

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 23 May 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Bayswater	
Subject of Report	13-19 , Leinster Square, London, W2 4PR		
Proposal	Variation of condition 1 (approved plans) of planning permission and listed building consent dated 18 August 2015 (RN 15/00778/FULL and 15/00779/LBC), which sought to vary condition 1 of planning permission and listed building consent dated 22 December 2014 (RN: 14/06756/FULL and 14/06757/LBC) for extensions and alterations and the conversion of hotel to 15 flats; NAMLEY, to vary the approved drawing numbers to amend the relocation of roof terrace access stair from No. 13 to No. 14. Reconfiguration of roof plant well to bays 13 and 14. Omission of all roof lights. Introduction of raised sections of roof to bays 15 and 18 to provide additional ceiling height within penthouse units below. Enlarged glazed openings to rear terraces. Glazed roof to rear extension omitted in favour of solid roof. Glazed conservatory style wall to extensions replaced by masonry wall with single picture window set. Installation of Juliet balconies to master suites at rear lower ground. Reduction of glazed opening sizes to rear terraces which are now set within substantial masonry nibs at basement. Including internal alterations.		
Agent	Ms Fiona Flaherty		
On behalf of	AG Leinster Square (Jersey) Limited		
Registered Number	17/01152/FULL and 17/01181/LBC	Date amended/ completed	13 February 2017
Date Application Received	13 February 2017		
Historic Building Grade	II		
Conservation Area	Bayswater		

1. RECOMMENDATION

i)	Grant conditional permission, subject to a deed of variation.
ii)	Grant conditional listed building consent.
iii)	Agree the reasons for granting conditional listed building consent as set out in informative of the draft decision letter.

2. SUMMARY

Planning permission and listed building consent was originally granted in 2014 for extensions and alteration in connection with the conversion of a hotel into 15 residential units. These were subsequently varied in 2015. Permission and consent is now sought to vary this latest proposal (alterations to the rear elevation, omission and relocation of roof additions and internal alterations)

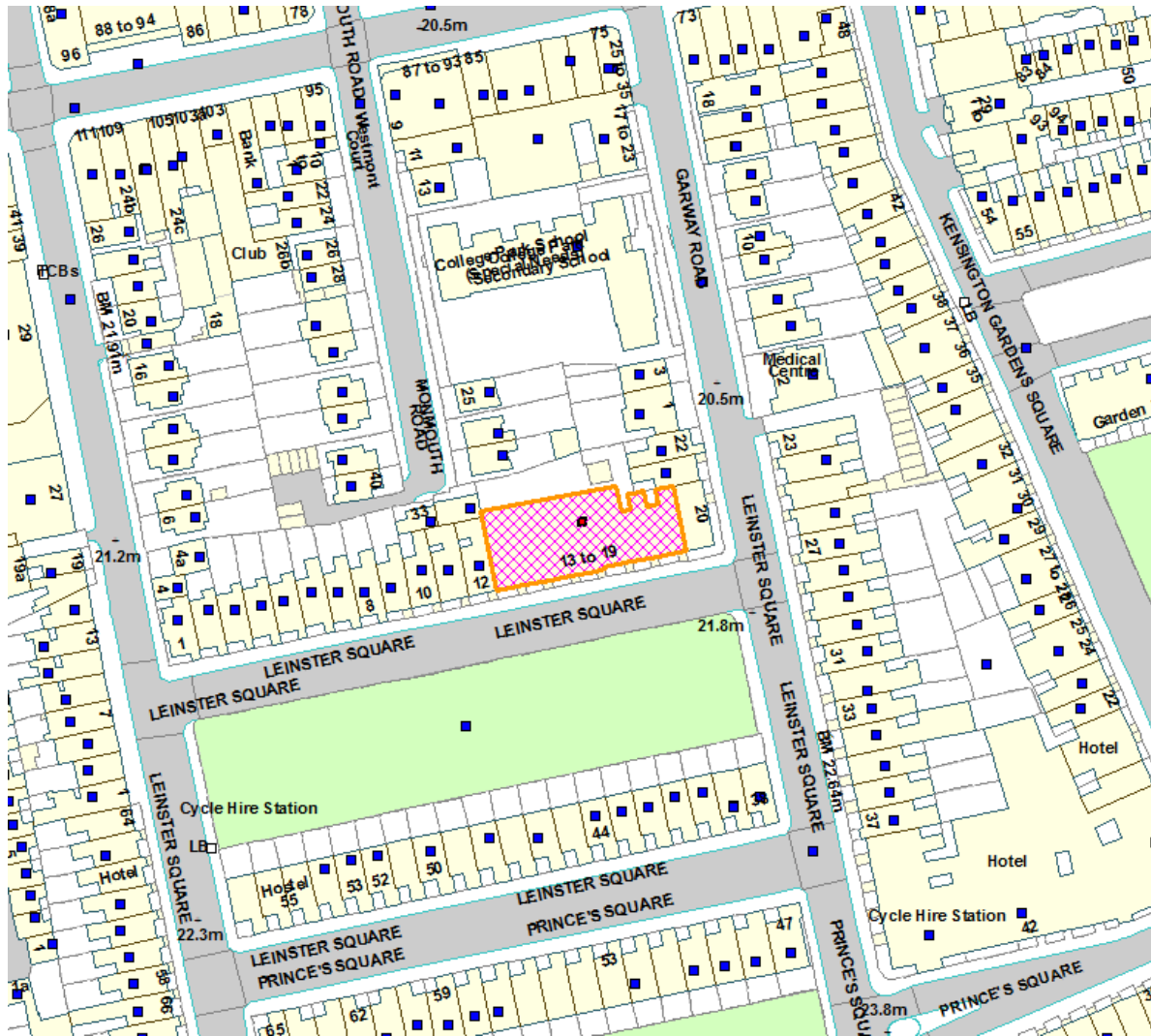
Objections have been from the Bayswater Residents Association and South East Bayswater Residents Association concerning the increase in height of the roof and from 5 neighbours on land use, design, amenity and transport grounds.

The key issues in this case are:

- The impact on the special interest of the Grade II listed buildings
- The impact of the proposal on the character and appearance of the Bayswater Conservation Area.
- The impact of the proposal on the amenity of neighbouring properties.

The proposed development is considered to comply with relevant policies in the Unitary Development Plan adopted in January 2007 (the UDP) and Westminster's City Plan adopted in November 2016 (the City Plan). The applications are therefore recommended favourably, subject to a deed of variation.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front Elevation



Rear Elevation (under construction)

5. CONSULTATIONS**BUILDING CONTROL:**

Any response to be reported verbally.

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

Support objection from Bayswater Residents Association.

BAYSWATER RESIDENTS ASSOCIATION

Any increase in height of roofline development will reduce light into the houses and gardens on Monmouth Road. The original consented plans show no increase in roof height.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 52

Total No. of replies: 5

No. of objections: 5 including 1 from Monmouth Road Housing Co-Op Ltd at 34 Monmouth Road as freeholder of 31-33 Monmouth Road and Flat C at first floor level.

No. in support: 0

Objections have been raised on all or some of the following grounds:

Land Use

*Proposed Nanny Flats seem to create two new housing units.

Design

*Development is disproportionate in scale to the surrounding terraces.

*Juliette balconies will clutter the rear elevation

Amenity

*Increase in height of roofline development will reduce light into the houses and gardens on Monmouth Road

*Balconies will create a sense of enclosure and increase overlooking

*Balconies will result in increased noise

Highways

*Creation of Nanny Flats will create pressure on parking

Other

*Development is beginning to destroy the neighbourhood

*No rear elevation has been provided

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site contains seven, six storey terraced townhouses that have been amalgamated to create a hotel, the existing lawful use of the site. The properties are Grade II listed buildings and are located within the Bayswater Conservation Area.

The properties were listed in 1965 for their individual and group value as part of the terrace (1-22 Leinster Square) on the northern side of the road. The planning history of the property does not clearly indicate when the use of the properties as a hotel commenced, but does indicate a number of internal and external alterations took place during the 1980s that have led to loss of plan form and historic fabric.

Works are underway to implement planning permission and listed building consent dated 18 August 2015.

6.2 Recent Relevant History

22 December 2014. Planning permission and listed building consent were granted for the excavation of a basement beneath buildings, three storey rear extension and rear terraces, associated alterations to roof and facade in connection with the conversion of hotel into 15 residential units. (14/06756/FULL and 14/06757/LBC). This was subject of a S106 which secured an affordable housing contribution, car club membership and a S106 monitoring fee.

3 March 2014. Approval of tree protection measures pursuant to Condition 15 of planning permission (RN: 14/06756/FULL). (14/12211/ADFULL)

18 August 2015. Permission was granted for the variation of Condition 1 of planning permission dated 22 December 2014 (RN: 14/06756) (and listed building consent) for conversion of hotel to 15 flats; namely, width of no. 18's garden increased in order to reduce excavation in root protection area and to provide additional garden space; two external staircases on rear elevation of houses 03 and 04 to provide access to Garden; removal of glazed staircase enclosure from no. 17 to no. 18; and partially removing garden wall between houses 03 and 04; and variation to condition 11 so that the submission of the BREEAM rating is within 14 weeks of practical completion. (15/00778/FULL and 15/00779/LBC). This was subject to a deed of variation to the S106 dated 24 December 2014.

1 December 2015. Details of repair of original and reinstatement of skirting boards and repair of original and reinstatement of lath and plaster ceilings, ceiling roses, skirting, walls and cornices pursuant to Conditions 3(c) and 3(g) of listed building consent dated 10 August 2015 (RN: 15/00779). (15/09592/ADLBC)

17 December 2015. Details of Construction Management Plan/Statement pursuant to Condition 12 of planning permission dated 10 August 2015 (RN : 15/00778). 15/09921/ADFULL

11 July 2016. Details of the Construction Management Plan pursuant to Condition 12 of planning permission dated 10 August 2015 (RN: 15/00778). 16/04629/ADFULL

27 May 2016 Details of rooflights pursuant to Condition 3c of planning permission dated 10 August 2015 (RN: 15/00778/FULL). 16/04633/ADFULL

17 June 2016. Details of communal cycle storage pursuant to Condition 9 of planning permission dated 10 August 2015 (RN: 15/00778/FULL). 16/04634/ADFULL

27 May 2016. Details of rooflights, structural works to first and second floors and fireplaces pursuant to Condition 3(d, e and h) of listed building consent dated 10 August 2015 (RN: 15/00779/LBC). 16/04737/ADLBC

25 July 2016. details of repair of original and reinstatement of lath and plaster ceilings, ceiling roses, skirting, walls and cornices pursuant to Condition 3 part G of listed building consent dated 10 August 2015 (RN: 15/00779/LBC). 16/05123/ADLBC

15 February 2017. Listed building consent was granted for internal alterations to form additional and enlarged openings. (16/12091/LBC)

7. THE PROPOSAL

The application seeks to vary condition 1 (approved drawings) of planning permission and listed building consent dated 18 August 2015 (RN's 15/00778/FULL and 15/00779/LBC).

The proposed alterations to the approved drawings include the following:

Basement

- Reduction of glazed opening sizes to rear terraces which and their setting within substantial masonry nibs
- Introduction of Nanny Flats within 2no Flats
- Introduction of basement level entrances and the reconfiguration of plant rooms to accommodate the amendment
- Internal layout changes to accommodate utility rooms at basement level which have been relocated from Lower Ground floor level
- Omission of gym and replacement with secure storage lockers for the 10 no. lateral apartments.

Lower Ground

- Introduction of Juliet balconies to master suites at rear
- Reduction of glazed openings to rear
- Reconfiguration of master suite dressing areas
- New wine stores to all townhouses (previous utility room locations)
- Relocation of cycle storage to all townhouses, accessed via external front light wells
- Additional bedroom incorporated to rear of a flat
- Relocation of Ground Floor powder rooms to Lower Ground Floor level
- Internal reconfiguration of bathrooms and service cupboards
- New opening within a master bedroom to access small external terrace
- Omission of window to a bedroom 2 en-suite to rear

Ground floor

- Relocation of powder rooms to Lower Ground Floor level
- Enlarged glazed openings to rear terraces
- Glazed roof to the rear extension replaced with a solid roof
- Glazed conservatory style wall to the extensions replaced by masonry wall with single picture window set within it
- Relocation of kitchen to front room in no. 19
- No. 19 rear windows to study and family room to be timber sashes rather than aluminium sliders as previously consented.

First Floor

- Reconfiguration of master suites (nos. 13 and 19)
- Introduction of additional powder room to Apartment 1 accessed from entrance lobby
- Omission of rear wall to living room in Apartment 2
- Reconfigured access to Apartment 2 Bedroom 2
- Introduction of additional joinery to hallways in both Apartments 1 and 2

Second Floor

- Reconfiguration of master suites (nos. 13 and 19)
- Introduction of additional powder room to Apartment 3 accessed from entrance lobby
- Omission of rear wall to living room in Apartment 4
- Reconfigured access to Apartment 4 Bedroom 2
- Introduction of additional joinery to hallways in both Apartments 3 and 4

Third and fourth floors

- Reconfiguration of master suites (nos. 13 and 19)
- Enlarged opening between living rooms and kitchen/diners in Apartments 5 & 7
- Introduction of additional joinery to hallways in all Apartments

Fifth Floor

- Reconfiguration of master suites
- Relocation of roof terrace access stair to Apartment 9 from No. 13 to No. 14.
- Omission of rear wall to living room in Apartment 9
- Reconfiguration of powder room, utility and service cupboards to suit new stair location to Apartment 9.

Roof Level

- Relocation of roof terrace access stair from No. 13 to No. 14.
- Reconfiguration of roof plant well to bays 13 and 14.
- Omission of all roof lights.
- Introduction of raised sections of roof to bays 15 and 18 to provide additional ceiling height within penthouse units below.

8. DETAILED CONSIDERATIONS

8.1 Land Use

No change is proposed to the 15 Flats already permitted or their mix of unit sizes. Representations have noted that the introduction of 'Nanny Flats' seem to create 2no new

residential units. These are ancillary to other units and the number of bedrooms within each unit has not changed and the bedroom and associated en-suite bathroom will not be a self-contained unit. Therefore there are no amendments to the number of units or the mix of units.

8.2 Townscape and Design

There are a significant number of minor alterations proposed which have resulted from design progression during the course of implementing the 2015 permission and consent. The bulk of the internal alterations are minor in nature and in the context of the approved development do not raise concern with regards to the impact on the special interest of the listed buildings. The internal alterations principally relate to relocation of rooms and the reconfiguration of proposed internal walls and therefore limited fabric of interest will be negatively impacted upon as a result of the alterations. Where enlarged openings are proposed, these have previously been considered and approved in February 2017 (RN 16/12091/LBC).

There are a number of alterations which are externally visible, but none of these are considered to compromise the special interest of the listed building or harm the character and appearance of the Conservation Area.

A number of objections to the scheme relate to the change in roof height. This application proposes to relocate the roof terrace access stair from building no13 to no14, which is shown on the proposed section C-C. There is no change in the height of the roof apart from the introduction of the glazed access enclosure to no14. The introduction of 2no glazed enclosures was considered under the previous applications and given the mansard is a later addition to the building and the limited visibility of the enclosures in oblique views due to the height party wall upstands they were considered to be acceptable. As the enclosure will be located against the inside of a party wall upstand on a building which sits within the terrace, the proposed location is considered to reduce the visibility further.

Additional alterations at roof level include the reorganisation of plant and the removal of rooflights. As the plant will occupy the same area and will not project above the parapet, this alteration is considered to be limited. The omission of the rooflights is welcomed as it will remove high level clutter and maintain an uninterrupted roof form.

A number of amendments are proposed to the rear elevations at basement, lower ground and ground floor levels, principally making the elevations more 'solid' through reducing the number and scale of glazed elements. The increased solidity is welcomed as this is more characteristic of the built form in the wider setting. The arrangement of openings and fenestration detail is considered to have a limited impact on the special interest of the heritage asset given they are located within extensions and due to the context of the site will be seen in limited private views. Details of the fenestration are secured by condition.

At ground floor level it is proposed to replace 2no glazed Juliette balconies with projecting balconies. As the principle of these additions has been considered acceptable at ground floor level along the rear elevation, these introductions are considered to be acceptable in design terms.

The amendments are considered to be minor in the context of the approved scheme and will have a limited impact on the special interest of the listed buildings and the character and appearance of the conservation Area. The amendments are considered to be in accordance with UDP policies DES 1, DES 5, DES 6, DES 9 and DES 10 as well as City Plan policies S25 and S28.

8.3 Residential Amenity

Westminster's City Plan: Strategic Policy S29 states that the City Council will resist proposals that result in unacceptable material loss of residential amenity. UDP Policy ENV 13(E) states that the City Council will normally resist proposals which result in a material loss of daylight/sunlight, particularly to existing dwellings, with reference to the BRE Guidelines.

A number of concerns have been raised by local residents in terms of loss of light resulting from the extensions proposed. These were originally approved on properties 13 and 18 and it is now proposed to relocate these to the roof of 14 and 18. There is no difference from the previously approved height, bulk and therefore it is not considered that the resitting of these results in any detrimental amenity concerns notably loss of light.

It is proposed to alter 2no previously approved Juliette balconies with 2no new external terraces measuring 1.16metres in depth. Given the introduction of terraces to the rear elevation as approved in the 2015 scheme it is not considered that these 2no additional terraces at lower ground floor would result in any harmful and additional overlooking to the properties at the rear. It is also not considered that these small balconies would result in any unacceptable noise levels, over what has previously been approved.

In response to the objection regarding the increased width of the ground floor rear openings these are not considered substantial in the scope of the openings previously approved under the 2015 permission.

With regards to the changed proposed to the ground floor 'solid' rear projection, although no objections have been received to this change the reduction in glazing that this change brings about is welcomed and considered to reduce any potential light spillage.

8.4 Transportation/Parking

Comments have been received regarding potential increased pressures on parking as a result of the creation of 'Nanny Flats'. As noted in the Land Use section no additional units are being created and therefore there are no additional parking issues arising from this application.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

Not applicable

8.7 Other UDP/Westminster Policy Considerations

Not applicable

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

The 2014 permission was subject to a legal agreement to secure the following:

- i) A financial contribution of £550,000 (index linked and payable on commencement of development to the Council's Affordable Housing Fund),
- ii) Parking mitigation payment of £15,000 and car club membership for the 15 flats for a 25 year period
- iii) The costs of monitoring the legal agreement.

The 2015 permission was subject to a deed of variation to the S106 agreement. This proposal which seeks amendments to the 2015 permission therefore requires a deed of variation to the 2015 deed of variation to ensure the obligations are met.

8.11 Environmental Impact Assessment

Not applicable

8.12 Other Issues

Not applicable.

9. BACKGROUND PAPERS

1. Application form
2. Letter from the Agent dated 23 March 2017
3. Letter from Bayswater Residents Association dated 26 February 2017
4. Letter from South East Bayswater Residents Association dated 13 March 2017
5. Letter from occupier of 29 Monmouth Road, London, dated 13 March 2017
6. Letter from Monmouth Road Housing Co-Op Ltd of 34 Monmouth Road (Freeholder of 31-33 Monmouth Road and Flat C at first floor level), London, dated 15 March 2017
7. Letter from occupier of 33 Monmouth Road, London, dated 15 March 2017
8. Letter from owners of 36b-d Monmouth Road, London dated 19 March 2017
9. Letter from Occupier of 40c Monmouth Road, London dated 27 March 2017

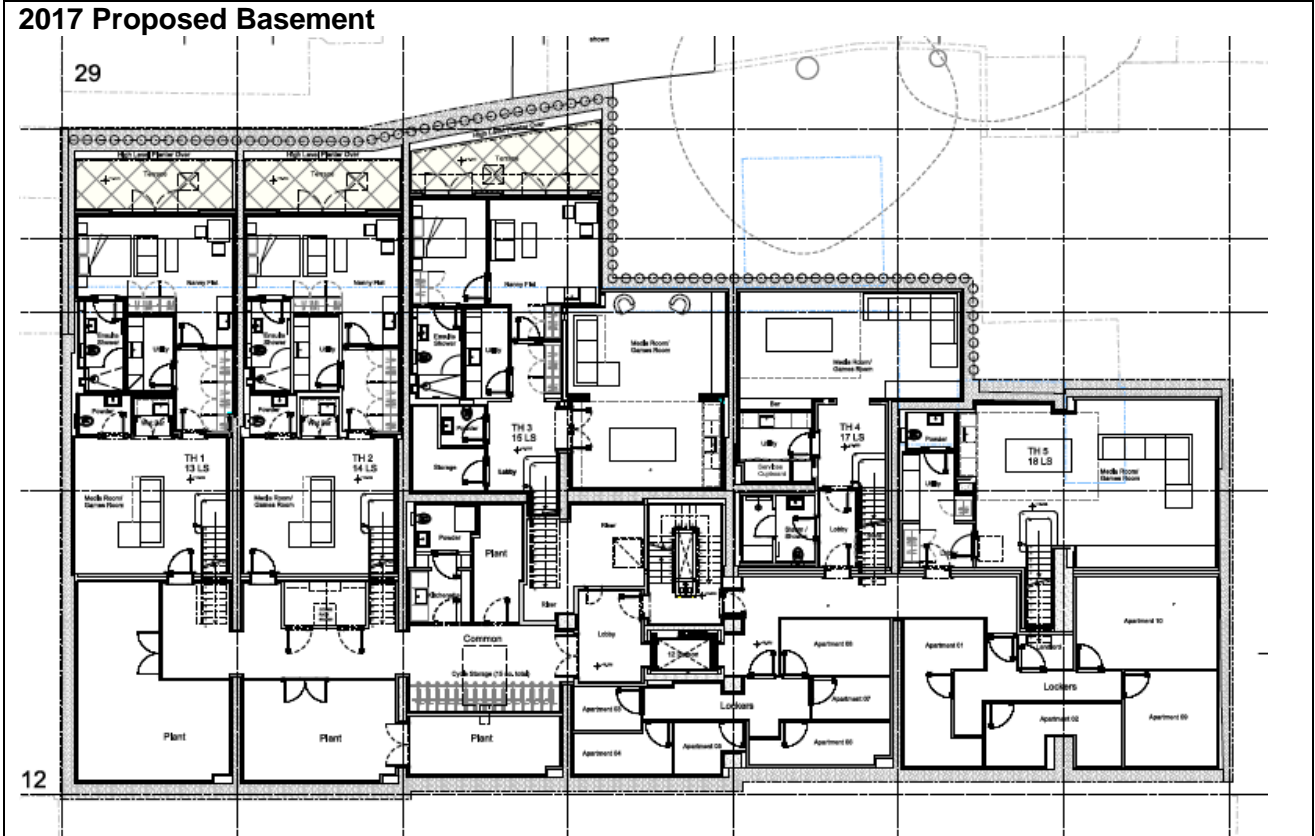
Item No.

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

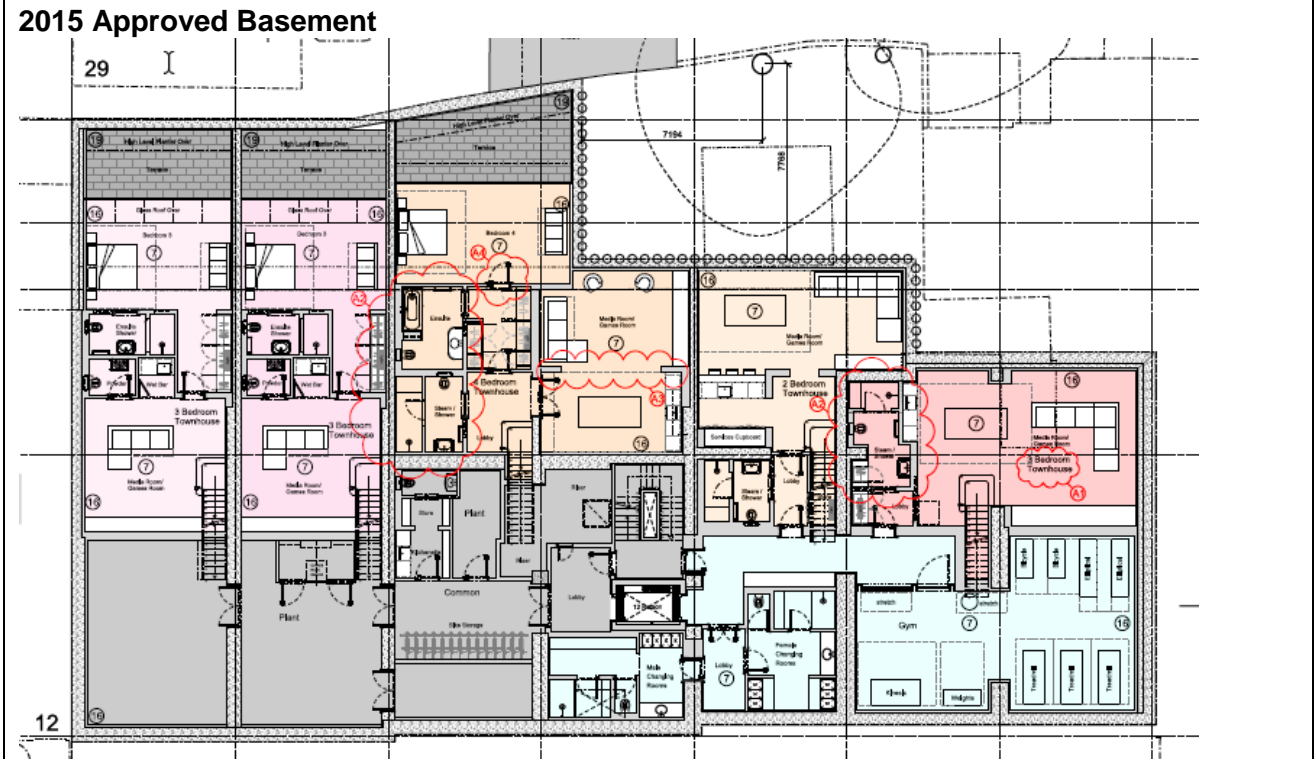
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: SARAH WHITNALL BY EMAIL AT swhitnall@westminster.gov.uk
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10. KEY DRAWINGS

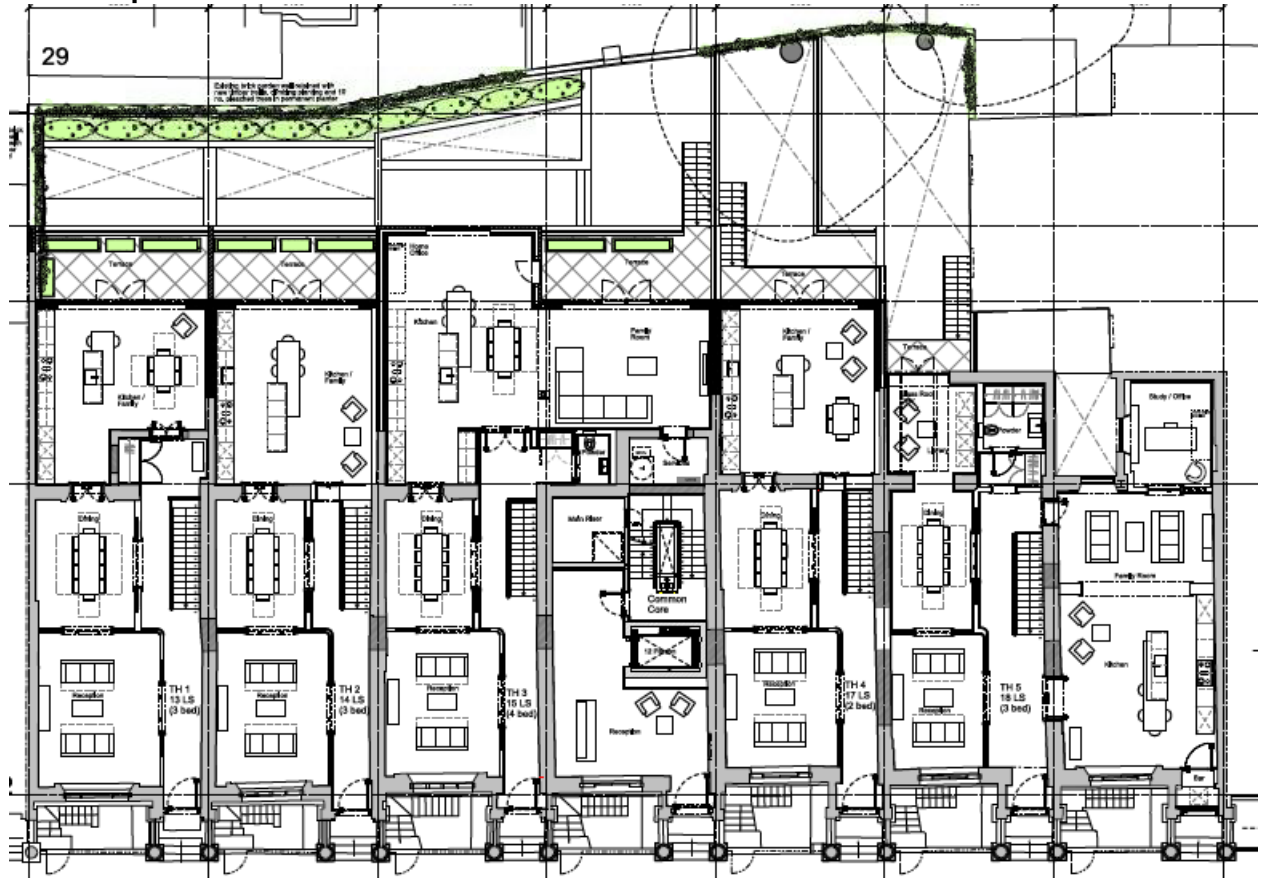
2017 Proposed Basement



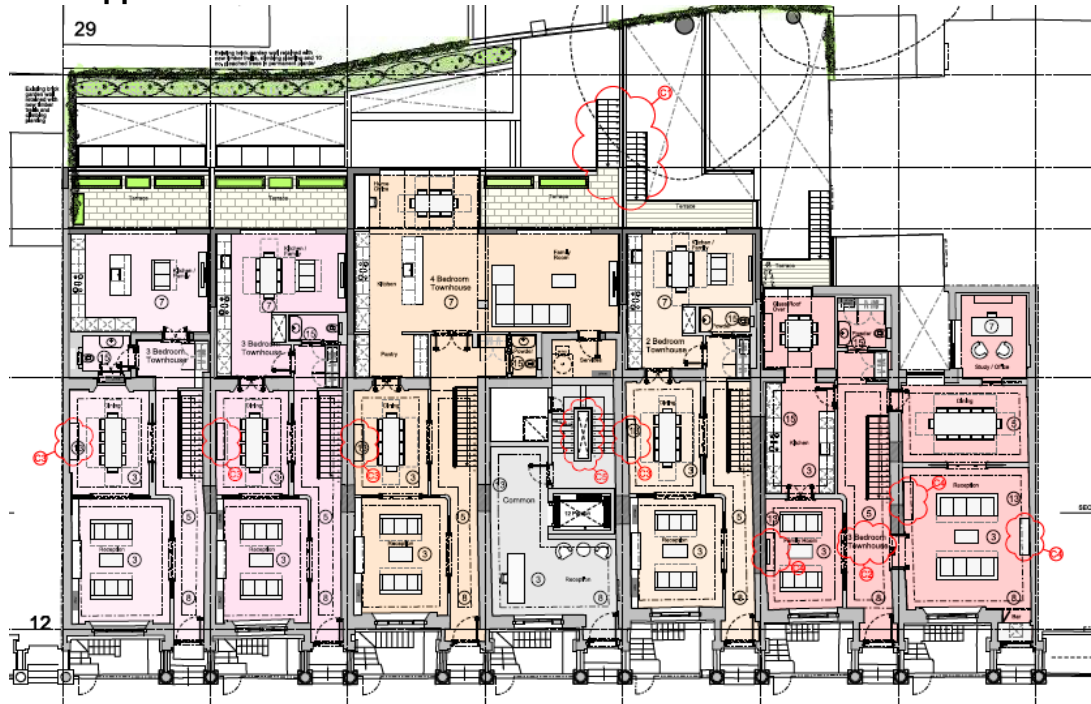
2015 Approved Basement



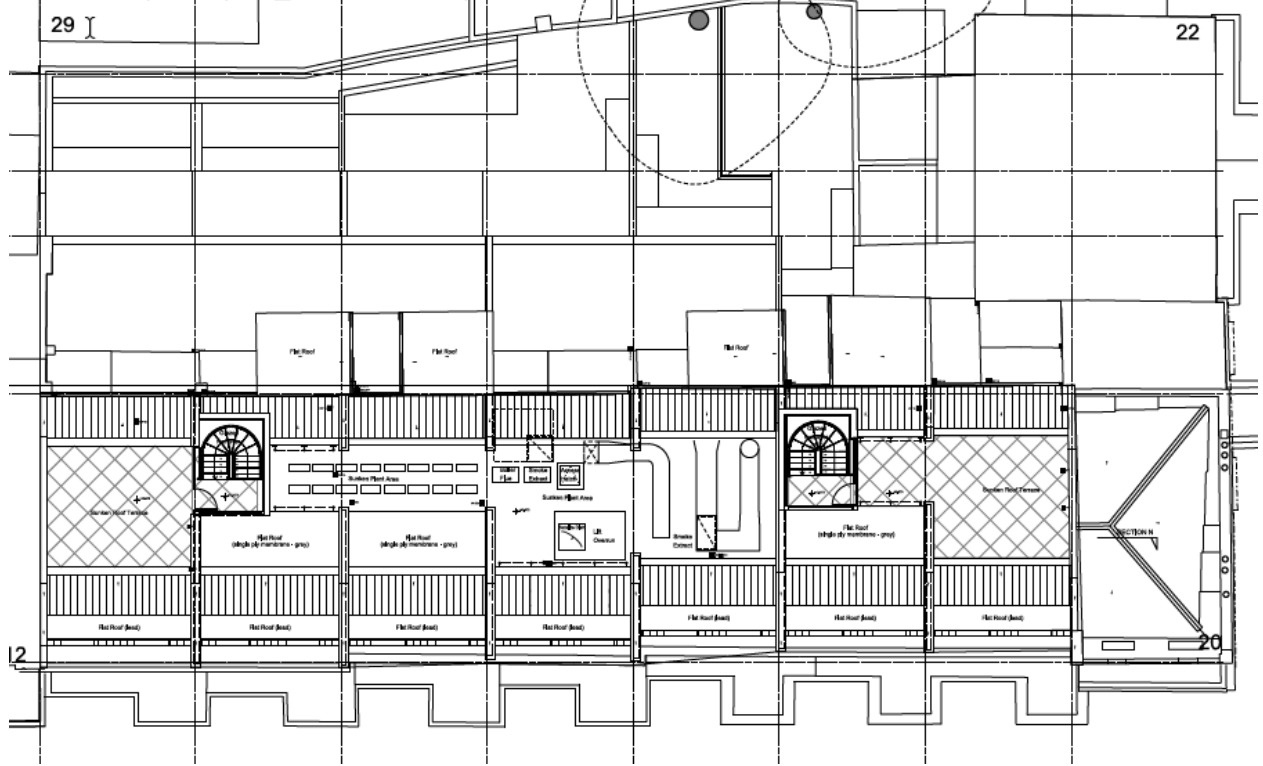
2017 Proposed Ground Floor Level



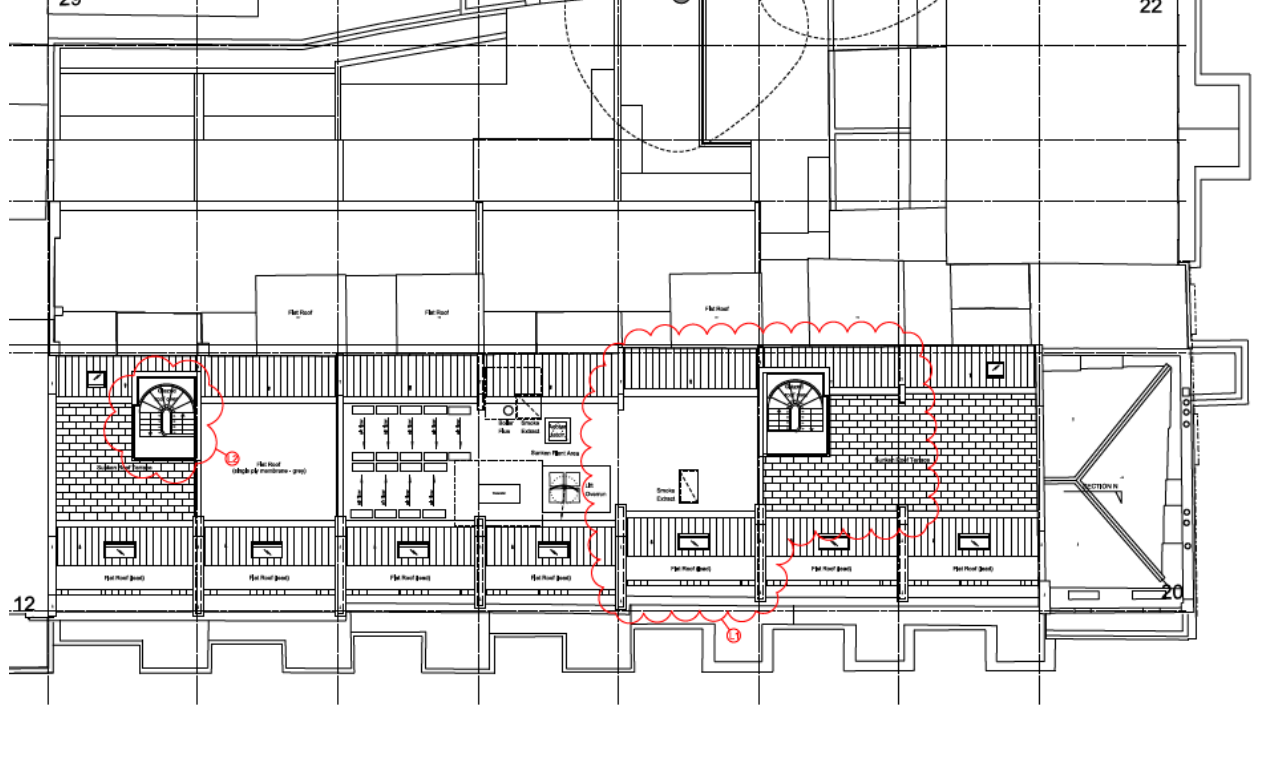
2015 Approved Ground Floor Level



2017 Proposed Roof Plan



2015 Approved Roof Plan



2017 Proposed Front Elevation



2015 Approved Front Elevation



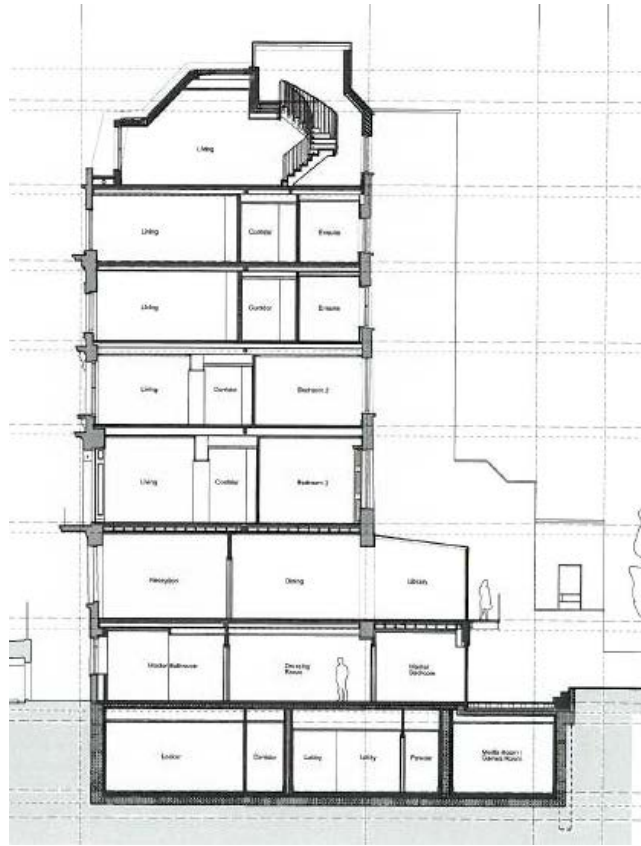
2017 Proposed Rear Elevation



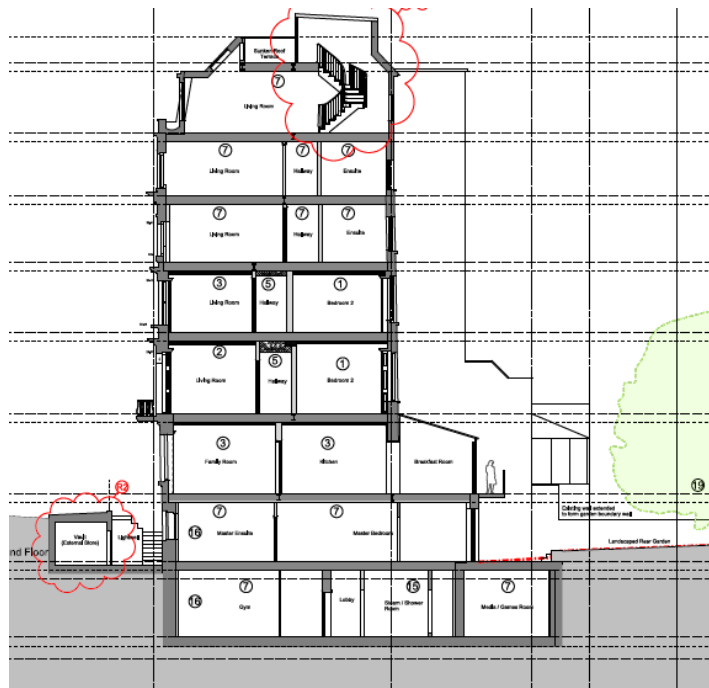
2015 Approved Rear Elevation



2017 Proposed Section C-C



2015 Approved Corresponding Section G-G



DRAFT DECISION LETTER

Address: 13-19 , Leinster Square, London, W2 4PR

Proposal: Variation of condition 1 of planning permission dated 18 August 2015 (RN 15/00778/FULL _ 15/00779/LBC) for variation of Condition 1 of planning permission dated 22 December 2014 (RN: 14/06756) for conversion of hotel to 15 flats; NAMLEY, to vary the approved drawing numbers to amend the relocation of roof terrace access stair from No. 13 to No. 14. Reconfiguration of roof plant well to bays 13 and 14. Omission of all roof lights. Introduction of raised sections of roof to bays 15 and 18 to provide additional ceiling height within penthouse units below. Enlarged glazed openings to rear terraces. Glazed roof to TH3 rear extension omitted in favour of solid roof. Glazed conservatory style wall to TH3 extensions replaced by masonry wall with single picture window set. Installation of Juliet balconies to TH1 & 2 master suites at rear lower ground. Reduction of glazed opening sizes to rear terraces which are now set within substantial masonry nibs at basement. Including internal alterations. (Linked with 17/01181/LBC)

Reference: 17/01152/FULL

Plan Nos: Original Plans and documents RN: 14/06756/FULL
EX(02)001 rev 00, EX(02)002 rev 00, PL(03)001 rev 02, EX(03)001 rev 01, PL(03)002 rev 03, EX(03)002 rev 00, PL(03)003 rev 03, EX(03)003 rev 00, PL(03)004 rev 01, EX(03)004 rev 00, PL(03)005 rev 01, EX(03)005 rev 00, EX(03)006 rev 00, PL(03)006 rev 01, EX(03)007 rev 00, PL(03)007 rev 01, EX(03)008 rev 00, PL(03)008 rev 01, EX(03)009 rev 00, PL(03)009 rev 00, EX(05)001 rev 00, PL(05)001 rev 01, EX(05)002 rev 00, PL(05)002 rev 03, EX(05)003 rev 00, PL(05)003 rev 02, PL(05)401 rev 00, EX(04)003 rev 00, PL(04)003 rev 02, EX(04)007 rev 00, PL(04)007 rev 02, EX(04)013 rev 00, PL(04)013 rev 01, PL(03)201 rev 01, PL(03)202 rev 01, PL(03)203 rev 01, PL(03)204 rev 01, PL(03)206 rev 01, PL(03)207 rev 01, PL(03)208 rev 00, PL(03)209 rev 00, PL(05)202 rev 01, PL(04)302 rev 01, PL(04)203 rev 01, PL(05)301 rev 00, Design and Access Statement, Structural Method Statement (with addendum), Preliminary Construction Management Plan, Viability Assessment, Energy Statement, Sustainability Statement, Heritage Statement, Average Daylight Factor Report, Arboricultural Implications Report, Affordable Housing Statement, Environmental Noise Study, Statement of Community Involvement and Affordable Housing Statement.

As part superseded by in August 2015 (RN: 15/00778/FULL): PL(05)001 rev 02, PL(05)002 rev 04, PL(05)003 rev 03, PL(04)003 rev 03, PL(04)007 rev 03, PL(04)013 rev 02, PL(03)201 rev 02, PL(03)001 rev 03, PL(03)002 rev 04, PL(03)003 rev 04, PL(03)004 rev 02, PL(03)005 rev 02, PL(03)006 rev 02, PL(03)007 rev 02, PL(03)008 rev 02, PL(03)009 rev 01, PL(05)201 rev 01, PL(24)100 rev 00 and Tree Protection Method Statement prepared by Hal Appleyard of ACS Consulting (London) dated 15 May 2015 (ref: ha/ms5/13-19lsq).

Further part superseded by this permission (2017):
12095-A(03)098_18;12095-A(03)099_19;12095-A(03)100_17;
12095-A(03)101_16;12095-A(03)102_16;12095-A(03)103_16;12095-A(03)104_16;

12095-A(03)105_16;12095-A(03)106_15;12095-A(04)007_00S;
12095-A(04)013_04;12095-A(05)001_05;12095-A(05)002_08;12095-EX(02)001_0;
12095-EX(02)002_01.

Case Officer: Rebecca Mason

Direct Tel. No. 020 7641 7540

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

Reason:

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

- 3 You must apply to us for approval of detailed drawings of the following parts of the development:;
- a) new windows (including section details at 1:5 scale),
 - b) external doors (including section details),
 - c) rooflights (including section details),
 - d) railings (including method of fixing),

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 approved details. This is unless you carry out the development, in relation to Part C, in accordance with the details approved on 27 May 2016 under reference 16/04633/ADFULL. You must then carry out the work according to the approved details. (C26DB)

Reason:

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

- 4 You must apply to us for approval of a sample of the following parts of the development: a) natural grey slate, , 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 approved sample. This is unless you carry out the development, in accordance with the details approved on 5 May 2016 under reference 17/02989/ADFULL. You must then carry out the work according to the approved details. (C26DB)

Reason:

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

- 5 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

Reason:

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

- 6 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building unless they are shown on the approved drawings. (C26KA)

Reason:

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

- 7 All external plant must be contained within the central roof area at No.15 and 16.

Reason:

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

10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 8 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number PL(03)002 rev 02. You must clearly mark them and make them available at all times to everyone using the dwellings. (C14FB)

Reason:

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

- 9 You must apply to us for approval of detailed drawings and / or manufacturer's specification of the following parts of the development: - The communal cycle storage at lower ground floor level within No. 16 Leinster Square. You must then carry out the work according to these approved detailed drawings and / or manufacturer's specification. 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.

This is unless you carry out the development in accordance with the details approved on 17 June 2016 under reference 16/04634/ADFULL. You must then carry out the work according to the approved details.

Reason:

To provide cycle parking spaces for people using the development as set out in TRANS 10 of our Unitary Development Plan that we adopted in January 2007 and Policy 6.13 of the London Plan adopted in July 2011.

- 10 The following matters shall be submitted to and approved by the City Council as local planning authority :
i) Detailed drawings of the boundary treatment with the Monmouth Road and Garway Road properties , including the size and species of the 10 pleached evergreen trees and details of climbing plants , method of irrigation and maintenance regime ., ii) Detailed to the screening and planting to the rear roof terraces including method of irrigation and maintenance regime. The development shall be carried out in accordance with the details hereby approved and prior to occupation of development .The approved screening and planting to the boundary walls and the roof terraces shall be retained, maintained and shall not be removed unless agreed by the City Council. , If any trees die, become severely damaged or diseased you must replace them with trees of a similar size and species.

Reason:

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

- 11 The dwellings hereby approved shall achieve at least a 'Very Good' rating under the BREEAM Domestic Refurbishment (or any such national measure of sustainability for residential conversion design that replaces that scheme of the same standard). Within three months of practical completion of the dwellings

hereby approved you must submit for our approval a copy of a Building Research Establishment (or equivalent independent assessment) issued Final Post Construction Stage Assessment and Certification, confirming that the dwellings built have achieved a 'Very Good' rating or higher.,

Reason:

To make sure that the development incorporates exemplary standards of sustainable design, as set out in Policies 5.1, 5.2, 5.3 and 5.7 of the London Plan adopted in July 2011.

- 12 The development shall be carried out in accordance with the Construction Management Plan/Statement approved on 11 July 2016 under reference 16/04629/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.

- 13 Except for basement excavation 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 basement excavation 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. (C11BA)

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)

- 14 The rainwater pipes on the rear elevation hereby approved shall be made of cast iron and be painted.

Reason:

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

- 15 The development hereby approved must be carried out in accordance with the Tree Protection Method Statement prepared by Hal Appleyard of ACS Consulting (London) dated 15 May 2015 (ref: ha/ms5/13-19lsq).

Reason:

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

- 16 (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 LA90, 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.

- 17 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.

- 18 Notwithstanding the submitted plans and details, the single glazed timber sliding sash windows shall be repaired and retained. The glass shall be retained and replaced on a like for like basis and only where the glass has been damaged.

Reason:

To make sure that the appearance of the buildings are suitable and that they contribute to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 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)

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

Reason:

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

- 20 No development shall take place between the property and the highway/ footway and above a depth of 900mm.

Reason:

To ensure that sufficient space is retained for utilities in accordance with policy TRANS19 of the Unitary Development Plan.

- 21 This permission must be commenced no later than 24 December 2017.

Reason:

This permission authorises amendments to the planning permission granted on 18 August 2015 (15/00778/FULL), which varied the original permission dated 24 December 2014 (RN 14/06756) and which must be commenced no later than the above date.

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 The permission is governed by a Deed of Variation of the Deed of Variation dated 10 August 2015 (RN: 15/00778/FULL) which varied the original S106 dated 22 December 2014 (RN:14/06756/FULL).

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: 13-19 , Leinster Square, London, W2 4PR

Proposal: Variation of condition 1 of Listed Building Consent dated 18 August 2015 (RN 15/00779/LBC) for variation of Condition 1 of planning permission dated 22 December 2014 (RN: 14/06756) for conversion of hotel to 15 flats; NAMLEY, to vary the approved drawing numbers to amend the relocation of roof terrace access stair from No. 13 to No. 14. Reconfiguration of roof plant well to bays 13 and 14. Omission of all roof lights. Introduction of raised sections of roof to bays 15 and 18 to provide additional ceiling height within penthouse units below. Enlarged glazed openings to rear terraces. Glazed roof to TH3 rear extension omitted in favour of solid roof. Glazed conservatory style wall to TH3 extensions replaced by masonry wall with single picture window set. Installation of Juliet balconies to TH1 & 2 master suites at rear lower ground. Reduction of glazed opening sizes to rear terraces which are now set within substantial masonry nibs at basement. Including internal alterations. (Linked with 17/01152/FULL)

Reference: 17/01181/LBC

Plan Nos: Original plans and documents (RN 14/06757/LBC)
 EX(02)001 rev 00, EX(02)002 rev 00, PL(03)001 rev 02, EX(03)001 rev 01, PL(03)002 rev 03, EX(03)002 rev 00, PL(03)003 rev 03, EX(03)003 rev 00, PL(03)004 rev 01, EX(03)004 rev 00, PL(03)005 rev 01, EX(03)005 rev 00, EX(03)006 rev 00, PL(03)006 rev 01, EX(03)007 rev 00, PL(03)007 rev 01, EX(03)008 rev 00, PL(03)008 rev 01, EX(03)009 rev 00, PL(03)009 rev 00, EX(05)001 rev 00, PL(05)001 rev 01, EX(05)002 rev 00, PL(05)002 rev 03, EX(05)003 rev 00, PL(05)003 rev 02, PL(05)401 rev 00, EX(04)003 rev 00, PL(04)003 rev 02, EX(04)007 rev 00, PL(04)007 rev 02, EX(04)013 rev 00, PL(04)013 rev 01, PL(03)201 rev 01, PL(03)202 rev 01, PL(03)203 rev 01, PL(03)204 rev 01, PL(03)206 rev 01, PL(03)207 rev 01, PL(03)208 rev 00, PL(03)209 rev 00, PL(05)202 rev 01, PL(04)302 rev 01, PL(04)203 rev 01, PL(05)301 rev 00, Design and Access Statement, Structural Method Statement (with addendum), Preliminary Construction Management Plan, Viability Assessment, Energy Statement, Sustainability Statement, Heritage Statement, Average Daylight Factor Report, Arboricultural Implications Report, Affordable Housing Statement, Environmental Noise Study, Statement of Community Involvement and Affordable Housing Statement., ,

As part superseded by in August 2015 (RN: 15/00779/LBC): PL(05)001 rev 02, PL(05)002 rev 04, PL(05)003 rev 03, PL(04)003 rev 03, PL(04)007 rev 03, PL(04)013 rev 02, PL(03)201 rev 02, PL(03)001 rev 03, PL(03)002 rev 04, PL(03)003 rev 04, PL(03)004 rev 02, PL(03)005 rev 02, PL(03)006 rev 02, PL(03)007 rev 02, PL(03)008 rev 02, PL(03)009 rev 01, PL(05)201 rev 01, PL(24)100 rev 00., ,

Further part superseded by the current application
 (2017):12095-A(03)098_18;12095-A(03)099_19;12095-A(03)100_17;
 12095-A(03)101_16;12095-A(03)102_16;12095-A(03)103_16;12095-A(03)104_16;
 12095-A(03)105_16;12095-A(03)106_15;12095-A(04)007_00S;
 12095-A(04)013_04;12095-A(05)001_05;12095-A(05)002_08;12095-EX(02)001_0;

12095-EX(02)002_01.

Case Officer: Rebecca Mason

Direct Tel. No. 020 7641 7540

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 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 Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 3 You must apply to us for approval of detailed drawings of the following parts of the development: ,
- a) new windows (including section details at 1:5 scale),
 - b) external and internal doors (including section details),
 - c) repair or original and reinstatement of skirting boards,
 - d) rooflights (including section details),
 - e) structural works to first and second floor including steel beams and their location,
 - f) railings (including method of fixing),
 - g) repair of original and reinstatement of lath and plaster ceilings, ceiling roses, skirting, walls and cornices,
 - h) fire places,
- 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 approved details. This is unless you carry out the development, in relation to Part C, in accordance with the details approved on 1 December 2015 under reference 15/09592/ADLBC. This is unless you carry out the development, in relation to Parts D, E and H, in accordance with the details approved on 27 May 2016 under reference 16/04737/ADLBC. This is unless you carry out the development, in relation to Part G in accordance with the details approved on 25 July 2016 under reference 16/0523/ADLBC. You must then carry out the work according to the approved details.

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 Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our

Unitary Development Plan that we adopted in January 2007. (R27AC)

- 4 You must apply to us for approval of a sample of the following parts of the development: , a) natural grey slate, , 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 approved sample. This is unless you carry out the development, in accordance with the details approved on 5 May 2016 under reference 17/03075/ADLBC. You must then carry out the work according to the approved details. (C26DB)

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 Bayswater 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)

- 5 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

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 Bayswater 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)

- 6 Notwithstanding the submitted plans and details, the single glazed timber sliding sash windows shall be repaired and retained. The glass shall be retained and replaced on a like for like basis and only where the glass has been damaged.

Reason:

To make sure that the appearance of the buildings are suitable and that they contribute to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 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)

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 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:, , * any extra work which is necessary after further assessments of the building's condition;, * stripping out or structural investigations; and, * any work needed to meet the building regulations or other forms of statutory control., , Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents., , It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (159AA)

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.