximately 20m from Arlington House to the south.

These distances are considered sufficient to prevent harmful levels of enclosure from occurring or any significant overlooking/loss of privacy from the proposed new windows to the detriment of surrounding residential occupiers. The proposal is therefore considered acceptable in amenity terms.

d. Transportation/Parking

The applicant has submitted a Transport Statement, Delivery and Servicing Management Plan and Travel Plan in support of their application.

The Ritz Hotel has excellent access to public transport with a PTAL rating of 6b (the highest). It is not considered that the proposed extension to the hotel will generate any more pedestrian trips than the previous office building or the extant permission for the site. The main access into the hotel will continue to be in its existing location on Arlington Street with a new visitor entrance proposed within the extension to provide level access into the hotel. A separate staff entrance is also proposed. An existing taxi rank to the south of the main entrance will remain unchanged.

Policy 27A of the City Plan states that the parking standards in the London Plan will apply to all developments. All new parking spaces should provide active provision for electric charging vehicles. Part C states that the council will apply the maximum non-residential car parking standards set out in the London Plan.

For hotel developments Policy T6.4 of the London Plan states that within the CAZ and locations of PTAL 6b any on-site provision should be limited to operational needs, disabled persons parking and parking required for taxis, coaches and deliveries or servicing.

Ten car parking spaces are proposed at lower ground and basement level 1 accessed via a ramp from Arlington Street, with a car lift within the lower ground floor parking area down to basement level 1. The applicant states that the car parking is required to provide enhanced security for VIP guests, which include the Royal Family and international heads of state, as well as disabled car parking which will be available to disabled drivers using a valet service. Transport for London and the Council's Highways Planning Manager raise no objection to the level of car parking proposed. A condition is recommended to ensure that all spaces provide electric charging points.

The applicants estimate that the servicing/delivery movements for the development will be similar to existing. An off street servicing bay is proposed accessed from Arlington Street which will accommodate 7.5t transit and box vans. Smaller delivery vehicles such as 3.4t vans will also be allowed to service from the lower ground floor level. The applicant states that this will accommodate all of the servicing and deliveries to the hotel, with the exception of refuse which will continue on street. This will replace the existing servicing arrangement, which currently occurs on-street and is therefore a welcome improvement of the scheme. There is insufficient space to provide a turning facility on site and therefore delivery vehicles will reverse into the loading bay and will leave in a forward gear, however, overall, the Highways Planning Manager considers this a significant improvement over the existing situation. It is recommended that the applicants Delivery and Servicing Management Plan be secured by condition.

Four new cycle parking spaces are proposed (bringing the total number to 24), including one oversized/accessible space for the net increase of 53 hotel bedrooms which is in line with London Plan Policy. It is recommended that this be secured by condition.

It is recommended that highway works required including repaving, highway

reinstatement and making good of dropped kerbs to the site frontage along Arlington Street be secured through a s106 legal agreement.

e. Economic Considerations

The proposed development will help support and enhance London's visitor economy and stimulate its growth. The applicant estimates that the development will create 150 jobs during the construction of the development and within the hotel when the hotel extension is complete. It is recommended that an Employment and Skills Plan, including operational phase employment targets and a financial contribution of £188,911.40 to support the Westminster Employment Service is secured by S106 legal agreement.

f. Access

The proposed development has been designed to incorporate the principles of inclusive design. The existing main entrance to the hotel on Arlington Street has six steps with limited opportunities to improve this given the physical constraints and listed status of the building. A new main entrance is therefore proposed within the extension which will be fully accessible and provide a lift connecting to all floors within the new extension and improved accessibility to the rest of the hotel.

Six (10%) of the new hotel bedrooms are proposed to be fully wheelchair accessible, in accordance with the London Plan's requirement.

g. Other UDP/Westminster Policy Considerations

Noise/Plant

Plant is proposed within the new basement levels and at roof level. Conditions are recommended to secure full details of plant and a supplementary acoustic report when plant has been selected, location and hours finalised, and the attenuation measures are available to confirm compliance with the Council's standard noise condition.

Refuse /Recycling

A waste store is proposed at basement level 1 with separate waste, recycling and food waste storage areas, which are large enough to accommodate the waste expected from the hotel as a whole. Waste collection will take place on street and a waste holding area is proposed within the off street servicing bay to prevent waste being stored on-street pending collection. The Council's Waste Project Officer raises no objection.

Trees and Biodiversity

Policy 34 of the City Plan relates to Green infrastructure and states that the council will protect and enhance the city's green infrastructure to maximise its environmental, social and economic value.

The 2009 extant permission allowed one London Plane tree in the pavement on Arlington Street to be removed and secured a financial contribution of £10,000 for replacement tree planting payable on the date upon which the construction of the

extension is commenced (not including demolition and below ground works). The tree has recently been removed under the 2009 permission. Should this permission be granted it is the applicants' intention to continue the works under the new consent and it is therefore recommended that the financial contribution of £10,000 for replacement tree planting be secured through the s.106 legal agreement.

A condition is recommended to secure details of landscaping to increase urban greening within the site.

Flood Risk and Sustainable Drainage

The applicant has submitted a Flood Risk Assessment and Sustainable Drainage Report in support of their application. The site is located within Flood Zone 1 and is classified as having 'low' risk of tidal or surface water flooding. Sustainable urban drainage measures (SuDS) have been incorporated in the proposed development, with the use of an active attenuation tank at basement level 5 to be used alongside rainwater harvesting plant to provide zero surface water discharge to the sewer during storm events.

Air Quality

Policy 32 of the City Plan relates to Air quality. The council is committed to improving air quality in the city and expects development to reduce exposure to poor air quality and maximise opportunities to improve it locally without detriment of air quality in other areas. Major developments should be at least Air Quality Neutral.

The whole of Westminster falls within an Air Quality Management Area. The applicant has submitted an Air Quality Assessment in support of their application which concludes that the development will be air quality neutral in terms of building and transport emissions.

Energy and Sustainability

Policy 36 of the City Plan relates to energy and states that the council will promote zero carbon development and expects all development to reduce on-site energy demand and maximise the use of low carbon energy sources to minimise the effects of climate change. All development proposals should follow the principles of the Mayor of London's energy hierarchy. Major development should be net zero carbon. Where it is clearly demonstrated that it is not financially or technically viable to achieve zero-carbon on-site, any shortfall in carbon reduction targets should be addressed via off-site measures or through the provision of a carbon offset payment secured by legal agreement.

Policy SI 2 of the London Plan 'Minimising greenhouse gas emissions' requires that major development should be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy: 1) be lean: use less energy and manage demand during operation 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site 4) be seen: monitor, verify and report on energy performance.

The policy also requires that a minimum on-site reduction of at least 35 per cent beyond Building Regulations is met with non-residential development achieving 15 per cent

carbon reductions through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either: 1) through a cash in lieu contribution to the borough's carbon offset fund, or 2) off-site.

The applicant has submitted an Energy and Sustainability Statement in support of their application. The strategy for reducing energy use and associated carbon emissions through the design of the scheme follows the London Plan energy hierarchy. A combination of passive design and energy efficiency measures are proposed with the provision of highly efficient building fabric; efficient building services plant, including high efficiency air handling plant with heat recovery and low specific fan power; and low energy LED/fluorescent lighting incorporating daylight and motion controls. Renewable energy is proposed in the form of heat and cooling networks provided by air source heat pumps and water source heating and or cooling with waste water heat recovery utilised where feasible.

These measures will result in an overall annual carbon reduction of 54% relative to the current Building Regulations (2013). This exceeds the minimum on-site carbon dioxide reduction targets set out above. A carbon offset payment is required for the shortfall in carbon savings relative to the zero carbon target of £509,352 which will be secured through the S106 legal agreement.

There are no available existing or proposed district heating networks in the vicinity of the proposed development. A condition is recommended to ensure that the scheme is future proofed to make allowance for connection should a low-carbon district heat network become available.

Policy 38E of the City Plan relates to sustainable design and states that Non-domestic developments of 500 sqm of floorspace (GIA) or above will achieve at least BREEAM "Excellent" or equivalent standard. The scheme aims to achieve a BREEAM 'Excellent' rating for the extension assessed using the BREEAM New Construction 2018 for Residential Institutions (Hotel) criteria. It is recommended that this is secured by condition.

h. Westminster City Plan

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

i. Neighbourhood Plans

Not applicable.

j. London Plan

The application raises no strategic issues.

k. National Policy/Guidance Considerations

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

Further to the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the City Council cannot impose a pre-commencement condition (a condition which must be discharged before works can start on site) on a planning permission without the written agreement of the applicant, unless the applicant fails to provide a substantive response within a 10 day period following notification of the proposed condition, the reason for the condition and justification for the condition by the City Council.

During the course of this application a notice was served relating to the proposed imposition of a pre-commencement condition to secure the applicant's adherence to City Council's Code of Construction Practice during the demolition/excavation and construction phases of the development; a written scheme of investigation for a programme of archaeological work; and detailed design and method statements required by London Underground. The applicant has agreed to the imposition of the conditions.

l. Planning Obligations

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

- Employment and Skills Plan including operational phase employment targets and a Financial Contribution of £188,911.40 to support the Westminster Employment Service (index linked and payable on commencement of development).
- Highway works including repaving, highway reinstatement and making good of dropped kerbs to site frontage along Arlington Street.
- Carbon-off set payment of £509,352.
- Financial contribution of £10,000 for replacement tree planting.
- Monitoring costs.

The estimated CIL payment is: £946,753.33

m. Environmental Impact Assessment

Environmental Impact issues have been covered in section G above.

n. Other Issues

Basement and Construction impacts

The proposal includes excavation to create five levels of basement beneath the proposed extension on the site of 22 Arlington Street/Eagle Star House. This differs from the extant 2009 permission for the site which has two levels of basement. No new basements are proposed beneath the Grade II* listed Ritz Hotel or William Kent House.

The applicant states that the Ritz Hotel has fallen below modern standards and that the extent of basement excavation proposed is required in order to provide the improvements and facilities required to re-establish and maintain its reputation as one of the most luxurious hotels in the world. The applicant states that the basement will provide new guest facilities that the hotel is currently lacking, including a new hotel spa which is critical to be able to compete with other leading hotels. The basement will also provide upgraded facilities for VIP guests and back of house facilities with a new off street delivery bay and improvements to goods handling, waste and recycling. The majority of new plant required to support the hotel function will be located within the new basements in order to keep any new plant required at roof level to a minimum to protect the townscape and heritage of the building. No objections have been received in relation to the proposed basement excavation.

Policy 45 of the City Plan relates to basement developments. Policy 45 A states that they should:

1. incorporate measures recommended in the structural statement or flood risk assessment to safeguard structural stability, and address surface water and sewerage flooding;
2. be designed and constructed to minimise the impact at construction and occupation stages on the surrounding area;
3. protect heritage assets, and in the case of listed buildings, not unbalance the building's original hierarchy of spaces where this contributes to its significance; and
4. conserve the character and appearance of the existing building, garden setting and the surrounding area, ensuring lightwells, plant, vents, skylights and means of escape are sensitively designed and discreetly located.

Policy 45 B goes on to state that Basement developments will be supported where they:

- not comprise more than one storey beneath the lowest original floor level – exceptions may be made on large sites with high levels of accessibility for construction; and
- not encroach more than 1.8m under any part of the adjacent highway and retain a minimum vertical depth below the footway or carriageway of 900mm between the highway surface and vault structure.

Regarding 45 A, the applicant has provided a self-certified Structural Engineering report explaining the likely methodology of excavation, as well as the drainage, groundwater regime and structural stability. A flood risk assessment has also been submitted. Any report by a member of the relevant professional institution carries a duty of care which should be sufficient to demonstrate that the matter has been properly considered at this early stage. The purpose of such a report at the planning application

stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the site, existing structural conditions and geology. It does not prescribe the engineering techniques that must be used during construction which may need to be altered once the excavation has occurred. The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act.

The structural report is being considered by our Building Control officers and any response will be reported verbally. We are not approving the structural report or conditioning that the works shall necessarily be carried out in accordance with the report. Its purpose is to show, with the integral professional duty of care, that there is no reasonable impediment foreseeable at this stage to the scheme satisfying the building regulations in due course. This report will be attached for information purposes to the decision letter. It is considered that this is as far as we can reasonably take this matter under the planning considerations of the proposal as matters of detailed engineering techniques and whether they secure the structural integrity of the development and neighbouring buildings during construction is not controlled through the planning regime but other statutory codes and regulations as cited above. To go further would be to act beyond the bounds of planning control.

The proposed basement will be located beneath the proposed extension on the site of 22 Arlington Street/Eagle Star House only, and will not extend beneath the highway or the grade II* listed Ritz hotel building or William Kent House, in order to protect these heritage assets and not unbalance their original hierarchy of spaces in accordance with policy 45A.3. There will be no visible manifestation of the proposed basement excavation from Arlington Street.

Regarding part 45 B.3, elaboration is given at paragraph 45.9 where it advises "In some cases, an exception could be made for large sites when they are able to accommodate plant and machinery and include appropriate access (e.g. rear or side access) to enable construction without an adverse impact on neighbouring uses or occupiers. The definition of large sites will depend on individual circumstances".

In this case, the entire site (including the Ritz Hotel) is 0.5ha and occupies almost an entire street block, and thus the applicant considers this to qualify as a large site. Access to the construction site for vehicles would be on Arlington Street. All plant and machinery for the construction process is proposed to be accommodated within the site. The applicant has submitted a draft Construction Logistics Plan (CLP) that sets out the provisional construction traffic routes, the majority of which would feed from Park Lane and Hyde Park Corner, key arterial roads that provide direct linking access to strategic road networks and motorways servicing London. The site is therefore well connected by local and strategic roads, capable of carrying large vehicles.

In respect of construction impacts, the Applicant has confirmed that the hotel must stay operational during the proposed construction and proposes to employ the best methods of demolition and construction to ensure that disruptions to guests and neighbours are minimised. This includes adopting methods to mitigate against any disturbance, including employing top down construction methods to reduce noise and vibration and utilising multiple other construction and demolition best practice methods to minimise the impacts of dust and noise.

The applicant has provided a comparison of the likely construction programme between the extant 2009 permission which includes a two storey basement versus the proposed scheme for a 5 storey basement:

Extant 2009 permission – 2 storey Basement Construction – Open Excavation

<i>Formation of basement box incl Piling [not incl fit out]</i>	12 Months
<i>Commencement of Superstructure</i>	Month 13
<i>Extension Completion [incl Fit Out]</i>	Month 43

Current application – 5 storey Basement Construction – Top-Down Construction

<i>Formation of basement box incl Piling [not incl fit out]</i>	24 Months
<i>Commencement of Superstructure</i>	Month 13
<i>Extension Completion [incl Fit Out]</i>	Month 43

The applicant states that although the basement formation will take longer for the April 2021 scheme (mainly as a result of there being 5 storeys of basement vs 2 storeys of basement), there will be no change to the overall construction period for both options. The superstructure frame commences at the same point in each programme string, therefore the completion date can be maintained. They argue that this is the benefit of a top down construction method, as it allows the superstructure, envelope and fit out works to run concurrently with the basement construction and fit out. They also maintain that this top down construction method will also keep the construction impacts, particularly of the basement formation, to a minimum.

The applicant has reaffirmed that the proposed basement levels are required beneath the proposed extension, in order to improve and modernise the Ritz Hotel to maintain its reputation as one of the most luxurious hotels in the world, whilst not impacting on its Grade II* listed status. Given the size and accessibility of the site for construction purposes it is not considered that the extent of basement excavation could reasonably be refused in this instance.

It is recognised that the construction work will affect local residents and businesses for over a three and a half year period given the scale of the proposal. A condition is recommended to ensure that the development complies with the City Council's Code of Construction Practice (COCP) which requires the developer to provide a Site Environmental Management Plan (SEMP) and funding for the Environmental Inspectorate to monitor the demolition, excavation and construction phase of the development. The COCP sets out the minimum standards and procedures for managing and minimising the environmental impacts of construction projects within Westminster and relate to both demolition and construction works.

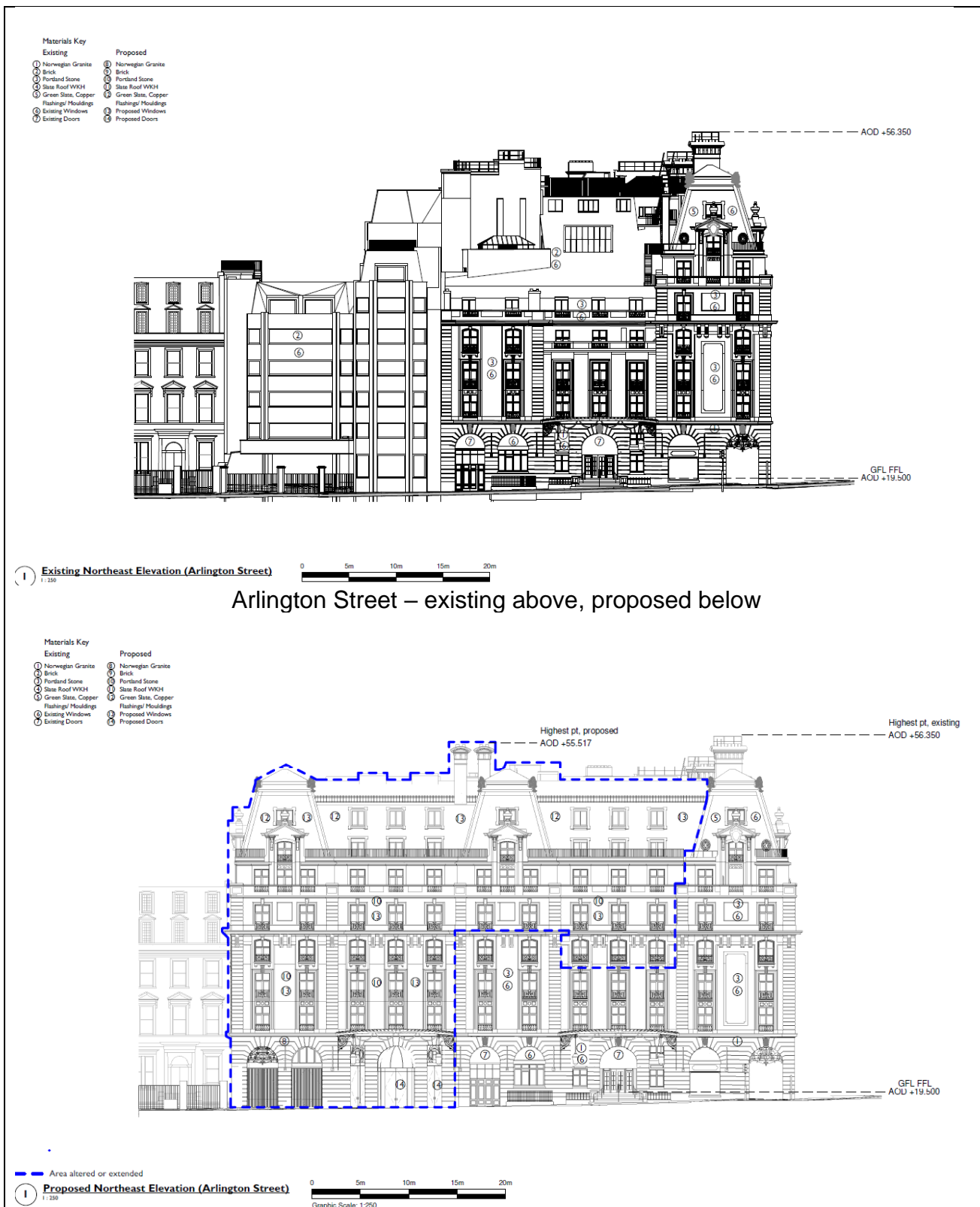
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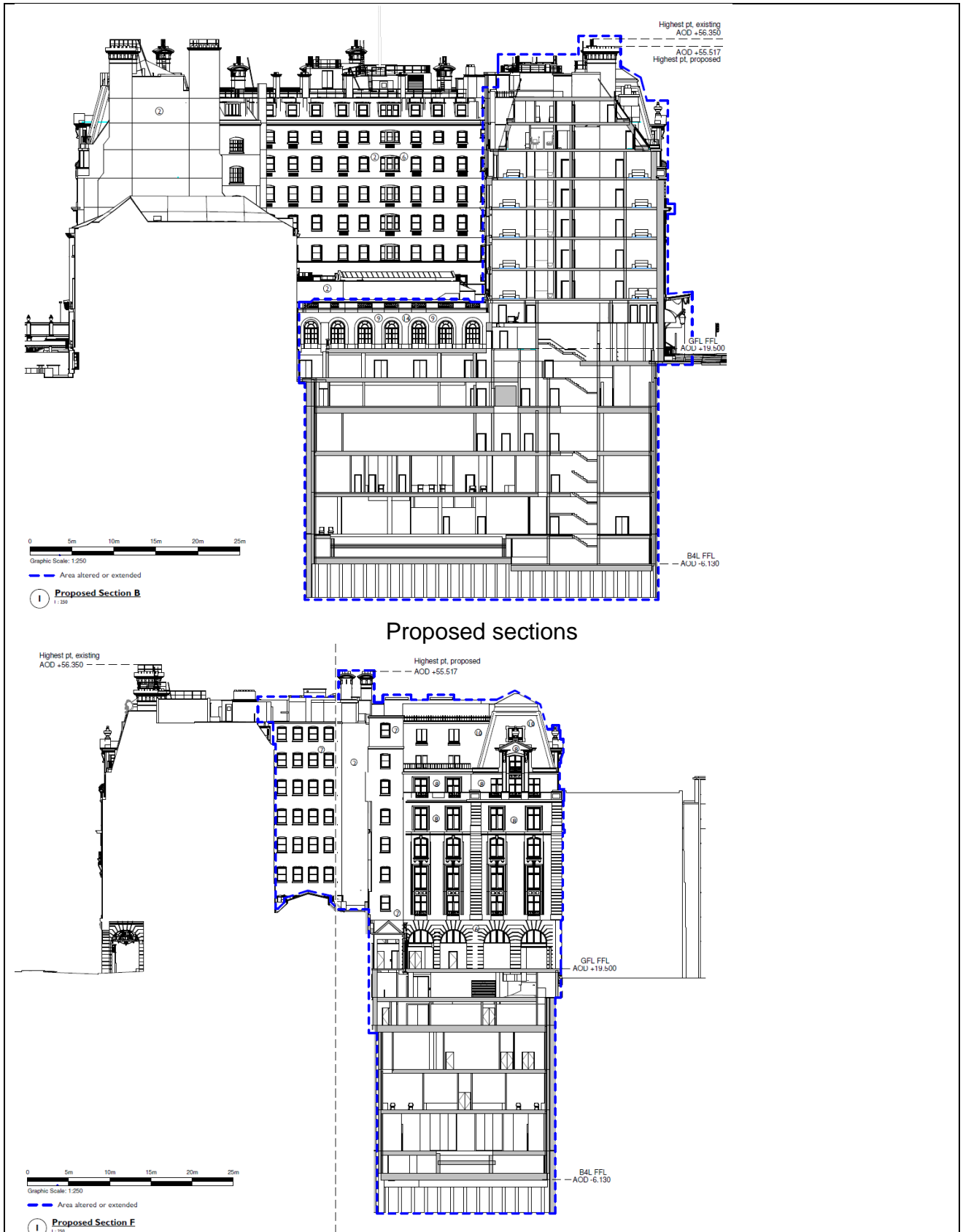
The key issues to address in the COCP are liaison with the public; general requirements; SEMP; construction management plans; employment and skills; traffic and highways; noise and vibration; dust and air quality; waste management; waste pollution and flood control and any other issues.

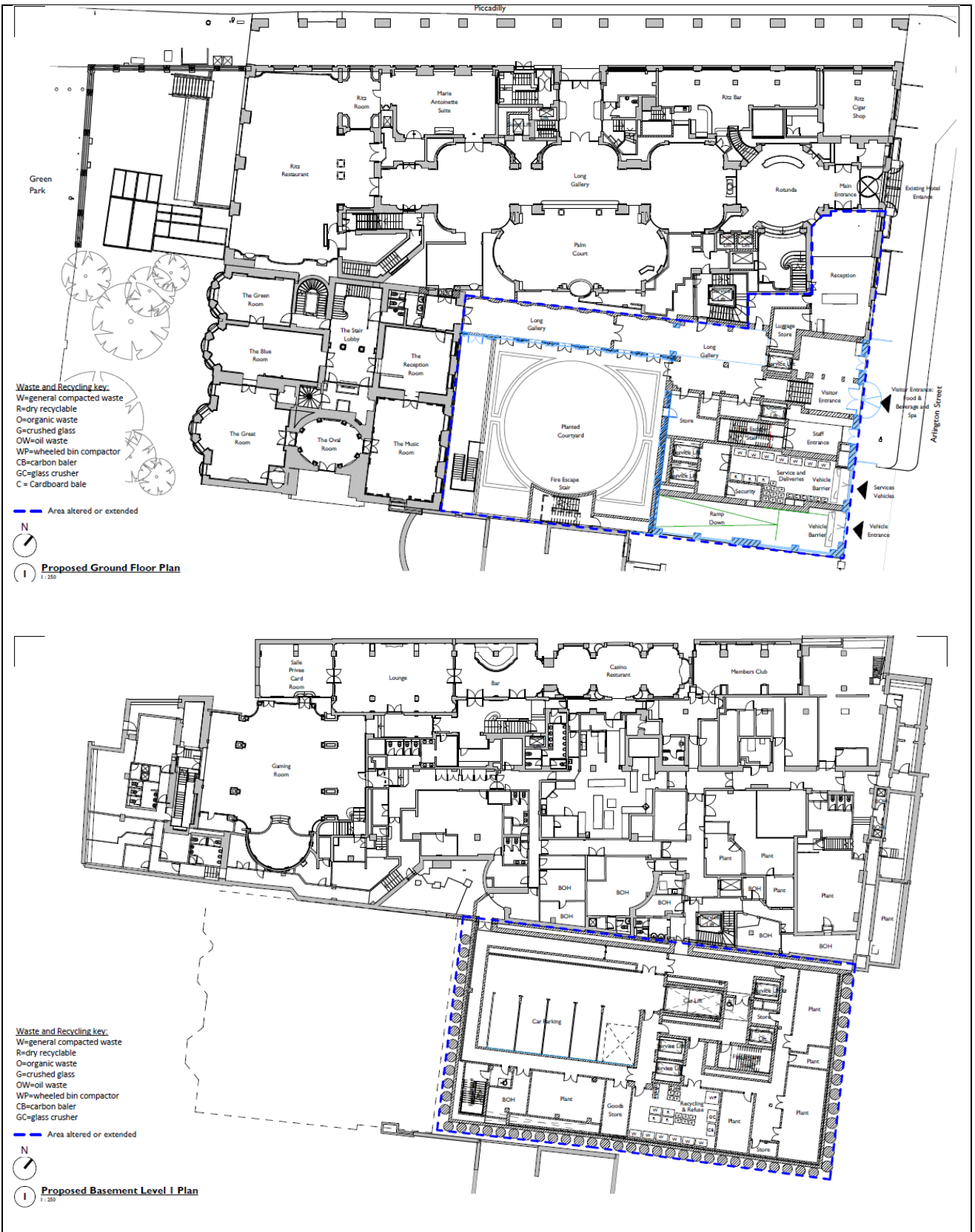
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: JULIA ASGHAR BY EMAIL AT jasghar@westminster.gov

9. KEY DRAWINGS









Corner Piccadilly/Arlington Street



Arlington Street

DRAFT DECISION LETTER

Address: The Ritz Hotel, 150 - 156 Piccadilly, London, W1J 9BR

Proposal: Alterations and extensions to the Ritz hotel at roof level and on the site of 22 Arlington Street comprising an extension of five basements, lower ground, ground, mezzanine and seven upper floors to provide additional hotel floorspace including new hotel rooms/suites, entrances on Arlington Street, arrival and drop off facilities, changes to the servicing and refuse facilities, car and cycle parking, plant, associated hotel facilities and upgrades and all necessary works, including demolition, enabling, highways and other ancillary works.

Reference: 21/02959/FULL

Plan Nos: Existing drawings: PIC PUR TR RF DR A P0 001/A; PIC PUR TR RF DR A P0 002/A; PIC PUR TR RF DR A P0 003/A; PIC PUR TR 00 DR A P0 100/A; PIC PUR TR 01 DR A P0 101/A; PIC PUR TR 02 DR A P0 102/A; PIC PUR TR 03 DR A P0 103/A; PIC PUR TR 04 DR A P0 104/A; PIC PUR TR 05 DR A P0 105/A; PIC PUR TR 06 DR A P0 106/A; PIC PUR TR M1 DR A P0 107/A; PIC PUR TR LG DR A P0 108/A; PIC PUR TR RF DR A P0 109/A; PIC PUR TR M1 DR A P0 110/A; PIC PUR TR LG DR A P0 111/A; PIC PUR TR B1 DR A P0 112/A; PIC PUR TR XX DR A P0 202/A; PIC PUR TR XX DR A P0 300; PIC PUR TR XX DR A P0 301; PIC PUR TR XX DR A P0 302/A; PIC PUR TR XX DR A P0 303/A; and PIC PUR TR XX DR A P0 304/A., , Demolition drawings: PIC PUR TR 00 DR A P1 100/A; PIC PUR TR 01 DR A P1 101/A; PIC PUR TR 02 DR A P1 102/A; PIC PUR TR 03 DR A P1 103/A; PIC PUR TR 00 DR A P1 104/A; PIC PUR TR 05 DR A P1 105/A; PIC PUR TR 06 DR A P1 106/A; PIC PUR TR 07 DR A P1 107/A; PIC PUR TR 08 DR A P1 108/A; PIC PUR TR RF DR A P1 109/A; PIC PUR TR M1 DR A P1 110/A; PIC PUR TR LG DR A P1 111/A; PIC PUR TR B1 DR A P1 112/A; PIC PUR TR XX DR A P1 202/A; PIC PUR TR XX DR A P1 206/A; PIC PUR TR XX DR A P1 301/A; PIC PUR TR XX DR A P1 303/A; and PIC PUR TR XX DR A P1 304/A., , Proposed drawings: PIC PUR TR RF DR A P3 002/A; PIC PUR TR 00 DR A P3 100/B; PIC PUR TR 01 DR A P3 101/B; PIC PUR TR 02 DR A P3 102/A; PIC PUR TR 03 DR A P3 103/A; PIC PUR TR 04 DR A P3 104/A; PIC PUR TR 05 DR A P3 105/A; PIC PUR TR 06 DR A P3 106/A; PIC PUR TR M1 DR A P3 107/A; PIC PUR TR LG DR A P3 108/A; PIC PUR TR RF DR A P3 109/A; PIC PUR TR M1 DR A P3 110/A; PIC PUR TR LG DR A P3 111/A; PIC PUR TR B1 DR A P3 112/A; PIC PUR TR B2 DR A P3 113/A; PIC PUR TR B3 DR A P3 114/A; PIC PUR TR B4 DR A P3 115/A; PIC PUR TR B4 DR A P3 116/A; PIC PUR TR XX DR A P3 202/A; PIC PUR TR XX DR A P3 206/A; PIC PUR TR XX DR A P3 301/A; PIC PUR TR XX DR A P3 303/A; and PIC PUR TR XX DR A P3 304/A.,

Documents dated April 2021: Energy Statement, prepared by WSP; Sustainability Statement, prepared by WSP; Delivery and Servicing Plan, prepared by Pell Frischmann; Noise and Vibration Report, prepared by Sandy Brown; and Sustainable Drainage Strategy, prepared by Elliot Wood., For information only (all documents dated April 2021): Design and Access Statement (including Crime Prevention Statement/Counter Terrorism Measures), prepared by Purcell Architects (and QCIC); Townscape Heritage and Visual Impact Assessment, prepared by

Purcell Heritage; Planning Statement, prepared by DP9; Archaeological Desk Based Assessment, prepared by MOLA; Air Quality Assessment, prepared by WSP; Preliminary Ecological Appraisal, prepared by WSP; Daylight, Sunlight and Overshadowing Report, prepared by Point 2; Foul Sewerage Assessment, prepared by Elliott Wood; Flood Risk Assessment, prepared by Elliott Wood; Geo-Environmental Risk Assessment prepared by Concept; Transport Statement, prepared by Pell Frischmann; Statement of Community Involvement, prepared by Concilio; Structural Methodology Statement (Structural Engineering Report and Subterranean Construction Method Statement), prepared by Elliott Wood; Outline Construction and Logistics Plan, prepared by SRM; Travel Plan, prepared by Pell Frischmann; and Ventilation and Extract Statement, prepared by WSP.

Case Officer: Julia Asghar

Direct Tel. No. 020 7641
07866037964

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 , 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)

- 3 **Pre Commencement Condition.** Prior to the commencement of any: (a) demolition, and/or, (b) earthworks/piling and/or, (c) construction on site you must apply to us for our written approval of evidence to demonstrate that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of the relevant completed Appendix A checklist from the Code of Construction Practice, signed by the

applicant and approved by the Council's Environmental Sciences Team, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of the relevant stage of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval through submission of details prior to each stage of commencement. (C11CD)

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)

- 4 The facing stonework must match the original Ritz Hotel in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved 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 St James's Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 5 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.

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 St James's Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 6 All architectural detailing to stonework and roof shall match the original Ritz Hotel. This applies unless differences are shown on the approved 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 St James's Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 7 There shall be no external rainwater downpipes on the facing stonework.

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 St James's

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 details of the following parts of the development:, ,
 i) Typical new windows and external doors;; ii) External metalwork
 including the gates and screens to the ground floor of the new Arlington Street façade;
 iii) The new entrance canopy on Arlington Street; iv) Escape stairs;; v) The
 internal courtyard; vi) Finalised appearance of new rooftop plant; and vii) Any external
 CCTV. 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
 approved details.

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 St James's
 Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040
 (April 2021). (R27AC)

- 9 You must apply for approval of details of the strategy for removal of existing rooftop
 plant made redundant by the plant space hereby created. All redundant plant shall be
 removed and areas of roof made good within 3 months of new plant coming into use.

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 St James's
 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 of the design, construction and
 insulation of the whole ventilation system and any associated equipment; and a
 supplementary acoustic report to demonstrate compliance with condition 12. You must
 not start on these parts of the work until we have approved in writing what you have
 sent us. You must then carry out the work according to the approved drawings. You
 must not change it without our permission. (C13BC)

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in
 Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R13AD)

- 11 (1) Where noise emitted from the proposed plant and machinery will not contain tones
 or will not be intermittent, the 'A' weighted sound pressure level from the plant and
 machinery (including non-emergency auxiliary plant and generators) hereby permitted,
 when operating at its noisiest, shall not at any time exceed a value of 10 dB below the
 minimum external background noise, at a point 1 metre outside any window of any
 residential and other noise sensitive property, unless and until a fixed maximum noise
 level is approved in writing by the City Council. The background level should be
 expressed in terms of the lowest LA90, 15 mins during the proposed hours of

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

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R46AC)

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

Reason:

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

- 13 (1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the IN; use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest., (2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within the IN; use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest., (3) Following completion of the development, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report including a proposed fixed noise level for written approval by the City Council. Your submission of a noise report must include:, (a) The location of most affected noise sensitive receptor location and the most affected window of it;, (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;, (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;, (d) The lowest existing LA90, 15 mins measurement recorded under (c) above;, (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;, (f) The proposed maximum noise level to be emitted by the activity. (C47AC)

Reason:

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

time after implementation of the planning permission. (R47AC)

- 14 The emergency plant and generators hereby approved shall only be used for the purpose of public safety and life critical systems and shall not be used for backup equipment for commercial uses such as Short Term Operating Reserve (STOR). The emergency plant and generators shall be operated at all times in accordance with the following criteria:, , (1) Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the LA90, 15 mins over the testing period) by more than 10 dB one metre outside any premises., , (2) The emergency plant and generators hereby permitted may be operated only for essential testing, except when required in an emergency situation., , (3) Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays. (C50AC)

Reason:

Emergency energy generation plant is generally noisy, so in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021), a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby. (R50AC)

- 15 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number PIC-PUR-TR-00-DR-A-P3100/B and PIC-PUR-TR-B1-DR-A-P3112/B prior to occupation and thereafter you must permanently retain them for the storage of waste and recycling. You must clearly mark them and make them available at all times to everyone using the hotel. (C14FC)

Reason:

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

- 16 No waste should be left or stored on the public highway.

Reason:

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

- 17 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)

- 18 You must use the parking, access, loading, unloading and manoeuvring areas shown on the approved plans only for those purposes. (C23AA)

Reason:

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

- 19 With the exception of collecting rubbish, no goods (including fuel) that are delivered or collected by vehicles arriving at or leaving the building must be accepted or sent out if they are unloaded or loaded on the public road. You may accept or send out such goods only if they are unloaded or loaded within the boundary of the site. (C23CB)

Reason:

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

- 20 You must carry out the measures included in your Delivery and Servicing Management Plan dated 30 April 2021 at all times (C05KA)

Reason:

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

- 21 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in Policies 24 and 25 of the City Plan 2019 - 2040 (April 2021). (R24AD)

- 22 The car parking shall be made available for disabled (blue badge holder) hotel guests. ,

Reason:

To provide disabled car parking for hotel visitors in accordance with Policy T6.4 of the London Plan 2021.

- 23 All car parking spaces shall be fitted with vehicular electric charging points.

Reason:

To make sure that the development provides environmental sustainability features as

required by Policy 27 of the City Plan 2019 - 2040 (April 2021). (R44AD)

- 24 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes the number, size, species and position of trees and shrubs. 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 landscaping and planting within one planting season of completing the development (or within any other time limit we agree to in writing). If you remove any trees that are part of the planting scheme that we approve, or find that they are dying, severely damaged or diseased within 3 years of planting them, you must replace them with trees of a similar size and species. (C30CC)

Reason:

To improve the appearance of the development and its contribution to biodiversity and the local environment, as set out in Policy 34 of the City Plan 2019 - 2040 (April 2021). (R30AD)

- 25 You must provide, maintain and retain the energy efficiency measures as set out in your Energy Statement by WSP dated April 2021 (including air source heat pumps, water source heating and or cooling and future proofed to allow future connection to a low-carbon district heat network should one become available) before you start to use any part of the development. You must not remove any of these features. (C44AA)

Reason:

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

- 26 The development shall achieve a BREEAM rating of 'Excellent' (New Construction 2018 'Residential Institutions (Hotel)') or any such national measure of sustainability that replaces that scheme of the same standard). A post construction certificate confirming this standard under BREEAM has been achieved must be issued by the Building Research Establishment, and submitted for approval to the Local Planning Authority within 6 months of completion of the development on site.

Reason:

To make sure that the development affects the environment as little as possible, as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44BD)

- 27 **Pre Commencement Condition.**, You must apply to us for approval of the detailed design and method statements required by London Underground (LU) including: o A statement to confirm that the Contractor's proposed construction sequence will conform with the predicted impact on LU asset on the submitted tunnel impact assessment before the basement excavation. o Letter of no comments to be attained from TfL Engineer for Tunnel impact assessment. o Developer to provide written assurance to LUL that LUL assets shall be protected and maintained during Construction and following completion, o Agree Monitoring Action Plan;

monitoring assessment, frequency, baseline and trigger levels with IP LU; this should include LU tunnels and developers' basement assets. o Conduct pre and post condition surveys on tunnel lining, services and mosaic furnishings. o Substructure drawings and sequence of construction should be approved by designated IP Engineer. o Submit for acceptance; RAMS for substructure activities at various construction phases. o Provide Lifting plans for mobile and tower cranes., o LU Works Inspector will be required in attendance during critical basement excavation phase. You must not start work until we, in consultation with London Underground, have approved in writing what you have sent us. The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason:

To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with Policy T3 of the London Plan 2021 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

28. Pre Commencement Condition. (a) You must apply to us for approval of a written scheme of investigation for a programme of archaeological work. This must include details of the suitably qualified person or organisation that will carry out the archaeological work. You must not start work until we have approved in writing what you have sent us. (b) You must then carry out the archaeological work and development according to this approved scheme. You must produce a written report of the investigation and findings, showing that you have carried out the archaeological work and development according to the approved scheme. You must send copies of the written report of the investigation and findings to us, and to the Greater London Sites and Monuments Record, Greater London Archaeological Advisory Service, Historic England, 4th floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA. (c) You must not use any part of the new building until we have confirmed in writing that you have carried out the archaeological fieldwork and development according to this approved scheme. (C32BC)

Reason:

To protect the archaeological heritage of the City of Westminster as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021). (R32BD)

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 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to:, i. Employment and Skills Plan including operational phase employment targets and a Financial Contribution of £188,911.40 to support the Westminster Employment Service (index linked and payable on commencement of development). ii. Highway works including repaving, highway reinstatement and making good of dropped kerbs to site frontage along Arlington Street; iii. Carbon-off set payment of £509,352 , iv. Financial contribution of £10,000 for replacement tree planting., v. Monitoring costs.,
- 3 You may need to get separate permission under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 if you want to put up an advertisement at the property. (I03AA)
- 4 Please contact Environmental Sciences by email to environmentalsciences2@westminster.gov.uk if you have any queries about your obligations under the Control of Pollution Act 1974 or the Environmental Protection Act 1990.
- 5 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please email AskHighways@westminster.gov.uk. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority).
- 6 The City Council supports a scheme to provide a free a recruitment service for businesses. Over 90% of people helped into work have been retained for over 6 months by their employing businesses. The scheme uses Work Place Coordinators to match vacancies and candidates. They have helped over 600 Westminster residents into jobs in Westminster businesses across the City. Further details can be found at www.crossriverpartnership.org. The scheme is supported by Westminster City Council, Cross River Partnership, the Crown Estate, New West End Company and Victoria BID.

- 7 The Economy Team at Westminster City Council provide support and guidance to developers and contractors in the creation and delivery of employment & skills plans. The Team will provide guidance on local priorities, drafting of employment & skills plans and implementation of activities to deliver commitments. For further information please contact Soyful Alom, Economy Job Broker (salom@westminster.gov.uk)
- 8 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please email Jeff Perkins at jperkins@westminster.gov.uk.
- 9 We recommend you speak to the Head of Building Control about the stability and condition of the walls to be preserved. He may ask you to carry out other works to secure the walls. Please phone 020 7641 6500 or email districtsurveyors@westminster.gov.uk.
- 10 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)
- 11 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.
- 12 Your proposals include demolition works. If the estimated cost of the whole project exceeds £300,000 (excluding VAT), the Site Waste Management Plan (SWMP) Regulations 2008 require you to prepare an SWMP before works begin, to keep the Plan at the site for inspection, and to retain the Plan for two years afterwards. One of the duties set out in the Regulations is that the developer or principal contractor "must ensure, so far as is reasonably practicable, that waste produced during construction is re-used, recycled or recovered" (para 4 of the Schedule to the Regulations). Failure to comply with this duty is an offence. Even if the estimated cost of the project is less than £300,000, the City Council strongly encourages you to re-use, recycle or recover as much as possible of the construction waste, to minimise the environmental damage

caused by the works. The Regulations can be viewed at www.opsi.gov.uk.

- 13 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 14 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, for example by issuing regular bulletins about site progress.
- 15 With reference to condition 3 please refer to the Council's Code of Construction Practice at (www.westminster.gov.uk/code-construction-practice). You will be required to enter into an agreement with the Council appropriate to this scale of development and to pay the relevant fees prior to starting work. , , Your completed and signed Checklist A (for Level 1 and Level 2 developments) or B (for basements) and all relevant accompanying documents outlined in Checklist A or B, e.g. the full Site Environmental Management Plan (Levels 1 and 2) or Construction Management Plan (basements), must be submitted to the City Council's Environmental Inspectorate (cocp@westminster.gov.uk) **at least 40 days prior to commencement of works** (which may include some pre-commencement works and demolition). The checklist must be countersigned by them before you apply to the local planning authority to discharge the above condition. , , You are urged to give this your early attention as the relevant stages of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval of each of the relevant parts, prior to each stage of commencement. Where you change your plans after we have discharged the condition, you must re-apply and submit new details for consideration before you start work. Please note that where separate contractors are appointed for different phases of the project, you may apply to partially discharge the condition by clearly stating in your submission which phase of the works (i.e. (a) demolition, (b) excavation or (c) construction or a combination of these) the details relate to. However please note that the entire fee payable to the Environmental Inspectorate team must be paid on submission of the details relating to the relevant phase. Appendix A must be signed and countersigned by the Environmental Inspectorate prior to the submission of the approval of details of the above condition.
- 16 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

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: The Ritz Hotel, 150 - 156 Piccadilly, London, W1J 9BR

Proposal: Alterations and extensions to the Ritz hotel at roof level and on the site of 22 Arlington Street comprising an extension of five basements, lower ground, ground, mezzanine and seven upper floors to provide additional hotel floorspace including new hotel rooms/suites, entrances on Arlington Street, arrival and drop off facilities, changes to the servicing and refuse facilities, car and cycle parking, plant, associated hotel facilities and upgrades and all necessary works, including demolition, enabling, highways and other ancillary works.

Reference: 21/02960/LBC

Plan Nos: Existing drawings: PIC PUR TR RF DR A P0 001/A; PIC PUR TR RF DR A P0 002/A; PIC PUR TR RF DR A P0 003/A; PIC PUR TR 00 DR A P0 100/A; PIC PUR TR 01 DR A P0 101/A; PIC PUR TR 02 DR A P0 102/A; PIC PUR TR 03 DR A P0 103/A; PIC PUR TR 04 DR A P0 104/A; PIC PUR TR 05 DR A P0 105/A; PIC PUR TR 06 DR A P0 106/A; PIC PUR TR M1 DR A P0 107/A; PIC PUR TR LG DR A P0 108/A; PIC PUR TR RF DR A P0 109/A; PIC PUR TR M1 DR A P0 110/A; PIC PUR TR LG DR A P0 111/A; PIC PUR TR B1 DR A P0 112/A; PIC PUR TR XX DR A P0 202/A; PIC PUR TR XX DR A P0 300; PIC PUR TR XX DR A P0 301; PIC PUR TR XX DR A P0 302/A; PIC PUR TR XX DR A P0 303/A; and PIC PUR TR XX DR A P0 304/A., Demolition drawings: PIC PUR TR 00 DR A P1 100/A; PIC PUR TR 01 DR A P1 101/A; PIC PUR TR 02 DR A P1 102/A; PIC PUR TR 03 DR A P1 103/A; PIC PUR TR 00 DR A P1 104/A; PIC PUR TR 05 DR A P1 105/A; PIC PUR TR 06 DR A P1 106/A; PIC PUR TR 07 DR A P1 107/A; PIC PUR TR 08 DR A P1 108/A; PIC PUR TR RF DR A P1 109/A; PIC PUR TR M1 DR A P1 110/A; PIC PUR TR LG DR A P1 111/A; PIC PUR TR B1 DR A P1 112/A; PIC PUR TR XX DR A P1 202/A; PIC PUR TR XX DR A P1 206/A; PIC PUR TR XX DR A P1 301/A; PIC PUR TR XX DR A P1 303/A; and PIC PUR TR XX DR A P1 304/A., Proposed drawings: PIC PUR TR RF DR A P3 002/A; PIC PUR TR 00 DR A P3 100/B; PIC PUR TR 01 DR A P3 101/B; PIC PUR TR 02 DR A P3 102/A; PIC PUR TR 03 DR A P3 103/A; PIC PUR TR 04 DR A P3 104/A; PIC PUR TR 05 DR A P3 105/A; PIC PUR TR 06 DR A P3 106/A; PIC PUR TR M1 DR A P3 107/A; PIC PUR TR LG DR A P3 108/A; PIC PUR TR RF DR A P3 109/A; PIC PUR TR M1 DR A P3 110/A; PIC PUR TR LG DR A P3 111/A; PIC PUR TR B1 DR A P3 112/A; PIC PUR TR B2 DR A P3 113/A; PIC PUR TR B3 DR A P3 114/A; PIC PUR TR B4 DR A P3 115/A; PIC PUR TR B4 DR A P3 116/A; PIC PUR TR XX DR A P3 202/A; PIC PUR TR XX DR A P3 206/A; PIC PUR TR XX DR A P3 301/A; PIC PUR TR XX DR A P3 303/A; and PIC PUR TR XX DR A P3 304/A., ,

For information only (all documents dated April 2021): Design and Access Statement (including Crime Prevention Statement/Counter Terrorism Measures), prepared by Purcell Architects (and QCIC); Townscape Heritage and Visual Impact Assessment, prepared by Purcell Heritage; Planning Statement, prepared by DP9; and Archaeological Desk Based Assessment, prepared by MOLA.

Case Officer: Julia Asghar

Direct Tel. No. 020 7641
07866037964

Recommended Condition(s) and Reason(s)

- 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 The facing stonework must match the original Ritz Hotel in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved 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 St James's Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 3 You must apply to us for approval of 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.

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 St James's Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 4 All architectural detailing to stonework and roof shall match the original Ritz Hotel. This applies unless differences are shown on the approved 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 St James's Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 5 There shall be no external rainwater downpipes on the facing stonework.

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 St James's 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 details of the following parts of the development:, ,
 i) Typical new windows and external doors;; ii) External metalwork including the gates and screens to the ground floor of the new Arlington Street façade; iii) The new entrance canopy on Arlington Street; iv) Escape stairs;; v) The internal courtyard; vi) Finalised appearance of new rooftop plant; and, vii) Any external CCTV., viii) Internal detailing to new points of connection with the original building. 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 approved details.

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 St James's Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 7 You must apply for approval of details of the strategy for removal of existing rooftop plant made redundant by the plant space hereby created. All redundant plant shall be removed and areas of roof made good within 3 months of new plant coming into use.

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 St James's Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

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)

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.

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