

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 25 April 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Little Venice	
Subject of Report	283 - 329 Edgware Road and 5 Newcastle Place, London, W2 1DH		
Proposal	Variation of Condition 1 of the planning permission granted 27 January 2017 (ref: 16/07226/FULL) for a redevelopment to provide buildings of between ground + 6 and ground + 29 storeys including commercial space (Class A1, A2, A3, A4 and B1), up to 672 residential units (including 130 affordable housing units), landscaping and associated car and cycle parking. NAMELY, amendment to the façade of Block A, and ground floor arrangement of Block A including residential drop off and ancillary residential uses, with associated amendment to landscaping plan.		
Agent	Turley		
On behalf of	Berkeley Homes (Central London) Ltd		
Registered Number	16/12162/FULL	Date amended/ completed	27 January 2017
Date Application Received	21 December 2016		
Historic Building Grade	Unlisted (Listed buildings on adjacent sites at 17-18 Paddington Green, the Children's Hospital and St. Mary's Church)		
Conservation Area	Paddington Green (part of site only)		

1. RECOMMENDATION

1. Grant conditional permission, subject to a deed of variation to the section 106 agreement for application ref: 16/07226/FULL to secure:
 - a) Provision of 130 affordable units on-site comprising 51 intermediate units and 79 social rented units. The affordable units to be provided at the affordability levels set out in the Head of Affordable and Private Sector Housing memorandum dated 14 March 2016;
 - b) Provision of a financial contribution of £631,000 (index linked) toward the provision of school places directed related to the occupancy of this development;
 - c) Provision of a financial contribution of £863,630 (index linked) for the St Mary's Church and Churchyard Project, The Cockpit Theatre, Greenhouse Sport, Hall Park Estate Play Area and a new Community Pitch at Paddington Green School;
 - d) Provision of a financial contribution of £100,000 (index linked) toward improvements to Paddington Green;

- e) Provision of a financial contribution of £18,000 (index linked) toward bus stop improvements around the application site;
- f) Provision of a financial contribution of £200,000 (index linked) towards an additional cycle hire docking station or enlargement of an existing docking station within the vicinity of the site;
- g) Payment of the cost of highway works associated with the development on Newcastle Place, Paddington Green and Church Street and Edgware Road;
- h) Provision of a financial contribution of £200,000 (index linked) toward possible road widening to be undertaken by TFL on Edgware Road;
- i) Provision of lifetime car club membership (25 years) for each residential unit in the development;
- j) Provision of on-site parking on an unallocated basis (i.e. not sold or let with a particular flat);
- k) Compliance with the Council's Code of Construction Practice and a contribution of £20,000 per annum during the period of construction towards the Environmental Inspectorate and Environmental Sciences to allow for monitoring during construction;
- l) Provision of a financial contribution of £1,100,000 (index linked) toward public art associated with the development site and its maintenance;
- m) Developer undertaking to use best endeavours to negotiate a connection and supply agreement with the Church Street District Heating Scheme (CSDHS). In the event that the, CSDHS does not go ahead, installation of CHP plant on-site;
- n) Offering local employment opportunities during construction; and
- o) Payment of cost of monitoring the agreement (£15,000).

2. If the S106 legal agreement has not been completed within six weeks of the date of the Committee resolution, then:

- a) The Director of Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorised to determine and issue the decision under Delegated Powers; however, if not;
- b) The Director of Planning shall consider whether the permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which would have been secured; if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2. SUMMARY

The application site is located on the south west side of Edgware Road, north west of the main junction at Harrow Road and Marylebone Road. The site is located within the CAZ, the Edgware Road Housing Zone and is a Strategic Proposals Site within NWEDA. An area roughly corresponding to the south western half of the site is located within the Paddington Green Conservation Area. The remaining half of the site is not within a conservation area. The Edgware Road frontage is located within the Core Frontage of the Church Street/Edgware Road District Shopping Centre. The application site is also located within the Paddington and Lilestone Villages Archaeological Priority Area.

The applicant proposes the following amendments to the development approved under application ref: 16/07226/FULL. The following amendments are proposed:

- Revision to the façade material on Block A (30 Storey Tower). The consented tower is clad primarily in red brick and the applicant proposes cladding it in a light coloured stone with a pinstripe of bronze;
- Revision to the ground floor layout of Block A the applicant proposes removing the consented porte-cochere on the Newcastle Place or southern elevation. This would be replaced with a vehicle drop off point on the northern side of the tower, facing the communal garden area;
- Reconfiguration of the ground floor of Block A and addition of a residents only cinema; and
- The addition of further soft landscaping on the Newcastle Place elevation following removal of the port-cochere.

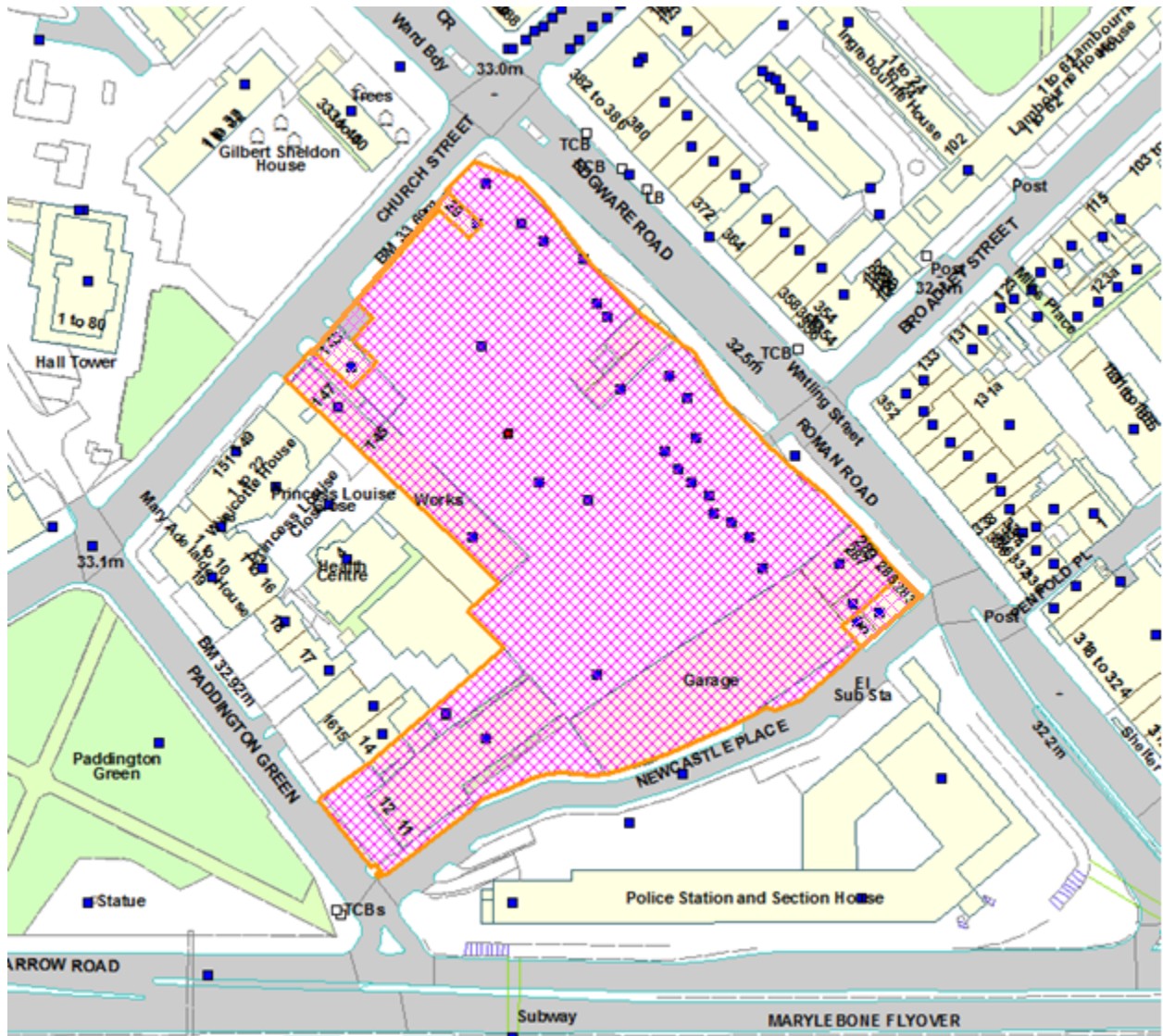
The key issues are:

- Impact of the façade changes on the character and appearance of the consented tower, the setting of adjacent heritage assets and views; and
- Impact on parking and highways from the amended drop-off location.

Objections have been received to the development, primarily to the height and bulk of the approved tower.

The proposals are considered to accord with City Council policies within the City Plan and Unitary Development Plan (UDP). The amendments would also result in a development that's scale and nature is not substantially different from the one which has been approved. Accordingly, it is recommended that conditional permission is granted subject to a Deed of Variation to the original legal agreement.

3. LOCATION PLAN



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4. PHOTOGRAPHS



View of application site from Church Street/Edgware Road junction.



View of application site at Church Street/Newcastle Place junction

5. CONSULTATIONS

GREATER LONDON AUTHORITY

Advise that the amendment does not give rise to any further strategic planning issues and direct the Council to determine the application without further reference to the GLA.

LITTLE VENICE WARD COUNCILLORS

Any response to be reported verbally.

CHURCH STREET WARD COUNCILLORS

Any response to be reported verbally.

HYDE PARK WARD COUNCILLORS

Any response to be reported verbally.

BAYSWATER RESIDENTS ASSOCIATION

No response received.

HYDE PARK ESTATE ASSOCIATION

No response received.

SECRETARY OF STATE FOR COMMUNITIES AND LOCAL GOVERNMENT

No response received.

HISTORIC ENGLAND

This application should be determined in accordance with national and local policy guidance and on the basis of the City Council's specialist conservation advice.

HISTORIC ENGLAND (ARCHAEOLOGY)

The proposed amendments would have no further archaeological impact and no further conditions are necessary in regards to this application.

ENVIRONMENT AGENCY

No response received

LONDON UNDERGROUND LIMITED

Advise that they have no comment to make on this application.

TRANSPORT FOR LONDON

Advise that they have no objections to the proposal.

NATURAL ENGLAND

Advise that they have no comment to make on this application.

SPORT ENGLAND

Advise that they do not consider it necessary to be consulted on this application.

THAMES WATER

No response received.

NATIONAL HEALTH SERVICE

No response received.

METROPOLITAN POLICE SERVICE

No response received.

PADDINGTON WATERWAYS AND MAIDA VALE SOCIETY

Objection , the consented materials link the scheme with its surroundings , the change of materials accentuates the height of the tower and it is alien to the conservation area.

NOTTING HILL EAST NEIGHBOURHOOD FORUM

Object. How can you have a planning system in a democracy where on the one hand 29 storeys are accorded to one, whilst another 'one' living within a mile of this seemingly may not double glaze a sash window or build beyond three and half floors?

NORTH PADDINGTON SOCIETY

No response received.

PADDINGTON RESIDENTS' ACTIVE CONCERN ON TRANSPORT (PRACT)

No response received.

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

No response received.

MARYLEBONE ASSOCIATION

No response received.

THE ST MARYLEBONE SOCIETY

Defer to the City Council.

ST JOHN'S WOOD SOCIETY

Advise that they have no comment to make.

LONDON FIRE AND EMERGENCY PLANNING AUTHORITY (LFEP)

No response received.

PADDINGTON BUSINESS IMPROVEMENT DISTRICT

No response received.

CHURCH STREET LOCAL AREA RENEWAL PARTNERSHIP

No response received.

BUILDING CONTROL

Advise that they have no adverse comments.

WASTE PROJECT OFFICER

Object .

CHILDREN'S SERVICES

No response received.

CITYWEST HOMES

No response received.

PLANNING POLICY

No response received.

HIGHWAYS PLANNING MANAGER

No objection to moving of drop-off point. Objects to new servicing bay and has asked for it to be omitted.

AFFORDABLE HOUSING SUPPLY MANAGER

No response received.

ARBORICULTURAL MANAGER

No objection to the amendment in principle. Landscaping conditions should be re-imposed.

ADULT & COMMUNITY SERVICES

Any response to be reported verbally.

ENVIRONMENTAL HEALTH OFFICER

No response received.

WCC PARKS TEAM

Advise that they have no concerns with the proposal.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 5721

Total No. of replies: 2

No. of objections: 1

No. in support: 1

In summary, the objector raises the following issues:

- The area is over urbanised;
- The height of the building will affect neighbours amenities such as daylight, sunlight, privacy and noise;
- The number of residential units will negatively impact traffic, road access, parking and servicing; and
- Bulk and height of the development.

In summary, the supporter raises the following issues:

- Regeneration in area is needed; and
- Query whether the developer will have any initiatives for working with the existing

business community

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is located on the south west side of Edgware Road, north west of the main junction at Harrow Road and Marylebone Road. It is largely vacant and is surrounded by a recently erected hoarding.

The entire site is located within the Central Activities Zone (CAZ) and the North Westminster Economic Development Area (NWEDA). Within NWEDA, the application site is a Strategic Proposals Site as its development would contribute significantly to the City Council's strategic housing targets.

An area roughly corresponding to the south western half of the site is located within the Paddington Green Conservation Area. The remaining half of the site is not within a conservation area. The Edgware Road frontage is located within the Core Frontage of the Church Street/Edgware Road District Shopping Centre. The application site is also located within the Paddington and Lilestone Villages Archaeological Priority Area.

The Paddington Opportunity Area (POA) is located to the south of the application site, on the southern side of the Westway. Several heritage assets are also located in the area surrounding the site. The Grade 2 listed Paddington Green Children's Hospital is located on the corner of Church Street and Paddington Green; two Grade 2 listed Georgian houses are located at 17 and 18 Paddington Green; and the Grade 2 star listed St Mary's Church to the west.

The application site is also located within the Edgware Road Housing Zone.

6.2 Recent Relevant History

15/11677/FULL

Redevelopment to provide buildings of between ground + 6 and ground + 29 storeys including commercial space (Class A1, A2, A3, A4 and B1), up to 652 residential units (including 126 affordable housing units), landscaping and associated car and cycle parking. This application is accompanied by an Environmental Impact Assessment (EIA).

Application Permitted 28 April 2016

16/06543/APAD

Notification of proposed demolition of 283 Edgware Road (prior approval under Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)).

Application Permitted 5 August 2016

16/08442/NMA

Amendments to planning permission dated 28 April 2016 (RN: 15/11677) for

redevelopment to provide buildings of between ground + 6 and ground + 29 storeys including commercial space (Class A1, A2, A3, A4, and B1), up to 652 residential units (including 126 affordable housing units), landscaping and associated car and cycle parking. Namely, internal alterations to all floors of Blocks and C. Amendments proposed to the unit mix on floors 1-10 of Block A at ground floor of Block C and all floors of Blocks G and H. Amendment to include an additional bay of private residential balconies on floors 1-10 of the south facing elevation of Block A. Reduction in the footprint of Block C.

Application Permitted 4 October 2016

16/09486/ADV

Display of internally illuminated decorative hoarding around the site including the display of an internally illuminated digital LED advertisement unit on the Edgware Road elevation and decorative advertising mesh over work cabin within site.

Application Permitted 8 November 2017

16/07226/FULL

Variation of Condition 1 of the planning permission granted 28 April 2016 (ref: 15/11677/FULL) for a redevelopment to provide buildings of between ground + 6 and ground + 29 storeys including commercial space (Class A1, A2, A3, A4 and B1), up to 652 residential units (including 126 affordable housing units), landscaping and associated car and cycle parking. NAMELY, incorporation of 283 Edgware Road into site, extension of Block B to provide 20 additional residential units (672 in total), with associated swap in housing tenure with Blocks E and F, associated amendments to permitted public realm and landscaping strategy.

Application Permitted 27 January 2017

17/02701/NMA

Amendments to planning permission dated 27 January 2017 (RN: 16/07226) for: Variation of Condition 1 of the planning permission granted 28 April 2016 (ref: 15/11677/FULL) for a redevelopment to provide buildings of between ground + 6 and ground + 29 storeys including commercial space (Class A1, A2, A3, A4 and B1), up to 652 residential units (including 126 affordable housing units), landscaping and associated car and cycle parking, namely incorporation of 283 Edgware Road into site, extension of Block B to provide 20 additional residential units (672 in total), with associated swap in housing tenure with Blocks E and F, associated amendments to permitted public realm and landscaping strategy. NAMELY optimization of consented internal residential layouts to all floors of Block B and to vary the wording of planning conditions 49 and 34.

Under Consideration

7. THE PROPOSAL

The applicant proposes the following amendments to the development permitted under application ref: 16/07226/FULL:

Revision to Façade Material on Block A

The applicant proposes amending the primary material used on the façades of Block A, which is the 30 storey tower located at the southern end of the site. The consented

tower is clad primarily in red brick. The applicant proposes cladding it in a light coloured stone with a pinstripe of bronze. The applicant seeks this change to differentiate the tower from the red brick mansion blocks on-site.

Revision to Ground Floor Layout of Block A

The applicant proposes removing the consented porte-cochere on the Newcastle Place or southern elevation. This would be replaced with a vehicle drop off point on the northern side of the tower, facing the communal garden area. This drop-off area would be covered by a projecting canopy. A small servicing bay would also be added to the Newcastle Place elevation.

Removal of the porte-cochere creates additional floorspace (103 sqm) and enables reconfiguration within the ground floor of Block A. The consented resident's gym would be relocated from the northern side to the Newcastle Place side of the tower. The consented residents lounge would be reconfigured and orientated toward the new drop off area on the northern side of the tower. A resident's cinema would also be introduced, adjacent to the new drop-off area.

Landscaping Changes

The applicant also proposed further soft landscaping on the Newcastle Place elevation following removal of the port-cochere.

8. DETAILED CONSIDERATIONS

8.1 Scope of Consideration

As an application pursuant to s73 of the Town and Country Planning Act 1990 (as amended), the City Council's consideration is limited only to the question of the conditions to which planning permission should be granted (s73(2)). Accordingly, only planning matters arising from the proposed amendments can be considered under this application. For the avoidance of doubt, the principle of the development and the height and/or bulk of Block A cannot be revisited.

8.2 Land Use

The ground floor area of Block A provides facilities ancillary to the residential flats within that block. To ensure that the new resident's cinema remains ancillary to the residential flats, a condition is recommended to prevent its use by the wider public. Accordingly, the proposal does not introduce any new uses to the site and is acceptable in land use terms.

8.3 Townscape and Design

Revision to Façade Material on Block A

The approved development allowed for the use of brickwork as the principal facing material for the fins which were the main vertical element in the design composition of

Block A. The fins were to be framed to each side in reconstituted stone. The fins at ground to third floor levels of Block A (representing the defined base to the composition) were to be faced in complete bricks to ensure a high quality finish in these more publically visible areas. Above that level allowance was given for the use of brick slips. The brickwork to all floor levels was to be arranged in complete and simply detailed straight sections between the reconstituted stone edges to the fins. This current application seeks to vary the facing materials for these vertical fins to Block A, and now seeks instead an arrangement whereby the fins will be faced in stone, with a bronze feature detail to the centre of each fin. The fins will be more heavily modelled than was the case in the scheme previously approved.

As set out in the original Committee report, in the closer to middle distance views of the tower, the form, materials and architectural detailing of the elevations will be important in helping to inform the quality of the building and its visual impact. In views from a longer distance the appreciation is largely restricted to the basic form and silhouette of the building, although colour of materials can also play some significant part in the visual appreciation from distance. The form and silhouette of the building do not change in this scheme from that previously approved, with the principal change relating to the cladding materials and detailing.

With regards to the impression from a longer distance, the tower will remain visible in a significant number of views from the surrounding areas as demonstrated in the AVR (Accurate Visual Representations) submission included with the original scheme. These views include Hyde Park, Regents Park, the summit of Primrose Hill (with reference to the London Panorama from this point included in the London View Management Framework) and a variety of conservation areas in the wider surrounding area. In these views the change from a principally darker brickwork cladding to a light stone cladding for the fins of Block A would be anticipated to be apparent.

In consideration of the appropriateness of the change to stone in so far as it impacts on the longer views of Block A, it is recognised that there are a number of existing higher buildings (though all lower than Block A) within the surrounding area. Around the junction of Edgware Road and Marylebone Road/Harrow Road are the London Hilton Metropole building, Burne House and Capital House, with other existing tower blocks of Hall and Braithwaite towers, the tower to Paddington Police Station and Parsons House beyond to this section of Edgware Road. Although darker brickwork infill panels are used to Hall and Braithwaite towers within light grey framing, the strong impression of these buildings generally is that they have a principally lighter grey or brighter tone to their colouring, and that brickwork is used as a facing material principally only for the lower level streetscape buildings in the wider area. As demonstrated in the view studies, Block A will be visible in the context of these buildings in numerous longer views including in views from north and south on Edgware Road, from Kensington Gardens (view 23) where the tonally light tower of the Royal Lancaster Hotel is also prominent, from Hyde Park (especially view 26) and from Primrose Hill and other views. The proposed use of stone cladding to Block A therefore will allow it to reflect the principal tonal character of the higher buildings in the area to a greater degree than would brickwork, and as a result it will sit more comfortably in context with these surrounding higher buildings. It is recognised that it will differ from the design approach of 1 Merchant Square. However this would be no more so than the approved brickwork facing would have done.

The use of stone will also give a more defined and crisper visual aesthetic to the appearance of the building, in contrast to the greater texture and variation of colour found in brickwork, and this greater definition and the emphasis given more to its form rather than an emphasis of the textural qualities of the elevations is considered appropriate for a building of such considerable visual presence. As a building of very considerable scale, and one visible in long views from a wide range of views, the use of stone giving a visual distinction to the building is considered appropriate. As a visual aesthetic, stone also gives a somewhat grander appearance than brickwork which is commonly associated with terraced houses and mansion blocks, and for a building of such considerable scale and visual presence the use of stone is again considered appropriate. Officers also consider that a lighter colour will allow Block A to appear slightly less prominent when seen against the sky in the longer views than would the darker brickwork facing previously approved. Overall, the use of stone cladding would make Block A appear more recessive in these longer views and is therefore considered a positive change.

In the many medium to closer views, the change in material must be considered in terms of its appropriateness in its own right, in terms of how successfully Block A would integrate with the remainder of the West End Green development, and in terms of the specific stone chosen and how it is proposed to be detailed.

As originally approved, Block A was approved to be faced in brickwork to match the brickwork to be used on the rest of the West End Green development, and also in an effort to harmonise the Block more closely with the historic brick faced buildings within the Paddington Green Conservation Area on the east side of Paddington Green and on Church Street. The change to stone cladding will break that visual impression and as a result it would stand out as a more distinct structure less visually integrated to the West End Green development and less harmonious when seen in context with the adjacent conservation area buildings.

It is recognised that Block A in its currently proposed form will integrate less with the overall development, and will also integrate less with the buildings to the east side of Paddington Green and on Church Street which are characterised by their brick facing. The impression of this change will be very readily apparent in views from within Paddington Green Conservation Area especially, and also particularly from the north on Edgware Road. Notwithstanding this weakening of the visual link that a brickwork facing would have given, Block A would not have fully integrated into an overall cohesive impression with the lower height brick faced mansion blocks to the remainder of the West End Green development and the conservation area buildings nearby, irrespective of the choice of facing materials. It is also considered that, although brick facing is a traditional choice of material for mansion blocks throughout Westminster and though used in sections to Hall and Braithwaite towers, there is little precedent for the use of brick facing for such a large structure. Block A will still incorporate the same bronze framing to windows and other details which will be used to the remainder of the buildings on the West End Green site and which will still allow for some sense of a visual link between Block A and the remainder of the development. Although the change will represent some loss of visual integration between Block A and the mansion blocks, the impact is considered acceptable.

However, there are some concerns regarding the choice of stone and the detailing of the stone. The plans submitted show a proposal for the use of natural limestone to the ground and first floor levels only, with a matching precast stone to be used to the 28 floors above. Although samples have not been submitted as yet, precast stone could nonetheless be anticipated to be capable of closely following the colour of natural stone. It may not however follow the same weathering properties as natural stone or necessarily the same properties in terms of how it is appreciated in differing lighting conditions. Though there is an intermediate horizontal band above first floor level the clearest impression of the composition of Block A is that the base is four stories high. The proposed abrupt change between a use of natural stone at ground and first floors and the use of a precast stone to the remainder of the defined base and all the upper floors could provide a poorly unified appearance to the base of the composition with two differing materials used. As such, an amending condition is recommended requiring the use of natural stone to face the fins of the tower at ground to third floor levels (i.e. the entire base to Block A). The contrast with natural stone to the base and the use of what is considered an inferior material of precast stone to the upper floors would still be considered regrettable. However, there would at least be a natural and clear division between the base and the upper elements of the tower which would help incorporate the change in materials, and this approach would be in line with the principle from the previous approval where complete bricks were to be used to the base at ground to third floor levels, with brick slips used above.

A further concern relates to the detailing of the stonework proposed. Officers have sought detailed drawings to show how the stone is intended to be used around the quite notably modelled fin structure, although none have yet been submitted. Given the stepped arrangement of the fins, use of thinner sections of stone to clad the surface of the fins could give rise to numerous joints between the differing angles to the fins which might clutter their impression and weaken their architectural quality. Conditions are recommended to secure both samples of stone (both natural and precast) to ensure their appropriateness and also to secure mock ups and section drawings to show the detailing proposed for the fins. This will allow for a more in-depth consideration of these elements of the scheme at a later stage. An informative is also attached advising that the expectation is that sections of stone will be detailed to allow for the omission of inappropriate jointing between stone sections.

In itself, the projecting section of bronze incorporated to the centre of each fin allows for the integration of a feature of interest to the otherwise fully stone clad fins, and which would allow for an appropriate sense of vertical emphasis to the visual impression of the tower. In addition, during the course of the application process the applicants have clarified that the parapet will have a strongly defined termination to the facades, which would give an appropriate capping to the composition.

Overall, and mindful of the various policy, guidance and statutory tests as set out in the Committee report for the original approval, the proposed change to stone cladding is considered acceptable and in line with UDP policy DES3 which requires the quality of architectural design of high buildings to 'visibly contribute to the character of London as a World Class City'. The proposed development would be no more harmful to the character, appearance and/or setting of 17-18 Paddington Green (Grade 2 listed), the adjacent Children's Hospital building (Grade 2 listed) and the Paddington Green and Maida Vale Conservation Areas than the original permission.

Relocation of Vehicle Drop-off Area and Removal of Porte-cochere

The area to the north side of Block A was described as being a 'Plaza' on the approved drawings, and conceived as a quieter more pedestrian focussed route in contrast to Newcastle Place on the south side of Block A. Whilst the increase in traffic around the northern side of the tower is to an extent to be regretted, it will nonetheless provide some greater animation of this part of the site which is set away from the public road of Newcastle Place and not on a direct route through the site. The approach would not unduly compromise the public realm around Block A and is considered acceptable.

Enclosure of the porte-cochere area would allow for a more continuous frontage to Newcastle Place and a greater degree of visual solidity to the base of the tower at this point. It would also provide a greater animation of the street scene given the gym use shown to the plans as being within this area. The pedestrian environment along Newcastle Place would also be improved through the removal of associated vehicular cross-over points to allow for accessing and exiting the porte-cochere.

The new drop-off area would include a canopy structure. This canopy is considered light weight and neatly detailed and incorporates bronze aluminium supporting fins which will sit comfortably with the appearance of Block A. It will provide some definition to the entrance into this large residential block and is considered appropriate.

Overall, relocation of the vehicle drop-off area and removal of the porte-cochere would be consistent with policy S28 of the City Plan and policies DES 1 and DES 3 of the UDP

8.4 Residential Amenity

The proposal does not involve any alterations to the height or bulk of Block A. The window and balcony arrangement also remains unchanged. Accordingly, the proposed amendments would not increase loss of light, sense of enclosure or overlooking beyond what has been approved previously. Accordingly, the proposal is consistent with policy ENV13 of the UDP and policy S29 of the City Plan.

8.5 Transportation/Parking

The Highways Planning Manager has reviewed the proposal. He has no objection to moving the residential drop-off from the south to the north of the building as it utilises existing crossovers permitted under the original permission.

However, the new servicing bay proposed would reduce the footway width to virtually nothing on part of Newcastle Place. This servicing bay appears to also not be necessary given the width of Newcastle Place and the absence of any restrictions on on-street servicing. Accordingly, the Highways Planning Manager has requested removal of this servicing bay and the Committee will be updated verbally with the outcome of this request,

Subject to this servicing bay being removed, the proposal is consistent with policy TRANS 20 of the UDP.

8.6 Economic Considerations

The proposed amendment does not give rise to any further economic considerations.

8.7 Access

The proposed amendment would retain level access around Block A and would comply with policy DES1 of the UDP and policy S28 of the City Plan in terms of accessibility.

8.8 Other UDP/Westminster Policy Considerations

None.

8.9 London Plan

As a variation to a GLA referable development, the GLA were notified of the proposed amendment. They advise that the scale and nature of the proposals do not give rise to any new strategic planning issues and the City Council may proceed to determine the application without further reference to the GLA.

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.

8.11 Planning Obligations

Should this amendment to the original permission be granted, a deed of variation to the original section 106 agreement will also be required to ensure that the planning obligations previously secured are also secured under this new permission. The draft 'Heads' of agreement are as follows:

- a) Provision of 130 affordable units on-site comprising 51 intermediate units and 79 social rented units. The affordable units to be provided at the affordability levels set out in the Head of Affordable and Private Sector Housing memorandum dated 14 March 2016;
- b) Provision of a financial contribution of £631,000 (index linked) toward the provision of school places directed related to the occupancy of this development;
- c) Provision of a financial contribution of £863,630 (index linked) for the St Mary's Church and Churchyard Project, The Cockpit Theatre, Greenhouse Sport, Hall Park Estate Play Area and a new Community Pitch at Paddington Green School;
- d) Provision of a financial contribution of £100,000 (index linked) toward improvements to Paddington Green;
- e) Provision of a financial contribution of £18,000 (index linked) toward bus stop improvements around the application site;
- f) Provision of a financial contribution of £200,000 (index linked) towards an additional cycle hire docking station or enlargement of an existing docking station within the vicinity of the site;
- g) Payment of the cost of highway works associated with the development on Newcastle Place, Paddington Green and Church Street and Edgware Road;

- h) Provision of a financial contribution of £200,000 (index linked) toward possible road widening to be undertaken by TFL on Edgware Road;
- i) Provision of lifetime car club membership (25 years) for each residential unit in the development;
- j) Provision of on-site parking on an unallocated basis (i.e. not sold or let with a particular flat);
- k) Compliance with the Council's Code of Construction Practice and a contribution of £20,000 per annum during the period of construction towards the Environmental Inspectorate and Environmental Sciences to allow for monitoring during construction;
- l) Provision of a financial contribution of £1,100,000 (index linked) toward public art associated with the development site and its maintenance;
- m) Developer undertaking to use best endeavours to negotiate a connection and supply agreement with the Church Street District Heating Scheme (CSDHS). In the event that the, CSDHS does not go ahead, installation of CHP plant on-site;
- n) Offering local employment opportunities during construction; and
- o) Payment of cost of monitoring the agreement (£15,000).

It should be noted that draft 'Head' c) has been amended from the previous permission. The amendment sought has been requested by the Director of Community Services to allow it to be used on alternative projects as the Adpar Street Play Project is not coming forward. The amendment sought would allow some of this sum to instead be used for a new play area at the Hall Park Estate and/or a new Community Pitch at Paddington Green School.

The additional floorspace created would also be Westminster CIL liable. Subject to any exemptions or relief that may be applicable, the estimated CIL payment is £50,435.62.

8.12 Environmental Impact Assessment

Application ref: 15/11677/FULL and 16/07226/FULL were considered to be EIA development and were accompanied by Environment Statements (ES). This application is accompanied by a letter from Ramboll Environ who prepared the previous ES's. Ramboll Environ conclude that, due to the limited nature of the amendments proposed, the conclusions of the most recent EIA apply equally to the proposed amendments and that the conditions previously imposed provide sufficient mitigation for the environmental effect arising from the development. Officers concur with this assessment.

8.13 Other Issues

The objector is concerned with urbanization of the area, loss of light, the bulk and height of the development and traffic generation. These are all matters related to the principle of the development and are not relevant to the more limited consideration of the alterations to Block A.

9. BACKGROUND PAPERS

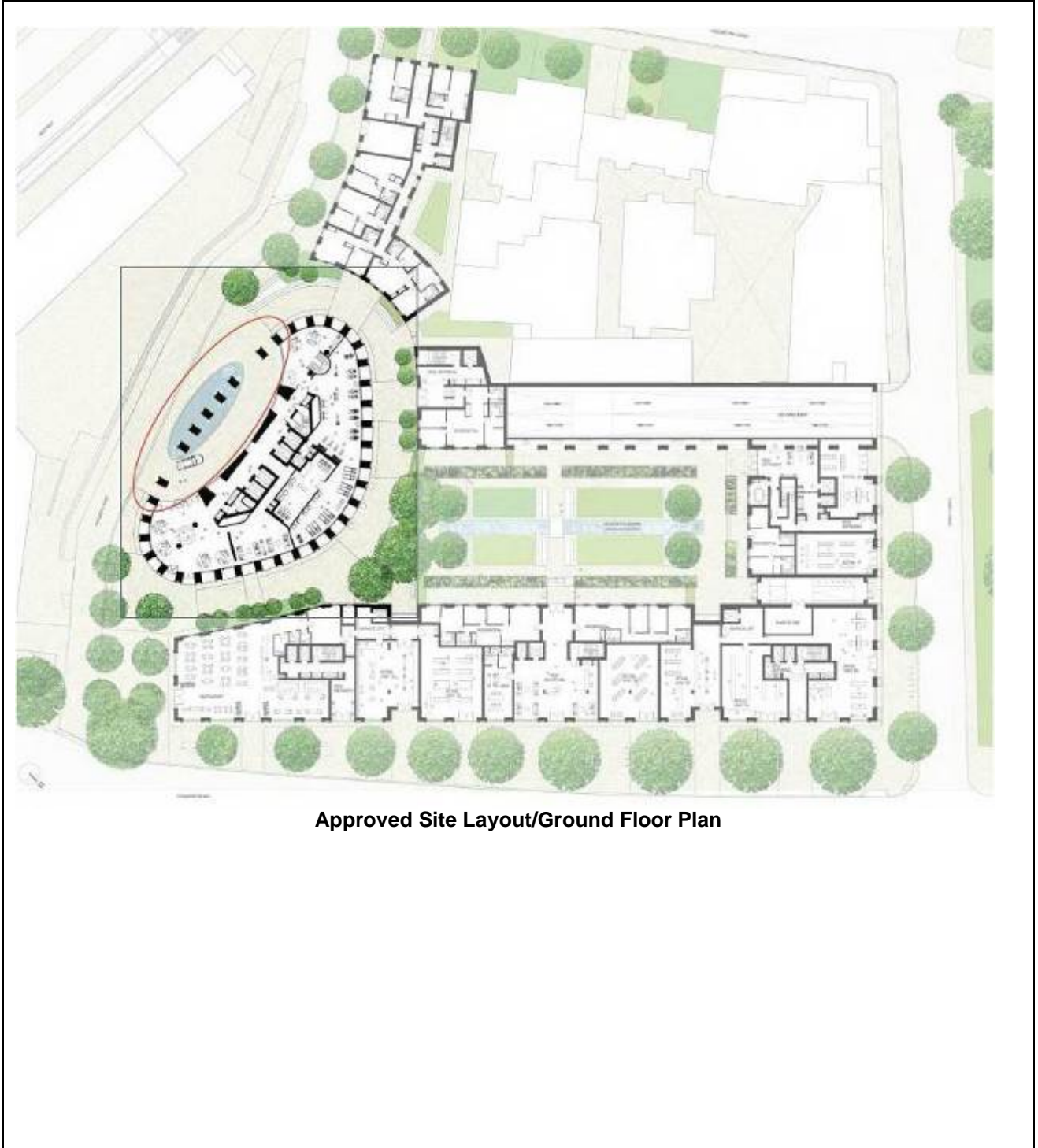
1. Application form
2. Response from the Greater London Authority, dated 24 March 2017

3. Response from Historic England (Archaeology), dated 24 February 2017
4. Response from Historic England (Listed Builds/Con Areas), dated 6 February 2017
5. Response from Sport England - London Region, dated 8 February 2017
6. Response from Natural England, dated 14 February 2017
7. Response from London Underground, dated 14 February 2017
8. Response from Transport for London, dated 8 February 2017
9. Response from Highways Planning Manager, dated 7 April 2017
10. Response from Arboricultural Manager, dated 21 March 2017
11. Response from Projects Officer (Waste), dated 13 February 2017
12. Response from Building Control - Development Planning, dated 23 February 2017
13. Response from WCC Parks, dated 6 February 2017
14. Response from Paddington Waterways and Maida Vale Society, dated 9 February 2017
15. Response from Notting Hill East Neighbourhood Forum, dated 2 March 2017
16. Response from The St Marylebone Society, dated 17 February 2017
17. Response from St John's Wood Society, dated 27 February 2017
18. Letter from occupier of 99 St Mary's Mansions, St Mary's Mansions, dated 12 February 2017
19. Letter from occupier of 37 George Peabody Court, 2 Burne Street, dated 10 February 2017

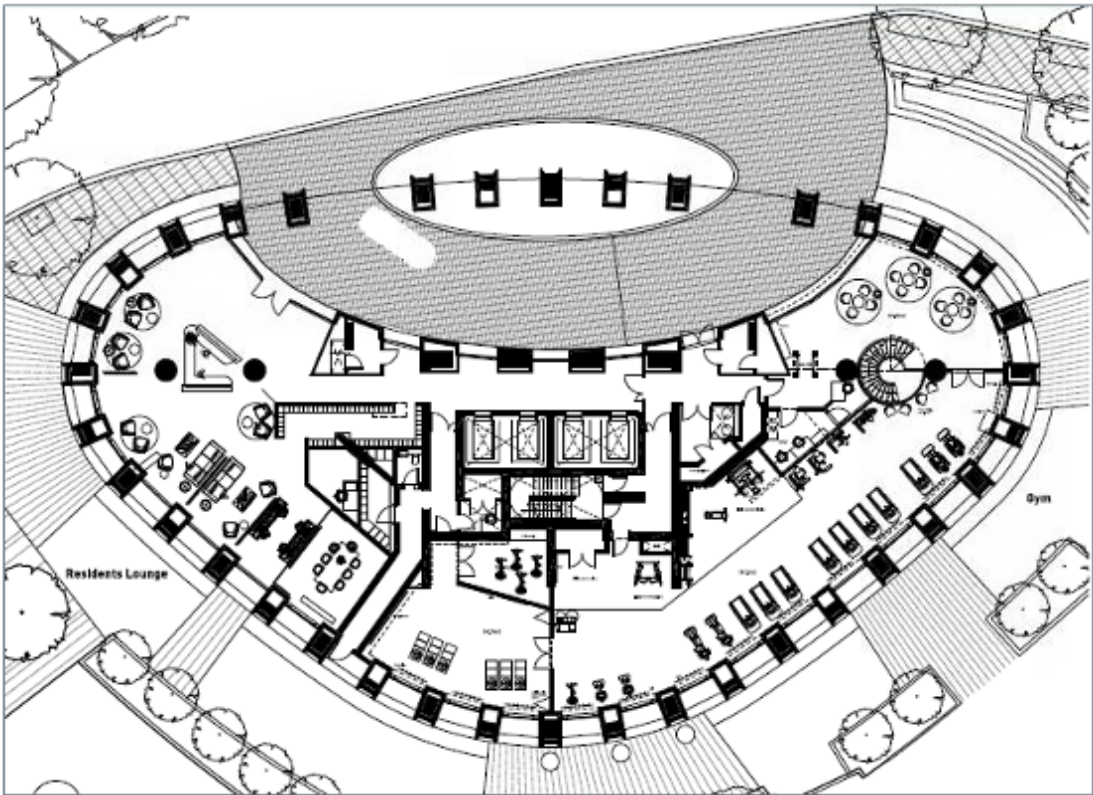
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: NATHAN BARRETT BY EMAIL AT NBARRETT@WESTMINSTER.GOV.UK

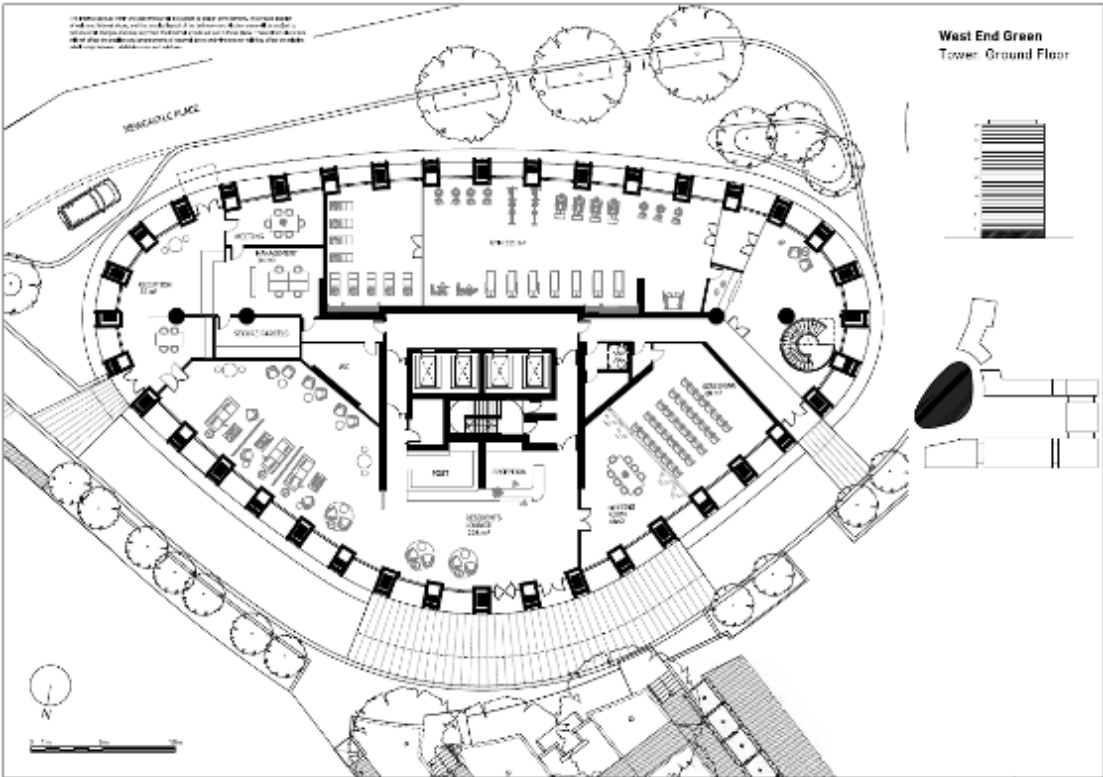
10. KEY DRAWINGS



Approved Site Layout/Ground Floor Plan



Block A - Approved Ground Floor Plan



Block A- Proposed Ground Floor Plan



Ref 2.5 Block A plan showing the consented layout



Ref 2.6 Perspective of consented Tower drop off facing onto Newcastle Place



Ref 2.7 Proposed Block A plan showing the amended layout



Ref 2.8 Perspective of proposed Tower drop off facing onto the courtyard garden

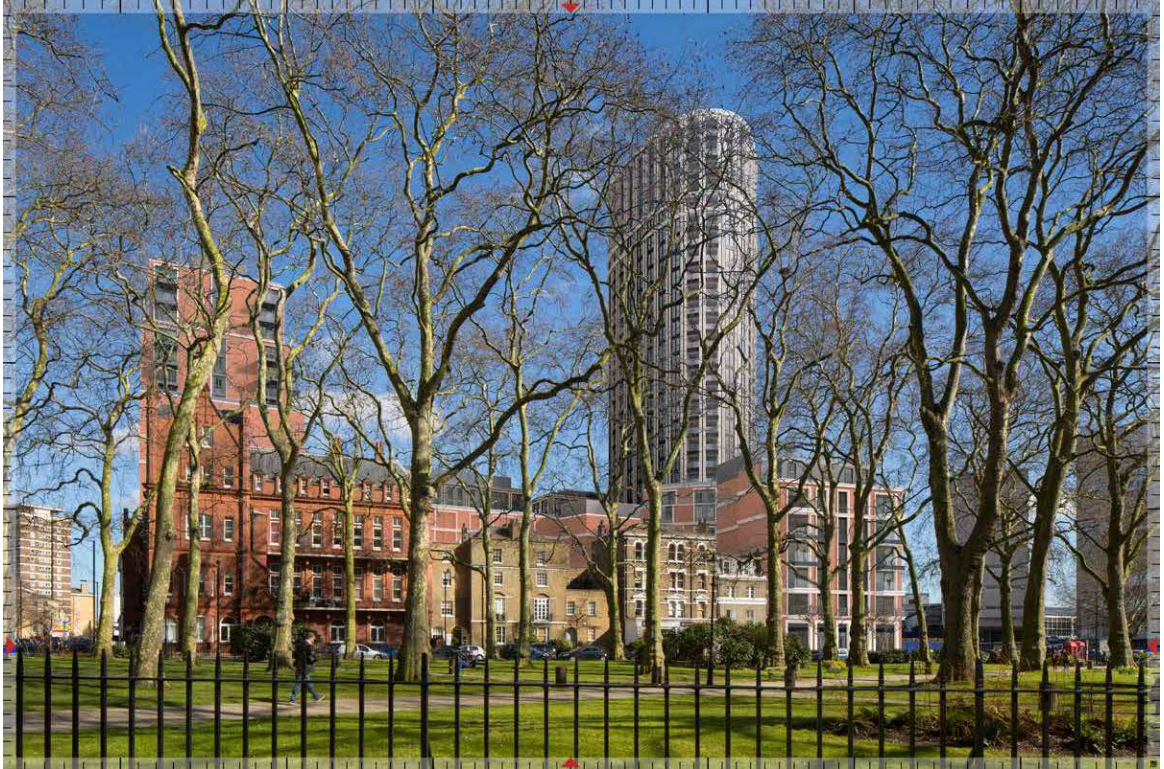
Approved (top) and Proposed (bottom) Plans and Visuals of the Vehicle Drop Off Areas



Close-Up Visual of Approved (left) and Proposed (Right) Cladding



View of Approved Development from Paddington Green



View of Proposed Development from Paddington Green

DRAFT DECISION LETTER

Address: Development Site At, 285 - 329 Edgware Road, London, W2 1DH,

Proposal: Variation of Condition 1 of the planning permission granted 27 January 2017 (ref: 16/07226/FULL) for a redevelopment to provide buildings of between ground + 6 and ground + 29 storeys including commercial space (Class A1, A2, A3, A4 and B1), up to 672 residential units (including 130 affordable housing units), landscaping and associated car and cycle parking. NAMELY, amendment to the façade of Block A, and ground floor arrangement of Block A including residential drop off and ancillary residential uses, with associated amendment to landscaping plan.

Reference: 16/12162/FULL

Plan Nos: Drawing numbers 0203_JA12_P_00_100 Rev B, 0203_C645_E_N_H_001 Rev C, 0203_C645_P_D_T3_001 Rev D, 0203_C645_P_00_100 Rev B, 0203_C645_E_E_H_001 Rev B, 0203_C645_P_D_T4_001 Rev C, 0203_JA12_P_00_001 Rev B, 0203_C645_E_S_H_001 Rev C, 0203_C645_P_D_T5_001 Rev D, 0203_JA12_P_00_002 Rev B, 0203_C645_E_W_H_001 Rev B, 0203_C645_P_E-F_00_001 Rev B, 0203_JA12_P_00_003 Rev B, 0203_C645_E_NW_H_001 Rev B, 0203_C645_P_E-F_T1_001 Rev C, 0203_JA12_P_00_004 Rev B, 0203_C645_P_D_TY_T_001 Rev B, 0203_C645_P_E-F_T2_001 Rev C, 0203_JA12_E_N_001 Rev B, 0203_C645_P_D_TY_T_002 Rev B, 0203_C645_P_E-F_T3_001 Rev C, 0203_JA12_E_E_001 Rev B, 0203_C645_P_D_TY_T_003 Rev C, 0203_C645_P_E-F_T4_001 Rev C, 0203_JA12_E_S_001 Rev B, 0203_C645_P_D_TY_T_004 Rev B, 0203_C645_P_E-F_T5_001 Rev C, 0203_JA12_E_W_001 Rev B, 0203_C645_P_D_TY_T_005 Rev B, 0203_C645_P_E-F_T6_001 Rev C, 0203_C645_P_D_TY_T_006 Rev B, 0203_C645_P_E-F_T7_001 Rev D, 0203_C645_P_RF_100 Rev C, 0203_C645_P_D_TY_T_007 Rev B, 0203_C645_P_E-F_T8_001 Rev D, 0203_C645_P_B1_001 Rev D, 0203_C645_P_D_TY_T_008 Rev B, 0203_C645_P_E-F_T9_001 Rev A, 0203_C645_P_B2_001 Rev D, 0203_C645_P_00_001 Rev C, 0203_C645_P_D_TY_M_001 Rev B, 0203_C645_P_G_00_001 Rev A, 0203_C645_P_TY_001 Rev C, 0203_C645_P_D_TY_M_002 Rev B, 0203_C645_P_G_T1_001 Rev A, 0203_C645_P_RF_001 Rev C, 0203_C645_P_D_TY_M_003 Rev B, 0203_C645_P_G_T2_001 Rev A, 0203_C645_P_RF_003 Rev C, 0203_C645_P_D_TY_M_004 Rev B, 0203_C645_P_H_00_001 Rev B, 0203_C645_E_N_001 Rev B, 0203_C645_P_D_TY_M_005 Rev B, 0203_C645_P_H_T1_001 Rev C, 0203_C645_E_N_002 Rev B, 0203_C645_P_D_TY_M_006 Rev B, 0203_C645_P_H_T2_001 Rev B, 0203_C645_E_E_001 Rev B, 0203_C645_P_D_TY_M_007 Rev B, 0203_C645_P_H_T3_001 Rev C, 0203_C645_E_E_002 Rev B, 0203_C645_P_A_00_001 Rev C, 0203_C645_P_H_T4_001 Rev C, 0203_C645_E_S_001 Rev C, 0203_C645_P_A_T0_001 Rev C, 0203_C645_E_S_002 Rev B, 0203_C645_P_A_T1_001 Rev C, 0203_C645_P_AP_W_001 Rev B, 0203_C645_E_W_001 Rev B, 0203_C645_P_A_T3_001 Rev C, 0203_C645_P_AP_W_002 Rev A, 0203_C645_E_W_002 Rev B,

0203_C645_P_A_T2_001 Rev C, 0203_C645_P_AP_W_003 Rev A, 0203_C645_S_AA_001 Rev B, 0203_C645_P_A_T4_001 Rev C, 0203_C645_P_AP_W_004 Rev A, 0203_C645_S_BB_001 Rev B, 0203_C645_P_AP_W_005 Rev A, 0203_C645_S_CC_001 Rev B, 0203_C645_P_A_PH1_001 Rev D, 0203_C645_P_AP_W_006 Rev B, 0203_C645_S_DD_001 Rev B, 0203_C645_P_A_PH2_001 Rev D, 0203_C645_P_AP_W_007 Rev B, 0203_C645_P_A_PH3_001 Rev D, 0203_C645_E_S_A_001 Rev C, 0203_C645_P_AP_W_008 Rev B, 0203_C645_E_E_B_001 Rev B, 0203_C645_P_B_00_001 Rev B, 0203_C645_E_S_B_001 Rev B, 0203_C645_P_B_T1_001 Rev D, 0203_C645_P_AL_01 Rev B, 0203_C645_E_W_B_001 Rev B, 0203_C645_P_B_T2_001 Rev D, 0203_C645_P_AL_02 Rev B, 0203_C645_E_S/N_B/C/D_001 Rev B, 0203_C645_P_B_T3_001 Rev D, 0203_C645_P_AL_03 Rev B, 0203_C645_P_B_T4_001 Rev D, 0203_C645_P_AL_04 Rev B, 0203_C645_E_E_C_001 Rev B, 0203_C645_P_B_T5_001 Rev D, 0203_C645_P_AL_05 Rev B, 0203_C645_E_W_C_001 Rev B, 0203_C645_P_B_T6_001 Rev A, 0203_C645_P_AL_06 Rev B, 0203_C645_E_N_D_001 Rev B, 0203_C645_P_B_T7_001 Rev A, 0203_C645_E_AL_001 Rev B, 0203_C645_E_E_D_001 Rev B, 0203_C645_P_C_00_001 Rev B, 0203_C645_P_00_003 Rev C, 0203_C645_E_W_D_001 Rev B, 0203_C645_P_C_T1_001 Rev B, 0203_C645_P_00_004 Rev C, 0203_C645_E_N_EF_001 Rev B, 0203_C645_P_C_T2_001 Rev B, 0203_C645_P_RF_002 Rev B, 0203_C645_E_E_EF_001 Rev B, 0203_C645_P_C_T3_001 Rev B, 0203_C645_E_S_EF_001 Rev B, 0203_C645_P_C_T4_001 Rev B, 0203_C645_E_W_EF_001 Rev B, 0203_C645_P_C_T5_001 Rev C, 0203_C645_E_N_G_001 Rev B, 0203_C645_P_D_00_001 Rev B, 0203_C645_E_E_G_001 Rev B, 0203_C645_P_D_T1_001 Rev D, 0203_C645_E_S_G_001 Rev B, 0203_C645_P_D_T2_001 Rev D, 0203_C645_E_W_G_001 Rev C; Environment Statement Volumes 1, 2 and 4B by Ramboll Environ (February 2016); Environment Statement Volume 3 (Planning Application Addendum) by Ramboll Environ (March 2016); Environment Statement Volume 3 (Planning Application Further Addendum) by Ramboll Environ (24 March 2016); Design and Access Statement by Squire and Partners (Rev B - February 2016); Amended Transport Assessment by Vectos (February 2016); Planning Statement by Turley (December 2015).

AS AMENDED BY APPLICATION REF: 16/07226/FULL:

Drawing numbers 0203_02_JA12_P_00_10 0 Rev B, 0203_02_C645_P_D_T00 Rev C, 0203_02_C645_P_00_100 Rev D, 0203_02_C645_P_EF_T00 Rev B, 0203_02_JA12_P_00_001 Rev B, 0203_02_C645_P_EF_T01 Rev C, 0203_02_JA12_P_00_002 Rev B, 0203_02_C645_P_EF_T02 Rev C, 0203_02_JA12_P_00_003 Rev B, 0203_02_C645_P_EF_T03 Rev C, 0203_02_JA12_P_00_004 Rev B, 0203_02_C645_P_EF_T04 Rev C, 0203_JA12_E_N_001 Rev B, 0203_02_C645_P_EF_T05 Rev C, 0203_JA12_E_E_001 GA Rev B, 0203_02_C645_P_EF_T06 Rev B, 0203_JA12_E_S_001 GA Rev B, 0203_02_C645_P_EF_T07 Rev B, 0203_JA12_E_W_001 Rev B, 0203_02_C645_P_EF_T08 Rev B, 0203_02_C645_P_EF_T09 Rev B, 0203_02_C645_P_RF_100 GA Rev C, 0203_02_C645_P_EF_T10 Rev B, 0203_02_C645_P_RF_001 GA Rev D,

0203_02_C645_P_RF_003 GA Rev D, 0203_C645_P_AP_W_002 Rev A,
 0203_02_C645_P_00_001 GA Rev E, 0203_C645_P_AP_W_003 Rev A,
 0203_02_C645_P_TY_001 Rev C, 0203_C645_P_AP_W_004 Rev A,
 0203_C645_P_AP_W_005 Rev A, 0203_02_C645_P_B1_001 Rev C,
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 0203_02_C645_E_S_001 Rev B, 0203_02_C645_P_AP_W_003 Rev C
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 0203_02_C645_P_RF_002 Rev C, 0203_02_C645_P_B_T00 Rev B,
 0203_02_C645_P_B_T01 Rev C, 0203_02_C645_P_B_T02 Rev C,
 0203_02_C645_P_B_T03 Rev C, 0203_02_C645_P_B_T04 Rev C,
 0203_02_C645_P_B_T05 Rev C, 0203_02_C645_P_B_T06 Rev C,
 0203_02_C645_P_B_T07 Rev C

AS FURTHER AMENDED BY APPLICATION REF: 16/12162/FULL:

Drawing numbers 0203_C645_E_S_A_001 Rev G, 0203_C645_E_S_A_002 Rev A,
 0203_04_C645_E_N_A_001 Rev B, 0203_04_C645_P_D_TY_T_001 Rev B,
 0203_04_C645_P_D_TY_T_002 Rev B, 0203_04_C645_P_D_TY_T_003 Rev B,
 0203_04_C645_P_D_TY_T_004 Rev B, 0203_04_C645_P_D_TY_T_005 Rev B,
 0203_04_C645_P_D_TY_T_006 Rev B, 0203_04_C645_P_D_TY_T_007 Rev B,
 0203_04_C645_P_D_TY_T_008 Rev B, 0203_04_C645_P_D_TY_T_009 Rev B,
 0203_04_C645_P_D_TY_T_010 Rev B, 0203_04_C645_P_00_100 Rev B,
 0203_04_C645_P_RF_100 Rev B, 0203_04_C645_P_00_001 Rev B,
 0203_04_C645_P_TY_001 Rev B, 0203_04_C645_P_RF_001 Rev B,
 0203_04_C645_P_A_00_001 Rev B, 0203_04_C645_P_00_003 Rev B,
 0203_04_C645_P_00_004 Rev B, 0203_04_C645_P_RF_002 Rev B; Document
 titled "West End Green – 283-329 Edgware Road, London – Block A Minor Material
 Amendment Application – Amendments Design Brochure", prepared by Squire and
 Partners (dated December 2016); Document titled "West End Green – 283-329
 Edgware Road, London – Block A Minor Material Amendment Application –
 Addendum Design Brochure", prepared by Squire and Partners (dated April 2016);
 Letter and attachments from Michelle Wheeler of Ramboll Environ (undated)

Case Officer: Nathan Barrett

Direct Tel. No. 020 7641 5943

Recommended Condition(s) and Reason(s)

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the

City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

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.

- 2 You must carry out any building work which can be heard at the boundary of the site only:

- * between 08.00 and 18.00 Monday to Friday;
- * between 08.00 and 13.00 on Saturday; and
- * not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

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 The development shall be carried out in accordance with the Piling Methodology approved pursuant to application ref: 17/00916/ADFULL.

Reason:

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

- 4 The development shall be carried out in accordance with the Construction Logistics Plan approved pursuant to application ref: 17/00887/ADFULL.

Reason:

To ensure that the construction logistics for the development minimise nuisance and disturbance in the interests of the amenities of neighbouring occupiers and of the area generally, and to avoid hazard and obstruction to the public highway. This is as set out in S29 of Westminster's City Plan (November 2016) and TRANS 2 and ENV 5 of our Unitary Development Plan that we adopted in January 2007.

- 5 The development shall be carried out in accordance with the Construction Management Plan approved pursuant to application ref: 17/00437/ADFULL.

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.

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

Reason:

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

- 7 You must apply to us for approval of full size benchmark mock ups of the following sections of the façades:

- The 'bronze feature rainscreen panel'
- The 'bronze coloured PPC Ventilation Grill'

The mock ups should demonstrate finished construction appearance/detailing, and should be constructed on site and retained on site as benchmarks to be replicated on the new building. You must not start any work on the relevant part of the development until we have approved the mock ups. You must then carry out the work according to the approved mock ups.

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)

- 8 Notwithstanding the 'brick façade panel' system referred to on the drawings, you must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:

A revised form of external brick construction which incorporates brick facing as a continuous facing material without jointing between panels and avoids the use of brick panels or brick slips or other similar cladding systems at the following locations:-

- To ground to eight floor levels on Block B, C and D;
- To ground to fifteenth floor levels on Block E;
- To ground to tenth floor levels on Block F;
- To ground to sixth floor levels on Block G; and
- To the sheer elevations from ground to seventh floor levels on Block H.

You must not start work on these parts of the development until we have approved detailed drawings which show the revised construction and also show the location(s)/arrangements for movement joints in the brickwork, and a sample panel of the revised construction which also shows the colour, texture, face bond and pointing proposed. You must then carry out the work according to the approved sample and form of construction shown.

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)

- 9 Subject to condition 8, you must apply to us for approval of a sample of the 'brick façade panel system' which shows two separate panels (or sections thereof) including the joint detailing/gap proposed between the panels, and elevation drawings showing where the junctions between panels will be located with reference to other elevational features. 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 sample and elevation drawings.

Reason:

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

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

Reason:

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

- 11 You must apply to us for approval of detailed drawings and manufacturers specifications, including details of colour and finish, of the building maintenance unit proposed to main roof level of Block A, including drawings showing the unit in its fully retracted/parked position. 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 the approved drawings / manufacturers specifications.

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)

- 12 The Building Maintenance Unit to main roof level of Block A shall be retained in its retracted/parked position within the plant enclosure (to the size and details submitted and approved in relation to condition 11) when not in use.

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)

- 13 A scheme for the installation and use of window washing and other external maintenance equipment, hoists and cradles etc. shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such equipment, including details of any edge protection to main roof levels. The approved scheme shall be implemented and maintained and the equipment shall thereafter be kept in its stored positions other than at those times when it is in use for the intended purpose.

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)

- 14 You must apply to us for approval of detailed plan/section/elevation drawings/manufacturers specifications (as appropriate) of the following parts of the development:-

- (A) External doors and windows (including reveal depth and detail);
- (B) Balcony details, including external reveals inside balcony areas, balustrades and method of drainage;
- (C) Shopfronts, including indicative locations for display of all external signage;
- (D) Fixed canopies to ground floor (including underside of canopy);
- (E) Fencing/railings to the southern end of the central garden square;
- (F) Gates to vehicular entrances;
- (G) Roof top plant and plant enclosures;
- (H) Elevation of the Church Street facing sub-station façade and west facade to Block F;
- (I) Typical bay elevations showing structural and cladding joints and detailing (to include details of each elevation to each building);
- (J) Details of ventilation and other services termination at façade or roof;
- (K) Details of any centralised satellite dish and TV system(s) to serve the development; and
- (L) External integral lighting to buildings.
- (M) Detailed drawing of the lighting to the base of the fins on Block A, showing the light fitting and how it integrates with the fin.

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/details.

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)

- 15 You must apply to us for approval of a scheme of public art as described in the Design and

Access Statement. You must not start work on the public art until we have approved what you have sent us. Unless we agree an alternative date by which the public art is to be provided, you must carry out each part of the scheme of public art that we approve according to the approved details within six months of occupation of the most immediately adjacent building as part of the development. You must then maintain the approved public art and keep it on this site. You must not move or remove it.

Reason:

To secure the offer of public art and to make sure that the appearance of the building is suitable. This is as set out in DES 7 (A) of our Unitary Development Plan that we adopted in January 2007. (R26GC)

- 16 You must provide the following bio-diversity features before you start to use any part of the development, as set out in your application.

- Green roofs.

You must not remove any of these features.

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)

- 17 You must apply to us for approval of a roof plan showing the location of the plant room to the roof of block E. 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.

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)

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

Reason:

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

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

Reason:

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

- 20 You must put up any plant screens for the plant and machinery shown to main roof level of each of the buildings on the approved drawings, and to the details approved under the conditions of this permission, before you use that machinery. You must then retain and maintain it in the form shown for as long as the machinery remains in use.

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)

- 21 The development shall be carried out in accordance with the Written Scheme of Investigation (WSI) approved pursuant to application ref: 16/05016/ADFULL.

Post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material, shall be submitted to and approved by the local planning authority before completion of the development hereby approved.

Reason:

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

- 22 Customers shall not be permitted within the A1 and A3 premises before 0700 or after 2300 each day. (C12AD)

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 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.

- 23 For the A3 unit, you must apply to us for approval of details of the ventilation system to get rid of cooking smells, including details of how it will be built and how it will look. You must not begin the use allowed by this permission until we have approved what you have sent us and you have carried out the work according to the approved details.

Reason:

To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

- 24 **Pre Commencement Condition.** You must carry out a detailed site investigation to find out if

the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology and general requirements outlined in 'Contaminated land, a guide to help developers meet planning requirements' - which was produced in October 2003 by a group of London boroughs, including Westminster.

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

Phase 1: Site investigation - to assess the contamination and the possible effect it could have on human health, pollution and damage to property.

Phase 2: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 3: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate.

Reason:

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

- 25 No tables and chairs shall be placed outside the ground floor retail and restaurant units unless separate permission has been given by the City Council as local planning authority.

Reason:

To protect neighbouring residents from noise and disturbance as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and TACE 11 of our Unitary Development Plan that we adopted in January 2007.

- 26 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes the number, size, species and position of trees and shrubs. The landscaping strategy shall include measures to mitigate window turbulence from the faces of the buildings hereby approved. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping and planting within one year of completing the development (or within any other time limit we agree to in writing).

If you remove any trees or find that they are dying, severely damaged or diseased within five years of planting them, you must replace them with trees of a similar size and species. (C30CB)

Reason:

To improve the appearance of the development and its contribution to biodiversity and the local environment, 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. (R30AC)

- 27 All servicing must take place between 0700 and 2100 on Monday to Saturday and 0700 to 1900 on Sunday. Servicing includes loading and unloading goods from vehicles and putting rubbish outside the building. (C23DA)

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 28 (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.

- 29 (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.

- 30 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.

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

- 32 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Conditions 30 and 31 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Particular attention shall be given to the issues of low frequency noise and vibration through Structure-Borne pathways and the design and mitigation shall also ensure that room modes (standing waves) are not created within the new residential dwellings as a result of low frequency noise from the substation.

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.

- 33 The residential properties must not be occupied until a statement from a suitably qualified engineer to confirm that the Electro Magnetic frequency (EMF) levels associated with the substations are in accordance with current legal requirements and/or appropriate guidance.

Reason:

To ensure that the substations do not harm the health of future residents.

- 34 The design of the separating walls should be such that the received value in the residential habitable spaces, with music playing, should be 10 dB below that measure without music events taking place, at the quietest time of day and night, measured over a period of 5 minutes and in the indices of Leq & LMax in the octave bands of 63 Hz & 125 Hz.

Reason:

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

- 35 The spa, cinema and gym facilities within Block A and the basement levels shall only be used in an ancillary capacity to the residential uses.

Reason:

To safeguard the amenity of occupiers of adjoining premises by preventing noise and vibration nuisance as set out in STRA 16, STRA 17, ENV 6 and ENV 7 of our Unitary Development Plan that we adopted January 2007.

- 36 A scheme of mechanical ventilation incorporating appropriate air quality filtration should be provided to the residential properties. Details of the scheme must be submitted to and approved in writing by the local planning authority prior to the occupation of the residential units. The mechanical ventilation shall be installed and maintained in accordance with the approved scheme.

Reason:

To safeguard the living conditions of the occupiers of the residential units as set out in S31 of Westminster's City Plan (November 2016) and ENV 5 of our Unitary Development Plan that we adopted January 2007.

- 37 Before occupation of the residential units, you must apply to us for approval of a Travel Plan. The Travel Plan must include details of:

(a) Targets and actions set out in the Travel Plan to reduce car journeys to the site;
(d) Details of how the Travel Plan will be regularly monitored and amended, if necessary, if targets identified in the Travel Plan are not being met over a period of 5 years from the date the buildings are occupied.

At the end of the first and third years of the life of the Travel Plan, you must apply to us for approval of reports monitoring the effectiveness of the Travel Plan and setting out any changes you propose to make to the Plan to overcome any identified problems.

Reason:

To safeguard the living conditions of the occupiers of the residential units as set out in S31 of Westminster's City Plan (November 2016) and ENV 5 of our Unitary Development Plan that we adopted January 2007.

- 38 You must apply to us for approval of a management plan to show how you will prevent customers who are leaving the A3 unit from causing nuisance for people in the area, including people who live in nearby buildings. You must not occupy the A3 unit until we have approved what you have sent us. You must then carry out the measures included in the management plan at all times that the A3 unit is in use. (C05JB)

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 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.

- 39 The development hereby approved shall not be occupied until a Delivery and Servicing Plan (DSP) has been submitted to and approved in writing by the City Council, in consultation with Transport for London. You must then carry out the development in accordance with the approved details.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007.

- 40 You must provide each car parking space shown on the approved drawings and each car parking space shall only be used for the parking of vehicles of people living in the residential part of this development. Car parking for each residential block shall be provided before that block is occupied.

Reason:

To provide parking spaces for people living in the residential part of the development as set out in STRA 25 and TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R22BB)

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

- the location of 54 Electric Vehicle Charging Points within the basement parking level.

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

Reason:

To encourage sustainable transport, in accordance with policy 6.13 of The London Plan (FALP - March 2015).

- 42 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. Cycle parking for each residential block shall be provided before that block is occupied.

Reason:

To provide cycle parking spaces for people using the development, as set out in policy 6.9 of The London Plan (FALP - March 2015).

- 43 You must use the parking, access, loading, unloading and manoeuvring areas shown on the approved plans only for those purposes. (C23AA)

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 44 You must provide a headroom of at least 4.5 (clear unobstructed height above the floor surface level) across the full width of the entrance to the service bay, and throughout the service bay itself. (C23EA)

Reason:

To make sure that the service bay will be available for all types of vehicles for which it has been designed, to avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23BB)

- 45 The disabled parking spaces marked on the approved drawings shall be for the use of Blue Badge holders only (or any other scheme that may supersede it).

Reason:

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

- 46 You must apply to us for approval of measures (such as, but not limited to, CCTV and card access) to provide secure cycle parking within the basement levels. You must not use 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.

Reason:

To ensure that the cycle parking spaces are secure, as set out in policy 6.9 of The London Plan (FALP - March 2015).

- 47 You must apply to us for approval of details of how waste and recycling is going to be stored and managed on the site. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the waste and recycling store and manage waste in line with the approved details. You must not use the waste store for any other purpose.

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)

- 48 The retail (A1) units hereby approved shall only accommodate uses within Use Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended). You must not use it for any other purpose, including any change of use permitted by The Town and Country Planning (Use (General Permitted Development) (England) Order 2015 (or any order that may replace it).

Reason:

To ensure that the retail use secured and its associated benefit to the CAZ frontage and the streetscene are retained as set out in SS 4 and DES 9 of our Unitary Development Plan that we adopted in January 2007.

- 49 Before the development hereby approved is first occupied, a post-construction certificate shall be submitted to and approved in writing by the Local Planning Authority. This certificate shall demonstrate that the office and retail units have been constructed to meet BREEAM 2014 'Very Good'. You must then ensure that this standard is maintained thereafter.

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)

- 50 Before first operation of the energy centre, details of its long term operation and maintenance shall be submitted to and approved in writing by the local planning authority. The energy centre shall be operated and maintained in accordance with the approved details thereafter.

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)

- 51 You must apply to us for approval of details of children's playspace / equipment to be provided as part of the development. You must not start work on this part of the development until we have approved what you send us. You must then carry out the development in accordance with

the details we approve.

Reason:

To ensure that the development provides play and information recreation space for children in accordance with Policy SOC6 in the Unitary Development Plan we adopted in January 2007 and Policy 3.6 in the London Plan (with Further Amendments) published March 2015.

- 52 You must apply to us for approval of detailed drawings indicating the location, number and type of bird and bat boxes to be incorporated within the development. You must then install these boxes on the development in accordance with the details we approved. The boxes shall be installed prior to the occupation of the residential part of the development.

Reason:

To reduce the effect the development has on the biodiversity of the environment, as set out in S38 of Westminster's City Plan: Strategic Policies (November 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007.

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

Reason:

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

- 54 This permission must be commenced no later than 27 April 2019.

Reason:

This permission authorises amendments to the original planning permission granted on 28 April 2016 (RN 15/11677/FULL) which must be commenced no later than the above date.

- 55 Notwithstanding the stone cladding system on Block A referred to on the drawings, you must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:

Natural stone to be used to clad the fins at ground, first, second and third floor level on Block A, with precast stone above.

You must not start work on these parts of the development until we have approved detailed drawings which show the revised construction and also show the location(s)/arrangements for movement joints in the brickwork, and a sample panel of the revised construction which also shows the colour, texture, face bond and pointing proposed. You must then carry out the work according to the approved sample and form of construction shown.

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)

- 56 You must apply to us for approval of detailed section/elevation drawings of the following parts of the development:-
- (A) A sample bay section of the fins to Block A showing the detailing and arrangement of stonework where natural stone is used;
 - (B) A sample bay section of the fins to Block A showing the detailing and arrangement of stonework where precast stone is used; and
 - (C) Section drawing showing the detailing of stonework to the fins on Block A, showing each differing piece of stone to the exterior of the fin and the jointing between these sections.

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/details.

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)

- 57 Except for any aircraft warning lights that may be necessary, exterior lighting to Block A shall be static and in white light only.

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)

Informative(s):

- 1 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing www.riskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

- 2 The details required under condition 11 shall show the building maintenance unit as invisible from view from any street level location when in its retracted/parked position.
- 3 With regards to condition 13 and with reference to roof level maintenance, you are strongly advised to propose a fall-arrest system or other form of low profile installations allowing for fall protection avoiding any large fixed projecting structures or upstands to main roof level on all the buildings.
- 4 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.
- 5 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)

- 6 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:

* Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;

* This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

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

- 7 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.
- * Window cleaning - where possible, install windows that can be cleaned safely from within the building.
 - * Internal atria - design these spaces so that glazing can be safely cleaned and maintained.
 - * Lighting - ensure luminaires can be safely accessed for replacement.
 - * Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).
- More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm.

Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)

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

should be provided down the centre of particularly wide staircases where necessary;

* Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.

- 9 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 10 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

- 11 The design and structure of the development shall be of such a standard that the dwelling is free from the 29 hazards listed under the Housing Health Safety Rating System (HHSRS). However, any works that affect the external appearance may require a further planning permission. For more information concerning the requirements of HHSRS contact:

Residential Environmental Health Team
4th Floor East, Westminster City Hall
64 Victoria Street
London SW1E 6QP
www.westminster.gov.uk
Email: res@westminster.gov.uk
Tel: 020 7641 3003 Fax: 020 7641 8504.

- 12 As this development involves demolishing the buildings on the site, we recommend that you survey the buildings thoroughly before demolition begins, to see if asbestos materials or other contaminated materials are present - for example, hydrocarbon tanks associated with heating systems. If you find any unexpected contamination while developing the site, you must contact:

Contaminated Land Officer
Environmental Health Consultation Team
Westminster City Council
Westminster City Hall

64 Victoria Street
London SW1E 6QP

Phone: 020 7641 3153
(I73CA)

- 13 Approval for this residential use has been given on the basis of sound insulation and ventilation mitigation measures being incorporated into the development to prevent ingress of external noise. Occupiers are therefore advised, that once the premises are occupied, any request under the Licensing Act 2003, Environmental Protection Act 1990, Control of Pollution Act 1974 or planning legislation for local authority officers to make an assessment for noise nuisance arising from external sources is likely to be undertaken only if the noise and ventilation mitigation measures installed are in operation. E.g. windows kept closed.
- 14 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 15 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)
- 16 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 17 The development will result in changes to road access points. Any new threshold levels in the building must be suitable for the levels of neighbouring roads. If you do not plan to make changes to the road and pavement you need to send us a drawing to show the threshold and existing road levels at each access point.

If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and the development. You will have to pay all administration, design, supervision and other costs. We will carry out any work which affects the road. For more advice, please phone 020 7641 2642. (I69AA)

- 18 You are encouraged to work toward achieving Secure By Design Accreditation for this development and the inclusion of blast protection measures and protection from Vehicle Borne

Improvised Explosive Device (VBIED).

- 19 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.

- 20 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to:
- a) Provision of 130 affordable units on-site comprising 51 intermediate units and 79 social rented units. The affordable units to be provided at the affordability levels set out in the Head of Affordable and Private Sector Housing memorandum dated 14 March 2016;
 - b) Provision of a financial contribution of £631,000 (index linked) toward the provision of school places directed related to the occupancy of this development;
 - c) Provision of a financial contribution of £863,630 (index linked) for the St Mary's Church and Churchyard Project, The Cockpit Theatre, Greenhouse Sport, Hall Park Estate Play Area and a new Community Pitch at Paddington Green School;
 - d) Provision of a financial contribution of £100,000 (index linked) toward improvements to Paddington Green;
 - e) Provision of a financial contribution of £18,000 (index linked) toward bus stop improvements around the application site;
 - f) Provision of a financial contribution of £200,000 (index linked) towards an additional cycle hire docking station or enlargement of an existing docking station within the vicinity of the site;
 - g) Payment of the cost of highway works associated with the development on Newcastle Place, Paddington Green and Church Street and Edgware Road;
 - h) Provision of a financial contribution of £200,000 (index linked) toward possible road widening to be undertaken by TFL on Edgware Road;
 - i) Provision of lifetime car club membership (25 years) for each residential unit in the development;

- j) Provision of on-site parking on an unallocated basis (i.e. not sold or let with a particular flat);
- k) Compliance with the Council's Code of Construction Practice and a contribution of £20,000 per annum during the period of construction towards the Environmental Inspectorate and Environmental Sciences to allow for monitoring during construction;
- l) Provision of a financial contribution of £1,100,000 (index linked) toward public art associated with the development site and its maintenance;
- m) Developer undertaking to use best endeavours to negotiate a connection and supply agreement with the Church Street District Heating Scheme (CSDHS). In the event that the, CSDHS does not go ahead, installation of CHP plant on-site;
- n) Offering local employment opportunities during construction; and
- o) Payment of cost of monitoring the agreement (£15,000).