

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 30 April 2024	<b>Classification</b> For General Release	
<b>Report of</b> Director of Town Planning & Building Control		<b>Ward(s) involved</b> West End	
<b>Subject of Report</b>	<b>Basement, Part Ground Floor and First To Second Floor Rear, 127 Mount Street, London, W1K 3NT</b>		
<b>Proposal</b>	Installation of air conditioning units within the rear lightwells; erection of an extract duct to roof level on rear facade; air vents and the installation of a new window within the rear western lightwell; replacement of entrance step finishes to the front facade; installation of new awning and display of signage and refurbishment of the shopfront and display of vinyl behind the glazing; and internal alterations including refurbishment of the ground, part first, part second and lower ground floors.		
<b>Agent</b>	Monmouth Planning Ltd		
<b>On behalf of</b>	Tanner Krolle International Limited		
<b>Registered Number</b>	23/04885/FULL & 23/04886/LBC	<b>Date amended/ completed</b>	4 March 2024
<b>Date Application Received</b>	17 July 2023		
<b>Historic Building Grade</b>	Grade II		
<b>Conservation Area</b>	Mayfair		
<b>Neighbourhood Plan</b>	Mayfair Neighbourhood Plan 2018-2038		

## 1. RECOMMENDATION

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

## 2. SUMMARY & KEY CONSIDERATIONS

The application site is a Grade II listed, mid-terraced building with vacant estate agent use at ground and basement level, office use at rear first and second floor levels and residential flats on the upper four floors of the main/front part of the building.

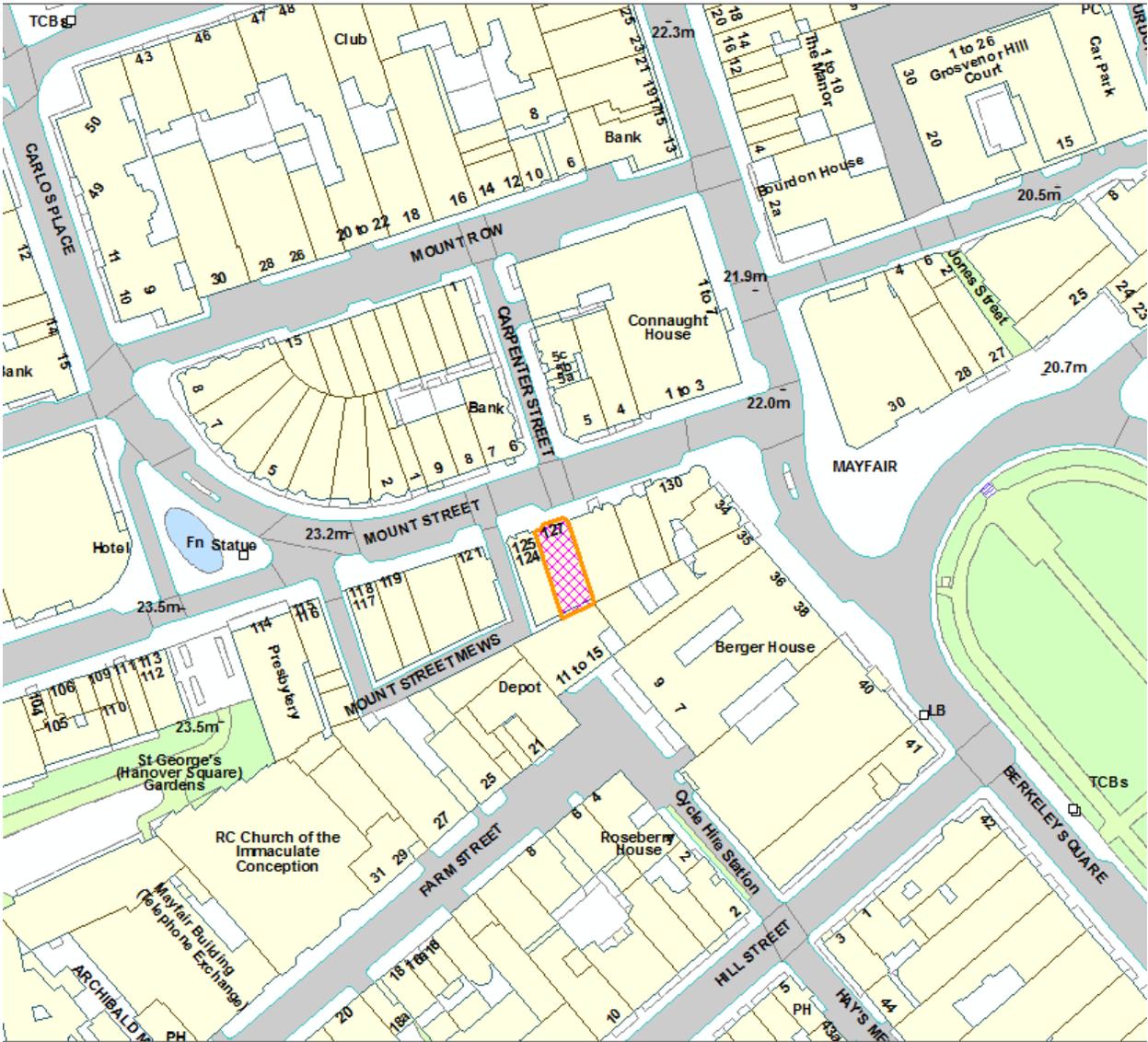
The applications relate to external and internal works in connection with the conversion of the existing commercial use on the lower floors of the building from mixed financial and professional service use and office use to mixed retail and restaurant use. Notwithstanding the substantial objections to the proposed use, the former estate agent, office, retail and restaurant uses all fall within Class E of the Use Class Order and planning permission is not required to change the building from one or more of these uses to another.

The key considerations in this case are:

- The acceptability of the proposed alterations in design terms, in particular the extract duct.
- The impact on the amenity of neighbouring residential properties.

For reasons set out in the main body of the report, it is considered that subject to appropriate conditions the internal and external alterations would not result in harm to residential amenity and are also considered to be acceptable in design terms. Accordingly, the application is recommended for approval.

### 3. LOCATION PLAN



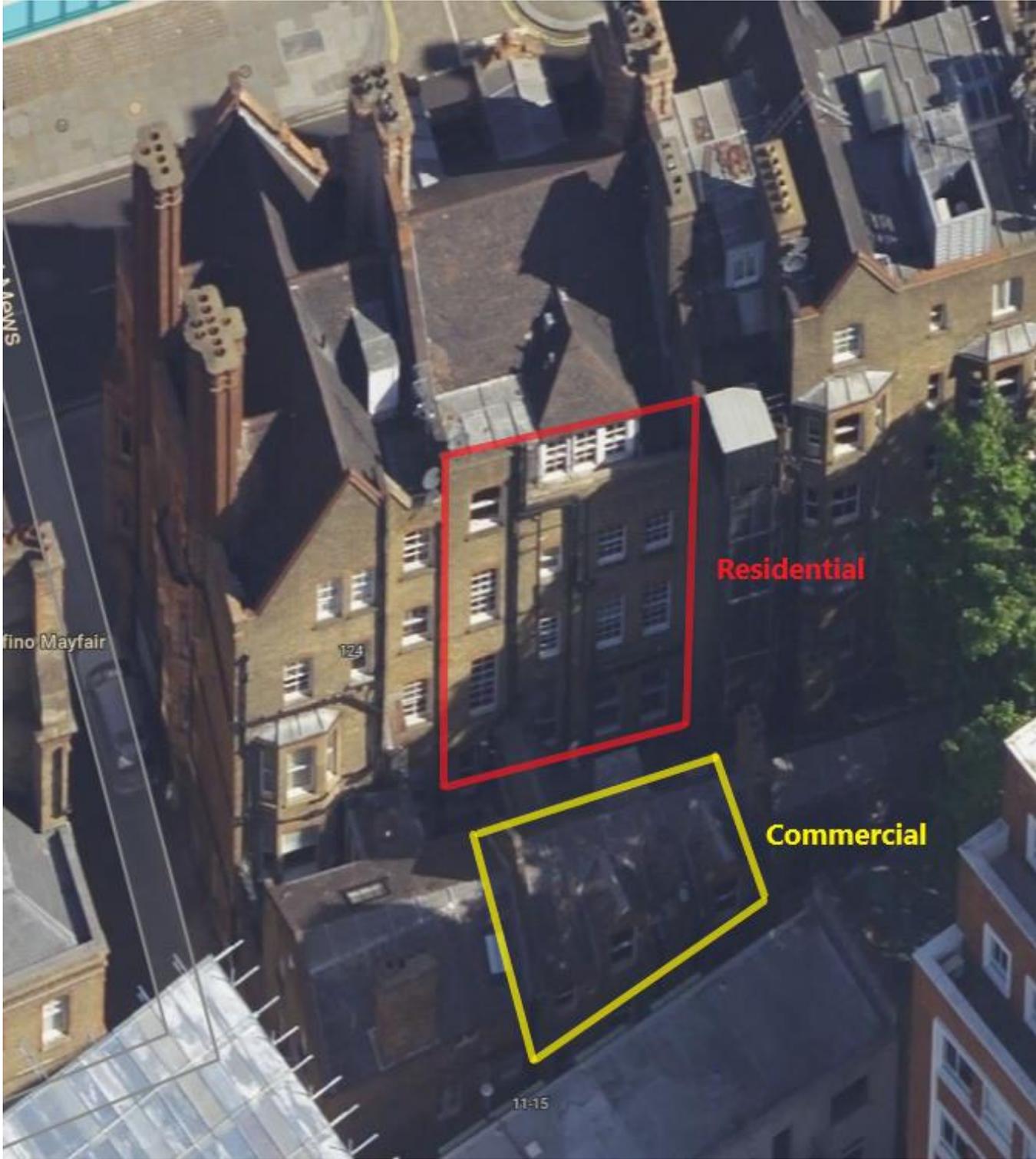
This production includes mapping data licensed from Ordnance Survey with the permission of the controller of Her Majesty's Stationary Office (C) Crown Copyright and /or database rights 2013. All rights reserved License Number LA 100019597

#### 4. PHOTOGRAPHS

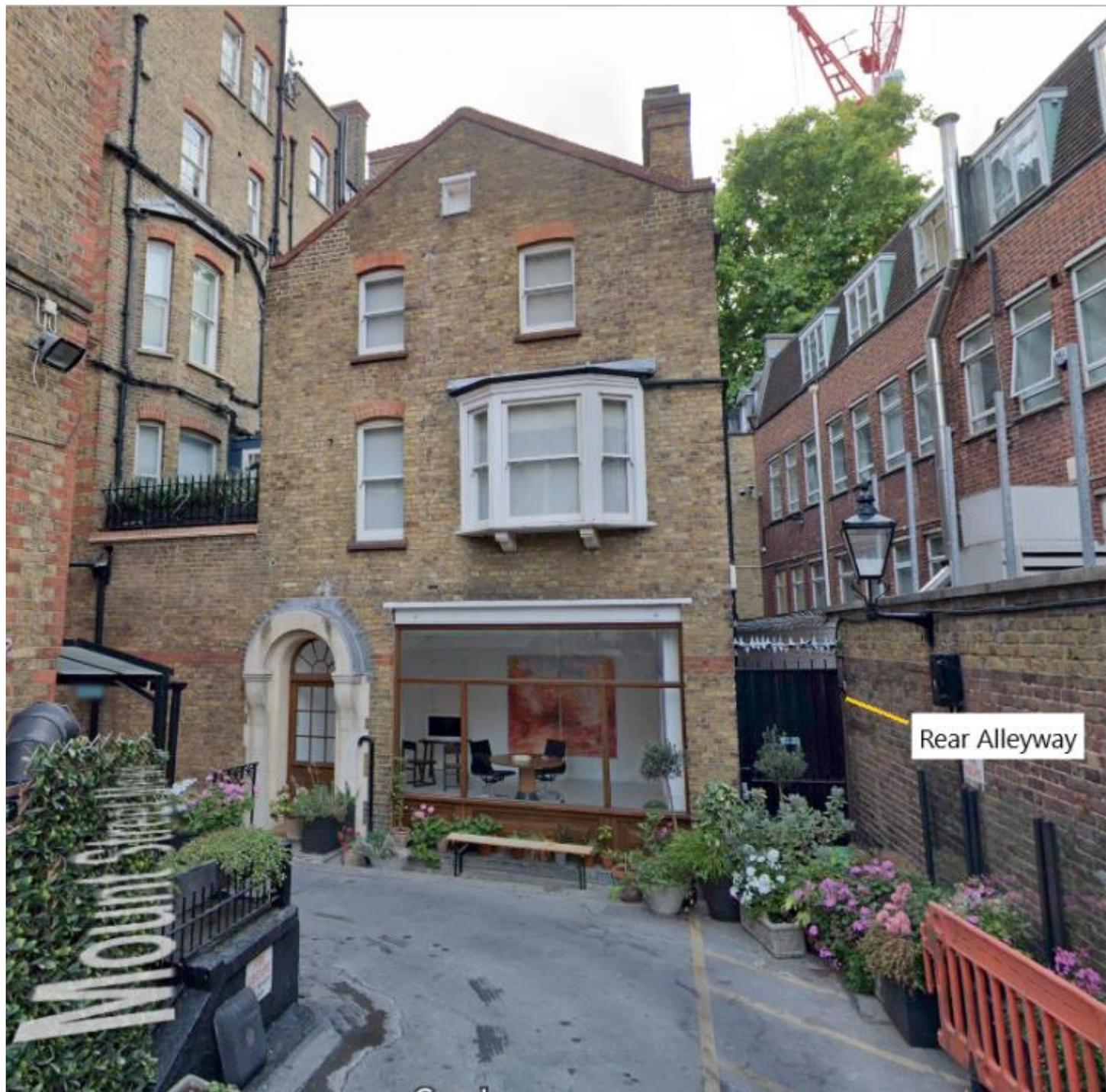
Front elevation from Mount Street



Rear elevation showing location of the residential accommodation occupying the upper floors of the main building



View from Mount Street Mews showing the location of the alleyway to the rear of 127 Mount Street



## 5. CONSULTATIONS

### 5.1 Application Consultations

#### MAYFAIR RESIDENTS GROUP:

Any response to be reported verbally

#### MAYFAIR NEIGHBOURHOOD FORUM:

Any response to be reported verbally

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

Objection due to noise and vibration from plant equipment, noise disturbance due to restaurant use

#### ENVIRONMENTAL SCIENCES:

No objection

#### ADJOINING OWNERS / OCCUPIERS

No. Consulted: 50

No. Responses: 7 letters of objection (including one on behalf of 4 residents) on the following grounds:

##### Amenity

- Noise disturbance from plant equipment and restaurant use
- Disturbance through shared residential and commercial entrance

##### Design and Conservation

- Restaurant use will negatively impact the character of the conservation area, listed building, residential character of the street/terrace
- Too much original fabric to be removed impacting the listed building

##### Other issues

- Insufficient consultation
- Insufficient drawings/submission documents
- Plans associated with the application are subject to legal dispute

#### SITE AND PRESS NOTICE

Yes

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

The applicant advises that there has been engagement with the neighbours during the course of the application, in particular as part of the licensing process where the neighbours reviewed the plans with the applicant and various meetings held.

## 6. WESTMINSTER'S DEVELOPMENT PLAN

### 6.1 City Plan 2019-2040 & London Plan

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in

the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (December 2023) and should be afforded full weight in accordance with paragraph 225 of the NPPF. Therefore, in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

## 6.2 City Plan Partial Review

The council published its draft City Plan Partial Review for consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 on 14 March 2024. The consultation continues until 25 April 2024. The Partial Review includes updated policies for affordable housing, retrofitting and site allocations.

An emerging local plan is not included within the definition of “development plan” within s.38 of the Planning and Compulsory Purchase Act 2004. However, paragraph 48 of the NPPF provides that a local authority may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

Footnote 22 to paragraph 48 states that during the transitional period for emerging plans consistency should be tested against the version of the Framework, as applicable, as set out in Annex 1 (paragraph 230). This means that the consistency of the policies in the City Plan Partial Review must be tested for consistency for the purposes of paragraph 48(c) against the September 2023 version of the NPPF.

Accordingly, at the current time, as the Partial Review of the City Plan remains at a pre-submission stage, the policies within it will generally attract limited if any weight at all.

## 6.3 Neighbourhood Planning

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

The plan has been through independent examination and was supported by local

residents and businesses in a referendum held on 31 October 2019. It was adopted on 24 December 2019. It therefore forms part of the development plan for Westminster for development within the Mayfair neighbourhood area in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004. Where any matters relevant to the application subject of this report are directly affected by the policies contained within the neighbourhood plan, these are discussed later in this report.

## **6.4 National Policy & Guidance**

The City Plan 2019-2040 policies referred to in the consideration of this application have been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in the NPPF (December 2023) unless stated otherwise.

## **7. BACKGROUND INFORMATION**

### **7.1 The Application Site**

127 Mount Street is a Grade II listed building located within the Mayfair Conservation Area. The building is five storeys high, with retail use at ground and basement level and office use at rear first and second floor levels. The rear first and second floors in commercial use can be accessed via the main staircase used by the occupiers of the flats but it is understood that in practice, at least recently, they have been accessed via the commercial use on the ground floor. The upper four floors at the front of the building are in residential use. It is part of a row of buildings, the Mount Street façade of which is highly decorated with structurally polychromatic bands of terracotta and brick. It is surrounded by a number of other listed buildings including 117-125 Mount Street, 130 Mount Street, and 1 Carlos Place, all of which are listed at Grade II.

This application site is located within the Central Activities Zone and within Central Mayfair as designated in the Mayfair Neighbourhood Plan (as a location which “performs a strong commercial function”).

### **7.2 Recent Relevant History**

Planning permission (22/04682/FULL) and Listed Building Consent (22/04683/LBC) were granted on 19 December 2022 for the following: "Installation of an air conditioning unit at rear lightwell, new timber sash windows to the rear and replacement of entrance step finishes to the front facade. Internal alterations including reopening of infilled window to the rear elevation, refurbishment of the ground, first, second and lower ground floors, including the removal of non-original partition walls, infilling of openings, erection of new partition walls and removal of suspended ceilings and WCs" The applicant has advised that these permissions have been partially implanted.

A Premises License (23/09196/LIPN) was granted on 22 February 2024 for the operation of the proposed mixed retail/restaurant use at the site. A copy of this is included in the background papers. Following consultation with the neighbours, which took place during the licensing process, and through which initial comments and objections were made, the proposals were amended in response to the comments and ultimately the objections to

the licence were withdrawn and the licensing application was granted under delegated authority.

## 8. THE PROPOSAL

The proposed works are a series of internal and external works required to provide a mixed retail and restaurant use.

### Lower Ground floor

- The removal of non-original partition walls
- Removal and replacement of modern WC's
- Removal and replacement of non-original doors
- Installation of 2X condenser units and 2X AC units
- Installation of new floor coverings over existing floor
- Installation of new suspending ceiling
- Installation of supply duct, kitchen extract duct from lower ground floor to roof level
- Installation of a potash and toilet extract

### Ground Floor

- Removal of non-original timber cabinet
- Existing panelling to be preserved and carefully covered by new display joinery
- Replacement of non-original ceiling and installation of new suspended ceiling
- Removal and replacement of non-original doors
- Installation of 2X AC units
- Installation of new floor coverings.
- Windows to be retained and refurbished to match existing.
- Installation of new casement window to match existing
- Staircase to be refurbished and bob-original cladding over balustrade to be removed
- Installation of mechanical ventilation/heat recovery unit within lightwell

### First floor (Part)

- Remove non-original partition walls.
- Replacement of WC.
- Replacement of timber door with new.
- Installation of a floor mounted AC unit within joinery within rear room.
- New access deck for plant raising from ground floor level.
- Installation of new floor coverings over existing floor.
- Installation of 2x air condenser units on the rear flat roof
- Remove non-original roof light.
- Remove non-original condenser units.
- Installation of supply fan

### Second floor (Part)

- Installation of new floor coverings over existing flooring.
- Installation of new WC's.
- Installation of new AC unit within the joinery.

### External works

- Installation of extract duct to roof level.

- Shopfront to be retained and refurbished.
- Existing non-original step to be replaced. New step in black stone with white stone inlay including TK logo.
- Installation of a traditional awning, awning box to be fitted internally at fascia level.
- Display of vinyls behind shopfront window.
- Display of a non-illuminated fascia sign.

The proposals initially included a "gazebo structure" within the rear lightwell which has since been omitted during the course of the application.

## **9. DETAILED CONSIDERATIONS**

### **9.1 Land Use**

The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 were introduced by central government on 20 July 2020 and took effect on 1 September 2020. This includes office, retail, and restaurant uses within a new Class E use 'Commercial, Business and Services', which also includes other uses such as, financial and professional services, medical, indoor sports and "any other services which it is appropriate to provide in a commercial, business or service locality".

The unit has historically been in financial and professional service use, occupied by an estate agent, a use which falls within Class E. The rear first and second floors historically been used as offices, now also within Class E. The applicant has set out that the site will be mixed retail and restaurant use to be occupied by Tanner Krolle, a leather goods brand. The ground floor and basement will provide the main retail and restaurant spaces. The rooms at first and second floor level, previously offices, will provide customers with a private space for either retail or restaurant purposes. These areas will be hired to restaurant customers for private dining and will also be used by retail customers as a consultation room to customise and finalise their retail purchases. This proposed use is considered to operate within Class E and therefore planning permission is not required for the change of use.

A number of the objections by neighbouring properties, as well as the Resident's Society of Mayfair and St James', have been made in relation to the operation of a restaurant/hospitality venue at the site. These objections include comments that a hospitality venue will harm the character of the local area and is contrary to various planning policy documents.

The objectors also believe that it will be harmful to residential amenity through noise disruption given the proximity of residential accommodation (with some residential flats sharing walls with the commercial use) as well as the potential for the communal entrance and corridors serving the residential use to be shared with the restaurant causing further harm to amenity.

Neighbouring residents have also made a number of requests for conditions to be imposed in relation to the restaurant, in the event that a restaurant commenced at the site. These requested conditions related to opening hours, servicing, access, management issues, noise disruption, capacity, amongst other issues, in relation to the operation of the restaurant. These matters are not relevant to the determination of this planning application

and therefore conditions relating to the operation of the restaurant cannot be included. However the premises licence (23/09196/LIPN) which was recently granted, includes an Operational Management Plan, and imposes conditions relating to many the issues raised by neighbours. For example –

- The opening hours of the premises: Monday to Thursday: 09:00 to 23:30, Friday to Saturday: 09:00 to 00:00 and Sunday: 09:00 to 22:30.
- Save for pre-booked private events (limited to 12 in any calendar year) or in the area hatched black on the plans, the premises shall only operate as a restaurant:
  - (i) in which customers are shown to their table;
  - (ii) where the supply of alcohol is by waiter or waitress service only,
  - (ii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table;
  - (iii) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
- All outside tables and chairs shall be rendered unusable and stacked in front of the shopfront of 127 Mount Street by 22.30 hours each day.
- Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables and consuming a table meal.
- All windows and external doors shall be kept closed after 21:00 hours, except for the immediate access and egress of persons.
- No deliveries to the premises via the rear entrance shall take place between 18:00 and 08.30 hours on the following day.
- The rear entrance shall not be used between 18:00 and 08:30 on the following day except for means of escape.
- No deliveries to the premises via the front entrance shall take place between 23:00 and 07.30 hours on the following day.
- After 20:00, the first and second floors will only be used for office use.
- After 22:00 the capacity of the 1st floor will not exceed 2 persons and the capacity of the 2nd floor will not exceed 2 persons.
- The glass walkway and staircase connecting the upper floors of the restaurants/offices to the residential flats shall not be used except for fire escape and maintenance.
- No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition

detailing the capacity so determined, (such capacity on the premises not to exceed [120 persons (excluding staff) at any time, The capacity of the first floor will not exceed 10 and the 2nd floor 7 (excluding staff) .

Given the scope of the planning application being limited to the external and internal alterations only as set out above, and not the use as a restaurant, it would not be reasonable to refuse permission on any of these grounds. With regards to the neighbouring concerns about the potential for shared corridors and entrances between residential and restaurant occupants, there is a link at first floor level between commercial and residential spaces which is accessed via the residential entrance; the application does not propose any changes to the links between the two uses, and therefore there are not considered to be any changes of use of the access and communal areas as part of the proposal. However, this access is controlled as part of the licence – see above. Given there is no formal change of use, this is not a matter that can be controlled by the planning decision and the objections relating to the use are not considered to be sustainable.

It is noted that planning permission has not been sought for tables and chairs on the pavement at the front of the property and is now no longer required, as this can be dealt with by licensing. However, the approved premises licence does include outside seating, with an indicative plan for 4 tables and 8 chairs.

## **9.2 Environment & Sustainability**

The application is supported by a Sustainable Design Statement which outlines how the proposals comply with these sustainable design principles. There are limited opportunities to add sustainability measures to the building due to the sensitive nature of the site in listed building terms, nonetheless sustainable energy efficiency measures have been incorporated within the design as appropriate, including through the addition of secondary glazing to the existing windows and upgrading of mechanical and electrical services; lighting, and heating.

## **9.3 Biodiversity & Greening**

The physical constraints of the building, including the limited size of the rear roof mean that the provision of biodiversity or greening is considered to be impractical in this case.

## **9.4 Townscape, Design & Heritage Impact**

### **Legislative & Policy Context**

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

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

Section 66 of the LBCA Act requires that "*In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning*

*authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”*

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

Whilst there is no statutory duty to take account of effect on the setting of a conservation area, Policy 39(K) in the City Plan 2019-2040 states that features that contribute positively to the significance of the setting of a conservation area will be conserved and opportunities will be taken to enhance conservation area settings, wherever possible.

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

### **Consideration**

127 Mount Street is a Grade II listed building located within the Mayfair Conservation Area. The Mount Street façade is highly decorated with structurally polychromatic bands of terracotta and brick, an elliptical arched doorway at ground floor level, and a continuous decorated entablature which runs the length of the Mount Street façade. It is surrounded by a number of other listed buildings including 117-125 Mount Street, 130 Mount Street, and 1 Carlos Place, all of which are listed at Grade II.

Many of the works included in these proposals have previously been approved in 2022 (Ref Nos. 22/04682/FULL & 22/04683/LBC).

Neighbour objections and the amenity society objection have referenced design and heritage issues as reasons for objecting to the works, stating that the external alterations proposed including the ducts and associated paraphernalia are out of keeping of the conservation area, and that the internal and external works will impact the setting of the listed building and that the stripping out of the layouts of the various storeys removes too much of the original fabric.

The retention of significant elements of the interior fabric of the listed building has been negotiated with the applicant where appropriate. This included the timber and glazed screen at ground floor level as well as doors and door surrounds through the building. Furthermore, some elements of fabric are being sensitively retained albeit housed behind new joinery. It is not considered that any elements which positively contribute to the special interest of the listed building are proposed to be removed.

### **Shopfront alterations**

The proposed works to the shopfront include the removal and replacement of the step to

the doorway, the removal and replacement of the fascia signage, and the removal and replacement of the mesh within the stallriser, and the installation of an awning. The existing shopfront is not original, however it is in keeping with the character of Mount Street and these elements of the works in principle are sensitive to the special interest of the listed building and are in keeping with the existing streetscape of Mount Street and will have a neutral impact on the character and appearance of the Mayfair Conservation Area (subject to the comments below regarding the threshold step). Details of how the awning brackets will be attached to the slender timbers of the shopfront have not however been provided. Therefore, conditions have been included requiring further details before works can commence on these elements of the proposals.

The existing threshold step which is proposed to be removed is in keeping with the character and appearance of the streetscape, the uniformity of which positively contributes to Conservation Area. It is proposed to remove it and replace it with a new step in black stone with white stone inlay logo. This would introduce an obtrusive feature into the shopfront which would disrupt the architectural language of the streetscape and harm the character and appearance of the Conservation Area. An amending condition has been attached requiring that the existing step is not removed until further details of a new step be submitted for approval. A Portland stone or York stone step is most likely to be supported.

Given that the proposals would replace the existing threshold step, level access would not be achieved improving the accessibility of the ground floor unit. Whilst this has not been proposed, creating level access to the unit in this location would raise areas of concern on heritage ground with regard to the potential detailed design.

If the applicant proposed to install a ramp, due to the height differential between street level and the threshold this would require the ramp to project out into the street. This would sit awkwardly within the shopfront which is of high-quality and positively contributes to the special interest of the listed building, and it would also raise potential highways issues as it juts out into the pavement.

If the applicant proposed to remove the step entirely and lower the door so that the threshold of the door was flush with the pavement and handle the level change internally, this would require the loss of the door, and the loss of a section of the interior floor both of which positively contribute to the special interest of the listed building.

Both approaches would result in harm to the special interest of the listed building. This harm would need to be weighed against the public benefits of providing level access. The applicant has not however proposed level access of any form using the approaches above, or another approach. As there are no specific designs to assess, the potential harm to the listed building cannot be determined and then weighed against the public benefits of level access.

#### Rear elevation

On the rear elevation it is proposed to remove an existing concrete threshold, and replace it with a York stone threshold, to repair and refurbish the existing windows and doors, and to remove and replace the plant equipment in the lightwells. These elements of the proposals would have a neutral impact on the special interest of the listed building, and on the character and appearance of the Conservation Area.

It is also proposed to install an extract duct from basement level to roof level running up the rear façade. This would likely be unacceptable in usual circumstances due to the harm caused to the character of the Mayfair Conservation Area of an obtrusive extract flue. There is however a highly prominent black lift shaft made of metal with glazed elements on the adjacent property, next to which the flue is proposed to be run. In the context of this lift shift, it is considered that the extract duct will not be overly obtrusive within the townscape of the Conservation Area.

#### Internal works

At basement level it is proposed to demolish a number of existing sections of partition wall, install new partition walls, and remove and reuse the existing doors from their existing location to new locations. These works are in line with what was previously approved in December 2022.

At ground floor level it is proposed to install new flooring, new partition walls, new joinery, remove and replace the existing ceiling, relocate the timber screen, and install new air conditioning units. The works which will impact the historic fabric are the relocation of the timber screen and the demolition of three areas of wall to form new windows into the lightwells. The screen is proposed to be relocated to another location at ground floor level in line with what was previously been approved. The new planform at the front of the shop is more in keeping with the original planform, and the new floor build up will be laid on top of the historic floorboards protected by a floating overlay.

At first and second floors it is proposed to remove and replace the WCs, install new air conditioning units, remove and replace the existing doors, and demolish sections of modern partition walls. These works will not harm the special interest of the listed building.

On the flat roof at first floor level, it is proposed to install two air conditioning units. These units will not be visible in public views, although they will be visible from high level private views. They are proposed to be housed within an acoustic enclosure, although details have not been provided in regarding its design, a condition has been included requiring details to be submitted and approved. It is also proposed to remove the non-original rooflight.

Overall, these proposals will have a neutral impact on the special architectural and historic interest of the listed building, and on the character and appearance of the Mayfair Conservation Area. They are in accordance with policies 38, 39 and 40 of the Westminster City Plan 2019-2040 (adopted April 2021), and policy MD3 of the Mayfair Neighbourhood Plan 2018-2038 (adopted December 2019).

## **9.5 Residential Amenity**

### **Visual Amenity**

Policy 7 of the City Plan seeks to protect surrounding residences from unacceptable loss of daylight/ sunlight, sense of enclosure, loss of privacy and noise. Policy 38C of the City Plan requires that all development, introduces measures that reduce the opportunity for crime and anti-social behaviour, promoting health, well-being and active lifestyles through design and ensuring a good standard of amenity for new and existing occupiers.

The proposed extract duct will be located in close proximity to rear facing residential windows and may cause some minor visual intrusion. Plans available within historic planning applications indicate that the closest residential windows to the duct serve bedrooms at first and third floor level (RN: 23/02180/LBC and 17/02154/LBC). The plans show that these bedrooms are served by two windows. Taking into account the existing lift shaft which already protrudes from the rear and dominates the view from these windows, any additional visual intrusion above what is already existing is considered to be minor and therefore does not warrant a refusal. There is not considered to be any material loss of daylight nor sunlight. The remaining equipment, including the air conditioning units and air vents are not likely to cause any harm in terms of loss of light or visual intrusion.

### **Noise & Vibration**

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

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

The proposed external plant equipment will consist of a high level extract duct from lower ground, 2x condenser units and mechanical ventilation/heat recovery unit within the rear lightwell, as well as the replacement of 2x condenser units on the first floor flat roof.

Residential accommodation is located in close proximity to the location of the proposed plant equipment, on the upper floors of the site, as well as within the adjoining properties at 125 and 128 Mount Street.

A number of objections have been made in relation to the impact of the plant equipment on the amenity of the neighbouring residential properties, including neighbours located within 127 Mount Street. The objections specify that motors, vibration, air rush, equipment being turned on and off, and any other noise associated with the plant equipment will be disruptive to nearby residents.

Environmental Health Officers have assessed the acoustic report that was submitted with the application and have determined that it is sufficient in demonstrating the noise impacts of the equipment. They also consider that the proposed plant is likely to comply with the City Council's noise Policy 33 with the acoustic mitigation measures set out in the report. The acoustic mitigation measures include enclosures to surround the condensers, silencers to be fitted close to fans, and acoustic ductwrap to cover the external duct to attenuate break-out noise. Taking into account these mitigation measures and the assessments carried out within the submitted acoustic report, the Environmental Health Officers have determined that the proposals would not likely cause significant noise disturbance to neighbouring properties.

Although the data indicates that operation of the units overnight would not result in any noise nuisance the applicant advises that the operational hours of equipment will be from

09.00 to 00.00 hrs. Conditions are therefore included restricting the hours of operation to these hours and to ensure compliance with the Council's standard noise criteria.

### **Odour**

The proposed kitchen extract duct will terminate at roof level 1m above the nearest residential window at 127 Mount Street, however there are residential windows at 128 Mount Street positioned at a higher elevation the duct. The applicant has set out within the Ventilation Strategy specifications of a bespoke extraction system that will push the air vertically away into the atmosphere and mitigate risk of any odours harming the amenity of nearby receptors.

The Ventilation Strategy and kitchen extract duct has been assessed by the Environmental Sciences Officers and has been deemed compliant with "best practicable means (BPM)" standards as set out in Westminster's Guidelines for Kitchen Extract Ventilation Systems (March 2021), and is therefore in accordance with Policy 33 part D.

## **9.6 Transportation, Accessibility & Servicing**

Objections have been received in relation to the impact of the servicing and deliveries relating to the restaurant use. Objectors specified that the use of the rear alleyway for servicing and deliveries could cause noise disruption to residents. Planning permission is not required for the restaurant use, and therefore the operational aspects of this use including servicing and access arrangements have not been assessed as part of this decision.

However, under recently granted licensing application (RN: 23/09196/LIPN), an Operational Management Plan was provided, which set out detailed servicing arrangements and mitigation measures to reduce disruption to neighbouring properties. These measures, which have been conditioned within the granted licence, include limiting deliveries and the use of the rear door located in rear alleyway to between 08:30am and 18:00 only.

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

Whilst the development is of insufficient scale to require an employment and skills plan, it will contribute positively to the local economy during the construction and end phases through the generation of increased opportunities for local employment, procurement and spending.

## **9.8 Other Considerations**

Neighbour comments have stated that the drawings provided are insufficient, given that they do not show the proximity of the neighbouring residential accommodation. Whilst the upper floor plans do not show the full building, it is possible to identify the proximity of the proposed alterations to the nearest residential windows. The elevation plans also show the location of the residential windows and proximity to the alterations. The drawings are therefore considered acceptable and it would not be reasonable to refuse permission on this basis.

Other comments have been made in relation to lack of consultation with residents. With regards to the council's consultation, press and site notices have been posted and individual letters have been sent to this property and neighbouring properties. Outside of the statutory consultation taken place as part of the planning application process there is no requirement for applicants to consult neighbours separately to this. The applicant has advised that there has been engagement with the neighbours during the course of the application in particular as part of the licensing process where the neighbours reviewed the plans with the applicant and various meetings were held with the neighbours.

A further comment has been received, stating that the plans "encompassed in this application are currently subject to an ongoing legal dispute for copyright infringement", and therefore requesting that the decision is put on hold until this matter is resolved. Copyright issues and ongoing legal disputes are separate processes to planning, and it would therefore not be reasonable to refuse permission or delay this decision on this basis.

### **9.9 Environmental Impact Assessment**

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

### **9.10 Planning Obligations & Pre-Commencement Conditions**

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

## **10. Conclusion**

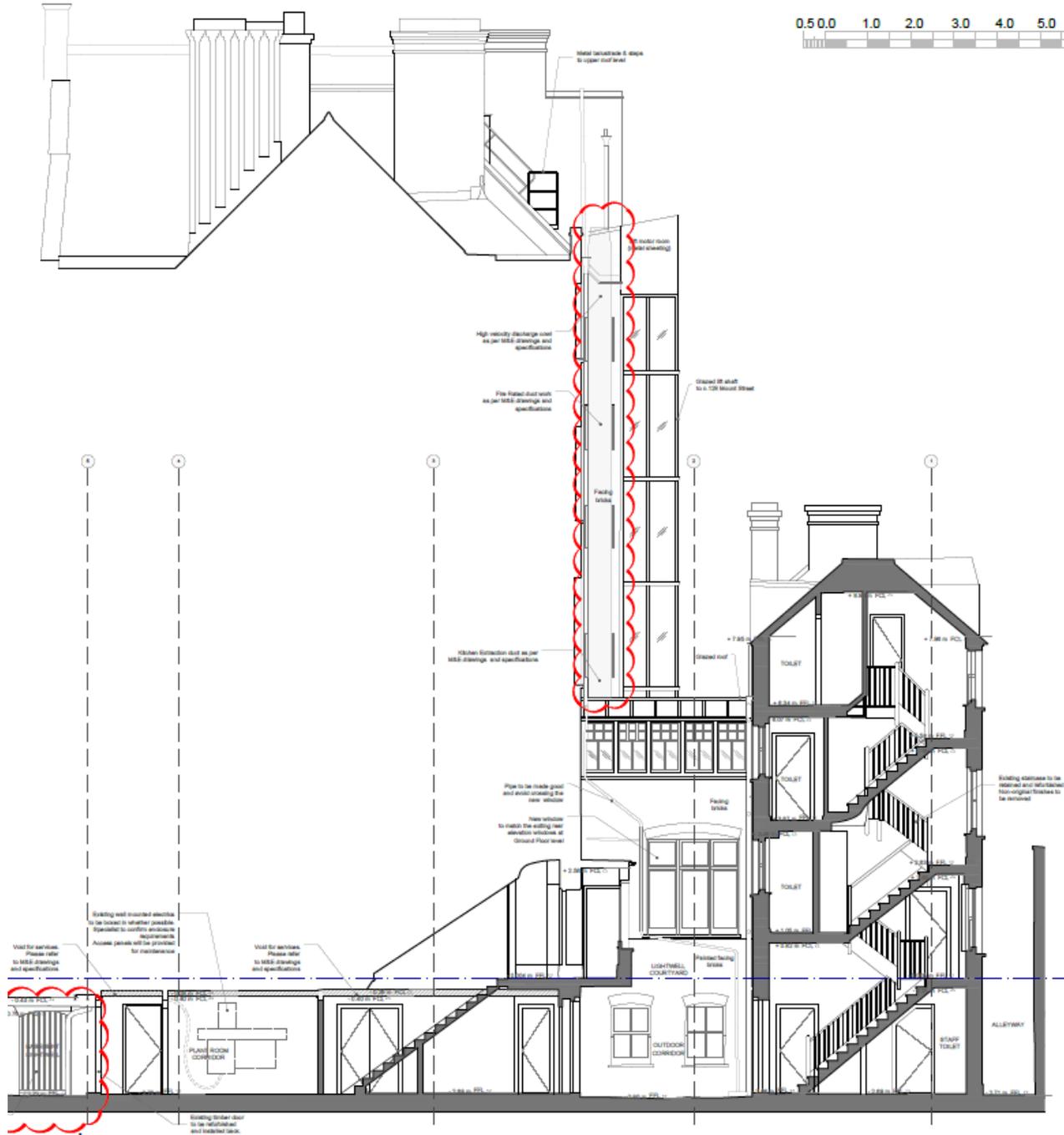
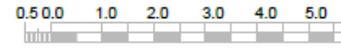
Accordingly, the proposal is considered acceptable and would be consistent with the relevant policies in the City Plan 2019-2040 and London Plan 2021. It is recommended that planning permission is granted, subject the conditions listed at the end of this report, which are necessary to make the development acceptable.

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

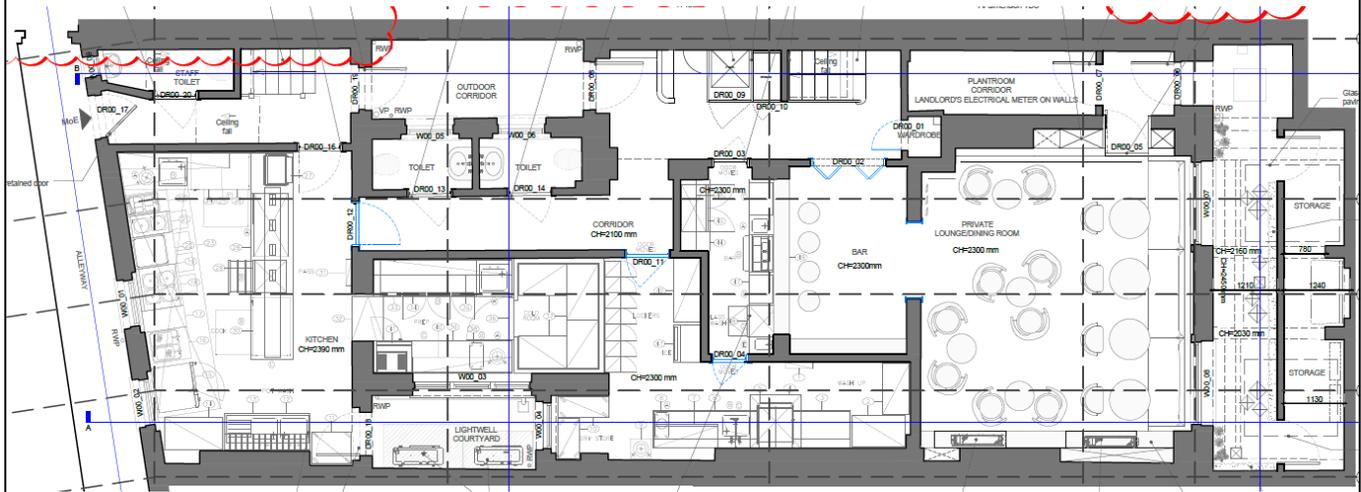
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: PAUL QUAYLE BY EMAIL AT [pquayle@westminster.gov.uk](mailto:pquayle@westminster.gov.uk).



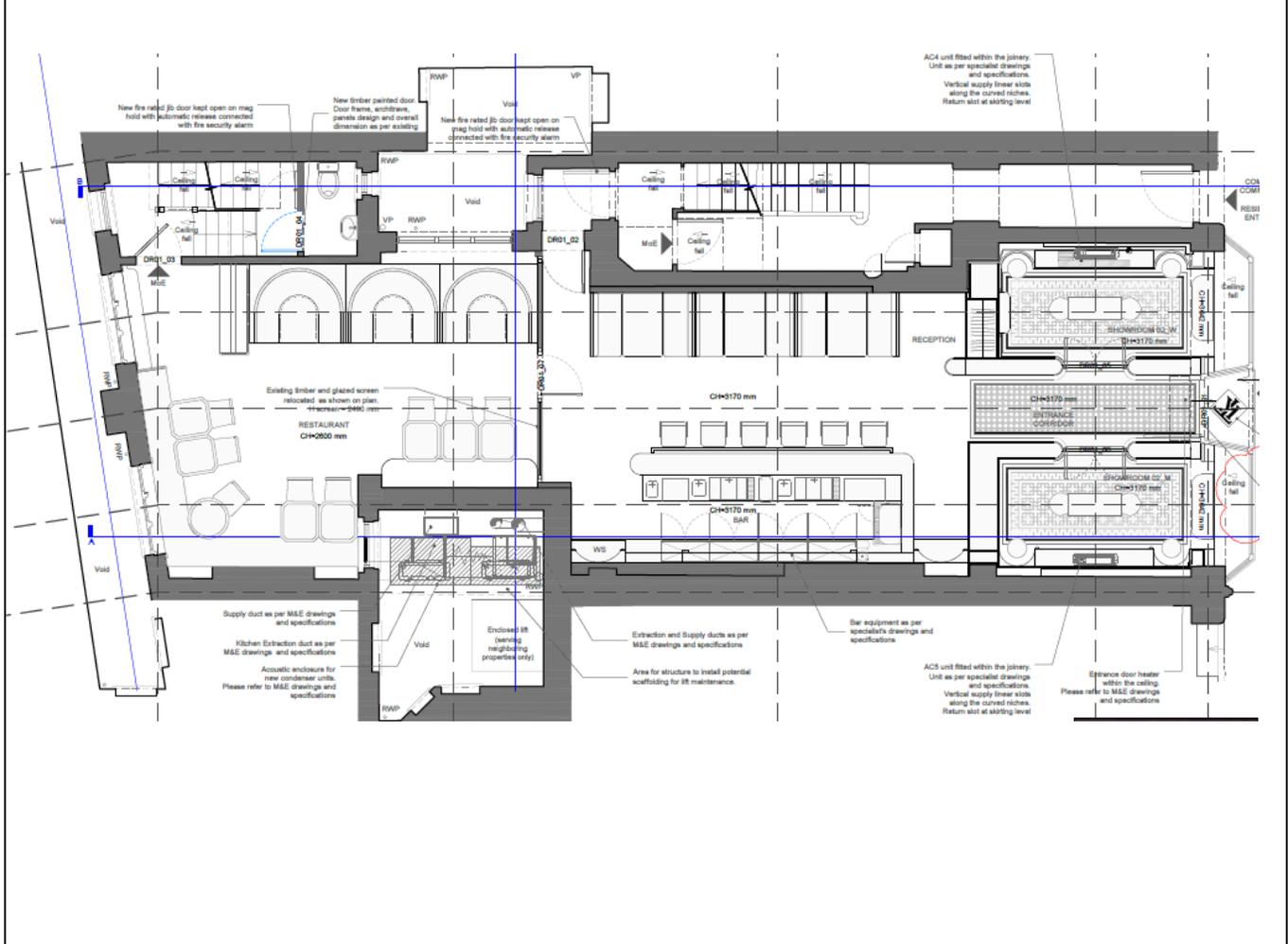
### Proposed section



### Proposed lower ground floor plan



### Proposed ground floor plan





**DRAFT DECISION LETTER – PLANNING PERMISSION**

**Address:** Basement Part Ground Floor And First To Second Floor Rear, 127 Mount Street, London, W1K 3NT

**Proposal:** Installation of air conditioning units within the rear lightwells; erection of a full height extract duct to roof level; air vents and the installation of a new window within the rear western lightwell; replacement of entrance step finishes to the front facade; refurbishment of the shopfront (Linked with 23/04886/LBC)

**Reference:** 23/04885/FULL

**Plan Nos:** A1100\_PA 04 ; A2100\_PA 03 ; A3100\_PA 03 ; A4100\_PA 03 ; A7100\_PA 03 ; A7101\_PA 04 ; A8102\_PA 02 ; 23021-SD1 07 ; 23021-SD1 7 ; 23021-SD100 07 ; 23021-SD200 01 ; 23021-SD3 07 ; A1001\_PA 02 ; A7004\_PA 01 ; A12000\_PA ; A12001\_PA ; A12002\_PA ; A12004\_PA ; A12005B\_PA ; A12005C\_PA ; A12006\_PA ; A12006B\_PA ; A12006C\_PA ; A12007\_PA ; A1400\_PA ; A1410\_PA ; A2201\_PA ; A2202\_PA ; A2202B\_PA ; A2400\_PA ; A2410\_PA ; A3001\_PA ; A3400\_PA ; A3410\_PA ; A4001\_PA ; A4400\_PA ; A4410\_PA ; A7003\_PA ; A8003\_PA ; A8004\_PA ; A8005\_PA ; A8100\_PA ; A8100C\_PA ; A2001\_PA 01

HVAC Planning Drawing, dated 20/02/23 ; HVAC Planning Drawing Sections and Details, dated 20/02/23 ; Electrical Heater Tender Drawing dated 14/03/23

Acoustic report for 127 Mount Street W1K, by Sound Planning, dated 11 September 2023 ; Door Schedule, titled "DOORS @ 127 MOUNT ST" received 18 October 2023 ; The Ventilation strategy document, dated 4 March 2024, from M Leech Services

**Case Officer:** Tristan Goldsmid

**Direct Tel. No.** 07890604915

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

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

Reason:

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

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

Reason:

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

(April 2021). (R26FE)

- 3 The extract duct must be painted and maintained black.

Reason:

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

- 4 You must apply to us for approval of drawings for the connection between the proposed awning bracket and the shopfront, as well as the acoustic enclosures for the condenser units at lower ground and first floor levels. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these drawings.

Reason:

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

- 5 Contrary to what is shown on the hereby approved drawings including A2201\_PA, A2400\_PA, A8100C\_PA, A8100\_PA, A2100\_PA, A8003\_PA, the existing threshold step must not be removed and replaced. You must apply to us for approval of details for a new threshold step. You must not start any work on the step until we have approved these details, and you must then carry out the work to the floor in accordance with the details we have approved.

Reason:

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

- 6 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)

- 7 (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 5 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 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.
- (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 minutes) 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. (C46BC)

Reason:

As set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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.

(R46BC)

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

Reason:

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise environment in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R48AB)

- 9 The plant/machinery hereby permitted shall not be operated except between 09:00 hours and 00:00 hours daily. (C46CA)

Reason:

To safeguard the amenity of occupiers of noise sensitive receptors and the area generally by ensuring that the plant/machinery hereby permitted is not operated at hours when external background noise levels are quietest thereby preventing noise and vibration nuisance as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) the Environmental Supplementary Planning Document (February 2022). (R46CC)

- 10 You must install the acoustic attenuation measures, including all the acoustic enclosures and the ductwrap to the extract duct, shown on the approved drawings and specified in the Acoustic report by Sound Planning, dated 11 September 2023 before you use the machinery. You must then maintain the attenuation measures in the form shown for as long as the machinery remains in place. (C13DB)

Reason:

To protect neighbouring residents from noise nuisance, as set out in Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R13FC)

- 11 The design and location of the kitchen extract ventilation scheme for the prevention of odour nuisance shall comply with The Ventilation strategy document, dated 4 March 2024, from M Leech Services.

Reason:

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

#### **Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the City Plan 2019 - 2040

(April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- 2 HIGHWAYS LICENSING:, Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please visit our website at [www.westminster.gov.uk/guide-temporary-structures](http://www.westminster.gov.uk/guide-temporary-structures)., , CONSIDERATE CONSTRUCTORS:, You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, [siteenquiries@ccscheme.org.uk](mailto:siteenquiries@ccscheme.org.uk) or visit [www.ccscheme.org.uk](http://www.ccscheme.org.uk)., , BUILDING REGULATIONS:, You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website at [www.westminster.gov.uk/contact-us-building-control](http://www.westminster.gov.uk/contact-us-building-control)

- 3 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 our Environmental Sciences Team (email: [environmentalsciences2@westminster.gov.uk](mailto: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.

- 4 Under the Construction (Design and Management) Regulations 2015, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:, , \* Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;, , \* This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls

during maintenance such as for any high level plant., , Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at [www.hse.gov.uk/risk/index.htm](http://www.hse.gov.uk/risk/index.htm). , , It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

- 5 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained., Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following:,\* Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings;,\* Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase;,\* Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained;,\* Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the centre of particularly wide staircases where necessary;,\* Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.
- 6 Working at height remains one of the biggest causes of fatalities and major injuries. You should carefully consider the following., \* Window cleaning - where possible, install windows that can be cleaned safely from within the building., \* Internal atria - design these spaces so that glazing can be safely cleaned and maintained., \* Lighting - ensure luminaires can be safely accessed for replacement., \* Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission)., More guidance can be found on the Health and Safety Executive website at [www.hse.gov.uk/toolbox/height.htm](http://www.hse.gov.uk/toolbox/height.htm), , Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)
- 7 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (including date decision and planning reference number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.

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

**DRAFT DECISION LETTER – LISTED BUILDING CONSENT**

- Address:** Basement Part Ground Floor And First To Second Floor Rear, 127 Mount Street, London, W1K 3NT
- Proposal:** Installation of air conditioning units within the rear lightwells; erection of a full height extract duct to roof level; air vents and the installation of a new window within the rear western lightwell; replacement of entrance step finishes to the front facade; installation of new awning and display of signage and refurbishment of the shopfront and display of vinyl behind the glazing; and internal alterations including refurbishment of the ground, part first, part second and lower ground floors. (Linked with 23/04885/FULL)
- Reference:** 23/04886/LBC
- Plan Nos:** A1100\_PA 04 ; A2100\_PA 03 ; A3100\_PA 03 ; A4100\_PA 03 ; A7100\_PA 03 ; A7101\_PA 04 ; A8102\_PA 02 ; 23021-SD1 07 ; 23021-SD1 7 ; 23021-SD100 07 ; 23021-SD200 01 ; 23021-SD3 07 ; A1001\_PA 02 ; A7004\_PA 01 ; A12000\_PA ; A12001\_PA ; A12002\_PA ; A12004\_PA ; A12005B\_PA ; A12005C\_PA ; A12006\_PA ; A12006B\_PA ; A12006C\_PA ; A12007\_PA ; A1400\_PA ; A1410\_PA ; A2201\_PA ; A2202\_PA ; A2202B\_PA ; A2400\_PA ; A2410\_PA ; A3001\_PA ; A3400\_PA ; A3410\_PA ; A4001\_PA ; A4400\_PA ; A4410\_PA ; A7003\_PA ; A8003\_PA ; A8004\_PA ; A8005\_PA ; A8100\_PA ; A8100C\_PA ; A2001\_PA 01
- HVAC Planning Drawing, dated 20/02/23 ; HVAC Planning Drawing Sections and Details, dated 20/02/23 ; Electrical Heater Tender Drawing dated 14/03/23
- Acoustic report for 127 Mount Street W1K, by Sound Planning, dated 11 September 2023 ; Door Schedule, titled "DOORS @ 127 MOUNT ST" received 18 October 2023 ; The Ventilation strategy document, dated 4 March 2024, from M Leech Services
- Case Officer:** Tristan Goldsmid **Direct Tel. No.**

**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:**

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

- 2 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved

drawings or are required in conditions to this permission. (C27AA)

Reason:

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

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

Reason:

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

- 4 You must scribe all new partitions around the existing ornamental plaster mouldings. (C27JA)

Reason:

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

#### **Informative(s):**

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