

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 14 November 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Lancaster Gate	
Subject of Report	Esca House, 32 Palace Court, London, W2 4HZ,		
Proposal	Variation of Condition 1 of planning permission dated 19 January 2016 (RN: 15/05691/FULL) for the demolition of Esca House, 34 Palace Court and demolition behind the retained facade of 1-4 Chapel Side. Redevelopment and change of use from office to provide up to 24 residential units over floors of basement, ground, first, second, third and fourth floor levels, including the accommodation of 18 car parking spaces, 24 cycle spaces and plant at basement level. NAMELY, to vary drawings and other documents listed on this decision letter to reflect the proposed increase in the number of flats from 24 to 28 units, amendments to the arrangement of car parking spaces and detailed design changes.		
Agent	Mr Magnus Menzefricke-Koitz		
On behalf of	Loxley Holdings Limited		
Registered Number	17/06677/FULL	Date amended/ completed	27 July 2017
Date Application Received	27 July 2017		
Historic Building Grade	Unlisted		
Conservation Area	Bayswater		

1. RECOMMENDATION

1. Grant conditional permission, subject to the completion of a Deed of Variation to the original legal agreement for application reference 15/05691/FULL dated 19th January 2016, to ensure that all the previous planning benefits are secured with variations (**in bold**) :

- a) Provision of £750,000 towards the City Council's affordable housing fund (index linked and payable upon commencement of development);
- b) A contribution of £10,000 (index linked and payable upon commencement of development) towards new tree planting in the vicinity of the site;
- c) Provision of lifetime car club membership (minimum 25 years) for all **28** units;
- d) All 18 off street residential parking spaces must be unallocated;
- e) Provision of maintenance and management plan for the **car stacking system** prior to occupation and maintained for life of development;
- f) A contribution of £28,000 per annum towards Environmental Monitoring for the demolition and construction phase of the development (index linked);
- g) The costs of monitoring the S106 agreement;
- h) Highways works to facilitate development including alteration to Chapel Side;

i) Dedication of highway on Moscow Road prior to occupation.

2. If the Deed of Variation has not been completed within six weeks of the date of this resolution then:

a) The Director of Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefit listed above. If so, the Director of Planning is authorised to determine and issue such a decision under Delegated Powers; however, if not;

(b) The Director of Planning shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefit which would have been secured; if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2. SUMMARY

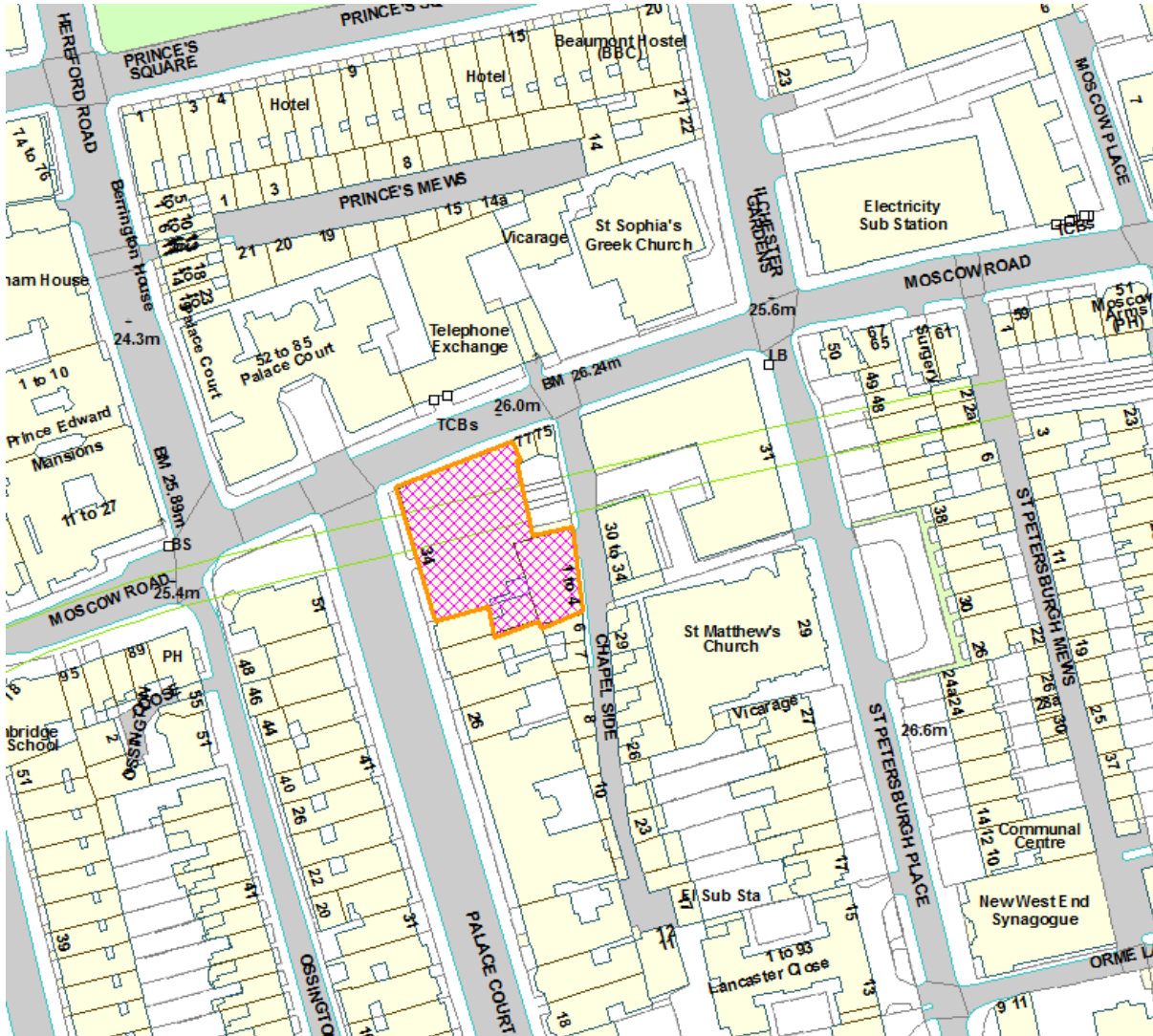
Planning permission was granted in January 2016 for a redevelopment scheme to provide 24 residential flats with associated central courtyard at ground level and car parking within a double basement.

Permission is now sought to vary the permission in order to increase the number of residential units from 24 to 28 and amend the mix of unit sizes. It is also proposed to revise the arrangement for on-site car parking, omitting the second basement and enclosing the central courtyard together with small extensions and design changes.

Whilst three objections have been raised by local residents, these are generally related to the principle of the proposed development and are not specific to the proposed revisions.

It is considered that the proposal is acceptable and in accordance with our Unitary Development Plan (UDP) and our City Plan on all key issues and is therefore recommended for conditional approval subject to the completion of a deed of variation of the original S106 legal agreement dated 19th January 2016, to ensure that the previous planning obligations are secured with revision under this permission.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

ORIGINAL CONSULTATION Dated 9th AUGUST 2017

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

Any response to be reported verbally

BAYSWATER RESIDENTS ASSOCIATION

Any response to be reported verbally

HISTORIC ENGLAND

Do not consider it necessary for this application to be notified to Historic England.

LONDON UNDERGROUND LIMITED

No objection to principle. Applicant should be aware of a number of potential constraints on the redevelopment of a site situated close to London Underground tunnels and infrastructure. Conditions requested

HIGHWAYS PLANNING MANAGER

No objection on transportation grounds subject to the same conditions and legal agreement being attached to any planning permission.

CLEANSING

No objection subject to condition securing waste/recycling storage provision.

ENVIRONMENTAL HEALTH

Object to the application on the grounds of inadequate means of escape in case of fire.

In relation to plant, no objections subject to standard noise conditions

BUILDING CONTROL

The proposed building will be supported on piled foundations, with a transfer slab bridging over existing tube line. The scheme has been justified structurally, sufficient details have been provided to show how the basement will not affect the adjoining buildings.

The basement development will not have any major adverse effects on ground or surface water and it will not increase the likelihood of flooding in the local area, the basement can be safely constructed without any significant adverse effects on the neighbouring properties.

ARBORICULTURAL MANAGER

Street tree in Palace Court unlikely to survive redevelopment but considers proposal acceptable subject to a legal agreement securing a contribution to street tree planting.

Welcomes extensive green roof. Regrettable landscaping and tree to courtyard shown in previous scheme no longer proposed but as has little impact on public amenity would not insist on this provision.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 472

Total No. of replies: 3

No. of objections: 3

No. in support: 0

In summary, the objections raised include the following issues:

Design

- * Not appropriate for Conservation Area
- * Existing building of historic value .
- * Increased bulk and scale inappropriate
- * Loss of street views to St Mathews Church

Amenity

- * Loss of daylight and sunlight
- * Loss of privacy.
- * Noise from car turntable and plant

Transport

- * Increased traffic confusion and congestion and associated pollution and noise.
- * Moscow Road already a rat run.

Other

- * Noise and disturbance and pollution during construction and excavation especially over such a period of time and considering on-going other developments in area.
- * Many unsold luxury properties in the area already.
- * Lack of consultation

ADVERTISEMENT / SITE NOTICE: Yes

RECONSULTATION ON 24th OCTOBER 2017 FOLLOWING AMENDMENTS

Including set back of Moscow Road amended detailed design of the exterior elevations, the removal of external balconies/terraces, converting one unit from a two bed to a three bed and the removal of windows and a roof terrace on the southern elevation.

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

Any response to be reported verbally.

BAYSWATER RESIDENTS ASSOCIATION

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 472

Total No. of replies: 1

No. of objections: 1

No. in support: 0

In summary, the objection raised include the following issues:

Amendments do not address concerns particularly location of car turntable and plant.

6. BACKGROUND INFORMATION

6.1 The Application Site

No.34 Palace Court and Nos.1-4 Chapel Side are unlisted buildings which positively contribute to the Bayswater Conservation Area which they form part of. These buildings along with the adjoining No.32 Palace Court (which is also owned by the applicants) are predominantly used as offices (Class B1(a), but with an element of residential in the form of four flats and parking within Nos.1-4 Chapel Side.

No.34 Palace Court is an unlisted two storey corner building which has a street frontage to both Palace Court and Moscow Road and adjoining neighbouring buildings Nos.75-77 Moscow Road, which is thought to be in use as a hostel. Nos. 1-4 Chapel Side which lie to the rear of Nos.32-34 Palace Court is an unlisted four storey building. All of the buildings are linked to one another.

Beneath part of the site running east/west is the London Underground Circle and District Line tunnel and an associated tunnel ventilation shaft. Further to the east lies the Grade II* listed Church of St Matthew on St Petersburg Place.

The applicants also own the adjoining No.32 Palace Court, an unlisted five storey plus basement building located on the east side of Palace Court currently in office use but with an extant planning permission for conversion into two dwellings.

The surrounding immediate area is predominantly residential in character within Palace Court and Chapel Side. Opposite the site on the northern side of Moscow Road are Palace Court Mansions and the BT Telephone Exchange.

6.2 Recent Relevant History

Demolition of Esca House, 34 Palace Court and demolition behind the retained facade of 1-4 Chapel Side. Redevelopment and change of use from office to provide up to 24 residential units over floors of basement, ground, first, second, third and fourth floor levels, including the accommodation of 18 car parking spaces, 24 cycle spaces and plant at basement level.

Application Permitted 19 January 2016

This was subject to a S106 legal agreement which secured the following:-

- a) Provision of £750,000 towards the City Council's affordable housing fund (index linked and payable upon commencement of development);
- b) A contribution of £10,000 (index linked and payable upon commencement of development) towards new tree planting in the vicinity of the site;
- c) Provision of lifetime car club membership (minimum 25 years) for all 24 units;
- d) All 18 off street residential parking spaces must be unallocated;
- e) Provision of maintenance and management plan for the car lift prior to occupation and maintained for life of development;
- f) A contribution of £28,000 per annum towards Environmental Monitoring for the demolition and construction phase of the development (index linked);
- g) The costs of monitoring the S106 agreement;

- h) Highways works to facilitate development including alteration to Chapel Side;
 i) Dedication of highway on Moscow Road prior to occupation. 15/05691/FULL

7. THE PROPOSAL

Planning permission is sought to vary the 2016 permission set out above. The amendments are set out below:-

- 1) Omission of second basement
- 2) Enclosing of central courtyard to provide revised arrangement for car parking via dual stackers over ground and basement one level and two disabled car parking spaces at ground floor level.
- 3) Re-provision of central courtyard at first floor level.
- 4) Alterations to the internal layout of building to increase in number of proposed flats from 24 to 28 and change in mix from 6 x1 bedroom, 10x2bedroom, 7x3bedroom and 1x 4 bedroom units to 1 studio flat, 11x1 bedroom units, 9x2 bedroom units and 7x3 bedroom units.
- 5) Small extensions
- 6) Design revisions
- 7) Increase in cycle parking provision from 24 to 43 spaces.

8. DETAILED CONSIDERATIONS

8.1 Revised quantum of flats and mix of unit sizes.

The original permission granted 24 flats and through alterations to the internal arrangements it is proposed to increase this to 28 flats with associated revisions to the mix of unit sizes. The revisions are set out in the table below:-

	Consented Permission	Current Proposal	change
Studio	0	1	+1
1 bedroom	6	11	+5
2 bedroom	10	9	-1
3 bedroom	7	7	0
4 bedroom	1	0	-1
Total	24	28	+4

Policy H5 of our UDP and S15 of our City Plan requires an appropriate mix of unit sizes and that 33% are family sized units (3xbedroom or more). The original scheme achieved exactly 33%, however the proposed mix of unit sizes falls short of this at 25. However the UDP states that the policy will be applied with some flexibility. In this case 8 family sized units were proposed in the original permission and 7 are proposed within this revised proposal. In this particular case the optimization of the number of units on the site, which results in one less family sized unit and a revised mix of unit sizes when compared to the original scheme is considered acceptable.

In terms of the internal environment created for future occupiers of the residential units, the proposal creates units of adequate floorspace, ranging from 38m² for a studio unit (with shower) to 120m² for a three bedroom unit and of good quality in terms of natural light and ventilation. An assessment of internal light levels has been submitted by the applicant and has concluded that all rooms within the development meet BRE guidance with the exception of one which marginally fails. The one room that falls short of guidance is a large L shaped lounge/kitchen/dining room on the second floor. The BRE guidance accepts that on occasion this situation may exist in large multifunctional rooms and where this is inevitable the kitchen “should be directly linked to a well lit living room which it is in this case. On balance therefore the proposal therefore complies with Policy H10 of our UDP.

The proposal is therefore considered to provide a satisfactory residential environment for future occupiers, with sufficient natural light space and privacy. This complies with Policy ENV13 of our UDP and S29 of our City Plan as well as the Nationally prescribed space standards (March 2015).

8.1.1 Affordable housing

In considering the original scheme for 24 flats, it was found that the scheme could not afford to provide the required affordable housing provision required under Policy S16 of the City Plan., either on or off site or as a payment in lieu. This was verified by an independent consultant on behalf of the City Council. However notwithstanding this conclusion the applicant offered a payment in lieu of affordable housing of £750,000 and this was accepted and secured through a s106 legal agreement in granting the original permission.

Given, the increase in the number of flats now proposed from 24 to 28 units and the other proposed revisions to the original scheme, including the omission of basement two and building over the ground floor central, which has implications for construction costs. Together with the change in the floor space figures used for calculating affordable housing from GEA to GIA, it was considered appropriate to reconsider the viability of the revised scheme.

A policy compliant scheme in affordable housing terms would deliver eleven on-site affordable housing units in accordance with Policy H4 in the UDP and S16 in the City Plan. In the event that it is demonstrated that it is not viable to provide affordable housing on-site or off-site in the vicinity, a financial contribution to the Affordable Housing Fund that would be consistent with the formula set out in the Interim Guidance Note: Affordable Housing Policy (November 2013) would be £4,480,960.

The applicant has submitted a viability report which has been assessed by independent viability consultants on behalf of the City Council. They advise that the proposed scheme results in a deficit and therefore agree that the scheme is unable to provide affordable housing, whether it is on site, off site or a payment in lieu. Notwithstanding this conclusion, the applicant has offered to honour their commitment to pay £750,000 towards the City Council's Affordable Housing Fund as part of this application.

8.2 Townscape and Design revisions

The main design alterations proposed by the current application are as follows:

- Alterations to the main entrance and its internal layout;
- Removal of the ground floor courtyard and in its place a ground level parking level;
- Alterations to the Chapel Side façade to accommodate the changes to the car parking access arrangements;
- Internal layout changes and alterations to the courtyard-facing facades;
- Demolition of the flank wall to 1-4 Chapel Side;
- Introduction of more pronounced bays on the Moscow Road façade;
- The footprint of the rooftop terrace and plant enclosure is changed;
- An ornate railing design matching the existing historic railings is to be used around the perimeter.

With the exception of the more pronounced bays onto Moscow Road, the main facades of the new development onto Moscow Road and Palace Court remain almost entirely unaltered and utilise the same palette of materials as previously approved.

While the loss of the ground floor central courtyard does somewhat diminish the quality of the internal layout and the standard of residential amenity within the development itself, the impact upon the external appearance of the building and upon the character and appearance of the conservation area is minimal. The changes that will be apparent, namely the ground floor changes to the façade of 1-4 Chapel Side, the design of the perimeter railings, the changing footprint of the rooftop terrace and the plant enclosure will have a very minimal change when compared with the approved scheme and are not harmful, indeed the more embellished railing design is considered to be an improvement.

The external changes of greatest impact will be the more pronounced bays to the Moscow Road façade and the demolition of the flank wall to 1-4 Chapel Side. The bays are considered acceptable in design terms, as they will follow the rhythm of similar bays on the Palace Court façade, thus providing greater design cohesion, as well as providing improved relief to this façade.

The demolition of the flank wall to 1-4 Chapel Side is regrettable, although the need to do it, to enable the construction of the scheme and the provision of the ground floor car-parking is understood. The revision proposal which is to dismantle the wall and rebuild in facsimile using the same brickwork is considered to offer considerable mitigation and with the suggested conditions ought to be capable of being undertaken without an adverse impact on the appearance of the building or the conservation area.

Thus subject to the existing design conditions, plus the suggested additional condition to address the dismantlement and re-building of the flank wall to 1-4 Chapel Side, the proposals are considered acceptable in design terms and to accord with design policies DES 1, DES 4, DES 9 and DES 10 of our UDP; and S25 and S28 of our City Plan; as well as Chapter 12 of the NPPF.

8.3 Residential Amenity

The proposed development is surrounded on all sides by residential properties. It is therefore a sensitive site in terms of its potential impact on the amenities currently enjoyed

by the occupiers of surrounding residential properties. Objections have been received on the grounds of loss of daylight and sunlight, loss of privacy and noise resulting from the car turntable and plant.

With regard to amenity the relevant planning policies have broadly remained the same as when the original proposal was considered,

8.3.1 Sunlight and Daylight

The proposal under consideration fits entirely within the building envelope proposed by the original permission with the exception of an infill extension measuring approximately 2m² situated in the north west corner of the courtyard at first to third floor level and a proposed extension at ground to second floor to the south of the site adjacent to the rear courtyard of 32 Palace Court. The corner infill extension would have no amenity impact on the surrounding properties as it is located entirely within the development.

The only property which would be significantly impacted by the additional bulk created by the extension to the south of the site in terms of sunlight and daylight would be 32 Palace Court. This property is under the same ownership as the development site. Although it was granted permission in December 2014 for use as two residential maisonettes the property has remained in office use and this permission has not been implemented therefore it cannot be afforded the same protection in amenity terms as if it was a residential dwelling. For these reasons it is not considered that the objections relating to loss of sunlight and daylight are sustainable and it is considered that the proposal complies with policy ENV13 of our UDP and S29 of our City Plan.

8.3.2 Sense of Enclosure

As outlined above the proposal under consideration fits largely within the building envelope proposed by the original permission with the exception of a proposed infill extension at ground to second floor to the south of the site adjacent to the rear courtyard of 32 Palace Court. The only property which would be significantly impacted by this additional bulk in terms of sense of enclosure would be 32 Palace Court. This property is under the same ownership as the development site. Although it was granted permission in December 2014 for use as two residential maisonettes the property has remained in office use and this permission has not been implemented therefore it cannot be afforded the same protection in amenity terms as if it was a residential dwelling

For the reasons set out above, the proposal is not considered to raise concerns in terms of sense of enclosure. The objections raised by residents on this ground are therefore unable to be supported in this case and the proposal accords with policy S29 of the City Plan and ENV 13 of the UDP.

8.3.3 Privacy

The proposal has been amended during the course of consideration to remove a roof terrace and window at third floor level to the south of the site, balconies to the courtyard also at 3rd floor level and terraces at fourth floor level on the Moscow Road and Palace Court elevations. The removal of these features would make the proposal the same as the

approved scheme in terms of issues of overlooking to neighbouring properties. On this basis the objections on loss of privacy are not considered sustainable. For these reasons it is not considered that the objections in relation to overlooking are sustainable and the proposal accords with policy S29 of the City Plan and ENV13 of the UDP.

8.3.4 Noise

An objection has been received from a neighbour on the grounds that the plant room and car turntable located adjacent to their flat would result in noise disturbance. An acoustic report has been submitted with the application and assessed by a City Council Environmental Health Officer who has confirmed that the proposal is likely to be acceptable subject to standard noise conditions. With regard to the objection to noise generated by the car turntable, although this was a feature of the original scheme this is no longer proposed under this revised scheme.

Subject to conditions, the proposal would be consistent with policies ENV6 and ENV7 of the UDP and policy S29 of the City Plan.

8.4 Transportation/Parking

8.4.1 Revised Car and Cycle Parking arrangement

The original scheme provided 18 car parking spaces at basement and sub-basement level via a car lift from ground floor. This revised scheme seeks to enclose the central courtyard at ground floor level to accommodate the revised car parking arrangement at ground and basement level and consequently omits the previously proposed sub level basement. The revised scheme still provides for 18 car parking spaces, but within this revised arrangement utilising dual stackers over ground and basement level, with two standard disabled car parking spaces at ground floor level. As in the case of the original permission access to these spaces is via Chapel Side.

The Highways Planning Manager has confirmed that the revised arrangement will not result in any significant impact on other vehicle movements in Chapel Side and that the proposed stacker arrangement which means vehicles are not reliant on another vehicle being moved to gain access to the other within the stacker is welcomed.

8.4.2 Cycle Parking

The revised proposal makes provision for the parking of 43 bicycles, compared to 24 in the original scheme, which meet the requirements under Policy TRANS10 of our UDP and Policy 6.9 of the London Plan (FALP- March 2015).

8.5 Other UDP/Westminster Policy Considerations

Basement

Since the 2016 scheme was granted, in July 2016 the City Council has adopted its Basement Policy (CM28.1 of the City Plan).

In consideration of the policy tests set out in policy CM28.1, basements should leave a margin of undeveloped garden land around the site boundary, should not extend beneath more than 50% of the garden land, provide a minimum soil depth of 1.2 metres and not excavate more than one storey below the lowest floor level. As the existing site is fully developed the proposal would not be required to provide a minimum soil depth above the basement, or a margin of undeveloped land and would not extend beneath more than 50% of garden land. Although the original proposal involved more than 2 basements, the revised proposal only proposes a single basement.

Policy CM28.1 (1), and the adopted basement SPD, requires the submission of a construction method statement prepared by a suitably qualified engineer and consideration of flood risk. A revised Structural Method Statement reflecting the altered design has been submitted and assessed by Building Control. The proposed building will be supported on piled foundations, with a transfer slab bridging over existing tube line. The scheme has been justified structurally, sufficient details have been provided to show how the basement will not affect the adjoining buildings. The basement development will not have any major adverse effects on ground or surface water and it will not increase the likelihood of flooding in the local area, the basement can be safely constructed without any significant adverse effects on the neighbouring properties.

8.6 Planning Obligations

The original planning permission secured the following obligations through a Section 106 agreement.

- a) Provision of £750,000 towards the City Council's affordable housing fund (index linked and payable upon commencement of development);
- b) A contribution of £10,000 (index linked and payable upon commencement of development) towards new tree planting in the vicinity of the site;
- c) Provision of lifetime car club membership (minimum 25 years) for all 24 units;
- d) All 18 off street residential parking spaces must be unallocated;
- e) Provision of maintenance and management plan for the car lift prior to occupation and maintained for life of development;
- f) A contribution of £28,000 per annum towards Environmental Monitoring for the demolition and construction phase of the development (index linked);
- g) The costs of monitoring the S106 agreement;
- h) Highways works to facilitate development including alteration to Chapel Side;
- i) Dedication of highway on Moscow Road prior to occupation

Given the proposed amendments a deed of variation will be required to make the following variations to the agreement.

- c) Provision of lifetime car club membership (minimum 25 years) for all **28** units;
- e) Provision of maintenance and management plan for the car **stacker system** prior to occupation and maintained for life of development;

The proposed development is also liable for a Mayoral CiL payment. This is estimated to be £128,164.57.

Since the 2016 Permission the City Council has introduced its own Community Infrastructure Levy. As the proposal is a Section 73 application and a deed of variation will be used to secure the same obligations (as varied by this permission) as the original permission no Westminster CIL will be payable on this application. There is a 99sqm increase in new floorspace proposed for the scheme under consideration which will be liable for the City Councils CIL. CIL is estimated to generate a payment of £41,207.38.

8.7 Environmental Impact Assessment

Sustainability

The proposal retains the sustainability credentials provided by the original permission

Biodiversity

The proposal retains the provision of a green roof which was proposed by the original proposal. In addition, the previously proposed ground floor central courtyard is proposed to be replaced with an enclosure to provide the revised car parking arrangement. As such the central courtyard is to be re-provided at first floor level. The Arboricultural Manager has raised some concerns regarding the reduction in the quality of landscaping and the loss of the proposed mature tree within the proposed rear courtyard when compared to the approved scheme. However given that this area would have little effect on public amenity, is considered acceptable.

8.8 Other Issues

8.12.1 Construction Management

Objections have been received to the proposal on the grounds of the disruption caused during the demolition, excavation and construction especially in terms of noise disturbance, pollution and increased traffic. As with the original permission it is considered that the impact of construction works can be adequately controlled by use of the City Council's standard hours of work condition, which includes additional controls to prevent excavation works at weekends and on bank holidays and a condition requiring the submission and approval of a detailed Construction Management Plan, as required by the previous permission, which demonstrates the measures that will be undertaken during construction works to minimise disruption to neighbouring occupiers and the operation of the public highway. The disruption created by the development of the site is likely to be reduced in the current proposal due to the reduction in excavation which would result from the deletion of the sub -basement.

9.0 Conclusion

For the reasons set out in this report, the proposed development is considered acceptable, subject to the recommended conditions and deed of variation and would accord with the relevant land use, design, amenity, transportation, and environment policies within the UDP and City Plan.

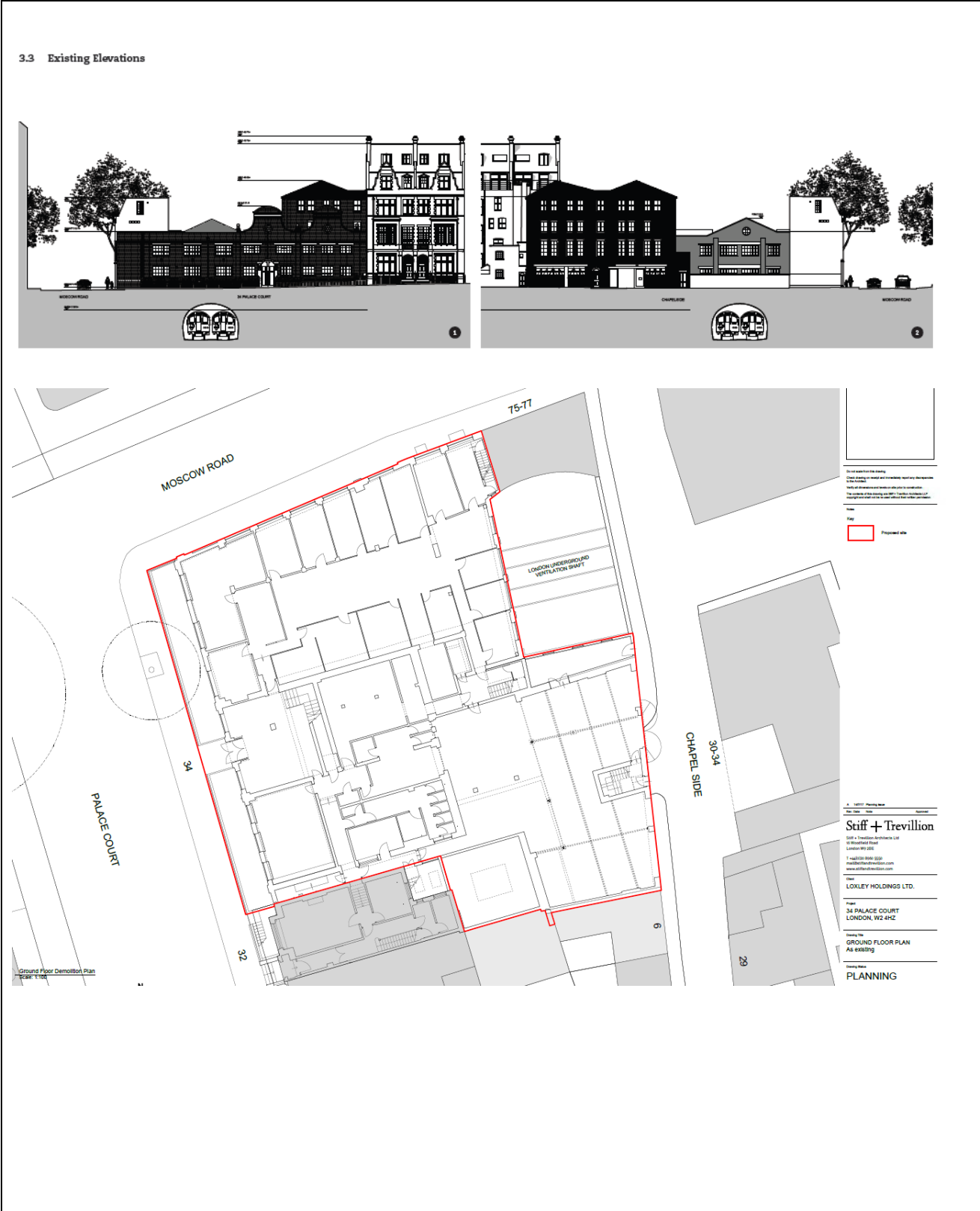
10.0 BACKGROUND PAPERS

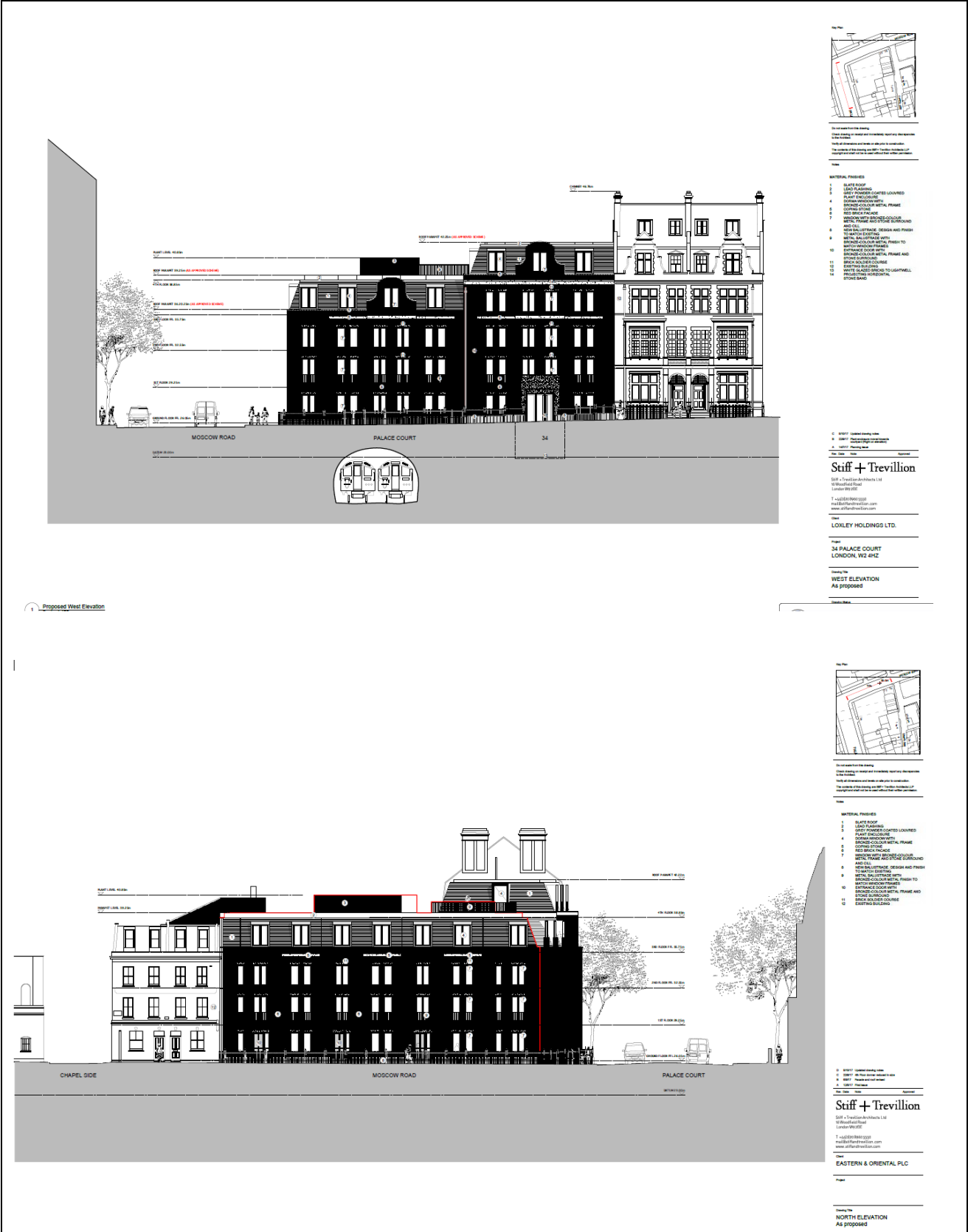
1. Application form
2. Response from Historic England (Listed Builds/Con Areas), dated 16 August 2017
3. Response from London Underground Limited, dated 24 August 2017
4. Response from Cleansing - Development Planning, dated 21 August 2017
5. Response from EH Consultation, dated 11 August 2017 and 13th September 2017
6. Response from Highways Planning - Development Planning, dated 12 September 2017
7. Response from Building Control dated 23 October 2017
8. Response from Arboricultural Officer dated 23 October 2017
9. Letter from occupier of 56a palace court, london, dated 16 August 2017
10. Letter from occupier of Flat G, 30 Palace Court, London, dated 25 August 2017
11. Letter from occupier of Flat 2, 28 Palace Court, dated 31 August 2017
12. Letter from occupier of Flat G, 30 Palace Court, dated 20 October 2017

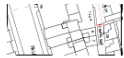
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

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

11.0 KEY DRAWINGS







Do not scale for the drawing.
This drawing is not valid for construction.
The drawing is for information only. It is not intended to be used for construction purposes.

- MATERIAL FINISHES**
- 1 SLATE ROOF
 - 2 CLAY TILING
 - 3 GYPSUM BOARD FINISHED
 - 4 BRICKWORK FINISH
 - 5 EXISTING BRICK FINISH TO BE REPAIRED
 - 6 EXISTING BRICK FINISH TO BE REPAIRED
 - 7 EXISTING BRICK FINISH TO BE REPAIRED
 - 8 EXISTING BRICK FINISH TO BE REPAIRED
 - 9 EXISTING BRICK FINISH TO BE REPAIRED
 - 10 EXISTING BRICK FINISH TO BE REPAIRED
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 - 12 EXISTING BRICK FINISH TO BE REPAIRED
 - 13 EXISTING BRICK FINISH TO BE REPAIRED
 - 14 EXISTING BRICK FINISH TO BE REPAIRED
 - 15 FLUE VENT PIPE

- Notes**
1. 20201 - Unfinished brickwork
 2. 20202 - Finished brickwork
 3. 20203 - Plasterwork

Stiff + Trevillion
34 St. Andrew's Place
London WC2E 8JF
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www.stiffandtrevillion.com

Client
LOXLEY HOLDINGS LTD.

Project
34 PALACE COURT
LONDON, W2 4HZ

Drawing No.
EAST ELEVATION
As proposed



Do not scale for the drawing.
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- MATERIAL FINISHES**
- 1 SLATE ROOF
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 - 4 EXISTING BRICK FINISH TO BE REPAIRED
 - 5 EXISTING BRICK FINISH TO BE REPAIRED
 - 6 EXISTING BRICK FINISH TO BE REPAIRED
 - 7 VERTICAL ACCESS LADDER WITH GYPSUM BOARD FINISH
 - 8 FLUE VENT PIPE

- Notes**
1. 20201 - Unfinished brickwork
 2. 20202 - Finished brickwork
 3. 20203 - Plasterwork

Client
LOXLEY HOLDINGS LTD.

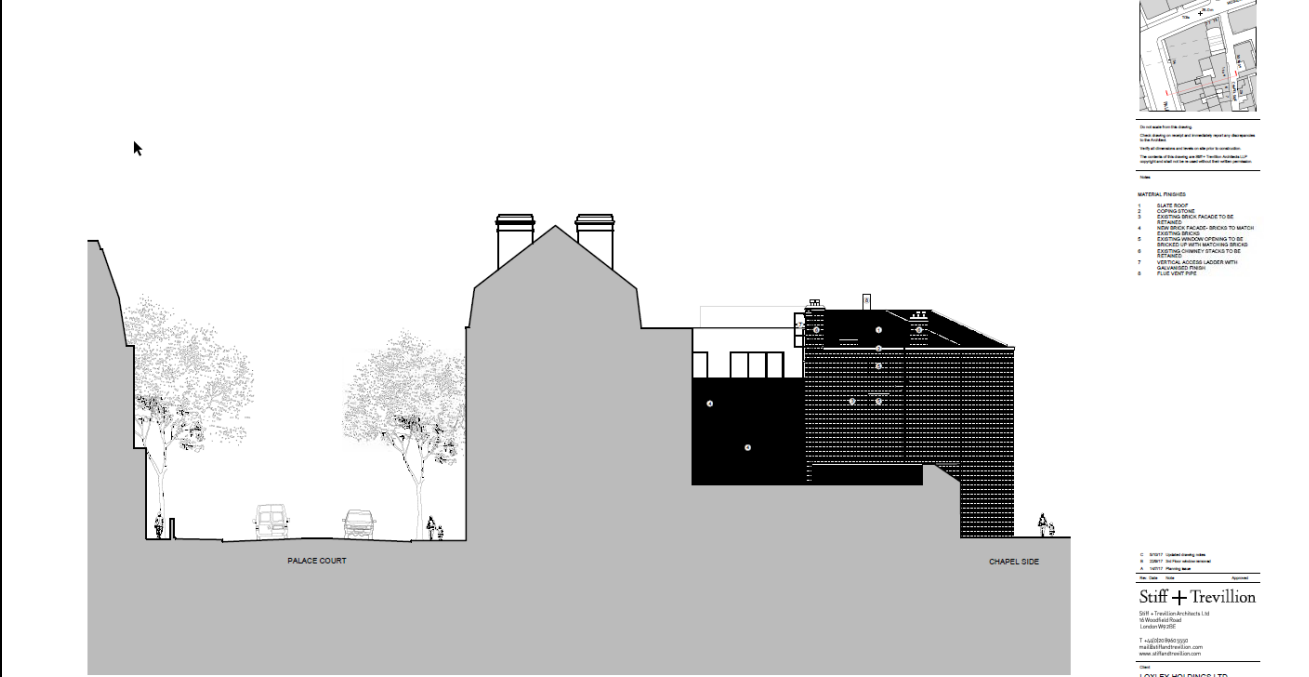
Project
34 PALACE COURT
LONDON, W2 4HZ

Drawing No.
SOUTH ELEVATION
As proposed

Stiff + Trevillion
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London WC2E 8JF
T +44(0)20 8400 0000
M +44(0)20 8400 0001
www.stiffandtrevillion.com

Client
LOXLEY HOLDINGS LTD.

1 Proposed East Elevation
Scale: 1:100



Do not scale for the drawing.
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 - 8 FLUE VENT PIPE

- Notes**
1. 20201 - Unfinished brickwork
 2. 20202 - Finished brickwork
 3. 20203 - Plasterwork

Client
LOXLEY HOLDINGS LTD.

Project
34 PALACE COURT
LONDON, W2 4HZ

Drawing No.
SOUTH ELEVATION
As proposed

Stiff + Trevillion
34 St. Andrew's Place
London WC2E 8JF
T +44(0)20 8400 0000
M +44(0)20 8400 0001
www.stiffandtrevillion.com

Client
LOXLEY HOLDINGS LTD.

1 Proposed South Elevation
Scale: 1:100



Do not scale from this drawing.
 This drawing is intended for construction purposes only. It is not to be used for any other purpose.
 The client shall be responsible for the accuracy of the information provided to the architect.
 The architect shall be responsible for the accuracy of the information provided to the contractor.

Scale: 1:500

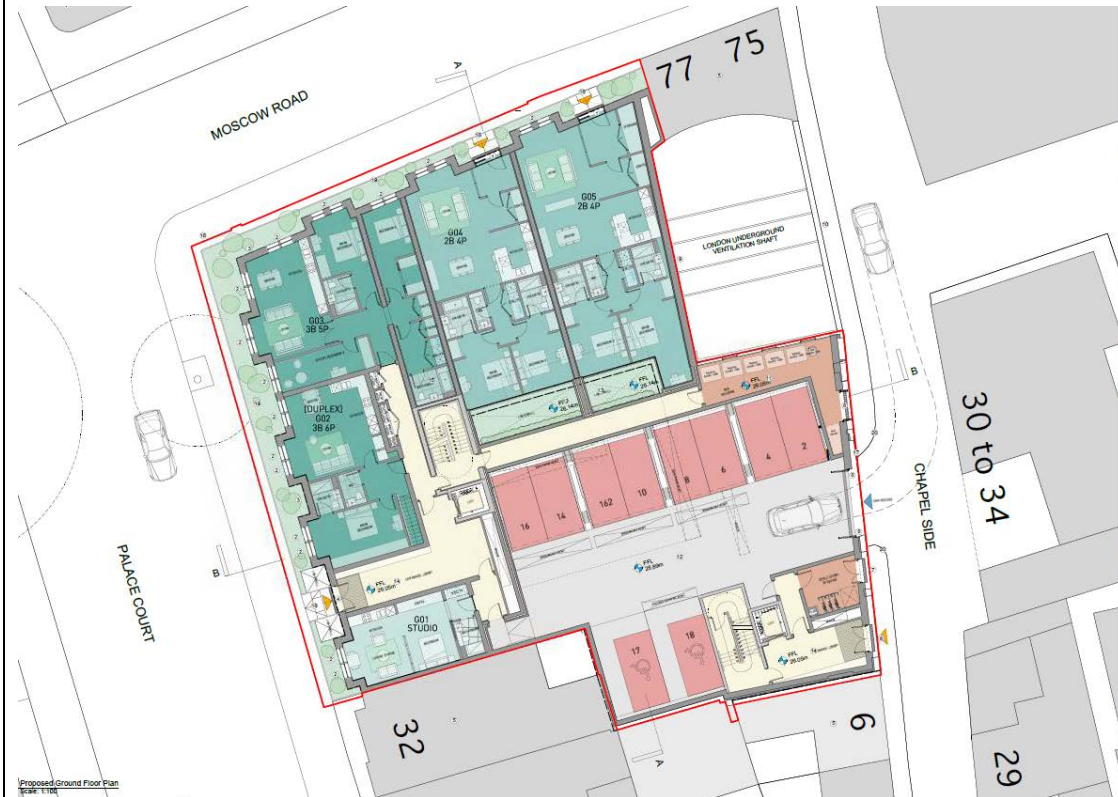
Key: Proposed site

Client: Loxley Holdings Ltd.

Project: 34 PALACE COURT, LONDON, W2 4HZ

Drawing No: BASEMENT PLAN As proposed

Discipline: PLANNING



Do not scale from this drawing.
 This drawing is intended for construction purposes only. It is not to be used for any other purpose.
 The client shall be responsible for the accuracy of the information provided to the architect.
 The architect shall be responsible for the accuracy of the information provided to the contractor.

Scale: 1:500

Key: Proposed site

Client: Loxley Holdings Ltd.

Project: 34 PALACE COURT, LONDON, W2 4HZ

Drawing No: GROUND FLOOR PLAN As proposed

Discipline: PLANNING

Proposed Ground Floor Plan
 Figure 1.10A



Proposed 1st Floor Plan
Scale 1:100



Proposed site

Proposed site

- MATERIALS FINISHES**
- 1. BRICK PAVED WINDOW FRAME WITH
 - 2. STONE CURTAINING
 - 3. PAINT TO BE RESULT TO MATCH EXISTING
 - 4. PAINT TO BE RESULT TO MATCH EXISTING
 - 5. PAINT TO BE RESULT TO MATCH EXISTING
 - 6. PAINT TO BE RESULT TO MATCH EXISTING
 - 7. PAINT TO BE RESULT TO MATCH EXISTING
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 - 18. PAINT TO BE RESULT TO MATCH EXISTING
 - 19. PAINT TO BE RESULT TO MATCH EXISTING
 - 20. PAINT TO BE RESULT TO MATCH EXISTING

Stiff + Trevillion

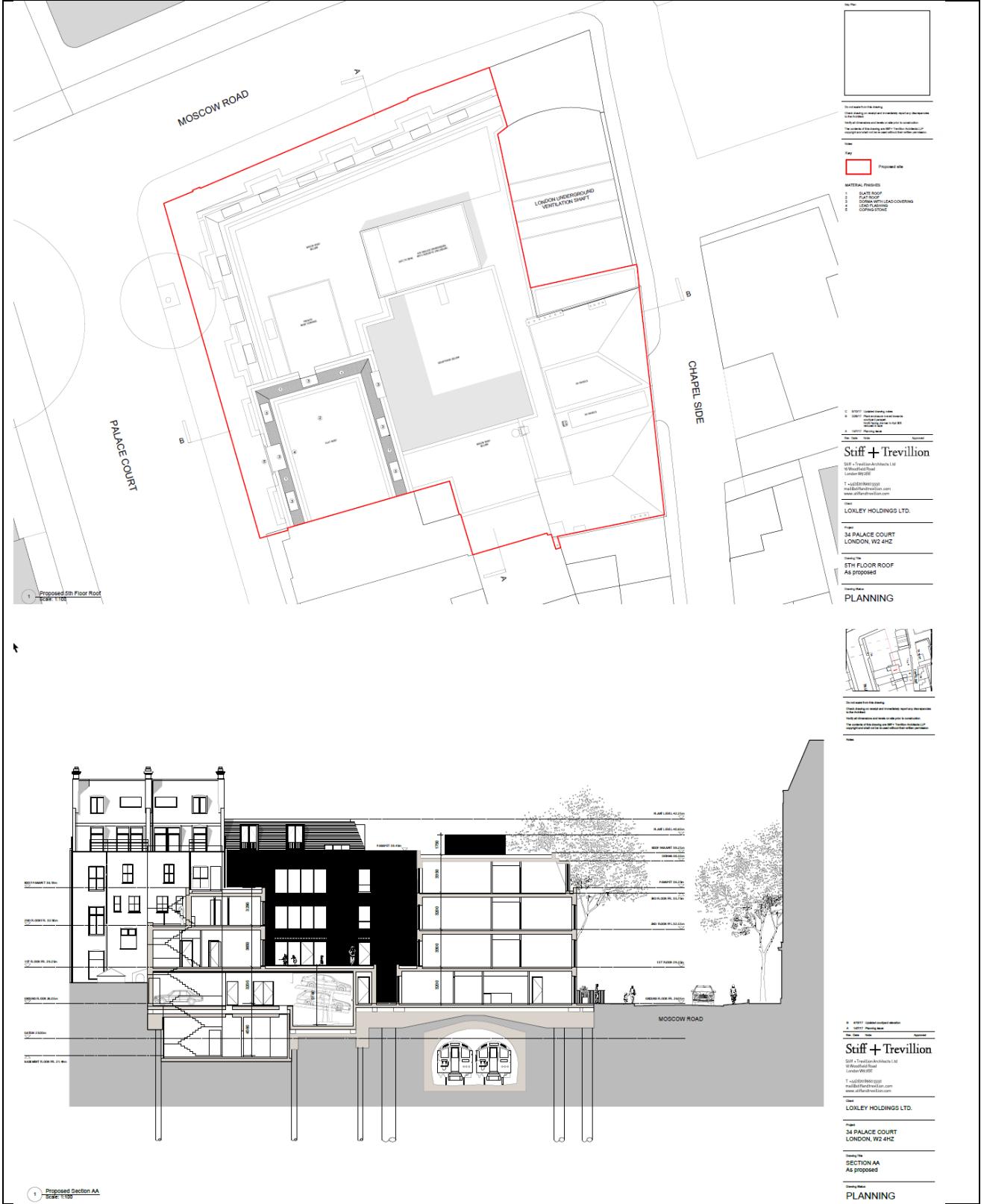
34 Palace Court
London W2 4HZ

LOXLEY HOLDINGS LTD.

34 PALACE COURT
LONDON, W2 4HZ

1ST FLOOR PLAN
As proposed

PLANNING



Do not separate the drawing.
Check drawing for errors and omissions. Do not separate the drawing.
Check drawing for errors and omissions. Do not separate the drawing.
Check drawing for errors and omissions. Do not separate the drawing.

Scale:
1:1000

- Key:
Proposed site
- Materials Proposed:
1 SLATE ROOF
2 COPING WITH LEAD COVERING
3 COPING WITH LEAD COVERING
4 COPING WITH LEAD COVERING

Client: Loxley Holdings Ltd.
Architect: Stiff + Trevillion
Project: 34 PALACE COURT LONDON, W2 4HZ
Drawing No: 5TH FLOOR ROOF As proposed
Drawing Date: 11/10/2023

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15 Woodland Road
London W9 3UE
T: +44 (0)20 8846 0000
E: info@stiffandtrevillion.com
www.stiffandtrevillion.com

Client: LOXLEY HOLDINGS LTD.
Project: 34 PALACE COURT LONDON, W2 4HZ
Drawing No: 5TH FLOOR ROOF As proposed
Drawing Date: 11/10/2023



Do not separate the drawing.
Check drawing for errors and omissions. Do not separate the drawing.
Check drawing for errors and omissions. Do not separate the drawing.
Check drawing for errors and omissions. Do not separate the drawing.

Scale:
1:1000

Client: Loxley Holdings Ltd.
Architect: Stiff + Trevillion
Project: 34 PALACE COURT LONDON, W2 4HZ
Drawing No: SECTION AA As proposed
Drawing Date: 11/10/2023

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Client: LOXLEY HOLDINGS LTD.
Project: 34 PALACE COURT LONDON, W2 4HZ
Drawing No: SECTION AA As proposed
Drawing Date: 11/10/2023

1 Proposed 5th Floor Roof
Scale: 1:1000

1 Proposed Section AA
Scale: 1:1000

DRAFT DECISION LETTER

Address: Esca House, 32 Palace Court, London, W2 4HZ,

Proposal: Variation of Condition 1 of planning permission dated 19 January 2016 (RN: 15/05691/FULL) for the demolition of Esca House, 34 Palace Court and demolition behind the retained facade of 1-4 Chapel Side. Redevelopment and change of use from office to provide up to 24 residential units over floors of basement, ground, first, second, third and fourth floor levels, including the accommodation of 18 car parking spaces, 24 cycle spaces and plant at basement level from RN 15/05691/Full. NAMELY, to vary drawings and other documents listed on this decision letter to reflect the proposed increase in the number of flats from 24 to 28 units, amendments to the arrangement of car parking spaces and detailed design changes.

Reference: 17/06677/FULL

Plan Nos: Original plans and documents:-
 1703(91)000; 1703(00)000; 1703(00)001; 1703(00)002; 1703(00)003;
 1703(00)004; 1703(00)005; 1703(00)006; 1703(00)100; 1703(00)101;
 1703(00)102; 1703(00)200; 1703(00)201; 1703(0)202; 1703(01)000; 1703(01)001;
 1703(01)002; 1703(01)003; 1703(01)004; 1703(01)005; 1703(01)006;
 1703(01)100; 1703(01)101; 1703(01)102; 1703(01)200; 1703(01)201;
 1703(02)000; 1703(02)021RevA; 1703(02)022RevA; 1703(02)023RevA;
 1703(02)024RevA; 1703(02)025RevA; 1703(02)026RevA; 1703(02)027;
 1703(02)028; 1703(02)120RevA; 1703(02)101RevB; 1703(02)102;
 1703(02)103RevB; 1703(02)104RevB; 1703(02)105; 1703(02)106RevB;
 1703(02)107RevA; 1703(02)200RevB; 1703(02)221; Statement of Community
 Involvement; Planning Application Report dated 22.06.2015 (partly amended by
 Planning Application Committee Meeting Response dated 09.11.15 and Letter from
 Point 2 Surveyors dated 2nd November 2015) including Heritage Report; Structural
 Methodology Statement (for information only); Ground movement Analysis (for
 information only) Impact Assessment Report (for information only) Energy and
 Sustainability Report; Acoustic Report; Daylight and Sunlight Report; Air Quality
 Assessment; Transport and Servicing Report; Construction Traffic Management
 Plan; Borehole Test Report (for information only); Planning Application Committee
 Meeting Response Report dated 9.11.15. Letter dated 9 November 2015; Letter from
 Point 2 Surveyors letter dated 2nd November 2015, Committee response from ttp
 Consulting

As part superseded by:-
 PA-G00-001Rev2A; PA-G00-002Rev2D; EX-G20-099Rev2A; EX-G20-100Rev2A;
 EX-G20-101Rev2A; EX-G20-102Rev2A; EX-G20-103Rev2A; EX-G20-104Rev2A;
 EX-G20-201Rev2A; EX-G20-202Rev2A; EX-G20-203Rev2A; EX-G20-204Rev2A;
 EX-G20-205Rev2A; DM-G20-099Rev2A; DM-G20-100Rev2A;
 DM-G20-101Rev2A; DM-G20-102Rev2A; DM-G20-103Rev2A; DM-G20-104Rev2A;
 DM-G20-201Rev2A; DM-G20-202Rev2A; DM-G20-203Rev2A; DM-G20-204Rev2A;
 DM-G20-205Rev2A; PA-G20-099Rev2A; PA-G20-100Rev2E; PA-G20-101Rev2E;
 PA-G20-102Rev2E; PA-G20-103Rev2D; PA-G20-104Rev2D; PA-G20-105Rev2D;
 PA-G20-201Rev2C; PA-G20-202Rev2D; PA-G20-203Rev2C; PA-G20-204Rev2C;
 PA-G20-205Rev2C; PA-G20-211Rev2C; PA-G20-212Rev2C; PA-G20-213Rev2C;

PA-G20-214Rev2C; PA-G20-301Rev2B; PA-G20-302Rev2B; Energy Strategy; Daylight and Sunlight Assessment; Design and Access Statement; Structural Method Statement (for information only); Energy Statement;

Case Officer: Richard Langston

Direct Tel. No. 020 7641 7923

Recommended Condition(s) and Reason(s)

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

Reason:

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

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only: , 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 The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which: , - provide details on all structures, - accommodate the location of the existing London Underground structures and tunnels, - accommodate ground movement arising from the construction thereof, - and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels. , , The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason:

To ensure that the development does not impact on existing London Underground transport infrastructure,

in accordance with London Plan 2011 Table 6.1 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

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

Reason:

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

- 5 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.

- 6 The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

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

Reason:

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

- 8 You must apply to us for approval of details of 43 secure cycle spaces for the development. 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 of the London Plan (FALP-March 2015).

- 9 You must provide the waste /recycling store shown on drawing PA-G20-100 Revision 2E before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the building. 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.

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)

- 10 You must apply to us for approval of the following parts of the development:, - the location of 4 Electric

Vehicle Charging Points within the basement parking level., You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these detailed drawings.

Reason:

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

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

Reason:

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

- 12 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 1 year of completing the development (or within any other time limit we agree to in writing)., , If you remove any trees or find that they are dying, severely damaged or diseased within 5 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 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)

- 13 You must apply to us for approval of technical details of the following parts of the development:, i) Photovoltaic Panel, ii) Green Roofs (including maintenance strategy), 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 works according to these 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 Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 14 **Pre Commencement Condition.** No development shall take place, including any works of demolition, until a construction management plan for the proposed development has been submitted to and approved in

writing by the City Council as local planning authority. The plan shall provide the following details:; (i) a construction programme including a 24 hour emergency contact number; ; (ii) parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);; (iii) locations for loading/unloading and storage of plant and materials used in constructing the development;; (iv) erection and maintenance of security hoardings (including decorative displays and facilities for public viewing, where appropriate);; (v) wheel washing facilities and measures to control the emission of dust and dirt during construction; and, (vi) a scheme for recycling/disposing of waste resulting from demolition and construction works. , You must not start work until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

- 15 You must not use the roof of the building, including the flat roof at third floor level at the southern part of the site, for sitting out or for any other purpose except where specified as a private terrace on the approved drawings. You can however use the roof to escape in an, emergency.

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)

- 16 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:; i) Combined Heat and Power capability;; ii) Green Roof at third and fourth floor level.;; iii) Photovoltaic panels as detailed in your Energy Statement, You must not remove any of these features.

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 adopted November 2016.

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

- 18 You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. 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 Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 19 You must apply to us for approval of full details of the following parts of the development: , i) typical new windows and external doors;; ii) all new metal railings and balustrades;; iii) brick detailing to introduce relief and decoration to the blank wall above London Underground shaft;; iv) plant screen enclosure including detail of finish;; v) location and size of movement joints;; vi) ventilation and other services terminations at facade and roof level., v) restoration of railings on Palace Court frontage., , You must not start any work on these parts of the development until we have approved what you have sent us., , You must then carry out the work according to these approved details.

Reason:

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

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

Reason:

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

- 21 This permission must be commenced no later than 19th January 2019

Reason:

This permission authorises amendments to the original planning permission granted on 19th January 2016 (RN 15/05691/FULL) which must be commenced no later than the above date.

- 22 You must apply to us for approval of full details relating to the dismantlement and re-erection of the

flank wall (north-facing wall) of 1-4 Chapel Side. The details shall include the following items:, i)

Methodology and full details for dismantlement and storage of brickwork;, ii) Full details of re-building, including the construction of a sample panel to agree mortar and pointing finish., You must not start work on the relevant part of the development until we have approved what you have sent us, thus the details required in part (i) shall be submitted and approved prior to dismantlement of the wall; and the details required in part (ii) shall be submitted and approved prior to the re-erection of the wall. You must carry out the work according to these approved details.

Reason:

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

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 applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements required under Condition 3, in particular with regard to: demolition; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting.
- 3 Please contact our District Surveyors' Services to discuss how you can design for the inclusion of disabled people. Email: districtsurveyors@westminster.gov.uk. Phone 020 7641 7240 or 020 7641 7230. If you make a further planning application or a building regulations application which relates solely to providing access or facilities for people with disabilities, our normal planning, and building control fees do not apply., , The Equality and Human Rights Commission has a range of publications to assist you, see www.equalityhumanrights.com. The Centre for Accessible Environment's 'Designing for Accessibility', 2004, price £22.50 is a useful guide, visit www.cae.org.uk., , If you are building new homes you must provide features which make them suitable for people with disabilities. For advice see www.habinteg.org.uk., , It is your responsibility under the law to provide good access to your buildings. An appropriate and complete Access Statement as one of the documents on hand-over, will provide you and the end user with the basis of a defence should an access issue be raised under the Disability, Discrimination Acts.

- 4 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.
- 5 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 6 The term 'clearly mark' in condition means marked by a permanent wall notice or floor markings, or both. (I88AA)
- 7 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)
- 8 Environmental Health have assessed the submitted layout drawings and have commented that the proposed Means of Escape in the case of fire are inadequate as it appears the occupiers of the bedrooms are required to escape via the area of highest risk, namely the kitchen areas. They advise that the layout of the individual units should be revised so as to provide adequately protected escape routes.
- 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 governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to, a) Provision of £750,000 towards the City Council's affordable housing fund (index linked and payable upon commencement of development);, b) A contribution of £10,000 (index linked and payable upon commencement of development) towards new tree planting in the vicinity of the site;; c) Provision of lifetime car club membership (minimum 25 years) for all 28 units; , d) All 18 off street residential parking spaces must be unallocated; , e) Provision of maintenance and management plan for the car stacking system prior to occupation and maintained for life of development; , f) A contribution of £28,000 per annum towards Environmental Monitoring for the demolition and construction phase of the development (index linked);, g) The costs of monitoring the S106 agreement;; h) Highways works to facilitate development including alteration to Chapel Side;; i) Dedication of highway on Moscow Road prior to occupation.

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