

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 30 May 2023	Classification For General Release	
Report of Director of Town Planning & Building Control		Ward(s) involved Knightsbridge & Belgravia	
Subject of Report	5, 7, 9, 11, 13, 15, 17 and 19 Passmore Street, London, SW1W 8HR		
Proposal	<p>5, 7, 9, 13, 15 and 17 Passmore Street Demolition and rebuilding behind retained front facade and party walls with alterations to front fenestration, provision of a new basement, mansard roof, extensions at rear ground and first floor level and installation of air source heat pump in rear basement lightwell. (Applications 1, 2, 3, 5, 6 and 7)</p> <p>11 and 19 Passmore Street Alterations to front fenestration, the provision of a new basement, mansard roof, extensions at rear ground and first floor level and installation of air source heat pump in rear basement lightwell. (Applications 4 and 8)</p>		
Agent	Mr Paul Watson		
On behalf of	5-19 Passmore Street Limited		
Registered Number	<p>Application 1: 22/07960/FULL – 5 Passmore Street</p> <p>Application 2: 22/07964/FULL – 7 Passmore Street</p> <p>Application 3: 22/07966/FULL – 9 Passmore Street</p> <p>Application 4: 22/07969/FULL–11 Passmore Street</p> <p>Application 5: 22/07971/FULL–13 Passmore Street</p> <p>Application 6: 22/07972/FULL–15 Passmore Street</p> <p>Application 7: 22/07962/FULL –17Passmore Street</p> <p>Application 8: 22/07967/FULL–19 Passmore Street</p>	Date amended/ completed	25 November 2022
Date Application Received	23 November 2022		
Historic Building Grade	Unlisted		

Conservation Area	Outside
Neighbourhood Plan	Not applicable

1. RECOMMENDATION

Application 1:

1. Grant conditional permission - subject to completion of a legal agreement to secure the following:
 - i) ensuring that the building contract entered into by the owners of the buildings at 5 to 19 Passmore Street requires that the construction works (to build the mansards and alterations to front facade) are carried out as a single operation; and
 - ii) cost of monitoring agreement.

Application 2:

1. Grant conditional permission - subject to completion of a legal agreement to secure the following:
 - i) ensuring that the building contract entered by the owners of the buildings at 5 to 19 Passmore Street requires that the construction works (to build the mansards and alterations to front facade) are carried out as a single operation; and
 - ii) cost of monitoring agreement.

Application 3:

1. Grant conditional permission - subject to completion of a legal agreement to secure the following:
 - i) ensuring that the building contract entered by the owners of the buildings at 5 to 19 Passmore Street requires that the construction works (to build the mansards and alterations to front facade) are carried out as a single operation; and
 - ii) cost of monitoring agreement.

Application 4:

1. Grant conditional permission - subject to completion of a legal agreement to secure the following:
 - i) ensuring that the building contract entered by the owners of the buildings at 5 to 19 Passmore Street requires that the construction works (to build the mansards and alterations to front facade) are carried out as a single operation; and
 - ii) cost of monitoring agreement.

Application 5:

1. Grant conditional permission - subject to completion of a legal agreement to secure the following:
 - i) ensuring that the building contract entered by the owners of the buildings at 5 to 19 Passmore Street requires that the construction works (to build the mansards and alterations to front facade) are carried out as a single operation; and
 - ii) cost of monitoring agreement.

Application 6:

1. Grant conditional permission - subject to completion of a legal agreement to secure the following:
 - i) ensuring that the building contract entered into by the owners of the buildings at 5 to 19 Passmore Street requires that the construction works (to build the mansards and alterations to front facade) are carried out as a single operation; and
 - ii) cost of monitoring agreement.

Application 7:

1. Grant conditional permission - subject to completion of a legal agreement to secure the following:
 - i) ensuring that the building contract entered into by the owners of the buildings at 5 to 19 Passmore Street requires that the construction works (to build the mansards and alterations to front facade) are carried out as a single operation; and
 - ii) cost of monitoring agreement.

Application 8:

1. Grant conditional permission - subject to completion of a legal agreement to secure the following:
 - i) ensuring that the building contract entered into by the owners of the buildings at 5 to 19 Passmore Street requires that the construction works (to build the mansards and alterations to front facade) are carried out as a single operation; and
 - ii) cost of monitoring of this agreement.
2. If the S106 legal agreement has not been completed within 3 months of the date of the Committee's resolution, then:
 - a) The Director of Town Planning and Building Control shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director Town Planning and Building Control is authorised to determine and issue the decision under Delegated Powers; however, if not;
 - b) The Director of Town Planning and Building Control shall consider whether the permission should be reused on the grounds that the proposals are unacceptable in the absence of the benefits which would have been secured; if so, the Director of Town Planning and Building Control is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

1. SUMMARY & KEY CONSIDERATIONS

Eight separate applications have been submitted which relate to eight 2-storey dwellinghouses, Nos. 5 to 19 Passmore Street, which form part of a wider terrace of 12 houses. The unlisted properties lie outside of, but adjacent to the Belgravia Conservation Area. Planning permission is sought for the demolition behind their retained front facades and party walls and rebuilding with the provision of new fenestration to the front elevation, a new basement with rear lightwell, a mansard roof, extensions at rear ground and first floor level and the installation of an air source heat pump and PV panels to each

property at 5, 7, 9, 13, 15 and 17 Passmore Street. During the course of consideration of the applications, the amount of demolition has been reduced to nos. 11 and 19 Passmore Street and the proposal now seeks to re-use retrofitting measures previously installed to these properties.

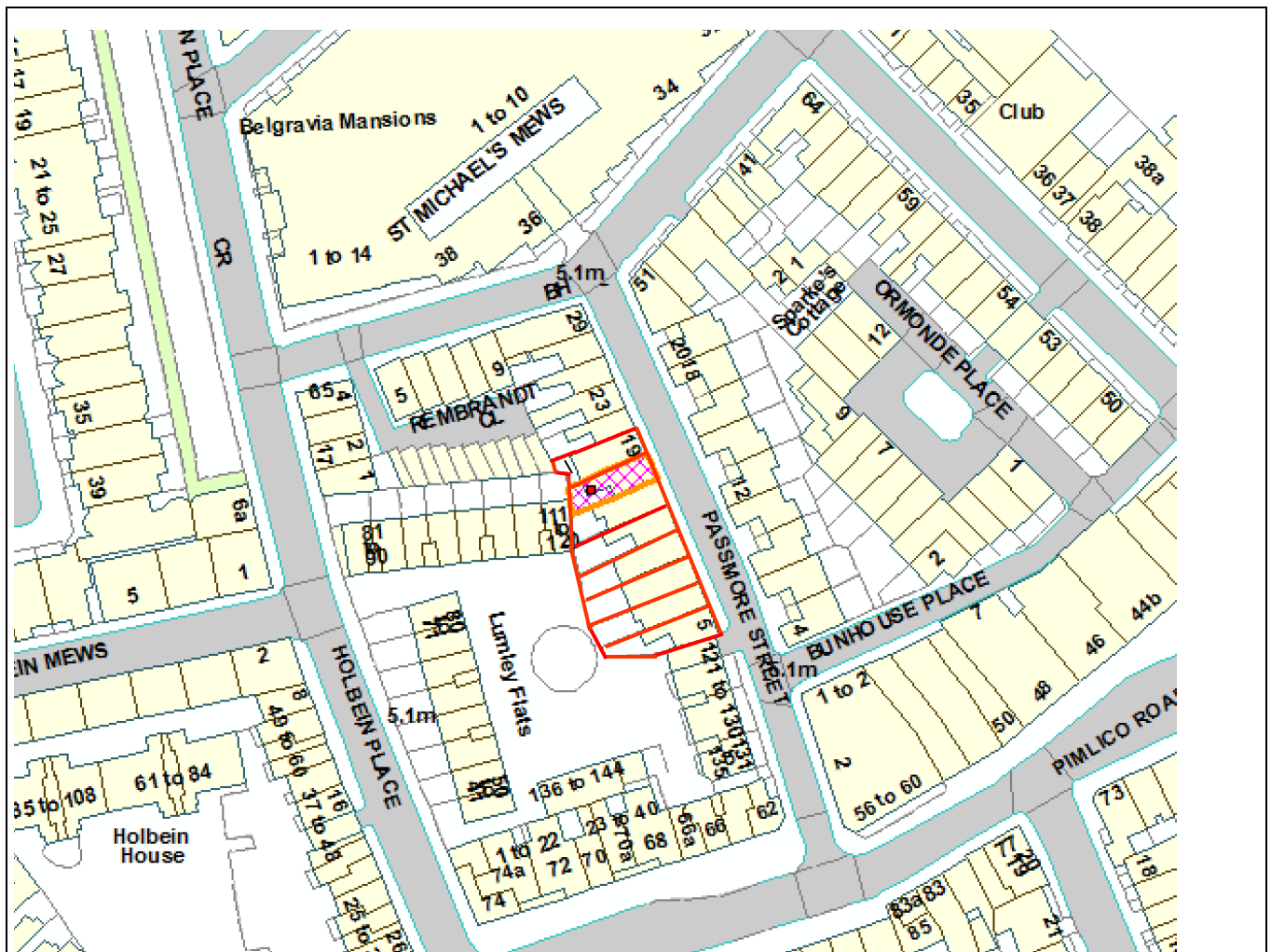
The key considerations in this case are:

- The impact of the proposals on the character and appearance of the buildings and the setting of the adjacent Belgravia Conservation Area.
- The impact on the amenity of neighbouring residential properties.

Objections have been received from Belgravia Neighbourhood Forum and from and on behalf of neighbouring residents primarily on the grounds of the negative impact to the streetscene, harm to residential amenity, the environmental impact of the proposal and impacts of the basement excavation works.

For the reasons set out in the main report, it is considered that the neighbouring residential occupiers would not be unduly harmed and the coherence of the terrace will be preserved. The proposed development would be consistent with the relevant policies set out in Westminster's City Plan 2019-2040 (April 2021). As such, the proposals are considered acceptable in terms of heritage, townscape, design, land use, amenity, environmental and basement development and the applications are recommended for approval subject to a legal agreement to ensure that the eight applications are constructed as a single operation and the conditions as set out in the draft decision letters.

2. LOCATION PLAN (SHOWING THE EIGHT INDIVIDUAL PROPERTIES)



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3. PHOTOGRAPHS



Nos. 5 to 19 Passmore Street – front elevation



Rear elevation viewed from Lumley flats forecourt

4. CONSULTATIONS

4.1 Application Consultations

The representations set out below were identical for all eight applications. Thames Water representation related to 19 Passmore Street (Application 8), but is relevant to all applications.

HISTORIC ENGLAND ARCHAEOLOGY

No archaeological requirements.

CROSSRAIL

No comment.

CROSSRAIL 2

No comment.

ENVIRONMENT AGENCY

We recommend that you view our standing advice in full before making a decision on this application.

THAMES WATER:

No objection. Informatives recommended.

BELGRAVIA NEIGHBOURHOOD FORUM:

Objection on the following grounds:

Sustainability:

- Demolition rather than refurbishment and retrofitting. The amount of waste, loss of embodied carbon and energy to be used is very regrettable.
- Lack of access to outside air and natural light, the proposed basements will be energy-hungry.
- Additional excavation associated with new rear lightwell and reduction of small garden space will impact on drainage and biodiversity.

Basement excavation:

- Loss of soil to absorb rainwater and potential damage to the water table.
- Proximity of River Westbourne which adds to the fragility of the ground.
- Lack of claim that surrounding area and adjacent buildings will be affected by flooding.
- Disruption during construction period.

Design:

- This part of Belgravia is distinguished by small artisan dwellings and cottages which reinforce the character of the area.
- 5-19 Passmore Street are amongst the very few remaining cottages of this height and design in the entire area, and to convert them into four storey townhouses would destroy this piece of social history forever.

- No indication that any element of this development will be affordable.

BELGRAVIA RESIDENTS ASSOCIATION

Any response to be reported verbally.

THE BELGRAVIA SOCIETY:

Any response to be reported verbally.

ENVIRONMENTAL HEALTH:

Following receipt of revised information, no objection subject to conditions.

BUILDING CONTROL:

The structural method statement is considered acceptable. An investigation of existing structures and geology has been undertaken and is of sufficient detail. 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 negligible. The basement is to be constructed using traditional reinforced concrete L-shaped retaining walls with a RC concrete ground bearing basement slab which is considered to be appropriate for this site. The proposals to safeguard adjacent properties during construction are considered to be acceptable.

ARBORICULTURAL SECTION:

No objection. No trees are proposed to be removed. Conditions recommended to secure tree protection measures and details of the blue and green roofs.

WASTE PROJECT OFFICER:

Following receipt of revised waste details, no objection subject to conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED**Application 1 – 5 Passmore Street**

No. Consulted: 75

Total No. of replies: 3

No. of objections: 3

No. in support: 0

Application 2 – 7 Passmore Street

No. Consulted: 76

Total No. of replies: 3

No. of objections: 3

No. in support: 0

Application 3 – 9 Passmore Street

No. Consulted: 68

Total No. of replies: 3

No. of objections: 3

No. in support: 0

Application 4 – 11 Passmore Street

No. Consulted: 48

Total No. of replies: 3
No. of objections: 3
No. in support: 0

Application 5 – 13 Passmore Street
No. Consulted: 47
Total No. of replies: 3
No. of objections: 3
No. in support: 0

Application 6 – 15 Passmore Street
No. Consulted: 18
Total No. of replies: 3
No. of objections: 3
No. in support: 0

Application 7 – 17 Passmore Street
No. Consulted: 19
Total No. of replies: 3
No. of objections: 3
No. in support: 0

Application 8 – 19 Passmore Street
No. Consulted: 18
Total No. of replies: 3
No. of objections: 3
No. in support: 0

Three letters of objection received, one of which is on behalf of occupiers of 6 residential properties from residents in Passmore Street, which relate to all applications.

Design/townscape and sustainability:

- The proposal is not in accordance with policies 38, 39 and 40 of the City Plan and Policies D3 and HC1 of the London Plan.
- Impact on the character and appearance of the terrace of properties at 5-27 Passmore Street and the setting of the Belgravia Conservation Area.
- The proposal will change the character of the street, the terrace will become overbearing and townscape uniformity will be undermined.
- The existing terrace is of historical significance as it points to the history of Grovesnor workman's cottages and this part of Belgravia's humble history.
- It will unbalance the relationship with the Fox and Hound Public House.
- Basement development contrary to Policies 33 and 45 of the City Plan.

Environment

- The partial demolition and rebuilding of the existing Passivhaus scheme will achieve little improvement in the environmental character of these buildings whilst incurring a great deal of environmental cost.
- Flood risk from basement excavation.

Residential amenity

- The proposal is contrary to policies 7, 33 and 38 of the City Plan and Policies D3 and D6 of the London Plan.
- The proposal will block light to Passmore Street.
- Loss of privacy and overlooking to residents in Passmore Street with the introduction of windows at first and second floor levels.
- Increased sense of enclosure and overshadowing to residents in Passmore Street.
- Noise from air conditioning units (cumulative impacts), assurance required that the proposed mitigation will be sufficient.

Other

- Risk of damage to neighbouring buildings with new basement, lack of evidence of structural stability.
- Lack of cumulative assessment of the proposed works in the Ground Movement Assessments
- Disruption, nuisance and traffic obstruction during construction works.
- Inconsistencies between the Construction Management Plans and Structural Methodology Statements.
- More window cleaning will need to be carried out during the construction period.
- Legal agreement required to secure costs for necessary repairs or a condition securing a risk assessment and mitigation strategy.

PRESS NOTICE/ SITE NOTICE:

Yes

4.2 Applicant's Pre-Application Community Engagement

Engagement was carried out by the applicant with the local community and key stakeholders in the area prior to the submission of the planning application in accordance with the principles set out in the Early Community Engagement guidance.

The applicant has submitted a Community Consultation Report, the document sets out the engagement activities undertaken that are summarised below:

- Consultation letters sent to Ward Councillors, local amenities societies, local business organisations and neighbouring residential properties.
- In-person, video conferencing and telephone meetings with some members of the community.
- Summary of responses received: the main issues raised were demolition, impacts of basement excavation, loss of light and the historical significance of the terrace.
- Developer's responses that were redistributed.

5 WESTMINSTER'S DEVELOPMENT PLAN

5.1 City Plan 2019-2040 & London Plan

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in accordance with paragraph 219 of the NPPF. Therefore, in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

5.2 Neighbourhood Planning

The application site is not located within an area covered by a Neighbourhood Plan.

5.3 National Policy & Guidance

The City Plan 2019-2040 policies referred to in the consideration of this application have been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in the NPPF (July 2021) unless stated otherwise.

6 BACKGROUND INFORMATION

6.1 The Application Site

Eight applications have been submitted which relate to 8 individual properties on the west side of Passmore Street, which form part of a wider terrace of 12 houses. The two-storey unlisted properties lie outside of, but adjacent to the Belgravia Conservation Area. All properties are in use as single dwellinghouses.

All properties benefit from a rear outdoor space which back onto the Lumley Flats buildings. To the front the properties form a visually coherent terrace, with various extensions to the rear. Nos. 7, 11, 15 and 19 have a full width extension at ground floor level; Nos. 5 and 9 have a one-storey closet wing and conservatory; and Nos. 13 and 17 have a one-storey closet wing.

Nos. 9 to 19 Passmore Street have photovoltaic panels (PVs) at roof level. Nos. 11 and 19 Passmore Street achieved the first privately rented EnerPhit (the Passive House Certificate for retrofits) criteria in London in January 2015.

6.2 Recent Relevant History

5-27 Passmore Street

In September 2013 planning permission was granted for the installation of solar panels on the roof, green roof on rear extensions and cladding to rear elevation all to increase energy efficiency of nos. 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25 and 27 Passmore Street. (RN: 13/06894/FULL).

In March 2014 planning permission was granted for rendered insulation onto the external brick walls of the non-original rear single storey extensions at Nos. 5-27 Passmore Street (RN: 14/00707/FULL).

5 Passmore Street

No other relevant planning history.

7 Passmore Street

In April 2011, planning permission was granted for the erection of an infill extension at rear ground floor level and alterations to fenestration at rear (RN: 11/01529/FULL).

In May 2011, planning permission was granted for removal of rear chimney stack above roof level in May 2011 (RN: 11/05254/FULL).

9 Passmore Street

No other relevant planning history.

11 Passmore Street

In March 2014, planning permission was granted for the erection of a full width single storey rear extension at ground floor level and replacement of windows and doors (RN:14/00526/FULL).

13 Passmore Street

No other relevant planning history.

15 Passmore Street

In October 2010, planning permission was granted for alterations including the erection of a rear ground floor infill extension (RN: 10/07338/FULL).

In February 2011, planning permission was granted for six solar panels at roof level and the removal of chimney stack (RN: 11/10700/FULL).

In November 2011, planning permission was granted for the retention of eight solar panels at roof level and the removal of chimney stack (RN: 11/ 08027/FULL).

17 Passmore Street

No other relevant planning history.

19 Passmore Street

In March 2011, planning permission was granted for the erection of a full width single storey rear extension at ground floor level and replacement of windows and doors(RN: 14/00530/FULL).

7 THE PROPOSAL

Planning permission is sought for alterations and extensions to eight separate dwellings. At Nos. 5, 7, 9, 13, 15 and 17 demolition is proposed behind the retained front facade and party walls. Works include alterations to the front fenestration, excavation to create a new basement level with a lightwell to the rear, a mansard roof extension, new extensions at rear ground and first floor level and the installation of air source heat pump and PVs. Similar work is proposed to Nos. 11 and 19 Passmore Street except that for these properties an Enerphit proposal and dismantling strategy has been submitted that shows that the recently installed layers of insulation and airtightness membranes would be re-used within the development works proposed.

Table: Existing and proposed land uses.

Location of residential use	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
5 Passmore Street	69.2	141.6	+72.4
7 Passmore Street	71	147.6	+76.6
9 Passmore Street	75.8	156.2	+80.4
11 Passmore Street	74.4	158.4	+84
13 Passmore Street	65.5	159.2	+93.7
15 Passmore Street	75.2	159.8	+84.6
17 Passmore Street	70	159.5	+89.5
19 Passmore Street	73.8	157.3	+83.5

8 DETAILED CONSIDERATIONS

8.1 Land Use

The existing properties comprise 2-bedrooms with the exception of 5 Passmore Street which is a one-bedroom dwelling. The applications will increase the floorspace to create eight family sized dwellings which complies with Policy 8 of the City Plan. The proposed dwellings would comprise a playroom/office/exercise space, plant and utility room at basement level, kitchen/dining area and living room at ground floor level, two bedrooms and a bathroom at first floor level and one bedroom with ensuite within the new second floor level.

8.2 Environment & Sustainability

Sustainable design

Policy 36 of the City Plan expects all development to reduce on-site energy demand and maximise the low carbon energy sources to minimise the effects of climate change. Whilst all development proposals should follow the principles of the Mayor's of London energy hierarchy, only major developments are expected to be net zero.

Policy 37 of the City Plan deals with waste management. The Council promotes the Circular Economy. Only referable schemes are required to have Circular Economy Statements but part C of the policy also mentions the requirements to comply with the Code of Construction Practice which deals with construction, demolition and excavation waste and requires a site waste management plan.

Part D of policy 38 of the City Plan requires that development extend the lifetime of buildings and respond to the likely risks and consequences of climate change by incorporating principles of sustainable design. The supporting text states, "As new developments are large consumers of resources and materials, the possibility of sensitively refurbishing or retrofitting buildings should also be considered prior to demolition and proposals for substantial demolition and reconstruction should be fully justified on the basis of whole-life carbon impact, resource and energy use, when compared to the existing building. All development should ensure the reduction, reuse or recycling of resources and materials, including water and waste and minimise energy use and emissions that contribute to climate change" (Para. 38.11). However, the requirement for a whole-life carbon impact assessment is only required for major schemes as detailed in the Westminster's Environmental SPD (February 2022).

The Belgravia Neighbourhood Forum and local residents have raised an objection to the amount of demolition rather than refurbishing and retrofitting the buildings.

The proposal involves the demolition behind the front façade and party walls for six of the properties. This would result in the creation of more energy efficient buildings. In order to maximise the process of reclaiming and reuse of exiting materials in each building, the agent has agreed to a condition to secure a reclamation audit. A condition securing a Whole Life Carbon Assessment based on as-built information is also recommended.

A Sustainability Statement has been submitted in support of the eight applications to demonstrate how the proposals meet the requirements of Policy 36 and 38 (Part D) through thermally efficient measures. These measures include upgrading the retained elements of the existing buildings, specifying high levels of insulation to the new elements, installing air source heat pumps and PV panels, and installing efficient low-energy lighting. The provision of three PV panels at roof level will be secured by condition to ensure that the energy benefits of the schemes are achieved.

Nos. 11 and 19 Passmore Street were completely retrofitted in January 2015 to achieve EnerPHit criteria (which is the Passivhaus standard for retrofits). Upon officers' request, the proposals for these two properties have been revised to reduce the amount of demolition which has been limited to allow the properties to be extended. The layers of insulation and airtightness membranes installed in 2015 to achieve EnerPHit standards will be retained, the first floor structure and steel beams will be dismantled and reinstated and the party wall within the rear extension will be dismantled and reused in the re-development. The applicant has confirmed that EnerPHit standard and accreditation will therefore be retained for both properties.

In addition, during the course of consideration of the applications additional information was provided to show that the EnerPHit accreditation could be achieved through the proposals at 5, 7, 9, 13, 15 and 17 Passmore Street. It is recommended that this is

secured by condition.

The Belgravia Neighbourhood Forum commented that the new basement level will likely be energy hungry which will be very negative from a zero carbon and sustainability viewpoint. In policy terms, only major schemes are expected to be net zero. The proposed basement will benefit from a lightwell to the rear of the site for natural light and ventilation. It is not considered sustainable to resist a new basement because of its reliance on artificial lighting given its underground nature. The basement level will not be used as a principal living area and low-energy lighting features will be installed.

Given the reduction in demolition at Nos 11 and 19 Passmore Street and the commitment to achieve Passivhaus certification for all properties, the proposals are considered to provide significant energy benefits for the terrace as they will minimise carbon dioxide emissions and achieve the highest levels of sustainable design and construction in accordance with Policies 36 and 38 of the City Plan 2019 – 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022).

Flood Risk & Sustainable Drainage

The sites are located within Flood Zone 3. A Flood Risk Assessment has been submitted with the application which outlines that the sites benefit from a high standard of protection provided by the defences against the risk of tidal flooding from the River Thames, given their good condition, the low probability of failure and the future upgrade as part of the Thames Estuary 2100 plan. The proposed plans show that no sleeping accommodation will be located at basement level. The information provided is considered satisfactory.

The report also includes measures to reduce surface water discharge from the sites. Peak surface run off will be in part mitigated by the introduction of green and blue roofs and a basement sump and pump system. These measures will be secured by condition.

With regards to the concerns raised by the Belgravia Neighbourhood Forum and local residents about excavation works and the impact on the water table and flooding, this is addressed in section 8.8 of this report.

8.3 Biodiversity & Greening

Policy 34B of the City Plan requires that "developments will, wherever possible, contribute to the greening of Westminster by incorporating trees, green walls, green roofs, rain gardens and other green features and spaces into the design of the scheme".

The Belgravia Neighbourhood Forum objects to the reduction in rear garden spaces.

The rear gardens of Nos. 5, 9, 11 and 19 Passmore Street are entirely hard landscaped. There are several groups of shrubs within Nos 7, 15 and 17 Passmore Street rear gardens. As part of the scheme a number of shrubs are proposed for removal but the Council's arboricultural officer raises no objection.

There are only two on-site trees within the properties, an 8m tall goat willow within the rear garden of 7 Passmore Street and a 5m tall palm tree within the rear garden of 13 Passmore Street. There is also an off-site group of 7m tall palm trees close to the rear boundaries of Nos. 5 and 7 Passmore Street but they do not overhang.

A tree survey covering the eight application sites provides baseline tree data and Arboricultural Impact Assessments have been provided in support of the applications. The Council's Arboricultural officer is satisfied that the distance between the proposed works and the trees is acceptable, subject to securing the proposed tree protection measure by condition for Nos. 5, 7, 9, 13, 15 and 17 Passmore Street.

The introduction of green roofs to the rear closet wing extensions and blue/green roofs on the ground floor extensions for each site is welcomed and it is recommended that final details and their provision is secured by condition.

For the reasons set out above it is considered that the proposed schemes are in line with Policy 34 of the City Plan.

8.4 Townscape, Design & Heritage Impact

Legislative & Policy Context

Whilst there is no statutory duty to take account of effect on the setting of a conservation area, Policy 39(K) in the City Plan 2019-2040 requires that features that contribute positively to the setting conservation will be conserved and opportunities to enhance the setting of conservation area will be taken.

Furthermore Chapters 12 and 16 of the NPPF require great weight be placed on design quality and the preservation of designated heritage assets including their setting. Chapter 16 of the NPPF clarifies that harmful proposals should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, taking into account the statutory duty to have special regard or pay special attention, as relevant. This should also take into account the relative significance of the affected asset and the severity of the harm caused.

Assessment

The eight adjoining terrace houses form part of a wider terrace of 12 unlisted houses. Built in the 1950's the buildings have a modest scale and unassuming character. Whilst the buildings have limited architectural value, their uniformity is a notable quality which contributes positively to the streetscape character.

The existing properties exhibit timber framed sash windows, which are not entirely traditional, with the first-floor windows appearing more squat than vertical. The introduction of slightly more traditionally proportioned windows would be an improvement; however, it is acknowledged that the new windows would dilute the uniformity of the terrace given the works would not extend to Nos. 21-27. However, that alone does not justify a refusal on design and townscape grounds.

A number of objections to the proposed mansard extension have been received from neighbouring properties, which include concerns relating to their bulk and the uniformity of the terrace. Whilst the terrace currently presents an unaltered and uniform roof line, the terrace is neither listed nor within a designated conservation area. Policy 40 suggests that a co-ordinated approach to upwards extensions will be considered, i.e. when they are proposed as a group but will be subject to a legal agreement insuring they are constructed simultaneously. An objection was also raised that only part of the terrace is proposed to be extended, and this would unbalance the composition of the terrace. Whilst the proposals do not include no. 21-25, leaving an unaltered section at the northern end of the terrace, a larger part of the terrace will be extended, and in conjunction with the fenestration alterations, the eight properties will continue to be a coherent group. Whilst it would be desirable to extend upward across the entire terrace, due to their leases this is not possible. On balance, in light of the majority of the terrace being extended and with the S106 legal agreement in place, the proposals are considered supportable on townscape and design grounds.

In terms of their detailed design, the proposed flat-topped mansards will feature two modest dormers to the front and one to the rear and are of an appropriate height and scale, which is compliant with policy 40 E (3). Details of the new PV panels to the rear elevation of the roof will be secured by condition.

The mansards are of an appropriate scale and appearance and will provide a consistent roof line along the majority of the terrace. The mansards are subsequently supported on design and townscape grounds.

Currently many of the properties within the terrace exhibit single-storey rear extensions which are of a similar projection but are inconsistent in form and appearance. Proposals include the introduction of a full width ground floor extension with a setback half width extension at first floor level to each property. The extensions would present both additional height and bulk, but not so significant to be detrimental in townscape terms. The consistent approach taken across the terrace will also re-establish a coherent appearance, which is welcome.

Single storey basements extensions are proposed beneath the footprint of each property (5-19), each featuring a modest light-well parallel with the rear building line of the proposed ground floor extension, with a glass bridge over to access the rear garden. The external features of the basements are to the rear of the buildings and are modest. The basements are considered to comply with policy 45 A (4), as detailed in section 8.8 of this report, and supported on design and townscape grounds.

In summary, the elevation alterations, roof, rear and basement extensions, will create a visually appropriately coherent terrace, which will not have a harmful impact on the appearance of the area or on the setting of the Belgravia Conservation Area. However, to achieve this, it is essential that the development to build the mansards and alterations to front facade are undertaken simultaneously across the eight properties.

Archaeology

The 8 sites are located within the Pimlico Archaeological Priority Area. An archaeological desk-based assessment has been submitted in support of the 8 applications. The Greater London Archaeology Advisory Service has been consulted and concluded that the proposals are unlikely to have a significant effect on heritage assets of archaeological interest, so no further assessment is required.

8.5 Residential Amenity

Objections have been received on the grounds of loss of light, overshadowing, sense of enclosure, overlooking and loss of privacy.

Policy 7 of the City Plan relates to managing development for Westminster's people. It states that development will be neighbourly by protecting and where appropriate enhancing amenity, by preventing unacceptable impacts in terms of daylight and sunlight, sense of enclosure, overshadowing, privacy and overlooking.

Policies 33 and 38 of the City Plan are also relevant in assessing the impact of the schemes on the environment of the local residents.

Daylight & Sunlight

The applicant has provided a daylight and sunlight report for each application that identifies the nearest residential properties that could be affected by the proposal, namely 4 to 20 Passmore Street and 21 Passmore Street. Given the relationship between the 8 application sites and the windows serving Lumley Flats buildings, it is not considered that the proposals will result in noticeable loss of daylight and sunlight to those windows even if they have not been included within the assessment.

The City Council generally has regard to the standards for daylight and sunlight as set out in the Building Research Establishment (BRE) 'Site Layout Planning for Daylight and Sunlight – a Guide to Good Practice' (2022), whilst recognising that these Guidelines should be applied flexibly.

The recommendation in the BRE guide is that a window may be affected if the vertical sky component (VSC) measured at the centre of the window is less than 27% with a reduction of over 20% of existing daylight (VSC) levels likely to be noticeable. In conjunction with the VSC test, the BRE guidelines also recommends that the daylight distribution is assessed using the No Sky Line (NSL) test, where internal arrangements are known. If the NSL moves so that the area of the existing room which receives direct skylight is reduced by over 20%, this is likely to be noticeable.

The BRE Guidelines explain that the advice given is not mandatory, that the numerical guidelines should be interpreted flexibly, for example in an historic city centre, or in an area with modern high-rise buildings, a higher degree of obstruction may be unavoidable. In special circumstances the Planning Authority may wish to use different target values. Inner city development is one of the examples where a different approach might be justified. This approach is encouraged by the London Plan's Housing Supplementary Planning Guidance which states that 'guidelines should be applied

sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets.' It goes on to state that 'the degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London.'

In respect of sunlight, the BRE guide suggests that a dwelling will appear reasonably well sunlit provided that at least one main window wall faces within 90% of due south and it receives at least a quarter of annual probable sunlight hours (APSH), including 5% of PSH during the winter months. As with the tests for daylighting, the guidance recommends that any reduction below this level should be kept to a minimum.

The report shows that windows within 4 to 20 Passmore Street will comply with BRE guidelines for daylight and sunlight.

At 21 Passmore Street, all residential windows will comply with BRE guidelines with regards to VSC and NSL criteria. Two windows will experience Winter APSH losses beyond BRE guidelines, they are located to the rear of the property. One window is a rooflight serving a living room at ground floor level and the other serves a bedroom at first floor level. The annual APSH for both windows will remain compliant with BRE guidelines. The living room is served by 2 other windows that would not experience sunlight losses. The impact to the single-dwellinghouse at 21 Passmore Street in terms of winter APSH is not considered harmful to justify a refusal on loss of sunlight.

Therefore, despite the objections on loss of light and overshadowing it is not considered reasonable to withhold permission on loss of daylight and sunlight.

Sense of Enclosure

An objection on sense of enclosure has been received.

An increase in a sense of enclosure occurs where development would have an adverse overbearing effect that would result in an unduly oppressive living environment. Policy 7 aims to prevent unacceptable impacts in terms of sense of enclosure.

The distance between the properties on the other side of Passmore Street is over 9m. It is not considered that increasing the 8 properties by one storey will cause the occupiers of properties on the opposite side of Passmore Street to feel too shut in.

The closest windows serving Lumley Flats serve Nos 111 to 120. Given the position of 5, 7, 9, 11 and 15 Passmore Street in relation to those windows, the proposed roof, ground and first floor extensions to those sites will not have any significant impact in terms of sense of enclosure.

The rear elevations at 13, 17 and 19 Passmore are the closest to the Lumley Flats windows. Given the orientation of the Lumley Flats windows and the size and position of the roof, rear ground and first floor extensions the proposals are not considered to materially cause a sense of enclosure for those flats.

It is not considered sustainable to withhold permission for the three-storey buildings given the existing relationship with neighbouring properties.

Privacy

Overlooking from the introduction of new windows at new second floor level has been raised as a concern by objectors. There are existing windows to the front and rear elevations of the 8 properties. The new windows to the proposed mansard roof will not project further than the existing windows and they are of typical size. The properties on the opposite side of Passmore Street are over 9m away. Therefore, it is not considered that the second-floor windows will worsen the existing relationship between the properties in terms of overlooking and privacy.

The second and first floor flat roofs to the rear are to provide green and blue roofs only, a condition is recommended to prevent their use as amenity space.

Noise & Vibration

The proposals include the installation of an air source heat pump to the rear lightwell for each property. Following officer comment that the acoustic report should take into consideration the cumulative impacts of the installation of 8 heat pump units, a revised acoustic report has been submitted confirming that the proposed mitigation measure (the installation of an acoustic enclosure) will negate any cumulative impact. The document has been reviewed by an Environmental Health officer who has no objection in terms of noise and vibration subject to the standard noise conditions.

Our standard noise conditions are considered sufficient to address the concerns raised in the objection letter on noise nuisance grounds.

8.6 Transportation, Accessibility & Servicing

Highway Impact

The proposal has no transportation or highways impact.

Waste & Recycling Storage

Following officer comment revised drawings have been submitted during the course of consideration of the application, showing adequate provision for waste and recycling storage for each property. This will be secured by condition.

8.7 Economy including Employment & Skills

Whilst the development is of insufficient scale to require an employment and skills plan, it will contribute positively to the local economy during the construction phase through the generation of increased opportunities for local employment, procurement and

spending.

8.8 Other Considerations

Basement

The proposals involve the creation of a basement level underneath the footprint of each building (including the proposed rear extension) and associated lightwell to the rear outdoor space. City Plan Policy 45 relates to basement developments. It is noted that the site is not located within a Flooding Hotspot area.

Objections from the Belgravia Neighbourhood Forum and local residents to the basement excavation works have been received on the grounds of potential damage to neighbouring buildings, flood risk, lack of cumulative assessment and the fact that it is contrary to Policies 33 and 45. One of the letters of objection specifically requests a legal agreement to secure costs for necessary repairs or a condition securing a risk assessment and mitigation strategy.

Part A. 1-4 of Policy 45

These parts of the policy relate to structural stability; surface water and sewerage flooding; minimising the impact at construction and occupation stages; protecting heritage assets and conserving the appearance of the of the appearance of the existing building, garden setting and the surrounding area.

The applicant has provided a Structural Methodology Statement relating to the basement prepared by an appropriately qualified structural engineer.

The documents have been reviewed by Building Control who advise that the submitted Structural Method Statement is compliant and acceptable. The officer also advised the investigation of existing structures and geology is sufficient in detail. The likelihood of local flooding or adverse effects on water table has been found negligible. The officer confirmed that the proposed basements are well above ground water level so the cumulative effect of these basements will not have adverse effect on water table and therefore no further information is required on this matter.

The new basement construction using a combination of traditional reinforced concrete L-shaped retaining walls with a reinforced concrete cement ground bearing basement slab is considered to be appropriate for this site. The scheme is justified structurally, and the proposal is considered to be viable. From the preliminary structural information provided at this stage, the consulting engineer is considered to be of sufficient experience to give us confidence that all such alterations will address our usual concerns, sufficient detailed structural analysis and design information to be submitted at later stages.

The purpose of the structural methodology report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the 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. Therefore, we are not approving this report or conditioning that the works shall necessarily be carried out in accordance with the report. Its purpose is to show, with professional duty of care, that there is no reasonable impediment foreseeable at this stage to the scheme satisfying the Building Regulations in due course. This report will be attached for information purposes to the draft decision letter. That is why no legal agreement or conditions securing additional information in relation to the impact to neighbouring properties can be secured as part of the planning process.

The only external manifestation of the basement is the creation of the lightwell to the rear of each property. It is considered given its size and location that it will not negatively impact the character and appearance of the buildings and the surrounding area.

Part B 1-5

This part of the policy relates to the extent and depth of basements. This includes limiting the extent and depth of basement developments so to reduce both the risks associated with basement development and to mitigate any negative environmental and amenity impacts. Basement developments are typically (unless exceptions apply) limited to a single storey and must not extend more than 50% of the garden land. Where basements shall not reside directly underneath the building footprint, a minimum of one metre of soil depth (plus minimum 200mm drainage layer) and adequate overall soil volume above the top cover of the basement must be provided. In addition, a margin of undeveloped land should be left, proportionate to the scale of the development and the size of the garden, around the entire site boundary.

The entire basement would be under the footprint of the building meaning that there would be no requirement for soil depth above the basement or any margin of undeveloped land and the associated lightwell would meet the requirement that it does not extend underneath 50% of garden land. The proposed basement is only one storey and would not extend under the highway. During the course of consideration of the application, drawings have been provided to confirm that there will be no underpinning necessary beyond the front wall of the main houses.

The basement extension is considered to be acceptable and compliant with City Plan Policy 45. It is not considered reasonable to withhold permission for insufficient information.

Construction works impacts.

Noise and disturbance during the construction works, in particular the excavation works, and associated vehicular obstruction are raised as grounds of objection by local residents and the Belgravia Neighbourhood Forum.

Policy 33 requires projects which have significant local impacts to mitigate their effects during construction through compliance with the Code of Construction Practice.

It is inevitable that the construction of the proposed development will cause noise and disturbance to local residents and businesses. It is considered that through appropriate controls and careful management the impact from construction works can be lessened.

The City Council's Code of Construction Practice (CoCP) and associated Environmental Inspectorate have been developed to mitigate against construction and development impacts on large and complex development sites and basement excavation works.

The CoCP will require the developer to provide a bespoke Site Environmental Management Plan (SEMP), which will need to be approved by the City Council's Environment Inspectorate team. This would need to include site construction logistics, working hours, environmental nuisance, identification and description of sensitive receptors, construction management, matters relating to dust, noise and vibration from works and local community liaison.

The applicant has submitted an agreed Appendix A for the CoCP and it is recommended that a condition is attached to the eight planning applications requiring that the construction method is agreed with Environmental Services prior to commencement. It is considered that this is the best method to address potential construction disturbance for neighbouring properties.

A condition is also recommended to protect the amenity of the surrounding area by ensuring the core working hours are kept to 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturday. The condition states that noisy work must not take place outside these hours except as may be exceptionally agreed by other regulatory regimes such as the police, by the highways' authority or by the local authority under the Control of Pollution Act 1974.

Those conditions are considered sufficient to address the local residents' concerns about nuisance during construction works.

8.9 Environmental Impact Assessment

The proposed development is not of sufficient scale or impact to require an Environmental Impact Assessment.

8.10 Planning Obligations & Pre-Commencement Conditions

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

- i. ensuring that the building contract entered into by the owners of the buildings at 5 to 19 Passmore Street requires that the construction works (to build the mansards and alterations to front facade) are carried out as a single operation; and
- ii. the cost of monitoring the agreement.

The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 requires the City Council to obtain the applicant's written agreement before imposing pre-commencement conditions (i.e. conditions which must be discharged before works can start on site) on a planning permission. Pre-commencement conditions can only be imposed without the written agreement of the applicant where the applicant fails to provide a substantive response within a 10-day period following notification by the Council of the proposed condition, the reason and justification for the condition.

During the course of this application a notice was served relating to the proposed imposition of a pre-commencement condition to secure the applicant's adherence to the City Council's Code of Construction Practice during the demolition/excavation and construction phases of the development and a detailed site investigation to find out if the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment and the submission of a reclamation audit. The applicant has agreed to the imposition of the conditions.

9 Conclusion

The applications provide the opportunity to provide additional residential floorspace to eight separate properties in line with Policy 8 of the City Plan.

The proposal is considered acceptable in design terms, mindful of policies 38, 39, 40 and 45 of the Westminster City Plan 2019-2040 (April 2021) creating a visually appropriately coherent terrace, achieving more energy efficient buildings and causing no significant harm to the setting of the character and appearance of the Belgravia Conservation Area a designated heritage asset. The proposal would also be compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Whilst recognising the concerns raised by the objectors, the proposal is considered acceptable in land use, design, conservation, sustainability, basement policy and amenity terms and compliant with City Plan policies 7, 8, 33, 34, 35, 36 and 38.

(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: MATTHEW MASON BY EMAIL AT mmason@westminster.gov.uk.

10 KEY DRAWINGS



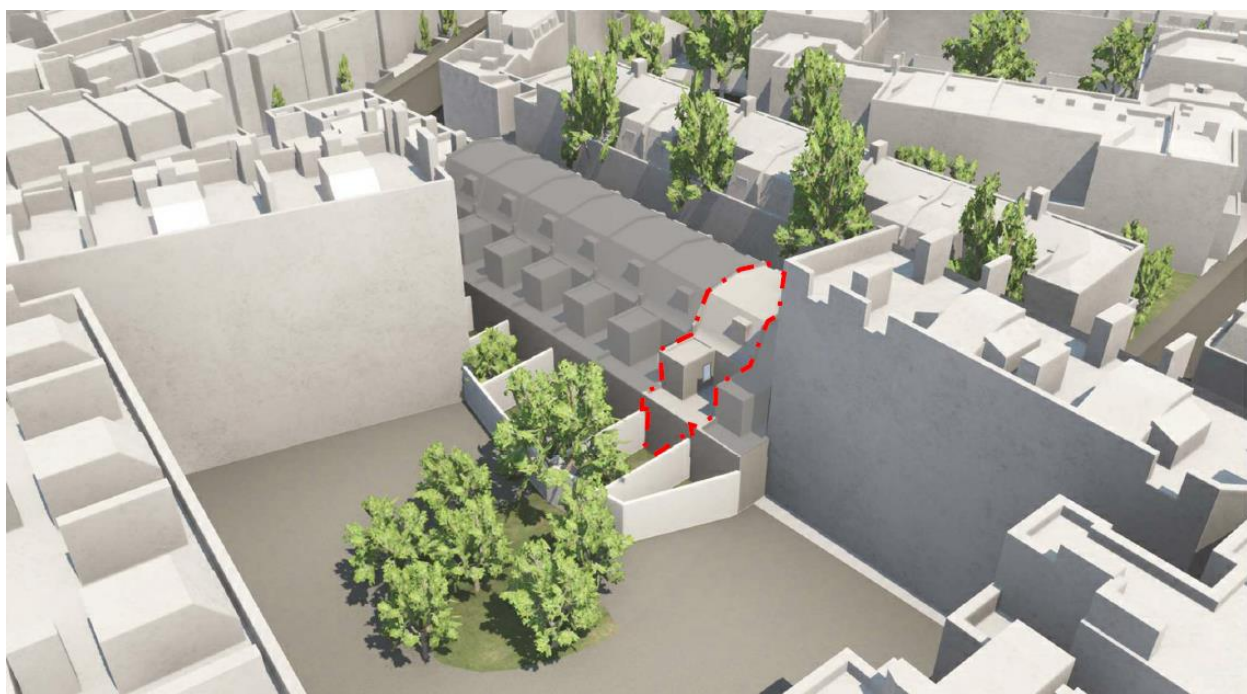
Existing street elevation



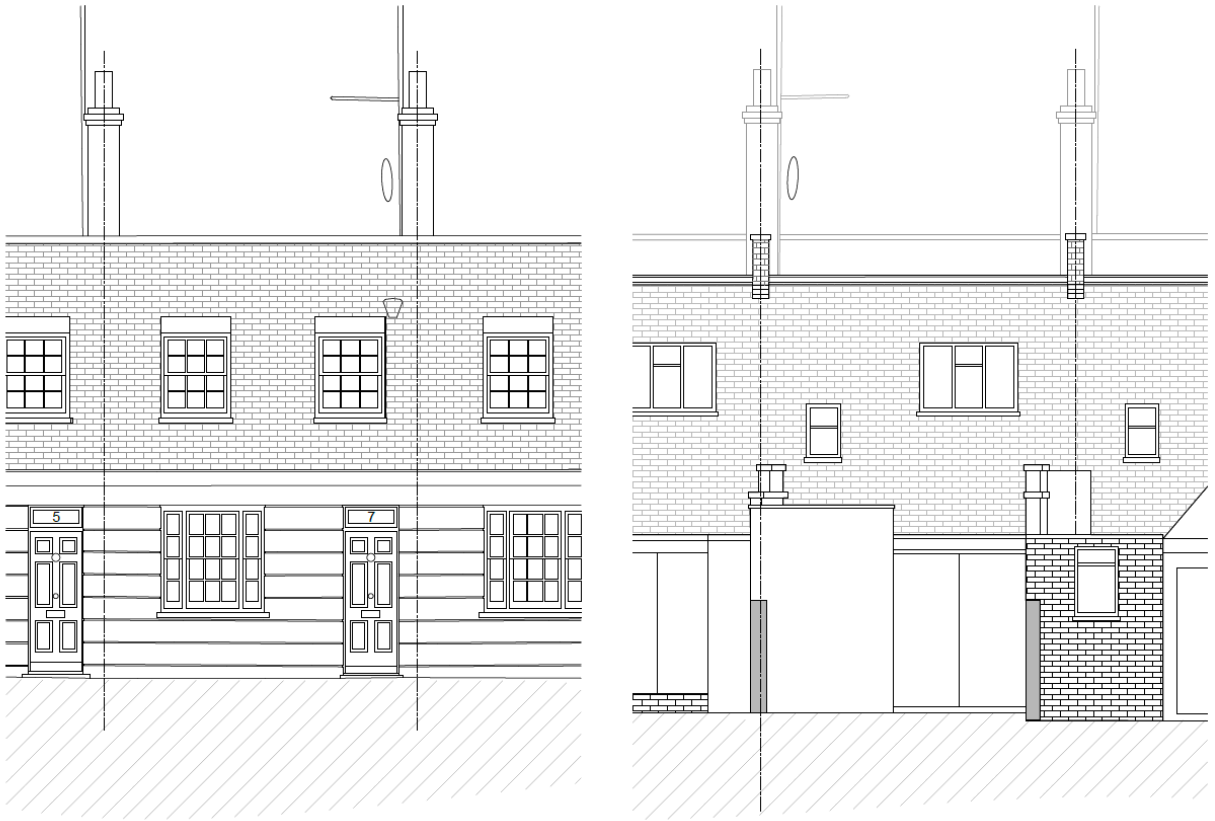
Proposed street elevation



Existing view from the rear of the terrace – 7 Passmore Street highlighted



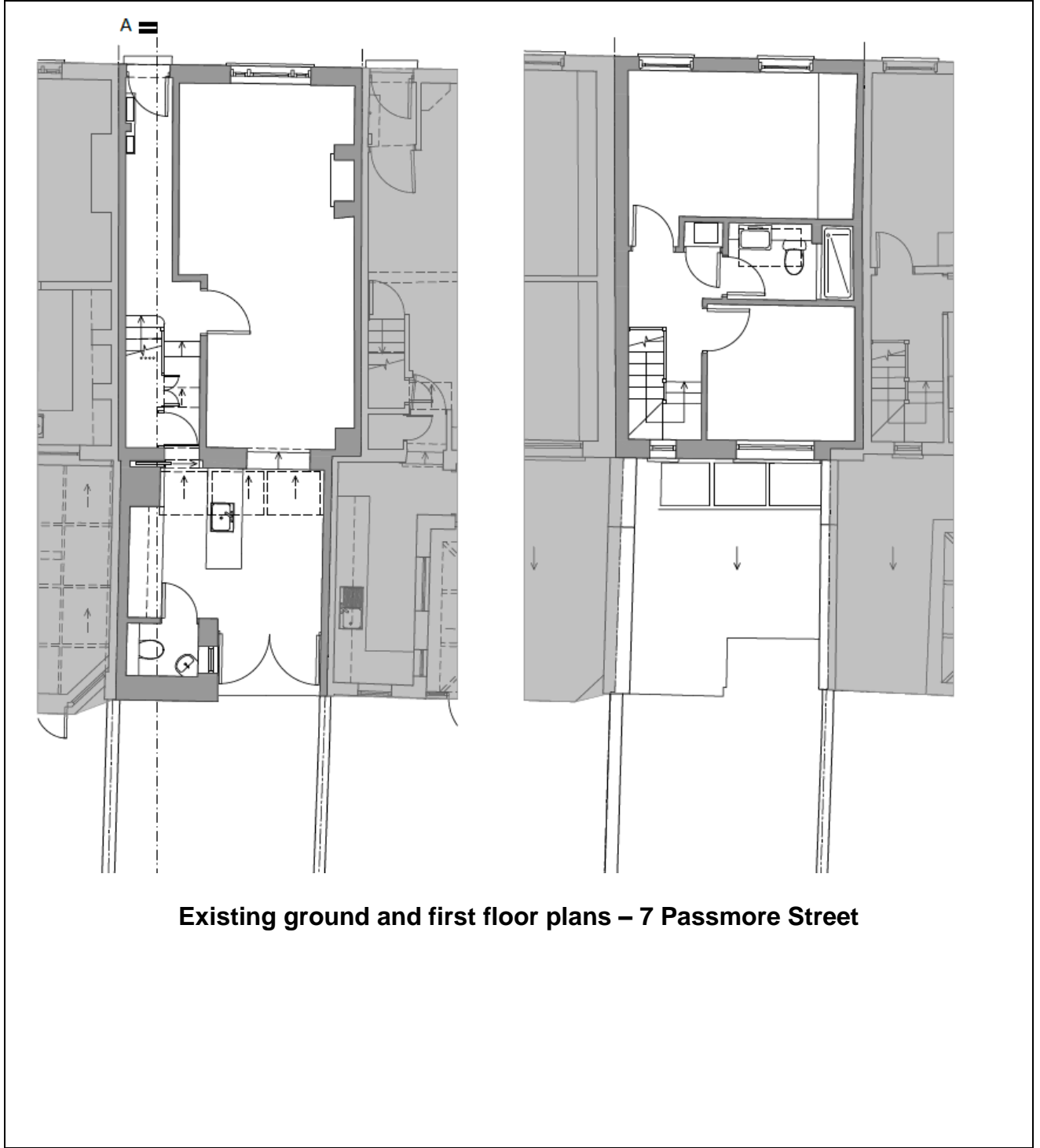
Proposed view from the rear of the terrace – 7 Passmore Street highlighted



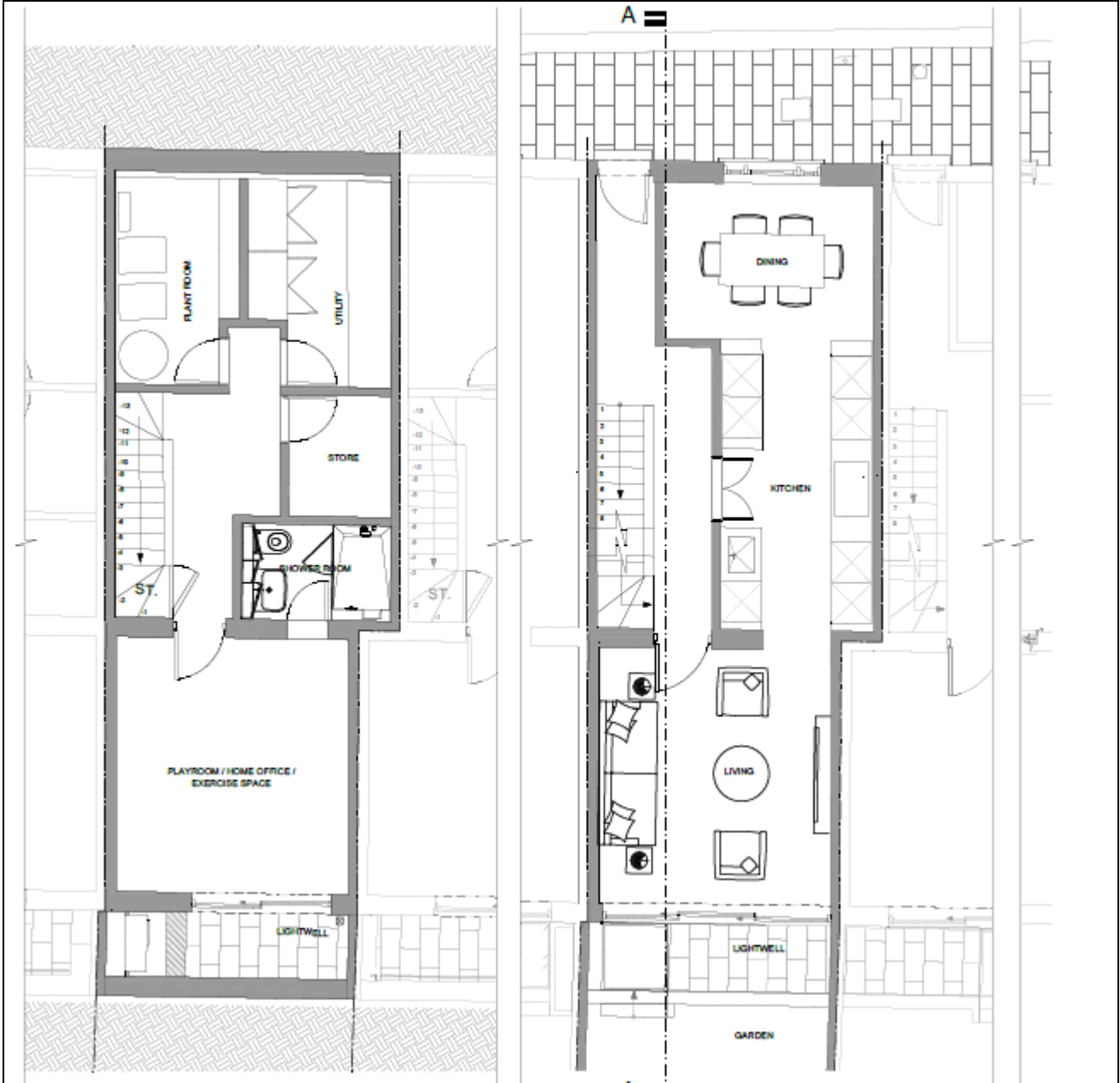
Existing front and rear elevations – 7 Passmore Street



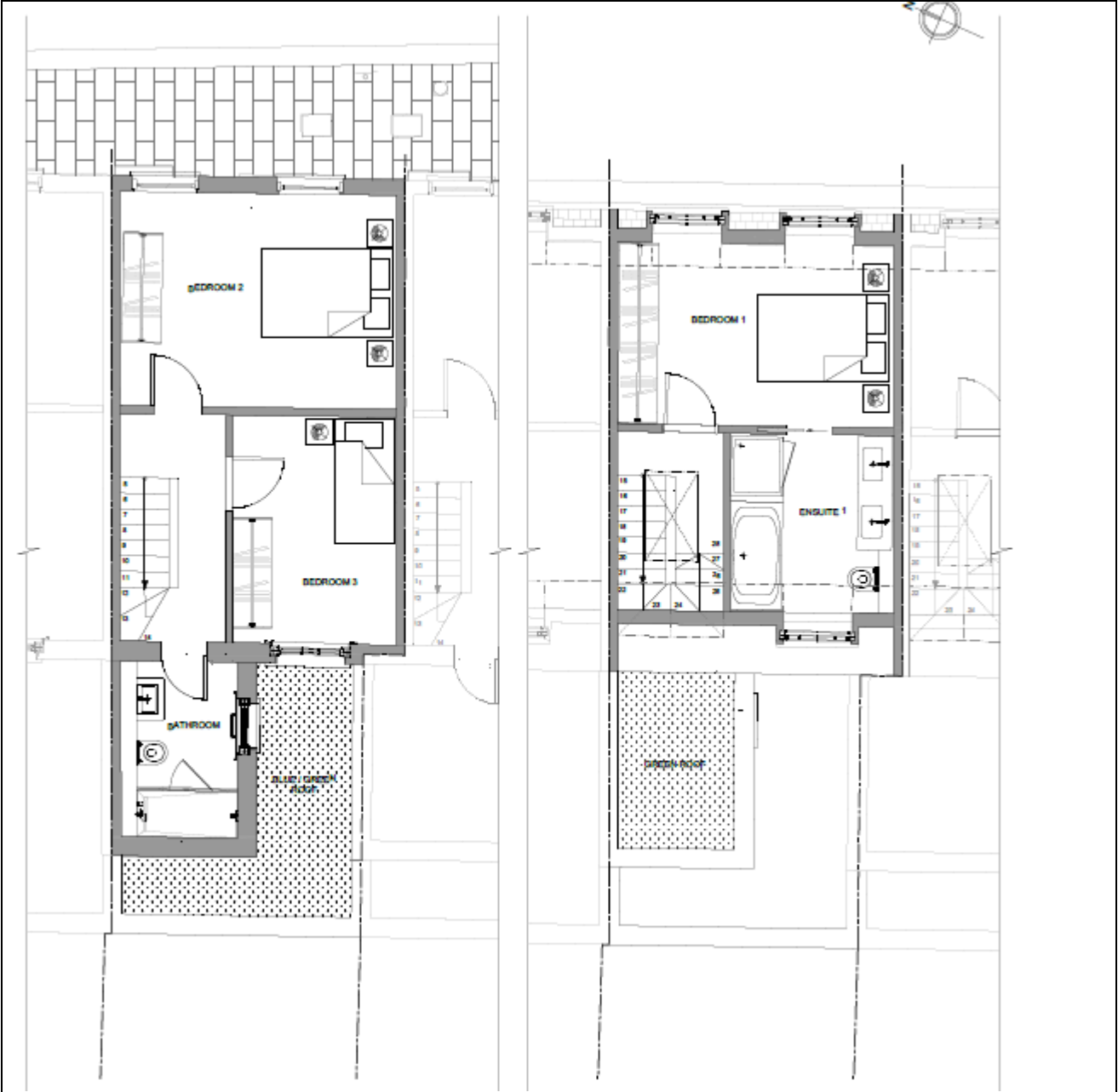
Proposed front and rear elevations – 7 Passmore Street



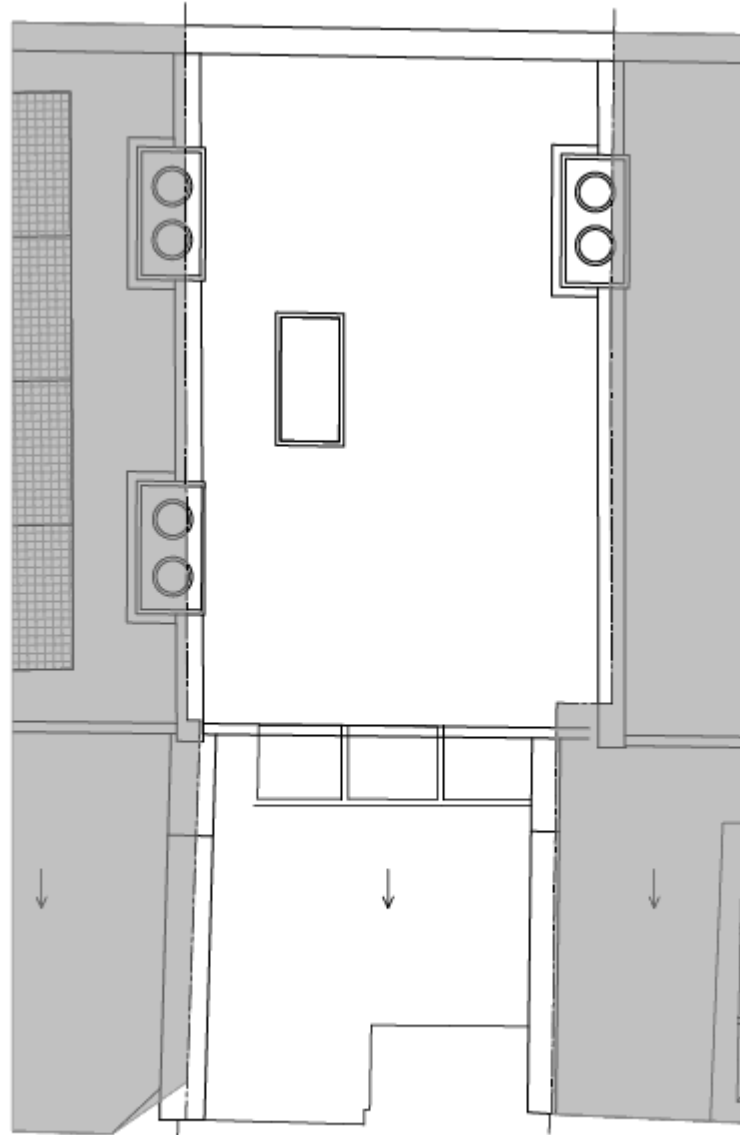
Existing ground and first floor plans – 7 Passmore Street



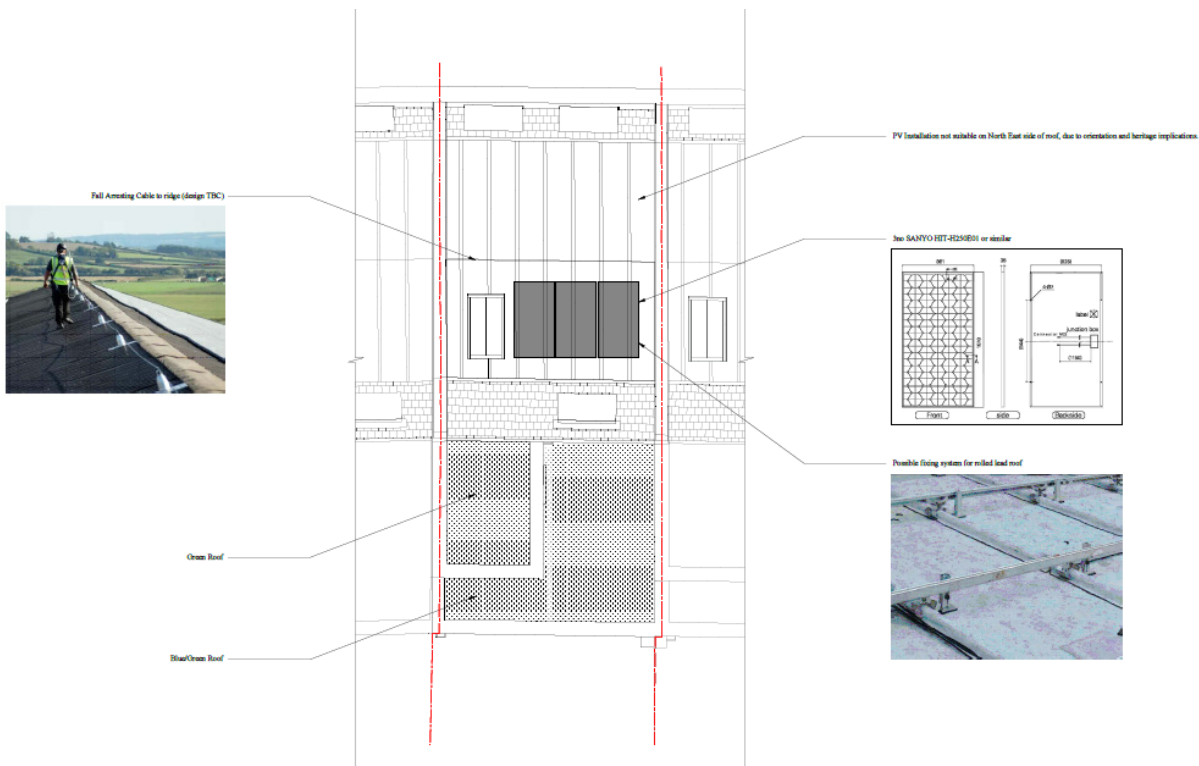
Proposed basement and ground floor plans – 7 Passmore Street



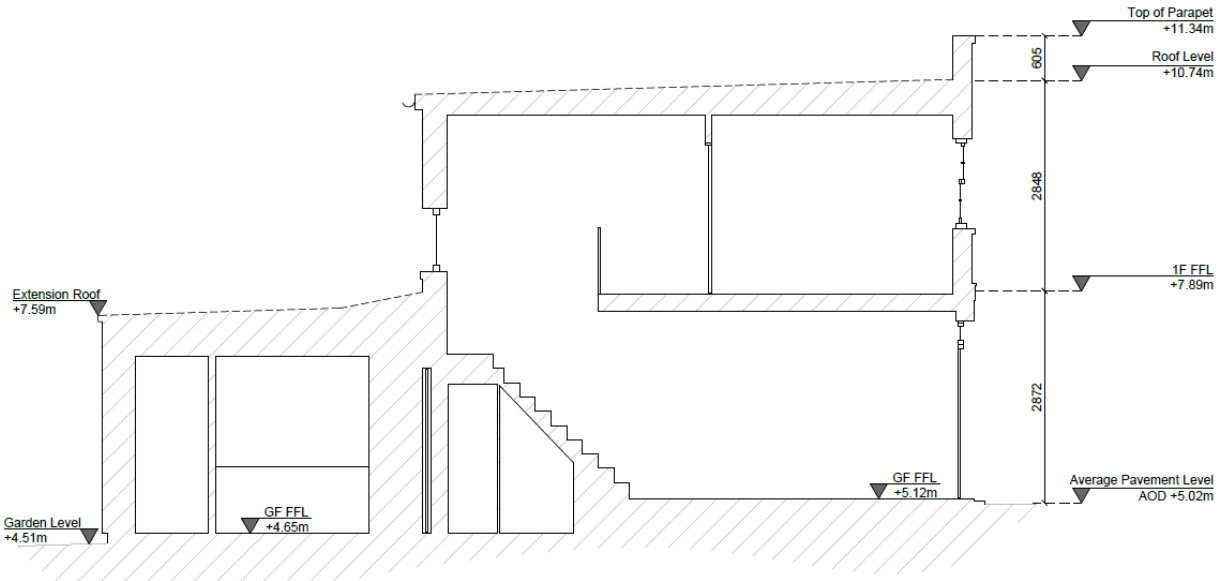
Proposed first and second floor plans – 7 Passmore Street



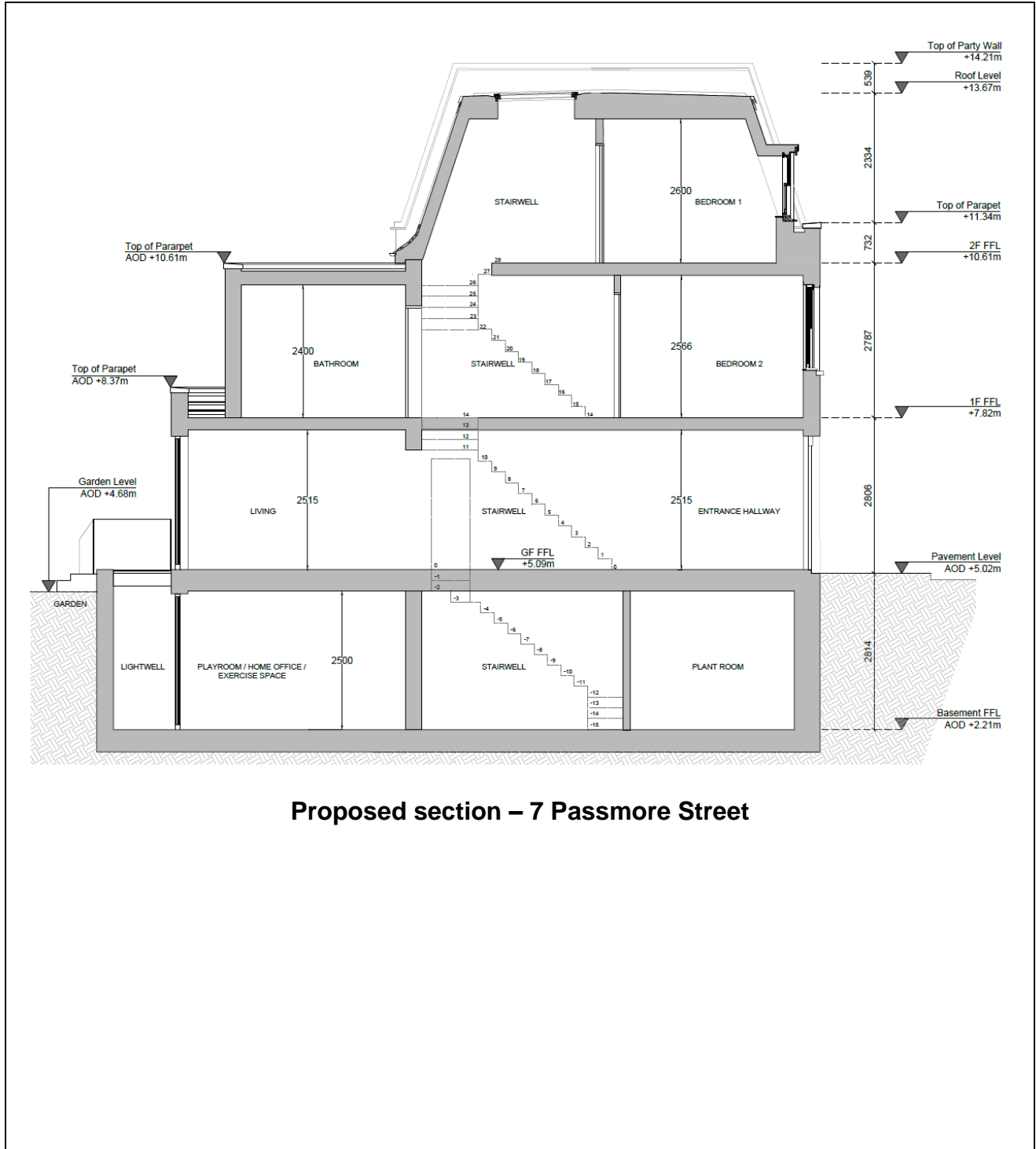
Existing roof plan – 7 Passmore Street

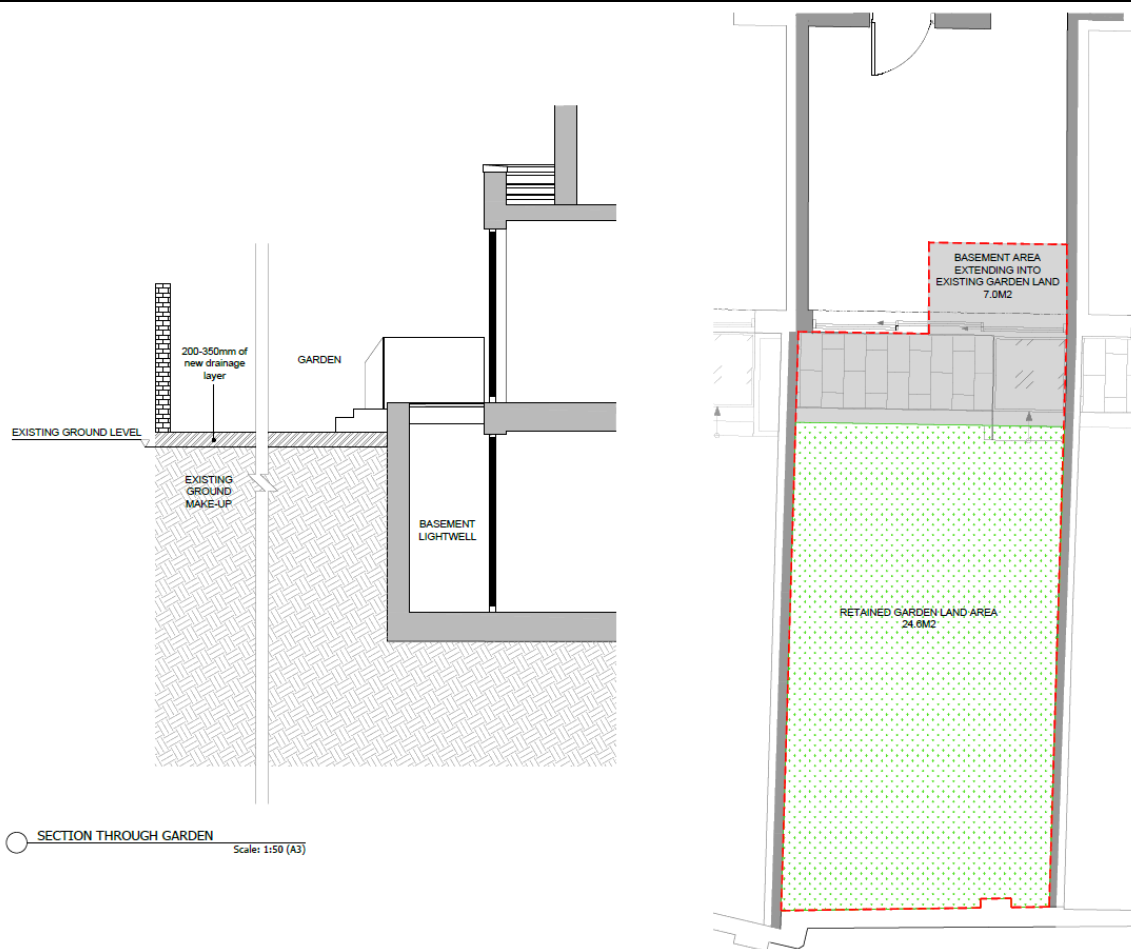


Proposed roof plan – 7 Passmore Street



Existing section – 7 Passmore Street





Relationship between proposed basement and existing garden – 7 Passmore Street

DRAFT DECISION LETTER

Address: 5 Passmore Street, London, SW1W 8HR

Proposal: Demolition and rebuilding behind retained front facade and party walls with alterations to front fenestration, provision of a new basement, mansard roof, extensions at rear ground and first floor level and installation of air source heat pump in rear basement lightwell.

Reference: 22/07960/FULL

Plan Nos: Location plan; Site plan; 673-P-D-001; 673-P-D-009; 673-EX-001; 673-EX-009; 673-EX-017; 673-P-001; 673-P-009; 673-P-017; 673-P-025; 673-P-033; 673-P-034 (x2); 673-P-034 Rev. A; 673-P-046; Arboricultural impact assessment and method statement Ref: AAAIA5PA dated 1 September 2022; Tree survey prepared by Arbtech dated 18 August 2022; Appendix A checklist; Noise Assessment for Planning prepared by Inacoustic dated 16th December 2022; Passivhaus EnerPhit Accreditation Ref: 673/05/001 dated 12 April 2023.

For information only : Design and access statement; Phase 1 Desk study from A2 Site investigation ref: 23322-A2SI-05-XX-RP-Y-0001-00 dated 7th October 2022; Interpretative Report from A2 Site investigation ref: 23322-A2SI-05-XX-RP-Y-0003-00 dated 21st November 2022; Factual Report from A2 site investigation ref: 23322-A2SI-XX-XX-RP-X-0002-00 dated 15th November 2022; An archaeological desk-based assessment prepared by Pre-Construct Archaeology dated July 2022; Basement impact review from A2 Site investigation Ref: 23322-A2SI-05-XX-RP-Y-0004-00 dated 21 November 2022; Draft construction management plan; Building Damage Ground Movement Assessment from A2 Site investigation Ref: 23322-A2SI-05-XX-RP-Y-0005-00 dated 21 November 2022; Daylight and sunlight assessment Ref: DR/JB/Pa12 dated 7 October 2022; Flood risk assessment prepared by Herrington Consulting Ltd dated October 2022; Heritage statement dated October 2022; Planning statement dated November 2022; Structural engineer's structural method statement rev. P2 dated 17 November 2022; Community consultation report dated 16 November 2022; 9611-FSD-ZZ-ZZ-DR-S-5050 P1.

Case Officer: Aurore Manceau

Direct Tel. No. 07779567368

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 Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 3 **Pre Commencement Condition.** Prior to the commencement of any:

- (a) demolition, and/or,
- (b) earthworks/piling and/or,
- (c) construction

on site you must apply to us for our written approval of evidence to demonstrate 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 the relevant completed Appendix A checklist from the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Sciences Team, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of the relevant stage of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval through submission of details prior to each stage of commencement. (C11CD)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 4 **Pre Commencement Condition.** You must carry out a detailed site investigation to find out if the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology and general requirements outlined in 'Contaminated Land Guidance for Developers submitting planning applications' - produced by Westminster City Council in January 2018.

You must apply to us for approval of the following investigation reports. You must apply to us and receive our written approval for phase 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed but before it is occupied.

Phase 3: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate. (C18AA)

Reason:

To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in Policy 33(E) of the City Plan 2019 - 2040 (April 2021). (R18AB)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 6 You must apply to us for approval of details of the following parts of the development:
- i) windows - elevations and sections scaled 1:10;
 - ii) dormer window details - sections and elevations scale 1:10;
 - iii) details of rooflights - an in-context section showing its upstand; and
 - iv) PV panels- in-context section at 1:10 showing its upstand.

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these details. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 7 The mansard must be covered in natural slate and so maintained.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 8 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 9 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 5 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing 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 written 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 LA90 (15 minutes) 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.

(C46BC)

Reason:

As set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R46BC)

- 10 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 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property. (C48AB)

Reason:

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise environment in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R48AB)

- 11 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number 673-P-034 rev.A and thereafter you must permanently retain them for the storage of waste and recycling. You must clearly mark them and make them available at all times to everyone using the dwellinghouse. (C14FC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)

- 12 **Pre Commencement Condition.** You must carry out a detailed reclamation audit and apply to us for approval of the audit including the following parts :

1. The reclamation audit should identify any building materials and products presenting a high reuse potential. The audit should also list any other reusable building elements. The inventory should present as much information as possible on the dimensions, quantities, conditions, environmental impact, technical characteristics, disassembly

recommendations, etc of the materials and products identified. If an existing concrete frame is present a specialist should investigate the quality of the recycled concrete aggregates and their re-usability potential before full demolition is considered. If windows are present, they should be dismantled first and sent to glass recyclers for clear glass cullet production (minimising contamination).

2. Based on the audit, the design team should demonstrate that any new-built project is designed incorporating at least 20% of the on-site materials identified for re-use, producing 'Dismantling for reuse' specifications.

3. For any materials that are not re-used on-site, but identified as having re-use potential, the design team should advertise the availability of these potentially reusable materials to reclamation professionals (such as the Excess Material Exchange platform led by Enfield Council) and other interested parties who will contribute to the effective circulation of the elements. Meeting minutes from attending a 'Circular Economy surgery' or workshop with such platforms will be sufficient.

4. New developments should be designed for deconstruction, and end of life scenario for each building element should be demonstrated.

5. All proposals, including retrofit of existing building elements, should prioritise sustainable material procurement, sourcing products with high recycled content or construction materials with a circular business model (take-back schemes etc).

You must not start any demolition works until we have approved what you have sent us. You must then carry out the works according to these details.

Reason:

To protect the environment as set out in Policy 37 of the City Plan 2019 - 2040 (April 2021).

- 13 You must submit to us for approval a Whole Life Carbon assessment based on as-built information no later than 3 months post construction.

Reason:

To protect the environment as set out in Policy 37 of the City Plan 2019 - 2040 (April 2021).

- 14 You must provide, maintain and retain the following flood mitigation measures before you start to use any part of the development, as set out in your application.

Green and blue roofs and basement sump and pump system.

You must not remove any of these features. (C44CA)

Reason:

To alleviate and manage flood risk. This is as set out in Policy 35 of the City Plan 2019 - 2040 (April 2021).

- 15 You must provide, maintain and retain the following energy efficiency measures before you start to use any part of the development, as set out in your application.

Three PV panels and air source heat pump.

You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44AD)

- 16 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green and blue roofs to include construction method, layout, species and maintenance regime.

You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan. (C43GA)

Reason:

To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43FC)

- 17 You must not use the new first and second floor roofs 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.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out Policies 7 and 38 of the City Plan 2019 - 2040 (April 2021). (R21AD)

- 18 You must protect the trees according to the details, proposals, recommendations set out in the Arboricultural Impact Assessment and Method Statement by All Arboriculture. You must undertake the special methods of working and arboricultural supervision according to these details. If you need to revise any of these tree protection provisions, you must apply to us for our approval of the revised details, and you must not carry out work the relevant part of the development 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 trees are adequately protected during building works. This is as set out in Policies 34 and 38 of the City Plan 2019 – 2040 (April 2021).

- 19 The development hereby approved shall achieve EnerPhit certification. Post-completion EnerPhit certification issued by an independent third-party assessor, that confirms that the development has been completed in accordance with all Passivhaus performance criteria shall be submitted to us for our approval within three months of first occupation of the development.

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44AD)

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 the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
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Your completed and signed Checklist A (for Level 1 and Level 2 developments) or B (for basements) and all relevant accompanying documents outlined in Checklist A or B, e.g. the full Site Environmental Management Plan (Levels 1 and 2) or Construction Management Plan (basements), must be submitted to the City Council's Environmental Inspectorate (cocp@westminster.gov.uk) **at least 40 days prior to commencement of works** (which may include some pre-commencement works and demolition). The checklist must be countersigned by them before you apply to the local planning authority to discharge the above condition.

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- o The blue and green roofs in relation to the supporting roof structures
 - o The drainage layers
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- 8 As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken 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 trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
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DRAFT DECISION LETTER

- Address:** 7 Passmore Street, London, SW1W 8HR
- Proposal:** Demolition and rebuilding behind retained front facade and party walls with alterations to front fenestration, provision of a new basement, mansard roof, extensions at rear ground and first floor level and installation of air source heat pump in rear basement lightwell.
- Reference:** 22/07964/FULL
- Plan Nos:** Location plan; Site plan; 673-P-D-002; 673-P-D-010; 673-EX-002; 673-EX-010; 673-EX-018; 673-P-002; 673-P-010; 673-P-018; 673-P-026; 673-P-033; 673-P-034; 673-P-035; 673-P-035 Rev. A; 673-P-046; Arboricultural impact assessment and method statement Ref: AAAIA7PA dated 1 September 2022; Tree survey prepared by Arbtech dated 18 August 2022; Appendix A checklist; Noise Assessment for Planning prepared by Inacoustic dated 16th December 2022; Passivhaus EnerPhit Accreditation Ref: 673/07/001 dated 12 April 2023.

For information only : Phase 1 Desk study from A2 Site investigation ref: 23322-A2SI-07-XX-RP-Y-0001-00 dated 7th October 2022; Interpretative Report from A2 Site investigation ref: 23322-A2SI-07-XX-RP-Y-0003-00 dated 21st November 2022; Factual Report from A2 site investigation ref: 23322-A2SI-XX-XX-RP-X-0002-00 dated 15th November 2022; Design and access statement; An archaeological desk-based assessment prepared by Pre-Construct Archaeology dated July 2022; Basement impact review from A2 Site investigation Ref: 23322-A2SI-07-XX-RP-Y-0004-00 dated 21 November 2022; Draft construction management plan; Building Damage Ground Movement Assessment from A2 Site investigation Ref: 23322-A2SI-07-XX-RP-Y-0005-01 dated 21 November 2022; Daylight and sunlight assessment Ref: DR/JB/Pa12 dated 7 October 2022; Flood risk assessment prepared by Herrington Consulting Ltd dated October 2022; Heritage statement dated October 2022; Planning statement dated November 2022; Structural engineer's structural method statement rev. P2 dated 17 November 2022; Community consultation report dated 16 November 2022; 9611-FSD-ZZ-ZZ-DR-S-5050 P1.

Case Officer: Aurore Manceau

Direct Tel. No. 07779567368

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 Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 3 **Pre Commencement Condition.** Prior to the commencement of any:

- (a) demolition, and/or,
- (b) earthworks/piling and/or,
- (c) construction

on site you must apply to us for our written approval of evidence to demonstrate 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 the relevant completed Appendix A checklist from the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Sciences Team, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of the relevant stage of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval through submission of details prior to each stage of commencement. (C11CD)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

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

requirements outlined in 'Contaminated Land Guidance for Developers submitting planning applications' - produced by Westminster City Council in January 2018.

You must apply to us for approval of the following investigation reports. You must apply to us and receive our written approval for phase 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed but before it is occupied.

Phase 3: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate., (C18AA)

Reason:

To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in Policy 33(E) of the City Plan 2019 - 2040 (April 2021). (R18AB)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 6 You must apply to us for approval of details of the following parts of the development:

- i) windows - elevations and sections scaled 1:10;
- ii) dormer window details - sections and elevations scale 1:10;
- iii) details of rooflights - an in-context section showing its upstand; and,
- iv) PV panels - in-context section at 1:10 showing its upstand.

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these details. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 7 The mansard must be covered in natural slate and so maintained.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 8 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

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

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing 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 written 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 LA90 (15 minutes) 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. (C46BC)

Reason:

As set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R46BC)

- 10 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 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property. (C48AB)

Reason:

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise environment in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R48AB)

- 11 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number 673-P-035 rev.A prior to occupation and thereafter you must permanently retain them for the storage of waste and recycling. You must clearly mark them and make them available at all times to everyone using the dwellinghouse. (C14FC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)

- 12 **Pre Commencement Condition.** You must carry out a detailed reclamation audit and apply to us for approval of the audit including the following parts :

1. The reclamation audit should identify any building materials and products presenting a high reuse potential. The audit should also list any other reusable building elements. The inventory should present as much information as possible on the dimensions, quantities, conditions, environmental impact, technical characteristics, disassembly recommendations, etc of the materials and products identified. If an existing concrete frame is present a specialist should investigate the quality of the recycled concrete aggregates and their re-usability potential before full demolition is considered. If windows are present, they should be dismantled first and sent to glass recyclers for clear glass cullet production (minimising contamination).

2. Based on the audit, the design team should demonstrate that any new-built project is designed incorporating at least 20% of the on-site materials identified for re-use, producing 'Dismantling for reuse' specifications.

3. For any materials that are not re-used on-site, but identified as having re-use potential, the design team should advertise the availability of these potentially reusable materials to reclamation professionals (such as the Excess Material Exchange platform led by Enfield Council) and other interested parties who will contribute to the effective circulation of the elements. Meeting minutes from attending a 'Circular Economy surgery' or workshop with such platforms will be sufficient.

4. New developments should be designed for deconstruction, and end of life scenario for each building element should be demonstrated.

5. All proposals, including retrofit of existing building elements, should prioritise sustainable material procurement, sourcing products with high recycled content or construction materials with a circular business model (take-back schemes etc).

You must not start any demolition works until we have approved what you have sent us. You must then carry out the works according to these details.

Reason:

To protect the environment as set out in Policy 37 of the City Plan 2019 - 2040 (April 2021).

- 13 You must submit to us for approval a Whole Life Carbon assessment based on as-built information no later than 3 months post construction.

Reason:

To protect the environment as set out in Policy 37 of the City Plan 2019 - 2040 (April 2021).

- 14 You must provide, maintain and retain the following flood mitigation measures before you start to use any part of the development, as set out in your application.

Green and blue roofs and a basement sump and pump system.

You must not remove any of these features. (C44CA)

Reason:

To alleviate and manage flood risk. This is as set out in Policy 35 of the City Plan 2019 - 2040 (April 2021).

- 15 You must provide, maintain and retain the following energy efficiency measures before you start to use any part of the development, as set out in your application.

Three PV panels and air source heat pump.

You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44AD)

- 16 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green and blue roofs to include construction method, layout, species and maintenance regime.

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DRAFT DECISION LETTER

- Address:** 9 Passmore Street, London, SW1W 8HR
- Proposal:** Demolition and rebuilding behind retained front facade and party walls with alterations to front fenestration, provision of a new basement, mansard roof, extensions at rear ground and first floor level and installation of air source heat pump in rear basement lightwell.
- Reference:** 22/07966/FULL
- Plan Nos:** Location plan; Site plan; 673-P-D-003; 673-P-D-011; 673-EX-003; 673-EX-011; 673-EX-019; 673-P-003; 673-P-011; 673-P-019; 673-P-027; 673-P-033; 673-P-034; 673-P-036; 673-P-036 Rev. A; 673-P-046; Arboricultural impact assessment and method statement Ref: AAAIA9PA dated 1 September 2022; Tree survey prepared by Arbtech dated 18 August 2022; Appendix A checklist; Noise Assessment for Planning prepared by Inacoustic dated 16th December 2022; Passivhaus EnerPhit Accreditation Ref: 673/09/001 dated 12 April 2023.

For information only : Phase 1 Desk study from A2 Site investigation ref: 23322-A2SI-09-XX-RP-Y-0001-00 dated 7th October 2022; Interpretative Report from A2 Site investigation ref: 23322-A2SI-09-XX-RP-Y-0003-01 dated 21st November 2022; Factual Report from A2 site investigation ref: 23322-A2SI-XX-XX-RP-X-0002-00 dated 15th November 2022; Design and access statement; An archaeological desk-based assessment prepared by Pre-Construct Archaeology dated July 2022; Basement impact review from A2 Site investigation Ref: 23322-A2SI-09-XX-RP-Y-0004-01 dated 21 November 2022; Draft construction management plan; Building Damage Ground Movement Assessment from A2 Site investigation Ref: 23322-A2SI-09-XX-RP-Y-0005-01 dated 21 November 2022; Daylight and sunlight assessment Ref: DR/JB/Pa12 dated 7 October 2022; Flood risk assessment prepared by Herrington Consulting Ltd dated October 2022; Heritage statement dated October 2022; Planning statement dated November 2022; Structural engineer's structural method statement rev. P2 dated 17 November 2022; Community consultation report dated 16 November 2022; 9611-FSD-ZZ-ZZ-DR-S-5050 P1.

Case Officer: Aurore Manceau

Direct Tel. No. 07779567368

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 Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 3 **Pre Commencement Condition.** Prior to the commencement of any:

- (a) demolition, and/or
- (b) earthworks/piling and/or
- (c) construction

on site you must apply to us for our written approval of evidence to demonstrate 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 the relevant completed Appendix A checklist from the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Sciences Team, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of the relevant stage of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval through submission of details prior to each stage of commencement. (C11CD)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 4 **Pre Commencement Condition.** You must carry out a detailed site investigation to find out if the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology and general requirements outlined in 'Contaminated Land Guidance for Developers submitting

planning applications' - produced by Westminster City Council in January 2018.

You must apply to us for approval of the following investigation reports. You must apply to us and receive our written approval for phase 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed but before it is occupied.

Phase 3: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate., (C18AA)

Reason:

To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in Policy 33(E) of the City Plan 2019 - 2040 (April 2021). (R18AB)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 6 You must apply to us for approval of details of the following parts of the development:

- i) windows - elevations and sections scaled 1:10;
- ii) dormer window details - sections and elevations scale 1:10
- iii) details of rooflights - an in-context section showing its upstand; and
- iv) PV panels - in-context section at 1:10 showing its upstand.

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these details. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 7 The mansard must be covered in natural slate and so maintained.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the

character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 8 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

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

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing 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 written 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 LA90 (15 minutes) 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. (C46BC)

Reason:

As set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R46BC)

- 10 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 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property. (C48AB)

Reason:

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise environment in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R48AB)

- 11 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number 673-P-036 rev.A prior to occupation and thereafter you must permanently retain them for the storage of waste and recycling. You must clearly mark them and make them available at all times to everyone using the dwellinghouse. (C14FC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)

- 12 **Pre Commencement Condition.** You must carry out a detailed reclamation audit and apply to us for approval of the audit including the following parts :

1. The reclamation audit should identify any building materials and products presenting a

high reuse potential. The audit should also list any other reusable building elements. The inventory should present as much information as possible on the dimensions, quantities, conditions, environmental impact, technical characteristics, disassembly recommendations, etc of the materials and products identified. If an existing concrete frame is present a specialist should investigate the quality of the recycled concrete aggregates and their re-usability potential before full demolition is considered. If windows are present, they should be dismantled first and sent to glass recyclers for clear glass cullet production (minimising contamination).

2. Based on the audit, the design team should demonstrate that any new-built project is designed incorporating at least 20% of the on-site materials identified for re-use, producing 'Dismantling for reuse' specifications.

3. For any materials that are not re-used on-site, but identified as having re-use potential, the design team should advertise the availability of these potentially reusable materials to reclamation professionals (such as the Excess Material Exchange platform led by Enfield Council) and other interested parties who will contribute to the effective circulation of the elements. Meeting minutes from attending a 'Circular Economy surgery' or workshop with such platforms will be sufficient.

4. New developments should be designed for deconstruction, and end of life scenario for each building element should be demonstrated.

5. All proposals, including retrofit of existing building elements, should prioritise sustainable material procurement, sourcing products with high recycled content or construction materials with a circular business model (take-back schemes etc).

You must not start any demolition works until we have approved what you have sent us. You must then carry out the works according to these details.

Reason:

To protect the environment as set out in Policy 37 of the City Plan 2019 - 2040 (April 2021).

- 13 You must submit to us for approval a Whole Life Carbon assessment based on as-built information no later than 3 months post construction.

Reason:

To protect the environment as set out in Policy 37 of the City Plan 2019 - 2040 (April 2021).

- 14 You must provide, maintain and retain the following flood mitigation measures before you start to use any part of the development, as set out in your application.
Green and blue roofs.

You must not remove any of these features. (C44CA)

Reason:

To alleviate and manage flood risk. This is as set out in Policy 35 of the City Plan 2019 - 2040 (April 2021).

- 15 You must provide, maintain and retain the following energy efficiency measures before you start to use any part of the development, as set out in your application.

Three PV panels and air source heat pump.

You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44AD)

- 16 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green and blue roofs to include construction method, layout, species and maintenance regime.

You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan. (C43GA)

Reason:

To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43FC)

- 17 You must not use the new first and second floor roofs 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.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out Policies 7 and 38 of the City Plan 2019 - 2040 (April 2021). (R21AD)

- 18 You must protect the trees according to the details, proposals, recommendations set out in the Arboricultural Impact Assessment and Method Statement by All Arboriculture. You must undertake the special methods of working and arboricultural supervision according to these details. If you need to revise any of these tree protection provisions, you must apply to us for our approval of the revised details, and you must not carry out work the relevant part of the development 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 trees are adequately protected during building works. This is as set out

in Policies 34 and 38 of the City Plan 2019 - 2040 (April 2021).

- 19 The development hereby approved shall achieve EnerPhit certification. Post-completion EnerPhit certification issued by an independent third-party assessor, that confirms that the development has been completed in accordance with all Passivhaus performance criteria shall be submitted to us for our approval within three months of first occupation of the development.

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44AD)

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 the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), 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 **HIGHWAYS LICENSING:**
Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please visit our website at www.westminster.gov.uk/guide-temporary-structures.

CONSIDERATE CONSTRUCTORS:

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.

BUILDING REGULATIONS:

You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website at www.westminster.gov.uk/contact-us-building-control

- 3 With reference to condition 3 please refer to the Council's Code of Construction Practice at (www.westminster.gov.uk/code-construction-practice). You will be required to enter into an agreement with the Council appropriate to this scale of development and to pay the relevant fees prior to starting work.

Your completed and signed Checklist A (for Level 1 and Level 2 developments) or B (for basements) and all relevant accompanying documents outlined in Checklist A or B, e.g. the full Site Environmental Management Plan (Levels 1 and 2) or Construction Management Plan (basements), must be submitted to the City Council's Environmental Inspectorate (cocp@westminster.gov.uk) **at least 40 days prior to commencement of works** (which may include some pre-commencement works and demolition). The checklist must be countersigned by them before you apply to the local planning authority to discharge the above condition.

You are urged to give this your early attention as the relevant stages of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval of each of the relevant parts, prior to each stage of commencement., , Where you change your plans after we have discharged the condition, you must re-apply and submit new details for consideration before you start work. Please note that where separate contractors are appointed for different phases of the project, you may apply to partially discharge the condition by clearly stating in your submission which phase of the works (i.e. (a) demolition, (b) excavation or (c) construction or a combination of these) the details relate to. However please note that the entire fee payable to the Environmental Inspectorate team must be paid on submission of the details relating to the relevant phase., , Appendix A must be signed and countersigned by the Environmental Inspectorate prior to the submission of the approval of details of the above condition.

- 4 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, sitenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 5 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, sitenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 6 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to ensuring that the building contract entered into by the owners of the buildings at 5 to 19 Passmore Street requires that the construction works (to build the mansards) is carried out as a single operation. (I55AA)
- 7 Details of the blues and green roofs, should include drawings showing the extent of the blue and green roofs and cross sections showing:

- o The blue and green roofs in relation to the supporting roof structures
- o The drainage layers
- o The type and depth of planting substrate

Details should also include:

- o Species
- o Size or type of proposed plants (e.g: sedum mat, seed mix, planting plugs or plant sizes)

The biodiversity management plan should include maintenance details.

- 8 For advice on Passivhaus, including advice on modelling, finding a qualified Passivhaus designers and tradespeople and how to obtain a post completion certification by an independent certifier, please visit the Passivhaus website: <https://www.passivhaustrust.org.uk/certification.php/>.
- 9 There are public sewers crossing or close to your development. If you are planning significant work near our sewers, it is important that you minimize the risk of damage. We will need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes:

www.thameswater.co.uk/developers/large-scale-developments/planning-your-development/working-near-our-pipes

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the

provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken 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 trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

If you are planning on using mains water for construction purposes, it is important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More

information and how to apply can be found online at thameswater.co.uk/buildingwater.

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

DRAFT DECISION LETTER

- Address:** 11 Passmore Street, London, SW1W 8HR
- Proposal:** Alterations to front fenestration, the provision of a new basement, mansard roof, extensions at rear ground and first floor level and installation of air source heat pump in rear basement lightwell.
- Reference:** 22/07969/FULL
- Plan Nos:** Location plan; Site plan; 673-P-D-004 rev. A; 673-P-D-012 rev. A; 673-P-D-017; 673-P-D-019; 673-EX-004; 673-EX-012; 673-EX-020; 673-P-004 rev. A; 673-P-012 rev. 1; 673-P-020; 673-P-028; 673-P-033; 673-P-034; 673-P-037; 673-P-037 Rev. A; 673-P-046; Arboricultural impact assessment and method statement Ref: AAAIA9PA dated 1 September 2022; Tree survey prepared by Arbtech dated 18 August 2022; Appendix A checklist; Noise Assessment for Planning prepared by Inacoustic dated 16th December 2022; EnerPhit proposal and dismantling strategy ref: 673/11/001 dated 12 April 2023.

For information only : Phase 1 Desk study from A2 Site investigation ref: 23322-A2SI-11-XX-RP-Y-0001-00 dated 7th October 2022; Interpretative Report from A2 Site investigation ref: 23322-A2SI-11-XX-RP-Y-0003-00 dated 21st November 2022; Factual Report from A2 site investigation ref: 23322-A2SI-XX-XX-RP-X-0002-00 dated 15th November 2022; Design and access statement; An archaeological desk-based assessment prepared by Pre-Construct Archaeology dated July 2022; Basement impact review from A2 Site investigation Ref: 23322-A2SI-11-XX-RP-Y-0004-00 dated 21 November 2022; Draft construction management plan; Building Damage Ground Movement Assessment from A2 Site investigation Ref: 23322-A2SI-11-XX-RP-Y-0005-00 dated 21 November 2022; Daylight and sunlight assessment Ref: DR/JB/Pa12 dated 7 October 2022; Flood risk assessment prepared by Herrington Consulting ldt dated October 2022; Heritage statement dated October 2022; Planning statement dated November 2022; Structural engineer's structural method statement rev. P2 dated 17 November 2022; Community consultation report dated 16 November 2022; 9611-FSD-ZZ-ZZ-DR-S-5050 P1.

Case Officer: Aurore Manceau

Direct Tel. No. 07779567368

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 Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

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- (c) construction

on site you must apply to us for our written approval of evidence to demonstrate 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 the relevant completed Appendix A checklist from the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Sciences Team, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of the relevant stage of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval through submission of details prior to each stage of commencement. (C11CD)

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planning applications' - produced by Westminster City Council in January 2018.

You must apply to us for approval of the following investigation reports. You must apply to us and receive our written approval for phase 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed but before it is occupied.

Phase 3: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate., (C18AA)

Reason:

To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in Policy 33(E) of the City Plan 2019 - 2040 (April 2021). (R18AB)

- 5 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)

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To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 6 You must apply to us for approval of details of the following parts of the development:

- i) windows - elevations and sections scaled 1:10;
- ii) dormer window details - sections and elevations scale 1:10;
- iii) details of rooflights - an in-context section showing its upstand; and
- iv) PV panels - in-context section at 1:10 showing its upstand.

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these details. (C26DB),

Reason:

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Reason:

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character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 8 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

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To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

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

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing 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 written 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 LA90 (15 minutes) 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. (C46BC)

Reason:

As set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R46BC)

- 10 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 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property. (C48AB)

Reason:

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise environment in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R48AB)

- 11 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number 673-P-037 rev.A prior to occupation and thereafter you must permanently retain them for the storage of waste and recycling. You must clearly mark them and make them available at all times to everyone using the dwellinghouse. (C14FC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)

- 12 **Pre Commencement Condition.** You must carry out a detailed reclamation audit and apply to us for approval of the audit including the following parts :

1. The reclamation audit should identify any building materials and products presenting a

high reuse potential. The audit should also list any other reusable building elements. The inventory should present as much information as possible on the dimensions, quantities, conditions, environmental impact, technical characteristics, disassembly recommendations, etc of the materials and products identified. If an existing concrete frame is present a specialist should investigate the quality of the recycled concrete aggregates and their re-usability potential before full demolition is considered. If windows are present, they should be dismantled first and sent to glass recyclers for clear glass cullet production (minimising contamination).

2. Based on the audit, the design team should demonstrate that any new-built project is designed incorporating at least 20% of the on-site materials identified for re-use, producing 'Dismantling for reuse' specifications.

3. For any materials that are not re-used on-site, but identified as having re-use potential, the design team should advertise the availability of these potentially reusable materials to reclamation professionals (such as the Excess Material Exchange platform led by Enfield Council) and other interested parties who will contribute to the effective circulation of the elements. Meeting minutes from attending a 'Circular Economy surgery' or workshop with such platforms will be sufficient.

4. New developments should be designed for deconstruction, and end of life scenario for each building element should be demonstrated.

5. All proposals, including retrofit of existing building elements, should prioritise sustainable material procurement, sourcing products with high recycled content or construction materials with a circular business model (take-back schemes etc).

You must not start any demolition works until we have approved what you have sent us. You must then carry out the works according to these details.

Reason:

To protect the environment as set out in Policy 37 of the City Plan 2019 - 2040 (April 2021).

- 13 You must submit to us for approval a Whole Life Carbon assessment based on as-built information no later than 3 months post construction.

Reason:

To protect the environment as set out in Policy 37 of the City Plan 2019 - 2040 (April 2021).

- 14 You must provide, maintain and retain the following flood mitigation measures before you start to use any part of the development, as set out in your application.

Green and blue roofs and basement sump and pump system.

You must not remove any of these features. (C44CA)

Reason:

To alleviate and manage flood risk. This is as set out in Policy 35 of the City Plan 2019 - 2040 (April 2021).

- 15 You must provide, maintain and retain the following energy efficiency measures before you start to use any part of the development, as set out in your application.

Three PV panels and air source heat pump.

You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44AD)

- 16 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green and blue roofs to include construction method, layout, species and maintenance regime.

You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan. (C43GA)

Reason:

To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43FC)

- 17 You must not use the new first and second floor roofs 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.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out Policies 7 and 38 of the City Plan 2019 - 2040 (April 2021). (R21AD)

- 18 The development hereby approved shall achieve EnerPhit certification. Post-completion EnerPhit certification issued by an independent third-party assessor, that confirms that the development has been completed in accordance with all Passivhaus performance criteria shall be submitted to us for our approval within three months of first occupation of the development.

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 - 2040

(April 2021). (R44AD)

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 the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), 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 **HIGHWAYS LICENSING:**
Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please visit our website at www.westminster.gov.uk/guide-temporary-structures.

- CONSIDERATE CONSTRUCTORS:**
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.

- BUILDING REGULATIONS:**
You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website at www.westminster.gov.uk/contact-us-building-control

- 3 With reference to condition 3 please refer to the Council's Code of Construction Practice at (www.westminster.gov.uk/code-construction-practice). You will be required to enter into an agreement with the Council appropriate to this scale of development and to pay the relevant fees prior to starting work.

Your completed and signed Checklist A (for Level 1 and Level 2 developments) or B (for basements) and all relevant accompanying documents outlined in Checklist A or B, e.g. the full

Site Environmental Management Plan (Levels 1 and 2) or Construction Management Plan (basements), must be submitted to the City Council's Environmental Inspectorate (cocp@westminster.gov.uk) **at least 40 days prior to commencement of works** (which may include some pre-commencement works and demolition). The checklist must be countersigned by them before you apply to the local planning authority to discharge the above condition.

You are urged to give this your early attention as the relevant stages of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval of each of the relevant parts, prior to each stage of commencement.

Where you change your plans after we have discharged the condition, you must re-apply and submit new details for consideration before you start work. Please note that where separate contractors are appointed for different phases of the project, you may apply to partially discharge the condition by clearly stating in your submission which phase of the works (i.e. (a) demolition, (b) excavation or (c) construction or a combination of these) the details relate to. However please note that the entire fee payable to the Environmental Inspectorate team must be paid on submission of the details relating to the relevant phase.

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

- 4 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 5 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, for example by issuing regular bulletins about site progress.
- 6 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to ensuring that the building contract entered into by the owners of the buildings at 5 to 19 Passmore Street requires that the construction works (to build the mansards) is carried out as a single operation. (I55AA)
- 7 Details of the blues and green roofs, should include drawings showing the extent of the blue and green roofs and cross sections showing:
 - o The blue and green roofs in relation to the supporting roof structures
 - o The drainage layers
 - o The type and depth of planting substrateDetails should also include:
 - o Species
 - o Size or type of proposed plants (e.g: sedum mat, seed mix, planting plugs or plant sizes)

The biodiversity management plan should include maintenance details.

- 8 For advice on Passivhaus, including advice on modelling, finding a qualified Passivhaus designers and tradespeople and how to obtain a post completion certification by an independent certifier, please visit the Passivhaus website:
<https://www.passivhaustrust.org.uk/certification.php/>.
- 9 There are public sewers crossing or close to your development. If you are planning significant work near our sewers, it is important that you minimize the risk of damage. We will need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes:
www.thameswater.co.uk/developers/large-scale-developments/planning-your-development/working-near-our-pipes

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken 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 trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

If you are planning on using mains water for construction purposes, it is important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

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

DRAFT DECISION LETTER

- Address:** 13 Passmore Street, London, SW1W 8HR
- Proposal:** Demolition and rebuilding behind retained front facade and party walls with alterations to front fenestration, provision of a new basement, mansard roof, extensions at rear ground and first floor level and installation of air source heat pump in rear basement lightwell.
- Reference:** 22/07971/FULL
- Plan Nos:** Location plan; Site plan; 673-P-D-005; 673-P-D-013; 673-EX-005; 673-EX-013; 673-EX-019; 673-P-005 rev. A; 673-P-013; 673-P-021; 673-P-029; 673-P-033; 673-P-034; 673-P-038; 673-P-038 Rev. A; 673-P-046; Arboricultural impact assessment and method statement Ref: AAAIA13PA dated 1 September 2022; Tree survey prepared by Arbtech dated 18 August 2022; Appendix A checklist; Noise Assessment for Planning prepared by Inacoustic dated 16th December 2022; Passivhaus EnerPhit Accreditation Ref: 673/13/001 dated 12 April 2023.

For information only : Phase 1 Desk study from A2 Site investigation ref: 23322-A2SI-13-XX-RP-Y-0001-00 dated 7th October 2022; Interpretative Report from A2 Site investigation ref: 23322-A2SI-13-XX-RP-Y-0003-00 dated 21st November 2022; Factual Report from A2 site investigation ref: 23322-A2SI-XX-XX-RP-X-0002-00 dated 15th November 2022; Design and access statement; An archaeological desk-based assessment prepared by Pre-Construct Archaeology dated July 2022; Basement impact review from A2 Site investigation Ref: 23322-A2SI-13-XX-RP-Y-0004-00 dated 21 November 2022; Draft construction management plan; Building Damage Ground Movement Assessment from A2 Site investigation Ref: 23322-A2SI-11-XX-RP-Y-0005-00 dated 21 November 2022; Daylight and sunlight assessment Ref: DR/JB/Pa12 dated 7 October 2022; Flood risk assessment prepared by Herrington Consulting Ltd dated October 2022; Heritage statement dated October 2022; Planning statement dated November 2022; Structural engineer's structural method statement rev. P2 dated 17 November 2022; Community consultation report dated 16 November 2022; 9611-FSD-ZZ-ZZ-DR-S-5050 P1.

Case Officer: Aurore Manceau

Direct Tel. No. 07779567368

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 Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 3 **Pre Commencement Condition.** Prior to the commencement of any:

- (a) demolition, and/or
- (b) earthworks/piling and/or
- (c) construction

on site you must apply to us for our written approval of evidence to demonstrate 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 the relevant completed Appendix A checklist from the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Sciences Team, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of the relevant stage of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval through submission of details prior to each stage of commencement. (C11CD)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 4 **Pre Commencement Condition.** You must carry out a detailed site investigation to find out if the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology and general requirements outlined in 'Contaminated Land Guidance for Developers submitting planning applications' - produced by Westminster City Council in January 2018.

You must apply to us for approval of the following investigation reports. You must apply to

us and receive our written approval for phase 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed but before it is occupied.

Phase 3: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate. (C18AA)

Reason:

To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in Policy 33(E) of the City Plan 2019 - 2040 (April 2021). (R18AB)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 6 You must apply to us for approval of details of the following parts of the development:

- i) windows - elevations and sections scaled 1:10;
- ii) dormer window details - sections and elevations scale 1:10;
- iii) details of rooflights - an in-context section showing its upstand; and
- iv) PV panels - in-context section at 1:10 showing its upstand.

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these details. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 7 The mansard must be covered in natural slate and so maintained.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 8 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

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

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing 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 written 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 LA90 (15 minutes) 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. (C46BC)

Reason:

As set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R46BC)

- 10 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 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property. (C48AB)

Reason:

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise environment in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R48AB)

- 11 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number 673-P-038 rev.A prior to occupation and thereafter you must permanently retain them for the storage of waste and recycling. You must clearly mark them and make them available at all times to everyone using the dwellinghouse. (C14FC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)

- 12 **Pre Commencement Condition.** You must carry out a detailed reclamation audit and apply to us for approval of the audit including the following parts :

1. The reclamation audit should identify any building materials and products presenting a high reuse potential. The audit should also list any other reusable building elements. The inventory should present as much information as possible on the dimensions, quantities, conditions, environmental impact, technical characteristics, disassembly

recommendations, etc of the materials and products identified. If an existing concrete frame is present a specialist should investigate the quality of the recycled concrete aggregates and their re-usability potential before full demolition is considered. If windows are present, they should be dismantled first and sent to glass recyclers for clear glass cullet production (minimising contamination).

2. Based on the audit, the design team should demonstrate that any new-built project is designed incorporating at least 20% of the on-site materials identified for re-use, producing 'Dismantling for reuse' specifications.

3. For any materials that are not re-used on-site, but identified as having re-use potential, the design team should advertise the availability of these potentially reusable materials to reclamation professionals (such as the Excess Material Exchange platform led by Enfield Council) and other interested parties who will contribute to the effective circulation of the elements. Meeting minutes from attending a 'Circular Economy surgery' or workshop with such platforms will be sufficient.

4. New developments should be designed for deconstruction, and end of life scenario for each building element should be demonstrated.

5. All proposals, including retrofit of existing building elements, should prioritise sustainable material procurement, sourcing products with high recycled content or construction materials with a circular business model (take-back schemes etc).

You must not start any demolition works until we have approved what you have sent us. You must then carry out the works according to these details.

Reason:

To protect the environment as set out in Policy 37 of the City Plan 2019 - 2040 (April 2021).

- 13 You must submit to us for approval a Whole Life Carbon assessment based on as-built information no later than 3 months post construction.

Reason:

To protect the environment as set out in Policy 37 of the City Plan 2019 - 2040 (April 2021).

- 14 You must provide, maintain and retain the following flood mitigation measures before you start to use any part of the development, as set out in your application.

Green and blue roofs and basement sump and pump system.

You must not remove any of these features. (C44CA)

Reason:

To alleviate and manage flood risk. This is as set out in Policy 35 of the City Plan 2019 - 2040 (April 2021).

- 15 You must provide, maintain and retain the following energy efficiency measures before you start to use any part of the development, as set out in your application.

Three PV panels and air source heat pump

You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44AD)

- 16 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green and blue roofs to include construction method, layout, species and maintenance regime.

You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan. (C43GA)

Reason:

To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43FC)

- 17 You must not use the new first and second floor roofs 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.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out Policies 7 and 38 of the City Plan 2019 - 2040 (April 2021). (R21AD)

- 18 You must protect the trees according to the details, proposals, recommendations set out in the Arboricultural Impact Assessment and Method Statement by All Arboriculture. You must undertake the special methods of working and arboricultural supervision according to these details. If you need to revise any of these tree protection provisions, you must apply to us for our approval of the revised details, and you must not carry out work the relevant part of the development 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 trees are adequately protected during building works. This is as set out in Policies 34 and 38 of the City Plan 2019 - 2040 (April 2021).

- 19 The development hereby approved shall achieve EnerPhit certification. Post-completion EnerPhit certification issued by an independent third-party assessor, that confirms that the development has been completed in accordance with all Passivhaus performance criteria shall be submitted to us for our approval within three months of first occupation of the development.

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44AD)

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 the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

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Your completed and signed Checklist A (for Level 1 and Level 2 developments) or B (for basements) and all relevant accompanying documents outlined in Checklist A or B, e.g. the full Site Environmental Management Plan (Levels 1 and 2) or Construction Management Plan (basements), must be submitted to the City Council's Environmental Inspectorate (cocp@westminster.gov.uk) **at least 40 days prior to commencement of works** (which may include some pre-commencement works and demolition). The checklist must be countersigned by them before you apply to the local planning authority to discharge the above condition.

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- 7 Details of the blues and green roofs, should include drawings showing the extent of the blue and green roofs and cross sections showing:
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<https://www.passivhaustrust.org.uk/certification.php/>.
- 9 There are public sewers crossing or close to your development. If you are planning significant work near our sewers, it is important that you minimize the risk of damage. We will need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes:
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As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken 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 trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

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Item No.

3

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DRAFT DECISION LETTER

- Address:** 15 Passmore Street, London, SW1W 8HR
- Proposal:** Demolition and rebuilding behind retained front facade and party walls with alterations to front fenestration, provision of a new basement, mansard roof, extensions at rear ground and first floor level and installation of air source heat pump in rear basement lightwell.
- Reference:** 22/07972/FULL
- Plan Nos:** Location plan; Site plan; 673-P-D-006; 673-P-D-014; 673-EX-006; 673-EX-014; 673-EX-022; 673-P-006 re. A; 673-P-014; 673-P-022; 673-P-030; 673-P-033; 673-P-034; 673-P-039; 673-P-039 Rev. A; 673-P-046; Arboricultural impact assessment and method statement Ref: AAAIA15PA dated 1 September 2022; Tree survey prepared by Arbtech dated 18 August 2022; Appendix A checklist; Noise Assessment for Planning prepared by Inacoustic dated 16th December 2022; Passivhaus EnerPhit Accreditation Ref: 673/15/001 dated 12 April 2023.

For information only : Phase 1 Desk study from A2 Site investigation ref: 23322-A2SI-15-XX-RP-Y-0001-00 dated 7th October 2022; Interpretative Report from A2 Site investigation ref.: 23322-A2SI-15-XX-RP-Y-0003-00 dated 21st November 2022; Factual Report from A2 site investigation ref: 23322-A2SI-XX-XX-RP-X-0002-00 dated 15th November 2022; Design and access statement; An archaeological desk-based assessment prepared by Pre-Construct Archaeology dated July 2022; Basement impact review from A2 Site investigation Ref: 23322-A2SI-15-XX-RP-Y-0004-00 dated 21 November 2022; Draft construction management plan; Building Damage Ground Movement Assessment from A2 Site investigation Ref: 23322-A2SI-15-XX-RP-Y-0005-00 dated 21 November 2022; Daylight and sunlight assessment Ref: DR/JB/Pa12 dated 7 October 2022; Flood risk assessment prepared by Herrington Consulting Ltd dated October 2022; Heritage statement dated October 2022; Planning statement dated November 2022; Structural engineer's structural method statement rev. P2 dated 17 November 2022; Community consultation report dated 16 November 2022; 9611-FSD-ZZ-ZZ-DR-S-5050 P1.

Case Officer: Aurore Manceau

Direct Tel. No. 07779567368

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 Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 3 **Pre Commencement Condition.** Prior to the commencement of any:

- (a) demolition, and/or
- (b) earthworks/piling and/or
- (c) construction

on site you must apply to us for our written approval of evidence to demonstrate 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 the relevant completed Appendix A checklist from the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Sciences Team, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of the relevant stage of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval through submission of details prior to each stage of commencement. (C11CD)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 4 **Pre Commencement Condition.** You must carry out a detailed site investigation to find out if the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology and general requirements outlined in 'Contaminated Land Guidance for Developers submitting planning applications' - produced by Westminster City Council in January 2018.

You must apply to us for approval of the following investigation reports. You must apply to us and receive our written approval for phase 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed but before it is occupied.

Phase 3: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate., (C18AA)

Reason:

To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in Policy 33(E) of the City Plan 2019 - 2040 (April 2021). (R18AB)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 6 You must apply to us for approval of details of the following parts of the development:

- i) windows - elevations and sections scaled 1:10;
- ii) dormer window details - sections and elevations scale 1:10;
- iii) details of rooflights - an in-context section showing its upstand; and
- iv) PV panels - in-context section at 1:10 showing its upstand.

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these details. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 7 The mansard must be covered in natural slate and so maintained.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 8 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

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

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing 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 written 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 LA90 (15 minutes) 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. (C46BC)

Reason:

As set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R46BC)

- 10 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 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property. (C48AB)

Reason:

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise environment in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R48AB)

- 11 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number 673-P-039 rev.A prior to occupation and thereafter you must permanently retain them for the storage of waste and recycling. You must clearly mark them and make them available at all times to everyone using the dwellinghouse. (C14FC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)

- 12 **Pre Commencement Condition.** You must carry out a detailed reclamation audit and apply to us for approval of the audit including the following parts :

1. The reclamation audit should identify any building materials and products presenting a high reuse potential. The audit should also list any other reusable building elements. The inventory should present as much information as possible on the dimensions, quantities,

conditions, environmental impact, technical characteristics, disassembly recommendations, etc of the materials and products identified. If an existing concrete frame is present a specialist should investigate the quality of the recycled concrete aggregates and their re-usability potential before full demolition is considered. If windows are present, they should be dismantled first and sent to glass recyclers for clear glass cullet production (minimising contamination).

2. Based on the audit, the design team should demonstrate that any new-built project is designed incorporating at least 20% of the on-site materials identified for re-use, producing 'Dismantling for reuse' specifications.

3. For any materials that are not re-used on-site, but identified as having re-use potential, the design team should advertise the availability of these potentially reusable materials to reclamation professionals (such as the Excess Material Exchange platform led by Enfield Council) and other interested parties who will contribute to the effective circulation of the elements. Meeting minutes from attending a 'Circular Economy surgery' or workshop with such platforms will be sufficient.

4. New developments should be designed for deconstruction, and end of life scenario for each building element should be demonstrated.

5. All proposals, including retrofit of existing building elements, should prioritise sustainable material procurement, sourcing products with high recycled content or construction materials with a circular business model (take-back schemes etc).

You must not start any demolition works until we have approved what you have sent us. You must then carry out the works according to these details.

Reason:

To protect the environment as set out in Policy 37 of the City Plan 2019 - 2040 (April 2021).

- 13 You must submit to us for approval a Whole Life Carbon assessment based on as-built information no later than 3 months post construction.

Reason:

To protect the environment as set out in Policy 37 of the City Plan 2019 - 2040 (April 2021).

- 14 You must provide, maintain and retain the following flood mitigation measures before you start to use any part of the development, as set out in your application.

Green and blue roofs and basement sump and pump system.

You must not remove any of these features. (C44CA)

Reason:

To alleviate and manage flood risk. This is as set out in Policy 35 of the City Plan 2019 -

2040 (April 2021).

- 15 You must provide, maintain and retain the following energy efficiency measures before you start to use any part of the development, as set out in your application.

Three PV panels and air source heat pump.

You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44AD)

- 16 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green and blue roofs to include construction method, layout, species and maintenance regime.

You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan. (C43GA)

Reason:

To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43FC)

- 17 You must not use the new first and second floor roofs 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.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out Policies 7 and 38 of the City Plan 2019 - 2040 (April 2021). (R21AD)

- 18 You must protect the trees according to the details, proposals, recommendations set out in the Arboricultural Impact Assessment and Method Statement by All Arboriculture. You must undertake the special methods of working and arboricultural supervision according to these details. If you need to revise any of these tree protection provisions, you must apply to us for our approval of the revised details, and you must not carry out work the relevant part of the development 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 trees are adequately protected during building works. This is as set out in Policies 34 and 38 of the City Plan 2019 - 2040 (April 2021)

- 19 The development hereby approved shall achieve EnerPhit certification. Post-completion EnerPhit certification issued by an independent third-party assessor, that confirms that the development has been completed in accordance with all Passivhaus performance criteria shall be submitted to us for our approval within three months of first occupation of the development.

Reason:

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Informative(s):

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DRAFT DECISION LETTER

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- Proposal:** Demolition and rebuilding behind retained front facade and party walls with alterations to front fenestration, provision of a new basement, mansard roof, extensions at rear ground and first floor level and installation of air source heat pump in rear basement lightwell.
- Reference:** 22/07962/FULL
- Plan Nos:** Location plan; Site plan; 673-P-D-007; 673-P-D-015; 673-EX-006; 673-EX-015; 673-EX-023; 673-P-007 rev. A; 673-P-015; 673-P-023; 673-P-031; 673-P-033; 673-P-034; 673-P-040; 673-P-040 Rev. A; 673-P-046; Arboricultural impact assessment and method statement Ref: AAAIA17PA dated 1 September 2022; Tree survey prepared by Arbtech dated 18 August 2022; Appendix A checklist; Noise Assessment for Planning prepared by Inacoustic dated 16th December 2022; Passivhaus EnerPhit Accreditation Ref: 673/17/001 dated 12 April 2023.

For information only : Phase 1 Desk study from A2 Site investigation ref: 23322-A2SI-17-XX-RP-Y-0001-00 dated 7th October 2022; Interpretative Report from A2 Site investigation ref: 23322-A2SI-17-XX-RP-Y-0003-00 dated 21st November 2022; Factual Report from A2 site investigation ref: 23322-A2SI-XX-XX-RP-X-0002-00 dated 15th November 2022; Design and access statement; An archaeological desk-based assessment prepared by Pre-Construct Archaeology dated July 2022; Basement impact review from A2 Site investigation Ref: 23322-A2SI-17-XX-RP-Y-0004-00 dated 21 November 2022; Draft construction management plan; Building Damage Ground Movement Assessment from A2 Site investigation Ref: 23322-A2SI-17-XX-RP-Y-0005-00 dated 21 November 2022; Daylight and sunlight assessment Ref: DR/JB/Pa12 dated 7 October 2022; Flood risk assessment prepared by Herrington Consulting Ltd dated October 2022; Heritage statement dated October 2022; Planning statement dated November 2022; Structural engineer's structural method statement rev. P2 dated 17 November 2022; Community consultation report dated 16 November 2022; 9611-FSD-ZZ-ZZ-DR-S-5050 P1.

Case Officer: Aurore Manceau

Direct Tel. No. 07779567368

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 Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 3 **Pre Commencement Condition.** Prior to the commencement of any:

- (a) demolition, and/or
- (b) earthworks/piling and/or
- (c) construction

on site you must apply to us for our written approval of evidence to demonstrate 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 the relevant completed Appendix A checklist from the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Sciences Team, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of the relevant stage of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval through submission of details prior to each stage of commencement. (C11CD)

Reason:

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- 4 **Pre Commencement Condition.** You must carry out a detailed site investigation to find out if the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology and general requirements outlined in 'Contaminated Land Guidance for Developers submitting

planning applications' - produced by Westminster City Council in January 2018.

You must apply to us for approval of the following investigation reports. You must apply to us and receive our written approval for phase 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed but before it is occupied.

Phase 3: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate., (C18AA)

Reason:

To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in Policy 33(E) of the City Plan 2019 - 2040 (April 2021). (R18AB)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 6 You must apply to us for approval of details of the following parts of the development:
- i) windows - elevations and sections scaled 1:10;
 - ii) dormer window details - sections and elevations scale 1:10;
 - iii) details of rooflights - an in-context section showing its upstand; and
 - iv) PV panels - in-context section at 1:10 showing its upstand.

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these details. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 7 The mansard must be covered in natural slate and so maintained.

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- 8 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

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

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing 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 written 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 LA90 (15 minutes) 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. (C46BC)

Reason:

As set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R46BC)

- 10 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 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property. (C48AB)

Reason:

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise environment in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R48AB)

- 11 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number 673-P-040 rev.A prior to occupation and thereafter you must permanently retain them for the storage of waste and recycling. You must clearly mark them and make them available at all times to everyone using the dwellinghouse. (C14FC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)

- 12 **Pre Commencement Condition.** You must carry out a detailed reclamation audit and apply to us for approval of the audit including the following parts :

1. The reclamation audit should identify any building materials and products presenting a high reuse potential. The audit should also list any other reusable building elements. The

inventory should present as much information as possible on the dimensions, quantities, conditions, environmental impact, technical characteristics, disassembly recommendations, etc of the materials and products identified. If an existing concrete frame is present a specialist should investigate the quality of the recycled concrete aggregates and their re-usability potential before full demolition is considered. If windows are present, they should be dismantled first and sent to glass recyclers for clear glass cullet production (minimising contamination).

2. Based on the audit, the design team should demonstrate that any new-built project is designed incorporating at least 20% of the on-site materials identified for re-use, producing 'Dismantling for reuse' specifications.

3. For any materials that are not re-used on-site, but identified as having re-use potential, the design team should advertise the availability of these potentially reusable materials to reclamation professionals (such as the Excess Material Exchange platform led by Enfield Council) and other interested parties who will contribute to the effective circulation of the elements. Meeting minutes from attending a 'Circular Economy surgery' or workshop with such platforms will be sufficient.

4. New developments should be designed for deconstruction, and end of life scenario for each building element should be demonstrated.

5. All proposals, including retrofit of existing building elements, should prioritise sustainable material procurement, sourcing products with high recycled content or construction materials with a circular business model (take-back schemes etc).

You must not start any demolition works until we have approved what you have sent us. You must then carry out the works according to these details.

Reason:

To protect the environment as set out in Policy 37 of the City Plan 2019 - 2040 (April 2021).

- 13 You must submit to us for approval a Whole Life Carbon assessment based on as-built information no later than 3 months post construction.

Reason:

To protect the environment as set out in Policy 37 of the City Plan 2019 - 2040 (April 2021).

- 14 You must provide, maintain and retain the following flood mitigation measures before you start to use any part of the development, as set out in your application.

Green and blue roofs and basement sump and pump system.

You must not remove any of these features. (C44CA)

Reason:

To alleviate and manage flood risk. This is as set out in Policy 35 of the City Plan 2019 - 2040 (April 2021).

- 15 You must provide, maintain and retain the following energy efficiency measures before you start to use any part of the development, as set out in your application.

Three PV panels and air source heat pump.

You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44AD)

- 16 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green and blue roofs to include construction method, layout, species and maintenance regime.

You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan. (C43GA)

Reason:

To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43FC)

- 17 You must not use the new first and second floor roofs 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.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out Policies 7 and 38 of the City Plan 2019 - 2040 (April 2021). (R21AD)

- 18 You must protect the trees according to the details, proposals, recommendations set out in the Arboricultural Impact Assessment and Method Statement by All Arboriculture. You must undertake the special methods of working and arboricultural supervision according to these details. If you need to revise any of these tree protection provisions, you must apply to us for our approval of the revised details, and you must not carry out work the relevant part of the development 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 trees are adequately protected during building works. This is as set out in Policies 34 and 38 of the City Plan 2019 - 2040 (April 2021).

- 19 The development hereby approved shall achieve EnerPhit certification. Post-completion EnerPhit certification issued by an independent third-party assessor, that confirms that the development has been completed in accordance with all Passivhaus performance criteria shall be submitted to us for our approval within three months of first occupation of the development.

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44AD)

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 the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), 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 **HIGHWAYS LICENSING:**
Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please visit our website at www.westminster.gov.uk/guide-temporary-structures.

CONSIDERATE CONSTRUCTORS:

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, sitenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

BUILDING REGULATIONS:

You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website at www.westminster.gov.uk/contact-us-building-control

- 3 With reference to condition 3 please refer to the Council's Code of Construction Practice at (www.westminster.gov.uk/code-construction-practice). You will be required to enter into an agreement with the Council appropriate to this scale of development and to pay the relevant fees prior to starting work.

Your completed and signed Checklist A (for Level 1 and Level 2 developments) or B (for basements) and all relevant accompanying documents outlined in Checklist A or B, e.g. the full Site Environmental Management Plan (Levels 1 and 2) or Construction Management Plan (basements), must be submitted to the City Council's Environmental Inspectorate (cocp@westminster.gov.uk) **at least 40 days prior to commencement of works** (which may include some pre-commencement works and demolition). The checklist must be countersigned by them before you apply to the local planning authority to discharge the above condition.

You are urged to give this your early attention as the relevant stages of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval of each of the relevant parts, prior to each stage of commencement.

Where you change your plans after we have discharged the condition, you must re-apply and submit new details for consideration before you start work. Please note that where separate contractors are appointed for different phases of the project, you may apply to partially discharge the condition by clearly stating in your submission which phase of the works (i.e. (a) demolition, (b) excavation or (c) construction or a combination of these) the details relate to. However please note that the entire fee payable to the Environmental Inspectorate team must be paid on submission of the details relating to the relevant phase.

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

- 4 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 5 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.
- 6 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to ensuring that the building contract entered into by the owners of the buildings at 5 to 19 Passmore Street requires that the construction works (to build the mansards and alterations to front facade) is carried out as a single operation. (I55AA)

- 7 Details of the blues and green roofs, should include drawings showing the extent of the blue and green roofs and cross sections showing:
- o The blue and green roofs in relation to the supporting roof structures
 - o The drainage layers
 - o The type and depth of planting substrate
- Details should also include:
- o Species
 - o Size or type of proposed plants (e.g: sedum mat, seed mix, planting plugs or plant sizes)
- The biodiversity management plan should include maintenance details.
- 8 For advice on Passivhaus, including advice on modelling, finding a qualified Passivhaus designers and tradespeople and how to obtain a post completion certification by an independent certifier, please visit the Passivhaus website: <https://www.passivhaustrust.org.uk/certification.php/>.
- 9 There are public sewers crossing or close to your development. If you are planning significant work near our sewers, it is important that you minimize the risk of damage. We will need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes:
www.thameswater.co.uk/developers/large-scale-developments/planning-your-development/working-near-our-pipes

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken 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 trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

If you are planning on using mains water for construction purposes, it is important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

Item No.

3

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

DRAFT DECISION LETTER

- Address:** 19 Passmore Street, London, SW1W 8HR
- Proposal:** Alterations to front fenestration, the provision of a new basement, mansard roof, extensions at rear ground and first floor level and installation of air source heat pump in rear basement lightwell.
- Reference:** 22/07967/FULL
- Plan Nos:** Location plan; Site plan; 673-P-D-008 rev. A; 673-P-D-016 rev. A; 673-P-D-018; 673-P-D-020; 673-EX-008; 673-EX-016; 673-EX-024; 673-P-008 rev. A; 673-P-016; 673-P-024; 673-P-032; 673-P-033; 673-P-034; 673-P-041; 673-P-041 Rev. A; 673-P-046; Appendix A checklist; Noise Assessment for Planning prepared by Inacoustic dated 16th December 2022; EnerPhit proposal and dismantling strategy Ref: 673/19/001 dated 12 April 2023.

For information only : Phase 1 Desk study from A2 Site investigation ref: 23322-A2SI-19-XX-RP-Y-0001-00 dated 7th October 2022; Interpretative Report from A2 Site investigation ref: 23322-A2SI-19-XX-RP-Y-0003-00 dated 21st November 2022; Factual Report from A2 site investigation ref: 23322-A2SI-XX-XX-RP-X-0002-00 dated 15th November 2022; Design and access statement; An archaeological desk-based assessment prepared by Pre-Construct Archaeology dated July 2022; Basement impact review from A2 Site investigation Ref: 23322-A2SI-19-XX-RP-Y-0004-00 dated 21 November 2022; Draft construction management plan; Building Damage Ground Movement Assessment from A2 Site investigation Ref: 23322-A2SI-19-XX-RP-Y-0005-00 dated 21 November 2022; Daylight and sunlight assessment Ref: DR/JB/Pa12 dated 7 October 2022; Flood risk assessment prepared by Herrington Consulting Ltd dated October 2022; Heritage statement dated October 2022; Planning statement dated November 2022; Structural engineer's structural method statement rev. P2 dated 17 November 2022; Community consultation report dated 16 November 2022; 9611-FSD-ZZ-ZZ-DR-S-5050 P1.

Case Officer: Aurore Manceau

Direct Tel. No. 07779567368

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To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in Policy 33(E) of the City Plan 2019 - 2040 (April 2021). (R18AB)

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

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing 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 written 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 LA90 (15 minutes) 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. (C46BC)

Reason:

As set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R46BC)

- 10 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 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property. (C48AB)

Reason:

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise environment in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R48AB)

- 11 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number 673-P-041 rev.A prior to occupation and thereafter you must permanently retain them for the storage of waste and recycling. You must clearly mark them and make them available at all times to everyone using the dwellinghouse. (C14FC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)

- 12 **Pre Commencement Condition.** You must carry out a detailed reclamation audit and apply to us for approval of the audit including the following parts :

1. The reclamation audit should identify any building materials and products presenting a high reuse potential. The audit should also list any other reusable building elements. The inventory should present as much information as possible on the dimensions, quantities,

conditions, environmental impact, technical characteristics, disassembly recommendations, etc of the materials and products identified. If an existing concrete frame is present a specialist should investigate the quality of the recycled concrete aggregates and their re-usability potential before full demolition is considered. If windows are present, they should be dismantled first and sent to glass recyclers for clear glass cullet production (minimising contamination).

2. Based on the audit, the design team should demonstrate that any new-built project is designed incorporating at least 20% of the on-site materials identified for re-use, producing 'Dismantling for reuse' specifications.

3. For any materials that are not re-used on-site, but identified as having re-use potential, the design team should advertise the availability of these potentially reusable materials to reclamation professionals (such as the Excess Material Exchange platform led by Enfield Council) and other interested parties who will contribute to the effective circulation of the elements. Meeting minutes from attending a 'Circular Economy surgery' or workshop with such platforms will be sufficient.

4. New developments should be designed for deconstruction, and end of life scenario for each building element should be demonstrated.

5. All proposals, including retrofit of existing building elements, should prioritise sustainable material procurement, sourcing products with high recycled content or construction materials with a circular business model (take-back schemes etc).

You must not start any demolition works until we have approved what you have sent us. You must then carry out the works according to these details.

Reason:

To protect the environment as set out in Policy 37 of the City Plan 2019 - 2040 (April 2021).

- 13 You must submit to us for approval a Whole Life Carbon assessment based on as-built information no later than 3 months post construction.

Reason:

To protect the environment as set out in Policy 37 of the City Plan 2019 - 2040 (April 2021).

- 14 You must provide, maintain and retain the following flood mitigation measures before you start to use any part of the development, as set out in your application.

Green and blue roofs and basement sump and pump system.

You must not remove any of these features. (C44CA)

Reason:

To alleviate and manage flood risk. This is as set out in Policy 35 of the City Plan 2019 -

2040 (April 2021).

- 15 You must provide, maintain and retain the following energy efficiency measures before you start to use any part of the development, as set out in your application.

Three PV panels and air source heat pump.

You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44AD)

- 16 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green and blue roofs to include construction method, layout, species and maintenance regime.

You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan. (C43GA)

Reason:

To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43FC)

- 17 You must not use the new first and second floor roofs 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.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out Policies 7 and 38 of the City Plan 2019 - 2040 (April 2021). (R21AD)

- 18 The development hereby approved shall achieve EnerPhit certification. Post-completion EnerPhit certification issued by an independent third-party assessor, that confirms that the development has been completed in accordance with all Passivhaus performance criteria shall be submitted to us for our approval within three months of first occupation of the development.

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44AD)

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 the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), 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 **HIGHWAYS LICENSING:**
Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please visit our website at www.westminster.gov.uk/guide-temporary-structures.

CONSIDERATE CONSTRUCTORS:
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.

BUILDING REGULATIONS:
You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website at www.westminster.gov.uk/contact-us-building-control

- 3 With reference to condition 3 please refer to the Council's Code of Construction Practice at (www.westminster.gov.uk/code-construction-practice). You will be required to enter into an agreement with the Council appropriate to this scale of development and to pay the relevant fees prior to starting work.

Your completed and signed Checklist A (for Level 1 and Level 2 developments) or B (for basements) and all relevant accompanying documents outlined in Checklist A or B, e.g. the full Site Environmental Management Plan (Levels 1 and 2) or Construction Management Plan (basements), must be submitted to the City Council's Environmental Inspectorate

(cocp@westminster.gov.uk) **at least 40 days prior to commencement of works** (which may include some pre-commencement works and demolition). The checklist must be countersigned by them before you apply to the local planning authority to discharge the above condition.

You are urged to give this your early attention as the relevant stages of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval of each of the relevant parts, prior to each stage of commencement., , Where you change your plans after we have discharged the condition, you must re-apply and submit new details for consideration before you start work. Please note that where separate contractors are appointed for different phases of the project, you may apply to partially discharge the condition by clearly stating in your submission which phase of the works (i.e. (a) demolition, (b) excavation or (c) construction or a combination of these) the details relate to. However please note that the entire fee payable to the Environmental Inspectorate team must be paid on submission of the details relating to the relevant phase.

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

- 4 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 5 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, for example by issuing regular bulletins about site progress.
- 6 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to ensuring that the building contract entered into by the owners of the buildings at 5 to 19 Passmore Street requires that the construction works (to build the mansards and alterations to front facade) is carried out as a single operation. (I55AA)
- 7 Details of the blues and green roofs, should include drawings showing the extent of the blue and green roofs and cross sections showing:
 - o The blue and green roofs in relation to the supporting roof structures
 - o The drainage layers
 - o The type and depth of planting substrate
 Details should also include:
 - o Species
 - o Size or type of proposed plants (e.g: sedum mat, seed mix, planting plugs or plant sizes)
 The biodiversity management plan should include maintenance details.
- 8 There are public sewers crossing or close to your development. If you are planning significant

work near our sewers, it is important that you minimize the risk of damage. We will need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes:

www.thameswater.co.uk/developers/large-scale-developments/planning-your-development/working-near-our-pipes

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the

provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken 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 trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

If you are planning on using mains water for construction purposes, it is important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

- 9 For advice on Passivhaus, including advice on modelling, finding a qualified Passivhaus designers and tradespeople and how to obtain a post completion certification by an independent certifier, please visit the Passivhaus website: <https://www.passivhaustrust.org.uk/certification.php/>.

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.