

Item No.
2

CITY OF WESTMINSTER	
PLANNING APPLICATIONS SUB COMMITTEE	Date 12 November 2024
	Classification For General Release
Report of Director of Town Planning & Building Control	Ward(s) involved West End
Subject of Report	30 Grosvenor Square, London, W1K 6AN
Proposal	<p>Application 1. Variation of conditions 1 and 46 of planning permission dated 18 February 2021 (RN 20/06601/FULL) which itself varied condition 1 of planning permission dated 21.5.20 (RN:19/07406/FULL), which varied condition 1 and 9 of planning permission dated 20.11.18 (RN: 18/03520/FULL) which varied condition 1 of planning permission dated 12 September 2017 (RN: 16/06423/FULL) for, 'Alterations to the existing building including retention & repair of the front and side facades, part demolition & replacement of the rear facade, rear extension of the 2nd-5th floors, removal of existing & introduction of a new 6th floor, introduction of a new set-back 7th floor, extension of the existing basement levels to include two additional basement levels (including one mezzanine level), installation of roof plant & plant screen, public realm works including hard & soft landscaping, removal of the security kiosks, fencing, bollards & gates/barriers to Blackburne's Mews & Culross Street, removal & replacement of 6 No. trees in front of the Grosvenor Square elevation & re-opening of the road on the western side of the Square, all in connection with the use of the building as a hotel (Class C1) with flexible retail/restaurant use at 1st floor, ground floor and basement 1 (Class A1/Class A3/Class C1), flexible restaurant/bar use at 7th floor (Class A3/Class A4/Class C1), leisure/spa facilities within the basement (Class D2/Class C1) & an ancillary ballroom, event spaces, back of house facilities & associated car, cycle parking & servicing facilities accessed from Blackburne's Mews, & other associated works'; NAMELY, to re-instate the approved perimeter of external seating on the planning drawings, extend the external seating area by one additional bay on the Grosvenor Square frontages, adjust the starting time for part of the approved seating area and allow some items of furniture within the external seating area to remain in situ when not in use (S73 application).</p> <p>Application 2. Installation of permanent external planter boxes at ground floor level of Grosvenor Square, Upper Grosvenor Street and Upper Brook Street frontages, and other associated works.</p>
Agent	Gerald Eve LLP
On behalf of	30 GS NOMINEE 1 LIMITED for and on behalf of 30 GS Limited

Registered Number	1. 24/05111/FULL; 2. 24/05112/FULL	Date amended/ completed	23 October 2024
Date Application Received	26 July 2024		
Historic Building Grade	Grade II		
Conservation Area	Mayfair		
Neighbourhood Plan	Mayfair		

1. RECOMMENDATION

<p>Application 1</p> <p>1. Grant conditional permission, subject to a Deed of Variation to link this decision to the original legal agreement.</p> <p>2. If the Deed of Variation has not been completed within 3 months from the date of the Committee's resolution then:</p> <p>a) The Director of Town Planning & Building Control 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 Town Planning & Building Control is authorised to determine and issue such a decision under Delegated Powers; however, if not</p> <p>b) The Director of Town Planning & Building Control shall consider whether permission should be refused on the grounds that it has not proved possible to complete an agreement within an appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that would have been secured; if so the Director of Town Planning & Building Control is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.</p> <p>Application 2</p> <p>Grant conditional permission.</p>
--

2. SUMMARY & KEY CONSIDERATIONS

<p>The site was formerly occupied by the US Embassy. In September 2017 permission was granted (with subsequent variations/minor amendments) for the redevelopment of the site (retaining the front and side facades) as an hotel (140 rooms) with associated retail/restaurant and leisure spaces (a spa). Work is progressing on site.</p> <p>The ground floor accommodates retail and restaurant units and the entrance to the spa. The approved scheme included designated outside seating areas in connection with these units around the front and side perimeters of the building. These seating areas are within the site boundary, not on public highway. Condition 46 states the following:</p>
--

You must apply to us for approval of a management plan (with detailed drawings of the proposed layouts) dealing with the use of external seating areas, including details of all types of furniture, the number of seats, tables and other items and where they are to be stored when not in use. The area to be used for outdoor seating shall not exceed the areas shown on drawing number 1120_P_P1_00 Rev 04. You can only put the tables and chairs on the forecourt areas between 07.00 and 23.00 hours. The outdoor seating shall not commence until we have approved what you have sent us and must then be managed according to what we have approved.

Application 1 seeks to partially discharge this condition by submitting the required details for the front and side return seating areas in connection with the adjoining units, which now have secured tenants. (Details for the two smaller seating areas on the north and south sides adjacent to Blackburne's Mews will follow in due course.) The application also seeks to amend the condition to allow some items of furniture (large foldable banquettes, service stations, the large demountable parasols, etc) to be left out overnight, and to slightly extend the seating area either side of the main front entrance, to allow some seating for the spa and retail deli. The revised wording for condition 46 is shown in the attached draft decision letter for Application 1. This application includes the formal re-introduction of an updated plan showing the approved external seating areas, the outline of which was omitted in error from the approved ground floor drawing of the last S73 application.

The applicant has argued that the development has evolved since the original permission in 2017 (when there was no hotel operator involved in the scheme), and that external dining has become a critically important aspect of a retailer's offer, which includes the ability to offer this year-round. The proposed furniture is commensurate with the high standard of the hotel and Mayfair to provide a high quality, comfortable experience for visitors and to attract local and international interest. The chosen parasols are intended to protect diners and enable the terrace to be used year-round, in most weather conditions, while preserving the visibility of the main façade. The applicant is requesting that some larger items are kept out overnight, including folded banquettes, demounted parasols and serveries, but all movable chairs, tables and bench seating will be securely stored within the retail units in identified locations which have been agreed with the proposed tenants.

At pre-application stage officers resisted some furniture being left outside overnight, with the support of the Designing Out Crime Officers (DOCs), because of potential anti-social behaviour from late-night revellers etc misusing the furniture. However, after lengthy negotiations the amount of furniture to be left outside has been reduced (with most furniture to be stored within designated areas within the retail/restaurant/spa areas). Furthermore, the banquettes to be left outside are bespoke designs that can be folded and padlocked closed – subject to this being secured, the DOCs no longer object to the proposals.

The Management Plan includes a security strategy to ensure the public realm is well managed and maintained and to prevent any undue impact to local amenity, as required by Condition 46. The owner has retained control over the provision of site-wide security, to ensure consistency in how the retailers respond to antisocial behaviour and the standards by which all parties collaborate with one another. As a fully operational high-end hotel, the site will be highly managed and maintained, with extensive manpower and CCTV monitoring in place to deal with any type of security issue that may occur at any time. The security arrangements will include close liaison between the Hotel and the Building Management Team with the Council, Metropolitan Police and other key local landowners, including the Grosvenor Estate.

As set out in Section 5.1 below, there have been objections to both applications. There is one

objection from a commercial business in the Square and objections from residents in the same premises on Upper Grosvenor Street, with the other objections seemingly in support of those residents. However, the residents in Upper Grosvenor Street have now withdrawn their objections, and support the proposals, subject to certain safeguards offered by the applicant (set out in 5.1 below). The scheme has been amended to include those safeguards.

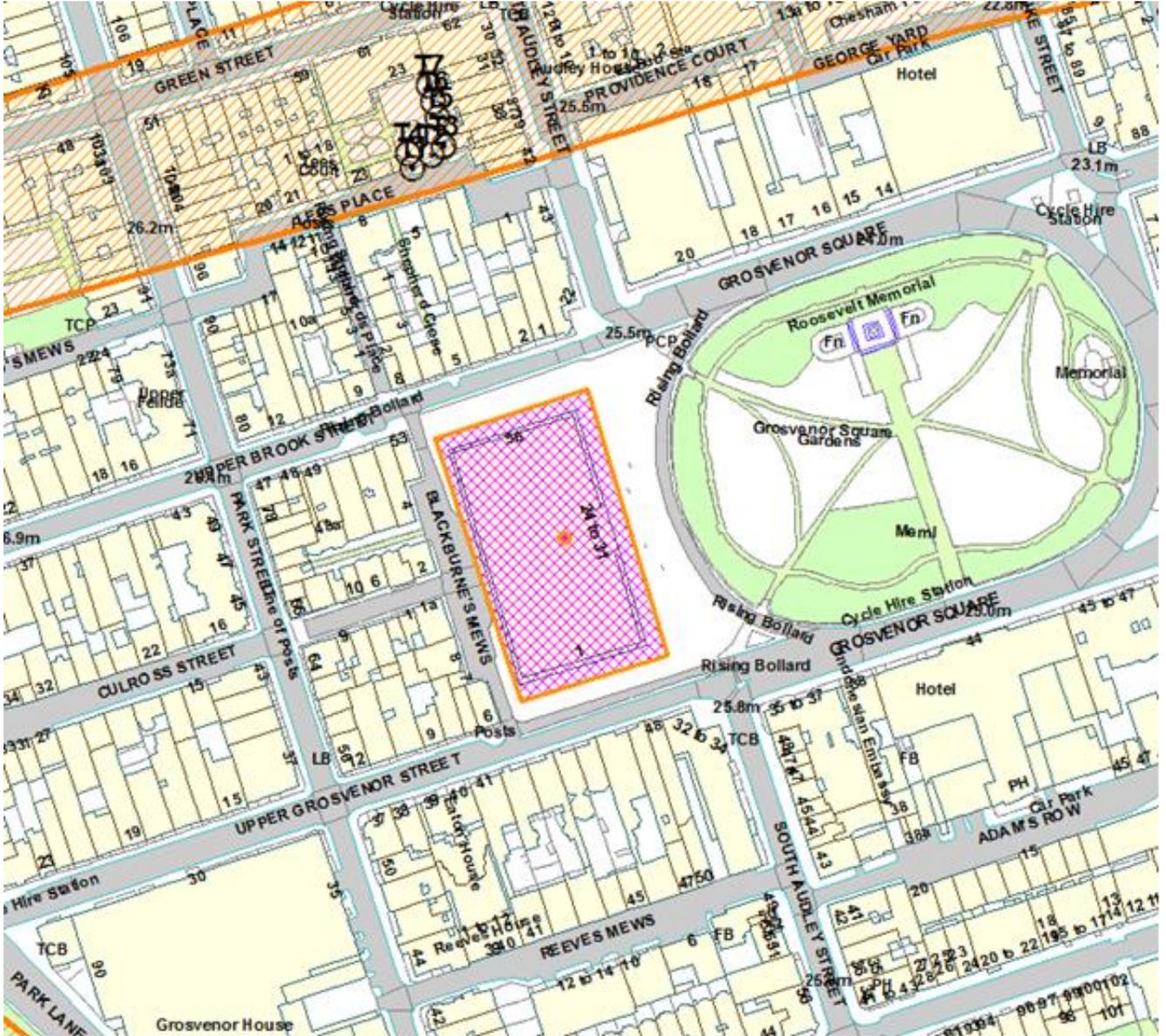
Objections about the extent of seating and operating hours are not considered to be sustainable – apart from the small extension of seating at the front of the site facing Grosvenor Square Gardens, the seating area is as approved. Similarly it is not proposed to extend the approved hours that the seating area can be used. (It is noted that the applicant has agreed to reduce by one hour in the morning the area of seating on the corner of Grosvenor Square and Upper Grosvenor Street, one of the safeguards offered to the objector.) The approved seating area is on private forecourt, not public highway, and objections about adverse impact on traffic and pedestrian movement and the highway in general are not considered to be sustainable. The proposals are therefore not considered to harm local amenity, they would not compromise pedestrian movement or traffic conditions, nor would they impede refuse storage and street cleansing arrangements. The proposals therefore accord with Westminster City Plan Policy 43(D) (outdoor seating in the public realm).

The proposed furniture is considered to be appropriate in design and heritage asset terms and will cause no harm to the setting of the building nor Grosvenor Square garden, and they will maintain the character and appearance of the surrounding Mayfair Conservation Area. This includes the limited number of items to be left out overnight. The seating area is slightly sunken relative to the surrounding public highway, which will help partially screen from view some of the overnight furniture. The objections about the proposals disrupting the traditional appearance and feel of the square and its visual character, and that ongoing and extensive changes proposed to the building and its surroundings could lead to a loss of cohesion in the design and architecture of the Square, are considered to unsustainable considering the small scale nature of these proposals in the context of the development as a whole. The proposals are considered to accord with Westminster City Plan Policy 38 and Mayfair Neighbourhood Plan Policies MD2 and 3.

Application 2 proposes planters to define the seating areas, as well as provide some security to the diners. The planters will be bronze-coloured (details to be secured by condition) and sited to create a visual and physical boundary that distinguishes the seating area from the public realm along the full length of the Grosvenor Square frontage and parts of the north and south frontages. The building is a formal architectural composition and the low-level planters respect its symmetry when seen from Grosvenor Square. Unlike the other buildings surrounding the square, it is set well-back from the pavement within a paved area and surrounded by trees. It is also architecturally a wholly different design to the rest of the square, standing in marked contrast to its surroundings.

The planters are low-level and do not hinder the ability to appreciate the architecture of the building, nor do they detract from the setting of Grosvenor Square Garden (a grade II registered garden). The choice of material for the planters reflects those of the main building and is appropriate in design and heritage asset terms. As such, in principle, there is no incongruity to the planters, and their size, location, and detailed design is appropriate. They will cause no harm to the setting of the building or Grosvenor Square garden, and they will maintain the character and appearance of the surrounding Mayfair Conservation Area. Objections raised to the proposal are not sustainable in design or heritage asset terms, and for the reasons set out above the proposal complies with City Plan policies 38, 39, 40, and 43 and with Mayfair Neighbourhood Plan.

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

Grosvenor Square frontage (before commencement of development)



5. CONSULTATIONS

5.1 Application Consultations (for both proposals):

MAYFAIR NEIGHBOURHOOD FORUM

Application 1 – “The Forum's Planning and Public Realm Sub Committee acknowledges the external dining area has planning consent and this is an application to vary the approved arrangements.

The Forum considers the solution devised is sensible and therefore has no objection to the new arrangements. However, members ask officers to ensure the agreed time constraints (7am to 11pm) are adhered to and staff remove the furniture and secure the fixed seating by 11pm at the latest and do not re-erect any of the furniture until 7am, not before. Perhaps this can be clarified via an informative.”

Application 2 – “Mindful the external dining area already benefits from planning permission with an hours of use restriction, the Forum has no objection to this application for additional planters.”

MAYFAIR RESIDENTS GROUP

No response to date

RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S

No response to date

ARBORICUTURAL SERVICES

No objection (though comments that the planters will add to visual clutter, but given the approved extent of the seating area and proposed furniture, this would not be sufficient reason for refusal).

HIGHWAYS PLANNING TEAM - CITY HIGHWAYS

No objections to either application.

WASTE PROJECT OFFICER

No objections to either application.

DESIGNING OUT CRIME OFFICERS, METROPOLITAN POLICE

Application 1 - We are happy that the design of the proposed permanent furniture is suitable for this site. It must be stipulated as part of the planning permission that it **MUST** be folded and secured with a **SOLD SECURE** Padlock tested to, no less than **GOLD** standard, after trading hours.

Application 2 - Having had extensive consultation in regards to the planters, we are happy that the final design is suitable for this site. In fact, the installation will add protection and introduce a clear demarcation for the restaurant and provide a level of personal safety to diners.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 437;

Total No. of replies to both applications, with cross references to both proposals: 13
(includes multiple replies from some addresses – total of four addresses);

No. of objections: 10 (includes comments supporting one of the other objectors);
Objections received on some or all of the following grounds:

- The extent of seating and late night activity is excessive and is more intensive than originally proposed – the proposed furniture enables greater use of the seating area whatever the weather and will have an adverse impact on residential amenity, particularly on Upper Grosvenor Street, in terms of noise, litter and traffic;
- The entrance [through the gap in the planters] to the restaurant seating area facing Upper Grosvenor Street should be removed;
- Request for reductions in the morning and evening hours of use, the extent of seating area, and the capacity of individual tables/seating areas; use of more “enforceable language” in the management plan for controlling the activities; smaller canopies, use of noise sensors, prohibition on outdoor lighting, and that all furniture should be removed at 11pm;
- The proposed extension of external seating areas and the installation of permanent planter boxes will likely exacerbate existing traffic congestion issues, increase parking problems, traffic congestion, and will increase foot traffic, which could obstruct the already limited road access, making it more difficult for vehicles, especially service and emergency vehicles, to navigate the area efficiently;
- Significant impact this development will have on the Grosvenor Square area and the overall appearance of the scheme, which already is a construction site and affecting the area due to road closures;
- The proposal to reinstate and extend external seating areas, coupled with the introduction of permanent planter boxes and external furniture, will significantly alter the current aesthetic/visual appeal/traditional appearance and feel of the Square, and any modifications that increase the bulk or clutter of the area could detract from its character/make it feel more congested and less in keeping with its historical and cultural significance.
- The ongoing and extensive changes proposed to the building and its surroundings, including the varied conditions and modifications, could lead to a loss of cohesion in the design and architecture of Grosvenor Square.

No. in support: 3, withdrawing previous objections, on the understanding that the applicant has informed the objector that they intend to agree to conditions that clarify:

“1. All use shall cease from 11pm - 7am (i.e. set-up shall start no earlier than 7am, and teardown / clean-up / removal of movable furniture shall complete by 11pm).

2. The unit on the east side of Upper Grosvenor Street (R1 - solely on Upper Grosvenor street / not applicable to the bays facing Grosvenor square) shall not seat diners prior to 8am.

3. The proposed planters for the unit on the South East corner of the development shall form a complete section along Upper Grosvenor Street and patrons will enter via breaks facing East / Grosvenor Square and facing west.

Provided that the above conditions will apply, we withdraw our objections and support the application”.

PRESS NOTICE/ SITE NOTICE:
Yes

5.2 Applicant’s Pre-Application Community Engagement

Given the small scale nature of the proposals there is not considered to be a requirement for a full-scale exercise in pre-application community engagement. However, the applicant advises of the following:

A pre-application meeting was held with planning officers on 7th August 2023 to discuss the proposed amendments. Following feedback from this meeting, the planning strategy was refined to respond to feedback from officers. A further meeting was held with the Designing Out Crime Officer to seek agreement on the proposed security strategy.

In response to the comments provided by the Designing Out Crime Officer, the applicant has embarked on initiatives to explore prominent estates throughout London. These efforts are geared towards designing interactions that reduce the occurrence of furniture being left outside overnight and implementing design features that include demountable elements, making the furniture inoperative after hours.

During the evolution of the proposals, the Applicant has also engaged with local amenity societies, including the Residents’ Society of Mayfair and St James’s and the Mayfair Neighbourhood Forum.

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 closed on 9 May 2024 and the council is currently considering the responses received. 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 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

This application site is located within the Central Activities Zone and the Mayfair Conservation Area. The building is listed Grade II, though only the front and side façade have been retained as part of the redevelopment. The site is currently being redeveloped as an hotel with retail and restaurant outlets on parts of the lower floors and a spa largely at basement level and part ground floor.

7.2 Recent Relevant History

12 September 2017: Permission granted for 'Alterations to the existing building including retention & repair of the front and side facades, part demolition & replacement of the rear facade, rear extension of the 2nd-5th floors, removal of existing & introduction of a new 6th floor, introduction of a new set-back 7th floor, extension of the existing basement levels to include two additional basement levels (including one mezzanine level), installation of roof plant & plant screen, public realm works including hard & soft landscaping, removal of the security kiosks, fencing, bollards & gates/barriers to Blackburne's Mews & Culross Street, removal & replacement of 6 No. trees in front of the Grosvenor Square elevation & re-opening of the road on the western side of the Square, all in connection with the use of the building as a hotel (Class C1) comprising up to 137 hotel rooms with flexible retail/restaurant use at 1st floor, ground floor and basement 1 (Class A1/Class A3/Class C1), flexible restaurant/bar use at 7th floor (Class A3/Class A4/Class C1), leisure/spa facilities within the basement (Class D2/Class C1) & an ancillary ballroom, event spaces, back of house facilities & associated car, cycle parking & servicing facilities accessed from Blackburne's Mews, & other associated works - including replacement of all windows with double glazing, internal reconfiguration & refurbishment works including extension of the diagrid & removal in part, replacement of internal ground & 1st floor columns & slab, part replacement of the 2nd floor slab & replacement of 3rd & 4th floor slabs & internal remodelling of front and side entrances; external works including removal of the glacis & balustrade, reconfiguration of front & side entrances & steps & addition of canopies over each entrance & relocation of Eagle sculpture to centre of the front elevation of new 6th floor'. (16/06423/FULL)

20 November 2018: Permission granted for the variation of Condition 1 of planning permission dated 12 September 2017 (RN: 16/06423/FULL) NAMELY, to make a number of amendments to the approved development including: the introduction of two new mezzanine floors; complete omission of 4th floor basement; internal reconfiguration; amendments to approved floor areas, changes to rear (Blackburne's Mews), sides and front facades, green roof, terraces, and roof pavilion; minor amendments to the entrance

to the servicing yard and building entrances.

21 May 2020: Permission granted for the variation of condition 1 and 9 of planning permission dated 20 November 2018 (RN: 18/03520/FULL) NAMELY, to allow changes to rooftop plant enclosure, increase of species diversity of green roof area at 2nd floor, 7th floor and roof level, amendments to the western facade, amendments to the ground floor paving and canopies, temporary removal and safe storage of diagrid endcaps, internal reconfiguration of hotel rooms at 7th floor level, increase in the number of hotel keys/rooms by three, and associated works. (19/07406/FULL)

18 February 2021: Permission granted for Variation of condition 1 of planning permission dated 21 May 2020 (RN:19/07406/FULL), NAMELY, to enable amendments to the approved elevations and plans, including provision of external lighting on all facades, uplighting to the eagle sculpture, lighting within the landscape (including uplighting to the trees and building columns); removal and storage, and reinstatement of existing column stone cladding and end caps on all façade; cleaning of existing column stone cladding and end caps. (S73 application)(20/06601/FULL)

April 2023: Permission refused for non-material amendments to planning permission dated 18th February 2021 (RN:20/06601/FULL) for Variation of condition 1 of planning permission dated 21.5.20 (RN:19/07406/FULL), which itself varied condition 1 and 9 of planning permission dated 20.11.18 (RN: 18/03520/FULL) which itself varied condition 1 of planning permission dated 12 September 2017 (RN: 16/06423/FULL) NAMELY, to amend Condition 17 to remove reference to the seventh-floor level [requiring public access] to provide the hotel operator with greater discretion as to its use in light of the sensitivities around access and operation and the focus of the public offer at ground and first floor level.

Permission was refused on the grounds that the City Council did not agree that the proposed amendments to public access arrangements to the seventh floor restaurant/bar are sufficiently minor in terms of their scale and impact in planning terms, having regard to the overall scope of the previously approved development, as to constitute non-material amendments to planning permission dated 18th February 2021 (RN:20/06601/FULL).

7.3 Planning Obligations & Pre-Commencement Conditions

The original planning permission was subject to a legal agreement that secured the following:

- a) the removal of the security fences, security huts, gates, raised planters and bollards surrounding the site and situated within Grosvenor Square, Blackburne's Mews and Culross Street and the reopening of the roads, to be implemented as soon as possible and prior to the commencement of any works on the building;
- b) All associated costs for the re-introduction of vehicular traffic on the west side of Grosvenor Square (to be implemented prior to the occupation of any part of the development);
- c) All associated costs for highway works immediately surrounding the site required for the development to occur, including alterations of vehicle crossovers in Blackburne's Mews, and associated works (to be implemented prior to the occupation of any part of

the development);

d) the relocation of the statues of President Reagan and President Eisenhower and associated works, subject to securing separate planning permission;

e) management and maintenance of the car lifts;

f) a contribution of £166,266 towards the Council's carbon offset fund.

A Deed of Variation is required to link the current S73 application to that agreement.

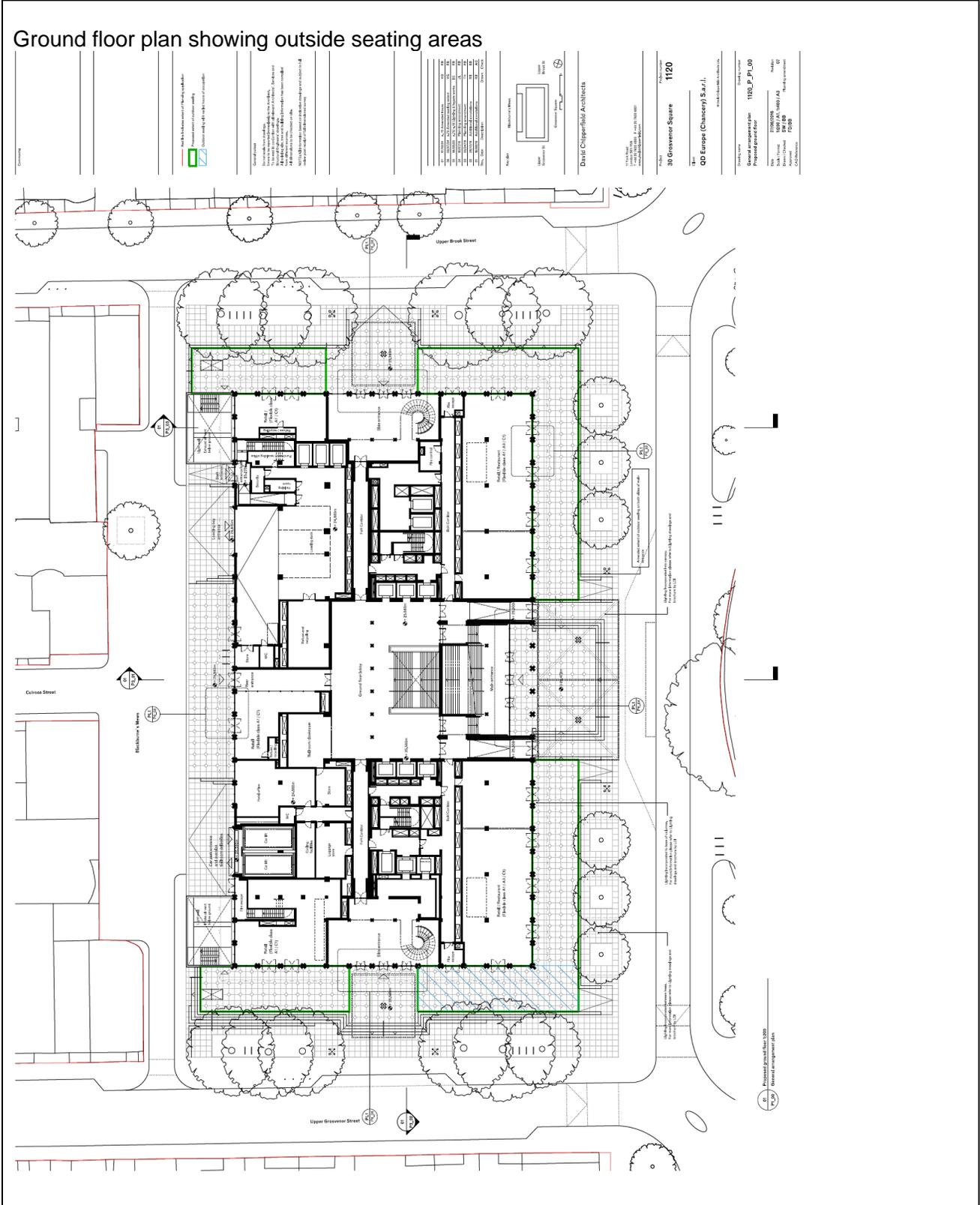
The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 requires the City Council to obtain the applicant's written agreement before imposing pre-commencement conditions (i.e. conditions which must be discharged before works can start on site) on a planning permission. Pre-commencement conditions can only be imposed without the written agreement of the applicant where the applicant fails to provide a substantive response within a 10 day period following notification by the Council of the proposed condition, the reason and justification for the condition.

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 the submission of detailed drawings and a sample of the new planters. The applicant has agreed to the imposition of the condition.

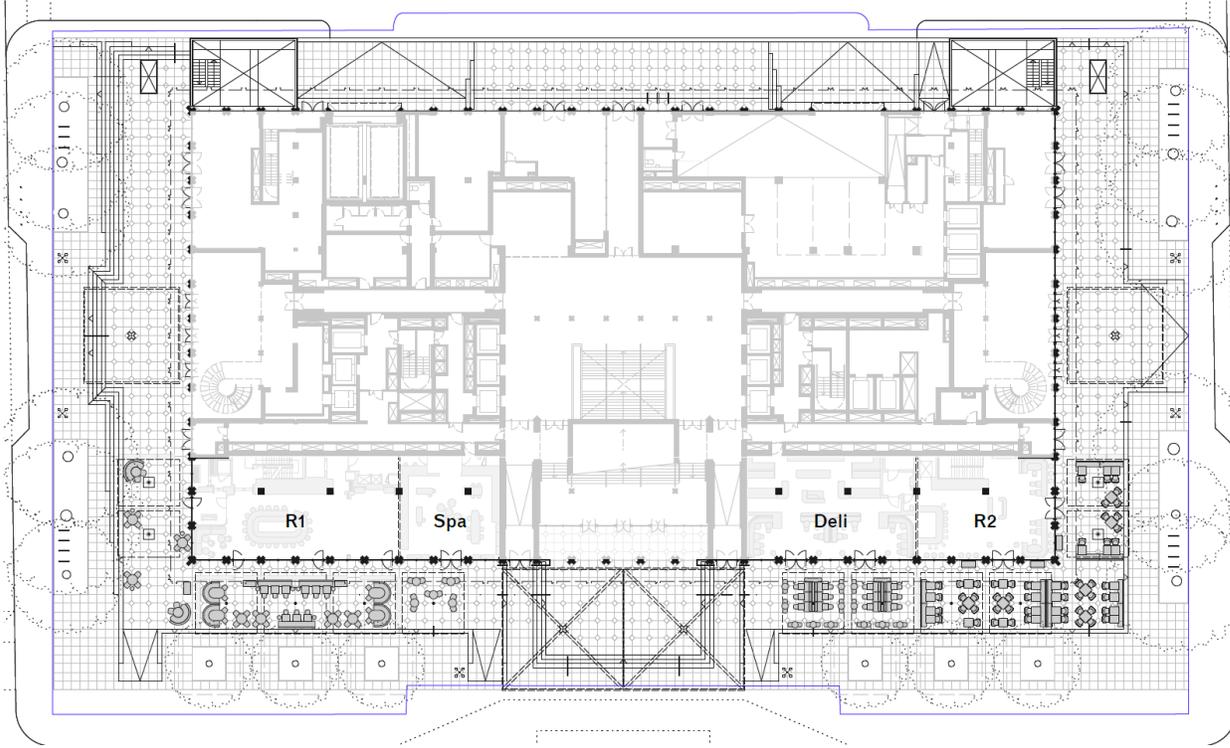
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

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

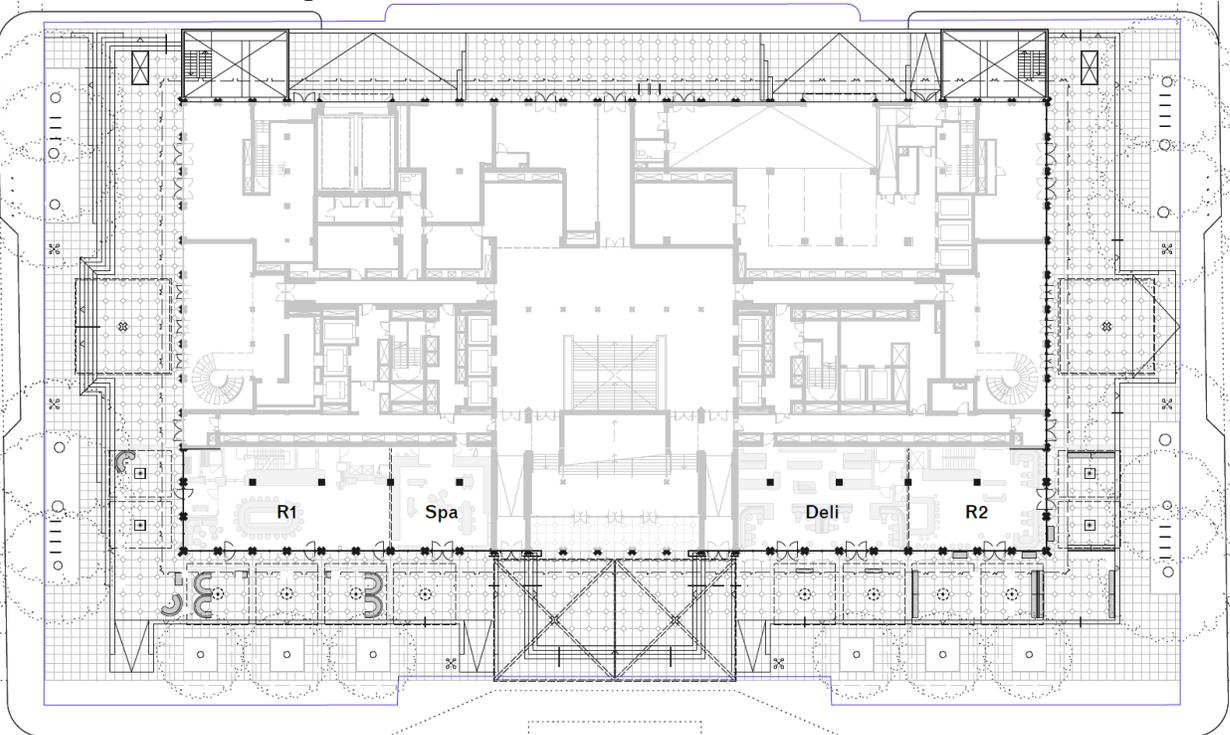
8. KEY DRAWINGS



Outdoor furniture during the day (beneath canopies)



Outdoor furniture overnight

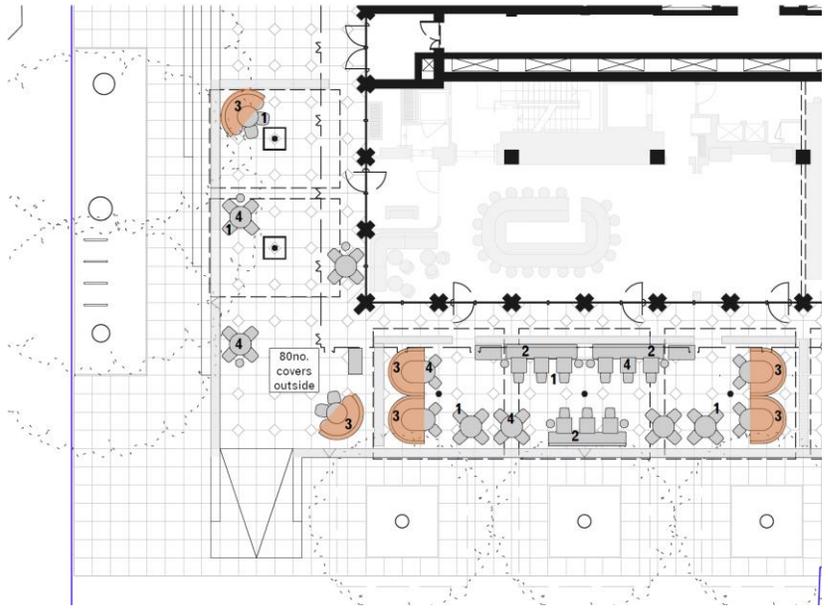
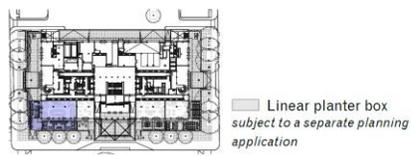


Detailed example, South East unit on corner with Upper Grosvenor Street:

- During the day

R1 retail unit – furniture layout

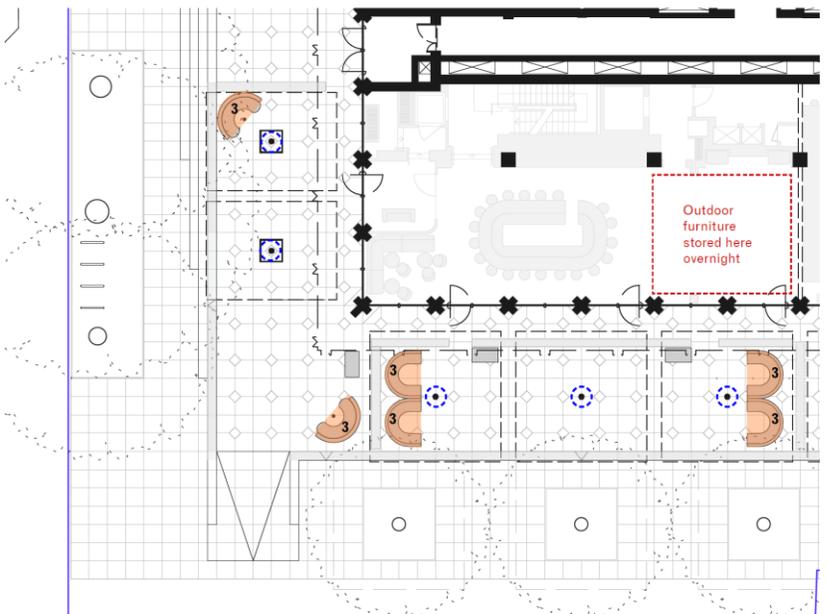
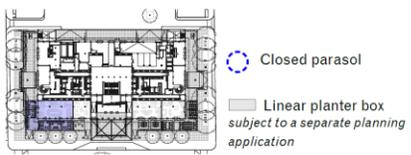
-  1. Terrace timber chair, removeable fabric cushions. Taken inside unit overnight
-  2. Small banquette, removeable fabric cushions. Taken inside unit overnight
-  3. Large banquette, removeable fabric cushions, fold up seating locked closed. **Remains outside overnight**
-  4. Tables with Stone top. Taken inside unit overnight



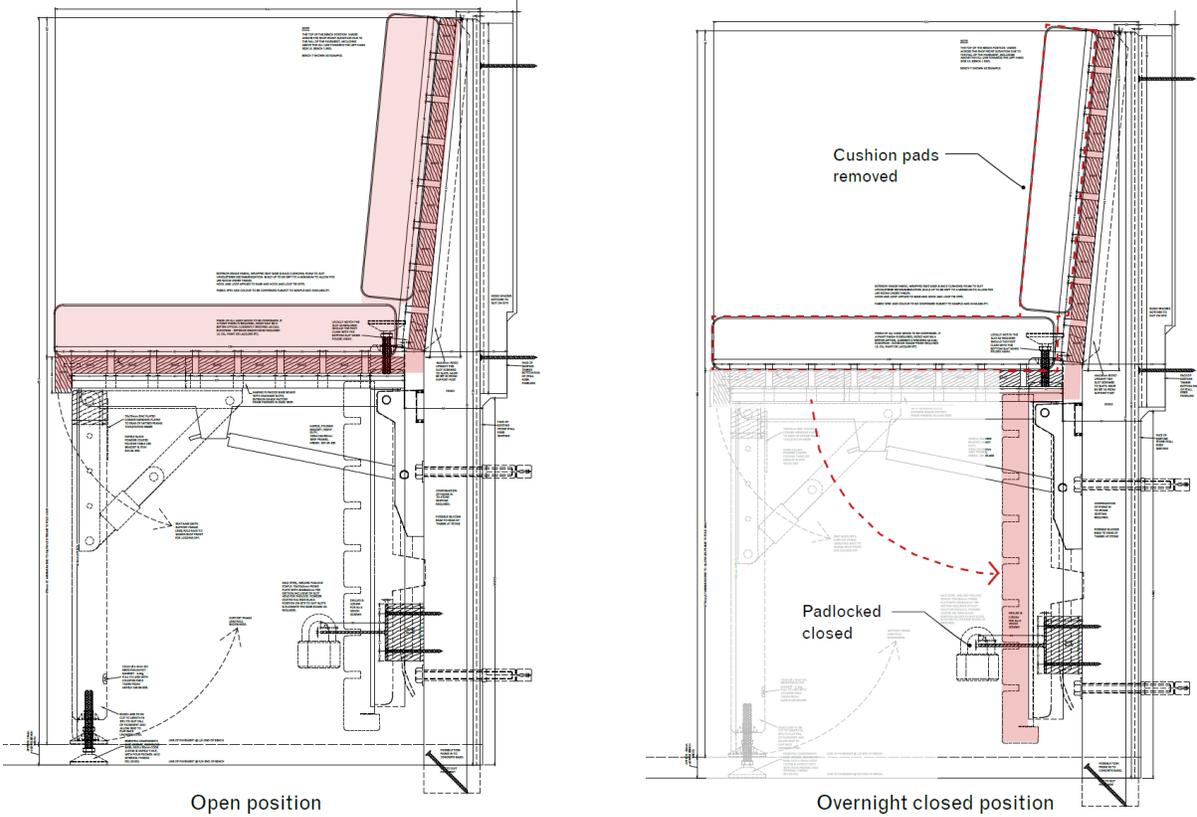
Overnight

R1 retail unit – furniture layout - Overnight condition

-  3. Large banquette, removeable fabric cushions, fold up seating locked closed. **Remains outside overnight**



Example of secured banquette seating design



Indicative view

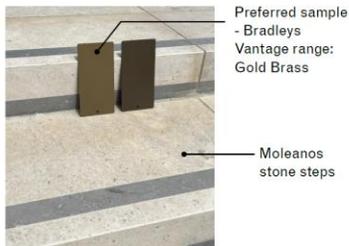


Details of planters

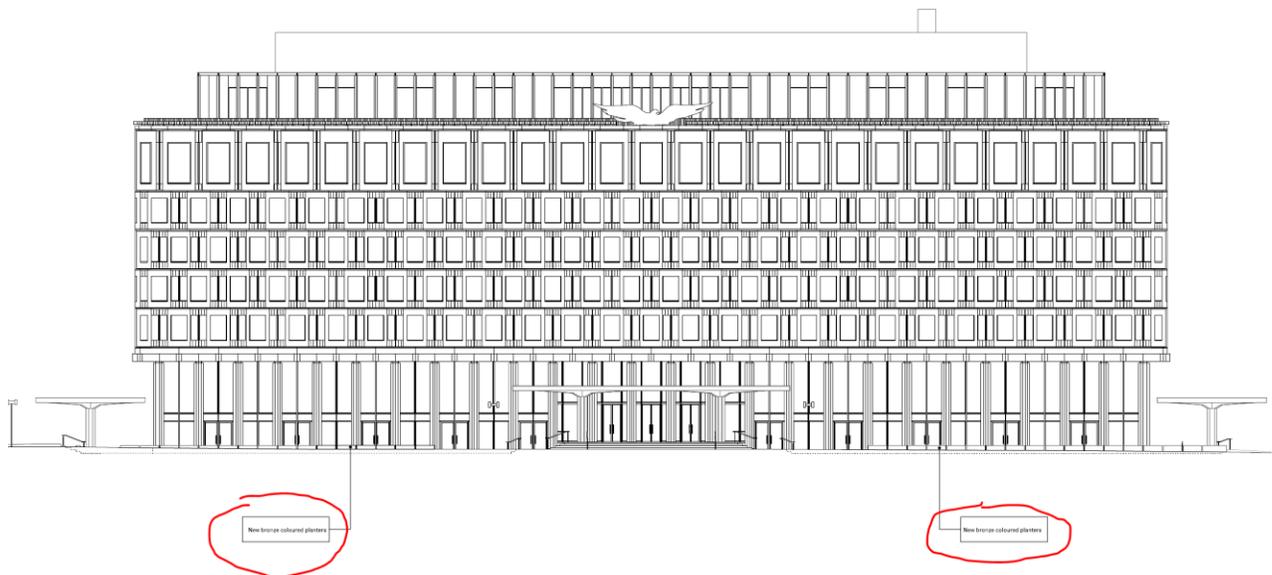
Linear planters – BDP proposals

Planter boxes will be installed on the step line boundary

- Design by BDP Landscape Architects
- 500mm high planter.
- Width of planter to be one step, approx 420mm
- Metal construction planter box, in dark patinated bronze finish.
- Units to be sized to match paving modules, length to be based upon building grid dimensions 1680mm long by step depth. Shadow gap joint between units.
- No signage or branding to be added to planter boxes



Proposed front/east elevation showing planters in context of whole building



Building view showing relative scale of parasols to primary canopies and building



*Image for reference. Parasol, planter and furniture details are indicative only

DRAFT DECISION LETTER [Application 1]

Address: 30 Grosvenor Square, London, W1K 6AN

Proposal: Variation of conditions 1 and 46 of planning permission dated 18 February 2021 (RN 20/06601/FULL) which itself varied condition 1 of planning permission dated 21.5.20 (RN:19/07406/FULL), which varied condition 1 and 9 of planning permission dated 20.11.18 (RN: 18/03520/FULL) which varied condition 1 of planning permission dated 12 September 2017 (RN: 16/06423/FULL) for, 'Alterations to the existing building including retention & repair of the front and side facades, part demolition & replacement of the rear facade, rear extension of the 2nd-5th floors, removal of existing & introduction of a new 6th floor, introduction of a new set-back 7th floor, extension of the existing basement levels to include two additional basement levels (including one mezzanine level), installation of roof plant & plant screen, public realm works including hard & soft landscaping, removal of the security kiosks, fencing, bollards & gates/barriers to Blackburne's Mews & Culross Street, removal & replacement of 6 No. trees in front of the Grosvenor Square elevation & re-opening of the road on the western side of the Square, all in connection with the use of the building as a hotel (Class C1) with flexible retail/restaurant use at 1st floor, ground floor and basement 1 (Class A1/Class A3/Class C1), flexible restaurant/bar use at 7th floor (Class A3/Class A4/Class C1), leisure/spa facilities within the basement (Class D2/Class C1) & an ancillary ballroom, event spaces, back of house facilities & associated car, cycle parking & servicing facilities accessed from Blackburne's Mews, & other associated works'; NAMELY, to re-instate the approved perimeter of external seating on the planning drawings, extend the external seating area by one additional bay on the Grosvenor Square frontages and allow some items of furniture within the external seating area to remain in situ when not in use (S73 application).

Reference: 24/05111/FULL

Plan Nos: TO BE ADDED

Case Officer: Paul Quayle

Direct Tel. No. 07866039895

Recommended Condition(s) and Reason(s)

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

Reason:

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

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

conditions to this permission. (C26AA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 3 The development must be carried out in accordance with the approved details of samples of facing materials, including glazing, approved by the City Council as Local Planning Authority on 10th September 2021 under reference RN 21/06007/ADFULL, and on 19th July 2022 under reference 22/04530/ADFULL, or in accordance with any alternative samples of facing material as submitted to and approved by the City Council. 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 Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 4 1) The development must be carried out in accordance with the approved typical external details of the extensions at all levels, approved by the City Council as Local Planning Authority on 8th September 2021 under reference RN 21/06008/ADFULL, or in accordance with any alternative typical external details of the extensions as submitted to and approved by the City Council. You must then carry out the work according to these detailed drawings.

2) You must apply to us for approval of detailed drawings and/or full particulars of the following parts of the development - Alterations at ground floor level including shopfronts and signs. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these detailed drawings.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 5 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:

Because these would harm the appearance of the building, and would not meet S25 or

S28, or both, of Westminster's City Plan (November 2016) and DES 1 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R26HC)

- 6 You must apply to us for approval of the management plans dealing with the following parts of the development - a strategy for shopfronts and signs. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these detailed drawings. (C26DB)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

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

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

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

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

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC),

- 8 The development must be carried out in accordance with the Code of Construction Practice details approved by the City Council as local planning authority on 31st July 2018 under reference 18/01996/ADFULL or in accordance with other evidence as submitted to and approved by the City Council 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.

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC),

- 9 You must fully install the high level kitchen extraction system within the roof level plant area in accordance with the plans hereby approved, before the hotel or restaurant uses commence. You must then permanently maintain it for as long as primary cooking takes place within any part of the building.

Reason:

To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

- 10 a) The development must be undertaken in accordance with the land contamination remediation details (Phases 1, 2 and 3) approved by the City Council as Local Planning Authority on 14th August 2018 under reference RN 18/06043/ADFULL, or in accordance with other land contamination remediation measures as submitted to and approved by the City Council.
- b) You must not commence any of the approved uses until you apply to us and receive our approval for Phase 4: 'Validation report', which summarises the action you have taken during the development and what action you will take in the future, if appropriate.

Reason:

To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in STRA 34 and ENV 8 of our Unitary Development Plan that we adopted in January 2007. (R18AA)

- 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 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 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 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 L A90, 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.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), 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. (R46AB)

- 12 (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 any of the uses 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 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 any of the uses 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 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

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.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007 (UDP), so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), 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. (R47AB)

- 13 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 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration. (R48AA)

- 14 (1) Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) 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 by an emergency loss of power., (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.

Reason:

As set out in S32 of Westminster's City Plan (November 2016) and ENV 7 (B) of our Unitary Development Plan that we adopted in January 2007. Emergency and auxiliary energy generation plant is generally noisy, so a maximum noise level is required to

ensure that any disturbance caused by it is kept to a minimum and to ensure testing and other non-emergency use is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby. (R50AB)

- 15 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 11 of this permission. You must not commence any of the uses approved in the development until we have approved what you have sent us.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. (R51AB)

- 16 You must provide the following features to ensure that the development can achieve air quality 'neutral', as set out in your application: a catalytic convertor to the combined heat and power (CHP) unit. This must be fitted before any of the uses hereby approved commence and you must then not remove this feature (except if replaced with alternative equipment that achieves the same or better air quality).

Reason:

To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

- 17 In the event that the units at basement, ground and first floor levels shown on the approved plan for 'Retail (Flexible Class A1/C1)' and 'Retail/Restaurant (Flexible Class A1/A3/C1)', the area at seventh floor level designated as 'Restaurant/Bar (Flexible Class A3/A4/C1)', and the spa/similar type of leisure facility at basement level 2 (Flexible Class D2/C1) are operated by the hotel as ancillary uses within Class C1, they must remain open to members of the general public (whether or not they are guests at the hotel or visitors of hotel guests) and shall not be used for any other hotel activity other than retail, restaurant or bar and spa/similar type of leisure facility as indicated. These units must be fitted out and made ready for occupation before commencement of the hotel use in the remainder of the development.

Reason:

To make sure that you achieve the variety of uses included in the scheme as set out in S1 of Westminster's City Plan (July 2016).

- 18 Customers shall not be permitted within the retail units at rear ground and first floor levels (fronting Blackburne's Mews) before 07.00 hours or after 23.00 hours each day.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 19 Customers shall not be permitted within the retail/restaurant units at front ground and first floor levels (fronting Grosvenor Square), including the retail/restaurant floorspace at basement level, before 06.00 hours or after 00.00 hours midnight each day.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (July 2016) and ENV 6, ENV 7 and TACE 10 of our Unitary Development Plan that we adopted in January 2007.

- 20 Non-hotel guests shall not be permitted within the bar/restaurant at seventh floor level (or any similar facilities providing food and beverages that are created within the hotel in the future) at the following times: before 06.00 hours or after 02.00 hours.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (July 2016) and ENV 6, ENV 7 and TACE 10 of our Unitary Development Plan that we adopted in January 2007.

- 21 The terraces at seventh floor level shall not exceed the areas shown on drawing number 1120_P_P1_07 Rev 04. Terraces A, C, D and F shall only be used in connection with the adjoining hotel suites and shall not be used in connection with the Restaurant/Bar at this level. In the event that Terrace B is used by customers of the Restaurant/Bar, it shall only be used between 07.00 and 23.00 hours.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 22 Notwithstanding the provisions of Class A1 of the Town and Country Planning (Use Classes Order) 1987 (as amended or any equivalent class in any order that may replace it), the retail accommodation hereby permitted shall not be used as a food supermarket or similar food outlet.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 23 Departures from any functions in the hotel ballroom after midnight or before 07.00

hours shall be via the main hotel entrance on the Grosvenor Square frontage only, and not from any of the entrances on Blackburne's Mews, Upper Brook Street or Upper Grosvenor Street (except in cases of emergency).

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 24 You must apply to us for approval of an updated management plan to show how you will prevent customers who are leaving the building (all uses) from causing nuisance for people in the area, including people who live in nearby buildings. The management plan must also include details of the proposed valet cycle parking system. You must not start any of the uses until we have approved what you have sent us. You must then carry out the measures included in the management plan at all times that the building is in use. (C05JB)

Reason:

To make sure that the uses will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan (July 2016) and TACE 8-10 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 25 Notwithstanding what is shown in the submitted proposals, you must apply to us for approval of a revised strategy for managing VIPs arriving at and departing from the building that completely avoids the use of the rear of the building. You cannot commence any of the uses within the development until we have approved what you have sent. The building must then be used in accordance with the approved details.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 26 You must carry out the development in accordance with the details approved by the City Council as Local Planning Authority on 18/00236/ADFULL on 23rd December 2018 and on 11th December 2019 under reference 19/08641/ADFULL, or in accordance with any other archaeological written scheme of investigation submitted to and approved by the City Council.

Reason:

To protect the heritage of the City of Westminster as set out in S25 of Westminster's City Plan (July 2016) and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32BC)

- 27 a) The development must be carried out in accordance with the partially approved details of tree protection measures approved by the City Council as Local Planning

Authority on 8th June 2018 under reference RN 18/01928/ADFULL and with the partially approved details approved by the City Council as Local Planning Authority on 14th January 2021 under reference RN 20/07805/ADFULL, or in accordance with any alternative tree protection reports/method statements as submitted to and approved by the City Council.,

b) The development must be carried out in accordance with the partially approved details of arboricultural supervision approved by the City Council as Local Planning Authority on 3rd June 2021 under reference RN 21/03144/ADFULL (Part 2 Phase 1) and with the partially approved details approved by the City Council as Local Planning Authority on 13th January 2022 under reference RN 21/08133/ADFULL (Part 2 Phase 2), or in accordance with any alternative tree protection reports/method statements as submitted to and approved by the City Council.

Reason:

To protect the trees and the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

- 28 The development must be carried out in accordance with the details hard and soft landscaping approved by the City Council as Local Planning Authority on 14th February 2024 under reference RN 22/07146/ADFULL, or in accordance with any alternative hard and soft landscaping scheme as submitted to and approved by the City Council. You must carry out the landscaping and planting within six months of completing the development (or within any other time limit we agree to in writing). If you remove any trees or find that they are dying, severely damaged or diseased within five years of planting them, you must replace them with trees of a similar size and species. (C30CB)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Mayfair Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

- 29 You must plant new trees to replace those which are shown to be removed or transplanted or 'assessed for relocation' on drawing P2007114 rev 04 26/05/16. The replacement trees must be mature and must be planted no later than the first planting season after you complete the development. You must apply to us for our approval of the position, size and species of the replacement trees. You must also replace any replacement tree which dies, is removed or becomes seriously damaged or diseased within five years of the date we give our approval for the replacement trees, in the next planting season with another of the same size and species to the one originally planted.

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Mayfair Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

- 30 a) The development must be carried out in accordance with the partially approved details of tree protection measures approved by the City Council as Local Planning Authority on 8th June 2018 under reference RN 18/01929/ADFULL and the partially approved details approved by the City Council as Local Planning Authority on 14th January 2021 under reference 20/07806/ADFULL, or in accordance with any alternative of tree protection measures as submitted to and approved by the City Council.

b) With regard to the retained trees around the development site, the development must be carried out in accordance with the partially approved details of tree protection measures (arboricultural supervision) during Part 2 Phase 1 of the works tree protection measures approved by the City Council as Local Planning Authority on 3rd June 2021 under reference RN 21/03145/ADFULL, and in accordance with the partially approved details of tree protection measures (arboricultural supervision) during Part 2 Phase 2 of the works tree protection measures approved by the City Council as Local Planning Authority on 14th January 2022 under reference RN 21/08134/ADFULL, or in accordance with any alternative of tree protection measures as submitted to and approved by the City Council.

Reason:

To protect the trees and the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

- 31 You must provide the waste store shown on the approved drawings before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using any part of the building. You must store waste inside the property and only put it outside just before it is going to be collected. No waste shall be left or stored outside of the property (either on public highway or private forecourt areas). You must not use the waste store for any other purpose. (C14DC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

- 32 All windows at rear first floor level on the Blackburne's Mews frontage shall be kept permanently closed. All openings at rear ground floor level shall be kept closed when

not in use, including the doors to the service bay and the car lifts.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 33 The flat roof at rear second floor level fronting Blackburne's Mews must not be used for sitting out or for any other purpose except as an escape in an emergency.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 34 You must comply with the approved Framework Travel Plan as set out in the approved Transport Operations Plan (ref. 22863201, June 2016), to be applied only to all staff that use the building. You must not start any of the uses until we have approved details of how the Travel Plan will be regularly monitored and amended, if necessary, if targets identified in the Travel Plan are not being met over a period of five years from the date the new building is occupied.

Reason:

As requested by the Greater London Authority, and to avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (July 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007.

- 35 You must provide the access for people with disabilities as shown on the approved drawing(s) and as outlined in the Design and Access Statement dated June 2016 ('Revised Chapter 17', issue date '16.10.28') before you use the building. (C20AB)

Reason:

To make sure that there is reasonable access for people with disabilities and to make sure that the access does not harm the appearance of the building, as set out in S28 of Westminster's City Plan (November 2016) and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R20AC)

- 36 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 S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

Item No.
2

- 37 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2016 (R22FA)

- 38 You must apply to us for approval of an updated Servicing Management Plan (SMP) that takes account of all the uses in the development. The plan must identify the process, internal storage locations, scheduling of deliveries and staffing as well as a clear process for managing coach party arrivals and departures. You must not commence any of the uses hereby approved until we have approved what you have sent us. The SMP must thereafter be maintained and followed by the occupants for the life of the development, unless a revised strategy is approved (in writing) by the Local Planning Authority.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 39 The car parking spaces shown on the approved drawings shall only be used for car parking for hotel guests and ancillary users uses in the development and for no other commercial use.

Reason:

To provide parking spaces for people using the development as set out in STRA 25 and TRANS 22 of our Unitary Development Plan that we adopted in January 2007. (R22AB)

- 40 A minimum of 20% of the car parking spaces in the basement car park shall be provided with electric vehicle charging points available for use prior to the commencement of the hotel use and thereafter maintained in working order.

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan (November 2016). (R44AC)

- 41 The development must be carried out in accordance with the details of the vehicle signalling system for the car parking / lift approved by the City Council as Local Planning Authority on 13th April 2023 under reference RN 23/02161/ADFULL, or in accordance with any alternative vehicle signalling system for the car parking / lift as submitted to and approved by the City Council. The approved vehicle signalling system for the car parking / lift must be maintained in working order for the life of the

development.

Reason:

In the interests of public safety as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24BC)

- 42 All vehicles must enter and exit the site in forward gear.

Reason:

In the interests of public safety as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24BC)

- 43 All structures (canopies, etc) should maintain a 2.6 metres vertical clearance from the footway highway surface at all times. No canopy structure should extend within 1 metre of the highway carriageway.

Reason:

In the interests of public safety as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24BC)

- 44 The area designated as 'Loading Dock' at rear ground floor level must be used only for parking, access, loading, unloading and manoeuvring for vehicles servicing the development and for no other purpose.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 45 All servicing must take place between 07.00 and 18.00 hours on Monday to Saturday and between 10.00 and 17.00 hours on Sunday. Servicing includes loading and unloading goods from vehicles, including any activities associated with the hotel ballroom, and collection of rubbish.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 46 The area to be used for outdoor seating shall not exceed the areas outlined in green as shown on drawing number 1120_P_P1_00 Rev 07. Subject to paragraphs (a) and (b)

below, you can only put the tables and chairs on the forecourt (including setting up and removal of furniture and securing items to be left outside) in the area shown hatched in Blue on drawing number 1120_P_P1_00 Rev 07 between 08.00 and 23.00 hours, and between 07.00 and 23.00 in the remaining seating areas.

(a) Units R1, R2, the Spa, and the Deli:

Unless otherwise agreed in writing, the layout, number and types of furniture (including, seating, tables and other items) and where they are to be stored when not in use must be in accordance with the plans included within the "Outdoor Dining Proposals" document dated July 2024 and managed in accordance with the "Management Plan for External Dining Spaces" dated October 2024 (v1.11). The furniture to be left outside overnight must be folded (where applicable) and secured with a Sold Secure Padlock tested to and no less than GOLD standard.

(b) Units R3 and R5:

You must apply to us for approval of an updated/supplementary management plan (with detailed drawings of the proposed layouts) dealing with the use of external seating areas, including details of all types of furniture, the number of seats, tables, and other items and where they are to be stored when not in use. The outdoor seating associated with these retail units shall not commence until we have approved what you have sent us and must then be managed according to what we have approved.

Reason:

To protect neighbouring residents from noise and disturbance as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 and TACE 11 of our Unitary Development Plan that we adopted in January 2007, and to make sure that the type and appearance of the tables and chairs (and where appropriate other furniture or equipment) is suitable and that no additional furniture, equipment or screening is placed on the forecourt to the detriment of the character and appearance of the area and adjacent listed building. This is as set out in TACE 11 and DES 7 of our Unitary Development Plan that we adopted in January 2007.

- 47 You must provide the environmental sustainability features (environmentally friendly features) detailed in the 'Energy strategy' dated June 2016 and 'Sustainability appraisal' dated June 2016 before you start to use any part of the development. You must not remove any of these features, except where they are to be replaced with new equipment that matches or exceeds the environmental benefits of the original features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan (November 2016). (R44AC)

- 48 The development must be carried out in accordance with the bio-diversity plan approved by the City Council as Local Planning Authority on 14th February 2024 under

reference RN 23/07263/ADFULL, or in accordance with any alternative bio-diversity plan as submitted to and approved by the City Council. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved plan.

Reason:

To increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43FB)

- 49 The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development. (R49BA)

- 50 (1) Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) 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 by an emergency loss of power., (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.

Reason:

As set out in S32 of Westminster's City Plan (November 2016) and ENV 7 (B) of our Unitary Development Plan that we adopted in January 2007. Emergency and auxiliary energy generation plant is generally noisy, so a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing and other non-emergency use is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby. (R50AB)

- 51 With regard to the external lighting of the building: , a) Apart from any external lighting that is not specifically installed to light the façade, such as safety and security lighting, including steps and handrails, the Blackburne's Mews facade shall not be externally illuminated except between dusk and 22.00 hours;, b) Apart from any external lighting that is not specifically installed to light the façade, such as safety and security lighting, including steps and handrails, and the lighting of the entrances and their canopies, , -

the Upper Brook Street and Upper Grosvenor Street facades shall not be externally illuminated except between dusk and 23.00 hours (from 2nd floor upwards), and between dusk and 24.00 hours (midnight) (at ground and first floor level);, - the Grosvenor Square façade shall not be externally illuminated except between dusk to 24.00 hours (midnight).

Reason:

To protect the amenity of people in neighbouring properties, as set out in S29 of Westminster's City Plan (November 2016) and ENV 10 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 52 You must carry out the external lighting proposals in accordance with the 'Luminaire Specification Document Façade 5391-SP04-T02' Tender T02 (Rev G): 08.07.2020 and the 'Exterior Lighting Concept' brochure dated 09th February 2021 by Lighting Design International, and the Twin and Earth 'External Lighting - BREEAM Memo' dated 24.08.20, except where otherwise specified in the conditions attached to this permission.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. Also, to protect the amenity of people in neighbouring properties, as set out in S29 of Westminster's City Plan (November 2016) and ENV 10 of our Unitary Development Plan that we adopted in January 2007.

- 53 Only static white light shall be used to illuminate the building unless agreed otherwise in writing by the City Council as local planning authority.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007.

- 54 The development must be carried out in accordance with the details of the Arboricultural method statement and arboricultural supervision details for the installation of lighting fixtures and cables near trees approved by the City Council as Local Planning Authority on 14th September 2023 under reference RN 23/04121/ADFULL, or in accordance with any alternative Arboricultural method statement and arboricultural supervision details for the installation of lighting fixtures and cables near trees as submitted to and approved by the City Council.

Reason:

To protect the trees and the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan

(November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

55 With regard to works for the installation of the lighting fixtures in the landscaping or around the trees:

(a) the development must be carried out in accordance with the details of the Arboricultural method statement and arboricultural supervision details for the installation of lighting fixtures and cables near trees approved by the City Council as Local Planning Authority on 14th September 2023 under reference RN 23/04121/ADFULL, or in accordance with any alternative Arboricultural method statement and arboricultural supervision details for the installation of lighting fixtures and cables near trees as submitted to and approved by the City Council. You must then adhere to the approved supervision schedule.

(b) You must produce written site supervision reports as detailed in part (a) after each site monitoring visit, demonstrating that you have carried out the supervision and that the tree protection is being provided in accordance with the approved scheme. If any damage to trees, root protection areas or other breaches of tree protection measures occur then details of the incident and any mitigation/amelioration must be included. You must send copies of each written site supervision record to us within five days of the site visit.

Reason:

To protect the trees and the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

56 With regard to the installation of the lighting fixtures in the landscaping or around the trees, you must carry out any excavation which takes place within the root protection area of the trees (as defined by British Standard BS5837: 2012) by hand or using hand-held tools (other than power-driven tools). If you come across any roots of 10 millimetres or more in diameter, you must retain them and carefully protect them from being exposed and drying out, and you must alter your lighting design to allow their retention. You must cut any damaged or severed roots (which are smaller than 10 millimetres) with a sharp cutting tool so that the final wound is as small as possible.

Reason:

To protect the trees and the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

Informatives

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

Item No.
2

(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.

DRAFT DECISION LETTER [Application 2]

Address: 30 Grosvenor Square, London, W1K 6AN

Proposal: Installation of permanent external planter boxes at ground floor level of Grosvenor Square, Upper Grosvenor Street and Upper Brook Street frontages, and other associated works.

Reference: 24/05112/FULL

Plan Nos: 1120_P_E0_11 Rev 01 (site plan); 1120_P_P1_00 Rev 02, , 1120_P_P3_05 Rev 01, 1120_P_P3_06 Rev 01, , 1120_P_P4_01 Rev 01, 1120_P_P4_03 Rev 01, and David Chipperfield Architects design report "30 Grosvenor Square Public realm planters Full plans application July 2024 Rev 01 14/10/2024".

Case Officer: Paul Quayle **Direct Tel. No.** 07866039895

Recommended Condition(s) and Reason(s)

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

Reason:

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

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

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

- o between 08.00 and 18.00 Monday to Friday; and ,
- o not at all on Saturdays, Sundays, bank holidays and public holidays. , ,

Noisy work must not take place outside these hours unless otherwise agreed through a

Item No.
2

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.** You must apply to us for approval of detailed drawings at 1:10 of the new planters, and a sample of their cladding. You must not start any work on the planters until we have approved what you have sent us. You must then carry out the work according to the detailed drawings and sample.

Reason:

To make sure that the appearance of the planters is suitable and that they contribute to the character and appearance of this part of the Mayfair Conservation Area, and to the setting of the neighbouring grade II listed building, and to the setting of the grade II registered Grosvenor Square garden. This is as set out in Policies 38, 39, 40, and 43 of the City Plan 2019 - 2040 (April 2021).

- 4** The proposed continuous line of planters along Upper Grosvenor Street and the position of the access gaps facing east and west within them for the unit on the corner of Grosvenor Square and Upper Grosvenor Street shall be implemented exactly as shown on drawing number 1120_P_P1_00 Rev 02 and in the David Chipperfield Architects design report "30 Grosvenor Square Public realm planters Full plans application July 2024 Rev 01 14/10/2024".

Reason:

To protect the environment of people in neighbouring properties, as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R13BD)

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.

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.