

Item No.
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CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 18 July 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Regent's Park	
Subject of Report	Lords View One, St John's Wood Road, London, NW8 7HJ,		
Proposal	Erection of 2 storey extension to accommodate 4 additional apartments (Class C3) including terraces and green roofs. Associated works to include refurbishment of the existing exterior and internal common parts, replacement lifts and landscaping in connection with the provision of additional parking spaces.		
Agent	Mark Wiseman		
On behalf of	Mr c/o Agent		
Registered Number	17/04239/FULL	Date amended/ completed	15 May 2017
Date Application Received	15 May 2017		
Historic Building Grade	Unlisted		
Conservation Area			

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

This application relates to an unlisted residential block of flats, named Lords View One, facing St John's Wood Road. The building is not located in a conservation area and comprises a ground floor plus 10 upper storeys and a further plant room storey.

Permission is sought to remove the existing plant room storey and for the erection of a two storey roof extension at eleventh and twelfth floor levels to create 4x3 bedroom flats with terraces, green roof and solar panels. Additionally, the application proposes re-landscaping in connection with the provision of seven additional car parking spaces, replacement of mosaic tiles on the building face, replacement windows and changes to the front entrances.

Letters of objection and support have been received to the proposals.

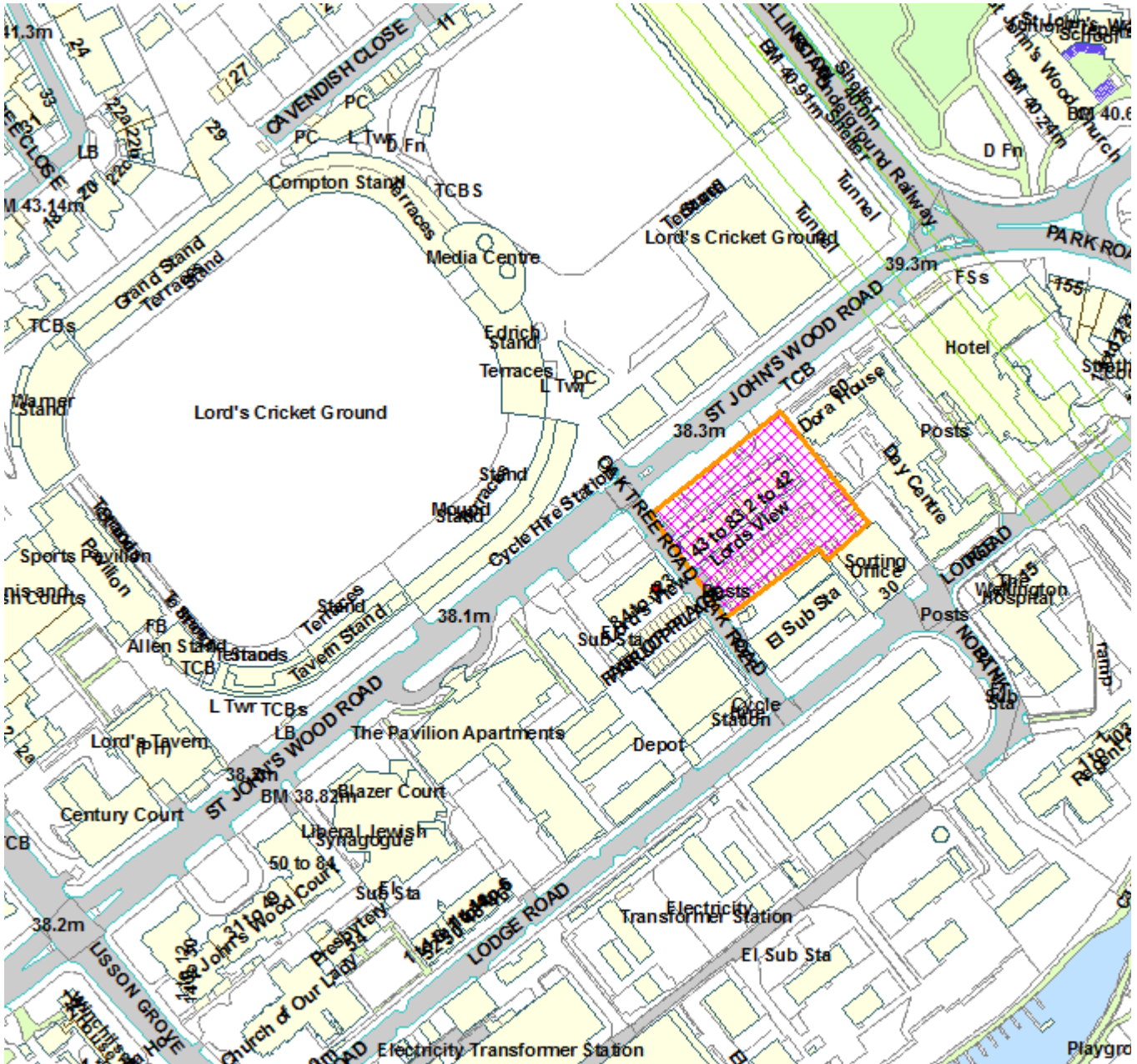
The key issues in the determination of this application are:

- The impact of the proposed extension and alterations upon the character and appearance of the building and wider townscape;

- The impact of the proposals upon the amenity of neighbouring properties, notably those in Lords View Two

The application is considered to accord with policies in the City Plan adopted November 2016 and Unitary Development Plan (UDP) adopted January 2007 with respect to land use, design, amenity, highways and trees and the application is therefore recommended for approval subject to the conditions as set out within the draft decision letter appended to the report.

3. LOCATION PLAN



4. PHOTOGRAPHS



Application site (above) and aerial photo (below) to show application site in wider context.



5. CONSULTATIONS

WARD COUNCILLORS

Any response to be reported verbally.

ST JOHN'S WOOD SOCIETY

No objection. The additional two stories on this unremarkable building are of architectural merit and an acceptable addition.

HIGHWAYS PLANNING MANAGER

Any response to be reported verbally.

CLEANSING:

No objection

ENVIRONMENTAL HEALTH

No objection.

BUILDING CONTROL

No comment. As not a basement, a structural assessment will need to be made at building regulations application stage.

ARBORICULTURAL MANAGER

Any response to be reported verbally.

DESIGNING OUT CRIME OFFICER

No objection subject to security certified door fittings.

NATIONAL GRID ELECTRICITY TRANSMISSION

No objection however the noise generated from the nearby substation when determining the application.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 338 (including redundant Dora House addresses)

Total No. of replies: 30

No. of objections: 4

No. in support: 30 (on behalf of 16 properties)

Four objections from residents in Lords View Two received on the following grounds:

Design:

- The proposals are incongruous;
- The proposals will mean that Lords View One and Two will no longer resemble each other, despite being built at the same time and in a similar design;
- Lords View One will be significantly taller than any other building in the surrounding area.

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Amenity:

- The sunlight and daylight assessment does not assess Lords View Two.

Parking:

- Parking in the area is an issue and future occupiers of the flats should not be allowed to apply for a residents permit.

Other:

- Noise and disruption during the course of construction.

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

Lords View One is an eleven storey (plus plant room) residential building comprising 83 self-contained flats, located on the south side of St John's Wood Road. It was built in the 1960s and is neither listed nor in a conservation area. Pedestrian and vehicular access is via St John's Wood Road and there are numerous lock-up garages to the south of the site. The immediate neighbouring residential tower, Lords View Two, was built to a similar design and height at the same time as Lords View One although it occupies a narrower footprint. The properties are separated by Oak Tree Road.

6.2 Recent Relevant History

Planning permission was granted in February 2012 for the removal of the existing rooftop plant room and erection of two storey roof extension at eleventh and twelfth floor levels to create 4x3 bedroom flats with terraces, living green roof and solar panels. Re-landscaping in connection with the provision of seven additional car parking spaces.

The 2012 permission was a refinement on a permission granted in February 2009 for the removal of the existing rooftop plant room and the construction of four self-contained two storey residential units with roof terraces at tenth floor roof level and the provision of an additional seven car parking spaces at ground level.

On 15 August 1986 permission was granted (and subsequently built) for the erection of two flats at roof level and two flats at ground floor level at Lords View Two.

Also as a point to note, permission has recently been granted for the redevelopment of Dora House directly to the east on St John's Wood Road, essentially comprising two new buildings, one containing affordable sheltered housing accommodation & the other private flats. Works have commenced in clearing part of the rear of the site. Permission has also recently been granted for the residential redevelopment of the St John's Wood Sorting Office at 30 Lodge Road to the south.

7. THE PROPOSAL

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Planning permission is sought for the erection of 2 storey structure to accommodate 4 additional apartments (Class C3) including terraces, splash pools and green roofs.

Associated works to include refurbishment of the existing exterior including window replacement, replacement of white mosaic panels to frontages, new balustrades, new entrance lobbies with caopies and external landscaping in connection with the provision of additional parking spaces.

The application proposes a similar extension to an application granted consent in April 2012 but proposes an increase in the height of the roof extension by 0.3m and varies the design and of the appearance of the previously approved extension.

8. DETAILED CONSIDERATIONS

8.1 Land Use

In land use policy terms, the provision of additional residential floorspace is in accordance with Policy S14 of the City Plan and H3 of the UDP and is therefore welcomed.

The extension would create 4 residential duplex units comprising 201m², 189m², 192m², and 197m². The total floorspace for the extension is 906m². The units exceed the minimum requirements outlined in policy S15 of the Westminster City Plan, Meeting Housing Needs and the Nationally Described Space Standards for a 3 bed residential unit which is 102m², however in the context of the existing building which provides primarily 2 bedroom flats, this is considered acceptable and considered to result in an appropriate mix of units.

Policy 3.5 of the London Plan, policy S29 of the adopted City Plan and policy ENV13 of the adopted Unitary Development Plan seek to ensure a satisfactory standard of accommodation for future occupiers. The proposed units provide significant outdoor amenity space of between 40m² and 46m² and would be dual aspect to allow adequate natural light and ventilation and are therefore considered acceptable in terms of the standard of accommodation.

The proposals are acceptable in land use terms and comply with City Council policies.

8.2 Townscape and Design

The main issue is the effect of the proposed two storey extension in short and long distance views of the building, bearing in mind that the tower block is adjacent to the St John's Wood Conservation Area. Policy S28 of the City Plan seeks to ensure that development incorporates exemplary standard of sustainable and include urban design and architecture. Policy DES 6 relates to roof level extensions and resists extensions which would adversely affect the architectural integrity of a building or group of buildings. Policy DES 9 relates to conservation areas, including the preservation or enhancement of their settings.

Although not in a conservation area, the uniformity of scale of the buildings provides legible character to this part of St John's Wood Road. The buildings on the south side of the road are mainly high rise, whilst the north side of the road is occupied by much lower buildings forming the Lords Cricket Ground complex.

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Lords View One and Two were originally built to the same height. However, Lords View Two was extended to provide two penthouse flats following a 1986 permission, meaning it is now taller than Lords View One. Should the proposed development be implemented, Lords View One would be the marginally taller building. Given the scale of the townscape in this area (also bearing in mind the recent permissions for Dora House and 30 Lodge Road), the overall height of the building would be broadly consistent with the scale of buildings on St John's Wood Road. This increase in height is therefore acceptable.

The detailed design of the two new storeys, incorporating elevations stepped back from the existing parapet on the front elevation of between 1.9m and 2.5m at 11th floor and the 12th floor even further set back between 5.1m and 5.8m (which also facilitate the provisions of amenity spaces for the proposed units) and 1m set back on the side elevations, would ensure that in short views the extension would have a measure of subservience. Views from the south side (from Lodge Road) would be more prominent due to the sheer façade of the extension and the differing fenestration. However, the extra height would not adversely affect the neighbouring conservation area, given that the south elevation faces an area which is more industrial in character, being dominated by electricity distribution buildings and lock up garages. The building up of this sheer elevation was also established under the two previous consents.

As part of the proposals, it is proposed to upgrade and refurbish the existing building with replacement windows, changes to the rear service areas which backs onto the garage/ parking areas and alterations to the front entrances which will create a more pleasant and pronounced street presence, incorporating enhanced accessed for those less able. It was originally proposed to install a new cladding system to the elevations, however this has been removed from the proposals during the course of the application. The existing white mosaic tile panels are now to be replaced on a like for like basis.

The proposed palette of materials for the external refurbishment works include slimline anthracite (grey) windows; mosaic tile panels to be replaced to match existing to tie into the existing building finish found on the stair cores and panels below windows on each of the existing facades; new clear glass balustrade and stainless steel handrails to new and existing balconies and the entrances. These materials would allow the roof extension to be read as a more modern addition to this utilitarian building and for the appearance of the existing building to be dramatically improved in what will be a substantially changed townscape should the recent permissions on adjacent sites be built out. For this reason, the differing materials are acceptable.

The proposed landscaping alterations to the front forecourt raise no design concerns and in all likelihood will improve the appearance of the setting of this building.

The proposed extension and external alterations preserves the overall character of the townscape to St John's Wood Road without harming the setting of the St John's Wood Conservation Area, according with S28 of the City Plan and Policy DES 1, DES 6 and DES 9 of the UDP.

8.3 Residential Amenity

Policy S29 of the City Plan seeks to resist proposals that result in an unacceptable loss of residential amenity. Policy ENV13 of the UDP relates to protecting amenities, daylight and sunlight, and environmental quality. Policy ENV 13 (D) states that the City Council will resist

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proposals which result in a material loss of daylight/sunlight, particularly to existing dwellings and educational buildings. Policy ENV 13 (E) goes on to state that developments should not result in a significant increase in sense of enclosure, overlooking, or cause unacceptable overshadowing, particularly on gardens, public open space or on adjoining buildings, whether in residential or public use.

Objections have been received from residents within Lords View Two in relation to loss of light, increased sense of enclosure and loss of privacy.

Sunlight and Daylight

The applicant has carried out a daylight and sunlight assessment in line with Building Research Establishment (BRE) guidelines analysing windows The Landseer development west of the application site, the proposed buildings of the Dora House redevelopment (taken from the approved floor plans) and the approved plans of the development approved at the mail sorting office of 30 Lodge Road, although this permission has yet to be implemented. A further technical note addressing the implications of the proposals upon residents of Lords View Two has been received during the course of the application, in response to objectors concerns from Lords View Two that this property had not been included in the original assessment. The applicant confirmed that they were not aware that the windows in the eastern elevation of Lords View Two served habitable rooms. Further to clarification with them that these were secondary windows to the living/dining areas of the flats within the eastern side of Lords View Two, with the primary windows of the living area facing north to Lords Cricket Ground, the assessment was updated.

In terms of daylight, of all windows assessed , 7 windows (four in The Landseer on the first, second and third floor serving living/kitchen rooms and 3 in 30 Lodge Road on second, third and fourth floor serving bedrooms) fall short of BRE targets for daylight. The windows that are most affected are those with very low vertical sky component (VSC) in their existing condition and thus a small reduction in VSC has a disproportionate impact. Notwithstanding this the majority of windows will meet the BRE guidance. In terms of daylight distribution, all windows assessed will meet the BRE guidance.

In terms of sunlight, all of the windows tested that face within 90 degrees of due south will meet the BRE guidance.

The proposals are therefore not considered to be so harmful to warrant refusal and considered to comply with our policies..

Sunlight and Daylight to Proposed Units

All of the rooms in the proposed development will meet BRE guidance for average illuminance internally or ADF.

The windows to the south elevation of the proposed units will achieve good levels of sunlight.

Privacy

The primary windows in the proposed extension are in the north and south elevations, overlooking Lords Cricket Ground and to an open aspect south of the site. There are windows in the east and west elevations, however these have been sensitively designed to relate to the internal layout of the flats proposed and rooms layouts designed to encourage future occupiers

to use and look north and south. As with most residential units, it is envisaged that soft furnishings such as blinds and curtains will be installed to protect their privacy. There is one window on each floor in the eastern elevation of Lords View Two which is a secondary window to a living/dining area, where the main large windows face north and serve a small balcony. At roof level of Lords View Terrace there is a terrace serving the penthouse flat, again facing north and primarily overlooking Lords Cricket Ground, although there are views possible to the east toward the roof of the application site. Given the location of the windows proposed in the side elevations of the roof extensions and coupled with the fact that the nearest windows in Lords View Two are over 12m away it is not considered that any detrimental overlooking would occur. It is also not considered that the proposals would result in any harmful overlooking to those future occupiers of the Dora House redevelopment.

To the northern elevation of each of the units, terraces are proposed to both floors. A splash pool is proposed to each unit on the lower level (Floor 11). These terraces would not give rise to any overlooking to the small north elevation balconies of Lords View Two as these balconies are enclosed by the side walls of the building itself and any views into the secondary living room windows described above would be so oblique so as not to be harmful.

Sense of Enclosure

The extension occupies the majority of the footprint of the existing building and measures 6.1m in height, however this is sited behind the existing parapet wall and would therefore only project some 4.9m above the parapet. Whilst residents in flats on the upper levels of the eastern side of Lords View Two would see the proposed extension from their secondary living room windows, given the distance of the proposed extension over 12m away from these properties and its relatively lightweight construction and appearance of glass and white mosaic tiles it is not considered that the extension would result in a harmful sense of enclosure.

The proposals are considered to accord with City Council amenity policies in the City Plan and UDP.

Noise from Terraces

Terraces are common place on Lords View One and Two. The proposed terraces to serve the four new units are not considered to result in unacceptable noise levels harmful to the amenity of existing residents in Lords View One or adjacent at Lords View Two.

8.4 Transportation/Parking

Car Parking

There are currently 47 garages and 36 parking spaces in the grounds of Lords View One. A further seven parking spaces would be provided at the front of the building, taking the total to 90 spaces, by remodelling the front forecourt. Included in the reconfiguration of the spaces will be 6 disabled spaces.

Policy TRANS 23 requires one or two car space per unit of residential accommodation containing three bedrooms or more, provided that the aggregate provision does not exceed 1.5 spaces per dwelling. 7 car parking spaces would exceed the specified maximum, however the principle of these additional spaces has been agreed under the 2011 on the basis of the current under-provision of car parking spaces on site and is still considered acceptable.

Cycle Parking

8 secure cycle parking spaces are to be provided in a store to the rear of the site adjacent the existing garages. This has been provided in accordance with London Plan policy and this is welcomed. The store does not conflict with access to any existing garages.

8.5 Economic Considerations

The applicant argues that the construction of additional residential units at the site helps facilitate the external improvement of Lords View One with new windows and landscaping works. This is welcomed, however, the application must be judged on its own merits as no legal agreement has been proposed to link the apartment development with the proposed upkeep of the existing building.

8.6 Access

There are currently two ramped entrances from street level to the raised ground floor entrance. These are to remain and are to be enhanced as a result of the proposed external improvements and landscaping works.

Internally, it is proposed to replace the old lifts serving the whole block and these will also serve the additional rooftop residential units

8.7 Other UDP/Westminster Policy Considerations

Plant

The plant equipment at roof level is large, bulky and some 40 years old. As part of the proposals it is proposed to site as much equipment internally within the building at ground/ lower ground floor to the rear of the site (adjacent the garages). The plant equipment has not yet been selected. The proposed 12th floor plan indicates that a plant room, open to the elements is incorporated into the extensions. Environmental Health officers have assessed the acoustic report submitted with the application and have no concerns that future plant couldn't comply with City Council standard noise conditions (in relation to existing residents and those future residents in the extension itself), however a supplementary acoustic report will be required to be submitted once specific plant has been chosen.

Substation

National Grid Energy Transmission (NGET) do not object to the proposals in principle however consider that due to the developments close proximity to a large NGET substation and that NGET have in the past had complaints from residents near by in regards to the level of noise from the substation(s) that this should be referred to in the acoustic report. However, NGET advise that everything has been done that is reasonably practicable to mitigate the noise issue. Given the location of the residential units proposed on the 11th and 12th floor it is not considered that any noise created from the substation would be so harmful.

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Structural Stability

The structural stability of the building and the likelihood of it being able to withstand the weight of a two storey extension – as expressed in a neighbour objection – is a matter for the District Surveyor to address at the Building Regulations Approval stage.

The splash pools will be constructed of a double skin, insulated mono block. Fully encapsulated with internal plumbing fixtures and overflow valves to ensure against flooding or leakage. As a secondary measure the underside of the mono block dipping pools will be lined with an additional waterproof membrane discharging to a waste water gutter. A Structural Report and Methodology Statement has been submitted assessing the implications of these splash pools, but ultimately are a matter for Building Regulations.

Trees/Landscaping

The remodelling of the front forecourt to provide extra parking spaces would involve the loss of part of the grassed area separating the forecourt from the pavement of St John's Wood Road. However, the large mature tree would be retained and protected during the course of the alterations. This approach was agreed under the previous consents. A condition to secure the replacement landscaping is recommended.

The scheme includes a green roof above the penthouses, again previously secured under the previous consents. This has the potential to offer a more diverse range of flora and fauna than the grassed strip at the front of the site and will also reduce rainwater run-off. A condition is recommended to ensure that this is provided.

Thermal Control/ Overheating

Glazed elements to the south elevation and roof will utilise a composite triple-glazing system with an expanded metal mesh layer mounted in-between the exterior and middle sheets of glass, which is capable of controlling thermal gain and reducing glare while maintaining visual transparency and sight lines, as well as possessing excellent thermal, acoustic and air tightness properties. Being multiple aspect, the new dwellings will also benefit from natural cross ventilation and air conditioning / comfort cooling (details to be secured at a later date).

Refuse /Recycling

Lords View One's refuse is managed by a bin chute system in each core which collects refuse in two enclosed bin stores to the rear of the building at Ground Floor level and management services and rotate bins as required. Recycling is managed by a series of bins located on the pavement between the site and St. John's Wood Road. Refuse is collected twice weekly on a Monday and a Thursday, where the service vehicles are able to drive in and out of the site in a forward gear. Recycling is collected weekly.

The proposed 4 x 3 bedroom dwellings will require the following additional provision on Site:

Refuse - 12 bedrooms x 40 litres = 480 litres (9% increase)

Recycling - 12 bedrooms x 60 litres = 720 litres (9% increase)

The City Council's Waste Managers concurs with the applicants findings that the site's management consider the 9% increase in Recycling + Refuse provision to be manageable within the existing system and therefore no adjustment is required to accommodate the proposals.

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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 total estimated CIL payment is £496,851.78 of which £49,429.82 corresponds to Mayoral CIL and £447,421.96 corresponds to Westminster CIL.

8.11 Environmental Impact Assessment

Not applicable to a development of this scale.

8.12 Other Issues

Construction impact

Objections have been received from residents within Lords View Two on the grounds of noise and disruption during the course of construction. Planning permission cannot reasonably be refused on the grounds of noise and disruption from construction. Conditions regarding hours of working are attached to the draft decision notice to minimise the impact of noise and disruption during the development.

The total floorspace proposed is 906m² and therefore this does not trigger the requirement for the applicant to sign up to the City Council's Code of Construction Practice, introduced July 2016.

Crime and security

The Designing Out Crime Officer has no objections to the proposals subject to an informative advising on security doors to be installed throughout the development. This could be secured through Building Regulations.

An objection on the grounds of increased service charge has been raised, due to the addition of high specification flats to be erected. Refusal on these grounds could not be sustained, with service charges being a private matter between the freeholder and leaseholder.

9. BACKGROUND PAPERS

1. Application form
2. Response from St John's Wood Society dated 21 June 2017.
3. Response from Designing Out Crime Officer dated 24 May 2017.
4. Response from Environmental Health dated 30 May 2017.
5. Response from Cleansing Manager dated 31 May 2017.

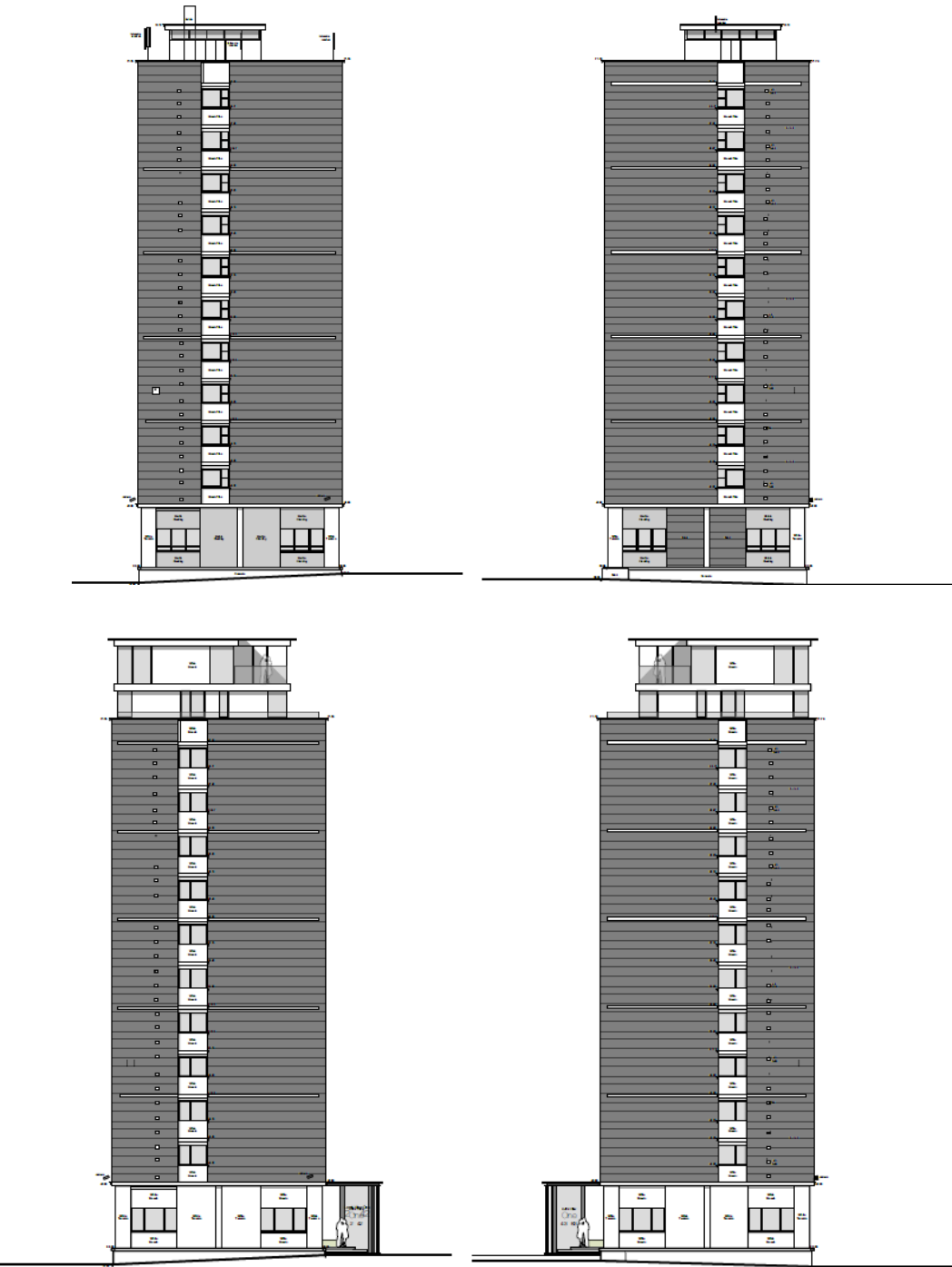
6. Response from Building Control - Development Planning dated 6 June 2017.
7. Response from National Grid dated 29 June 2017.
8. Response from Highways Planning Manager dated 30 June 2017.
9. Response from owner/occupier of 116 Lords View dated 25 May 2017.
10. Response from owner/occupier of 119 Lords View dated 2 June 2017.
11. Response from owner/occupier of 122 Lords View dated 2 June 2017.
12. Response from owner/occupier of 117 Lords View dated 6 June 2017.
13. Response from 48 Vera Avenue dated 25 May 2017.
14. Response from owner/occupier of 24 Lords View dated 26 May 2017.
15. Responses from Oakwood Lodge, Common Road dated 31 May and 27 June 2017.
16. Response from owner/occupier of 66 Lords View dated 5 June 2017.
17. Response from owner/occupier of 72 Lords View dated 5 June 2017.
18. Response from owner/occupier of 30 Lords View dated 7 June 2017.
19. Response from owner/occupier of 11 Lords View dated 8 June 2017.
20. Response from 9 Vale Close dated 8 June 2017.
21. Response from owner/occupier of 32 Lords View dated 11 June 2017.
22. Responses from owner/occupier of 1 Lords View dated 13 June 2017.
23. Response from owner/occupier of 43B Lords View dated 14 June 2017.
24. Response from owner/occupier of 34 Lords View dated 16 June 2017.
25. Response from owner/occupier of 43 Lords View dated 16 June 2017.
26. Response from owner/occupier of 23 Lords View dated 18 June 2017.
27. Response from owner/occupier of 40 Lords View dated 20 June 2017.
28. Response from owner/occupier of 44 Lords View dated 21 June 2017.
29. Response from owner/occupier of 60 Lords View dated 23 June 2017.
30. Response from owner/occupier of 24 Lords View dated 30 June 2017.
31. Response from owner/occupier of 33 Achilles Road dated 1 July 2017.
32. Response from an owner/occupier of Lords View dated 3 July 2017.
33. Response from owner/occupier of 16 Lords View dated 05 July 2017.
34. Response from owner/occupier of 20 Lords View dated 07 July 2017.
35. Response from owner/occupier of 74 Lords View dated 07 July 2017.
36. Response from owner/occupier of 77 Lords View dated 07 July 2017.
37. Response from owner/occupier of 76 Lords View dated 07 July 2017.

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

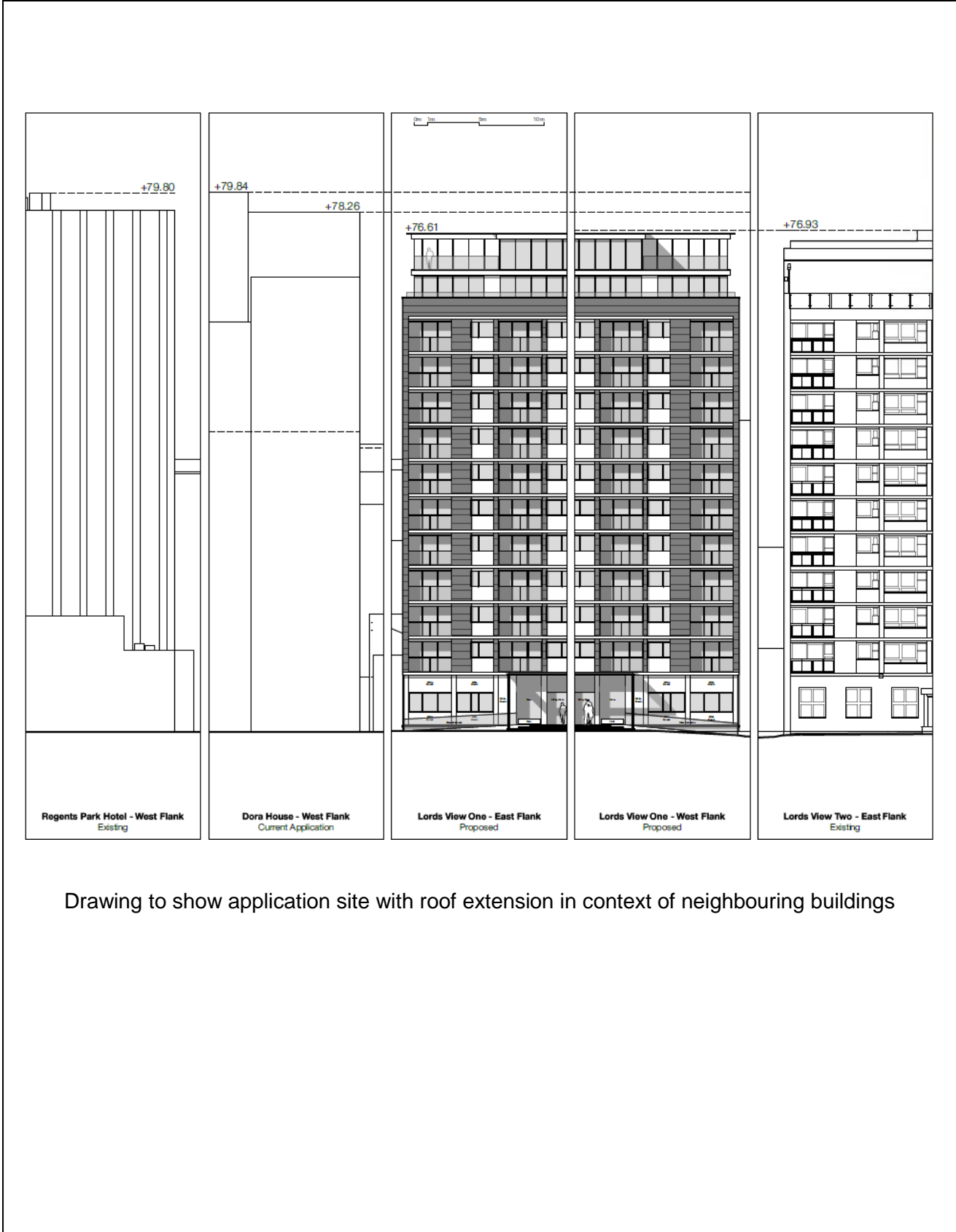
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: RUPERT HANDLEY BY EMAIL AT rhandley@westminster.gov.uk.

10. KEY DRAWINGS

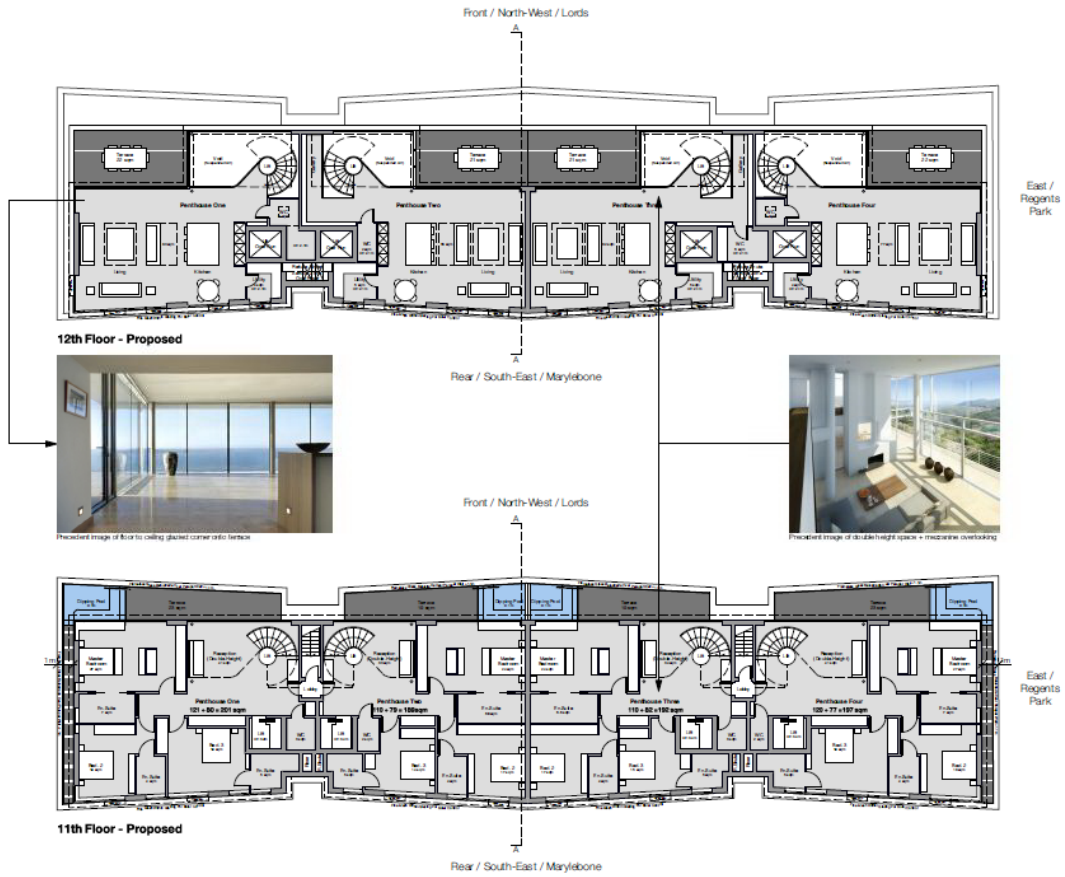




Existing (top) and Proposed (bottom) Side Elevations



Drawing to show application site with roof extension in context of neighbouring buildings



Proposed floor plans of roof extension



Visual of proposed roof extension and new entrances



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DRAFT DECISION LETTER

- Address:** Lords View One, St John's Wood Road, London, NW8 7HJ
- Proposal:** Erection of 2 storey roof extension to accommodate 4 additional apartments (Class C3) including terraces and green roofs. Associated works to include refurbishment of the existing exterior and internal common parts, replacement lifts and landscaping in connection with the provision of additional parking spaces.
- Plan Nos:** 001 D1; 002 D1; 010 D1; 011 D1; 012 D1; 022 D1; 023 D1; 024 D1; 100 D1; 110 D1; 120 D1; 130 D1; 140 D1; 210 D1; 211 D1; 220 D1; 230 D1; 240 D1; 250 D1; 300 D1; 310 D2; 400 D1; Planning Statement; Design and Access Statement dated 10 May 2017; Noise Report dated 26 April 2017; Sunlight and Daylight Report and Addendum Report dated April 2017 and June 2017; MEP Strategy Rev A dated 8 May 2017; For Information Only: Structural Statement dated 8 May 2017.
- Case Officer:** Kimberley Davies **Direct Tel. No.** 020 7641 5939

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

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

Reason:

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

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

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

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

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

Reason:

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

- 3 You must apply to us for approval of samples of the facing materials you will use, including

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glazing and panelling. You must not start work until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BB)

Reason:

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

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

Green Roof

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

Reason:

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

- 5 You must apply to us for approval of either a manufacturer's specification or detailed drawings showing that the car park will be constructed of a permeable material. You must not start work on this part of the development until we have approved what you have sent to us. You must then carry out this part of the development in accordance with the approved details.

Reason:

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

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

Reason:

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

- 7 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terraces. (C26NA)

Reason:

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

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we adopted in January 2007. (R26AD)

- 8 You must apply to us for approval of detailed drawings of the following part of the development:

i) Planted hedge along the front boundary wall to screen the remodelled parking area.

The drawings must be annotated to show the number, size, species and position of the shrubs forming the hedge and the depth of soil in which they will be planted. You must not start work until we have approved what you have sent us. You must then carry out the landscaping and planting within one planting season of completing the development (or within any other time limit we agree to in writing).

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AC)

- 9 You must provide each car parking space shown on the approved drawings and each car parking space shall only be used for the parking of vehicles of people living in the residential block. (C22BA)

Reason:

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

- 10 (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.

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(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

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

Reason:

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

- 11 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.

- 12 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 10 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

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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.

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

Reason:

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

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 development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: www.westminster.gov.uk/cil

Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form** **immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**

CIL forms are available from the planning on the planning portal:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

Forms can be submitted to CIL@Westminster.gov.uk

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Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.

- 3 The Designing out Crime Advisor advises that security certified doors are fitted. Acceptable security certificated doors are BS PAS 24 - 2016, LPS 1175 sr 2 +, STS 201, STS 202 BR2.

Further information is available at www.securedbydesign.com

- 4 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

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

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

Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

- 5 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.