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| CITY OF WESTMINSTER | | | |
| PLANNING APPLICATIONS COMMITTEE | Date 12 September 2017 | Classification For General Release | |
| Report of Director of Planning | | Ward(s) involved Abbey Road | |
| Subject of Report | Carlton Court, 120 Maida Vale, London, W9 1QA, | | |
| Proposal | Demolition of existing five storey building and out buildings and erection of a part five and part three storey serviced apartment hotel building (Use Class C1) with restaurant and spa facilities in newly excavated basement and erection of single storey stair structure in rear garden to provide access to the basement. | | |
| Agent | Mr Alex Cotterill | | |
| On behalf of | Honosa Ltd | | |
| Registered Number | 16/12165/FULL | Date amended | 11 August 2017 |
| Date Application Received | 21 December 2016 | | |
| Historic Building Grade | Unlisted (but adjacent to grade II listed buildings to the south) | | |
| Conservation Area | St John's Wood | | |

1. RECOMMENDATION

Grant conditional permission.

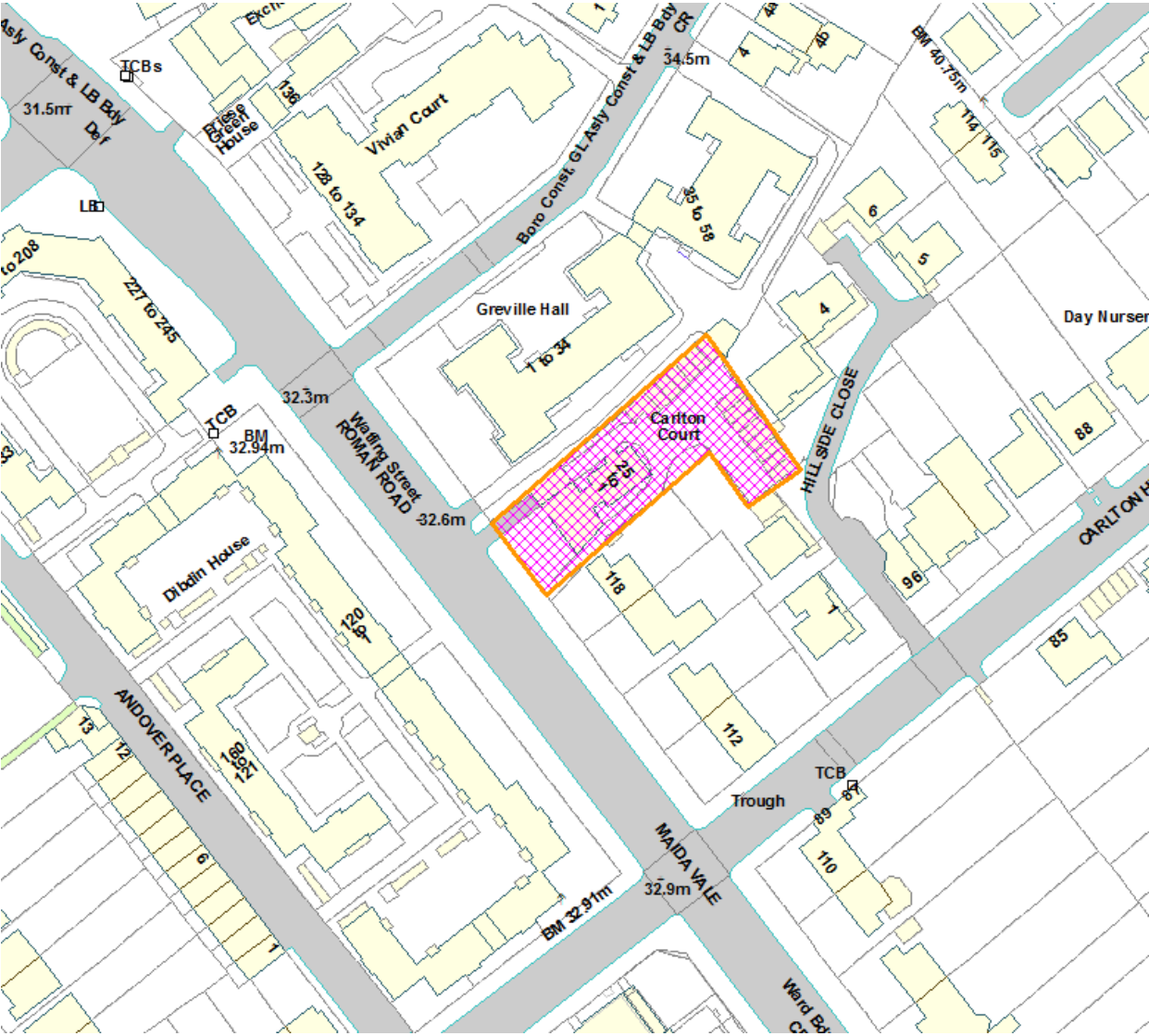
2. SUMMARY

This application was first reported to the Planning Applications Committee on 18 July 2017 when the Committee resolved to defer making a decision on the application to enable officers to obtain consistent plans of the front and side elevations of the building to show the precise details of the fenestration and to permit further consultation with local residents. Revised drawings have been received indicating the location of clear glass, opaque glass and timber panels and neighbours have been consulted on these drawings. Furthermore, following comments made by the committee the number of ground floor tables and chairs for breakfast/dinner has been reduced and the lounge area increased. The hours of use of the rear garden have also been reduced to 9pm at the request of committee members.

Two additional conditions have been added since the previous committee, one for the submission of details of a safety railing shown around the roof, and one to ensure that 1.2m of topsoil is provided above the basement extension.

Six responses have been received as a result of the additional round of consultation, raising issues namely in relation to the basement, design and light (as addressed within the report to committee dated 18 July 2017). No comments have been received in relation to accuracy of the drawings or the details of the windows, which seek to reduce overlooking to adjacent residents. The application is therefore reported back to committee for further consideration.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front elevation above; rear yard below





rear elevation above



view from rear of northern side of buildings adjacent to Greville Hall

5. CONSULTATIONS

Original representations as detailed within report to committee of 18 July 2017.

Additional representations received after the report to committee of 18 July 2017 was published and circulated to members prior to the meeting (blues).

BUILDING CONTROL

Cannot confirm if the fire strategy will comply with building regulations as this cannot take place until a Building Regulations application has been submitted.

Late representations received after the report to committee of 18 July 2017 was published and circulated to members at committee (reds).

HISTORIC ENGLAND ARCHAEOLOGY:

Confirmation that condition as added to the draft decision letter is acceptable.

Representations received after committee of 18 July 2017 following consultation on revised drawings:-

ADJOINING OWNERS/OCCUPIERS AND OTHER PRESENTATIONS:

No. consulted: 37

No. of replies: 6 letters of objection raising no additional issues not addressed within committee report dated 18 July 2017.

6. BACKGROUND PAPERS

1. Report and minutes of Committee dated 18.07.2017, including original representations as detailed in report to committee of 18 July 2017

2. Representations received following consultation on revised drawings:-

- Occupier of 31 Greville Hall, Greville Place dated 4 August 2017
- Occupier of 2 Hillside Close dated 5 August 2017
- Occupier of 46 Greville Hall Greville Place dated 7 August 2017
- Occupier of 26 Greville Hall Greville Place dated 7 August 2017
- Occupier Flat 21 Greville Hall dated 7 August 2017
- Representation on behalf of Greville Hall Management Ltd dated 8 August 2017

3. Representations summarised in report dated 18 July 2017 (greens)

4. Additional representations received after report of 18 July 2017 was published and circulated to members prior to the committee meeting (blues):-

- Email from Building Control, dated 11 July 2017

5. Late representations received after report of 18 July 2017 was published circulated to members at committee meeting (reds):-

- Email from Historic England Archaeology, dated 17 July 2017

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

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: KIMBERLEY DAVIES BY EMAIL AT kdavies1@westminster.gov.uk . |
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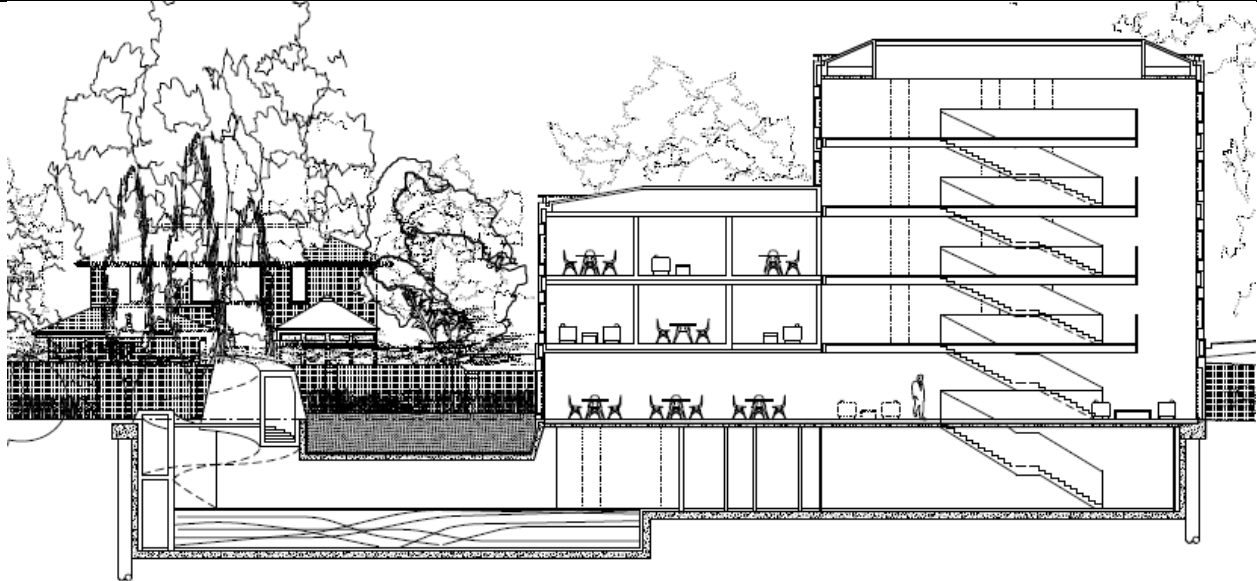
7. KEY DRAWINGS



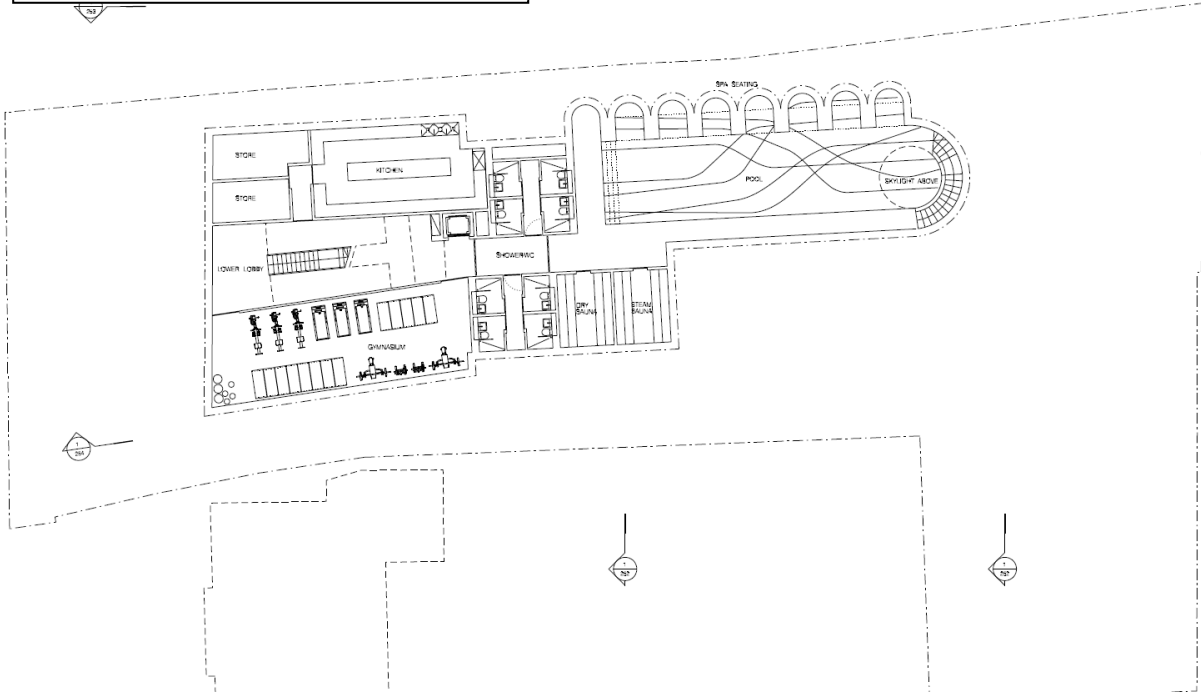
EXISTING MAIDA VALE ELEVATION



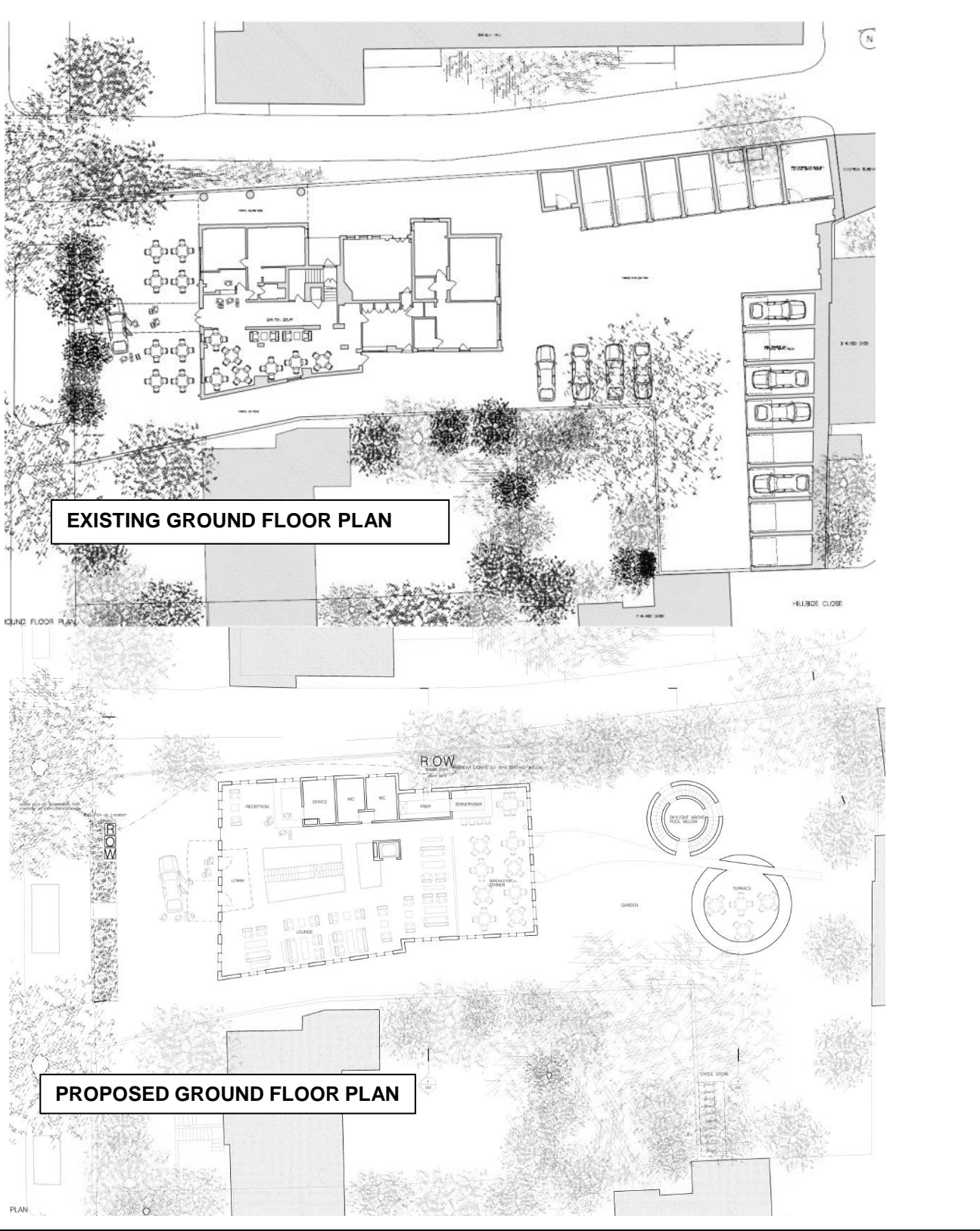
PROPOSED MAIDA VALE ELEVATION



PROPOSED LONG SECTION



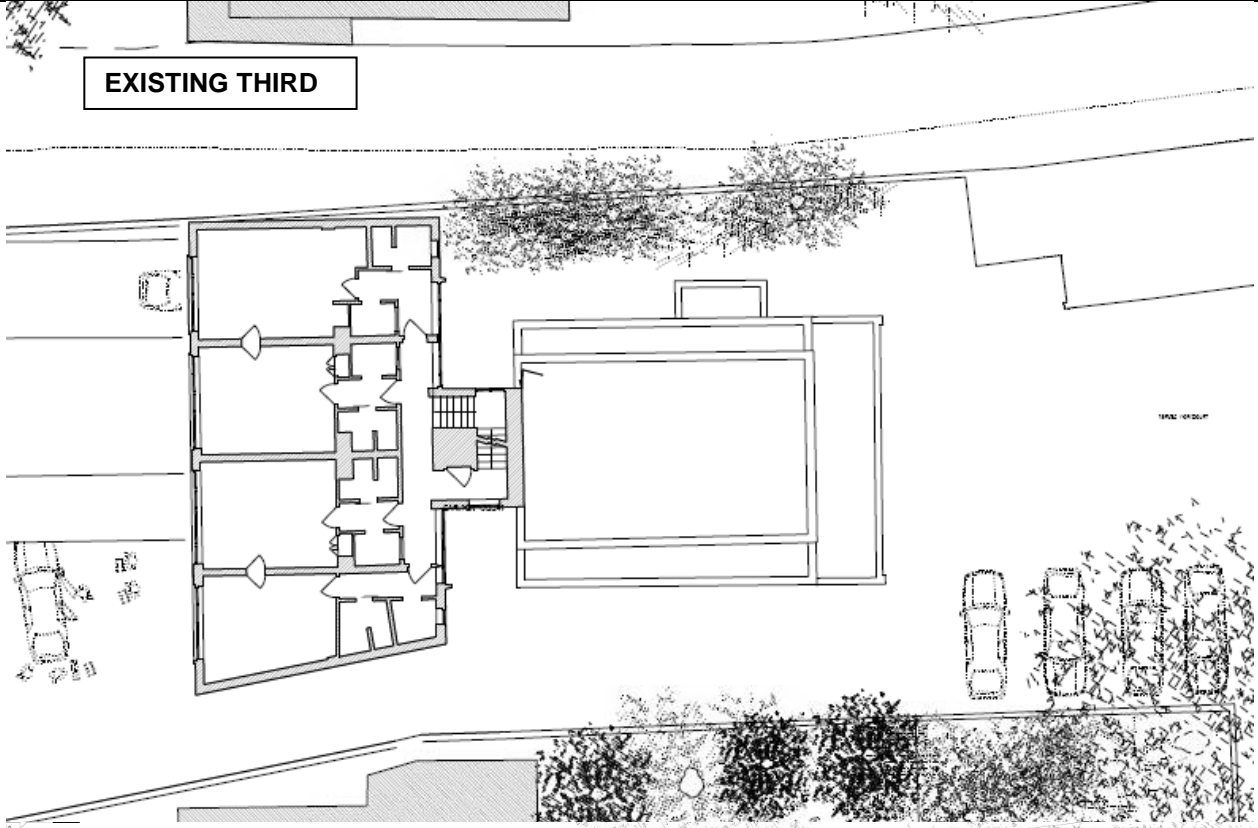
PROPOSED BASEMENT



EXISTING GROUND FLOOR PLAN

PROPOSED GROUND FLOOR PLAN

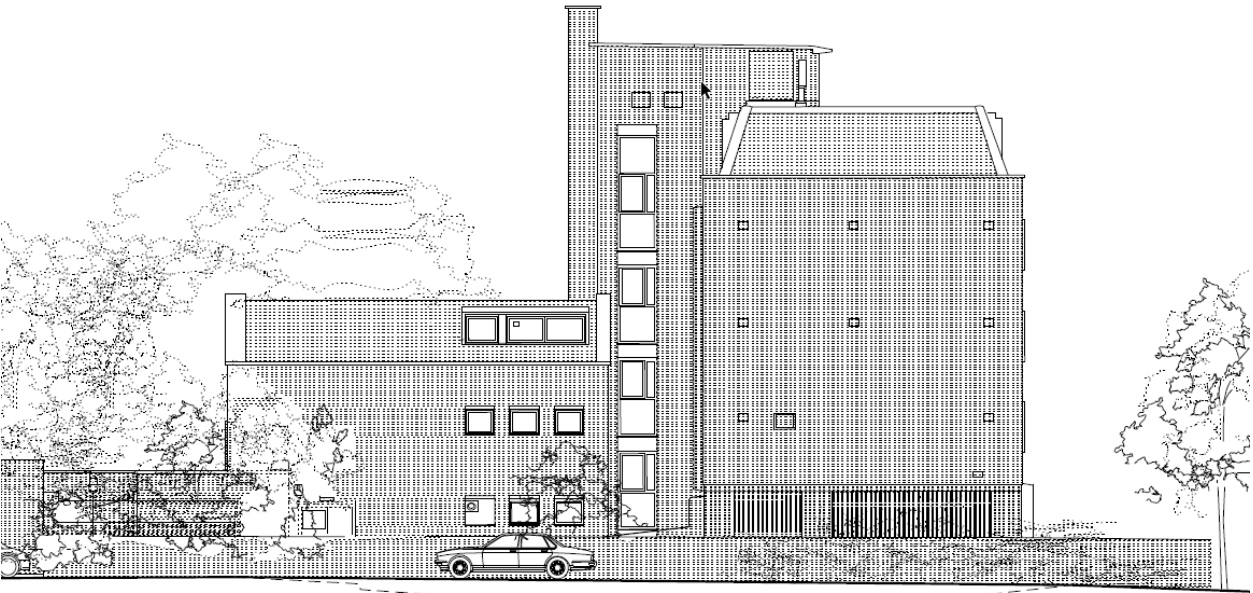
EXISTING THIRD



PROPOSED THIRD



Existing north elevation

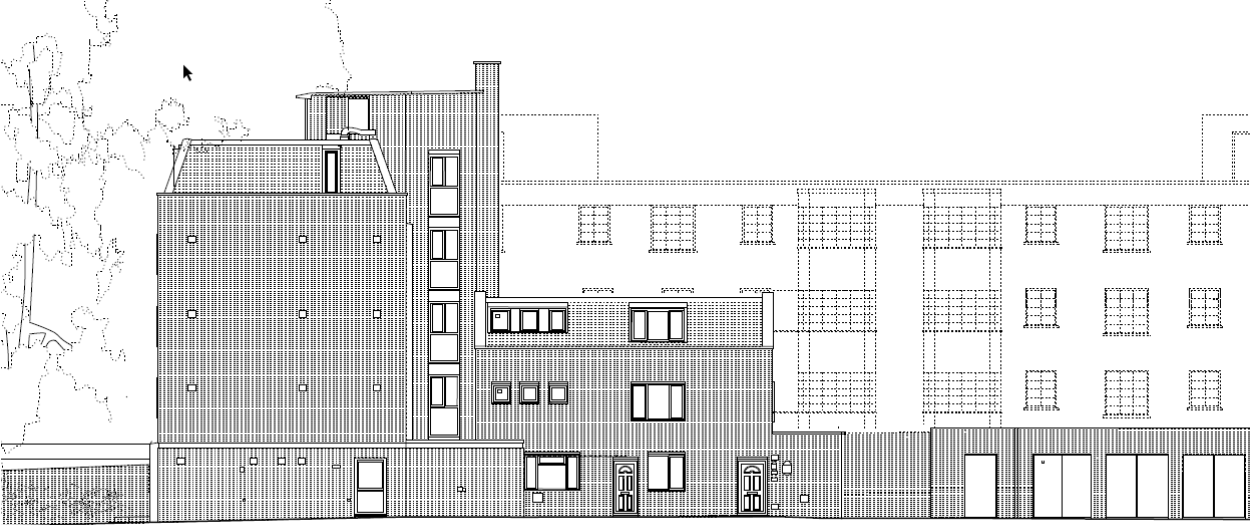


Proposed north elevation



| MATERIALS KEY | |
|---------------|---------------------|
| 1 | Clear glazing unit |
| 2 | Opaque glazing unit |
| 3 | Timber panel unit |
| 4 | Brick |

Existing South elevation



Proposed South elevation



MATERIALS KEY

| | |
|---|---------------------|
| 1 | Clear glazing unit |
| 2 | Opaque glazing unit |
| 3 | Timber panel unit |
| 4 | Brick |

The drawings below (Fig. 36-39) describe how overlooking is mitigated through window infill panels. Critically, used in the South and North elevations in order to respect neighbouring properties and to avoid overlooking. Where neighbouring windows could potentially face each other, frosted glazing is used to restrict views whilst admitting a consistent gain of ambient daylight. Clear views are aimed towards Malda Vale enhancing the outlook in addition to introducing direct sunlight throughout the year. In each elevation, the infill panel would be carefully orientated to direct views away from neighbouring properties, reducing any potential for overlooking and privacy issues.



Fig. 37
Double Glazed unit with overlooking control infill

The operable panels allow for purge ventilation to internal spaces (meeting Approved Document F requirements), and cleaning for each panel.

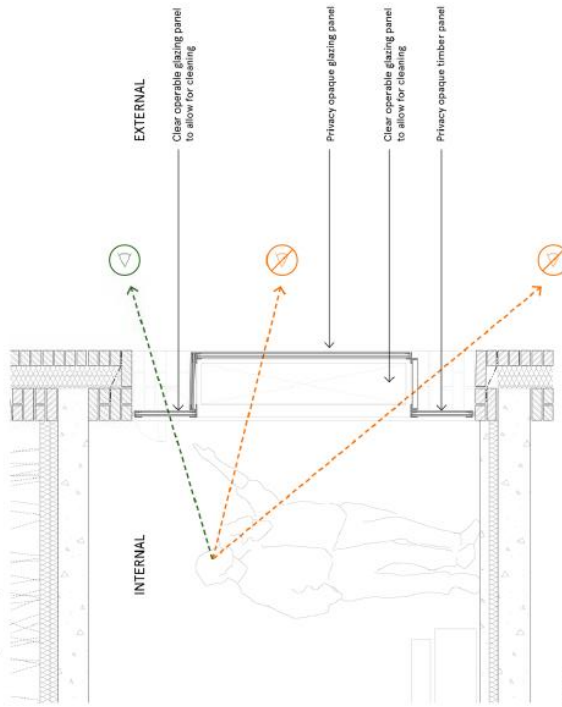


Fig. 36



Fig. 38
CG external view of privacy window detail

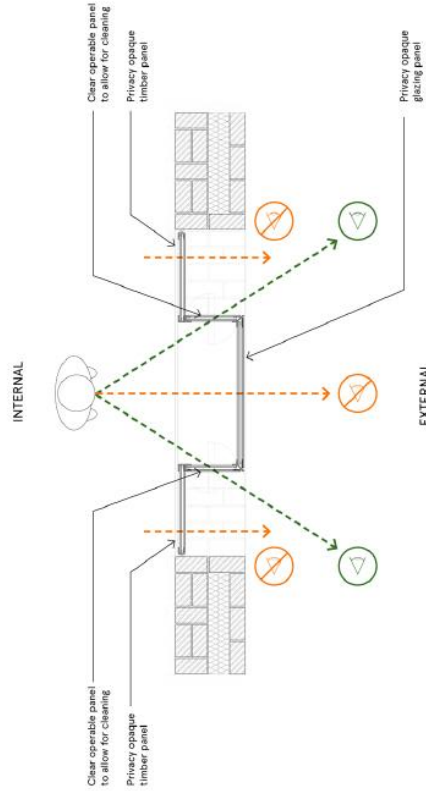


Fig. 39

Window details

DRAFT DECISION LETTER

Address: Carlton Court , 120 Maida Vale, London, W9 1QA

Proposal: Demolition of existing five storey building and out buildings and erection of a part five and part three storey serviced apartment hotel building (Use Class C1) with restaurant and spa facilities in newly excavated basement and erection of single storey stair structure in rear garden to provide access to the basement.

Plan Nos: 000A; 001; 050 C; 052 C; 053 C; 054 C; 055 C; 100 C; 101 C; 102 C; 103 C; 151 C; 202 H; 203 K; 204 F; 205 G; 206 H; 207 H; 208 F; 210 C; 211 B; 212 B; 213 A; 214 B; 215 A; 250 D; 251 H; 252 J; 253 H; 254 I; 255 D; 300 I; 301 K; 900 300; Design and access statement dated December 2016; Energy Assessment by eight associates Issue number 2; overheating analysis by eight associates issue number 2; transport statement by Honosa Ltd; Daylight and Sunlight Assessment by GL Hearn dated 3 November 2016; Arboricultural Impact Assessment by Oisin Kelly dated 25 October 2016; Optigreen Pitched green roof details; details of Max bespoke air handling units; Plant Noise Assessment by RBA Acoustics dated 17 March 2017.

For information only: SK01; Structural Engineering Report by Fluid Structures; Suggested sequent of construction by Fluid structures.

Case Officer: Rupert Handley

Direct Tel. No. 020 7641 2497

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

Reason:

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

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St John's Wood 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 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St John's Wood 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 The brick facing material shall be formed of complete bricks and not brick slips or other panelised brick cladding system

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 St John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in

January 2007. (R26BE)

- 7 You must apply to us for approval of two sample panels of brickwork which show the colour, texture, face bond and pointing. One panel shall show the brickwork to ground floor level, and one shall show the brickwork to an example area of the upper floor levels. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. (C27DB)

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 St John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 8 You must apply to us for approval of elevation drawings and/or other clarification statement to show the brick bond proposed to each element of the exterior of the building. You must not start any work on these parts of the development until we have approved what you have sent us.

You must then carry out the work according to these drawings/clarification statements. (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 St John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St John's Wood 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)

- 10 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:-

Front boundary to the site shown with boundary wall comprising a structure formed of brick or railings or a combination of the two

You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

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 St John's Wood 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)

- 11 You must apply to us for approval of detailed plan, section and elevation drawings (annotated to show materials) of the following parts of the development:-

- Front entrance canopy to ground floor level

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St John's Wood 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)

- 12 The roof finishes, including skylight and green roofs, as shown to the application drawings shall be installed prior to the use of the plant equipment at roof level, and shall be retained in situ thereafter

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 St John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 13 You must apply to us for approval of elevation drawings (annotated to show materials) of the new bin store to the front forecourt area at ground floor level. You must not start any work on these parts of the development until we have approved what you have sent us.

You must then carry out the work according to these drawings. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St John's Wood 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)

- 14 Notwithstanding the handrail shown to above the parapet to the elevation drawings, a scheme for any handrailing to roof level or other installations for edge protection or in association with window washing or other external maintenance equipment shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such equipment. You must then carry out the work according to the approved drawings

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St John's Wood 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 You must apply to us for approval of detailed elevation and section drawings of the skylight structure within the rear garden of the site. You must not start any work on these parts of the development until we have approved what you have sent us.

You must then carry out the work according to these drawings. (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 St John's Wood 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)

- 16 You must not use the roof of the building for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21AA)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 17 The glass that you put in the windows in the north and south elevation of the building must not be clear glass (unless otherwise shown on the approved drawings). You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission. (C21DB)

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)

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

green roofs

You must not remove any of these features. (C43FA)

Reason:

To increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43FB)

- 19 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:
- (a) A schedule of all plant and equipment that formed part of this application;
 - (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
 - (c) Manufacturer specifications of sound emissions in octave or third octave detail;
 - (d) The location of most affected noise sensitive receptor location and the most affected window of it;
 - (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
 - (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
 - (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;

- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

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

- 20 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.

- 21 The following plant/machinery hereby permitted (as referred to in the acoustic report by RBA Acoustics dated 19 January) shall not be operated except between the hours:

1 Air handling unit (HRU.01): 09:00 - 21:00 daily
Kitchen Extract Fan (KEF.01): 07:00 - 23:00 daily

Reason:

To safeguard the amenity of occupiers of noise sensitive properties and the area generally by ensuring that the plant/machinery hereby permitted is not operated at hours when external background noise levels are quietest thereby preventing noise and vibration nuisance as set out in S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.

- 22 The plant equipment must not operate until the mitigation measures specified in Part 5.6 of the Plant Noise Assessment by RBA acoustics dated 17 March 2017 have been installed and shall be retained for as long as the air conditioning unit remains in use.

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.

- 23 You must apply to us for approval of details of secure cycle storage (location and how it will look) for the hotel use. You must not start any work on this part of the development until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose.

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. And to make sure that its appearance is suitable and contributes to the character and appearance of this part of the St Johns Wood 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 10.128 of our Unitary Development Plan that we adopted in January 2007.

- 24 You must provide the waste store shown on drawing 208-203 I before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the hotel. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

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)

- 25 **Pre Commencement Condition.** You must apply to us for approval of a method statement explaining the measures you will take to protect the trees on and close to the site. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. You must then carry out the work according to the approved details.

Reason:

To protect trees and the character and appearance of the site 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. (R31CC)

- 26 You must apply to us for our approval of details of an auditable system of arboricultural site supervision and record keeping prepared by an arboricultural consultant who is registered with the Arboricultural Association, or who has the level of qualifications and experience needed to be registered. The details of such supervision must include:

- i) identification of individual responsibilities and key personnel.
- ii) induction and personnel awareness of arboricultural matters.
- iii) supervision schedule, indicating frequency and methods of site visiting and record keeping
- iv) procedures for dealing with variations and incidents.

You must not start any demolition, site clearance or building work, and you must not take any

equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. You must then adhere to the approved supervision schedule.

You must produce written site supervision reports after each site monitoring visit, demonstrating that you have carried out the supervision and that the tree protection is being provided in accordance with the approved scheme. If any damage to trees, root protection areas or other breaches of tree protection measures occur then details of the incident and any mitigation/amelioration must be included. You must send copies of each written site supervision record to us within five days of the site visit.

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)

- 27 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes the number, size, species and position of trees and shrubs. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping and planting within 3 months of completing the development (or within any other time limit we agree to in writing).

If you remove any trees or find that they are dying, severely damaged or diseased within 2 years of planting them, you must replace them with trees of a similar size and species. (C30CB)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the St Johns Wood Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

28 **Pre Commencement Condition.**

(a) You must apply to us for approval of a written scheme of investigation for a programme of archaeological work. This must include details of the suitably qualified person or organisation that will carry out the archaeological work. You must not start work until we have approved what you have sent us.

(b) You must then carry out the archaeological work and development according to this approved scheme. You must produce a written report of the investigation and findings, showing that you have carried out the archaeological work and development according to the approved scheme. You must send copies of the written report of the investigation and findings to us, to Historic England, and to the Greater London Sites and Monuments Record, 1 Waterhouse Square, 138-142 Holborn, London EC1N 2ST.

(c) You must not use any part of the new building until we have confirmed that you have carried out the archaeological fieldwork and development according to this approved scheme. (C32BC)

Reason:

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

- 29 Prior to the commencement of any demolition or construction on site the applicant shall submit an approval of details application to the City Council as local planning authority comprising evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. Commencement of any demolition or construction cannot take place until the City Council as local planning authority has issued its approval of such an application (C11CB)

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)

- 30 Before the use is commenced, you must provide an Operational Management Plan to include the following details:

- i) how guests arriving and departing from the site will be managed;
- ii) how guests using the rear garden will be managed.

The use must then operate in accordance with the approved statement.

Reason:

To protect the environment of people in neighbouring properties, as set out in S29 and S32 of Westminster's City Plan (November 2016), and TACE2, ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.

- 31 No live or recorded music shall be played that is audible outside of the building.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 32 You must not use the rear or side garden for sitting out or for any other purpose after 9pm daily. You can however use the garden to escape in an emergency. (C21AA)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 33 The spa/pool/fitness facilities at basement level and bar/lounge/breakfast room/restaurant at ground floor level, shall only be used as an ancillary part of the hotel use and must only be used by hotel guests.

Reason:

To protect the environment of people in neighbouring properties, as set out in S29 and S32 of Westminster's City Plan (November 2016), and TACE2, ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.

- 34 You must provide the environmental sustainability features (environmentally friendly features) as outlined within the Energy Assessment prior to the occupation of the building and must be retained thereafter.

Reason:

To make sure that the development affects the environment as little as possible, as set out in S28 or S40, or both, of Westminster's City Plan (November 2016). (R44BC)

- 35 You must provide a minimum of 1m soil depth (plus minimum 200mm drainage layer) and adequate overall soil volume above the top cover of the basement as shown on the drawings hereby approved. The soil depth and soil volume above the basement must thereafter be retained as approved.

Reason:

To improve the appearance of the development and its contribution to biodiversity and the local environment, as set out in S38, CM28.1 of Westminster's City Plan (November 2016), and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007.

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You are advised that the expectation with regards to condition 5 is that samples will be submitted demonstrating that the building is faced in yellow stock brickwork, or brickwork of similar quality and tone.

- 3 You are advised that condition 13 of this decision is intended to secure both an accurate and consistent set of drawings, and to secure an arrangement of window detailing considered appropriate to the site. You are advised that the plan, section and elevation drawings submitted with the application were not consistent with regards to the size and proportioning of the window openings (including the extent to which the central section projected forward).
- 4 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 5 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

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

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

Phone: 020 7641 2000

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

- 6 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.
- 7 Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit thameswater.co.uk/buildover

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

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

There is a Thames Water main crossing the development site which may/will need to be diverted at the Developers Cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services Contact Centre on 0800 009 3921 for further information.

- 8 Conditions 19-22 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)

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

Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form**

immediately. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**

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

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

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

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

- 10 This permission is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council and as a consequence we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.
- 11 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 12 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 13 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)
- 14 Condition 25 requires you to submit a method statement for works to a tree(s). The method

statement must be prepared by an arboricultural consultant (tree and shrub) who is registered with the Arboricultural Association, or who has the level of qualifications or experience (or both) needed to be registered. It must include details of:

- * the order of work on the site, including demolition, site clearance and building work;
- * who will be responsible for protecting the trees on the site;
- * plans for inspecting and supervising the tree protection, and how you will report and solve problems;
- * how you will deal with accidents and emergencies involving trees;
- * planned tree surgery;
- * how you will protect trees, including where the protective fencing and temporary ground protection will be, and how you will maintain that fencing and protection throughout the development;
- * how you will remove existing surfacing, and how any soil stripping will be carried out;
- * how any temporary surfaces will be laid and removed;
- * the surfacing of any temporary access for construction traffic;
- * the position and depth of any trenches for services, pipelines or drains, and how they will be dug;
- * site facilities, and storage areas for materials, structures, machinery, equipment or piles of soil and where cement or concrete will be mixed;
- * how machinery and equipment (such as excavators, cranes and their loads, concrete pumps and piling rigs) will enter, move on, work on and leave the site;
- * the place for any bonfires (if necessary);
- * any planned raising or lowering of existing ground levels; and
- * how any roots cut during the work will be treated.

- 15 Some of the trees on/ adjacent to the site the site are protected by a Tree Preservation Order. You must get our permission before you do anything to them. This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You may want to discuss this first with our Tree Officer on 020 7641 7761 or 020 7641 2922.
- 16 With regards to condition 14, the strong expectation is that any protection for persons towards the edge of roof level shall be achieved through the use of a fall protection system which does not rise above the height of the parapet