

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 5 June 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Regent's Park	
Subject of Report	20A Grove End Road, London, NW8 9LA		
Proposal	Demolition of existing house and erection of replacement building comprising basement, ground, first and second floors to provide three residential flats with parking at basement level.		
Agent	Mr A BROWNE		
On behalf of	Waterleaf Ltd		
Registered Number	18/02169/FULL	Date amended/ completed	15 March 2018
Date Application Received	15 March 2018		
Historic Building Grade	Unlisted		
Conservation Area	St John's Wood		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

This application relates to a single family dwellinghouse on the eastern side of Grove End Road. The property is not listed but lies within the St John's Wood Conservation Area. Planning permission is sought for the demolition of existing house and erection of replacement building comprising basement, ground, first and second floors to provide three residential flats with parking at basement level.

Objections have been received to the application on the grounds of conservation and design and amenity.

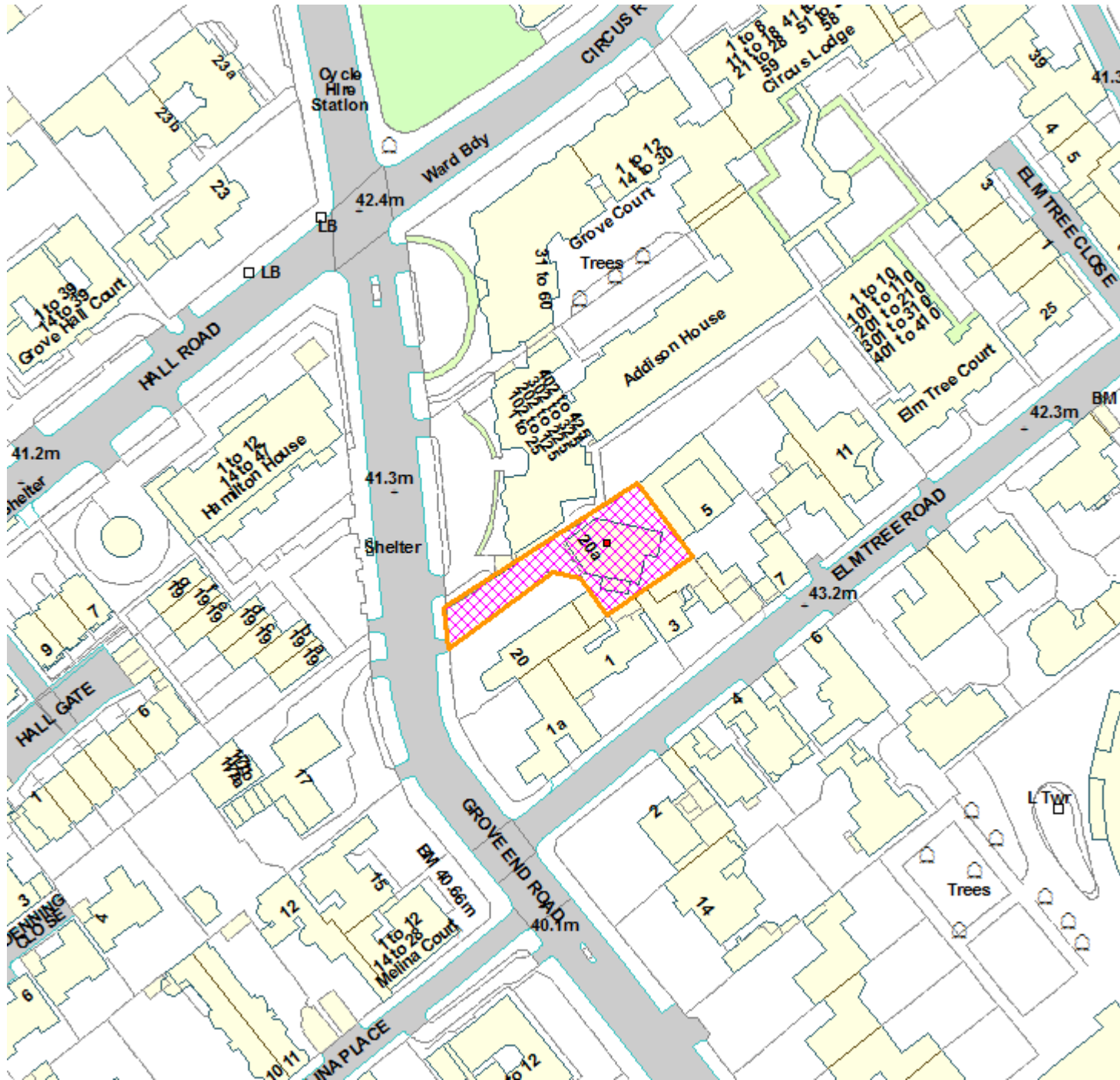
The key issues for consideration in this application are:

- The acceptability of the proposals in land use terms;
- The impact of the proposals upon the character and appearance of the St John's Wood Conservation Area;
- The impact of the proposals in amenity terms.

The proposals are considered to be acceptable in land use, design and amenity terms and are considered to comply with City Council policies and are therefore recommended for approval, subject

to the conditions as set out on the draft decision letter.

3. LOCATION PLAN



4. PHOTOGRAPHS



Photo of application site taken from communal driveway



Photo of application site from roof of 20 Grove End Road

5. CONSULTATIONS

WARD COUNCILLORS FOR REGENT'S PARK:

Any response to be reported verbally.

HISTORIC ENGLAND:

Do not consider it necessary to be consulted.

ST JOHN'S WOOD SOCIETY:

No objection, however consider an opportunity for a more interesting building has been missed. Query the ventilation to basement car park.

HIGHWAYS PLANNING:

No objection subject to condition for the retention of the car parking and for the provision of cycle parking.

CLEANSING:

No objection, subject to condition for the submission of details of waste storage.

ARBORICULTURAL OFFICER:

No objection subject to conditions in relation to tree protection.

BUILDING CONTROL:

No objection subject to an informative regarding the requirement for technical approval by Highways engineers.

THAMES WATER:

No objection subject to informatives regarding back flow/ sewerage discharge.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 111

Total No. of replies: 9

No. of objections: 9

Nine objections received on some or all of the following grounds:

Land use:

- Loss of a single family dwelling to provide flats;
- The density of the development is too significant in this area;

Design:

- The building is a period building of heritage in the conservation area;
- No consideration has been given to the design of the building sited in a conservation area;
- The proposals are harmful to the character and appearance of the conservation area;
- The proposed building is considered a carbuncle;

Amenity:

- Increase in height of new building would overshadow gardens of Addison House;
- Loss of light to properties in Elm Tree Road

Highways:

- Increase in demand of parking in the area;
- Increase in highways traffic on Grove End Road.

Other:

- Impact of basement upon foundations of the neighbouring properties on Grove End Road, Elm Tree Road and Addison House
- Given the basement excavation proposed there will be increase on water pressure;
- The existing building should be demolished to allow a view of Addison House;
- Noise and disruption during the course of works;
- Loss of property value.

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

This application relates to a single family dwellinghouse on the eastern side of Grove End Road. The property is not listed but lies within the St John's Wood Conservation Area. The application site has a right of way over the shared driveway with 20 Grove End Road.

6.2 Recent Relevant History

17/03703/FULL

Demolition of existing house and erection of replacement building comprising basement, ground, first and second floors to provide three residential flats with parking at basement level.

Application Withdrawn

11 October 2017

15/05755/FULL

Demolition of existing 2 storey house and erection of new building comprising of basement, lower ground, upper ground, first floor, second floor and third floor for use as 4 flats (2x2, 1x3 and 1x4 bed) with basement car parking accessed via car lift.

Application Withdrawn

31 July 2015

14/09161/FULL

Construction of an additional storey onto existing property (mansard) to create three storey, five bedroom domestic dwelling.

Application Permitted

3 March 2015

11/03591/FULL

Erection of roof extension to provide additional residential accommodation to this single family dwellinghouse.

Application Permitted

4 August 2011

7. THE PROPOSAL

Planning permission is sought for the demolition of existing house and erection of replacement building comprising basement, ground, first and second floors to provide three residential flats with parking at basement level. The general footprint of the building does not alter significantly from the existing building. The main changes are proposed at roof level where a mansard roof is proposed rather than a pitched roof, as existing. The three flats comprise 1 x 2bedroom and 2 x 3bedrooms and each flat has access to a designated outside space at ground floor level. Four car parking spaces are proposed within the new basement level.

This application has been submitted to overcome officers design and conservation concerns that arose from application 17/03703/FULL. This application was subsequently withdrawn.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The principle of redevelopment of this site to provide additional residential units is considered acceptable. While the site is located within an area of the City where existing single family dwellings are protected from conversion, the proposals comprises the comprehensive redevelopment of the site to provide a new building, which would include the provision of replacement family size units of accommodation. Accordingly, the requirements of Policy H5(C) of the UDP does not apply in this case.

The mix of units proposed comprises 1 x 2 bed and 2 x 3bed measuring 128m², 147m² and 118m². This mix of units would be compliant with Policy H5 of the UDP. The size of the units in terms of the floorspace would exceed the minimum requirements of the Technical Housing Standards. Equally the units proposed are not considered to be excessively large, having regards to the prevailing size of residential units within the St John's Wood and therefore the scheme would accord with S14 of the City Plan.

The standard of internal accommodation proposed is considered acceptable. Each flat is to be portioned an area of external amenity space at garden level of between 49m² and 105m² and this is acceptable.

The proposals are therefore considered acceptable in land use terms.

8.2 Townscape and Design

Site and Surroundings:

The building is located within the St John's Wood Conservation Area, and the building likely dates from the 1970's or early 1980's. The existing building is identified in the Conservation Area Audit for the St. John's Wood Conservation Area as having a neutral contribution to the character and appearance of the conservation area. Though adjacent to a larger mansion block to the north (Addison House), the site nonetheless lies in a distinct and defined area of buildings flanking each side of Elm Tree Road which are principally arranged as two or three storey detached buildings.

Notwithstanding its recent date of construction, the building has been designed in a traditional manner intended to reflect the original 19th century classically inspired villa buildings of St John's Wood, most notably through its render faced elevations, low pitched roof structure with overhanging eaves, timber sliding sash windows, and an impression of a solid composition with vertically orientated window openings punched into it. Despite this appropriate architectural approach, the existing building is not in itself considered of good design quality, and given this and the designation in the Conservation Area Audit, its demolition could be considered acceptable, subject to the replacement building being of sufficient design and architectural merit and meeting the tests of Policy DES 1(A)(1) of our Unitary Development Plan which states that 'Development should be of the highest standards of sustainable and inclusive urban design and architectural quality.'

Footprint:

The proposed building steps out slightly further at the rear than existing by some 3.5m, and incorporates a slightly projecting garage/entrance porch structure at ground floor level only, not found on the existing building, however the footprint remains similar to the existing, and as such the footprint/positioning of the proposed building on the site is considered un-contentious.

Architectural Approach:

The surrounding buildings around Elm Tree Road principally incorporate two sheer floors of accommodation at ground and first floors, some with a further second floor level of accommodation typically contained within a mansard form of extension. This approach of sheer accommodation at ground and first floors, with mansard above to second floor is adopted by the building proposed in this application, and as a basic principle the approach is considered acceptable. The building is only marginally higher in terms of overall height than the existing (existing building measures 8.5m to the ridge and the proposed building measures 9m). The roof of the new building has been slightly amended during the course of the application so that it has a 70 degree pitch and set behind a short parapet, which is considered to be in character with the area.

The building is faced in grey brick, with tile clay tile cladding to the roof, and the dormers, windows and doors give a distinct classical character to the building which is considered appropriate for the building and its integration with the surrounding area. It is recognised that the St John's Wood Society and others do not consider that the building is of high design quality, however its use of brick facing and tile to the roof, the classically inspired proportioning of its elevations, the detailed design found in the balustrading, window arches, cornices and the entrance porch, and the general design approach with a classically inspired composition will all help give the new building an appropriate character for the area, and it is considered an improvement on the existing building on site.

For the reasons set out above, the new building is considered to comply with the requirements of City Plan policies S25 and S28, and UDP policies DES 1 and DES 9, and a consideration of the building being of appropriate design quality is considered to be in line with the statutory duty at s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. As such, the works are considered acceptable in design terms.

Basement Excavation:

Policy CM28.1 relates to all basement development in the City.

The applicant has submitted a detailed structural methodology statement which has been assessed by the City Council's District Surveyors who consider this to be acceptable. The applicant has also submitted the required draft signed proforma Appendix A which demonstrates that the applicant will comply with the relevant parts of the council's Code of Construction Practice in order to minimise the impact of any development upon the amenity of neighbouring properties. Therefore the objections raised by neighbouring properties on the grounds of impact to foundations and noise and disruption during the course of construction cannot be sustained. The site lies outside of a flooding 'hotspot' and is therefore not considered to increase flood risk. The proposals are considered to comply with Part A of the policy.

The proposals result in the loss of landscaping and some minor trees in the rear garden. Indicative landscaping is proposed to the front/ rear and side gardens and this incorporates sustainable urban drainage methods. In response to the objection received regarding water pressure from a resident in Addison House, as Thames Water will have to be notified of any works it is not considered reasonable via the planning process to request any sewer/ pressure related conditions as these will be required by Thames Water. An informative is recommended for the applicant to contact Thames Water in relation to the proposals. As discussed above, the proposed basement works incorporate lightwells to the side and rear elevations. These are considered to be well designed and discreet and are considered to protect the character and appearance of the existing building. The proposals are considered to comply with Part B of the policy.

Regarding Part C of the policy and as set out in the drawings, the proposed basement is of a single storey, and primarily sits below the footprint of the existing/ proposed building save for a very small area underneath the rear courtyard adjacent the master bedroom of the ground floor flat. A section drawing has not been provided through the small area of basement which projects beyond the rear building line and therefore it is unclear whether a depth of 1m soil depth and 200mm for drainage will be accommodated above the basement. However, even if the soil depth/ drainage is not 1.2m, given the such small area that this relates to and that it is unlikely that so close to the window of the master bedroom any meaningful landscaping is likely to be proposed, in this instance it is considered that an exception to the part C of the policy can be made. The proposals comply in all other respects.

Part D of the policy is not relevant.

8.3 Residential Amenity

Policy ENV13 of the UDP relates to protecting amenities, daylight and sunlight, and environmental quality. Policy ENV 13 (D) states that the City Council will resist proposals which result in a material loss of daylight/sunlight, particularly to existing dwellings and educational buildings. Policy ENV 13 (E) goes on to state that developments should not result in a significant increase in sense of enclosure, overlooking, or cause unacceptable overshadowing, particularly on gardens, public open space or on adjoining buildings, whether in residential or public use. Objections to the proposals have been received on amenity grounds, notably to those residents living south of the application site in Elm Tree Road on the grounds of loss of light. One resident in Addison House also argues that the increase in height of the roof would overshadow the leafy garden area.

The basement, ground and first floor raise no amenity concerns; given the basements subterranean nature and as the existing boundary walls of the site obscure the majority of the building.

The proposed building will occupy the same footprint as the existing building, however the building is proposed to be of a greater bulk and massing than the existing by virtue of a full second floor mansard roof, compared to the existing pitch roof. The existing ridge height of the building is 8.5m, whereas the flat roof of the proposed mansard roof measures 9m. It is not considered that a mansard roof form of 2.5m in height instead of a pitch roof form would be so harmful to the neighbours of Addison House, 20 Grove End Road or properties to the rear in Elm Tree Road to create any sense of enclosure.

With regards to the objection from 1 Elm Tree Road to loss of sunlight or daylight, this property has three windows in its rear elevation, facing the application site, however these are all contained within a lightwell that shares a rear elevation with 20 Grove End Road. From a previous officers site visit these windows appear to serve a secondary door to a living room at ground floor, a landing window and a dressing room window. It is not considered given their location, distance from the application site and the nature of the proposed extension, that they will experience any significant loss of daylight or sunlight.

The change in bulk from the existing pitch roof to a mansard roof and the overall increase in height by 0.5m is not considered to overshadow the gardens of Addison House. There is a substantial boundary wall of some 7m between these properties that encloses the garden areas of Addison House.

In respect of the relationship to 5 Elm Tree Road, the property to the east, whilst the relationship is fairly close, windows at first floor level facing the application site serve bathrooms and are therefore likely to be treated with obscure glazing accordingly. There is a terrace at this level facing the application site, very close to the boundary wall, however this is accessed via a dressing room and the bathroom and is therefore not considered to be typical terrace, used intensively. At second floor level there is a set of full height windows on the south western corner and whilst these windows will be visible from the windows of the new mansard roof, the new mansard roof appears to be set lower than that of the neighbouring second floor and will therefore have very oblique views. It is not considered that this degree of mutual overlooking would be unacceptable.

The mansard roof will be occupied by one flat and there will be a number of windows in all the elevations serving a bedroom and living area. The windows proposed are on such an axis in relation to the neighbouring properties that any views to these properties would be so oblique as to not result in any significant overlooking.

No plant is shown on the plans so there are no noise concerns. The internal passenger lift is a hydraulic lift and therefore emits no noise. The St John's Wood Society have queried the requirement for ventilation to the basement car park. The applicant has confirmed that there is a fresh air ventilation terminal at roof level. This sits flush with the roof and as it is for fresh air to serve the basement carpark raises no noise concern

The proposals are acceptable in amenity terms.

8.4 Transportation/Parking

A car lift is proposed at ground floor level to access four parking spaces at basement level (amended from four during the course of the application), accessed by an car lift from the driveway. The Highways Planning Manager has no objections to this element of the scheme and is content with the level of parking proposed. .

Cycle parking or waste and refuse storage is shown on the plans within the front forecourt of the application site, in secure and weatherproof stores and whilst the refuse store areas have raised concern with the Cleansing officer, and there are no exact details of the amount of cycle storage the provision of this storage is considered acceptable, subject to condition.

8.5 Economic Considerations

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

8.6 Access

The flats and basement car parking are fully accessible and served by an internal lift.

8.7 Other UDP/Westminster Policy Considerations

Trees:

The arboricultural officer has no objections to the proposals subject to conditions regarding tree protection works and replacement landscaping.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

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

8.10 Planning Obligations

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

The estimated CIL payment is £26,793.73.

8.11 Environmental Impact Assessment

Not applicable.

8.12 Other Issues

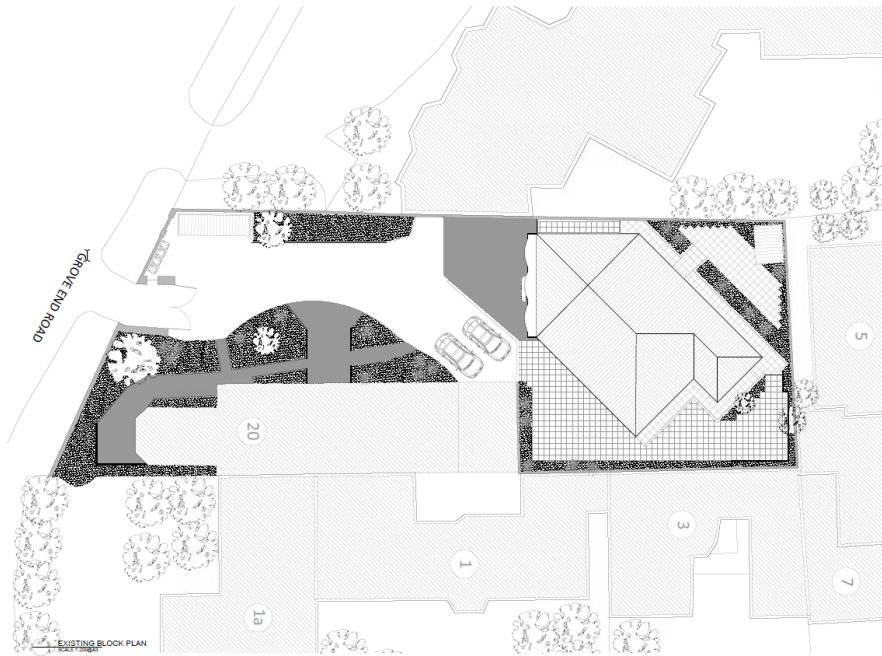
As noted in the basement section of this report, objections have been received on the grounds of noise and disruption during the course of the application. The applicant has submitted a draft proforma Appendix A indicating that they will sign up to the City Council's Code of Construction Practice. This seeks to ensure that development will as far as possible minimally impact neighbours. It is not reasonable to withhold permission on this basis. The standard hours of working condition is attached to the draft decision notice.

An objection has been received on the grounds of the impact of the development upon the water pressure in the area. This is a matter for Thames Water and Building regulations rather than the planning regime.

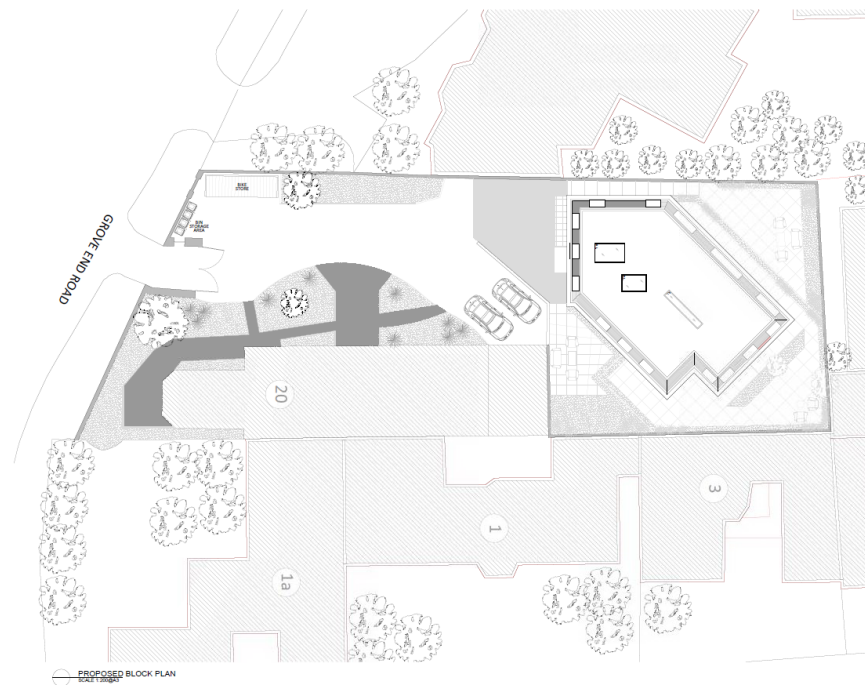
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: RUPERT HANDLEY BY EMAIL AT rhandley@westminster.gov.uk

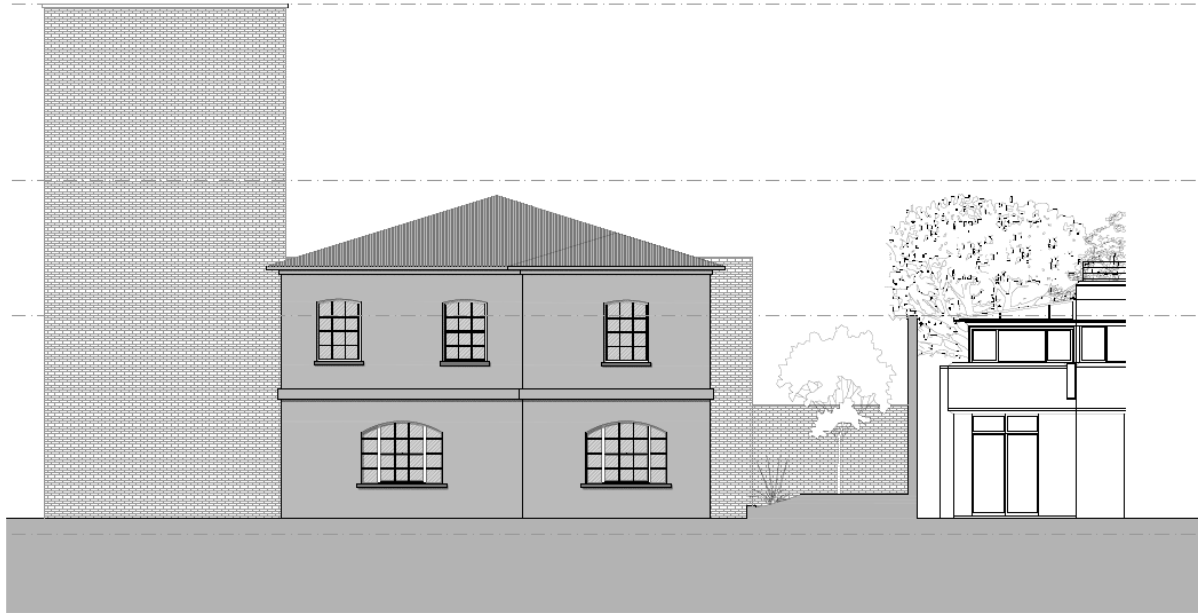
9. KEY DRAWINGS



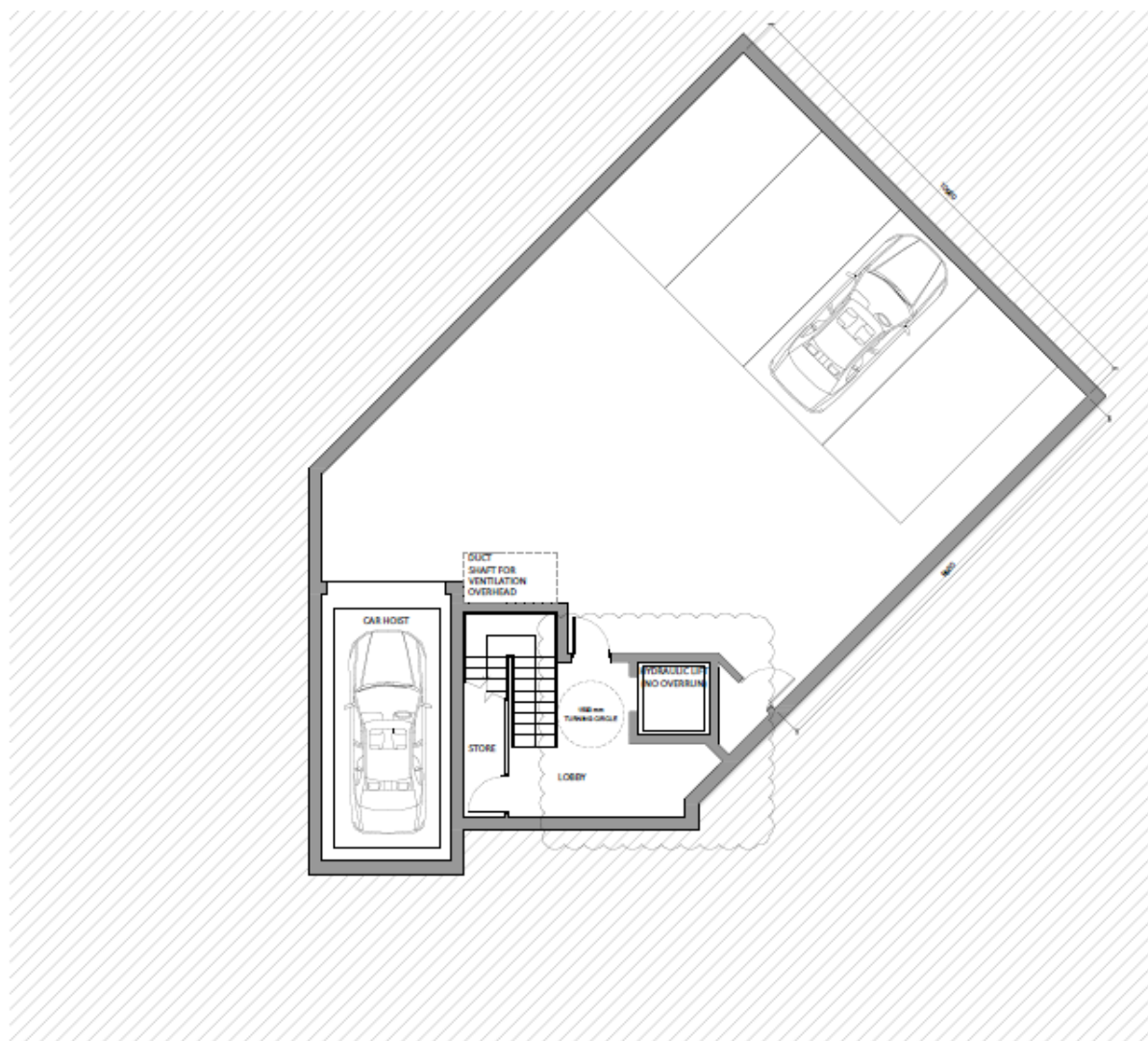
Existing (above) and Proposed (below) Block Plan



Existing Elevations**Existing Front elevation (above), Existing Rear Elevation (below)**

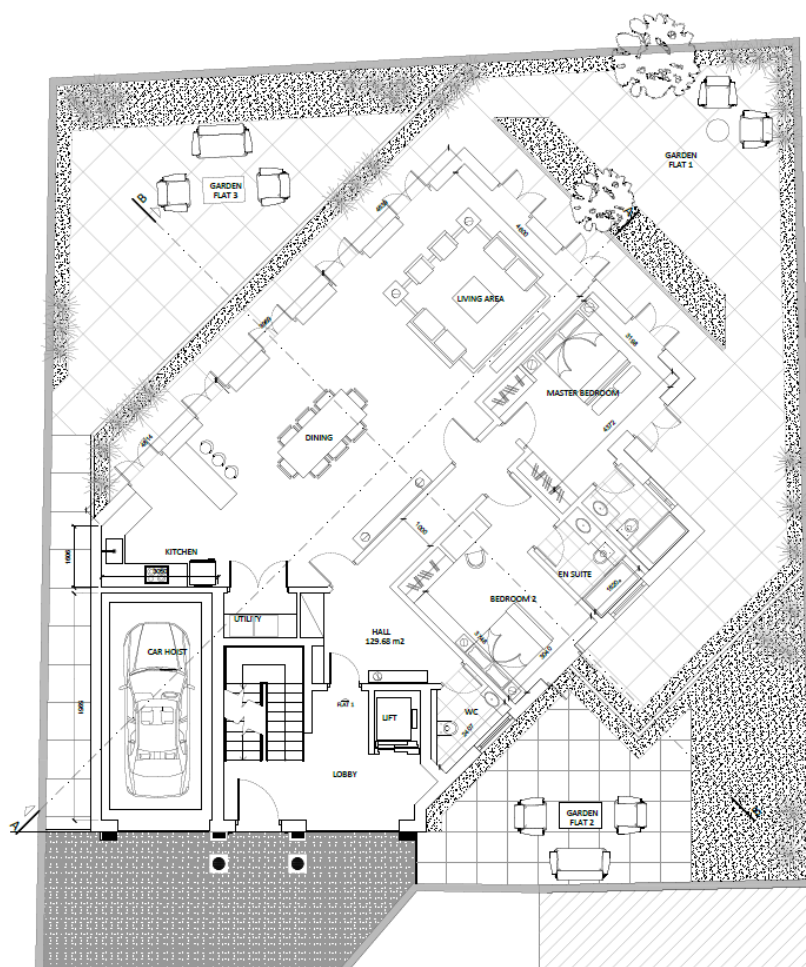
Existing East Elevation

EXISTING EAST SIDE ELEVATION
SCALE 1/8"=1'-0"

Proposed Basement Floor Plan

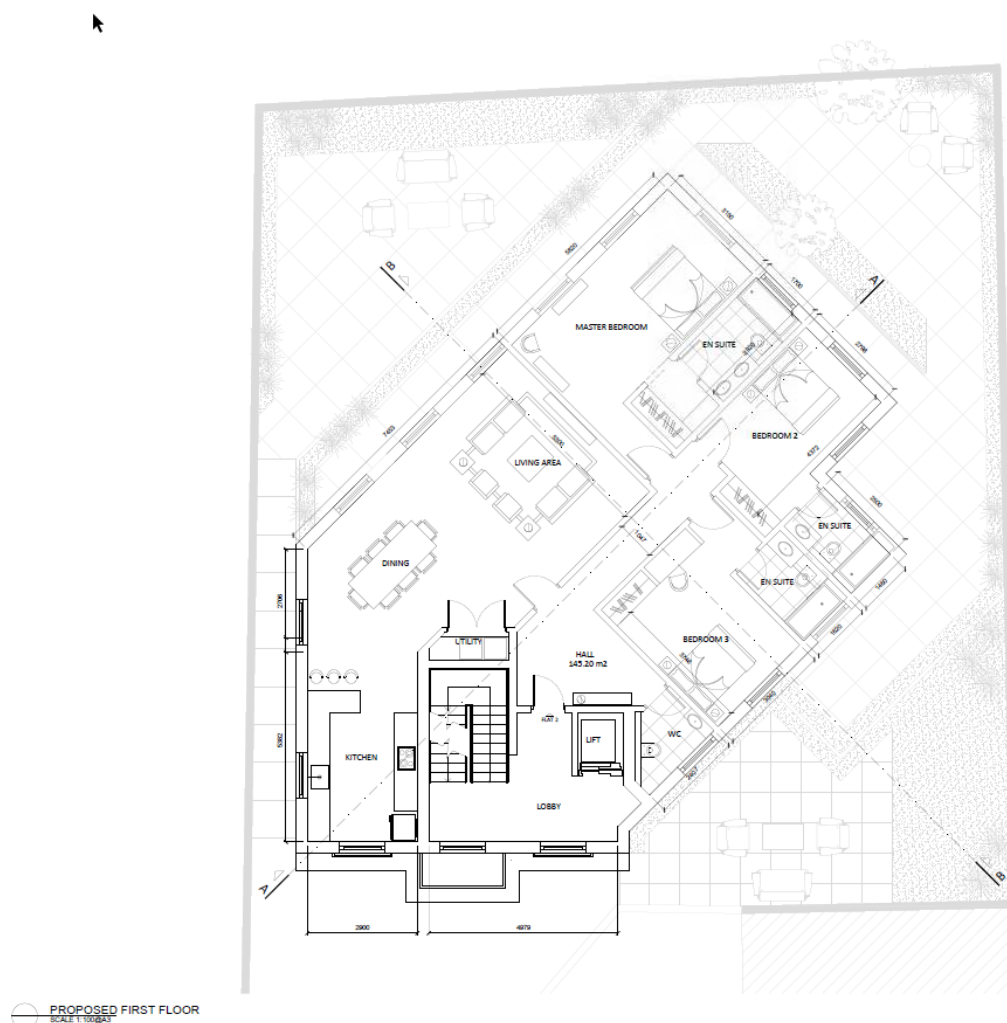
PROPOSED BASEMENT
SCALE 1:100 @ A1

Proposed Ground Floor Plan

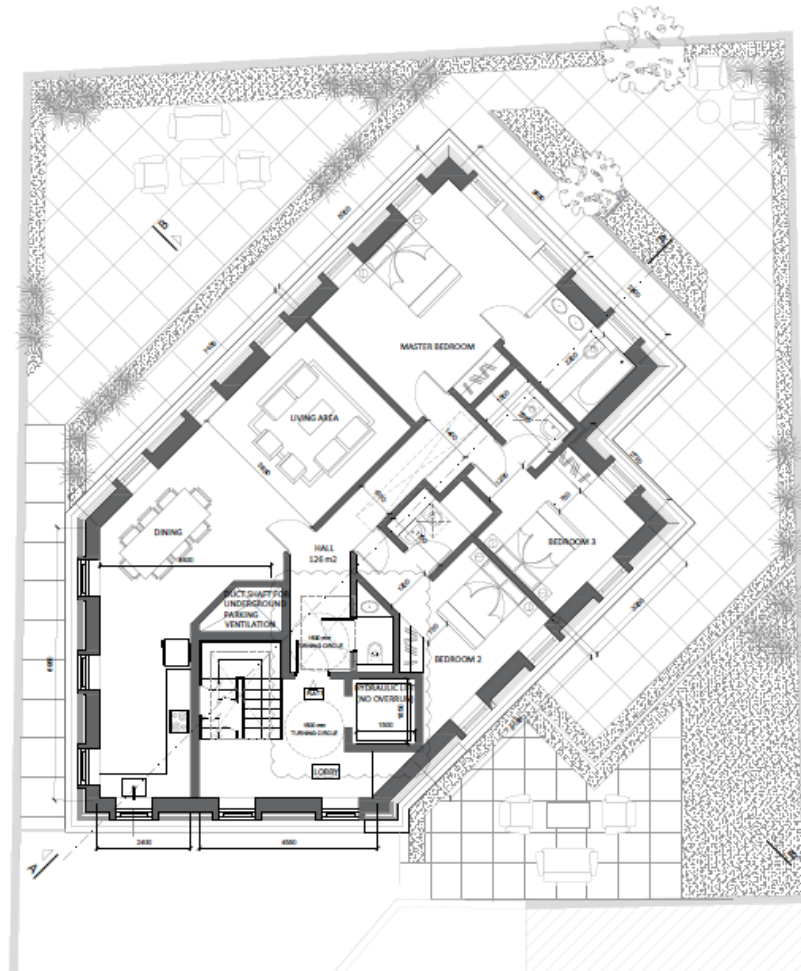


PROPOSED GROUND FLOOR
SCALE 1:100

Proposed First Floor Plan



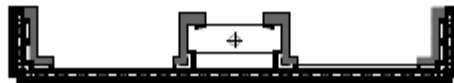
Proposed Second Floor Plan



PROPOSED SECOND FLOOR
SCALE: 1:100

[illegible]

ED FRONT ELEVATION



PROPOSED FRONT ELEVATION
 10/25/21 10:00 AM

DRAFT DECISION LETTER

Address: 20A Grove End Road, London, NW8 9LA,

Proposal: Demolition of existing house and erection of replacement building comprising basement, ground, first and second floors to provide three residential flats with parking at basement level.

Plan Nos: 5011:SK001 A; SK002 A; SK100 A; SK101 A; SK200 A; SK201 A; SK202 A; SK300 A; SK301 A; P001 C; P002 B; P100 F; P101 F; P102 F; P103 F; P200 D; P201 D; P203 D; P300 D; P301 D; P500 B; Appendix A; Design and Access Statement dated 21 April 2017; Arboricultural Assessment by Waterleaf Ltd dated December 2016; For Information Only: Basement Structural Methodology Statement dated November 2016.

Case Officer: Kimberley Davies

Direct Tel. No. 020 7641 5939

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

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

Reason:

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

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

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

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

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

Reason:

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

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

Reason:

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

- 4 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 St John's Wood 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 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 St John's Wood 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 The new windows and external doors shall be formed in glazing (with the exception of the front entrance door to ground floor level which shall be formed of painted timber) and white painted timber framing, and the sash windows shall operate in 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 St John's Wood 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 The new external balconette structures shall be formed in black coloured metal, and 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 St John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 8 You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. This (or other clear confirmation) shall demonstrate that the facades of the building will be faced in complete bricks and not brick slips or other panelised brick facing systems. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. (C27DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St John's Wood 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 not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the west facing front elevation or south-west facing side elevation 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 St John's Wood 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)

- 10 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the balconettes or to the main roof of the building

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 St John's Wood 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 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the balconettes or the main roof of the building, 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 St John's Wood 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 The dormers shall be faced in lead to sides, cheeks and roofs

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 St John's Wood 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 use the roof of the building for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21AA)

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)

- 14 You must provide each car parking space shown on the approved drawings at basement level 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 using the development as set out in STRA 25 and TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R22AB)

- 15 You must apply to us for approval of details of secure cycle storage for the flats 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.

- 16 **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)

- 17 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 6 months of completing the development (or within any other time limit we agree to in writing).

If you remove any trees or find that they are dying, severely damaged or diseased within 3 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 and its contribution to biodiversity and the local environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R30AC)

- 18 You must provide the waste store shown on drawing P001 B before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the flats. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

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)

Informative(s):

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

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

- 2 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)
- 3 Some of the trees on the site are protected by a Tree Preservation Order. You must get our permission before you do anything to them. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I30AA)
- 4 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)
- 5 Under the Greater London Council (General Powers) Act 1973, as amended by the Deregulation Act 2015, you need planning permission to use residential premises as 'temporary sleeping accommodation' (i.e. where the accommodation is occupied by the same person or persons for less than 90 consecutive nights) unless the following two conditions are met:
 1. The number of nights in any single calendar year in which the property is used to provide 'temporary sleeping accommodation' does not exceed 90 [ninety].
 2. The person who provides the sleeping accommodation pays council tax in respect of the premises under Part 1 of the Local Government Finance Act 1992 (where more than one person provides the sleeping accommodation, at least one of those persons must pay council tax in respect of the premises).

This applies to both new and existing residential accommodation. Please see our website for more information: <https://www.westminster.gov.uk/short-term-letting-0>.

Also, under Section 5 of the Greater London Council (General Powers) Act 1984 you cannot use the property for any period as a time-share (that is, where any person is given a right to occupy all or part of a flat or house for a specified week, or other period, each year).

- 6 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

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

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

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

Phone: 020 7641 2000

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

- 8 The sound insulation in each new unit of a residential development should meet the standards set out in the current Building Regulations Part E and associated approved documents. Please contact our District Surveyors' Services if you need more advice. (Phone 020 7641 7240 or 020 7641 7230). (I58AA)
- 9 The term 'clearly mark' in condition 18 means marked by a permanent wall notice or floor markings, or both. (I88AA)
- 10 Fractures and ruptures can cause burst water mains, low water pressure or sewer flooding. You are advised to consult with Thames Water on the piling methods and foundation design to be employed with this development in order to help minimise the potential risk to their network. Please contact:

Thames Water Utilities Ltd
Development Planning
Maple Lodge STW
Denham Way
Rickmansworth
Hertfordshire
WD3 9SQ
Tel: 01923 898072
Email: Devcon.Team@thameswater.co.uk

- 11 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: www.westminster.gov.uk/cil

Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**

CIL forms are available from the planning on the planning portal:
<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

Forms can be submitted to CIL@Westminster.gov.uk

Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.

- 12 Fractures and ruptures can cause burst water mains, low water pressure or sewer flooding. You are advised to consult with Thames Water on the piling methods and foundation design to be employed with this development in order to help minimise the potential risk to their network. Please also discuss devices to avoid backflow to the property, on the assumption that the sewerage network may discharge at ground floor level during storm conditions. Please contact:

Thames Water Utilities Ltd
Development Planning
Maple Lodge STW
Denham Way
Rickmansworth
Hertfordshire
WD3 9SQ
Tel: 01923 898072
Email: Devcon.Team@thameswater.co.uk

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.