



City of Westminster

Committee Agenda

Title:

Planning Applications Sub-Committee (4)

Meeting Date:

Tuesday 25th July, 2017

Time:

6.30 pm

Venue:

Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR

Members:

Councillors:

Angela Harvey (Chairman)
Iain Bott
Jonathan Glanz
Jason Williams



Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda

Admission to the public gallery is by ticket, issued from the ground floor reception from 6.00pm. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.



An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Tristan Fieldsend, Committee and Governance Officer.

**Tel: 020 7641 2341; Email: tfieldsend@westminster.gov.uk
Corporate Website: www.westminster.gov.uk**

Note for Members: Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Head of Legal & Democratic Services in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To note any changes to the membership.

2. DECLARATIONS OF INTEREST

To receive declarations by members and officers of the existence and nature of any personal or prejudicial interests in matters on this agenda.

3. MINUTES

To sign the minutes of the last meeting as a correct record of proceedings.

4. PLANNING APPLICATIONS

Applications for decision

Schedule of Applications

- | | |
|---|------------------------|
| 1. BASEMENT CAR PARK, THE WATER GARDENS, BURWOOD PLACE, LONDON, W2 2DE | (Pages 3 - 20) |
| 2. DEVELOPMENT SITE AT 221-235 LANARK RD, LAND TO NORTH OF 235 LANARK RD AND LAND AT SCOTTISH TOWERS, MAIDA VALE, LONDON, W9 | (Pages 21 - 32) |
| 3. 8 GERALD ROAD, LONDON, SW1W 9EQ | (Pages 33 - 56) |
| 4. 4 BLENHEIM STREET, LONDON, W1S 1LB | (Pages 57 - 70) |
| 5. PITCH 918, MARYLEBONE LANE, LONDON, W1C 2JG | (Pages 71 - 78) |
| 6. GROUND FLOOR, 5 STATION APPROACH, MARYLEBONE ROAD, LONDON, NW1 5LD | (Pages 79 - 90) |

Charlie Parker
Chief Executive
17 July 2017

Agenda Annex

CITY OF WESTMINSTER
 PLANNING APPLICATIONS SUB COMMITTEE – 25th July 2017
 SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Item No	References	Site Address	Proposal	Resolution
1.	RN(s) : 17/03780/FULL Hyde Park	Basement Car Park The Water Gardens Burwood Place London W2 2DE	Part use of basement car park as storage facility (Class B8) and infill of the Water Garden lightwells with green roofs and associated works.	
				Recommendation Grant conditional permission.
Item No	References	Site Address	Proposal	Applicant
2.	RN(s) : 17/04304/ADFULL Maida Vale	Dev Site At 221- 235 Lanark Rd, Land To North Of 235 Lanark Rd And Land At Scottish Towers Maida Vale London W9	Details of revised front and rear elevation design treatment pursuant to Condition 4 of planning permission dated 29 April 2016 (15/11007/FULL).	
				Recommendation Approve details.
Item No	References	Site Address	Proposal	Applicant
3.	RN(s) : 17/03902/FULL and 17/03903/LBC Knightsbridge And Belgravia	8 Gerald Road London SW1W 9EQ	Demolition of existing conservatory and erection of new lower ground floor rear extension and three storey closet wing rear extension, re-build mansard top floor and roof. Lowering of floor level underneath main internal staircase to create new WC. Re-build front steps, new rear garden landscaping, repair and refurbish front facade and railings, and re-build of non-original front metal step.	
				Recommendation 1. Grant conditional permission and conditional listed building consent. 2. Agree the reasons for granting conditional listed building consent as set out in informative 1 of the draft decision letter.
Item No	References	Site Address	Proposal	Applicant
4.	RN(s) : 17/01863/FULL 17/02636/TCH West End	4 Blenheim Street London W1S 1LB	1. Installation of an openable shopfront. 2. Use of an area of the public highway measuring 1.0m x 4.4m for the placing of 2 tables and 4 chairs in connection ground floor restaurant (Class A3).	
				Recommendation 1. Grant conditional permission. 2. Grant conditional permission.

CITY OF WESTMINSTER
 PLANNING APPLICATIONS SUB COMMITTEE – 25th July 2017
 SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Item No	References	Site Address	Proposal	Applicant
5.	RN(s) : 17/03303/FULL Marylebone High Street	Pitch 918 Marylebone Lane London W1C 2JG	Retention of retail (Class A1) kiosk (for 12 months)	
	Recommendation Renew planning permission (for one year)			
Item No	References	Site Address	Proposal	Applicant
6.	RN(s) : 17/02723/TCH Regent's Park	Ground Floor 5 Station Approach Marylebone Road London NW1 5LD	Use of the public highway (area measuring 0.68m x 6.6m) for the placing of two tables and four chairs in connection with Pret-A-Manger.	
	Recommendation Grant conditional permission.			

Agenda Item 1

Item No.
1

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 25 July 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Hyde Park	
Subject of Report	Basement Car Park, The Water Gardens, Burwood Place, London, W2 2DE,		
Proposal	Part use of basement car park as storage facility (Class B8) and infill of the Water Garden lightwells with green roofs and associated works.		
Agent	Deloittes		
On behalf of	Church Commissioners for England and Safestore Ltd		
Registered Number	17/03780/FULL	Date amended/ completed	11 May 2017
Date Application Received	2 May 2017		
Historic Building Grade	Unlisted		
Conservation Area	Bayswater		

1. RECOMMENDATION

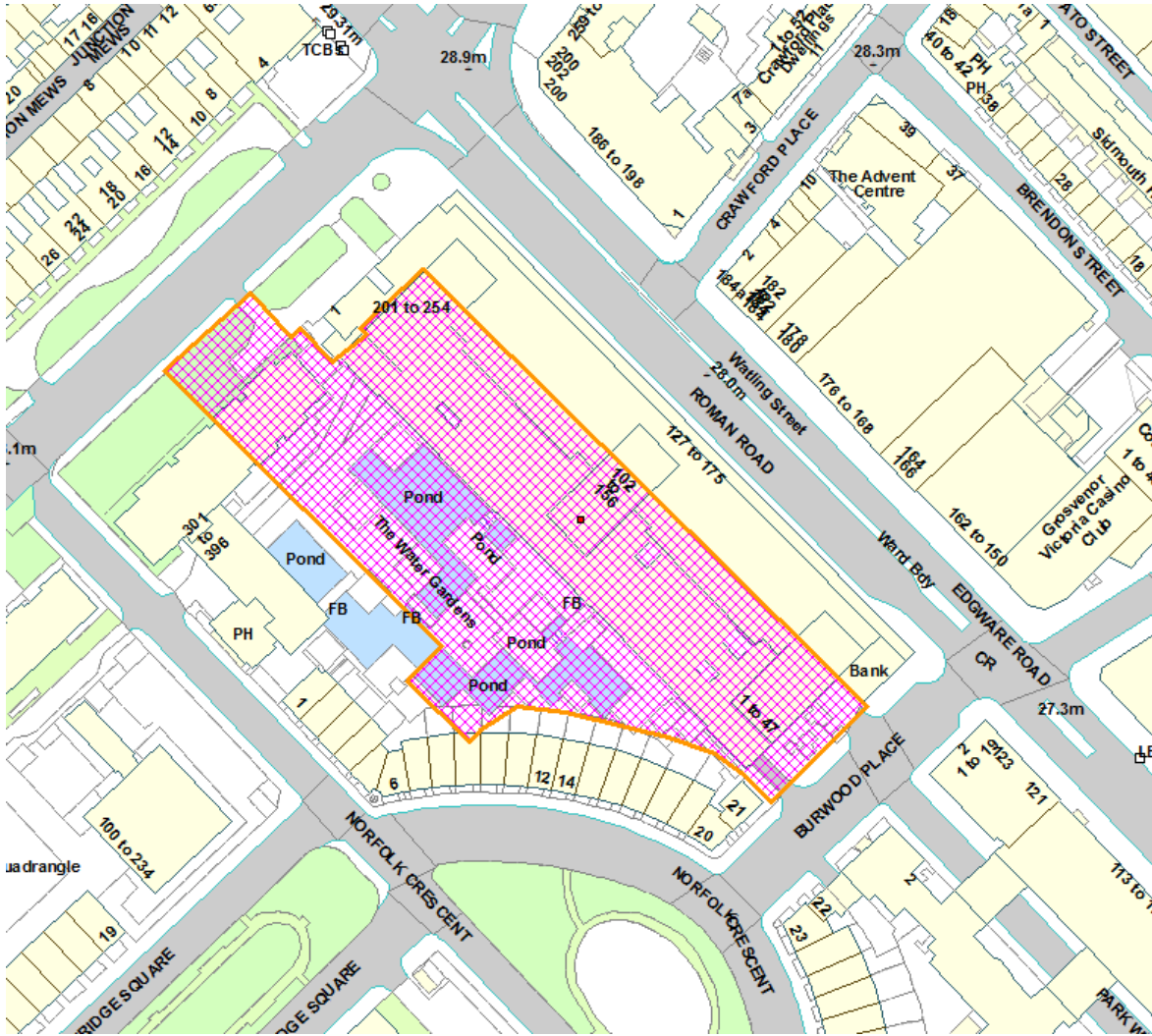
Grant conditional permission.

2. SUMMARY

<p>The Water Gardens are an unlisted estate, located within the Bayswater Conservation Area and on the west side of Edgware Road. It comprises a basement parking level with a two level podium above, containing A class and office uses. Three, 12 storey residential towers are located above the podium.</p> <p>Permission is sought for the use of part of the basement car park as a storage facility (Use Class B8), infill of lightwells to this basement area with green roofs and associated works.</p> <p>The application has received objection from three neighbouring residents. They are primarily concerned with security, ownership and potential harm to the character of the Water Gardens.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> - The impact of the loss of the basement car park on the surrounding highways and parking network. - The impact of the proposed used on the amenity of neighbouring residents. - The impact of the infilling of the courtyard voids on the character and appearance of the site and this part of the Bayswater Conservation Area.

The proposal does not result in unacceptable impacts upon residential amenity or the local highway network. The proposed development accords with relevant policies in the Unitary Development Plan (UDP) and Westminster's City Plan (the City Plan) and is recommended for approval subject to the conditions set out in the draft decision letter.

3. LOCATION PLAN



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4. PHOTOGRAPHS



View of Water Gardens. Example of lightwell to be infilled to left.

5. CONSULTATIONS

HYDE PARK ESTATE ASSOCIATION

Any response to be reported verbally.

TRANSPORT FOR LONDON

Any response to be reported verbally.

HIGHWAYS PLANNING

No objection, subject to conditions as set out below.

CLEANSING

Objection; no provision for storage of waste and recycling.

DESIGNING OUT CRIME

Any response to be reported verbally.

ARBORICULTURAL SECTION

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 510

Total No. of replies: 3

No. of objections: 3

No. in support: 0

3 objections were received. In summary, the following issues were raised:

- Loss of water from the ponds would have a negative impact on existing wildlife in and around the ponds. The ponds also act as a security feature;
- The greens roofs will compromise the original vision and design of the gardens and may become unattractive should they not be properly maintained;
- Concerns were raised with regards to site ownership and who may be responsible for the upkeep of the green roofs; and
- Security queries regarding the self-storage units - how will it be access and what security measures will be put into place.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The Water Gardens are an unlisted estate, located within the Bayswater Conservation Area and on the west side of Edgware Road. It comprises a basement parking level with a two level podium above, containing A class and office uses. Three, 12 storey residential towers are located above the podium.

6.2 Recent Relevant History

There is no relevant planning history.

7. THE PROPOSAL

Planning permission is sought for the use of part of the basement car park as a self-storage facility (Class B8). The total area of the car park is 5,795 sqm and it is proposed to use an area of 5,750 sqm to provide 477 self-storage units. This would result in the loss of 168 car parking spaces of the existing 202 spaces. Also proposed is the infill of the lightwells within the Water Garden courtyard that are currently open to the car park below.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The basement of the Water Gardens was formerly occupied by NCP and operated as a public off-street car park. NCP have vacated the site and this ceased in February 2017. The site is currently empty.

In relation to the change of use of part of the basement, the development plan does not refer specifically to self-storage facilities. However, such a use could broadly be considered to fall within the remit of COM 11 of the UDP which relates to new general industrial or commercial warehouse floor space, albeit that the proposed use is on a smaller scale. The policy states that such uses will only be approved where they are located close to the strategic road/rail network, the accommodation is particularly suited to the proposed use, the servicing requirements can be adequately met within the site and there would be no adverse impact on residential amenity.

In this case the proposed storage use would serve the local population of this part of the City and is located in a position that is highly accessible to those who will use the storage facility in future, being accessed off Burwood Place. Subject to the recommended conditions and given the basement location of the proposed use and its separation from the residential elements of the Water Gardens above, the proposed use would not have an adverse impact on the amenity of neighbours. The proposed use will require limited once weekly servicing by the operator. As such, the proposed use is considered to be acceptable in land use terms. The loss of the existing public car park use is addressed later in this report in the 'Highways' section.

8.2 Townscape and Design

The relevant policies are DES 1 and DES 9 of the UDP and S28 of the City Plan.

The impact of the infilling of the courtyard voids on the character and appearance of the site and surrounding Bayswater Conservation Area must be considered.

The voids at present serve and ventilate the existing basement carpark and will no longer be required as a result of the decommissioning of the car park and the change of use to a self-storage unit. It is proposed to infill the voids with green roofs. Whilst not readily visible within public views, the Water Gardens are readily visible within private views and feature hard and soft landscaping and landscaped ponds.

An objection has been received on the grounds of the impact of infilling the voids on the character and appearance of the site and that this would not be in keeping with the original design of the site.

The proposal will retain the existing form and layout of the network of ponds and hard and soft landscaping and therefore the proposal is considered to be acceptable in design terms. The introduction of the green roofs would have a modest impact on the overall design and form of the Water Gardens and would preserve the character and appearance of the Bayswater Conservation Area.

The proposal would therefore comply with the relevant policies and be acceptable in design terms.

8.3 Residential Amenity

The relevant policies are ENV 6 and ENV 13 of the UDP and S29 of the City Plan.

Whilst in operation by NCP, the car park was open to the public 24 hours a day, Monday to Friday. It is proposed that the self-storage facility will be in operation 24 hours a day 7 days a week and will be manned by staff Mon - Weds, Fri - Sat 8am to 6pm, Thurs 8am to 8pm and Sun 10am - 4pm.

The proposed storage facility would be completely enclosed beneath the application site. Loading and unloading would take place off-street. Sufficient space also exists to accommodate vehicles within the basement area to prevent queuing and loading/unloading on-street and consequent noise. It is anticipated that the storage facilities location and arrangement would therefore provide adequate attenuation from noise levels anticipated from activity on-site.

In terms of details of the operation, the proposed self-storage facility is to be operated by Safestore, and the Planning Statement submitted by the applicant provides information regarding the sites operation and the ways in which potential disruption to local amenity will be minimised. It is advised that approximately one delivery will take place per week and the servicing and delivery will take place within the site in the loading area of the car park and customer parking will also be within the facility with an additional two loading bays provided at the rear of the service road. The planning statements continues to states that a number of security features will be incorporated to ensure crime is minimised and that amenity levels in terms of noise will be an improvement on the previous use as a car park.

It is considered that the operation details outlined in the planning statement such as hours of operations, estimated number of trips generated and the proposed access/egress routes are sufficient to safeguard the neighbouring residential amenity and that the

proposal will not result in any increase harm than currently experienced as a result of the use as a car park.

Comments have been raised by neighbouring occupiers relating to the security arrangements and access to the self-storage area. Details of the security measures proposed have been provided by the applicant and are included within the Planning Statement submitted. These measures include:

- Access will be strictly controlled and be limited to customers only.
- Outside of staffed hours, access will be via a fob entry system.
- Alarm system and CCTV surveillance.
- Security check of customers.

A condition is recommended to ensure compliance with the operation details within the planning statement and the implementation of the security measures stated.

The proposal includes the installation of plant within the basement and an acoustic report has been provided. A condition is recommended requiring the submission of a post commissioning noise survey report to ensure that the plant complies with the relevant noise levels and does not result in harm to the amenity of the neighbours.

The proposal is considered to comply with the relevant policies and therefore be acceptable in terms of residential amenity.

8.4 Transportation/Parking

The use of the existing basement carpark would result in the loss of 168 public car parking spaces. 28 public car parking spaces would remain and these would only be accessible from Norfolk Crescent. It is noted that there is currently 202 car parking spaces . However, and due to the reconfiguration of the remaining spaces, the remaining total decreases by an amount greater than the mathematical difference.

The evidence of the Council's most recent night time parking survey in 2015 indicates that parking occupancy of ResPark bays within a 200 metre radius of the site is 83% (37 available residential bays). However, policy TRANS23 of the UDP includes all legal parking spaces (eg Single Yellow Lines, Metered Bays, P&D, and Shared Use) as such with the addition of Single Yellow Line availability at night, the stress level reduces to 62%.

During the daytime, the parking occupancy of ResPark bays within a 200 metre radius of the site is 81% (61 available residential bays). TRANS23 includes all legal parking spaces. During the daytime within the area, the only legal on-street spaces for permit holders are Residential and Shared Use Bays.

The applicant has addressed the criteria within policy TRANS25 of the UDP, regarding the loss of existing off-street public car parking. The existing public car park has a capacity of 202 vehicles. The peak parked occupancy was 66 vehicles (Friday afternoon). Weekend demand is lower with 36 vehicles parked as a maximum (Saturday afternoon). The applicant suggests the average usage is around 8% of spaces.

It is accepted that surrounding car parks currently have capacity for any existing users to park off-street within a public car park.

On balance, the loss of these spaces would not have a significantly adverse impact on on-street parking and there is other publicly accessible off-street parking in the vicinity of the site. Accordingly, there is no objection to the loss of the existing car park, when considered against policy TRANS25 of the UDP.

It is accepted the remaining 28 public car parking spaces can be accessed independently and still operate as a public car park.

With regards to the servicing of the proposed use policies S42 of the City Plan and TRANS20 require off-street servicing provision. The proposed storage facility would be serviced from within the subject site and from the internal service road. It is accepted that vehicles up to the size of a refuse vehicle would be able to load and unload to/from the storage facility off the highway.

Nine car parking are included within the B8 use. These are primarily for people dropping off and picking up storage items. Given the nature of the existing use as a public car park and proposed B8 use, it is accepted that this limited amount of car parking would not have a significantly detrimental impact on the operation of the highway network, consistent with policies TRANS21 and TRANS22 of the UDP.

The Highways Planning Manager has objected to the number of cycle parking spaces provided as part of the application as it is below the standards set out within policy 3.16 of the London Plan. The applicant proposes providing three cycle parking spaces rather than 12 and has justified this by explaining that this will be the number of staff present at any one time. The provision of three cycle parking spaces is considered acceptable and it is not considered reasonable in this instance to require the provision of additional spaces.

In terms of waste and recycling storage a condition is recommended for a plan indicating the provision for storage of residual waste and recyclable materials.

8.5 Economic Considerations

No economic considerations are applicable.

8.6 Access

8.7 Other UDP/Westminster Policy Considerations

Trees

In relation to the proposed green roofs the relevant arboricultural policy is policy ENV 4 (planting around and on buildings) of the UDP. ENV 4 states that green roofs can provide many general environmental and associated aesthetic and health benefits. The introduction of green roofs to the gardens in addition to the existing landscaping is welcomed in this instance.

The application has provided details of a planting palette and maintenance regime for the green roofs which is considered to be acceptable in this instance.

Other

Concerns were raised during the course of the application with regards to the site ownership and if the water was to be permanently removed from the existing ponds.

In relation to the ownership certificate, this was clarified by the applicant during the course of the application and it was confirmed that the correct ownership certificate had been provided to the City Council.

In relation to the draining of the ponds, this is not proposed by the applicant as part of this application and has taken place as part of recent maintenance work. It is understood that the ponds will be refilled.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

8.10 Planning Obligations

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

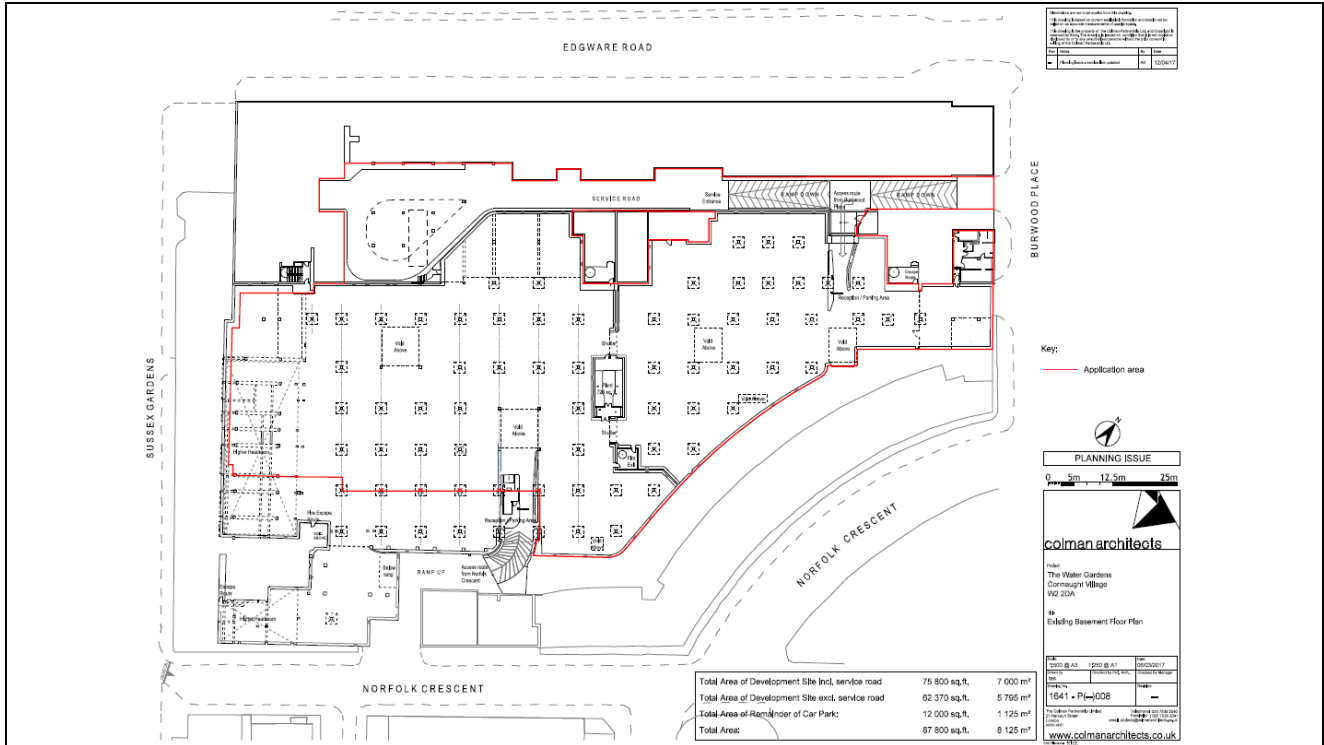
9. BACKGROUND PAPERS

1. Application form
2. Response from Highways Planning Manager, dated 30 June 2017
3. Response from Waste project Officer, dated 25 May 2017
4. Letter from occupier of Edinburgh House, 40 Great Portland Street, dated 27 June 2017
5. Letter from occupier of 136 The Water Gardens, Burwood Place, dated 4 June 2017
6. Letter from occupier of 136 The Water Gardens, Burwood Place, dated 7 June 2017

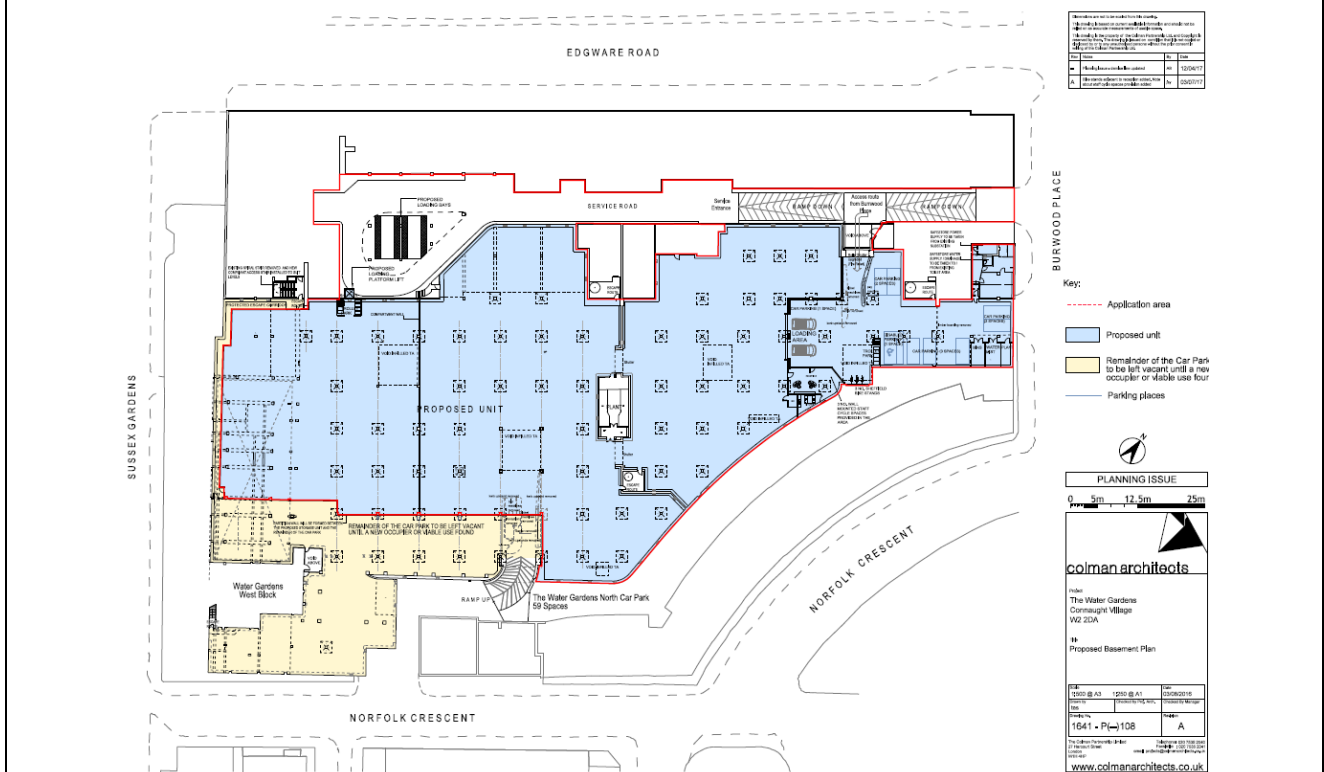
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: NATHAN BARRETT BY EMAIL AT nbarrett@westminster.gov.uk

10. KEY DRAWINGS



Existing Basement Plan



Proposed Basement Plan





Example of Existing Lightwell



Example of Proposed Lightwell

DRAFT DECISION LETTER

Address: Basement Car Park, The Water Gardens, Burwood Place, London, W2 2DE,

Proposal: Part use of basement car park as storage facility (Class B8) and infill of the Water Garden courtyard voids with green roofs and associated works.

Reference: 17/03780/FULL

Plan Nos: 1641/P(--)-01; 1641/P(--)-002; 1641/P(--)-02; 1641-P(--)-008 (existing); 1641-P(--)-009 (Existing); 1641-P(--)-010; 1641-P(--)-108 rev A (proposed); 1641-P(--)-009 rev A (Proposed); 1641-P(--)-110; RLA.141.GR.01A; RLA.141.GR.2; , SL-SK-001; Transport Statement May 2017; Safestore Planning Statement May 2015; Noise Impact Assessment April 2017.

Case Officer: Victoria Coelho **Direct Tel. No.** 020 7641 6204

Recommended Condition(s) and Reason(s)

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

Reason:

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

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

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

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

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

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 You must not operate the plant/ machinery that we have allowed (other than to carry out the survey required by this condition) until you have carried out and sent us a post-commissioning noise survey and we have approved the details of the survey in writing. The post-commissioning

noise survey must demonstrate that the plant/ machinery complies with the noise criteria set out in conditions 10 of this permission.

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.

- 4 The nine car parking spaces for the self-storage facility and indicated on the submitted plans must only be used by customers of the self-storage facility and shall be retained for the lifetime of the development. The car parking spaces shall not be used for staff car parking.

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)

- 5 All servicing, loading and unloading associated with the Class B8 self-storage use hereby approved must occur from within the site and shall not be carried out on the highway.

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)

- 6 You must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the self-storage unit.. (C14EC)

Reason:

To protect the environment and provide suitable storage for waste 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. (R14BD)

- 7 Prior to the commencement of the development hereby permitted details of any security measures including CCTV and security lighting shall be submitted to and approved in writing by us. Thereafter the security measure we approve shall be implemented in accordance with the approved details.

Reason:

To reduce the chances of crime without harming the appearance of the building as set out in S29 of Westminster's City Plan (November 2016) and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R16AC)

- 8 You must only use this part of the basement car park as self-storage facility use. You must not use it for any other purposes, including any within Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any equivalent class in any order that may replace it).

Reason:

We cannot grant planning permission for unrestricted use within Class B8 because it would not meet COM 11 of our Unitary Development Plan that we adopted in January 2007 and because of the special circumstances of this case.

- 9 The self-storage facility use hereby approved shall be carried out in accordance with the Planning Statement prepared by Deloitte and dated May 2017.

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)

- 10 (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.

- 11 You must provide the following bio-diversity features before you start to use any part of the development, as set out in your application.

-The green roofs above the infilled voids/ lightwells.

You must not remove any of these features. (C43FA)

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)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning

briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- 2 You may need to get separate permission under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 if you want to put up an advertisement at the property. (I03AA)
- 3 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

Agenda Item 2

Item No.
2

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 25 July 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Maida Vale	
Subject of Report	Dev Site At 221-235 Lanark Rd, Land To North Of 235 Lanark Rd And Land At Scottish Towers, Maida Vale, London, W9,		
Proposal	Details of revised front and rear elevation design treatment pursuant to Condition 4 of planning permission dated 29 April 2016 (15/11007/FULL).		
Agent	BM3 Architecture		
On behalf of	Allenbuild		
Registered Number	17/04304/ADFULL	Date amended/ completed	16 May 2017
Date Application Received	16 May 2017		
Historic Building Grade	Unlisted		
Conservation Area			

1. RECOMMENDATION

Approve Details

2. SUMMARY

<p>Planning Applications Sub Committee (4) resolved to grant planning permission on 29 March 2016 for the redevelopment of the site providing a mixed scheme containing 67 residential units (of which 44 are affordable housing) and a community/sports building (Use Class D1/D2). Permission was subsequently issued 29 April 2017 following a review of conditions with Councillors to incorporate further measures to reduce overlooking and general disturbance to properties to the rear on Randolph Avenue and St Georges School to the front. Condition 4 of the permission sets out these requirements, namely the removal of balconies and altering fenestration and also the incorporation of greater verticality and order to the rear façade to improve its elevation design treatment.</p> <p>This approval of details application provides details of a revised front and rear elevation pursuant to the above. The proposed alterations have been prepared in consultation with residents as required by the Community Liaison Clause of the Section 106 agreement. They involve the removal of all balconies from the first to third floor of the rear façade and replacement with windows and the erection of obscure glazed privacy screens to the fourth floor to the front and rear to mitigate overlooking. Some alterations to the fenestration are also incorporated.</p> <p>Consultation has been undertaken with all those consulted originally and a one letter of objection has</p>
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Item No.
2

been received to date. Notwithstanding the points raised, the changes are considered to address the requirements of the condition and are recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



View of Development Site from roof of St George's School

5. CONSULTATIONS

LONDON BOROUGH OF BRENT

No objection.

ST JOHN'S WOOD SOCIETY

No comment

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 923

Total No. of replies: 0

No. of objections: 1

No. in support: 0

Objection related to the original scheme on grounds of, density, pressure on local services, privacy and amenity and parking.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The site is located on the western side of Lanark Road at its northern end, extending from adjacent to No.201 Lanark Road to where it abuts the rear of 1 Carlton Vale (on the corner of Carlton Vale and Lanark Road). The site comprises of a number of smaller sites/buildings/uses including an external car parking area, the Maida Centre, a Sports hall, the North Paddington Boys club (NPYC) and portacabins used by St Georges School. The buildings have been vacated following the approval of planning permission for the redevelopment of the site in April last year.

6.2 Recent Relevant History

15/11007/FULL

Redevelopment of site spanning 221-235 Lanark Road and land to the north of 235 Lanark Road, involving demolition of existing buildings and erection part 3, part 4, part 5 storey building, plus lower ground floor, containing a community/sports building (Use Class D1/D2) and associated plant at the north end of the site, and 67 residential units (Class C3) (private and affordable) across the remainder of the site and across the top floor of the proposed community/sports building, together with car parking, landscaping and associated works. Reconfiguration of front curtilage of the Scottish Towers (Glasgow House, Falkirk House, Edinburgh House) to provide additional parking, re landscaping and associated works. Removal of existing trees and replacement tree planting.

Application Permitted 29 April 2016

7. THE PROPOSAL

Details of revised front and rear elevation design treatment pursuant to Condition 4 of planning permission dated 29 April 2016 (15/11007/FULL). Condition 4 states:

1. **“Pre Commencement Condition.** *You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:*
- a) *Revised rear elevation design treatment to introduce greater verticality and order.*
 - b) *Revised elevations and sections (where relevant) to incorporate measures to reduce overlooking and general disturbance to properties to the rear on Randolph Avenue, by removing balconies, terraces and altering fenestration and to the front to reduce potential overlooking to St Georges School.*

You must then carry out the work according to the approved drawings.

REASON:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area and to protect the privacy and environment of people in neighbouring properties and buildings. This is as set out in S28, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV6, ENV13, DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007.”

To satisfy this condition, the applicant proposes the following:

- Removal of all balconies on the rear elevation across first, second and third floor. Balconies are replaced with windows.
- Inclusion of 1.5m high privacy screen to fourth floor balconies at the rear facing Randolph Avenue and to the front facing St George’s School.
- Alterations to the rear elevation design treatment, namely inclusion of windows in lieu of balconies and re arranging fenestration to incorporate greater verticality and order.

There are no changes to the number of residential units being provided, nor to the mix and tenure of units proposed which remains as approved.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposed alterations do not make any changes to the mix, location and tenure of units in comparison to the approved layout as set out above. In terms of the removal of balconies, the units affected are those from the first, second and third floor which have recessed balconies. The table below taken from the submitted design and access statement details these changes;

Plot Number	Tenure	Flat Area - Approved	Flat Area - Proposed	Difference in Area
101	Social	93.7m ²	105m ²	11.3m ²
102	Social	62.5m ²	70m ²	7.5m ²
103	Social	88m ²	97m ²	9m ²
106	Intermediate	50m ²	59.5m ²	9.5m ²
113	Intermediate	80.5m ²	91.2m ²	10.7m ²
201	Social	93.7m ²	105m ²	11.3m ²
202	Social	62.5m ²	70m ²	7.5m ²
204	Intermediate	63m ²	71.5m ²	8.5m ²
206	Intermediate	50m ²	59.5m ²	9.5m ²
213	Intermediate	80.5m ²	91.2m ²	10.7m ²
303	Intermediate	63m ²	72.8m ²	9.8m ²
306	Intermediate	50m ²	59.5m ²	9.5m ²
313	Intermediate	80.5m ²	91.2m ²	10.7m ²

Fig. 13 - Table showing increase in floor areas in flats affected by the omission of balconies

Whilst the above units will not have a balcony as a result of the alterations, their respective internal floor areas will increase by between 7.5 sqm and 11.3 sqm resulting in units with gross internal floor areas in excess of the Nationally Described Space Standard (March 2015). The loss of private amenity space is regrettable. However, this is to some extent offset by the provision of larger units which is consistent with the approach set out in paragraph 2.3.32 of the Mayor of London's Housing SPG (2016).

With regards to units where privacy screens are proposed, these relate to units on the fourth floor only, with a screen also proposed on the short east facing edge of the communal terrace at third floor level. The screens proposed are 1.5m in height so would not unduly enclose the units they serve. The changes therefore are considered acceptable on grounds of landuse and quality of accommodation.

8.2 Residential Amenity

Part b of the condition was included at the recommendation of the Planning Committee in order to provide greater safeguards for the amenity of neighbouring residential occupiers within the properties to the rear on Randolph Avenue, and to St George's school at the front on Lanark Road.

A large number of objections to the original application were received on amenity grounds and a single objection to this application has been received. The points raised relate principally to the original application. However amenity concerns are reiterated.

The complete removal of balconies from floors one to three eliminates the occurrence of external activity at these levels to the rear in close proximity to the boundary with Randolph Avenue and is an improvement upon the original plans. In place of the recessed balconies, the façade is now flat and windows installed instead. These changes are highlighted in the Design and Access Statement. In some instances additional windows have been added which seek to address part (a) of the condition with respect to creating greater verticality and order, and the recessed south east corner of the building at first and second floor level which contained two balconies, has been brought forward in line with

the principal rear elevation. Notwithstanding this minor increase in the building mass, overall the situation is considered an improvement at these levels in comparison to the original plans.

On the fourth floor, the building is set back and the balconies positioned on the flat roof of the floor below. Since they are not recessed as they are on the floors below their removal could not occur without increasing the envelope of the building at this level. These balconies have therefore been retained with 1.5m high obscure glazed privacy screens installed. These are shown to the front and rear at fourth floor level, and also at third floor level where the communal terrace meets the rear elevation. At this high level, it is considered these measures are sufficient to mitigate overlooking in either direction.

8.3 Townscape and Design

The proposed alterations to the rear consist of the rearrangement of the fenestration, incorporating windows in lieu of the removed recessed balconies, downpipes and panelling next to windows to create greater order and verticality in the elevation. The appearance is of a more ordered rear façade. The alterations are therefore considered to meet the requirements of the condition.

8.4 London Plan

This application raises no strategic issues.

8.5 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

8.6 Planning Obligations

Not applicable to this application.

8.7 Other Issues

The developers Statement of community involvement provides details of consultation undertaken with residents in relation to providing the privacy measures. The developer has identified that this is part of ongoing work to satisfy the Community Liaison requirements set out in the Planning Obligations.

In terms of the Community Infrastructure Levy, there are some increases to the Gross Internal Floor Area as a result of the changes which will need to be factored into a revised CIL calculation. Notwithstanding this, given this increase relates to affordable housing floor space it will be eligible for relief.

9. BACKGROUND PAPERS

1. Application form
2. Response from St John's Wood Society, dated 27 June 2017
3. Response from Brent Council, dated 22 June 2017

4. Letter from 4D Carlton Vale, dated 4 July 2017

(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: NATHAN BARRETT BY EMAIL AT nbarrett@westminster.gov.uk

10. KEY DRAWINGS



Fig. 8 - Extract of figure 6 showing more detail



Fig. 10 - Extract of figure 9 showing more detail

Excerpt from approved drawing (top) and proposed drawing (below) showing amendment.

DRAFT DECISION LETTER

Address: Dev Site At 221-235 Lanark Rd, Land To North Of 235 Lanark Rd And Land At Scottish Towers, Maida Vale, London, W9,

Proposal: Details of revised front and rear elevation design treatment pursuant to Condition 4 of planning permission dated 29 April 2016 (15/11007/FULL).

Reference: 17/04304/ADFULL

Plan Nos: D204 rev B, D200 rev B, D201 rev C, D202 rev C, D203 rev C, 204 rev B, D100_Rear and Front Elevation rev C, Condition 4 Design statement prepared by BM3, Statement of Community Involvement dated May 2017

Case Officer: Samuel Gerstein **Direct Tel. No.** 020 7641 4273

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

- 1 This permission fully meets conditions 4 of the planning permission dated 29 April 2016. (I11AA)

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

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Item No.
3

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 25 July 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Knightsbridge And Belgravia	
Subject of Report	8 Gerald Road, London, SW1W 9EQ		
Proposal	Demolition of existing conservatory and erection of new lower ground floor rear extension and three storey closet wing rear extension, re-build mansard top floor and roof. Lowering of floor level underneath main internal staircase to create new WC. Re-build front steps, new rear garden landscaping, repair and refurbish front facade and railings, and re-build of non-original front metal step.		
Agent	Mr Johnny Holland / Hackett Holland Ltd		
On behalf of	Mr Tom Busher		
Registered Number	17/03902/FULL and 17/03903/LBC	Date amended/ completed	29 June 2017
Date Application Received	5 May 2017		
Historic Building Grade	II		
Conservation Area	Belgravia		

1. RECOMMENDATION

<ol style="list-style-type: none"> 1. Grant conditional permission conditional listed building consent. 2. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.

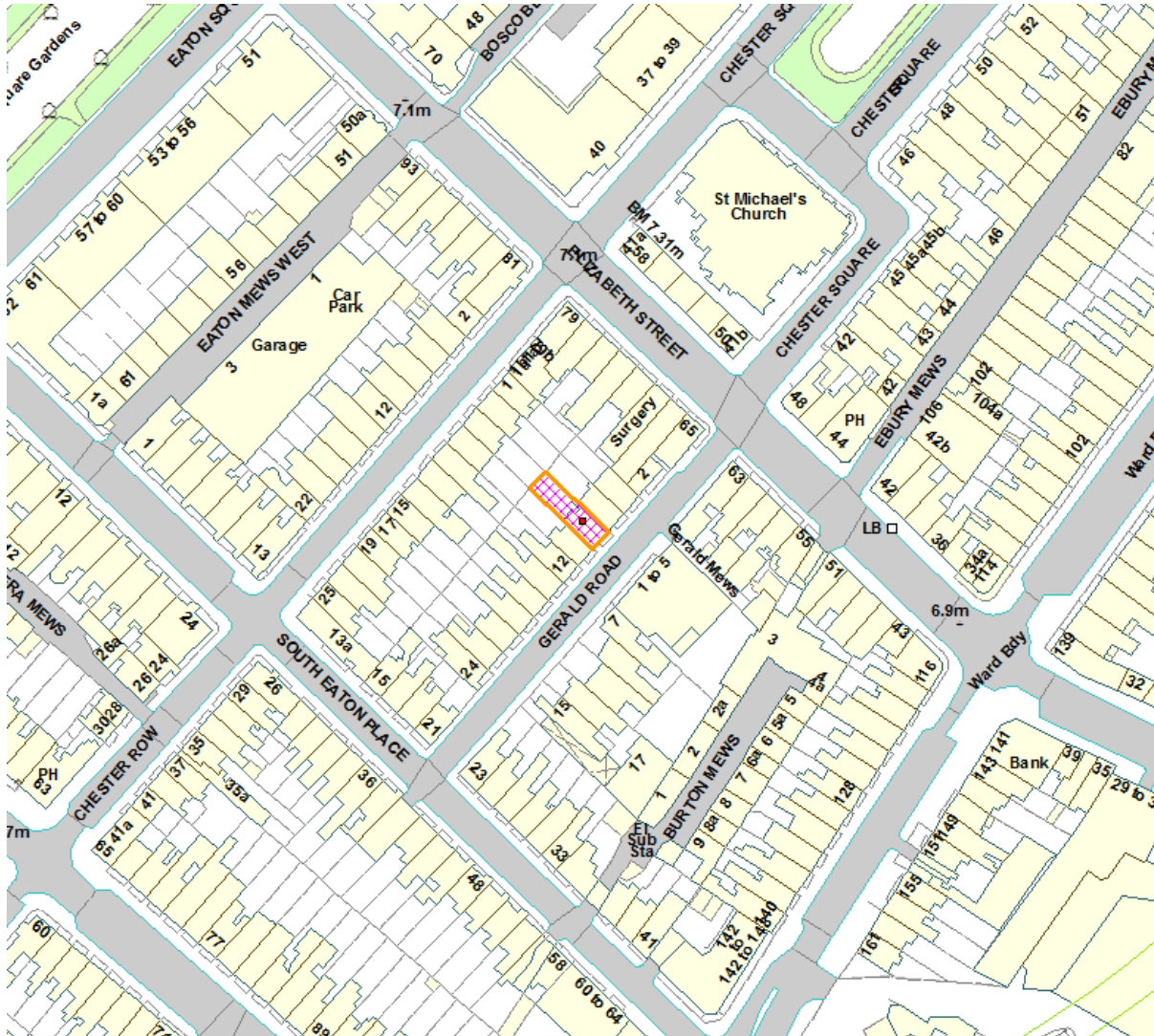
2. SUMMARY

<p>8 Gerald Road is a grade II listed, mid-terraced, early nineteenth century townhouse located within the Belgravia Conservation Area.</p> <p>Permission and listed building consent are sought for the demolition of the existing conservatory and erection of a new lower ground floor rear extension and three storey closet wing rear extension; re-build mansard top floor and roof; lowering of floor level underneath main internal staircase to create new WC; re-build front steps, new rear garden landscaping, repair and refurbish front facade and railings, and re-build of non-original front metal step; and internal alterations.</p> <p>The key issues in this case are:</p>

- the impact of the proposed development on the character and appearance of the listed building and the character and appearance of the Belgravia Conservation Area; and
- the impact on the amenity of neighbouring residents.

For the reasons set out in this report, the proposed development is considered to accord with relevant policies within the Unitary Development Plan adopted in January 2007 (the UDP) and Westminster's City Plan adopted in November 2016 (the City Plan). As such, it is recommended that planning permission and listed building consent are granted, subject to the conditions set out in the draft decision letter.

3. LOCATION PLAN



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4. PHOTOGRAPHS



View from the front



View from the rear

5. CONSULTATIONS

HISTORIC ENGLAND:

Authorised to determine the application for listed building consent – the application should be determined in accordance with national and local policy guidance, and on the basis of the City Council's specialist conservation advice.

BELGRAVIA RESIDENTS ASSOCIATION:

Any response received to be reported verbally

BELGRAVIA NEIGHBOURHOOD FORUM:

Any response received to be reported verbally

THE BELGRAVIA SOCIETY:

Any response received to be reported verbally

ARBORICULTURAL SECTION:

No objection, subject to condition to ensure a replacement tree is planted in the rear garden.

BUILDING CONTROL:

The structural method statement is considered acceptable.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 11

Total No. of replies: 1

No. of objections: 1

No. in support: 0

One objection on the following grounds:

Design:

- the extension would be bulky, out of character with the area and would damage the rhythm of the terrace.

Amenity:

- loss of light to 10 Gerald Road.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

8 Gerald Road is a grade II listed, mid-terraced, early nineteenth century townhouse located within the Belgravia Conservation Area. The property comprises lower ground, ground, two upper storeys and a mansard.

6.2 Recent Relevant History

On 29 November 2010 planning permission and listed building consent was granted for erection of a single storey conservatory to rear lower ground/ ground floor level and construction of new parapet wall and associated internal alterations.

7. THE PROPOSAL

Permission and listed building consent are sought for the demolition of the existing conservatory and erection of a new lower ground floor rear extension and three storey closet wing rear extension, re-build mansard top floor and roof; lowering of floor level underneath main internal staircase to create new WC; re-build front steps, new rear garden landscaping, repair and refurbish front facade and railings, and re-build of non-original front metal step; and internal alterations.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The application property is a single family dwellinghouse and the additional residential floorspace created would enlarge the existing home.

8.2 Townscape and Design

The building is an early nineteenth century mid-terraced house forming part of the Grade II listed terrace, 4-24 Gerald Road within the Belgravia Conservation Area. It is formed of five storeys, including lower ground floor and a modern mansard extension. To the rear it has been extended at lower ground floor level only in the form of a shallow brick projection from the staircase compartment, and two conservatories, one of which projects substantially into the garden. The rear elevation is otherwise flat, and is topped by the original butterfly roof gables, behind which rises a modern mansard roof extension. Most other houses on this row have been extended with full-height or near full-height closet wing extensions, as have those opposite the terrace to the rear on Chester Row.

Internally the house is very plain to the lower ground floor, with the simple décor that might have been originally lost to modern fittings. The ground and first floor retain good interiors, appropriate to their period, whilst the second floor is simpler again. The top (modern) mansard floor is devoid of internal significance as one would expect.

As required by Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the determination of these applications must pay special regard to the preservation of the listed building and the character and appearance of the conservation area. This is reflected by Sections 7 and 12 of the NPPF and by the Council's own policies in the City Plan and UDP; in particular to this case, DES 1, DES 5, DES 8, DES 9 and DES 10. The Belgravia Conservation Area Audit is in draft, but has been fully consulted upon and therefore carries some weight. The Council's, 'Roofs: A Guide to alterations and Extensions on Domestic Buildings' and 'Repairs and Alterations' SPGs are also relevant.

Rear extensions

An objection has been received from a neighbouring resident on the grounds that the proposed rear extension would be harmful to the character of the terrace.

Whilst no.8 might be seen as a rare remnant of the terrace's original flat rear elevation, there is now a strong pattern of shallow closet wings which are generally consistent with the prevailing character of closet wings in Belgravia. As such the principle of building a full closet wing onto the rear of this house, whilst apparently a significant and bulky addition, is consistent with and in fact better-designed than others already established on this terrace. Its design and scale is restrained and well proportioned, and conforms to the Council's policy on rear extensions terminating below the top storey.

At lower ground floor level it is proposed to build a single-storey extension which would infill the gap between the new closet wing and that of no.6, and wrap around the rear of the new closet wing, replacing the existing conservatories. Whilst WCC policy and guidance is generally cautious of wrap-around or full-width extensions, that proposed here would replace two existing poorly designed conservatories, and would overall represent a very minimal expansion over the existing. The design proposed is also very well considered, restrained and defines the single-storey extension into two parts – rear extension and infill. This breaks up the massing of the new volumes, and preserves the rhythm of the rear of the terrace. A proportionate garden would also remain to the rear. The visual relationship of the extensions with the adjacent properties would also be appropriate.

Replacement mansard roof extension

The existing modern mansard is poorly designed, and is proposed to be replaced entirely. The proposed new design is consistent with WCC guidance on roof extensions, and would be a significant enhancement over the existing. No historic fabric should be affected by this work.

External alterations

Other than the extensions discussed above and a range of repairs set out in the submission, external alterations are minimal. To the front the existing black and white tiles to the main steps are proposed to be replaced with Portland Stone. This would be a generally welcome return to the original design but needs to be worked up under condition to ensure that the impact on the underlying fabric of the steps / bridge is appropriate.

It is also proposed to replace the modern front area steps with new metal steps. Subject to the detailed design of this, this would be acceptable. The recladding of the build-out from the underside of the step bridge with lead would be an enhancement.

To the rear it is proposed to insert a small new sash window at third floor half-landing height. This is sized to fit this part of the elevation and would relate well to the elevation below.

Other external alterations are limited to the replacement of existing modern UPVC rainwater and soil-vent pipes and ventilation cowls with metal, which would be an enhancement.

Internal alterations

Internally alterations are numerous but are designed to not affect historic fabric or details. Planform changes proposed are limited to areas already altered in the past, and would preserve or, in the case of the second floor, reinstate principal room proportions. Detailing would be reinstated in the form of new chimneypieces (to be detailed under condition) and new floorboards at ground floor level to replace the existing modern flooring. A new WC at lower ground floor would be built beneath the existing lower section of staircase which will require a minor area of excavation. This does not however represent a new basement, and would not harm the significance of the listed building.

Design summary

Individually and cumulatively the proposed extensions and alterations would preserve or, in some cases, enhance the special architectural or historic interest of the listed building and the positive manner in which it contributes to the character and appearance of the conservation area. The proposals would comply with the relevant national and local policies and guidance discussed above, and as such is acceptable in design / listed building terms.

8.3 Residential Amenity

There are a number of residential properties in close proximity to the application site, most notably the adjoining houses 6 and 10 Gerald Road.

Policies S29 of the City Plan and ENV13 of the UDP aim to safeguard the amenity of residents from the effects of new development with particular regard to overlooking, sense of enclosure and loss of daylight and sunlight.

Daylight and Sunlight

An objection has been received from a neighbouring resident on the grounds the proposal would result in a loss of light to 10 Gerald Road.

The applicant has carried out an assessment of 10 Gerald Road based on the methodologies in the Building Research Establishment (BRE) guide "Site Layout Planning for Daylight and Sunlight: a guide to good practice". The BRE guide stresses that the numerical values are not intended to be prescriptive in every case and are intended to be interpreted flexibly depending on the circumstances since natural lighting is only one of many factors in site layout design. For example, in a dense urban environment, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.

In assessing daylight levels, the Vertical Sky Component (VSC) measures the amount of light reaching the outside face of a window. If the VSC achieve 27% or more, the BRE advise that the window will have the potential to provide good levels of daylight. The BRE guide suggests that reductions from existing values of more than 20% should be avoided as occupiers are likely to notice the change.

The relevant openings are at ground, first and second floors to the main building at 10 Gerald Road. There is also a lower ground floor window, but this is to a bathroom and the BRE guide indicates non-habitable rooms need not be tested.

The second floor window would receive a loss of 3% which would not be noticeable. The ground and first floor openings would receive losses of 40% and 34% respectively. The ground floor opening is a glazed set of doors serving an open plan kitchen/ dining room which is dual aspect. The first floor window serves a sitting room which is also dual aspect. The BRE guide indicates dual aspect rooms are less of a concern. Indeed, as both impacted rooms in this case benefit from other windows to the front, the overall daylight levels in these rooms will not be unduly reduced by the proposals. It should also be noted that 10 Gerald Road already benefits from a similar closet wing extension as proposed in these applications.

In terms of sunlight, none of the rear windows at 10 Gerald Road meet the criteria for analysis. The BRE guide states that only windows with an orientation within 90 degrees of south need to be assessed, and the windows to the rear of 10 Gerald Road face a north-west direction.

No assessment has been made with regard to other residential properties, and it is not considered necessary for the applicant to have done so. The other properties are of such a distance/ orientation relative to the extensions that there would be no noticeable impact in terms of loss of light.

Sense of Enclosure

The outlook from rooms at the rear of 10 Gerald Road would be framed by the existing closet wing at 10 Gerald Road on one side and the proposed rear extension at the application property on the other. Whilst the flank of the existing closet wing at 10 Gerald Road is visible from these rooms currently, it is not overbearing and a good overall outlook is enjoyed. The proposed extension at 8 Gerald Road would match this existing closet wing in terms of depth, and so would similarly not unduly restrict outlook.

On the boundary with 6 Gerald Road, the rear extension at lower ground would be set lower the existing boundary wall and trellis. Closest to the main building, the trellising on top of the boundary wall would be replaced with trellis 0.7 metres higher than the existing. This is adjacent to the neighbouring ground floor balcony. Given this increased height is retained close to the main building, and it is a relatively modest increase, it is not considered that this would cause an unacceptable increased sense of enclosure.

Privacy

In terms of overlooking, the new windows would not raise any concerns in terms of loss of privacy over the existing arrangement.

8.4 Transportation/Parking

The proposed extensions would provide additional floorspace to an existing residential unit and therefore there would be no increase in the number of households. As such it is

not considered that the proposals would have a detrimental impact on the local highway network or availability of on-street parking.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size.

8.6 Access

The proposal does not alter access arrangements.

8.7 Other UDP/Westminster Policy Considerations

Excavation

The proposal involves a modest level of excavation in order to provide a WC underneath the staircase; to lower the floor level of lower ground floor extension and to landscape the rear garden. Building Control have confirmed that the structural method statement provided by the applicant for information purposes is acceptable

Trees

The proposal requires the removal of a small Magnolia. Its removal would not cause significant loss of amenity, subject to a condition to ensure a replacement tree is planted.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

8.10 Planning Obligations

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

The net additional gross internal floorspace would be 11sqm and, as this is less than 100sqm, the application is not liable for Mayoral or City Council CIL.

8.11 Environmental Impact Assessment

The application is of insufficient scale to trigger the requirement of an EIA.

9. BACKGROUND PAPERS

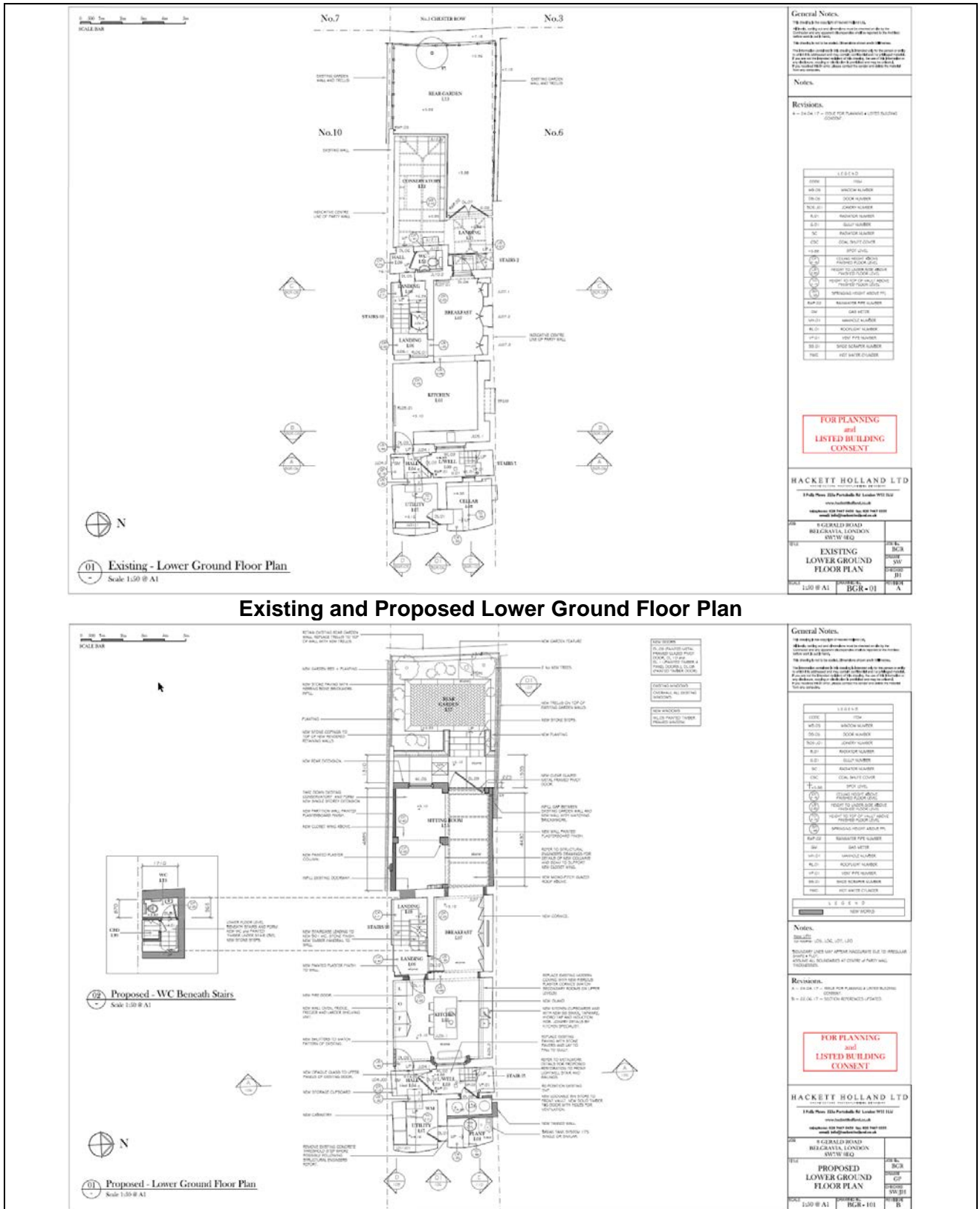
1. Application form.
2. Letter from Historic England, dated 15 May 2017
3. Memorandum from Tree Section, dated 21 June 2017

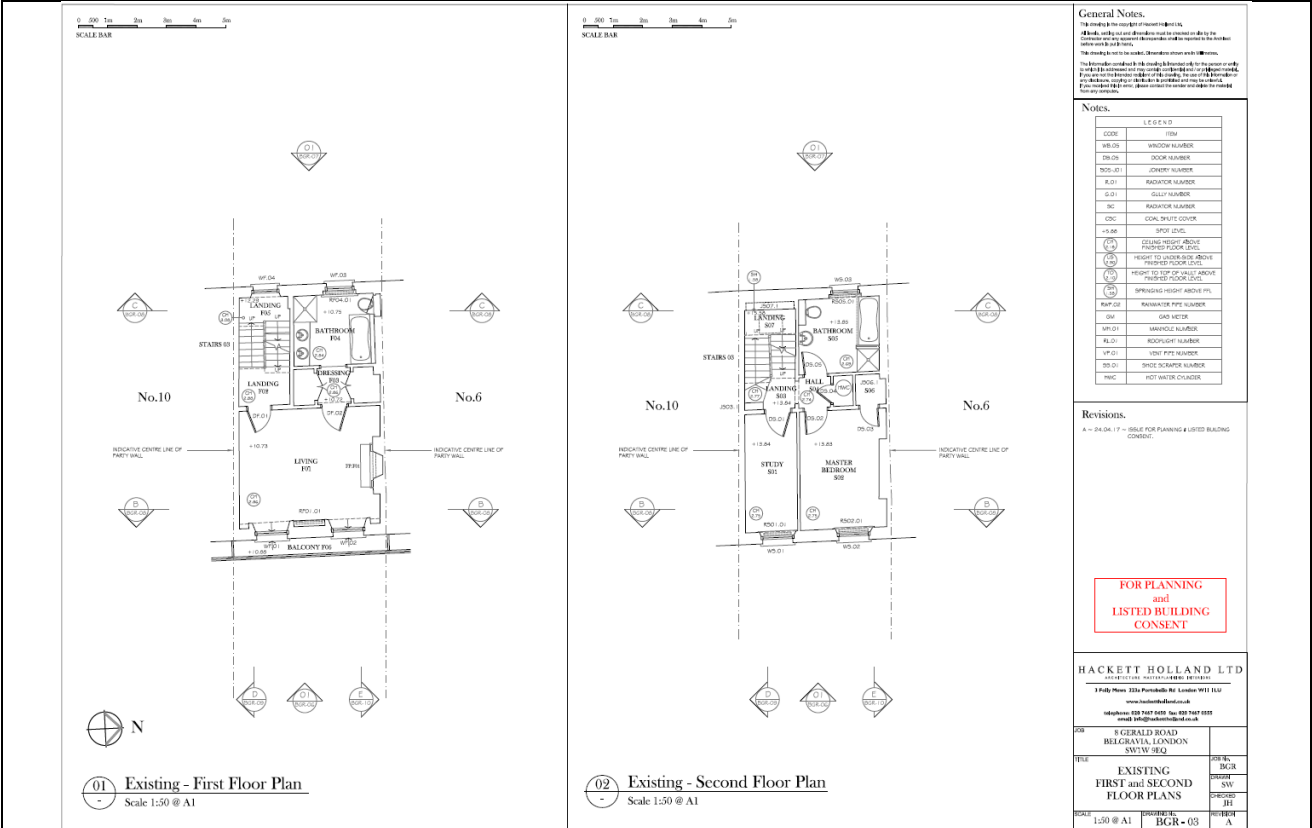
4. Building Control email dated 17 July 2017
5. Objection from occupier of 10 Gerald Road, London, dated 26 May 2017.

(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: AMANDA JACKSON BY EMAIL AT ajackson@westminster.gov.uk

10. KEY DRAWINGS





General Notes.
The client is the recipient of these plans.
It shall be the responsibility of the client to ensure that the plans are used in accordance with the Building Regulations and any other applicable legislation.
The client is advised that the plans are not to be used for any other purpose without the written consent of the architect.

Notes.

CODE	DESCRIPTION
W0.01	WINDOW NUMBER
D0.01	DOOR NUMBER
R00.01	RADIATOR NUMBER
S.01	STAIR NUMBER
SC	RADIATOR NUMBER
CC	CEILING WHITE COVER
SP	SPRINKLER
CP	CEILING HEIGHT ABOVE FINISHED FLOOR LEVEL
HL	HEIGHT TO UNDER SIDE ABOVE FINISHED FLOOR LEVEL
HT	HEIGHT TO TOP OF JAMB ABOVE FINISHED FLOOR LEVEL
SPR	SPRINKLING HEIGHT ABOVE FFL
R00.01	RADIATOR PIPE NUMBER
GM	GAS METER
WFL.01	WATER FLOOR NUMBER
RL.01	ROOF LIGHT NUMBER
VP.01	VENT PIPE NUMBER
SD.01	SPACE SCAFFOLD NUMBER
WMC	WET WATER CHASER

Revisions.
A - 24.04.17 - ISSUE FOR PLANNING & LISTED BUILDING CONSENT

FOR PLANNING and LISTED BUILDING CONSENT

HACKETT HOLLAND LTD
ARCHITECTS

3 Folly Lane, 225a Parklands Rd, London W11 1AU
www.hackettholland.co.uk
Telephone: 020 7497 2478 Fax: 020 7497 1555
email: info@hackettholland.co.uk

JOB: 8 GERALD ROAD BELGRAVIA, LONDON SW1W 9EQ

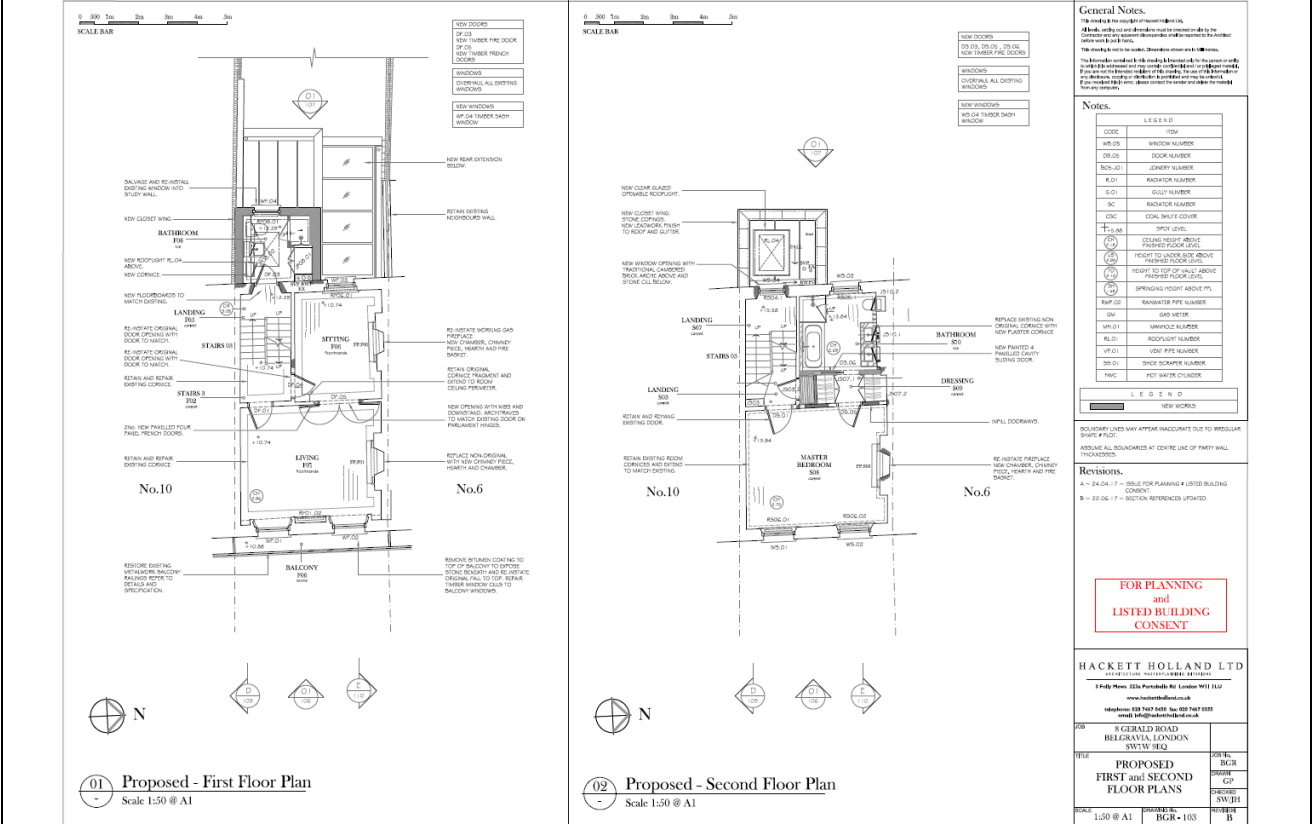
TITLE: EXISTING FIRST AND SECOND FLOOR PLANS

DATE: 1:50 @ A1

SCALE: BGR-03

REVISED BY: A

Existing and Proposed First and Second Floor Plans



General Notes.
The client is the recipient of these plans.
It shall be the responsibility of the client to ensure that the plans are used in accordance with the Building Regulations and any other applicable legislation.
The client is advised that the plans are not to be used for any other purpose without the written consent of the architect.

Notes.

CODE	DESCRIPTION
W0.01	WINDOW NUMBER
D0.01	DOOR NUMBER
R00.01	RADIATOR NUMBER
S.01	STAIR NUMBER
SC	RADIATOR NUMBER
CC	CEILING WHITE COVER
SP	SPRINKLER
CP	CEILING HEIGHT ABOVE FINISHED FLOOR LEVEL
HL	HEIGHT TO UNDER SIDE ABOVE FINISHED FLOOR LEVEL
HT	HEIGHT TO TOP OF JAMB ABOVE FINISHED FLOOR LEVEL
SPR	SPRINKLING HEIGHT ABOVE FFL
R00.01	RADIATOR PIPE NUMBER
GM	GAS METER
WFL.01	WATER FLOOR NUMBER
RL.01	ROOF LIGHT NUMBER
VP.01	VENT PIPE NUMBER
SD.01	SPACE SCAFFOLD NUMBER
WMC	WET WATER CHASER

Revisions.
A - 24.04.17 - ISSUE FOR PLANNING & LISTED BUILDING CONSENT
B - 22.06.17 - SECTION REFERENCED UPDATED

FOR PLANNING and LISTED BUILDING CONSENT

HACKETT HOLLAND LTD
ARCHITECTS

3 Folly Lane, 225a Parklands Rd, London W11 1AU
www.hackettholland.co.uk
Telephone: 020 7497 2478 Fax: 020 7497 1555
email: info@hackettholland.co.uk

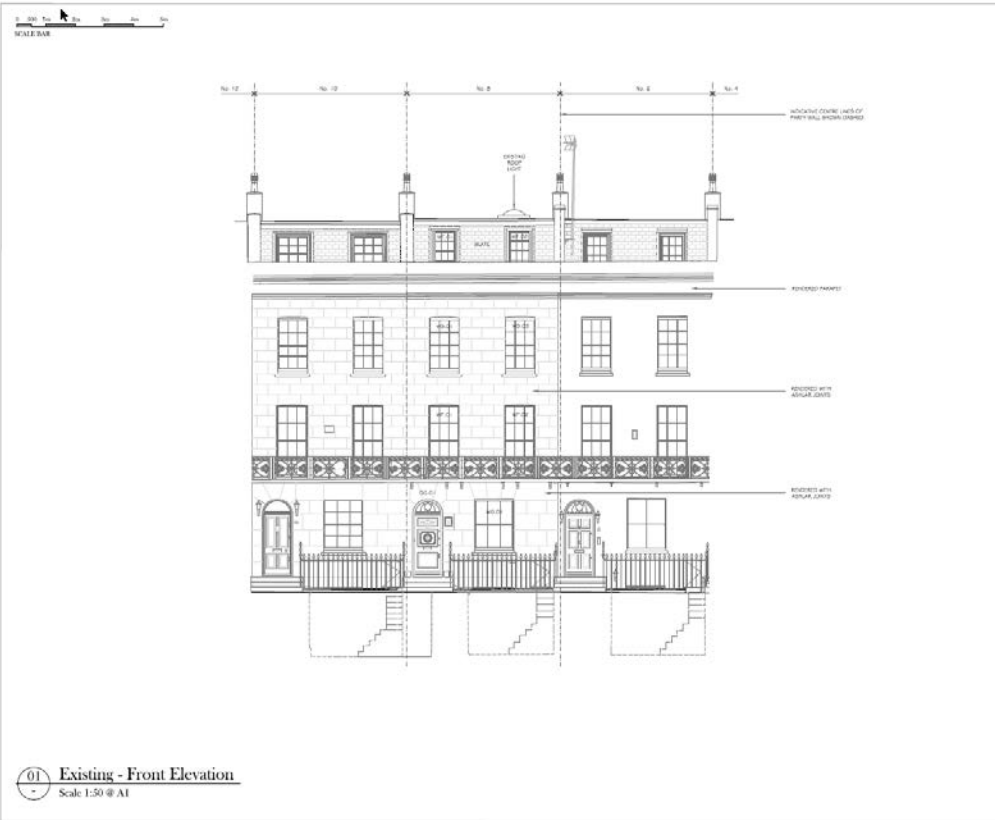
JOB: 8 GERALD ROAD BELGRAVIA, LONDON SW1W 9EQ

TITLE: PROPOSED FIRST AND SECOND FLOOR PLANS

DATE: 1:50 @ A1

SCALE: BGR-103

REVISED BY: B



General Notes.

The drawings are prepared in accordance with the Building Regulations 2010. It shall be the responsibility of the client to ensure that the building is constructed in accordance with the Building Regulations 2010. The drawings are prepared in accordance with the Building Regulations 2010. It shall be the responsibility of the client to ensure that the building is constructed in accordance with the Building Regulations 2010.

Notes.

SYMBOL	DESCRIPTION
1	BRICK
2	WINDOW GLAZING
3	DOOR THRESHOLD
4	DOOR
5	CAST-IRON BALUSTRADE
6	RADIATOR GLAZING
7	GLASS WIPER GLAZING
8	GLASS WIPER GLAZING
9	GLASS WIPER GLAZING
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19	GLASS WIPER GLAZING
20	GLASS WIPER GLAZING

Revisions.

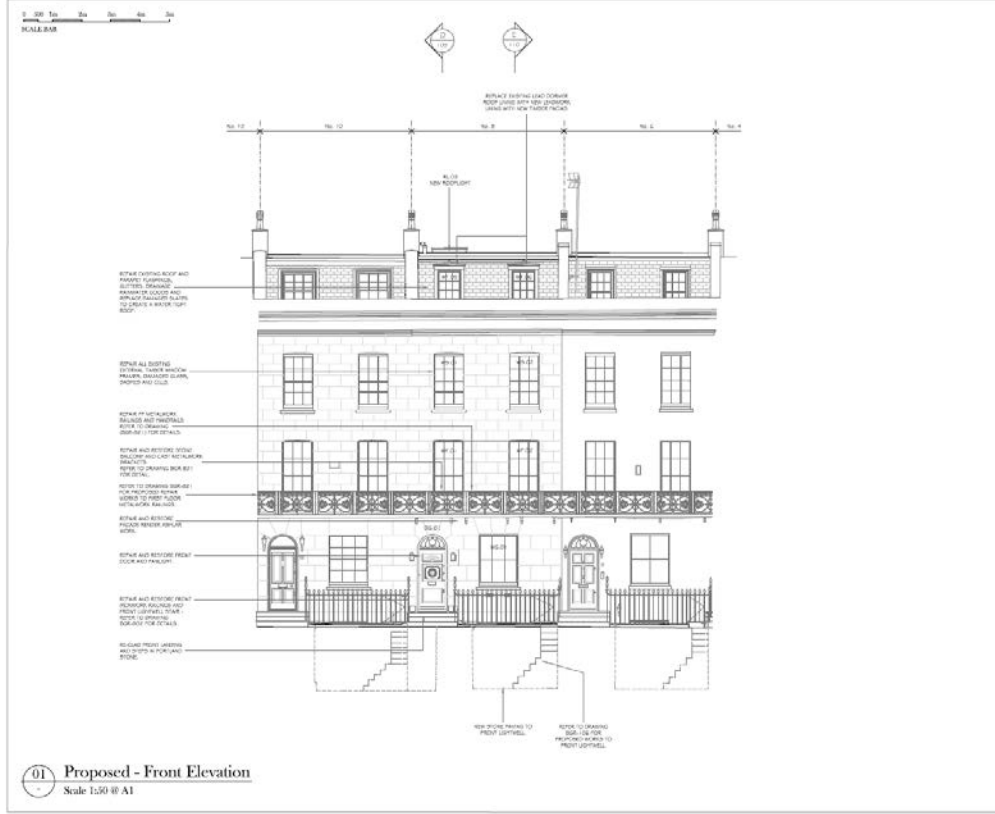
A - 24.04.17 - ISSUE FOR PLANNING & LISTED BUILDING CONSENT.

FOR PLANNING and LISTED BUILDING CONSENT

HACKETT HOLLAND LTD
 1 Holly House, 115a Portland Road, London SE15 7EJ
 Telephone: 020 7487 1000 Fax: 020 7487 1001
 Email: info@hackettholland.co.uk

NO.	9 GERALD ROAD, BELGRAVE, LONDON SW1W 8EQ	DATE	20.04.17
TITLE	EXISTING FRONT ELEVATION	SCALE	1:50 @ A1
PROJECT	BGR-05	DESIGNER	BGR
		CHECKED	SW
		APPROVED	HI
		DATE	20.04.17

Existing and Proposed Front Elevation



General Notes.

The drawings are prepared in accordance with the Building Regulations 2010. It shall be the responsibility of the client to ensure that the building is constructed in accordance with the Building Regulations 2010. The drawings are prepared in accordance with the Building Regulations 2010. It shall be the responsibility of the client to ensure that the building is constructed in accordance with the Building Regulations 2010.

Notes.

SYMBOL	DESCRIPTION
1	BRICK
2	WINDOW GLAZING
3	DOOR THRESHOLD
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5	CAST-IRON BALUSTRADE
6	RADIATOR GLAZING
7	GLASS WIPER GLAZING
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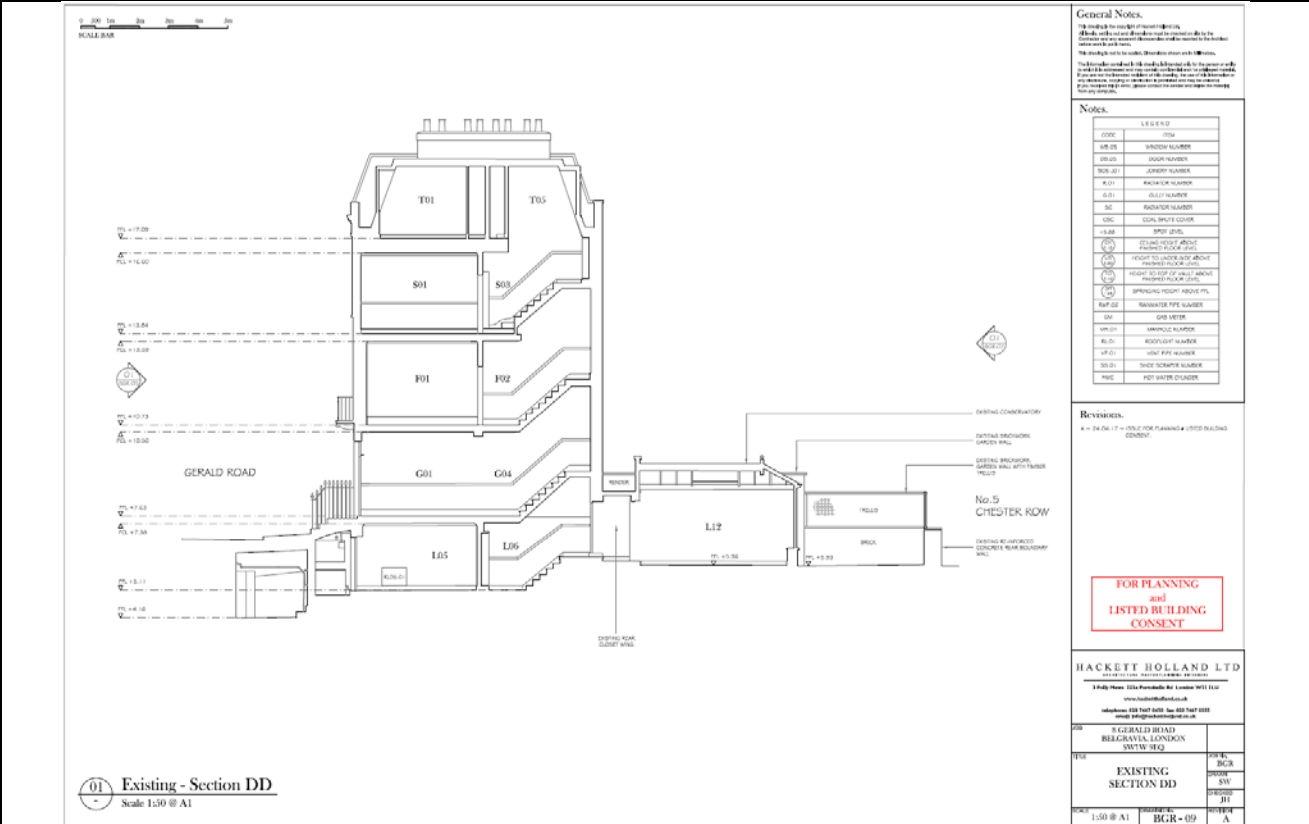
Revisions.

A - 24.04.17 - ISSUE FOR PLANNING & LISTED BUILDING CONSENT.
 B - 25.04.17 - SECTION APPROVED UPDATES.

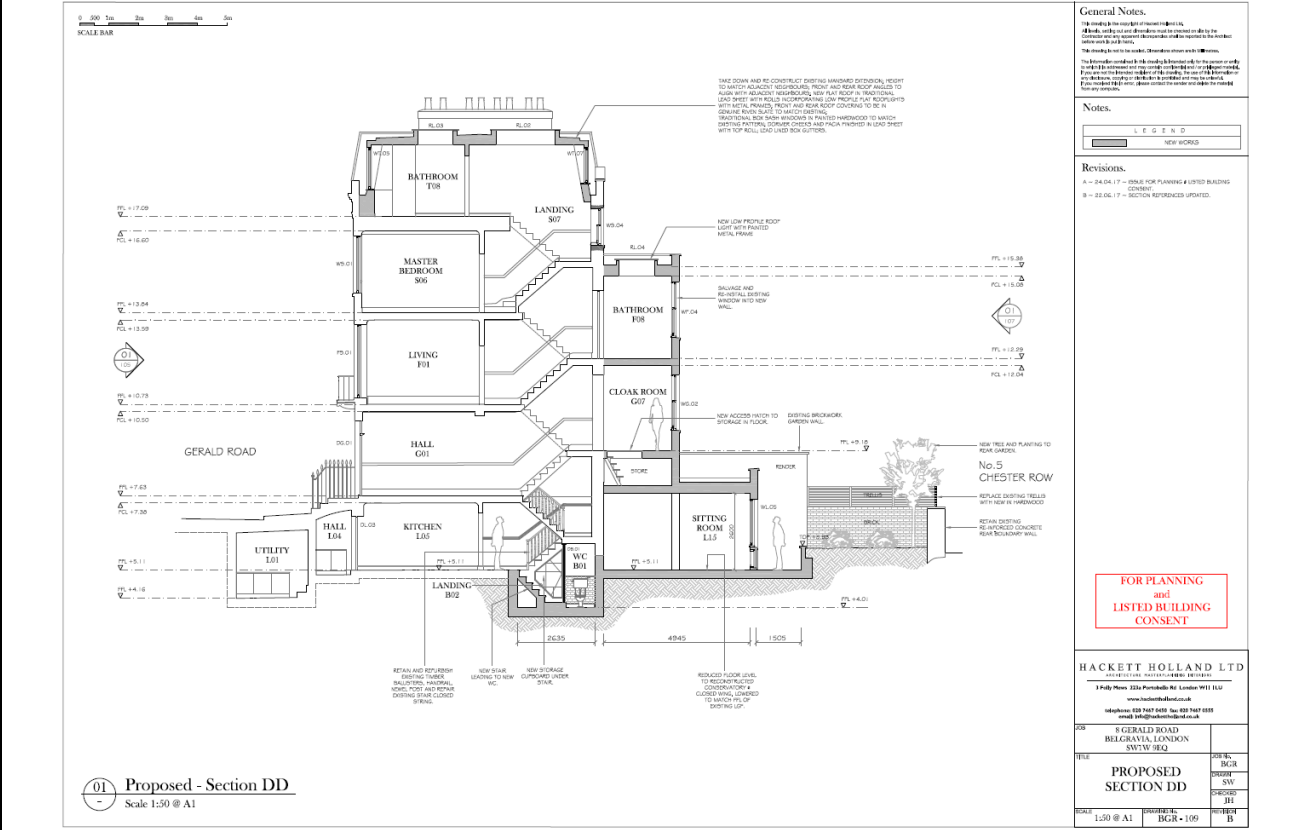
FOR PLANNING and LISTED BUILDING CONSENT

HACKETT HOLLAND LTD
 1 Holly House, 115a Portland Road, London SE15 7EJ
 Telephone: 020 7487 1000 Fax: 020 7487 1001
 Email: info@hackettholland.co.uk

NO.	9 GERALD ROAD, BELGRAVE, LONDON SW1W 8EQ	DATE	20.04.17
TITLE	PROPOSED FRONT ELEVATION	SCALE	1:50 @ A1
PROJECT	BGR-05	DESIGNER	BGR
		CHECKED	SW
		APPROVED	HI
		DATE	20.04.17



Existing and Proposed Section



Item No.
3

DRAFT DECISION LETTER

Address: 8 Gerald Road, London, SW1W 9EQ

Proposal: Demolition of existing conservatory and erection of new lower ground floor rear extension and three storey closet wing rear extension, re-build mansard top floor and roof. Lowering of floor level underneath main internal staircase to create new WC. Re-build front steps, new rear garden landscaping, repair and refurbish front facade and railings, and re-build of non-original front metal step.

Reference: 17/03902/FULL

Plan Nos: BGR-00 A; BGR-01 A; BGR-02 A; BGR-03 A; BGR-04 A; BGR-05 A; BGR-06 A; BGR-07 A; BGR-08 A; BGR-09 A; BGR-10 A; BGR-101 B; BGR-102 B; BGR-103 B; BGR-104 B; BGR-105 B; BGR-106 B; BGR-107 B; BGR-109 B; BGR-110 A; BGR-201 A; BGR-202 A; BGR-203 A; BGR-204 A; BGR-205 A; BGR-206 A; BGR-207 A; BGR-209 A; BGR-210 A; BGR-600 A; BGR-601 A; BGR-602 A; BGR-603 A; BGR-604 A; BGR-607 A; BGR-608 A; BGR-609 A; BGR-610 A; BGR-611 A; BGR-621 A; BGR-622 A; BGR-623 A.

For information:

Design and Access Statement (Hackett Holland Ltd); Tree Report (Hackett Holland Ltd); Heritage Statement (Christian Leigh); Daylight and Sunlight Analysis rev A dated 21.06.17 (Dixon Payne); Method Statement for Basement Construction (Lucking and Clark LLP); SK-05.

Case Officer: Joshua Howitt

Direct Tel. No. 020 7641 2069

Recommended Condition(s) and Reason(s)

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

Reason:

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

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

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

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

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

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

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

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 4 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 5 You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved

sample. (C27DB)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

6 You must apply to us for approval of further information as set out below of the following parts of the development:

- (a) New window, doors and dormers (drawn elevations and sections at 1:5);
- (b) New rooflights and roof glazing system (drawn plans and sections at 1:5, plus product details);
- (c) New chimneypieces (drawn elevations, plans and sections at 1:10);
- (d) Alterations to main front steps (intrusive survey of existing, plus drawn sections at 1:10);
- (e) New external lightwell stairs (drawn elevations, plan and sections at 1:10); and
- (f) Overall external profile of extensions (drawn elevations and sections at 1:20).

All details submitted must be shown in context with the surrounding fabric, and must be consistent with the approved plans. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these approved details. (C26DB),

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

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

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 8 You must plant new trees to replace those which are shown to be removed on drawing BGR-101 B. The replacement trees must be planted in 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 protect trees and the character and appearance of the site as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31CC)

- 9 You must not use the roof of the extension for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

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

(a). Redesign of lower ground floor rear windows, to a more traditional design.

You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

Informative(s):

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

Item No.
3

(November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

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

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Agenda Item 4

Item No.

4

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 25 July 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	4 Blenheim Street, London, W1S 1LB		
Proposal	<ol style="list-style-type: none"> 1. Installation of an openable shopfront. 2. Use of an area of the public highway measuring 1.0m x 4.4m for the placing of 2 tables and 4 chairs in connection ground floor restaurant (Class A3). 		
Agent	Hide Studio Ltd		
On behalf of	4 Blenheim Street		
Registered Number	<ol style="list-style-type: none"> 1. 17/01863/FULL 2. 17/02636/TCH 	Date amended/ completed	21 March 2017
Date Application Received	<ol style="list-style-type: none"> 1. 2 March 2017 2. 24 March 2017 		
Historic Building Grade	Unlisted		
Conservation Area	Mayfair		

1. RECOMMENDATION

- | |
|--|
| <ol style="list-style-type: none"> 1. Grant conditional permission 2. Grant conditional permission |
|--|

2. SUMMARY

These applications are made on behalf of a restaurant situated on the northern side of Blenheim Street which adjoins Woodstock Street. Together they form L shaped streets that link Oxford Street and New Bond Street situated in the heart of the West End. The site lies within the Core CAZ. The basement and ground floors are currently vacant and are being fitted out for restaurant (Class A3) purposes. The upper 1st to 4th floors are in hotel use which also occupies the upper floors of No 3 Blenheim Street adjacent.

Application 1: Permission is sought for the installation of a timber framed shopfront comprising openable timber framed folding windows above a fixed stallriser.

Application 2: Use of an area of highway measuring 1m x 4.4m for the placing of tables and chairs.

The key issues for consideration are design and amenity issues for application 1 and amenity and

highways issues for application 2. No objections have been received to either of the applications.

With regards to application 1, fully openable shopfronts are contrary to the City Council's urban design and conservation policies DES 5 and DES 9 and the supplementary planning guidance documents, 'Shopfronts, Blinds and Signs' and 'Food and drink Premises'. An opening shopfront often has folding or sliding doors, which, when open, create an opening in the shop frontage which may extend almost the full width of the ground floor. In most cases these shopfronts do not relate architecturally to the building in which they are installed, or to the street. The *Food and Drink Premises* SPG states that creating these openings within a terrace of more solid and traditional shopfronts can be harmful to the appearance of the street and the character and appearance of a conservation area. It is noted that the adjacent building No 3 Blenheim Street has a fully openable shopfront. There is however no record of the openable shopfront being granted permission and this is now the subject of enforcement investigations.

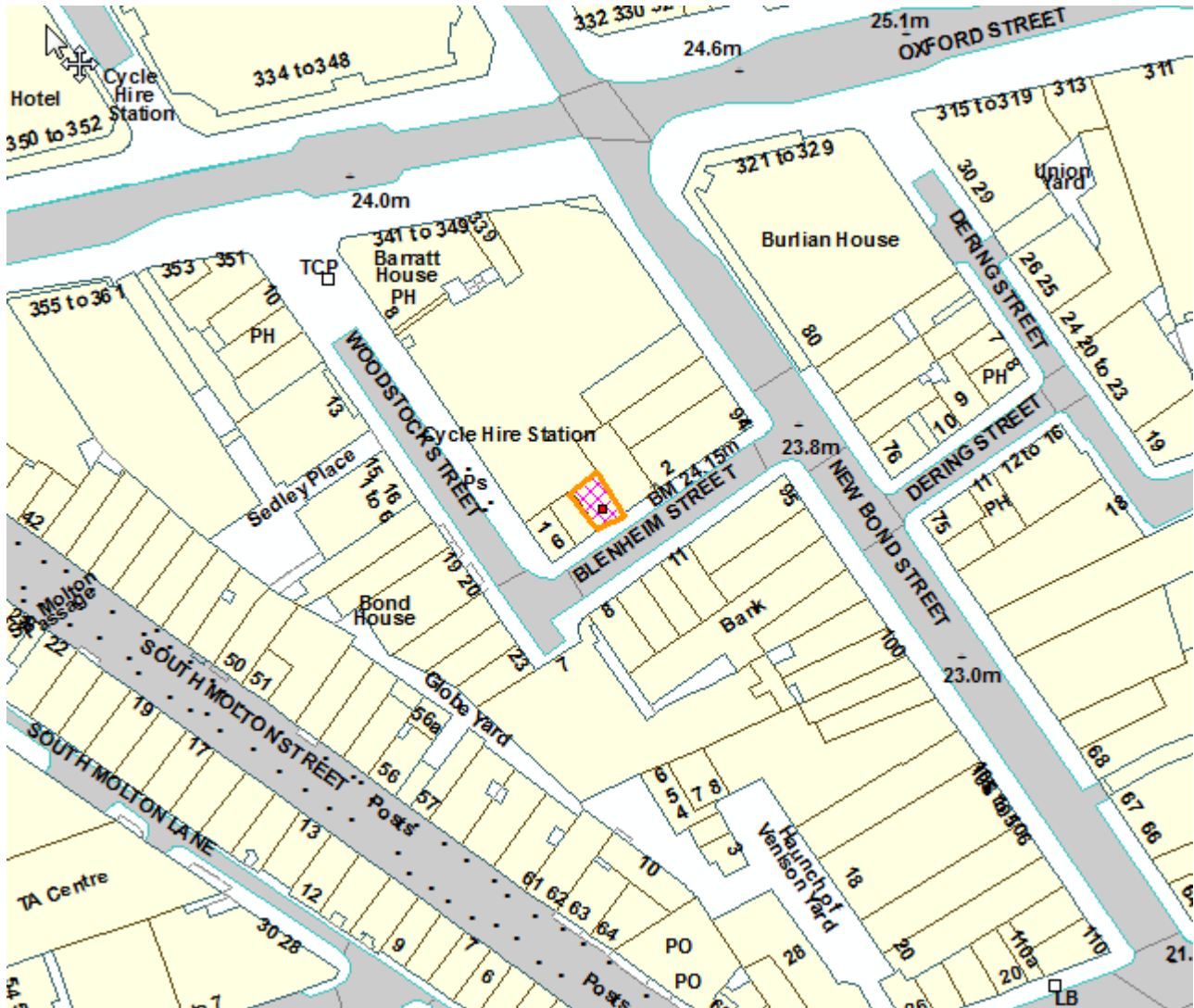
In this case the application has been amended since the initial submission to include a fixed stallriser, with windows above folding back to create an opening. The stallriser is a traditional feature and will retain a degree of separation between inside and outside. When closed the pattern of windows is no worse than the existing arrangement. While fixed mullions would be preferable, the proposed shopfront, as amended, is on balance considered to be acceptable in design terms. A condition is recommended to ensure that the stallriser is increased in depth to align with the bottom of a glazed panel in the adjacent entrance door and is permanently fixed.

The upper floors are in use as a hotel, and there are few residential properties in Blenheim Street, the nearest being on the upper floors of No's 10 and 11 on the southern side of the street. The restaurant opening hours are 10.00 to 23.00 daily. Subject to a condition which ensures that the shopfront windows remain fixed shut outside these hours this is considered acceptable in amenity terms.

With regards to application 2 the proposed tables and chairs are to be located in an area 1m from the face of the building which would leave 2.5m of the pavement free and unobstructed. This complies with 'The Westminster Way', the Council's public realm strategy which recommends that a minimum width of 2m must be maintained. It is considered that use of the tables and chairs as proposed would not adversely impact upon amenity.

Both applications are considered to accord with adopted Westminster UDP and City Plan policies and are accordingly recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS





5. CONSULTATIONS

Application 1 (shopfront)

RESIDENTS SOCIETY OF MAYFAIR AND ST JAMES'S:

Any response to be reported verbally

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 23

Total No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

Application 2 (tables and chairs)

RESIDENTS SOCIETY OF MAYFAIR AND ST JAMES'S:

Any response to be reported verbally

HIGHWAYS PLANNING MANAGER:

No objection

CLEANSING:

No objection

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 9

Total No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND PAPERS

Application 1

1. Application form

Application 2

1. Application form
2. Response from Highways Planning Manager dated 10 July 2017
3. Response from Projects Officer (Waste) dated 12 July 2017

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

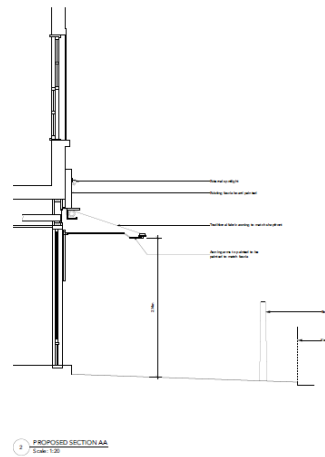
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MIKE WALTON BY EMAIL AT mwalton@westminster.gov.uk

7. KEY DRAWINGS

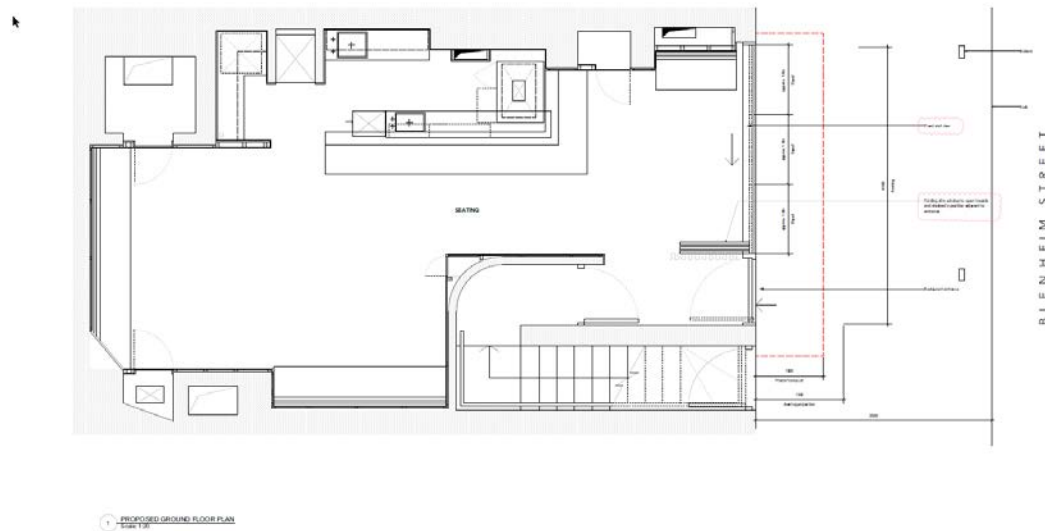
Application 1 – openable shopfront



IMAGE REFERENCE

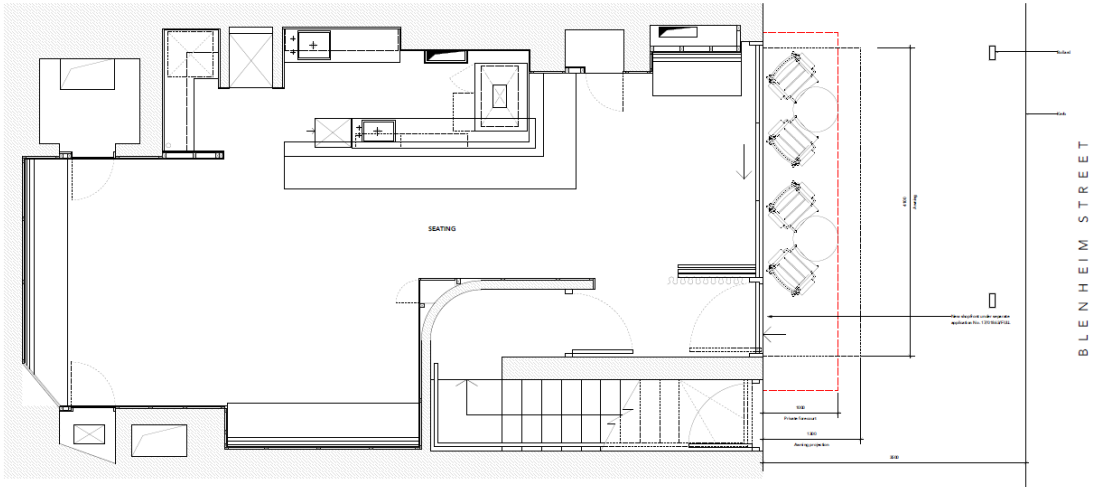


DATE: 18/08/2017	PROJECT: 076.270
CLIENT: HIDE STUDIO	LOCATION: 076.270
DESIGNER: HIDE STUDIO	SCALE: 6



DATE: 18/08/2017	PROJECT: 076.270
CLIENT: HIDE STUDIO	LOCATION: 076.270
DESIGNER: HIDE STUDIO	SCALE: 5

Application 2 – tables and chairs



2 PROPOSED GROUND FLOOR PLAN
Scale: 1:20



DATE	07/25/21	NO. 120/241
PROJECT	Hyattsville	NO. 2024/120/241
CLIENT	Hyattsville Street	NO. 2024/120/241
DESCRIPTION	Proposed Ground Floor Plan - T&C	NO. 2024/120/241
SCALE	1:20	NO. 2024/120/241
DRAWN BY	07/25/21	NO. 2024/120/241
CHECKED BY		NO. 2024/120/241
DATE		NO. 2024/120/241

DRAFT DECISION LETTER**Address:** 4 Blenheim Street, London, W1S 1LB**Proposal:** Installation of openable shopfront.**Reference:** 17/01863/FULL**Plan Nos:** 076.250 REV 5, 076.270 REV 6**Case Officer:** Shaun Retzback**Direct Tel. No.** 020 7641 6027**Recommended Condition(s) and Reason(s)**

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

Reason:

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

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only: ,
- o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and
 - o not at all on Sundays, bank holidays and public holidays.
- You must carry out piling, excavation and demolition work only:
- o between 08.00 and 18.00 Monday to Friday; and ,
 - o not at all on Saturdays, Sundays, bank holidays and public holidays.
- Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and

appearance of this part of the Mayfair Conservation Area. This is as set out in 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. (R26BE)

- 4 The openable shopfront windows hereby approved must remain fixed shut at all times except between 10.00 and 23.00 daily.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 5 At times when the shopfront hereby permitted is open, (1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the restaurant, 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 when the windows within the shopfront are open, 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 restaurant, 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 when the windows within the shopfront are open, 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 when the windows within the shopfront are open. 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.

- 6 The stallriser must be increased in height to align with the top of the solid panel on the adjacent entrance door and shall be permanently fixed.

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. (R26BE)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 The lettering on the canopy has 'deemed' consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. This means that you do not need to apply for planning permission for the canopy. However, if you want to light up the lettering by spotlight or other means, you will need to apply for 'express' consent under the advertisement regulations. And if you remove the lettering, the canopy will require planning permission. (I43AA)

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

DRAFT DECISION LETTER

Address: 4 Blenheim Street, London, W1S 1LB

Proposal: Use of an area of the public highway measuring 1.0m X 4.4m for the placing of 2 tables and 4 chairs in connection ground floor restaurant (Class A3).

Reference: 17/02636/TCH

Plan Nos: 076.251

Case Officer: Shaun Retzback

Direct Tel. No. 020 7641 6027

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 You must not put the tables and chairs in any other position than that shown on drawing 076.251. (C25AA)

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 TACE 11 of our Unitary Development Plan that we adopted in January 2007. (R25AC)

- 3 You can only put the tables and chairs on the pavement between 10:00 and 23:00. (C25BA)

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 TACE 11 of our Unitary Development Plan that we adopted in January 2007. (R25AC)

- 4 This use of the pavement may continue until 31 July 2018. You must then remove the tables and chairs. (C25DA)

Reason:

We cannot give you permanent permission as the area in question is, and is intended to remain, public highway and Section 130 (1) of the Highways Act 1980 states that "It is the duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority". We also need to assess the effect of this activity regularly to make sure it meets S41 of Westminster's City Plan (November 2016) and TACE 11 of our Unitary Development Plan that we adopted in January 2007. For the above reasons, and not because this is seen a form of trial period, we can therefore only grant a temporary permission.

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You cannot put tables and chairs in the area unless you have a street trading licence. If you want to know about the progress of your application for a licence, you can contact our Licensing Service on 020 7641 8549. If you apply for a licence and then decide to change the layout of the tables and chairs, you may have to apply again for planning permission. You can discuss this with the planning officer whose name appears at the top of this letter., , Please remember that once you have a licence you must keep the tables and chairs within the agreed area at all times. (I47AB)
- 3 You must keep the tables and chairs within the area shown at all times. We will monitor this closely and may withdraw your street trading licence if you put them outside this area. (I48AA)

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

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Agenda Item 5

Item No.

5

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 25 July 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Marylebone High Street	
Subject of Report	Pitch 918 , Marylebone Lane, London, W1C 2JG		
Proposal	Retention of retail (Class A1) kiosk (for 12 months)		
Agent	Mr Steven Burney		
On behalf of	Mr Steven Burney		
Registered Number	17/03303/FULL	Date amended/ completed	5 May 2017
Date Application Received	13 April 2017		
Historic Building Grade	N/a		
Conservation Area	N/a		

1. RECOMMENDATION

Renew planning permission (for one year)
--

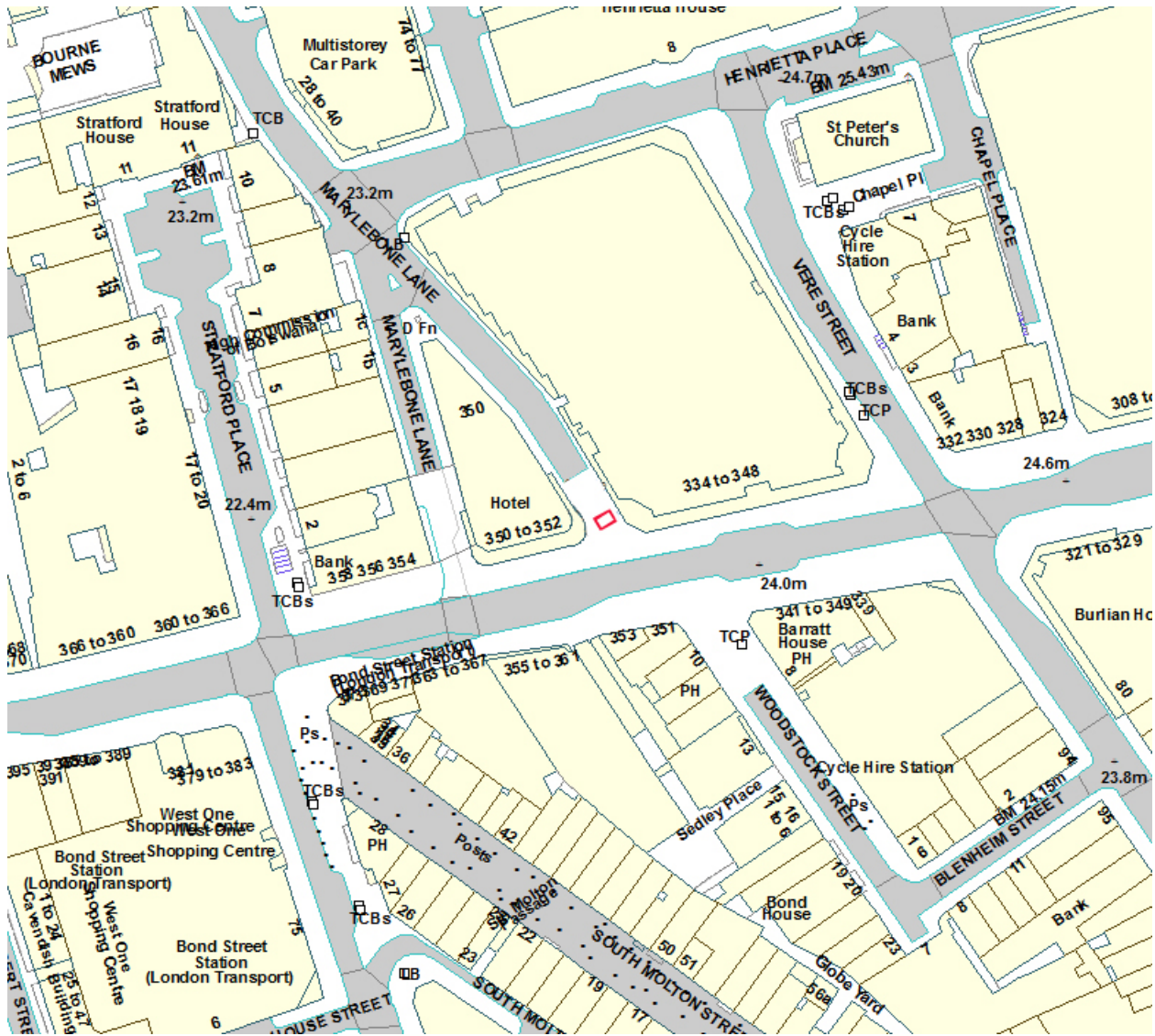
2. SUMMARY

Permission is sought for the retention of a retail street trading kiosk for a temporary period of 1 year. The kiosk is situated on the northern side of Oxford Street at the junction with Marylebone Lane. Permission was initially granted for the kiosk in 2015 and subsequently again in May 2016 both for a temporary one year periods. This is normal for street trading kiosks. They are granted a temporary permission to allow a review of any change in circumstances, including the potential impact on pedestrian flows in the Oxford Street area following the opening of the Elizabeth Line, (scheduled for December 2018).

Objections have been received from The Marylebone Association and Debenhams retail PLC. The objection from the Marylebone Association is on the grounds that the kiosk would block the pavement in a busy location and has an untidy appearance when open and trading. The objection from Debenhams is also on the same grounds, plus that the kiosk offers low grade souvenirs which are available at many other outlets and that the kiosk does not enhance the retail offer and detracts from the locality.

Permission could not reasonably be withheld due to the nature of the retail offer. Furthermore there has been no material change in circumstances since permission was last granted. There are therefore no valid reasons for refusing permission.

3. LOCATION PLAN



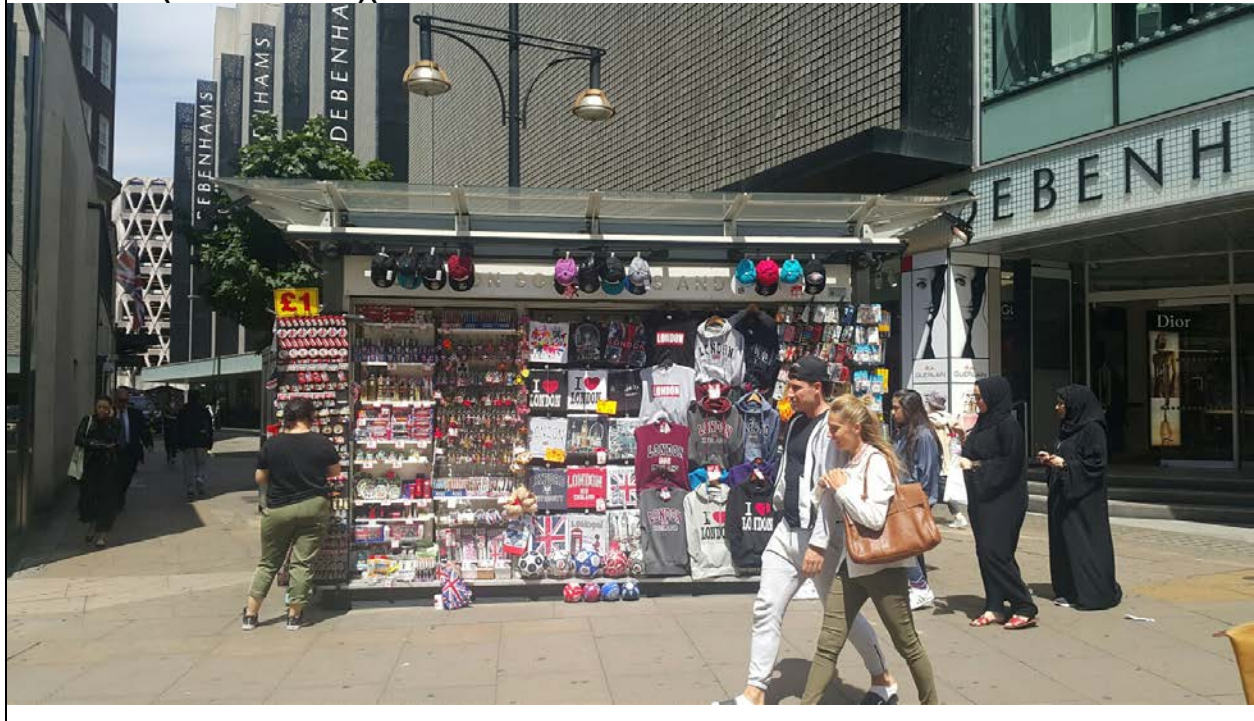
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4. PHOTOGRAPHS

View from the west



Front view (Oxford Street)



5. CONSULTATIONS

The Marylebone Association:

Objection; the kiosk blocks the pavement in a busy location and has an untidy appearance when open and trading.

New West End Company:

Any response to be reported verbally

Highways Planning Manager:

No objection

Cleansing

No objection

Adjoining Owners / Occupiers No. Consulted: 3

Total No. of replies: 1

No. of objections: 1

No. in support: 0

Debenhams Retail PLC

Objection; this is the prime retail location of the West End and development should be designed to enhance and improve the area. The kiosk is unsightly and offers low grade souvenirs which are available in many other outlets. It adds nothing to Oxford Street's retail offer while detracting from the character and appearance of the locality.

This part of Oxford Street suffers from extremely heavy pedestrian flows which will increase with the opening of Crossrail and need to be managed. The kiosk is detrimental to the safety and functioning of the area.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

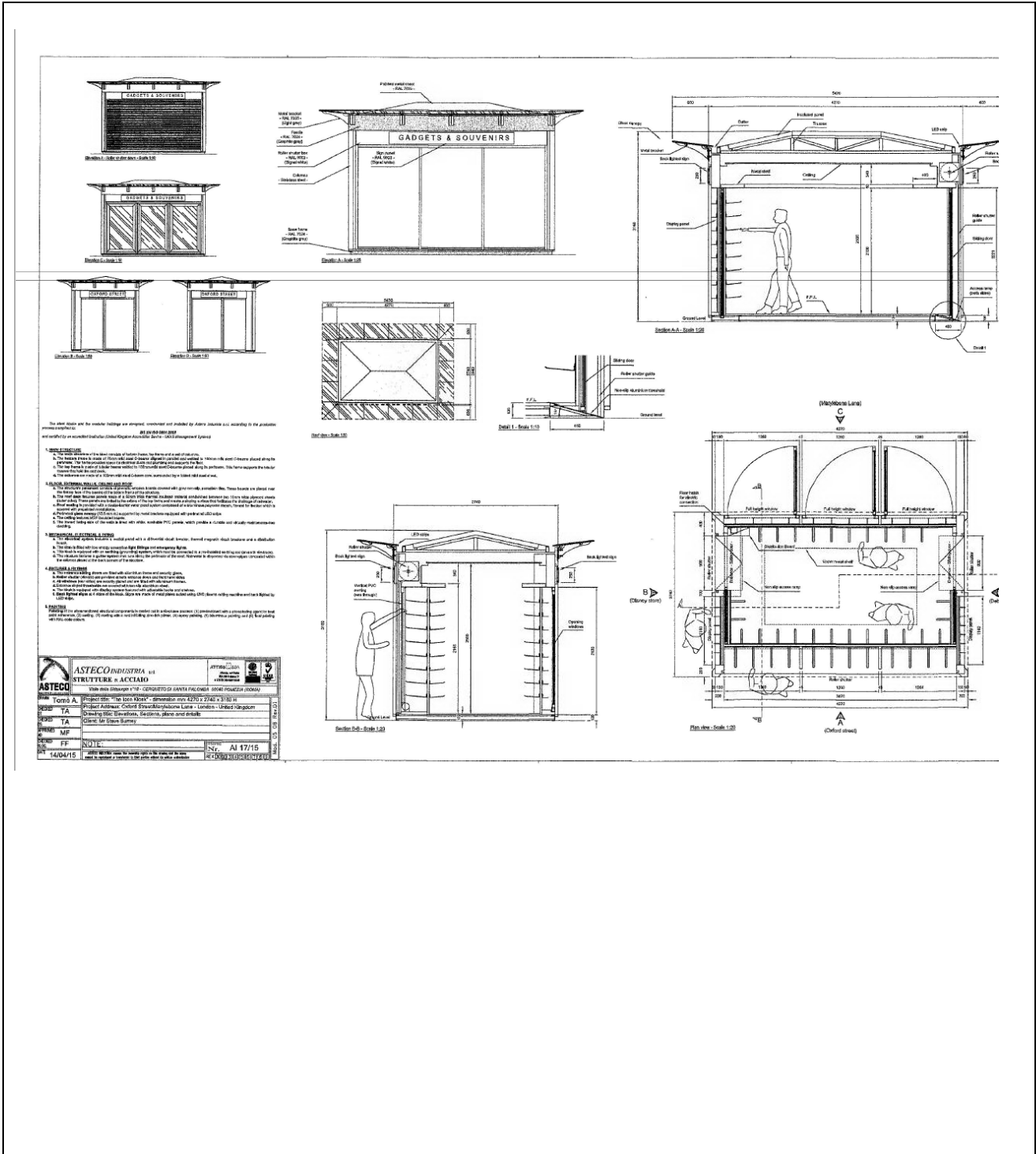
6. BACKGROUND PAPERS

1. Application form
2. Response from Marylebone Association, dated 5 July 2017
3. Letter from Debenhams Retail PLC, 10 Brock Street, dated 30 May 2017

(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: **MICHAEL WALTON** BY EMAIL AT mwalton@westminster.gov.uk.

7. KEY DRAWINGS



DRAFT DECISION LETTER

Address: Pitch 918 , Marylebone Lane, London, W1C 2JG

Proposal: Retention of retail (Class A1) kiosk (for 12 months)

Plan Nos: A1 17/15

Case Officer: Robert Ayton

Direct Tel. No. 020 7641 2978

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

- 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 The kiosk can remain in position for 12 months from the date of this permission. After that you must remove it and return the land to its previous condition.

Reason:

So that we can assess the effect of the kiosk in light of experience and the prevailing circumstances and make sure it meets DES 7 and SS 16 of our Unitary Development Plan and CS24 and CS27 of our Core Strategy that we adopted in January 2011.

- 3 The windows shall remain clear of advertisements at all times. No advertisements shall be displayed on the outside or behind the windows of the kiosk, nor shall there be any advertisements on the roller shutter. Advertisements shall be displayed on the kiosk fascias only.

Reason:

To make sure that the appearance of the kiosk is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 4 No advertisements shall be displayed on the kiosk hereby approved other than those comprising the name of the trader of the kiosk and the nature of his or her business.

Reason:

To make sure that the appearance of the kiosk is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 5 The base of the kiosk shall not extend beyond the boundary of the existing pitch and shall not be formed of concrete.

Reason:

To ensure that the kiosk does not extend beyond the area highway designated as a street trading pitch and that the kiosk can be easily removed if this is necessary for any reason.

- 6 The glazed panels on the north side should be kept shut at all times, and only opened temporarily to change the display of goods within the kiosk.

Reason:

To make sure that the appearance of the kiosk is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 7 All trading activity and storage of refuse shall be within the licensed trading area.

Reason:

To prevent obstruction of the footway and make sure that the appearance of the kiosk is suitable and that it contributes to the character and appearance of the area. This is as set out in DES 7 and SS 16 of our Unitary Development Plan that we adopted in January 2007 and S25 and S28 of our Strategic Policies that we adopted in January 2011.

Informative(s):

- 1 This is a temporary permission, to allow the City Council to review the acceptability of the kiosk at the end of the one year period.

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

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Agenda Item 6

Item No.

6

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 25 July 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Regent's Park	
Subject of Report	Ground Floor, 5 Station Approach, Marylebone Road, London, NW1 5LD,		
Proposal	Use of the public highway (area measuring 0.68m x 6.6m) for the placing of two tables and four chairs in connection with Pret-A-Manger.		
Agent	Mr Rhys Govier		
On behalf of	Pret-A-Manger (Europe) Limited		
Registered Number	17/02723/TCH	Date amended/ completed	12 April 2017
Date Application Received	28 March 2017		
Historic Building Grade	Unlisted		
Conservation Area	Dorset Square		

1. RECOMMENDATION

Grant conditional approval.

2. SUMMARY

Permission is sought for use of the public highway area measuring 0.68m x 6.6m for the placing of two tables and four chairs in connection with Pret-A-Manager.

Comments have been received from the St. Marylebone Society, four individual local residents and from the chairman of Chiltern Court (Baker Street) Residents Limited. The objections have been made on grounds including increase of congestion and obstruction of safe pedestrian movement.

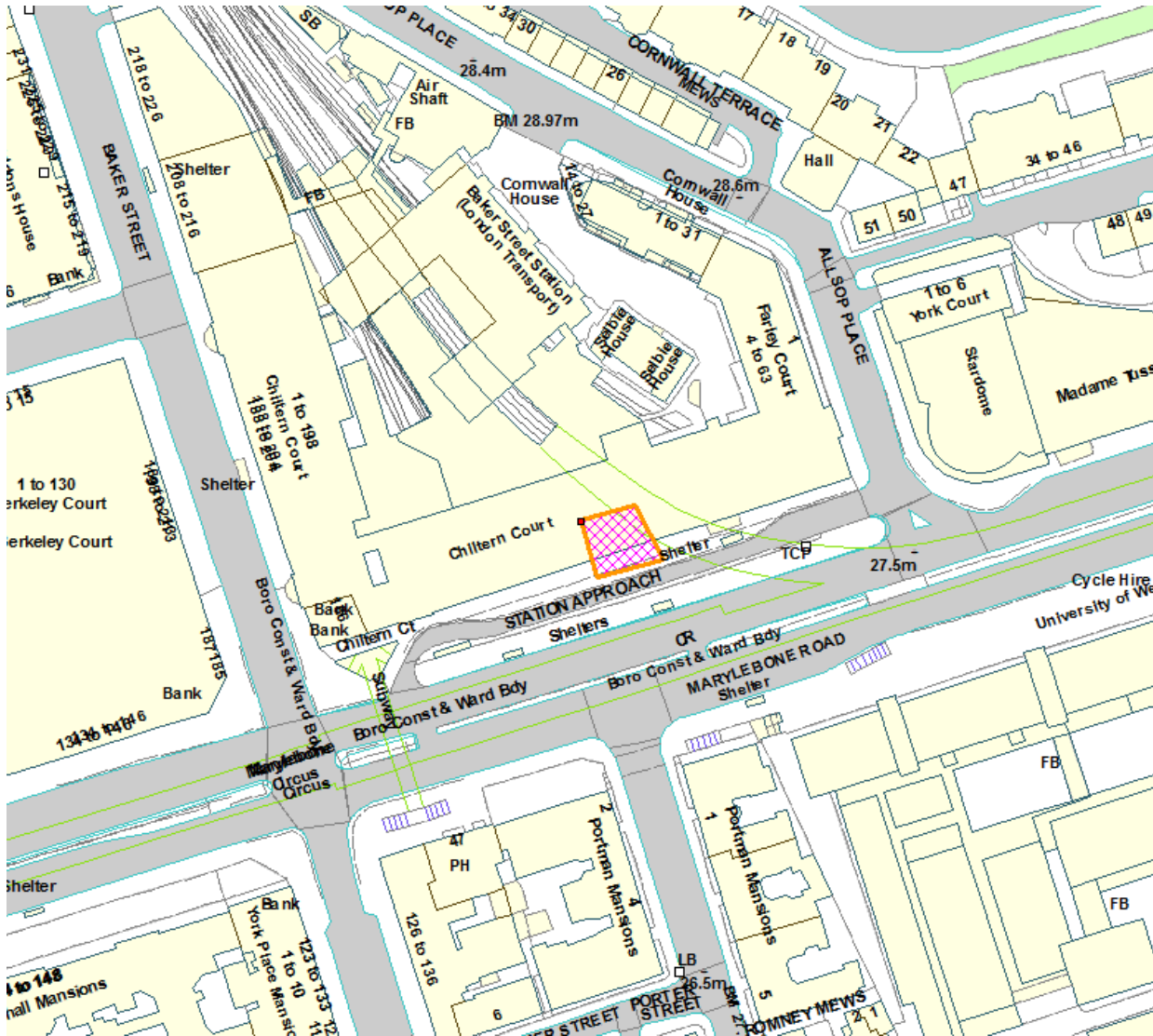
The main issues in this case are:

- The impact on the neighbouring amenity
- The impact upon pedestrian movement

Following comments received from Transport for London, the number of tables and chairs were reduced from 5 tables and 10 chairs to the current proposal. No further objections were received following re-consultation on the revised scheme. Following this revision, it is considered that the proposed development accords with relevant policies in the Unitary Development Plan (UDP) and

Westminster's City Plan (the City Plan) and is therefore acceptable in amenity and highway terms. As such, the application is recommended for approval subject to the conditions set out in the draft decision letter.

3. LOCATION PLAN



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4. PHOTOGRAPHS



20 Jun 2017, 15:37:28



Existing Highway Area

5. CONSULTATIONS

First Consultation Period – Expired 22 June 2017

THE ST MARYLEBONE SOCIETY:

No objection but highlights a private matter of scaffolding being erected for many months for the refurbishment of the above residential flats.

HIGHWAYS PLANNING MANAGER:

Objection - does not allow for disabled seating and does not offer a buffer area for service. This area demands a higher minimum standard as it is a busy thoroughfare.

CLEANSING MANAGER:

No objection.

TRANSPORT FOR LONDON:

No objection to the recessed area at front of shop being used for tables and chairs as a trial 1 year period.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 168

Total No. of replies: 4

No. of objections: 4

No. in support: 0

Four responses received from neighbouring residents raising objection on all or some of the following grounds:

- obstruction will cause additional congestion
- lead to more people using the bus lane causing a safety issue

A letter from the Chairman of Chiltern Court (Baker Street) Residents Limited was also received who raised concerns over refurbishment works to the front elevation of Chiltern Court which results in scaffolding being erected and therefore raising problems for the proposed tables and chairs.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

Second Consultation Period – Expired 19 July 2017

BAKER STREET QUARTER:

Any response to be reported verbally.

DESIGNING OUT CRIME:

No objection.

No. Consulted: 5

Total No. of Replies: 0

6. BACKGROUND INFORMATION

6.1 The Application Site

The application relates to Pret-A-Manager which is located on the ground floor of an unlisted building on Marylebone Road adjacent to Baker Street underground station and within the Dorset Square Conservation Area. The building comprises a mix of commercial, retail and residential premises. The application site is also on a red route for which Transport of London are responsible for.

6.2 Recent Relevant History

16/07083/FULL

Installation of a new shopfront.

Application Permitted 21 December 2016

7. THE PROPOSAL

The application proposes the use of an area of the public highway measuring 0.63m x 6.6m for the placing of 2 tables and 4 chairs in connection with Pret-A-Manager. The application has been amended following discussion with Transport for London and now proposes two tables and four chairs set either side of the entrance to the unit. The scheme originally proposed an additional three tables and six chairs in a more prominent location to the shop frontage. There is no increase in internal space.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The principle of placing tables and chairs outside of this retail use (Use Class A1) is acceptable providing this does not impede pedestrian movement and cleansing operations and does not detrimentally affect the amenity of neighbouring residents.

8.2 Townscape and Design

The types of tables and chairs proposed are detailed within the submitted documents, these are considered acceptable pursuant to TACE 11 and DES 7 of the UDP.

8.3 Residential Amenity

Following amendments the scheme only proposes two tables and four chairs. Given the busy environment where they are proposed and subject to the restriction on hours proposed (no later than 21.30 hours), the tables and chairs would not have an adverse impact on the amenity of neighbouring occupiers.

8.4 Highways

The entrance to the Pret A Manager is located between two entrance/exits to Baker Street Underground Station. City Council Supplementary Planning Document 'The Westminster Way' (2011), stipulates that in areas where traffic is very busy and pavements are very crowded the area of public highway clear of any obstruction must be larger than the standard 2.0m. Following amendments to the application, the tables and chairs would leave a gap of approximately 4.5m. Whilst this is a area heavily used by commuters and popular with tourists and consequently a location where the pavement tends to be heavily used by pedestrians both at day and night, given the tables and chairs proposed are limited in number and set adjacent to the projecting column at the entrance to the retail unit, it is not considered that they would significantly obstruct the flow of pedestrians. Accordingly the proposal addresses the concerns expressed by Transport for London, the Highways Planning Manager and neighbours. Should permission be granted, it is recommended that permission is granted for a temporary one year period so that the impact on the pedestrian flow and on the amenity of neighbours can be monitored.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size.

8.6 Access

The proposal does not have any adverse access implications.

8.7 Other UDP/Westminster Policy Considerations

None relevant.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

8.10 Planning Obligations

Not applicable.

8.11 Environmental Impact Assessment

An Environmental Impact Assessment is not required for a development of this scale.

8.12 Other Issues

Not applicable.

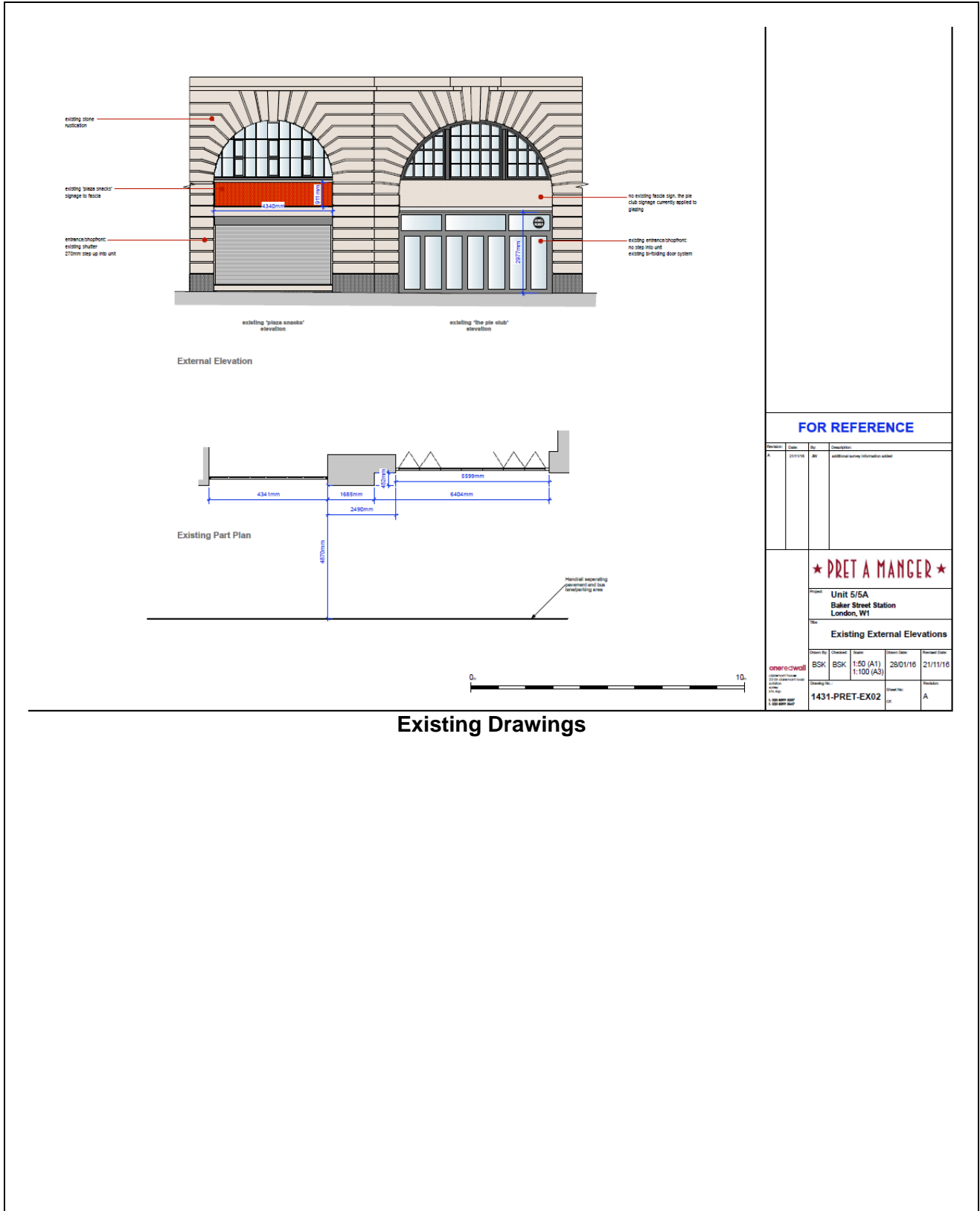
9. BACKGROUND PAPERS

1. Application form
2. Response from the Highways Planning Manager, dated 31 May 2017
3. Response from the Waste Project Officer, dated 3 May 2017
4. Response form the Designing Our Crime Officer, dated 6 July 2017
5. Response from Transport for London
6. Response from The St Marylebone Society, dated 8 May 2017
7. Letter from occupier of 20 West Hampstead Mews, London, dated 3 May 2017
8. Letter from occupier of 29 Portman Gate, 41 Broadley Terrace, dated 3 May 2017
9. Letter from occupier of 122 Chiltern Court, London, dated 3 May 2017
10. Letter from occupier of 24 Aldershot Road, London, dated 3 May 2017
11. Letter from occupier of Residents Association, 188 Baker Street, dated 5 July 2017

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

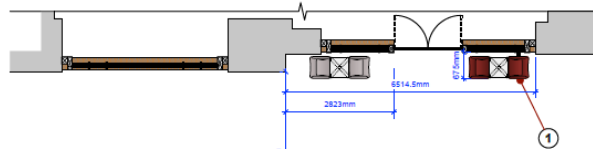
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT NATHAN BARRETT BY EMAIL AT nbarrett@westminster.gov.uk

10. KEY DRAWINGS





Proposed External Elevation



Proposed External Part Plan

Handrail separating pavement and bus-boarding area



EXTERNAL FURNITURE

	Pref Polypropylene Stacking Chairs & Hinged Top Tables all from AEL SOLUTIONS
	SMALL EXTERIOR TABLE - Zno. 520x6 750h Pref sun hinged top table RAL 7015 sand grey trim
	Zno. CC4226 Purple Red 530x 570w 840h
	Zno. CC4327 Stone Grey 530x 570w 840h

Note: external furniture to be brought into store outside of trading hours

FOR APPROVAL

Revision	Date	By	Description
A	04/07/17	PM	External furniture specified and quantities amended

★ PRET A MANGER ★

Project: **Unit 5/5A
Baker Street station
London, W1**

Title: **Proposed External
Furniture**

Client By:	Client:	Scale:	Client Date:	Revised Date:
PM		1:50 (A1) 1:100 (A3)	29/06/17	04/07/17

Drawing No.: **1431-PRET-01.1**

Drawn By:	Checked:	Revised:
OK		A

© Pret a Manger
1431-PRET-01.1
1:50 (A1)
1:100 (A3)

Proposed Drawings

DRAFT DECISION LETTER

Address: Ground Floor, 5 Station Approach, Marylebone Road, London, NW1 5LD,

Proposal: Use of the public highway (area measuring 0.68m x 6.6m) for the placing of two tables and four chairs in connection with Pret A Manger.

Reference: 17/02723/TCH

Plan Nos: Site Location Plan, 1431-PRET-01.1 Rev A and 1431-PRET-EX02 Rev A.

Case Officer: Frederica Cooney

Direct Tel. No. 020 7641 7802

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 You must not put the tables and chairs in any other position than that shown on drawing 1431-PRET-01.1 Rev A. (C25AA)

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 TACE 11 of our Unitary Development Plan that we adopted in January 2007. (R25AC)

- 3 The tables and chairs must only be used by customers of Pret A Manger. (C25CA)

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 TACE 11 of our Unitary Development Plan that we adopted in January 2007. (R25AC)

- 4 This use of the pavement may continue until 12 months from the date of the decision letter. You must then remove the tables and chairs.

Reason:

We cannot give you permanent permission as the area in question is, and is intended to remain, public highway and Section 130 (1) of the Highways Act 1980 states that "It is the duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority". We also need to assess the effect of this activity regularly to make sure it meets S41 of Westminster's City Plan (November 2016) and TACE 11 of our Unitary Development Plan that we adopted in January 2007. For the above

reasons, and not because this is seen a form of trial period, we can therefore only grant a temporary permission.

- 5 You can only put the tables and chairs on the pavement between 06.00 and 21.30. (C25BA)

Reason:

To protect neighbouring residents from noise and disturbance as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and TACE 11 of our Unitary Development Plan that we adopted in January 2007.

- 6 You can only put out on the pavement the tables and chairs shown on drawing 1431-PRET-01.1 Rev A. No other furniture, equipment or screening shall be placed on the pavement in association with the tables and chairs hereby approved.

Reason:

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 pavement to the detriment of the character and appearance of the area. This is as set out in TACE 11 and DES 7 of our Unitary Development Plan that we adopted in January 2007.

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You must keep the tables and chairs within the area shown at all times. We will monitor this closely and may withdraw your street trading licence if you put them outside this area. (I48AA)
- 3 You cannot put tables and chairs in the area unless you have a street trading licence.

If you want to know about the progress of your application for a licence, you can contact our Licensing Service on 020 7641 8549. If you apply for a licence and then decide to change the layout of the tables and chairs, you may have to apply again for planning permission. You can discuss this with the planning officer whose name appears at the top of this letter.

Please remember that once you have a licence you must keep the tables and chairs within the agreed area at all times. (I47AB)