



City of Westminster

Committee Agenda

Title:

Planning Applications Sub-Committee (2)

Meeting Date:

Tuesday 28th May, 2019

Time:

6.30 pm

Venue:

Rooms 18.01 & 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP

Members:

Councillors:

Robert Rigby (Chairman)
Louise Hyams
James Spencer
Matt Noble



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 a pass, 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, Georgina Wills, Committee and Governance Officer.

**Tel: 020 7641 7513; email: gwillis@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 Director of Law 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.

(Pages 5 - 8)

4. PLANNING APPLICATIONS

Applications for decision

Schedule of Applications

Members of the public are welcome to speak on the specific applications at the planning committee meeting.

To register to speak and for guidance please visit:

www.westminster.gov.uk/planning-committee.

Please note that you must register by 12 Noon on the Friday before the Committee meeting.

In the event that you are successful in obtaining a speaking slot please read the guidance, in order to familiarise yourself with the process prior to attending the meeting.

1. OPEN SPACE, GOLDEN SQUARE, LONDON, W1F 9HW

(Pages 11 - 20)

2. 37-38 MARGARET STREET, LONDON, W1G 0JF

(Pages 21 - 32)

3. MAYFAIR ROW, LONDON, W1

(Pages 33 - 48)

4. 2 CHIPPENHAM MEWS, LONDON, W9 2AW

(Pages 49 - 68)

**Stuart Love
Chief Executive
17 May 2019**

Order of Business

At Planning Sub-Committee meetings the order of business for each application listed on the agenda will be as follows:

| Order of Business |
|--|
| i) Planning Officer presentation of the case |
| ii) Applicant and any other supporter(s) |
| iii) Objectors |
| iv) Amenity Society (Recognised or Semi-Recognised) |
| v) Ward Councillor(s) and/or MP(s) |
| vi) Council Officers response to verbal representations |
| vii) Member discussion (including questions to officers for clarification) |
| viii) Member vote |

These procedure rules govern the conduct of all cases reported to the Planning Applications Sub-Committees, including applications for planning permission; listed building consent; advertisement consent, consultations for development proposals by other public bodies; enforcement cases; certificates of lawfulness; prior approvals, tree preservation orders and other related cases.



CITY OF WESTMINSTER

MINUTES

Planning Applications Sub-Committee (2)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Sub-Committee (2)** Committee held on **Tuesday 30th April, 2019**, Rooms 18.01 & 18.03, 18th Floor, Westminster City Hall, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors Robert Rigby (Chairman), Louise Hyams, Guthrie McKie and James Spencer

Also Present: Councillor Jackie Wilkinson (Item 1)

1 MEMBERSHIP

1.1 There were no changes to the membership.

2 DECLARATIONS OF INTEREST

2.1 The Chairman explained that a week before the meeting, all four Members of the Committee were provided with a full set of papers including a detailed officer's report on each application; together with bundles of every single letter or e-mail received in respect of every application, including all letters and emails containing objections or giving support. Members of the Committee read through everything in detail prior to the meeting. Accordingly, if an issue or comment made by a correspondent was not specifically mentioned at this meeting in the officers' presentation or by Members of the Committee, it did not mean that the issue had been ignored. Members will have read about the issue and comments made by correspondents in the papers read prior to the meeting.

2.2 Councillor Hyams declared that in respect of Item 2 she knew the applicant but had not discussed the application with them.

2.3 Councillor Spencer declared that in respect of Item 1 he had publically expressed views on the application and would therefore step down from the Sub-Committee and leave the room during the consideration of this item.

3 MINUTES

3.1 RESOLVED:

That the minutes of the meeting held on 9 April 2019 be signed by the Chairman as a correct record of proceedings.

4 PLANNING APPLICATIONS

1 52 LUPUS STREET, LONDON, SW1V 3EE

Use of ground floor as sandwich bar and café (Sui Generis) (Retrospective).

Additional representations were received from four local residents (09/04/19, 14/04/19, 15/04/09 and 16/04/19), Councillor Christabel Flight (25/04/19) and the Churchill Gardens Neighbourhood Forum (18/04/19).

Late representations were received from Cllr Jacqui Wilkinson (25/04/19) and two local residents (21/04/2019 and 29/04/19).

Having declared a prejudicial interest Councillor Spencer stepped down from the committee and left the room during the consideration of the application.

Richard Beville addressed the Sub-Committee in support of the application.

Pauline Moran addressed the Sub-Committee in objection to the application.

Cllr Jacqui Wilkinson, in her capacity as Ward Councillor, addressed the Sub-Committee in objection to the application.

RESOLVED UNANIMOUSLY:

That permission be refused on the following grounds:

- 1) The application would lead to the loss of a retail unit in the Lupus Street Local Centre, harm the retail character and function of the area and have a detrimental effect on local shopping facilities; and
- 2) In the absence of sufficient information to demonstrate that the use would comply with the City Council's noise and odour policies it was considered that it would have an unacceptably harmful impact on the amenity of neighbouring residents and the local environmental quality.

2 1-8 BATEMAN'S BUILDINGS, LONDON, W1D 3EN

Use of the lower ground, ground and first floor levels as a single restaurant (Class A3); installation of plant with associated screening at main roof level and in the rear lightwell; installation of high level extract ductwork; new shopfront at ground floor level and associated external alterations.

An additional representation was received from a local resident (23/04/19).

A late representation was received from Cllr Jonathan Glanz (29/04/19).

Jeremy King addressed the Sub-Committee in support of the application.

RESOLVED UNANIMOUSLY:

That conditional permission be granted.

3 17 CHARLES STREET, LONDON, W1J 5DT

Demolition of rear two-storey extension and erection of replacement two storey extension with associated terrace at first floor level for use in association with existing dwelling house (Class C3). Replacement of rear first floor windows with doors. Internal alterations including the lowering of basement level by approx. 300mm and associated alterations.

A late representation was received from Lichfields (29/04/19).

David Lofthouse addressed the Sub-Committee in objection to the application.

RESOLVED UNANIMOUSLY:

1. That conditional permission be granted;
2. That conditional listed building consent be granted; and
3. That the reasons for granting listed building consent as set out within informative 1 of the draft decision letter be agreed.

4 28 BLOMFIELD ROAD, LONDON, W9 1AA

Extension to glazed garden room at ground floor level on the rear elevation and excavation of one storey basement in rear garden.

RESOLVED UNANIMOUSLY:

That conditional permission be granted.

The Meeting ended at 7.56pm.

CHAIRMAN: _____

DATE _____

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CITY OF WESTMINSTER
PLANNING APPLICATIONS SUB COMMITTEE – 28th May 2019
SCHEDULE OF APPLICATIONS TO BE CONSIDERED

| Item No | References | Site Address | Proposal | Applicant |
|---------|---|--|--|-------------------|
| 1. | RN(s) : 18/09958/FULL West End | Open Space Golden Square London W1F 9HW | Installation of two sculptures ('The Bra' and 'The Corset') for a temporary period of 6 months. | Gazelli Art House |
| | Recommendation Grant conditional permission, subject to a condition restricting the length of the display. | | | |
| Item No | References | Site Address | Proposal | Applicant |
| 2. | RN(s) : 19/01611/FULL West End | 37-38 Margaret Street London W1G 0JF | Variation of Condition 3 of planning permission dated 31 January 2017 (RN: 16/10306/FULL) for 'Use of part of the ground floor as a restaurant (Class A3)'; NAMELY, to extend opening hours (from between 08.00 and midnight Sunday to Tuesday, between 08.00 and 01.00 on Wednesday and Thursday and between 08.00 and 02.00 on Friday and Saturday) to between 08.00 and 03.00 daily for a temporary period of one year. | BA Law |
| | Recommendation Grant conditional permission for a temporary period of 1 year | | | |
| Item No | References | Site Address | Proposal | Applicant |
| 3. | RN(s) : 18/03877/FULL West End | Mayfair Row London W1 | Installation of gate at entrance to Mayfair Row and installation of external lights to flank wall of 7 Shepherd Street within Mayfair Row. | Maple Springfield |
| | Recommendation 1. Grant conditional permission. 2. Grant conditional listed building consent. 3. Agree reasons for granting conditional listed building consent as set out in Informative 1 of the draft decision letter. | | | |
| Item No | References | Site Address | Proposal | Applicant |
| 4. | RN(s) : 18/07095/FULL Harrow Road | 2 Chippenham Mews London W9 2AW | Use of ground floor as 1 bedroom flat and associated replacement of shopfront with timber doors and glazed windows. | Mr Michael Cahill |
| | Recommendation Grant conditional permission. | | | |

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| CITY OF WESTMINSTER | | | |
| PLANNING APPLICATIONS SUB COMMITTEE | Date 28 May 2019 | Classification For General Release | |
| Report of Executive Director Growth Planning and Housing | | Ward(s) involved West End | |
| Subject of Report | Open Space, Golden Square, London, W1F 9HW, | | |
| Proposal | Installation of two sculptures ('The Bra' and 'The Corset') for a temporary period of 6 months. | | |
| Agent | Mila Askarova | | |
| On behalf of | Mila Askarova | | |
| Registered Number | 18/09958/FULL | Date amended/ completed | 21 January 2019 |
| Date Application Received | 22 November 2018 | | |
| Historic Building Grade | Unlisted | | |
| Conservation Area | Soho | | |

1. RECOMMENDATION

Grant planning permission, subject to a condition restricting the length of the display.

2. SUMMARY

The proposed sculpture proposal is submitted by a private Mayfair gallery, *Gazelli Art House*, as an entrant in Westminster City Council's 'City of Sculpture' programme.

City of Sculpture is a programme of temporary sculptural displays, administered by the special events department and falling within the portfolio of the Cabinet Member for Sports Culture and Community.

The artist, Kalliopi Lemos, has featured in the programme in the past; her sculpture '*Stiletto*' was also displayed in Golden Square in 2016. Several other instances of temporary sculptural display have been consented in this location in the past, including:

The Fire Walker by William Kentridge 2015
Two classical torsos by Josie Spencer 2016
Ship of Fools by Paul McCarthy in 2011
The conversion of St Paul by Bruce Denny in 2011.

The dimensions of the two sculptures are:

1) Corset 245 x 140 x 128 cm

weight: 159 kg

2) Bra 256 x 230 x 230 cm

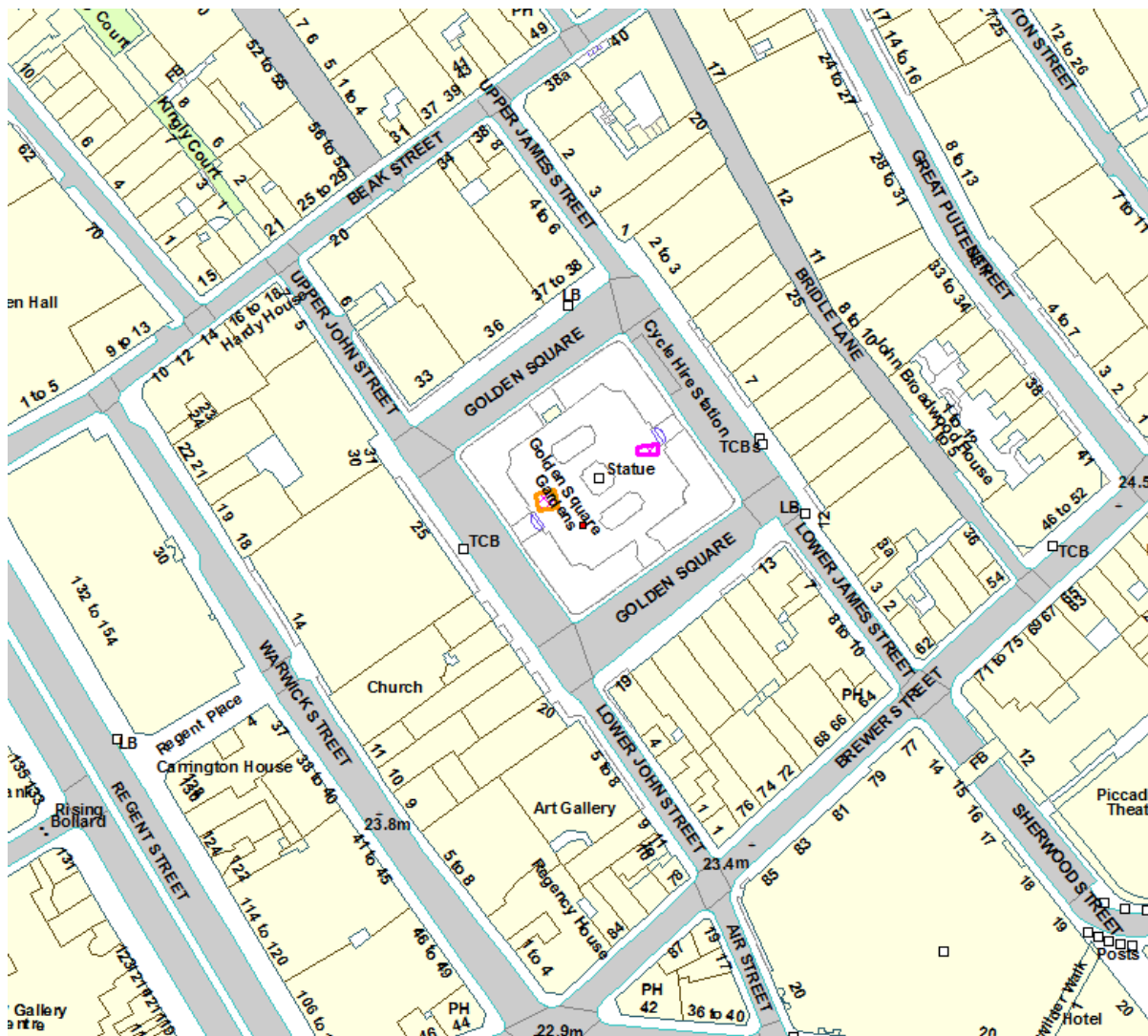
weight: 140 kg

Both are produced in stainless Steel.

An objection has been received from the Soho Society who consider that the subject matter is unsuitable on the basis that it presents an image of Soho that is outdated and sexist. It is not however considered that permission could reasonably be refused for this reason.

On the basis of the previous display of the artist's work, the suitability of the site and the temporary (six month) nature of the sculpture, it is recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



View of south east side of Golden Square



Sculpture #1



Sculpture #2

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5. CONSULTATIONS

SOHO SOCIETY

Objection that the proposal is presenting an image of Soho that is dated and sexist.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

None undertaken

PRESS ADVERTISEMENT / SITE NOTICE: Yes

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

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| <p>IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MICHAEL WALTON BY EMAIL AT mwalton@westminster.gov.uk</p> |
|---|

DRAFT DECISION LETTER

Address: Open Space, Golden Square, London, W1F 9HW,

Proposal: Installation of two sculptures ('The Bra' and 'The Corset') for a temporary period of 6 months.

Reference: 18/09958/FULL

Plan Nos: Six Undated photographs entitled Bra back, Bra front, Bra Side front, Corset back, Corset side back Corset side front uploaded 30 Nov 2018; Site plan dated 15 July 2016.

Case Officer: Toby Cuthbertson

Direct Tel. No. 020 7641 8705

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 , onot 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 residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC),

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| Item No. |
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The sculpture hereby consented shall be displayed for a period of six months only. At the end of this period, the sculpture must be removed and the land returned to its former condition. You must write to the City Council to agree the start date of the period of display.

Reason:

Because the installation is temporary and to ensure that it contributes to the character and appearance of this part of the Soho Conservation Area and the setting of the neighbouring grade II listed building. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 7, DES 9, DES 10 and paras 10.108 to 10.128 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, neighbourhood plan (where relevant), 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.

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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| CITY OF WESTMINSTER | | | |
| PLANNING APPLICATIONS SUB COMMITTEE | 28 May 2019 | Classification For General Release | |
| Report of Executive Director Growth Planning and Housing | | Ward(s) involved West End | |
| Subject of Report | 37-38 Margaret Street, London, W1G 0JF, | | |
| Proposal | Variation of Condition 3 of planning permission dated 31 January 2017 (RN: 16/10306/FULL) for 'Use of part of the ground floor as a restaurant (Class A3)'; NAMELY, to extend opening hours (from between 08.00 and midnight Sunday to Tuesday, between 08.00 and 01.00 on Wednesday and Thursday and between 08.00 and 02.00 on Friday and Saturday) to between 08.00 and 03.00 daily for a temporary period of one year. | | |
| Agent | Mr Mark Browning | | |
| On behalf of | Mr SCOTT COLLINS | | |
| Registered Number | 19/01611/FULL | Date amended/ completed | 4 March 2019 |
| Date Application Received | 3 March 2019 | | |
| Historic Building Grade | Unlisted | | |
| Conservation Area | Regent Street | | |

1. RECOMMENDATION

Grant conditional permission for a temporary period of 1 year

2. SUMMARY

The application premises is a vacant ground floor unit which has been in use as restaurant/bar since 1999. The premises was occupied by the Match bar in which customers could purchase drinks, snacks and full meals between 1999 and 2016. It was then occupied by 'The Jazz Suite' as a wine and cocktail bar with food from January 2017 to April 2018. The unit is currently vacant a premises licence was granted on 15 February 2019 for use of the premises by Meat Liquor as a restaurant.

This application relates to the hours of use. The permitted opening hours are; between 08.00 and midnight Sunday to Tuesday, between 08.00 and 01.00 the following morning on Wednesday and Thursday and between 08.00 and 02.00 the following morning on Friday and Saturday. On 31st January 2017 permission was granted for an extension to the opening hours to between 08.00 and

03.00 daily for a temporary period of 1 year. The current application again seeks permission to enable the premises to open between 08.00 and 03.00 daily for a further temporary period of 1 year.

The key issues for consideration are:

the impact that the proposed extended hours would have on the character and function of the area, the impact on residential amenity.

Further to consultations 3 objections have been received. These objections are from the occupants of 2 x residential flats at No14 John Princes Street situated to the west and from an office occupant at 40 Margaret Street to the east of the site. The objections are made primarily to the principle of use of the premises as a restaurant. Specifically, that there is an overconcentration of entertainment uses in the area, reference is also made to potential nuisance from cooking smells and smoking odours. One of the objections does however also refer to late night drinking establishments adding to noise nuisance and anti- social behaviour.

As already stated the premises have been in use as a longstanding entertainment facility. Use as a restaurant is also permitted by the original permission. This application relates only to the opening hours and consideration centres solely on whether the later closing time of one additional hour on Friday and Saturday mornings, two hours on Wednesday and Thursday mornings, and three hours on Sunday to Tuesday mornings are acceptable.

In response to the objections received the applicant states that

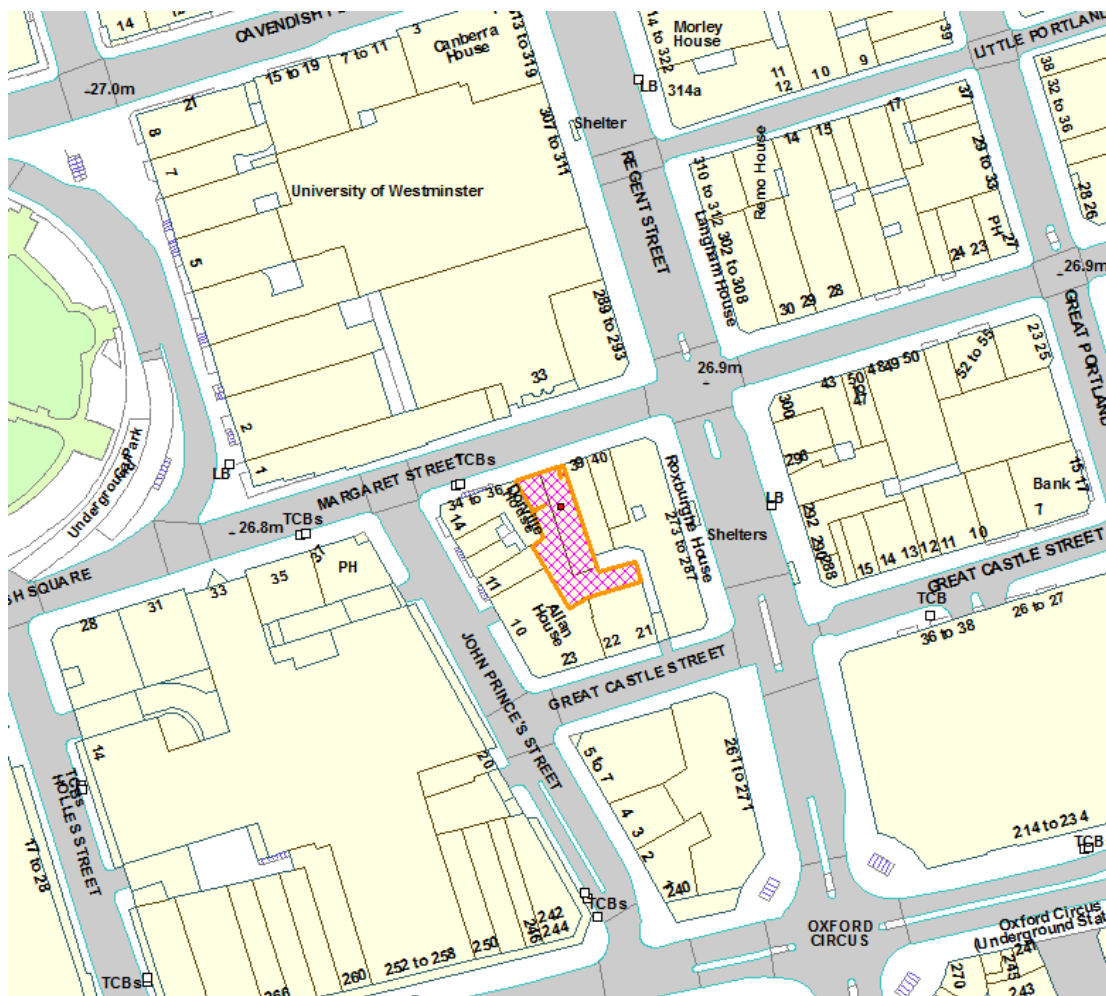
- The proposed operator is becoming a food-led restaurant, instead of the previous drink-led clubs and bars.
- The ventilation system is new and vents above roof level.
- There is an existing Premises Licence in force with a daily terminal hour of 0300.
- There is a specific condition requiring all patrons to exit on the Great Castle Street side after 2300. This must additionally appear on all advertisement for the restaurant.
- The premises are required to have full CCTV coverage, noise limiters and attenuated plant. Windows and doors must be closed after 2300.
- Strict conditions exist on the management of smokers, and the numbers permitted to smoke.
- A direct telephone number is made available to the manager, with notices reminding patrons to respect neighbours.
- Door supervisors are stationed on Thursday, Friday and Saturday. A condition requires supervisors to prevent congregation and move any patrons towards Oxford Circus.
- There is a requirement to clean the pavement.

The area is mixed use in character there are a number of other licensed premises in the immediate vicinity, namely; All Bar One at 291 Regent Street, The Finery Public House at 23 Great Castle Street, The Phoenix Public House at 37 Cavendish Square and Swingers mini golf bar and restaurant at 15 John Princess Street. The latest closing time of these licensed premises is 01.00.

It is acknowledged that the proposed terminal hour at the application property would be later than other licensed premises in the immediate locality. However as referred to above the premises license permits opening until 3am daily, and a condition on the license prevents the entrance on Margaret Street being used after 23.00 hours (other than for emergency purposes). The condition requires all access and egress between 23.00 and 03.00 to be from Great Castle Street, where there is no residential. It is recommended that this is also a condition on any planning permission.

There were no complaints during the previous temporary 1 year permission. Although there will be a change in the user, restrictions on the operation of the restaurant will ensure that local amenity is protected. It is therefore recommended that permission is granted for a further temporary year, which will enable the position to be monitored.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

ENVIRONMENTAL HEALTH

No objection

MARYLEBONE ASSOCIATION

Any response to be reported verbally

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 81

Total No. of replies: 3

3 objections raising some or all of the following issues:

Land Use

Overconcentration/saturation of entertainment uses within the West End

Amenity

Nuisance loss of amenity from cooking fumes and smoking;

Increased air pollution

Increase in crime

Increase in pests

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 Recent Relevant History

Planning permission was originally granted in February 1996 for use of the basement/ ground floor as a restaurant/bar - (Council ref: 95/05549).

On 30 September 1999, planning permission was granted for a variation of conditions 3 & 8 of 95/05549 to allow opening hours of 0800-2400 daily and use of the plant operation from 0800-2430 daily (Council ref: 99/02795).

On 8 April 2014, temporary planning permission was granted at appeal for a variation of conditions 3 & 8 of 99/02795 to allow opening hours of 0800-midnight on Sundays to Tuesdays; 0800-0130hrs on Wednesdays and Thursdays; and 0800-0230hrs on Fridays and Saturdays and hours of use for associated plant of 0800-2430hrs on Sundays to Tuesdays; 0800-0130hrs on Wednesdays and Thursdays; and 0800-0230hrs on Fridays and Saturdays (Council ref: 13/02825/FULL; PINS Ref: APP/X5990/A/13/2201970). The permission was granted on a 12-month trial basis.

On 8 April 2015, permanent planning permission was granted for a variation of conditions 3 & 8 of 99/02795 to allow opening hours of 0800-midnight on Sundays to Tuesdays; 0800-0130hrs on Wednesdays and Thursdays; and 0800-0230hrs on Fridays and Saturdays and hours of use for associated plant of 0800-2430hrs on Sundays to Tuesdays; 0800-0130hrs on Wednesdays and Thursdays; and 0800-0230hrs on Fridays and Saturdays (Council ref: 15/01461/FULL).

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| Item No. |
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On 31 January 2017 permission was granted for variation of condition 3 of planning permission dated 8 April 2015 (RN 15/01461/FULL) which in itself varied condition 3 of planning permission dated 8 April 2014 for use of part of the ground floor as a restaurant (Class A3) (which allowed an extension to opening hours); NAMELY, to extend opening hours from 08.00 - 03.00 daily (RN 16/10306/FULL).

On 15 February 2019 a premises license was granted which permits the opening from 10.00 until 03.00 daily ref 19/01318/LIPT

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

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| <p>IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MICHAEL WALTON BY EMAIL AT mwalton@westminster.gov.uk.</p> |
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DRAFT DECISION LETTER

Address: 37-38 Margaret Street, London, W1G 0JF,

Proposal: Variation of Condition 3 of planning permission dated 31 January 2017 (RN: 16/10306/FULL) for 'Use of part of the ground floor as a restaurant (Class A3)'; NAMELY, to extend opening hours (from between 08.00 and midnight Sunday to Tuesday, between 08.00 and 01.00 on Wednesday and Thursday and between 08.00 and 02.00 on Friday and Saturday) to between 08.00 and 03.00 daily for a temporary period of one year.,

Reference: 19/01611/FULL

Plan Nos:

Case Officer: Mike Walton

Direct Tel. No. 020 7641 2521

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 (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. (R46AB)

- 3 Customers shall only be permitted within the restaurant premises between the hours of 08.00 and 03.00 the following morning daily for a temporary period of 1 year from the date of this permission. After which time customers shall not be permitted within the restaurant premises before 08.00 or after 12.00 midnight on Sunday to Tuesday, and before 08.00 or after 01.00 the following morning on Wednesday and Thursday and before 08.00 or after 02.00 the following morning on Friday and Saturday.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and TACE9 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 4 The plant and associated equipment shall not operate except between the hours of 08.00 or after 00.30 the following morning on Sunday to Tuesday, and before 08.00 or after 01.30 the following morning on Wednesday and Thursday and before 08.00 or after 02.30 the following morning on Friday and Saturday.

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| Item No. |
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Reason:

To safeguard the amenity of occupiers of noise sensitive properties and the area generally by ensuring that the plant/machinery hereby permitted is not operated at hours when external background noise levels are quietest thereby preventing noise and vibration nuisance as set out in S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R46CB)

- 5 After 23:00 hours access and egress from the premises shall be from the Great Castle Street entrance/exit and the entrance on Margaret Street shall only be used in the case of emergencies after this time.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and TACE 9 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

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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BACKGROUND PAPERS - 37-38 Margaret Street, London, W1G 0JF, 19/01611/FULL

1. Application form
2. Response from Plant And Equipment, dated 23 March 2019
3. Letter from occupier of 48a Connaught Street, London, dated 12 March 2019
4. Letter from occupier of 14 John Princes Street, flat 3, dated 28 March 2019
5. Letter from occupier of Flat 1, 14 John Prince's Street, London, dated 29 March 2019

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| CITY OF WESTMINSTER | | | |
| PLANNING APPLICATIONS SUB COMMITTEE | Date 28 May 2019 | Classification For General Release | |
| Report of Executive Director Growth Planning and Housing | | Ward(s) involved West End | |
| Subject of Report | Mayfair Row and 7 Shepherd Street, London W1 | | |
| Proposal | Installation of a freestanding gate at the entrance to Mayfair Row and low level external lights on the flank wall of 7 Shepherd Street (within Mayfair Row). | | |
| Agent | Starc Architects | | |
| On behalf of | Maple Springfield | | |
| Registered Number | 18/03877/FULL and 19/01509/LBC | Date amended/ completed | 26 June 2018 |
| Date Application Received | 11 May 2018 | | |
| Historic Building Grade | 7 Shepherd Street - Grade II | | |
| Conservation Area | Mayfair | | |

1. RECOMMENDATION

1. Grant conditional planning permission
2. Grant conditional listed building consent
3. Agree the reasons for granting listed building consent as set out within informative 1 of the draft decision letter.

2. SUMMARY

The application relates to a privately owned access route between No's 5B and 7A Shepherd Street which is known as Mayfair Row, (formerly known as Shepherd Court). It provides access to four residential houses, which have recently been developed in Mayfair Row. 7A Shepherd Street forms part of the Market Tavern Public House (7 Shepherd Street) which is Grade II listed and the flank rear wall of which forms the western boundary of Mayfair Row.

A gate has been installation without consent towards the northern end of Mayfair Row near the junction with Shepherd Street and set back 1m from the building line along Shepherd Street. Permission is sought to retain the frame of the gate and replace the solid panels with black metal railings. It is also proposed to install external lighting on the wall on the west of Mayfair Row which forms the boundary wall with 7a Shepherd Street. As this building is Grade II listed, Listed Building

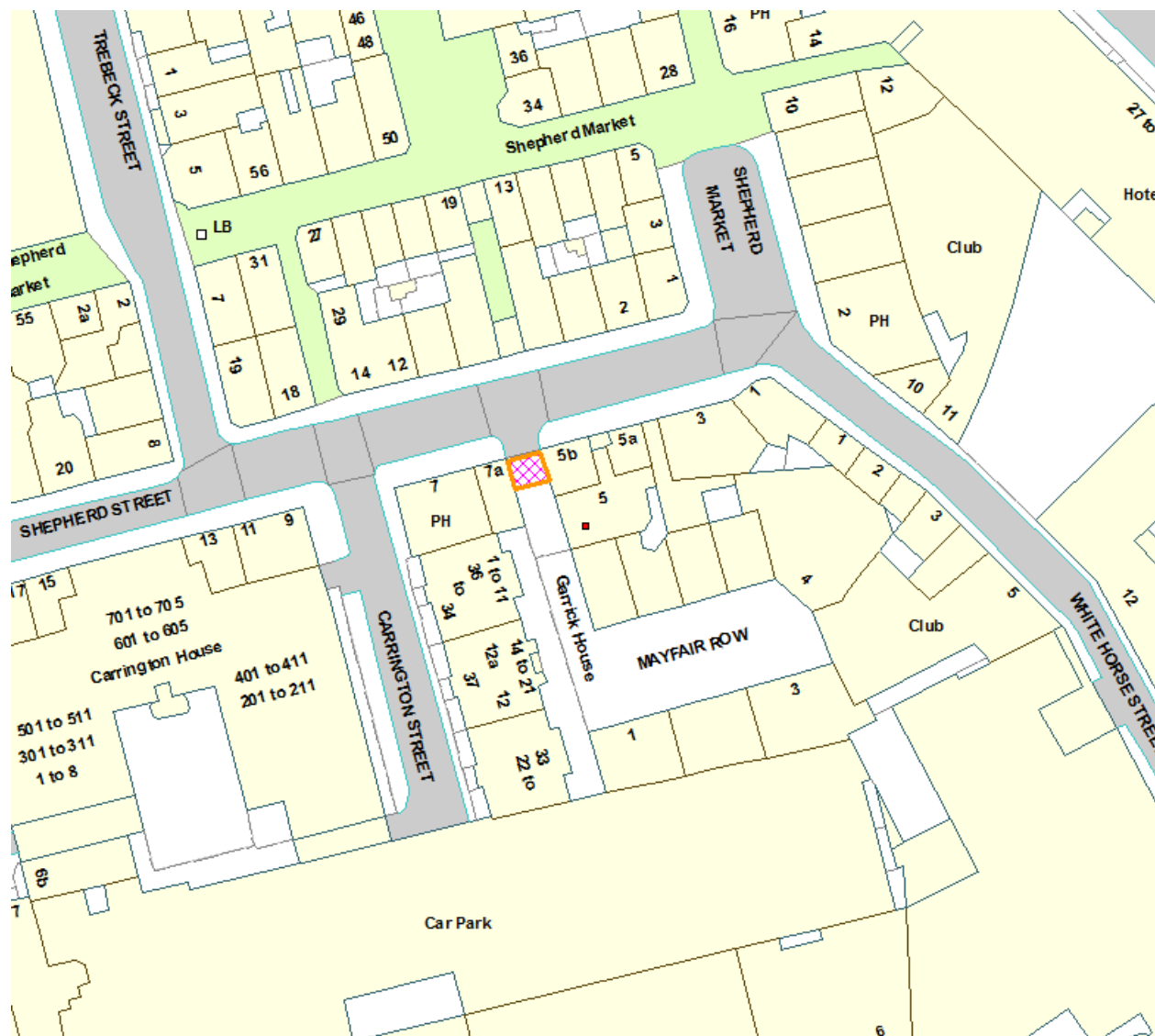
Consent is also required for this element of the proposal. No element of the gate or its supporting structure is attached to the listed building.

The key issues are:

- The impact of the proposal on the quality of the local townscape, the character and appearance of the Mayfair Conservation Area and setting of the adjacent Grade II listed building.
- The impact of the installation of the gate on highway safety and movements.

The installation of the gate in Mayfair Row and the lighting along the flank wall with 7a Shepherd Street are considered acceptable in design terms. An objection has been raised by the Highways Planning Manager that the gate would result in an obstruction to vehicular and pedestrian movements. This concern needs to be balanced against improvements in security and a reduction in antisocial behaviour resulting from the provision of a gate. These are considered to outweigh any potential adverse impact on the highway, consequently it is recommended that conditional planning permission and listed building consent are granted.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

RESIDENTS SOCIETY OF MAYFAIR AND ST. JAMES'S

Any response to be reported verbally.

MAYFAIR RESIDENTS GROUP

Any response to be reported verbally.

PLANNING ENFORCEMENT

Works form part of an active enforcement case relating to the installation of the gate.

HIGHWAYS PLANNING

Objection on the following grounds:

Vehicles accessing Mayfair Row from Shepherd Street will result in an obstruction to pedestrian and vehicular movements in Shepherd Street.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 80

Total No. of replies: 8

No. of objections: 5

No. in support: 3

5 Objections on some or all of the following grounds:

Design of the gates is detrimental to the area.

Disturbance from the installed lighting during the night.

Gates are un-necessary.

Gates restrict access to the rear of 5b Shepherd Street.

Potential for not all neighbours to have been sent letters.

3 SUPPORT ON THE FOLLOWING GROUNDS:

Prevents anti-social behaviour from taking place along the access drive and improves security.

Restricts access to unauthorised vehicles.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is Mayfair Row which is a private access road leading south off Shepherd Street to a recently completed development of four houses. The street is located within the Mayfair Conservation Area and accessed off Shepherd Street between No's 5C and 7A. 7A Shepherd Street forms part of No. 7 being the Market Tavern public house which is Grade II listed.

6.2 Recent Relevant History

Planning permission was granted on the 28th June 2001 for the; 'Installation of security gates to entrance of yard to rear of 5 Shepherd Street and Garrick House.' A gate was installed in this location but has subsequently been removed (RN 01/02723/FULL).

Planning permission was granted on the 23rd April 2015 for the; 'Demolition and Redevelopment of 5C-5F Shepherd Street to provide 4 residential units.' These works have been carried out and the four new residential dwellings are now occupied.

7. THE PROPOSAL

Planning permission is sought for the installation of a gate within Mayfair Row and the installation of lighting with associated cabling along the western flank wall with 7A Shepherd Street for which Listed Building Consent is also sought as this building is Grade II listed.

A second wooden gate has also been installed further south within Mayfair Row but it is not considered this gate requires planning permission. The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 2, Class A, allows for the erection, construction, maintenance, improvement or alterations to gates. In accordance with clause A.1(a)(ii), no planning permission would be required for a gate of up to 2m in height where this is not 'adjacent to a highway used by vehicular traffic'. This second gate measures 1.8m in height on the private access road.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Not applicable

8.2 Townscape and Design

7 Shepherd Street is a historic public house situated on a corner site and built during the late eighteenth century. It has three storeys with a stucco front and three bays of sash windows with decorative window arches and timber shopfront at ground floor level. 7a appears to form an ancillary structure to the pub and could have provided stabling.

Permission was granted on 28th June 2001 for the erection of a black painted steel gate part way down the lane. This gate was considered acceptable as it was considered to be discreetly positioned back from the building line. Since 2015, when the residential permission was built out, a new wooden gate has been installed further south in Mayfair Row.

The main design issues in this case are considered to be:

- a. The preservation of the character and appearance of the Mayfair Conservation Area.
- b. The preservation of the setting of the Grade II listed No. 7 Market Tavern Public House.

The design of the gate the subject of these applications has been amended during the course of the application. The proposal seeks to retain the frame of the existing unauthorised gate and install a replacement gate with black metal railings.

5 objections have been received on design grounds. Some of these objections refer to the gate as installed being unacceptable, others do not specifically reference either the gates as installed or the proposed design, but object that gates are not in keeping with the traditional ambience and appearance of Shepherd Market.

The solid gate as installed is considered to detract from appearance of the area. The gate as proposed is a more 'traditional' in design. It is considered the revised design would be an appropriate installation that would be in keeping with the street scene and the wider Mayfair Conservation Area.

Initially the application sought to retain the existing lighting and associated cabling along the wall of the listed pub on the western side of Mayfair Row. This was considered unacceptable as it would be visible from the street and contribute to an unacceptable level of clutter within the streetscape. This aspect of the proposal has amended. New wall lighting is now proposed in a location lower down the wall finished in a colour to match the wall. These will be largely unappreciable in public views and will, therefore, have no impact upon the character and appearance of the Mayfair Conservation Area.

Overall, the revised proposals are considered acceptable in design and conservation terms, reflecting the requirements of DES7, DES9 and DES10 of the UDP and S25 and S28 of the City Plan.

8.3 Residential Amenity

An objection is made that the lighting installed is bright and disturbing. The lights as installed will be replaced with lower down lights. This is considered acceptable. The applicant will be advised by way of an informative that the lighting needs to be sensitively designed to ensure compliance with the Clean Neighbourhoods and Environment Act 2005.

8.4 Transportation/Parking

The gate the subject of this application is set back approximately 1m behind the building line of the properties along Shepherd Street. The average car would require 4.8m depth in order to be completely clear of the public highway and so the 1m setback is clearly insufficient to allow vehicles to pull off the highway whilst the gate opens. Objections have been made from both residents and the Highways Planning Manager that vehicles entering Mayfair Row will cause an obstruction to either pedestrians or other vehicles along Shepherd Street whilst they wait for the gate to open.

Whilst these concerns are noted the gate provides access to only four residential houses and it is unlikely to be extensively used. In addition to this vehicular traffic movements on Shepherd Street are limited. Given these circumstances and taking into account the security and reduced potential for anti- social behaviour this aspect of the application is considered to be acceptable.

8.5 Economic Considerations

Not applicable.

8.6 Access

Two letters have been received commenting on the installation of the gate restricting access along Mayfair Row to the rear of properties along Shepherd Street. Queries have been raised with the applicant to establish the lawfulness of other properties to pass over Mayfair Row and registered titles have been provided to show that the land is in the applicant's ownership and that occupiers of other properties only have the right to pass over or through the property as a means of escape in case of fire or other emergency. The gate has been fitted with a push button on the inside which opens the gate in case of emergency. No contradictory evidence has been provided to show that any of the properties along Shepherd Street enjoy any greater access rights over Mayfair Row. Any further examination of this issue is considered to be a private legal matter between the various parties and dependant on stipulations within leases and titles to land. The proposal is therefore considered acceptable in this regard.

8.7 Westminster City Plan

The City Council is currently working on a complete review of its City Plan. Informal consultation on the first draft of Westminster's City Plan 2019-2040 took place between Monday 12 November 2018 and Friday 21 December 2018. Following this informal consultation, any representations received are being considered and the draft plan will be revised in advance of formal consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012. Given the very early stage of the consultation process and having regard to the tests set out in para. 48 of the NPPF, the policies of the emerging draft City Plan are given little to no weight at the present time.

8.8 Neighbourhood Plans

The submission version of the Mayfair Neighbourhood Plan has been submitted by Mayfair Neighbourhood Forum to the council for consultation and an independent examiner is due to be appointed shortly.

8.9 London Plan

This application raises no strategic issues.

8.10 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.

Further to the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the City Council cannot impose a pre-commencement condition (a condition which must be discharged before works can start on site) on a planning permission without the

written agreement of the applicant, unless the applicant fails to provide a substantive response within a 10 day period following notification of the proposed condition, the reason for the condition and justification for the condition by the City Council. No pre-commencement conditions are recommended.

8.11 Planning Obligations

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

8.12 Other Issues

Crime and security

Objections have been received that the installation of the gate is 'un-necessary'. Permission could not however be withheld for this reason.

Letters of support have been received from residents in Mayfair Row and Conduit Street that the gate will restrict access to the driveway to unauthorised vehicles and reduces the levels of anti-social behaviour.

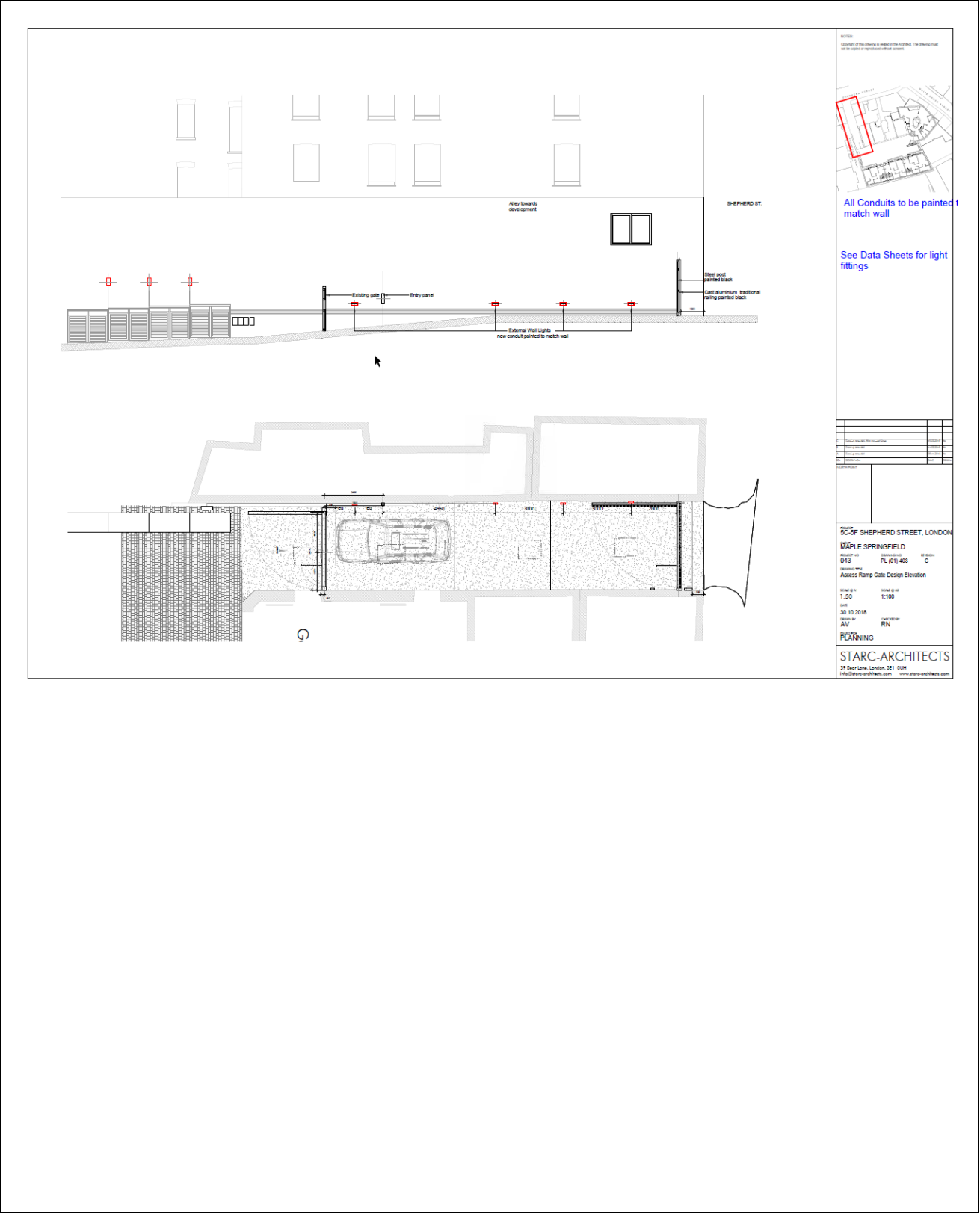
Consultation

One letter of objection queries if all flats within Shepherd House / Shepherd Street have been consulted. Two rounds of consultation have been undertaken to the occupants of neighbouring properties. A site notice was also displayed and the application advertised in the press in accordance with normal practice. All necessary consultations have been undertaken.

(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: MIKE WALTON BY EMAIL AT: mwalton@westminster.gov.uk.

9. KEY DRAWINGS





DRAFT DECISION LETTER

Address: Mayfair Row, City Of Westminster, London,

Proposal: Installation of a gate within Mayfair Row with external lights and associated conduit to the flank wall of 7 Shepherd Street within Mayfair Row.

Plan Nos: Manufacturers specification of lighting (MONO LED 930), Drawings: PL(01) 401 RevB, PL(01) 403 RevC.

Case Officer: Matthew Giles **Direct Tel. No.** 020 7641 5942

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 residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 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)

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Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 4 The new gate shall be finished and maintained black.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 5 New wall lights and associated conduits shall be finished and maintained the same colour as the wall to which they will be attached.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 6 Within four months of the date of this consent you must remove the unauthorised gate, lighting and associated fixtures and fittings and install the works hereby approved.

Reason:

To ensure that the existing unauthorised and unacceptable elements are removed.

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, neighbourhood plan (where relevant), 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 Please make sure that the lighting is designed so that it does not cause any nuisance for neighbours at night. If a neighbour considers that the lighting is causing them a nuisance, they

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can ask us to take action to stop the nuisance (under section 102 of the Clean Neighbourhoods and Environment Act 2005). (I39AA)

DRAFT DECISION LETTER

Address: 7 Shepherd Street, London, W1J 7HR,

Proposal: Installation of external lighting and an associated conduit to the flank wall of 7 Shepherd Street within Mayfair Row.

Reference: 19/01509/LBC

Plan Nos: Manufacturers specification of lighting (MONO LED 930), Drawings: PL(01) 401 RevB, PL(01) 403 RevC.

Case Officer: Matthew Giles

Direct Tel. No. 020 7641 5942

Recommended Condition(s) and Reason(s)

- 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 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 Mayfair 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)

- 3 New wall lights and associated conduits shall be finished and maintained the same colour as the wall to which they will be attached.

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 Mayfair 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 Within four months of the date of this consent you must remove the unauthorised gate, lighting and associated fixtures and fittings and install the works hereby approved.

Reason:

To ensure that the existing unauthorised and unacceptable elements are removed.

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, the London Plan 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: 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 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 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)

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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| CITY OF WESTMINSTER | | | |
| PLANNING APPLICATIONS SUB COMMITTEE | Date 28 May 2019 | Classification For General Release | |
| Report of Executive Director Growth Planning and Housing | | Ward(s) involved Harrow Road | |
| Subject of Report | 2 Chippenham Mews, London, W9 2AW, | | |
| Proposal | Use of ground floor as 1 bedroom flat and associated replacement of shopfront with timber doors and glazed windows. | | |
| Agent | Mr Chris Smith | | |
| On behalf of | Mr Michael Cahill | | |
| Registered Number | 18/07095/FULL | Date amended/ completed | 25 October 2018 |
| Date Application Received | 20 August 2018 | | |
| Historic Building Grade | Unlisted | | |
| Conservation Area | | | |

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

Permission is sought for the use of the ground floor as a 1-bedroom self-contained flat, with the associated replacement of the shopfront with timber doors and glazed windows. The site is located within the North West Westminster Special Policy Area within the Unitary Development Plan (UDP) and the North Westminster Economic Development Area within the City Plan. Objections have been received from North Paddington Society and adjoining residents with respect to the loss of the shop use. Issues have also been raised by adjoining residents with regards to the correct address for the property, the proposed internal layout of the property, sufficient natural light to the new accommodation, the general quality of accommodation proposed and the extent of consultation undertaken.

The key considerations are:

- The acceptability of the loss of a retail use and the proposed replacement with a residential use in land use terms;
- Quality of proposed accommodation for future occupants; and
- The impact of the proposed shopfront on the character and appearance of the property and

surrounding area.

With regards to the material planning considerations of the application, the proposed development would be consistent with relevant design and amenity policies in the Unitary Development Plan (UDP) and Westminster's City Plan (the City Plan) and as such the application is recommended for approval subject to conditions set out in the draft decision letter.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front Elevation

5. CONSULTATIONS

Consultation on initially Submitted Scheme; August 2018

NORTH PADDINGTON SOCIETY

They object to any application which seeks to replace an existing amenity with residential accommodation. They also believe that for communities to be sustainable and vibrant places, there must be a good balance of residential, employment, recreational and as wide a range of services as possible. To replace all amenities with residential accommodation will result in the area becoming somewhere people pass through on their way to other places and will make daily life more difficult for older and more vulnerable residents who will have to look further and further away to access services and support.

MAIDA HILL NEIGHBOURHOOD FORUM

No response

HIGHWAYS PLANNING OFFICER

No objection subject to submission of details of cycle parking provision and waste storage

WASTE PROJECT OFFICER

No objection subject to submission of details of waste and recycling storage

ENVIRONMENTAL HEALTH

Object on the following grounds:

- The Means of Escape in case of a fire is insufficient
- The scheme should comply with at least the minimum requirements of Part E of the Building Regulations – with regards to sound insulation between the proposed GF dwelling and the existing FF dwelling.
- The provision of natural light to the principal habitable living rooms does not appear to comply with the minimum requirements of the Housing Acts

BUILDING CONTROL

No response

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

(Letters were also sent out to neighbours who initially advised they had not been notified)

No. Consulted: 31

Total No. of replies: 3

No. of objections: 3

No. in support: 0

Issues raised by the objections:

Land Use

- Loss of the ground floor commercial use/workshop/office space should be resisted as it has been for other properties in the area, such as for 4 Chippenham Mews under planning reference 13/00402/FULL;

Design

- Query the design of the proposed timber doors which are presumably based on garage doors or to workshops located on the street with similar doors; these existing doors are entrances to garage or to workshops and not to primary living accommodation.

Quality of proposed residential accommodation/layout

- The glazing at the top of the timber doors is the only source of light to the ground floor
- There is no bathroom/shower proposed; only a wc which is as existing

Other

- The owners of the flat above the premises were not notified, and it is likely that the incorrect address was notified is section 25 of the application form
- No. 2 Chippenham Mews is a different address, situated above 6 Marylands Road and accessed via Chippenham Mews.
- The submitted drawings include floor plans for the first and second floors of the building which are not subject of this application but showing a different flat in different ownership
- We have not been consulted on the application

PRESS ADVERTISEMENT / SITE NOTICE: Yes

Consultation on revised details, including revised application form following change of address to '2 Chippenham Mews'; Certificate B being served on the correct adjoining property and owners; and revisions to the scheme including revised fenestration to the front elevation and the inclusion of a bathroom to the internal layout and the omission of the first and second floor plans as these are not part of the application property – October 2018

NORTH PADDINGTON SOCIETY

Objection raised on the same grounds as stated in response to the original consultation; object to loss of the ground floor commercial use

MAIDA HILL NEIGHBOURHOOD FORUM

No response

HIGHWAYS PLANNING OFFICER

No objection subject to submission of details of cycle parking provision and waste storage

WASTE PROJECT OFFICER

No objection subject to submission of details of waste and recycling storage

ENVIRONMENTAL HEALTH

The following issues remain outstanding:

- Means of Escape in case of a fire remain insufficient
- Insufficient information about the efficacy of the sound insulation between the proposed GF dwelling and the existing FF dwelling. The scheme should comply with at least the minimum requirements of Part E of the Building Regulations.

BUILDING CONTROL

No response

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 34

Total No. of replies: 2

No. of objections: 2

No. in support: 0

Issues raised by the objections:

Land Use

- Loss of workshop/office space should be resisted as these uses are protected on this street

Design

- Design of the doors is inappropriate and does not comply with Westminster's Mews design guidance.

Highways

- Cycle storage shown in the bedroom seems inappropriately located
- The doors are large and open outwards

Quality of Accommodation proposed/layout

- No information on sound insulation between the ground floor and existing residential property above
- The living space seems inadequate and of poor quality for future occupants/ or does not make sense or seems impractical
- There seems no scope for the kitchen cooking extraction or ventilation.

Other

- The property address is not no. 2 Chippenham Mews as there is another property located at the end of the Mews at the Marylands Road end which has this address (flats above 6 Marylands Mews)

PRESS ADVERTISEMENT / SITE NOTICE: Yes

Re-consultation on Consultation on revised address, which was changed back to '2C Chippenham Mews'; the description of the proposal clearly states that the application relates to the ground floor premises – November 2018

NORTH PADDINGTON SOCIETY

No response

MAIDA HILL NEIGHBOURHOOD FORUM

No response

NOTTING HILL EAST NEIGHBOURHOOD FORUM

Consultation carried out accidentally. However, despite this not being their area an objection was received, stating that they resist such application and querying the legibility of the site location plan.

HIGHWAYS PLANNING OFFICER

No response

WASTE PROJECT OFFICER

No response

ENVIRONMENTAL HEALTH

Issues relating to Means of Escape in case of a fire and sound insulation remain outstanding

BUILDING CONTROL

Providing the proposed front window to the bedroom is openable, this should provide sufficient means of escape in the case of a fire.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 35

Total No. of replies: 2

No. of objections: 2

No. in support: 0

Objections/Issues/queries have been raised on the following grounds:

- The application property is not no.'2C' as that refers to the maisonette situated on the first and second floors.
- The address of their property refers to the 'First and Second Floor Flat' which devalues their property
- The address no. 2 has been given to another property above 6 Marylands which has 2 flats within it; Photograph of front of 2 Chippenham shows this property

6. BACKGROUND INFORMATION

6.1 The Application Site

The application relates to a ground floor retail shop at 2 Chippenham Mews, currently occupied by a kitchen showroom.

The property is an unlisted terraced property. On the upper floors is a maisonette situated over the first and second floors, the address to which is 2C Chippenham Mews.

It is considered that the use of the premises is an A1 retail shop, being a kitchen and bathroom showroom. The use is considered to have operated at the premises for a number of years and it is considered that the lawful use of the unit is therefore A1 retail.

The site is located within the designated North West Westminster Special Policy Area within the Unitary Development Plan (UDP) and the North Westminster Economic Development Area within the City Plan. However, the site is not located within any designated shopping centre. It is also located outside a conservation area and

6.2 Recent Relevant History

16/11716/FULL

Installation of replacement timber framed windows to rear elevation at first floor level.
Application Permitted 7 March 2017

16/05785/FULL

Replacement of windows to front elevation at first floor level.
Application Permitted 25 July 2016

08/10824/FULL

Use of ground floor to one residential unit (Class C3).
Deemed Refusal (No Further Action) 6 May 2010

96/07691/FULL

MANSARD ROOF EXTENSION TO PROVIDE NEW LIVING ROOM AND KITCHEN
Application Withdrawn 13 December 1996

Relating to 14A Chippenham Mews:

17/00897/FULL

Use of the property as a residential unit. (Class C3)
Application Granted 6 April 2017

7. THE PROPOSAL

Planning permission is sought for the change of use of the ground floor from a retail shop to a one bedroom self-contained flat. Associated external alterations comprise of the replacement of the shopfront with timber doors and glazed windows.

Revised drawings and documents have been submitted during the course of the application. The address of the property had originally been stated as '2C Chippenham Mews'; however, a neighbour advised that this resulted in Certificate B being incorrectly served. This had been rectified by the applicant, with revised documents being submitted. The revisions initially comprised of a revised application form with the application property changed to no. 2 Chippenham Mews and Certificate B being served correctly on the adjoining neighbouring property. Revised drawings were also submitted showing a revised proposed external alterations and revised internal layout, which now also included a shower room. Drawings of the upper floors were also omitted from the submission as these do not relate to the application premises. However,

representations were received advising that the revised address of '2 Chippenham Mews' remained incorrect. It was concluded that the application property should be identified as '2C Chippenham Mews' and referred to as the ground floor premises and this was again revised and a further 14-day re-consultation was carried on this revised address.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The planning history for this property confirms that an application for the use of the ground floor as a residential unit was submitted in 2008 under planning application reference 08/10824/FULL. However, records show that this application was not determined and resulted in no further action being taken. Consequently, a formal assessment of the proposal was not made at that time.

The property is currently a retail shop providing kitchen and bathroom design services and accessories and includes a showroom.

As the property is currently a retail unit, UDP policy SS8 on shops and services outside District and Local Centres is relevant. This policy resists the loss of A1 uses, and in particular shops which are key local convenience shops. The application premises are currently in use as a retail shop, and therefore it cannot be argued that it has been vacant long-term. However, the property is located in close proximity to the Harrow Road (East) Local Shopping Centre, where retail shopping services are provided and protected. Policy SS9 relates to long-term vacant shop units in peripheral locations. Whilst it is acknowledged that the unit is not currently vacant, it should be highlighted that the retail use is not a local convenience shop, and therefore its loss would not result in the loss of this type of retail provision, and policy SS9 allows residential use as an appropriate alternative use.

A large proportion of Chippenham Mews is now in residential use, apart from some commercial uses including a car repair workshop, community centre and St Peters School. More recently, no. 14A Chippenham Mews gained planning permission for use as a residential unit, under planning permission reference 17/00897/FULL in April 2017.

A representation has been received referencing a planning application for use as a self-contained flat, relating to the ground floor premises at the adjoining property at 4 Chippenham Mews, which was refused in April 2013 under planning application reference 13/00402/FULL. This application had been refused on the basis that it would result in the loss of an existing small-scale business use within the North West Westminster Special Policy Area. Since this application, however, a planning application for residential use has been permitted at no. 14A Chippenham Mews (Planning Ref 17/00897/FULL). It is considered that the character of this street has become more residential in recent years, and therefore in balance the current proposal to use the ground floor 2 Chippenham Mews as a flat cannot be resisted on these grounds.

Given the location of the site being in close proximity to this local centre, and the application site itself not being within a designated shopping centre, it is considered that the loss of the retail use in this location is acceptable. Furthermore, as the property is not located within a key shopping centre, the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), allows changes of use from a premises falling under use class A1 to a residential use falling under Use Class C3. Accordingly, the applicant could change the use to residential without express planning permission. Given this fallback position, refusal of permission on this basis would not be sustainable

The proposed one bedroom residential flat would occupy the ground floor (41m²) and would comprise of a bedroom and an open plan lounge and kitchen and a bathroom. Access to the flat is direct from the Mews and leads into the lounge, which would be served by the glazing on the proposed timber doors and windows, the bedroom which leads off the lounge is also served by a front elevation window, the kitchen and bathroom are located towards the rear and would not be served by windows. These windows would provide sufficient light to the occupants of the proposed flat.

The Environmental Health Officer had raised some issues with regards to potential issues of Means of Escape in case of a fire, as occupiers of the bedroom are required to escape via the highest risk, namely the kitchen/living area. However, the Council's Building Control Officer is satisfied that the proposed windows to the front of elevation of the bedroom would provide sufficient means of escape in the case of a fire. Informatives will advise the applicant to ensure that a sprinkler system is also installed.

A condition is also recommended to ensure that sufficient sound insulation is provided to ensure sufficient protection for future residents of the proposed flat from the intrusion of external noise.

Representations have been received querying the accuracy of the details shown on the proposed layout, including whether the shower room would be practical and possible to be built in the area shown. The location and size of the bed in the bedroom and details shown in the proposed kitchen area also did not seem practical. The submitted drawings are scaled drawings, which show that the areas allocated for the different living areas are adequate, including the proposed wc/shower room measuring approximately three square metres.

The quality of the residential environment is considered to be acceptable meet the internal space standards of the London Plan and the Government's Technical Housing Standards (March 2015).

Taking the above into consideration, it is considered that the change of use of this small retail shop to a 1-bedroom self-contained flat is acceptable in land use terms.

8.2 Townscape and Design

The application site is an unlisted mews building located outside of a conservation area. Permission is sought to replace the shopfront in association with converting the shop into a residential unit. During the course of the application the doors have been amended to show tripartite timber windows above timber fixed panels, with one

openable section, within the existing opening. However, the proposed door is not distinctive from the proposed fenestration and it would be more appropriate to have a separate door which is in a traditional design for a mews property in accordance with the City Council's supplementary planning guidance document '*Mews: A guide to Alterations*'. An amending condition requiring revised details of the front door is therefore recommended. To ensure the doors are not overhanging the highway, the condition will also require the doors to be hung so they are inward opening. Subject to this condition, the detailed design would be in accordance with the City Council's supplementary planning guidance document '*Mews: A Guide to Alterations*'. This approach is welcomed as it reintroduces a feature which is typical of mews buildings and therefore will enhance the appearance of the building. The works are considered to be in accordance with UDP policy DES 5 and are acceptable in design terms.

8.3 Residential Amenity

Policy ENV13 of the UDP states that the Council will resist proposals that would result in a material loss of daylight/sunlight, particularly to dwellings, and that developments should not result in a significant increased sense of enclosure, overlooking or cause unacceptable overshadowing. Similarly, Policy S29 of Westminster's City Plan aims to protect the amenity of residents from the effects of development.

The proposed use of the ground floor of the premises for a residential use would not lead to an adverse impact on neighbouring amenities in terms sense of enclosure, privacy, overlooking or overshadowing. The Environmental Health Officer has raised an issue with regards to the lack of information on sound insulation between the ground floor flat and the upper floor maisonette. An informative will remind the applicant to comply with the minimum requirements of Part E of the Building Regulations to ensure there is sufficient sound insulation between these properties.

8.4 Transportation/Parking

There is no off-street parking proposed. However, and on the basis of the Council's data concerning on-street car parking and car ownership levels in the area, any additional on-street parking generated by the proposal can be absorbed into the surrounding street network. Therefore the development is consistent with TRANS23, and the City Council's Highways Planning Manager has no objection to the proposal, subject to a condition requiring revised details of proposed cycled parking to be submitted, and no doors to be hung so that they open onto the highway. The condition requiring further details of the doors will specify that doors should not be openable onto the highway.

The Waste Project manager has no objection to the proposal subject to a condition requiring details of waste and recycling storage to be submitted and no waste to be stored or left on the public highway.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

The proposals would not alter the existing access to the property.

8.7 Other UDP/Westminster Policy Considerations

Not applicable

8.8 Westminster City Plan

The City Council is currently working on a complete review of its City Plan. Informal consultation on the first draft of Westminster's City Plan 2019-2040 took place between Monday 12 November 2018 and Friday 21 December 2018. Following this informal consultation, any representations received are being considered and the draft plan will be revised in advance of formal consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012. Given the very early stage of the consultation process and having regard to the tests set out in para. 48 of the NPPF, the policies of the emerging draft City Plan are given little to no weight at the present time.

8.9 Neighbourhood Plans

Not applicable

8.10 London Plan

This application raises no strategic issues.

8.11 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.

Further to the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the City Council cannot impose a pre-commencement condition (a condition which must be discharged before works can start on site) on a planning permission without the written agreement of the applicant, unless the applicant fails to provide a substantive response within a 10 day period following notification of the proposed condition, the reason for the condition and justification for the condition by the City Council.

During the course of this application, a notice was served relating to the proposed imposition of a pre-commencement condition to secure the submission of details of waste and recycling storage; details of secure cycle parking and amended details of the proposed entrance door(s). The applicant has agreed to the imposition of these conditions.

8.12 Planning Obligations

The development may be liable to pay Westminster's and the Mayor's Community Infrastructure Levy (CIL). Based on the floor area of 41.3sqm of Gross Internal Area (GIA) measured on the submitted drawings, the estimated CIL payment would be

£9,844.94 for Westminster's CIL (£200 per square metre in Residential fringe) and £2,991.01 for the Mayor's CIL (£50 per square metre in Zone 1).

8.13 Environmental Impact Assessment

Not applicable

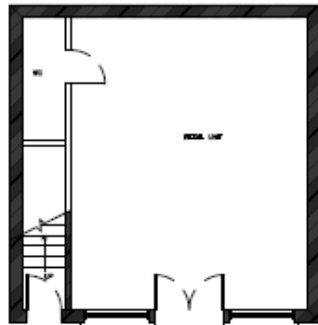
8.14 Other Issues

It is considered that 2 Chippenham Mews is in fact the correct address of the application property, despite there also being another property situated above 6 Marylands Road and accessed from Chippenham Mews also being known as 2 Chippenham Mews. There has been no dispute that the submitted site location plan for the property identifies the correct application property and the description of the property refers to the ground floor of the premises. There is no doubt as to which property is the application property in this case. Should planning permission be granted, then the naming/numbering of this property would be a matter of formal registration for the applicant, and this is not a material planning consideration for the purpose of the assessment of this current planning application.

(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 Ground Floor Plan
Scale 1:50



Proposed Ground Floor Plan
Scale 1:50



Existing Front Elevation
Scale 1:50



New tripartite timber windows with timber panels
As per fig 5 of the Westminster Mews guide

Proposed Front Elevation
Scale 1:50

Existing and Proposed Ground Floor Plans; Existing and Proposed Front Elevation

DRAFT DECISION LETTER

Address: 2 Chippenham Mews, London, W9 2AW,

Proposal: Use of ground floor retail shop as 1 bedroom flat and associated replacement of shopfront with timber doors and glazed windows.

Reference: 18/07095/FULL

Plan Nos: 050; E01 Rev A;

Case Officer: Avani Raven

Direct Tel. No. 020 7641 2857

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 residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 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 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 detailed drawings showing the following alteration(s) to the scheme

- Revised details of the proposed entrance door (s) to be inward opening (not hung so that it opens over the pavement) and of a traditional mews house design in accordance with Westminster's SPG "Mews: A guide to Alterations"

You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area; and in the interests of public safety and to avoid blocking the road. This is as set out in S28 and S41 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 5 You must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the flat. (C14EC)

Reason:

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

- 6 You must apply to us for approval of details of secure cycle storage for the flat 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 2016 (R22FA)

- 7 You must not leave or store any waste on the public highway.

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)

- 8 The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to 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 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise. (R49AA)

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, neighbourhood plan (where relevant), 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 **HIGHWAYS LICENSING:**

Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560.

CONSIDERATE CONSTRUCTORS:

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

BUILDING REGULATIONS:

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

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

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

CIL forms are available from the planning on the planning portal:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

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

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

- 4 In relation to condition 4, the applicant should refer to the City Council Recycling and Waste Storage Requirements, sections 2.3.1 and 3.1.
Link provided below:
<https://www.westminster.gov.uk/waste-storage-planning-advice>
- 5 Due to open plan kitchen and lounge, the flat should be provided with a sprinkler system. Ventilation should be provided in accordance with Part F of the Building Regulations. Sound insulation between the proposed ground floor flat and the upper floor residential premises should comply with at least the minimum requirements of Part E of the Building Regulations. The proposed window to the bedroom should be openable to ensure there is a Means of Escape from this room in the case of a fire.

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.

BACKGROUND PAPERS - 2 Chippenham Mews, London, W9 2AW, 18/07095/FULL

1. Application form
2. Response from North Paddington Society, dated 20 September 2018 and 30 October 2018
3. Response from Notting Hill East Neighbourhood Forum, dated 26 November 2018
4. Response from Waste Project Officer, dated 5 September 2018 and 2 November 2018
5. Response from Highways Planning - Development Planning, dated 19 September 2018 and 6 November 2018.
6. Response from EH Consultation, dated 31 August 2018; 29 October 2018 and 10 May 2019
7. Response from Building Control, dated 10 May 2019.
8. Letter from occupier of 1D Chippenham Mews, London W9 2AN, dated 28 August 2018
9. Letter from occupier of First And Second Floors, 2C Chippenham Mews, dated 28 August 2018; 10 September 2018; 1 November 2018; 16 November 2018 and 25 April 2019
10. Letter from occupier of 1C Chippenham Mews, London W9 2AN, dated 28 August 2018; 31 October 2018 and dated 19 November 2018