

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 5 December 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	61 - 71 Victoria Street, London, SW1H 0HW		
Proposal	Facade replacement with retention of existing structural frame and erection of two additional storeys, to provide a building of basement, ground and eight upper floors with covered and screened plant area at rear eighth floor level, lift overrun at main roof level and associated works in connection with use of the building as retail (Class A1) at part basement and part ground floor level and offices (Class B1) on the upper floors.		
Agent	DP9		
On behalf of	Standard Life Investments		
Registered Number	17/02123/FULL	Date amended/ completed	26 September 2017
Date Application Received	8 March 2017		
Historic Building Grade	Unlisted		
Conservation Area	Broadway And Christchurch Gardens		

## 1. RECOMMENDATION

Grant planning permission.

## 2. SUMMARY

No. 61 - 71 Victoria Street comprises basement, ground and six upper floors with retail (Class A1 and A4) uses at basement and ground floor level and offices on the upper floors.

An application has been submitted seeking planning permission for the replacement of the façade retaining the existing structural frame and the erection of two additional floors including a covered and screened plant area at rear eighth floor level, in connection with continued use of the building as offices (Class B1) on the upper floors and retail (Class A1) at part basement and part ground floor.

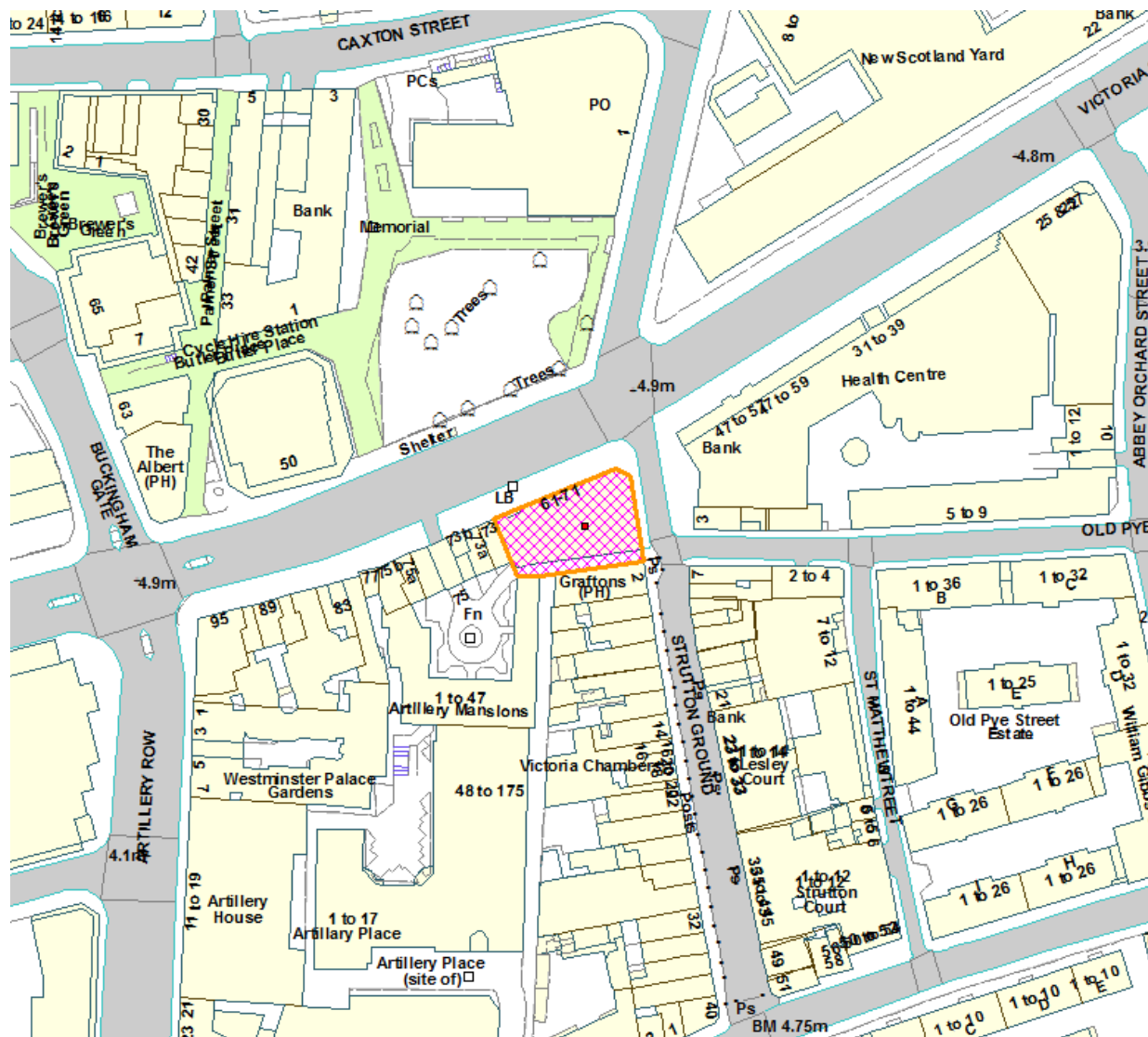
The key issues for consideration are:

\* The impact of the proposals on the appearance of the building and character of the surrounding Broadway and Christchurch Gardens Conservation Area.

\* The impact of the proposals on the amenity of neighbouring residents.

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



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#### 4. PHOTOGRAPHS



## 5. CONSULTATIONS

### TRANSPORT FOR LONDON:

Any response to be reported verbally.

### ENVIRONMENT AGENCY:

Any response to be reported verbally.

### THORNEY ISLAND SOCIETY:

Objection on the grounds that the proposed building will detract from Artillery Mansions, which the existing building complements well.

### WESTMINSTER SOCIETY:

Objection on the grounds that the proposed building would not add anything to the existing streetscape when compared to the existing building. The increase in height by two storeys will detract from the characterful appearance of Artillery Mansions which is wholly unwelcome.

### ENVIRONMENTAL HEALTH:

No objection, subject to conditions.

### HIGHWAYS PLANNING MANAGER:

Cycle parking and waste storage to be secured by condition. Servicing arrangements acceptable given that the proposal will not alter the building or existing use significantly.

### CLEANSING MANAGER:

Revised details of waste storage to be secured by condition.

### BUILDING CONTROL:

Any response to be reported verbally.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted - 130

Total No. of replies - 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

This application property lies within the Core Central Activities Zone and is situated in the Broadway and Christchurch Gardens Conservation Area on the corner of Victoria Street and Strutton Ground. The building comprises retail at basement and ground floor level and offices at first to sixth floor level with plant at main roof level.

## 6.2 Recent Relevant History

Planning permission was granted in August 1988 for the redevelopment of the site and erection of office and retail accommodation on basement, ground level and six floors above.

## 7. THE PROPOSAL

It is proposed to replace the façade whilst retaining the existing structural frame and erect two additional floors in order to provide a building of basement, ground and eight upper floors. A covered and screened plant area is proposed at rear eighth floor level along with a lift overrun at main roof level.

The building would continue to provide office accommodation (Class B1) on the upper floors and retail (Class A1) at part basement and part ground floor level. A land use table is provided below illustrating the existing and proposed floorspace figures.

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Office (Class B1)	2,879.75	3,845.46	+965.71
Retail (Class A1)	293.25	474.73	+181.48
Bar (Class A4)	524.35	0	-524.35
Total	3,697.35	4,320.19	+622.84

## 8. DETAILED CONSIDERATIONS

### 8.1 Land Use

The application proposes a total commercial uplift of approximately 623 sq m GIA. Under Policy S1 of the City Plan which considers developments which should provide a mix of uses, this does not trigger the requirement for the provision of any residential accommodation.

There is an increase of approximately 966 sq m of office accommodation (Class B1) which is welcome in policy terms in the Core CAZ.

There will be a reduction of retail floorspace at ground floor level of approximately 49 sq m in order to allow a larger reception area for the offices above, however given that there will be an overall increase in retail (Class A1) accommodation at part basement and part ground floor levels of approximately 181 sq m as a result of the loss of the existing bar (Class A4) at basement level, this is considered acceptable in policy terms.

Up to four retail units are proposed to the Victoria Street elevation having flexible divisions to allow for their use individually or together. It is understood that the connection to the basement retail floorspace from the units will be in accordance with the tenants' requirements. A separate retail unit at ground floor level will be provided on the Strutton Ground elevation which will serve to activate this frontage.

## 8.2 Townscape and Design

Objections have been received from the Westminster Society and the Thorney Island Society on the grounds that they feel the design and scale of the new building is detrimental to the adjacent Artillery Mansions. They consider the existing building to be a better design with a more comfortable relationship to the adjoining building.

The building currently on the site is a late 20<sup>th</sup> century design which, while competent, is not considered to make any positive contribution to the character or appearance of the conservation area. It is described in the Broadway and Christchurch Gardens Conservation Area Audit as making a neutral contribution and this attribute is considered correct.

The building occupies a prominent position on the corner of Victoria Street and Strutton Ground. There is a considerably taller and larger scale of development to Victoria Street than to the smaller, more domestic scale of buildings in Strutton Ground. This pattern is typical of the Victoria Street area. Artillery Mansions, adjacent to the site is a handsome Victorian mansion block and is identified as an unlisted building of merit in the Conservation Area Audit. The smaller scale Victorian buildings in Strutton Ground that adjoin the site are similarly identified as buildings of merit.

The existing building is to have its facades removed and the proposed replacement design utilizes the existing concrete frame. This will minimize on-site disruption and is generally considered a more sustainable form of development than total demolition and rebuild. The design has been the subject of significant discussion between Officers and the applicant.

The proposal is for a building of comparable scale to parapet level but with a two storey, inhabited roof compared to the single storey roof structure of the existing building. The new building would be approximately one storey higher than the existing. The projecting bays of the existing building would be cut back to approximately half the projection of those existing and the bays would be made wider. The degree of projection over the highway therefore remains substantially the same.

The projecting bays help to animate the façade, creating depth and shadow and reflect the tradition of projecting bays on the more traditional Victorian buildings in the area, including the adjacent Artillery Mansions. The façade design is contemporary but maintains the tradition of a brick wall with punched openings. Materials have been simplified to a palette of red brick, Portland stone detailing and metal window frames and decorative details to the openings. This restrained use of materials is again typical of the more traditional buildings in the area.

The roof parapet aligns with that of Artillery Mansions and a double height, double-pitched traditional mansard with dormers provides additional accommodation. This is approximately one storey higher than the adjacent Artillery Mansions, but due to the 35 degree angle of the secondary pitch its visibility in the streetscene is limited. It is also considered that due to its corner location, it would not be atypical to have a slightly taller building in such a location in the townscape. The scale of building on the opposite corner of Strutton Ground is also considerably taller again and the building sits comfortably within the scale of the streetscene.

It is not considered that the building is too high nor that it visually dominates the adjacent Artillery Mansions. The rear of the building is also modelled in brick with stone banding and fenestration where internal planning and overlooking allows. The rear is visible in some street views from the south and it is considered to provide a well-designed, secondary façade to these views.

With regard to the objections received from the local amenity societies, the appreciation of the façade design is necessarily subjective to a degree, but the new building is characteristic of the tradition of Victorian mansion-type buildings in both its materiality and its design. The use of red brick, Portland stone and slate roof along with projecting bays and a double-pitched mansard roof are all typical details of such a building type and is considered to sit better with its neighbours than the current design which has more reference to a post-modern interpretation of Victorian architecture.

In summary, it is considered that the new building is an improvement on the existing in design terms and the scale is not inappropriate for its context. The building is considered to enhance the character and appearance of the conservation area.

### **8.3 Residential Amenity**

Policy ENV13 of the UDP states that the Council will resist proposals that would result in a material loss of daylight/sunlight, particularly to dwellings, and that developments should not result in a significant increased sense of enclosure, overlooking or cause unacceptable overshadowing. Similarly, Policy S29 of the City Plan aims to protect the amenity of residents from the effects of development.

The proposed development would increase the overall height of the building, however broadly maintains the existing parapet heights. The neighbouring properties are in residential use with residential properties found in Artillery Mansions and in the recently completed 55 Victoria Street. It is understood that there may also be ancillary residential accommodation above the Grafton Pub at 2 Strutton Ground. No objections to the proposals have been received from neighbouring residents.

The rear of the building faces the flank wall of The Grafton Arms public house and the flank wall of one of the internal blocks to Artillery Mansions. Given the relationship of the site with the neighbouring buildings and as the proposals will replace existing facades it is not considered that the proposals will give rise to significant amenity issues for adjoining residents in terms of sense of enclosure, outlook or privacy sufficient to merit a refusal of the application on these grounds.

#### **Sunlight and Daylight**

In terms of daylight, the applicant has submitted a daylight and sunlight study in support of the application which demonstrates that the proposed development will not lead to any significant impacts on neighbouring windows with regard to the BRE guidelines which would be sufficient to merit the refusal of permission on these grounds.

No. 55 Victoria Street is situated to the east of the application site across Strutton Ground. Two windows, at third and fourth floor, are reduced to 0.7 times their former value, however these are secondary windows to Living / Kitchen / Dining rooms where the primary window is unaffected and retains very high VSC levels in excess of 35%. In such



circumstances the guidelines suggest consideration of the mean VSC for all the windows serving the room and the proposal is therefore fully compliant with the targets.

There are residential flats situated to the south west of the proposal within the eastern wing of Artillery Mansions, the flank wall containing windows which look onto the application site. The applicant's assessment confirms that the scheme will cause no material additional impact to VSC levels except for a single window at third floor level which will experience a slight deviation to 0.7 times its former value. However, as the room affected is lit by two further windows which are not materially affected by the proposal it is considered that the proposals meet BRE targets in this regard and no objection has been received from the occupier of this property.

The rear of the application site faces the flank wall of The Grafton Public House at 2 Strutton Ground, which is situated to the south of the site and is separated from application site by a narrow alley.

The applicant has considered the daylight and sunlight impact on this property on the basis that there may be an element of ancillary residential accommodation to the upper floors. The majority of windows retain VSC levels at or within 0.8 times their former value or, in the case of dual aspect space, experience reductions only to a secondary window such that mean VSC levels are fully compliant with the BRE targets. A small number of the single aspect rooms experience reductions to 0.7 times their former value, however, these percentage reductions are exacerbated by the low pre-existing levels. Absolute changes in VSC to these windows does not exceed c.1% and is likely to be unnoticeable.

In respect of direct sunlight all main living room windows within 90 degrees of due South have been considered. The results of the study show that all relevant windows / rooms in surrounding properties remain compliant with the BRE sunlight criteria. The impact of the proposal on surrounding properties is therefore fully compliant with the BRE targets.

#### **8.4 Transportation/Parking**

No changes are proposed to the servicing/loading arrangements which will remain as existing arrangements with servicing taking place on street, from Strutton Ground and Old Pye Street. There is a rear lane to the back of the site however this is not used as off street service access for the existing building, given that its predominant use is as a means of fire escape from Artillery Mansions, who have a right of access through this lane.

Cycle parking (40 spaces) and showers are proposed at basement level for the office element, which are recommended to be secured by condition. No cycle parking is provided for the retail element, which although regretful is considered acceptable in this instance given the accepted difficulty of accessing the cycle storage area from these units.

#### **8.5 Economic Considerations**

The proposals are CIL liable and the total estimated sum is £169,005.63 of which £39,381.36 corresponds to Mayoral CIL and £129,624.27 corresponds to Westminster CIL.

## 8.6 Access

The proposed new entrance thresholds will be flush with pavement level on Victoria Street and Strutton Ground. Inclusive access is provided from the ground to upper office accommodation via a new lift core. Office staff will have inclusive access to the basement facilities using the new lift core.

## 8.7 Other UDP/Westminster Policy Considerations

### Plant

A dedicated area for plant is proposed at eighth floor level, where an acoustically screened external plant deck is proposed. The plant specifications have not been specified at this stage, however this will need to meet the Council's standard noise conditions and a supplementary acoustic report is required to be secured by condition when the plant has been selected.

## 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.

The applicant has submitted a Sustainability Statement which confirms that the proposed development will deliver a building which is significantly more energy efficient than at present, resulting in a reduction in energy and carbon consumed by the site. It will target substantial improvements over what is required by the Building Regulations.

## 8.12 Other Issues

None relevant.

## 9. BACKGROUND PAPERS

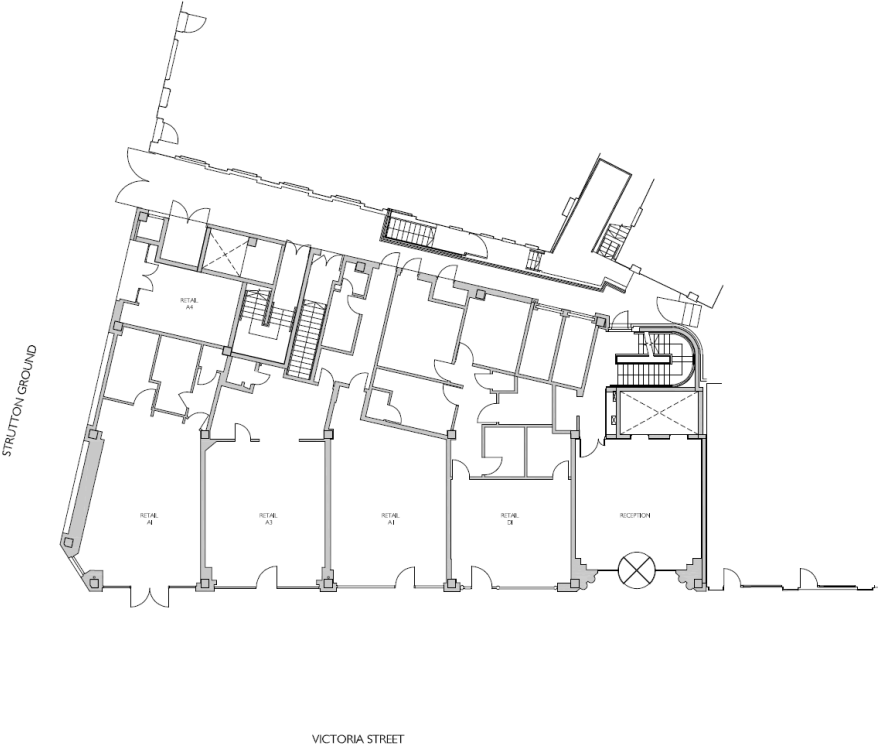
1. Application form
2. Responses from Thorney Island Society, dated 23 March 2017 and 4 October 2017
3. Responses from Westminster Society, dated 4 April 2017 and 5 October 2017
4. Responses from Plant And Equipment, dated 18 April 2017 and 16 November 2017
5. Responses from Cleansing, dated 31 March 2017 and 16 November 2017.

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

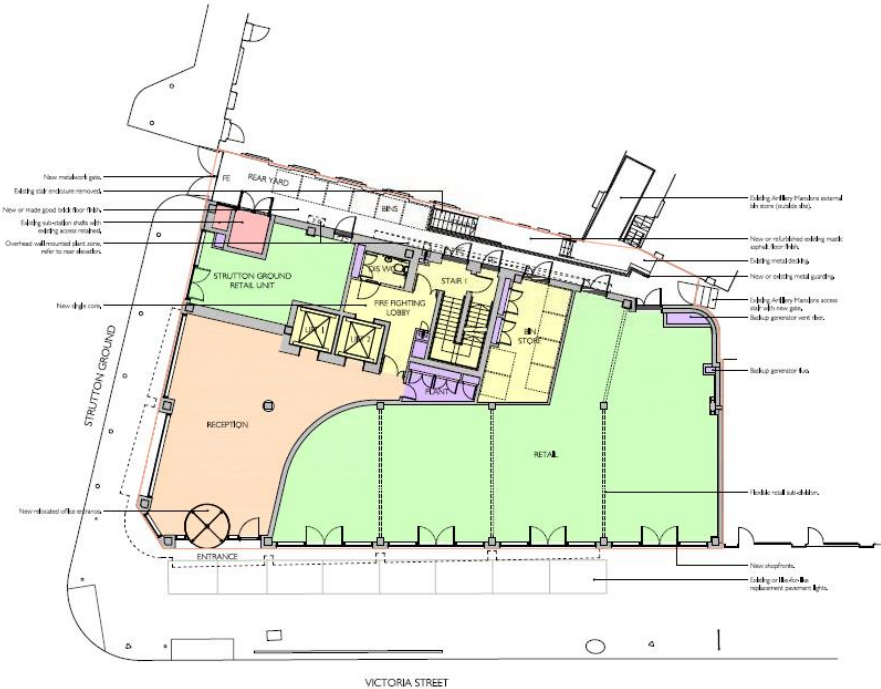
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: SEBASTIAN KNOX BY EMAIL AT [sknox@westminster.gov.uk](mailto:sknox@westminster.gov.uk).

10. KEY DRAWINGS

Existing Ground Floor Plan



Proposed Ground Floor Plan



[illegible]

This architectural elevation drawing depicts a multi-story building facade. The structure is characterized by a grid of windows, with a central vertical element that appears to be a chimney or a narrow tower. The drawing uses a combination of solid black lines and white space to define the building's form and window patterns. The facade is divided into several horizontal levels, each with a distinct window arrangement. The central vertical element is a prominent feature, running through the middle of the building. The overall style is minimalist and schematic, focusing on the geometric relationships and proportions of the building's exterior.

[illegible]

Visual as proposed



Proposed development in context



**DRAFT DECISION LETTER**

**Address:** 61 - 71 Victoria Street, London

**Proposal:** Facade replacement with retention of existing structural frame and erection of two additional storeys, to provide a building of basement, ground and eight upper floors with covered and screened plant area at rear eighth floor level, lift overrun at main roof level and associated works in connection with use of the building as retail (Class A1) at part basement and part ground floor level and offices (Class B1) on the upper floors.

**Plan Nos:** P(OS)01 Rev. A; P(OS)02 Rev. A; E(-)01; E(-)02; E(-)03; E(-)04; E(-)05; E(-)06; E(-)07; E(-)08; E(-)09; E(-)11; E(-)12; E(-)13; D(-)01; D(-)02; D(-)03; D(-)04; D(-)05; D(-)06; D(-)07; D(-)08; D(-)09; P(-)01 Rev. C; P(-)02 Rev. F; P(-)03 Rev. C; P(-)04 Rev. C; P(-)05 Rev. C; P(-)06 Rev. B; P(-)07 Rev. B; P(-)08 Rev. C; P(-)09 Rev. C; P(-)10 Rev. C; P(-)11 Rev. C; P(-)12 Rev. E; P(-)13 Rev. D; P(-)14 Rev. D; P(-)15 Rev. B; Sustainability Statement Rev. B dated February 2017, prepared by Hoare Lea; Structural Engineering Concept Design Report dated 17 February 2017, prepared by Acies; Transport Statement dated March 2017, prepared by Caneparo Associates; Plant Noise Assessment Rev. 2 dated 27 February 2017, prepared by Hoare Lea; Daylight and Sunlight Report dated 17 February 2017, prepared by Eb7; Flood Risk Statement Rev. B dated March 2017, prepared by Peter Brett Associates; Daylight and Sunlight Addendum Letter dated 25 September 2017 prepared by Eb7; Sustainability Report, External Lighting Statement, Ventilation Statement and Plant Noise Assessment Addendum Letter dated 21 September 2017, prepared by Hoare Lea; Transport Assessment Addendum dated September 2017, prepared by Caneparo Associates; Flood Risk Assessment Addendum dated 22 September 2017, prepared by Peter Brett Associates.

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Broadway And Christchurch Gardens 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 You must apply to us for approval of detailed drawings of the following parts of the development -
  - (a) Typical bay design at 1:25 scale;
  - (b) Shopfront details at 1:20 scale with detailed cross-sections at 1:10;
  - (c) Typical window and external door details at 1:10 scale.
 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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Broadway And Christchurch Gardens 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)

- 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 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.

- 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 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:

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.

- 8 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.

- 9 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 retail units and offices. (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)

- 10 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)

- 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 Broadway And Christchurch Gardens 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 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)

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 The 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.
- 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](mailto:siteenquiries@ccscheme.org.uk) or visit [www.ccscheme.org.uk](http://www.ccscheme.org.uk).
- 5 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](http://www.hse.gov.uk/risk/index.htm).

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

- 6 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)
- 7 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.
- 8 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)
- 9 With reference to condition 12 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). These documents must be sent to [environmentalsciences2@westminster.gov.uk](mailto:environmentalsciences2@westminster.gov.uk).

Appendix A or B must be signed and countersigned by Environmental Sciences prior to the submission of the approval of details of the above condition.

You are urged to give this your early attention

- 10 Any structure or awning over the footway (highway) must maintain 2.6 metres vertical clearance from the footway surface at all times and not extend closer than 1 metre to the kerb edge.
- 11 No development should occur between the footway and a depth of 900mm. This is to ensure sufficient space remains for utilities and in accordance with TRANS19.
- 12 Please contact our District Surveyors' Services to discuss how you can design for the inclusion of disabled people. Email: [districtsurveyors@westminster.gov.uk](mailto: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](http://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](http://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](http://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.

- 13 The applicant will need technical approval for the works to the highway (supporting structure) prior to commencement of development. The applicant should contact Andy Foster ([afoster1@westminster.gov.uk](mailto:afoster1@westminster.gov.uk)) in Westminster Highways Infrastructure and Public Realm to progress the applicant for works to the highway.