

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 11 April 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Lancaster Gate	
Subject of Report	Hyde Park Towers, 1 Porchester Terrace, London, W2 4DB,		
Proposal	Erection of an additional floor at ninth floor level to create a penthouse flat (two bedroom unit).		
Agent	Mr James Huish		
On behalf of	Tyrecard Limited		
Registered Number	16/10627/FULL	Date amended/ completed	2 December 2016
Date Application Received	7 November 2016		
Historic Building Grade	Unlisted		
Conservation Area	Bayswater		

1. RECOMMENDATION

Grant conditional permission

2. SUMMARY

The application site comprises a substantial late 1970s brick built apartment block of ground plus 3-8 storeys of a stepped or 'ziggurat' form. The building is situated within the Bayswater Conservation Area and fronts onto Bayswater Road and Kensington Gardens. A number of objections have been raised by the occupiers of neighbouring properties on a range of grounds including design, amenity and parking.

Permission is sought for the erection of an additional floor at ninth floor level to the building to provide a 2-bedroom penthouse flat.

The key issues in this case are:

- The impact of the proposal on the character and appearance of the Bayswater Conservation Area;
- The impact of the proposal on the amenity of neighbouring residents;
- Quality of proposed new residential accommodation; and
- Impact on parking.

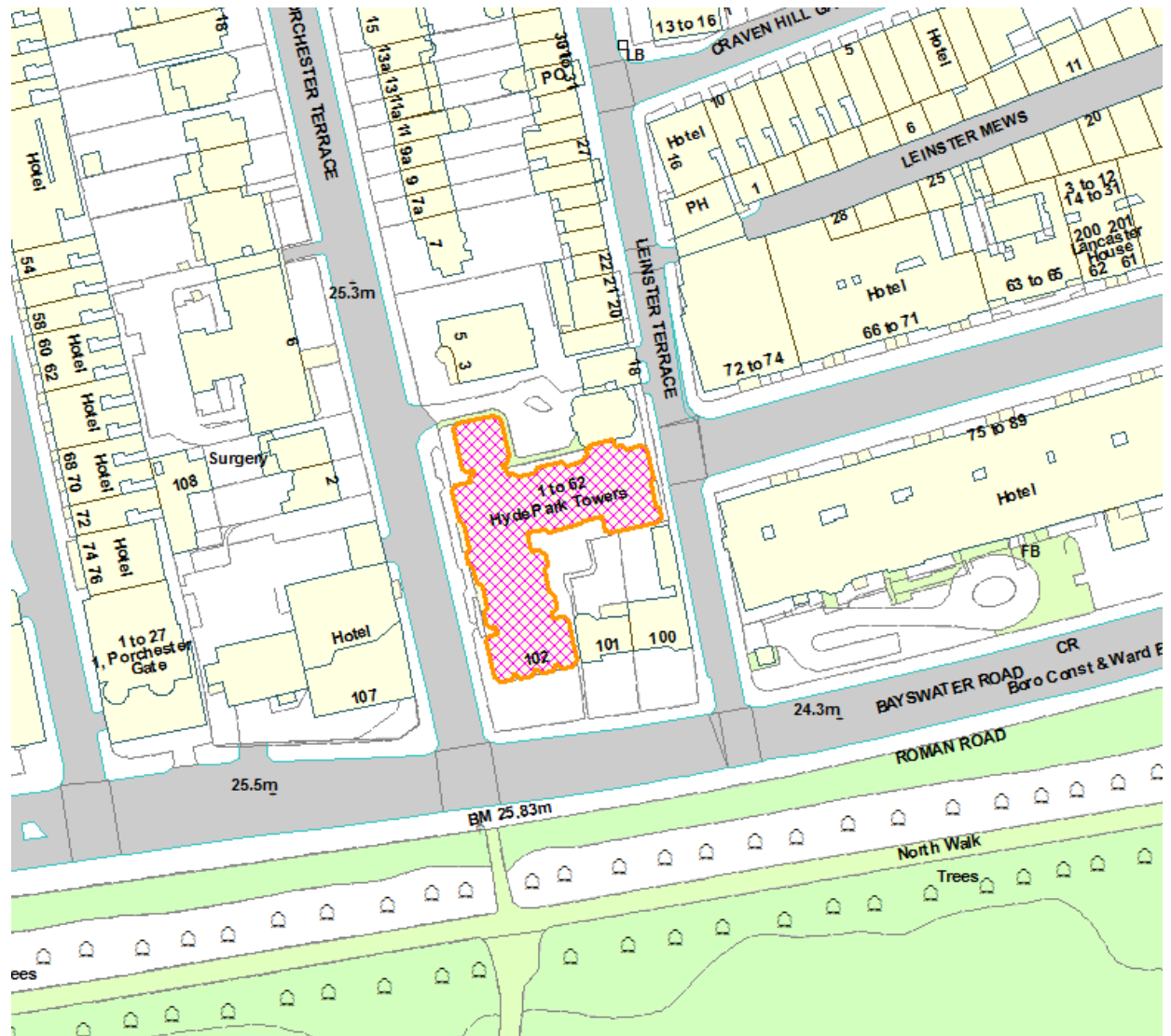
The proposed development is considered to comply with the relevant land use, design and amenity

Item No.

7

policies in the Unitary Development Plan (UDP). As such, it is recommended that permission is granted, subject to the conditions set on in the draft decision letter.

3. LOCATION PLAN



This production includes mapping data licensed from Ordnance Survey with the permission of the controller of Her Majesty's Stationary Office (C) Crown Copyright and/or database rights 2013. All rights reserved License Number LA 100019597

4. PHOTOGRAPHS



View from Lancaster Gate



Corner of Porchester Terrace/ Bayswater Road

5. CONSULTATIONS

WARD COUNCILLORS FOR LANCASTER GATE

Any response to be reported verbally

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

Object; although the design when viewed from the surrounding streets is not prominent, the key view is from Kensington Gardens. We consider it unreasonable for the other residents of the building to have the threat of this work hanging over them any longer. Continually renewing permissions without carrying them out should not be allowed. The area does not need another very large penthouse unit. We need a mix of large, medium and small flats to cater for a variety of accommodation needs.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 64

Total No. of replies: 4

No. of objections: 4

No. in support: 0

In summary, the objectors raise the following issues:

- Design inappropriate in context of surrounding streetscene.
- Inconsistent with designation of Bayswater Conservation Area.
- Adverse effect on views from surrounding area.
- Noise emanation due to close proximity to neighbours
- Noise and disruption from building work.
- Unnecessary development.

PRESS ADVERTISEMENT /SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site comprises a substantial late 1970s brick built apartment block of ground plus 3-8 storeys of a stepped or 'ziggurat' form. The building is situated within the Bayswater Conservation Area and fronts onto Bayswater Road and Kensington Gardens, from which it can be clearly seen forming part of the skyline to the north of the park.

6.2 Recent Relevant History

14/01721/FULL

Erection of additional floor at ninth floor level to create a penthouse flat.

Application Permitted 4 June 2014

11/01631/FULL

Extension of time for the commencement of development granted planning permission on 24 April 2008 (extant permission: RN: 07/10286) namely, for erection of additional floor at ninth floor level to create a 1x2 bedroom penthouse flat at main roof level.

Application Permitted 15 April 2014

07/10286/FULL

Erection of additional floor at ninth floor level to create a 1x2 bedroom penthouse flat at main roof level.

Application Permitted 24 April 2008

05/02677/FULL

Erection of a penthouse flat on the roof of existing building at ninth floor level.

Application Refused 11 October 2005

99/06551/FULL

Erection of a penthouse flat on the roof of the existing building at ninth floor level.

Application Permitted 20 January.2000

7. THE PROPOSAL

Permission is sought for the erection of a roof extension on the existing flat roof of the building at ninth floor level to create a 2 bed penthouse apartment. The proposed flat would have a floor area of 234m² and would be similar in scale and detailed design to the previously approved scheme (see ref: 14/01721/FULL) which has yet to be implemented. The plans for the current application are the same as those approved in 2014.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Policy S14 of the City Plan and Policy H3 of the UDP seek to encourage the provision of more residential floorspace, including the creation of new residential units. Accordingly, the proposed additional residential unit on this site is supported in land use term.

In terms of the quality of the internal space for occupants, the flat will exceed the internal space standards of the London Plan and the Government's Technical Housing Standards (March 2015). As such the residential accommodation provided would be of an acceptable standard. Whilst the flat that would be created would be large, it is of similar size to that previously approved in this location in 2014. The provision of a single flat is acceptable and would be consistent with policy S14 of the City Plan and policy H3 of the UDP.

8.2 Townscape and Design

Objections have been received to the design of the proposed extension and its impact on the Bayswater Conservation Area.

Planning permission for the same extension was granted in 2008 and that permission was extended in 2011. A subsequent application for the same extension was approved in 2014. This current application follows the 2008, 2011 and 2014 approvals in design terms.

The original plans submitted for the current application made reference to a proposed green roof and photovoltaic panels, which were not clearly shown. Revised plans show that a green roof is not proposed, but photovoltaic panels are proposed to the roof. This is the same design that had previously been approved under planning application reference 14/01721/FULL.

The height and footprint of the extension follow those of the previous approvals. The elevational treatment reflects the architecture of the existing building with brickwork used as the principal facing material and window size and arrangement generally reflecting the elevations below. The proposed extension, although it will be visible from street level in views along Porchester Terrace, Leinster Terrace, Bayswater Road and from Kensington Gardens, is not considered to have a detrimental impact on those views. The building is flanked to either side on Bayswater Road by existing buildings of greater height. The hotel at No.107 Bayswater Road to the west is two storeys higher and the terrace at Lancaster Gate to the east one to two storeys higher. The principle of an extension to Hyde Park Towers is therefore considered difficult to resist in terms of its relationship with the established roof line of Bayswater Road, as with the previous approval.

Although the buildings to the rear on Porchester Terrace and Leinster Terrace are considerably smaller in scale than those to the Bayswater Road frontage, the existing disparity of heights between these residential properties and Hyde Park Towers is such that the addition of a further storey to the latter could be considered to have a minimal impact on the established relationship of scale. Hyde Park Towers and the adjoining tall buildings at No.107 Bayswater Road and Lancaster Gate already dominate views along these two roads and would continue to do so.

There are some existing satellite dishes and flues to roof level which are to be relocated to accommodate the extension which is considered acceptable in principle. The proposal includes solar photovoltaic on the roof. These are low profile and acceptable.

The proposed extension is therefore considered to preserve the character and appearance of the Bayswater Conservation Area and the setting of and views from the Royal Parks Conservation Area, and is considered acceptable in design terms. The scheme would accord with DES1, DES6 and DES9 in the UDP and S25 and S28 in the City Plan.

8.3 Residential Amenity

The previously approved schemes were not considered to have a material impact on the amenities of neighbouring properties, subject to the inclusion of conditions to prevent the use of the external roof of the extension as a terrace for sitting out on, and submission of details of sound insulation to prevent noise nuisance to existing and future occupiers.

The applicant has undertaken a Daylight and Sunlight Assessment in support of the current application to assess the daylight, sunlight and overshadowing impacts on a

number of properties and open space in the vicinity of the application site. The properties assessed include: 2, 3, 4, 5, 6 and 7 Porchester Terrace; 19 Leinster Terrace; 72, 74 and 75 Lancaster Gate; 100 and 101 Bayswater Road; windows on Hyde Park Towers facing the proposed development; and 107 Bayswater Road (Thistle Hotel). The report is based on the BRE Guidance: Site Layout Planning for daylight and sunlight (2011) and concludes that the proposed development is not expected to cause any significant negative impact to daylight and sunlight access for surrounding properties and amenity spaces. Following comprehensive review of this report, officers are satisfied that the proposed roof extension would not result in unacceptable loss of light to the occupiers of neighbouring properties nor would it unacceptably overshadow neighbouring gardens.

In light of the submitted daylight and sunlight report and given that previous schemes were not considered to be detrimental to neighbouring amenity, it is not considered that permission could be withheld on amenity grounds. However, this is subject to the same conditions being imposed as on 2008, 2011 and 2014 permissions, to ensure that the roof of the extension is not used for sitting out to prevent direct overlooking towards terraces and windows of flats below, and adequate sound insulation, to prevent noise nuisance to existing and future occupiers of the building.

As previously, the scheme does not include the installation of any external mechanical plant. However, an informative is recommended to advise the applicant that no external mechanical plant is approved as part of this application.

Overall, the proposal would be consistent with policy S29 of the City Plan and policy ENV 13 of the UDP.

8.4 Transportation/Parking

As with the previously approved schemes, the proposed scheme will provide one dedicated parking space within the basement car park of the apartment block with lift access provided. As per the previous applications, the exact location of the parking space is not identified in the application and therefore a condition is recommended to secure details of the parking provision and to require it to be provided prior to the occupation of the flat. Subject to this condition the scheme complies with policy TRANS 23 of the UDP.

8.5 Economic Considerations

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

8.6 Access

Access to the site will remain the same as the current situation. There is to be lift access to the ninth floor level where the proposed new residential unit is proposed. This access arrangement is considered to be acceptable.

8.7 Other UDP/Westminster Policy Considerations

None

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

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

8.10 Planning Obligations

Planning obligations are not relevant in the determination of this application. However, the application is CIL liable. The estimated Mayoral CIL payment would be £15,110 and the estimated WCC CIL would be £99,471.59. This is subject to any relief or exemptions that may be applicable.

8.11 Environmental Impact Assessment

The development is of insufficient scale to require the submission of an Environmental Impact Assessment.

8.12 Other Issues

Objectors note the succession of unimplemented permissions for this project since 2008 and consider continued applications unreasonable. However, this is not a material planning consideration and refusal of permission on this basis would be unsustainable.

The proposal if implemented is likely to result in noise and other associated disturbance due to construction works. This is part of any such development and permission cannot be withheld on this basis. A condition is recommended to limit construction hours. Informatives advising the applicants that they may join the Considerate Contractor's Scheme as well as providing details of the Council's 24 Hour Noise Team are also recommended.

9. BACKGROUND PAPERS

1. Application form
2. Response from South East Bayswater Residents Association, dated 22 December 2016
3. Letter from occupier of International House , 1 St Katharine's Way , dated 25 November 2016
4. Letter from occupier of 59 Hyde Park Tower, 1 Porchester Terrace , dated 28 November 2016
5. Letter from occupier of Nuffield House, 41-46 Piccadilly, dated 13 December 2016
6. Letter from occupier of Aldgate Tower, 2 Leman Street, dated 18 December 2016

(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


Item No.

7

10. KEY DRAWINGS

Existing North Elevation



<p>Ensuring not to be scaled. All dimensions to be verified on site before commencing work. Any discrepancies to be reported to programme. Make changes in consultation with relevant information. All building work to comply with current Building Regulations and British Standards.</p>	 <p>ROGER KEUSCH architecture&design</p> <p>52d Lyford Road, London, SW18 3LS E: info@keusch.co.uk T: 07971 868840</p>	<table border="1"> <thead> <tr> <th>REV.</th> <th>DATE</th> <th>COMMENTS</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>01/10/20</td> <td>Elevation initial approved top floor Penthouse</td> </tr> </tbody> </table>	REV.	DATE	COMMENTS	A	01/10/20	Elevation initial approved top floor Penthouse	<p>Hyde Park Towers EXISTING NORTH ELEVATION (- Approved Penthouse) Scale 1:200 @ A3 118/PL/027 A</p>
REV.	DATE	COMMENTS							
A	01/10/20	Elevation initial approved top floor Penthouse							

Proposed North Elevation



Notes

1. To be set out off the drawing.
2. Dimensions are to be checked on site during construction.
3. The drawings are to be used to guide the construction of the building and are not to be used as a substitute for the building contract documents.

REVISIONS

NO.	DESCRIPTION	DATE
1	Issue for construction	01/10/20
2	Issue for construction	01/10/20
3	Issue for construction	01/10/20
4	Issue for construction	01/10/20
5	Issue for construction	01/10/20
6	Issue for construction	01/10/20

PROJECT TITLE: PLANNING_APPLICATION

PROJECT NO: RGC_PARK_TOWERS

DRAWING NO: PROPOSAL_NORTH_ELEVATION

NO.	DATE	BY	CHECKED	SCALE	APP.
1	10/06/20	10/06/20	10/06/20	1:200	10/06/20

RTJM

ROGER KEUSCH ARCHITECTURE & DESIGN
52d Lyford Road, London, SW18 3LS
T: +44 (0)20 87 81 1111
E: info@keusch.co.uk
www.keusch.co.uk

118/PL/027 A

Existing South Elevation



Drawing not to be scaled. All dimensions to be verified on site before commencing work. Any discrepancies to be reported to designers. Read drawings in conjunction with relevant information. All building work is to comply with current Building Regulations and British Standards.

ROGER KEUSCH
architecture&design
52d Lyford Road, London, SW18 3LS
E: info@keusch.co.uk
T: 07971 868840

REV	DATE	COMMENTS
A	01/12/09	Elevation minus approved top floor Penthouse

Hyde Park Towers
South Elevation
Existing (- Approved Penthouse)
Scale 1:200 @ A3
118/PL/030 A

Proposed South Elevation



- 1. Existing elevation
- 2. Proposed elevation
- 3. Proposed elevation with approved penthouse
- 4. Proposed elevation with approved penthouse and balcony
- 5. Proposed elevation with approved penthouse and balcony and roof terrace
- 6. Proposed elevation with approved penthouse and balcony and roof terrace and roof garden
- 7. Proposed elevation with approved penthouse and balcony and roof terrace and roof garden and roof terrace
- 8. Proposed elevation with approved penthouse and balcony and roof terrace and roof garden and roof terrace and roof terrace
- 9. Proposed elevation with approved penthouse and balcony and roof terrace and roof garden and roof terrace and roof terrace and roof terrace
- 10. Proposed elevation with approved penthouse and balcony and roof terrace and roof garden and roof terrace and roof terrace and roof terrace and roof terrace

No.	Description	Date	Author
1	PROPOSED SOUTH ELEVATION	11/02/14	JPP
2	PROPOSED SOUTH ELEVATION	11/02/14	JPP
3	PROPOSED SOUTH ELEVATION	11/02/14	JPP
4	PROPOSED SOUTH ELEVATION	11/02/14	JPP
5	PROPOSED SOUTH ELEVATION	11/02/14	JPP
6	PROPOSED SOUTH ELEVATION	11/02/14	JPP
7	PROPOSED SOUTH ELEVATION	11/02/14	JPP
8	PROPOSED SOUTH ELEVATION	11/02/14	JPP
9	PROPOSED SOUTH ELEVATION	11/02/14	JPP
10	PROPOSED SOUTH ELEVATION	11/02/14	JPP

PLANNING APPLICATION

PROJ: HYDE_PARK_TOWERS

DATE: 11/02/14

SCALE: 1:200

11/02/14 11/02/14 JPP



Existing West Elevation



Drawing not to be scaled. All dimensions to be verified on site before construction starts. Any discrepancies to be reported to programme. Please drawing if construction site visit with Regulations and British Standards.

ROGER KEUSCH
architecture&design
52d Lyford Road, London, SW18 3LS
E: info@keusch.co.uk
T: 07971 868840

REV	DATE	COMMENTS
A	01/12/09	Elevation revised approved by Four Penthouse

Hyde Park Tower
EXISTING
WEST ELEVATION (- Approved Penthouse)
Scale 1:200 @ A3
118/PL/028 A

Proposed West Elevation



- 1. Existing elevation
- 2. New elevation to match existing in level
- 3. New elevation to match existing in level
- 4. New elevation to match existing in level
- 5. New elevation to match existing in level
- 6. New elevation to match existing in level
- 7. New elevation to match existing in level
- 8. New elevation to match existing in level
- 9. New elevation to match existing in level
- 10. New elevation to match existing in level

Rev	Date	Description	By	App
1	01/12/09	Existing elevation	AK	
2	01/12/09	New elevation to match existing in level	AK	
3	01/12/09	New elevation to match existing in level	AK	
4	01/12/09	New elevation to match existing in level	AK	
5	01/12/09	New elevation to match existing in level	AK	
6	01/12/09	New elevation to match existing in level	AK	
7	01/12/09	New elevation to match existing in level	AK	
8	01/12/09	New elevation to match existing in level	AK	
9	01/12/09	New elevation to match existing in level	AK	
10	01/12/09	New elevation to match existing in level	AK	

Project No: 118/PL/028 A
Drawing Title: PROPOSED ELEVATION TO PROPOSED PENTHOUSE WEST

11/02/14
RTM
Rogier van der Meulen
144-0202 807 0110
100-00-0000
London E12 6JG
020-899-0000
www.rtm.nl

Existing East Elevation



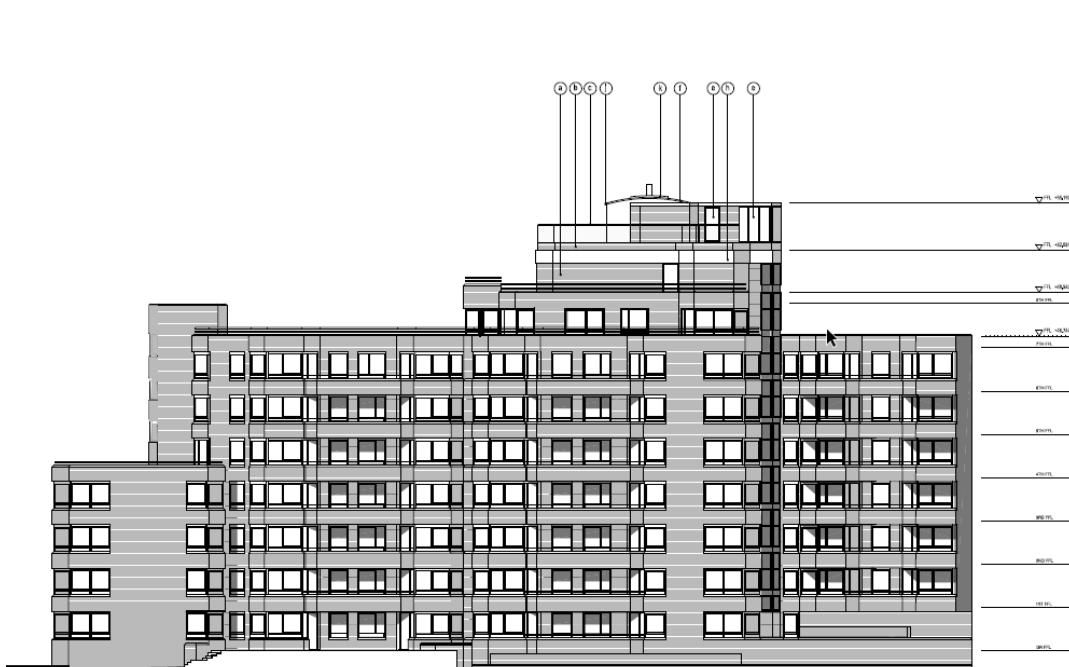
Drawing not to be scaled. All dimensions to be verified on site before commencing work. Any discrepancies to be reported to designers. Read drawings in conjunction with relevant information. All building work is to comply with current Building Regulations and British Standards.

ROGER KEUSCH
architecture&design
52d Lyford Road, London, SW18 3LS
E: info@keusch.co.uk
T: 07971 868840

REV	DATE	COMMENTS
A	01/12/09	Elevation initial approved top floor Penthouse

Hyde Park Towers
EXISTING
EAST ELEVATION (- Approved Plenthouse)
Scale 1:200 @ A3
118/PL/029 A

Proposed East Elevation



1. For details to each window to show
2. For details of all other window
3. For details of all other window
4. For details of all other window
5. For details of all other window
6. For details of all other window
7. For details of all other window
8. For details of all other window
9. For details of all other window
10. For details of all other window

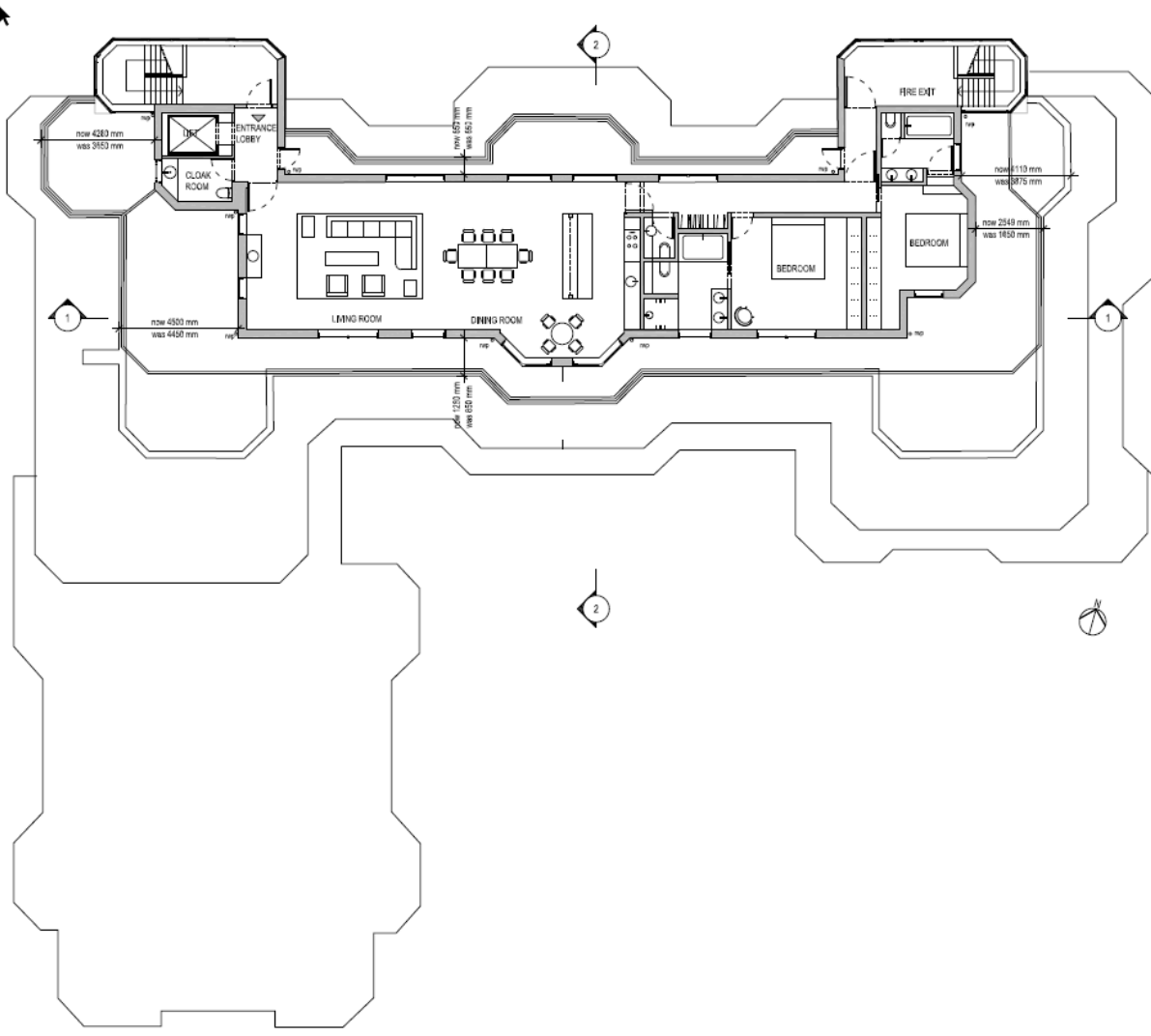
No.	Date	Description	By	Checked
1	11/02/14	PLANNING APPLICATION	AS	
2	11/02/14	PLANNING APPLICATION	AS	
3	11/02/14	PLANNING APPLICATION	AS	
4	11/02/14	PLANNING APPLICATION	AS	
5	11/02/14	PLANNING APPLICATION	AS	
6	11/02/14	PLANNING APPLICATION	AS	
7	11/02/14	PLANNING APPLICATION	AS	
8	11/02/14	PLANNING APPLICATION	AS	
9	11/02/14	PLANNING APPLICATION	AS	
10	11/02/14	PLANNING APPLICATION	AS	

Project No: HYDE_PARK_TOWERS
Project Title: PROPOSED ELEVATION TO LINGERED TOWERS EAST

Scale: 1:200 Date: 11/02/14 By: AS Checked: AS

PTJM

Proposed 9th floor plan



DRAFT DECISION LETTER

Address: Hyde Park Towers, 1 Porchester Terrace, London, W2 4DB,

Proposal: Erection of an additional floor at ninth floor level to create a penthouse flat (two bedroom unit).

Reference: 16/10627/FULL

Plan Nos: Site Plan; 118/PL/026.A; 118/PL/027 A; 118/PL/028 A; 118/PL/029 A; 118/PL/030 A; TP/PROP/20 Rev E; TP/PROP/21 Rev F; TP/PROP/22 Rev F; TP/PROP/23 Rev F; TP/PROP/ 24 Rev F; TP/PROP/25 Rev F; TP/PROP/26 Rev G

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

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

Reason:

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

- 4 You must apply to us for approval of a sample of the zinc you will use for the roof of the penthouse structure. You must not start work until we have approved what you have sent us. You must then carry out the work using the approved materials

Reason:

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

- 5 The new sections of facing brickwork to the elevations of the extension hereby approved must match the existing original work to the main elevations below in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings.

Reason:

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

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

Reason:

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

- 7 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace.

Reason:

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

2007. (R26BE)

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

Reason:

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

- 9 A plan of the basement, showing the location and dimensions of the proposed one car parking space provided for the residential flat hereby approved shall be submitted to and approved in writing by the City Council before any work commences on site. This space shall be provided prior to occupation of the flat hereby approved and must be retained permanently for the accommodation of vehicles of the occupiers of the residential flat hereby approved.

Reason:

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

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

Reason:

To protect the privacy and environment of people in neighbouring properties. 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)

- 11 **Pre Commencement Condition.** You must apply to us for approval of details of how the flats will be insulated to reduce noise passing between them. You must not start work until we have approved what you have sent us. You must then carry out the work according to the approved details before anyone moves into the flats. (C13FB)

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13FB)

- 12 You must apply to us for approval of plans/sections/elevations/manufacturers specification for the relocation of satellite dishes and flues currently at main roof level on the location of the proposed penthouse extension. 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/information. (C26DB)

Reason:

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

- 13 You must provide the following environmental sustainability features (environmentally friendly features) before you start to use any part of the development, as set out in your application.

Photovoltaic panels at roof level

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

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan (November 2016). (R44AC)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You are 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.
- 3 You are advised that it is an expectation that any existing flues affected by the extension proposed should be routed through the extension and should not be routed up its external elevations.
- 4 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)

- 5 You are advised that this application does not permit any external mechanical plant. If any is required in connection with the development hereby approved it will require the benefit of further planning permission.
- 6 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.

Item No.

7
