



City of Westminster

Committee Agenda

Title:

Planning Applications Sub-Committee (3)

Meeting Date:

Tuesday 3rd July, 2018

Time:

6.30 pm

Venue:

Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR

Members:

Councillors:

Iain Bott (Chairman)
Geoff Barraclough
Angela Harvey
Selina Short



Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda

Admission to the public gallery is by ticket, issued from the ground floor reception from 6.00pm. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.



An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Tristan Fieldsend, Committee and Governance Officer.

**Tel: 020 7641 2341; Email: tfieldsend@westminster.gov.uk
Corporate Website: www.westminster.gov.uk**

Note for Members: Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Head of Legal & Democratic Services in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To note any changes to the membership.

2. DECLARATIONS OF INTEREST

To receive declarations by members and officers of the existence and nature of any personal or prejudicial interests in matters on this agenda.

3. MINUTES

To sign the minutes of the last meeting as a correct record of proceedings.

4. PLANNING APPLICATIONS

Applications for decision

Schedule of Applications

- | | |
|---|--------------------------|
| 1. VICTORIA WHARF, ST JOHN'S TERRACE, LONDON, W10 4RB | (Pages 3 - 28) |
| 2. 1 WOOD'S MEWS, LONDON, W1K 7DL | (Pages 29 - 84) |
| 3. VINCENT SQUARE PLAYING FIELDS LEISURE SUITE, VINCENT SQUARE, LONDON, SW1P 2PW | (Pages 85 - 104) |
| 4. 2-3 ROBERT STREET, LONDON, WC2N 6BH | (Pages 105 - 134) |
| 5. 43 WARWICK WAY, LONDON, SW1V 1QS | (Pages 135 - 164) |
| 6. 23 MEARD STREET, LONDON, W1F 0EL | (Pages 165 - 182) |
| 7. BASEMENT, 2 ST STEPHEN'S CRESCENT, LONDON, W2 5QT | (Pages 183 - 200) |

**Stuart Love
Chief Executive
25 June 2018**

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Agenda Annex

CITY OF WESTMINSTER
 PLANNING APPLICATIONS SUB COMMITTEE – 3rd July 2018
 SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Item No	References	Site Address	Proposal	Resolution
1.	RN(s) : 17/07652/FULL Queen's Park	Victoria Wharf St John's Terrace London W10 4RB	Demolition of existing buildings, construction of a part 5 and part 3 storey building containing 9 flats (2 x 1 bed, 4 x 2 bed, 2 x 3 bed, 1 x 4 bed) with private balconies/terraces, bicycle storage, waste storage and grass amenity areas.	
	Recommendation Grant conditional permission			
Item No	References	Site Address	Proposal	Resolution
2.	RN(s) : 18/00046/FULL West End	1 Wood's Mews London W1K 7DL	Demolition of the existing building and erection of a three storey building with basement, terraces at rear first and second floor level roof for use as a single family dwelling house (Class C3); new canopy on the west elevation, and green roof. (Addendum Report)	
	Recommendation Grant conditional permission			
Item No	References	Site Address	Proposal	Resolution
3.	RN(s) : 17/07151/FULL Vincent Square	Vincent Square Playing Fields Leisure Suite Vincent Square London SW1P 2PW	Demolition of existing extension to the cricket pavilion in Vincent Square and formation of two new flanking extensions, including minor external works to pavilion building.	
	Recommendation Grant conditional permission			
Item No	References	Site Address	Proposal	Resolution
4.	RN(s) : 17/11409/FULL 17/11410/LBC St James's	2-3 Robert Street London WC2N 6BH	Use of a part of the ground floor, mezzanine, basement and sub-basement (vaults) as a spa Facility (Class D2), installation of plant equipment to the Robert Street elevation and adjacent to the garage entrance in York Buildings. Associated works including excavation of 4 treatment pools at sub-basement level and new brickwork to rear. (Site includes 21 York Buildings) (linked with 17/11410/LBC)	
	Recommendation 1. Grant conditional permission and conditional listed building consent. 2. Agree the reasons for granting listed building consent as set out within Informative 1 of the draft decision letter.			
Item No	References	Site Address	Proposal	Resolution
5.	RN(s) : 17/08682/FULL	43 Warwick Way	Erection of a two storey rear extension at lower-ground and first floor levels and replacement	

CITY OF WESTMINSTER
 PLANNING APPLICATIONS SUB COMMITTEE – 3rd July 2018
 SCHEDULE OF APPLICATIONS TO BE CONSIDERED

	Warwick	London SW1V 1QS	shopfront. (Addendum Report)	
Recommendation Grant conditional permission.				
Item No	References	Site Address	Proposal	Resolution
6.	RN(s) : 17/10699/FULL West End	23 Meard Street London W1F 0EL	Installation of two air conditioning units at rear first floor flat roof level, installation of acoustic screens around the units.	
Recommendation Grant conditional permission.				
Item No	References	Site Address	Proposal	Resolution
7.	RN(s) : 18/00065/FULL Bayswater	Basement 2 St Stephen's Crescent London W2 5QT	Erection of a single storey extension at rear basement level.	
Recommendation Grant conditional permission.				

Agenda Item 1

Item No.

1

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 3 July 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Queen's Park	
Subject of Report	Victoria Wharf , St John's Terrace, London, W10 4RB		
Proposal	Demolition of existing buildings, construction of a part 5 and part 3 storey building containing 9 flats (2 x 1 bed, 4 x 2 bed, 2 x 3 bed, 1 x 4 bed) with private balconies/terraces, bicycle storage, waste storage and grass amenity areas.		
Agent	Bell Cornwell LLP		
On behalf of	F G Mileham Building Contractors Limited.		
Registered Number	17/07652/FULL	Date amended/ completed	25 August 2017
Date Application Received	25 August 2017		
Historic Building Grade	Unlisted – Grade II listed Kensal House located on-site to the east.		
Conservation Area	None.		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The subject site lies on the north side of the Grand Union Canal and at the southern end of St John's Terrace. It is not within a conservation area although the Grade II listed Kensal House is located on the site to the east. It contains a builder's yard (Use Class Sui Generis) with a double storey building located along its eastern side and a single storey structure on its southern boundary, adjacent to the canal.

The applicant seeks permission for demolition of all buildings on-site and erection of a part five storey and part three storey building containing nine flats. This would be comprised of 2 x 1 bedroom flats, 4 x 2 bedroom flats, 2 x 3 bedroom flats and 1 x 4 bedroom flats.

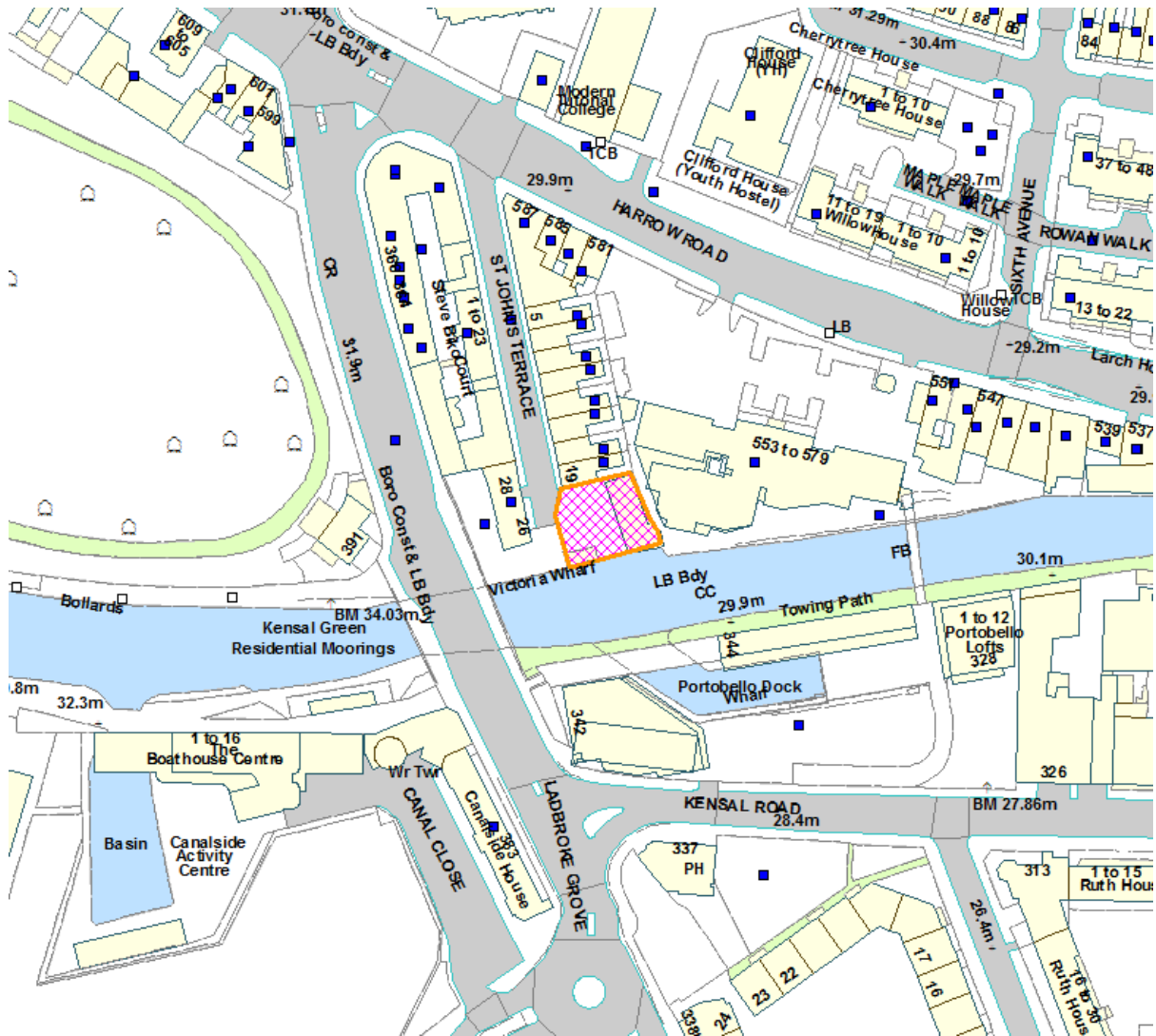
Objections have been received to the design and scale of the proposed building, its impact on nearby listed buildings (Kensal House (Grade 2) and the Dissenters Chapel in Kensal Rise Cemetery (Grade 2*)), impact of the proposal on on-street parking and congestion and the absence of affordable housing.

The key considerations are:

- Provision of new residential units;
- Impact on the setting of listed buildings and the Grand Union Canal;
- Impact on residential amenity;
- Impact on parking.

The proposed development is considered to comply with relevant policies in the Unitary Development Plan adopted in January 2007 (the UDP) and Westminster's City Plan adopted in November 2016 (the City Plan). The application is therefore recommended for approval subject to the conditions set out in the draft decision letter, including an amending condition to remove the first floor rear projection, which results in a three bedroom unit becoming a two bedroom unit.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Application site as seen from opposite side of Grand Union Canal

5. CONSULTATIONS

WARD COUNCILLORS FOR QUEEN'S PARK

Any response to be reported verbally.

QUEENS PARK COMMUNITY COUNCIL

Object. Disappointed by design of the proposed development. Consider the external design jarring and fails to provide an appropriate link between the newly completed residential building at 26 St Johns Terrace and Kensal House, a Grade II listed building. The proposed design dominates and obscures its neighbours. The scale of the proposed saw-tooth roof form is disproportionate to the size of the building and is discordant with neighbouring buildings. The pre-cast stone Bays wrapped in square steel lengths are overpowering and intrusive features.

ROYAL BOROUGH OF KENSINGTON & CHELSEA (RBKC)

Object. They are concerned that the proposed development may harm the setting of the Grade II* listed Dissenters Chapel within Kensal Cemetery.

CANAL & RIVER TRUST

No objection, subject to conditions requiring details of balconies where they oversail the canal, a condition survey of the canal wall, site contamination investigation, use of the canal for freight, lighting and landscaping.

NATURAL ENGLAND

Confirm that they have no comments to make on the proposal.

DESIGNING OUT CRIME OFFICER

No objection, subject to a condition requiring that the development achieve Secure by Design accreditation.

WASTE PROJECT OFFICER

No objection, subject to a condition requiring the provision of waste storage shown on the proposed drawings.

HIGHWAYS PLANNING MANAGER

No objection, subject to conditions requiring provision of waste and cycle storage.

ENVIRONMENTAL HEALTH OFFICER

Object to the proposed Means of Escape in Case of Fire. The proposed floor plans show that the escape route for occupiers of the bedrooms of the proposed dwellings are not adequately separated from areas of highest risk, namely the kitchen/living areas. This could be resolved by the installation of a self closing fire door between the kitchen and the circulation space which leads to the main door of each dwelling.

BUILDING CONTROL OFFICER

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 80

Total No. of replies: 2 objections

In summary, the objectors raise the following issues:

- The development should be of a transitional scale between the re-development scheme to the west and the three storey (plus hipped roof) wing to the Grade II listed Kensal House to the east. The current proposal is an abrupt change in height from three storeys at Kensal House to five storeys on the application site;
- Object to any part of the development overhanging the canal;
- The architectural design is disappointing, particularly when set against the style of Kensal House. The use of projecting bays on the south and east facades are bulky overpowering elements which will have an adverse impact on the setting of the canal and adjoining buildings;
- Proposal includes no affordable housing; and
- Proposal will increase parking congestion in the area.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The subject site lies on the north side of the Grand Union Canal and at the southern end of St John's Terrace. It is not within a conservation area although the Grade II listed Kensal House is located on the site to the east. It contains a builder's yard (Use Class Sui Generis) with a double storey building located along its eastern side and a single storey structure on its southern boundary, adjacent to the canal.

6.2 Recent Relevant History

15/07129/OUT

Demolition of existing buildings. Construction of four storey building containing nine flats (1 x 4 bed, 2 x 3 bed, 4 x 2 bed and 2 x 1 bed) (Outline application: approval sought for appearance and layout only. All other matters reserved).

Permission Refused – 22 January 2016

The reasons for refusal were:

1. The proposed development has a gross floorspace that exceeds 1000 square metres and an affordable housing contribution has not been provided. A viability appraisal has also not been provided to demonstrate why an affordable housing contribution may not be possible. This would not meet S16 of Westminster's City Plan: Strategic Policies adopted November 2013, policy H4 of our Unitary Development Plan that we adopted in January 200 and the Interim Guidance Note on Affordable Housing Policy (updated April 2015).
2. Because of poor design and material choice, the proposed building would harm the setting of the Grade II listed Kensal House and the character and appearance of the area and the Grand Union Canal. This would not meet S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1,

DES 4, DES 10 and DES 13 of our Unitary Development Plan that we adopted in January 2007.

3. The design of the proposed building would lead to an unacceptable loss of privacy for people in neighbouring properties. This would not meet S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 13 of our Unitary Development Plan that we adopted in January 2007.
4. Your application does not contain an assessment of noise levels from the proposed lift. This means that the lift could be a nuisance to people living at 19 St Johns Terrace. This would not meet S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.

7. THE PROPOSAL

The applicant seeks permission for demolition of all buildings on-site and erection of a part five storey and part three storey building containing nine flats. This would be comprised of 2 x 1 bedroom flats, 4 x 2 bedroom flats, 2 x 3 bedroom flats and 1 x 4 bedroom flats. The relevant floor areas are set out below:

Table 1: Existing and Proposed Floor Areas

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Builders Yard (Sui Generis)	148	0	-148
Residential (Use Class C3)	0	781	+781
Total	148	781	

Following refusal of application ref: 15/07129/OUT, the applicant has comprehensively redesigned the building and provided additional information to address the City Council's concerns. During the course of the application, the scheme has been amended to reduce the depth of the balconies proposed on the south elevation so that they do not project over the canal.

During the course of the application, officers queries the ownership certificate that accompanied the application as it was unclear whether the boundary wall with 26-28 St John Terrace straddled the boundary or was located entirely within the application site. The applicant has confirmed that the proposed development is located entirely within the application site.

8. DETAILED CONSIDERATIONS

8.1 Land Use

8.1.1 Loss of Builders Yard

The existing site is used by a local builder as a site to store building materials and as an office to coordinate works within the nearby Queens Park estate. This type of yard falls

within the Sui Generis Use Class and is not protected by any policy of the City Plan or the Unitary Development Plan (adopted 2007) ("the UDP"). Accordingly, there is no in principle objection to the loss of this use.

8.1.2 Provision of Residential

The provision of additional residential accommodation is supported in principle by policy H3 of the UDP and policy S14 of the City Plan. Accordingly, the replacement use would be supported.

The applicant has also provided drawings which demonstrate that the proposed development would not exceed 1000 sqm GIA or provide 10 or more residential units. Accordingly, they have overcome one of the reasons for refusing application ref: 15/07129/OUT.

The proposal would also include three flats with three or more bedrooms resulting in one-third of the units being 'family sized'. This satisfies the unit mix sought by policy H5 of the UDP.

The size of the proposed flats are set out in the table below:

Table 2: Proposed Flat Sizes

Unit	National Described Space Standard Requirement (sqm GIA)	Proposed (sqm GIA)
Unit 1 – 2b 4p	70	70
Unit 2 – 3b 6p	95	117
Unit 3 – 2b 4p	70	73
Unit 4 – 3b 6p	70	117
Unit 5 – 2b 4p	70	73
Unit 6 – 2b 4p	70	92
Unit 7 – 4b 7p	115	128.8
Unit 8 – 1b 2p	50	54.4
Unit 9 - 1b 2p	50	56

The proposed flats would all meet the minimum space standards contained within the Nationally Described Space Standard (March 2015). They would also be dual aspect and would include outdoor amenity space in the form of balconies facing the canal. These balconies would all exceed the space requirements of Standard 4.10.1 of the Mayor of London's Housing SPG for a residential unit of the size proposed. Accordingly, the proposed units would provide appropriate outdoor amenity space and satisfactory living accommodation.

8.2 Townscape and Design

The objector is concerned with the design of the proposed building whilst RBKC have objected to the potential impact of the proposed building on the setting of the Grade II* Dissenters Chapel within Kensal Cemetery.

The site lies on the north side of the Grand Union Canal (Paddington Branch) and at the southern end of St John's Terrace. It is not within a conservation area and the nearest designated heritage asset is the Grade II listed Kensal House, which lies to the east. The east side of St John's Terrace contains some attractive late nineteenth century two-storey terraced houses, whereas the west side of the street has a more varied character and is generally of buildings of later twentieth century date. The immediately adjacent site to the west (26 St John's Terrace - also faces onto the canal) has recently been re-developed (ref: 12/06405/COFUL & 14/10573/COFUL).

The boundary with RBKC lies to the south and west and there are designated heritage assets within RBKC in the surrounding area, notably Kensal Green Cemetery Conservation Area, which contains numerous listed buildings and perhaps of most relevance to this application – the Grade II* listed Dissenter's Chapel which is adjacent to the eastern boundary of the cemetery.

The proposal is to demolish the existing buildings on site and redevelop with a residential scheme. The new building is a part five, part three and part two storey building, providing 9 flats, accessed from St John's Terrace, but with its principal façade facing towards the canal.

The proposed five storey element would match the height and respect the building lines of the adjoining site at 26 St John's Terrace, but at its eastern end the building line steps back from the canal edge and reduces in height to three storey to respond to the scale and orientation of the later extensions to Kensal House. The entrance to the block would be via a small recessed courtyard, with bin and bike stores in a single storey structure abutting the flank wall of 19 St John's Terrace. The large 3-bedroom ground floor flat would have access to two enclosed courtyard gardens; and all of the other flats would have balcony space – for the most part facing onto the canal. The architecture would be contemporary, albeit having contextual references, particularly in terms of the principal brick-facing material. The saw-tooth roof form, also references the industrial style of architecture associated with the canalside environment. The projecting bays are in pre-cast stone with square steel embellishment and the main roof is clad in standing seam zinc. Flat roofs will incorporate green roofs.

The current buildings on the site do not make a positive contribution to the townscape and have a poor relationship with the canal. As such, the demolition of the existing buildings and the principle of a residential redevelopment of the site is considered acceptable in design terms.

In terms of height and bulk the proposed new building is considered to be acceptable, appropriately relating to its neighbours. It is the same height as the neighbouring no.26 St John's Terrace, albeit the saw tooth roof and projecting elements reduce the overall bulk more effectively; and in stepping down to the side (east) and rear (north) it appropriately responds to the smaller scale of the buildings in Kensal House and 19 St John's Terrace. Thus in terms of height and massing the concern expressed by the objector is not shared.

In terms of materials, the proposal is considered to be entirely appropriate with a handmade redbrick being the primary material, alongside a standing seam zinc roof,

pre-cast stone elements and off-white steel metal elements. The final agreement of materials and issues of bonding pattern and pointing can be reserved by condition.

The scheme has been amended and the building line to the canal set back so that no projecting façade elements oversail the canal itself. This is a direct response to officer concern about a conflict with policy DES 13 of the UDP and as amended this issue has been overcome.

Whilst RBKC's objection does not elaborate on the reason for their objection, it would seem clear from their delegated report that they are concerned that the development will be seen from within Kensal Green Cemetery and that it may detract from the setting of the Dissenter's Chapel. While no visual impact assessment has been undertaken from within the cemetery by the applicants, it is considered that the proposal would not result in an adverse impact on the setting of the chapel or the conservation area. The backdrop to the chapel when viewed from within the cemetery already features a number of existing (and in some cases new) buildings including the recently completed 26 St John's Terrace and Steve Biko Court (to the north of 26 St John's Terrace), but also within RBKC is 342 Ladbrooke Grove (Innocent Drinks HQ) and a former water tower on the south side of the canal. Given that the proposed development will lie to the east and broadly be of the same height as 26 St John's Terrace, if it can be seen at all, it will sit within the existing backdrop of buildings and will certainly be less assertive than 26 and also 342 Ladbrooke Grove. It is thus considered that the setting of the Kensal Green Cemetery Conservation and its listed buildings, notably the Dissenter's Chapel would not be adversely affected and would be preserved by the proposal.

Accordingly and given the above, the proposal is considered acceptable in design terms and would accord with policies S25, S28 and S37 of the City Plan and DES 1, DES 4, DES 9, DES 10 and DES 13 of the UDP.

8.3 Residential Amenity

The application site is separated from sites to the south by the width of the Grand Union Canal whilst the buildings on the south side of the canal are in non-residential use in any event. The site to the east of the application site (Kensal House) is in office use and amenity for office uses is not protected by development plan policy. Accordingly, the proposed development would not result in harm to residential amenity on those sites through unacceptable loss of light, increased sense of enclosure or loss of privacy.

With regards to the site to the west (26 St John's Terrace), the proposed development would abut and not project significantly beyond the flank wall of the development recently completed on that site. It is noted that 26 St John's Wood Terrace does include flank windows and a rooftop balcony on the boundary with the application site. However, and as noted in informative 25 of the decision notice for the approval on that site (ref: 12/06405/COFUL), these windows and the balcony are un-neighbourly, would form an unreasonable constraint on development of the application site and can only be afforded limited protection. Accordingly, it would be unreasonable to withhold permission for the proposed development due to loss of light and sense of enclosure to those windows. Overall, the proposed development would not result in unacceptable loss of light, increased sense of enclosure or loss of privacy for the occupants of that property.

With regards to the site to the north (19 St Johns Terrace), permission was previously refused under application ref: 15/07129/OUT due to potential loss of privacy for the occupants of that property. However, it is understood the applicant now owns that property and proposes to install obscure glazed windows in the three first floor flank windows and blocking up two ground floor windows. As these windows are secondary windows, this is considered appropriate mitigation for potential loss of privacy resulting from the development. A condition is recommended requiring installation of this obscure glazing before occupation of the residential units proposed.

The applicant has provided an Assessment of Daylight and Sunlight Loss to the flank windows to 19 St Johns Wood Terrace. In terms of daylight, this assessment indicates that the three first floor flank windows noted above would have Vertical Sky Component losses of up to 80%. This would be a significant loss of daylight in terms of BRE Guidelines. In terms of sunlight, losses would be within BRE Guidelines.

Whilst this daylight loss is regrettable, the three windows affected are un-neighbourly, being located on the boundary with the application site, and form an unreasonable constraint on development of the application site. Accordingly, and given the benefits of the development in terms of housing delivery, an objection to the development on this basis would not be sustainable.

With regards to sense of enclosure, the bulk of the proposed building is located largely beside the flank wall of 19 St Johns Terrace and too far from that property to result in unacceptable levels of sense of enclosure. However, the proposed building does include a two storey projection on its north elevation that abuts 19 St Johns Terrace and that would project beyond the flank wall. This would result in an unacceptable level of sense of enclosure when viewed from the first floor rear and closet wing flank windows of 19 St Johns Terrace. This harm could be adequately mitigated by removal of the first floor level of this projection and a condition is recommended to secure this. Subject to this condition, the proposed development would not result in unacceptable sense of enclosure for the occupants of 19 St Johns Terrace.

Removal of the first floor level of this projection would result in the loss of one bedroom for Flat 4, turning it from a three bedroom (family sized) unit to a two bedroom unit. This in turn would result in less than one-third of the units being family sized, as required by policy H5 of the UDP. Given the flexibility within policy H5 and the amenity benefit that would result from this alteration, conversion of this unit from a three bedroom to two bedroom unit is acceptable in this instance.

The applicant has revised the proposed development so that the lift shaft and associated machinery are located within the proposed building, rather than on the boundary with 19 St Johns Terrace as proposed under application ref: 15/07129/OUT. In this revised position, and subject to the recommended condition controlling plant noise, the proposed lift would be consistent with policy S29 of the UDP and policies ENV 6 and ENV 7 of the UDP.

8.4 Transportation/Parking

No off-street parking is proposed for this development. Policy TRANS23 of the UDP details an 80% on-street car park occupancy threshold above which the provision of additional vehicles to the on-street parking environment will result in an unacceptable level of deficiency.

The evidence of the Council's most recent night time parking survey indicates that parking occupancy of ResPark bays within a 200 metre radius of the site is 64%. However, policy TRANS23 includes all legal parking spaces (e.g. Single Yellow Lines, Metered Bays, P&D, and Shared Use) as such with the addition of Single Yellow Line availability at night, the stress level reduces to 50%.

However, the evidence of the Council's most recent daytime parking survey indicates that parking occupancy of ResPark bays within a 200 metre radius of the site is 44%. Policy TRANS23 includes all legal parking spaces. During the daytime within the area, the only legal on-street spaces for permit holders are Residential and Shared Use Bays.

Overall, parking pressures in this area remain below the stress level, but with the introduction of increased levels of residential in this area without off-street parking or on-street parking restraint the stress levels are likely to increase. On the basis of the Council's data and car ownership levels, with the addition of residential units in this location, any additional on-street parking generated can be absorbed into the surrounding street network. Therefore, the development is consistent with policy TRANS23 of the UDP.

Conditions are recommended requiring details of cycle parking and waste storage. Subject to these conditions, the proposal would provide satisfactory cycle parking and waste storage.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

The proposed development includes lift access to all floors but would also be required to meet part m of the Building Regulations in any event. Accordingly, it would provide satisfactory access throughout.

8.7 Other UDP/Westminster Policy Considerations

8.7.1 Ecology

The Grand Union Canal is classified as a Metropolitan Site of Nature Conservation Importance. The applicant has submitted an Ecological Survey that confirms that no bats are on-site. Conditions are recommended to protect use of the canal for feeding by bats and to enhance its ecological value. Subject to these conditions, the proposed development would be consistent with policy S36 of the City Plan.

8.7.2 Site Contamination

The applicant has submitted a preliminary Land Contamination Assessment in light of this sites history as a builder's yard. This assessment concludes that the risk of contamination is low but recommends further site investigation. A condition is recommended to secure this further investigation. Subject to this condition, the proposal would be consistent with policy ENV 8 of the UDP.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

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

8.10 Planning Obligations

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

Subject to any relief or exemptions available to the applicant, the estimated WCC CIL payment would be £227,387.64

8.11 Environmental Impact Assessment

This proposed development is too small to require and Environmental Impact Assessment.

8.12 Other Issues

The objections raised have been largely addressed above. The following is also noted.

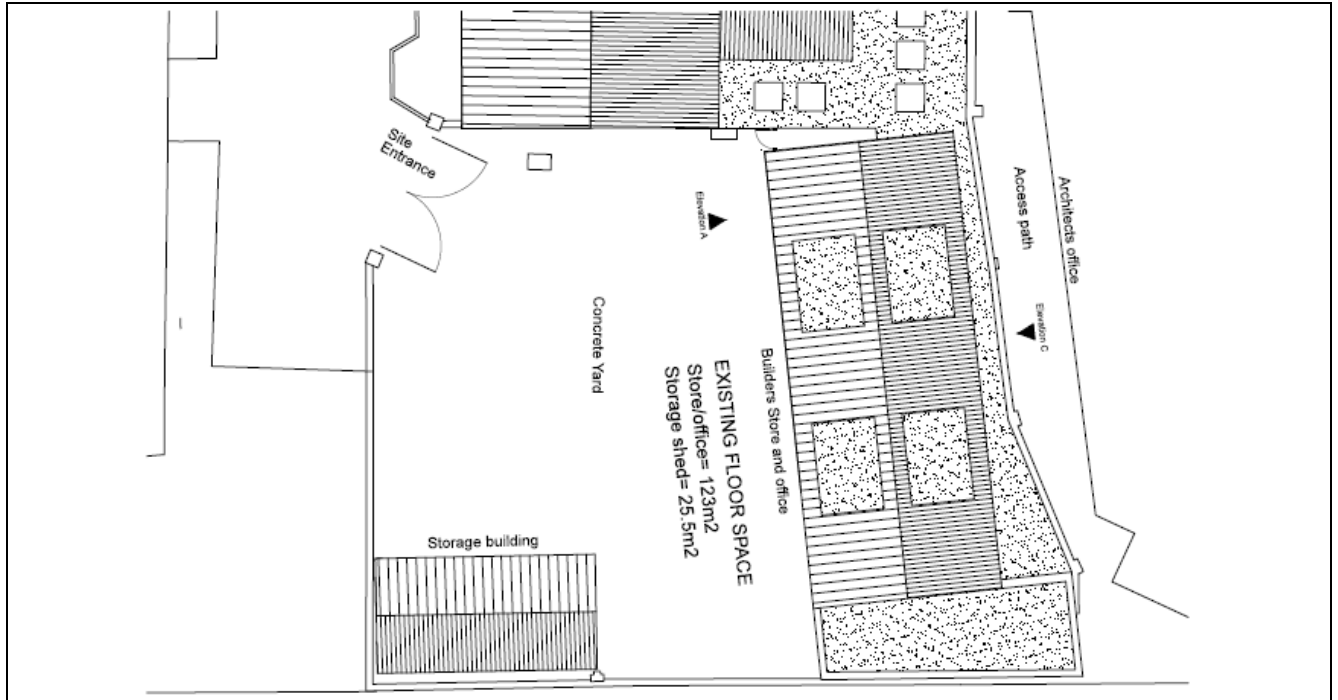
The Environmental Health Officer has raised an objection to the development on the grounds that inadequate means of escape in the event of fire has been provided for the proposed flats. However, this is a building regulations matter and an objection to the proposal on this basis would therefore not be sustainable.

An objector considers there to be too little affordable housing proposed. However, the proposed development is not large enough to trigger an affordable housing contribution.

(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: NATHAN BARRETT BY EMAIL AT nbarrett@westminster.gov.uk.

9. KEY DRAWINGS



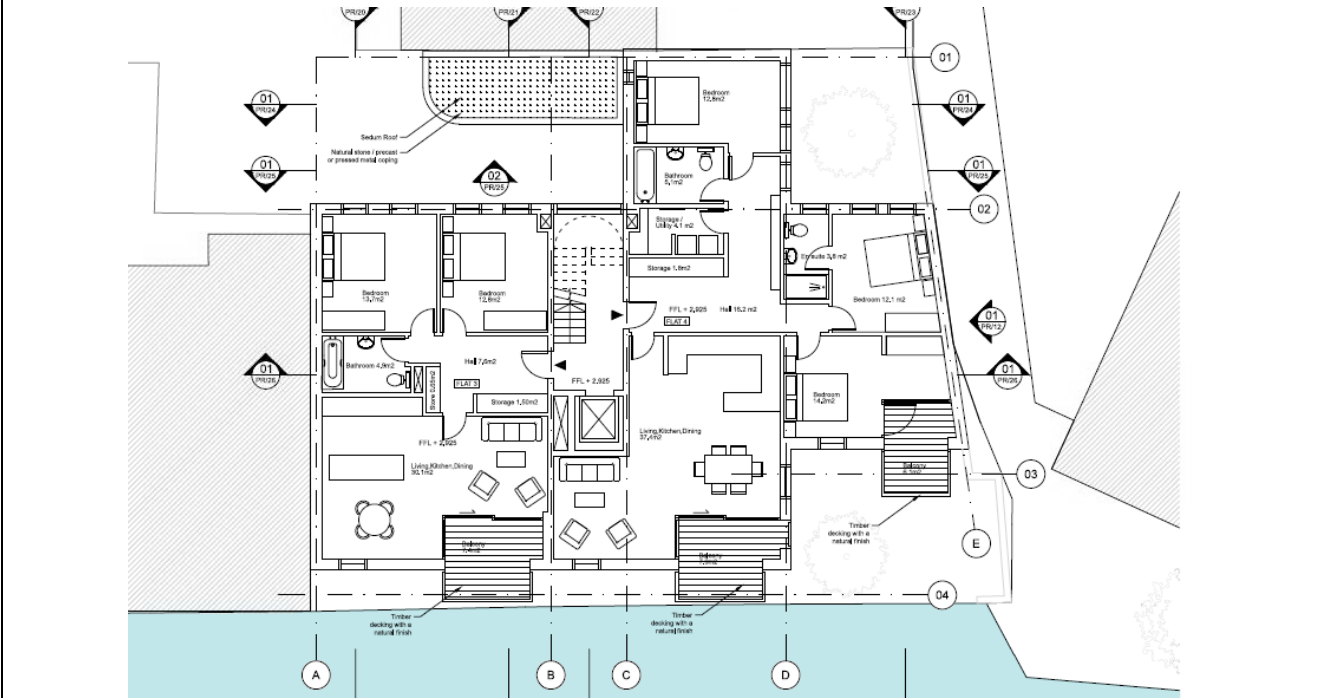
Existing Site Plan



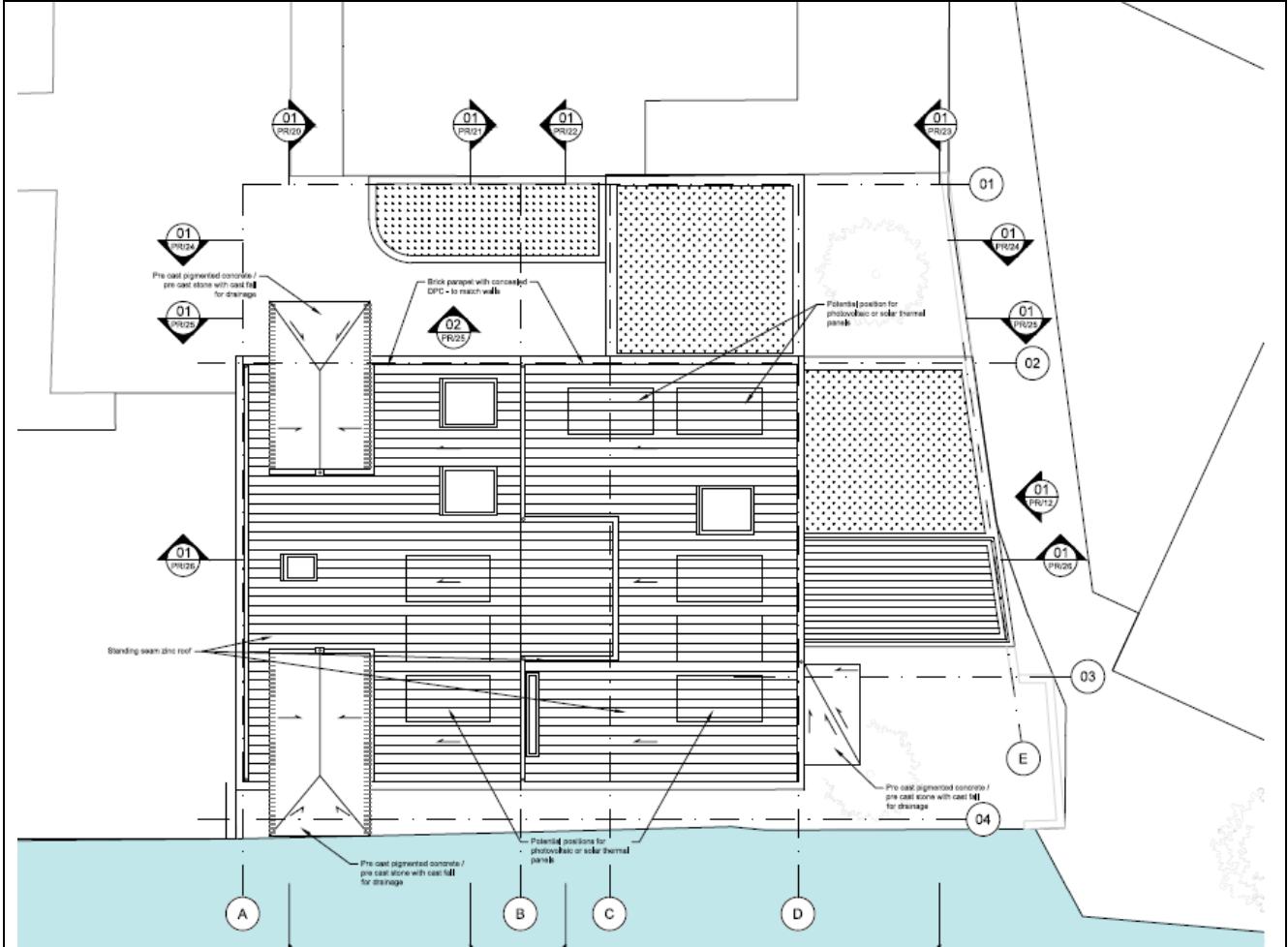
Existing Elevations



Proposed Site/Ground Floor Plan



Proposed First Floor Plan



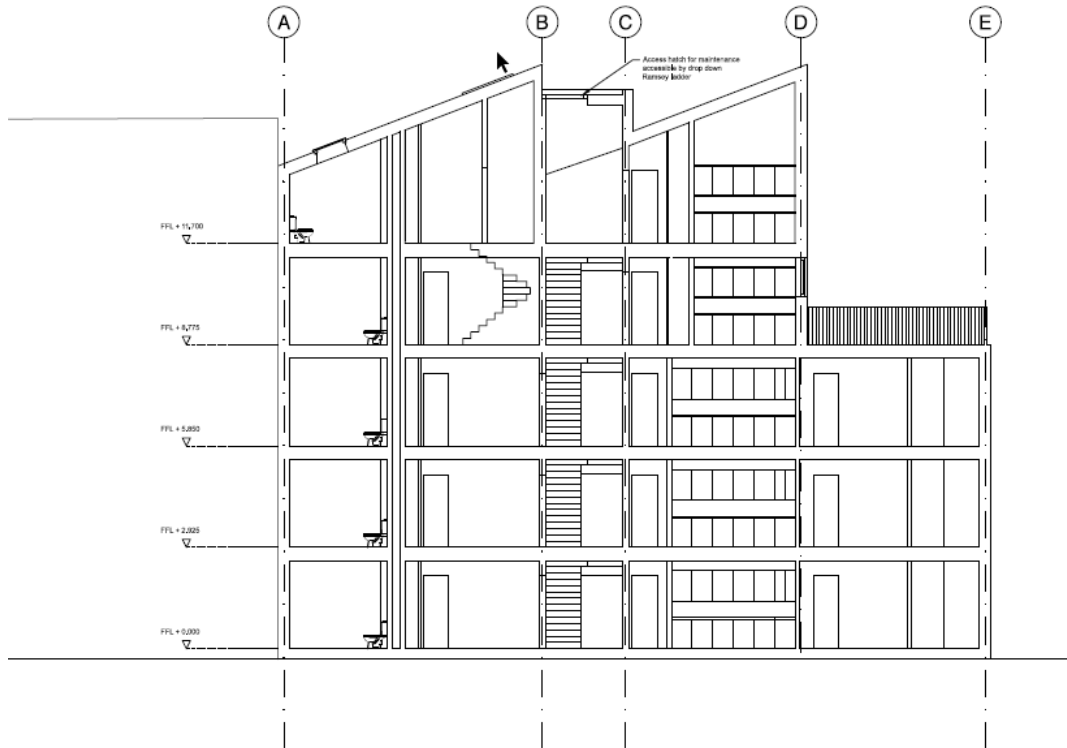
Proposed Roof Plan



Proposed South/Canal Elevation



Proposed North/St Johns Terrace Elevation



Proposed Long Section



Visualisation of Proposed Development from Canal

DRAFT DECISION LETTER

Address: Victoria Wharf , St John's Terrace, London, W10 4RB

Proposal: Demolition of existing buildings, construction of a part 5 and part 3 storey building containing 9 flats (2 x 1 bed, 4 x 2 bed, 2 x 3 bed, 1 x 4 bed) with private balconies/terraces, bicycle storage, waste storage and grass amenity areas.

Reference: 17/07652/FULL

Plan Nos: Drawing numbers PR00 Rev 02, PR01 Rev 02, PR02 Rev 02, PR03 Rev 02, PR04 Rev 02, PR05 Rev 02, PR06 Rev 02, PR07 Rev 02, PR11 Rev 02, PR12 Rev 02, PR20 Rev 02, PR21 Rev 02, PR22 Rev 02, PR23 Rev 02, PR24 Rev 02, Pr25 Rev 02, PR26 rev 02

Case Officer: Nathan Barrett

Direct Tel. No. 020 7641 5943

Recommended Condition(s) and Reason(s)

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

Reason:

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

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

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

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

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

Reason:

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

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

approved materials.

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 S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 4 You must apply to us for approval of 3m x 3m fabricated sample panels of the following parts of the development:

i) typical facade bays.

The sample(s) should demonstrate the colour, texture, face bond, pointing, component interfaces and means of construction (including any typical expansion/movement joints). You must not start any work on the superstructure of the development until we have approved the sample panels.

You must then carry out the work according to these approved sample(s).

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 S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 5 You must apply to us for approval of detailed drawings at 1:5 and 1:20 of the following parts of the development - typical bay details to all new facades to indicate the following:

- i) windows;
- ii) external doors;
- iii) cills;
- iv) reveals;
- v) location and size of movement joints;
- vi) step backs in façade;
- vii) interfaces with windows;
- viii) interfaces with architectural metalwork;
- x) ventilation and other services terminations at façade and roof;
- xi) balconies including method of drainage;
- xii) railings and balustrades; and
- xiii) integral lighting.

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 approved drawings.

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 S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 6 You must not paint any outside walls of the building without our permission. This is despite the fact that this work would normally be 'permitted development' (under class C of part 2 of schedule 2 to the Town and Country Planning General Permitted Development (England) Order 2015) (or any order that may replace it). (C26WB)

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 S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

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

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

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of

the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;

(g) The lowest existing L A90, 15 mins measurement recorded under (f) above;

(h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;

(i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 8 The three bedroom residential units shown on the approved drawings must be provided and thereafter shall be permanently retained as accommodation which (in addition to the living space) provides three separate rooms capable of being occupied as bedrooms.

Reason:

To protect family accommodation as set out in S15 of Westminster's City Plan (November 2016) and H 5 of our Unitary Development Plan that we adopted in January 2007. (R07DC)

- 9 You must provide the waste store shown on drawing PR01 Rev 02 before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the flats. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 10 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan (March 2016).

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

investigation must meet the water, ecology and general requirements outlined in 'Contaminated land, a guide to help developers meet planning requirements' - which was produced in October 2003 by a group of London boroughs, including Westminster.

You must apply to us for approval of the following investigation reports. You must apply to us and receive our approval for phases 1, 2 and 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed.

Phase 1: Desktop study - full site history and environmental information from the public records.

Phase 2: Site investigation - to assess the contamination and the possible effect it could have on human health, pollution and damage to property.

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

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

Reason:

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

- 12 You must not use the roof of the building for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21AA)

Reason:

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

- 13 The glass that you put in the first floor south elevation of 19 St John's Terrace must not be clear glass. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 14 **Pre Commencement Condition** Before development commences, a survey of the condition of the canal wall, and a method statement and schedule of the repairs identified shall be submitted to and approved in writing by the Local Planning Authority. The works identified shall be carried out in accordance with the approved method statement and repairs schedule before the flats

hereby approved are occupied.

Reason:

In the interest of the structural integrity of the waterway wall, waterway heritage, navigational safety and visual amenity, in accordance with policy S37 of the Westminster's City Plan (November 2016).

- 15 **Pre Commencement Condition.** If surface water run-off and ground water is proposed to drain into the canal, details shall be submitted to and agreed in writing by the Local Planning Authority before development commences. The development must be carried out in accordance with the approved details.

Reason:

To safeguard the canals water quality, in accordance with policy S37 of the Westminster's City Plan (November 2016).

- 16 Before occupation of the development, full details of the proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details before occupation of the approved development.

Reason:

To safeguard the canals ecology, in accordance with policies S36 and S37 of Westminster's City Plan (November 2016).

- 17 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes the number, size, species and position of trees and shrubs and any proposed aquatic habitat enhancement. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping and planting within six months of completing the development (or within any other time limit we agree to in writing).

If you remove any trees or find that they are dying, severely damaged or diseased within five years of planting them, you must replace them with trees of a similar size and species.

Reason:

To improve the appearance of the development and its contribution to biodiversity and the local environment, as set out in S36, S37 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007.

- 18 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:

-Removal of the first floor of the wing on the northern side of the building (contains bedroom and bathroom for Flat 4).

You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings.

Reason:

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

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 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 phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 3 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.
- 4 The applicant/developer should refer to the current "Code of Practice for Works affecting the Canal & River Trust" to ensure that all necessary consents are obtained (<https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-property-and-our-code-of-practice>).
- 5 The applicant/developer is advised that any development, crane oversail or access over the waterway requires written consent from the Canal & River Trust, and they should contact the Canal & River Trust's Estates team at jonathan.young@canalrivertrust.org.uk regarding the required agreement.
- 6 The applicant is advised that any drainage from the site into the waterway will require consent from the Canal & River Trust, and they should contact the Canal & River Trust's Utilities team at nick.pogson@canalrivertrust.org.uk.

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

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Agenda Item 2

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CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 03 July 2018	Classification For General Release	
Addendum Report of Director of Planning		Ward(s) involved West End	
Subject of Report	1 Wood's Mews, London, W1K 7DL		
Proposal	Demolition of the existing building and erection of a three storey building with basement, terraces at rear first and second floor level roof for use as a single family dwelling house (Class C3); new canopy on the west elevation, and green roof.		
Agent	Savills		
On behalf of	Cian and Aaron Developments		
Registered Number	18/00046/FULL	Date amended/ completed	3 January 2018
Date Application Received	3 January 2018		
Historic Building Grade	Unlisted		
Conservation Area	Mayfair		

1. RECOMMENDATION

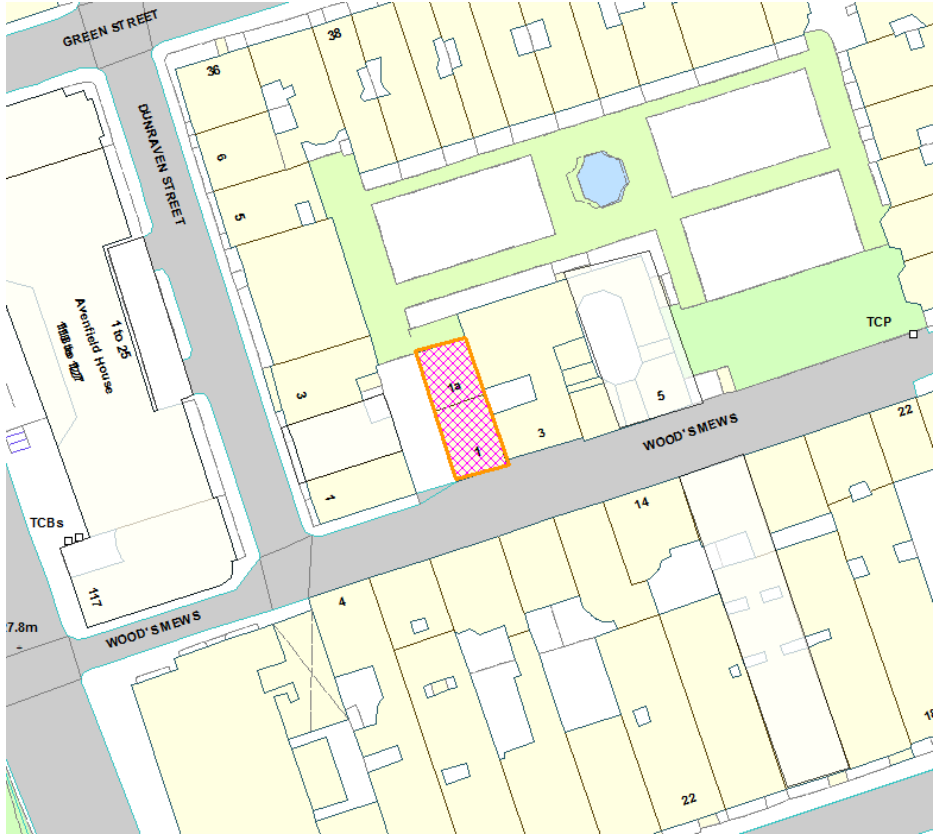
Grant conditional permission.

2. SUMMARY

This application was reported to Planning Applications Sub-Committee on 24 April 2018, where it was resolved to defer the determination to allow for a site visit, attached is a copy of the report dated 24 April 2018. A site visit has been scheduled for 29 June 2018.

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3. LOCATION PLAN



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4. PHOTOGRAPHS



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5. CONSULTATIONS

ADDITIONAL AND LATE REPRESENTATIONS RECEIVED AFTER THE PREVIOUS REPORT WAS WRITTEN AND REPORTED VERBALLY AT PLANNING APPLICATIONS COMMITTEE ON 24 APRIL 2018

One response was received from Councillor Glanz for the West End, which raises concern over the quality of design of the proposed building.

No other comments have been received.

(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: HELEN MACKENZIE BY EMAIL AT hmackenzie@westminster.gov.uk

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DRAFT DECISION LETTER

Address: 1 Wood's Mews, London, W1K 7DL

Proposal: Demolition of the existing building and erection of a three storey building with basement, terraces at rear first and second floor level roof for use as a single family dwelling house (Class C3); new canopy on the west elevation, and green roof.

Reference: 18/00046/FULL

Plan Nos: 1728-A4-020 Rev P3, 1728-A4-030 Rev P3, 1728-A4-040 Rev P3, 1728-A4-050 Rev P3, 1728-A4-060 Rev P3, 1728-A4-210 Rev P2, 1728-A4-220 Rev P2, 1728-A4-230 Rev P2, 1728-A4-310 Rev P3, 1728-A4-320 Rev P3, 1728-A4-330 Rev P3, 1728-A4-340 Rev P3; Arboricultural report dated 20th February 2018(ref. ha/aiams2/woodsmws) and plan (TPP1_WM)

Case Officer: Gemma Bassett

Direct Tel. No. 020 7641 2814

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)

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Reason:

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

- 3 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., , (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., , (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:; (a) A schedule of all plant and equipment that formed part of this application;; (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;; (c) Manufacturer specifications of sound emissions in octave or third octave detail;; (d) The location of most affected noise sensitive receptor location and the most affected window of it;; (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;; (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;; (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;; (i) The proposed maximum noise level to be emitted by the plant and equipment.

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Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

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

Reason:

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

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

Reason:

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

- 6 You must provide the waste store shown on drawing 1728-A4-030 Rev P3 before anyone moves into the property. You must clearly mark it and make it available at all

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times to everyone using the dwelling. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 7 None of the development hereby permitted shall be commenced until detailed design and construction method statements for all of the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority which:- , i) Accommodate the proposed location of the Crossrail structures including tunnels, shafts and temporary works,, ii) Mitigate the effects of noise and vibration arising from the operation of the Crossrail railway within the tunnels and other structures, iii) Mitigate the effects on Crossrail, of ground movement arising from development, Crossrail requires to see the full scope of the development, the ground movement impact and the N&V assessment results., The development shall be carried out in all respects in accordance with the approved design and method statements. All structures and works comprised within the development hereby permitted which are required by paragraphs i, ii and iii of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied., , , None of the development hereby permitted shall be commenced until a method statement has been submitted to, and approved in writing, by the Local Planning Authority to include arrangements to secure that, during any period when concurrent construction is taking place of both the permitted development and of the Crossrail structures and tunnels in or adjacent to the site of the approved development, the construction of the Crossrail structures and tunnels is not impeded.

Reason:

To meet the requirements of a direction made in connection with the CrossRail Project by the Secretary of State for Transport under Articles 10 (3), 14 (1) and 27 of the Town and Country Planning (General Development Procedure) Order 1995 and as set out in S41 and S43 of Westminster's City Plan (November 2016) and TRANS 5 (E) and para 4.68 of our Unitary Development Plan that we adopted in January 2007. (R33AC)

- 8 None of the development hereby permitted shall be commenced until a method statement has been submitted to, and approved in writing, by the Local Planning Authority to include arrangements to secure that, during any period when concurrent

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construction is taking place of both the permitted development and of the Crossrail structures and tunnels in or adjacent to the site of the approved development, the construction of the Crossrail structures and tunnels is not impeded.

Reason:

To meet the requirements of a direction made in connection with the CrossRail Project by the Secretary of State for Transport under Articles 10 (3), 14 (1) and 27 of the Town and Country Planning (General Development Procedure) Order 1995 and as set out in S41 and S43 of Westminster's City Plan (November 2016) and TRANS 5 (E) and para 4.68 of our Unitary Development Plan that we adopted in January 2007. (R33AC)

- 9 Piling must take place from within the footprint of 1 Woods Mews and the piling equipment must not straddle the proposed pile line on the rear elevation of the building. No part of the piles including the pile cap must project beyond the rear elevation of the existing dwelling. If you want to vary or alter the pile location or method of installation, you must apply to us for our prior approval and you must not start any work until we have approved what you have sent to us.

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 10 You must protect the trees according to the details, proposals and recommendations set out in your Arboricultural Report (ha/aiams2/woodsmws 20 February 2018) and plan (TPP1_WM). If you want 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 the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

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- 11 You must submit details of an auditable system of arboricultural site supervision and record keeping prepared by an arboricultural consultant who is registered with the Arboricultural Association, or who has the level of qualifications and experience needed to be registered. The details of such supervision must include: , o identification of individual responsibilities and key personnel., o induction and personnel awareness of arboricultural matters., o supervision schedule, indicating frequency and methods of site visiting and record keeping, o procedures for dealing with variations and incidents., You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. You must then adhere to the approved supervision schedule., , You must produce written site supervision reports after each site monitoring visit, demonstrating that you have carried out the supervision and that the tree protection is being provided in accordance with the approved scheme. If any damage to trees, root protection areas or other breaches of tree protection measures occur then details of the incident and any mitigation/amelioration must be included You must send copies of each written site supervision record to us within five days of the site visit.

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 12 You must apply to us for approval of details of any proposed alterations to the existing ground levels for landscaping or otherwise, or any other works to be undertaken within the Root Protection Area of any tree within the tree survey plan and schedule. You must not start any work with the Root Protection Area of the tree(s) until we have approved what you have sent us

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 13 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until

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we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

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

- 14 You must apply to us for approval of detailed drawings at 1:10 of the following parts of the development all external doors and a typical example of each. You must not start work until we have approved what you have sent us., , You must then carry out the work according to these details. (C26CB)

Reason:

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

- 15 You must paint all new outside rainwater and soil pipes black and keep them that colour. (C26EA)

Reason:

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

- 16 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building unless they are shown on the approved drawings. (C26KA)

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Reason:

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

- 17 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the balcony. (C26OA)

Reason:

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

- 18 You must not carry out demolition work unless it is part of the complete development of the site. You must carry out the demolition and development without interruption and according to the drawings we have approved. (C29BB)

Reason:

To maintain the character and appearance of the Mayfair Conservation Area and the special architectural and historic interest of this listed building as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 9 (B) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29CC)

- 19 You must not form any windows or other openings (other than those shown on the plans), in the external walls of the building, and you must not paint the external walls of the building, without our permission. This is despite the provisions of Class A of Part 1 of Schedule 2, and Class C of Part 2 of Schedule 2 to the Town and Country Planning General Permitted Development Order (England) 2015 (or any order that may replace it).

Reason:

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

- 20 **Pre Commencement Condition.**, (a) You must apply to us for approval of a written scheme of investigation for a programme of archaeological work. This must include details of the suitably qualified person or organisation that will carry out the archaeological work. You must not start work until we have approved what you have sent us., (b) You must then carry out the archaeological work and development according to this approved scheme. You must produce a written report of the investigation and findings, showing that you have carried out the archaeological work and development according to the approved scheme. You must send copies of the written report of the investigation and findings to us, to Historic England, and to the Greater London Sites and Monuments Record, 1 Waterhouse Square, 138-142 Holborn, London EC1N 2ST., (c) You must not use any part of the new building until we have confirmed that you have carried out the archaeological fieldwork and development according to this approved scheme. (C32BC)

Reason:

To protect the archaeological heritage of the City of Westminster as set out in S25 of Westminster's City Plan (November 2016) and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32BC)

- 21 You must only use the garage for people living in this property to park their private motor vehicles. (C22EB)

Reason:

To provide parking spaces for people using the development as set out in STRA 25 and TRANS23 of our Unitary Development Plan that we adopted in January 2007. (R22AB)

- 22 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

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Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

- 23 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 24 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to: , i) the proposed living roof (to include construction method, layout, species and maintenance regime), ii) planting to the western edge of the second floor terrace. , 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.

Reason:

To protect and increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007 and to protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

Reason:

To protect and increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43CB)

- 25 You must not use the part of the rear second floor roof terrace annotated as inaccessible on drawing 1728-A4-050 rev P3 for sitting out or for any other purpose. You can however use the roof to escape in an emergency

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Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 26 The glass that you put in the central window column, and at ground floor level in the south elevation of the building must not be clear glass, and you must fix it permanently shut. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission. (C21DB)

Reason:

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

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

Reason:

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

Informative(s):

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- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- 2 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work. Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.24 Hour Noise Team, Environmental Health Service, Westminster City Hall, 64 Victoria Street, London, SW1E 6QP, Phone: 020 7641 2000, , Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

- 3 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following: , * Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible; , * This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant. , , Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm. , , It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

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- 4 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained., Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following: , * Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings; , * Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase; , * Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained; , * Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the centre of particularly wide staircases where necessary; , * Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.
- 5 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following. , * Window cleaning - where possible, install windows that can be cleaned safely from within the building. , * Internal atria - design these spaces so that glazing can be safely cleaned and maintained. , * Lighting - ensure luminaires can be safely accessed for replacement. , * Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission). , More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm. , Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)
- 6 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 7 Please contact our District Surveyors' Services to discuss how you can design for the inclusion of disabled people. Email: districtsurveyors@westminster.gov.uk. Phone 020 7641 7240 or 020 7641 7230. If you make a further planning application or a building regulations application which relates solely to providing access or facilities for people with disabilities, our normal planning and building control fees do not apply. , , The

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Equality and Human Rights Commission has a range of publications to assist you, see www.equalityhumanrights.com. The Centre for Accessible Environment's 'Designing for Accessibility', 2004, price £22.50 is a useful guide, visit www.cae.org.uk. , , If you are building new homes you must provide features which make them suitable for people with disabilities. For advice see www.habinteg.org.uk , , It is your responsibility under the law to provide good access to your buildings. An appropriate and complete Access Statement as one of the documents on hand-over, will provide you and the end user with the basis of a defence should an access issue be raised under the Disability Discrimination Acts.

- 8 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 9 The development will result in changes to road access points. Any new threshold levels in the building must be suitable for the levels of neighbouring roads. If you do not plan to make changes to the road and pavement you need to send us a drawing to show the threshold and existing road levels at each access point., , If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and the development. You will have to pay all administration, design, supervision and other costs. We will carry out any work which affects the road. For more advice, please phone 020 7641 2642. (I69AA)
- 10 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 11 The term 'clearly mark' in condition 6 means marked by a permanent wall notice or floor markings, or both. (I88AA)
- 12 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.
- 13 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design,

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supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)

- 14 This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I32AA)

- 15 With reference to condition 27 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work. The Code does require the submission of a full Site Environmental Management Plan or Construction Management Plan as appropriate 40 days prior to commencement of works (including demolition). These documents must be sent to environmentalsciences2@westminster.gov.uk. Appendix A or B must be signed and countersigned by Environmental Sciences prior to the submission of the approval of details of the above condition. You are urged to give this your early attention

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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.

7 1 WOOD'S MEWS, LONDON, W1K 7DL

Demolition of the existing building and erection of a three storey building with basement, terraces at rear first and second floor level roof for use as a single family dwelling house (Class C3); new canopy on the west elevation, and green roof.

An additional representation was received from Councillor Jonathan Glanz (18.04.2018).

RESOLVED UNANIMOUSLY:

That the application be deferred for a site visit.

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CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 24 April 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	1 Wood's Mews, London, W1K 7DL		
Proposal	Demolition of the existing building and erection of a three storey building with basement, terraces at rear first and second floor level roof for use as a single family dwelling house (Class C3); new canopy on the west elevation, and green roof.		
Agent	Savills		
On behalf of	Cian and Aaron Developments		
Registered Number	18/00046/FULL	Date amended/ completed	3 January 2018
Date Application Received	3 January 2018		
Historic Building Grade	Unlisted		
Conservation Area	Mayfair		

1. RECOMMENDATION

Grant conditional permission

2. SUMMARY

1 Wood's Mews is a single family dwelling set over ground and two upper floors, with an integral garage. The house is accessed from a private drive on the north side of Wood's Mews, which is owned by Grosvenor Estates.

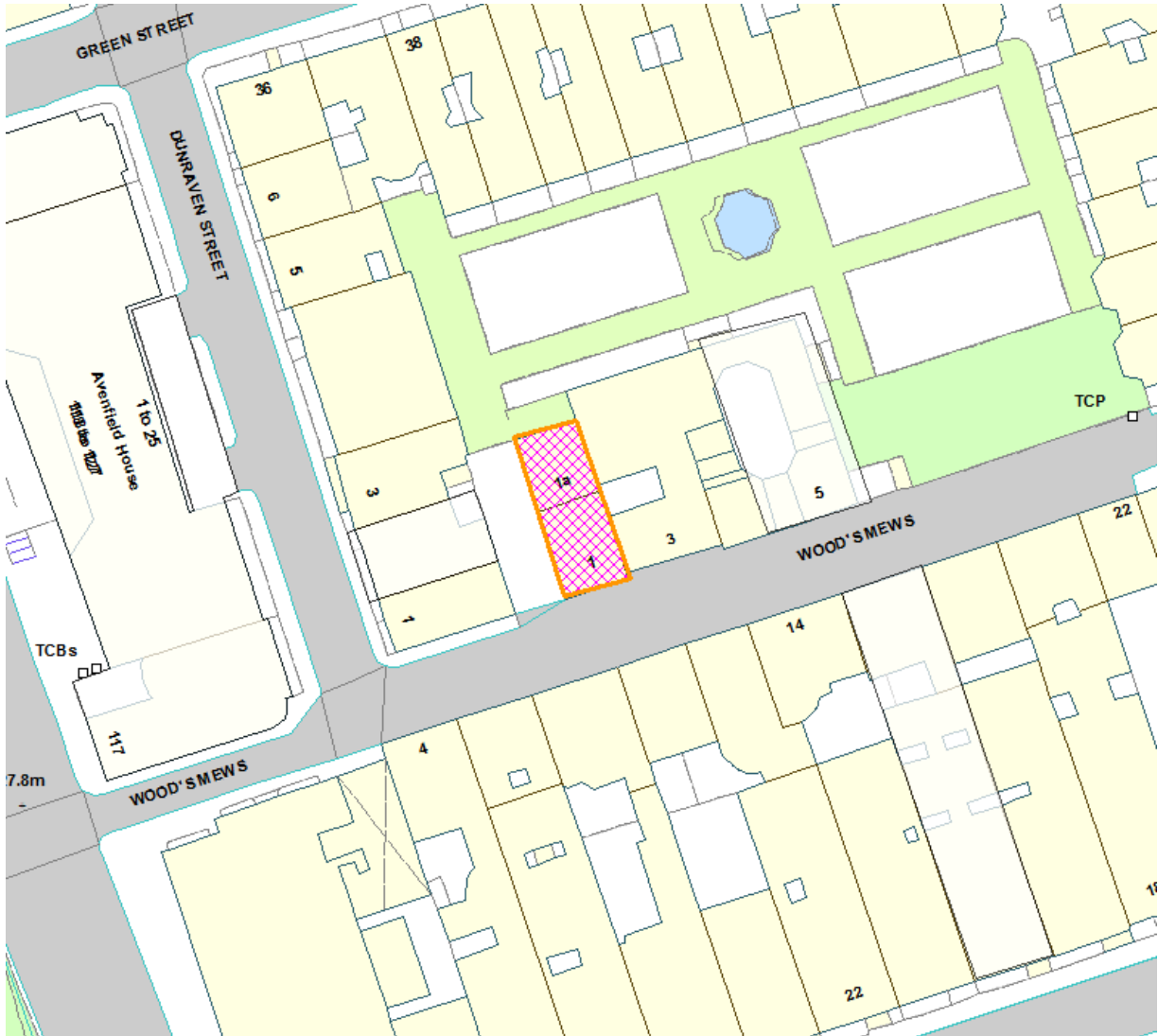
The application proposes the demolition of the building and erection of a three storey, single family dwelling with basement. In 2015, a similar application for a replacement dwelling house, incorporating two basement levels, was refused on the grounds of detailed design and loss of daylight to neighbouring properties.

The key issues for consideration are:

- The impact on neighbouring residential amenity
- The impact on the character and appearance of the Mayfair conservation area

The proposals have been amended to revise the window design and to incorporate an integral garage. The application is considered acceptable on townscape and amenity grounds and is therefore recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



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5. CONSULTATIONS

COUNCILLOR ROBERTS AND COUNCILLOR GLANZ
Request that the application be determined by planning committee

HISTORIC ENGLAND:
No objection, authorisation received

RESIDENTS' SOCIETY OF MAYFAIR & ST. JAMES'S:
Any comments to be reported verbally

ENVIRONMENTAL HEALTH:
No objection subject to conditions

CLEANSING MANGER:
No objection subject to conditions to secure waste and recycling storage

HIGHWAYS PLANNING MANAGER:
No objection subject to conditions

BUILDING CONTROL:
No objection

ARBORICULTURAL SECTION:
No objection subject to conditions

CROSSRAIL:
No objection subject to conditions

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED
No. Consulted: 77
Total No. of replies: 6 (from 4 respondents)

Letters of objection on the following concerns:

Amenity

- Loss of privacy from increased number, and size, of windows

Design

- Design is not in-keeping with the character of the mews
- Façade should be retained

Trees

- Harm to trees at the rear of the site

Parking

- Loss of off street parking
- Any agreement to park on the adjacent private roadway could be terminated

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Construction

- Noise/vibration during construction works
- Lost income from works close to short term lets
- Condition of neighbouring properties should be recorded
- Absence of delivery/travel plan for construction works
- Need for construction noise sensors on site

Procedure

- Site notice was posted too far from the site

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Site

The application site is a, vacant, single family dwellinghouse comprising ground and two upper floors with an integral garage. The property is unlisted but is located within the Mayfair Conservation Area and the Core Central Activities Zone (Core CAZ).

There is an existing patio at rear ground floor level, enclosed by a dwarf wall. This area overlooks a rear communal garden, accessible from neighbouring properties, which contains various shrubs and trees, including a mature tree directly adjacent to the site boundary.

Access to the site is via a private driveway, owned by the Grosvenor Estate, to the north of Woods Mews.

6.2 Recent Relevant History

18 August 2015: Permission refused for the demolition of the existing building, excavation of two basement levels and the erection of a part three/part four storey single family dwelling with terraces at ground and third floor level, with associated stair access, and an integral garage at ground floor level. Installation of green roof areas and PV cells at main roof level. 14/08487/FULL.

The Committee refused the application on the grounds that the demolition of the existing building, which makes a positive contribution to the character and appearance of the Mayfair Conservation Area, and its replacement with a new building of inappropriate design and materials would fail to maintain or improve (preserve or enhance) the character and appearance of the Mayfair Conservation Area; loss of daylight for the people living in 2 Dunraven Street in particular the ground floor living/dining room and kitchen.

November 2015: Certificate of Lawful Development issued confirming that the excavation of two basement levels (210 sq.m) could be constructed under permitted development (15/09236/CLOPUD). No works have been undertaken.

In July 2016 the City Council adopted an Article 4 direction which removes the permitted development rights for basements development across the City. Consequently, the

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works subject to the Lawful Development Certificate are no longer lawful and cannot be afforded material weight in the determination of this application.

7. THE PROPOSAL

Permission is sought for the demolition of the existing building and for the property and the erection of a replacement single family dwelling house on basement, ground and two upper floors with terraces on rear first and second floors.

The application has been amended to incorporate an integral garage, to reduce the size of windows to the south (Wood’s Mews) façade and to include opaque glass within the central window column on this elevation. In addition, a second basement level, which was intended to accommodate plant, has been omitted from the scheme and the depth of the first basement has been reduced. The basement plant has been relocated, internally, under the stairs at basement and ground floor level.

The proposed basement at 99 sq.m. would be significantly smaller than that which was proposed under the scheme refused in 2015.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Residential use and quality of accommodation

Although the existing four bedroom dwelling would be replaced by a three bedroomed house, both units would be considered to be family sized accommodation. The overall amount of residential floorspace on the site would be increased by 90 sq.m. This increase accords with UDP policy H3 and City Plan Policy S14.

The proposed dwelling would benefit from good levels of daylight and sunlight, and would far exceed the minimum standards set out in the Nationally Described Space Standards (NDSS). The scheme would increase the amount of private amenity space on three terrace areas. The development would provide a good standard of accommodation for future occupiers.

8.2 Townscape and Design

The original late Victorian building was a simply detailed structure with a few flamboyant details which distinguished it from more mundane buildings of its type. It has been much altered in the latter part of the 20th century and it lacks most of the visual interest it once possessed. Nevertheless, in refusing permission for redevelopment of the site in 2015 the City Council decided that the existing building makes a positive contribution to the character and appearance of the conservation area and that the proposed replacement building was unacceptable in terms of its detailed design and use of materials, failing to preserve or enhance the character and appearance of the conservation area..

Mayfair is an area of mixed character, containing old and new buildings of varying aesthetic merit, and Wood’s Mews is no exception. Consequently, demolition of the

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existing building could be appropriate subject to the quality of the proposed replacement building.

The current scheme seeks approval for demolition of the existing building but the design of the proposed dwelling is substantially different to that under the previous scheme. In addition, its height bulk and massing are similar to that of the existing building and represent a reduction in comparison to the development refused in 2015.

The facades, as proposed, are considered an improvement when compared to the existing building and reflect the general character and appearance of buildings in the surrounding conservation area in terms of their fenestration and use of facing brick. In particular, the detailed design of the facades is highly successful and their subtle detailing compares favourably with surrounding buildings. To prevent a re-occurrence of, the existing, painted brickwork, a condition is recommended to remove permitted development rights, which would allow the façade to be painted.

There is a clear hierarchy of fenestration and the blind arcade, with small high-level windows at ground floor level is an attractive way of dealing with the side wall of the garage. The design provides appropriate visual interest in the street and it is an improvement when compared to the, extensively altered, facades of the existing building.

In design and heritage asset terms, there is no objection in principle to basement excavation on this site. The basement does not visually manifest itself in any way that is detrimental to the character or appearance of the surrounding conservation area. Nevertheless, the site in an area of archaeological priority and as such a condition is recommended to ensure archaeological monitoring is carried out as part of any development involving basement excavation.

The existing building has been altered in the past to the detriment of its appearance. When considered against the architectural improvement to the character and appearance of the conservation area that the proposal would produce, the proposed modern architectural treatment of the facades is considered acceptable and as the basement does not have any external manifestation (such as lightwells), both aspects of the proposal are considered acceptable in design and heritage asset terms. The development is therefore considered to fully accord with the City Council's development plan policies and supplementary planning guidance 'Development and Demolition in Conservation Areas'. In these circumstances, objections on the grounds that the building façade should be retained and that the proposed design is not in keeping with the character of the mew, cannot be supported.

8.3 Residential Amenity

City Plan policy S29 seeks to safeguard the amenity of existing residents. Policy ENV 13 of the UDP seeks to protect and improve the residential environment and resists proposals which would result in a material loss of daylight and sunlight and/or significant increase in sense of enclosure or overlooking.

Privacy

Objections have been received from neighbouring residential occupiers at 3-5 Woods Mews, 4 Dunraven Street and 6, 8 and 10 Woods Mews on the grounds that the development would result in overlooking and loss of privacy to neighbouring properties and the communal garden.

3-5 Woods Mews is immediately adjacent to the application site. There are no windows on the proposed dwelling that would cause any loss of privacy to this neighbouring property. 4 Dunraven Street is set perpendicular to, and due north of, the application site. There would be limited, oblique, views from the rear of the proposed house towards the rear of flats in this neighbouring building, but it is not considered that the impact would be so significant as to justify a reason for refusal. Further, any oblique views would be screened by a mature tree, which is located immediately to the north of the application site.

Numbers 6, 8 and 10 Woods Mews are located on the opposite (southern) side of the Wood's Mews, with nos. 6 and 8 being offset to the west. Consequently, there would be only limited, oblique views between the habitable spaces of these flats and the application site.

No. 10 Woods Mews is located directly opposite the application site. Windows serve a first floor kitchen and dining room and a second floor bedroom and en-suite bathroom. Windows on the southern facade of the proposed dwelling have been positioned to be offset from those at 10 Woods Mews. Further, the scheme has been revised to reduce the amount of glazing and raise the window cill heights to all floors and to incorporate obscured glass to the central window column. This obscured glazing would be secured by condition. Given these amendments and the buildings are separated by a mews width, which is not an untypical relationship between dwellings, it is not considered that the proposal would give rise to a material loss of privacy to properties on the south side of the mews. As the development would replace an existing dwelling with windows on all facades, it is not considered that the proposed glazing would give rise to any unacceptable increase in overlooking to neighbouring properties.

The proposed terrace at first and second floor levels would be set back behind the rear building line at 3-5 Wood's Mews and would be screened, to the north, by a mature tree. The submitted plans also show some privacy planting along the west edge of the terrace, details of which could be secured by condition.

The proposed first floor terrace, which is also be behind the rear wall of 3-5 Wood's Mews, would be limited in size. It is not considered that its use would cause any loss of privacy to neighbouring properties.

Daylight and Sunlight

Policy ENV 13 seeks to ensure good daylight levels to habitable rooms in existing residential properties.

The daylight and sunlight report submitted as part of the previous application included notational layouts for 2 Dunraven Street and concluded that losses of light to some

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rooms would breach the BRE guidelines. The current report is based upon original layout plans for this neighbouring property. A number of rooms previously designated as study or kitchens have now been re-designated as dining rooms and bedrooms.

The submitted daylight and sunlight report assesses the impact of the development on 38 Green Street, 3-5 and 6, 8, and 10 Woods Mews and 1, 2 and 3 Dunraven Street

Daylight

The principle test for measuring the impact of the development upon the level of light received to neighbouring properties is the Vertical Sky Component (VSC), the amount of light reaching the face of a window. If the VSC is both less than 27% and values as a result of the development would be less than 0.8 times its former value then the impact would be noticeable.

The height and bulk of the proposed building is similar to the existing and the submitted daylight report shows that any loss of light to neighbouring buildings would comply with BRE guidelines and that all properties would continue to receive good natural light. The previous scheme, which proposed a new building on ground and part two/part three upper floors was refused on the grounds that it would result in a material loss of light to 2 Dunraven Street, in particular the to the ground floor living/dining room and kitchen. The loss of light to these windows was 21.13, 28.18, 27.94 and 13.21%. Losses to these ground floor windows would now be 6.97 and 2.23% (with resulting values of 16.26 and 9.22%) to the ground floor living room and 5.67 and 5.04% (with resulting values of 11.78 and 12.72%) to the kitchen.

Sunlight

The impact of the development on the amount of sunlight received to neighbouring properties is measured by Annual Probable Sunlight Hours (APSH). Only those windows which face within 90 degrees of due south need to be tested. If the proposed sunlight is less than 25% APSH including 5% in the winter months and the loss is greater than 20% over the whole year then the loss of sunlight will be noticeable.

The submitted report shows that any loss of annual or winter sun will be within acceptable parameters.

Sense of Enclosure

The proposed building would be similar in height and massing to the existing building. As such, it is not considered that there would be any increase in sense of enclosure to neighbouring properties.

In view of the above, it is not considered that the proposed development would have a material impact upon the amenities of neighbouring occupiers and accords with policies ENV 13 and S29.

8.4 Transportation/Parking

The development would not result in any net change to the number of residential units.

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The scheme originally omitted the ground floor garage space and included proposals to provide parking on the private access road outside of the dwelling, which is owned by the Grosvenor Estate. Objections were received to the loss of parking and to the fact that, as the private roadway is not owned by the applicant, any arrangement to park vehicles on this land could be terminated. The application has been revised to include an integral garage space, which would be secured by condition. In these circumstances, the proposals would replicate the existing car parking arrangements and would comply with UDP policies TRANS 21 and TRANS 23.

The application proposes 2 cycle parking spaces within the garage in accordance with London Plan policy 6.9. This cycle parking would be secured by condition.

8.5 Economic Considerations

Any economic benefits generated by the proposal are welcomed.

8.6 Other UDP/Westminster Policy Considerations

Basement development

The proposal includes the excavation of a single basement, which is compliant with City Plan Policy CM28.1.

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

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

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

Construction Impact

Objections have been received on the grounds that the construction works could result in a loss of income to the owners of 6, 8 and 10 Wood's Mews, which are occupied on

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short term tenancies. The objectors have also requests that the applicant commissions a record of condition of their properties. Objectors have requested that noise sensors be installed on site and that a delivery/travel plan be submitted in relation to construction traffic/works.

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

It is acknowledged that construction works have the potential to affect the amenity of neighbouring occupiers but the impact on rental income is not a material planning consideration. However, subject to the conditions outlined above, it is considered that the potential effects of the construction process upon the amenities of neighbouring occupiers will be ameliorated as far as possible. The Council would not insist upon a survey of neighbouring properties be undertaken but this is a matter which the objectors may wish to explore with the applicants.

Plant

The scheme originally proposed to provide plan at second basement level and within an internal plant are at rear second floor level, which would be accessed from the terrace. The plans have been revised to omit the second basement and to relocate this plant to areas beneath the stairs on the basement and ground floors. An internal flue would be installed which would terminate at roof level. Given that all plant would be located internally, it will not be harmful to views from the public realm or from local private views.

The acoustic report, submitted proposals to the omission of the basement, has been assessed by the Council's Environmental Health Officer. They consider that that the proposed plant is likely to comply with the City Council's noise policy ENV 7 of the UDP but, as the plant has not been selected, have requested a condition requiring the submission of a supplementary noise reports to demonstrate that the plant would operate in accordance with the Council's requirements regarding noise and vibration. Subject to conditions, it is considered that the development would comply with UDP policy ENV7 and policy S32 of the City Plan and would not materially affect the amenity of neighbouring properties.

Refuse /Recycling

Waste and recycling storage would be located at ground floor level to the rear of the garage. The submitted plans demonstrate that there would be sufficient storage space for a development of this size. It is recommended that provision of waste storage is secured by condition.

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Sustainability & Biodiversity

The application proposes a green roof. This is welcomed and accords with City Plan Policy S38 and ENV17 of the UDP. It is recommended that details of this roof (construction and planting) are secured by condition.

Trees

Two objections raise concern over the impact of the proposed development on mature trees to the rear of the site. The Council's Arboricultural Manager originally expressed concern over the impact of the works on these trees and, in response to this, the applicant has submitted supplementary information on the proposed piling methodology. The Council's Arboricultural Manager has confirmed that the additional information overcomes their concerns, and has raised no objection subject to a number of conditions which seek to prevent any damage to the mature Maple tree to the rear of the site.

8.7 London Plan

This application raises no strategic issues.

8.8 National Policy/Guidance Considerations

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

8.9 Planning Obligations

This application does not trigger any planning obligations.

8.10 Other Issues

Site Notice

One neighbouring resident has raised concerns that the site notice was put up too far from the application site. Council records demonstrate that the notice was fixed to a lamp post outside 16 Woods Mews. This is approximately 15m from the application site. The only other street posts in the vicinity of the site are located immediately adjacent to parking spaces, where a site notice could have been obscured by taller parked vehicles. It is considered that the site notice was placed sufficiently close to the application site and that the Council has fulfilled its duty to consult in accordance with article 15 of the Development Management Procedure Order (DMPO) 2015. All neighbouring properties have received letters notifying them of the proposed development.

8.11 Conclusion

The proposals are considered acceptable in amenity and design terms and comply with the City Council's UDP and City Plan policies and the application is recommended for approval.

9. BACKGROUND PAPERS

1. Application form
2. Email from Councillor Roberts dated 3 February 2018
3. Email from Councillor Glanz dated 2 February 2018
4. Response from Historic England (Listed Builds/Con Areas), dated 15 January 2018

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5. Responses from Cross London Rail Links Ltd (1), dated 18 January and 2 March 2018
6. Responses from Environmental Health dated 10 January and 9 April 2018
7. Response from Cleansing dated 17 January and 14 March 2018
8. Response from Highways dated 22 January and 12 March 2018
9. Response from Building Control dated 19 February 2018
10. Responses from Arboricultural Officer dated 19 February and 1 March 2018
11. Letter from occupier of 3-5 Woods Mews dated 31 January 2018
12. Letter from occupier of Flat 2, Warburton House, 4 Dunraven Street dated 14 January 2018
13. Letter on behalf of the owners 6, 8, and 10 Woods Mews dated 8 February 2018
14. Letters/emails from occupier of 10 Woods Mews dated 30 January and 3 April (two)2018.

(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: SARA SPURRIER BY EMAIL AT SSPURRIER@WESTMINSTER.GOV.UK

10. KEY DRAWINGS

Stone finish coping
Brick shadow gap
Stone coloured metal architectural glazing
Stone finish coping
Edging wall and brickwork above

Recessed brick wall for course
Wall to remain as existing
Stone coloured metal patio doors
Stone coloured metal factory and railings

FOR PLANNING

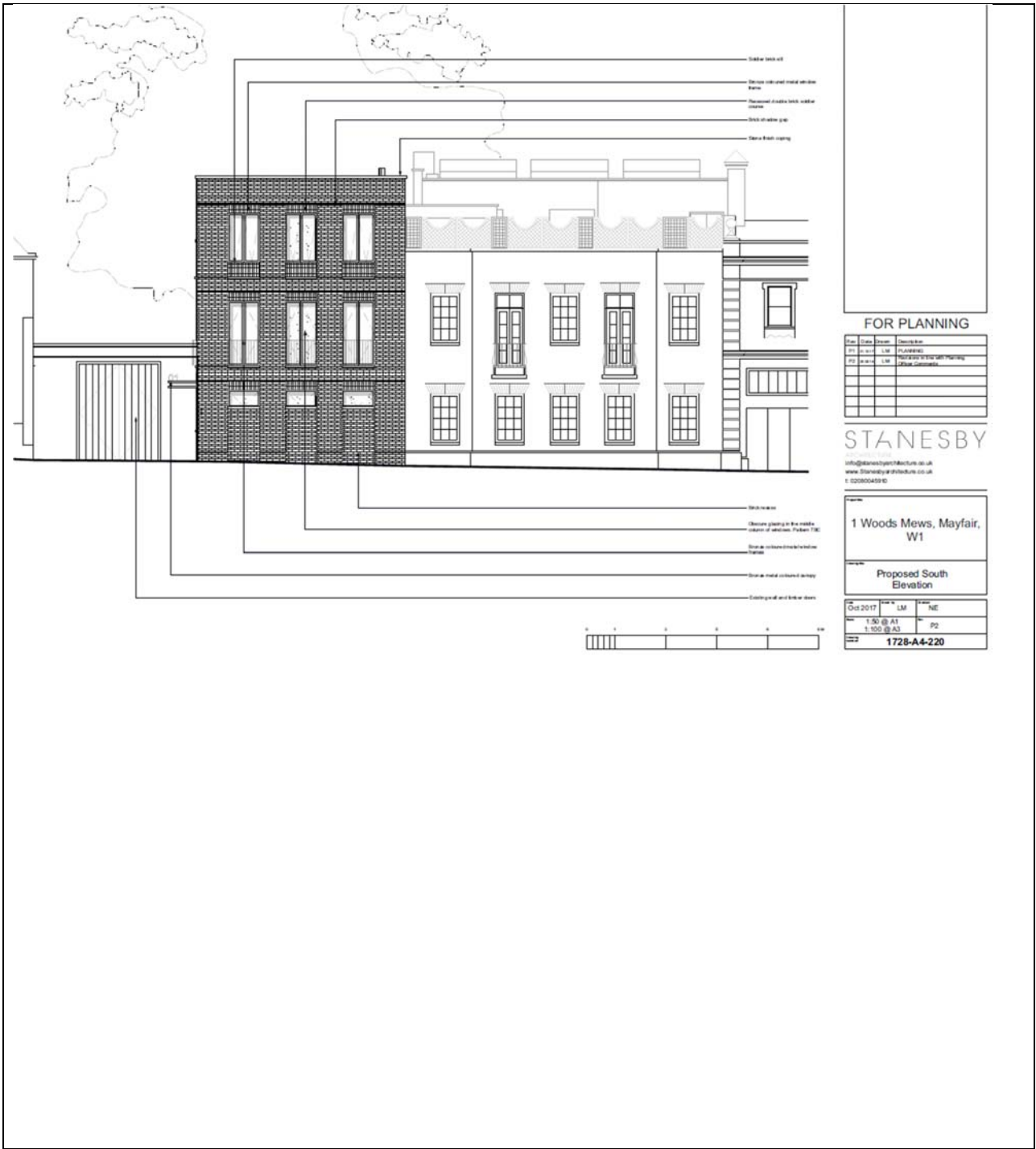
Rev	Date	Drawn	Description
P1	20.10.17	LM	PLANNING
P2	28.11.18	LM	Rev & up to date with Planning Office Comments

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t: 02080045910

1 Woods Mews, Mayfair, W1

Proposed North Elevation

Date	Scale	Sheet	Number
Oct 2017	LM	NE	
1:50 @ A1			
1:100 @ A3		P2	
1728-A4-210			



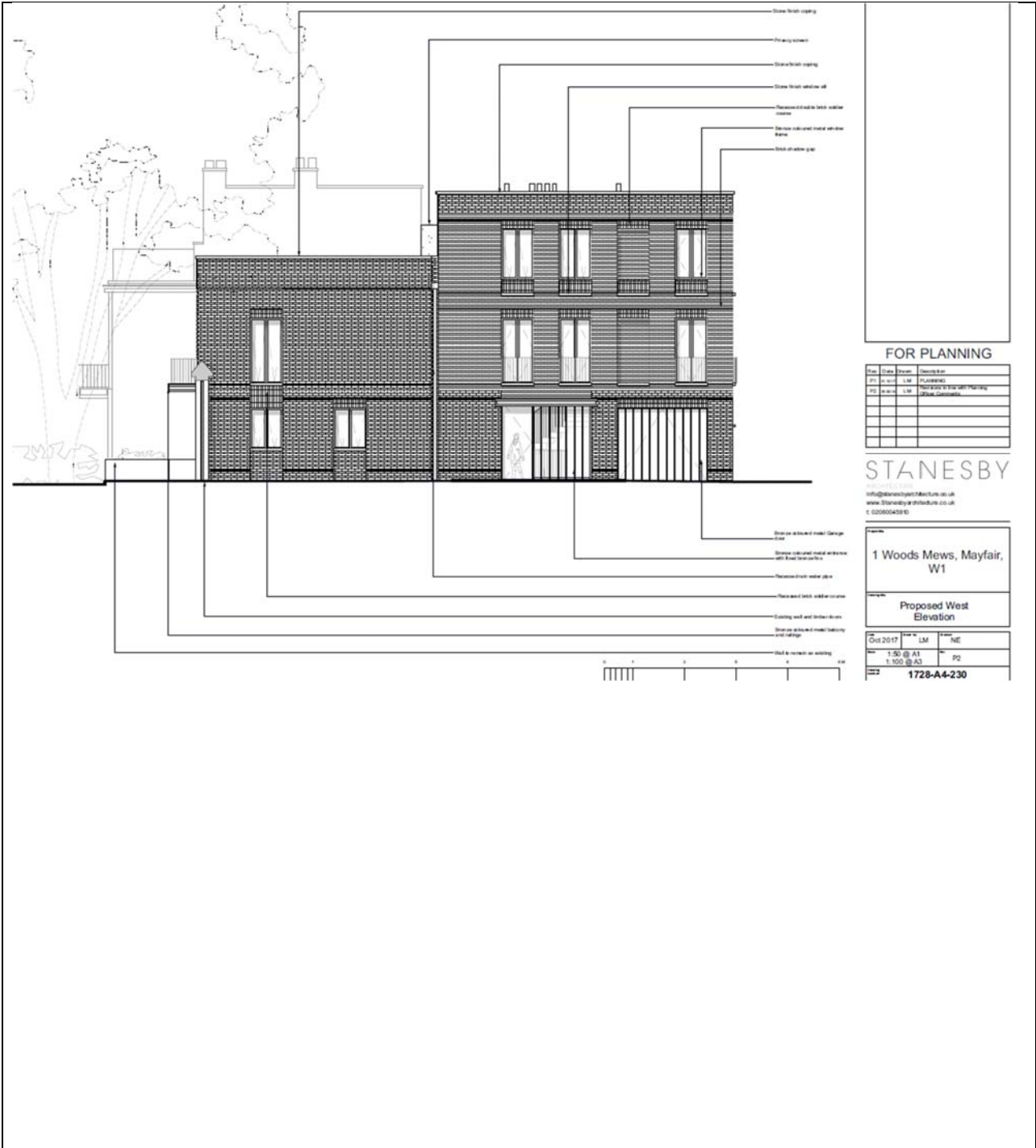
FOR PLANNING

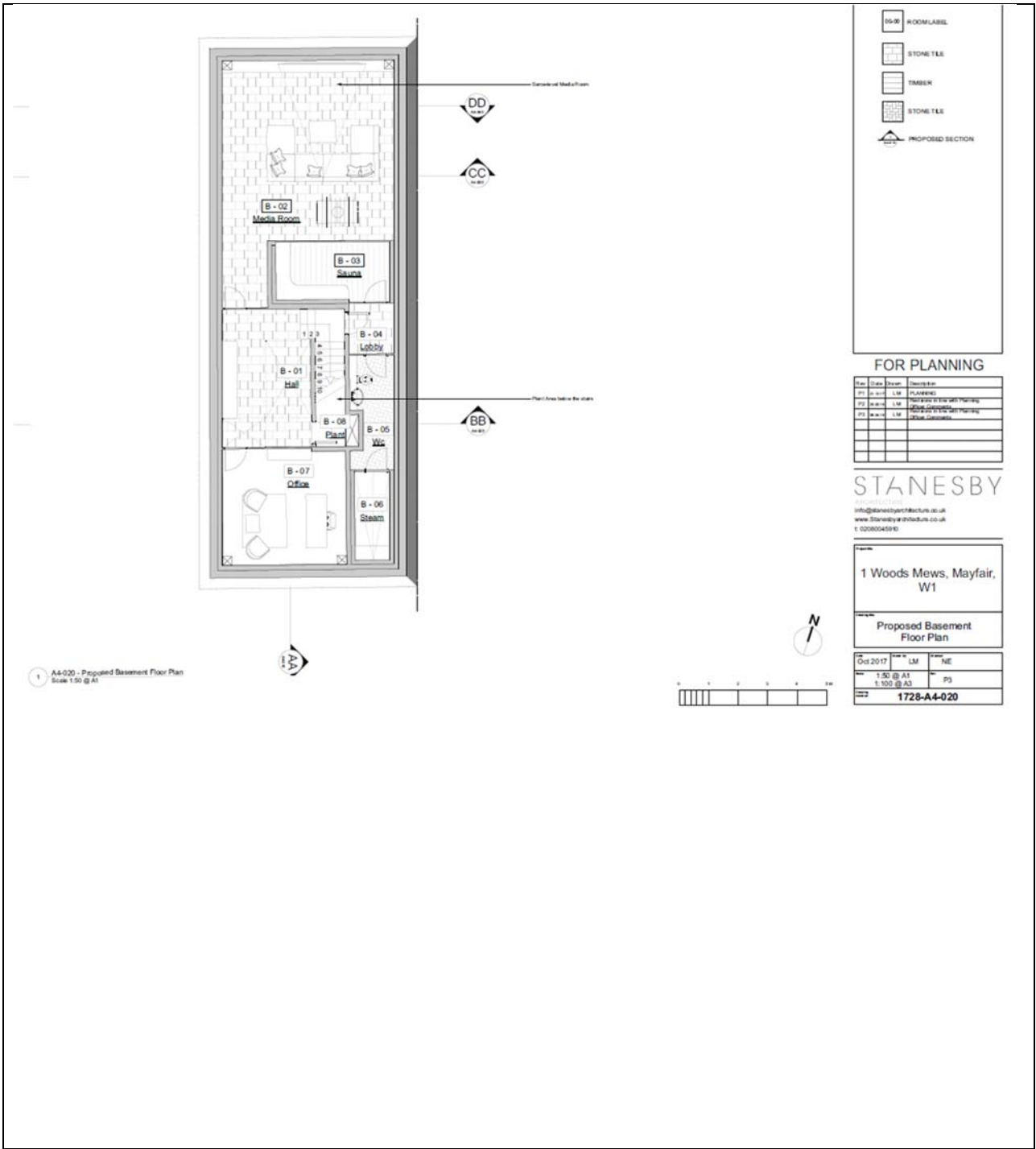
Date	Drawn	Description
2017	LM	Preparation
2017	LM	Revised for planning

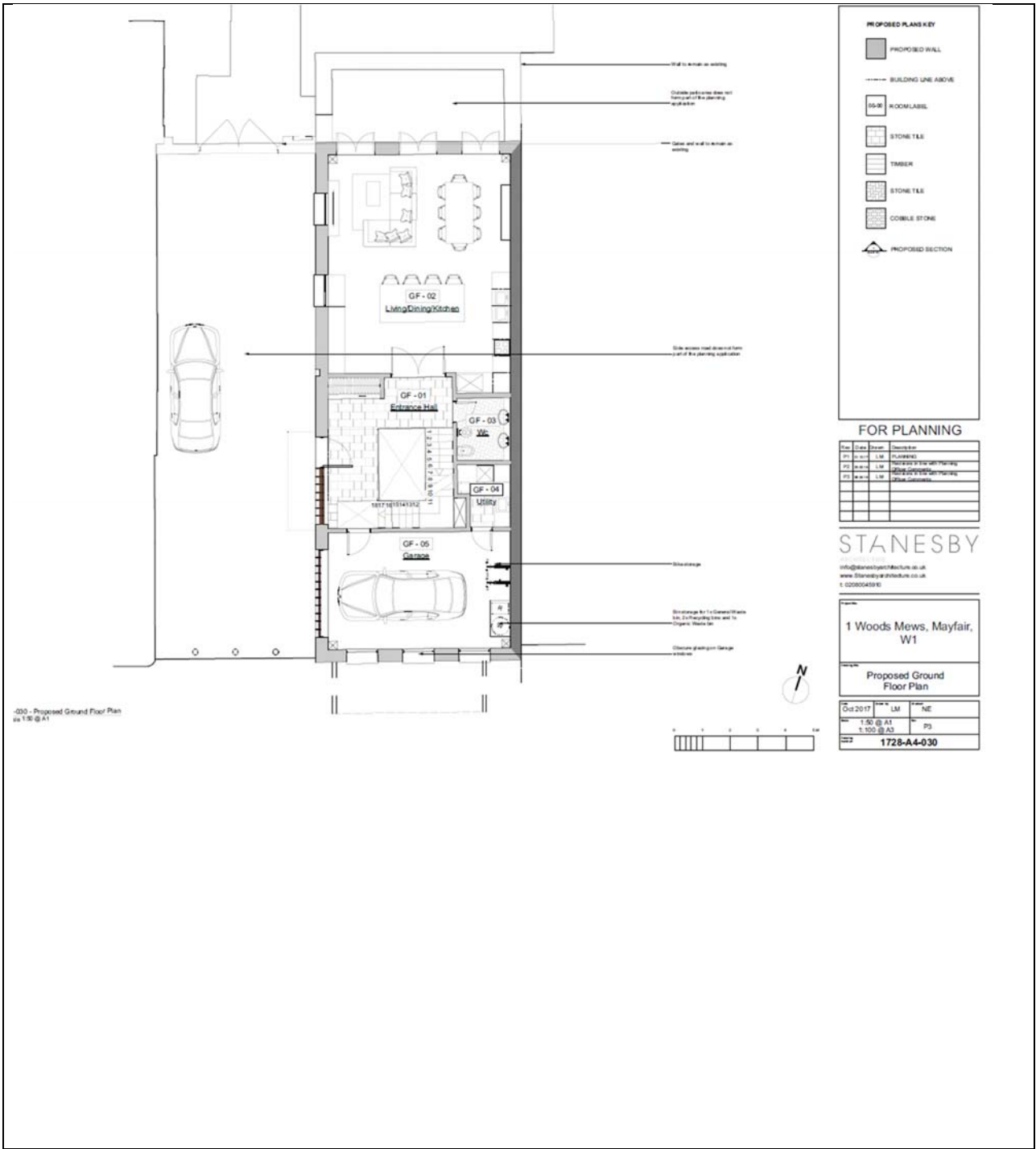
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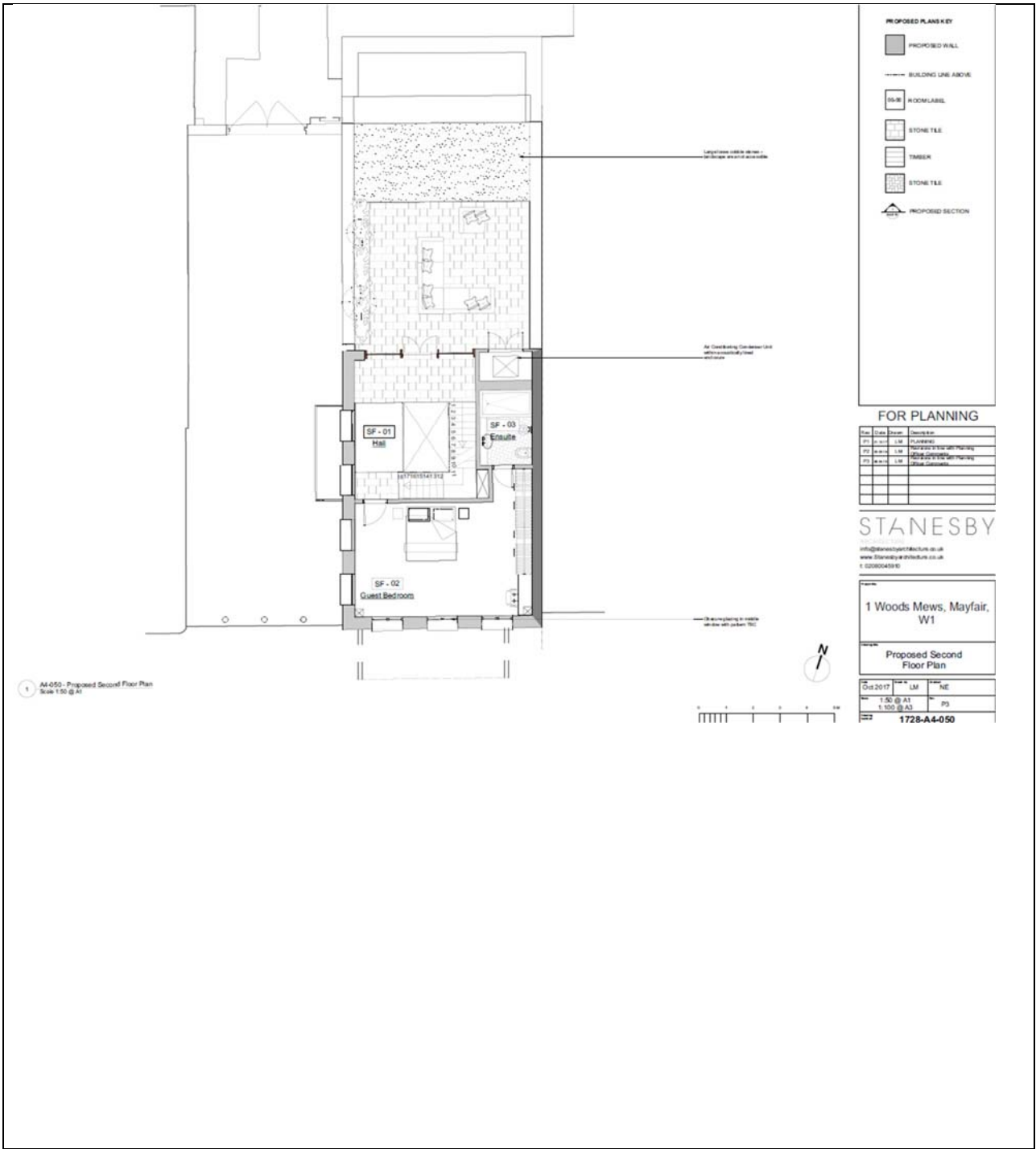
1 Woods Mews, Mayfair, W1
 Proposed South Elevation

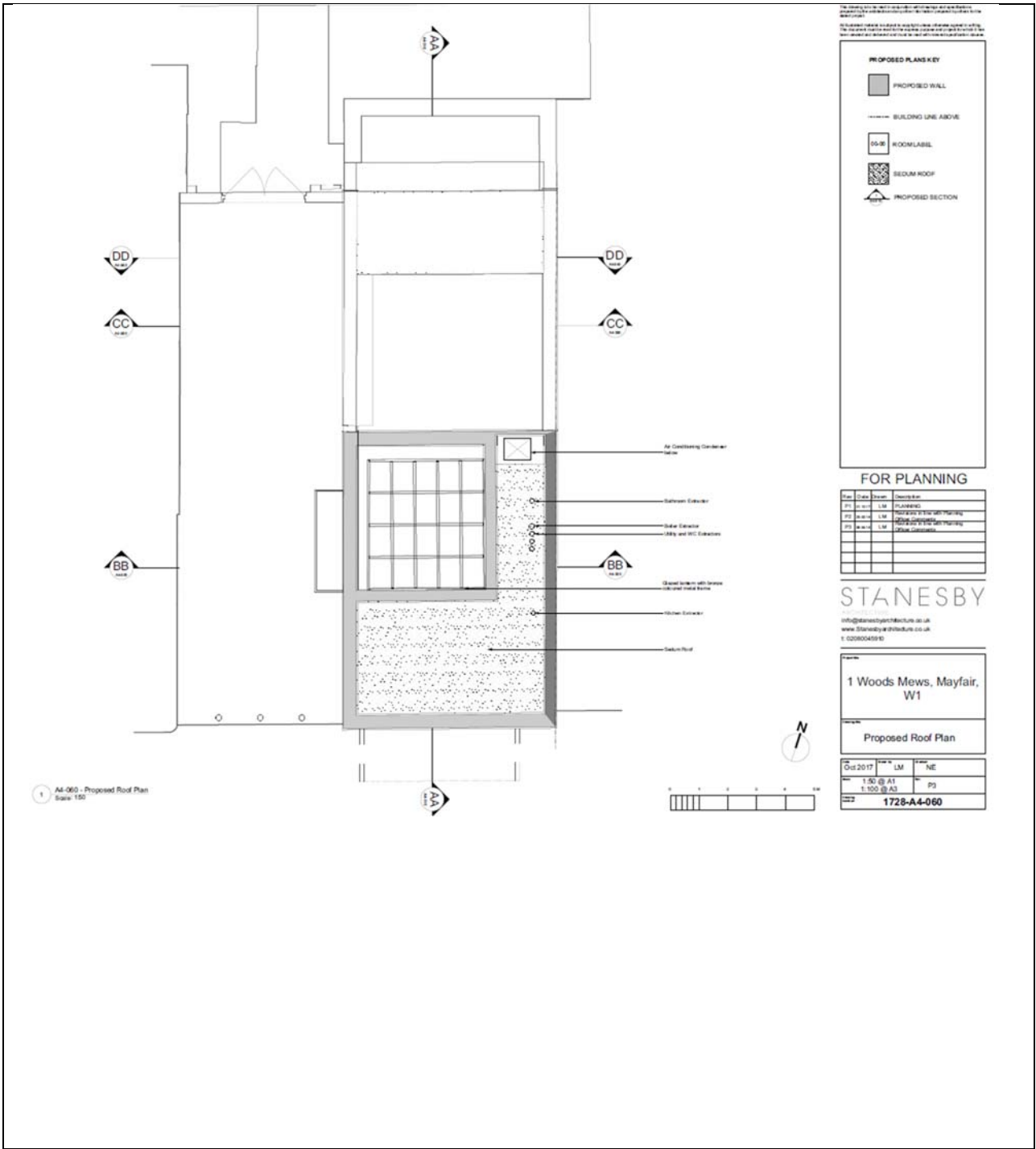
Date	Drawn	Checked
04/2017	LM	HE
1:50 @ A1		PD
1:150 @ A3		
1728-A4-220		











1 A4-060 - Proposed Roof Plan
Scale: 1:50

PROPOSED PLANS KEY

- PROPOSED WALL
- BUILDING LINE ABOVE
- ROOM LABEL
- SEDUM ROOF
- PROPOSED SECTION

FOR PLANNING

Date	Drawn	Description
27/10/17	LM	PLANNING
27/10/17	LM	FOR SETTING OUT WITH PLANNING
27/10/17	LM	FOR SETTING OUT WITH PLANNING
27/10/17	LM	FOR SETTING OUT WITH PLANNING

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1 Woods Mews, Mayfair,
W1

Proposed Roof Plan

Oct 2017	LM	NE
1:50 @ A1		P3
1:100 @ A3		
1728-A4-060		

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DRAFT DECISION LETTER

- Address:** 1 Wood's Mews, London, W1K 7DL
- Proposal:** Demolition of the existing building and erection of a three storey building with basement, terraces at rear first and second floor level for use as a single family dwelling house (Class C3); new canopy on the west elevation, and green roof
- Reference:** 18/00046/FULL
- Plan Nos:** 1728-A4-020 Rev P3, 1728-A4-030 Rev P3, 1728-A4-040 Rev P3, 1728-A4-050 Rev P3, 1728-A4-060 Rev P3, 1728-A4-210 Rev P2, 1728-A4-220 Rev P2, 1728-A4-230 Rev P2, 1728-A4-310 Rev P3, 1728-A4-320 Rev P3, 1728-A4-330 Rev P3, 1728-A4-340 Rev P3; Arboricultural Report (ha/aiams2/woodsmws 20 February 2018) and plan (TPP1_WM

Case Officer: Gemma Bassett

Direct Tel. No. 020 7641 2814

Recommended Condition(s) and Reason(s)

Conditions

- 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:

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

- 3 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include: (a) A schedule of all plant and equipment that formed part of this application; (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment; (c) Manufacturer specifications of sound emissions in octave or third octave detail; (d) The location of most affected noise sensitive receptor location and the most affected window of it; (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location; (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures; (g) The lowest existing LA90, 15 mins measurement recorded under (f) above; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition; (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

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

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Reason:

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

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

Reason:

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

- 6 You must provide the waste store shown on drawing 1728-A4-030 Rev P3 before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the dwelling. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 7 None of the development hereby permitted shall be commenced until detailed design and construction method statements for all of the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority which:-
- i) Accommodate the proposed location of the Crossrail structures including tunnels, shafts and temporary works
 - ii) Mitigate the effects of noise and vibration arising from the operation of the Crossrail railway within the tunnels and other structures,
 - iii) Mitigate the effects on Crossrail, of ground movement arising from development, Crossrail requires to see the full scope of the development, the ground movement impact and the N&V assessment results.

The development shall be carried out in all respects in accordance with the approved design and method statements. All structures and works comprised within the development hereby permitted which are required by paragraphs i, ii and iii of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

None of the development hereby permitted shall be commenced until a method statement has been submitted to, and approved in writing, by the Local Planning Authority to include arrangements to secure that, during any period when concurrent construction is taking place of both the permitted development

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and of the Crossrail structures and tunnels in or adjacent to the site of the approved development, the construction of the Crossrail structures and tunnels is not impeded.

Reason:

To meet the requirements of a direction made in connection with the CrossRail Project by the Secretary of State for Transport under Articles 10 (3), 14 (1) and 27 of the Town and Country Planning (General Development Procedure) Order 1995 and as set out in S41 and S43 of Westminster's City Plan (November 2016) and TRANS 5 (E) and para 4.68 of our Unitary Development Plan that we adopted in January 2007. (R33AC)

- 8 None of the development hereby permitted shall be commenced until a method statement has been submitted to, and approved in writing, by the Local Planning Authority to include arrangements to secure that, during any period when concurrent construction is taking place of both the permitted development and of the Crossrail structures and tunnels in or adjacent to the site of the approved development, the construction of the Crossrail structures and tunnels is not impeded.

Reason:

To meet the requirements of a direction made in connection with the CrossRail Project by the Secretary of State for Transport under Articles 10 (3), 14 (1) and 27 of the Town and Country Planning (General Development Procedure) Order 1995 and as set out in S41 and S43 of Westminster's City Plan (November 2016) and TRANS 5 (E) and para 4.68 of our Unitary Development Plan that we adopted in January 2007. (R33AC)

- 9 Piling must take place from within the footprint of 1 Woods Mews and the piling equipment must not straddle the proposed pile line on the rear elevation of the building. No part of the piles including the pile cap must project beyond the rear elevation of the existing dwelling. If you want to vary or alter the pile location or method of installation, you must apply to us for our prior approval and you must not start any work until we have approved what you have sent to us.

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 10 You must protect the trees according to the details, proposals and recommendations set out in your Arboricultural Report (ha/aiams2/woodsmws 20 February 2018) and plan (TPP1_WM). If you want 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 the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

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- 11 You must submit details of an auditable system of arboricultural site supervision and record keeping prepared by an arboricultural consultant who is registered with the Arboricultural Association, or who has the level of qualifications and experience needed to be registered. The details of such supervision must include:
- identification of individual responsibilities and key personnel.
 - induction and personnel awareness of arboricultural matters.
 - supervision schedule, indicating frequency and methods of site visiting and record keeping
 - procedures for dealing with variations and incidents., You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. You must then adhere to the approved supervision schedule. You must produce written site supervision reports after each site monitoring visit, demonstrating that you have carried out the supervision and that the tree protection is being provided in accordance with the approved scheme. If any damage to trees, root protection areas or other breaches of tree protection measures occur then details of the incident and any mitigation/amelioration must be included You must send copies of each written site supervision record to us within five days of the site visit.

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 12 You must apply to us for approval of details of any proposed alterations to the existing ground levels for landscaping or otherwise, or any other works to be undertaken within the Root Protection Area of any tree within the tree survey plan and schedule. You must not start any work with the Root Protection Area of the tree(s) until we have approved what you have sent us

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

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

Reason:

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

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- 14 You must apply to us for approval of detailed drawings at 1:10 of the following parts of the development all external doors and a typical example of each. You must not start work until we have approved what you have sent us., You must then carry out the work according to these details. (C26CB)

Reason:

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

- 15 You must paint all new outside rainwater and soil pipes black and keep them that colour. (C26EA)

Reason:

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

- 16 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building unless they are shown on the approved drawings. (C26KA)

Reason:

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

- 17 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the balcony. (C26OA)

Reason:

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

- 18 You must not carry out demolition work unless it is part of the complete development of the site. You must carry out the demolition and development without interruption and according to the drawings we have approved. (C29BB)

Reason:

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To maintain the character and appearance of the Mayfair Conservation Area and the special architectural and historic interest of this listed building as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 9 (B) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29CC)

- 19 You must not form any windows or other openings (other than those shown on the plans), in the external walls of the building, and you must not paint the external walls of the building, without our permission. This is despite the provisions of Class A of Part 1 of Schedule 2, and Class C of Part 2 of Schedule 2 to the Town and Country Planning General Permitted Development Order (England) 2015 (or any order that may replace it).

Reason:

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

- 20 **Pre Commencement Condition.**, (a) You must apply to us for approval of a written scheme of investigation for a programme of archaeological work. This must include details of the suitably qualified person or organisation that will carry out the archaeological work. You must not start work until we have approved what you have sent us., (b) You must then carry out the archaeological work and development according to this approved scheme. You must produce a written report of the investigation and findings, showing that you have carried out the archaeological work and development according to the approved scheme. You must send copies of the written report of the investigation and findings to us, to Historic England, and to the Greater London Sites and Monuments Record, 1 Waterhouse Square, 138-142 Holborn, London EC1N 2ST., , (c) You must not use any part of the new building until we have confirmed that you have carried out the archaeological fieldwork and development according to this approved scheme. (C32BC)

Reason:

To protect the archaeological heritage of the City of Westminster as set out in S25 of Westminster's City Plan (November 2016) and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32BC)

- 21 You must only use the garage for people living in this property to park their private motor vehicles. (C22EB)

Reason:

To provide parking spaces for people using the development as set out in STRA 25 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R22AB)

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You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

- 23 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

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

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Mayfair Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

- 25 You must not use the part of the rear second floor roof terrace annotated as inaccessible on drawing 1728-A4-050 rev P3 for sitting out or for any other purpose. You can however use the roof to escape in an emergency

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 26 The glass that you put in the central window column and at ground floor level in the south elevation of the building must not be clear glass, and you must fix it permanently shut. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the

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development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission. (C21DB)

Reason:

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

Informatives

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work., , Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974., 24 Hour Noise Team, Environmental Health Service, Westminster City Hall, 64 Victoria Street, London, SW1E 6QP, Phone: 020 7641 2000, , Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)
- 3 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following: , , * Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;; , * This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant., , Preparing a health and safety file is an important part of the regulations. This is a record of information for the client

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or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm. It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

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

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

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

- 7 Please contact our District Surveyors' Services to discuss how you can design for the inclusion of disabled people. Email: districtsurveyors@westminster.gov.uk. Phone 020 7641 7240 or 020 7641 7230. If you make a further planning application or a building regulations application which relates solely to providing access or facilities for people with disabilities, our normal planning and building control fees do not apply. , The Equality and Human Rights Commission has a

range of publications to assist you, see www.equalityhumanrights.com. The Centre for Accessible Environment's 'Designing for Accessibility', 2004, price £22.50 is a useful guide, visit www.cae.org.uk. , , If you are building new homes you must provide features which make them suitable for people with disabilities. For advice see www.habinteg.org.uk , , It is your responsibility under the law to provide good access to your buildings. An appropriate and complete Access Statement as one of the documents on hand-over, will provide you and the end user with the basis of a defence should an access issue be raised under the Disability Discrimination Acts.

- 8 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 9 The development will result in changes to road access points. Any new threshold levels in the building must be suitable for the levels of neighbouring roads. If you do not plan to make changes to the road and pavement you need to send us a drawing to show the threshold and existing road levels at each access point., , If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and the development. You will have to pay all administration, design, supervision and other costs. We will carry out any work which affects the road. For more advice, please phone 020 7641 2642. (I69AA)
- 10 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 11 The term 'clearly mark' in condition means marked by a permanent wall notice or floor markings, or both. (I88AA)
- 12 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)
- 13 This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I32AA)

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- 14 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.

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

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Agenda Item 3

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CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 3 July 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Vincent Square	
Subject of Report	Vincent Square Playing Fields Leisure Suite , Vincent Square, London, SW1P 2PW		
Proposal	Demolition of existing extension to the cricket pavilion in Vincent Square and formation of two new flanking extensions, including minor external works to pavilion building.		
Agent	Ptolemy Dean		
On behalf of	Westminster School		
Registered Number	17/07151/FULL	Date amended/ completed	10 August 2017
Date Application Received	10 August 2017		
Historic Building Grade	Unlisted		
Conservation Area	Vincent Square		

1. RECOMMENDATION

Grant conditional permission.

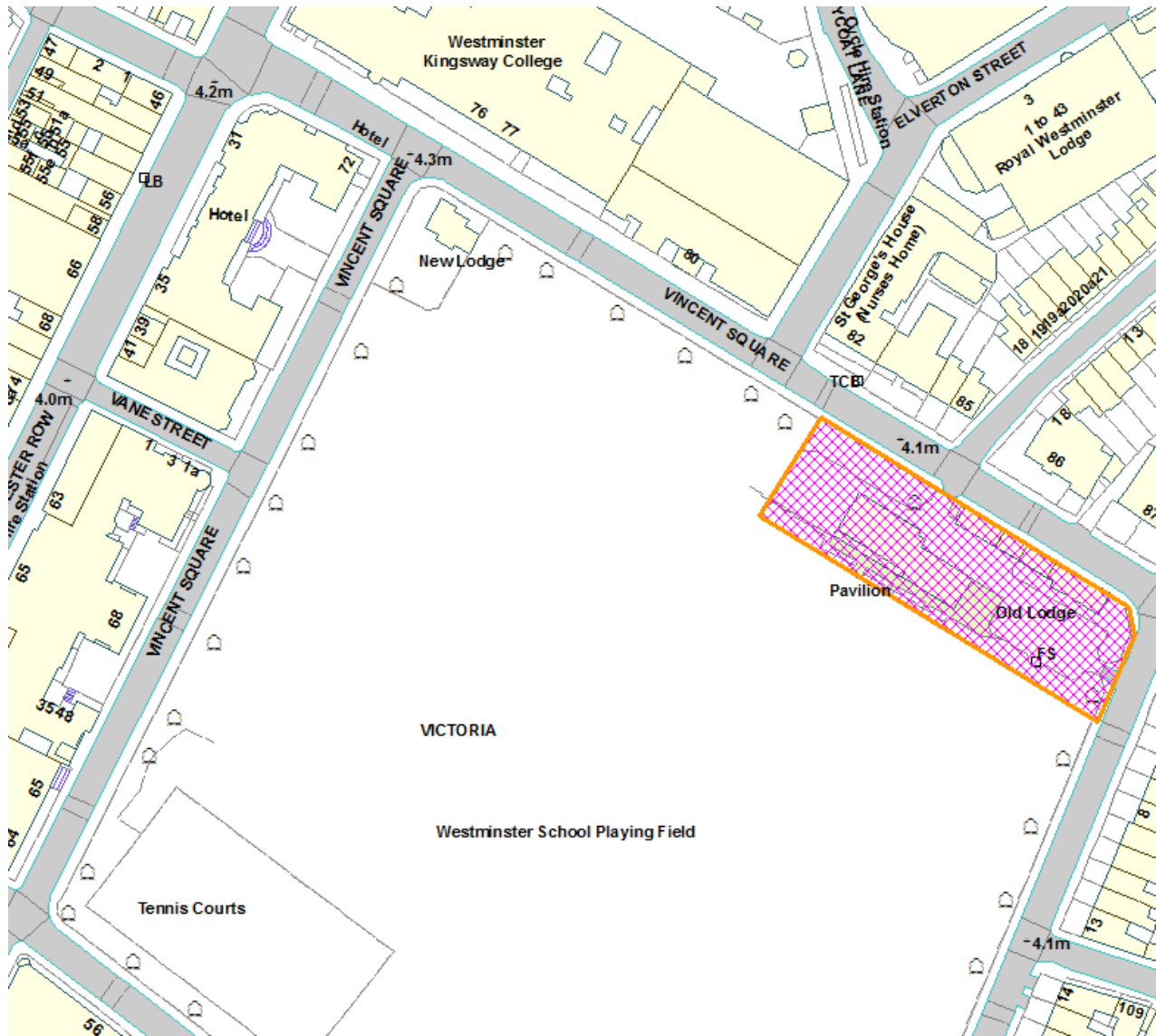
2. SUMMARY

Vincent Square Cricket Pavilion is located within the Westminster School Playing fields. Originally dating from 1889, it is unlisted but is located within the Vincent Square Conservation Area. Permission is sought for construction of new extensions to the Pavilion, including alteration and refurbishment of the existing building. An existing unsympathetic 1930s extension is to be demolished and works include improvements and rationalisation of existing maintenance structures and parking areas.

The key issues for consideration in this case are the design of the proposed extensions and their impact on the local townscape and the significance of designated heritage assets, in particular the character and appearance of the Vincent Square Conservation Area. A number of objections have been received to proposals from residents immediately overlooking the Pavilion who have expressed concerns with regards to the design of extensions and potential impact on parking arrangements around Vincent Square.

The proposals are considered acceptable in design, conservation, land use, highways and amenity terms and comply with policy, including that set out in the Westminster City Plan and Unitary Development Plan (UDP) and are therefore recommended for approval, subject to conditions.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Pavilion viewed from the front (above) and in local views across the Square (below)





Rear of the Pavilion from Willow Court (above) and workshops and storage adjacent to the existing extension (below)



5. CONSULTATIONS

WESTMINSTER SOCIETY

Consider this a well-presented application. The demolition of the 1933 extension would be welcome and the proposed extensions would enhance the whole building.

ARBORICULTURAL SECTION

There are some outstanding areas of concern and further information and conditions and required to address these.

HIGHWAYS PLANNING

No objection raised, subject to conditions.

VINCENT SQUARE RESIDENTS' ASSOCIATION

Support Westminster School's wish to improve and extend the Pavilion, subject to the following observations: Residents expressed concern that the 'tent' roofs proposed for the side buildings are unduly high and would prefer a lower profile (but not flat), and with roofing materials in keeping with those on the Pavilion's main roof. i) to reduce the composite bulk of the Pavilion and its side buildings, especially when viewed from the 'RHS' side of the Square; and ii) to minimise, to the extent possible, the impact on residents who currently enjoy views of the playing fields from house and flats on that side of the Square. Concerned that the proposal appears to reduce the already restricted parking space for visitors within the site and would be concerned about any proposal which might involve any parking provision being made on Vincent Square itself, for example, for visiting school buses and associated commercial vehicles.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 64

Seven neighbouring residents have raised objection including a collective response from the Willow Residents' Association on behalf of ten flats within The Willows, 83 Vincent Square.

One letter of support has been received from Vincent Square Residents Association (see above comments - while they have identified themselves in the online system as in support of the application, this is support of the principle and concerns have been raised with regards to proposals)

Objections raised on the following grounds:

Design

- Proposed extension is out of scale and character.
- Roof materials are out of character.
- Extension should be confined to the east where the existing extension is.

Parking

- Extension will displace parked vehicles and there will be more hardstanding.

Other

- Will disrupt outlook.
- Reduce value of property.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site lies in the northeast corner of the playing fields in Vincent Square. The cricket/sports Pavilion provides changing facilities, showers and storage for the school and visiting sports teams. It is surrounded by parking areas and on the northeastern boundary of the site there are a number of workshop/storage buildings and the lodge building, which predates the pavilion.

The pavilion and all other buildings on the site are unlisted but the site is within the Vincent Square Conservation Area. There are Grade II listed buildings fronting the Square at nos. 3-4 and nos. 84-86 Vincent Square, in close proximity to the site.

6.2 Recent Relevant History

There is no relevant recent planning history.

7. THE PROPOSAL

Permission is sought for demolition of the existing 1930s extension and new extensions to either side of the sports Pavilion. The application aims to improve on the existing facilities including new changing facilities and enhanced accessibility. Existing facilities used for storage and maintenance equipment will be rationalised and a new covered link created between the pavilion and the existing garage/workshops, in order to house cycle parking and maintenance equipment and screen the parking area to the eastern half of the site. A number of minor alterations to the pavilion are sought, including rebuilding one of the chimney stacks to the original detailing and some remodelling to the lower section to the roof and façade of the existing building.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The application site is in educational use (Class D1). S34 of Westminster's City Plan and SOC1 and SOC3 of the UDP support educational uses. The improvement of the school's existing facilities is in line with these policies is therefore welcomed. In land use terms the proposals are acceptable in principle.

8.2 Townscape and Design

The main design and townscape issues raised are the impact of proposals on local townscape and heritage assets, in particular the impact on the character and appearance of the Vincent Square Conservation Area.

In considering the above, local policies of relevance include saved policies within the UDP, in particular DES 9 (conservation areas) and DES 12 (parks, gardens and squares) as well as S25 and S28 of the City Plan. National policy is set out in the NPPF and requires that great weight be placed both on design quality and on the conservation of heritage assets. Further, the Planning (Listed Buildings and Conservation Areas) Act

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1990 places a duty on decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

The pavilion building forms an attractive and prominent feature in the Square, which contributes positively to local townscape, views and the conservation area. It is identified as an unlisted building of merit within the adopted Vincent Square Conservation Area Audit SPD (2010).

The original building is half-timbered with steeply pitched tiled roofs and tall chimneys. A long, low, flat-roofed extension was added in the 1930s and there have been some incremental additions to the rear, which was partially rebuilt and remodeled in the 1980s. Later additions do not contribute positively to the character of the original building or conservation area and their demolition and the rationalisation of storage and parking areas is welcome as an enhancement to the conservation area.

The replacement extensions have been designed as symmetrical additions to either side of the Pavilion, each would occupy a smaller footprint than the existing extension. The new extensions are joined to the Pavilion by small, set-back, flat-roofed sections and the ridge of the roof to the new extensions would sit well below that of the original building. As such, the new extensions would appear subordinate to and maintain the character and prominence of the Pavilion at the centre of the site. The new extensions would be clad in vertical timber boarding with ogee shaped roofs in copper. The materials and detailing are in keeping with the rustic setting within playing fields and the character of the existing building.

To the rear, the new covered link between existing garages/workshops and the pavilion will help screen maintenance equipment and parking in this part of the site from view.

Works are also proposed to the pavilion building itself, which is to be restored and redecorated, with more appropriate window reinstated to the front, repairs to the central cupola, the weathervane reinstated, plastic rainwater goods replaced in cast iron and the chimney adjacent to the 1930s extension restored and reinstated to its original detail and proportions. To the lower section to the rear, which was rebuilt in the 1980s, timber boarding will be added to the elevations at the transitions with the new extensions and the lower section of roof remodeled and hipped to either end, with existing roof tiles salvaged and reused. Subject to conditions to secure appropriate materials and detail, works to the original building will reinstate original character and are welcomed.

Objections have been received from residents in properties fronting the north side of Vincent Square, expressing concerns in relation to the design, height and materials of the extensions and impact on views. With regards to materials, copper is a traditional material and appropriate in this context. The existing cupola to the Pavilion may be in copper, although has been painted and the applicants cannot confirm this until repair works are undertaken. The applicant has provided a number of images of precedents for copper roofs in proximity to the site.

The residents' desire for roofs of a lower profile and with roofing materials in keeping with those on the Pavilion's main roof is noted. The applicants were also asked to explore other options but found that using clay tiles at the minimum pitch required would

not lower the overall ridge height of the extensions and may increase the overall bulk of the extensions. Flat roofs or other materials are unlikely to be appropriate in this location.

Overall, it is considered the extensions would not have a significant or harmful impact when viewed from the objectors' properties, particularly as the visual impact of the pavilion is partially contained in views from this side of the Square due to the boundary walls, storage and the taller Lodge building. Further, as set out above, the proposed extensions will also help screen car parking and storage areas adjacent to the existing extension, which are currently visible and unsightly.

The design of proposals is appropriate to the context and proposals will not cause harm to the character an appearance of the conservation area.

There are several Grade II listed buildings close to the site and fronting Vincent Square. (3-4 and 84-86 Vincent Square). From these properties, the pavilion is contained and screened by the existing garden wall and the buildings adjoining the Square to this side and the proposed extensions are not considered to have any significant impact upon or cause harm to their settings.

Proposals are therefore acceptable in terms of their design and impact on the local townscape and heritage assets and comply with the national and local policy, as set out above.

8.3 Residential Amenity

Policies S29 of the City Plan and ENV13 of the UDP seek to protect residential amenity in terms of light, privacy, sense of enclosure and encourages development which enhances the residential environment of surrounding properties. Given the location of the extensions and distance from neighbours, it is considered that they would not unacceptably impact upon residential amenity.

8.4 Transportation/Parking

The Highways Planning Officer has indicated that the increase in floor space does not raise any significant highways or transport concerns.

The internal changes to the hard paved area will not alter the parking arrangements significantly. Formal weather-proof cycle parking and a disabled parking bay has been provided and is welcomed. The vehicle access and parking arrangements will remain the same.

Objectors have raised concerns about the potential for parking provision for visitors to impact on parking on the Square itself. However, all visitor parking is to be accommodated on site as existing and the proposals will therefore have no impact on residents' parking within the Square.

8.5 Economic Considerations

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

8.6 Access

The plans include provision of a disabled parking bay and accessible toilets within the Pavilion.

8.7 Other UDP/Westminster Policy Considerations

Plant

A plant room is shown to the ground floor of the proposed plans. The applicants have indicated they are not proposing any air conditioning plant or noise generating plant within this area.

Refuse /Recycling

There will be no changes to the quantity or type of waste produced on site as a result of the development and waste provision is to remain as existing. The waste storage area is shown on the drawings.

Trees

The playing fields are surrounded by mature London Plane trees, several in close proximity to the Pavilion building. These are protected by a Tree Preservation Order and make a significant contribution to the character, appearance and amenity of the area. An arboricultural report was submitted with the application and it is proposed that all trees are retained.

The applicant has provided additional information in relation to foundation design, levels, construction sequence and methodology and tree protection measures. An Arboricultural Method Statement has been submitted, including details of the foundations and drainage proposals. Some issues of detail remain to be addressed. It is considered remaining matters can be secured by condition. Subject to conditions, proposals accord with policies ENV16 and ENV17 in the UDP and S38 in the City Plan.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

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

8.10 Planning Obligations

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

8.11 Environmental Impact Assessment

The application does not require an Environmental Impact Assessment.

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8.12 Other Issues

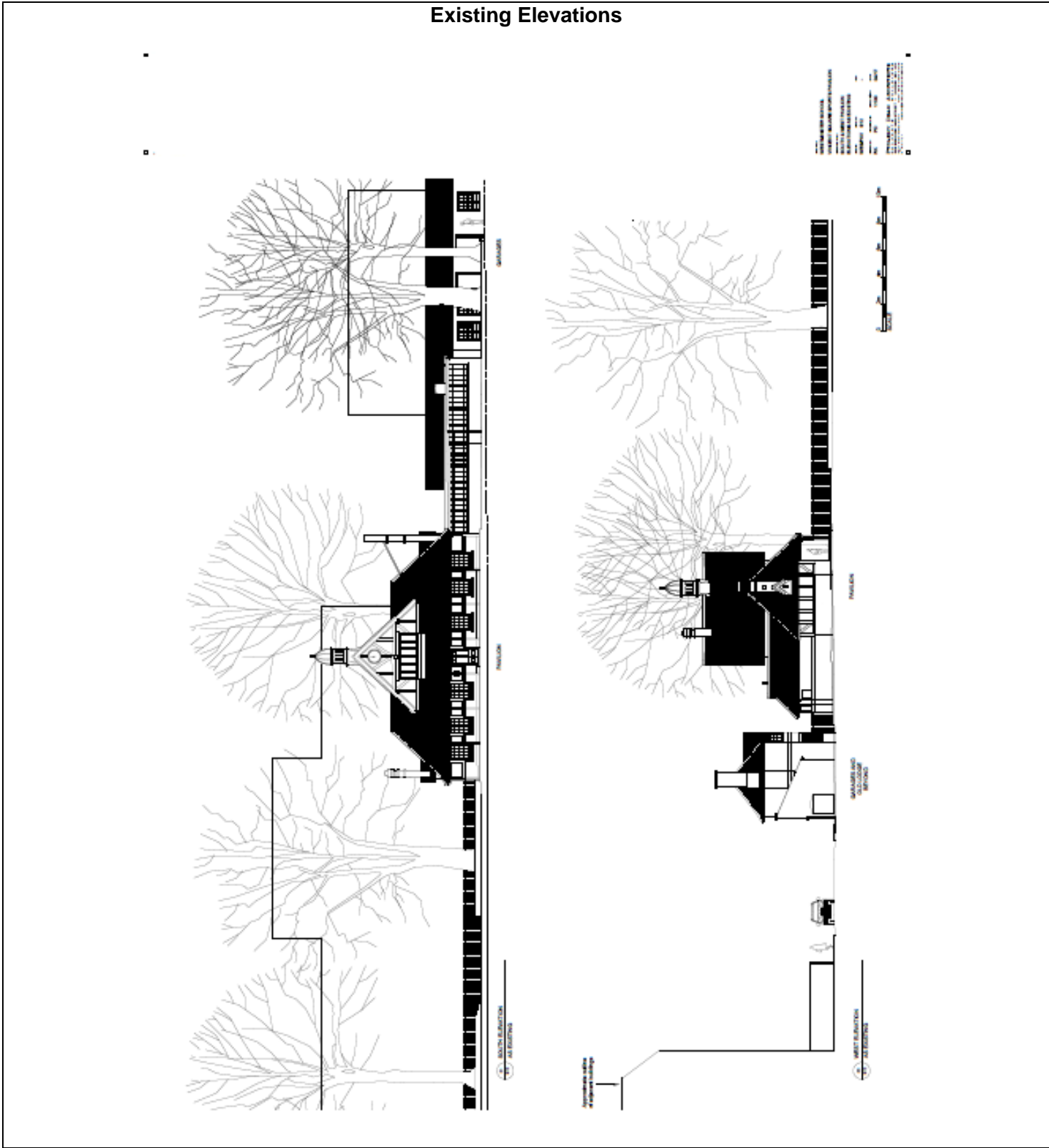
None relevant

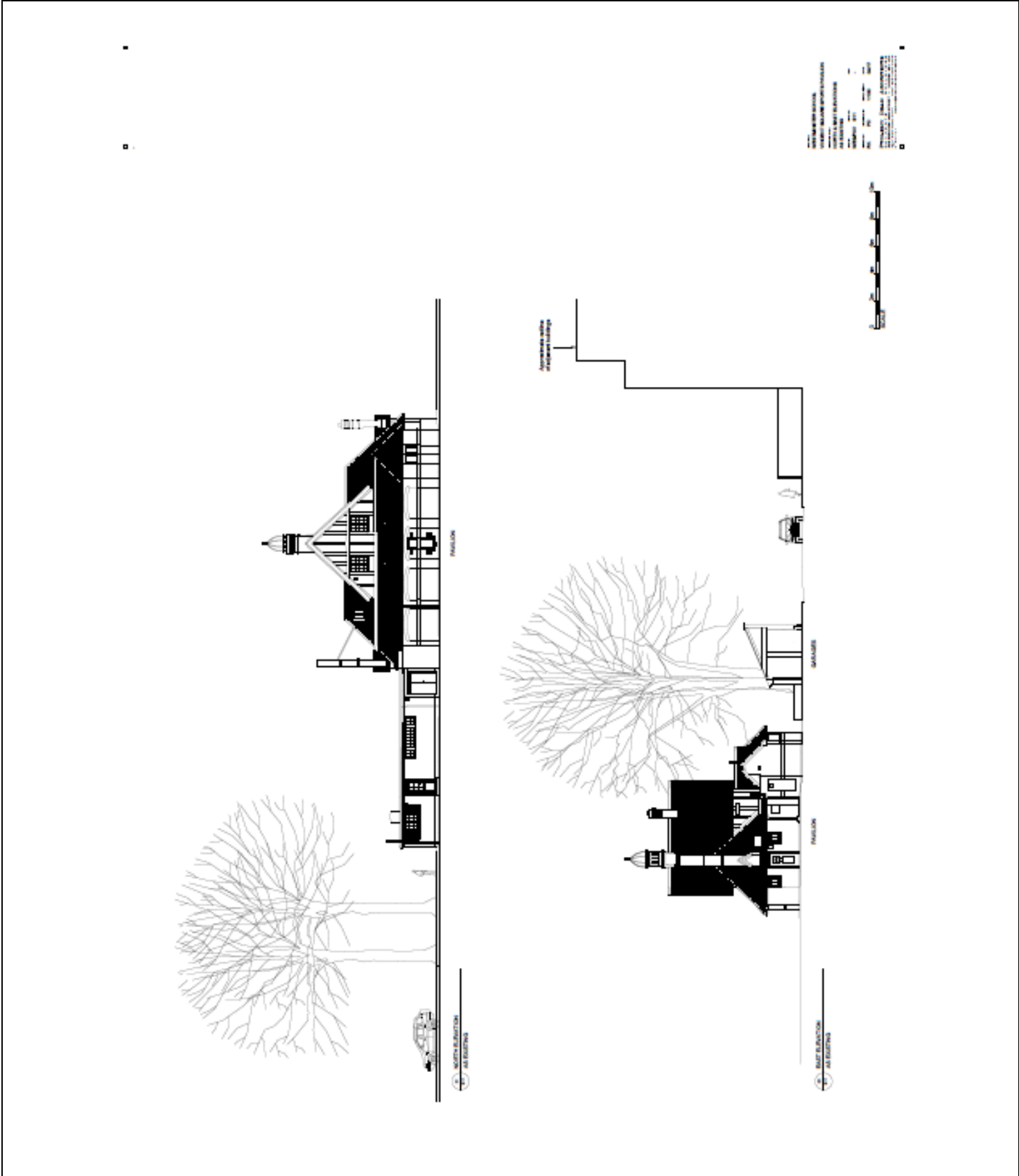
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: VINCENT NALLY BY EMAIL AT southplanningteam@westminster.gov.uk .

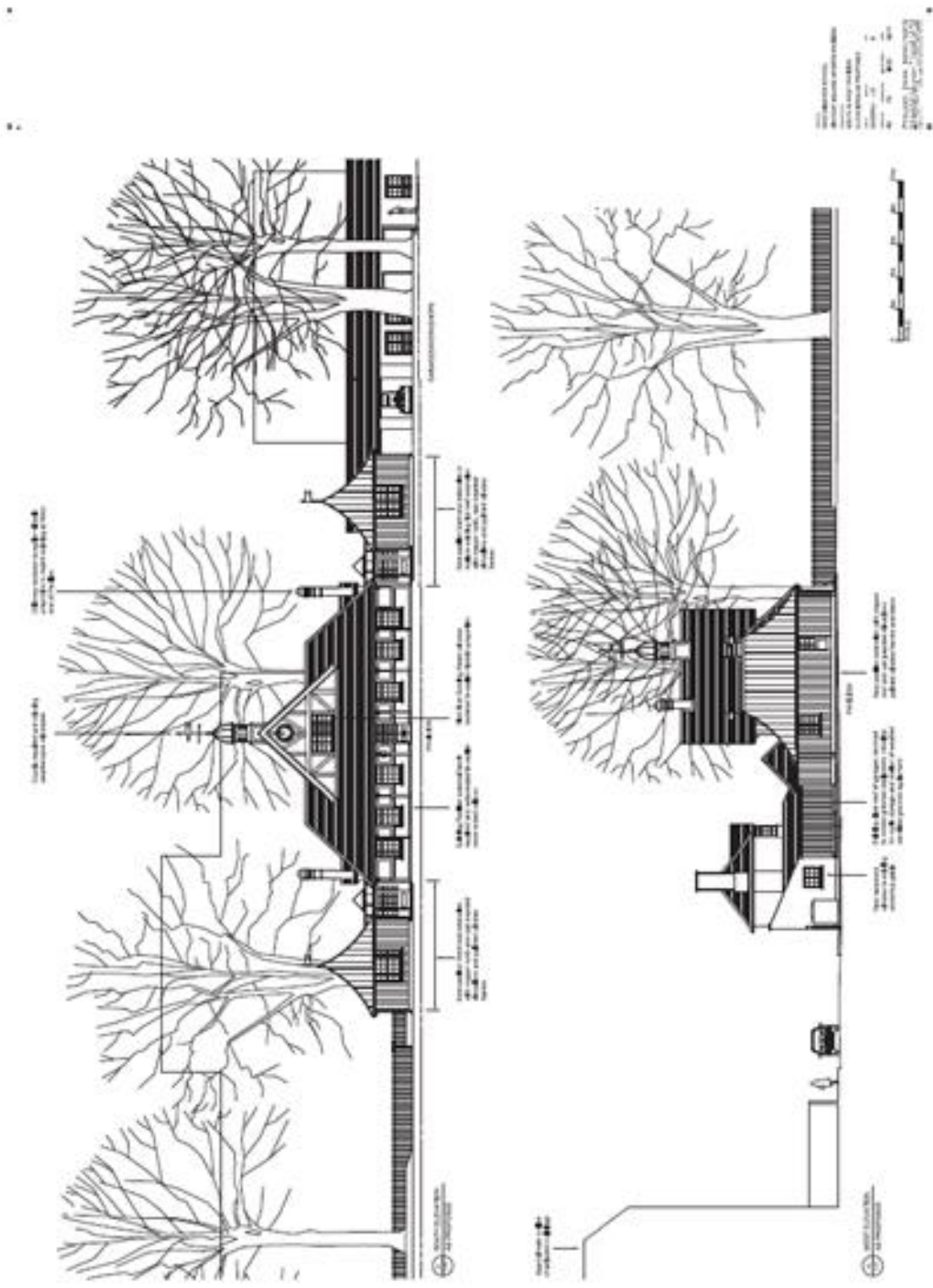
9. KEY DRAWINGS

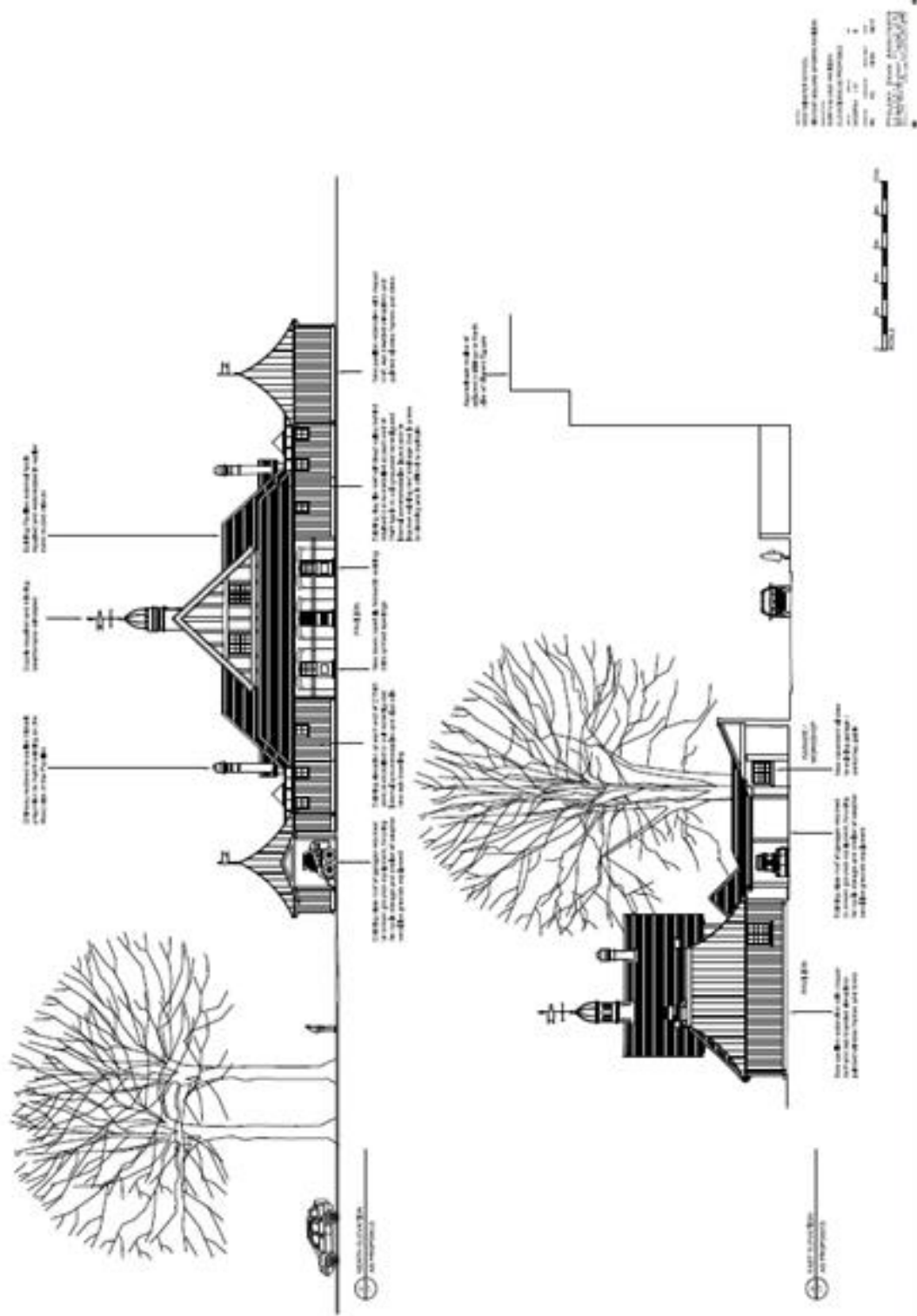
Existing Elevations



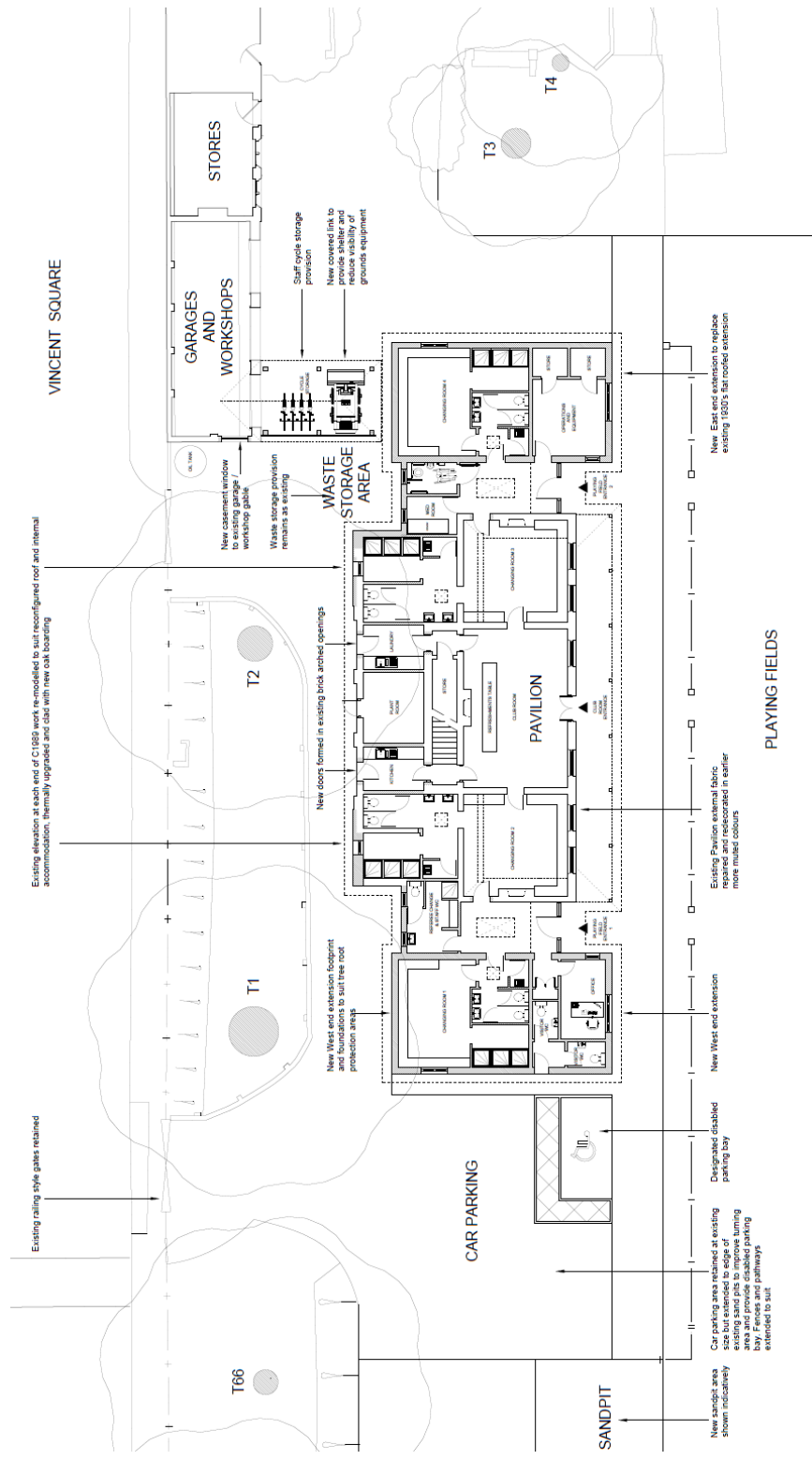


Proposed Elevations





Proposed Ground Floor Plan



DRAFT DECISION LETTER

Address: Vincent Square Playing Fields Leisure Suite , Vincent Square, London, SW1P 2PW

Proposal: Demolition of existing extension to the cricket pavilion in Vincent Square and formation of two new flanking extensions.

Reference: 17/07151/FULL

Plan Nos: L02 RevB Site Plan as proposed; L03 RevB Ground Floor Plan as proposed; L04 RevB First Floor Plan as proposed; L05 RevB Roof Plan as proposed; L10 RevB Site Elevations as proposed; L11 RevB Pavilion N&E Elevations as proposed; L12 RevB Pavilion S&W Elevations as proposed, Design and Access Statement (July 2017)

Case Officer: Jane Hamilton

Direct Tel. No. 020 7641 8019

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

Reason:

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

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

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

Reason:

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

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

Reason:

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

- 5 You must apply to us for approval of detailed drawings, elevations and sections of the following parts of the development -
- (i) All new doors,
 - (ii) All new and refurbished windows,
 - (iii) Pyramidal rooflights,
 - (iv) Rebuilt chimney.

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

Reason:

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

- 6 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 7 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:

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

- 8 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building facing the street unless they are shown on drawings we have approved. (C26MA)

Reason:

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

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

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Vincent Square Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

- 10 {b Pre Commencement Condition}. You must apply to us for approval of an updated method statement explaining the measures you will take to protect the trees on and close to the site. This should expand on tree protection as set out and specified in your tree report PDA/VNC/AMS/01d dated 12 March 2018 and contain the following additional information to supplement this report, namely:

- (i) Demonstration of the practicality of erecting Heras fencing on scaffold poles.
- (ii) Details of construction logistics, plant and equipment to demonstrate that the existing tarmac surface is sufficient to accommodate the maximum anticipated loads from construction equipment and machinery.

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- (iii) Clarification of which tree protection methods are proposed (the tree report PDA/VNC/AMS/01d refers at 2.3.7 to following the provisions of paragraph 2.3.3, but these refer to two different protection methods)
- (iv) Sections of the different ground protection to illustrate their make up with regard to the existing surfaces and levels.
- (v) Clarification of tree protection at paragraphs 3.6 and 3.7 of the tree report PDA/VNC/AMS/01d as the sequencing is not clear. In particular, details of when the surfacing is removed, when the piling mat goes in, how it is put in place, and when it is removed, in relation to other operations such as trial investigation for piles and installation of drainage.
- (vi) detailed overview of sequencing to demonstrate that the operations do not conflict and result in the tree protection measures as proposed becoming incapable of being implemented.
- (vii) Details of tree protection to the new sand pit area and the new hard surfacing for car parking.

You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. You must then carry out the work according to the approved details.

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 11 You must provide the access for people with disabilities as shown on the approved drawing(s) and as outlined in the Design and Access Statement dated August 2018 before you use the building. (C20AB)

Reason:

To make sure that there is reasonable access for people with disabilities and to make sure that the access does not harm the appearance of the building, as set out in S28 of Westminster's City Plan (November 2016) and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R20AC)

- 12 All new outside rainwater and soil pipes must be made out of metal and painted black. (C27HA)

Reason:

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

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 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 phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 3 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)
- 4 This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I32AA)
- 5 With regard to tree protection you are advised to read the following.
 - * British Standard BS: 5837 (2005) and later revisions - Recommendations for trees in relation to construction
 - * National Joint Utilities Group guide NJUG 10 - Guidelines for the planning, installation and maintenance of utility services in proximity to trees (1995)
 - * Arboricultural Practice Note APN 1 - Driveways close to trees (1996), and the products available to provide hard surfaces close to trees. (I92AA)

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.

Agenda Item 4

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CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 3 July 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	2-3 Robert Street, London, WC2N 6BH,		
Proposal	Use of a part of the ground floor, mezzanine, basement and sub-basement (vaults) as a spa Facility (Class D2), installation of plant equipment to the Robert Street elevation and adjacent to the garage entrance in York Buildings. Associated works including excavation of 4 treatment pools at sub-basement level and new brickwork to rear. (Site includes 21 York Buildings) (linked with 17/11410/LBC)		
Agent	Purcell		
On behalf of	Aire Spa Solutions		
Registered Number	17/11409/FULL and 17/11410/LBC	Date amended/ completed	22 December 2017
Date Application Received	22 December 2017		
Historic Building Grade	Grade II star		
Conservation Area	Adelphi		

1. RECOMMENDATION

<ol style="list-style-type: none"> 1. Grant conditional permission and conditional listed building consent. 2. Agree the reasons for granting consent as set out within Informative 1 of the draft decision letter.

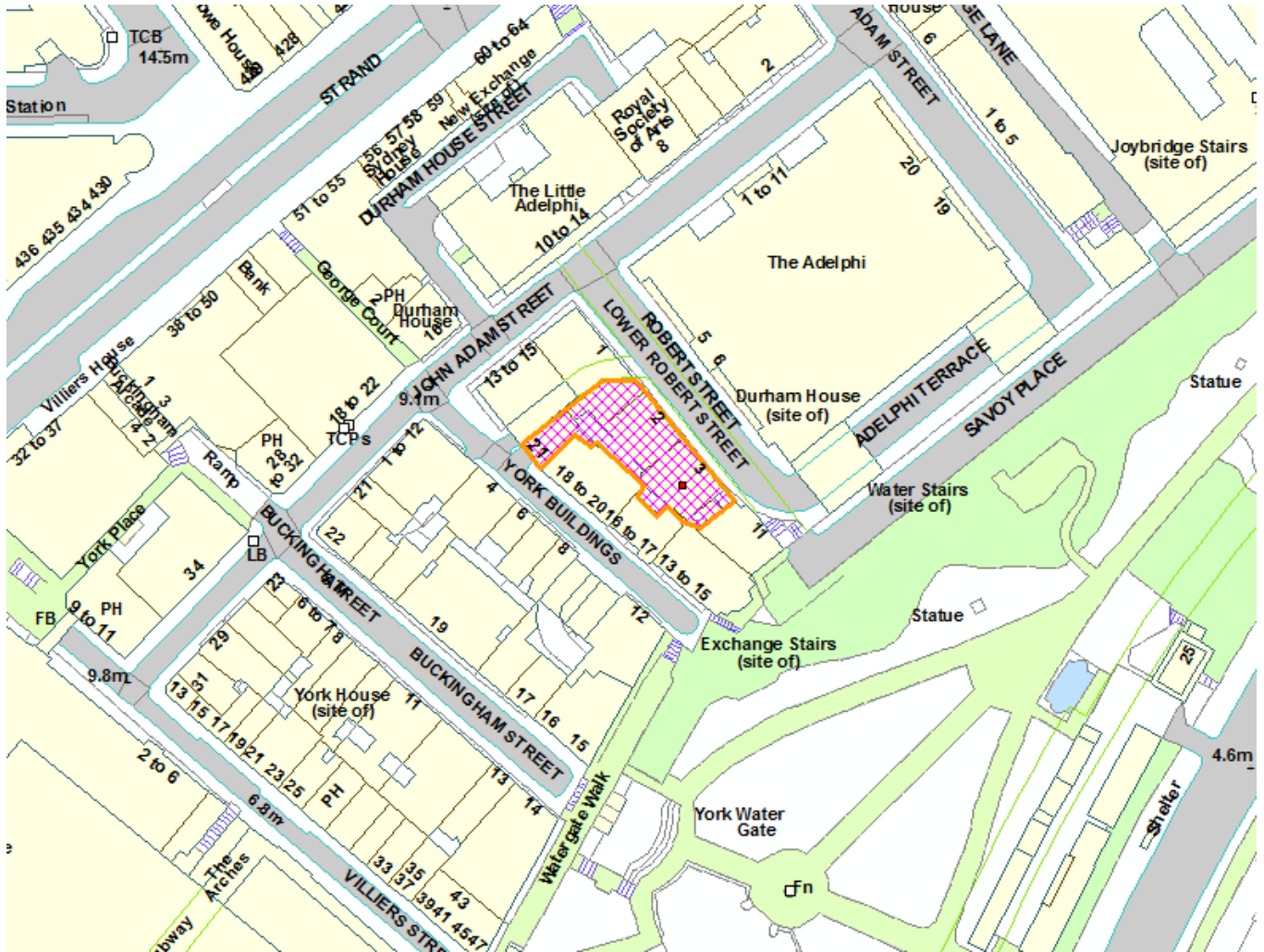
2. SUMMARY

<p>2-3 Robert Street is a Grade II star listed building located within the Adelphi Conservation Area and the Core Central Activities Zone (CAZ). The building comprises lower ground, ground and four upper floors over a basement and is currently in office use. This application proposes the use of a part of the ground floor, mezzanine level, basement and sub-basement as a spa facility (Class D2).</p> <p>The key issues to consider in the determination of this application are:</p> <ul style="list-style-type: none"> * The impact of the proposals in land use terms; * The impact of the proposals upon the listed building and the Adelphi Conservation Area; * The impact of the proposals upon the amenity of neighbouring properties.
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For the reasons set out in the report, the proposals are considered acceptable in land use, amenity, highways and design terms and comply with the City Council's policies as set out in the Unitary Development Plan (UDP) and Westminster's City Plan (City Plan). The application is recommended for approval subject to the conditions as set out in the draft decision letters.

3. LOCATION PLAN



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4. PHOTOGRAPHS



2-3 Robert Street

5. CONSULTATIONS

HISTORIC ENGLAND

Authorisation given to determine as seen fit.

HISTORIC ENGLAND ARCHAEOLOGY

No objection subject to standard conditions.

WESTMINSTER SOCIETY

No objection. This scheme could be a useful addition to the overall area subject to an earlier closing time.

HIGHWAYS PLANNING MANAGER

No objection subject to condition requiring cycle storage.

BUILDING CONTROL

The structural method statement is considered acceptable.

ENVIRONMENTAL HEALTH

No objection subject to standard conditions.

CLEANSING MANAGER

No objection subject to standard conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 213

Total No. of Replies: 7

Objections have been received from neighbours raising the following points:

AMENITY

Increase noise levels and other inconvenience caused by customers leaving the premises.

Increased noise from condensing units.

Pollution caused by additional traffic.

Smells from the chlorine.

Midnight closing time is too late.

HIGHWAYS

Increased traffic and parking.

Drivers waiting near the Spa facility.

Obstruction of Lower Robert Street when servicing deliveries and collecting waste.

ADVERTISEMENT/SITE NOTICE: Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

2-3 Robert Street is a Grade II star listed building located within the Adelphi Conservation Area and the Core Central Activities Zone but outside of the West End Stress Area. The building comprises lower ground, ground and four upper floors over a basement and is currently in office use (Class B1). The site includes part of 21 York Buildings located to the rear of the site.

6.2 Recent Relevant History

On 19 September 2016 permission was granted for the creation of roof terraces with balustrades and new roof access enclosure and associated external alterations, in connection with the existing office use. (16/07020/FULL)

On 25 June 2015 permission was granted for the conversion of existing buildings to 11 residential units (Class C3) including the removal of the link addition on the south elevation and rear extension, construction of infill rear extension between ground and third floor level, extensions at roof level to provide access to new terraces, installation of plant equipment in basement and associated external and internal works, including excavation of pool. (15/00473/FULL and 15/00474/LBC)

7. THE PROPOSAL

Permission and consent are sought for works including excavation of pools and installation of plant connection with the use of the sub-basement, basement and part of the ground floor as a spa facility (Class D2). In terms of the proposed layout, a reception, waiting room and office would be located at ground floor, at basement level there would be changing rooms, a small spa area, with the main massage rooms, therapy pools and relaxation areas located at mezzanine and sub-basement levels. The proposed opening hours for the spa is 0800 to 2300 each day. The applicant states that the spa would have a maximum capacity of 60 visitors at peak overlapping times with 20 employees.

The applicant is Grupo Aire Ltd, a 'premium' operator that provides ancient bath experiences. They currently operate in Seville, Almeria, Barcelona, Paris, Copenhagen and New York.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Policy 34 of Westminster's City Plan states that 'New social and community facilities will be encouraged throughout Westminster...' UDP Policy SOC 1 seeks to protect and improve the range of community facilities in Westminster.

The proposal will result in the loss of 900sqm of office floorspace. City Plan Policy S6 identifies the Core Central Activities Zone as an appropriate location for a range of commercial and cultural uses. There are no specific policies which prevent existing

offices from changing to other commercial uses. The loss of the office floorspace is considered to be acceptable in land use terms.

8.2 Townscape and Design

In design terms the proposals reduce the amount of work/ fabric removal proposed when compared with the residential scheme permitted in 2015. The works include the formation of two new internal door openings adjacent to the entrance at ground floor level and the repositioning of the lift to the rear of the building, which is beneficial over the previously approved location.

Within the basement levels works are limited mostly to the formation of pools (basement level 2) and the rooms to support the proposed use (basement level 1). These areas have been previously altered and consent has previously been granted for other internal works in these areas including the creation of pools. These proposals are not considered to adversely impact on the character of the building and are therefore acceptable.

8.3 Residential Amenity

Six letter's of objection has been received which raises a number of issues relating to the impact on the amenity of the local residents.

Noise

Concern has been expressed by local residents about increased noise in terms of comings and goings of pedestrians and vehicular traffic. The location of the site with Strand to the north and Villiers Street to the west means that there is already vehicle and pedestrian movements in this direction throughout the day and evening; however it is acknowledged that there is potential for this to increase as a result of the proposal. The Strand and Villiers Street are home to a number of entertainment uses, and given the close proximity to Embankment underground station means that the area surrounding Robert Street is utilised for access by pedestrians and taxis. There are other uses located nearby which provide evening entertainment including the Smith and Wollensky restaurant and Theodore Bullfrog public house both on John Adam Street.

It is acknowledged that Robert Street is much quieter than the surrounding main thoroughfares, however with regards to the potential disturbance it is important to consider the nature of the proposed use and the likelihood of the patrons using raised voices on their way to or from the Spa. The spa facility intends to solely cater for advance bookings rather than for passing trade and the spa experience is based around relaxation. A condition is attached, which limits the maximum number of customers within the spa to 60 people at any one time.

Environmental Health officers have reviewed the two acoustic reports produced with regards to the air chiller and swimming pool air-handling unit which is to be located at rear ground floor level within 21 York Buildings and the effect of condensing units which are to be located within a lightwell to the south of the site. From a technical perspective, Environmental Health is satisfied that the plant and sound insulation measures are capable of meeting the standards set out in ENV7 of the UDP, subject to standard conditions regarding maximum noise levels.

Hours of operation

The applicant had initially requested a final entry time of midnight, therefore a closing time of 0130 hours. The applicant has since agreed to a closing time of 2300 hours, therefore the last people entering the Spa facility would be at 2130 hours. As already acknowledged the proposal will bring additional activity during the evening in a location where the current office use would not tend to result in such activity. However, as outlined above the area is of mixed use character, close to busy thoroughfares and is within the Core CAZ. Given the low intensity of the use, with a maximum of 60 customers on site at any one time, it is unlikely to give rise to an unacceptable level of disruption. A condition is recommended to prevent customers using the spa outside of 0800 to 2300 hours each day.

Given the existing noise environment of the area and proposed opening hours it is not considered reasonable to refuse the application on this basis. To further ensure that any impact of the use is mitigated impact as far as reasonably practicable, a condition is recommended to secure an operational management plan.

Odour

The applicant has submitted information with regards to how they will mitigate the chlorine odours of the swimming pools from affecting the neighbours. This includes the following measures:

- Ultra violet equipment incorporated into the water treatment process to minimise chlorine dosing levels.
- The air handling system will limit the proportion of air from swimming pool spaces being extracted externally.
- Filters will be fitted on the exhaust air ductwork.
- Doors to the swimming pool spaces will be fitted with seals to avoid air leakage.

The measures put forward by the applicant are considered a reasonable means to reduce the potential for odours escaping. It is considered unlikely that the proposals would result in adverse impact to neighbours, however if odours become a statutory nuisance, action can be taken under the Environmental Protection Act. It must be noted that swimming pools were permitted on this site in 2015.

8.4 Transportation/Parking

Robert Street operates as a one way system and space is available to accommodate a number of vehicles adjacent to the servicing bays which currently provide adequate capacity for the office space. It is unlikely that the deliveries required for the spa facility would exceed the deliveries and courier activity associated with the existing office space.

Highways Planning has reviewed the application and stated that while no off-street servicing is indicated for the development, the site is located within a Controlled Parking Zone, which means that single yellow lines in the vicinity allow loading and unloading to occur. The largest regular service vehicle expected to be associated with this development in this location is the refuse collection vehicle. The proposed use will be serviced in a similar fashion to the existing use.

Highways Planning consider that the impact on the highway and transport networks is not likely to be significant and the impact of the change of use on parking levels will be minimal. No cycle parking is indicated on the submitted drawings. Based on 20 staff being present, 3 cycle parking spaces should be provided to comply with policy. Details of cycle parking is recommended to be secured by condition.

The waste project officer has reviewed the proposed storage arrangements for waste and recyclable materials and raises no objection.

8.5 Economic Considerations

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

8.6 Access

Access to the building will remain as existing using the original entrances. A new DDA compliant lift is proposed to access all floors within the spa.

8.7 London Plan

This application raises no strategic issues.

8.8 National Policy/Guidance Considerations

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

8.9 Planning Obligations

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

8.10 Environmental Impact Assessment

The application does not require an Environmental Impact Assessment.

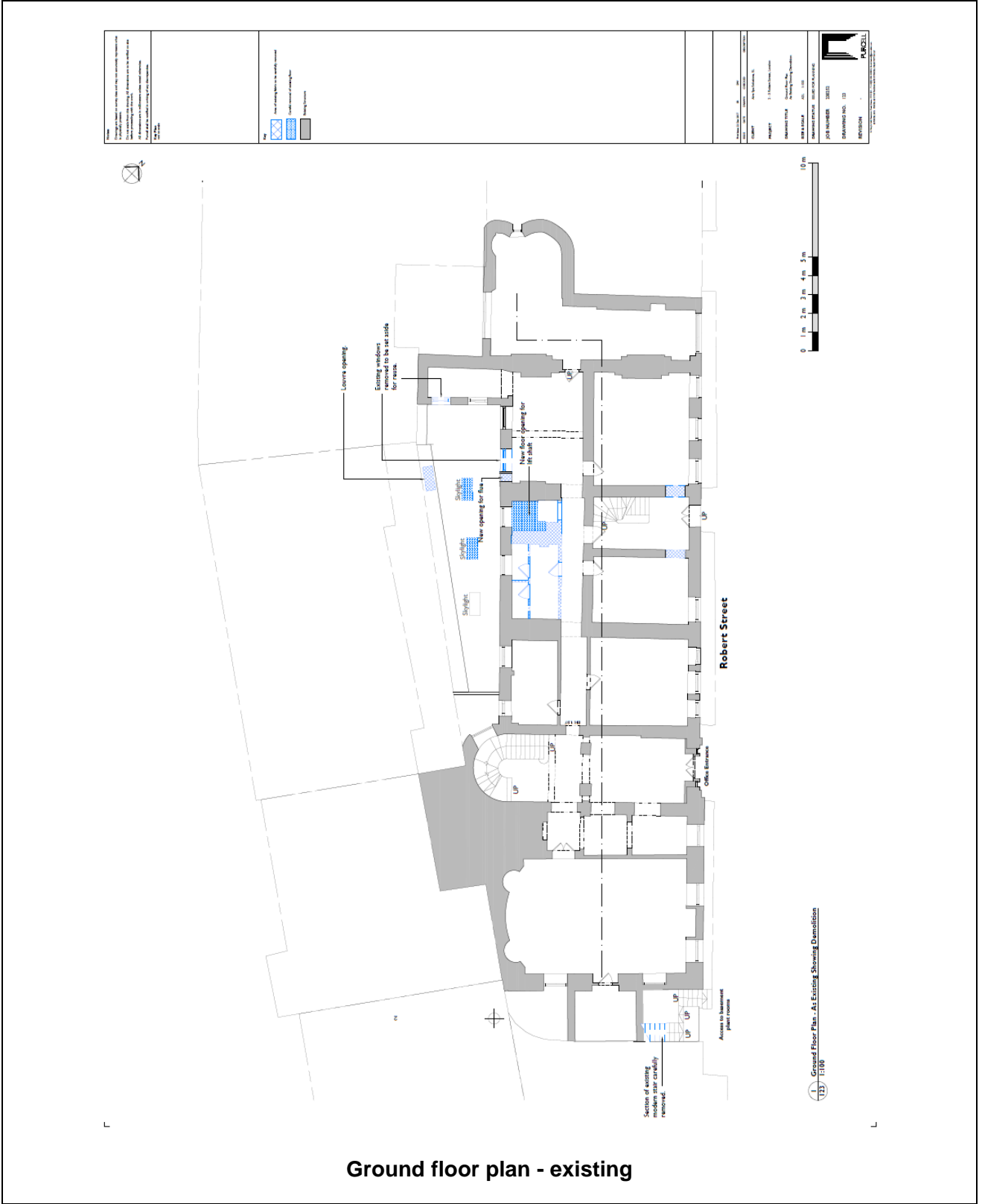
8.11 Other Issues

None relevant.

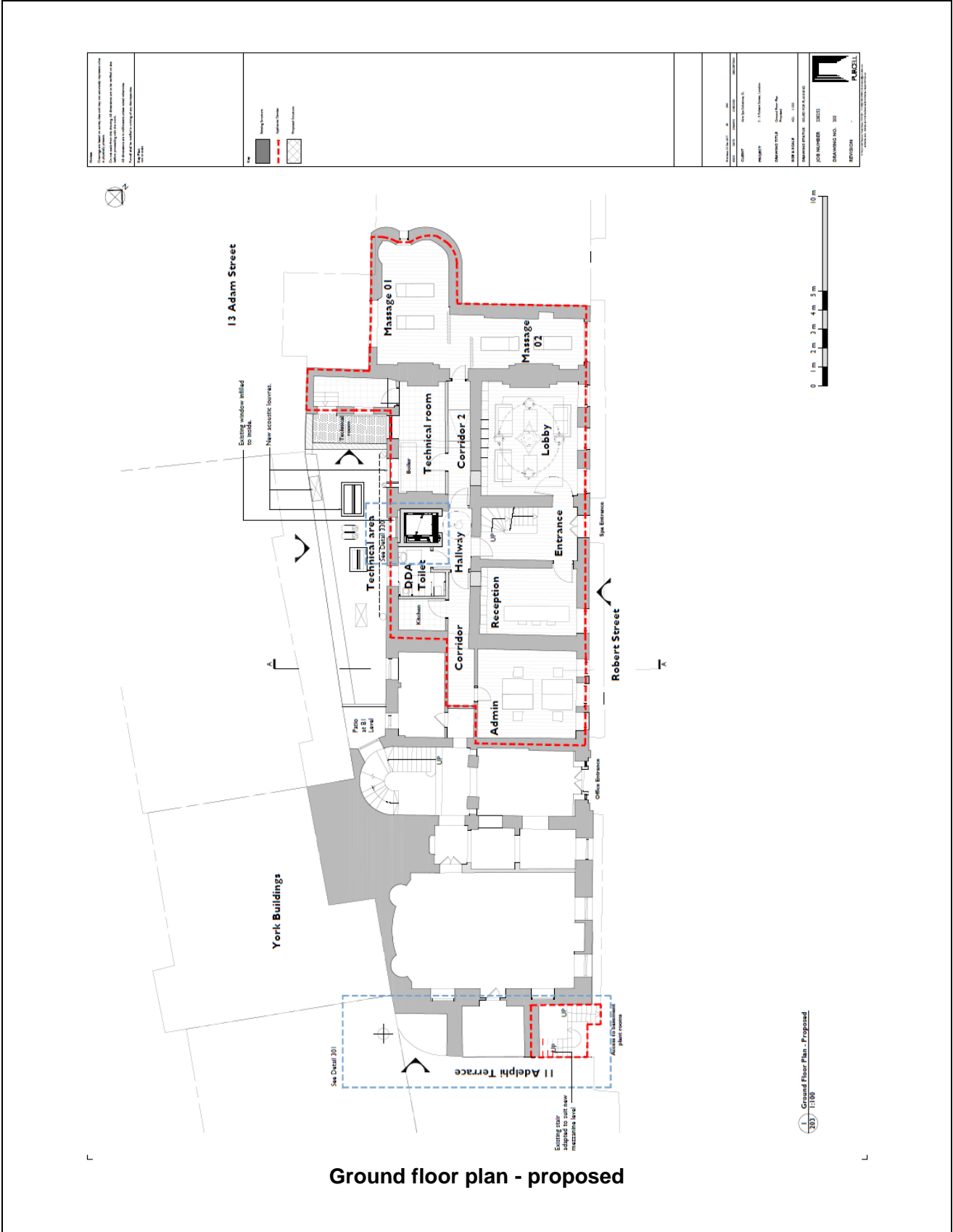
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

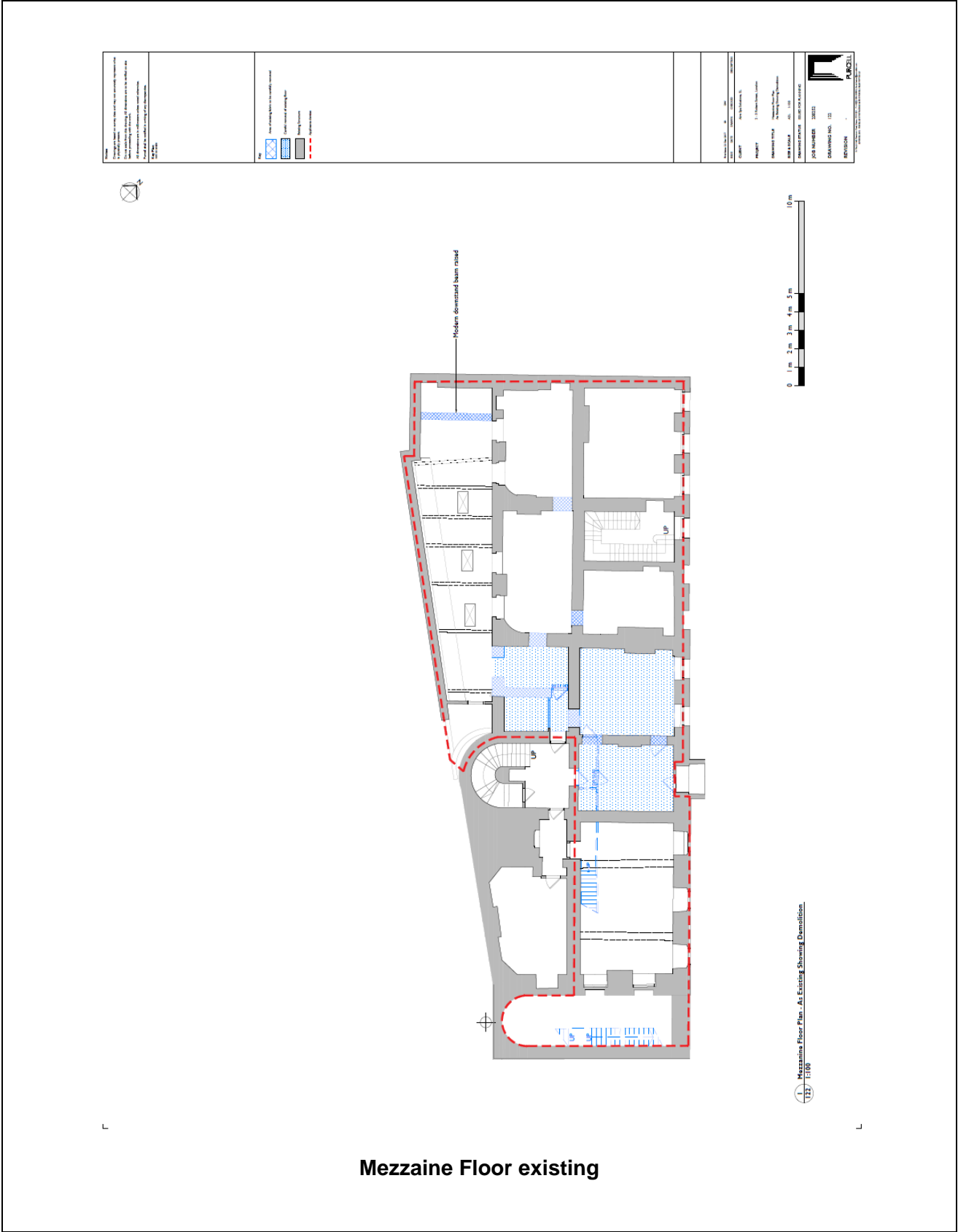
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: VINCENT NALLY BY EMAIL AT southplanningteam@westminster.gov.uk .

9. KEY DRAWINGS



Ground floor plan - existing





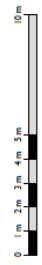
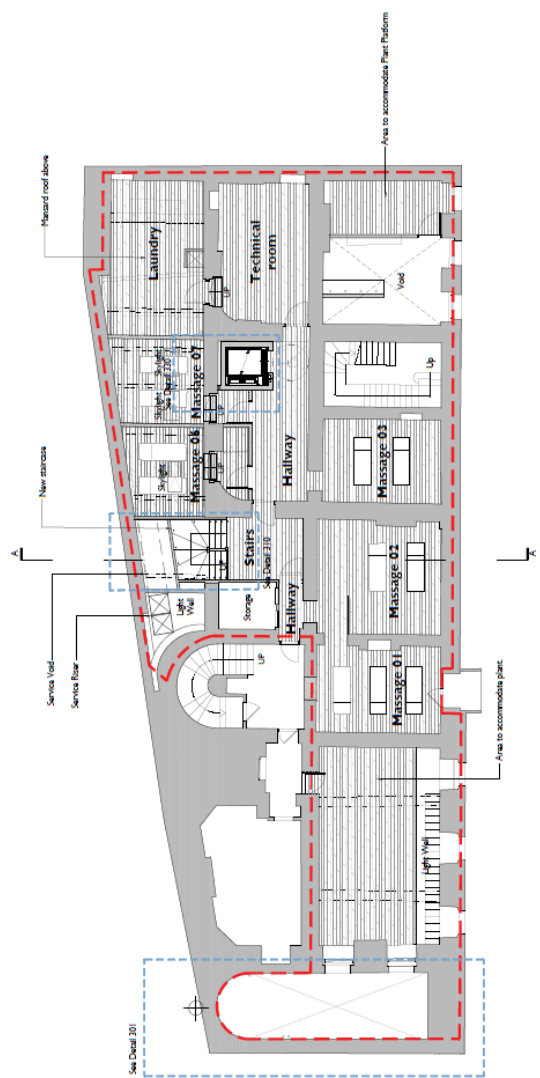
Legend:
- Existing Structure
- Proposed Structure
- Proposed Structure to be demolished
- Proposed Structure to be retained

Scale: 1:100

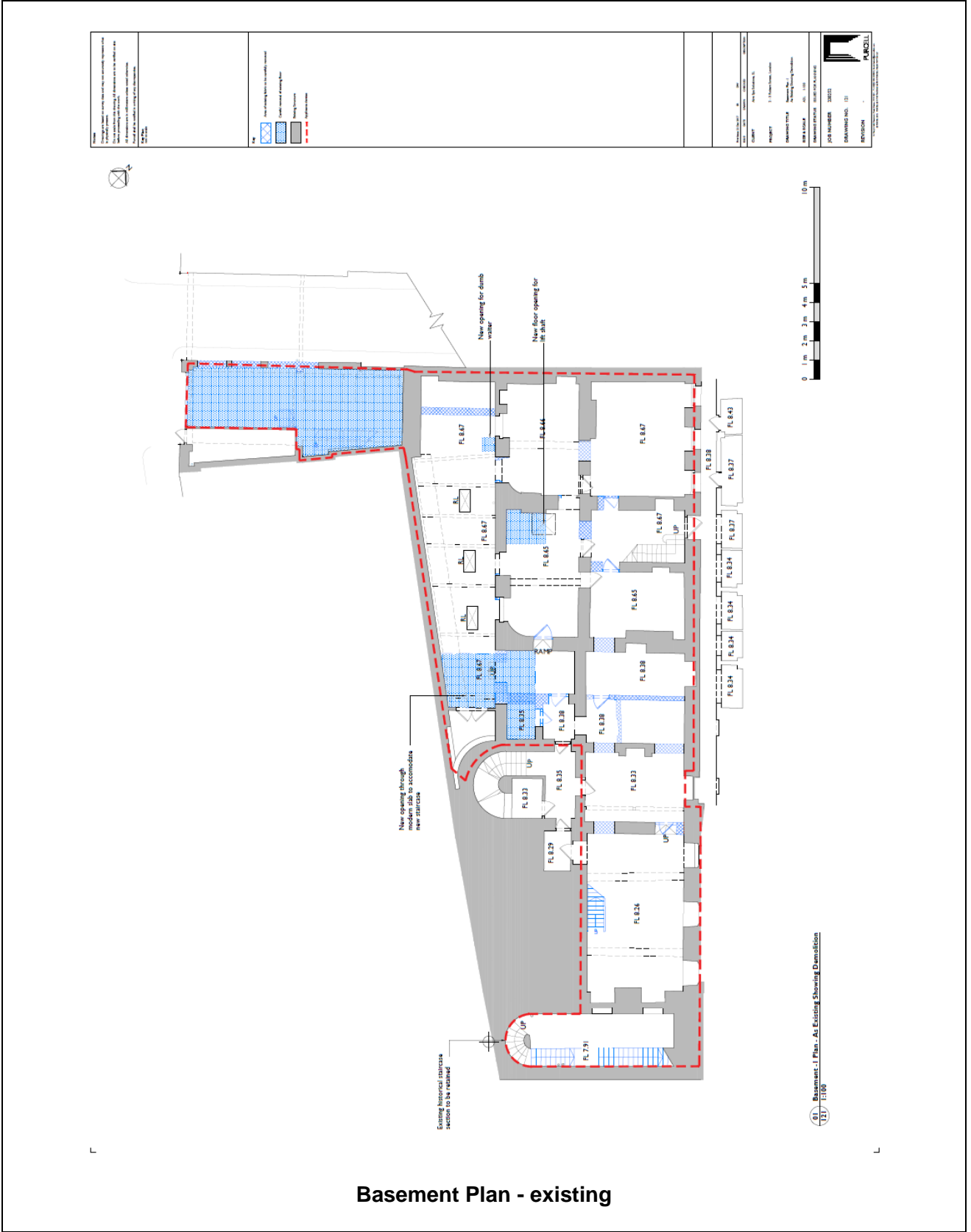
Project: [Project Name]
Client: [Client Name]
Date: [Date]

Author: [Author Name]
Checked: [Checked Name]
Approved: [Approved Name]

Company: [Company Name]

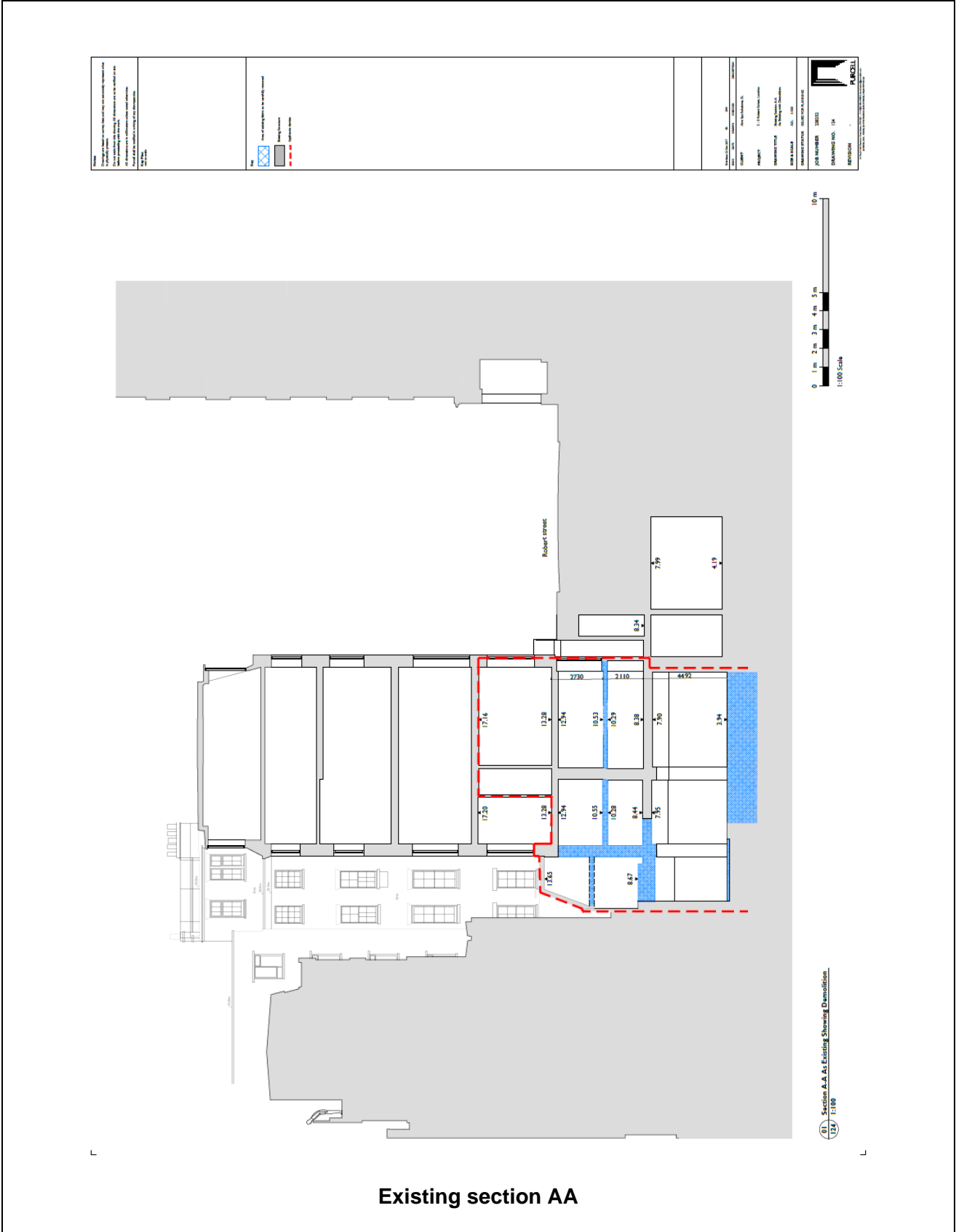


Mezzanine Floor - proposed





Sub basement plan - existing



Existing section AA

DRAFT DECISION LETTER

Address: 2-3 Robert Street, London, WC2N 6BH,

Proposal: Use of a part of the ground floor, mezzanine, basement and sub-basement (vaults) as a spa facility (Class D2), installation of plant equipment to the Robert Street elevation and adjacent to the garage entrance in York Buildings. Associated works including excavation of 4 treatment pools at sub-basement level and new brickwork to rear. (Site includes 21 York Buildings) (linked with 17/11410/LBC)

Plan Nos: 001; 002; 121; 122; 123; 124; 126; 200; 201Rev a; 202Rev a; 203; 204; 205; 206; 127; 300; 301Rev a; 310; 311; 320; 330; 340; 341; 361; 360; Construction Management Plan; Archaeology Impact Assessment; Noise Impact Assessment; Structural Design and Methodology Statement; Design and Access Statement.

Case Officer: Seana McCaffrey

Direct Tel. No. 020 7641 1091

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

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

Reason:

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

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

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

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

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

Reason:

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

- 3 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless

differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

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

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

Reason:

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

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

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

- 6 The provision for the storage of waste and recyclable materials, as shown on drawing number 200, is to be made permanently available and used for no other purpose. The waste must be taken using route C as contained in section 4 of the servicing and refuse strategy of the Highways Statement dated 19 December 2017.

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

- 7 Customers shall not be permitted within the Spa Facility premises before 08.00 or after 23.00 each day. (C12AD)

Reason:

To protect neighbouring residents from noise nuisance, as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13FB)

- 8 This condition relates to the plant and machinery hereby approved within 21 York Buildings.
- (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:
- (a) A schedule of all plant and equipment that formed part of this application;
 - (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
 - (c) Manufacturer specifications of sound emissions in octave or third octave detail;
 - (d) The location of most affected noise sensitive receptor location and the most affected window of it;
 - (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
 - (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
 - (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
 - (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
 - (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is

protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 9 This condition relates to the plant and machinery hereby approved to the Robert Street building.
- (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 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 by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:
- (a) A schedule of all plant and equipment that formed part of this application;
 - (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
 - (c) Manufacturer specifications of sound emissions in octave or third octave detail;
 - (d) The location of most affected noise sensitive receptor location and the most affected window of it;
 - (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
 - (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
 - (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
 - (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
 - (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

As set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(2) of our Unitary Development Plan that we adopted in January 2007 (UDP), so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

10 This condition relates to 21 York Buildings.

(1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the Spa use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm,, and shall be representative of the activity operating at its noisiest.

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

(3) Following completion of the development, 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 including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) The location of most affected noise sensitive receptor location and the most affected window of it;
- (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (d) The lowest existing LA90, 15 mins measurement recorded under (c) above;
- (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;
- (f) The proposed maximum noise level to be emitted by the activity.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in

ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007 (UDP), so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

11 This condition relates to the Robert Street building.

(1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the Spa use 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 by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest.

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

(3) Following completion of the development, 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 including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

(a) The location of most affected noise sensitive receptor location and the most affected window of it;

(b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;

(c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted

in conformity to BS 7445 in respect of measurement methodology and procedures;

(d) The lowest existing L A90, 15 mins measurement recorded under (c) above;

(e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;

(f) The proposed maximum noise level to be emitted by the activity.

Reason:

As set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we

adopted in January 2007 (UDP), so that the noise environment of people in nearby noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

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

Reason:

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

- 13 You must not allow more than 60 customers into the property at any one time. (C05HA)

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 14 You must apply to us for approval of a management plan to show how you will prevent customers who are leaving the building from causing nuisance for people in the area, including people who live in nearby buildings. You must not start the Spa use until we have approved what you have sent us. You must then carry out the measures included in the management plan at all times that the Spa is in use. (C05JB)

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 15 You must use the premises only as a spa use. You must not use it for any other purpose including any within Class D2 of the Town and Country Planning (use Classes) Order 1987 as amended April 2005 (or equivalent class in any order that may replace it).

Reason:

We cannot grant planning permission for unrestricted use within Class D2 because it would not meet SOC 1 of our Unitary Development Plan that we adopted in January 2007, and because of the special circumstances of this case. (R05BB)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- 2 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.

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DRAFT DECISION LETTER

Address: 2-3 Robert Street, London, WC2N 6BH,

Proposal: Use of a part of the ground floor, mezzanine, basement and sub-basement (vaults) as a spa facility (Class D2), installation of plant equipment to the Robert Street elevation and adjacent to the garage entrance in York Buildings. Associated works including excavation of 4 treatment pools at sub-basement level and new brickwork to rear. (Site includes 21 York Buildings) (linked with 17/11409/FULL)

Plan Nos: 001; 002; 121; 122; 123; 124; 126; 200; 201Rev a; 202Rev a; 203; 204; 205; 206; 127; 300; 301Rev a; 310; 311; 320; 330; 340; 341; 361; 360; Construction Management Plan; Archaeology Impact Assessment; Noise Impact Assessment; Structural Design and Methodology Statement; Design and Access Statement.

Case Officer: Seana McCaffrey

Direct Tel. No. 020 7641 1091

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

- 1 The works 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 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 2.3-2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 3 You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary

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Development Plan that we adopted in January 2007, and paragraph 2.3-2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 4 No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason:

To protect the archaeological heritage of the City of Westminster as set out in S25 of Westminster's City Plan (November 2016) and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32BC)

- 5 No development shall take place until details of the final foundation design have been submitted by the applicant and approved in writing by the planning authority. The development shall only take place in accordance with the approved details.

Reason:

To protect the archaeological heritage of the City of Westminster as set out in S25 of Westminster's City Plan (November 2016) and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32BC)

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan March 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council decided that the proposed works would not harm the special architectural and historic interest of this listed building.

In reaching this decision the following were of particular relevance:

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S25 and S28 of Westminster's City Plan and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.4 and 2.5 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 The written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 3 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:
 - * any extra work which is necessary after further assessments of the building's condition;
 - * stripping out or structural investigations; and
 - * any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents.

It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

Agenda Item 5

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CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 3 July 2018	Classification For General Release	
Addendum Report of Director of Planning		Ward(s) involved Warwick	
Subject of Report	43 Warwick Way, London, SW1V 1QS		
Proposal	Erection of a two storey rear extension at lower-ground and ground floor levels and replacement shopfront.		
Agent	Mr Kieran Wardle		
On behalf of	Mrs Ha		
Registered Number	17/08682/FULL	Date amended/ completed	4 October 2017
Date Application Received	28 September 2017		
Historic Building Grade	Unlisted		
Conservation Area	Pimlico		

1. RECOMMENDATION

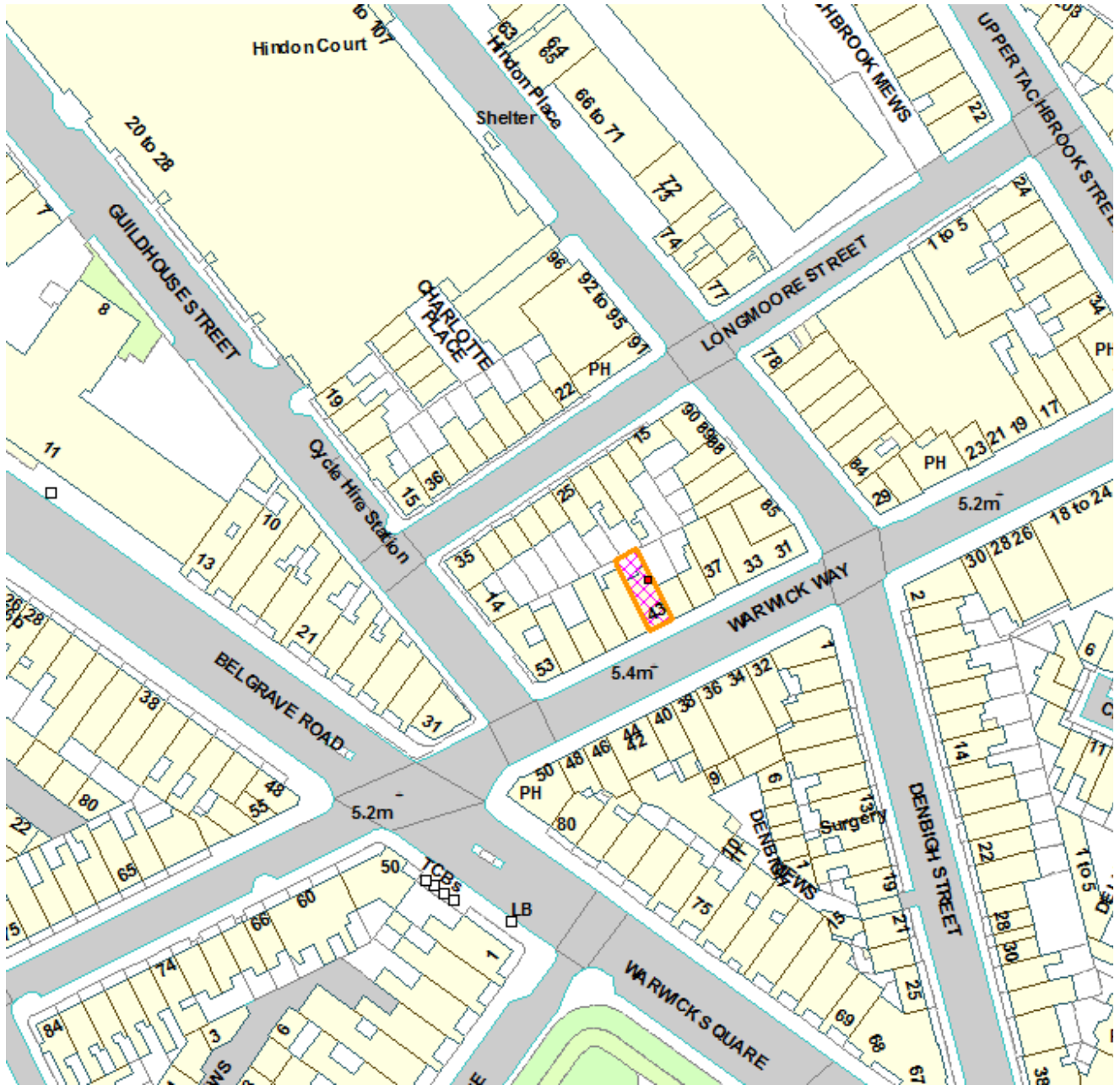
Grant conditional permission.

2. SUMMARY

<p>The application was reported to Planning Applications Sub-Committee on the 17th April 2018 where members resolved to defer the application for a site visit in order to assess the impact of the proposals on neighbouring amenity. A members site visit has been arranged for 29th June 2018. A copy of the original report and minutes of the previous meeting is included in the background papers.</p>

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3. LOCATION PLAN



4. PHOTOGRAPHS



5. CONSULTATIONS

No further representations received since last considered by Planning Applications Sub-Committee on 17th April 2018.

(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: VINCENT NALLY BY EMAIL AT vnally@westminster.gov.uk

DRAFT DECISION LETTER

Address: 43 Warwick Way, London, SW1V 1QS

Proposal: Erection of a two storey rear extension at lower-ground and ground floor levels and replacement shopfront.

Reference: 17/08682/FULL

Plan Nos: 1-001; 1-002; P1-100 Rev. E; P1-101 Rev. E; P1-102 Rev. C; P1-200 Rev. B; P1-201 Rev. E; P1-202; P1-300 Rev. A.

For information: Tree Survey dated 17 January 2018; Design and Access Statement dated 27 September 2017.

Case Officer: Ian Corrie

Direct Tel. No. 020 7641 1448

Recommended Condition(s) and Reason(s)

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

Reason:

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

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

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

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

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

Reason:

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

- 3 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 protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Pimlico Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 4 You must apply to us for approval of a brickwork sample of the following parts of the development - new brickwork to the rear. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these details. (C26DB)

Reason:

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

- 5 You must apply to us for approval of details of how waste is going to be stored on the site. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the waste store in line with the approved details, and clearly mark it and make it available at all times to everyone using the shop unit. You must not use the waste store for any other purpose. (C14CD)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 6 You must not use the roof of the extension for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

Reason:

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

- 7 You must not allow customers to use the outdoor space at rear lower ground floor level.

Reason:

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

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You are advised to construct your brickwork sample panel to allow a straight forward comparison with the existing rear elevation brickwork. The bond, facing and jointing should match the existing.

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.

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 17 April 2018	Classification For General Release	
Report of Director of Planning		Ward involved Warwick	
Subject of Report	43 Warwick Way, London, SW1V 1QS.		
Proposal	Erection of a two storey rear extension at lower-ground and ground floor levels and replacement shopfront.		
Agent	UAO Architects		
On behalf of	Underwood London Limited		
Registered Number	17/08682/FULL	Date amended/ completed	4 October 2017
Date Application Received	28 September 2017		
Historic Building Grade	Unlisted		
Conservation Area	Pimlico		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

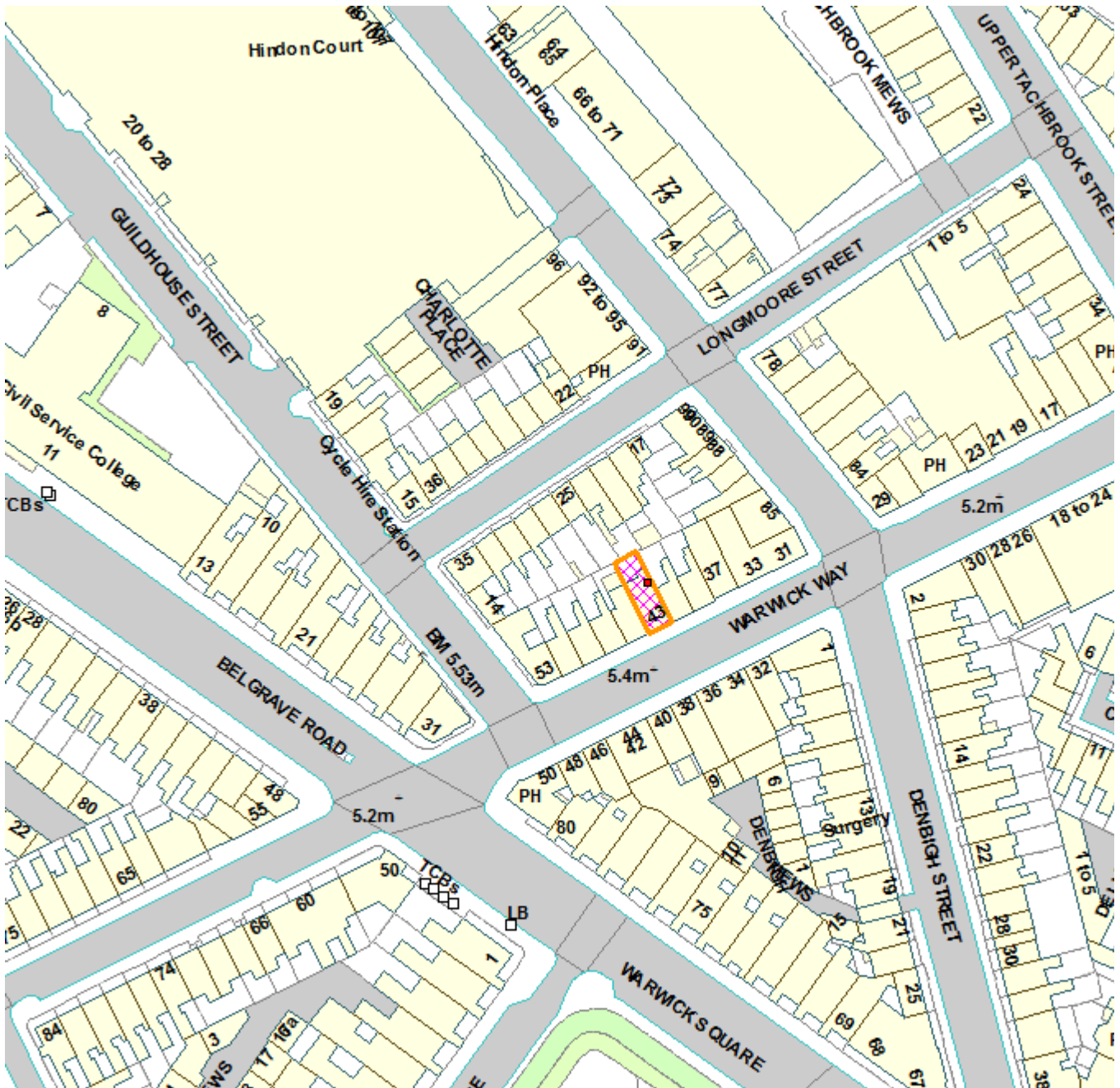
43 Warwick Way is an unlisted property located within the Pimlico Conservation Area. The lower ground and ground floor levels are currently in use as a delicatessen (Class A1), with residential (Class C3) on the upper floors. Permission is sought for a two storey rear extension at lower-ground and ground floor levels and replacement shopfront in connection with the retail use.

The key issues are:

- *Impact upon the appearance of the building;
- *Impact upon the character and appearance of the Pimlico Conservation Area;
- *Impact on neighbouring amenity.

The proposed development is considered to be acceptable in land use, design and amenity terms and would accord with policies within the Unitary Development Plan (UDP) and Westminster's City Plan (City Plan). As such, it is recommended that conditional planning permission is granted.

3. LOCATION PLAN



4. PHOTOGRAPHS



5. CONSULTATIONS

CLLR NICKIE AIKEN

- The proposal will have a detrimental impact on the amenity of the residents living behind the application site at 25, 23, 21 and 19 Longmoore Street.
- Proposed extension too large and not of an appropriate design and use for the area.
- Inappropriate to have a window at rear ground floor level, directly in front of existing bedroom windows. Even if the windows are frosted, they may be opened during warm weather.
- Permitting the opening up of the lower-ground floor into a public space is likely to cause noise nuisance to neighbouring properties.

CLLR JACQUI WILKINSON

- The proposals involve reducing the garden/back area of 43 Warwick Road, bringing development closer to the residential properties on Longmoore Street. Given that the property is in use as a shop/cafe, which is busy throughout the day, this will have serious implications on amenity.
- If granted the proposals would set a disturbing precedence for similar applications in Pimlico.

WESTMINSTER SOCIETY

No objection.

TREE SECTION

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 8

Total No. of replies: 2

No. of objections: 2

Objections have been received from the residents of 23 and 25 Longmoore Street on the following grounds:

DESIGN

The design of the extensions is inappropriate and would take up too much garden land.

AMENITY

- The proposed extension would dominate the back of 23 Longmoore Street, reducing privacy and the peaceful enjoyment of the garden.
- The proposed windows, whilst frosted, could be opened for ventilation resulting in a direct line of sight into the bedrooms of 23 Longmoore Street. A skylight would be a better alternative.
- The lower-ground floor is not currently a public space, opening it up would result in increased noise affecting adjacent properties.
- The proposals may harm the trees in adjacent gardens that provide a pleasing environment and privacy.

OTHER

- There is currently a cooling unit attached to the rear elevation of the application building. No information is included about its relocation; anything bigger or closer would create both noise and air pollution affecting adjacent properties.
- Concern that any associated excavation would damage the roots of the tree in the garden at 25 Longmoore Street.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

43 Warwick Way is an unlisted building located within the Pimlico Conservation Area. The building comprises lower ground floor, ground floor and two upper floors. The building backs onto Longmoore Street to the north. The lower ground and ground floor levels are currently in use as a delicatessen (Class A1), with two residential flats (Class C3) on the upper floors

6.2 Recent Relevant History

43 Warwick Way

14 December 2001 – Planning permission refused on design grounds for the erection of single storey rear extension at first floor level in connection with use as a single flat. (01/07498/FULL)

2 September 2005 – Planning permission granted for the conversion of the first floor and second floor into a one self-contained two-bedroom residential flat. (05/04732/FULL)

47 Warwick Way

29 June 2006 – Planning permission granted for the extension at rear ground and lower ground floors and alterations to extract duct in connection with use as a bakery (Class A1). (06/02336/FULL)

7. THE PROPOSAL

Planning permission is sought for a replacement shopfront and erection of a full width two storey extension at rear lower ground and ground floor levels in association with the existing retail unit (Class A1).

8. DETAILED CONSIDERATIONS

8.1 Land Use

The unit is currently occupied by a Portuguese delicatessen “Delicias de Portugal”. The lawful use of the unit is considered to be retail (Class A1).

City Plan Policy S21 states that existing Class A1 retail will be protected throughout Westminster. This approach will ensure that the needs of customers and retailers across the city are met through retention of shops and overall amount of retail floorspace.

City Plan Policy S10 recognises the predominantly residential nature of Pimlico, and "Village" character with associated local uses and the sense of small-scale shops and services. Stating that the area will be primarily for residential use with supporting retail, social and community and local arts and cultural provision.

The proposals would increase the amount of Class A1 floorspace from approx. 104.7sqm to 131.8sqm. The retail unit would remain small in scale comparable to similar uses along Warwick Way. The increase in retail floorspace would support the surrounding residential accommodation. Accordingly, the proposals are considered to be in line with City Plan Policies S21 and S10.

8.2 Townscape and Design

Objections to the design of the proposed rear extension have been received in relation to the size and massing and the amount of garden ground it would take up.

The footprint of the extension has been kept in line with the neighbouring property and in terms of scale and height is very similar to a number of other rear extensions in the immediate vicinity, including those at nos. 45 and 47 Warwick Way. Indeed, the extension at No. 47 was granted in June 2006 (06/02336/FULL) and the City Council's policies regarding rear extensions have not changed since that time.

The City Councils design policies concerning rear extensions are clear and it is considered that the current proposals accord with the required conditions under UDP policy DES 5, Section A:

(A) Permission will generally be granted for development involving the extension or alteration of buildings in the following circumstances:

- 1) where it is confined to the rear of the existing building
- 2) where it does not visually dominate the existing building
- 3) if it is in scale with the existing building and its immediate surroundings
- 4) if its design reflects the style and details of the existing building
- 5) if the use of external materials is consistent with that of the existing building
- 6) where any necessary equipment, plant, pipework, ducting or other apparatus is enclosed within the external building envelope, if reasonably practicable.

The proposals would occupy a greater part of the rear yard area to this property and DES 5 (B) does identify this as a possible reason for refusing permission. However, the property is in commercial use and this space is not used as private amenity space. Furthermore, the pattern of development of adjoining properties has been to substantially infill these rear spaces. Accordingly, it is not considered sustainable to refuse the proposals for this reason.

The proposals are in accordance with UDP policies DES 1, DES 5 and DES 9 and City Plan policies S25 and S28.

8.3 Residential Amenity

Policies S29 of the City Plan and ENV13 of the UDP seek to protect residential amenity in terms of light, privacy, sense of enclosure and encourage development which enhances the residential environment of surrounding properties.

Objections have been received from two local ward Councillors and the residential occupiers of 23 and 25 Longmoore Street directly behind the site. Objections have been raised on grounds that the proposed extension is too large, that it would increase noise disturbance and reduce the privacy of the surrounding residential properties

The proposed rear extension would project further into the rear yard area by approx. 3.2m at lower-ground and ground floor levels. The footprint of the extension has been kept in line with the existing extension on the adjoining No.45 Warwick Way. The scale and massing of the proposal is comparable to a number of extensions in the immediate vicinity. The resulting relationship between the application site and surrounding properties is similar to those found throughout the city. It is considered that the proposals would not lead to an increase in enclosure or loss of light sufficient to justify refusing permission.

Following officer advice, the applicant has removed obscure glazed windows originally proposed at rear ground floor level and replaced with roof lights above. The applicant has also substituted the concertina windows at rear lower ground floor level for a single window and door, to minimise disturbance from internal noise.

Conditions are also recommended to ensure that the roof of the extension is not used for sitting out and that the rear yard area is not to be used by customers. These amendments and conditions will ensure there will not be an unacceptable loss of privacy or increase in noise to neighbouring occupiers.

The proposals are considered to accord with policies S29 and ENV13.

8.4 Transportation/Parking

The modest enlargement to the existing retail use would not have a material impact on traffic generation or on-street parking pressure in the area.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

The replacement shopfront and entrance will allow for level access into the premises. Accessible WC facilities are introduced at ground floor level.

8.7 Other UDP/Westminster Policy Considerations

Trees

A neighbouring residential occupier objects on the grounds that excavation associated with the proposed extension would damage the roots of the tree in their garden.

The applicant has submitted a tree survey, which records one cherry laurel (T1) and one rowan (T2) in adjacent gardens. The circular root protection area of the rowan overlaps the boundary with 43 Warwick Avenue by a very small amount and it is unlikely that any significant roots from this tree will be affected. The circular root protection area of the laurel overlaps a greater area of the rear yard of 43 Warwick Avenue. Taking into consideration the size and type of species, the Councils Tree Officer considers that works would not have a detrimental effect on the laurel.

The extension will occupy most of the rear yard area. The yard is currently concreted over and as such the proposals will have a negligible impact on biodiversity.

Refuse /Recycling

No information has been supplied in relation to refuse and recycling storage. A condition is recommended to ensure that details of how waste is going to be stored on site is provided prior to occupation of the use.

Plant

No plant machinery is proposed under this application. If the applicant requires plant in connection with the use, this will need to be the subject of a further planning application.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

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

8.10 Planning Obligations

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

8.11 Environmental Impact Assessment

Environmental Impact Assessment is not required for a scheme of this size.

8.12 Other Issues

None.

9. BACKGROUND PAPERS

1. Application form
2. Letter from Cllr Nickie Aiken, dated 30 October 2017
3. Letter from Cllr Jacqui Wilkinson, dated 2 November 2017
4. Response from Westminster Society, dated 12 October 2017
5. Response from Tree Section, dated 27 March 2018
6. Letter from occupier of 25 Longmoore Street, dated 20 October 2017
7. Letter from occupier of 23 Longmoore Street, dated 21 October 2017

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

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: VINCENT NALLY BY EMAIL AT vnally@westminster.gov.uk

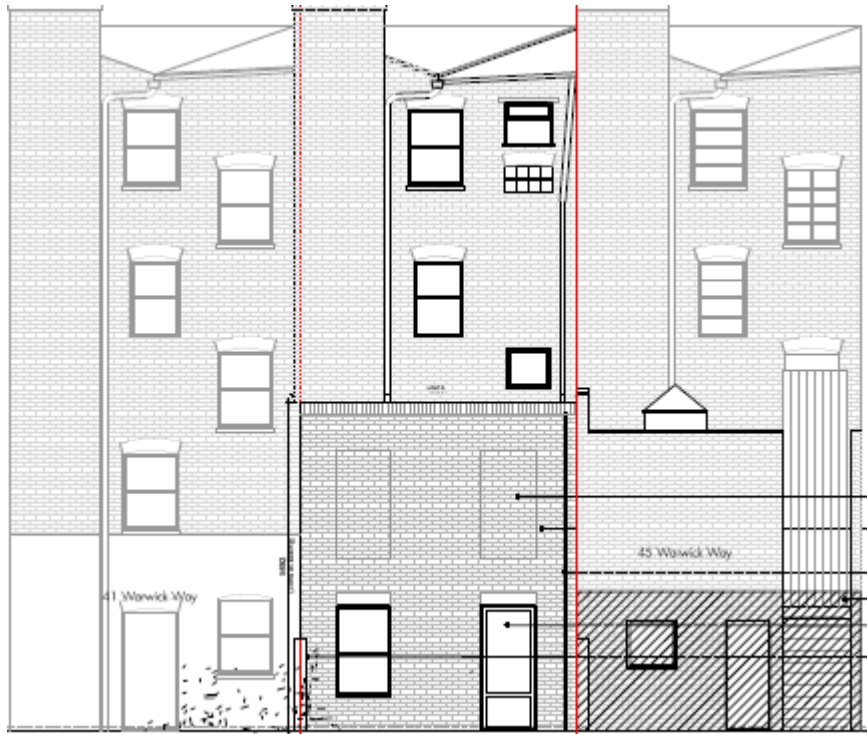
10. KEY DRAWINGS



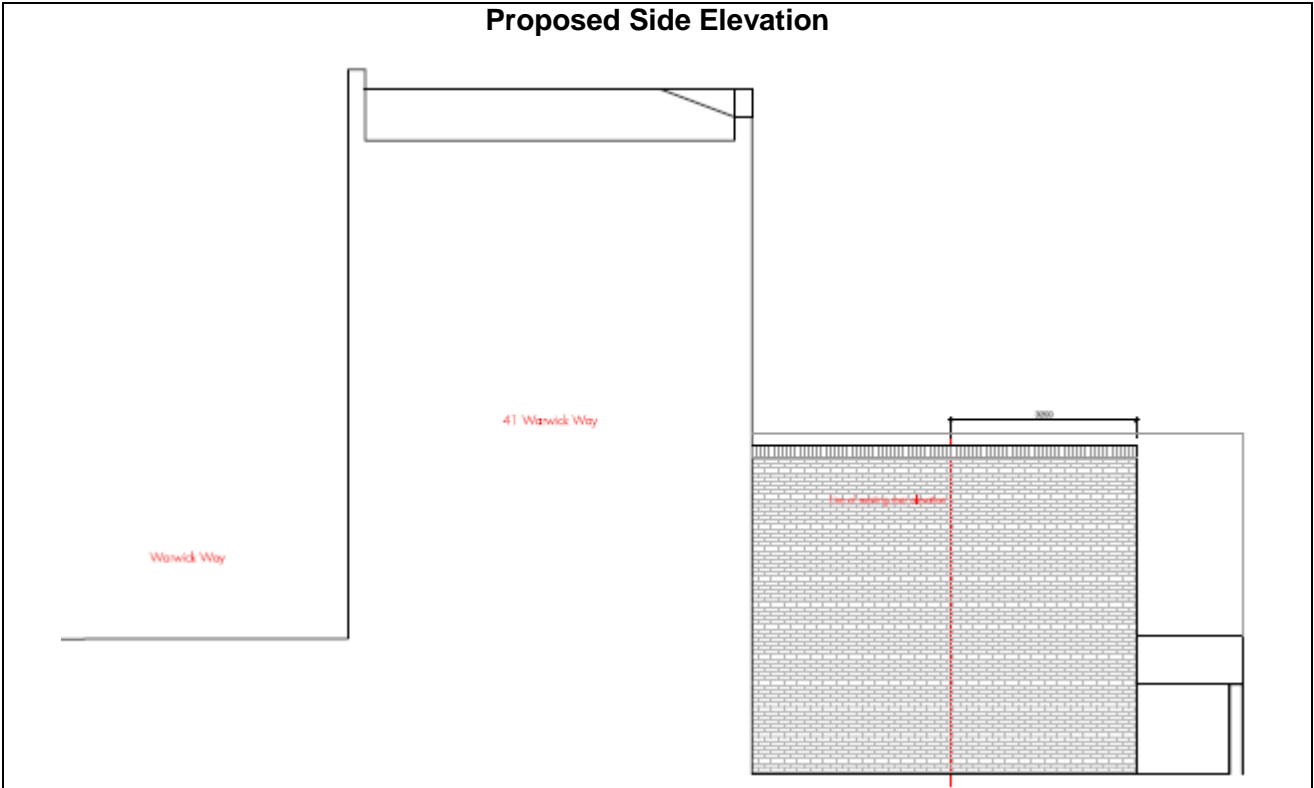
Existing Rear Elevation



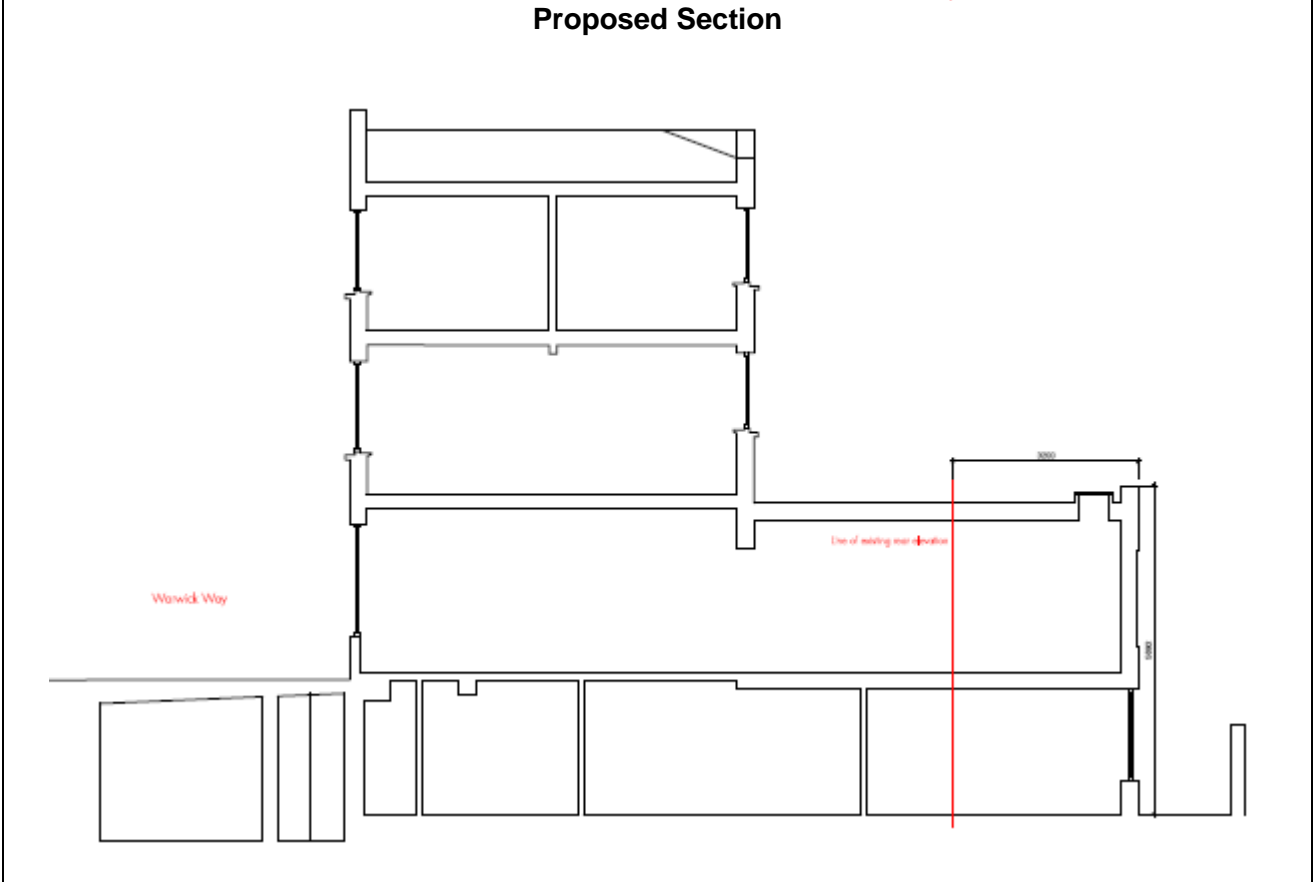
Proposed Rear Elevation



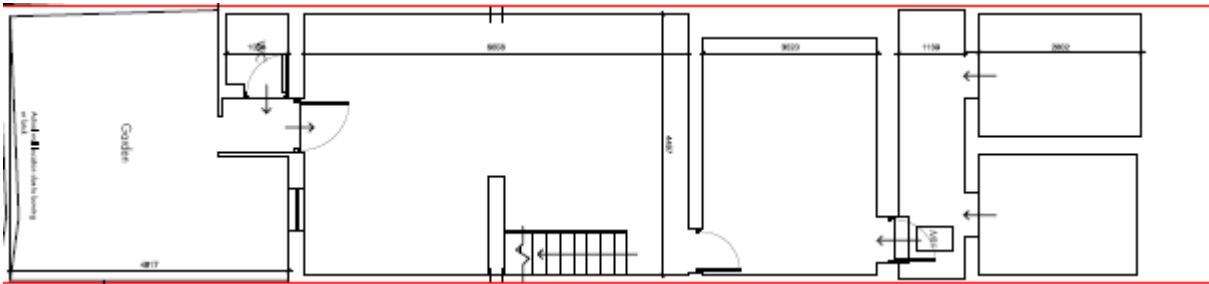
Proposed Side Elevation



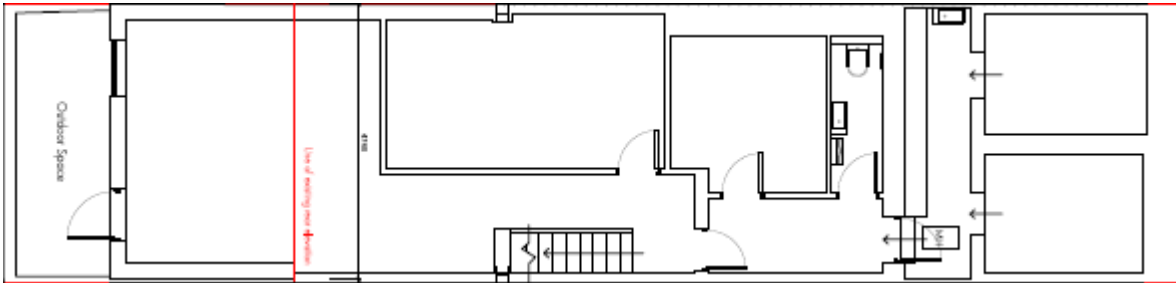
Proposed Section



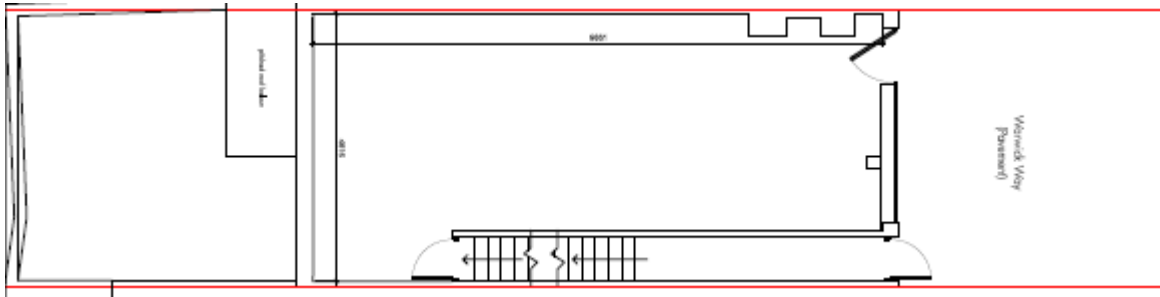
Existing Lower Ground Plan



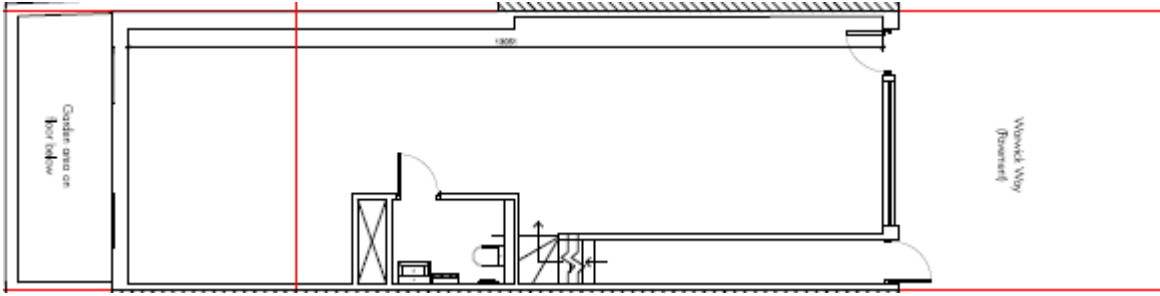
Proposed Lower Ground Plan



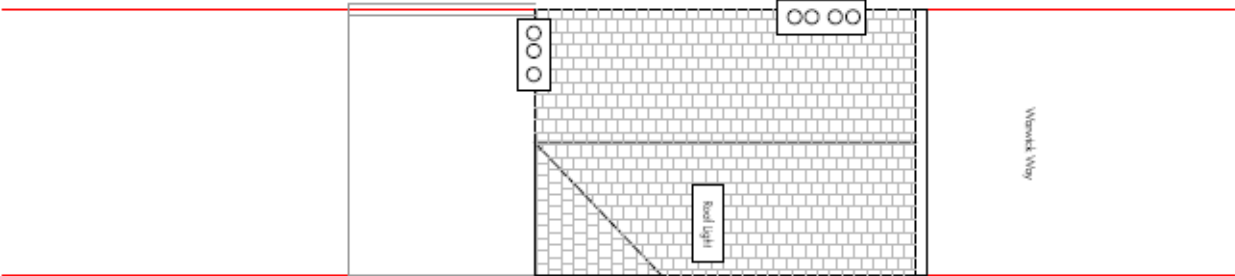
Existing Ground Plan



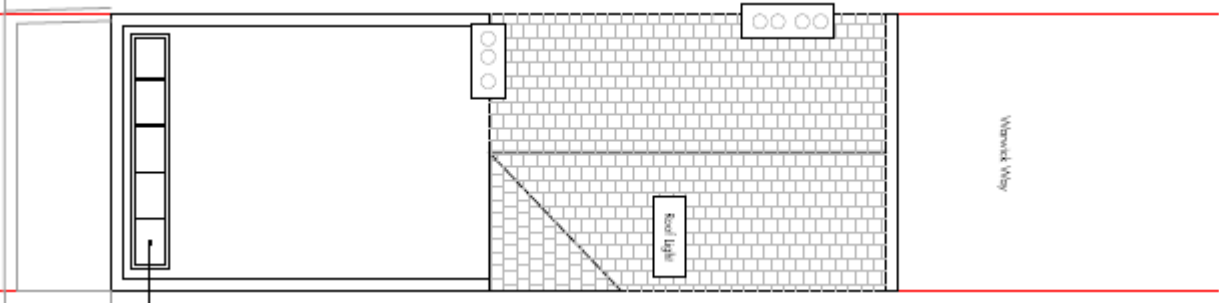
Proposed Ground Plan



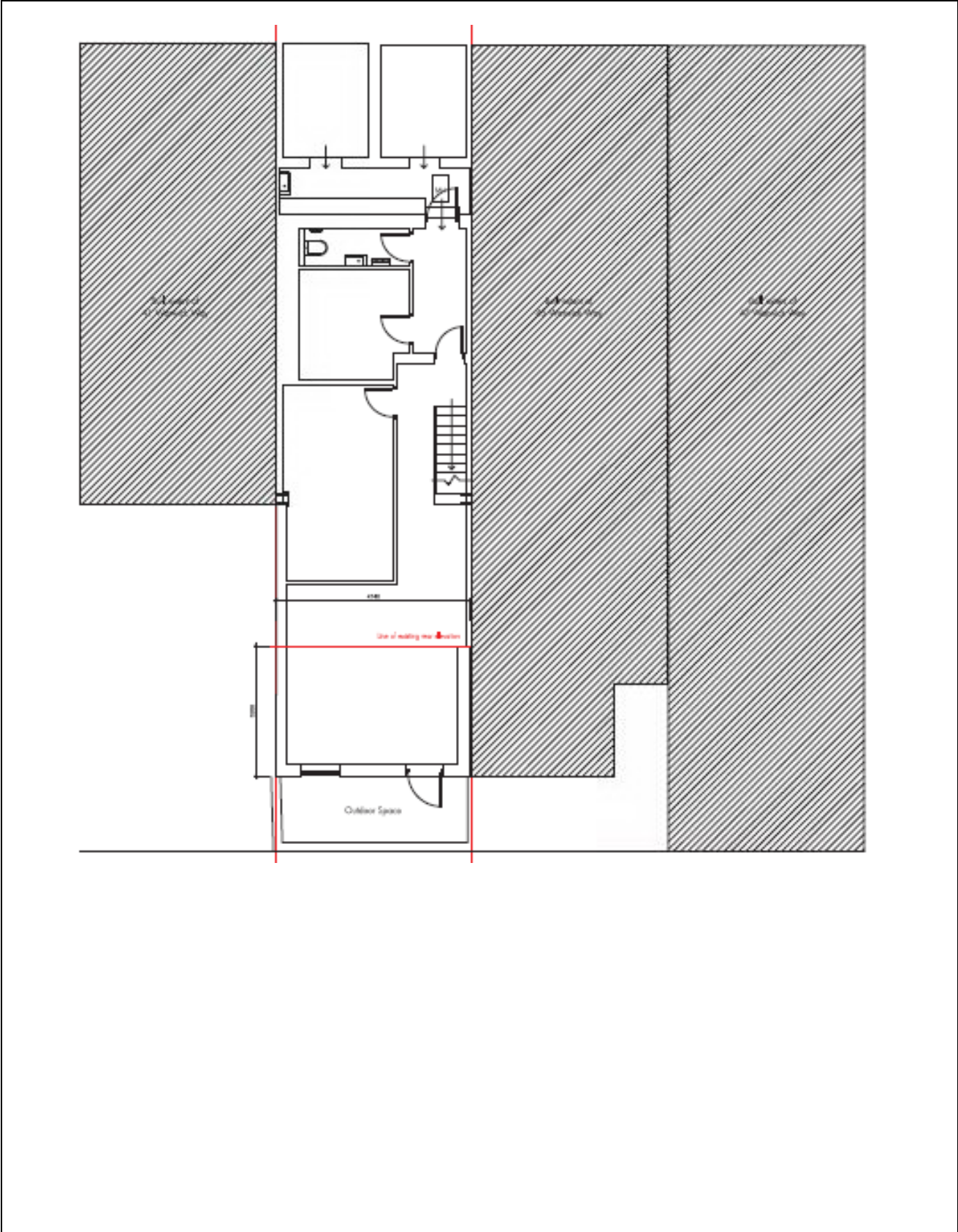
Existing Roof Plan



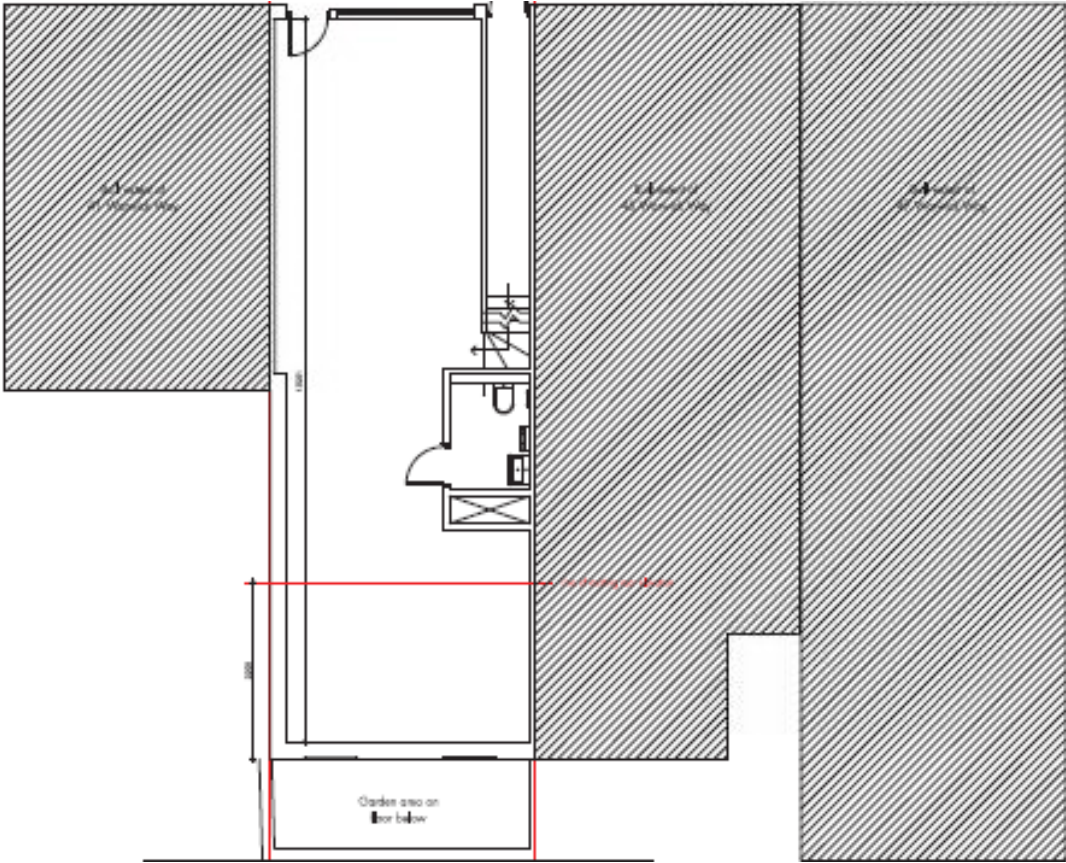
Proposed Roof Plan



Proposed Lower Ground Plan in Context



Proposed Ground Floor Plan in Context



Item No.
5

DRAFT DECISION LETTER

Address: 43 Warwick Way, London, SW1V 1QS

Proposal: Erection of a two storey rear extension at lower-ground and ground floor levels and replacement shopfront.

Reference: 17/08682/FULL

Plan Nos: 1-001; 1-002; P1-100 Rev. E; P1-101 Rev. E; P1-102 Rev. C; P1-200 Rev. B; P1-201 Rev. E; P1-202; P1-300 Rev. A.

For information:

Tree Survey dated 17 January 2018; Design and Access Statement dated 27 September 2017.

Case Officer: Ian Corrie

Direct Tel. No. 020 7641 1448

Recommended Conditions and Reasons

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

Reason:

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

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

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

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

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

Reason:

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

- 3 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 protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Pimlico Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 4 You must apply to us for approval of a brickwork sample of the following parts of the development - new brickwork to the rear. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these details. (C26DB)

Reason:

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

- 5 You must apply to us for approval of details of how waste is going to be stored on the site. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the waste store in line with the approved details, and clearly mark it and make it available at all times to everyone using the shop unit. You must not use the waste store for any other purpose. (C14CD)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 6 You must not use the roof of the extension for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

Reason:

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

- 7 You must not allow customers to use the outdoor space at rear lower ground floor level.

Reason:

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

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- 2 You are advised to construct your brickwork sample panel to allow a straight forward comparison with the existing rear elevation brickwork. The bond, facing and jointing should match the existing.

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.

5 43 WARWICK WAY, SW1V 1QS

Erection of a two storey rear extension at lower-ground and ground floor levels and replacement shopfront.

A vote was taken to defer the application to a site visit:

For: Councillors Harvey, Bott, Bush and Glanz.

Against: None.

RESOLVED:

That the application be deferred for a site visit in order to assess its impact on neighbouring amenity.

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Agenda Item 6

Item No.
6

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 3 July 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	23 Meard Street, London, W1F 0EL		
Proposal	Installation of two air conditioning units at rear first floor flat roof level, installation of acoustic screens around the units.		
Agent	Lipton Plant Architects		
On behalf of	Consulco		
Registered Number	17/10699/FULL	Date amended/ completed	14 December 2017
Date Application Received	1 December 2017		
Historic Building Grade	Unlisted		
Conservation Area	Soho		

1. RECOMMENDATION

Grant conditional permission.

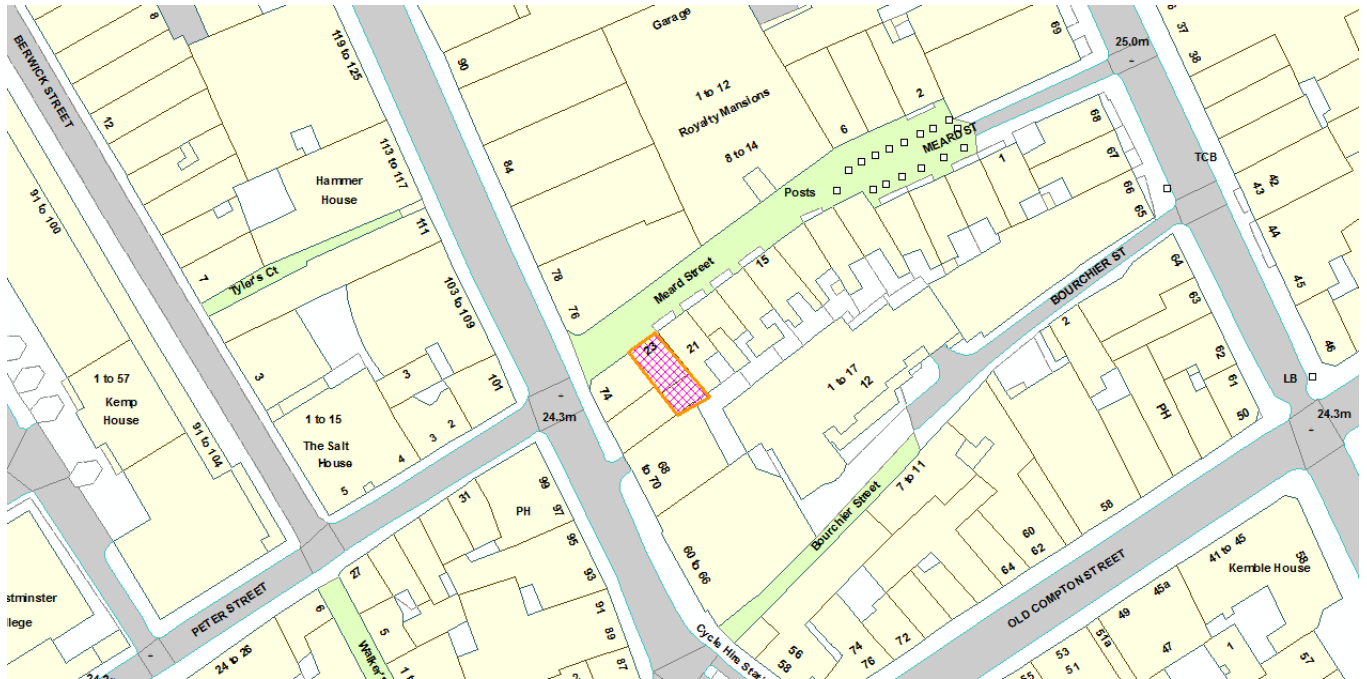
2. SUMMARY

<p>The application site relates to an unlisted building situated within the Soho Conservation Area. Until recently this building was linked, on all floor levels to No. 21 Meard Street, a Grade II* listed building. The buildings have been separated.</p> <p>Throughout the course of this application there have been a number of amendments to address concerns raised by officers and members of the public. Permission was originally sought for the installation of three air conditioning units within the rear lightwell and four air conditioning units on the flat roof (seven in total). The application has been amended to seek permission for two air conditioning units at first floor level, plus the installation of acoustic screens to the side of the units.</p> <p>The key issues for consideration are:</p> <ul style="list-style-type: none"> - The impact of the proposals upon the amenity of neighbouring residents; - The impact of the works upon both the character and appearance of the conservation area and adjacent listed buildings.

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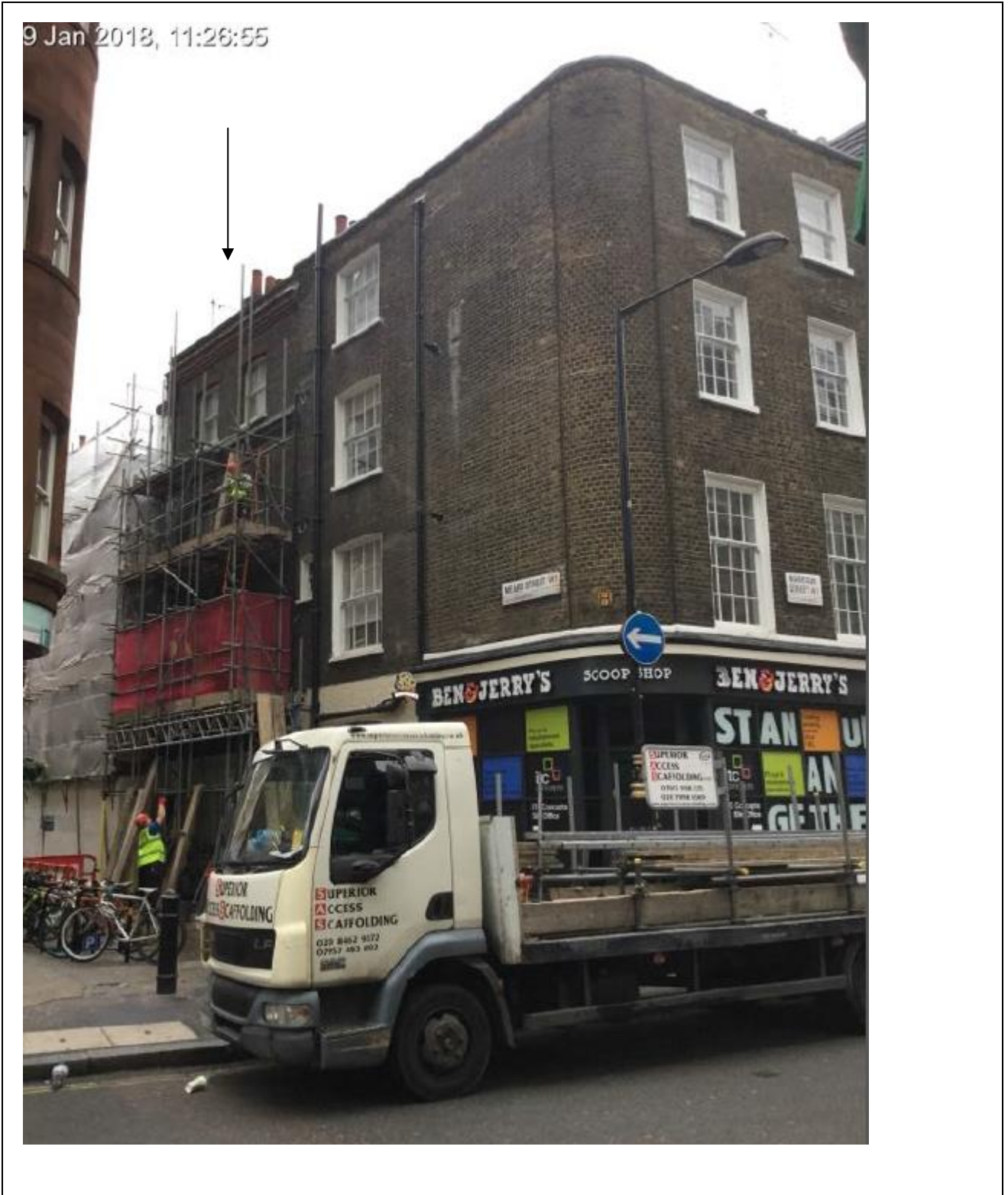
The proposal is considered to be acceptable in design and conservation terms and, subject to conditions, the proposal is also considered acceptable in amenity terms, complying with the policies set out in the Unitary Development Plan (UDP) and Westminster's City Plan (City Plan).

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

SOHO SOCIETY:

Any response to be reported verbally.

ENVIRONMENTAL HEALTH

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 35

Total No. of replies: 12

No. of objections: 12 objections received on all or some of the following grounds:

Amenity

- the acoustic report identifies 72 Wardour Street as the nearest residential property, 21 Meard Street is in-fact the closest;
- increased noise and vibration concerns.

Design/Listed Building

- impact on listed building
- visual impact of the proposed units

Other

- loss of property value
- the impact of the proposed retail use and the air conditioning units will cause additional noise nuisance

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

23 Meard Street is unlisted building located within the Soho Conservation Area. The building comprises basement, ground and three upper floors. The basement and ground floors are currently undergoing works to connect extend the existing retail unit at No.74 Wardour Street. The upper floors are in use as offices.

6.2 Recent Relevant History

23 Meard Street

Permission was granted on the 3 October 2017 for the change of use of the basement and ground floors of 23 Meard Street to retail use in association with the existing retail at 74 Wardour Street, with internal openings proposed at basement and ground floor levels between the two properties. (17/06840/FULL).

At the time of writing, there is a pending application (reported to Planning Applications Sub Committee on 26 June 2018) for the use of the ground and basement floors as a retail unit (Class A1) and installation of a new shopfront with entrance door.

21-23 Meard Street

Permission was granted on 13 March 2012 allowing the change of use of No.21 to a single family dwelling and No. 23 to one two bedroom flat on the lower ground and ground floor levels and a three bedroom flat on the first to third floor levels. (12/00379/FULL). Not implemented.

21 Meard Street

Permission was granted on 29 June 2017 allowing the change of use at No. 21 from the current lawful office use (Class B1) to a single family dwelling (Class C3) with associated internal alterations (17/04261/FULL). Not implemented.

The use of the upper floors of No. 23 remains as an office (Class B1).

7. THE PROPOSAL

Permission is sought for the installation of two air conditioning units at rear first floor flat roof level. The proposal also includes the installation of an acoustic screen around the units. The proposed units will serve the existing office floorspace.

The application has been amended during the course of its consideration to reduce the number of air conditioning units from seven to two, and to install acoustic screens around the units. No further neighbour consultation has been carried out.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposal does not raise any land use implications.

8.2 Townscape and Design

No. 23 Meard Street is not a listed building but it is adjacent to a grade 2 listed building to the west and a terrace of grade 2 starred listed buildings to the east. It is within the Soho Conservation Area.

The proposed plant at the rear will be adjacent to the party wall with no. 21 which is a grade 2 starred listed building. The plant will be screened by a louvred enclosure. If planning permission is to be granted it should be conditioned that details of the enclosure are submitted for approval and that the screen shall be finished and maintained in a mid-grey colour. It is considered that this is an acceptable proposal, which will conceal the air conditioning condenser units, minimising their visual impact.

Objections refer to an unacceptable impact of the listed buildings and conservation area but it is considered that the proposal will not harm the setting of the adjacent listed buildings or harm the character and appearance of the Soho Conservation Area. It complies with the City Council's urban design and conservation policies including S25 and S28 of the City Plan and policies DES1, DES5, DES9 and DES10 of the Unitary Development Plan.

8.3 Residential Amenity

Twelve objections have been received on the grounds that; seven air conditioning units is excessive; the acoustic report is incorrect and identifies No.72 Wardour Street as the nearest noise sensitive property rather than No. 21 Meard Street and the increased noise and vibration from the proposed air conditioning units.

As previously mentioned, the proposal has been amended since its original submission to reduce the number of units from seven to two, plus the installation of acoustic screens around the units. An updated acoustic report has also been submitted, which takes into account the reduced number of units, and potential residential windows at No.21 Meard Street (which has a residential consent, but not implemented). The neighbours have not been consulted on the revised scheme.

The noise report correctly identifies the windows within No. 72 Wardour Street as the closest noise-sensitive windows, which are approximately 3 metres away. The potential residential windows within No.21 Meard Street are approximately 6 metres away. The objections on the grounds that the acoustic report is incorrect are therefore not considered sustainable to justify a reason for refusal.

Environmental Health have assessed the revised acoustic report and have no objection to the proposal and state that the air conditioning units are likely to comply with the City Council's standard noise conditions, provided that the acoustic screen is installed prior to operation of the air conditioning units, and the hours are limited to 07.00-23.00. Therefore the objections to increased noise and vibration are not considered sustainable to justify a reason for refusal.

8.4 Transportation/Parking

This application does not raise any highways concerns.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

Not applicable

8.7 London Plan

This application raises no strategic issues.

8.8 National Policy/Guidance Considerations

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

8.9 Planning Obligations

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

The proposal is not CIL liable.

8.10 Environmental Impact Assessment

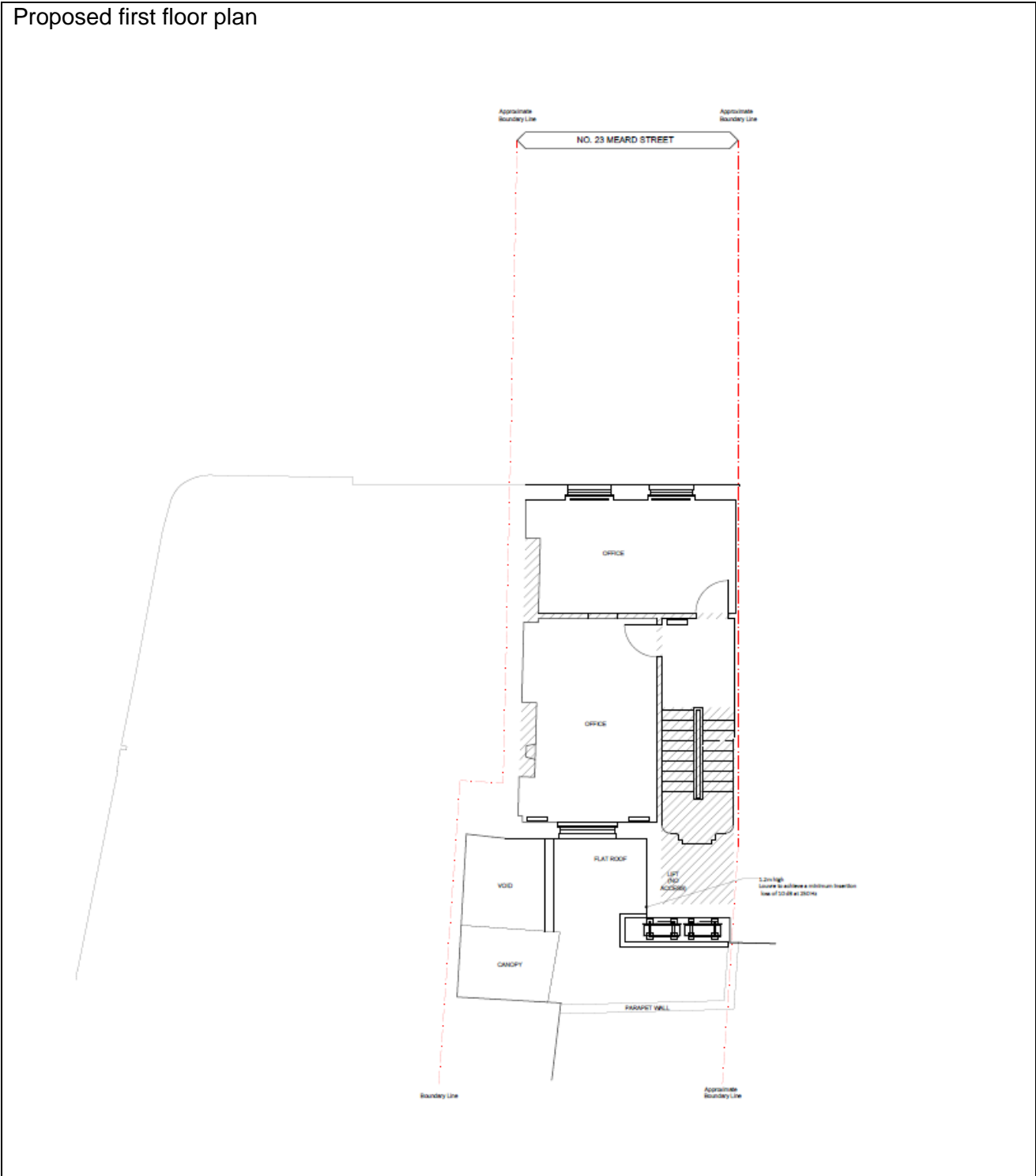
The scheme is of insufficient scale to require an Environmental Impact Assessment.

8.11 Other Issues

Objections have been received to the loss of property value as a result of the proposal. This is not a planning consideration and planning permission could not be withheld on these grounds. Objections also mention the pending application for retail use at ground floor level, as this is being considered under a separate application, this objection is not justified.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: HELEN MACKENZIE BY EMAIL AT hmackenzie@westminster.gov.uk

9. KEY DRAWINGS



Proposed rear elevation



DRAFT DECISION LETTER

Address: 23 Meard Street, London, W1F 0EL

Proposal: Installation of two air conditioning units at rear first floor flat roof level, installation of acoustic screens around the units.

Reference: 17/10699/FULL

Plan Nos: 474.(1).0.302 REV C, 474.(1).0.206 REV C, 23 Meard Street Noise Impact Assessment 05062018

Case Officer: Shaun Retzback

Direct Tel. No. 020 7641 6027

Recommended Condition(s) and Reason(s)

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

Reason:

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

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only: ,
- o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and
 - o not at all on Sundays, bank holidays and public holidays.
- You must carry out piling, excavation and demolition work only:
- o between 08.00 and 18.00 Monday to Friday; and
 - o not at all on Saturdays, Sundays, bank holidays and public holidays.
- Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

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

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

Reason:

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

- 4 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:, (a) A schedule of all plant and equipment that formed part of this application; (b) Locations of the plant and machinery and

associated: ducting; attenuation and damping equipment; (c) Manufacturer specifications of sound emissions in octave or third octave detail; (d) The location of most affected noise sensitive receptor location and the most affected window of it; (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location; (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures; (g) The lowest existing LA90, 15 mins measurement recorded under (f) above; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition; (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

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

Reason:

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

- 6 The plant/machinery hereby permitted shall not be operated except between 07:00 hours and 23:00 hours daily.

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

Reason:

To protect the living conditions of people who may use the property in future as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13DC)

- 8 The acoustic screen must be painted lead grey colour. You must then maintain it in this colour for as long as the screen remains in place.

Reason:

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

- 9 You must apply to us for approval of detailed drawings of the following parts of the development - acoustic screen. 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 detailed drawings. (C26DB)

Reason:

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

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following *Window cleaning - where possible, install windows that can be cleaned safely from within the building., * Internal atria - design these spaces so that glazing can be safely cleaned and maintained * Lighting - ensure luminaires can be safely accessed for replacement., * Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission). More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm., , Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings, which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)
- 3 Conditions 4, 6 and 7 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 4 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 5 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following: * Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible; * This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the

materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant. Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

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

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

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

24 Hour Noise Team,
Environmental Health Service,
Westminster City Hall,
64 Victoria Street,
London,
SW1E 6QP
Phone: 020 7641 2000, ,

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

- 7 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained., Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following: , * Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings; , * Stairs have appropriately

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highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase;; * Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained;; * Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the centre of particularly wide staircases where necessary;; * Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.

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

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Agenda Item 7

Item No.

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CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 3 July 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Bayswater	
Subject of Report	BASEMENT , 2 ST STEPHEN'S CRESCENT, LONDON, W2 5QT		
Proposal	Erection of a single storey extension at rear basement level.		
Agent	Mr Antony Lyons		
On behalf of	Mr & Mrs Satow		
Registered Number	18/00065/FULL	Date amended/ completed	16 March 2018
Date Application Received	4 January 2018		
Historic Building Grade	Unlisted		
Conservation Area	Westbourne		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

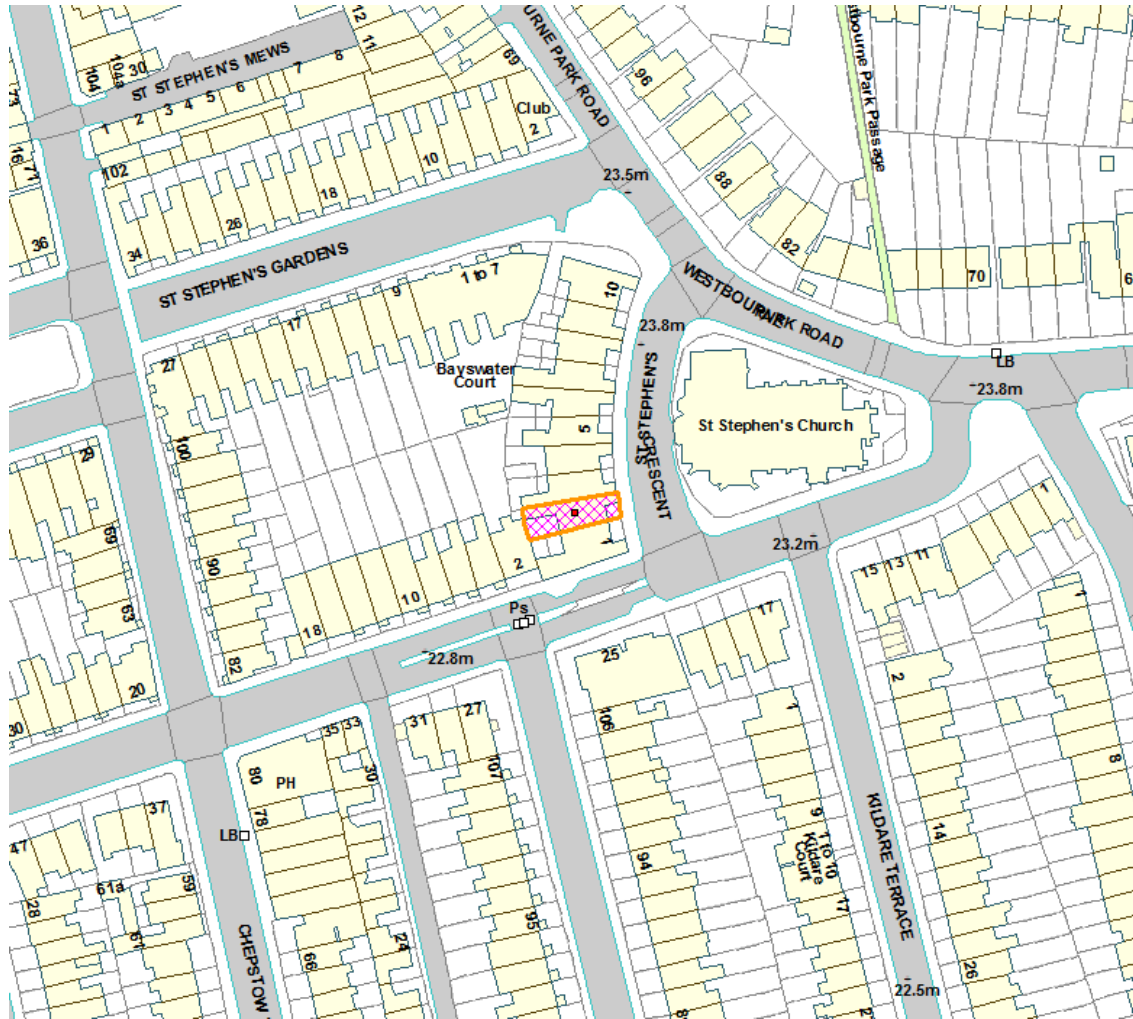
Permission is sought for the erection of an extension within the existing rear courtyard to enlarge the existing flat. Representation of objection has been received from the Nottinghill East Neighbourhood Forum and occupiers of an adjoining property, together with three representations of support.

The key considerations are:

- Impact on the character and appearance of the building
- Impact on the amenity of neighbouring properties

The proposal is considered acceptable and accords with our Unitary Development Plan and City Plan policies. Accordingly, it is recommended that conditional permission is granted.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Front Elevation of 2 St Stephen's Crescent



View of Rear Elevation from Courtyard



View of Courtyard from Second Floor, No. 1 St Stephen's Crescent



5. CONSULTATIONS

NOTTING HILL EAST NEIGHBOURHOOD FORUM:

Objection. The development as 'unacceptable intensification'

WESTBOURNE NEIGHBOURHOOD FORUM:

Any response to be reported verbally.

THAMES WATER:

No objection. Advise the applicant to install a non-return valve or pumped device to avoid back flow

ENVIRONMENTAL HEALTH:

No objection. The extension in the basement is acceptable for habitable as the new room is to an existing residential premises to be used with the rest of the premises as part of a single family dwelling. If this new room in the basement was to be used as separate rental accommodation this would then not be considered as single family dwelling use but would be regarded as separate use

BUILDING CONTROL:

No adverse comments

ADJOINING OWNERS / OCCUPIERS:

- No. of total consultees: 32
- No. in support: 3
- No. of objection: 1 (a number of responses from the same property).
- No. of neutral responses: 0

Objection

Design:

- Permanent loss of most of the original courtyard
- Permanent change to the character of the building
- Intensifies density of an already exploited building
- Detailed design would harm the appearance of the building

Amenity:

- Noise, artificial light and fumes are already produced in the garden, which will be worsened by the proposal
- New windows will be installed that will closely face back towards to building
- Noise will be created from having rain bouncing off the rooflights
- Light pollution through non-obscured glazed rooflights

Other:

- Depreciates the monetary value of the building
- Permanently altering views
- Believe the built height will have to be higher than shown on the submitted drawings
- Will set a precedent for other yards nearby
- Raise concerns about the property being used for short-term letting

- Would like a maintenance contract to ensure the sedum roof is maintained
- The area is too enclosed for a sedum roof to thrive
- Length of residence should not give special rights on other residents either
- No details about how existing downpipes will adjusted
- No details about how the rainwater goods will be connected to drainage

Support

- The existing courtyard is not interesting or useful
- The existing courtyard suffers from overlooking
- A 3-bedroom unit would enable the long-term residents stay at the property to accommodate their family
- Complimentary and sympathetic materials
- Some courtyards nearby have been completely built over this proposal retains half the courtyard
- Any additional noise or fumes will be minimal

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

No.2 St Stephen's Crescent is unlisted mid-terrace building formed of 5 upper stories plus a basement .located in the Westbourne Conservation area. The building has been subdivided into flats both vertically and laterally through into adjacent buildings. This application specifically relates to the basement flat

6.2 Recent Relevant History

None relevant.

7. THE PROPOSAL

Planning permission is sought for the erection of a single storey extension to infill approximately half of the existing rear courtyard .Three of the elevations of the proposed infill extension will abut the walls that form the courtyard or part of an existing extension. Subsequently the extension will only have one open elevation. This elevation will face backwards towards the main rear elevation of 2 St Stephens Crescent and will contain one window and a pair of fully glazed door French doors. The roof of the extension will contain two rooflights and will be finished in sedum. It is intended that the extension will provide the flat with an additional bedroom and shower room.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposed extension is an addition to an existing flat and is to contain a bedroom and shower-room. These works are in accordance with policy H3 of the Unitary Development

Plant (UDP) and S14 of the City Plan which seek to optimise housing and supports the enlargement of existing housing. The extension is to increase the amount residential floor space within the property by approximately 14.1 sqm. Upon a site visit on the 9th February 2018, it was confirmed that the existing property contains two bedrooms as shown on the submitted drawings. Through the proposed extension intending to provide an additional bedroom, it will therefore as a result consequently make the property contain three bedrooms.

The increase in the provision of a new bedroom is considered to accord with Policy H5 UDP that seeks to increase the amount of family sized dwellings. Family sized dwellings are defined as properties containing 3 or more bedrooms. Given the above, the proposal is considered acceptable in land use terms through the proposal being in accordance with policy H3 and H5 of the UDP and s14 of the City Plan.

Whilst an objector has raised concern over the potential for the use of the extension for short term lets, this is not proposed. The proposal seeks to extend the existing permanent residential accommodation of this flat.

8.2 Townscape and Design

Extensions in conservation areas are permissible under Policy DES 5 and DES 9 of the UDP. These policies advise that a proposed extension must be confined to the rear, not visually dominate the building, be in scale with, reflect the style and also use materials in keeping with the existing building as well as help either preserve or enhance the surrounding conservation area.

The extension is single storey and will enclose half of the rear courtyard (14m²), with a flat sedum roof with two rooflights and French doors and window to its elevation. Given its small scale, height, footprint, and location within an enclosed lightwell, it is considered to remain subordinate to the building, maintaining half of the existing courtyard and is of an appropriate subdued detailed design. It would not be visible from the public domain and only partially visible (mainly its sedum roof) from upper floors of neighbouring properties. As such, it is considered that the extension would preserve the character and appearance of the building and this part of the Westbourne Conservation Area in accordance with Policies DES 1, DES 5 and DES 9 of the Unitary Development Plan and S25 and S28 in the City Plan. The objection from the Nottinghill East Neighbourhood Forum and one neighbouring property on design and conservation grounds is not supported by officers.

8.3 Residential Amenity

The extension is single storey and confined to the rear courtyard with a flat sedum roof. Its height is comparable with the height of the existing boundary walls, which encloses the courtyard. As such, it would not result in any significant impact on daylight or sunlight or sense of enclosure to occupiers of surrounding properties. Given the location of the fenestration (doors and window facing back to the rear of the main building) and two

small rooflights, the proposal is not considered to result in any significant overlooking to neighbouring properties. The objection raises on this ground is therefore not supported. Whilst a neighbour of an adjacent property has also raised concern with respect to fumes, light pollution and noise from the extension. Given the proposed domestic use, location, and size of fenestration, their concerns are not supported by officers.

For the reasons set out above, the proposal is considered acceptable in amenity terms in accordance with policy ENV13 of our Unitary Development Plan and S29 of our City Plan.

8.4 Transportation/Parking

No transportation / parking considerations are applicable for a development of this size.

8.5 Economic Considerations

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

8.6 Access

The access to the site will remain as existing from St Stephen's Crescent.

8.7 Other UDP/Westminster Policy Considerations

8.7.1 Other

Matters relating to the extension depreciating the value of other flats in the building is not a planning consideration. Details about how the rainwater pipes will be connected to drains as raised in the objections are a building control matter. Similarly the objection believing that the built height will have to be higher than shown on the submitted drawings, based upon there not being any excavation proposed and required ceiling height standards or under layers account for under the sedum roof is not a planning matter and that the extension will only be permitted to build as per the approved drawings. The request by an objector for a maintenance contract to be produced to ensure the sedum roof is appropriately maintained is not considered reasonable.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

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

8.10 Planning Obligations

Not applicable.

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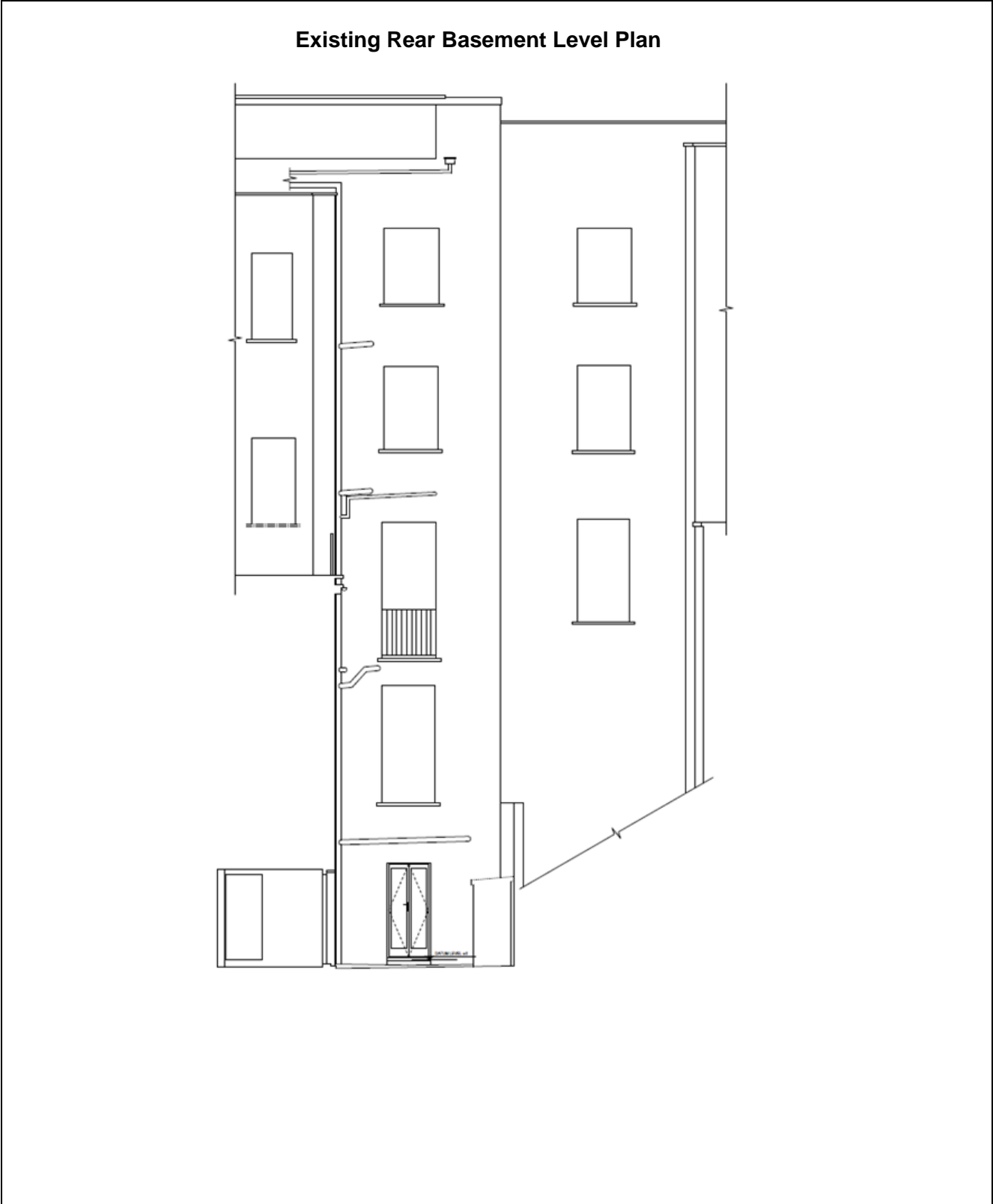
8.11 Environmental Impact Assessment

Not applicable.

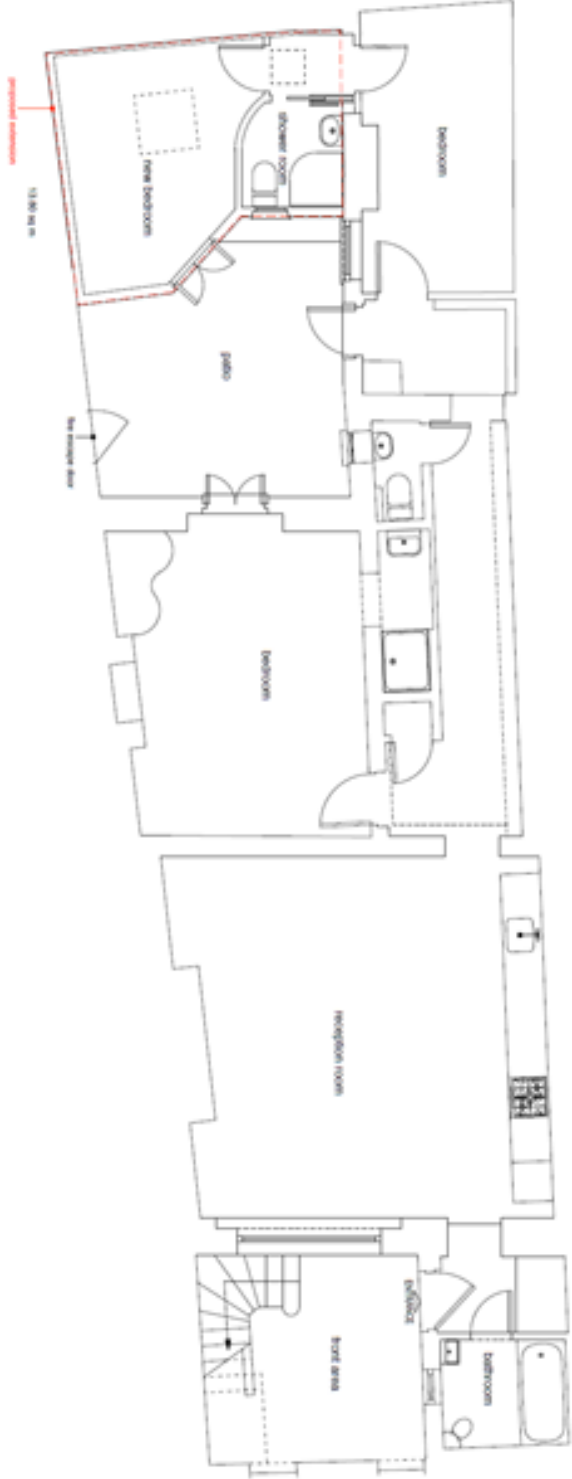
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: SARAH WHITNALL BY EMAIL AT SWHITNALL@WESTMINSTER.GOV.UK
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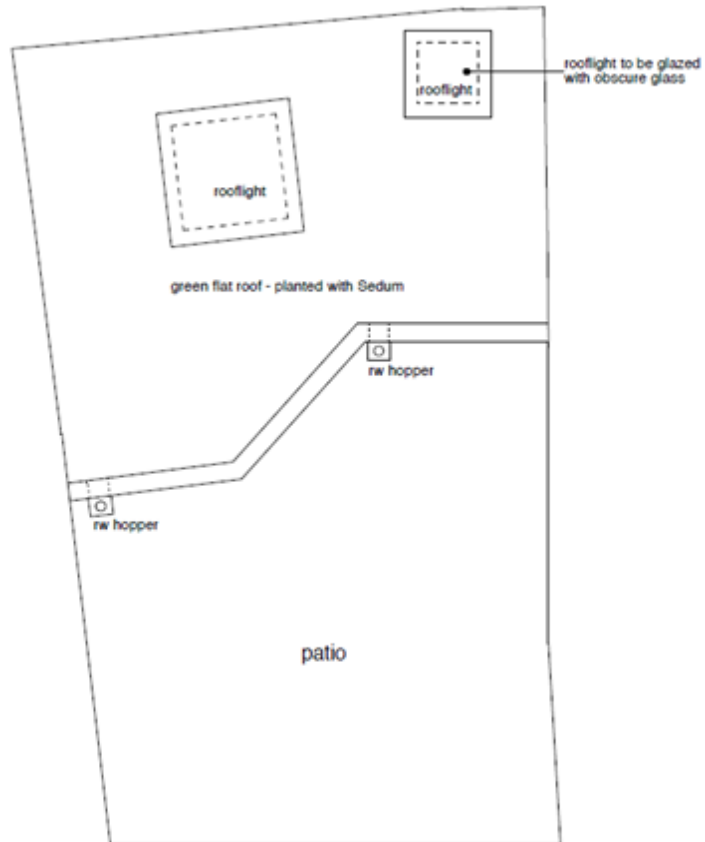
9. KEY DRAWINGS



Proposed Basement Level Plan



Proposed Roof Plan of Extension and Retained Courtyard



Proposed Section through Extension and Retained Courtyard



DRAFT DECISION LETTER

Address: Basement , 2 St Stephen's Crescent, London, W2 5QT

Proposal: Erection of a single storey extension at rear basement level.

Reference: 18/00065/FULL

Plan Nos: 292 S01, 292 S02, 292 S03, 292 S04, 292 S05, 292 P01, 292 P02, 292 P03 and Design & Access Statement.

Case Officer: Harry Berks

Direct Tel. No. 020 7641 3998

Recommended Condition(s) and Reason(s)

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

Reason:

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

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only: , o between 08.00 and 18.00 Monday to Friday; , o between 08.00 and 13.00 on Saturday; and , o not at all on Sundays, bank holidays and public holidays. , , You must carry out piling, excavation and demolition work only: , o between 08.00 and 18.00 Monday to Friday; and , o not at all on Saturdays, Sundays, bank holidays and public holidays. , , Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

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

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Westbourne Conservation Area. This is as set out in S25 and S28 of

Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 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 phone our Highways Licensing Team on 020 7641 2560.
- 3 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.
- 4 The new room in the basement is to be used in connection with the rest of premises as part of a single family dwelling and not for use as a separate dwelling. Due to the lack of adequate natural light to and a reasonable view from this room any separate use may fail standards as required under the Housing Act 2004.
- 5 The design and structure of the development shall be of such a standard that the dwelling is free from the 29 hazards listed under the Housing Health Safety Rating System (HHSRS). However, any works that affect the external appearance may require a further planning permission. For more information concerning the requirements of HHSRS contact: , Residential Environmental Health Team, 4th Floor East, Westminster City Hall, 64 Victoria Street, London SW1E 6QP, www.westminster.gov.uk, Email: res@westminster.gov.uk, Tel: 020 7641 3003 Fax: 020 7641 8504.

- 6 Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, 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. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer.

Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.",

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

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