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| CITY OF WESTMINSTER | | | |
| PLANNING APPLICATIONS COMMITTEE | Date 25 April 2017 | Classification For General Release | |
| Report of Director of Planning | | Ward(s) involved Knightsbridge And Belgravia | |
| Subject of Report | 61 Eaton Mews North, London, SW1X 8LL and 94 Eaton Place, London, SW1X 8LW | | |
| Proposal | Demolition of the existing two storey mews at 61 Eaton Mews North including rear ground floor wing extension beneath the first floor projection of 94 Eaton Place and provision of a new mews building comprising of new basement, ground (including rear ground floor extension beneath the first floor projection of 94 Eaton Place), first and mansard storeys with mechanical plant and enclosure within the rear mansard roof; rear terrace at first and second floor level. | | |
| Agent | Miss K Codrington | | |
| On behalf of | Miss K Codrington | | |
| Registered Number | 16/10393/FULL 17/02550/LBC | Date amended/ completed | 22 March 2017 |
| Date Application Received | 31 October 2016 | | |
| Historic Building Grade | 94 Eaton Place – Grade II listed. | | |
| Conservation Area | Belgravia | | |

1. RECOMMENDATION

1. Grant conditional permission and conditional listed building consent.
2. Agree reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.

2. SUMMARY

61 Eaton Mews North is a two storey mews house. The single family dwelling is not listed but is within the Belgravia Conservation Area.

The main area of works is to 61 Eaton Mews North, although part of the rear ground floor extension of the application property is located beneath an existing first floor projection which is within the demise of 94 Eaton Place, which is a Grade II listed building. 94 Eaton Place is a five storey building including lower ground floor level and comprises residential flats.

Planning permission and listed building consent are sought for the demolition of the existing two storey mews at 61 Eaton Mews North including rear ground floor wing extension beneath the first floor projection of 94 Eaton Place and provision of a new mews building comprising of new basement extension, ground (including rear ground floor extension beneath the first floor projection of 94 Eaton Place), first and mansard roof extension with mechanical plant and enclosure within the rear mansard roof. Terraces are proposed at rear first and second floor levels.

The key issues in this case are:

- * The impact of the proposals upon the character and appearance of the Belgravia Conservation Area;
- * The impact of the proposals upon the amenity of neighbouring residents.
- * The impact of the proposals upon the Grade II listed building at 94 Eaton Place.

The proposals are considered to comply with the Council's policies in relation to amenity, design and conservation as set out in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (City Plan) and the applications are recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

BELGRAVIA RESIDENTS ASSOCIATION:

Any comments to be reported verbally.

BELGRAVIA NEIGHBOURHOOD FORUM:

Any comments to be reported verbally.

BELGRAVIA SOCIETY:

Any comments to be reported verbally.

HIGHWAYS PLANNING:

No objection.

BUILDING CONTROL:

The structural method statement is considered to be acceptable

ENVIRONMENTAL HEALTH:

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 37

Total No. of replies: 2

No. of objections: 2

No. in support: 0

Objections raised on the following grounds:

- Unsure whether No. 61 is physically attached to No. 60 or not.
- proposed demolition and basement construction would cause structural, as well as superficial damage to property.
- encroachment of basement into property.
- noise vibration and dust during course of works.
- disturbance of peaceful enjoyment caused by construction traffic.
- changes to water table.
- damage to historical and ambience of mews.
- length of construction works would affect peaceful enjoyment of property.
- impact of proposals on the adjoining properties.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

61 Eaton Mews North is a two storey single family dwelling. The application site is landlocked to the rear by 94 Eaton Place where there is a small courtyard serving the application property and separating it from the immediate rear of No. 94. Above the rear ground floor level the first floor storey with terrace over is within the demise of No. 94. The flat roof of the application property is accessed by an existing spiral staircase within the rear courtyard area.

No. 94 Eaton Place is Grade II listed. Given it is linked to the application site, an application for listed building consent for the works has also been submitted.

6.2 Recent Relevant History

No recent planning history.

7. THE PROPOSAL

Planning permission is sought for the demolition of the existing two storey mews at 61 Eaton Mews North including the rear ground floor wing extension beneath the first floor projection of 94 Eaton Place and provision of a new mews building comprising of new basement extension, ground (including rear ground floor extension beneath the first floor projection of 94 Eaton Place), first and mansard roof extension with mechanical plant and enclosure within the rear mansard roof. Terraces are located at rear first and second floor levels.

The planning application is also supported by a listed building consent application with regards to the proposed removal of the rear ground floor extension located beneath the existing first floor projection, which is within the demise of 94 Eaton Place (Grade II listed building).

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposals seek to create additional residential floor space through the provision of a new basement extension and mansard roof extension and associated works which are considered acceptable in terms of Policy S14.

8.2 Townscape and Design

Demolition and replacement building

The proposal seeks to demolish the existing two storey mews and provide a replacement building comprising of a new basement level, ground, first floor and mansard level.

The proposed demolition of the existing building is assessed in terms of Policy DES 9 of the UDP. Part (B) states 'Planning applications involving demolition in conservation areas are assessed in terms of the following:

- 1) Buildings identified as of local architectural, historical or topographical interest in adopted conservation area audits will enjoy a general presumption against demolition,
- 2) Development proposals within conservation areas, involving the demolition of unlisted buildings, may be permitted

a) If the building makes either a negative or insignificant contribution to the character or appearance of the area, and/or b) If the design quality of the proposed development is considered to result in an enhancement of the conservation area's overall character or appearance, having regard to issues of economic viability, including the viability of retaining and repairing the existing building.'

Westminster's 'Demolition and Development in Conservation Areas' SPG states 'the City Council will seek the retention of buildings which in the opinion of the City Council make a significant contribution to the character and appearance of a conservation area.

Proposals involving the total loss of unlisted buildings will be considered against the following criteria:

1. The contribution the existing building makes to the character and appearance of the area, in relation to the potential contribution of the proposed replacement development and its anticipated ability to preserve or enhance the character or appearance of the area.
2. The condition of the existing building and its capacity for adaption.

The emerging Belgravia conservation area audit notes the building as neutral and therefore it is not considered to make a significant contribution to the area. The demolition is subject to the rebuilt mews being of greater or equal value to the conservation area than the existing. The original character of the mews area has been somewhat eroded over time. The existing front elevation of the building does not represent an original mews fenestration. The proposed front elevation whilst not overtly traditional is considered to be in keeping with the character of the area overall and is therefore considered to preserve the character and appearance of the conservation area. As such the demolition of the building conforms to the above policy.

The rear ground floor extends beneath the first floor projection of 94 Eaton Place. The existing first floor projection is to be retained during the proposed works. This part of the building is not considered to be of special historic significance but by virtue of it being demised to 94 Eaton Place conditions are recommended to ensure works to the area beneath the first floor projection are made good.

Basement extension

The proposal seeks to form a new basement extension which is to be created under the building footprint. This would also result in a lowered ground floor finished level in order to create a level access into the building. The proposals do not seek to extend the basement under the rear courtyard area.

The proposed basement has been amended following objections from the adjoining residential occupiers and is to be set inside the party wall with Nos. 60 and 62. A

ceiling void of 400mm is proposed to accommodate air ventilation ducting and equipment. This would result in the floor to ceiling height of the new basement ranging from 2.2 m to 2.7m. The works are considered to conform to the Policy CM28.1 and are therefore considered acceptable.

Mansard roof extension with rear terrace

The proposal seeks to erect a mansard roof extension and incorporate an area of terrace to the rear. The property is identified within the draft Belgravia Conservation Area Audit (2013) as a property where a roof extension 'may be suitable'. This site is one of only two properties in the mews that do not include a full mansard.

The character of the mews is such that a mansard is not considered to harm the appearance of the area and is therefore considered acceptable when taken in context of the neighbouring properties within the mews. Furthermore, the mansard would lead to the removal of the existing unsightly roof additions. The mansard has been designed to match those along the mews and conditions are recommended to secure details of the proposed windows and dormer construction.

Alterations to the Rear Elevation

At rear ground floor level the proposals seek to provide a small rear extension, which will reduce the size of the courtyard by a minimal amount. The proposed extension will be enclosed on all sides and will be positioned below the existing projecting balcony. The extension is considered to have no impact on the character of the building or conservation area as views of the extension are limited to private views from properties to the immediate rear of the site.

The proposed alterations to the window location and size are modest at first floor level.

New dormer windows are proposed within the rear part of the mansard extension. One of the dormers will comprise of a louvred dormer window, which will accommodate a condenser unit. The louvres within the dormer are unusual but have been amended to reflect the design of dormer windows. Given that the louvred dormer accommodating the condenser unit is to the rear of the building where there are minimal private views this is considered acceptable in this instance.

Alterations to front elevation

The proposals consist of a number of alterations to the front elevation. The proposed replacement garage doors include part glazed garage double doors, which is seen throughout mews streets. The doors are mostly solid which is considered to conform with the sites character.

The removal of the ground floor bay window and insertion of a new sliding sash timber window is considered acceptable in design terms with details to be secured by condition.

The erection of Juliette doors and balconies mimics the appearance of many of the neighbouring properties, with the doors now being an established part of the areas aesthetic.

The proposals seek to provide a full rendered front elevation, which would match those of the neighbouring properties. Whilst painted brick is generally the traditional finish, in this street the proposed render would not be out of place. Overall the proposed mews is considered acceptable in design terms and preserves the character and appearance of the conservation area.

8.3 Residential Amenity

Externally the mews building in terms of height and appearance will appear as a three storey building comprising of ground, first and new mansard roof level. The proposed basement extension, which has no external manifestation is located entirely beneath the footprint of the building and does not extend beyond the the rear courtyard area.

Sunlight and Daylight

Policy S29 states that the Council will resist proposals that result in an unacceptable material loss of residential amenity and developments should aim to improve the residential environment and this is supported by saved Policy ENV 13 of the UDP. A daylight and sunlight report has been submitted with the application which has assessed the nearest affected windows in 94 Eaton Place and 49 Eaton Mews North.

The proposals do not have any material impact on daylight and sunlight received by neighbouring properties.

Sense of Enclosure

The existing building has an awkward relationship with No. 94 Eaton Place, as there is an existing infill extension at first floor level between the rear of No. 94 and the rear of the application site, which is within the demise of No. 94. This first floor extension serves a kitchen and has a single window within the side elevation. The existing building is separated from the rear of No. 94 Eaton Place by a small courtyard area.

The rear ground floor level will increase in depth from the existing situation by a further 1.2m and steps back at first floor level to the same line as the existing rear elevation. The new mansard extension is stepped back from the rear first floor elevation by 1m but includes a small terrace area. The proposed replacement building appears no higher than its neighbour at No. 60 which has an existing roof extension. There is no roof extension to No. 62. The nearest affected window to the proposals is the kitchen window within the side elevation of the first floor infill extension at No. 94 Eaton Place. However the extension at this level does not project further forward of the existing building line to cause a material sense of enclosure to this window.

Privacy

There already exists an element of mutual overlooking between the existing building and the rear of No. 94. The rear of No. 94 contains a column of windows from rear first to fifth floor level. Above the rear first floor infill extension there is a flat roof which has a door leading onto the flat roof area. It has not been possible to access the property to

verify the use of the rooms that these windows serve. However a check of planning records indicates that the arched windows at rear first and second floor level may serve bedrooms.

However as highlighted above there is already an element of mutual overlooking between the rear of No. 94 and the application site and vice versa. When using the existing rear spiral staircase to access the roof area this provides clear views into the kitchen at first floor level, and there are also views from the kitchen window to the rear of the application site and courtyard area.

The proposed rear elevation of the replacement building would provide a 'picture window' at rear ground floor level which will serve a dining room, which has views into the rear courtyard area. The window at rear first floor level will serve a bedroom with access onto a small balcony area. This arrangement is not dissimilar from the existing situation. At rear second floor level (mansard extension) there is a dormer window serving the staircase and a door (designed as a dormer window) which will serve the master bedroom and provide access onto a terrace. There is also another dormer which has been designed to accommodate the mechanical plant. The proposed location of the terrace follows the same line as the existing roof. Given that the existing roof had unrestricted access it is considered that the proposed terrace at second floor level is acceptable on balance as it serves to restrict the area of usable amenity space. It is not considered that the new windows and balconies/terrace on the rear elevation would cause an adverse impact on residential amenity to warrant a refusal of the application on these grounds.

8.4 Transportation/Parking

There are no changes to the existing highway infrastructure. The proposed building retains a single car parking space.

8.5 Economic Considerations

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

8.6 Access

There is currently a step up into the dwelling house and the proposed redevelopment of the building would provide level access at ground floor level.

8.7 Other UDP/Westminster Policy Considerations

Plant

An air conditioning unit is proposed within the new roof extension. A noise assessment has been submitted which demonstrates that the proposed air conditioning unit is capable of compliance with the City Council's planning noise conditions and in accordance with Policy S32 of the Westminster Plan and ENV6 and ENV 7 of the UDP. Conditions are recommended to secure the operation of the air conditioning unit.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

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

8.10 Planning Obligations

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

The application is subject to borough and Mayoral CIL. The estimated payment is approximately £64,900 (Mayoral £6,457 and borough £58,450).

8.11 Environmental Impact Assessment

Not applicable.

8.12 Other Issues

Basement

Objections have been raised by the adjoining owners on the grounds that the proposed basement and rebuilding of the mews property would cause structural problems to their properties.

Building Regulations determine whether the detailed design of buildings and their foundations will allow the buildings to be constructed and used safely, the National Planning Policy Framework (NPPF) March 2012 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by land instability.

The NPPF goes on to state that in order to prevent unacceptable risks from land instability, planning decisions should ensure that new development is appropriate for its location. It advises that where a site is affected by land stability issues responsibility for securing a safe development rests with the developer and/or landowner.

The NPPF advises that planning decisions should ensure that a site is suitable for its new use taking account of ground conditions and land instability and any proposals for mitigation, and that adequate site investigation information, prepared by a competent person, is presented.

Officers consider that in light of the above it would be justifiable to adopt a precautionary approach to these types of development where there is a potential to cause damage to adjoining structures. To address this, the applicant has provided a structural engineer's report explaining the likely methodology of excavation. Any report by a member of the

relevant professional institution carries a duty of care which should be sufficient to demonstrate that the matter has been properly considered at this early stage.

The purpose of such a report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the site, existing structural conditions and geology. It does not prescribe the engineering techniques that must be used during construction which may need to be altered once the excavation has occurred. The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act.

This report together with the objections raised concerning the method of excavation has been considered by Building Control officers who advised that the structural approach and consideration of local hydrology appears satisfactory. We are not approving this report or conditioning that the works shall necessarily be carried out in accordance with the report. Its purpose is to show, with professional duty of care, that there is no reasonable impediment foreseeable at this stage to the scheme satisfying the Building Regulations in due course. This report will be attached for information purposes to the decision letter. It is considered that this is far as we can reasonably take this matter under the planning considerations of the proposal as matters of detailed engineering techniques and whether they secure the structural integrity of the development and neighbouring buildings during construction is not controlled through the planning regime but other statutory codes and regulations as cited above. To go further would be to act beyond the bounds of planning control. A condition requiring more detailed site investigations to be carried out in advance of construction works commencing, together with the written appointment and agreement of a competent contractor to undertake the works is not therefore considered reasonable. On this basis the proposed basement extension complies with the requirements of Policy CM28.1.

Construction impact

Policy CM28.1 requires the application proposals to be accompanied by a signed proforma Appendix A which demonstrates that the applicant will comply with the relevant parts of the council's Code of Construction Practice (CoCP). This the applicant has done. A condition is recommended to ensure that the development complies with the CoCP, which will require the developer to provide a Construction Management Plan (CMP) and funding for the Environmental Inspectorate to monitor the construction phase of the development. The CoCP sets out the minimum standards and procedures for managing and minimising the environmental impacts of construction projects within Westminster. The key issues to address as part of the CoCP and production of a CMP are liaison with the public, general requirements relating to the site environment, traffic and highways matters, noise and vibration, dust and air quality, waste management and flood control.

Concerns have been raised by residents about the construction impact of the basement extension. However since the adoption of the City Council's basement policy the applicant will be required to address these concerns through the COCP and CMP.

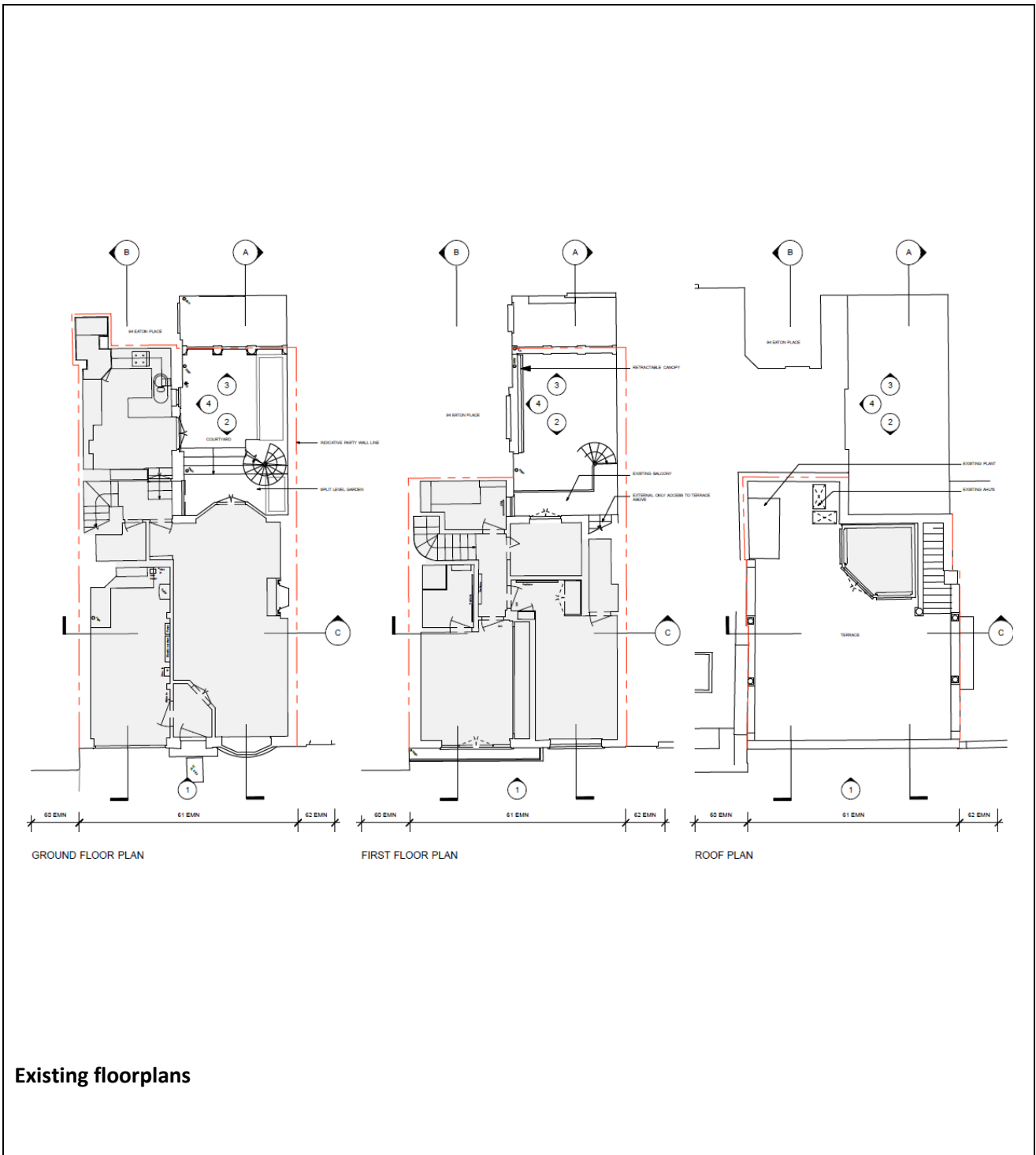
9. BACKGROUND PAPERS

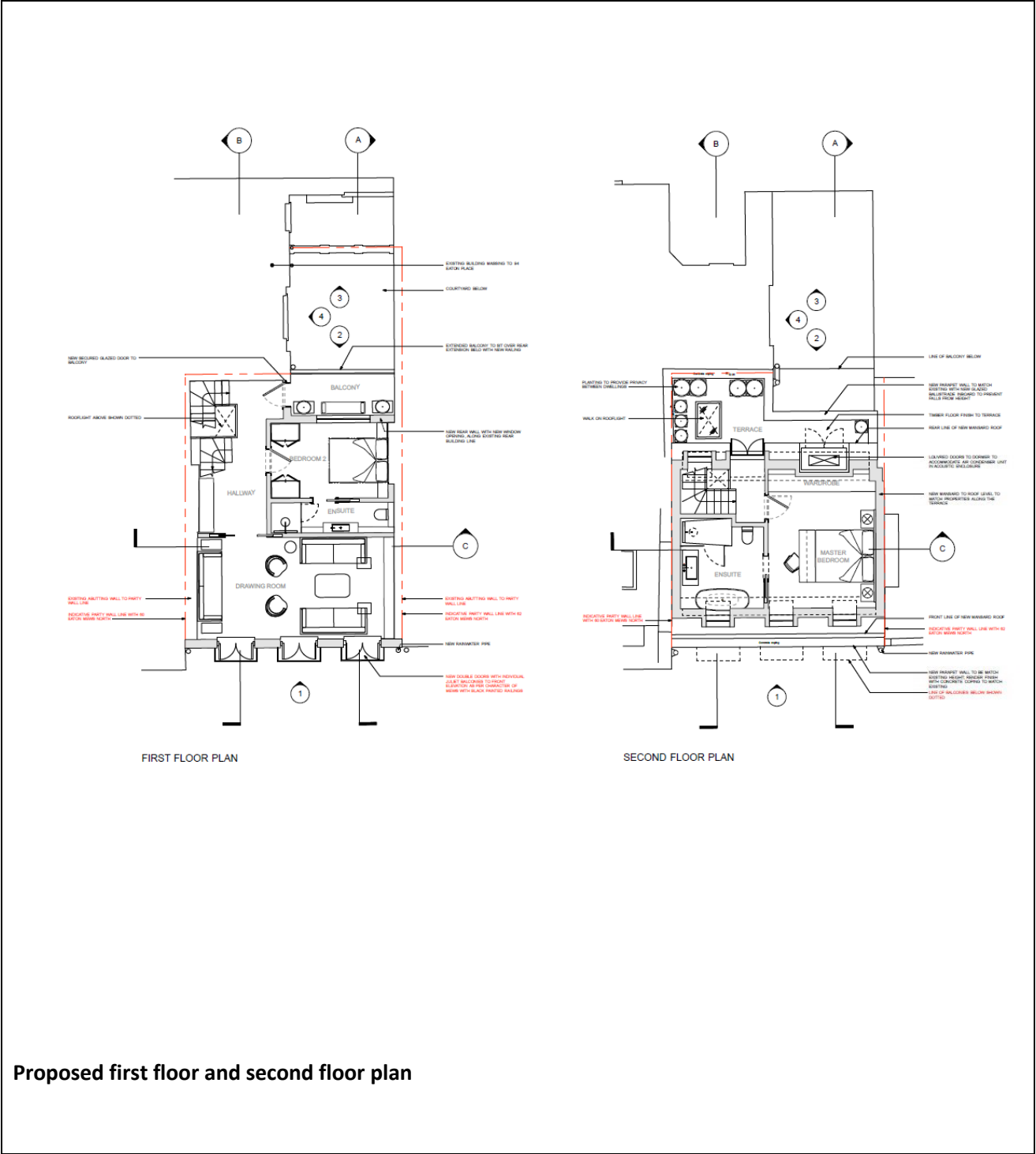
1. Application form.
2. Memorandum from Highways Planning Manager dated 29 November 2016.
3. Memorandum from Crossrail and Environmental Sciences Team dated 29 November 2016.
4. E-mail from Building Control dated 13 March 2017.
5. E-mail from the residential occupier of 60 Eaton Mews North received 3 January 2017.
6. E-mail from the residential occupier of 62 Eaton Mews North (Embassy of Chile) received 6 January 2017.

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

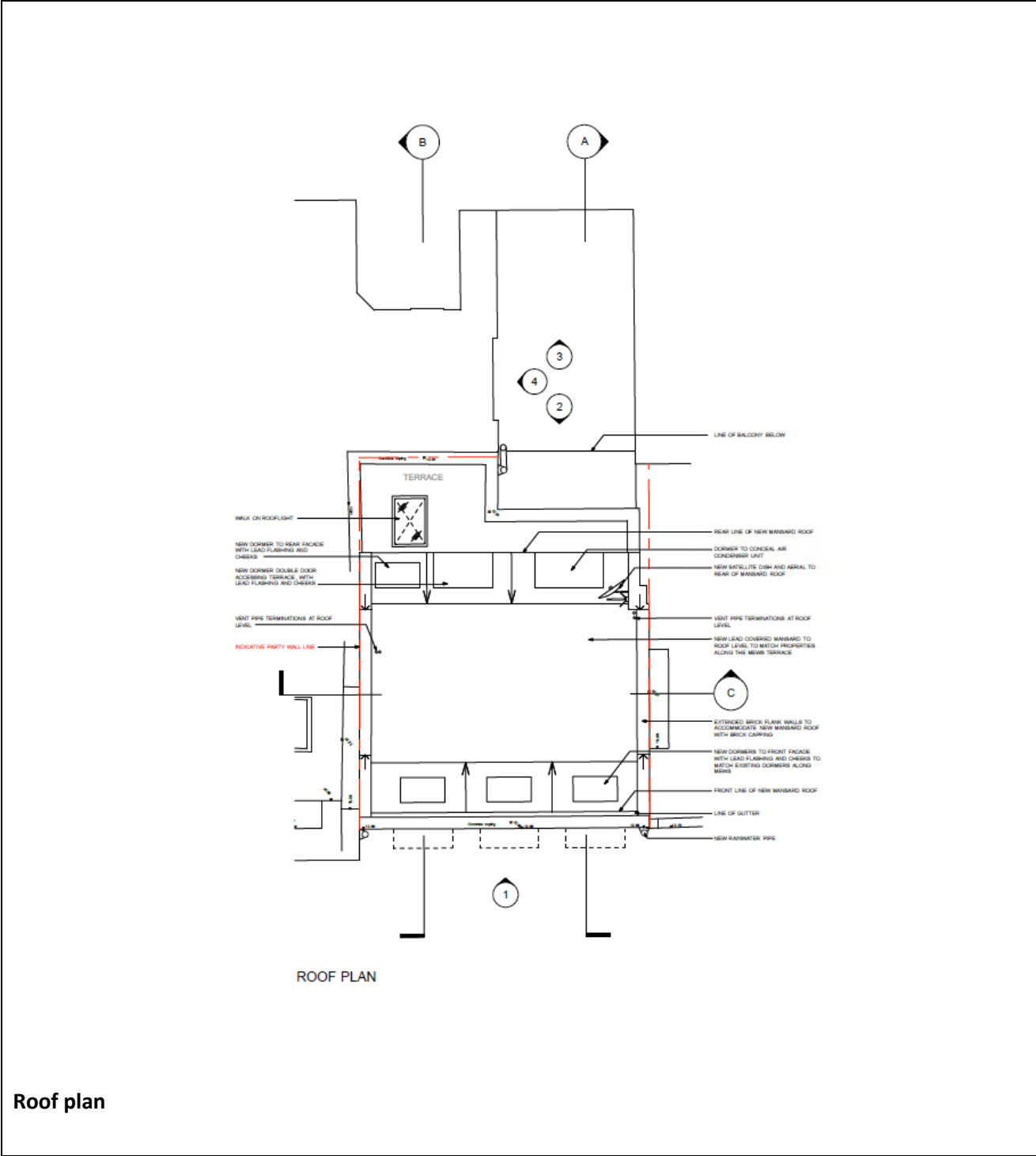
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: LOUISE FRANCIS BY EMAIL AT lfrancis@westminster.gov.uk

10. KEY DRAWINGS

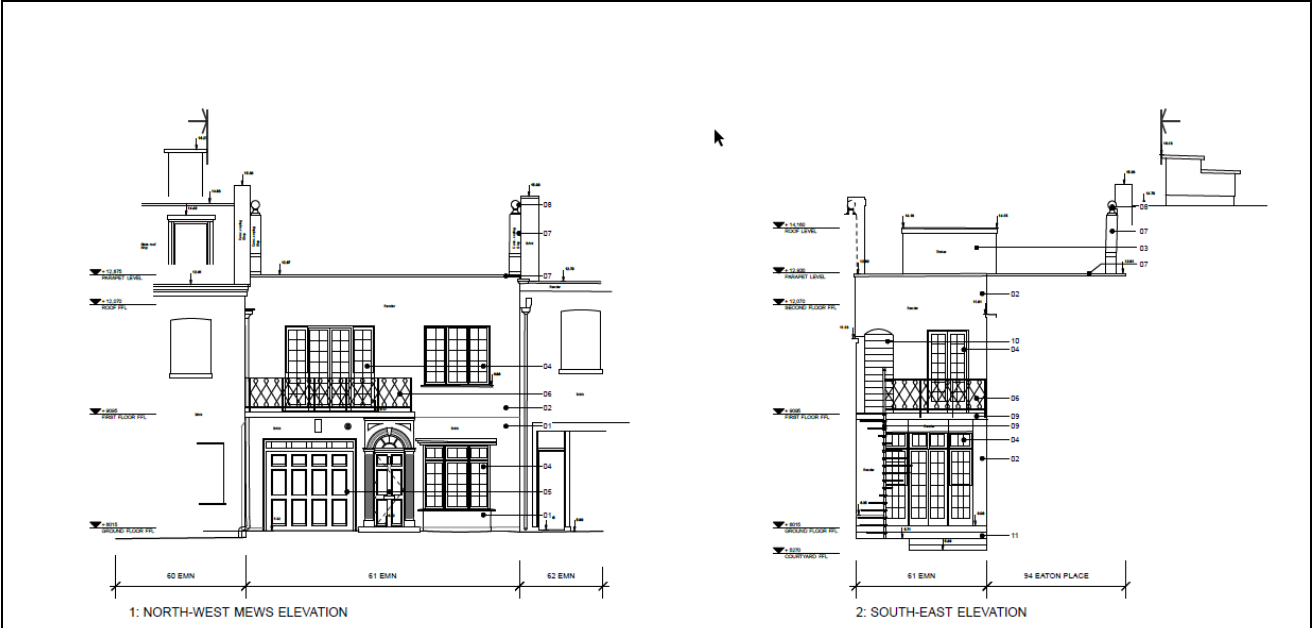




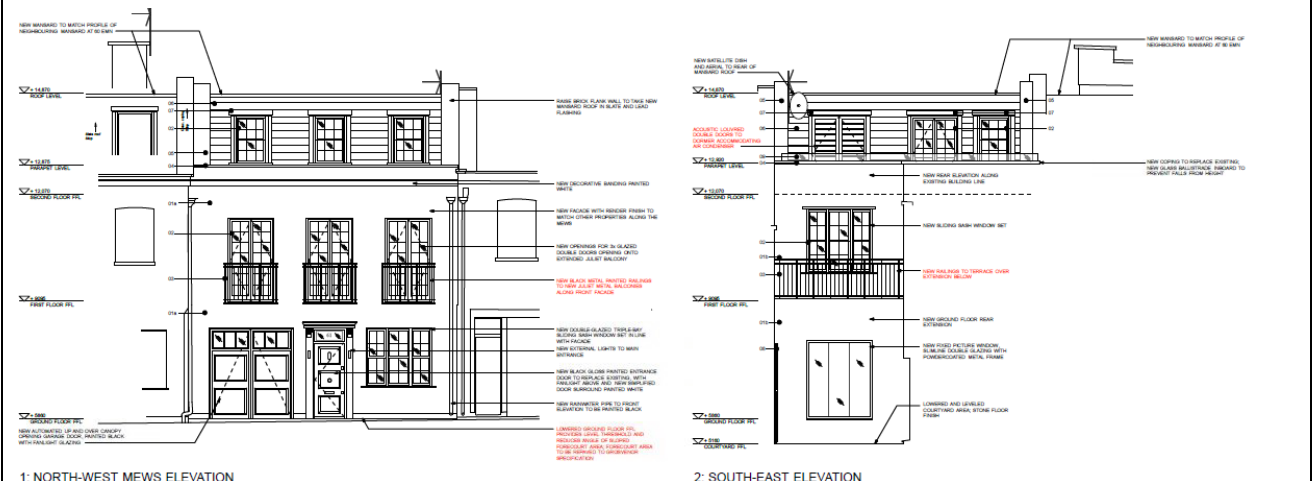
Proposed first floor and second floor plan



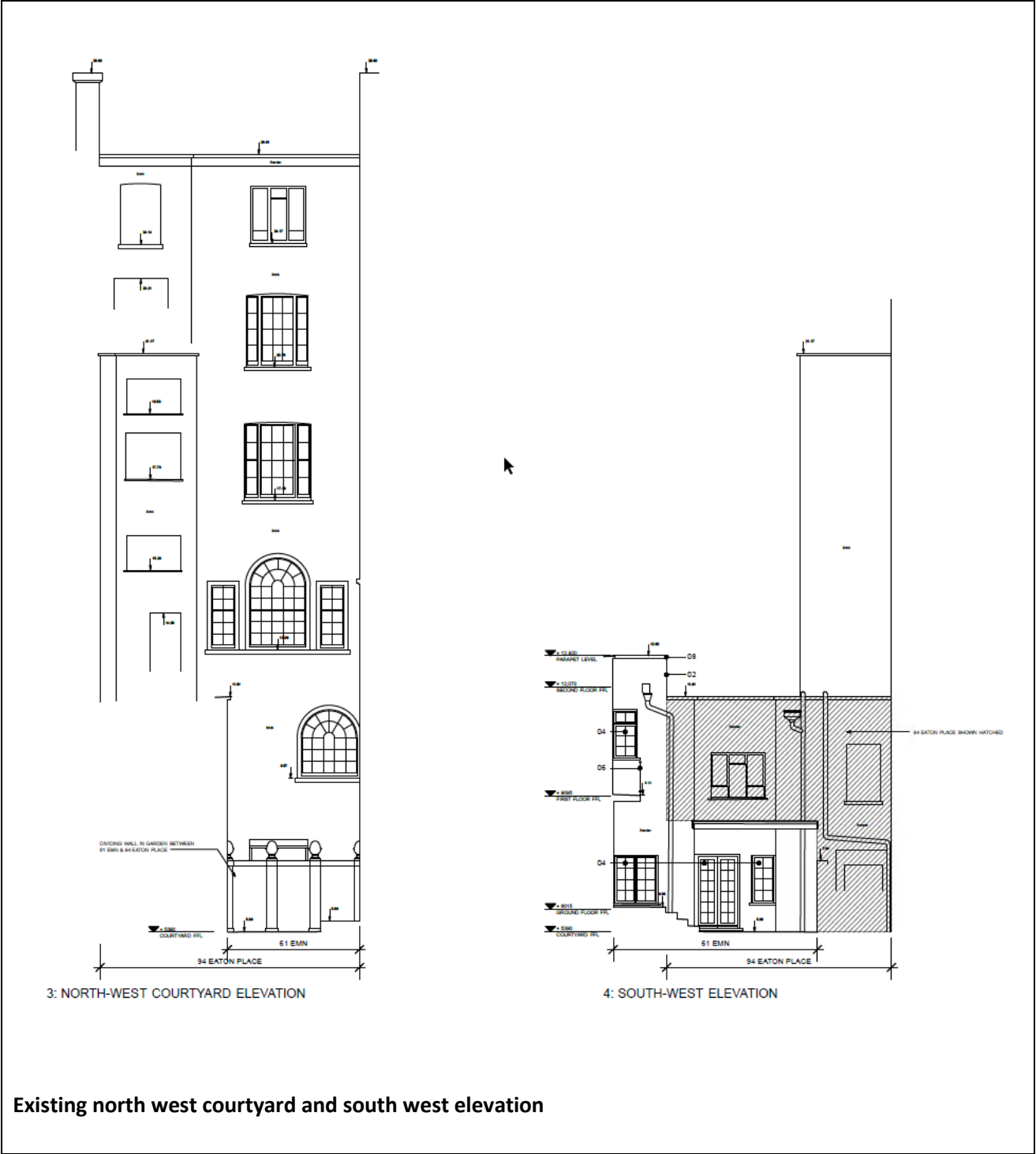
Roof plan



Existing north west mews and south east elevation

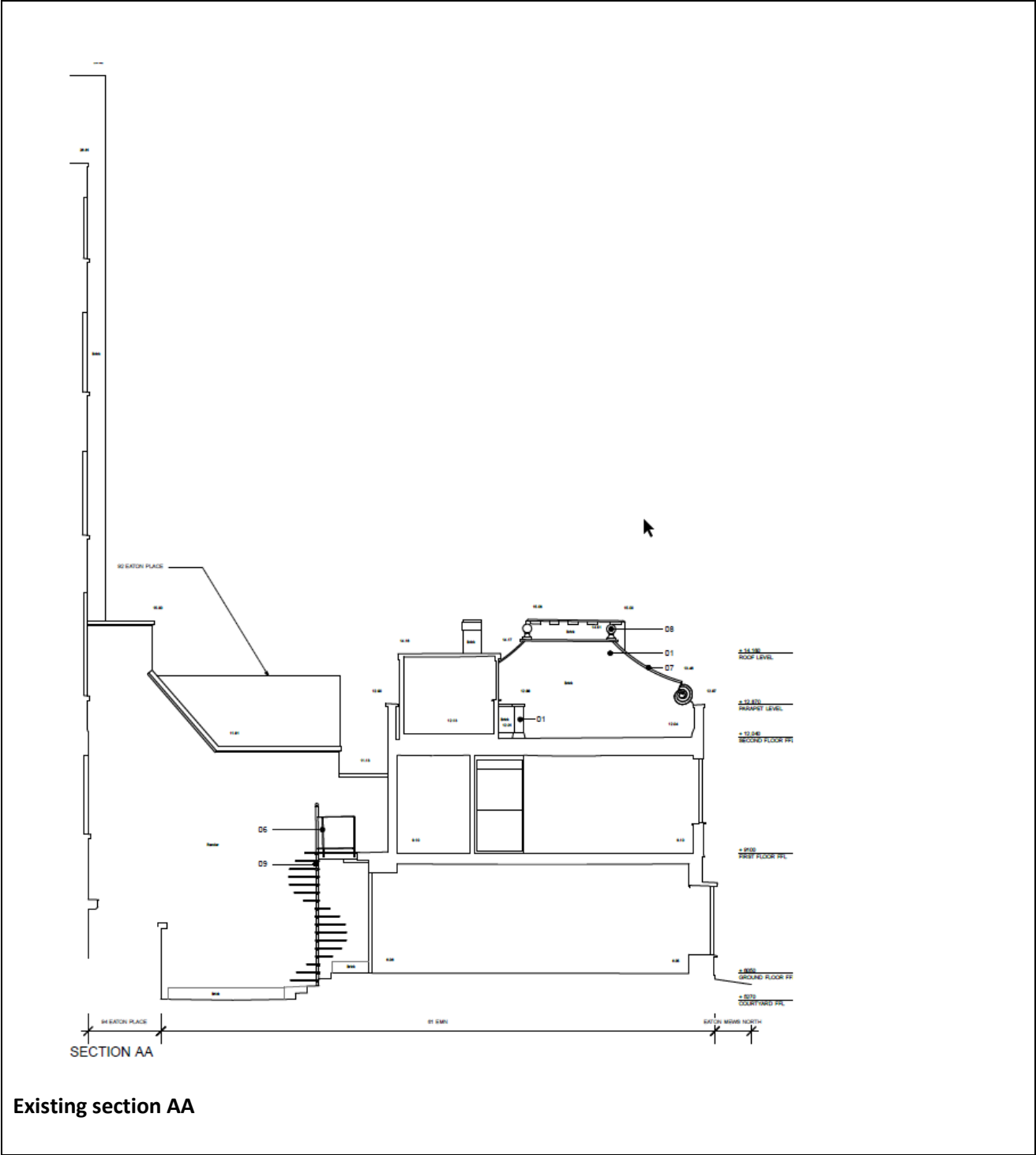


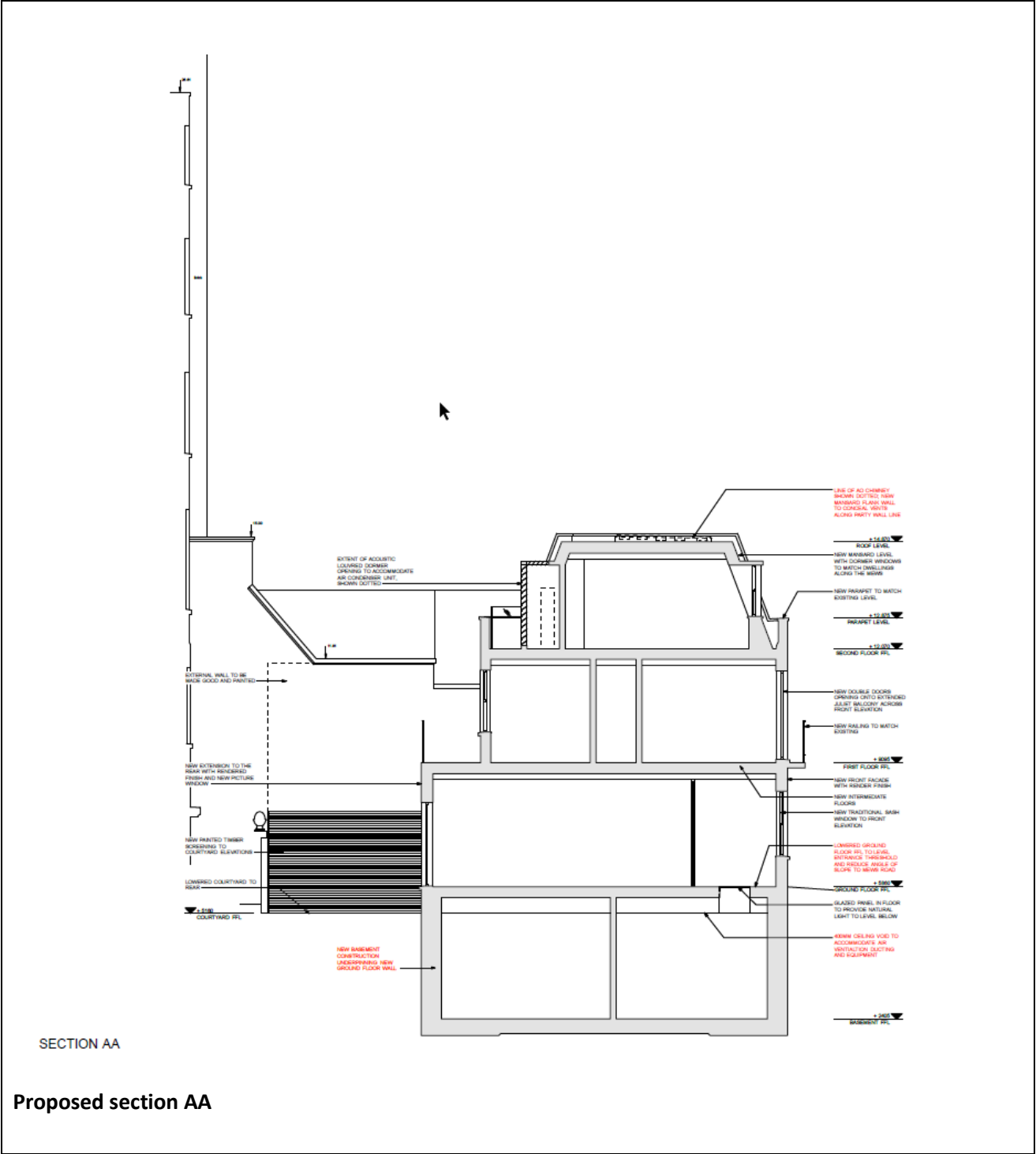
Proposed north west mews and south east elevation

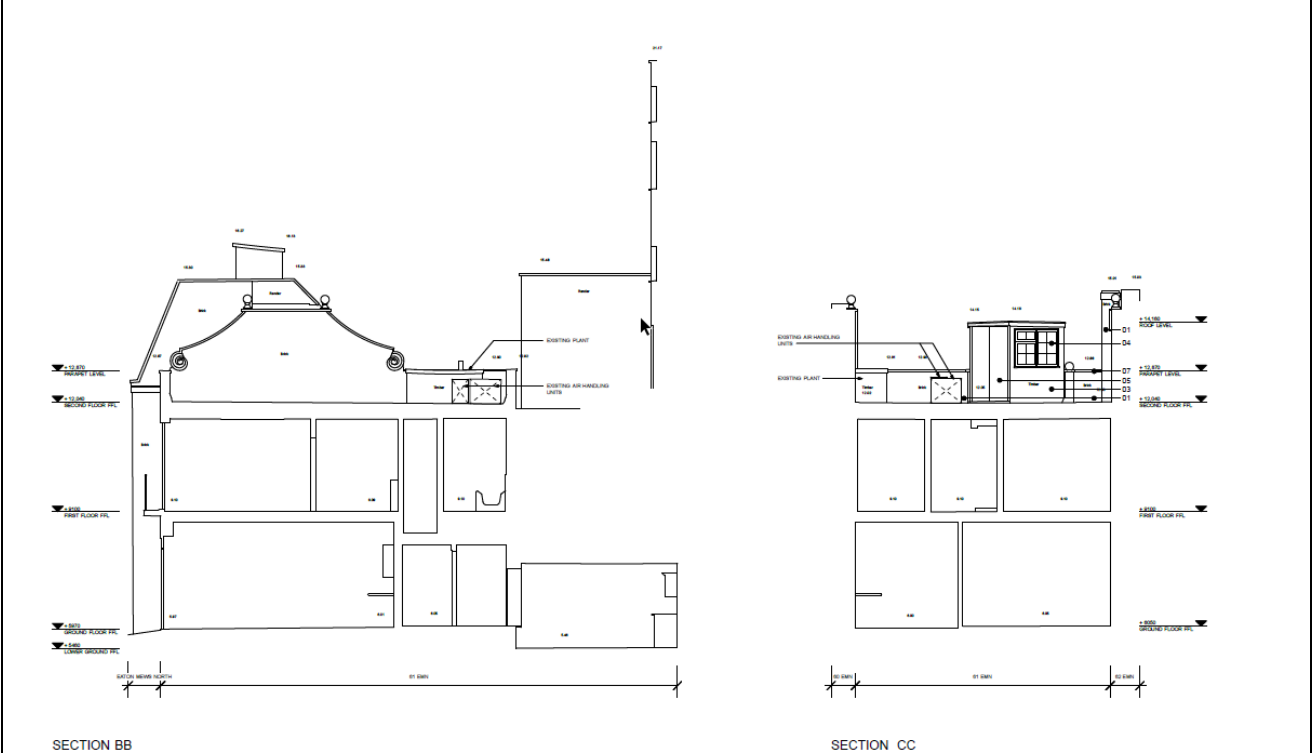




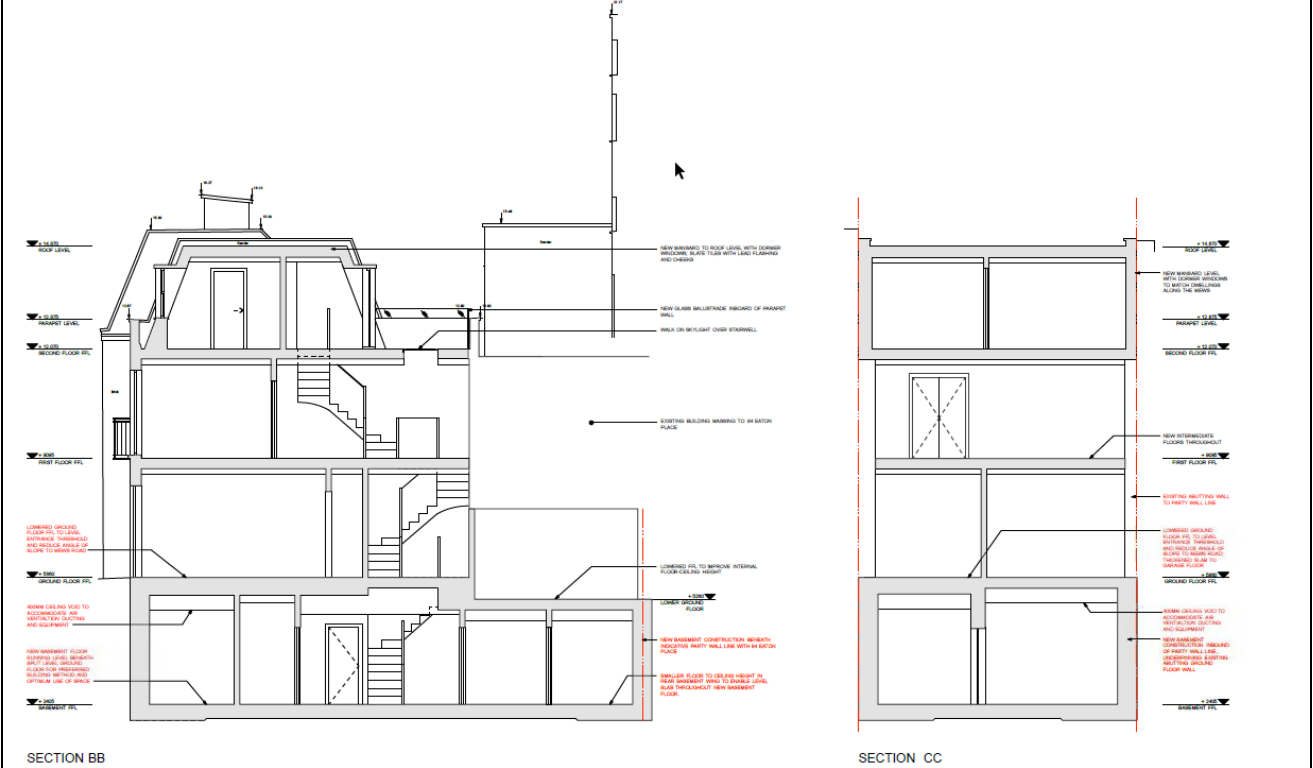
Proposed north west courtyard and south west elevation







Existing section BB and CC



Proposed section BB and CC

DRAFT DECISION LETTER

Address: 61 Eaton Mews North, London, SW1X 8LL,

Proposal: Demolition of the existing two storey mews and provision of a new building comprising of basement, ground (including rear ground floor extension), first and mansard roof extension with mechanical plant and enclosure within the rear mansard roof.

Reference: 16/10393/FULL

Plan Nos: 3002 (PL)500, 3002 (PL)501, 3002 (PL)001, 3002 (PL)010, 3002 (PL)011, 3002 (PL)020, 3002 (PL)021, 3002 (PL)101, 3002 (PL)110, 3002 (PL)111, 3002 (PL)120, 3002 (PL)121, 3002 (PL)201 Rev. A, 3002 (PL)202 Rev. A, 3002 (PL)203 Rev. A, 3002 (PL)210 Rev. A, 3002 (PL)211 Rev. A, 3002 (PL)220 Rev. A, 3002 (PL)221 Rev. A, Daylight and Sunlight Report (3416-01-01) prepared by Jessop Associates dated 16 November 2016, Design and Access Statement with Planning Policies (Ref: 3002-PL-300) dated 31 October 2016, Design and Access Statement with Planning Policies - Supporting Images Appendix (Ref: 3002-PL-301) dated 31 October 2016 and Environmental Noise Assessment (103161.ph.Issue2) prepared by Acoustics Plus dated 31/10/2016., , For information purposes only: Basement Code of Construction Practice dated 04.11.16, Desk Study Ground Investigation and Basement Impact Assessment Report (Final v10 P9622J917) dated 25 October 2016 and Submission of Construction Management Plan.

Case Officer: Zulekha Hosenally

Direct Tel. No. 020 7641 2511

Recommended Condition(s) and Reason(s)

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

Reason:

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

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
 - 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.

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

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

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

Reason:

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

- 3 Prior to the commencement of any demolition or construction on site the applicant shall provide evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. (C11CA)

Reason:

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

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

Reason:

To maintain the character of the Belgravia Conservation Area as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 9 (B) of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29AC)

- 5 The new roof covering is to comprise of natural slates.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Belgravia Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or

both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 6 You must apply to us for approval of detailed drawings of the following parts of the development:
- i) Windows, including dormer construction;
 - ii) External doors, including garage; and
 - iii) Railings.

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

Reason:

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

- 7 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 5 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., , (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., , (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:, (a) A schedule of all plant and equipment that formed part of this application;, (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment; (c) Manufacturer specifications of sound

emissions in octave or third octave detail;; (d) The location of most affected noise sensitive receptor location and the most affected window of it;; (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;; (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;; (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;; (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

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

- 8 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.

- 9 The air condenser unit hereby approved must be accommodated within the acoustic enclosure as shown on the drawings hereby approved and in accordance with the mitigation measures set out in the Environmental Noise Assessment (103161.ph.Issue2) dated 31/10/2016, and retained as long as the unit remains in place.

Reason:

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

implementation of the planning permission.

10. You must only use the garage for people living in this property to park their private motor vehicles.

Reason

To provide an off street parking space as required by TRANS 23 of our Unitary Development Plan that we adopted in January 2007.

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 Conditions 7, 8 and 9 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 3 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.
- 4 With reference to condition 3 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work. The Code does require the submission of a full Site Environmental Management Plan or Construction Management Plan as appropriate 40 days prior to commencement of works (including demolition). You are urged therefore to give this your early attention.
- 5 This permission is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council and as a consequence we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.

- 6 Please make sure that the lighting is designed so that it does not cause any nuisance for neighbours at night. If a neighbour considers that the lighting is causing them a nuisance, they can ask us to take action to stop the nuisance (under section 102 of the Clean Neighbourhoods and Environment Act 2005). (I39AA)

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

DRAFT DECISION LETTER

- Address:** 94 Eaton Place, London, SW1X 8LW,
- Proposal:** Demolition of the existing two storey mews at 61 Eaton Mews North including rear ground floor wing extension beneath the first floor projection of 94 Eaton Place and provision of a new mews building comprising of new basement extension, ground (including rear ground floor extension beneath the first floor projection of 94 Eaton Place), first and mansard roof extension with mechanical plant and enclosure within the rear mansard roof; rear terrace at first and second floor level.
- Reference:** 17/02550/LBC
- Plan Nos:** 3002 (PL)500, 3002 (PL)501, 3002 (PL)001, 3002 (PL)010, 3002 (PL)011, 3002 (PL)020, 3002 (PL)021, 3002 (PL)101, 3002 (PL)110, 3002 (PL)111, 3002 (PL)120, 3002 (PL)121, 3002 (PL)201 Rev. A, 3002 (PL)202 Rev. A, 3002 (PL)203 Rev. A, 3002 (PL)210 Rev. A, 3002 (PL)211 Rev. A, 3002 (PL)220 Rev. A, 3002 (PL)221 Rev. A, Design and Access Statement with Planning Policies (Ref: 3002-PL-300) dated 31 October 2016, Design and Access Statement with Planning Policies - Supporting Images Appendix (Ref: 3002-PL-301) dated 31 October 2016

Case Officer: Zulekha Hosenally

Direct Tel. No. 020 7641 2511

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

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

Reason:

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

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

Reason:

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

Informative(s):

1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT -
In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan March 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations. The City Council decided that the proposed works would not harm the special architectural and historic interest of this listed building. In reaching this decision the following were of particular relevance: S25 and S28 of Westminster's City Plan and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.