

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 24 April 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Bayswater	
Subject of Report	Medical Centre, 14 - 16 Newton Road, London, W2 5LT,		
Proposal	Extensions to the existing building at roof, ground and lower ground level in connection with the provision of 961 sq.m (GEA) Class D1 floorspace and 9 residential flats (Class C3), together with associated parking and landscaping.		
Agent	Mr Nick Grant		
On behalf of	London Diocesan Fund		
Registered Number	17/11306/FULL	Date amended/ completed	23.03.2018
Date Application Received	21 December 2017		
Historic Building Grade	Unlisted building of merit		
Conservation Area	Westbourne		

1. RECOMMENDATION

Grant conditional permission

2. SUMMARY

Permission is sought to extend and alter the existing building in connection with the retention of medical floor space and the creation of nine flats. The proposal has generally received in principle support in land use terms from NHS central London Commissioning Group, Central London Healthcare CIC, Newton Road Medical Centre including a petition of patient signature, Bayswater Residents Association and local residents. However many detailed aspects of the proposal has brought about objections and concern (from occupiers of 18 properties) regarding loss of amenity, impact on car parking and the loss of trees and soft landscaping.

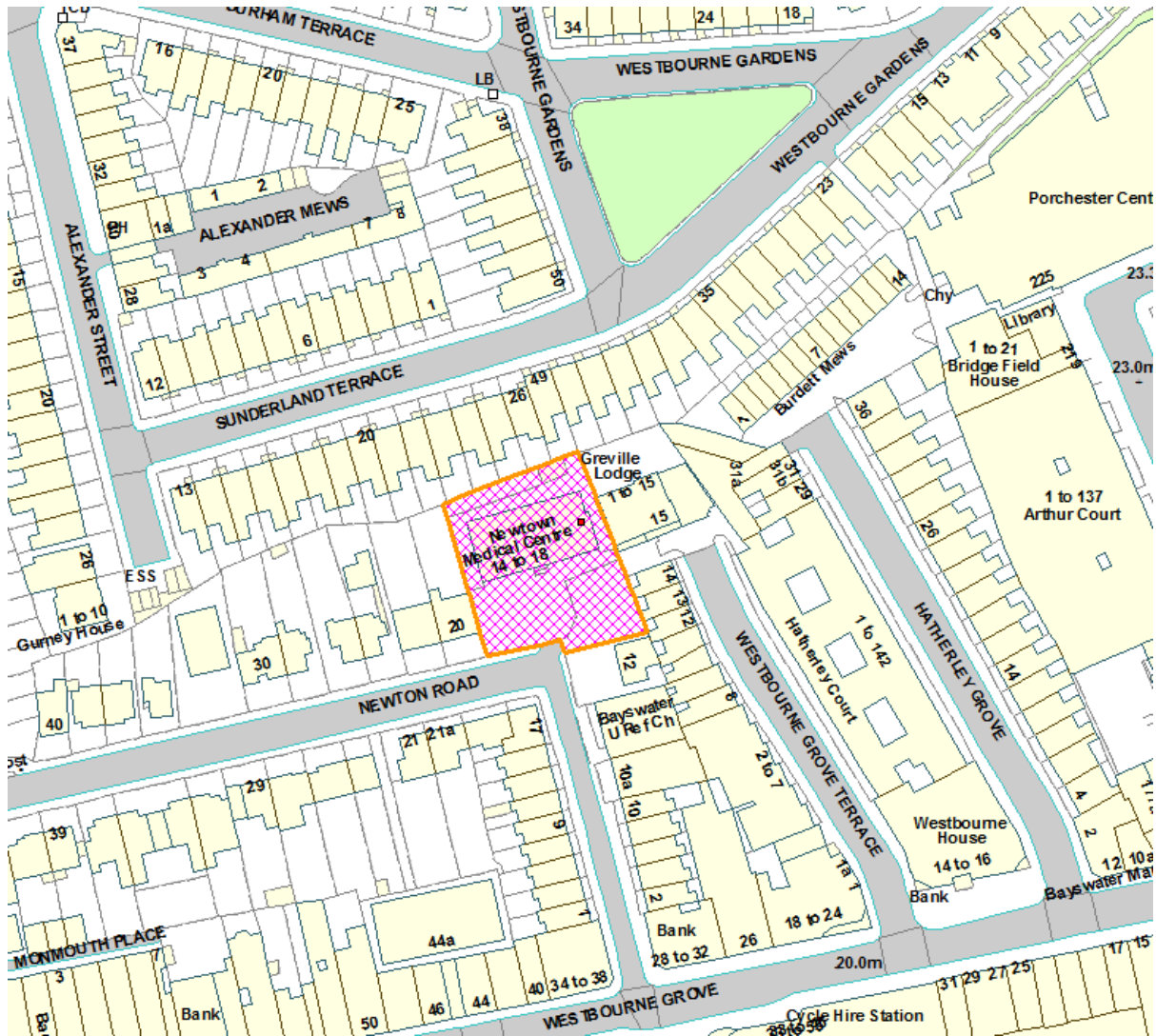
The proposal has subsequently been amended during the course of the application to seek to minimise amenity impact and to strike a balance between the need for car parking associated with the provision of flats and the retention and replacement of trees and soft landscaping, which provide significant visual amenity in the locality.

Whilst certain aspects of the proposal are considered to result in harm to the building and conservation area (front extension), the public benefits associated with the provision of significantly improved medical facilities securing its long-term future, is considered to outweigh this less than substantial harm. Overall, the proposal is considered to be acceptable, subject to a number of

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conditions and to accord with relevant Unitary Development Plan and City Plan policies and is recommended favourably.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front elevation

2 Feb 2018, 08:33:32



Rear elevation

5. CONSULTATIONS

CONSULTATION ON ORIGINAL PROPOSAL

HISTORIC ENGLAND

Not necessary to be consulted.

THAMES WATER

No objection, subject to condition and informative.

NHS CENTRAL LONDON CLINICAL COMMISSIONING GROUP

Support. We are committed to improving the care provided to patients, reducing health inequalities and raising the quality and standards of GP practices whilst achieving overall financial balance. We need to do this because demographic changes are increasing demand on healthcare services and the resources available are not increasing at the same rate. Both the NHS and local government need to find ways of providing care for an ageing population and managing increasing demand with less money and over the next five years we anticipate that the growth in volume and complexity of activity will outstrip funding increases.

The proposed development at the Newton Medical Centre is comprehensive and will effectively secure the long-term future of an NHS medical practice in this location while simultaneously providing a significant improvement in the quantity, quality and practical utility of the facilities and accommodation available to patients. A key benefit of the proposal is the funding and delivery of the scheme through the Diocese of London, which we understand is only achievable through the proposed sympathetic refurbishment of the larger underutilised and redundant parts of the building into residential apartments.

CENTRAL LONDON HEALTHCARE CIC

Support. CLH is a GP Federation comprised of 33 GP practices that serve a registered patient population of over 200,000 patients in Central London. It is a community interest company which is owned and run by local primary care clinicians to improve health and wellbeing in Westminster. The Newton Medical Centre is one of our member practices. It is run by a dedicated, caring team of GPs, nurses and support staff, and has an excellent reputation.

The Newton Medical Centre has seen a rapid increase in the number of registered patients in recent years. The proposed development will secure long term sustainability for the practice to continue to provide general medical services to the local growing population at this location. It will give the practice the infrastructure to expand the range of services it offers, such as introducing diagnostic facilities and community services, thus bringing access that is more convenient for local residents and an improved patient experience.

Without this development, the Newton Medical Centre will be forced to limit the services it provides to the local community due to lack of space.

NEWTON ROAD MEDICAL CENTRE

Support. The Newton Road Medical Centre is a friendly growing NHS General Practice run by our team of dedicated and permanent medical staff which includes five doctors, three nurses, mental health clinicians and a great administrative support team.

We have been working very closely with the Diocese of London team over many months to ensure that the accommodation is able to meet the needs of our busy practice for years to come and which we see as being critical to the long-term health and attractiveness of the surgery.

We are excited by the proposals, as improved facilities and accommodation will allow us to provide better health care to the local population. This cannot happen soon enough as we have reached the capacity of our current facility and are already limiting the range of services we would aim to provide to our patients.

CRIME PREVENTION DESIGN OFFICER

No objection. General comments made.

HIGHWAYS PLANNING

No objection, subject to legal/agreement conditions to secure unallocated parking and car club membership.

ENVIRONMENTAL HEALTH

Objection. The acoustic report does not assess noise from mechanical plant (air source heat pumps in rear garden to flat 3 to serve the residential and medical centre). The acoustic report only assess the internal noise levels to the proposed uses within the site.

ARBORICULTURAL MANAGER

Objection. Inadequate space proposed for soft landscaping and replacement tree planting to compensate for the loss of seven individual trees and two groups of trees. Revisions to hard landscaping required to retain and protect trees within adjacent sites. Further clarity/information required with respect to excavation of basement, changes in levels. Green roofs should be revised to intensive roofs with greater biodiversity value and depth of soil over basement should be increased. Landscaping requires reconsideration due to inadequate area and impractical locations.

BUILDING CONTROL

Any response to be reported verbally.

ADULT AND COMMUNITY SERVICES

Any response to be reported verbally

CLEANSING MANAGER

Applicant has not submitted a detailed waste management strategy showing location of D1 and C3 waste stores. In addition, information relating to waste generation estimates and bin capacities required for recyclable materials and residual waste for both uses were not provided.

BAYSWATER RESIDENTS ASSOCIATION

Generally support application, including conversion to residential and the design building of a new medical centre.

Note that concerns have been expressed about overlooking/loss of privacy from two neighbouring property owners, which is difficult to judge but should be addressed before any consent is granted.

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 490

Total No. of replies: A number of responses from 27 properties

No. of objections: 18 No. in support: 9

Patient petition in support of the development with 84 signatures

Objections

Residential Land use

- Extent of residential
- Impact on character of area
- Does not achieve a good standard of development for future occupiers
- Lack of amenity space for future occupiers
- Regrettable that does not require affordable housing

Amenity

- Detrimental impact on living conditions of existing residents
- Loss of amenity to neighbours' homes and gardens
- Loss of privacy and overlooking from windows and terraces
- Loss of daylight and sunlight
- Obstructed views
- Encroachment on existing residential amenity
- Increased sense of enclosure
- Noise and disturbance
- Light emission
- Noise and light pollution from cars
- Noise from mechanical plant
- Noise from bike racks
- Noise from waste and recycling

Environmental

- Loss of trees
- Loss of well-established trees and landscaped amenity area
- False acacia tree should be replaced.
- Landscaping should take priority over car parking
- Not sustainable development
- Impact on air quality

Transportation

- Impact on parking
- New residents could apply for residents parking permits and it is already difficult to park in the area.
- Car parking not sustainable
- Impact on pedestrian safety from comings and goings
- Development should be car free

- No provision for patient car parking
- Congestion from increased residents, visitors, delivery lorries

Design and townscape

- Negative impact on the character and appearance of the area
- Loss of landscaping and impact on character and appearance of the area
- Mansard roof should not be allowed as other surrounding properties have been denied them.
- Roof line is integral to the conservation area
- Building is one where conservation area audit says a roof extension is not appropriate
- Rear extension should not be allowed in the rear garden

Construction

- Noise and disturbance and overall impact of construction works.
- Structural impact on neighbouring properties
- Health and safety of residents

Support

- Land use
- Better healthcare provision
- Development will be of great benefit to the local community
- Will rejuvenate a tired and underutilised building
- Extension is contextual
- Will tidy up scruffy garden
- Medical centre serves thousands of patients and should be retained
- Outstanding GP practice
- Positive contribution to social amenity
- Overall massing is sensitive

PRESS ADVERTISEMENT / SITE NOTICE: Yes

RE-CONSULTATION ON REVISED SCHEME 27.03.2018.

Revised scheme includes reduction in car parking to 7, reconfigured and increased landscaping; reduction in terrace areas, obscure glazing to flank windows; various design changes to medical building, design alterations to fenestration to main building and to pitch of mansard roof; omission of lift overrun, railings to front boundary wall, air source heat pump enclosures.

THAMES WATER

Any response to be reported verbally.

NHS CENTRAL LONDON CLINICAL COMMISSIONING GROUP

Any response to be reported verbally.

CENTRAL LONDON HEALTHCARE CIC

Any response to be reported verbally.

NEWTON ROAD MEDICAL CENTRE

Any response to be reported verbally.

CRIME PREVENTION DESIGN OFFICER

No further comments.

HIGHWAYS PLANNING

No objection, subject to unallocated residential car parking.

ENVIRONMENTAL HEALTH

No objection, subject to conditions.

ARBORICULTURAL MANAGER

Objection. Whilst increased soft landscaping welcomed, other comments not addressed.

BUILDING CONTROL

Any response to be reported verbally.

ADULT AND COMMUNITY SERVICES

Any response to be reported verbally

CLEANSING MANAGER

Any response to be reported verbally.

BAYSWATER RESIDENTS ASSOCIATION

Any response to be reported verbally.

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 490

Any responses to be reported verbally

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

Nos. 14-16 Newton Road, is use as the Newton Road Medical Centre, is an unlisted building with front and rear curtilage, located within the Westbourne Conservation Area. The front curtilage comprises a large soft landscaped garden and a small car park and to the rear, a hard landscaped garden with trees.

The existing neo-Georgian style red brick building on the site comprises ground and first floors, with a basement floor with light wells to the rear and is thought to have been purpose built for a medical use in the early 20th Century. It is considered an unlisted building of merit.

The site is predominantly surrounded by residential properties. To the north lies the rear of properties in Sunderland Terrace (Nos.22-26) and Westbourne Gardens (No.49), many of which are flats. To the east is Greville Lodge (a modern flat block) and the rear of Westbourne Grove Terrace (Nos.12, 13, 14). Directly to the south lies 12 Newton Road and properties on the south side of Newton Road (Nos.17-19) as well as the United Reformed Church. Directly to the west, No20 Newton Road shares a boundary with the application site. Other Newton Road properties on the northern side of the road lie further west.

6.2 Recent Relevant History

An extension to the property was granted permission in 1989 for a doctor’s surgery (LPA ref. 89/00542/FULL) confirming the lawfulness of D1 use on site.

7. THE PROPOSAL

	Existing GEA (sqm)	Proposed GEA (sqm)	+/-
Medical	960m2	961m2	+1m2
Residential	59m2	904m2	+845m2
Total	1019m2	1865m2	+ 846m2

Planning permission is sought for the extension and alteration of the existing medical building in connection with the future use as a medical centre to the part ground floor and basement and the use of part ground and entire first and extended second floors as nine flats. A summary of the development is set out below:

- Use as Medical Centre and 9 self-contained flats (1x1bed, 6x2bed, 2x3bed)
- Ground floor wrap around extension to front, side and rear corner of site
- Basement extension beneath front corner curtilage of the site
- Roof extension
- Reconfiguration of front curtilage to accommodate off street car-parking for medical (3no.) and residential flats (6no.)
- Terrace to flats

8. DETAILED CONSIDERATIONS

8.1 Land Use

Medical use

The existing building is (apart from a top floor residential unit) currently occupied for medical use (Class D2) over 960m2 of floor space. The applicant has indicated that, “the Newton Road Medical Centre partially occupies the ground and first floor of the building, with the remaining space either accommodating Healthcare, a NHS musculoskeletal (MSK) service, or left vacant. The medical centre provides both GP and clinical care to the residents within their catchment”. The Newton Medical Centre

currently has five doctors, three nurses, mental health clinicians and an administrative support team,

The proposed development seeks to retain the 960m² of existing floor space on the site, predominantly within proposed new purpose built extensions, as well as part of the ground floor of the existing building. This element of the proposal has the support of NHS Central London (Westminster) Clinical Commissioning Group, a GP- led organisation responsible for planning and buying (commissioning) health services for people living in Westminster. The Commissioning Group is made up of 34 GP practices that serve a registered patient population of over 210,000 patients and the Newton Medical Centre is stated as being a key practice. Their support is on the basis that the proposed development would secure the long term future of this medical facility, whilst improving the quantity, quality and practical utility of the facilities and accommodation available to patients and because the development would be funded and delivered by the Diocese of London from the commercial element of the proposed development. For similar reasons the Central London Healthcare CIC and the Newton Medical Practice themselves have also made representation in support of the proposal including a petition in support signed by 84 patients. There is also general support locally for the principle of the retention and improvement of the medical facilities at the site.

The site is already in use for such medical use and the proposal secures the replacement of equivalent floor space. As such, this element of the proposal is welcome in principle in land use terms and secures the retention of a social and community use on the site, in accordance with policy SOC1 of the UDP and S34 of the City Plan.

For the reasons set out above, the proposed medical use is considered to be an appropriate use in this location. However, other uses that fall within the same use class (Class D2), may have a materially greater impact on the amenity of local residents and on parking provision, and which for these reasons may not be an appropriate use in this location. As such, it is considered both appropriate and necessary to recommend a condition to restrict the use of the site to the medical use proposed, as without such a condition, a change of use could take place to other Class D2 uses, such as a place of worship or crèche without planning permission. It is, also considered appropriate to restrict the hours of use of the medical use in the interest of residential amenity and to prevent a 24-hour or overnight use, which would be of a different character and impact.

As set out above the proposed medical use if considered acceptable, subject to conditions.

Residential use

A total of nine self-contained flats are proposed within the existing building as proposed to be extended, within the ground floor (part), first floor and new mansard roof.

The principle of the provision of new residential floor space within this location is acceptable in land use terms in accordance with policy H3 of our UDP and S14 of our City Plan.

A total of 904m² of residential floor space is proposed, which when taking in account the existing residential flat on site results in a uplift of residential floor space of 845m² (GEA). The increase in residential floor space proposed would be less than 1,000m² of new GIA and GEA floor space and, the provision of affordable housing would not be required under policy H4 of our UDP and S16 of our City Plan.

The unit mix of flats would comprise 1x1bedroom, 6x2bedroom and 2x3bedroom flats, ranging in size from 46m² to 120m². The size of the flats complies with the Government's Technical Housing Standards and Policy 3.5 in the London Plan.

Whilst the one-bedroom flat is proposed as single aspect, all of the two-bedroom flats would be dual aspect and the three- bedroom flats triple aspect. Both of the three-bedroom flats would benefit from external terraces to the front of the building, 2 of the two-bedroom flats and the one-bedroom flat would benefit from private rear gardens and a further two-bedroom flat at first floor level is proposed to have an external terrace to the rear (however it should be noted that this first floor terrace raises amenity concerns for neighbours – see amenity section of report). Given the constraints of the site, surrounded to the flank and rear by existing residential properties, the provision of external amenity space for four flats (excluding the unacceptable first floor terrace) is considered acceptable.

Two family sized units are proposed (25% when taking in account 8 additional units are proposed). This falls short of the requirement for 33% family sized units, under policy H5 of our UDP and S14 of our City Plan. The applicant's justification is as follows: i) the surrounding area contains a significant amount of family housing, ii) the greater provision of 1 and 2 bedroom flats would deliver a mixed and balanced community, iii) the proposed 2 bedroom flats exceed the minimum space standards, and iv) the conversion scheme limits access to external amenity space, and v) there is a need for 2 bedroom flats for Londoners. Given the above factors, it is considered that a lower provision in this case can be justified.

It is considered that the proposed flats would provide a good quality residential environment for future occupiers in accordance with policy ENV13 of our UDP and S29 of our City Plan.

8.2 Townscape and Design

New Front Medical Centre Wing

The installation of a large and prominent extension within the front forecourt of this building considered an unlisted building of merit in the Westbourne Conservation Area is a contentious proposal, and by virtue of partly enclosing the front forecourt setting of this attractive building with its balanced classical composition by creating a prominent new extension well beyond the main building line it is considered to give rise to less than substantial harm. Officers however consider that a case can be made for it in the context of the scheme as a whole, and given both the layout and the history of this particular site.

Historic plans for the site show that prior to the approx 1930's construction of the existing building as medical facility, the site contained both two villa buildings set much further forward on the site, and also a series of structures of unknown purpose both in the rear

garden and to the south-east end of the site (where the new extension is located). Though not projecting forward to the extent currently proposed, nonetheless it demonstrates that there is some history of structures on this part of the site through the 19th and into the mid 20th century. It is also recognised that this part of the site, with high exposed brick walls and hard landscaping, is not especially attractive at present. Both of these considerations are considered to mitigate somewhat against the harm caused. Overall, it is considered that there are some reasons to justify a large front extension in this location, and that notwithstanding the harm caused the scheme as a whole including the extension is considered acceptable for the reasons set out in the report.

Mindful of officers concerns about a large front extension, it is considered that to help justify such a proposal it would need to be of notably high design quality. Some aspects are considered well considered; however notwithstanding officer's advice during the course of the application process, others remain less assured and conditions are recommended to secure improvements in certain areas, as set out below.

The front extension is designed in three distinct elements; namely the main entrance feature, the curving wall section, and the glazed link. The brick curving wall element has a simplicity of form, and the curving line gives a degree of attractiveness and character. To a prominent element of the building however, the relatively austere form could mitigate against an overall attractive appearance, and officers sought assurance through the application process that the windows were designed with attractive detailing, possibly through the window framing projecting slightly into the window opening and being picked out in a colour following that of the red brickwork detailing to the main building, or alternatively with the frame recessed significantly and the central glazed element of the window projecting forward to the building line, or some other feature adding detailed interest to the windows. Such detailing is recommended to be secured by condition however, and subject to that, this element of the extension is considered acceptable in design terms.

Alterations to existing building

The main entrance to the medical centre is proposed to be clad in Portland stone, and with a principally glazed canopy above the main entrance doors, and a fire escape door to the side. As a principle, a more prominent stone clad distinctive entrance feature could form an attractive part of the scheme, highlighting the main medical facility entrance in the composition. Officers however raised concern about a perceived lack of refinement to this element of the scheme during the course of the application process, however it remains largely as initially submitted. The concerns principally relate to the relative blankness of the elevation, the integration of the canopy with the building, and the prominence of the fire escape door in the composition. As such, though considered acceptable in principle, an amending condition is recommended to allow officers to negotiate and secure improvements to the detailing of this element of the scheme.

The glazed link section to the front of the building is set discreetly between the main building and the projecting element of the proposed front extension, and though it will be visible in longer angled views across the front garden of the building, it will not be a prominent feature and will integrate successfully with the building and extension.

The extension to the side and rear of the building are discreetly sited and do not rise above the flanking high boundary walls. The green roof to the rear element (and elsewhere) will help it harmonise with the garden setting, and though the link partly incorporates a relatively large glazed roof, set between this building and the adjoining side boundary wall, with a blank side elevation to the building adjoining to the east, views of this will be limited. The plant enclosure to the rear is discreetly sited.

The existing front boundary wall is of no particular design quality and dates from the mid-20th century construction of the building. As such, its demolition and replacement with a new brick boundary wall with traditional railings above is considered acceptable. The new vehicular gates are in an attractive form with detailing influenced by the medical history of the site, and are considered attractive in themselves.

Overall, officers do have concerns about the impact that the location and scale of the front extension could have in terms of cramping the setting of the main building and introducing a new element well beyond the established building line, and members are asked to be mindful of the provisions of section 134 of the NPPF which makes clear that for development proposal that will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use, but also be mindful of the statutory duty in s. 72 of the Planning (Listed Buildings and Conservation Areas) Act of 1990 which sets out that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of a conservation area, and that considerable importance and weight should be given to this duty. Overall however, considered as part of the scheme as a whole, the extension is considered acceptable.

Roof Extension

It is noted that the building is identified in the published Westbourne Conservation Area Audit as one where a roof extension may not be acceptable. A detailed on-site consideration has been undertaken to fully assess this application however, and it is considered that, notwithstanding the annotation in the Audit, that a case could be made for an extension to the roof of the building. No. 14-16 Newton Road has a particularly high parapet surrounding its main flat roof, which helps to screen much of the bulk of the extension proposed. The flat parapet and neo-Georgian styling appears more suitable for a mansard than to the surrounding villa buildings. It is also recognised that whilst it is flanked by two storey villa buildings, in the longer views north and east on Newton Road the slate clad roof structures of those villa buildings are readily visible above the main elevations to those surrounding buildings. It is also recognised that the application building has a backdrop of a higher terrace of properties in views north on Newton Road, and is seen in direct context with much higher buildings in views east on Newton Road, both of which would help minimise the appearance of the mansard. Overall, and notwithstanding the annotation in the Audit, it is considered that the principle of the mansard is considered acceptable.

Though the roof extension does have an internal floor to ceiling height of 2.75m, which is beyond the 2.3m normally considered as a maximum, it is recognised that this building has both unusually high parapets and high floor to ceiling heights to its main elevations, and as such it is considered that the extension proposed will not appear excessively large or bulky to this particular building. Officers had previously suggested clay tiles to clad the extension to main roof level, as this is more typical of roof stories to such 20th

century neo-Georgian buildings, however natural slates are proposed, which is the predominant roof material in the surrounding 19th century townscape, and will give a high quality finish in itself. As such, the proposed cladding of the extension in natural slates is considered acceptable. The dormers will be clad in lead, as is standard and appropriate for the surrounding area.

The perforated metal screen will add some clutter to roof level, however it has a relatively low profile, and will not unduly compromise the appearance of the building. There is an anomaly between where the screen is shown to terminate towards the front elevation between the elevation and plan drawings, and this is resolved through condition requiring it to set back from the front elevation (as it is shown on plan) which will help prevent it being prominent in views of the skyline from the front of the building. Its bronze finish will harmonise appropriately with the red shades of brickwork found to the main building.

8.3 Residential Amenity

Given the location of the site and its relationship with surrounding residential properties, it is a sensitive site in amenity terms requiring a full assessment of the impact of the proposal on the amenities currently enjoyed by existing surrounding residents.

Impact of Uses and activities

The existing building is occupied for medical use within Class D1 of the Use Classes Order and it is proposed to retain the same amount of floor space for this medical use in the proposed development. Given the lawful use of the site for such use, it is not considered that the continued use would raise any new or additional amenity issues for existing surrounding residents. The existing use is not restricted in terms of hours of use of nature of Class D1 use and as already set out under section 8.1 (land use) of this report, it is considered appropriate to impose restrictions of this nature in the interest of protecting the residential amenity of existing surrounding residents and the future residents of the development in accordance with policy ENV13 of the UDP and S29 of the City Plan.

The provision of additional self-contained residential flats is compatible within this predominantly residential area and the associated additional activities and comings and goings to and from the site is not considered to raise any significant amenity issues for existing residents. Whilst objections have been raised to the impact of the location of refuse and recycling and bike stores, it is not considered that, the activities associated with these would be so detrimental so as to warrant withholding permission.

Impact of physical development

The impact of the proposed extensions to the existing building have been assessed with respect to their potential impact on the amenities currently enjoyed by the occupiers of surrounding residential properties in terms of daylight and sunlight, sense of enclosure and privacy.

Sunlight and Daylight and overshadowing

The applicant has submitted daylight and sunlight study by Right of Light Consulting, which assesses the impact of the proposed development on surrounding residential properties. The study assesses the impact upon the following neighbouring properties;

Nos.12,15, 17, 19, 20, 21, 21a, 22 & 24 Newton Road, the Uniformed Reformed Church, 12, 13, 14 & 15 Westbourne Grove Terrace, Nos. 43, 45, 47 & 49 Westbourne Gardens and Nos. 20 to 26 Sunderland Terrace.

The Building Research Establishment (BRE) Guidelines advise that a material loss of daylight would only occur where there would be both a loss of 20% in Vertical Sky Component (VSC) and less than 25% VSC (daylight) received. None of the properties assessed would see any significant loss of daylight as all would retain either a VSC of over 25% and or would result in a maximum loss of 2.5%. As such, the proposal would not result in any material loss of daylight for neighbours in accordance with the BRE Guidelines.

In terms of sunlight, a material loss of sunlight would only occur where there would be a 20% loss of probable annual or winter sunlight, and less than 25% annual probably sunlight hours or 5% in winter and would result in a reduction in annual probably sunlight hours of more than 4%.

In terms of potential overshadowing to gardens, it would be noticeable to the occupant if more than 50% of their garden were to receive less than 2 hours of sunlight (on 21st March) and would see a reduction in sunlight of more than 20%. None of the gardens would a loss of more than 4%, which would not be noticeable and accords with the BRE Guidelines.

For the reasons set out above, the proposal would not result in any significant loss of daylight or sunlight to surrounding residential properties and would not result in any adverse overshadowing of their gardens. As such, the proposal complies with the tolerances set out within the BRE Guidelines and satisfies policy ENV13 of our UDP and S29 of our City Plan. Consequently, objections raised on these grounds are not supported by Officers'.

Sense of Enclosure

The proposed roof extension would be sufficiently distant from neighbouring occupiers to the rear, either side and the front, so as not to materially increase sense of enclosure. The ground floor rear extension would be set below the height of the existing boundary wall with neighbours and for this reason would have no impact on sense of enclosure to neighbouring properties.

The proposed ground floor front extension would extend along in front of the boundary walls with Nos.12 13 and 14 Westbourne Grove Terrace. The extension would predominantly sit below the height of the existing boundary wall, but with a slight build-up of the wall where there are existing cut-outs. As set out above no loss of daylight or sunlight would result from this and the small raising of the height of the wall in small areas is not considered to result in such a significant increase in enclosure so as to warrant withholding permission on this ground. The visual amenity provided for by the proposed green roof to the extension is considered to offset the small increase in enclosure to these neighbouring properties.

The height of the extension where it meets the side boundary with 12 Newton Road would be no higher than the height of the existing boundary (wall and trellis). A

previously existing window within the flank wall of this property, appears to have recently been removed. Notwithstanding this, given the height of the extension (no higher than the existing boundary), it is not considered to result in any significant increase in sense of enclosure to this property. The proposal satisfies policy ENV13 of our UDP and S29 of our City Plan. Consequently, objections raised on these grounds are not supported by Officers'.

Privacy

The west flank of the existing building would accommodate a number of windows to provide light to the flats. Whilst at ground level the windows are screened from neighbours by a high boundary, at first floor level the windows are proposed to be partially obscure glazed with restricted opening. This will ensure that the privacy of neighbouring properties and their gardens along Newton Road are protected.

The east flank fenestration, due to the black flank wall of the adjacent Greville Lodge and the relation between the two properties, the proposed fenestration is not considered to result in any significant overlooking.

The rear elevation of the existing building and proposed roof extension would introduce additional fenestration. However, given the distance and relationship to residential properties to the rear on Sunderland Terrace and Westbourne Gardens, it is not considered that any significant overlooking would occur.

The proposal includes the provision of external terraces to a number of flats at first and second floor level. Following officers concern regarding the amenity impact of terraces to the rear at second floor level, these have now been omitted from the proposal. The remaining terraces at second floor level to serve the two family flats (flats 8 and 9) face Newton Road and would be enclosed to the side with privacy screens. Given the relationship and distance to surrounding neighbours, these terraces are not considered to give rise to amenity issues.

A terrace proposed to flat 6 at rear first floor level, is considered to compromise the amenity of the residents within the adjacent Greville Lodge and Sunderland Terrace, and as such a condition is recommended to secure its removal from the proposal.

Appropriate conditions are recommended to secure privacy screens to the terraces and to prevent the use of other areas of flat roof/green roof as amenity areas, in order to protect resident's amenity. Subject to conditions, the proposal satisfies policy ENV13 of our UDP and S29 of our City Plan. Consequently, objections raised on these grounds are not supported by Officers'.

Light pollution

Concern has been raised by some neighbouring residents that the residential use and fenestration would result in light pollution to neighbouring residents. It is accepted that the residential use of the site will have a different impact when compared to the existing use of the building purely for medical use. However, domestic residential use of the building with not unduly large windows is not considered to result in any significant light pollution to neighbouring properties to warrant withholding permission. Other concerns

relate to light pollution from cars accessing the site. This is not considered significant and the objection on this ground is not supported.

8.4 Transportation/Parking

The existing site comprises of a vehicular access and car park associated with the existing Newton Road Medical Centre. The arrangement for the proposed mixed use of the site for medical and residential provides seven off-street car parking spaces, provision of cycle storage and provision for waste and recycling.

Four off-street car parking spaces are to be shared on an unallocated basis between the occupiers of the nine residential flats. The residents are also to be provided with lifetime (25 years) car club membership and these are to be secured under Grampian condition No.35. The Highways Planning Manager has advised that given the car ownership levels within the ward (35%) and current parking on-street car parking stress levels (77% when including yellow lines and metred bays) together with the car club membership, that the provision of four unallocated car parking spaces for nine flats is acceptable in this instance in accordance with TRANS23 of our UDP. The objections raised with respect to an increased demand for on-street car parking is not supported by officers

The provision of three off-street car parking spaces for the medical centre has been confirmed by the applicant as meeting the needs of their client. As such, our Highways Planning Manager is on this basis satisfied with the provision.

With regard to the provision of cycle storage, provision is made for 17 cycle spaces for the residential flats in accordance with the London Plan standards. For the medical use, 16 spaces are required including 6 staff/long stay spaces. However, insufficient details have been provided and it is therefore proposed to secure further details under condition.

Pedestrian access to the residential flats is from the existing central ground floor entrance door to the existing building, with level access to all flats via a lift and staircase. Access to the medical centre is from the proposed new ground floor front extension.

Vehicular access to the site is shared by vehicles associated with the medical and residential uses and is from the front of the site via Newton Road, in a similar position to that existing.

Whilst details of waste and recycling are indicated, the City Council's Cleansing Manager requires further details and as such, a condition is recommended to secure these details (No.33).

For the above reasons, subject to conditions the proposal is considered acceptable in transportation terms.

8.5 Economic Considerations

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

8.6 Access

Please refer to section 8.4 above

8.7 Other UDP/Westminster Policy Considerations

Basement

The Basement Revision and Mixed Use Revision to the City Plan were submitted to the Secretary of State in December 2015. The independent examination was held in March 2016. Following the examination, a further consultation was held between 20 April and 5 June 2016, inviting responses to the proposed main modifications. Having considered the responses, none of the matters raised bring forward new issues that were not considered by the Inspector at the examination hearings in March.

Therefore, in accordance with Paragraph 216 of the National Planning Policy Framework, the Council will take the Basement Revision and Mixed Use Revision into account as a material consideration with significant weight in determining planning applications, effective from Tuesday 7 June 2016. One exception applies, in relation to the Basement Revision, specifically the application of the Code of Construction Practice [Policy CM28.1 Section A2b], which will be applied from the date of publication of the Code of Construction Practice document, likely to be at the end of June.

The proposed basement associated with this mixed –use development, to be used for medical floor space is considered to accord with policy CM28.1 A.

Other implications of the revisions to the City Plan for the development subject of this report are outlined elsewhere in the report.

Mechanical Plant

Mechanical plant associated with the development is proposed in the form of air source heat pumps within two enclosures. The enclosures are located within the rear garden adjacent to the boundary wall with Sunderland Terrace. The City Council's Environmental Health Consultation Team have confirmed that the mechanical plant will comply with our standard noise conditions which protect the amenity of residents in accordance with policy ENV6 and ENV7 of our UDP and S32 of our City Plan, subject to a restriction on the operation of the plant associated with the medical use to between 07.00 and 21.00 Monday to Friday and 09.00 to 19.00 Saturdays and Sundays.

Trees and Biodiversity

There are a number of trees and soft landscaping within the site, which provide visual amenity, and biodiversity for the locality and which is highly acknowledged by local residents evident from the representations received during the course of this application.

There are currently a number of individual trees and groups of trees within the site
1xholly

- 1x pittosporum

- 3x purple leaf plum trees
- 1x silver birch
- 1x almond
- 1x elder
- 1x golden false acacia
- 1x group of silver birch
- 1x group of elder at the rear

The proposal seeks the removal of all of the above trees save for the holly tree, which has brought about a number of representations of objection. This is regrettable given the visual amenity and biodiversity that they provide and the City Council's tree officer has raised objection on this basis and that the better specimens are not being retained.

Notwithstanding the above, the proposed area for replacement trees and soft landscaping has been increased in size on officer's advice during the course of the application in order to seek a more satisfactory balance between car parking and soft landscaping and to mitigate against the loss of the existing trees.

Whilst the tree officer would still like to see further area given over for soft landscaping, based on the area now proposed, it is considered that a maximum of 2 new trees (one of which could be a false acacia tree), together with the retained holly tree and with low level shrub planting would be most appropriate for tree growth, stability and to maximise their appearance. On this basis, the applicant's proposed landscaping and tree planting proposal is considered to be cramped and inappropriate. Alternative landscaping details are therefore proposed to be sought by condition.

Other trees located outside of but close to the site comprise a Lime tree, sycamore and golden false acacia. Further details are required to ensure their protection (levels, method of excavation etc).

The provision of green roofs to the ground floor extensions and at second floor level to the rear is welcome, however it is considered that there is scope for more biodiverse roofs (rather than sedum) with the potential for greater species and a mix of grasses and wildflower and as such this is to be sought by condition.

With respect to the front curtilage, it is proposed to accommodate soft landscaping and car parking and in part contained a basement below. Taking this into account it is accepted that part of the car park area will not provide a soil depth above the basement. However, it is considered that there is scope that for part of the car parking area/front curtilage to be constructed of permeable material and this is proposed to be secured by condition to provide floodwater attenuation and to assist with tree root growth.

Overall, it is acknowledged that the loss of existing trees and reduced area for replacement tree planting is regrettable. However, it is considered that the proposal strikes a balance between the competing need for space within the site for car parking and other facilities associated with the proposed mixed use of the site.

Air pollution

Objection has been raised as to the potential air pollution associated with the off-street car parking. Given the existing car parking currently provided on site and that

proposed, there is not considered to be any significant change in the amount of cars attending the site.

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 consistent with the NPPF unless stated otherwise.

8.10 Planning Obligations

The proposed recommendation includes a recommended Grampian condition to secure mitigation for the increased demand for car parking (Condition No.35)

8.11 Environmental Impact Assessment

Environmental Impact issues have been covered throughout the report.

8.12 Other Issues

Land contamination

The applicant has submitted a geo technical and environmental desk study, which concludes that site investigation for contaminated land should be carried out. The City Council's Environmental Health Consultation Team has recommended that further details are required by condition and the City Council's standard condition is recommended.

Construction impact

The applicant has agreed to comply with the City Council's Code of Construction Practice and has provided a signed Appendix A. This is to be secured by way of our standard condition in order to minimise the impact of excavation and construction.

Other concerns raised relate to the potential structural impact on neighbouring properties. This is predominantly a building control matter.

Crime and security

The applicant has been in pre-application discussions with the Metropolitan Police Design Out Crime Officer. No objection has been raised to the proposed development, however further recommendations are made and these are to be secured by condition.

9. CONCLUSION

The proposed development would facilitate improved medical facilities and secure the long-term future of the site for medical use, whilst creating much needed residential accommodation, including family sized units. Whilst the front extension is considered to result in harm to heritage assets, albeit less than substantial, the land use public benefits of the proposal are considered to outweigh this. Furthermore, the proposal seeks to

strike a balance between competing use of the land to support the mixed-use development. Overall and subject to a number of conditions to minimise the impact of the development, including protecting resident's amenities, notwithstanding the objections raised, the proposal is considered acceptable.

10. BACKGROUND PAPERS

1. Application form
2. Representation from NHS Central London Clinical Commissioning Group 29.01.2018
3. Representation from Central London Healthcare CIC 09.02.2018
4. Representation from Newton Road Medical Centre 26.01.2018 and 26.02.2018 with petition of 67 signatures and updated petition of 84 signatures.
5. Email from Thames Water 01.02.2018
6. Letter from Historic England 28.03.2018
7. Email from Metropolitan Police Design Out Crime Officer 26.01.2018 and 29.03.2018
8. Memo from Highways Planning Manager 01.02.2018 and 11.04.2018
9. Memo from Environmental Health 12.01.2018 and 03.04.2015
10. Memo from Tree Officer 26.01.2018 and 11.04.2018
11. Memo from Cleansing Manager 17.01.2018
12. Email from Bayswater Residents Association 23.02.2018
13. Representation from 5C Newton Road 18.01.2018
14. Representations (x2) from 14-18 Newton Road 31.01.2018 and 05.02.2018
15. Representations from 20 Newton Road (x2) 08.02.2018
16. Representation from 22 Newton Road 28.01.2018
17. Representation from 24A Newton Road 14.02.2018
18. Representations (x2) from 26 Newton Road 18.12.2018 and 30.01.2018
19. Representation from 27 Newton Road 15.12.2018
20. Representation from Church House, Newton Road 28.01.2018
21. Representations from 22A Sunderland Terrace 23.01.2018
22. Representations (x3) from 22C Sunderland Terrace 26.01.2018
23. Representations from 23A Sunderland Terrace 15.02.2018 and 03.04.2018
24. Representation from 24C Sunderland Terrace 29.01.2018
25. Representation from 25 Sunderland Terrace 01.02.2018
26. Representations (x2) from 26 Sunderland Terrace 11.01.2018 and 24.01.2018
27. Representation from 49A Westbourne Gardens 30.01.2018
28. Representation from 49B Westbourne Gardens 22.01.2018
29. Representation from 14 Westbourne Grove 16.02.2018
30. Representation from 15 Westbourne Grove 10.04.2018
31. Representation from 19 Westbourne Grove 24.01.2018
32. Representations (x2) from 55 Westbourne Grove 01.02.2018 and 02.02.2018
33. Representation from Garden flat 6 Alexander Street 02.02.2018
34. Representation from 2 St Petersburg Mews 04.02.2018
35. Representation from Garden flat 1A St Stephens Crescent 01.02.2018
36. Representation from 30 Edbrooke Road 28.01.2018
37. Representation from 3 Hartham Close Isleworth 01.02.2018
38. Representations (x2) from 14 Kildare Terrace 15.02.2018 and 09.04.2018
39. Representation from 4 Burdett Mews, Hatherley Grove 22.03.2018

Item No.
5

(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: SARAH WHITNALL BY EMAIL AT swhitnall@westminster.gov.uk.

11. KEY DRAWINGS



 UNIVERSITY OF LONDON

14 - 18 Newton Road, Bayswater
View Of Institution Entrance - March 2018

V(-)04_RevC  palmerarchitects





DRAFT DECISION LETTER

Address: Medical Centre, 14 - 16 Newton Road, London, W2 5LT,

Proposal: Extensions to the existing building at roof, ground and lower ground level in connection with the re-provision of 961 sq.m (GEA) Class D1 floorspace and 9 residential flats (Class C3), together with associated parking and landscaping.

Reference: 17/11306/FULL

Plan Nos: To be updated

Case Officer: Sarah Whitnall

Direct Tel. No. 020 7641 2929

Recommended Condition(s) and Reason(s)

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents 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 in the interests of proper planning.

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

Reason:
To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Westbourne 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 The new facing brickwork on the new areas of elevation to the existing building must match the existing original brickwork in terms of colour, texture, face and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

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 Westbourne 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 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 Westbourne 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 You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing of the brickwork facing to the new front extension, and also a separate sample panel of brickwork which shows the colour, texture, face bond and pointing of the brickwork for the new front boundary wall. These shall demonstrate that the facades of the building and the new front wall will be faced in complete bricks and not brick slips or other panelised brick facing systems. You must not start 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 the approved sample. The brickwork shall not be painted, rendered or otherwise overclad

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 Westbourne 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)

- 6 You must apply to us for approval of annotated elevation drawings showing the location of any expansion joints to the brickwork. 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 Westbourne 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)

- 7 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the front elevation of the main building, or to the south-west facing elevation of the new front extension (ie. its elevation facing onto the front forecourt/front garden area, unless they are shown on drawings we have approved. (C26MA),

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 Westbourne 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 not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof of the new extensions, or on the flat roofs surrounding the new second floor extension, 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 Westbourne 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)

- 9 You must provide the following bio-diversity features before you start to use any part of the development, as set out in your application., , Green roofs above new extension, , You must not remove any of these features. (C43FA), ,

Reason:

To increase the biodiversity of the environment and 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 Westbourne Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 17 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.

- 10 Notwithstanding the annotations on drawing 1456/P(--)-201-01, the perforated screen to the west facing side parapet wall shall terminate in the location shown on drawing 1456/P(--)-112-01, and shall terminate at that point incorporating the angled section down to the parapet as shown on drawing 1456/P(--)-201-01

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 Westbourne 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)

- 11 The new windows to the sheer elevations on the main building shall be formed of glazing and white painted timber framing, and the new sash windows to these elevations shall operate on a vertically sliding manner only

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 Westbourne 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 a detailed elevation drawing of the following parts of the development - New front railings (including finials and relationship with boundary wall). You must not start any work on these parts of the development until we have approved what you have sent us., You must then carry out the work according to these drawings. (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 Westbourne 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 carry out demolition work of the front boundary wall unless it is part of the complete development of the boundary wall as shown on the submitted drawings and as secured under Condition 12 of this decision notice. You must carry out the demolition and development of the front boundary wall without interruption and according to the drawings we have approved.

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 Westbourne 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 The railings and vehicular gate to the new front boundary wall shall be formed in black painted metal, and shall be maintained in 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 Westbourne 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 apply to us for approval of detailed plan, elevation and section drawings (including both clarification of materials, colour of finish, and any other relevant information) to show the design detailing of the windows in the west facing elevation of the new brick faced extension to the front forecourt of the building. You must not start any work on these parts of the development until we have approved what you have sent us., You must then carry out the work according to these drawings (and other clarification and information as appropriate). (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 Westbourne 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)

- 16 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:-
, , Revisions to the Portland stone clad 'Newton Medical Centre' entrance bay to the south end of the new extension in the front forecourt of the building to include more detailed design interest and to show a canopy structure more integrated into the design of this element of the building, , You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

Reason:

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

- 17 You must apply to us for approval of a detailed elevation drawing of the new vehicular gates to the front boundary wall. 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 this drawing (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 Westbourne 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)

- 18 You must use the premises only as a doctor's surgery and medical consulting rooms. You must not use them 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). (C10AA)

Reason:

Because this is a residential neighbourhood, we need to prevent use of the property for any unsuitable purposes. This is as set out in S29 and S34 of Westminster's City Plan (November 2016) and SOC 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R10AC)

- 19 Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed

Reason:

The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. As requested by Thames Water.

- 20 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)

- 21 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)

- 22 Customers shall not be permitted within the premises before 0700 or after 2100 hours on Monday to Friday and not before 0900 or after 2100 on Saturday, Sundays, bank holidays and public holidays. (C12BD)

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 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13FB)

- 23 **Pre Commencement Condition.** You must carry out a detailed site investigation to find out if the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology

and general requirements outlined in 'Contaminated land, a guide to help developers meet planning requirements' - which was produced in October 2003 by a group of London boroughs, including Westminster., , You must apply to us for approval of the following investigation reports. You must apply to us and receive our approval for phases 2 and 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed., , Phase 2: Site investigation - to assess the contamination and the possible effect it could have on human health, pollution and damage to property., , Phase 3: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution., , Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate., (C18AA)

Reason:

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

- 24 (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.

- 25 The plant and machinery hereby permitted associated with the medical practice shall not be operated except between 07:00 and 21:00 Monday to Friday and 09:00 to 19:00 Saturday and Sunday. The plant serving the residential properties may be operated 24 hours a day.

Reason:

To safeguard the amenity of occupiers of noise sensitive properties and the area generally by ensuring that the plant/machinery hereby permitted is not operated at hours when external background noise levels are quietest thereby preventing noise and vibration nuisance as set out in 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.

- 26 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.

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

Reason:

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

- 28 You must provide each car parking space shown on the approved drawings and each car parking space shall only be used for the parking of vehicles of people working in the building or calling there for business purposes. (C22AA)

Reason:

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

- 29 You must provide each car parking space shown on the approved drawings and each car parking space shall only be used for the parking of vehicles of people living in the residential part of this development. (C22BA)

Reason:

To provide parking spaces for people living in the residential part of the development as set out in STRA 25 and TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R22BB)

- 30 You must provide each cycle parking space shown for the residential flats 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.

- 31 You must apply to us for approval of details of secure cycle storage for the medical use. You must not start any work on this part of the development until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose.

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.

- 32 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)

- 33 Prior to commencement of development 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 for both the residential and medical uses together with a waste management strategy which shall include details of: , Waste generation estimates and bin capacities required for recyclable materials and residual waste for both uses , , Provision of separate waste store for both D1 and C3 units. The stores should be indicated

on the revised proposed drawings., , Bin capacities required for residual waste and recyclable materials both uses., , The bins should be indicated on the drawings and label recycling bins as R and waste bins as W., , Waste route diagram for access to use the waste stores and for collection and waste servicing details., , 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 . (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)

- 34 **Pre Commencement Condition.** You must apply to us for approval of details of a security scheme for the development You must not start work until we have approved what you have sent us. You must then carry out the work according to the approved details before anyone moves into the building. (C16AB)

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

- 35 **Pre Commencement Condition.** You must not start work on the site until we have approved appropriate arrangements to secure the following., Mitigation of the demand for on street car parking., , In the case of each of the above benefits, you must include in the arrangements details of when you will provide the benefits, and how you will guarantee this timing. You must only carry out the development according to the approved arrangements. (C19AB)

Reason:
To make sure that the development provides the planning benefits that have been agreed, as set out in S33 of Westminster's City Plan (November 2016) and in of our Unitary Development Plan that we adopted in January 2007. (R19AC)

- 36 Notwithstanding the alterations to levels illustrated at the rear of the site on plans and sections you must apply to us for our approval of details of any changes in levels, including excavation for underground services and foundations for walls and hard surfacing You must not start an work on this part of the development until we have approved what you have sent to us. You must then carry out the work according to the approved details

Reason:
To protect the trees and the character and appearance of this part of the Westbourne 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)

- 37 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes the number, size, species and position of trees and shrubs. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping and planting within 1 planting season of completing the development (or within any other time limit we agree to in writing)., , If you remove any trees or find that they are dying, severely damaged or diseased within 5 years of planting them, you must replace them with trees of a similar size and species. (C30CB)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Westbourne 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)

- 38 You must plant new trees to replace those which are shown to be removed on drawings. The replacement trees must be planted in the first planting season after you complete the development. You must apply to us for our approval of the position, size and species of the replacement trees. You must also replace any replacement tree which dies, is removed or becomes seriously damaged or diseased within five years of the date we give our approval for the replacement trees, in the next planting season with another of the same size and species to the one originally planted.

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Westbourne 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)

- 39 **Pre Commencement Condition.** You must apply to us for approval of a method statement explaining the measures you will take to protect the trees on and close to the site. 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)

- 40 Non standard arb supervision , (a) You must arrange for an arboricultural consultant who is registered with the Arboricultural Association, or who has the level of qualifications or experience (or both) needed to be registered, to supervise the development. You must apply to us for our approval of the supervision schedule. You must apply to us for our approval of the details of such supervision

including: , o identification of individual responsibilities and key personnel., o induction and personnel awareness of arboricultural matters., o supervision schedule, indicating frequency and methods of site visiting and record keeping, o procedures for dealing with variations and incidents., , 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 adhere to the approved supervision schedule., , (b) You must produce written site supervision reports as detailed in part (a) after each site monitoring visit, demonstrating that you have carried out the supervision and that the tree protection is being provided in accordance with the approved scheme. If any damage to trees, root protection areas or other breaches of tree protection measures occur then details of the incident and any mitigation/amelioration must be included You must send copies of each written site supervision record to us within five days of the site visit.,

Reason:

To 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)

- 41 You must not use the roof areas (at first and second floor level) annotated as green roof/ planter green roof for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

Reason:

To protect the privacy and environment of people in neighbouring properties. 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)

- 42 a) The first floor windows of the west elevation of the main building must be installed with part obscure glass and partially fixed shut in accordance with that shown annotated on drawing 1456/P(-)205 Rev01. , b) The rooflights within the ground floor rear extension must be installed with obscure glass and details of their partially fixed shut submitted for approval. , , The obscure glass must not be clear glass,. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then fit the type of glass we have approved and fix shut the relevant part of the window and must not change it without our permission. (C21DB)

Reason:

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

- 43 You must put a copy of this planning permission and all its conditions at street level outside the building for as long as the work continues on site., , You must highlight on the copy of the planning permission any condition that restricts the hours of building work. (C21KA)

Reason:

To make sure people in neighbouring properties are fully aware of the conditions and to protect their rights and safety. (R21GA)

- 44 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme , a) Removal of first floor rear terrace to flat 6, b) Removal of metal privacy screens where adjacent to flat roofs which are prevented from access (under condition 41), c) Removal of doors to rear second floor level and replacement with windows, , . You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

Reason:

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

- 45 **Pre Commencement Condition.** You must not start work on the site until we have approved details of the following:-, , a) Details of more biodiversity (more than sedum) for the proposed green roofs, b) Details permeable material for the front curtilage area including the car parking area., , You must then carry out the development in accordance with the approved details.

Reason:

To compensate for the unavoidable loss of biodiversity as a result of the development, as set out in S38 of Westminster's City Plan (July 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43BB)

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 regards to condition 6, you are advised that every effort should be made to omit the use of expansion joints to the brickwork, particularly to the front elevation, including consideration of the use of a construction incorporating a lime based mortar in efforts to overcome the need for any such joints which would be likely to be particularly unsightly on this prominent facade

- 3 With regards to condition 12, you are advised that the railings should be shown individually set into the coping to the new front wall
- 4 With regards to condition 15, you are advised that the windows would be expected to have some design interest, and with consideration of the choice of colouring, set back and detailing, to ensure that they contribute positively to this brick faced extension and to the front forecourt setting of the main building as a whole
- 5 You are advised that the Portland stone clad element of the scheme in the front forecourt of the main building appears relatively blank, lacking in detailed design interest (particularly given its prominent location) and with the canopy structure poorly integrated into the design of the building as a whole. This element needs to be reconsidered to demonstrate a greater refinement of design, more detailed interest and a canopy structure more integrated into the building.
- 6 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development., , A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. , Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.", Development Control Department (telephone 0203 577 9998)
- 7 Further information on designing out crime can be found on the following website <http://www.securedbydesign.com>
- 8 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)
- 9 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 10 The term 'clearly mark' in condition means marked by a permanent wall notice or floor markings, or both. (I88AA)

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)

- 12 This permission does not act as listed building consent. You must apply for this separately for any works that affect the special architectural or historic character of the building. It is a criminal offence to carry out work on a listed building without listed building consent. (I01AA)
- 13 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)
- 14 Condition 39 requires you to submit a method statement for works to a tree(s). The method statement must be prepared by an arboricultural consultant (tree and shrub) who is registered with the Arboricultural Association, or who has the level of qualifications or experience (or both) needed to be registered. It must include details of: , * the order of work on the site, including demolition, site clearance and building work; , * who will be responsible for protecting the trees on the site; , * plans for inspecting and supervising the tree protection, and how you will report and solve problems; , * how you will deal with accidents and emergencies involving trees; , * planned tree surgery; , * how you will protect trees, including where the protective fencing and temporary ground protection will be, and how you will maintain that fencing and protection throughout the development; , * how you will remove existing surfacing, and how any soil stripping will be carried out; , * how any temporary surfaces will be laid and removed; , * the surfacing of any temporary access for construction traffic; , * the position and depth of any trenches for services, pipelines or drains, and how they will be dug; , * site facilities, and storage areas for materials, structures, machinery, equipment or piles of soil and where cement or concrete will be mixed; , * how machinery and equipment (such as excavators, cranes and their loads, concrete pumps and piling rigs) will enter, move on, work on and leave the site; , * the place for any bonfires (if necessary); , * any planned raising or lowering of existing ground levels; and , * how any roots cut during the work will be treated.

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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