



City of Westminster

Committee Agenda

Title:

Planning Applications Sub-Committee (2)

Meeting Date:

Tuesday 19th September, 2017

Time:

6.30 pm

Venue:

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

Members:

Councillors:

Richard Beddoe (Chairman)
Paul Church
Gotz Mohindra
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. OPEN SPACE, PARLIAMENT SQUARE, LONDON, SW1A 0AA | (Pages 5 - 28) |
| 2. PARLIAMENT SQUARE, LONDON, SW1P 3JX | (Pages 29 - 40) |
| 3. APPLICATION 1: 110 MARYLEBONE HIGH STREET, LONDON, W1U 4RY - APPLICATION 2: 100 MARYLEBONE LANE, LONDON, W1U 2QB | (Pages 41 - 78) |
| 4. 12-14 WILFRED STREET, LONDON, SW1E 6PL | (Pages 79 - 94) |
| 5. 51 CHESTER SQUARE, LONDON, SW1W 9EA | (Pages 95 - 116) |
| 6. 38 WARWICK AVENUE, LONDON, W9 2PT | (Pages 117 - 132) |
| 7. 92C SALTRAM CRESCENT, LONDON, W9 3JX | (Pages 133 - 144) |

Charlie Parker
Chief Executive
11 September 2017

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Agenda Annex

CITY OF WESTMINSTER
PLANNING APPLICATIONS SUB COMMITTEE – 19th September 2017
PROVISIONAL SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Item No	References	Site Address	Proposal	Applicant
1.	RN(s) : 17/05490/FULL St James's	Open Space Parliament Square London SW1A 0AA	Erection of a A Women's Suffrage memorial in the form of a bronze statue of non-militant Suffragist Millicent Fawcett..	Ms Fabienne Nicholas (Contemporary Art Society)
2.	RN(s) : 17/04187/FULL St James's	Parliament Square London SW1P 3JX	A memorial to Emmeline Pankhurst in the form of a bronze statue on stone plinth set within the existing memorials on the west side of Parliament Square Gardens.	Sir Neil Thorne (Emmeline Pankhurst Trust Ltd)
3.	RN(s) : 17/01347/FULL 17/01868/FULL Marylebone High Street	Application 1 110 Marylebone High Street London W1U 4RY Application 2: 100 Marylebone Lane, London W1U 2QB	<p>Application 1: Alterations to entire building including the erection of a mansard roof extension, new plant areas and extract ducting to the backland building, and erection of a building fronting St. Vincent Street comprising ground to fourth floors. Use of the rear lower ground and part ground for restaurant (Class A3) use (accessed from St. Vincent Street), use of part lower ground and part ground as a shop (Class A1), use of part lower ground, part ground, part 1st, 2nd to 4th floor levels as office (Class B1) floorspace (accessed from St. Vincent Street) and use of part ground and part first floor levels as a day nursery (Class D1) (accessed from Cramer Street). (Part of land use swap with 100 Marylebone Lane).</p> <p>Application2: Use of the ground to third floors as a permanent (Class D1) educational use (part of a land use swap with 110 Marylebone High Street).</p>	Howard de Walden Estate Ltd

CITY OF WESTMINSTER
PLANNING APPLICATIONS SUB COMMITTEE – 19th September 2017
PROVISIONAL SCHEDULE OF APPLICATIONS TO BE CONSIDERED

<p>i) A contribution of £300,000 towards the cost of public realm improvement works to St. Vincent Street (payable on commencement);</p> <p>ii) Rescinding the temporary education use permission (ref: 16/03525) at 100 Marylebone Lane;</p> <p>iii) All highway works immediately surrounding the site required for the development to occur, including reinstatement of redundant vehicle crossovers and associated work (legal, administrative and physical)</p> <p>iv) Dedication of land on St Vincent Street as public highway</p> <p>v) The costs of monitoring the S106 agreement.</p> <p>2. If the S106 legal agreement has not been completed within six weeks of the date of the Committee resolution, then:</p> <p>(a) The Director of Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorized to determine and issue the decision under Delegated Powers; however, if not;</p> <p>(b) The Director of Planning shall consider whether the permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which would have been secured; if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.</p>				
Item No	References	Site Address	Proposal	Applicant
4.	<p>RN(s) : 17/03448/FULL</p> <p>St James's</p>	<p>12-14 Wilfred Street London SW1E 6PL</p>	<p>Installation of four air conditioning units within acoustic enclosures at main roof level, one air conditioning unit in front basement light well and associated works.</p>	<p>Mr A. Jafarian</p> <p>Wilfred Property Ltd</p>
<p>Recommendation Grant conditional permission.</p>				
Item No	References	Site Address	Proposal	Applicant
5.	<p>RN(s) : 17/03669/FULL 17/03887/LBC</p> <p>Knightsbridge And Belgravia</p>	<p>51 Chester Square London SW1W 9EA</p>	<p>Variation of Condition 1 of planning permission dated 02 March 2017 (RN: 16/12193/FULL) which varied permission dated 3 November 2016 (RN: 16/06367/FULL) for excavation of additional basement level under the main house and mews. Replacement of existing conservatory with two storey rear extension with roof terrace at first floor level. Single-storey lower ground rear link extension. Installation of mechanical plant on roof of mews building (site includes 51 Ebury Mews). Namely, to extend the existing closet wing at rear second floor level to accommodate lift. (Linked to 17/03887/LBC).</p>	<p>Praxis Trustees (Switzerland) SA.</p>
<p>Recommendation</p> <ol style="list-style-type: none"> Grant conditional permission. Grant conditional listed building consent. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter. 				
Item No	References	Site Address	Proposal	Applicant
6.	<p>RN(s) : 17/05887/FULL 17/05888/LBC</p> <p>Little Venice</p>	<p>38 Warwick Avenue London W9 2PT</p>	<p>Partial demolition and replacement of the front garden wall facing into Warwick Avenue, including 2no gate piers to the shared pedestrian access between No 38 and No 40 Warwick Avenue.</p>	<p>38 Warwick Avenue Limited</p>
<p>Recommendation</p> <ol style="list-style-type: none"> Grant conditional permission and conditional listed building consent. 				

CITY OF WESTMINSTER
 PLANNING APPLICATIONS SUB COMMITTEE – 19th September 2017
 PROVISIONAL SCHEDULE OF APPLICATIONS TO BE CONSIDERED

	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
7.	RN(s) : 17/06457/FULL Harrow Road	92C Saltram Crescent London W9 3JX	Installation of timber fence on existing rear closet wing parapet wall between Nos.90 and 92 Saltram Crescent (retrospective application).	Mr Gavin Murphy
Recommendation Grant conditional permission.				

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Agenda Item 1

Item No.

01

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	Open Space, Parliament Square, London, SW1A 0AA,		
Proposal	Erection of a Women's Suffrage memorial in the form of a bronze statue of non-militant Suffragist Millicent Fawcett, by Gillian Wearing.		
Agent	Mr Tony Dyson		
On behalf of	Ms Fabienne Nicholas		
Registered Number	17/05490/FULL	Date amended/ completed	21 June 2017
Date Application Received	21 June 2017		
Historic Building Grade	Unlisted		
Conservation Area	Westminster Abbey And Parliament Square		

1. RECOMMENDATION

For Committee's consideration:

1. Does the Committee agree that the particular circumstances of this proposal constitute "an exceptionally good reason" to justify a departure from the Council's presumption against new memorials in this part of the City as set out in the "Statues and Monuments in Westminster" Supplementary Planning Document (2008)
2. Subject to 1, above, grant conditional permission

2. SUMMARY

This proposal is for the erection of a statue of Millicent Fawcett in Parliament Square. Parliament Square is in the Westminster Abbey and Parliament Square Conservation Area and is an Area of Special Archaeological Priority. It adjoins the Palace of Westminster, Westminster Abbey and Church of St Margaret World Heritage Site. The buildings around the Square are all listed, many of them being of outstanding international importance. The Square, itself, is included in the English Heritage Register of Parks and Gardens of Special Historic Interest at Grade II.

The central garden was landscaped in its current form by Grey Wornum in 1949-50 as part of the preparation for the Festival of Britain. The central area was laid to grass with paved terraces and planters to the north and west sides. The statues on the site at that time were re-arranged to the locations they occupy today. The only additions to the statues on the Square since then have been Smuts (1956), Churchill (1973), Lloyd George (2007), Nelson Mandela (2007) and Gandhi (2014). The Greater London Authority (GLA) maintain the Square and statues. They recently carried out

improvements to the Square, widening pavements and improving pedestrian access to the central garden.

The proposed statue is by the Turner Prize winning artist, Gillian Wearing OBE, who has an international reputation. Millicent Fawcett will be portrayed at the age of 50, when she was elected as president to the National Union of Women's Suffrage Societies in 1897. The detailed design has been amended in response to officer advice. She will hold a placard bearing the inscription "courage calls to courage everywhere." Her name will be on the plinth which will also contain 52 etched images of historically important Suffragists on each of its four sides. Suffragists, being the non-militant element of the Suffrage movement tend to have been overlooked in contrast to the more well-known and militant Suffragettes. The model will be produced using innovative digital printing technology though the finished statue will be produced in a traditional lost wax process and cast in bronze. The finished bronze will be of a similar scale to Mandela and the other statues on the Square, life size and a half (2.59m). The statue will sit on a simple granite plinth with the etched portraits on a band of darker granite. A maquette will be available to view at the Committee meeting.

The location within the Square is to the west terrace and will be incorporated into the existing northern Portland Stone planter. The planter will be reconfigured to accommodate the statue plinth. The proposal sits well within the composition of the west terrace and it has a strong relationship with the statues of Nelson Mandela and Gandhi, also on the west terrace. The Square is home to a number of memorials and there is only very limited scope for further additions without the Square becoming dominated by their presence. However, it is felt that this particular site could accommodate a statue of this scale without detriment to the overall composition and character of the Square and it would help to complete the arrangement of the two other recent memorials to Civil Rights activists along the west terrace. It is considered that this may well be the last available location on the central Square for a new memorial with the existing configuration and layout of the Square.

Policy DES 7 of the UDP generally welcomes public art and statuary within the City. However, the unprecedented demand for statues and monuments in recent years has led to an over-concentration of memorials in parts of the City and suitable locations are becoming increasingly difficult to find. The Council's Supplementary Planning Document "Statues and Monuments in Westminster" provides guidance for the erection of new monuments. It identifies a Monument Saturation Zone, covering most of Whitehall and St James's, where applications for new statues and monuments will not be permitted unless there is an exceptionally good reason. Parliament Square falls within this zone.

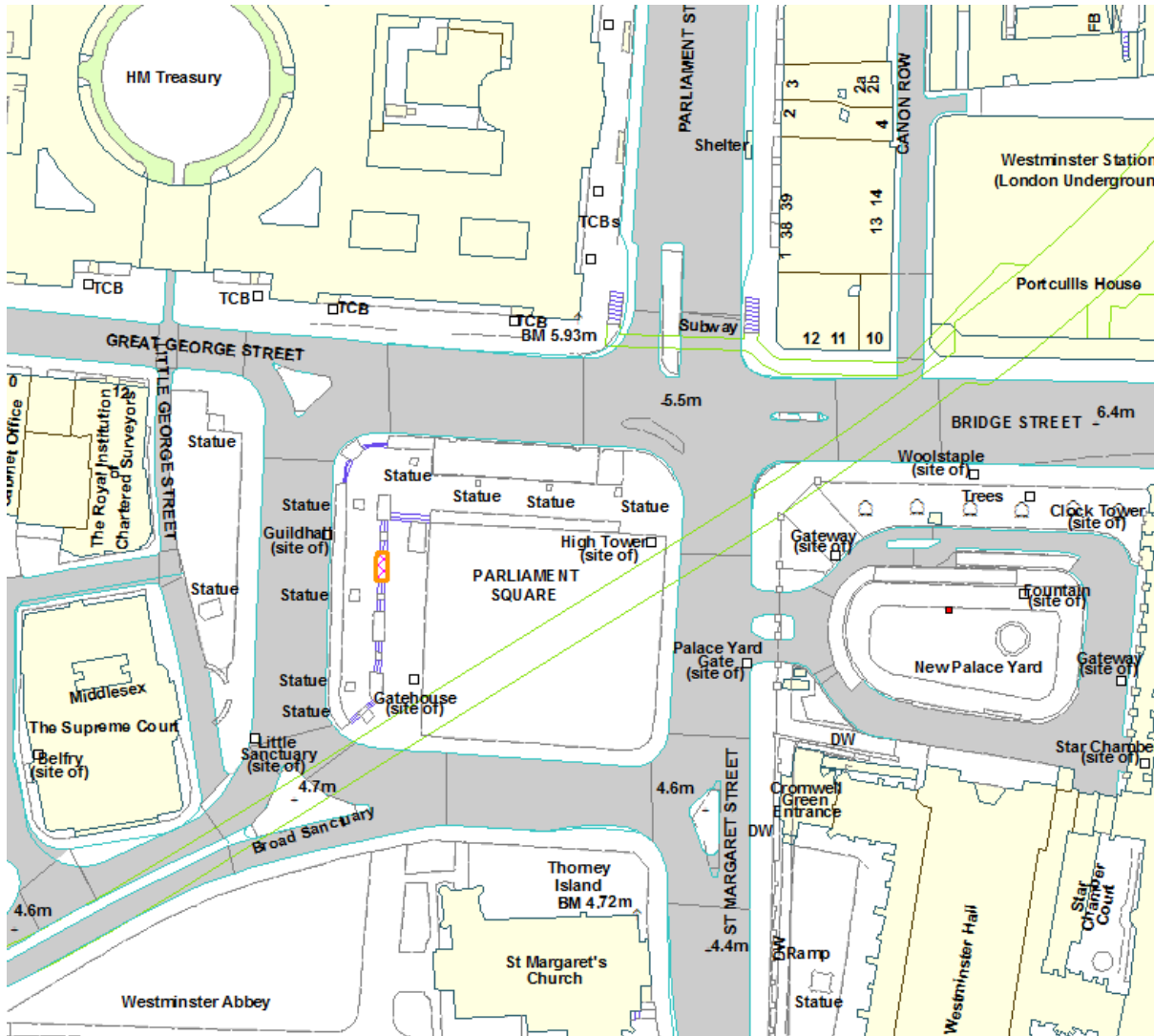
The proposed statue should therefore only proceed if there is an "exceptionally good reason" to justify exemption to our normal guidance. It is considered, in this case, that the site within Parliament Square is one that could accommodate a statue of this scale without any adverse impact on the Square or its surroundings and the statue itself is well designed and by a prominent artist. With regard to the subject, the genesis of the proposal dates from a 2015 campaign to place a statue commemorating women's suffrage in Parliament Square which gathered over 85,000 signatures. Parliament Square has 11 statues representing the UK's political history, but none of these represent women or have been sculpted by women. The contribution of women to the political history of the nation is under-represented, particularly in this most iconic of locations opposite Parliament itself. The issue of women's rights is ongoing here and throughout the world and the Prime Minister, Theresa May, commented that "the example Millicent Fawcett set during the struggle for equality continues to inspire the battle against the burning injustices of today. It is right and proper that she is honoured in Parliament Square alongside former leaders who changed our country." It is intended for the statue to be in place for the 2018 centenary celebration of the Representation of the People Act.

Millicent Fawcett was central to the campaign for women's right to vote and probably did more than any other individual to win the vote for women. Her campaigning started in 1866 when she was 19 and continued through to the 1918 Act and beyond. She died in 1929. Given the importance of her role in the Suffrage movement and the ongoing contribution of women to the political history of this country, it is considered that the subject matter is of sufficient importance to be commemorated and that there is a close historic and conceptual relationship to Parliament and the nearby statues of other Civil Rights activists, Mandela and Gandhi to justify a location within Parliament Square. Given the above, it is considered that there is an exceptionally good reason to justify an exemption to our approved guidance.

The proposed statue location is very close to a mature London Plane tree and the Council's Arboricultural Officer has raised concern that the proposed foundation works may adversely affect the health of this tree. The applicants have as yet to supply the necessary tree reports for a proper evaluation to take place. If this is not resolved by the time of the Committee Meeting, a condition will be imposed requiring further details to be submitted for approval.

The proposal has received just two objections, one opposing the statue on gender grounds and the other the chosen artist. There have been a large number of letters of support (586 at the time of writing) and it has the support of the Thorney Island Society and Historic England. Any further comments will be reported verbally to the Committee. The statue would be maintained by the GLA and a suitable maintenance regime has been agreed. There is no financial implication for the City Council.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

MARK FIELD MP

Supports the proposal.

COUNCILLOR FLIGHT

Supports the proposal.

HISTORIC ENGLAND

Support the proposal on heritage grounds, but it is up to the local authority to consider it within the terms of its Monument Saturation Zone policy.

THORNEY ISLAND SOCIETY

No objection to the subject matter, but concerned about the number of statues being approved within the Monument Saturation Zone.

WESTMINSTER SOCIETY

No objection.

THE GARDENS TRUST

Any response will be reported verbally.

LONDON HISTORIC PARKS AND GARDENS

Any response will be reported verbally.

HIGHWAYS PLANNING

No objection

ARBORICULTURAL MANAGER

Potential harm to the adjacent plane tree. Require further information to fully assess the impact of the proposal, to be secured by condition.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 0

Total No. of replies: 588

No. of objections: 2

No. in support: 586

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND PAPERS

1. Application form
2. Response from Thorney Island Society, dated 24 July 2017

3. Response from Westminster Society, dated 29 June 2017
4. Letter from occupier of 108A Oglander Road, London, dated 4 July 2017
5. Letter from occupier of 4 Manchuria Road, London, dated 4 July 2017
6. Letter from occupier of 113 St Williams Way, Rochester, dated 4 July 2017
7. Letter from occupier of 7 Lockeridge Road, Yelverton, dated 28 June 2017
8. Letter from occupier of 10 herbert street, hemel hempstead, dated 29 June 2017
9. Letter from occupier of 6 Dorset street, Lincoln, dated 29 June 2017
10. Letter from occupier of 5 Rochester House, Main Street, dated 26 June 2017
11. Letter from occupier of 140 Ramsden Square, Cambridge, dated 26 June 2017
12. Letter from occupier of 153 Grove Lane, London, dated 26 June 2017
13. Letter from occupier of 16 Youngman Avenue, Histon, dated 26 June 2017
14. Letter from occupier of 4 Kerry Close, Ramlease, dated 26 June 2017
15. Letter from occupier of 2 White Lodge Close, Isleworth, dated 26 June 2017
16. Letter from occupier of Top Floor Flat, 5 Mackeson Road, dated 26 June 2017
17. Letter from occupier of 422 St Ann's Road, London, dated 26 June 2017
18. Letter from occupier of 6 Wharf House, 1 West Street, dated 26 June 2017
19. Letter from occupier of 2 Maple Grove, Worsley, dated 26 June 2017
20. Letter from occupier of 14 Sunnyside Road, Hitchin, dated 26 June 2017
21. Letter from occupier of 21 Apley Close, Harrogate, dated 26 June 2017
22. Letter from occupier of 118a Teesdale St, London, dated 26 June 2017
23. Letter from occupier of 61 Gravel Hill, Wimborne, dated 26 June 2017
24. Letter from occupier of 13 Golden Manor, London, dated 26 June 2017
25. Letter from occupier of 59 Munster Rd, Teddington, dated 26 June 2017
26. Letter from occupier of 3 Appleby Gardens, Dunstable, dated 26 June 2017
27. Letter from occupier of 8 Derwentdale Gardens, Newcastle upon Tyne, dated 26 June 2017
28. Letter from occupier of 18 St Dunstan's Terrace, Canterbury, dated 26 June 2017
29. Letter from occupier of 17 Cruikshank atreet, London, dated 27 June 2017
30. Letter from occupier of 254 Camberwell New Road, London, dated 27 June 2017
31. Letter from occupier of 8 Cranmore Way, London, dated 26 June 2017
32. Letter from occupier of 86 Crescent Lane, London, dated 29 June 2017
33. Letter from occupier of 67 Westbourne Gardens, BN3 5PN, dated 26 June 2017
34. Letter from occupier of 14 Stafford Terrace, London, dated 26 June 2017
35. Letter from occupier of 5 coach house mews, redhill, dated 26 June 2017
36. Letter from occupier of 3 Compton Terrace, London, dated 26 June 2017
37. Letter from occupier of 25 Cross Lane, Grappenhall, dated 29 June 2017
38. Letter from occupier of Belclare, New Road, dated 27 June 2017
39. Letter from occupier of Belclare, New Road, dated 5 July 2017
40. Letter from occupier of 5 Owen's Row, LONDON, dated 26 June 2017
41. Letter from occupier of 52 Trinity Gardens, 52 Trinity Gardens, dated 26 June 2017
42. Letter from occupier of 14 Chalcott Gardens, Surbiton, dated 26 June 2017
43. Letter from occupier of 53 Hosack Road, London, dated 26 June 2017
44. Letter from occupier of 30 Redman Buildings, London, dated 26 June 2017
45. Letter from occupier of 46 West Heath Drive, London, dated 26 June 2017
46. Letter from occupier of 5, St. Andrew's Close, Leigh, dated 30 June 2017
47. Letter from occupier of 50 Nunroyd Road, Leeds, dated 30 June 2017
48. Letter from occupier of 24 Algiers Road, Ladywell, dated 26 June 2017
49. Letter from occupier of 4a Smyth Road, Southville, dated 26 June 2017
50. Letter from occupier of 11 Layard Road, Thornton Heath, dated 26 June 2017
51. Letter from occupier of 13, Badlis Road, dated 27 June 2017

52. Letter from occupier of 23 Ferry Path, Cambridge, dated 27 June 2017
53. Letter from occupier of 18, CARDINAL CLOSE, dated 29 June 2017
54. Letter from occupier of 10 Fawley rd, West Hampstead, dated 29 June 2017
55. Letter from occupier of 14 Wybourne Rise, Tunbridge Wells, dated 27 June 2017
56. Letter from occupier of 26 Wavertree Road, London, dated 27 June 2017
57. Letter from occupier of 135 Chelmsford Road, London, dated 27 June 2017
58. Letter from occupier of 3/1, 48 Thornwood Drive, dated 27 June 2017
59. Letter from occupier of 18, Pleckgate Road, dated 27 June 2017
60. Letter from occupier of 46, St David's Hill, Exeter, dated 27 June 2017
61. Letter from occupier of 48 Grove Park, Bury St Edmunds, dated 28 June 2017
62. Letter from occupier of 53 Bushmead Avenue, Bedford, dated 28 June 2017
63. Letter from occupier of 11 Pondfield House, London, dated 28 June 2017
64. Letter from occupier of 16 Brockmoor Close, Pedmore, dated 28 June 2017
65. Letter from occupier of 37 Sandringham Close, Enfield, dated 29 June 2017
66. Letter from occupier of 36 Princess Street, Scarborough, dated 28 June 2017
67. Letter from occupier of 40 Oak Road, Barton-under-Needwood, dated 28 June 2017
68. Letter from occupier of 155 Stanley Road, Cambridge, dated 28 June 2017
69. Letter from occupier of apartment 61, Phoenix Square, 9 Burton street, Leicester, dated 26 June 2017
70. Letter from occupier of 20 Broadwater Avenue, Letchworth, dated 26 June 2017
71. Letter from occupier of 8 Sycamore Drive, Brentwood, dated 26 June 2017
72. Letter from occupier of 18 Haigh Wood Road, Leeds, dated 27 June 2017
73. Letter from occupier of 56 Sullivans Reach, Walton on Thames, dated 27 June 2017
74. Letter from occupier of 34 Park End, Bromley, dated 28 June 2017
75. Letter from occupier of Flat D, 97 Great Titchfield Street, dated 28 June 2017
76. Letter from occupier of 10 Brecon Tower, Guild Close, dated 27 June 2017
77. Letter from occupier of Woodstock House, Lower Road, dated 28 June 2017
78. Letter from occupier of Orchard Cottage, RENDHAM ROAD, dated 29 June 2017
79. Letter from occupier of Decorum Apartments, London, dated 26 June 2017
80. Letter from occupier of 33 Linnet Walk, Wokingham, dated 26 June 2017
81. Letter from occupier of Victoria Lodge, 8, Chillingworth Road, dated 26 June 2017
82. Letter from occupier of 100 Taylor Avenue, Motherwell, dated 26 June 2017
83. Letter from occupier of 25 Chilthorne Close, London, dated 27 June 2017
84. Letter from occupier of Burghfield, Shootersway, dated 27 June 2017
85. Letter from occupier of 2 Doctor's Lodge, Skinners Lane Metfield, dated 27 June 2017
86. Letter from occupier of 12 Queens Road, Enfield, dated 28 June 2017
87. Letter from occupier of Basement flat 229a Victoria Rise, London, dated 26 June 2017
88. Letter from occupier of Upperton, Exeter, dated 27 June 2017
89. Letter from occupier of Hayes Grange Farm, Slinfold, dated 27 June 2017
90. Letter from occupier of 17 Chase Side Crescent, Enfield, dated 30 June 2017
91. Letter from occupier of 23 Burford Rd, Horsham, dated 26 June 2017
92. Letter from occupier of Darwin, Guineaport Road, dated 26 June 2017
93. Letter from occupier of 24 Jacob's Court, Worth Park Avenue, dated 26 June 2017
94. Letter from occupier of 12 Rewley Rd, Oxford, dated 26 June 2017
95. Letter from occupier of 8 Mendos Place, Engadine, dated 26 June 2017
96. Letter from occupier of 36 Burford Park Road, Birmingham, dated 27 June 2017
97. Letter from occupier of 123 Lynton Road, Acton W3 9HN, dated 27 June 2017
98. Letter from occupier of Old Boswednack Farm, St Ives, dated 26 June 2017
99. Letter from occupier of 20 Oak Farm Close, Walmley, dated 26 June 2017
100. Letter from occupier of LSE Library, London, dated 29 June 2017

101. Letter from occupier of 42 The Paddocks, Wembley, dated 29 June 2017
102. Letter from occupier of 30 Heathend Road, Alsager, dated 29 June 2017
103. Letter from occupier of 66 Castle Road, Isleworth, dated 29 June 2017
104. Letter from occupier of 34 Zakopane Rd, Swindon, dated 29 June 2017
105. Letter from occupier of 3 Whitley Court Road, Birmingham, dated 27 June 2017
106. Letter from occupier of Tower Bridge Road, London, dated 27 June 2017
107. Letter from occupier of 30 Gypsy Lane, Hunton Bridge, dated 27 June 2017
108. Letter from occupier of Flat 6, Garden House, Calverley Street, dated 27 June 2017
109. Letter from occupier of Old Railway Tavern, Puddock Road, dated 27 June 2017
110. Letter from occupier of 11 Bloomesley Close, Newton Aycliffe, dated 27 June 2017
111. Letter from occupier of 40 Berkeley Terrace, York, dated 27 June 2017
112. Letter from occupier of 86 Stafford St, Sheffield, dated 26 June 2017
113. Letter from occupier of 51 Rawstone Street, London, dated 26 June 2017
114. Letter from occupier of 29 Meadowcourt Road, London, dated 26 June 2017
115. Letter from occupier of High Timbers, Petersfield road, dated 26 June 2017
116. Letter from occupier of P.O. Box 383, Croydon, dated 26 June 2017
117. Letter from occupier of 7 Hollywood Mews, London, dated 26 June 2017
118. Letter from occupier of 11 The Cedars, Bromley Road, dated 26 June 2017
119. Letter from occupier of 80 Lytton Road, Oxford, dated 26 June 2017
120. Letter from occupier of FLAT 42, EASTDOWN HOUSE, AMHURST ROAD, dated 26 June 2017
121. Letter from occupier of White Jade, Martinsclough, dated 26 June 2017
122. Letter from occupier of 25 Century Court, Montpellier Grove, dated 26 June 2017
123. Letter from occupier of 11 Atlas Road, Earls Colne, dated 26 June 2017
124. Letter from occupier of 107 Meadway, Forest Hall, dated 26 June 2017
125. Letter from occupier of 14 Diligence Way, Eaglescliffe, dated 26 June 2017
126. Letter from occupier of 39 Rosebery House, Sewardstone Road, dated 26 June 2017
127. Letter from occupier of 5 Twisden RD, London, dated 26 June 2017
128. Letter from occupier of 33 Bramble Rise, Brighton, dated 26 June 2017
129. Letter from occupier of 5 King Stairs Close, London, dated 26 June 2017
130. Letter from occupier of 2A Lower Hill Barton Road, EXETER, dated 26 June 2017
131. Letter from occupier of 21 Northwick Park road, Harrow, dated 26 June 2017
132. Letter from occupier of The Annexe, Pixford Fruit Farm, dated 26 June 2017
133. Letter from occupier of 1 Hatches Cottages, East St, Pulborough, dated 26 June 2017
134. Letter from occupier of 8 Hurst Street, Oxford, dated 26 June 2017
135. Letter from occupier of 33 Arlington Road, Twickenham, dated 26 June 2017
136. Letter from occupier of Flat 5, Wimbledon House, 21 Wimbledon Street, dated 26 June 2017
137. Letter from occupier of 7 Ash Grove, London, dated 26 June 2017
138. Letter from occupier of 4 Warneford Road, Oxford, dated 26 June 2017
139. Letter from occupier of 4, Lundies court, dated 26 June 2017
140. Letter from occupier of 12 Ward Place, Livingston, dated 26 June 2017
141. Letter from occupier of 15 Lansdown Place, Lewes, dated 26 June 2017
142. Letter from occupier of 30 Gladstone Grove, Stockport, dated 26 June 2017
143. Letter from occupier of 304 coldharbour lane, London, dated 26 June 2017

- 144. Letter from occupier of 3 Wood Close, Birmingham, dated 26 June 2017
- 145. Letter from occupier of 49 Hastings Road, Wellesbourne, dated 26 June 2017
- 146. Letter from occupier of 2 Hagley Close, Market Harborough, dated 26 June 2017
- 147. Letter from occupier of Loaders Walk, Lillington, dated 26 June 2017
- 148. Letter from occupier of 72 Park Road, Warrington, dated 26 June 2017
- 149. Letter from occupier of 37 Bamford Road, Didsbury, dated 26 June 2017
- 150. Letter from occupier of 12 East Road, Irvine, dated 26 June 2017
- 151. Letter from occupier of 8 The Woodlands, Stourbridge, dated 26 June 2017
- 152. Letter from occupier of 15 Clincart Road, Glasgow, dated 27 June 2017
- 153. Letter from occupier of 3 St Minver Road, Bedford, dated 27 June 2017
- 154. Letter from occupier of 17 Woodberry Down Way, Lyme Regis, dated 27 June

2017

- 155. Letter from occupier of 63 Boundary Road, WALLINGTON, dated 27 June 2017
- 156. Letter from occupier of 68 Grove Avenue, Beeston, dated 27 June 2017
- 157. Letter from occupier of 7 Princes Court, Hove, dated 27 June 2017
- 158. Letter from occupier of Wildersmoor Barn, Higher Lane, dated 27 June 2017
- 159. Letter from occupier of 148 jervis road, Stamshaw, dated 27 June 2017
- 160. Letter from occupier of 2 The Lane, Lower Icknield Way, dated 27 June 2017
- 161. Letter from occupier of 17 ashfield park, leeds, dated 27 June 2017
- 162. Letter from occupier of Little Tetha, Weeley Road, dated 26 June 2017
- 163. Letter from occupier of 15, Beckett Way, dated 26 June 2017
- 164. Letter from occupier of 209 Old Chapel Street, Edgeley, dated 26 June 2017
- 165. Letter from occupier of 24 Horne Street, Wakefield, dated 8 July 2017
- 166. Letter from occupier of 24 Horne Street, Wakefield, dated 26 June 2017
- 167. Letter from occupier of 19 Teasel Drive, Desborough, dated 26 June 2017
- 168. Letter from occupier of 28 Hanmer Road, Simpson, dated 26 June 2017
- 169. Letter from occupier of 23 Fusion, 140 Station Road, dated 26 June 2017
- 170. Letter from occupier of 45 Alleyn Park, London, dated 26 June 2017
- 171. Letter from occupier of The Grove, Falstaff Street, dated 27 June 2017
- 172. Letter from occupier of Flat 3, 98 Evelyen steet, LONDON, dated 30 June 2017
- 173. Letter from occupier of 8 Blakiston Close, Ashington, dated 30 June 2017
- 174. Letter from occupier of 59 Eastwood Road, Birmingham, dated 30 June 2017
- 175. Letter from occupier of 2 Devonshire Hall, London, dated 30 June 2017
- 176. Letter from occupier of 187 The Atrium, Whitefield, dated 30 June 2017
- 177. Letter from occupier of 10 Westbrook Court, Kidbrooke Grove,, London, dated 26

June 2017

- 178. Letter from occupier of 2 Longhirst Gardens, Bicton Heath, dated 26 June 2017
- 179. Letter from occupier of 32 Pembroke Road, London, dated 26 June 2017
- 180. Letter from occupier of 4 Marlborough Villas, Menston, dated 26 June 2017
- 181. Letter from occupier of 8 Newburgh Road, London, dated 26 June 2017
- 182. Letter from occupier of Ynys Clydach, Sennybridge, dated 26 June 2017
- 183. Letter from occupier of 14 bonny wood road, Hassocks, dated 26 June 2017
- 184. Letter from occupier of 21 Bristol Road, Sheffield, dated 26 June 2017
- 185. Letter from occupier of 11 Holden Road, Lackford, dated 26 June 2017
- 186. Letter from occupier of 65 Dovercourt Road, London, dated 26 June 2017
- 187. Letter from occupier of 52 Orchard Street, Kempston, dated 26 June 2017
- 188. Letter from occupier of 23 Withens Avenue, Sheffield, dated 27 June 2017
- 189. Letter from occupier of 14 Webbs Road, London, dated 27 June 2017
- 190. Letter from occupier of Crossways, SpringElms Lane, LittleBaddow, dated 27

June 2017

191. Letter from occupier of 25 Moorfield Road, Duxford, dated 27 June 2017
192. Letter from occupier of 52 North Grove, London, dated 27 June 2017
193. Letter from occupier of 11 bridge avenue, Woodley, dated 28 June 2017
194. Letter from occupier of 12 Galahad Avenue, Rochester, dated 30 June 2017
195. Letter from occupier of Northwood Hall, Sudbury, dated 26 June 2017
196. Letter from occupier of CALLE LAS ANGUSTIAS 21, ICOD DE LOS VINOS, dated 26 June 2017
197. Letter from occupier of 17 Marine Gardens, Brighton, dated 26 June 2017
198. Letter from occupier of 47 Craigmoor Avenue, Bournemouth, dated 26 June 2017
199. Letter from occupier of 168c, Amhurst Road, dated 26 June 2017
200. Letter from occupier of 41 Highpoint, Highgate, dated 26 June 2017
201. Letter from occupier of 44 Rivermeads Avenue, Twickenham, dated 26 June 2017
202. Letter from occupier of 9 Sandy Lane, Goostrey, dated 26 June 2017
203. Letter from occupier of 46 South Croft, Bristol, dated 28 June 2017
204. Letter from occupier of 64 Red Post Hill, London, dated 28 June 2017
205. Letter from occupier of 104 Twining Ave, Twickenham, dated 28 June 2017
206. Letter from occupier of 43 Connaught Terrace, Hove, dated 26 June 2017
207. Letter from occupier of 20 Holsworthy Square, Elm Street, dated 27 June 2017
208. Letter from occupier of 15 Cornwallis Road, Walthamstow, dated 27 June 2017
209. Letter from occupier of 305 Stockham Court, Rodney Road, dated 27 June 2017
210. Letter from occupier of 153 Gordon Road, Enfield, dated 27 June 2017
211. Letter from occupier of 268 kenmure street, Glasgow, dated 27 June 2017
212. Letter from occupier of 30 sulina rd, Brixton, dated 27 June 2017
213. Letter from occupier of 38 Wellington Street West, Salford, dated 27 June 2017
214. Letter from occupier of 70 Chestnut Grove, London, dated 28 June 2017
215. Letter from occupier of 27 Browning Road, Church Crookham, dated 28 June 2017
216. Letter from occupier of 63 Rosslyn Hill, London, dated 28 June 2017
217. Letter from occupier of 141 John Ruskin St, London, dated 28 June 2017
218. Letter from occupier of 11 Pud Brook, Milborne Port, dated 28 June 2017
219. Letter from occupier of Hedgewood, Rectory Lane, dated 28 June 2017
220. Letter from occupier of 39 Danbury Street, London, dated 28 June 2017
221. Letter from occupier of 18 Mornington Rd, Deptford, dated 28 June 2017
222. Letter from occupier of 23, Victoria Park Road, dated 28 June 2017
223. Letter from occupier of 128 Belvoir Street, Hull, dated 28 June 2017
224. Letter from occupier of 77 Lupin Point, Abbey Street, dated 26 June 2017
225. Letter from occupier of 14 Park Lane, Sheffield, dated 26 June 2017
226. Letter from occupier of The Garden Flat, 92 Goldhurst Terrace, dated 29 June 2017
227. Letter from occupier of 0/1 4 Derby Street, Glasgow, dated 26 June 2017
228. Letter from occupier of 18 River Bank Close, Maidstone, dated 30 June 2017
229. Letter from occupier of 38A, Berrymede Road, dated 30 June 2017
230. Letter from occupier of 5 Leyton road, Northam, dated 26 June 2017
231. Letter from occupier of 132 Marsham Court, Marsham Street, dated 26 June 2017
232. Letter from occupier of 112 glenarm road, London, dated 26 June 2017
233. Letter from occupier of Flat 5, 49 Epsom Road, Croydon, dated 26 June 2017
234. Letter from occupier of Second Floor Flat, 79 Bridge Road, dated 26 June 2017
235. Letter from occupier of Philia House Flat 9, 39 Jeffreys St, dated 27 June 2017

236. Letter from occupier of 11 Exton Road, Nottingham, dated 27 June 2017
237. Letter from occupier of 54 High Street, Kenilworth, dated 27 June 2017
238. Letter from occupier of 21 South Stree, Holmfirth, dated 27 June 2017
239. Letter from occupier of 69 Selwood Road, Chessington, dated 27 June 2017
240. Letter from occupier of Woodpecker Cottage, Lanehouse, dated 26 June 2017
241. Letter from occupier of 73 Oxford Gardens, London, dated 26 June 2017
242. Letter from occupier of (3f4) 8 Springvalley Terrace, Edinburgh, dated 26 June 2017
243. Letter from occupier of Flat 4, 2 Prince Edward Road, dated 26 June 2017
244. Letter from occupier of 39, Methuen Road, Southsea, dated 26 June 2017
245. Letter from occupier of 246 Littlebrook Avenue, Burnham, dated 26 June 2017
246. Letter from occupier of 288 Seaside, Eastbourne, dated 26 June 2017
247. Letter from occupier of 18 Jupiter Drive, Leighton Buzzard, dated 26 June 2017
248. Letter from occupier of 12 Thornton Road, London, dated 26 June 2017
249. Letter from occupier of Lonsdale Cottage, Higher Heath, dated 26 June 2017
250. Letter from occupier of Flat 6, 92 Court Road, London, dated 26 June 2017
251. Letter from occupier of Weirside, Keldholme, dated 28 June 2017
252. Letter from occupier of 7 Gordon Place, Manchester, dated 28 June 2017
253. Letter from occupier of 6northampton road, Brixworth, dated 28 June 2017
254. Letter from occupier of 17 Leicester Road, Lewes, dated 26 June 2017
255. Letter from occupier of 8 Ledwell Road, Caddington, dated 26 June 2017
256. Letter from occupier of First floor flat, 16 Richmond Park Road, Clifton, dated 26 June 2017
257. Letter from occupier of 22 Hornby Close, London, dated 26 June 2017
258. Letter from occupier of Flat C lawrence court, Westcliff on sea, dated 26 June 2017
259. Letter from occupier of 47 Howson Road, London, dated 26 June 2017
260. Letter from occupier of 53 St John's Road, Lower Weston, dated 26 June 2017
261. Letter from occupier of 154 Ladysmith Road, Plymoy, dated 26 June 2017
262. Letter from occupier of 67 Kingston Road, Oxford, dated 26 June 2017
263. Letter from occupier of 9a Abercorn Road, Mill Hill East, dated 26 June 2017
264. Letter from occupier of Bluebell cottage, Hill road, dated 26 June 2017
265. Letter from occupier of 7 Indigo Drive, Burbage, dated 26 June 2017
266. Letter from occupier of 41 Lazar Walk, London, dated 26 June 2017
267. Letter from occupier of 35 Albemarle Park, Albemarle Road, dated 26 June 2017
268. Letter from occupier of Flat 23 Westbrook house, Victoria park square, dated 26 June 2017
269. Letter from occupier of 17, Clareville Grove, dated 26 June 2017
270. Letter from occupier of 4 St. George's court, St albans, dated 26 June 2017
271. Letter from occupier of Flat 1, 4 The Cedars, dated 26 June 2017
272. Letter from occupier of 21 miller road, guildford, dated 26 June 2017
273. Letter from occupier of Il Duir, 68 Willington Road, Cople, MK44 3TN, Milton Keynes, dated 26 June 2017
274. Letter from occupier of 189 Laleham Road, Staines-Upon-Thames, dated 26 June 2017
275. Letter from occupier of Flat 8, 23 New Windsor Street, dated 26 June 2017
276. Letter from occupier of 22 Woodsgate Avenue, Bexhill, dated 26 June 2017
277. Letter from occupier of 24 Falcondale Road, Bristol, dated 26 June 2017
278. Letter from occupier of 12 Bell Lane, Twickenham, dated 26 June 2017
279. Letter from occupier of 15 Oldfield Wood, Woking, dated 26 June 2017

280. Letter from occupier of 71 Bridge Park, Newcastle upon TYne, dated 26 June
2017
281. Letter from occupier of 29 Banbury Rd, Oxford, dated 26 June 2017
282. Letter from occupier of 33c Leswin Road, London, dated 26 June 2017
283. Letter from occupier of 26 CAMROSE DRIVE, WAUNARLWYDD, dated 26 June
2017
284. Letter from occupier of 14 Castle Meadow, Sible Hedingham, dated 26 June
2017
285. Letter from occupier of 72 Westgate, Chichester, dated 26 June 2017
286. Letter from occupier of 146 Springbank Rd, London, dated 26 June 2017
287. Letter from occupier of 113 st.williams way, Rochester, dated 26 June 2017
288. Letter from occupier of 12 Clive Road, Rochester, dated 26 June 2017
289. Letter from occupier of 108 The Arthouse, 43 George Street, dated 27 June 2017
290. Letter from occupier of 108 The Arthouse, 43 George Street, dated 4 July 2017
291. Letter from occupier of 17 St Annes Gardens, Middleton St George, dated 27
June 2017
292. Letter from occupier of 45 Minster drive, Lincoln, dated 27 June 2017
293. Letter from occupier of 81 mostyn avenue, Llandudno, dated 29 June 2017
294. Letter from occupier of 52 Hyde Vale, London, dated 26 June 2017
295. Letter from occupier of 253a Gloucester Rd, Bishopston, dated 27 June 2017
296. Letter from occupier of 73 Hundred Acre Way, Red Lodge, dated 27 June 2017
297. Letter from occupier of 93b Lonsdale Road, Oxford, dated 27 June 2017
298. Letter from occupier of The Croft, North Rd, dated 27 June 2017
299. Letter from occupier of 8 Swanmere, Newport, dated 27 June 2017
300. Letter from occupier of Flat 2, 17 Chatsworth Road, dated 27 June 2017
301. Letter from occupier of Flat 2, 107 Church Road, dated 27 June 2017
302. Letter from occupier of 27 Upper St Paul's Terrace, York, dated 29 June 2017
303. Letter from occupier of Bollgatan 5, Lgh 1101, dated 26 June 2017
304. Letter from occupier of 14 Halifax Road, Cambridge, dated 26 June 2017
305. Letter from occupier of 111 Casewick Rd, West Norwood, dated 26 June 2017
306. Letter from occupier of 130A Greenford Avenue, Hanwell, dated 26 June 2017
307. Letter from occupier of 18 Russell Ave, Wollaton, dated 26 June 2017
308. Letter from occupier of 76 Love Lane, Pinner, dated 26 June 2017
309. Letter from occupier of Downsview, Glynde, dated 26 June 2017
310. Letter from occupier of 162 Murray Road, London, dated 26 June 2017
311. Letter from occupier of 6 Quelch House, Brecknock Rd, dated 26 June 2017
312. Letter from occupier of Flat 29 Maha, London, dated 26 June 2017
313. Letter from occupier of 39 westcombe park road, Blackheath, dated 26 June
2017
314. Letter from occupier of 101 Thornlaw Road, West Norwood, dated 26 June 2017
315. Letter from occupier of 10 Stour road, London, dated 26 June 2017
316. Letter from occupier of 10 Camelford Road, Bristol, dated 26 June 2017
317. Letter from occupier of KNOLL HOUSE, Burleigh, dated 26 June 2017
318. Letter from occupier of 130, Liverpool road, dated 26 June 2017
319. Letter from occupier of 168 Coningham Road, Lodon, dated 27 June 2017
320. Letter from occupier of 2 Hazelmere House, 74 Harnham Rd, dated 27 June
2017
321. Letter from occupier of 10 Manor Road, Didcot, dated 28 June 2017
322. Letter from occupier of 12 Templecombe Way, Morden, dated 28 June 2017
323. Letter from occupier of Nightingales, Uckfield Lane, dated 26 June 2017

324. Letter from occupier of 39 Morton Close, London, dated 29 June 2017
325. Letter from occupier of 45 Collingwood drive, Shiney Row, dated 29 June 2017
326. Letter from occupier of 14 Crystal Court, London, dated 30 June 2017
327. Letter from occupier of 3 Helix Gardens, London, dated 30 June 2017
328. Letter from occupier of Rowland House, Station Road, dated 30 June 2017
329. Letter from occupier of 9a bellevue road, balham, dated 30 June 2017
330. Letter from occupier of 4 The Mews, Napier Miles House, Napier Miles Road, Kingsweston, dated 30 June 2017
331. Letter from occupier of 10 Ivy Road, Gosforth, dated 30 June 2017
332. Letter from occupier of 15 The Hawthorns, Epsom, dated 1 July 2017
333. Letter from occupier of 16 Saxon close, Uxbridge, dated 1 July 2017
334. Letter from occupier of 155 Mary Vale Road, Birmingham, dated 28 June 2017
335. Letter from occupier of Iona, Old Totnes Road, Ashburton, dated 28 June 2017
336. Letter from occupier of Flat 2, 70 Demesne Road, dated 28 June 2017
337. Letter from occupier of 20 Walberton Avenue, Cosham, dated 28 June 2017
338. Letter from occupier of 13 KERRY COURT, STANMORE, dated 29 June 2017
339. Letter from occupier of 1 Edgeware road, York, dated 30 June 2017
340. Letter from occupier of 6 Belle Vue, London, dated 30 June 2017
341. Letter from occupier of Flat 2, 155 Malden Road, dated 30 June 2017
342. Letter from occupier of Flat 4 Rathnew Court, 5 Meath Crescent, dated 30 June 2017
343. Letter from occupier of Flat 11, 4 Singer Mews, dated 30 June 2017
344. Letter from occupier of 37,, Mayford road, dated 30 June 2017
345. Letter from occupier of Lletty Gwilym Isaf, Cefn Coch, dated 30 June 2017
346. Letter from occupier of 4 Lockhart street, London, dated 2 July 2017
347. Letter from occupier of Le Beau Hue, St Pierre de Mailloc Valorbiquet, dated 26 June 2017
348. Letter from occupier of 4 Guild Street, London, dated 30 June 2017
349. Letter from occupier of 50 Dinorben Close, Fleet, dated 30 June 2017
350. Letter from occupier of 7 Pentirvin, Minsterley, dated 26 June 2017
351. Letter from occupier of 1 school houses, Rowlands Gil, dated 26 June 2017
352. Letter from occupier of 15, Berther Road, dated 26 June 2017
353. Letter from occupier of 73 Burton Green, York, dated 26 June 2017
354. Letter from occupier of 57 Devonshire Road, Palmers Green, dated 26 June 2017
355. Letter from occupier of 48 ROSAMOND ROAD, BEDFORD, dated 26 June 2017
356. Letter from occupier of 33 Laurel Bank Road, Enfield, dated 26 June 2017
357. Letter from occupier of 40 Martingale Way, Portishead, dated 26 June 2017
358. Letter from occupier of 95 Stonegate, Hunmanby, dated 26 June 2017
359. Letter from occupier of 40 Lammas Road, Coventry, dated 26 June 2017
360. Letter from occupier of Overbrook Farm, Poolbridge Road, Blackford, dated 26 June 2017
361. Letter from occupier of 27 Church Street, South Brent, dated 26 June 2017
362. Letter from occupier of 19 Kent House, 85 London Wall, dated 26 June 2017
363. Letter from occupier of Harrow, Harrow, dated 26 June 2017
364. Letter from occupier of Grange House, Selwyn Gardens, dated 26 June 2017
365. Letter from occupier of 56 tuddenham avenue, Ipswich, dated 26 June 2017
366. Letter from occupier of 7 Izaak Walton Way, Cambridge, dated 26 June 2017
367. Letter from occupier of 1 Hadlow Close, Oakwood Park, dated 6 July 2017
368. Letter from occupier of 1 Hadlow Close, Oakwood Park, dated 26 June 2017

369. Letter from occupier of 4 Walton Crescent, Oxford, dated 26 June 2017
370. Letter from occupier of 75 Albion Road, London, dated 27 June 2017
371. Letter from occupier of 155 Filton Avenue, Bristol, dated 27 June 2017
372. Letter from occupier of 81 Thorhill Road, Thames Ditton, dated 26 June 2017
373. Letter from occupier of 2 Etherow Street, London, dated 26 June 2017
374. Letter from occupier of 86 Hurstbourne Road, London, dated 26 June 2017
375. Letter from occupier of 6 the avenue, Liphook, dated 26 June 2017
376. Letter from occupier of 29 Auden Place, London, dated 25 July 2017
377. Letter from occupier of 29 Auden Place, London, dated 26 June 2017
378. Letter from occupier of 7, Bearton Green, dated 26 June 2017
379. Letter from occupier of 16 post office square, Tunbridge wells, dated 26 June 2017
380. Letter from occupier of 10 greenside, Heaton mersey, dated 26 June 2017
381. Letter from occupier of 22 Lewis Road, Birmingham, dated 26 June 2017
382. Letter from occupier of 17 Winchester Avenue, London, dated 26 June 2017
383. Letter from occupier of 48 Jedburgh Street, London, dated 6 July 2017
384. Letter from occupier of 48 Jedburgh Street, London, dated 26 June 2017
385. Letter from occupier of Manor Cottage, Hampton Gay, dated 26 June 2017
386. Letter from occupier of 14 Caldecott Road, Abingdon, dated 26 June 2017
387. Letter from occupier of 618 Wilmslow Road, Manchester, dated 26 June 2017
388. Letter from occupier of 85 South view rd, London, dated 26 June 2017
389. Letter from occupier of 42 Telscombe Cliffs Way, Telscombe Cliffs, dated 26 June 2017
390. Letter from occupier of 1 Court Road, Kings Worthy, dated 26 June 2017
391. Letter from occupier of 45 Heathfield North, London, dated 26 June 2017
392. Letter from occupier of Flat 5, 38 Claverton Street, dated 26 June 2017
393. Letter from occupier of 4 Rogers Street, Oxford, dated 26 June 2017
394. Letter from occupier of 50 Graham Road, Mitcham, dated 26 June 2017
395. Letter from occupier of 12 Pasquier road, London, dated 26 June 2017
396. Letter from occupier of 89 Shorts Way, Rochester, dated 26 June 2017
397. Letter from occupier of 9 Mayford Road, London, dated 26 June 2017
398. Letter from occupier of 2 emperor court, Canterbury, dated 26 June 2017
399. Letter from occupier of 4 Lawn Vale, Pinner, dated 26 June 2017
400. Letter from occupier of 40 Blairbeth Road, Rutherglen, dated 26 June 2017
401. Letter from occupier of 30 Beacon Hill, Herne Bay, dated 26 June 2017
402. Letter from occupier of 7 Coulter Roaf, Greenhill, dated 26 June 2017
403. Letter from occupier of 50 Burma Road, London, dated 26 June 2017
404. Letter from occupier of 6 Methley st, London, dated 26 June 2017
405. Letter from occupier of 16 Easter Inch Steading, Bathgate, dated 26 June 2017
406. Letter from occupier of 17 Grosvenor Avenue, bruche, dated 26 June 2017
407. Letter from occupier of 75A Torriano Avenue, London, dated 26 June 2017
408. Letter from occupier of Flat 2, 26 Beaconsfield Rd, dated 26 June 2017
409. Letter from occupier of 33 Higher Shapter Street, Topsham, dated 26 June 2017
410. Letter from occupier of 79 Kendal Road, London, dated 26 June 2017
411. Letter from occupier of 46 Marlborough Close, Littlemore, dated 26 June 2017
412. Letter from occupier of 11, Whittle Close, dated 26 June 2017
413. Letter from occupier of 2 Giesbach Road, London, dated 26 June 2017
414. Letter from occupier of 4 Leek Road, Congleton, dated 26 June 2017
415. Letter from occupier of 3 Tudor Close, Old Coulsdon, dated 26 June 2017
416. Letter from occupier of 17 The Galleries, Dovecot Rd, High Wycombe, dated 26

June 2017

417. Letter from occupier of 17 Newell St, London, dated 27 June 2017
418. Letter from occupier of 5 Bergen house, London, dated 27 June 2017
419. Letter from occupier of 50 Hockley Rd, Rayleigh, dated 26 June 2017
420. Letter from occupier of flottbrovägen 32, stockholm, dated 26 June 2017
421. Letter from occupier of 8 Regis Court, Hull, dated 26 June 2017
422. Letter from occupier of The Pharmacy, Nea Skioni, dated 27 June 2017
423. Letter from occupier of 17 De Montfort Road, Lewes, dated 27 June 2017
424. Letter from occupier of Downholme, Darlington Road, dated 27 June 2017
425. Letter from occupier of 67 St Dunstons Road, Hanwell, dated 27 June 2017
426. Letter from occupier of 37 pearl close, Cambridge, dated 26 June 2017
427. Letter from occupier of 7 Woodside Close,, Storrington, dated 26 June 2017
428. Letter from occupier of 9 Eastgate Gardens, Guildford, dated 26 June 2017
429. Letter from occupier of 3, White Oak Close, dated 26 June 2017
430. Letter from occupier of 19 Seacroft Gate, Leeds, dated 27 June 2017
431. Letter from occupier of 21 Dumaine Avenue, Stoke Gifford, dated 27 June 2017
432. Letter from occupier of 6 Chestnut Walk, Stevenage, dated 26 June 2017
433. Letter from occupier of 13 Southwood Hall, Muswell Hill Road, dated 27 June 2017
- 2017
434. Letter from occupier of 22 barley mead, Danbury, dated 27 June 2017
435. Letter from occupier of 3 Gullimans Way, LEAMINGTON SPA, CV31 1LA, UNITED KINGDOM, Leamington Spa, dated 27 June 2017
436. Letter from occupier of 27 St James Ave, Ealing, dated 27 June 2017
437. Letter from occupier of 50 Canfield Gardens, Flat 4, dated 27 June 2017
438. Letter from occupier of 144a, Bravington Road, dated 27 June 2017
439. Letter from occupier of 5 Alexandra rd, Bath, dated 27 June 2017
440. Letter from occupier of 612 Courtenay House, 9 New Park Road, dated 28 June 2017
- 2017
441. Letter from occupier of 35 Bideford Road, Offerton, dated 28 June 2017
442. Letter from occupier of 36 St Gregory's Avenue, Salisbury, dated 28 June 2017
443. Letter from occupier of 74, Kingsdown Avenue, dated 26 June 2017
444. Letter from occupier of 103 Harberton Road, London, dated 28 June 2017
445. Letter from occupier of 12 Villiers Road, Bristol, dated 28 June 2017
446. Letter from occupier of 15 Corrie Road, Cambridge, dated 28 June 2017
447. Letter from occupier of 67 Soleme Road, Norwich, dated 29 June 2017
448. Letter from occupier of 69 Mill Road, Lincoln, dated 29 June 2017
449. Letter from occupier of Flat 5, 32 Peckham hill street, dated 29 June 2017
450. Letter from occupier of Stableside House, 36 Southborough Road, dated 29 June 2017
- 2017
451. Letter from occupier of Apt 6, Bardon Lodge, 17 Stratheden Road, dated 26 June 2017
- 2017
452. Letter from occupier of 397 Oakleigh Road North, Whetstone, dated 26 June 2017
- 2017
453. Letter from occupier of Rydon Lawns, Old Rydon Lane, dated 26 June 2017
454. Letter from occupier of 8, Cressener Terrace, dated 26 June 2017
455. Letter from occupier of Flat 1, 349 Norwood Road, dated 26 June 2017
456. Letter from occupier of 4 Woodbine Place, Oxford, dated 26 June 2017
457. Letter from occupier of Byng Road, Barnet, dated 26 June 2017
458. Letter from occupier of 231A Blackstock Rd, Highbury, dated 26 June 2017
459. Letter from occupier of Flat 8, 20-26 Flint Street, dated 26 June 2017

460. Letter from occupier of 9 Hanover Close, Cheam, dated 29 June 2017
461. Letter from occupier of 6b Rosemary Hill, Kenilworth, dated 29 June 2017
462. Letter from occupier of Apartment 40, 1 Jersey Street, dated 29 June 2017
463. Letter from occupier of Flat 10 Myatts Field Court, 18 McDowall road, dated 29 June 2017
464. Letter from occupier of 3 Wenlock Road, London, dated 26 June 2017
465. Letter from occupier of The Manor, Manor Lane, dated 26 June 2017
466. Letter from occupier of 14b north side wandsworth common, london, dated 26 June 2017
467. Letter from occupier of 123 Shepherdess Walk, Hoxton, dated 26 June 2017
468. Letter from occupier of 3 gorsewood close, Liverpool, dated 26 June 2017
469. Letter from occupier of 4 Broadway, Cheadle, dated 26 June 2017
470. Letter from occupier of 26 Slatelands Road, Glossop, dated 27 June 2017
471. Letter from occupier of 15 Cloudesley Square, London, dated 27 June 2017
472. Letter from occupier of 22 Richmond Park Road, London, dated 28 June 2017
473. Letter from occupier of 11 Morton Grange Terrace, Fencehouses, dated 26 June 2017
474. Letter from occupier of Flat 4 Oak House, 6 Carlton Drive, Putney, dated 28 June 2017
475. Letter from occupier of 38yorknRoad, Bury St edmunds, dated 28 June 2017
476. Letter from occupier of 59 Main Street, Newmill, dated 27 June 2017
477. Letter from occupier of 1-5 Lambeth Road, International House, dated 27 June 2017
478. Letter from occupier of 88 Boxalls Lane, Aldershot, dated 26 June 2017
479. Letter from occupier of 143 Holloway Road, Maldon, dated 26 June 2017
480. Letter from occupier of Flat 94 Coleman Court, Kimber Road, dated 29 June 2017
481. Letter from occupier of 13 Moss Bank, Cambridge, dated 26 June 2017
482. Letter from occupier of Manchester Metropolitan University, Wilson 1.5. Cheshire Campus, dated 26 June 2017
483. Letter from occupier of 42 Tremadoc Road, London, dated 28 June 2017
484. Letter from occupier of 42 G Aberdeen Park, London, dated 30 June 2017
485. Letter from occupier of 27 Cross Road, Bromley, dated 30 June 2017
486. Letter from occupier of Hannington, Eastfield Lane, dated 30 June 2017
487. Letter from occupier of 8, 317 Essex Rd, London, dated 30 June 2017
488. Letter from occupier of 8, Kemsley Court, Rathgar Avenue, dated 26 June 2017
489. Letter from occupier of 16 Victoria Road, Addlestone, dated 26 June 2017
490. Letter from occupier of 30 Ritchings Ave, London, dated 30 June 2017
491. Letter from occupier of 36 empress avenue, Woodford Green, dated 30 June 2017
492. Letter from occupier of 10 Brackendale, Potters Bar, dated 30 June 2017
493. Letter from occupier of 6 quayside walk, Marchwood, dated 30 June 2017
494. Letter from occupier of 11 Parklands Avenue, Birmingham, dated 30 June 2017
495. Letter from occupier of Albany Castle, London, dated 30 June 2017
496. Letter from occupier of Hillsborough, Landcross, dated 30 June 2017
497. Letter from occupier of 1 west view, North cliffe, dated 26 June 2017
498. Letter from occupier of 1a Tudor Drive, Otford, dated 26 June 2017
499. Letter from occupier of 33 Bramble Rise, Brighton, dated 26 June 2017
500. Letter from occupier of 12 Martins Close, Alton, dated 26 June 2017
501. Letter from occupier of 14 Walkerscroft mead, London, dated 26 June 2017

502. Letter from occupier of 109a Alexandra park rd, London, dated 26 June 2017
503. Letter from occupier of 20 Ulleswater Road, Southgate, dated 30 June 2017
504. Letter from occupier of Crossways Corner, Crossways, dated 1 July 2017
505. Letter from occupier of 5 Rosecroft Gdns, Dollis Hill, dated 1 July 2017
506. Letter from occupier of 18C Elphinstone Road, Southsea, dated 1 July 2017
507. Letter from occupier of 25 Delphinium Road, Newport, dated 1 July 2017
508. Letter from occupier of 11 Marigold Walk, Bristol, dated 2 July 2017
509. Letter from occupier of 50 Dinorben Close, Fleet, dated 2 July 2017
510. Letter from occupier of 346 Barnacres Road, Nash Mills, dated 3 July 2017
511. Letter from occupier of 93 Great North Road, Newcastle upon Tyne, dated 6 July 2017
512. Letter from occupier of 34 Old Broadway, Didsbury, dated 6 July 2017
513. Letter from occupier of 3 Clarence Gardens, Leeds, dated 5 July 2017
514. Letter from occupier of The Museum of London, 150 London Wall, dated 31 July 2017
515. Letter from occupier of 13 Woodside, Hexham, dated 6 July 2017
516. Letter from occupier of 26 CAMROSE DRIVE, Waunarlwydd, dated 13 July 2017
517. Letter from occupier of 208 Wingrove Road, Newcastle upon Tyne, dated 6 July 2017
518. Letter from occupier of 14 Thornash Road, Horsell, dated 10 July 2017
519. Letter from occupier of Foster Clough, Height Road, dated 4 July 2017
520. Letter from occupier of Maesyrafon, Upper t. Mary Street, dated 4 July 2017
521. Letter from occupier of 11 Victoria Avenue, Newcastle upon Tyne, dated 7 July 2017
522. Letter from occupier of 54 Highgate Hill, London, dated 4 July 2017
523. Letter from occupier of 152 metro central heights, 119 newington causeway, dated 4 July 2017
524. Letter from occupier of 130, Liverpool Road, dated 9 July 2017
525. Letter from occupier of 18 Hale Street, Cambridge, dated 5 July 2017
526. Letter from occupier of 7 The Uplands, Newcastle Upon Tyne, dated 6 July 2017
527. Letter from occupier of 37 Watkins Court, Old Mill Close, dated 4 July 2017
528. Letter from occupier of 5 Carriage House, 88 Randolph Ave, dated 4 July 2017
529. Letter from occupier of 712 Fulham Road, London, dated 4 July 2017
530. Letter from occupier of 317 Wingrove Road North, Newcastle, dated 6 July 2017
531. Letter from occupier of 16 Victoria Road, Addlestone, dated 30 July 2017
532. Letter from occupier of rosebank, cow rd, dated 4 July 2017
533. Letter from occupier of 17 Woodberry Down Way, Lyme Regis, dated 14 July 2017
534. Letter from occupier of 88 Eastfield Avenue, YORK, dated 6 July 2017
535. Letter from occupier of 5 Stoneyhurst Road West, Gosforth, dated 6 July 2017
536. Letter from occupier of Flat 2, 107 Church Road, dated 4 July 2017
537. Letter from occupier of Transport For London, Palestra, 5Bl,, dated 2 August 2017
538. Letter from occupier of 82 Ribblesdale Road, Nottingham, dated 4 July 2017
539. Letter from occupier of Burlington House, Piccadilly, London , dated 8 August 2017
540. Letter from occupier of MV Lunenberg, South Dock Marina, Rope Street, dated 3 July 2017
541. Letter from occupier of Flat 411, 41 Old Birley Street, dated 6 July 2017
542. Letter from occupier of 11, Maltward Avenue, Bury St Edmunds, dated 7 July 2017

2017

- 543. Letter from occupier of 22 Victoria Square, London, dated 27 July 2017
- 544. Letter from occupier of 2 Thatched Cottages, Coldwaltham, dated 3 July 2017
- 545. Letter from occupier of 16A Wyleu Street, Forest Hill, dated 5 July 2017
- 546. Letter from occupier of House Of Commons, London , dated 18 July 2017
- 547. Letter from occupier of 59 bedford st, oxford, dated 31 July 2017
- 548. Letter from occupier of 49 Grange Loan, Edinburgh, dated 11 July 2017
- 549. Letter from occupier of 148 Bream Close, London, dated 4 July 2017
- 550. Letter from occupier of St John's College, Oxford, dated 20 July 2017
- 551. Letter from occupier of Flat 1, 25 Maiden Lane, dated 28 August 2017
- 552. Letter from occupier of Flat 1, 25 Maiden Lane, dated 28 August 2017
- 553. Letter from occupier of 4 Woodend Avenue, Aberdeen, dated 16 July 2017
- 554. Letter from occupier of 5 Bankside Close, Sunderland, dated 22 August 2017
- 555. Letter from occupier of 80 Stafford Road, Sheffield, dated 31 August 2017
- 556. Letter from occupier of 57 Sprules Road, London, dated 9 July 2017
- 557. Letter from occupier of 20 Broadwater Avenue, Letchworth Garden City, dated 27

July 2017

- 558. Letter from occupier of 30, BEACON HILL,, dated 4 July 2017
- 559. Letter from occupier of 7, Hartland Road, dated 4 July 2017
- 560. Letter from occupier of 19 sunnyfield, mill hill, dated 4 July 2017
- 561. Letter from occupier of 7 Wheatlands Rd, London, dated 8 July 2017
- 562. Letter from occupier of 3 Stonehill Close, Bromyard, dated 4 July 2017
- 563. Letter from occupier of 30 Springcroft Avenue, East Finchley, dated 17 July 2017
- 564. Letter from occupier of 32 Milton Road, London, dated 3 July 2017
- 565. Letter from occupier of 213 Chase Side, Southgate, dated 4 July 2017
- 566. Letter from occupier of 205 Boston Manor Road, London, dated 11 July 2017
- 567. Letter from occupier of 7 Prospect Rd, St Albans, dated 6 July 2017
- 568. Letter from occupier of 11 Cherwell Street, Oxford, dated 4 July 2017
- 569. Letter from occupier of 30, Beacon Hill, dated 4 July 2017
- 570. Letter from occupier of Times Central, Gallowgate, dated 6 July 2017
- 571. Letter from occupier of 29 CHOLMELEY LODGE, CHOLMELEY PARK, dated 17

July 2017

- 572. Letter from occupier of 22 Heath Rise, Kersfield Road, dated 4 July 2017
- 573. Letter from occupier of 3 Stratford Grove, Newcastle, dated 6 July 2017
- 574. Letter from occupier of 3 Beatrice Road, London, dated 4 July 2017
- 575. Letter from occupier of 35 Suffolk Road, Barnes, dated 4 July 2017
- 576. Letter from occupier of 1 Beauchamp Building, Brookes Market, dated 28 August

2017

- 577. Letter from occupier of 7 Woodside Close, Storrington, dated 4 July 2017
- 578. Letter from occupier of 128 Langley Road, Watford, dated 28 August 2017
- 579. Letter from occupier of 33 Heathfield Road, Bushey, dated 10 July 2017
- 580. Letter from occupier of 85 Studley Grange Road, London, dated 5 July 2017
- 581. Letter from occupier of Hunt Cottage, Birchall Moss Lane, Hatherton, dated 4

July 2017

- 582. Letter from occupier of Apartment 12, 5 Bewley Street, dated 4 July 2017
- 583. Letter from occupier of 13 Silver Street, Newport Pagnell, dated 4 July 2017
- 584. Letter from occupier of 35 Stone Hill, St Neots, dated 3 July 2017
- 585. Letter from occupier of 43 Lady Somerset Road, London, dated 24 July 2017
- 586. Letter from occupier of 42 Southcourt Avenue, Leighton Buzzard, dated 25

August 2017

587. Letter from occupier of 50 Burma Road, London, dated 5 July 2017
588. Letter from occupier of Blencathra House, Blencathra Court, St Mary Park, dated 6 July 2017
589. Letter from occupier of SAPL, Newcastle University, Newcastle, dated 6 July 2017
590. Letter from occupier of 1 Woodland Park North,, Lambeg,, dated 4 July 2017
591. Letter from occupier of 1 St Nicholas Drive, St. Nicholas Drive, dated 6 July 2017
592. Letter from occupier of 34 Fenham Road, Newcastle-upon-Tyne, dated 6 July 2017
593. Letter from occupier of 27 Priory Avenue, Henleaze, dated 5 July 2017
594. Letter from occupier of 65 Albert Rd, London, dated 12 July 2017
595. Letter from occupier of 35 Park Lane, Thatcham, dated 12 July 2017
596. Letter from occupier of 59 Vespan Road, London, dated 6 July 2017
597. Letter from occupier of 32 Highfield Crescent, Bilton, dated 7 July 2017
598. Letter from occupier of 23 Sandringham Drive, Whitley Bay, dated 6 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: **JULIA ASGHAR** BY EMAIL AT jasghar@westminster.gov.uk

7. KEY DRAWINGS

Nelson Mandela (1918-2013)
Anti-apartheid activist with the ANC, initially committed to peaceful protest following the inspiration of Gandhi. South Africa's first black President. Sculptor: Ian Walters (erected in 2007)

Sir Robert Peel (1789-1850)
Prime Minister, Home Secretary and founder of the Metropolitan Police. Sculptor: Matthew Noble. Listed Grade II (erected in 1878 and moved to this position by Grey Wormon in 1949).

Mahatma Gandhi (1869-1948)
Employing non-violent civil disobedience against British rule, Gandhi led India to independence and inspired movements for civil rights and freedom across the world. Sculptor: Philip Jackson. (erected in 2014).

Benjamin Disraeli (1804-1881)
Leader of the House, Prime Minister, Chancellor of the Exchequer. Sculptor: Mario Raggi. Listed Grade II (erected in 1883 and moved in 1948 to this position by Grey Wormon).

Proposals:
New memorial statue of Suffragist Millicent Fawcett (1847-1929). English feminist, intellectual, writer and political and union leader. Primarily known for her work as a campaigner for women's rights and for women to have the vote. Sculptor: Gillian Wearing.

Scale comparison of the proposals with the existing statues along the west side of Parliament Square Gardens

Donald Insall Associates
Chartered Architects and Historic Building Consultants
12 Devonshire Street, London W1G 7AB
T: (0)20 7460 6000 www.insallassociates.co.uk

**WOMEN'S SUFFRAGE MEMORIAL
PARLIAMENT SQUARE GARDENS
LONDON SW1**

Scale comparison of the proposals with the existing statues along the west side of Parliament Square Gardens

Drawing Status
P Feasibility M Working Drawing
S Scheme Design B Measurement
D Design T Tender
R Planning C Construction
F Building Control R Revised

Project No.
SSPS 2103

Scale Status Rev
(A2) 1: 1 | 3 | 4 P 1

EAST ELEVATION

Women's Suffrage Memorial, Parliament Square Gardens, SW1

In keeping with the existing bronze statues in Parliament Square, the proposed life and a half scale bronze statue of Millicent Garrett Fawcett will be created using the lost-wax casting process.

The creation of the model (which will be moulded for casting) will bring together twenty-first century technology with traditional craftsmanship. For the body of the sculpture a photogrammetric system that utilises high resolution cameras to scan and capture an image in three dimensions, will be used. A CAD file will be made from the images and the surfaces re-topologised with a digital sculpting programme which will bring out the richer details of the fabric from the scanned image. This CAD file will be printed in three dimensions over several weeks on one of the largest printers in the world.

In preparation for scanning and after deciding on the type of clothes Millicent Fawcett would wear, Gillian Wearing selected an award winning dress designer and costume historian to undertake the design and making of a day suit, acknowledging the fact women wore tailored or hand-made clothes at the beginning of the twentieth century. The clothes were made to fit a person of a similar type of body to Millicent. Wearing was then able to create the pose and arrange the clothes sculpturally, with an eye to how they would look in the finished sculpture. Wearing wanted something original of Millicent's to be on the statue. The Fawcett Society loaned her a brooch that had been presented to Millicent in 1913 by the National Union of Women's Suffrage Societies when she was the president. The brooch was scanned and cast in bronze and it is clearly visible on the lapel of Millicent's jacket.

The head, face and hair will be crafted from clay by one of the UK's most highly regarded figurative sculptors working from archival photography of Fawcett.

The scan of the hands in the CAD file will be replaced by a scan of Wearing's own hands, manipulated to resemble Fawcett's hands.

The banner (which has been stitched to bear Fawcett's own words before being scanned) will be made separately and fixed securely in position afterwards. The composite life and a half scale model will then be finished by hand in preparation for moulding, casting and patination.

Those who supported and were instrumental in the pursuit of universal suffrage, will be commemorated by having their named portrait photographs machine etched on to a band of black granite surrounding the plinth, on all four faces.

MILICENT GARRETT FAWCETT

incription in granite face not coloured.

WEST ELEVATION

NORTH ELEVATION / SECTION

Bronze plate, surface drained to rear elevation of plinth.

Named portrait photographs of those who supported and were instrumental in the pursuit of universal suffrage, machine etched on to bands of black granite, set into all four faces of the new granite plinth (granite to be similar to that used on the existing granite plinth for the Viscount Palmerston statue, nearby).

New Portland stone planter wall.
New 300mm high Portland stone blocks.

Donald Insall Associates
12 Devonshire Street, London W1G 7AB
T: (0)20 7460 6000 www.insallassociates.co.uk

WOMEN'S SUFFRAGE MEMORIAL, PARLIAMENT SQUARE GARDENS

Images of the Suckers' Magazine of the Proposed Sculpture

Rev: 0000 No: 3001
Scale: 1: 20 Rev: 1

DRAFT DECISION LETTER

Address: Open Space, Parliament Square, London, SW1A 0AA,

Proposal: Erection of a A Women's Suffrage memorial in the form of a bronze statue of non-militant Suffragist Millicent Fawcett, by Gillian Wearing.

Reference: 17/05490/FULL

Plan Nos: 1001, 1101, 1201, 4001, 4002, 4003, 2001(rev 1), 2102 (rev 1), 2103 (rev 1), 2101 (rev 1), 2201 (rev 1) and 3001 (rev 1)

Case Officer: David Clegg

Direct Tel. No. 020 7641 3014

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 apply to us for approval of samples of the stone you will use. 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 using these materials.

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 Westminster Abbey and Parliament Square 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)

- 3 Pre-Commencement Condition: You must apply to us for approval of a tree survey, tree constraints plan and arboricultural implications assessment for the adjacent London Plane tree. You must not start any work until we have approved what you have sent us. You must then carry out the works in accordance with the approved details.

Reason:

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

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

- 4 Pre-Commencement Condition: You must apply to us for approval of detailed plans and methodology showing the depth, specification and means of construction of the proposed foundations showing any impact on the roots of the adjacent London Plane tree. You must not start any work until we have approved what you have sent us. The works must then be carried out in accordance with these details.

Reason:

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

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 With regard to condition 3 of this permission, the applicant should have reference to BS5837:2012 Trees in relation to design, demolition and construction - recommendations.

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.
02

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	Parliament Square, London, SW1P 3JX,		
Proposal	A memorial to Emmeline Pankhurst in the form of a bronze statue on stone plinth set within the existing memorials on the west side of Parliament Square Gardens.		
Agent	Mr O'Connor		
On behalf of	Sir Neil Thorne		
Registered Number	17/04187/FULL	Date amended/ completed	27 June 2017
Date Application Received	12 May 2017		
Historic Building Grade	Unlisted		
Conservation Area	Westminster Abbey And Parliament Square		

1. RECOMMENDATION

- | |
|---|
| <ol style="list-style-type: none"> 1. Does the Committee agree that the particular circumstances of this proposal do not constitute “an exceptionally good reason” to justify a departure from the Council’s presumption against new memorials in this part of the City as set out in the “Statues and Monuments in Westminster” Supplementary Planning Document (2008). 2. Subject to 1 above, refuse planning permission. |
|---|

2. SUMMARY

<p>This proposal is for the erection of a statue of Emmeline Pankhurst on Canning Green in Parliament Square. Parliament Square is in the Westminster Abbey and Parliament Square Conservation Area and is an Area of Special Archaeological Priority. It adjoins the Palace of Westminster, Westminster Abbey and Church of St Margaret World Heritage Site. The buildings around the Square are all listed, many of them being of outstanding international importance. The Square, itself, is included in the English Heritage Register of Parks and Gardens of Special Historic Interest at Grade II.</p> <p>The proposed statue is by Angela Connor FRSS who is a very experienced sculptor with an international reputation. The statue will be cast in bronze and is described by the proposer as “pushing against the wind undeflected in the journey to her final goal “Votes for women.” The figure would be placed upon a large, elaborate plinth some 8.1m high. While the scale of this is significant, it is of a similar scale to the plinths of Lincoln and Canning, the two adjacent statues on Canning Green. The statue itself would be double life size (3.4m), again similar to the adjacent figures. Some of the details of the plinth are quite intricate and it is considered that a more simple treatment to the</p>

plinth would better suit the character of the area and other statues nearby. Were permission to have been recommended favourably, a condition could have been attached requiring amendments to the detailed plinth design. A maquette will be available to view at the Committee meeting.

The location on Canning Green is midway between the existing statues of Canning and Lincoln and while there appears to be sufficient space for a statue of this scale, there would be some potential impact on adjacent trees. The Council's Arboricultural Officer has raised some concern about the impact on these trees but considers that subject to further details of the tree impact and foundation design, it should be possible to protect the retained trees.

Policy DES 7 of the UDP generally welcomes public art and statuary within the City. However, the unprecedented demand for statues and monuments in recent years has led to an over-concentration of memorials in parts of the City and suitable locations are becoming increasingly difficult to find. The Council's Supplementary Planning Document "Statues and Monuments in Westminster" provides guidance for the erection of new monuments. It identifies a Monument Saturation Zone, covering most of Whitehall and St James's, where applications for new statues and monuments will not be permitted unless there is an exceptionally good reason. Parliament Square falls within this zone.

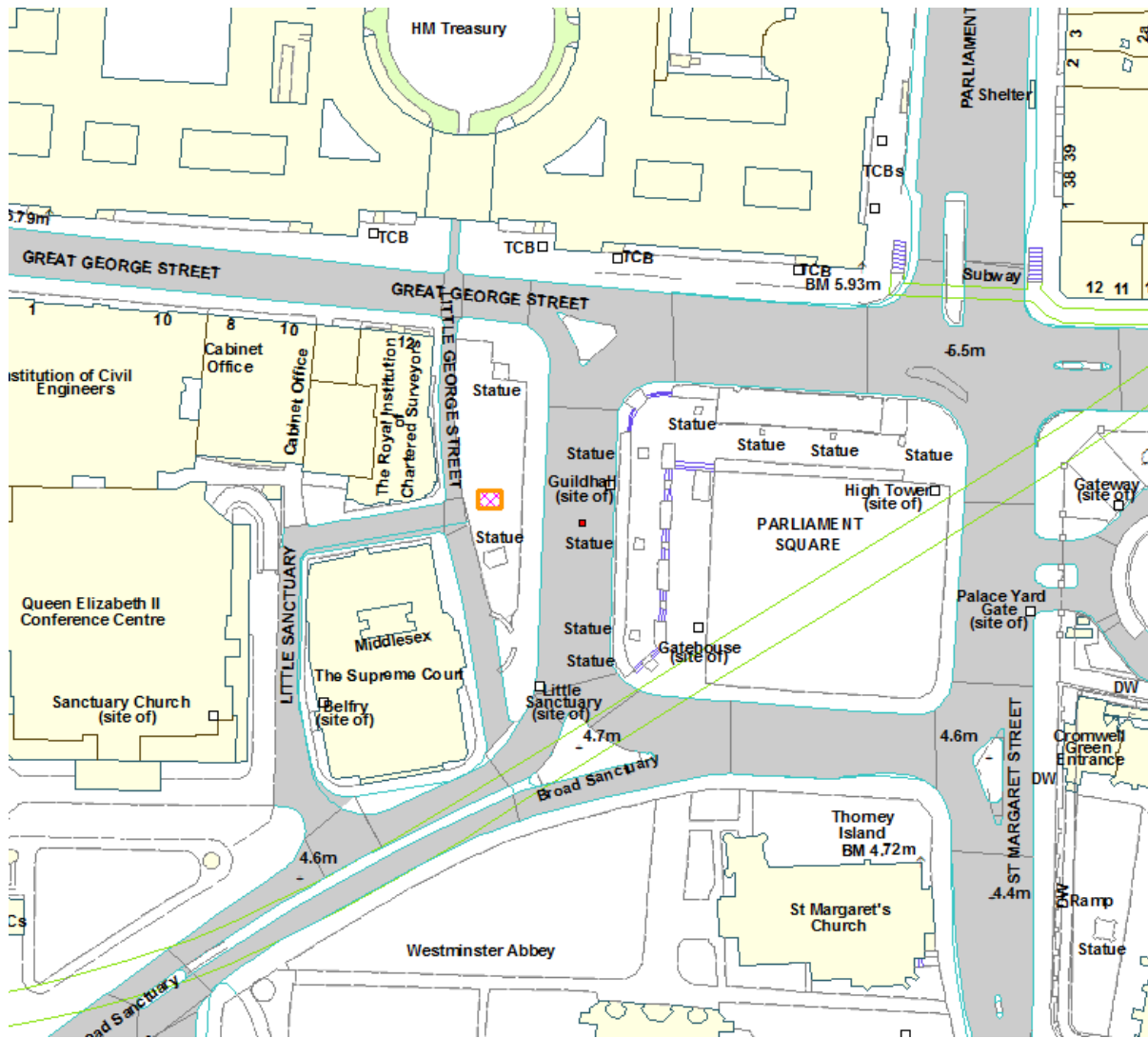
The proposed statue should therefore only proceed if there is an "exceptionally good reason" to justify exemption to our normal guidance. It is considered, in this case, that the site on Canning Green is one that could accommodate a statue of this scale without any adverse impact on the Square or its surroundings. It is also considered that this is probably the last available space for a new monument/statue in Parliament Square.

However, with regard to the subject matter, there is concern that it duplicates other nearby monuments that commemorate the same cause (Votes for Women) and the same person (Emmeline Pankhurst). On the basis that the Committee have consented to approve the statue to Millicent Fawcett, this proposal would be the second statue to the Suffrage Movement in the Square. There is also an existing statue to Emmeline Pankhurst in Victoria Tower Gardens which is listed grade II. Given the extreme scarcity of locations suitable for statues and monuments within the Saturation Zone and particularly within Parliament Square, it is considered that there is insufficient justification to allow another monument to the same cause and person as other nearby monuments. It is Officer's considered opinion that the Millicent Fawcett statue proposed for the central Square is the more considered proposal and that that site is more high profile and appropriate for the important subject being commemorated. It's location alongside the other Civil Rights activists, Mandela and Gandhi, seems highly appropriate. For this reason, it is not considered that the proposed monument constitutes an "exceptionally good reason" for overturning the Council's normal policy guidance.

The site at Canning Green is managed and maintained by Royal Parks and the proposers of the statue will have to get the consent and agree ongoing maintenance with the Royal Parks if the application is approved. There is no financial implication for the City Council.

The proposal has received 118 letters of support.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

COUNCILLOR FLIGHT

Supports the proposal.

GREATER LONDON AUTHORITY

Any response will be reported verbally.

HISTORIC ENGLAND

Any response will be reported verbally.

HISTORIC ENGLAND (ARCHAEOLOGY)

No objection.

WESTMINSTER SOCIETY

Any response will be reported verbally.

THE GARDENS TRUST

No objection.

THE DESIGN COUNCIL

Any response will be reported verbally.

HIGHWAYS PLANNING

No objection.

ARBORICULTURAL MANAGER

No objection, subject to conditions.

CRIME PREVENTION DESIGN ADVISOR

Any response will be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 0

Total No. of replies: 118

No. of objections: 0

No. in support: 118

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND PAPERS

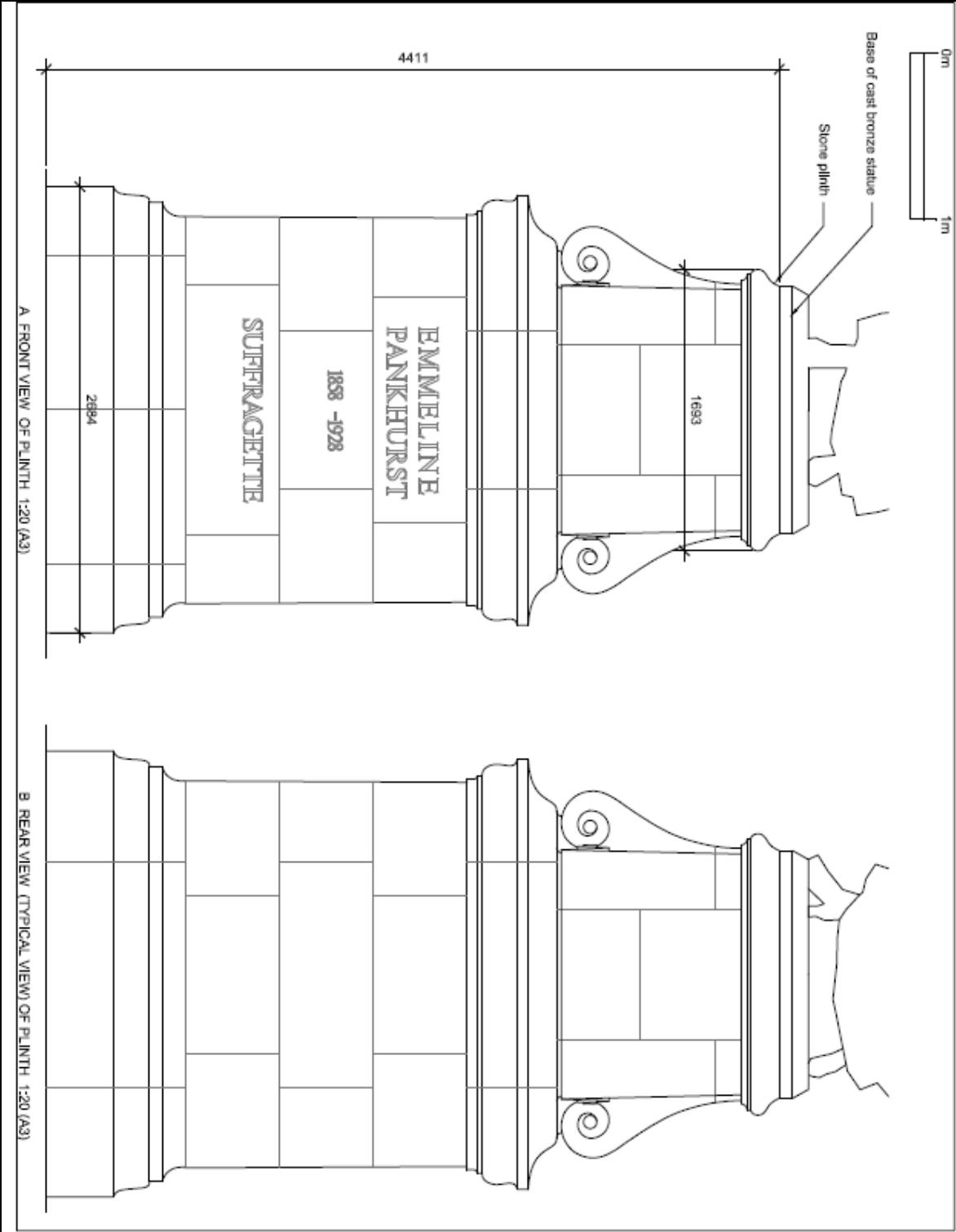
1. Application form
2. Letter from occupier of 21 The Green, London, dated 17 August 2017
3. Letter from occupier of 55 Worksop Rd, Thorpe Salvin, dated 31 July 2017
4. Letter from occupier of 11 Edinburgh Avenue, Leigh-on-Sea, dated 11 August 2017
5. Letter from occupier of 63 Herbert Street, Hemel Hempstead, dated 14 August 2017
6. Letter from occupier of 3 Clarence Gate, Woodford Green, dated 29 July 2017
7. Letter from occupier of 3 Lifstan Walk, Southend, dated 10 August 2017
8. Letter from occupier of Auf dem Baennjerrueck 17, Kaiserslautern, dated 11 August 2017
9. Letter from occupier of 15 Priory Mews, Hornchurch, dated 2 August 2017
10. Letter from occupier of 87 Stambridge Road, Rochford, dated 14 August 2017
11. Letter from occupier of 48 Seren Park Gardens, London, dated 9 August 2017
12. Letter from occupier of 26 SHAKESPEARE AVENUE, RAYLEIGH, dated 23 August 2017
13. Letter from occupier of 107 Shimbrooks, Great Leighs, dated 9 August 2017
14. Letter from occupier of 32Chalklands, Sandon, dated 3 August 2017
15. Letter from occupier of 4 Normill Terrace, Aylesbury Road, dated 10 August 2017
16. Letter from occupier of 4 normill terrace, aylesbury road, dated 10 August 2017
17. Letter from occupier of 16 Doddinghurst Road, Brentwood, dated 10 August 2017
18. Letter from occupier of George & Dragon Hall, Mary Place, dated 11 August 2017
19. Letter from occupier of Caldwell grange care home, Donnithorne avenue, dated 12 August 2017
20. Letter from occupier of 61 Dunstans Rd, London, dated 14 August 2017
21. Letter from occupier of 81 Gillespie Road, London, dated 14 August 2017
22. Letter from occupier of 29 Copperfields, Laindon, dated 9 August 2017
23. Letter from occupier of 35 Coolgardie Avenue, Highams Park, dated 10 August 2017
24. Letter from occupier of 10 Sunnybank, Edenthorpe, dated 11 August 2017
25. Letter from occupier of 16, King Edward Street, dated 11 August 2017
26. Letter from occupier of 18 Pinewood Gardens, Hemel Hempstead, dated 14 August 2017
27. Letter from occupier of 66 Lambourne Rd, Chigwell Row, dated 16 August 2017
28. Letter from occupier of 126 southend arterial road, romford, dated 2 August 2017
29. Letter from occupier of 24 Gowan Avenue, London, dated 7 August 2017
30. Letter from occupier of Flat 1, 1 Victoria Street, dated 10 August 2017
31. Letter from occupier of 3 Buckingham Mews, Westminster, dated 7 August 2017
32. Letter from occupier of 5 MAYPHIL PARK, HAWK HILL, dated 11 August 2017
33. Letter from occupier of Burn House, Middlebie, dated 14 August 2017
34. Letter from occupier of 4 Pollington Place, Chapel Green, dated 14 August 2017
35. Letter from occupier of DBC, The Forum, dated 17 August 2017
36. Letter from occupier of 3 St Ann's Villas, Holland Park, dated 11 August 2017
37. Letter from occupier of Rosebank, 102 Main Road, Wigginton, dated 14 August 2017
38. Letter from occupier of 6 St Marks Road, Hadleigh, dated 23 August 2017
39. Letter from occupier of 67B Brookvale Ave, COVENTRY, dated 2 August 2017
40. Letter from occupier of Flat 2, 134 Elgin Avenue, dated 7 August 2017
41. Letter from occupier of 101 Gloucester Terrace, London, dated 8 August 2017
42. Letter from occupier of Woldstone, 21Marston Meysey, dated 16 August 2017
43. Letter from occupier of 1 Cowley Street, London, dated 4 August 2017
44. Letter from occupier of 18 Conway street, London, dated 7 August 2017
45. Letter from occupier of 15 Hoadly Road, London, dated 8 August 2017
46. Letter from occupier of 36 New Road, Benfleet, dated 23 August 2017

47. Letter from occupier of 6, Salisbury Road, Leigh-on-Sea, dated 12 August 2017
48. Letter from occupier of 1 Gloucester Street, London, dated 29 August 2017
49. Letter from occupier of 8 Lickhill road North, Stourport on Severn, dated 10 August 2017
50. Letter from occupier of 21 Marston Meysey, Swindon, dated 15 August 2017
51. Letter from occupier of 59 Blake Hall Drive, Wickford, dated 24 August 2017
52. Letter from occupier of 54 Abbotswood Road, London, dated 7 August 2017
53. Letter from occupier of 15 Doncaster Road, kirk Sandall, dated 11 August 2017
54. Letter from occupier of 66 Stafford avenue, Hornchurch, dated 3 August 2017
55. Letter from occupier of 27 Highwood Drive, Orpington, dated 6 August 2017
56. Letter from occupier of 10 Queens Park Road, Harborne, dated 7 August 2017
57. Letter from occupier of 20 Ditton Court Road, Westcliff On Sea, dated 10 August 2017
58. Letter from occupier of 4 Pear Tree Piece, Old Warden, dated 14 August 2017
59. Letter from occupier of 39 ST CATHERINE'S COURT, BEDFORD ROAD, dated 15 August 2017
60. Letter from occupier of Meadow View, Reading, dated 10 August 2017
61. Letter from occupier of 42 New Road, Benfleet, dated 23 August 2017
62. Letter from occupier of 111 Bramble Lane, Mansfield, dated 11 August 2017
63. Letter from occupier of 117 upper Rainham rd, Hornchurch, dated 2 August 2017
64. Letter from occupier of 41 Fleet Road, Benfleet, dated 9 August 2017
65. Letter from occupier of 41 Fleet Road, Benfleet, dated 9 August 2017
66. Letter from occupier of 30 Sunnedon, Basildon, dated 9 August 2017
67. Letter from occupier of 18 Bridgwater Drive, Westcliff, dated 10 August 2017
68. Letter from occupier of 8 Claverley Green, Luton, dated 14 August 2017
69. Letter from occupier of 9 Barton st, london, dated 31 July 2017
70. Letter from occupier of 31 Hilldown rd, Hemel Hempstead, dated 14 August 2017
71. Letter from occupier of 10 barton street, London, dated 14 August 2017
72. Letter from occupier of 5 Clarence Gate, Woodford Green, dated 16 August 2017
73. Letter from occupier of 55, Worksop Road, Thorpe Salvin, dated 30 July 2017
74. Letter from occupier of 14 Barton Street, Westminster, dated 31 August 2017
75. Letter from occupier of 131 Raphael Drive, Shoeburyness, dated 9 August 2017
76. Letter from occupier of 131 Raphael Drive, Shoeburyness, dated 9 August 2017
77. Letter from occupier of 114 Swan Lane, Wickford Essex, dated 9 August 2017
78. Letter from occupier of 1 Great Peter Street, London, dated 28 July 2017
79. Letter from occupier of 94 High Street, Great Abington, dated 15 August 2017
80. Letter from occupier of 12 Barton Street, London, dated 28 July 2017
81. Letter from occupier of 8 Lower Common South, London, dated 18 August 2017
82. Letter from occupier of 24 Walters Close, Leigh-on-Sea, dated 9 August 2017
83. Letter from occupier of 43A Marlow Road, London, dated 9 August 2017
84. Letter from occupier of 31 HURST LANE, EAST MOLESEY, dated 7 August 2017
85. Letter from occupier of 125 Southwell Road East, Rainworth, dated 10 August 2017
86. Letter from occupier of Flat 5 Cherry Garden House, Cherry Garden Street, dated 11 August 2017
87. Letter from occupier of 62 Bendemeer Road, Putney, dated 13 August 2017
88. Letter from occupier of 10 Barton Street, London, dated 14 August 2017
89. Letter from occupier of 1 Pettits Close, Romford, dated 3 August 2017
90. Letter from occupier of 6 Victors Crescent, Hutton, dated 2 August 2017
91. Letter from occupier of 11 Wood End, Hockley, dated 9 August 2017
92. Letter from occupier of 114 Swan Lane, Wickford Essex, dated 9 August 2017
93. Letter from occupier of 61 Granton Avenue, Upminster, dated 11 August 2017
94. Letter from occupier of 7 Wellington Rd, Newark, dated 11 August 2017

95. Letter from occupier of 31 Hermitage Drive, Laindon, dated 11 August 2017
96. Letter from occupier of 84, KINGSBRIDGE ROAD, dated 11 August 2017
97. Letter from occupier of 11 Barton street, London, dated 13 August 2017
98. Letter from occupier of 82 FIRST AVENUE, CANVEY ISLAND, dated 10 August 2017
99. Letter from occupier of 115 Bishopscote Road, Luton, dated 9 August 2017
100. Letter from occupier of 37 Hans Place, London, dated 10 August 2017
101. Letter from occupier of 39 Lammas Road, Cheddington, dated 11 August 2017
102. Letter from occupier of 39 Lammas Road, Cheddington, dated 11 August 2017
103. Letter from occupier of Highview Daycentre, Cherry Orchard, dated 11 August 2017
104. Letter from occupier of 8 Greene Walk, Berkhamsted, dated 17 August 2017
105. Letter from occupier of 127 Fletcher way, Hemel Hempstead, Hert, dated 14 August 2017
106. Letter from occupier of 23 Kingswood Crescent, Rayleigh, dated 9 August 2017
107. Letter from occupier of 7 Waddesdon Close, Luton, dated 16 August 2017
108. Letter from occupier of 13 Shurland Avenue, Sittingbourne, dated 29 August 2017
109. Letter from occupier of 30 Coverton Road, London, dated 3 August 2017
110. Letter from occupier of 10 Hillary Road, Hemel Hempstead, dated 14 August 2017
111. Letter from occupier of 2 Cowley St, London, dated 20 August 2017
112. Letter from occupier of 8a Chapman Road, Canvey Island, dated 11 August 2017
113. Letter from occupier of 15 Hoadly Road, London, dated 9 August 2017
114. Letter from occupier of 18 Whytewaters, Basildon, dated 10 August 2017
115. Letter from occupier of Waveney, Old Water Lane, dated 10 August 2017
116. Letter from occupier of 189 Benfleet Road, Benfleet, dated 14 August 2017
117. Letter from occupier of 21 The Green, London, dated 17 August 2017
118. Letter from occupier of 6 BARTON STREET, LONDON, dated 10 August 2017
119. Letter from occupier of 59 Gordon Avenue, Hornchurch, dated 6 August 2017
120. Letter from occupier of 25 Wren Gardens, Dagenham, dated 2 August 2017
121. Letter from occupier of 40 Meynell Avenue, Canvey Island, dated 11 August 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: **JULIA ASGHAR** BY EMAIL AT jasghar@westminster.gov.uk.



<p>DATE: 12/10/2014</p> <p>SCALE: 1:20</p> <p>PROJECT: SUFFRAGETTE</p> <p>CLIENT: SUFFRAGETTE</p> <p>DESIGNER: SUFFRAGETTE</p> <p>CONTRACTOR: SUFFRAGETTE</p> <p>LOCATION: SUFFRAGETTE</p> <p>STATUS: SUFFRAGETTE</p> <p>REVISIONS:</p>	<p>DATE: 12/10/2014</p> <p>SCALE: 1:20</p> <p>PROJECT: SUFFRAGETTE</p> <p>CLIENT: SUFFRAGETTE</p> <p>DESIGNER: SUFFRAGETTE</p> <p>CONTRACTOR: SUFFRAGETTE</p> <p>LOCATION: SUFFRAGETTE</p> <p>STATUS: SUFFRAGETTE</p> <p>REVISIONS:</p>
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DRAFT DECISION LETTER

Address: Parliament Square, London, SW1P 3JX,

Proposal: A memorial to Emmeline Pankhurst in the form of a bronze statue on stone plinth set within the existing memorials on the west side of Parliament Square Gardens.

Reference: 17/04187/FULL

Plan Nos: EPM/PL/12.1/A, 13.1/A, 13.2; Maquette Study SK-01, 02, 03 and 04.; and Planning Statement dated May 2017.

Case Officer: David Clegg

Direct Tel. No. 020 7641 3014

Recommended Condition(s) and Reason(s)

- Reason:
- 1 Because of its location within the City Council's Monument Saturation Zone, the proposed sculpture would fail to maintain or improve (preserve or enhance) the character or appearance of the Westminster Abbey and Parliament square Conservation Area. This would not meet S25 of our City Plan adopted November 2013 and DES 7 of our Unitary Development Plan that we adopted in January 2007. It would also not comply with guidance in our Supplementary Planning Document "Statues and Monuments in Westminster" that we adopted in 2008.

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.

Agenda Item 3

Item No.

03

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 19 September 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Marylebone High Street	
Subject of Report	Site 1: 110 Marylebone High Street, London, W1U 4RY Site 2: 100 Marylebone Lane, London, W1U 2QB		
Proposal	<p>Site 1: Alterations to all buildings including demolition of St Vincent Street buildings, the erection of a mansard roof extension to 110 Marylebone High Street, and the erection of a new building fronting St. Vincent Street comprising ground to fourth floors with new plant areas and extract ducting to the backland building. Use of the rear lower ground and part ground for restaurant (Class A3) use (accessed from St. Vincent Street), use of part lower ground and part ground as a shop (Class A1), use of part lower ground, part ground, part 1st, 2nd to 4th floor levels as office (Class B1) floorspace (accessed from St. Vincent Street) and use of part ground and part first floor levels as day nursery (Class D1) (accessed from Cramer Street). (Part of land use swap with 100 Marylebone Lane).</p> <p>Site 2: Use of the ground to third floors as a permanent (Class D1) educational use (Land use swap with 110 Marylebone High Street).</p>		
Agent	Howard de Walden Estate Ltd.		
On behalf of	Howard de Walden Estate Ltd.		
Registered Numbers	1. 17/01347/FULL 2. 17/01868/FULL	Date amended/ completed	9 March 2017
Date Application Received	17 February 2017		
Historic Building Grade	Unlisted		
Conservation Area	Harley Street		

1. RECOMMENDATION

<p>1. Grant conditional permission for Applications 1 and 2, subject to a S106 legal agreement to secure:</p> <p>i) A contribution of £300,000 towards the cost of public realm improvement works to St. Vincent Street (payable on commencement);</p> <p>ii) Rescinding the temporary education use permission (ref: 16/03525) at 100 Marylebone Lane;</p> <p>iii) All highway works immediately surrounding the site required for the development to occur, including reinstatement of redundant vehicle crossovers and associated work (legal, administrative and physical)</p> <p>iv) Dedication of land on St Vincent Street as public highway</p>

v) The costs of monitoring the S106 agreement.

2. If the S106 legal agreement has not been completed within six weeks of the date of the Committee resolution, then:

(a) The Director of Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorised to determine and issue the decision under Delegated Powers; however, if not;

(b) The Director of Planning shall consider whether the permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which would have been secured; if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2. SUMMARY

These proposals involve two different sites in a land use swap. 110 Marylebone High Street (site 1) lies on the west side of Marylebone High Street with frontages also onto St Vincent Street and Cramer Street. The site consists of basement, ground and four upper levels fronting on to Marylebone High Street. There is also an attached building to the rear occupying a large 'backland' site which extends to the rear and north and comprises basement, ground and first floor levels. The frontage onto St Vincent Street is set back from the street and is currently utilised as a servicing area. Site 1 is entirely in lawful educational use and was until recently occupied by Regents University.

Permission is sought for the demolition of the St Vincent Street building and erection of a new building along the St Vincent Street frontage comprising basement, ground and first to fourth floor levels bringing the building line forward to partly infill the existing recessed area. It is also proposed to extend the 'backland' building to create a new second floor level with a new mansard roof to 110 Marylebone High Street. The extended building would provide new retail and restaurant units at basement and ground floor levels, office accommodation at basement, ground and first to fourth floor levels and educational floor space at ground and first floor levels accessed off Cramer Street. Plant is proposed with associated screening as well as a new high level extract duct associated with the restaurant to terminate at main roof level.

The loss of educational floorspace at Site 1 would be re-provided at 100 Marylebone Lane (site 2) where the proposals seek the use of the ground to third floors from office accommodation to an educational use.

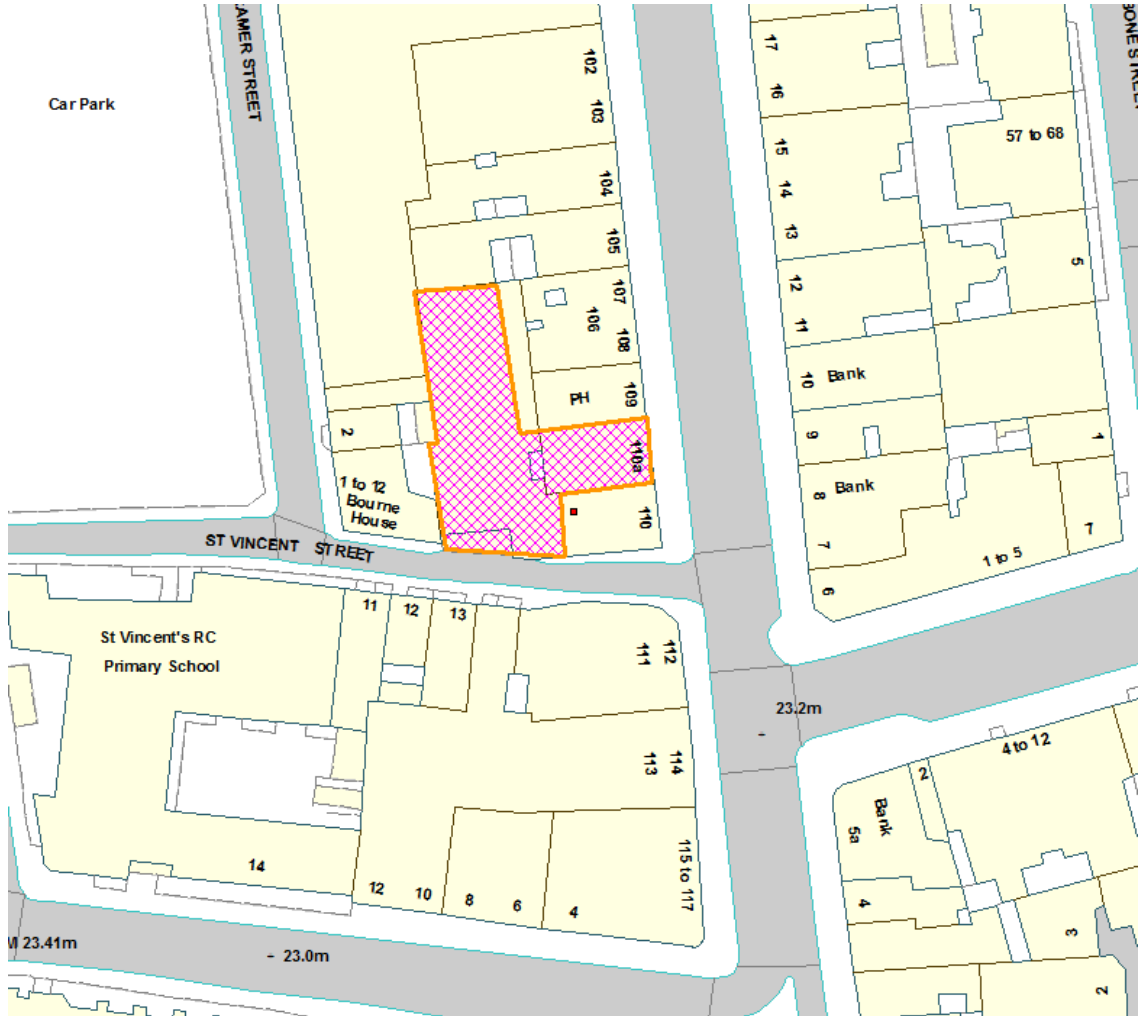
The key issues are:

- * The principle of the restaurant use at Site 1;
- * The amenity impact of the proposed extensions at Site 1 on surrounding sensitive properties;
- * The impact of the proposed alterations at Site 1 on the character and appearance of the conservation area;
- * The highways implications of bringing the building line forward at Site 1 and introducing entrances for the proposed office and restaurant units on St Vincent Street.

The proposal would result in, across both sites, an overall small loss of educational floorspace, however, this is considered acceptable taking into account the other benefits of the scheme and the very small loss involved. The proposal is otherwise considered acceptable in land use, design, highways and amenity terms and recommended for conditional approval subject to a legal agreement.

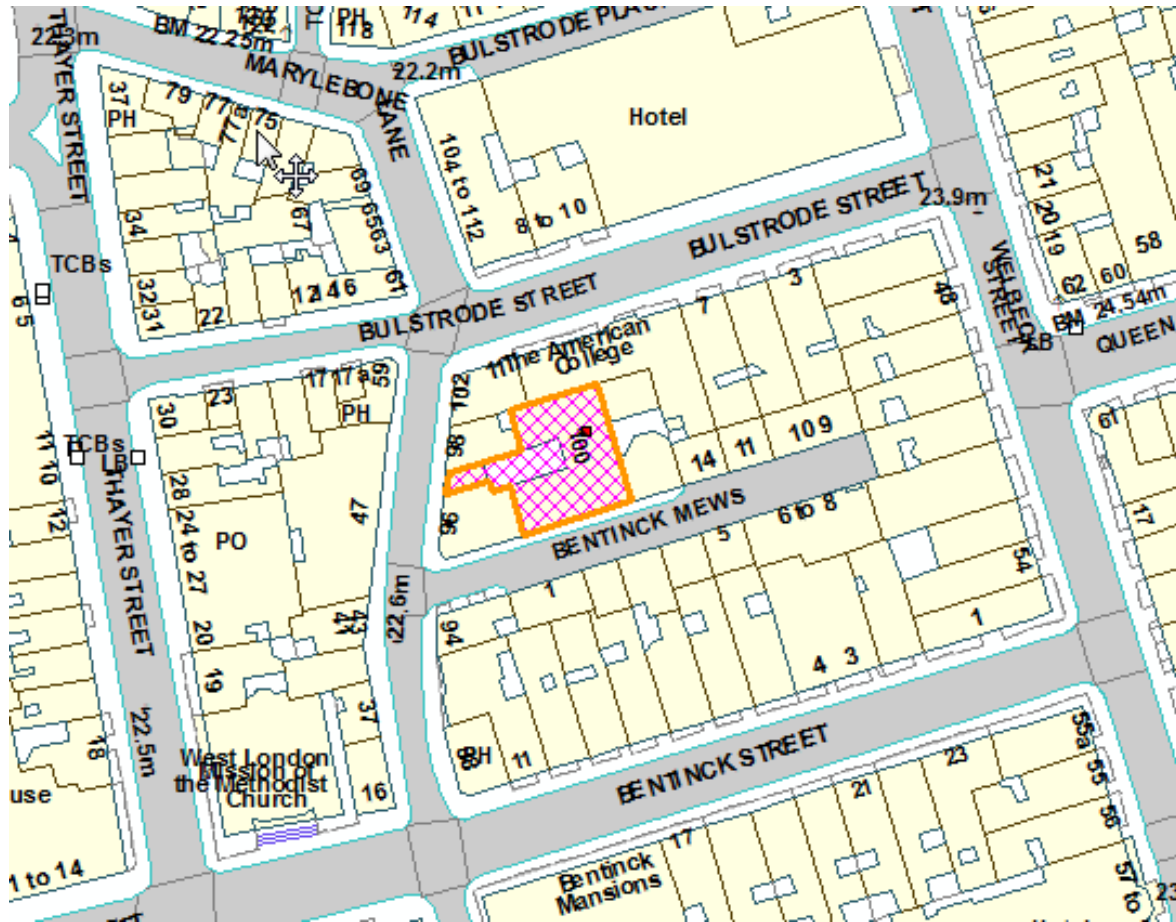
LOCATION PLAN

Site 1:



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Site 2:



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3. PHOTOGRAPHS

Site 1:



Site 2:



4. CONSULTATIONS

Site1:

MARYLEBONE ASSOCIATION

Concerns expressed in relation to the design of the St. Vincent Street façade.

HIGHWAYS PLANNING

No objection subject to reinstatement and dedication of highway to the City Council.

ENVIRONMENTAL HEALTH

No objection subject to conditions.

CLEANSING

No objection subject to conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 123; Total No. of replies: 2

One letter from the operator of the farmers market in Moxon Street car-park, welcoming the improvements to St. Vincent Street and requesting limited access on Sundays.

One letter of objection on the following grounds:

Amenity:

- *Loss of privacy resulting from the proposed extensions
- *Noise disruption from the restaurant patrons (especially smokers)
- *Loss of daylight and sunlight to existing residents in surrounding buildings
- *Noise impact from the plant installation.

Design:

- *The design of the St Vincent Street façade is out of character for the area and too large.

Other:

- *Noise and highways disruption resulting from the construction works

RE-CONSULTATION FOLLOWING REVISED PLANS

No. Consulted: 123; Total No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

Site 2:

MARYLEBONE ASSOCIATION

No objection.

HIGHWAYS PLANNING

No objection subject to conditions.

CLEANSING

No objection subject to conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 34; Total No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

5. BACKGROUND INFORMATION**5.1 The Application Sites**

Site 1 relates to 110 Marylebone High Street, an unlisted building located within the Harley Street Conservation Area outside of the Core CAZ, the building has frontages on Marylebone High Street, St Vincent Street and Cramer Street. Fronting Marylebone High Street the building comprises basement, ground and four upper floors, whilst the frontage to St Vincent Street comprises a recessed servicing entrance. There is a 'backland' building located behind the main Marylebone High Street property which runs north and comprises basement, ground and first floor levels. There is also access to the property from Cramer Street to the west of the application site but this only comprises a ground floor entrance and the floors above are outside the demise of the site. The entire property has lawful use as educational floor space and although currently vacant they were until recently occupied by the Regents University.

Site 2 relates to 100 Marylebone Lane, an unlisted building in the Harley Street Conservation Area and in the Core CAZ. The whole of the building is currently utilised as educational floor space and occupied by Wetherby Preparatory School. This application relates to the ground and first to third floors of the property which are utilised as educational floor space by virtue of a planning consent granted for the use for a temporary period. After this temporary period, the permission enables the use to revert to office accommodation. Consent is now sought for the permanent use of the premises as educational floor space.

5.2 Recent Relevant History**Site 1:**

Planning permission was granted on the 3rd February 2000 for the 'Use of second and third floors at No. 109 and basement to fourth floors at No. 110a for educational purposes.

Planning permission was granted on the 14th July 2005 for the 'removal of canopy over loading bay and conversion of area into external seating area. Removal of two rooflights and recovering of main slate roof.' This permission was not implemented.

Site 2:

Planning permission was granted on the 16th June 2016 for the, 'variation of Condition 3 and removal of Condition 6 of planning permission dated 10 March 2014 (RN:

14/00295/FULL) which in itself varied Condition 1 of planning permission dated 15 May 2003 (RN: 03/00730) for use of basement, part ground floor and first to third floors for educational purposes for a temporary period until September 2043. Namely, to allow students between the ages of 11 - 19 to attend the school (this was previously restricted to students aged 14 -19) and to allow fresh and raw food to be cooked on site (previously no primary cooking was allowed)'

Planning permission was granted on the 10th March 2014 for the, 'variation of Condition 1 of planning permission dated 15 May 2003 (RN 03/00730) for use of basement part ground floor and first to third floors for educational purposes for a temporary period of 25 years namely extension of time on the educational use until September 2043.'

Planning permission was originally granted for the educational use on the site on the 15th May 2003; 'use of basement, part ground floor and first to third floors for educational purposes for a temporary period of 25 years.'

6. THE PROPOSAL

At site 1 permission is sought for the demolition of the St Vincent Street buildings, alteration to the 'backland' building and erection of a new building along the St Vincent Street frontage comprising basement, ground and first to fourth floor levels bringing the building line forward to partly infill the existing recessed area. It is also proposed to extend the 'backland' building to create a new second floor level and erect a new mansard roof to 110 Marylebone High Street. The extended building would provide new retail and restaurant units at basement and ground floor levels, office accommodation at basement, ground and first to fourth floor levels and educational floor space at ground and first floor levels accessed off Cramer Street. Plant is proposed with associated screening as well as a new high level extract duct associated with the restaurant to terminate at main roof level.

At site 2, permission is sought for the change of use of the ground to third floors from office accommodation to an educational use. The building is already used as educational floor space which benefits from a temporary consent for educational use.

The table below shows the land use figures for both schemes:

110 Marylebone High Street:

Use	Existing (GIA)	Proposed (GIA)	+/- difference (m2)
Educational (D1)	1,912	385	-1,527
Office (B1)	0	1,632	+1,632
Retail (A1)	0	245	+245
Restaurant (A3)	0	328	+328
TOTAL	1912	2,599	+687

100 Marylebone Lane:

Use	Existing (GIA)	Proposed (GIA)	+/- difference (m ²)
Office (B1)	1496	0	-1496
Educational (D1)	0	1496	+1496
TOTAL	1496	1496	0

Since the proposals involve a land use swap between the sites it is necessary to consider the floorspace provision on both sites as a composite package as follows:

Use	Existing (GIA)	Proposed (GIA)	+/- difference (m ²)
Office	1496	1632	+136
Educational	1912	1881	-31
Retail	0	245	+245
Restaurant	0	328	+328
TOTAL	3,408	4,086	+678

7. DETAILED CONSIDERATIONS

7.1 Land Use

Site 1:

Office Use

Overall the proposal results in the provision of an additional 136m² of office floor space. Whilst Policy S20 of the City Plan seeks to direct new office provision to the Core CAZ / Named Streets / Opportunity Areas / NWEDA, Policy S18 also allows commercial development including office provision within the designated Shopping Centres and Policy S8 advises that retail and other appropriate town centre uses will be directed to Marylebone High Street (with offices being detailed as an 'appropriate town centre use'). The proposal to increase the office floor space by 136m² is therefore considered acceptable in this location.

Restaurant Use

The proposal includes a new restaurant unit measuring 328m² located primarily in the basement of the property but accessed from a ground floor entrance / reception area which fronts onto St Vincent Street on the southern side of the site. The office and restaurant entrances have been relocated since the scheme was first submitted to locate the restaurant entrance closer to Marylebone High Street.

Policy S8 of the City Plan states that 'retail and other appropriate town centre uses will be directed to Marylebone High Street and the Local Shopping Centres' with restaurants being included within appropriate town centre uses. Policy S24 of the City Plan requires that, 'new entertainment uses will need to demonstrate that they are appropriate in terms of the type and size of use, scale of activity, relationship to any existing concentrations of entertainment uses and any cumulative impacts and that they do not adversely impact on residential amenity, health and safety, local environmental quality and the character and

function of the area.' Given the size and location of the restaurant the proposal will also need to be considered with regard to Policy TACE9 of the UDP.

The immediate vicinity along Marylebone Road is characterised mainly by restaurant and retail units on the lower floors and office or residential uses on the upper floors. Although opposite and east along St Vincent Street the area is predominantly residential in character with the nearest residential properties to the restaurant entrance being at Bourne House and the upper floors of 111-112 Marylebone High Street, 12 and 14 St Vincent Street.

Factors that the Council will take into account when assessing new entertainment uses include the gross floorspace to be occupied by the proposed use, its capacity, the type of use, servicing arrangements and any supporting statement provided in respect of the management of a use. It is also recognised that there can be considerable variation between the uses within a Use Class in terms of their effects on the local environment and residential amenity. For example, restaurants with a waiter service tend to have fewer adverse effects than bars used by large numbers of customers.

The restaurant proposals are speculative with no end-user identified, therefore it is not possible at this time to consider the likely impact by assessing the track record of the intended occupier. However, conditions could be used to control the opening times and activity to limit the impact. These conditions would ensure that the use would essentially be a sit-down restaurant with any ancillary bar limited to a small part of the premises (15%) only to be used by diners before and after meals. The main entrance door would be required to be self-closing and it is noted a further set of internal doors are proposed to create an 'acoustic lobby'. These doors would be secured by condition to ensure they are retained in perpetuity in order to minimise noise outbreak from the premises.

An extract duct is provided to high level, the location has been amended during the course of the application as originally it was to terminate on the 'backland' site but it is now to terminate on the main roof level of the Marylebone High Street building above the height of all nearby residential properties. Environmental Health have confirmed this is acceptable for dispersal of cooking odours and its installation and retention is secured by condition.

The opening hours of the premises are proposed as 08:00 till 23:00 which is considered acceptable in this location. Paragraph 8.88 of the UDP states that; 'as a general rule, the Council expects that, in entertainment uses in predominantly residential areas, it will impose planning conditions that no customers will be allowed to remain on the premises after midnight on Sundays to Thursdays, and after 00.30 on the following morning on Friday and Saturday nights'. The proposed opening hours are therefore in accordance with these hours.

Conditions are also proposed to ensure that there is no takeaway service (including home delivery service) from the restaurant and to restrict the number of covers to 150.

An objection has been received to the proposed restaurant use from a residential occupier within Bourne House to the east of the development site. They have expressed concerns relating to the potential for noise and disruption resulting from people entering / leaving the premises and smokers standing outside. These concerns are noted but subject to conditions restricting the capacity, hours of operation and the provision of an acoustic

lobby, it is considered noise levels can be successfully controlled so the restaurant operation will not negatively impact upon the living conditions of adjoining residents. As a final restaurant operator has not been selected it is also considered appropriate to condition the submission of an Operational Management Plan to demonstrate how the restaurant will operate to minimise noise disruption especially from smokers and from customers entering or exiting the premises. With these conditions in place it is considered that the objections raised are satisfactorily addressed.

The principle of the proposed restaurant premises is therefore considered to be in accordance with UDP Policy TACE9 and City Plan Policy S24.

Retail Use

The provision of new retail floor space at lower ground and ground floor levels fronting Marylebone High Street measuring 245m² is welcomed and accords with Policy S21 of the City Plan and Policy S8 which states that 'retail and other appropriate town centre uses will also be directed to Marylebone High Street and the Local Shopping Centres.' The introduction of the new retail unit will help to support the vitality of Marylebone High Street and is considered a benefit of the scheme.

Educational Use/Land use swap arrangements

Policy S34 of the City Plan states that 'all social and community floor space (including educational floorspace) will be protected except where existing provision is being reconfigured, upgraded or is being re-located in order to improve services and meet identified needs as part of a published strategy by a local service provider. In all such cases the council will need to be satisfied that the overall level of social and community provision is improved and there is no demand for an alternative social and community use for that floor space. In those cases where the council accepts a loss or reduction of social and community floor space the priority replacement use will be residential.' Policies SOC1 and SOC3 of the Unitary Development Plan also afford substantial protection to social and community / educational uses.

As a standalone scheme, the proposals for site 1 would be unacceptable as it involves the loss of 1,527sqm of educational floorspace, contrary to policy S34. However City Plan policy CM47.1 allows the swapping of uses between sites and for land use packages in order to maximise the potential of individual sites within the commercial areas of Westminster's Central Activities Zone. A land use swap will be appropriate provided that the sites are in the vicinity of each other; the mixed use character of the immediate area is secured; there is no net loss of floorspace across the site taken as a whole; the uses are appropriate and there is no loss of amenity, any residential accommodation is of a higher quality and the applications are submitted at the same time and all elements are completed within a time frame agreed by the Council.

The land use swap is therefore an appropriate mechanism to secure the benefits of each proposal and to withstand the loss of educational floorspace. Both sites are within Marylebone High Street ward and owned by Howard de Walden. Whilst there would be an overall net loss of 31m² of educational floorspace across both site contrary to S34, given the very minor loss involved, and the amount of D1 space retained overall, the loss in this case is considered acceptable.

It is considered that the land use option is acceptable in this regards and accords with Policy CM47.1, S14 and S20 of the City Plan. Clauses within the legal agreement would secure the permanent provision of the educational use at 100 Marylebone Lane by rescinding the temporary permission (as after the expiry of the current temporary permission at 100 Marylebone Lane, the existing educational use can lawfully revert to office use).

The retention of the educational floor space in 110 Marylebone High Street is to provide a new nursery. This is existing educational floorspace which will be retained and accessed from Cramer Street at the rear of the site. The main entrance to the former educational use on the site was from Marylebone High Street, however the permission granted in 2000 did not prevent the former educational use from using the existing rear entrance. The nursery will provide the capacity for a maximum of 80 children and would have opening hours from 08:00 until 18:00 Monday to Friday. The capacity and proposed opening hours are considered acceptable and taking into account the close proximity of the nursery entrance to residential properties along Cramer Street, relevant conditions are imposed to ensure the nursery operates in accordance with these requirements.

It is noted that the acoustic report assesses the potential noise outbreak from the new educational use and states that new double glazing windows will be installed as part of the redevelopment of the property. It is also considered that the use of a small lightwell in association with the nursery's restricted hours of operation would not detrimentally impact upon the amenity of any nearby residents.

Site 2:

The property is currently in use entirely as educational accommodation (Class D1). Planning permission was granted for this use for a temporary period until the 30th September 2043 whereupon the use has to revert back to office accommodation. Permission is now sought to make the educational use at this site permanent, in order to off-set the loss of educational floor space resulting from the proposed works at 110 Marylebone Lane. Relevant conditions are proposed to ensure the same controls are in place on the permanent consent as were included on the current temporary consent. These relate to the age range of the children, the hours of operation and ensuring certain external doors are not used for access.

7.2 Townscape and Design

The site is made up of a group of unlisted buildings of merit on the extreme western edge of the Harley Street Conservation Area. The Harley Street Conservation Area Audit identifies the buildings as being unsuitable for a roof extension. The existing façade to St Vincent Street is recessed and set back in relation to its adjacent buildings.

The proposals are for the redevelopment of the buildings involving façade rebuilding, partial demolition, rear infill and a fourth floor extension. The proposed alterations are acceptable in height and bulk terms, having been subject to negotiation. In this case the increase in height proposed can be justified in context and would not harm the character and appearance the adjacent buildings and the wider Harley Street Conservation Area.

The main visual impact of the proposals is the new façade on St Vincent Street. This is a narrow side street which is currently temporarily pedestrianized by the deployment of bollards at the Marylebone High Street end. The narrowness of the street means that the building is only seen in oblique angles and the full façade would be nearly impossible to see. The building has been designed as a contemporary response and to align with the fenestration patterns to the adjacent Victorian red brick corner building. The currently proposed design is considered to be an improvement over the existing building. Previously the applicant proposed the use of very light grey bricks, however this material was considered inappropriate and the bricks are now changed to reference yellow London Stocks.

An objection has been received to the proposed design of the St Vincent façade that it is too 'busy' and lacks contextual reference.

In terms of materials the design will now be mainly from a contextual pallet, stone and London stock brick, this has been negotiated during the life of the application, as the applicant originally proposed a light grey brick, which was considered to jar with the existing context. The design is considered to be acceptable and to accord with the City Councils UDP DES 1, DES 5 and DES 9.

7.3 Residential Amenity

Sunlight and Daylight Overview

A daylight and sunlight report has been submitted with the application which assesses the impact of the development with regard to BRE guidelines for daylight and sunlight to existing sensitive properties. Paragraph 2.2.2 of the BRE guidelines states that they 'may also be applied to any existing non-domestic building where the occupants have a reasonable expectation of daylight; this would normally include schools, hospitals, hotels and hostels, small workshops and some offices.'

Under the BRE guidelines the level of daylight received by a property may be assessed by the Vertical Sky Component which is a measure of the amount of sky visible from the centre point of a window on its outside face. If this achieves 27% or more, the window will have the potential to provide good levels of daylight. The guidelines also suggest that reductions from existing values of more than 20% should be avoided as occupiers are likely to notice the change.

With regard to situations where the existing daylight levels are below the BRE recommendations, Policy ENV13 states that 'where principal habitable rooms such as bedsits, living rooms, studies or kitchens are affected, the City Council may find any loss of light unacceptable.' The BRE guidelines state that daylight to living rooms, kitchens, and bedrooms should be assessed but 'windows to bathrooms, toilets, storerooms, circulation areas and garages need not be analysed'.

In terms of sunlight, the BRE guidance states that if any window receives more than 25% of the Annual Probable Sunlight Hours (APSH where the total APSH is 1486 hours in London), including at least 5% during winter months (21 September to 21 March) then the room should receive enough sunlight. The BRE guide suggests that if the proposed sunlight is below 25% (and 5% in winter) and the loss is greater than 20% either over the

whole year or just during winter months, and there is a 4% loss in total annual sunlight hours, then the occupants of the existing building are likely to notice the loss of sunlight.

The windows included in the assessment serve 4 to 5, 6, 7 to 8, 9, 10, 11 to 12, 13 to 15, 16 to 17, 97 to 104, 105, 106 to 108, 109, 111 & 112 Marylebone High Street, Bourne House, 2 Cramer Street, Waitrose (and properties sited above), 12, 13 & 14 St Vincent Street, and Saint Vincent RC Primary School. However, only some of these windows serve residential units, with the remaining windows being to commercial uses.

Daylight

105 Marylebone High Street

This building is utilised as residential flats on the upper floors of the building and is located to the north of the application site. Only one habitable window serving a kitchen would experience losses in excess of the BRE. The VSC reduction for this window is 31% (from 22.8% to 15.4%).

106-108 Marylebone High Street

There are residential flats on the upper floors of this property which is located to the north and east of the application site. Two kitchen windows would be adversely affected, one serving the flat at first floor level which loses 60% of its former value (from 19.7% to 7.9%) and a kitchen at second floor level which would experience a loss of 45% (from 29.9% to 16.5%). However, it is noted these are large flats with three large rooms on the front elevation overlooking Marylebone High Street which are unaffected by the proposal.

Bourne House

This building is in use entirely as residential accommodation and is situated to the south west of the application site comprising basement to third floor level. The table below details the losses to the VSC in excess of the BRE guidance:

Window	%VSC		
	Existing	Proposed	Ratio
Lwr Grd (kitchen)	5.7	4.5	21%
Lwr Grd (kitchen)	14.3	7.0	51%
Lwr Grd (bedroom)	4.9	2.0	59%
Ground (kitchen)	14.3	7.1	50%
First (kitchen)	19.8	12.5	37%
Second (kitchen)	24.9	19.5	22%

There are other windows in the block which experience losses but they all serve bathrooms which the BRE guidance states need not be assessed. The residential flat at lower ground floor level is the worst affected unit in the block with large losses of light to two rooms at the rear of the property. However, existing VSC levels are low, and therefore the reductions appear as a larger percentage reduction. The survey plans provided show that this unit also has small windows to St Vincent Street and Cramer Street.

The other windows impacted all serve kitchens to flats at ground, first and second floor levels with these flats all being dual aspect with other windows fronting Cramer Street which are unaffected by the development proposal.

2 Cramer Street

This building is entirely used as residential accommodation from basement to second floor level, the basement and ground floor is used as a duplex unit with the first and second floors in use as individual flats which continue laterally into an adjoining property to the north. The affected windows are on the rear elevation of the property at basement and ground floor level with five windows experiencing losses in excess of the BRE Guidance as detailed in the table below:

Window	%VSC		
	Existing	Proposed	Ratio
Lwr Grd (bedroom)	5.1	3.9	24%
Lwr Grd (kitchen)	12.2	6.9	43%
Ground (kitchen)	19.9	12.3	38%
Ground (bedroom)	19.7	12.4	37%
Ground (bedroom)	16.0	10.1	37%

It should be noted that the flat at basement and ground floor level is dual aspect also having windows on the front elevation of the property to Cramer Street.

111-112 Marylebone High Street

This property is situated to the south of the application site on the opposite side of St Vincent Street, the ground floor of the building is in use as retail accommodation with the upper floors in use as residential accommodation, with one flat per floor with elevations to both St. Vincent Street and Marylebone High Street. The losses in excess of the BRE Guidance set out below are to main bedroom or living rooms. All other windows serving these flats retain daylight levels in accordance with BRE Guidance.

Window	%VSC		
	Existing	Proposed	Ratio
First Floor	9.4	7.1	24%
First Floor	12.2	8.1	34%
Second Floor	17.6	12.9	27%

14 St Vincent Street

A duplex flat at first and second floor levels lies above a communal entrance at ground floor level at 14 Vincent Street. There are four windows to the flat on the front elevation with the flat also having windows on the rear elevation of the property. Both windows at first floor level serve the same bedroom and both windows at second floor level serve the same kitchen. All windows to the residential property on the front elevation experience losses in excess of the BRE guidance as detailed below:

Window	%VSC		
	Existing	Proposed	Ratio
1 st (bedroom)	18.7	9.8	48%
1 st (bedroom)	19.8	10.0	49%
2 nd (living room)	23.4	14.1	40%
2 nd (living room)	24.7	14.4	42%

13 (12.5) St Vincent Street also appears to be in use as a single family dwelling, there are large losses in excess of the BRE guidance to the majority of the windows on the front elevation of the property, however, no floorplans are available of the building and it is not possible to ascertain from the street what the various rooms serve, attempts have been made to contact the occupiers but with no success. The property is dual aspect and has windows on the rear elevation of the property which are unaccepted by the proposal.

12 St. Vincent Street is in use as a single family dwelling and is situated on the southern side of the street facing the development site. The property consists of basement, ground, first and second floor levels. The window at basement level serves the kitchen / dining area and would experience a 27% loss in VSC (from 7.3% to 5.3%). However, there is another window in a door at basement level also serving this room to which the losses accord with the BRE guidance and the room is also served by a large rooflight at the rear of the property. At ground floor level the window on the front elevation serving the living room study experiences a 28% loss from 10.4% to 7.5%, however, this room is also served by a window at the rear which is unaffected by the proposal. At first floor level there are two windows on the front elevation serving a single bedroom, one of these windows experiences a 24% loss from 14.7% to 11.1%, the other window accords with the BRE guidance.

Sunlight

Two kitchen windows at ground and first floor level within 106 to 108 Marylebone High Street would experience material losses of sunlight in excess of the BRE Guidance. One window would experience at 74% loss in sunlight hours (from 19% to 5%) and the other a 50% loss (from 36% to 18%) with both windows losing all winter sunlight hours. One kitchen window at 105 Marylebone High Street would also experience at 62% loss in sunlight hours (from 49% to 11%) and would lose all winter sunlight hours. Whilst the losses to these windows are unfortunate these windows serve large flats which are dual aspect with windows to Marylebone High Street and the BRE guidance states that 'kitchens and bedrooms are less important' than the main living room when assessing sunlight losses.

Conclusions on Sunlight and Daylight

The reductions to windows that are in excess of the BRE guidance are primarily on the rear elevations of properties where they overlook the existing 'backland site' or within St Vincent Street where they are detrimentally impacted by the creation of the new taller building. St Vincent Street is very narrow and the works within the existing recessed servicing area inevitably have a large impact upon the buildings on the southern side of the street, especially 12 and 13 St. Vincent Street. However, these losses must also be balanced against the improvements the proposed scheme will have on this part of Vincent Street through the removal of the recessed area which will alleviate the current anti-social behaviour in this area. Most of the windows which fail to accord with the BRE guidance also already have low levels of light due to the dense, urban environment and therefore small reductions can appear as a larger percentage reduction. Taking this into account, and given the site's location within this urban built up location, and the levels of daylighting/sunlighting retained, it is not considered the application could be reasonably refused on the grounds of losses of daylight / sunlight to nearby sensitive properties.

Only one objection from the occupier of the top floor flat in Bourne House has been received to the application with regard loss of daylight and sunlight. The levels of daylight and sunlight retained to this flat accord with the BRE guidelines.

Sense of Enclosure

Policy ENV13 of the UDP states that the City Council will seek to ensure new developments do not result in a 'significant increase in the sense of enclosure'. The proposal includes the re-configuration of the 'backland' site to remove the existing pitched roof and replace this with a floor of additional usable accommodation. The site is surrounded by residential accommodation and due to concerns expressed during the course of the application the proposal has been revised to remove one floor level of plant and to also set back the new second floor area so it is further back from surrounding buildings. The proposed extensions to the building are now not considered to result in any adverse sense of enclosure to surrounding properties. No objections have been received to the application in relation to an increase in the sense of enclosure of neighbouring properties.

Privacy

Policies ENV13 of the UDP and S29 of the City Plan seek to protect residential amenity and ensure that new developments do not result in a 'significant increase in overlooking' to neighbouring residential or sensitive buildings. To ensure the development does not result in any increase in overlooking a condition is proposed to ensure the green roof areas at the rear of the site can only be accessed for maintenance purposes or in the case of an emergency. Certain new windows on the rear elevation of the new building have also been shown on the drawings as being obscure glazed and fixed shut in order to ensure there is no potential for overlooking of nearby residential occupiers. A condition is also proposed to ensure the windows are installed as shown and maintained in this manner in perpetuity. An objection has been received with regard to loss of privacy from a residential occupier within Bourne House to the east of the application site. With the safeguarding conditions detailed above it is not considered that the proposal would result in any loss of privacy and it is not considered that the application could be refused on these grounds.

7.4 Transportation/Parking

Site 1:

A Transport Statement (TS) produced on behalf of the applicant identifies the site as being within a highly accessible location in terms of public transport. The TS shows that the majority of trips associated with the site will be via public transport or other sustainable modes (e.g. walking, cycling) and indicates that the proposal will not have a significantly adverse effect on the safety or operation of the highway network

Site Servicing

In terms of servicing, Policy TRANS 20 states that the City Council will require convenient access to premises for service vehicles and will normally require that "vehicular servicing needs of developments are fully accommodated on-site and off-street ... sufficient to cater for the size, type and frequency of arrival of the vehicles likely to be servicing the development". No off-street servicing is provided for the development, other than some deliveries for the A3 use which will take place from the basement level in the existing

private Howard de Walden owned car park on Cramer Street. The Highways Planning Manager has expressed some concern about the lack of provision of an off-site servicing bay, however, the existing building is serviced on-street and given that the site has a limited street frontage, it is not considered that an off-street servicing facility could reasonably be accommodated here.

Whilst a Servicing Management Plan (SMP) has been submitted, the Highways Planning Manager has requested the submission of a revised robust SMP to demonstrate how the proposed development would minimise the impact of the proposed development on the highway network, so as not to have a significantly detrimental impact on other highway users. The SMP should clearly identify process, storage locations, scheduling of deliveries and staffing arrangements; as well as how delivery vehicle size will be managed and how the time the delivered items spend on the highway will be minimised, in this case. This will be secured by condition.

The proposal at Site 1 seeks to retain a part of the ground and first floor levels as educational floor space for use as a nursery or pre-school facility with access from Cramer Street. The Highways Planning Manager has requested the addition of a condition to any approval requiring the submission of a Travel Plan for the new occupier in order to manage any traffic associated with the educational use and to try to encourage more sustainable methods of transportation.

Pedestrian Movement/Building Line

There is an existing recessed loading area fronting St. Vincent Street which is to be removed to provide the main entrances to the restaurant and office accommodation. The existing pavement on the northern side of St. Vincent Street is very narrow and initially the Highways Planning Manager raised concerns regarding the complete removal of the recessed area on the grounds that this would present a safety issue for pedestrians. During the course of the application the proposal has been amended to set back both the office and restaurant entrances so they are now recessed from the highway. This will provide space for pedestrians who may gather or pause before entering or after exiting each unit without being within the main carriageway on St Vincent Street. This amended design has therefore addressed previous highway safety concerns and is now considered acceptable.

Glazed folding glass doors are proposed to enclose the recessed area and to provide security during the evening and after the restaurant and office closes.

Given the revised building line, where the building line is being setback on St Vincent Street, this area of land should be dedicated as highway to ensure that this section of narrow highway is improved from the increased pedestrian activity immediately associated with the new B1 office and A3 restaurant use accesses. This will be secured by legal agreement.

It should also be noted that there is currently an Experimental Traffic Order in place to pedestrianise this section of St. Vincent Street in association with safety issues raised by St. Vincents Primary School. The Traffic Order is currently only temporary and may not be made permanent at the end of the experimental period. However, in anticipation of the Traffic Order to pedestrianise the street being made permanent the applicant is offering to fund further highway improvements to the section of St Vincent Street between Cramer

Street and Marylebone High Street. These are welcomed and will, subject to a permanent traffic order being secured, improve the general pedestrian environment here. These works are not a necessary requirement to make the scheme acceptable, but in principal are a welcomed third party funded scheme subject to detailed highway design and agreement of the Highway Authority. The applicant has offered £300,000 towards the potential future public realm improvement works in St. Vincent Street and this would be secured in the legal agreement for works in St Vincent Street if the Traffic Order is made permanent to be delivered at an agreed time scale.

Cycle parking

Appropriate levels of cycle parking are indicated within the restaurant, retail and office accommodation to accord with London Plan policy 6.9, the volume of cycle parking in the educational use appears to fall short by one cycle space. Showering and locker facilities are also provided for the larger big store associated with the office parking and these are welcomed. A condition is proposed to ensure that all the cycle parking shown on the drawings is provided and retained.

Site 2:

It is not considered that the change of the temporary nature of the educational use to a permanent use would result in any significant impact on transportation or parking requirements. The Highways Planning Manager has requested the submission of details of cycle parking and a Travel Plan but considering a school is already operating from the site and has been for a number of years conditions of this nature are not considered necessary or reasonable.

7.5 Economic Considerations

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

7.6 Access

Level access will be provided to the retail and restaurant units and to the office accommodation from street level, lifts will serve all the floors in the offices and a lift and disabled toilets are shown internally within the restaurant accommodation. A condition is proposed to ensure the disabled access provision is provided as shown on the drawings and retained in this form.

7.7 Other UDP/Westminster Policy Considerations

Plant

Plant is proposed within the first floor level on the roof of the 'backland' site and also on the main roof level of 110 Marylebone High Street.

The proposed plant installation has been considered in the context of Policies ENV6 and ENV7 of the UDP and S32 of the City Plan. These policies seek to protect nearby occupiers of noise sensitive properties and the area generally from excessive noise and disturbance.

The area has been identified in the Acoustic Report as having background noise levels which are above WHO guideline levels during the daytime and nighttime. To accord with Policy ENV7 of the UDP, the noise levels emitted by the plant will have to be 10dB below background at the nearest noise sensitive windows.

The nearest noise sensitive windows have been identified as Bourne House at a distance of 20m from the retail, office and common parts plant items and 106-108 Marylebone High Street at a distance of 8m from the restaurant, educational and kitchen extract fans.

In order to ensure the plant noise is compliant with the City Council criteria, Environmental Health require that certain mitigation measures are installed as detailed within the submitted acoustic report. This includes acoustic screening for certain units and the installation of in-line attenuators for the ducted fans. With these acoustic mitigation measures in place, Environmental Health has confirmed that the application will be compliant with the Council noise criteria and have raised no objection to the proposal. Conditions are proposed in relation to noise, vibration and the installation of the acoustic mitigation features as detailed in the acoustic report. No condition is necessary with regard the hours of operation as the plant is shown to be compliant over a 24 hour period.

Whilst an objection has been received from a resident of Bourne House concerned about the potential for noise nuisance from the plant operation the applicant has provided the relevant information to demonstrate that the plant will be compliant with the City Council standard noise criteria. With safeguarding conditions in place it is not considered the proposal could be reasonably refused on this basis.

Refuse /Recycling

Waste and recycling storage areas have been shown on the submitted drawings for Site 1 for the various uses. Whilst the storage areas are considered suitable for the restaurant, retail and educational units it is not considered the office waste storage area is large enough and the access route wouldn't provide sufficient width for the transportation of the bins. As this issue can be easily resolved through minor internal reconfiguration a condition is proposed requiring the submission of amended plans to show the provision of suitable waste and recycling storage at Site 1.

The Cleansing Manger has also requested a Condition be applied to any consent for Site 2 as no waste / recycling storage facilities were shown on the submitted drawings. It is noted that there is space within the premises for suitable provision and an appropriate condition is applied as requested.

Biodiversity

With Site 1 a large green roof area is proposed on the St. Vincent Street building. The inclusion of these green roof areas is welcomed in biodiversity terms and the provision of the green roof is secured by condition with further details requested of the species and maintenance schedule.

7.8 London Plan

This application raises no strategic issues.

7.9 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.

7.10 Planning Obligations

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

- A voluntary contribution of £300,000 for public realm improvement works to St. Vincent Street, however, if this does not take place the money shall be spent on other public realm improvements in the Howard de Walden Estate area.
- Rescinding the temporary planning consent for the educational use at 100 Marylebone Lane.
- Highway works and dedication of land on St Vincent Street as public highway

The estimated CIL payment is £42,869 for the Mayoral CIL and £105,828 for the Westminster CIL, resulting in a total requirement of £148,697.

7.11 Other Issues

Construction impact

The Code of Construction Practice was published in July 2016 and is designed to monitor, control and manage construction impacts on construction sites throughout Westminster. It applies to all major developments from September 2016.

The publication of the Code represents a fundamental shift in the way the City Council deals with the construction impacts of developments. Before September 2016, developments of this scale used legal agreements to fund the Environmental Inspectorate (EI) and required Site Environmental Management Plans to be submitted to and approved by the City Council.

In recognition that there is a range of regulatory measures available to deal with construction impacts and that planning is the least effective and most cumbersome of these, the new approach is for a condition to be imposed requiring the applicant to provide evidence that any implementation of the scheme (by the applicant or any other party) will be bound by the Code. The applicant provided evidence that they will sign up to the Code of Construction Practice and a condition is proposed to ensure that this is the case.

The objector to the scheme has commented on the accessibility of the site for construction traffic and the disruption that this may cause to transportation in the area. As detailed above these issues will now be considered through the Code of Construction Practice and monitored by the Environmental Inspectorate to ensure compliance and that disruption during construction is minimised. The application could not be reasonably refused on these grounds.

The standard condition is proposed to restrict the hours of noisy construction work to ensure that noisy building works do not take place at the most sensitive times for nearby residential occupiers.

Construction Contract

A condition is proposed for Site 1 to ensure no works take place including works of demolition until evidence has been provided to show that the entirety of the re-development work will take place. This is to ensure that the works are completed once commenced in order to maintain the character and appearance of the Harley Street Conservation Area.

Other issues

A response has been received to the application for site 1 from the operator of the farmers market in Moxon Street. With the impending redevelopment of the Moxon Street car-park the market is to be moved into St Vincent Street. The operator has commented on any improvements to the street being welcomed and to the pedestrianisation of the street as being a positive outcome, subject to access being provided on Sundays for the farmers market. This application does not propose any works to St Vincent Street and whilst the applicant has offered £300,000 for pedestrianisation works, the acceptability of the Traffic Order is considered under separate legislation.

8. BACKGROUND PAPERS**Site 1:**

1. Application form
2. Response from Marylebone Association, dated 29 March 2017
3. Response from the Highways Planning Manager dated 30 June 2017
4. Response from Environmental Health dated 29 August 2017
5. Response from the Cleansing Manager dated 20 March 2017
6. Letter from occupier of Bourne House, St. Vincent Street, received 28 March 2017
7. Response from the representative of the Cramer Street Farmers Market, received 20 June 2017

Site 2:

1. Application form
2. Response from the Marylebone Association received 21st March 2017
3. Response from the Highways Planning Manager dated 23rd March 2017
4. Response from the Cleansing Manager dated 16th March 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: JO PALMER BY EMAIL AT jpalme@westminster.gov.uk

9. KEY DRAWINGS

Proposed St. Vincent Street elevation:



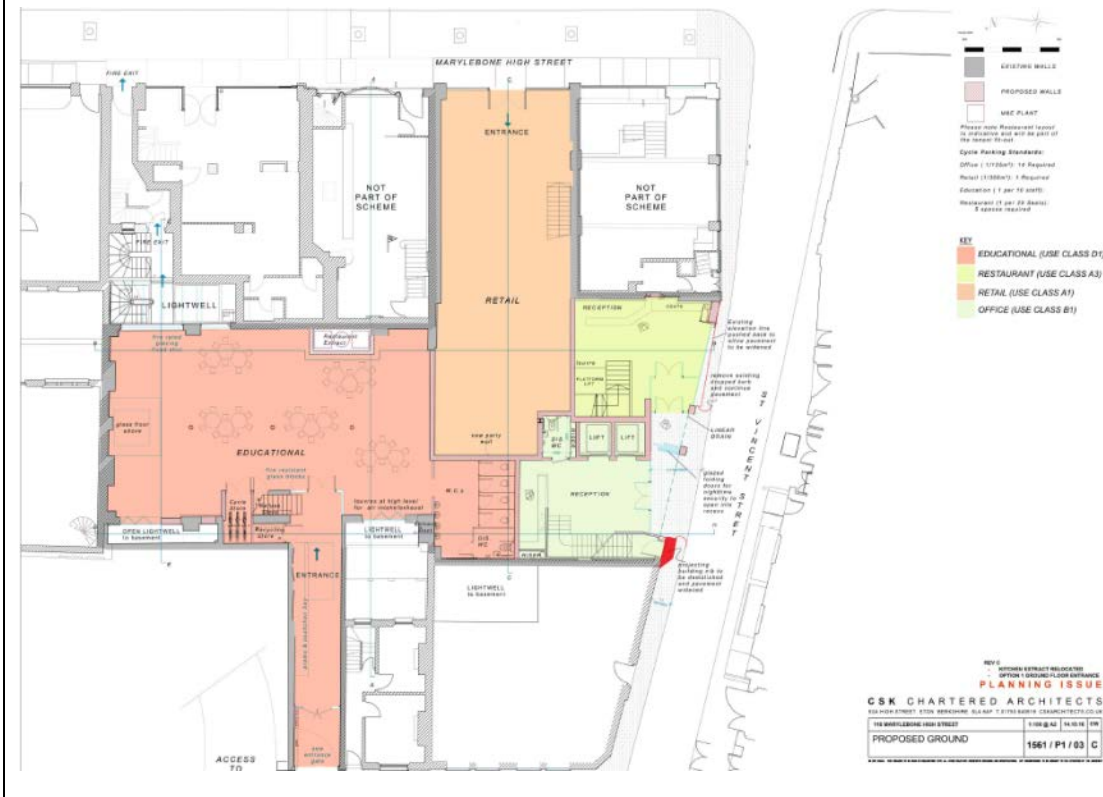
Proposed North / South Section (existing section outlined in red)



Proposed East / West Section (existing section outlined in red)



Proposed Ground Floor Plan:



DRAFT DECISION LETTER

Address: 110 Marylebone High Street, London, W1U 4RY

Proposal: Alterations to all buildings including demolition of St Vincent Street buildings, the erection of a mansard roof extension to 110 Marylebone High Street, and the erection of a new building fronting St. Vincent Street comprising ground to fourth floors with new plant areas and extract ducting to the backland building. Use of the rear lower ground and part ground for restaurant (Class A3) use (accessed from St. Vincent Street), use of part lower ground and part ground as a shop (Class A1), use of part lower ground, part ground, part 1st, 2nd to 4th floor levels as office (Class B1) floorspace (accessed from St. Vincent Street) and use of part ground and part first floor levels as day nursery (Class D1) (accessed from Cramer Street). (Part of land use swap with 100 Marylebone Lane).

Reference: 17/01347/FULL

Plan Nos: Brick Sample Document (31/08/2017) Construction Management Plan (VM025), Servicing Management Plan (M16119-02 SMP), Acoustic Assessment 23rd August 2017 (7594/PNA), Drawings: 1561/P1/02 RevA, 1561/P1/03 RevC, 1561/P1/04 RevC, 1561/P1/05 RevC, 1561/P1/06 RevC, 1561/P1/07 RevB, 1561/P1/08 RevB, 1561/P09 RevD, 1561/P1/10, 1561/P1/11 RevC, 1561/P1/12 RevB, 1561/P1/13 RevA, 1561/P1/14 RevA, 1561/P1/15 RevB, 1561/P1/16 RevA, 1561/P1/17, 1561/P19 RevA, 1561/P1/20 RevA, 1561/P1/21 RevA, 1561/P1/22, 1561/P1/23, 1561/P1/24, 1561/P1/25, 1561/P1/26, 1561/P1/27, 1561/pP1/18RevA.

Case Officer: Matthew Giles

Direct Tel. No. 020 7641 5942

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: between 08.00 and 18.00 Monday to Friday; between 08.00 and 13.00 on Saturday; and not at all on Sundays, bank holidays and public holidays. You must carry out piling, excavation and demolition work only between 08.00 and 18.00 Monday to Friday; and, 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 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

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

- 4 (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.

- 5 You must install the acoustic attenuation as detailed in the submitted acoustic information at the same time as the plant is installed. This must be maintained in this form for as long as the plant remains in situ.

Reason:

To safeguard the amenity of occupiers of noise sensitive properties as set out in S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.

- 6 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green roof area to include construction method, layout, species and maintenance regime. You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan.

Reason:

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

- 7 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 property. (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)

- 8 Prior to the commencement of any demolition or construction on site the applicant shall submit an approval of details application to the City Council as local planning authority comprising evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. Commencement of any demolition or construction cannot take place until the City Council as local planning authority has issued its approval of such an application (C11CB)

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.

- 9 **Pre Commencement Condition.** You must not start any demolition work on site until we have approved either: (a) a construction contract with the builder to complete the redevelopment work for which we have given planning permission on the same date as this consent, or, (b) an alternative means of ensuring we

are satisfied that demolition on the site will only occur immediately prior to development of the new building. You must only carry out the demolition and development according to the approved arrangements. (C29AC)

Reason:

To maintain the character of the Harley Street Conservation Area as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 9 (B) of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29AC)

- 10 You must not carry out demolition work unless it is part of the complete development of the site. You must carry out the demolition and development without interruption and according to the drawings we have approved. (C29BB)

Reason:

To maintain the character of the Harley Street Conservation Area as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 9 (B) of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29AC)

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

Reason:

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 Harley Street 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)

- 12 You must apply to us for approval of samples and specification details 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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Harley Street 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)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Harley Street 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)

- 14 You must apply to us for approval of detailed drawings (scale 1:20 and 1:5) of the following parts of the

development i) new windows and reveals, ii) new doors. You must not start work until we have approved what you have sent us. You must then carry out the work according to these approved drawings. (C26CB)

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 Harley Street 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)

- 15 You must not sell any hot-food take-away from the restaurant premises, nor operate a delivery service, even as an ancillary part of the primary Class A3 use.

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet TACE9 of our Unitary Development Plan that we adopted in January 2007. (R05AB)

- 16 You must not allow more than 150 customers into the restaurant premises at any one time. (C05HA)

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet TACE9 of our Unitary Development Plan that we adopted in January 2007. (R05AB)

- 17 The high level extract ducting shown on the approved drawings shall be fully installed before the restaurant use commences and thereafter maintained for as long as the Class A3 restaurant is in operation.

Reason:

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

- 18 You must not open the restaurant premises to customers, and you must not allow customers on the premises, outside the hours: 08:00 till 23:00 daily.

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet TACE9 of our Unitary Development Plan that we adopted in January 2007. (R05AB)

- 19 If you provide a bar and bar seating within the restaurant premises, it must not take up more than 15% of the floor area of the restaurant premises. You must use the bar (if provided) to serve restaurant customers only, before, during or after their meals.

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet TACE9 of our Unitary Development Plan that we adopted in January 2007. (R05AB)

- 20 You must apply to us for approval of a management plan for the approved restaurant premises to show how you will prevent customers who are leaving the premises from causing nuisance for people in the area, including people who live in nearby buildings. You must not occupy the approved restaurant use until we have approved what you have sent us. You must then carry out the measures included in the management

plan at all times that the restaurant is in use.

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and TACE 9 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 21 You must provide the acoustic lobby in association with the restaurant at ground floor level as shown on the approved drawings and fit self-closing doors. You must not leave these doors open except in an emergency or to carry out maintenance.

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)

- 22 You must provide the access for people with disabilities as shown on the approved drawings before you can occupy either the new restaurant unit or the office accommodation. The disabled access provision must thereafter be retained in situ.

Reason:

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

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

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

- 24 Prior to the occupation of the restaurant / office / educational and retail units, you shall submit and have approved in writing by the local planning authority detailed servicing management strategies for the individual uses to include an assessment of delivery noise combined with mechanical services, servicing hours, noise from doors and gates and activity noise from trolleys and/or human voices. All servicing shall be undertaken in accordance with the approved strategies unless otherwise agreed in writing by the local planning authority.

Reason:

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

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

Reason:

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

2007. (R24AC)

- 26 Access is only to be provided to the identified green roof areas for maintenance purposes. These roof areas are not to be used for any other purpose unless in the case of an emergency.

Reason:

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

- 27 The windows shown on the approved drawings as being obscure glazed and fixed shut must be installed as shown on the drawings and retained in this manner.

Reason:

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

- 28 Before you begin to use the new nursery accommodation, you must apply to us for approval of a Travel Plan. The Travel Plan must include details of: (a) A comprehensive survey of all users of the school; (b) Details of local resident involvement in the adoption and implementation of the Travel Plan; (c) Targets set in the Plan to reduce car journeys to the school; (d) Details of how the Travel Plan will be regularly monitored and amended, if necessary, if targets identified in the Plan are not being met over a period of 5 years from the date the new school buildings are occupied. At the end of the first and third years of the life of the Travel Plan, you must apply to us for approval of reports monitoring the effectiveness of the Travel Plan and setting out any changes you propose to make to the Plan to overcome any identified problems.

Reason:

In the interests of public safety, to avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2, TRANS 3 and TRANS 15 of our Unitary Development Plan that we adopted in January 2007. (R45AB)

- 29 You must use the educational accommodation only as a nursery or pre-school facility. You must not use it for any other purpose, including any within Class D1 of the Town and Country Planning (Use Classes) Order 1987 (or any equivalent class in any order that may replace it). (C05A)

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)

- 30 Pupils are only allowed into the educational accommodation (Class D1) between 08.00 and 18.00 hours on Monday to Friday except in the case of an emergency.

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)

- 31 The nursery / pre-school facility (Class D1) hereby granted consent shall only be used to accommodate a maximum of 80 children.

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.

- 32 The folding glass doors to the recessed area on St. Vincent Street can only be fully opened between the following hours:

07:00-19:00 Monday to Friday (for the B1 entrance)

08:00-23:00 daily (for the Class A3 entrance)

Outside these times the folding glass doors should be extended across the recessed areas.

Reason:

The provision of the recessed areas outside these times may give rise to anti-social behaviour and crime, contrary to the requirements of policy S29 of Westminster's City Plan.

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 With regard condition 29 of this planning permission: a) The D1 use will carry out regular surveys of students and staff at least every 2 years so no survey data is more than 2 years old. If the data currently submitted in the STP is more than 2 years old then a survey will be carried out within 3 months, b) The D1 use will circulate details of all proposed soft and hard measures to local residents. This information can be in the form of a circular or other suitable method, c) From the recent surveys of travel behaviour at the D1 use a set of revised targets will be produced within 3 months of the survey data., d) The D1 use will supply a detailed and up to date action plan and identify how they will deal with not achieving annual targets. This will require annual monitoring. Each Action Plan will look forward for at least 5 years.
- 3 Please contact our Environmental Health Service (020 7641 2971) to register your food business and to make sure that all ventilation and other equipment will meet our standards. Under environmental health law we may ask you to carry out other work if your business causes noise, smells or other types of nuisance. (I06AA)
- 4 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold

levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)

- 5 Please contact our District Surveyors' Services to discuss how you can design for the inclusion of disabled people. Email: districtsurveyors@westminster.gov.uk. Phone 020 7641 7240 or 020 7641 7230. If you make a further planning application or a building regulations application which relates solely to providing access or facilities for people with disabilities, our normal planning and building control fees do not apply. The Equality and Human Rights Commission has a range of publications to assist you, see www.equalityhumanrights.com. The Centre for Accessible Environment's 'Designing for Accessibility', 2004, price £22.50 is a useful guide, visit www.cae.org.uk. If you are building new homes you must provide features which make them suitable for people with disabilities. For advice see www.habinteg.org.uk. It is your responsibility under the law to provide good access to your buildings. An appropriate and complete Access Statement as one of the documents on hand-over, will provide you and the end user with the basis of a defence should an access issue be raised under the Disability Discrimination Acts.
- 6 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work. Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974., , 24 Hour Noise Team, Environmental Health Service, Westminster City Hall, 64 Victoria Street, London, SW1E 6QP, Phone: 020 7641 2000, Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)
- 7 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.
- 8 With reference to condition 9 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work. The Code does require the submission of a full Site Environmental Management Plan or Construction Management Plan as appropriate 40 days prior to commencement of works (including demolition). You are urged therefore to give this your early attention.
- 9 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site

neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.

- 10 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 11 The development will result in changes to road access points. Any new threshold levels in the building must be suitable for the levels of neighbouring roads. If you do not plan to make changes to the road and pavement you need to send us a drawing to show the threshold and existing road levels at each access point. If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and the development. You will have to pay all administration, design, supervision and other costs. We will carry out any work which affects the road. For more advice, please phone 020 7641 2642. (I69AA)
- 12 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 13 Conditions 4 and 5 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 14 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: , www.westminster.gov.uk/cil , Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form** , CIL forms are available from the planning on the planning portal: , <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> , Forms can be submitted to CIL@Westminster.gov.uk , **Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.**

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

DRAFT DECISION LETTER

Address: 100 Marylebone Lane, London, W1U 2QB,
Proposal: Use of the ground to third floors as a permanent (Class D1) educational use (part of a land use swap with 110 Marylebone High Street).
Reference: 17/01868/FULL
Plan Nos: Drawings: 002/P, 003/P, 004/P, 005/P.

Case Officer: Matthew Giles

Direct Tel. No. 020 7641 5942

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 use the property only as a school for students within the 11-19 age range. You must not use it for any other purpose, including any within Class D1 of the Town and Country Planning (Use Classes) Order 1987 (or any equivalent class in any order that may replace it). (C05A)

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)
- 3 You can use the property for this purpose between 08.00 and 22.00 hours on Monday to Saturday (not bank holidays) only

Reason:

In granting this permission the City Council has had regard to the special circumstances of this case and would need to consider any other use within Class D1 in light of the relevant policies of the development plan.

- 4 No part of the third floor of the building shall be used before 08.00 or after 18.00 hours on any day.

Reason:

To safeguard the amenity of the residential occupiers of the fourth floor of the building. This is in accordance with H10, SC19 and SOC2 of our Unitary Development Plan; STRA 14, ENV6 and SOC1 of our Replacement Unitary Development Plan (Second Deposit version), and STRA 14, ENV6a and SOC1 of our Replacement Unitary Development Plan (Pre-Inquiry version)

- 5 You must keep the doors in the Bentinck Mews elevation closed. You can use them in an emergency, for deliveries or for maintenance only.

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)

- 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 property.

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 Between the hours of 20.00 and 22.00 hours the use must operate as detailed in the submitted operational statement and in no other way.

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)

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.

Item No.
03

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.

Agenda Item 4

Item No.

04

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 19 September 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	12-14 Wilfred Street, London, SW1E 6PL		
Proposal	Installation of four air conditioning units within acoustic enclosures at main roof level, one air conditioning unit in front basement light well and associated works.		
Agent	Mr Luke Rose		
On behalf of	Mr A Jafarian		
Registered Number	17/03448/FULL	Date amended/ completed	21 August 2017
Date Application Received	20 April 2017		
Historic Building Grade	Unlisted		
Conservation Area	Birdcage Walk		

1. RECOMMENDATION

- | |
|----------------------------------|
| 1. Grant conditional permission. |
|----------------------------------|

2. SUMMARY

12 - 14 Wilfred Street is in office use. Permission is sought for the installation of four air conditioning units at main roof level and one unit within the front basement lightwell. The associated ductwork is proposed to be routed in a black pvc pipe at the rear of the building.

The current application has been submitted in response to enforcement action which has been taken to remove unlawful plant located in the rear garden which has now been removed.

Concern has been raised by the Westminster Society and four neighbouring residents on the grounds of visual impact and noise nuisance.

In terms of design, the equipment proposed in the front lightwell will not be readily visible from the street and is considered acceptable in design terms. The application has been revised during the course of the application, to site the four units at roof level behind an existing chimney stack to the rear and be arranged in a row at low level against the high party wall of the adjoining property at No. 10 and set back from the front parapet by approximately 0.78m. A condition is recommended to ensure that the acoustic enclosures are painted in a colour to match the adjoining party wall. The application is therefore considered acceptable in design and conservation terms, in accordance with the NPPF, Westminster City Plan strategic policies S25 and S28, and Unitary Development Plan policies DES 1,

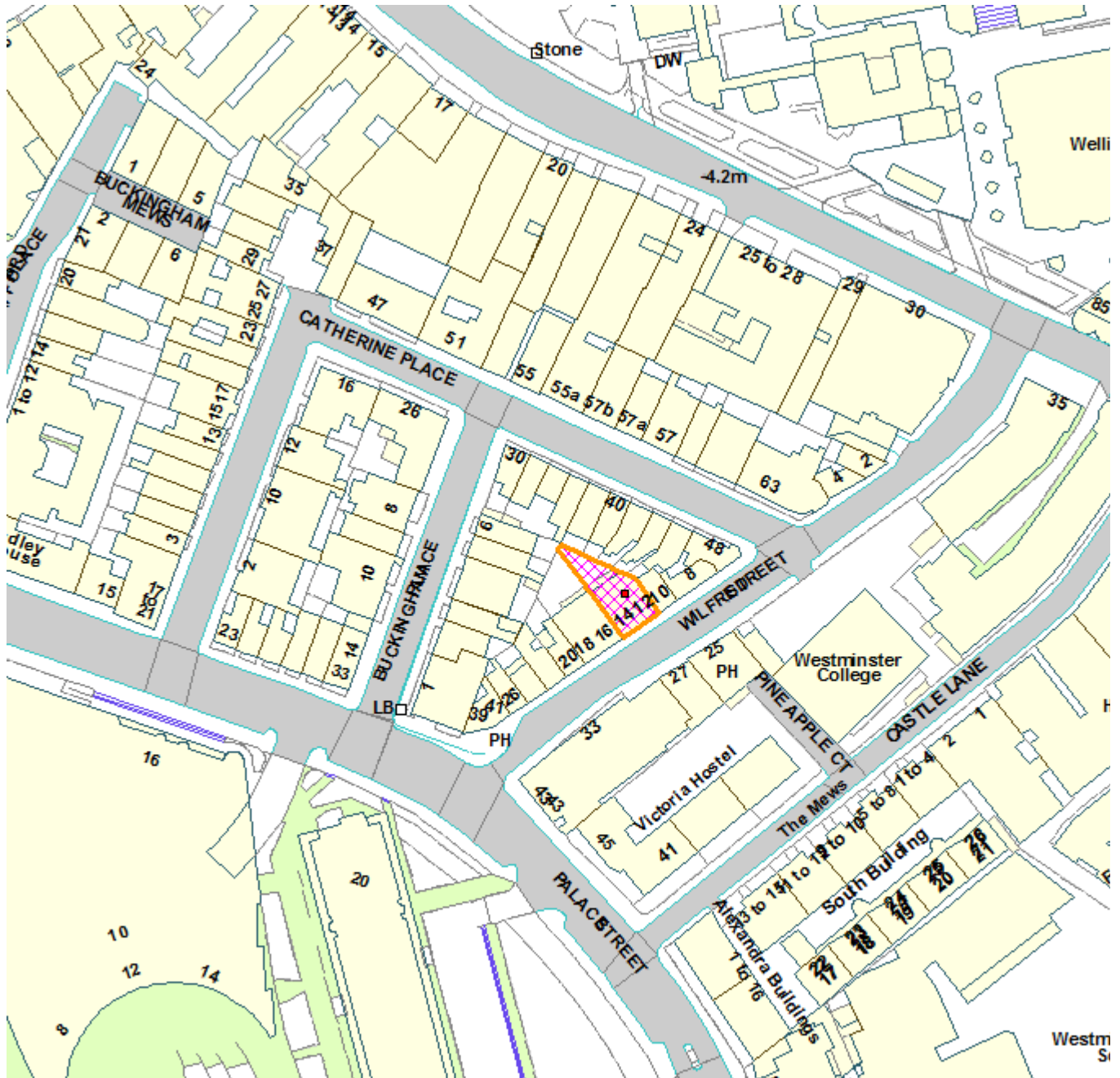
DES 5, DES 6 and DES 9.

The applicant has submitted an acoustic report in support of the application. Environmental Health raise no objection subject to conditions, limiting the hours of use of the units to between 07:00 to 19:00 daily and requiring the submission of a supplementary acoustic report confirming compliance. The application is therefore considered acceptable in amenity terms in accordance with S29 of the City Plan and ENV 13 of the UDP.

Concern has also been raised over the trustworthiness of the applicant given their previous record of installing units without permission which have caused a noise nuisance for a number of years, and for submitting inaccurate information. The City Council has taken enforcement action against the applicant which has resulted in the units previously installed being removed. The applicant will be required to adhere to the recommended conditions in full.

Accordingly, it is recommended that conditional planning permission be granted.

3. LOCATION PLAN



4. PHOTOGRAPHS



Front elevation (Wilfred Street)



Roof of 12-14 Wilfred Street (application site) as viewed from rear

5. CONSULTATIONS

WESTMINSTER SOCIETY

Objection. Roof mounted units visually intrusive from views from upper parts of building opposite.

ENVIRONMENTAL HEALTH

No objection, subject to conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 15

Total No. of replies: 4

No. of objections: 4

No. in support: 0

Four letters of objection received from three neighbouring residents.

Design

- The roof is a better position for the units if everything is discreetly hidden and they do not ruin the skyline.
- The roof is not appropriate for unsightly units, given the conservation area setting.
- The units need to be fully screened and not be massive.
- Units not aesthetically pleasing.

Noise

- New units must fully comply with noise standards when installed.
- Hope sound engineer's values are true and accurate representations.
- Surprised over need for four units.
- Concern over noise disturbance to neighbouring roof terrace and in summer when windows are open.
- Conditions on hours of use must be applied.
- Noise will be worse than when sited in the garden as no walls to muffle the noise.

Other

- Lack of trust in applicant.
- The units which were installed in the yard area without permission created very significant noise pollution issues and have been visually unsightly for the last few years.
- Applicant has history of installing units without permission, submitting inaccurate information and has shown little consideration for neighbours.
- The building is not appropriate for modern office space, hence the application.
- Note that the old units have already been removed.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. RELEVANT PLANNING HISTORY

A Lawful Development Certificate (Existing) to confirm the use of the basement, ground and first floor as offices (Class B1) was issued in June 2016 (RN: 16/03559/CLEUD). An application for the installation of air conditioning plant equipment within an acoustic enclosure in the rear courtyard at basement level was permitted in June 2015 (RN: 14/12802/FULL). Condition 7 of this planning permission required the submission of a supplementary acoustic report to show the proposed plant would be compliant with relevant noise limits. A subsequent application seeking the approval of these details was refused on the basis that noise limits were not complied with (RN: 15/09365/ADFULL).

An application for the retention of an air conditioning unit within enclosure to rear courtyard at basement level was refused in May 2016 (RN: 15/11327/FULL) on design grounds. Despite complying with relevant noise limits, the size, siting and detailed design of the proposed plant and screen were considered to result in a significant impact on the character of the building and the visual amenity of the conservation area. The application was subsequently refused and the units and enclosures removed following enforcement action by the Council.

7. BACKGROUND PAPERS

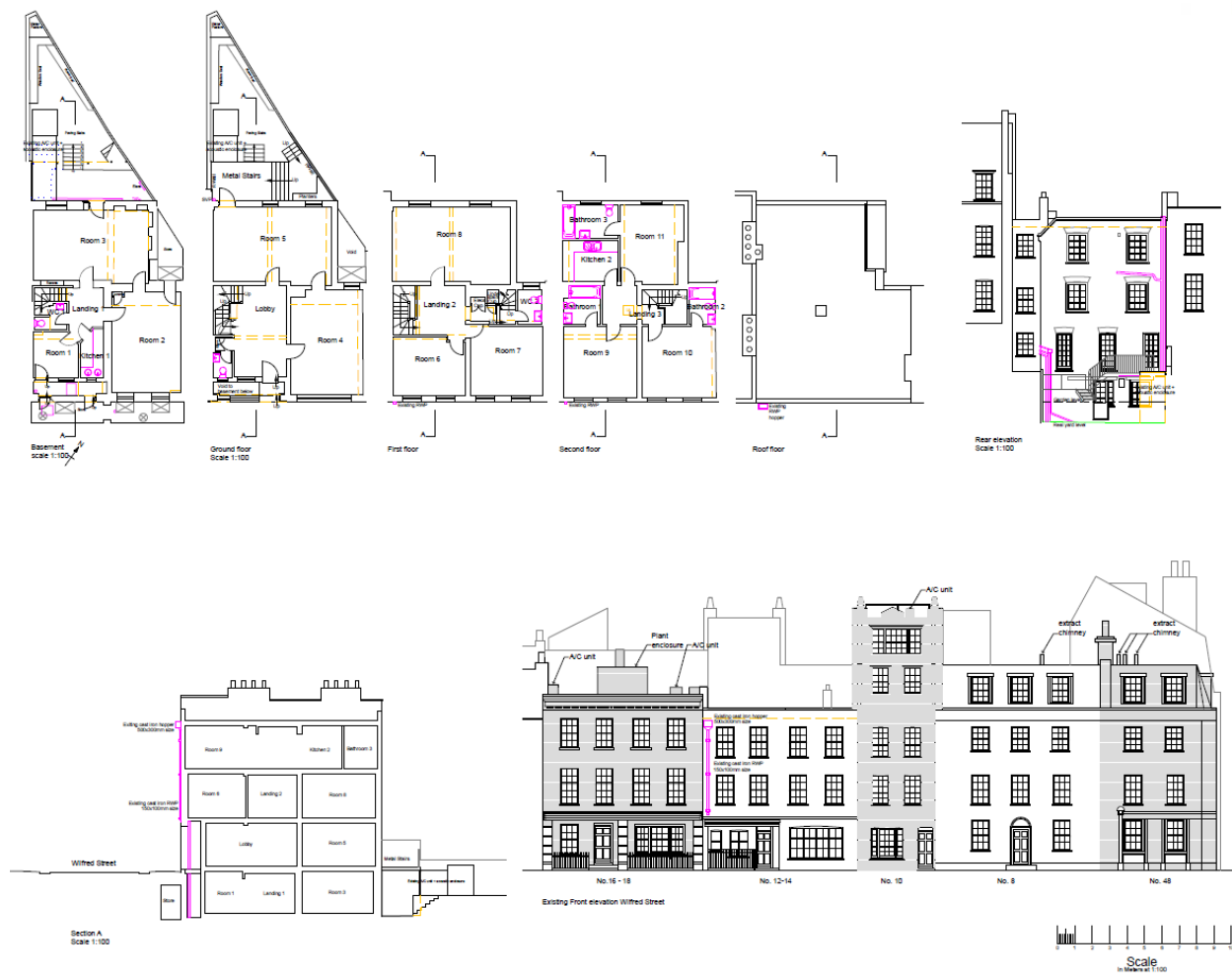
1. Application form
2. Response from Westminster Society, dated 2 May 2017
3. Response from Environmental Health, dated 17 July 2017
4. Letters from occupier of 40 Catherine Place, London, dated 8 May 2017 and 17 May 2017
5. Letter from occupier of 6 Buckingham place, London, dated 23 May 2017
6. Letter from occupier of 40 Catherine Place, London, dated 9 May 2017

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

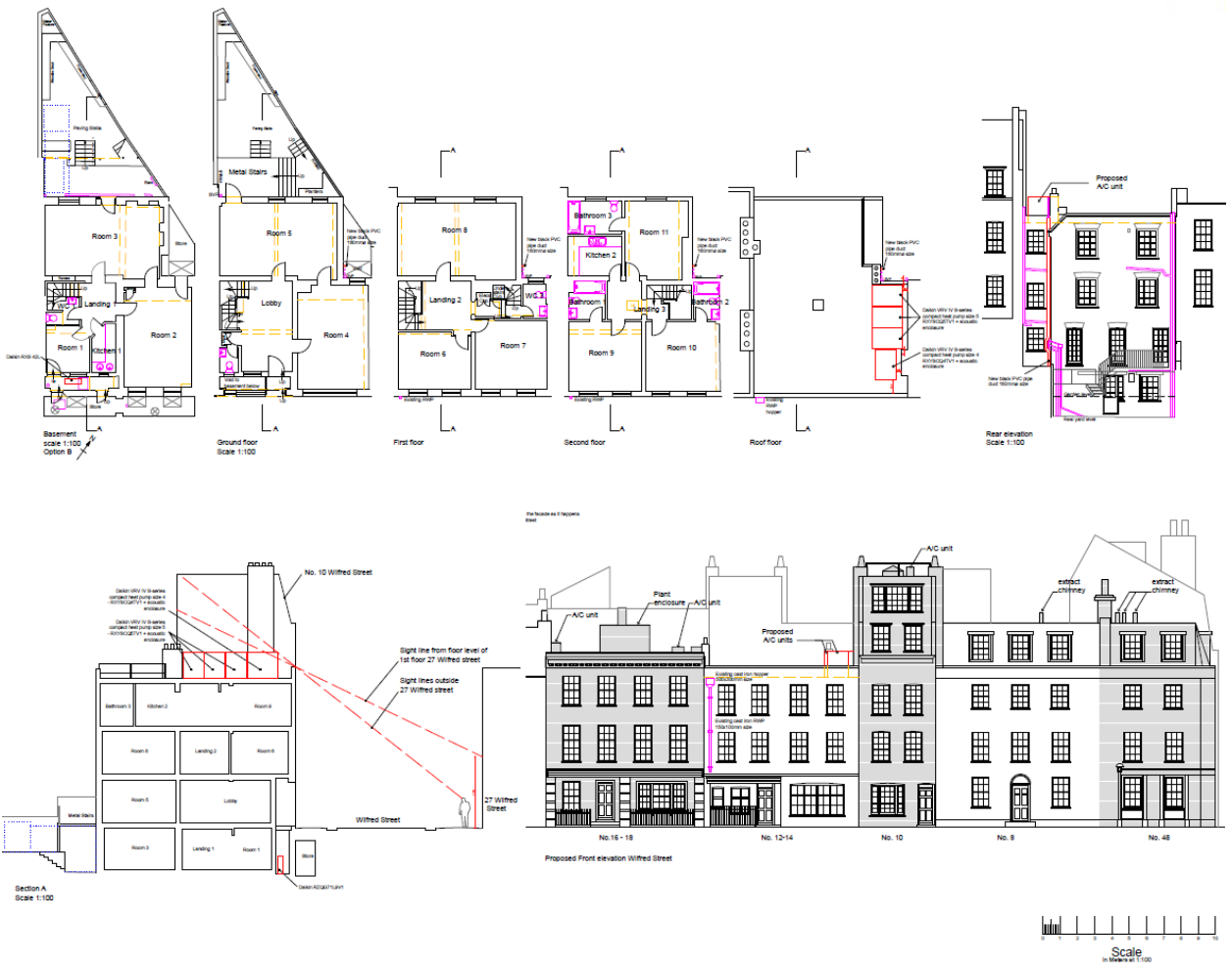
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: JULIA ASGHAR BY EMAIL AT jasghar@westminster.gov.uk.

8. KEY DRAWINGS

Existing Plans, Elevations and Section



Proposed Plans, Elevations and Section



DRAFT DECISION LETTER

Address: 12-14 , Wilfred Street, London, SW1E 6PL

Proposal: Installation of four air conditioning units and enclosures at main roof level and one air conditioning unit in the front light well and associated works.

Plan Nos: 13/212/01 Rev. A; 13/212/04 Rev. E; Plant Noise Assessment Report dated 19 April 2017, prepared by Auricl Limited; (for information) acoustic enclosures specifications.

Case Officer: Sebastian Knox **Direct Tel. No.** 020 7641 4208

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 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 Birdcage Walk 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 plant/machinery hereby permitted shall not be operated except between 07:00 hours and 19:00 hours daily.

Reason:

As set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(2) 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.

- 5 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 5 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved 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:

As set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(2) 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 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

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

- 7 The acoustic enclosures at main roof level should be painted a colour to match the brick party wall of the adjoining property at No. 10 and maintained that colour thereafter.

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 Birdcage Walk 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)

- 8 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 5 and 6 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

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.

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 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

24 Hour Noise Team
Environmental Health Service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (150AA)

- 3 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:

* Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;

* This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

- 4 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained.
- Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following:
- * Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings;
 - * Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase;
 - * Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained;
 - * Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the centre of particularly wide staircases where necessary;
 - * Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.
- 5 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.
- * Window cleaning - where possible, install windows that can be cleaned safely from within the building.
 - * Internal atria - design these spaces so that glazing can be safely cleaned and maintained.
 - * Lighting - ensure luminaires can be safely accessed for replacement.
 - * Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).
- More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm.

Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)

- 6 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.

- 7 Conditions 5 and 6 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)

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Agenda Item 5

Item No.

05

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 19 September 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Knightsbridge And Belgravia	
Subject of Report	51 Chester Square, London, SW1W 9EA		
Proposal	Variation of Condition 1 of planning permission dated 02 March 2017 (RN: 16/12193/FULL) which varied permission dated 3 November 2016 (RN: 16/06367/FULL) for excavation of additional basement level under the main house and mews. Replacement of existing conservatory with two storey rear extension with roof terrace at first floor level. Single-storey lower ground rear link extension. Installation of mechanical plant on roof of mews building (site includes 51 Ebury Mews). Namely, to extend the existing closet wing at rear second floor level to accommodate lift. (Linked to 17/03887/LBC).		
Agent	Ms Charlotte Handscomb		
On behalf of	c/o agent		
Registered Number	17/03669/FULL 17/03887/LBC	Date amended/ completed	28 April 2017
Date Application Received	28 April 2017		
Historic Building Grade	Grade II		
Conservation Area	Belgravia		

1. RECOMMENDATION

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

2. SUMMARY

This proposal relates to a Grade II listed building and mews property (51 Chester Square and 51 Ebury Mews) located on the south side of Chester Square within the Belgravia Conservation Area.

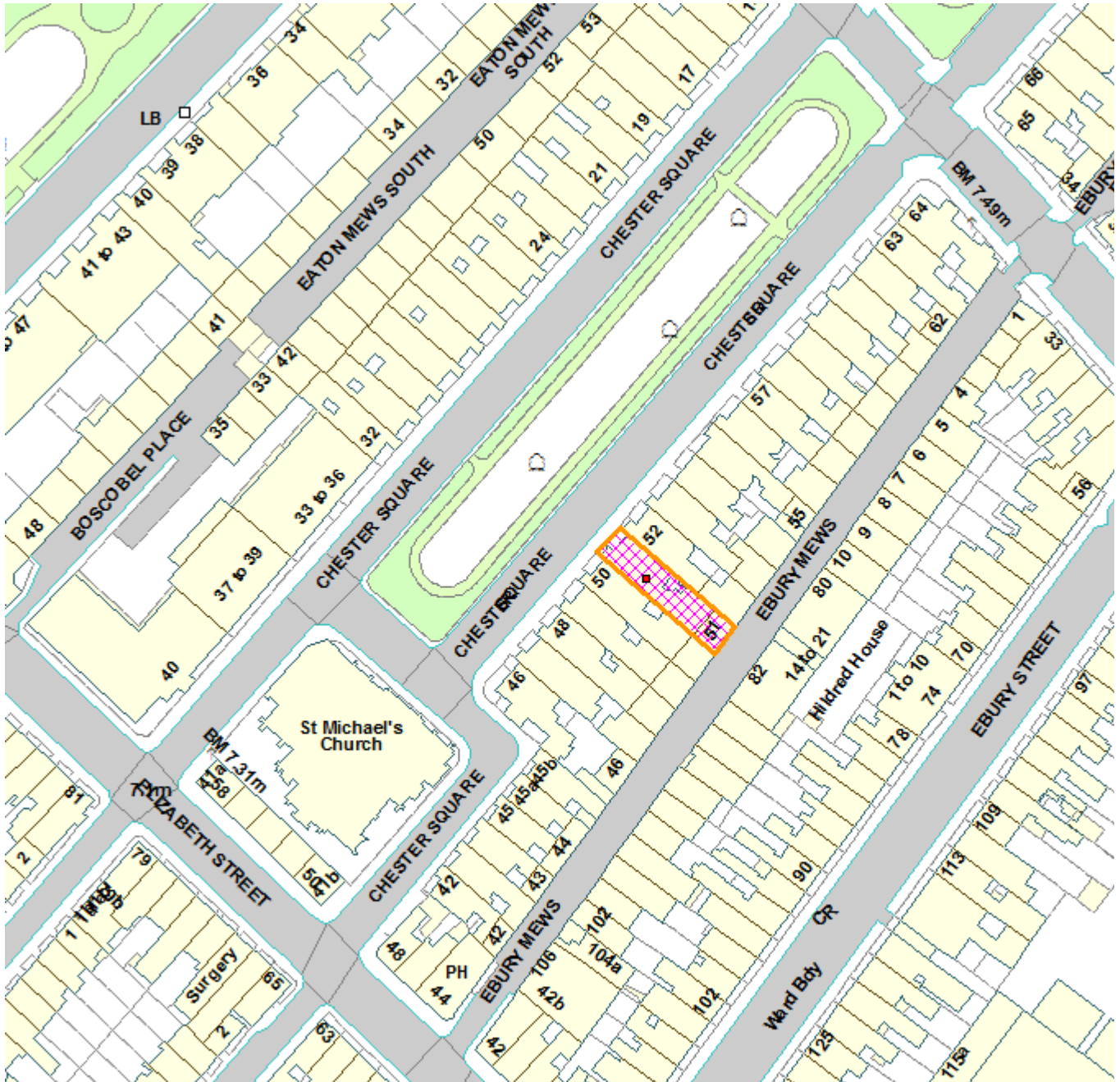
Planning permission and listed building consent are sought to vary existing permissions and listed building consent to enable the extension of the existing closet wing at rear second floor level to accommodate a lift.

The key issues for consideration are:

- * The impact of the proposals on the significance of the Grade II building and the character of the surrounding Belgravia Conservation Area
- * The impact on the amenity of neighbouring residential occupiers.

The proposals are considered to comply with the Council's policies in relation to design, conservation and amenity as set out in Westminster's City Plan: Strategic Policies (City Plan) and the Unitary Development Plan (UDP) and the applications are recommended for approval.

3. LOCATION PLAN



4. PHOTOGRAPHS



Front elevation of application property



Rear elevation of Nos. 50, 51 (application property) and 52

5. CONSULTATIONS

BELGRAVIA RESIDENTS ASSOCIATION:

Any response to be reported verbally.

BELGRAVIA SOCIETY:

Any response to be reported verbally.

BELGRAVIA NEIGHBOURHOOD FORUM:

Any response to be reported verbally.

HISTORIC ENGLAND:

Letter received confirming not necessary to notify.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 7: No. of replies: 1

One letter of objection received on behalf of the neighbouring occupier at No. 50 on the following grounds:

Design

- Over development of the site.
- Impact on the setting and significance of the Grade II listed building at No. 50 and Belgravia Conservation Area.

Amenity

- inadequate assessment of sunlight and daylight,

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

No. 51 Chester Square is a Grade II listed single family dwelling building and includes No. 51 Ebury Mews to the rear. It is located on the south side of Chester Square and lies within the Belgravia Conservation Area.

6.2 Recent Relevant History

Planning permission and listed building consent were granted in February 2015 (RNs 14/09059/FULL & 14/09060/LBC) for the excavation of additional basement levels beneath the main house and mews and for the erection of a two storey rear extension at lower ground and ground floor levels with terrace above at first floor level, including the re-landscaping and levelling of the rear garden.

Planning permission and listed building consent were granted in April 2016 (RNs 15/08900/FULL & 15/08901/LBC) for amendments to the above proposals to reduce the

basement excavation, limit the excavation to a single storey beneath the rear garden and part of the mews property, alter the doors to front basement vaults, reduce size of rooflights at ground and first floor levels, and for minor internal alterations and to alter louvre location in mews roof.

Planning permission and listed building consent were granted in November 2016 (RNs 16/06367/FULL and 16/06368/LBC) for amendments to the April 2016 proposals to include the addition of a single-storey infill link extension at rear lower ground level, a new sunken wine cellar, internal alterations to the main house, internal alterations to the mews and alterations to the existing mews facades.

Planning permission and listed building consent were granted in March 2017 (RNs 16/12193/FULL & 16/12194/LBC) for amendments to the November 2016 proposals to extend the permitted glazed link between the main house and the mews house to accommodate a plant area at lower ground level and rear link extension at ground level and the installation of an air conditioning unit within the front lightwell.

7. THE PROPOSAL

Planning permission and listed building consent are sought to vary planning permission and listed building consent dated March 2017 to enable the extension of the existing closet wing at rear second floor level to accommodate a lift. The proposals remain identical to that granted in March 2017 in all other respects and this report therefore focuses on the proposed changes only.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposal seeks to extend the existing single family dwelling house which is acceptable in principle in land use terms and in accordance with H3 of the UDP and S14 of Westminster's City Plan.

8.2 Townscape and Design

In terms of design, the proposed extension at second floor level would project from the existing rear wing by approximately 1.8m. The proposals have been revised during the course of the application, as a half-width extension was originally proposed, which was considered unbalanced in terms of design.

One letter of objection has been received on behalf of the neighbouring occupier at No. 50 on the grounds of overdevelopment of the site and impact on the setting and significance of the Grade II listed building at No. 50, the listed terrace, and will negatively affect the character of the wider Belgravia Conservation Area.

In light of a recent appeal decision relating to No. 57 Chester Square (included in the background papers) which allowed similar proposals, the principle of the extension is considered difficult to resist on design grounds. A condition is recommended requiring

detailed drawings to be submitted of the reinstatement of the existing rear window in the proposed closet wing extension, including surround and header details.

In terms of overdevelopment, there have been a number of applications at the site which among other things have introduced and then extended a glazed link between the main house and the mews house at lower ground level and a rear link extension at ground level. These works are permitted and capable of implementation and it is not considered that the proposed extension of the closet wing to second floor level would be sufficient to merit a refusal of planning permission on these grounds.

Subject to conditions, the proposals are considered acceptable in design, listed building and conservation grounds. The works accord with policies DES1; DES5; DES10; DES9 and guidance contained with the City Council's SPG: Repairs and Alterations to Listed Buildings.

8.3 Residential Amenity

In terms of residential amenity, the nearest neighbouring residential properties are the adjoining Nos. 50 and 52 Chester Square.

One letter of objection has been received on behalf of the neighbouring occupier at No. 50 on the grounds of inadequate assessment of sunlight and daylight. The revised proposals widening the proposed closet wing extension to full width were accompanied by a Daylight and Sunlight assessment.

The recommendation in the BRE guide is that reductions of over 20% of existing daylight levels are likely to be noticeable. The daylight report shows that one window serving the ground floor dining room of No. 50 Chester Square would see more than a 20% reduction in its daylight Vertical Sky Component (VSC) level of 27%.

It is accepted that in built up Central London locations the BRE guidelines must be approached with flexibility. The window already has a low existing VSC value (2.7 existing, 1.96 proposed) which results in any reduction showing as a significant percentage, when the loss may be only experienced as marginally perceptible in reality. In this case the affected window is within the side of a bay and the room is therefore served by two other windows within the bay and a further window to the rear elevation unaffected by the proposal.

In terms of sense of enclosure and privacy, the extension of the closet wing to second floor level would result in a projection of 1.8m from the existing rear wing. Whilst this would be visible from a number of rear windows in No. 50, given the limited depth of the proposed extension it is not considered that this would lead to an increased sense of enclosure to such an extent that planning permission should be refused on these grounds. In all other respects, No. 50 occupied as a whole house will continue to enjoy a good standard of amenity and unencumbered views out from rear windows at this level.

As such, the proposals are considered acceptable in amenity terms compliant with Policies S29 of the City Plan and ENV13 of the UDP.

8.4 Transportation/Parking

The proposals do not alter the use of the property and the transport/parking arrangements remain unchanged by the proposals.

8.5 Economic Considerations

This development does not generate a Mayor CIL or WCC CIL payment.

8.6 Access

The access arrangements remain unchanged by the proposals.

8.7 Other UDP/Westminster Policy Considerations

Basement Excavation

Since the 2015 permission which allowed the provision of a basement at the property, the City Council has adopted its basement policy. It is therefore appropriate to consider the basement forming part of this application in respect of its compliance with current policy.

In line with policy CM28.1 of the City Plan (adopted November 2016) the basement complies in respect of structural methodology, SUDS, the inclusion of a pumped device, planting (to the lightwell) and the inclusion of 1.2m soil depth.

The extant permission allows the part infilling of the rear courtyard and the requisite soil depth is included where outdoor space remains. A margin of undeveloped land which formed part of the previous courtyard area has been maintained along the boundary with No. 52 Chester Square.

The floor to ceiling height varies across the basement. To the main section it is 2.5 metres. It then steps up in height to 3.5m in order to accommodate the stair to the lower ground floor. Although this aspect could be assessed as not being compliant with policy CM28.1, which allows a maximum floor to ceiling height of 2.7m, given that the extant permissions would allow the implementation of this aspect it is not considered that planning permission could be withheld on these grounds.

The City Council has also adopted its Code of Construction Practice setting out the standards and procedures to which developers and contractors must adhere to when undertaking construction of major projects and basement excavation. Given that none of the extant permissions have as yet been implemented, the applicant will be required to provide evidence for approval by the Environmental Inspectorate to demonstrate their compliance with the Code. A condition and informative are recommended in this regard.

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

The proposals are of insufficient scale to generate a requirement for any planning obligations.

8.11 Environmental Impact Assessment

The proposals are of an insufficient scale to require an environmental impact assessment.

8.12 Other Issues

None relevant.

9. BACKGROUND PAPERS

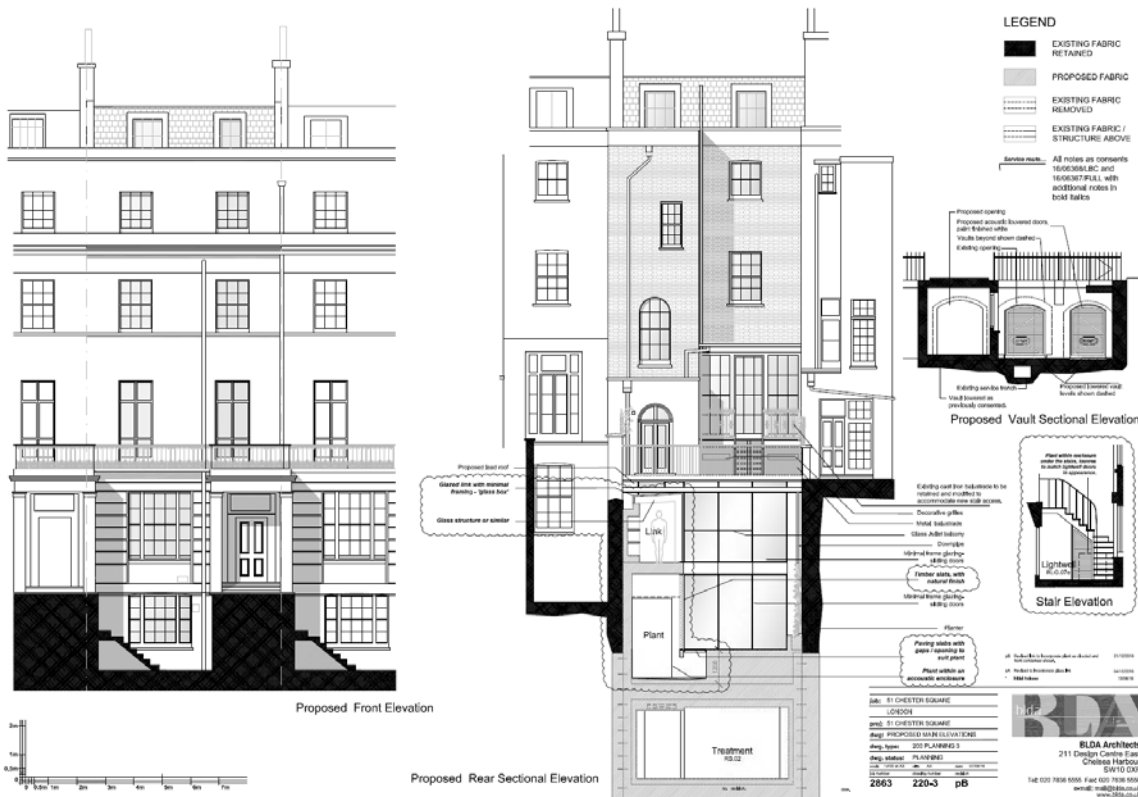
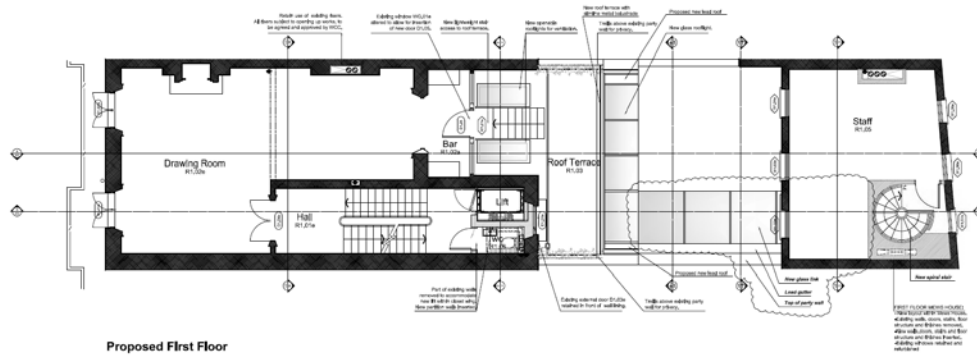
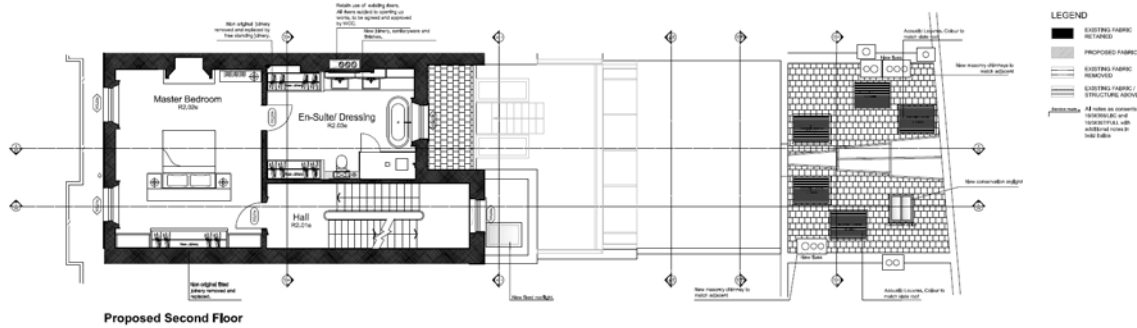
1. Application form
2. Response from Historic England, dated 15 May 2017
3. Letter on behalf of occupier of 50 Chester Square, dated 6 June 2017
4. Appeal decision on 57 Chester Square, dated 16 January 2017

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

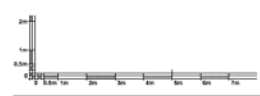
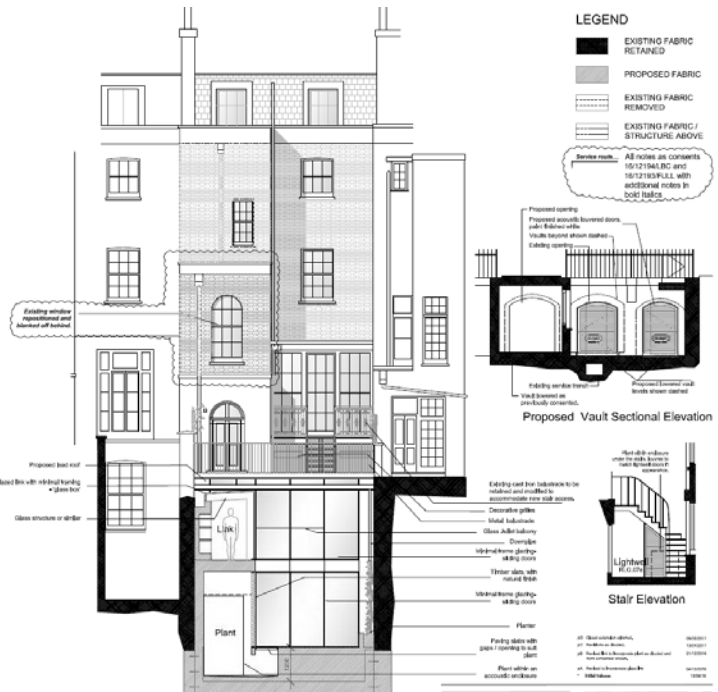
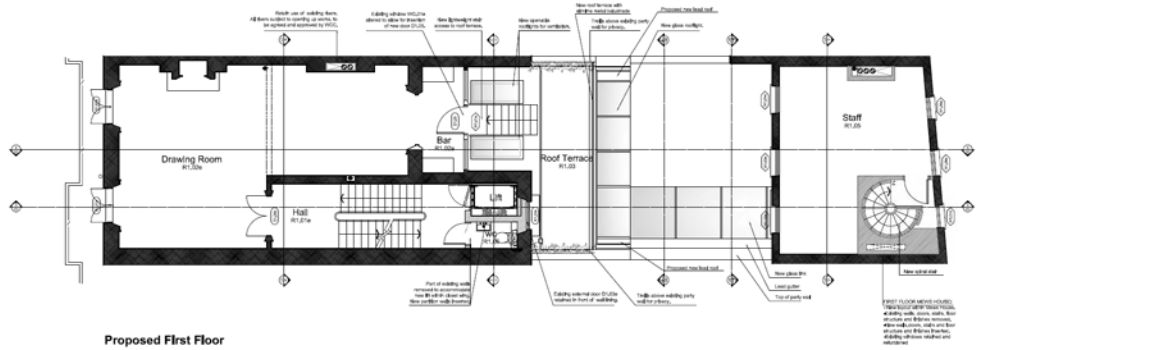
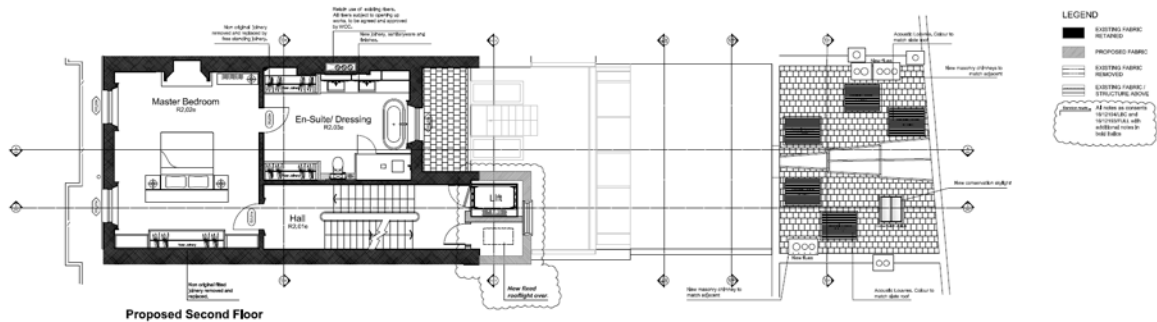
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: JULIA ASGHAR BY EMAIL AT jasghar@westminster.gov.uk.

10. KEY DRAWINGS

Approved drawings (under 16/12193/FULL & 16/12194/LBC)



Proposed drawings



2863 220-3 pD

BLD Architects
211 Design Centre East
Chiswick Road
SW10 0DF

TEL: 020 7538 9555 Fax: 020 7538 9556
www.bldarchitects.com

DRAFT DECISION LETTER

Address: 51 Chester Square, London, SW1W 9EA,

Proposal: Variation of Condition 1 of planning permission dated 02 March 2017 (RN: 16/12193/FULL) which varied permission dated 3 November 2016 (RN: 16/06367/FULL) for excavation of additional basement level under the main house and mews. Replacement of existing conservatory with two storey rear extension with roof terrace at first floor level. Single-storey lower ground rear link extension. Installation of mechanical plant on roof of mews building (site includes 51 Ebury Mews). Namely, to extend the existing closet wing to second floor level to accommodate lift. (Linked to 17/03887/LBC).

Plan Nos: As approved by 16/06367/FULL:
000; 002; 003; 004; 020; 021; 040; 041; 042; 043; 201-3 pB; 202-3 pB; 203-3 pA; 204-3; 205-3; 220-3 pA; 221-3 pA; 240-3 pA; 241-3 pA; 242-3 pA; 401-3; 402-3; 403-3; 404-3; Acoustic Assessment Report dated 29 August 2014, prepared by PC Environmental Ltd; Construction Traffic Management Plan, prepared by Modebest; (for information only) Structural Method Statement dated June 2016 by Heyne Tillett Steel.

As amended by 16/12193/FULL:
202-3 Rev pC; 203-3 Rev pB; 220-3 Rev pB; 221-3 Rev pB; 240-3 Rev pB; 241-3 Rev pB; Acoustic Assessment Report Rev B dated 16 December 2016, prepared by PC Environmental Ltd.

As amended:
203-3 Rev pD; 204-3 Rev pB; 220-3 Rev pD; 240-3 Rev pC; 242-3 Rev pB.

Case Officer: Sebastian Knox

Direct Tel. No. 020 7641 4208

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 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 Prior to the commencement of any demolition or construction on site the applicant shall submit an approval of details application to the City Council as local planning authority comprising evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. Commencement of any demolition or construction cannot take place until the City Council as local planning authority has issued its approval of such an application (C11CB)

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)

- 4 (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.

- 5 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

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

- 6 The soil depth in the rear garden as shown on drawing number 240-3 pC shall be provided and thereafter maintained as such for as long as the development remains in place.

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Belgravia Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's

City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

- 7 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)

- 8 The louvered panels in the roof of 51 Ebury Mews shall be painted dark grey to closely match the adjacent slates.

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)

- 9 The louvred doors to the front basement vaults shall be painted and maintained black.

Reason:

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

- 10 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 4 and 5 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

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

- 11 This permission must be commenced no later than 2 March 2020

Reason:

This permission authorises amendments to the original planning permission granted on 2 March 2017 (RN 16/12193/FULL) which must be commenced no later than the above date.

- 12 You must apply to us for approval of detailed drawings at scale 1:10 of the following parts of the development - the repositioning of the existing rear window in the closet wing extension, including header and surround detail to match existing. 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 details. (C26DB)

Reason:

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

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 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 3 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

24 Hour Noise Team
Environmental Health Service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

- 4 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.
- 5 Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing

wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

- 6 You are encouraged to use the topsoil required by Condition 6 for a planting scheme over the full garden.
- 7 We recommend you speak to the Head of the District Surveyors' Services about the stability and condition of the walls to be preserved. He may ask you to carry out other works to secure the walls. Please phone 020 7641 7240 or 020 7641 7230. (I22AA)
- 8 With reference to condition 3 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work. The Code does require the submission of a full Site Environmental Management Plan or Construction Management Plan as appropriate 40 days prior to commencement of works (including demolition). You are urged therefore to give this your early attention.

DRAFT DECISION LETTER

Address: 51 Chester Square, London, SW1W 9EA,

Proposal: Variation of Condition 1 of listed building consent dated 02 March 2017 (RN: 16/12194/LBC) which varied listed building consent dated 3 November 2016 (RN: 16/06368/LBC) for excavation of additional basement level under the main house and mews. Replacement of existing conservatory with two storey rear extension with roof terrace at first floor level. Single-storey lower ground rear link extension. Installation of mechanical plant on roof of mews building (site includes 51 Ebury Mews). Namely, to extend the existing closet wing to second floor level to accommodate lift.

Plan Nos: As approved by 16/06368/LBC:
000; 002; 003; 004; 020; 021; 040; 041; 042; 043; 201-3 pB; 202-3 pB; 203-3 pA; 204-3; 205-3; 220-3 pA; 221-3 pA; 240-3 pA; 241-3 pA; 242-3 pA; 401-3; 402-3; 403-3; 404-3.

As amended by 16/12194/LBC:
202-3 Rev pC; 203-3 Rev pB; 220-3 Rev pB; 221-3 Rev pB; 240-3 Rev pB; 241-3 Rev pB.

As amended:
203-3 Rev pD; 204-3 Rev pB; 220-3 Rev pD; 240-3 Rev pC; 242-3 Rev pB.

Case Officer: Sebastian Knox

Direct Tel. No. 020 7641 4208

Recommended Condition(s) and Reason(s):

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

Reason:

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

- 2 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 2.3-2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

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

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 2.3-2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

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

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 2.3-2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 5 The louvered panels in the roof of 51 Ebury Mews shall be painted dark grey to closely match the adjacent slates.

Reason:

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

- 6 The louvered doors to the front basement vaults shall be painted and maintained black.

Reason:

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

- 7 You must apply to us for approval of detailed drawings at scale 1:10 of the following parts of the development - the repositioning of the existing rear window in the closet wing extension, including header and surround detail to match existing. 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 details. (C26DB)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area.

This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan March 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council decided that the proposed works would not harm the character of this building of special architectural or historic interest.

In reaching this decision the following were of particular relevance:

S25 and S28 of Westminster's City Plan: Strategic Policies and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.3-2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

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

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

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

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

Agenda Item 6

Item No.

06

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 19 September 2017	Classification For General Release	
Report of Director of Planning	Ward(s) involved Little Venice		
Subject of Report	38 Warwick Avenue, London, W9 2PT,		
Proposal	Partial demolition and replacement of the front garden wall facing into Warwick Avenue, including 2no gate piers to the shared pedestrian access between No 38 and No 40 Warwick Avenue.		
Agent	Kilburn Nightingale Architects		
On behalf of	38 Warwick Avenue Limited		
Registered Number	17/05887/FULL and 17/05888/LBC	Date amended/ completed	5 July 2017
Date Application Received	4 July 2017		
Historic Building Grade	II		
Conservation Area	Maida Vale		

1. 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.

2. SUMMARY

Planning permission and listed building consent are sought to demolish the existing front boundary wall and rebuild it to an increased height, with associated increase in the height of two gate piers to an access path shared by No.38 and 4 Warwick Avenue. Objections have been received from five neighbours on design and land ownership grounds and seven letters in support of the proposal have been received.

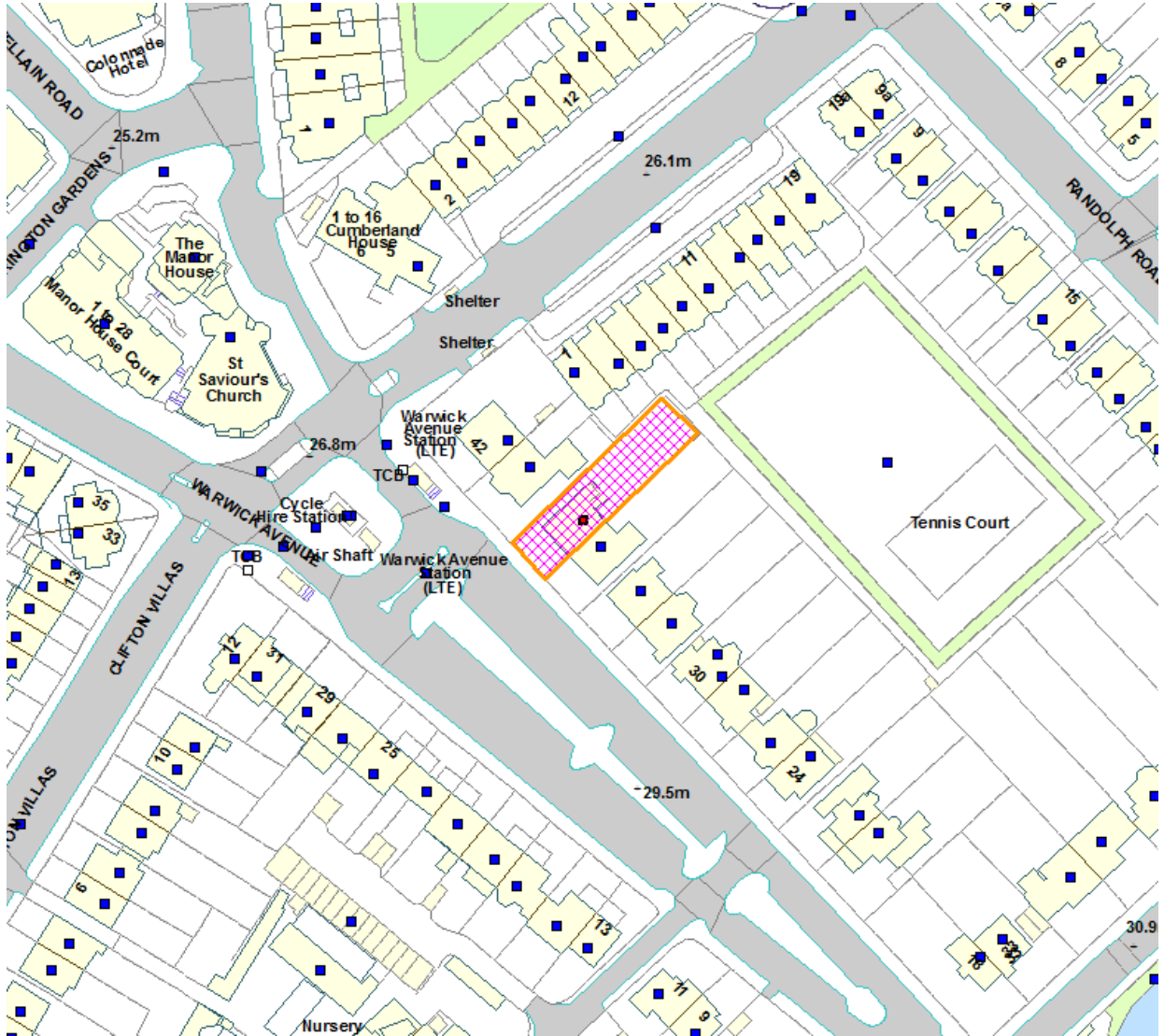
The key issues in this case are:

- The impact on the special interest of the Grade II listed buildings
- The impact of the proposal on the character and appearance of the Maida Vale Conservation Area.

The proposed development is considered to comply with relevant policies in the Unitary Development Plan adopted in January 2007 (the UDP) and Westminster's City Plan adopted in November 2016 (the

City Plan). The applications are therefore recommended for approval subject to the conditions set out in the draft decision letters.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Length of wall to be replaced including two piers to the north.



Gate piers to shared access that are to be extended.



Damage to existing wall and existing wall in context with that recently approved and built at No.36 Warwick Avenue.

5. CONSULTATIONS

PADDINGTON WATERWAYS AND MAIDA VALE SOCIETY
Supportive of the application

ARBORICULTURAL MANAGER

Tree report is incomplete therefore conditions are required to ensure that the tree is protected.

HISTORIC ENGLAND

Not necessary for Historic England to be notified

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 19

No. Responses: 5

Five emails/ letters raising objection on some or all of the following grounds:

Design

- Boundary is incorrectly shown in relation with No.40. Warwick Avenue - the pedestrian gate is in the ownership of No.40 and not No.38.
- There are no planned alterations to the gate piers at No.40.
- The proposal will result in an unsightly difference between the walls of No.38 and No.40.
- The increase in height of the piers to the pedestrian access will appear overly large in relation to the wall.
- Plans need to take into account the sloping ground level.

Other

- Boundary line assumed by No.38 is incorrect.
- Should only one pier be altered the gate piers to small pedestrian access will be at different heights and look out of proportion.

Seven emails/ letters supporting the proposal for some or all of the following reasons:

- The existing balustrade is fiberglass and the proposals will restore the wall to its original height using the appropriate materials
- The wall is in a bad state of disrepair and requires rebuilding
- Works will make the wall aesthetically pleasing
- Welcome enhancement
- Wall has deteriorated over the past 3 years and works are needed.
- Works will bring the wall to a consistent appearance with the adjacent at No.36.

ADVERTISEMENT/ SITE NOTICE

Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site forms part of a semi-detached pair of houses located on the north-east side of Warwick Avenue. The building is a Grade II listed heritage asset located within the Maida Vale Conservation Area. Planning permission and listed building consent are sought for the demolition and re-building of the front boundary wall at a taller height.

6.2 Recent Relevant History

24 October 2013 – Planning permission and listed building consent were granted for the rebuilding of the front boundary wall to No.36 Warwick Avenue. In this application the fibre glass balustrade was to be replaced with Haddon stone and it was to be rebuilt at an increased height (13/07703/FULL and 13/06388/LBC).

7. THE PROPOSAL

The application proposes to increase the scale of two sections of wall and the pedestrian gate piers located to the north of the site at the boundary with No.40. The pedimented pedestrian gate will be retained as existing. The wall will be rebuilt using reconstituted stone to a detailed design which matches the existing wall and balustrade. In order to accommodate the existing lime tree it is proposed to introduce a lintel over the tree roots and the wall will be chamfered around the trunk on the internal side.

8. DETAILED CONSIDERATIONS

8.1 Land Use

This application does not raise any land use issues.

8.2 Townscape and Design

A number of comments have been received in response to consultation on both the planning and listed building consent applications. Concerns relate, in part, to the detailed design of the balustrade, the proposed height and the relationship with the wall fronting No.40 Warwick Avenue. Comments of support consider the proposals to be an enhancement, restoring the boundary to its original height and materials.

Due to its materiality and scale the present boundary appears to be a later addition to the listed building, replacing an earlier and comparable front boundary treatment. The front boundaries to the buildings on the southern section of the street are taller in scale and are constructed in stone. The application site and the neighbouring properties to the north are notably different in terms of the height and condition of the front boundary treatment. In this context the increase in height along and the proposed step between sections is considered to be a restoration to the historic and original design. Similarly, whilst reconstituted stone is proposed (traditionally it would have been stone), this is an enhancement on the existing materiality (fibreglass balustrading) and will result in a

masonry aesthetic. Consequently the principle of demolishing and rebuilding the boundary wall to the proposed specifications is considered to enhance the special interest of the heritage asset and the character and appearance of the conservation area.

With regards to the comments received regarding the relationship with the boundary wall with No.40, it is noted that the neighbouring wall will appear lower than those in the street; however, this is the existing relationship Nos.38 and 40 already have with the rest of the street. The discordant appearance of No.40 as a result of the works occurring to No.38 is not a reason to withhold consent to restore a feature to its historical form and proportion.

One comment suggests that, in association with the site ownership concerns, that one of the shared gate piers be increased in height to respond to the increased height of the wall. As gate piers are designed to be a pair, traditionally they are the same height and therefore this approach has not been carried forward.

The proposal are considered to be in accordance with City Plan policies S25 and S28 as well as UDP policies DES 1, DES 5, DES 9 and DES 10. The works will enhance the heritage asset and will enhance the character and appearance of the conservation area. The application is therefore recommended for approval. A condition is recommended to ensure that the wall is rebuilt immediately following demolition of the existing front boundary wall.

8.3 Residential Amenity

This application does not raise amenity issues.

8.4 Transportation/ Parking

This application does not raise transport issues.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

The proposed alterations to the front boundary wall and piers would have no adverse impact on access.

8.7 Other UDP/ Westminster Policy Considerations

The application has been supported by a tree report, however there is insufficient information with regards to tree protection measures and the foundations for the wall. The Tree Officer is satisfied these details can be secured by condition.

8.8 London Plan

This application does not raise any 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.

8.11 Environmental Impact Assessment

Not relevant.

8.12 Other Issues

During the course of the application a number of comments have been received in relation to site ownership. The occupants of No.40 Warwick Avenue consider the northern pier to the north pedestrian gate to be in their ownership and not the ownership of No.38. A revised certificate of ownership has been submitted during the course of the application with the applicant now having served notice on the interested parties at No.40. This is considered to have addressed the site ownership concerns in respect of the planning application.

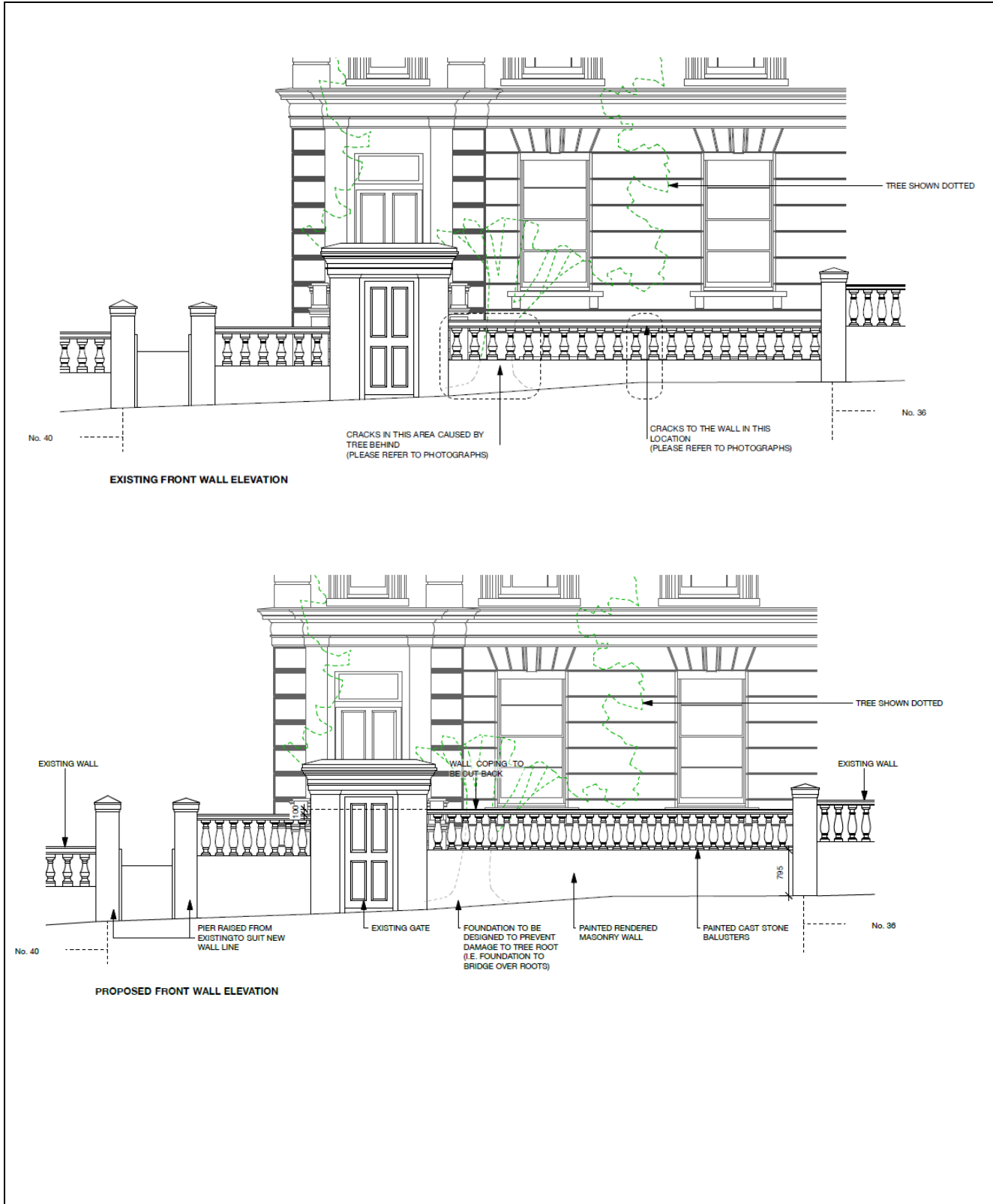
9. BACKGROUND PAPERS

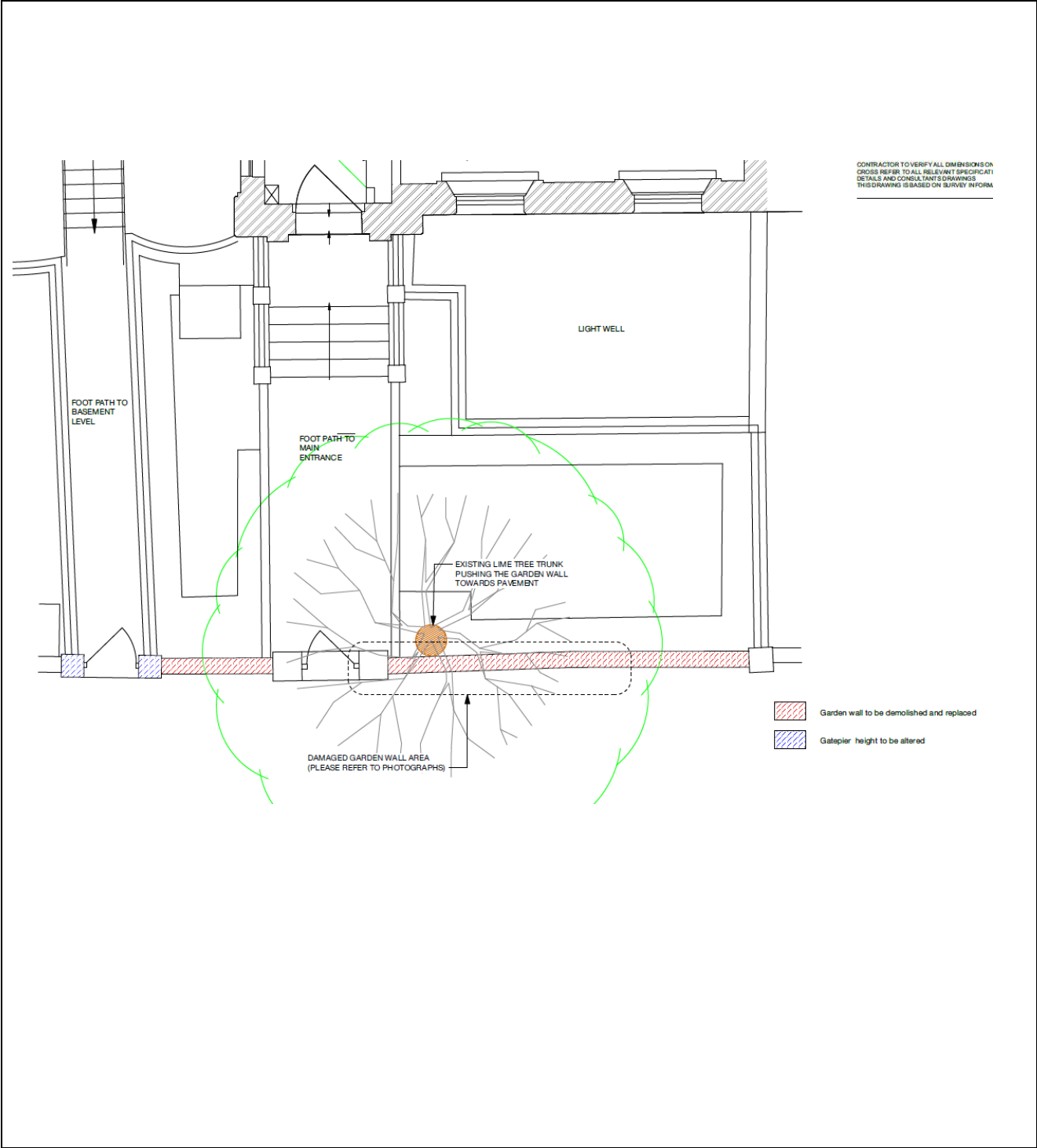
1. Application form.
2. Email from Paddington Waterways and Maida Vale Society dated 1 August 2017.
3. Letter from Historic England received 25 July 2017.
4. Memo from Tree Section dated 22 August 2017.
5. Email from owner of 36 Warwick Avenue dated 24 July 2017.
6. Email from occupier of 40A Warwick Avenue dated 1 August 2017.
7. Email from occupier of 40F Warwick Avenue dated 2 August 2017.
8. Emails from occupiers of 34 Warwick Avenue dated 2 August 2017 and 8 August 2017.
9. Email from occupier of 40E Warwick Avenue dated 2 August 2017.
10. Emails from the occupiers of Flat A, 38 Warwick Avenue, dated 2 August 2017.
11. Email from occupier of 40 Warwick Avenue dated 3 August 2017.
12. Email from occupier of 40 C Warwick Avenue dated 3 August 2017.
13. Email from occupier of 40 B Warwick Avenue dated 3 August 2017.
14. Email from occupier of 15 Heydon Road, Great Chishill dated 7 August 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: SAM GERSTEIN BY EMAIL AT sgerstein@westminster.gov.uk

10. KEY DRAWINGS





DRAFT DECISION LETTER

Address: 38 Warwick Avenue, London, W9 2PT,

Proposal: Partial demolition and replacement of the front garden wall facing into Warwick Avenue, including two gate piers to the shared pedestrian access between No.38 and No.40 Warwick Avenue.

Plan Nos: 1609_P01; 1609_P02; 1609_P03A; 1609_P04A; 1609_P05; 1609_P06B; Design and Access Statement and Heritage Statement.

Case Officer: Rebecca Mason

Direct Tel. No. 020 7641 7540

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 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 Maida Vale 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 The tree protection details which you have submitted are incomplete. Notwithstanding the submitted details, you must apply to us for approval of the ways in which you will protect the trees which you are keeping. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. You must then carry out the work according to the approved details.

Reason:

To make sure that the trees on the site are adequately protected during building works. This is 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. (R31AC)

- 5 Prior to the excavation of foundations for the wall, details of the depth, extent and means of excavation of foundations, and modifications to accommodate tree roots of 25mm or more in diameter shall be submitted to and approved by us. The foundations shall be excavated and constructed according the details we approve.

Reason:

To make sure that the trees on the site are adequately protected during building works. This is 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. (R31AC)

- 6 Any excavation for trial holes or otherwise beneath the canopy of any trees shown to be retained on the approved plans shall be carried out by hand or by tools held in the hand. Any roots encountered of 25mm or more in diameter shall be carefully retained and protected from exposure and desiccation. Any damaged or severed roots shall be cut so that the final wound is as small as possible.

Reason:

To make sure that the trees on the site are adequately protected during building works. This is 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. (R31AC)

- 7 The replacement front boundary wall constructed in its entirety in accordance with the drawings hereby approved immediately following the demolition of the existing front boundary wall as a single phase of works.

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 Maida Vale 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 (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 Some of the trees on the site are protected by a Tree Preservation Order. You must get our permission before you do anything to them. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I30AA)
- 3 This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I32AA)
- 4 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)

DRAFT DECISION LETTER

Address: 38 Warwick Avenue, London, W9 2PT,

Proposal: Partial demolition and replacement of the front garden wall facing into Warwick Avenue, including two gate piers to the shared pedestrian access between No.38 and No.40 Warwick Avenue.

Plan Nos: 1609_P01; 1609_P02; 1609_P03A; 1609_P04A; 1609_P05; 1609_P06B; Design and Access Statement and Heritage Statement.

Case Officer: Rebecca Mason

Direct Tel. No. 020 7641 7540

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

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

Reason:

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

- 2 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

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

- 3 The front boundary wall shall be rebuilt in its entirety within 6 months of this consent being implemented.

Reason:

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

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan March 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council decided that the proposed works would not harm the special architectural and historic interest of this listed building.

In reaching this decision the following were of particular relevance:

S25 and S28 of Westminster's City Plan and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

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

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

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

It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (159AA)

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.

Item No.
07

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 19 September 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Harrow Road	
Subject of Report	92C Saltram Crescent, London, W9 3JX		
Proposal	Installation of timber fence on existing rear closet wing parapet wall between Nos.90 and 92 Saltram Crescent (retrospective application).		
Agent	Debbie Flevotomou Architects		
On behalf of	Mr Gavin Murphy		
Registered Number	17/06457/FULL	Date amended/ completed	20 July 2017
Date Application Received	20 July 2017		
Historic Building Grade	Unlisted		
Conservation Area			

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

Permission is sought for the retention of a timber fence measuring 775mm in height on the parapet wall between of the rear closet wings the application site at No.92 Saltram Crescent and No.90 Saltram Crescent. There are existing roof terraces serving the application property and the neighbouring Flat C at No.90 Saltram Crescent on the roofs of the closet wings.

Four neighbouring residents have raised objections on a range of grounds. The principal ground for objection relates to the impact of the timber fence that has been installed on residential amenity of neighbours. Five letters of support have been received.

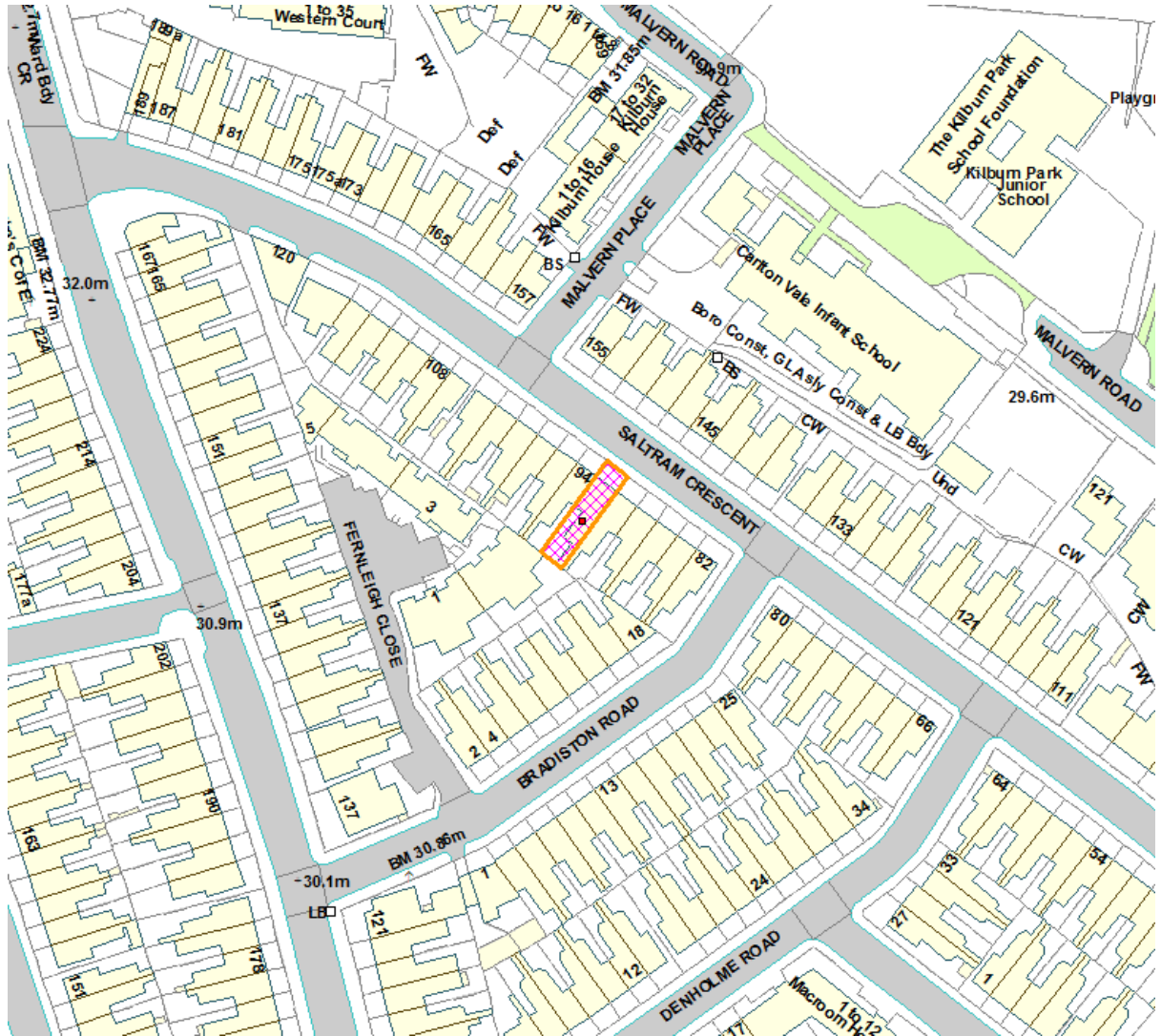
The key issues in this case are:

- The impact on the appearance of the building and this part of the City.
- The impact on the amenity of the neighbouring residents.

Subject to an amending condition requiring the height of the timber fence to be reduced and the end of the fence to be chamfered, the fence is considered to be acceptable in design and amenity terms and

would accord with relevant policies in the Unitary Development Plan (UDP) and Westminster's City Plan (the City Plan). It is therefore recommended that permission is granted subject to the conditions set out in the draft decision letter.

3. LOCATION PLAN



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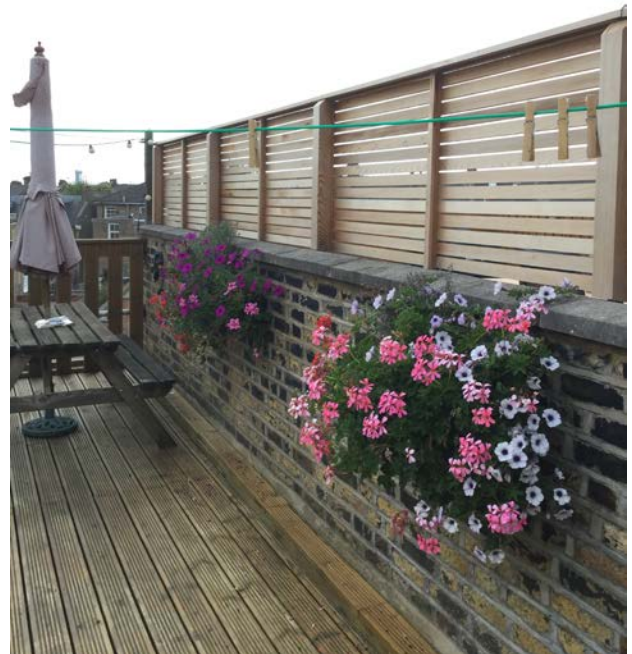
4. PHOTOGRAPHS



View of fence from adjacent property (90C Saltram Crescent)

23 Aug 2017, 16:22:37

View of fence from application site (92C Saltram Crescent)





View of fence from Bradiston Road

5. CONSULTATIONS

NORTH PADDINGTON SOCIETY

Any response to be reported verbally.

ADJOINING OWNERS/ OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 14.

Total No. of replies: 9.

No. of objections: 4.

No. in support: 5.

Four responses received raising objections on all or some of the following grounds:

Design:

- Overbearing height.
- No other fence of this height along the street.

Amenity:

- Loss of light.
- Loss of view.

Other matters:

- Blocks fire escape route.

Five letters of support make the following points:

- Increased privacy for the application site
- Increased safety for children
- Fence is in keeping with the area and well designed
- Prevents overlooking

ADVERTISEMENT/ SITE NOTICE:

Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is an unlisted mid-terrace property located outside of a conservation area. The application site comprises Flat C, which is located on the top two floors.

6.2 Recent Relevant History

The timber fence that is the subject of this application has been under investigation by the Planning Enforcement Team since April 2017, with enforcement action in abeyance pending the outcome of the application. There is no other relevant planning history.

7. THE PROPOSAL

Permission is sought for the retention of a timber fence measuring 775mm in height on the parapet wall between of the rear closet wings the application site at No.92 Saltram Crescent and No.90 Saltram Crescent. There are existing roof terraces serving the application property and the neighbouring Flat C at No.90 Saltram Crescent on the roofs of the closet wings either side of the proposed timber fence.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The application does not raise any land use issues. The terrace to which the proposed timber fence relates has existed since 2003 and is therefore lawful through the passage of time.

8.2 Townscape and Design

The proposed fence measures 775mm and is located on top of the existing parapet wall between the rear closet wings of Nos.90 and 92 Saltram Crescent. The parapet wall is approximately 940mm high. The fence runs the whole length of the boundary between the application site (No. 92 Saltram Crescent) and No. 90 Saltram Crescent, which is 7.1 metres. It is constructed from timber horizontal panels attached to a timber frame.

In this location, whilst it would be visible from neighbouring properties, it is not considered to cause significant harm in private views due to the existing degree of visual clutter to the rear elevation of the terrace.

The fence is though visible in public views from Bradiston Road, which runs perpendicular to the application site. To reduce the prominence of the timber fence in these public views it is recommended that an amending condition is imposed requiring the end of the fence to be chamfered/ tapered or otherwise reduced in height to reduce its prominence in public views. The applicant has agreed to the principle of amending the fence in this way to reduce its prominence.

Subject to the recommended amending condition, the proposed fence is considered to be acceptable in design terms for the reasons set out above and the objections raised on design grounds cannot be supported as grounds on which to withhold permission. Accordingly the proposal would accord with Policies DES 1 and DES 5 in the UDP and Policies S25 and S28 of the City Plan.

8.3 Residential Amenity

The proposed timber fence measures 775mm and therefore the overall height of the boundary treatment, in combination with the parapet wall, is 1.72 metres. To the south and west side of the terrace, there is a timber fencing already in situ which measures 1.31 metres in height.

Objections have been received on amenity grounds, principally on the basis of loss of light and loss of view.

In terms of loss of light, given the location of the fence it is visible from the neighbouring flat at No.90 and from its roof terrace, which abuts the fence. However, the degree of light loss would be less than significant given the otherwise open aspect from the rear windows of the flat and the roof terrace. Similarly, the fence does not result in a significantly increased sense of enclosure to the neighbouring flat at No.90 as the aspect from the rear windows and terrace remain largely unobstructed. Furthermore, the window and door closest to the fence serve a hallway where the stairs to the upper floor are located. As this is a non-habitable room it could be offered only very limited protection in any event.

In terms of overlooking the fence will not result in an increase in overlooking and would reduce the previous mutual overlooking between the respective roof terraces.

The impact on private views from neighbouring properties is not a ground on which planning permission can reasonably be withheld.

As such, the proposed retention of the timber fence on the parapet wall is considered acceptable in amenity terms and would accord with Policy ENV 13 in the UDP and Policy S29 in the City Plan.

8.4 Transportation/Parking

Not applicable.

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 does not raise any 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.

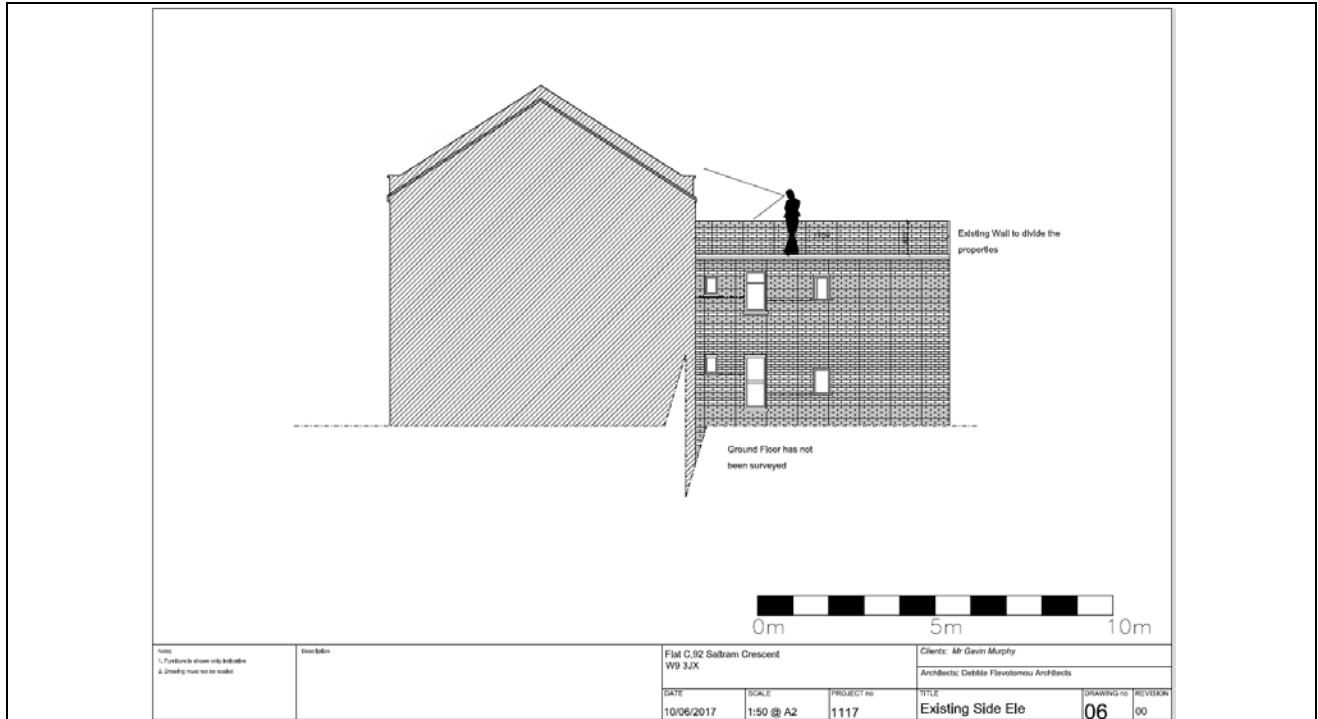
9. BACKGROUND PAPERS

1. Application form.
2. Email from occupier of Flat C, 90 Saltram Crescent dated 11 August 2017.
3. Email from occupier of 90 Saltram Crescent dated 12 August 2017.
4. Email from occupier of 2 Bayham Abbey Farm Buildings, Little Bayham, dated 12 August 2017.
5. Email from occupier of Wilberforce House, Station Road dated 15 August 2017.
6. Email from occupier of Flat D, 2 Fernleigh Close dated 22 August 2017.
7. Email from occupier of Flat A, 18 Barry Road dated 22 August 2017.
8. Email from occupier of 92B Saltram Crescent dated 22 August 2017.
9. Email from occupier of 92C Saltram Crescent dated 23 August 2017.
10. Email from occupier of 92C Saltram Crescent dated 23 August 2017.

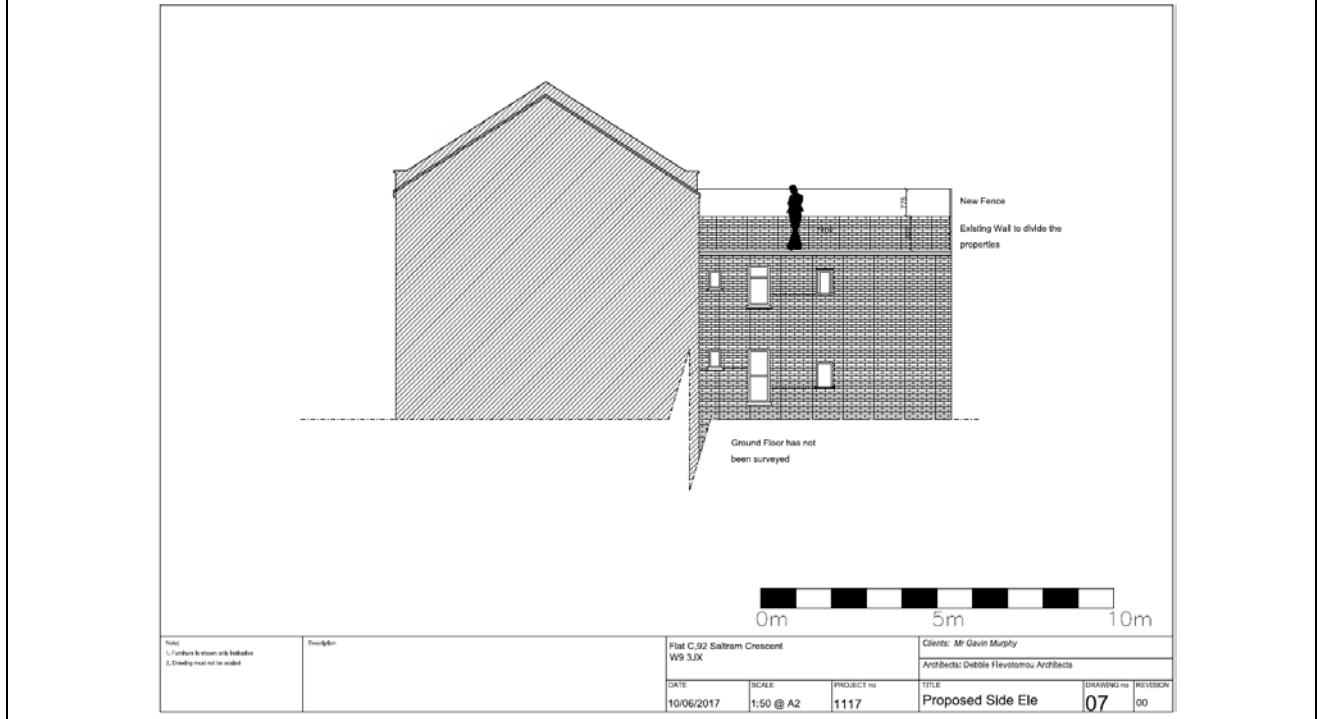
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: SAM GERSTEIN BY EMAIL AT sgerstein@westminster.gov.uk

10. KEY DRAWINGS



Existing Side Elevation



Proposed Side Elevation

DRAFT DECISION LETTER

Address: 92C Saltram Crescent, London, W9 3JX

Proposal: Installation of timber fence on existing rear closet wing parapet wall between Nos.90 and 92 Saltram Crescent (retrospective application).

Reference: 17/06457/FULL

Plan Nos: Site Location Plan, 01-00, 02-00, 04-00, 06-00, 03-00, 05-00, 07-00 and Design and Access Statement.

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 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 the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 4 Within 2 months of the date of this decision letter you must apply to us for approval of amended drawings showing the end of the timber fence where it meets the rear elevation of the closet wing chamfered or tapered to reduce its prominence in views from Bradiston Road. You must then alter the fence in accordance with the amended drawings that we approve within 4 month of the date of this decision letter. Thereafter you must maintain the timber fence in accordance with the amended drawings that we approve pursuant to this condition.

Reason:

To make sure that the appearance of the building 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 (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

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.

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