

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 7 March 2017	Classification For General Release	
Addendum Report of Director of Planning		Ward(s) involved Abbey Road	
Subject of Report	William Court , 6 Hall Road, London, NW8 9PA		
Proposal	Construction of 3 dwelling houses with associated amenity space in the grounds of William Court, 6 Hall Road to the rear, associated landscaping improvements, creation of additional cycle parking.		
Agent	Matt Richards		
On behalf of	Mansley Limited		
Registered Number	16/08855/FULL	Date amended/ completed	14 September 2016
Date Application Received	14 September 2016		
Historic Building Grade	Unlisted		
Conservation Area	No		

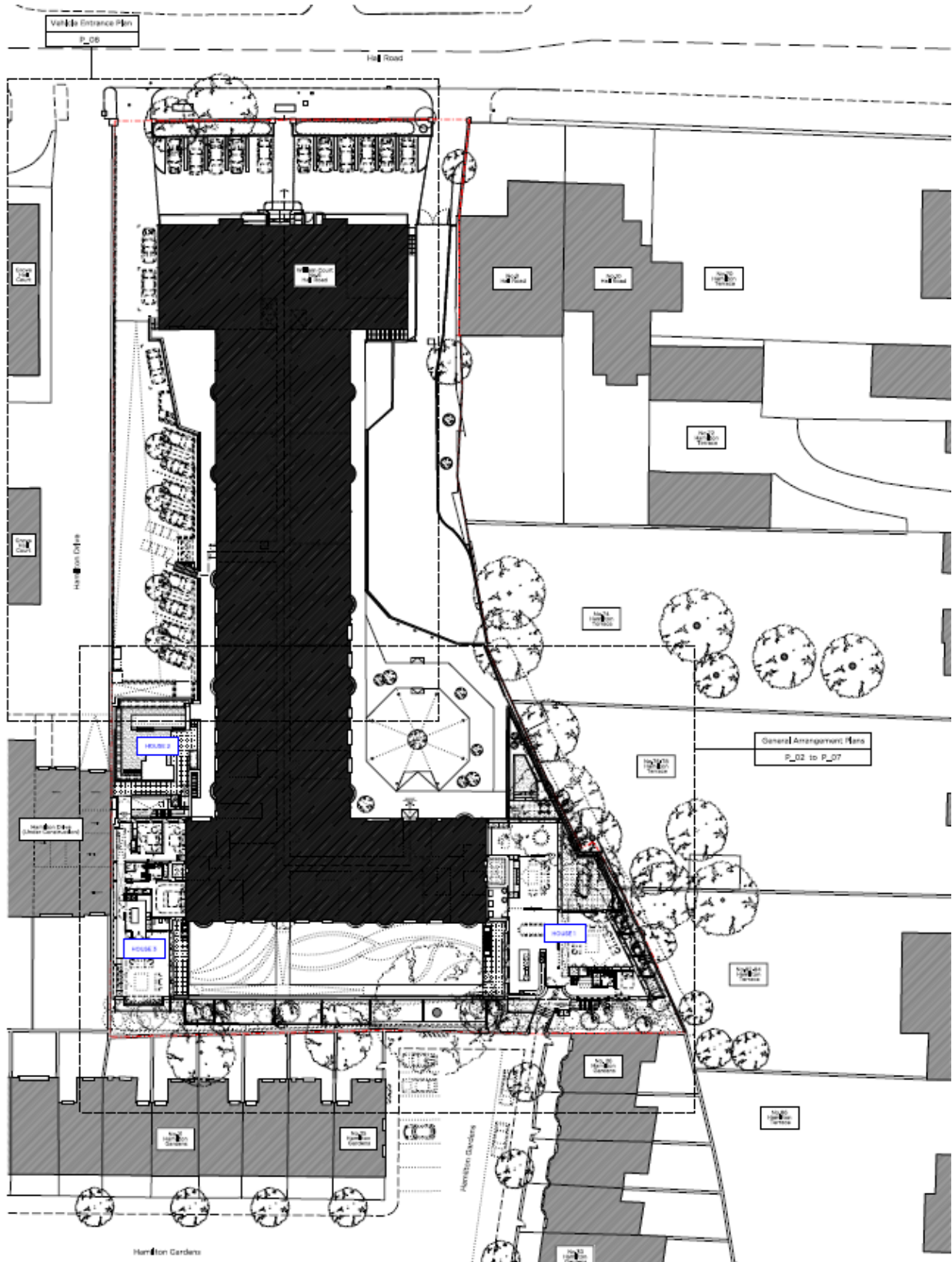
1. RECOMMENDATION

Grant conditional permission.

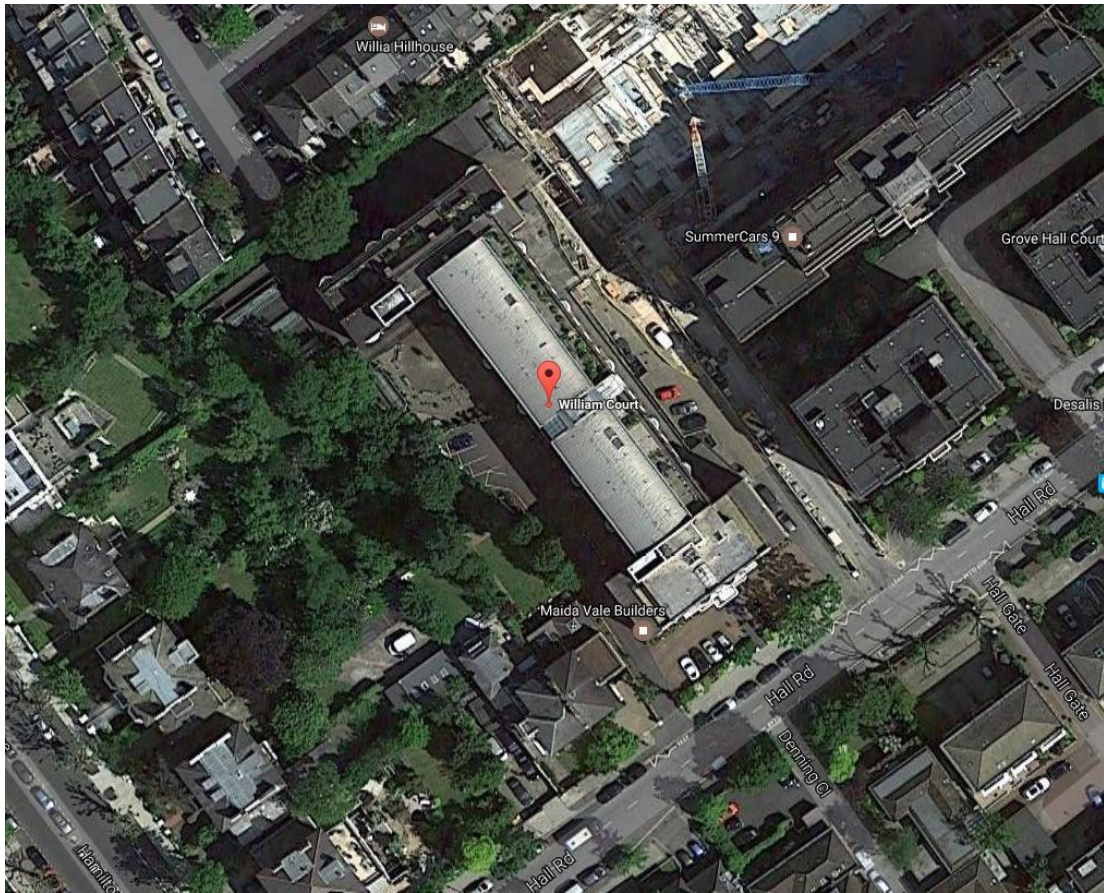
2. SUMMARY

This application was reported to the Planning Applications Committee on 14 February 2017, where the committee resolved to defer making a decision on the application to enable the committee to visit the application site and neighbouring properties. The site visit is scheduled to take place on 1 March 2017. The application is therefore reported back to the committee for further consideration.

3. LOCATION PLAN



4. PHOTOGRAPHS



Top Photo – Aerial View

Bottom left – front of building, Bottom right – eastern elevation/ communal driveway

5. CONSULTATIONS

Original representations as detailed in report to committee of 14 February 2017.

Additional representations received after the report of 14 February was published and circulated to members prior to the committee meeting (blues)

8 letters of objection received on the following grounds:

- Original objections to scheme are maintained (and attached to the additional representations);
- The additional sunlight and daylight analysis is too technical, incomprehensible to those that the development affects and makes false justifications;
- Requests made for the item to be deferred from the planning committee of 14 February as this fell within a half term;

Additional representations received after the report of 14 February was published and scheduled to be presented to members at the committee meeting (reds)

26 letters received on behalf of 19 properties received on the following grounds:

- Original objections to scheme are maintained (and attached to the additional representations);
- The additional sunlight and daylight analysis is too technical, incomprehensible to those that the development affects and makes false justifications;
- Requests made for the item to be deferred from the planning committee of 14 February as this fell within a half term;
- Requests made for the item to be deferred from the planning committee of 14 February for a members site visit;
- Objectors were not given enough time to respond the officer recommendation and the scheduled planning committee date;
- The case officers published report does not respond to the objections previously made.
- The case officers recommendation does not accord with the advice given in the pre-application response (as detailed within the applicants design and access statement)

Additional representation:

1 objection reiterating concerns already made and highlighting to the members of the planning committee points of interest, querying comments made in the application submissions and responding comments to the case officers draft report/ decision notice.

6. BACKGROUND PAPERS

1. Report and minutes of committee dated 14 February 2017 including original representations as detailed in the report to committee of 14 February 2017.
2. Additional representation received after report of 14 February 2017 was published and circulated to members prior to the committee meeting (blues); listed 3-8 below.
3. Letter from owner of Flat 16 William Court, 6 Hall Road dated 6 and 7 February 2017.
4. Email from owner of 20 Hamilton Gardens dated 7 and 8 February 2017.
5. Email from owner of 80-84 Hamilton Terrace dated 7 February 2017.

6. Email from owner of 24 Hamilton Gardens dated 8 February 2017.
7. Email from owner of Flat 13 William Court, 6 Hall Road dated 7 February 2017.
8. Email from owner of 36 Alma Square dated 8 February 2017.
9. Late representations received after report of 14 February 2017 was published and circulated to members of the committee meeting (reds); listed 10-30 below
10. Email from Councillor Hall dated 13 February 2017.
11. Email from owner of 20 Hamilton Gardens dated 9 February 2017.
12. Email from owner of Flat 16 William Court, 6 Hall Road dated 9 February 2017
13. Email from owner of Flat 33 William Court, 6 Hall Road dated 9 February 2017.
14. Email from owner of Flat 14 William Court, 6 Hall Road dated 10 February 2017.
15. Email from owner of Flat 15 William Court, 6 Hall Road dated 10 February 2017.
16. Email from occupier of top floor flat, 25 Hamilton Gardens dated 10 and 11 February 2017.
17. Email from owner of 78 Hamilton Terrace dated 12 February 2017.
18. Email from owner of 28 Hamilton Gardens dated 13 February 2017.
19. Email from owner of Flat 11 William Court, 6 Hall Road dated 13 February 2017.
20. Email from owner of 8 Hall Road dated 11 February 2017.
21. Emails (x4) from owner/occupiers of 80-84 Hamilton Terrace dated 11 February 2017.
22. Email from occupier of Flat 10, 45 Marlborough Place dated 13 February 2017.
23. Email from unknown address dated 11 February 2017.
24. Email from owner of Flat 31 William Court, 6 Hall Road dated 11 February 2017.
25. Email from owner of 36 Alma Square dated 12 February 2017.
26. Email from owner of 28 Finchley Road dated 12 February 2017.
27. Email from owner of Flat 34 William Court, 6 Hall Road dated 12 February 2017.
28. Email from unknown address dated 12 February 2017.
29. Email from owner of 19 Hamilton Gardens dated 14 February 2017.
30. Letter and brochure from applicant received 14 February 2017.
31. Email from occupier of 14 William Court dated 22 February 2017.

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

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER:
KIMBERLEY DAVIES BY EMAIL AT kdavies@westminster.gov.uk

7. KEY DRAWINGS

Visuals of Houses 1-3 in context of William Court



As Proposed Axonometric View 1 - REVISED SCHEME

Visuals of House 1 from podium deck of William Court and Hamilton Garden



House 1
Proposed William Court Podium View



House 1
Proposed View from Hamilton Gardens

Visuals of Houses 2 & 3

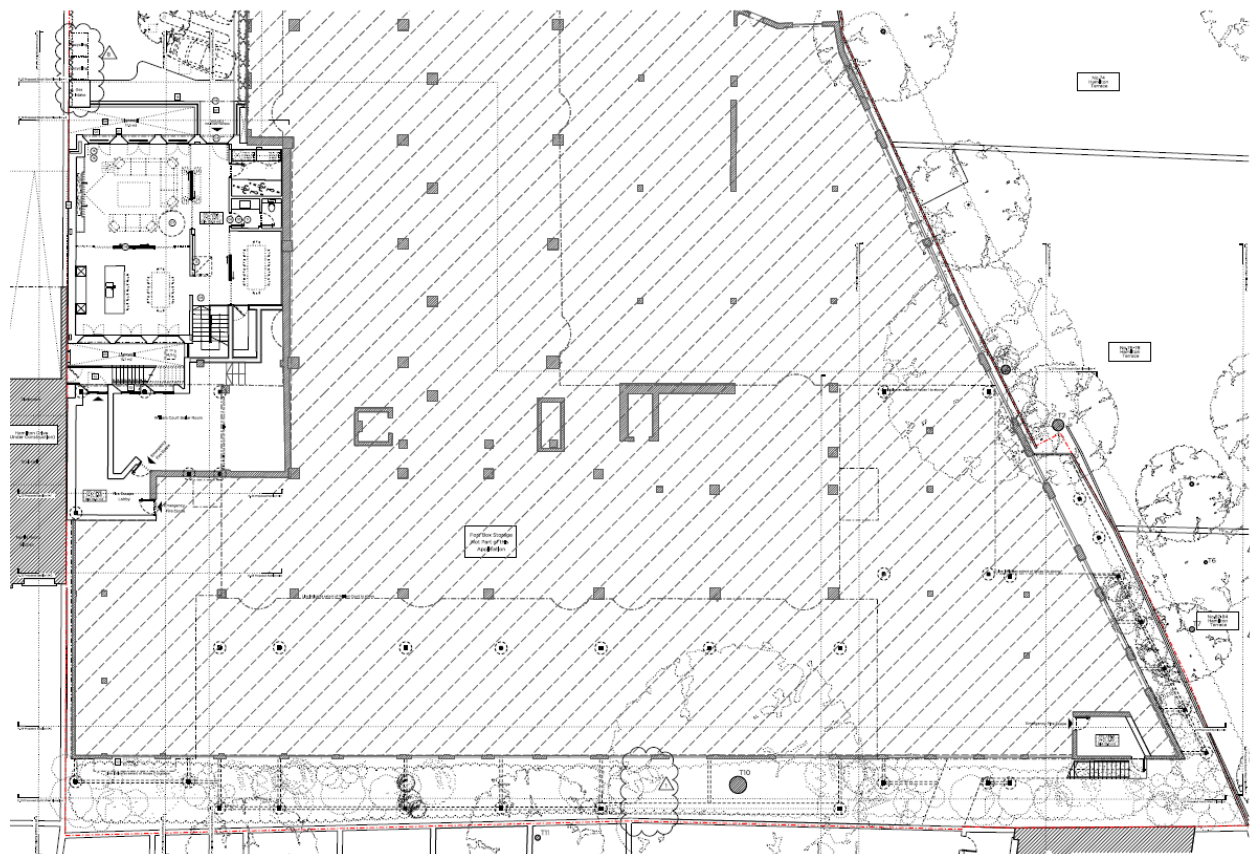


1 Houses 2&3
Proposed View from Vehicle Approach

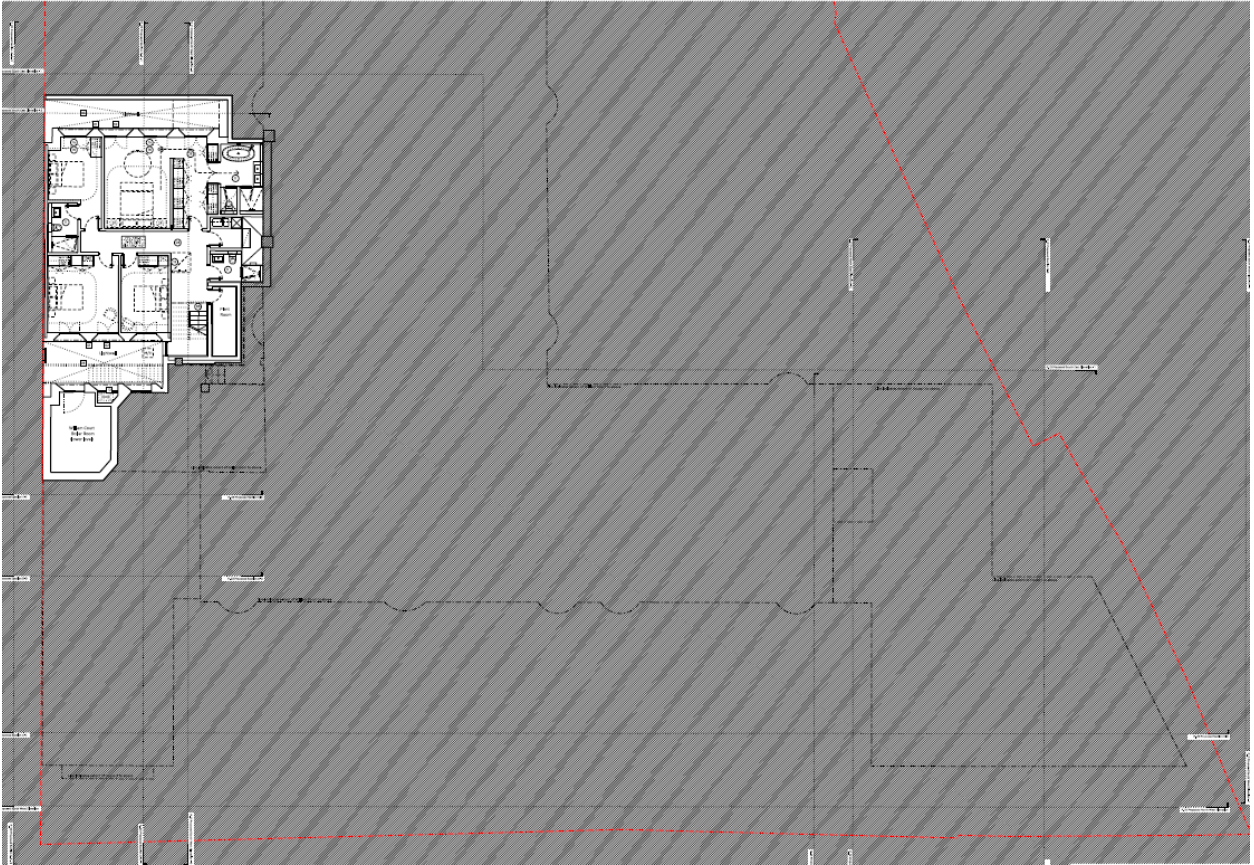


2 Houses 2&3
Proposed Sectional Axonometric View

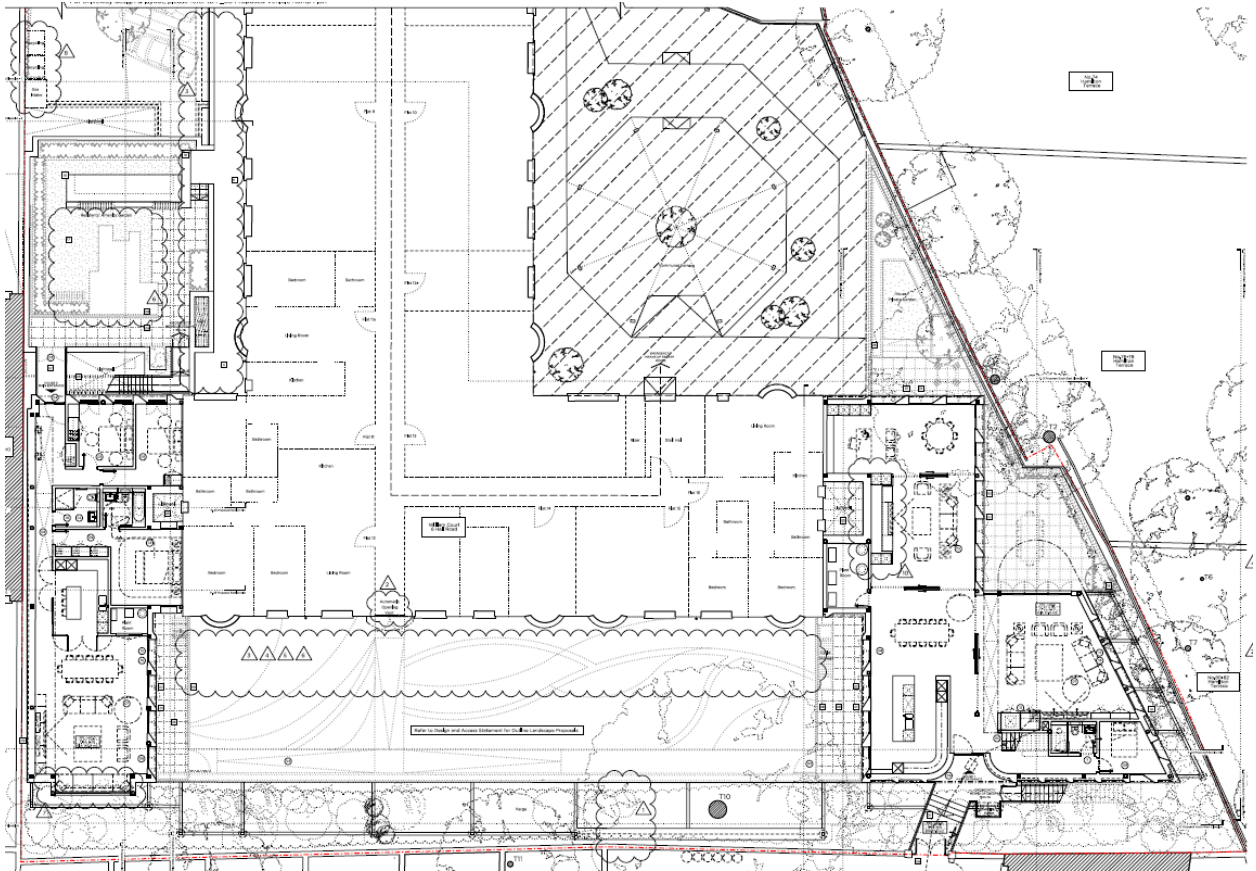
Drawing to show ground floor of House 2 to the eastern side of William Court



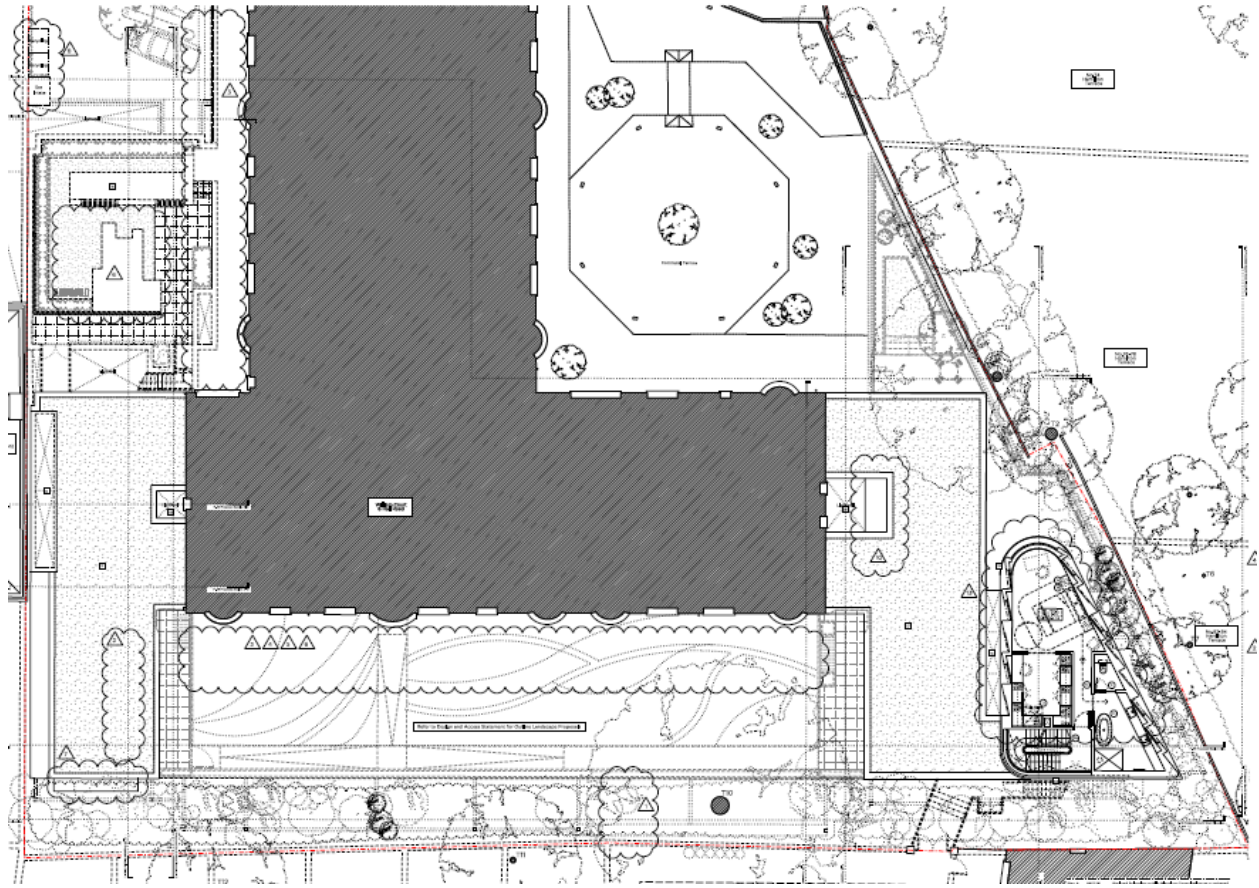
Drawing to show lower ground floor of House 2 to the eastern side of William Court



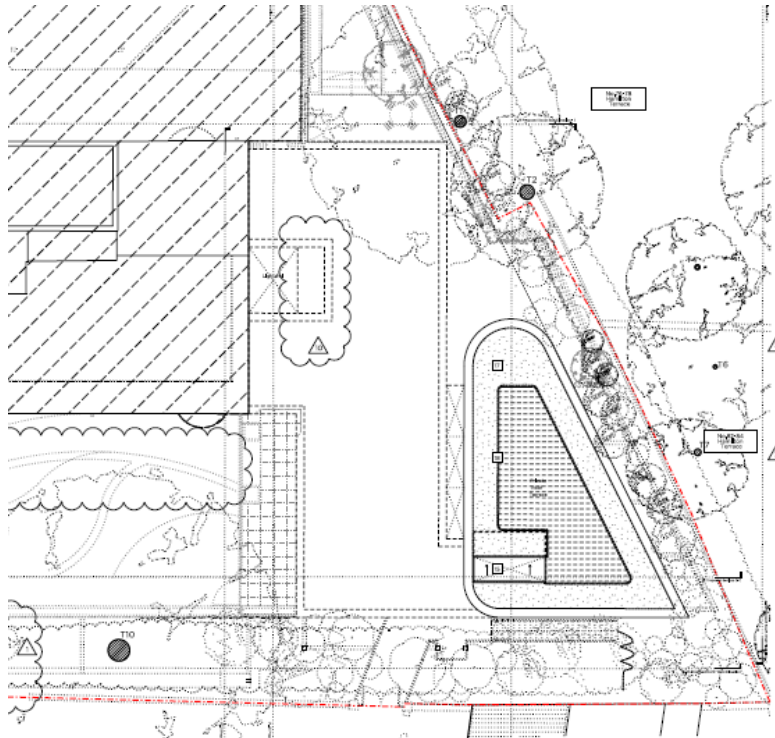
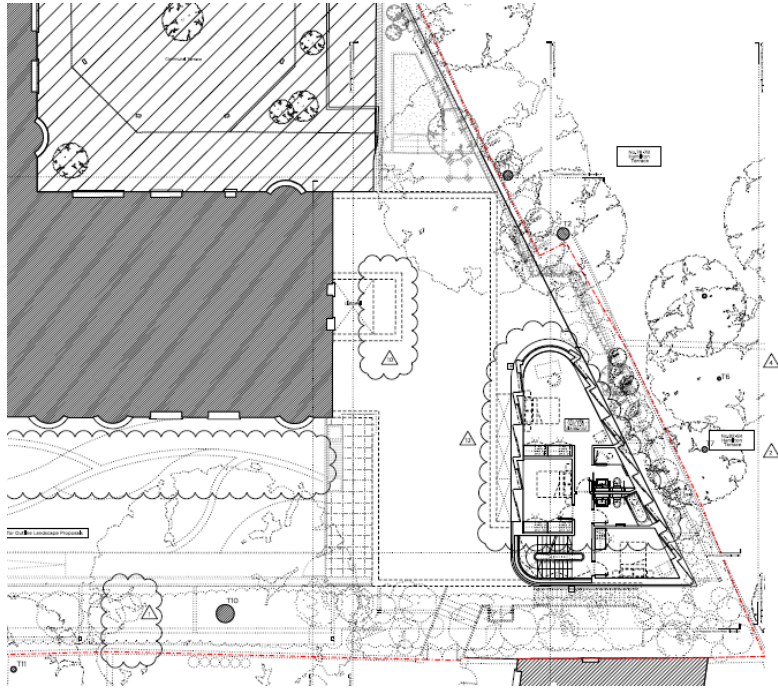
**Drawing to show podium deck level –Ground Floor of House 1, Ground Floor of House 3 7
Roof of House 2 and landscaping proposals to rear of William Court**



Drawing to show First floor plan of House 1 and roof of House 3



Extract Drawing to show Second floor and roof plan of House 1



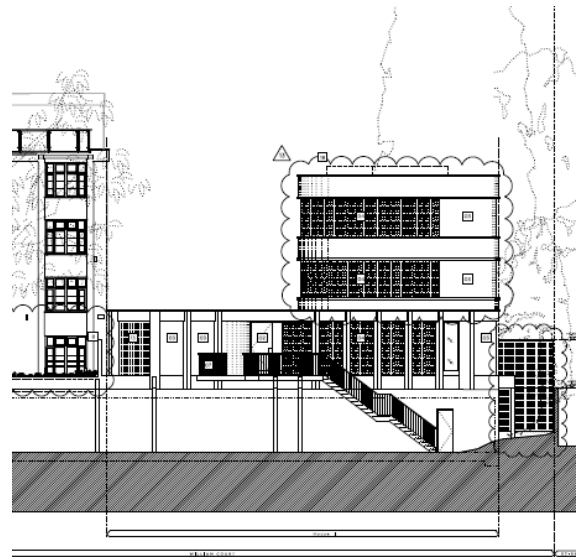
Section (east-west) through Houses 1 & 3 in relation to William Court (centre), Hamilton Terraces (to the right) and new development at rear of Grove Hall Court (left)



Section through Houses 2 & 3 showing William Court in the rear and Hamilton Garden properties to the right



Elevations drawing of House 1 (Top left – west elevation, Top Right-east elevation, Bottom Left- South Elevation, Bottom Right – North elevation)



DRAFT DECISION LETTER

Address: William Court , 6 Hall Road, London, NW8 9PA

Proposal: Construction of 3 dwelling houses with associated amenity space in the grounds of William Court, 6 Hall Road to the rear, associated landscaping improvements, creation of additional cycle parking.

Plan Nos: P00; D_02A; D_03A; D_04A; D_08A; D_10A; D_11A; D_12A; D_13; D_20A; D_21A; D_22A; P_01A; P_02A; P_03A; P_04A; P_05A; P_06A; P_07A; P_08A; P_10A; P_11A; P_12A; P_13A; P_20A; P_21A; P_22A; P_30; Design and Access Statement dated December 2016; Planning Statement; Daylight and Sunlight Assessment amended 30 January 2017; Arboricultural Impact Assessment dated 13 December 2016; Landscaping information dated 14 December 2016; Sustainability Statement dated 10 August 2016; Noise Impact Assessment dated 8 August 2016; For information only: Construction Management Plan dated December 2016; Structural Engineer's Study dated December 2016.

Case Officer: Kimberley Davies

Direct Tel. No. 020 7641 5939

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

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

Reason:

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

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

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

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

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

Reason:

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

- 3 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 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

- 5 You must apply to us for approval of a sample panel of brickwork to be erected on site for each type of new brick proposed to be used, and submit a photograph of each erected panel, and which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. The brickwork shall not be painted, rendered or otherwise overclad. (C27DB)

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 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

- 6 You must provide the green roofs to main roof level on houses 1, 2 and 3 (in the locations shown on drawings P-07A, P-02A and P-05A) and to the podium deck before you start to use any part of the development, as set out in your application. You must not remove any of these features. (C43FA)

Reason:

To increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43FB)

- 7 The external brick facings to each of the three new buildings shall be formed in complete bricks and not brick slips

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 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

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

The window to the north-west elevation of house 3 subdivided into two window openings separated by a brick pier and together of reduced size as compared to the opening shown on P-10A

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. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

- 9 You must apply to us for approval of a detailed elevation drawing, and also a detailed plan/section drawing (as appropriate) for each of the following areas:-

- 1) Curved corner to the southern end of first and second floor levels on House 1
- 2) Example bay (showing all detailing) of the east and the west elevation at ground to second floor levels of House 1
- 3) Example bay (showing all detailing) of the south elevation of House 2
- 4) Example bay (showing all detailing) of the south elevation of House 3

The drawings must also be annotated detailing the use of facing materials. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these drawings. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

- 10 You must not erect any extensions or alter the appearance of the building, including the installation of new windows and doors, without our permission. This is despite the provisions of Classes A, B, C and D of Part 1 of Schedule 2 to the Town and Country Planning General

Permitted Development Order 1995 (or any order that may replace it). (C21HA)

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 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

- 11 You must apply to us for approval of an elevation drawing showing the louvred doors to the boiler/plant room at ground floor level of House 1, including annotation of materials and colour of finish. You must not start any work on these parts of the development until we have approved what you have sent us.

You must then carry out the work according to this drawing. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

- 12 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terraces or flat roofs adjacent. This applies unless differences are shown on the drawings we have approved or are required by conditions of this permission (C26NA)

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 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

- 14 The new external railings, and the deck to the new entrance bridge from Hamilton Gardens, shall be formed in black painted metal

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 4 of our Unitary Development Plan that we adopted in

January 2007. (R26CD)

- 15 You must apply to us for approval of a detailed elevation of the balustrade to main roof level of House 1, including confirmation of its materials. You must not start any work on these parts of the development until we have approved what you have sent us.

You must then carry out the work according to this drawing. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

- 16 You must apply to us for approval of an existing and a proposed elevation drawing showing the area of boundary wall to Hamilton Gardens where the new entrance to House 1 is proposed. You must not start any work on these parts of the development until we have approved what you have sent us.

You must then carry out the work according to these drawings. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

- 17 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number P_02A, P_03A, P_04A, P_08A. You must clearly mark them and make them available at all times to everyone using the residential units. (C14FB)

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)

- 18 You must apply to us for approval of detailed drawings and specifications (including colour) of the following parts of the development - privacy screening/fencing to Houses 1 and 3. You must not start any work on these parts of the development until we have approved what you have sent us.

You must then carry out the work according to these details. (C26DB)

Reason:

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

- 19 You must not use the roof of the building of House 3 and the podium deck for sitting out or for any other purpose. You can however use the roof of House 3 to escape in an emergency and the podium deck to provide disabled access to Houses 1 and 3; to escape in an emergency or for access/ maintenance of flats within William Court. (C21AA)

Reason:

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

- 20 You must install the privacy screen/fencing associated with House 1 and 3 prior to the use of the approved amenity areas.

Reason:

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

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

Reason:

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

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

Reason:

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

- 23 (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.

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

level should be expressed as LAeqTm,, and shall be representative of the activity operating at its noisiest.

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

(3) Following completion of the development, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

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

Reason:

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

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

Reason:

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

- 26 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.

- 27 You must apply to us for approval of detailed drawings of a planting scheme of the proposed trees to the communal driveway which includes the number, size, species and position of the trees. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the planting within one planting season of completing the development (or within any other time limit we agree to in writing).

If you remove any trees or find that they are dying, severely damaged or diseased within 2 years of planting them, you must replace them with trees of a similar size and species. (C30BB)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of the area, and to improve its contribution to biodiversity and the local environment. This is as set out in S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R30BC)

- 28 **Pre Commencement Condition.** You must apply to us for approval of a method statement explaining the measures you will take to protect the trees on and close to the site. You must not start any demolition, site clearance or building work in relation to House 1 and 3 and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. You must then carry out the work according to the approved details.

Reason:

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

- 29 The lightwells to House 1 and 3 must remain open and be retained as lightwells at all times.

Reason:

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

- 30 You must provide the communal roof terrace atop House 2 prior to the occupation of the House 2. The communal terrace must remain accessible to everyone within William Court and retained as such thereafter.

Reason:

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

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)
- 3 Condition 28 requires you to submit a method statement for works to a tree(s). The method statement must be prepared by an arboricultural consultant (tree and shrub) who is registered with the Arboricultural Association, or who has the level of qualifications or experience (or both) needed to be registered. It must include details of:
 - * the order of work on the site, including demolition, site clearance and building work;
 - * who will be responsible for protecting the trees on the site;
 - * plans for inspecting and supervising the tree protection, and how you will report and solve problems;
 - * how you will deal with accidents and emergencies involving trees;
 - * planned tree surgery;
 - * how you will protect trees, including where the protective fencing and temporary ground protection will be, and how you will maintain that fencing and protection throughout the

development;

- * how you will remove existing surfacing, and how any soil stripping will be carried out;
- * how any temporary surfaces will be laid and removed;
- * the surfacing of any temporary access for construction traffic;
- * the position and depth of any trenches for services, pipelines or drains, and how they will be dug;
- * site facilities, and storage areas for materials, structures, machinery, equipment or piles of soil and where cement or concrete will be mixed;
- * how machinery and equipment (such as excavators, cranes and their loads, concrete pumps and piling rigs) will enter, move on, work on and leave the site;
- * the place for any bonfires (if necessary);
- * any planned raising or lowering of existing ground levels; and
- * how any roots cut during the work will be treated.

- 4 The tree removal and tree pruning work recommended in the tree report is not always necessary to carry out the construction work although some are close to the building and pile locations. Therefore, it is not approved as part of this planning consent and if you wish to prune or remove any trees you must submit a Section 211 notification for works to trees within a conservation area (as described in the tree report) or obtain consent to work on a protected tree (if included in a Tree Preservation Order).
- 5 The trees within the rear gardens of Hamilton Terraces are within a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922.
- 6 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

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

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

Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (150AA)

- 7 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.
- 8 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.
- 9 Our Environmental Health officers advise that, although it is not possible to be certain from your submitted plans, the scheme may not provide sufficient natural light into and a reasonable view from the main habitable rooms. You are recommended to refer to the Housing Health and Safety Rating System - Housing Act 2004 guidance to obtain full details about the requirement for natural lighting and reasonable view. The dwelling may therefore be considered for action under the Housing Act 2004 by our Residential Environmental Health team. In those circumstances, that team would have the power to require works to improve natural light and the view to the affected rooms (which may require planning permission) or alternatively, where this is not practicable, to prohibit the use of those rooms. For further advice, please contact:
- Residential Environmental Health Team
4th Floor East, Westminster City Hall
64 Victoria Street
London SW1E 6QP
Website www.westminster.gov.uk
Email res@westminster.gov.uk
Tel : 020 7641 3003 Fax : 020 7641 8504
- 10 The sound insulation in each new unit of a residential conversion should meet the standards set out in the current Building Regulations Part E and associated approved documents. Please contact our District Surveyors' Services if you need more advice. (Phone 020 7641 7240 or 020 7641 7230). (I58AA)

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.