

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 19 June 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Marylebone High Street	
Subject of Report	7 Bulstrode Place, London, W1U 2HU		
Proposal	Demolition of the existing building and erection of a single family dwelling house on basement, ground and first to third floors, with integral garage (Class C3).		
Agent	Polly Mason		
On behalf of	Gawor Architects		
Registered Number	18/01713/FULL	Date amended/ completed	19 March 2018
Date Application Received	28 February 2018		
Historic Building Grade	Unlisted		
Conservation Area	Harley Street		

1. RECOMMENDATION

Grant conditional permission

2. SUMMARY

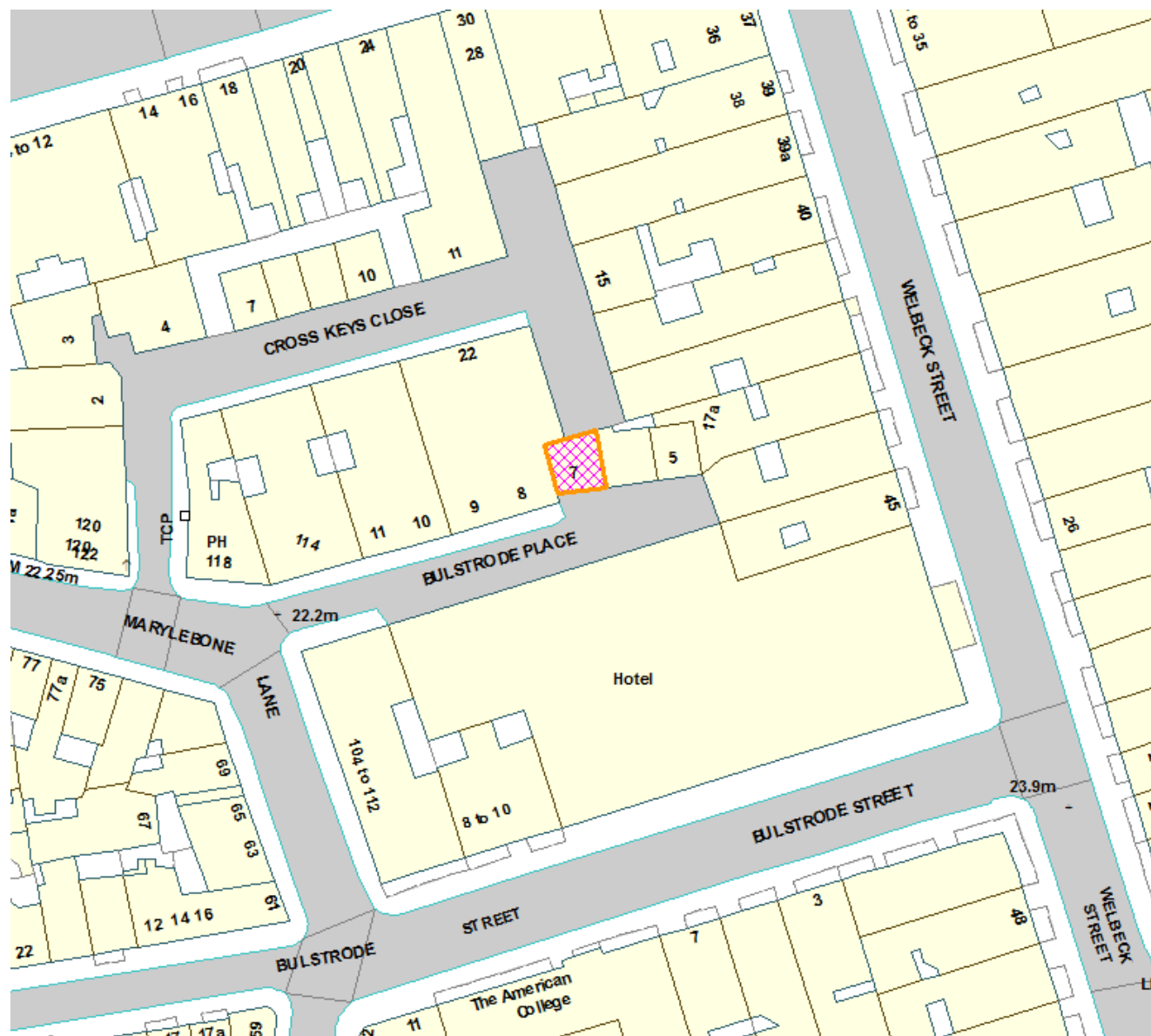
The application relates to an unlisted building of merit within the Harley Street Conservation Area, which is part of a group of three mews houses on the north side of Bulstrode Place. The existing building comprises ground and two upper floors. Permission is sought for the demolition of the existing building and for the erection of a new residential dwelling house on basement, ground and three upper floors, with an integral garage and plant at rear roof level.

The key issues in this case are;

- The acceptability of the demolition of the existing building;
- The impact of the proposal upon the character and appearance of this part of the conservation area;
- The effect of the development upon the amenities of neighbouring properties;
- The acceptability of the scheme in land use terms.

Objections have been received on design/townscape, land use and amenity grounds. However, the scheme is considered acceptable for the reasons set out in the main report.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Front facade



Rear facade



5. CONSULTATIONS

COUNCILLOR BOTT

Request that application reported to Committee

MARYLEBONE ASSOCIATION

Building forms part of a group which reinforces the pattern of development of the street but, in isolation, its quality and importance as a heritage asset is limited value; proposed building provides a step up between No. 6 and the taller buildings at Nos. 8-11 but windows designed to reflect those in the adjacent warehouse-style buildings and are out of proportion with the scale of the new building; appropriate to reduce width of window openings and parapet height.

THAMES WATER

No objection: request informatives attached to the decision notice

HIGHWAYS PLANNING

No objection subject to conditions

CLEANSING

Details of arrangements for storage and refuse and recyclable materials required

ENVIRONMENTAL HEALTH

No objection subject to conditions

BUILDING CONTROL

No objection – considers the proposals to be acceptable.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 23; Total No. of replies: 7

No. of objections: 6 (2 from/on behalf of the same objector), No. in support: 0, Neutral: 1

Objections on all or some of the following grounds:

Adverse impacts of the scheme outweigh any planning benefit. Building should be retained and extended, which would have a lesser impact on the neighbourhood

Land use

- Proposed use is not consistent with the commercial character of the area
- Development should provide smaller scale, affordable, units to meet current demand
- Intensification of use, building use “more dense”
- Query proposed use of new building

Amenity

- Loss of light
- Noise disturbance

- Increased rubbish generation
- Increased traffic
- Intensification of use

Design/townscape

- Existing building is one of a group of three houses which are designated as unlisted buildings of merit within the conservation area and make a positive contribution to its character and appearance; building should be retained and/or extended in manner of neighbouring properties; demolition contrary to Council policies and to national planning policy; no public benefits to justify demolition; can be no justification for replacement of an existing building of merit, on any grounds, regardless of any merits of the replacement building; demolition would impact on the subject building and compromise the architectural integrity of the group of which it forms part.
- Proposed building of unacceptable height, bulk, detailed design and materials; building should reflect scale/appearance of existing domestic buildings within the group rather than industrial scale/appearance of adjacent commercial/warehouse building; building, including large glazed entrance at rear, is more reminiscent of offices than a house

Sustainability

- Existing building should be retained and refurbished; redevelopment is environmentally unsustainable, wasting energy and materials

Construction impact

- No objection to proposed development but concern about the impact of construction works on the operation of the neighbouring hotel
- Structural implications for adjacent buildings including listed buildings

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is an unlisted building on the north side of Bulstrode Place, with frontages on Bulstrode Place and Cross Keys Close, to the rear. The building is located within the Harley Street Conservation Area and outside of the core CAZ, which encompasses the south side of Bulstrode Place. The building, which is currently vacant, comprises a single family dwelling house on ground and two upper floors, with an integral garage accessed from Bulstrode Place. There are entrances to the building on both street frontages. Part of the (blank) rear elevation to the building abuts the rear wall to 22 Cross Keys Close so that only part of the façade is apparent in views from Cross Keys Close.

The north side of Bulstrode Place is primarily in commercial use, with residential properties at nos. 5, 6, 7 and 17a. The south side of Bulstrode Place comprises the flank

facade of the Marylebone Hotel, 47 Welbeck Street. Cross Keys Close is also largely commercial in character although there are residential properties at nos. 3, 7 -10 (inclusive) and 17a. The nearest listed building is at 43- 45 Welbeck street, the rear of which forms the head of Bulstrode Place.

The site is not in a designated Archaeological Priority Area but is within the Marylebone and Mayfair Surface Water Flood Risk Hotspot.

6.2 Recent Relevant History

7 May 1997: Permission granted for the erection of a third floor mansard roof extension to provide additional residential accommodation and the provision of a secondary means of escape. Not implemented.

7. THE PROPOSAL

The application is for the demolition of the existing building and for the erection of a replacement single family dwelling house, on basement, ground and three upper floors, with an integral ground floor garage, accessed from Bulstrode Place and the main entrance on Cross Keys Close.

The scheme also involves the installation of plant in the basement and at rear roof level. The drawings including a glazed access to the roof of the building, which would be enclosed by frosted glass balustrades to the front and rear. The drawings are annotated to show that access to the roof would be for maintenance purposes only.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The scheme would replace a 2-bed house (100sqm) with a 3-bed family house (153 sqm). Objections have been received on the grounds that the proposed house is unacceptable in an area characterised by commercial building, and that the scheme does not provide any “meaningful” new residential accommodation when current housing demand is for smaller scale affordable units.

This area is characterised by a mixture of commercial and residential uses. Notwithstanding the objection on the grounds that the proposed residential use is inappropriate in this “commercial” location, the replacement of the existing house is required by development plan policies. The new basement would provide a cinema, plant area and w.c. and has no requirement for natural light. The ground floor would provide a garage/storage/waste stores and the living areas and bedrooms would be set out on the upper floors. The accommodation is considered to be acceptable in terms of room size and layout and access to natural light and the development would provide a good standard of accommodation for future occupants. The proposed increase in residential floorspace accords with policy H3 of the UDP and S14 of the City Plan.

While the City Plan acknowledges that the housing demand is for affordable housing is for two and three bed units, there is no policy objection, in principle, to the extension of an existing dwelling house, or its redevelopment as a dwellinghouse, to provide more

living accommodation. Neither the existing dwelling nor the proposed house is unusually large. Although policy S14 requires residential developments to optimise the number of new dwellings within residential developments, it would be unreasonable for an individual, who had bought a property /land as a potential family home, to be required to develop the land as flats and the objection to the nature of the development cannot be supported.

This same objector is concerned that the proposed building is “more dense” in its use than the existing. It is not considered that the provision of a larger dwelling, with one additional bedroom, would result in any significant increase in the level of activity on the site.

As the increase in floorspace is below 1,000sqm, the scheme does not trigger a requirement to provide affordable housing and the application is considered acceptable in land use terms.

One objector has queried the proposed use of the new building, largely based upon its design. The application is for the use of the building as a single family dwelling house (Class C3). Any home office use would be acceptable provided that this is ancillary to the primary residential use in terms of its size and the nature of activities undertaken. It would not be permissible for non-residents to be employed on the premises or for third parties to visit the premises for business meetings etc. Should permission be granted for the proposal, any future reports of any unauthorised use would be subject to enforcement investigations.

8.2 Design/townscape

The application building is one of a group of three early to mid C20 mews-type dwelling houses (Nos. 5, 6 and 7), located on the north side of Bulstrode Place within the Harley Street conservation area. The conservation area audit identifies these properties as unlisted buildings of merit and identifies No. 7 as being suitable for a roof extension. Although the buildings are not identical, the front facades are of similar appearance and detailing and the parapet height is consistent. Nos 5 and 6 have been extended to provide third floor mansard roof additions. Nos. 6 and 7 have rear frontages on Cross Keys Close.

Bulstrode Place includes a variety of building types including mews style properties, a warehouse-style building rising to 3 storeys with a plant room above, immediately to the west of the application site (no. 8) and similar buildings running westwards to meet Marylebone Lane. The south side of the mews is taken up by the rear of the Marylebone Hotel. Buildings to the rear of the site, in Cross Keys Close, are of a more consistent scale and appearance. The properties are generally three storeys, many of which feature metal-framed, multi-paned, warehouse style windows.

This application involves the demolition of the existing building and its replacement with a dwelling house of a more contemporary design. The new house would include a new basement and an additional storey at third floor. Dormers in the Cross Keys Close roof pitch would provide access to small balconies set behind metal balustrades. On the roof would be glass balustrades to the front and rear to provide safe maintenance access to new air conditioning units located at the rear, screened from public views by the adjacent building at 22 Cross Keys Close.

Policy context

As the building is in a conservation area, the Planning (Listed Building and Conservation Area) Act 1990, requires the Council to 'pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area'. Policy S25 of the City Plan seeks to conserve Westminster's heritage assets including its listed buildings, conservation areas, World Heritage Site, its historic parks, squares, gardens and other open spaces, their settings,

UDP policy DES 1 requires new developments to pay careful attention to definition, scale, use and surface treatment, and the use of high quality and durable materials appropriate to the building and its setting. The character, urban grain, scale and hierarchy of existing buildings, streets and mews should also be respected.

Policy DES9 relates to the potential impact a proposal may have on a conservation area. The policy relates to various matters including to applications involving demolition in conservation areas. In this regard, part B of the policy states:

1) Buildings identified as of local architectural, historical or topographical interest in adopted conservation area audits will enjoy a general presumption against demolition.

2) Development proposals within conservation areas, involving the demolition of unlisted buildings, may be permitted:

a) if the building makes either a negative or insignificant contribution to the character or appearance of the area, and/or

b) if the design quality of the proposed development is considered to result in an enhancement of the conservation area's overall character or appearance, having regard to issues of economic viability, including the viability of retaining and repairing the existing building.

3) In any such case, there should also be firm and appropriately detailed proposals for the future viable redevelopment of the application site that have been approved and their implementation assured by planning condition or agreement

Conservation areas are designated heritage assets within the National Planning Policy Framework (para 132) states:

'When considering the impact of a proposed development on the significance of a designated heritage asset, the greatest weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm should require clear and convincing justification'.

The NPPF differentiates between the degrees of harm that may be caused to heritage assets and requires convincing justification for any works causing harm. It makes a distinction between 'substantial harm' and 'less than substantial harm' to the significance of the heritage asset.

Paragraph 134 states that:

“Where a development 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 proposals, including securing its optimum viable use’.

Paragraph 20 of the National Planning Policy Guidance (March 2018) recognises that public benefits may stem from many developments. These can include economic, social, environmental or heritage benefits, but should not be a private benefit.

The applicant’s case

The applicant has made the following points in support of the proposal both in their original submission and their response to comments received:

- The retained building would need to be supported if a basement was excavated beneath it.
- The existing low floor to ceiling heights and shallow plan form and small windows do not provide a good standard of living accommodation. If the floor levels were changed and larger window openings created, little of the existing building fabric would remain.
- The existing external walls are of poor construction. Significant thickening/insulation would be required to meet current standards.
- The existing building makes a limited contribution to the character and appearance of the conservation area. The assessment of its contribution includes an analysis of the impact of the proposals upon the value of the group of buildings at 5, 6 and 7 Bulstrode Place (which have never functioned as traditional mews buildings). The heritage value of the group will be retained as two of the three buildings will remain.
- The applicants point out that case law supports the view that where a development proposal would affect a heritage asset or its setting, which may be in a positive or negative way, the decision maker may conclude that although each of the effects may have an impact, the overall effect should be judged on the basis of the development as a whole. It has been held (*Dorothy Bohm vs SSCLG* (2017)) that the demolition of a non-designated heritage asset in a conservation area does not necessarily equate to substantial harm triggering paragraph 133 but that a decision must take into account the development as a whole, including the replacement building. Paragraphs 133 and 134 of the NPPF are only engaged where the overall harm is not outweighed by the heritage benefits delivered by a development.
- The overall effect of the proposal is to provide a net benefit to the character and appearance of the conservation area (the designated heritage asset) as the harm arising from the demolition of the building is outweighed by the benefits of the proposals. These include improvements to the rear elevation, the screening of the Marylebone Hotel in views from Cross Keys Close, the delivery of a sustainable development in line with the NPPF and improvements to the townscape quality,

including through the use of high quality materials, and the creation of improved residential accommodation.

- The neighbouring building at no. 6 is one storey taller than the application building and no. 8 is two floors higher
- At the rear, there is no delineation between the facades to 6 and 7 Bulstrode Place and no order or balance in the fenestration.
- The proposals would provide improved accommodation with increased floor to ceiling heights and a brighter, well lit, entrance. Positioning and enlarging windows to match those at no. 8 would 'free up' the floor plans and maximise levels of natural light.
- The scale, form and massing of the building are in keeping with similar neighbouring dwellings. The fact that the adjoining building is in commercial use is immaterial to the acceptability of the current proposals in townscape terms. One extra floor (above ground) would be provided, as has been built at nos.5 and 6 Bulstrode Place. The scheme does not seek to maximize the upward extension of the building to reflect the heights of taller buildings on Bulstrode Place.
- The proposed building would be constructed from hard-wearing, high quality, traditional materials (brick/glazed brick, timber garage doors, metal framed windows/bars, slate roof and lead dormers) which reflect the industrial style and detailing of the neighbouring buildings immediately to the west (8-12).
- The proposed development would respect the character and appearance of Bulstrode Place and Cross Keys Close, the setting of neighbouring buildings and the character and appearance of the conservation area and would provide a more vibrant and attractive street environment.
- The development accords with emerging council policy outlined in the document 'Building height; getting the right kind of growth for Westminster' (published for consultation in March 2017).
- The scheme would result in significant reductions in carbon dioxide emissions.

Whilst these comments are noted, it is not considered that matters such as the need to support the retained building during basement excavation, the requirement for additional building insulation or the current standard of accommodation offered by the existing mews house provide any overriding justification for the demolition of the existing building. These issues would be common to all similar developments, including in the case of listed buildings, and would result in the demolition of many historic mews houses, which might not provide the type of accommodation sought by modern developers.

The consultation document referred to above took the form of a questionnaire, which asked respondents to think about the potential measures to make the best use of available sites, whilst protecting the areas that make Westminster special, and

suggested that this might be achieved through increases in building heights. However, this is not a formal consultation document setting out detailed policies for comment and cannot be relied upon as an indicator of any potential changes in townscape policies.

Other comments are addressed in detail in the paragraphs below.

Objections to the application

Consultation responses have been received from, and on behalf of, local residents and business occupiers, who object to the demolition of the existing building, and consider the proposed replacement building to be of an unacceptable height, bulk and detailed design and that the use of materials, particularly glazed brick on the lower floors, to be inappropriate. Objectors consider that the building should be retained, and extended in the manner of neighbouring houses, and that this would have a lesser impact on the conservation area.

Demolition of the existing building

The existing building is one of a group of three similar mews-type houses which are designated as 'unlisted buildings of merit' within the Harley Street conservation area. Objectors consider these to be the only buildings of architectural merit within the street, which is otherwise flanked by industrial scale buildings and the, rather unattractive, rear of the hotel. Consequently, they do not agree with the applicant's contention that the buildings make a limited contribution to the character and appearance of the conservation area. Rather, they consider the buildings to make a positive contribution. Their designation as buildings of townscape merit is held to be a positive endorsement of the buildings' worth, particularly as the audit recognises other buildings as having a neutral or negative impact. Objectors question why the Council would invest in a conservation area audit if its conclusions are not adhered to.

Objectors consider that the demolition of the existing building would be contrary to national planning policy and guidance, which requires protection of heritage assets, and to adopted Council policies and that no proper case has been made by the applicants to justify a departure from this guidance and policies. They consider that the application building should not be viewed in isolation from its neighbours at 5 and 6, as these appear to have been built at the same time, and share identical architectural features, and that the demolition of no. 7 would destroy the architectural integrity of the group of heritage assets.

Objectors are of the opinion that the level of harm resulting from the proposal would be 'less than substantial' in terms of NPPF but consider that significant importance and weight should still be attached to it, in the balance. They also consider that there can be no justification for the replacement of an unlisted building merit, on any grounds, regardless of any merits of the replacement building.

The applicants contend that the heritage benefits of replacement building would outweigh the harm caused to the conservation area by the proposed demolition, while the objectors argue that the NPPF (para 134) does not take into account the quality of the replacement building. They consider rather that such an approach could only be justified if the existing building made either a neutral or a negative contribution. Given

the building's designation as an unlisted building of merit, by definition, the objectors consider that its demolition should be resisted.

As the Harley Street conservation area audit states that a roof extension to 7 Bulstrode Place would be acceptable, objectors consider that the existing building should be retained and extended, (at roof and/or basement level) to form a larger family home - as nos. 5 and 6 Bulstrode Place have been, and has been previously permitted on the application site.

The identification of a building as 'of merit' does not give it protection from demolition; it is not an equivalent to listing. The replacement of a building which makes a positive contribution will be permitted where the proposed replacement makes an equal or greater contribution to the character of the area. This is not an unusual occurrence in Westminster, where buildings that make a modest contribution to a conservation area have relatively frequently been replaced by modern buildings of good design quality.

The contribution to the character and appearance of the conservation area made by 7 Bulstrode Place derives from its being of a scale and building type that is typical of this location. A functional-mews type building from the mid - twentieth century – in a group with two others, it does make a modest, positive, contribution to the character and appearance of the area. However, it is not considered that this contribution is a particularly strong one. The buildings are only visible from part way down Bulstrode Place; their contribution is strictly limited to this particular part of the conservation area as they are not visible from any further distance. Given their discreet location and their plain, functional, design and materials, the buildings are considered to make a minor positive contribution to the character of the area. While it is the case that, with the demolition of no. 7, the group value of nos. 6 and 5 would be somewhat compromised, they would still appear as a pair, which is considered to have a modest value.

The objector suggests that the loss of an unlisted building of merit should never be permitted without a public benefit, relying on UDP policy DES 9 and the NPPF to support this contention. Unlisted buildings of merit do indeed enjoy a presumption against demolition but the application building is considered to be at the lower end of the spectrum of such buildings.

The binary designation of buildings as 'of merit' or 'neutral' does not allow for nuance. In this instance, 7 Bulstrode Place is considered to make a very modest positive contribution. The treatment of all unlisted buildings of merit as equally deserving of preservation is not within the spirit of the NPPF, nor the UDP policy.

The supporting text to policy DES 9 of the UDP states that there is general presumption against demolition, and identifies (in relation to buildings that have not been subject to an audit, but equally relevant where the value of a building's contribution is disputed):

"In particular the City Council will assess ... the relative contribution of the existing building and the anticipated contribution of proposed building to the character and appearance of the conservation area."

In this case, if the proposed new building makes an equal or greater contribution to the character or appearance of the conservation area than the existing building, its demolition would be acceptable.

Replacement building

The objectors contend that there is no justification for seeking a relationship in terms of scale, architectural detailing or materials between the application building and the taller adjacent building at no.8.

The Marylebone Association considers that the window openings are over-scaled in the context of the proposed façade and that they, and the parapet height, should be reduced. Other objectors consider that the use of glazed brick to reflect that on the adjacent commercial building, and the glazed entrance on Cross Keys Close, is more reminiscent of an office building than a dwelling house

If the principle of demolition is considered to be acceptable, then the decision as to whether the replacement building should relate to the retained mews buildings at nos. 5 and 6 Bulstrode Place, or to the taller building at no. 8, is considered to be evenly weighted. Objectors dispute that no. 8 makes a contribution to the character of the area. However, the conservation area audit also identifies it as an unlisted building of merit and it is considered that this building makes an equal, and arguably greater, contribution to the character and appearance of the conservation area than the application building.

The proposed building makes a step in height between nos. 6 and 8, although the storey heights and design details relate more closely to no. 8., Although the window openings are large, and objectors consider them to be over-scaled in the context of nos. 5 and 6, they relate well to no.8. The proposed materials relate well to the buildings on both sides. The objection to the use of glazed bricks on a domestic building is not considered to be supportable. Glazed brick has often been used on domestic buildings, and this is considered to be an acceptable design approach.

At the rear, (the Cross Keys Close façade) the existing fenestration is inconsistent and the elevation as a whole makes a neutral contribution to the character of the area. The proposed rear elevation will use higher quality materials and introduce consistent fenestration.

Overall, it is considered that the proposed building will make an equal contribution to the character of the conservation area in terms of its design, and may make a higher contribution in terms of its materials, replacing materials of relatively poor quality.

The proposed glazed balustrades are unacceptable in principle. They should be removed with an amending condition. A lanyard system would be the preferable rooftop safety system from a design perspective.

Objectors consider that no public benefits would accrue from the development. They consider that the application should be refused on the grounds that it fails to comply with national planning policy and guidance and adopted Council policy and that there are no material planning considerations to justify departure from those policies.

The loss of the existing building can be regarded as resulting in 'less than substantial' harm to the conservation area. However, in a spectrum of both the significance of the building and the degree of harm caused it is considered to be a very modest degree of harm. Further, while there is no significant public benefit arising from the scheme, there is a minor public benefit through the partial screening of the adjacent hotel in views from Cross Keys Close, from the introduction of higher quality materials and from improvements to the rear elevation.

8.3 Residential Amenity

UDP Policy ENV13 seeks to protect existing premises, particularly those in residential use, from the impact of new development and to ensure that neighbouring properties do not experience and material loss of daylight or sunlight, increased sense of enclosure to windows or a loss of privacy. Similarly, policy S29 states that the Council will resist development proposals which result in a material loss of amenity to existing residents.

An objection has been received from an office occupier in Cross Keys Close on the ground that the proposal, would have an adverse impact upon neighbouring businesses as a result of increased noise disturbance rubbish generation and traffic. It is unclear whether these concerns relate to the construction process or to the completed development. They have also objected to the scheme on the ground of loss of light and because the proposed building is "more dense" in its use than the existing.

Daylight, sunlight and sense of enclosure

The application is supported by a daylight/sunlight statement, based on guidance published by the Building Research Establishment. This assesses the impact of the development on levels of light to neighbouring residential properties

An objection has been received from the office occupier at 22 Cross Keys Close on the grounds that the proposals would result in a loss of light, although the objector does not specify which properties he believes would be affected. In this case, the nearest residential building with the potential to be affected by the proposals is the adjacent house at 6 Bulstrode Place. Given that windows at that property overlook the front and rear only, and as the proposed building would not extend beyond the front and rear building line to no. 6, it is not considered that the proposals would have a material impact on the levels of daylight or sunlight received to this property.

The statement also considers the potential impact of on first and second floor residential windows at 17a cross keys close, which forms the rear of 43 Welbeck Street. These windows are set within a very narrow lightwell between the flank wall to 42 Welbeck Street/17 Cross Keys Close (to the north) and the rear of 5 Bulstrode Place and look out on to the flank wall of 6 Bulstrode Place. As the proposed building will be wholly obscured by the existing building at no. 6, it is not considered that levels of daylight and sunlight to these windows would be materially affected.

The western and (part) northern facades of the new building would be set against the blank flank/rear walls to offices at 8 Bulstrode Place/22 Cross Keys Close. Windows to the offices at 22 cross keys close look eastwards, at right angles to the rear of the

application site and it is not considered that the proposal would compromise the future operation of these neighbouring offices, or other commercial buildings in the Close.

The building is located opposite, north facing hotel rooms, at the rear of the Marylebone hotel. Again, it is not considered that any potential loss of light arising from the increase in height and bulk on the site would compromise the future operation of the hotel.

In these circumstance, it is not considered that the objection to loss of light could be supported.

Given the relationship of the new building with adjoining properties, there would not be any material increase in the sense of enclosure to neighbouring windows.

Overlooking/noise disturbance/litter generation

Windows on the upper floors of the new building are in a similar position to those within the existing building, albeit considerably larger. The proposed mansard roof extension would incorporate two dormer providing access to two small balconies set behind the rear parapet and a decorative metal railing. Given the relationship of the building to neighbouring residential and commercial properties, it is not considered that there would be any material impact on the privacy of neighbouring occupiers.

Access to the roof of the building would be provided but the applicants have confirmed that this would be for maintenance purposes only. In these circumstances, and given the proximity of this roof to windows at 6 Bulstrode Place, a condition is recommended to prevent access to the roof of the building other than for maintenance purposes or in the case of emergency.

It is not considered that the completed development would result in any increased litter generation and the objection on these grounds is not sustainable.

Subject to appropriate conditions, it is not considered that the proposals would adversely affect the amenities of neighbouring occupiers and the application therefore complies with relevant UDP and City Plan policies.

8.4 Transportation/Parking

The proposals provides a replacement ground floor garage, accessed from Bulstrode Place. The garage would include adequate space for cycle parking for 2-3 wall hung bicycles. It is not considered that the replacement of the existing dwelling house would result in any increase in traffic generation.

The Highways Planning Manager has raised no objection to the scheme subject to conditions requiring the retention of the garage space for parking by future occupants of the development and to prevent any doors opening out over the public highway.

8.5 Economic Considerations

Any economic benefits generated by the development area welcomed

8.6 Access

The development provides level access to the building on both frontages. The scheme also incorporates a lift, which provides access to all floors. Access would be provided to the roof for maintenance purposes only.

8.7 Other UDP/Westminster Policy Considerations

Plant

The proposals involve the installation of plant at roof level, within an acoustic enclosure. The roof level units would be sited on the rear roof, adjacent to the blank wall to the rear of 22 Cross Keys Close. The application is accompanied by an acoustic report. This report has been assessed by the Council's Environmental Health officer who considers that the plant operation is likely to comply with Council standards. Conditions are recommended relating to plant noise and vibration and requiring the submission of a supplementary acoustic report to demonstrate that these conditions can be complied with. A further condition has been requested to restrict the hours of plant use. However, as this is a residential use, and where the plant will operate in accordance with the requirements of the noise condition, the Council does normally seek to restrict the hours of plant operation. In these circumstances, the proposals would comply with UDP policy ENV 7 and S32 of the City Plan.

Refuse/recycling

The submitted plans do not include details of separate facilities for the storage of refuse and recyclable materials in accordance with the Council's adopted protocols (showing bin capacity and separate, marked, refuse and recycling bins). Consequently, a condition is recommended requiring the submission of revised drawings showing these details.

Basement construction

The proposal includes the excavation of a new basement level. As required by City Plan policy S28 the applicant has provided a structural method statement setting out the construction methodology for the basement. Any report by a member of the relevant professional institution carries a duty of care, which should be sufficient to demonstrate that the matter has been properly considered at this early stage. The purpose of such a report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the site, existing structural conditions and geology. It does not prescribe the engineering techniques that must be used during construction, which may need to be altered once the excavation has occurred. The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act.

The City Council is not approving this report or imposing a condition that the works will be carried out in accordance with the report. Its purpose is to show, with the integral professional duty of care, that there is no reasonable impediment foreseeable at this stage to the scheme satisfying the Building Regulations in due course.

The application has been assessed by the Building Control Officer who has advised that the proposed structural methodology appears satisfactory and is appropriate for this site. The existence of groundwater, including underground rivers, has been researched and the likelihood of local flooding or adverse effects on the water table has been found to be low.

One objection has been received on the ground that the proposal would adversely affect the structure of adjacent buildings, including neighbouring listed buildings. The nearest listed building to the application site is at 43-45 Welbeck, the rear of which forms the head of the cul-de-sac at Bulstrode Place and it considered that these buildings are not in sufficiently close proximity to the application site to be affected by the proposals. For the reasons outlined above, it is not considered that permission could be withheld on the basis that the structural integrity of neighbouring buildings could be adversely affected.

As the site is located outside the Core CAZ, policy CM28.1 permits the excavation of an additional storey below the lowest original floor level subject to restriction on the degree of excavation below garden and associated requirements for landscaping etc. However, as the site is entirely wholly covered by the existing and proposed buildings, many of these requirements are not relevant in this case. Where new build residential schemes incorporate basements, and the site adjoins residential properties, the character and appearance of the building and the surrounding area should be safeguarded by ensuring that plant, skylights, vents etc. are sensitively designed. As there is no external manifestation of the proposed basement many of these requirements are not relevant to this case. The acceptability of plant proposals is discussed elsewhere in the report.

Sustainable Urban Drainage measures (SUDs) can be used to reduce surface water run off including the provision of rainwater tanks, permeable paving and the introduction of living roofs. The site is located within the Marylebone and Mayfair Surface Water Risk Hotspot (as identified in the Council's SPD on basement Development) where steps should be taken to avoid increasing, and where possible to reduce, surface water flood risk for the site and beyond. Additional flood resistance and resilience measures should be incorporated within the design to prevent water ingress and to reduce flood damage e.g. raised thresholds. The submitted Flood Risk Assessment states that since the site is already fully developed, the excavation of the basement would not have any impact on surface water run-off. However, the application confirms that a roof level stormwater attenuation drainage system would be provided to reduce peak flows from the site.

As there is no external manifestation of the basement, additional flood resistance measures e.g. increased threshold height would not be required.

Construction Impact

Comments have been received from the neighbouring hotel which, although broadly supportive of the proposed development, has expressed concern about the potential impact of construction noise and traffic upon neighbouring hotel rooms fronting Bestrode Place, other hotel facilities with entrances in Bulstrode Place and upon the hotel restaurant/bar's alfresco dining area on Marylebone Lane. The hotel has requested that site access is limited to Cross Keys Close and that conditions are imposed to limit construction noise. An objection has been received from an officer occupier in Cross Keys Close on the grounds that the proposal, would have an adverse impact upon

neighbouring businesses as a result of increased noise disturbance, increased rubbish generation and increased traffic. It is unclear whether these concerns relate to the construction process or to the completed development.

As required by policy CM 28.1 the applicant has confirmed that they will sign up to the Council's 'Code of Construction Practice' (CoCP) to ensure that the basement construction process is carefully managed, minimising disruption to neighbours and the highway and reducing the effects of noise, dust, traffic movements etc. resulting from the construction. As part of this process, Environmental Health Officers will liaise with both the applicant and neighbouring occupiers during the construction process to ensure that neighbours' concerns are addressed. Regular site visits will be undertaken to monitor construction operations and to ensure compliance. These arrangements would be secured by condition. A further condition is recommended to control the hours of excavation and building works any further period of quiet work could be considered under the CoCP.

It is acknowledged that construction works have the potential to affect the amenity of neighbouring residential and business occupiers. However, subject to the conditions outlined above, it is considered that the potential effects of the construction process upon the amenities of neighbouring occupiers will be ameliorated as far as possible and the concerns raised could justify the withholding of planning permission.

Biodiversity

The site is fully developed, with no greening. As the roof of the proposed building would be accessible for maintenance purposes only, the scheme potentially provides the opportunity to provide an area of living roof, which would contribute to biodiversity of the area in accordance with UDP policy ENV17 and City Plan policy S38 which seeks to maximise opportunities to create new wildlife habitats as part of new developments. However, the applicant considers that this would be impractical for the following reasons:

- The need for access between the rooflight and the AC units to allow for ongoing maintenance – concern is that any living roof would get trampled or would be insufficiently hardwearing;
- There would likely be an impact on design, including the potential need for an overall increase in height;
- There would likely be structural implications with knock on cost implications, which have not be accounted for; and
- Given the presence of AC units, any living roof would comprise only a small area with minimal biodiversity benefits.
- Given the above compromises, it is considered that requiring a living roof in this case would not represent an overall benefit to the scheme.

Sustainability

An objection has been received on the grounds that the redevelopment of the site would constitute a waste of energy and resources and that the building should be retained.

The applicants contend that one of the benefits of the proposal is the reduction in carbon emissions from the new building. As required under the Building Regulations, the development would include thermally efficient fabric, including glazing, and energy efficient heating/cooling, lighting and water systems, which are requirement under the Building Regulations. London Plan policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions by using less energy, supplying energy efficiently and using renewable energy .This is not a major development and the application does not detail the level of energy savings delivered by the proposals. However, it is accepted that there are likely to be some, which should be balanced against the concerns raised, and it is not considered that the objections could justify the withholding of permission.

8.8 London Plan

This application does not raise any strategic issues.

8.9 National Policy/Guidance Considerations

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

8.10 Planning Obligations

The scheme does not trigger any planning obligations

8.11 Environmental Impact Assessment

Environmental Impact issues are covered elsewhere in this report

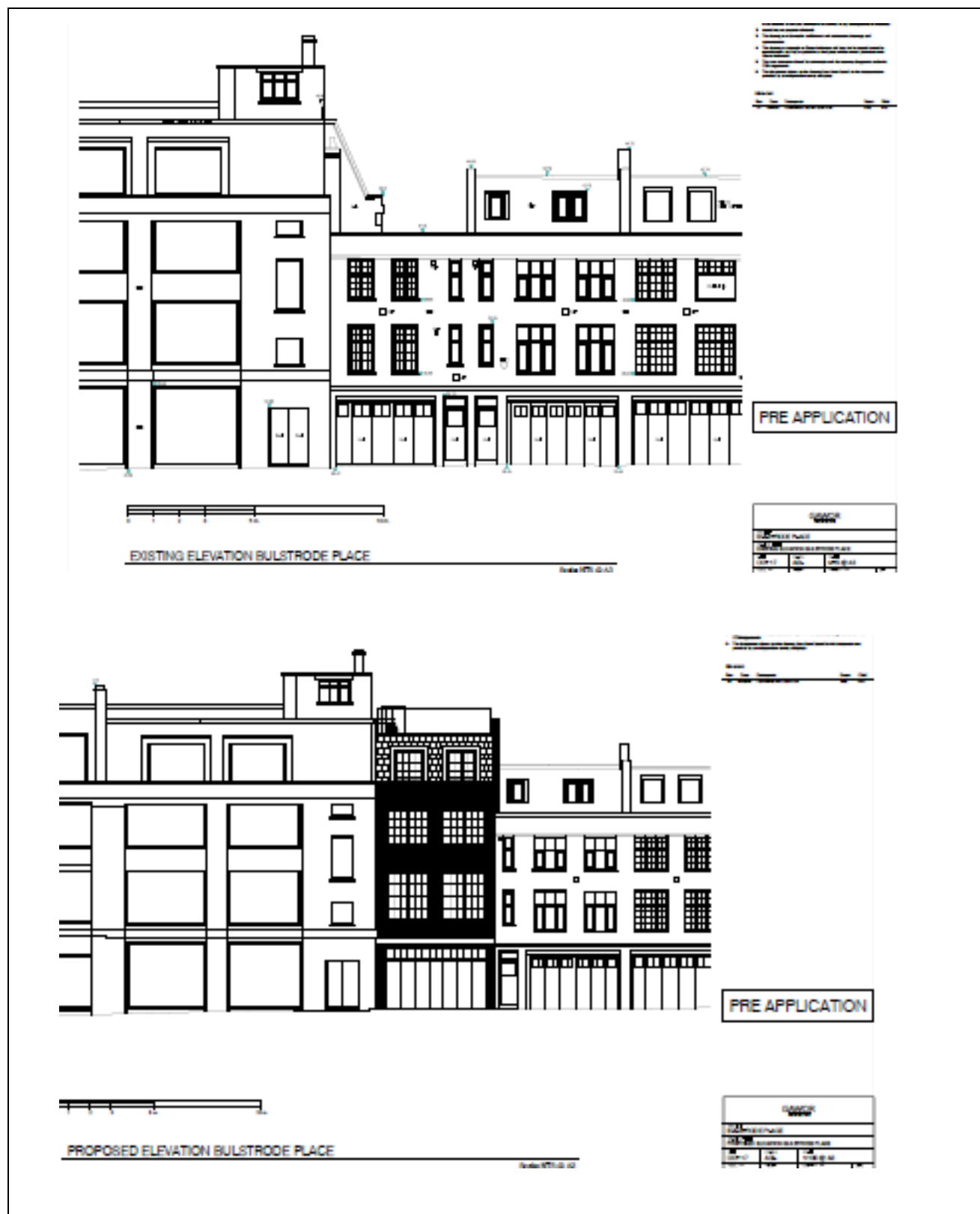
8.12 Other Issues

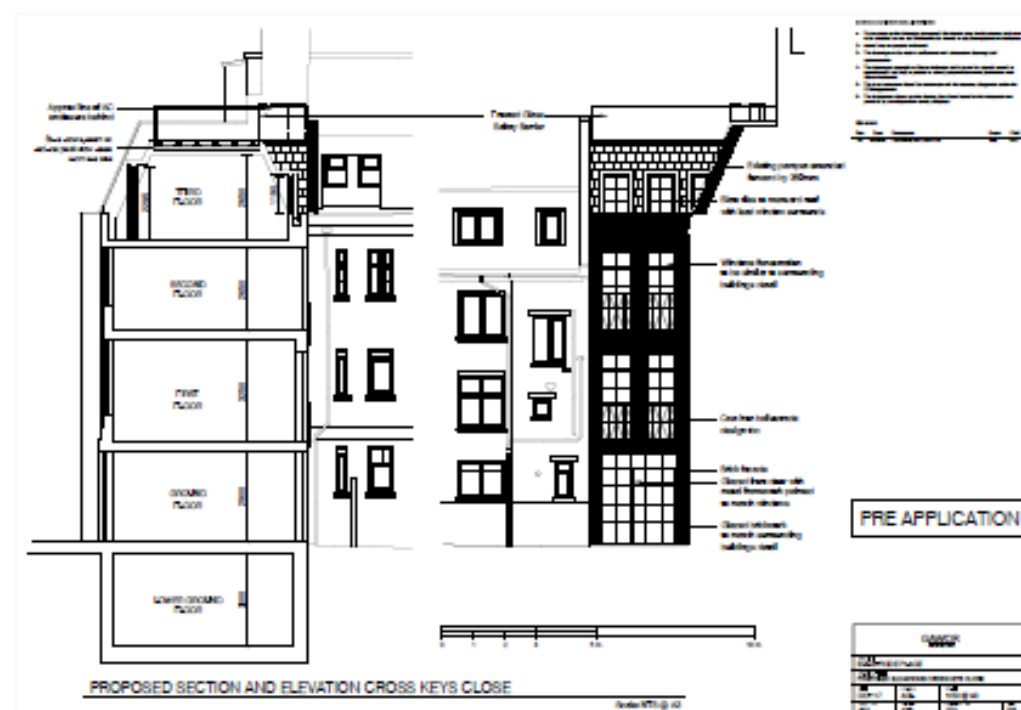
None.

(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: PAUL QUAYLE BY EMAIL AT pquayle@westminster.gov.uk

KEY DRAWINGS





DRAFT DECISION LETTER

Address: 7 Bulstrode Place, London, W1U 2HU

Proposal: Demolition of the existing building and creation of a new basement plus four storey building to comprise a single residential unit (Class C3) with integral garage.

Reference: 18/01713/FULL

Plan Nos: 432 (08)/200 P8, 210 P7, 220 P8, 230 P8, 240 P8, 250 P8, 260 P8, 261 P8, 270 P8, 290 P8

Case Officer: Sara Spurrier

Direct Tel. No. 020 7641 3934

Recommended Condition(s) and Reason(s)

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

Reason:

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

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:

- o between 08.00 and 18.00 Monday to Friday;
- o between 08.00 and 13.00 on Saturday; and ,
- o not at all on Sundays, bank holidays and public holidays.

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

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

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

Reason:

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

- 3 (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.

- 4 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 3 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

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

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

Reason:

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

- 6 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 and for maintenance purposes. (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)

- 7 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.

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)

- 8 You must not use the garages for trade or business purposes. (C22DA)

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)

- 9 You must apply to us for approval of details of how waste is going to be stored on the site. 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 waste store in line with the approved details, and clearly mark it and make it available at all times to everyone using the . You must not use the waste store for any other purpose.

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.

- 10 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement

Reason:

The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

- 11 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)

- 12 You must put up the plant screen shown on the approved drawings before you use the machinery. You must then maintain it in the form shown for as long as the machinery remains in place. (C13DA)

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in 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. (R13AC)

- 13 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 Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 14 You must apply to us for approval of drawings at 1:5 and 1:20 of the following parts of the development: 1) Windows and doors, 2) Balconies. 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.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 15 Notwithstanding the details shown on drawings 260 P8, 261 P8, 270 P8 and 290 P8, the roof level frosted glass safety barrier is not granted permission. You must apply to us for approval of detailed drawings showing the an alternative safety system for access to the roof. 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.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

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 Thames Water requests that the Applicant incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
- 3 Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are

situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email Thames Water a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.

- 4 A Groundwater Risk Management Permit will be required from Thames Water for discharging groundwater into a public sewer. Any discharge without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water will 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 wwriskmanagement@thameswater.co.uk. Application forms should be completed on-line via www.thameswater.co.uk/wastewaterquality.
- 5 You should refer to the City Council's Recycling and Waste storage Requirements (sections 2.3.1 and 3.1) at <https://www.westminster.gov.uk/waste-storage-planning-advice>
- 6 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work., , Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974., 24 Hour Noise Team, Environmental Health Service, Westminster City Hall, 64 Victoria Street, London, SW1E 6QP, Phone: 020 7641 2000. Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)
- 7 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:., , * Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;., , * This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant., , Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm. , , It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM

Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

- 8 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained., Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following:
 - * Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings;
 - * Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase;
 - * Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained;
 - * Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the centre of particularly wide staircases where necessary;
 - * Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.

- 9 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.
 - * Window cleaning - where possible, install windows that can be cleaned safely from within the building.;
 - * Internal atria - design these spaces so that glazing can be safely cleaned and maintained.;
 - * Lighting - ensure luminaires can be safely accessed for replacement.;
 - * Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).;
 More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm. , Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)

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

- 11 A lanyard-type rooftop safety system will be the least intrusive type of safety measure in design terms and is likely to be acceptable. More visually obtrusive systems may not be acceptable.

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.