

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 27 February 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Marylebone High Street	
Subject of Report	14 Wimpole Street, London, W1G 9SX		
Proposal	<p>Variation of Condition 1 of planning permission dated 20 December 2016 (RN 16/08184/FULL) for, '<i>Demolition of mews building and lower ground and ground floor rear extensions. Erection of replacement mews building on lower, ground and first floors to provide a four bedroom dwellinghouse (Class C3), accessed from Wigmore Place. Erection of replacement lower ground and ground floor levels rear extension to the main building and use of part ground and part lower ground floor as medical floorspace (Class D1) and use of part lower ground, part ground floor and first to fourth floors as nine flats (Class C3). Alterations to rear elevation including the installation of new windows</i>'; NAMELY, to make the following amendments to the approved development - installation of five air conditioning units within acoustic enclosure at roof level, alterations to the windows within the mews house, the addition of two condensing units within the lower ground floor courtyard of the replacement mews building, and associated minor alterations.</p> <p>Variation of Condition 1 of listed building consent dated 20 December 2016 (RN 16/08185/LBC) for, '<i>Demolition of mews building and lower ground and ground floor rear extensions. Erection of replacement mews building on lower, ground and first floors to provide a four bedroom dwellinghouse (Class C3), accessed from Wigmore Place. Erection of replacement lower ground and ground floor levels rear extension to the main building and use of part ground and part lower ground floor as medical floorspace (Class D1) and use of part lower ground, part ground floor and first to fourth floors as nine flats (Class C3). Alterations to rear elevation including the installation of new windows</i>'; NAMELY, to vary the consented demolition at basement, ground, first, second, third and fourth floors, internal alterations to all floor levels, installation of five air conditioning units within acoustic enclosure at roof level, alterations to the windows within the mews house, the addition of two condensing units within the lower ground floor courtyard of the replacement mews building, and associated minor alterations.</p>		
Agent	Montagu Evans		
On behalf of	14 Wimpole Street Limited		
Registered Number	17/08201/FULL 17/08202/LBC	Date amended/ completed	

Date Application Received	12 September 2017		18 September 2017
Historic Building Grade	Grade II		
Conservation Area	Harley Street		

1. RECOMMENDATION

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

2. SUMMARY

The application site comprises a Grade II listed building with curtilage mews building to the rear. The building is in use as a private walk-in medical clinic (Class D1) at ground floor level, two flats (Class C3) at lower ground floor level, and three flats on the upper floors. The site is located within the Mayfair Conservation Area and the Harley Street Special Policy Area.

Permission and listed building consent were granted on 20 December 2016 to demolish the mews building to the rear and the two storey structure that links with the main building, to erect a replacement mews building to form a dwellinghouse and to reconfigure the existing uses within the main building to retain the medical floorspace and to provide nine flats. Across the entire site, the number of residential units would increase from five to ten.

The applicant seeks to make a number of 'minor material amendments' to the approved permission / consent; the most substantive of which are:

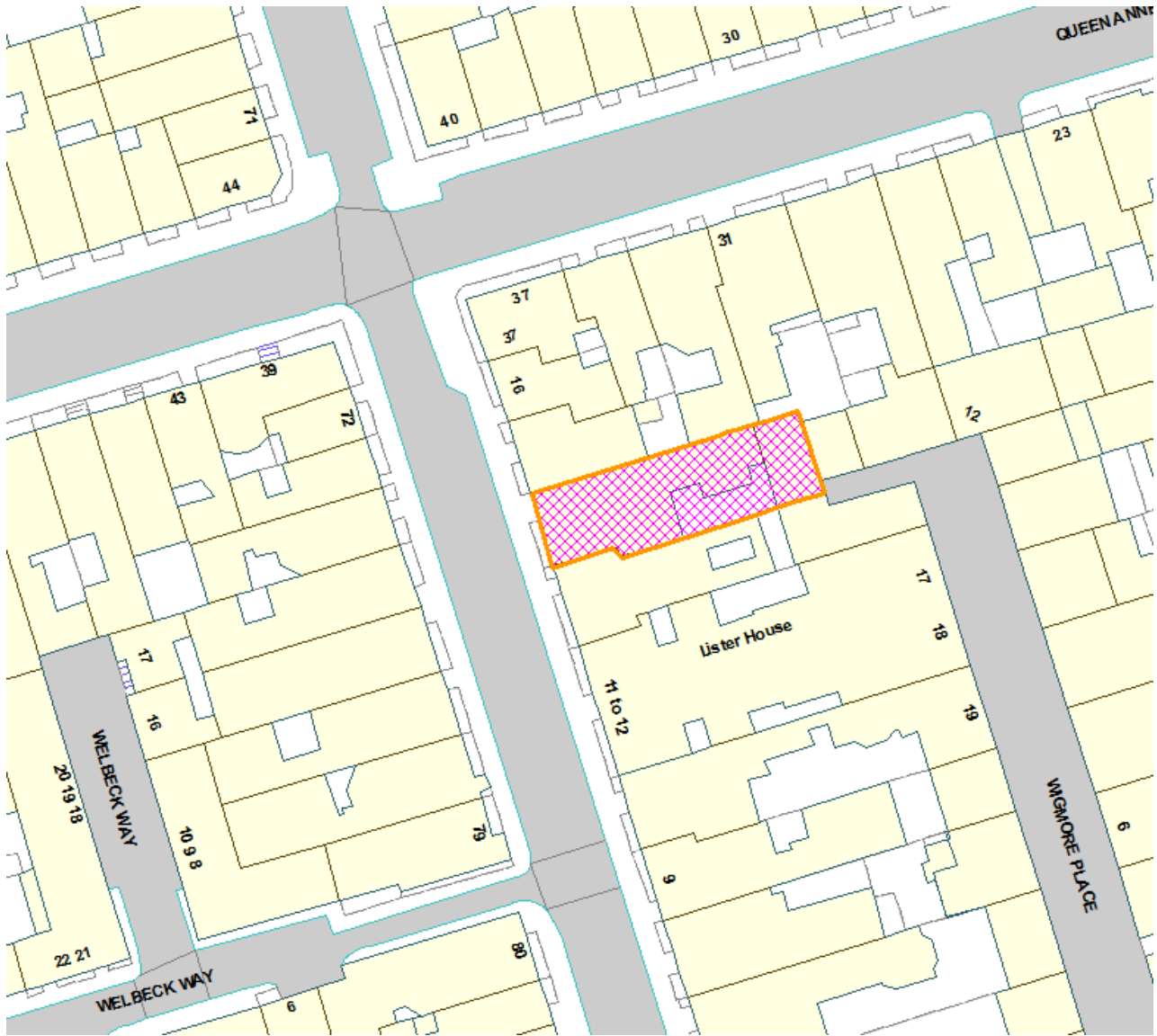
- To relocate the approved condensing units at main roof level from around the lantern light above the main staircase to main roof level.
- To add two condensing units within the lower ground floor courtyard of the replacement mews building.
- To alter the design of the first floor windows of the replacement mews building so that they contain openable top lights rather than being fixed shut as originally approved.
- To make a number of minor internal alterations to the main building.

The key issues for consideration are:

- Whether the alterations to the approved development would not harm the special interest of this listed building, preserve the character and appearance of the Harley Street Conservation Area and not harm the setting of the neighbouring listed buildings.
- Whether the relocated and additional plant and openable top light would cause an unacceptable loss of amenity for the occupiers of neighbouring residential buildings.

The proposal is considered acceptable in land use, amenity, transportation and design and conservation terms, complying with the policies set out in the Unitary Development Plan (UDP) and Westminster's City Plan (City Plan). For these reasons it is recommended that conditional planning permission and listed building consent be granted.

LOCATION PLAN



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3. PHOTOGRAPHS

Front elevation:



Outbuilding to rear:



4. CONSULTATIONS

MARYLEBONE ASSOCIATION:

- No comment.

ENVIRONMENTAL HEALTH:

- No objection to this application on environmental noise or nuisance grounds.

ADJOINING OWNERS / OCCUPIERS:

No. Consulted - 12.

No. Responses – Two objections from the occupiers of the properties on either side of the application site on the following grounds:

- Objecting to the proposed condensing units on the roof of the link building on design and conservation, increased sense of enclosure, noise and lack of information grounds.
- Concern that the rear windows within the 'mews' building are much larger and not in keeping with the conservation area or appropriate for a listed building, and no longer align with the windowcills of the first floor of the adjacent mews building to the south. Requests that, instead of the proposed privacy film, the glazing be permanently treated so that they remain obscure glazed in perpetuity. Requests that a sample of the obscure glazing be secured by condition.
- The fenestration of the 'mews' building should be more traditional and reflect the main Wimpole Street building.
- Concern that there is a lack of information in respect to the proposed relocated condensing units at roof level (i.e. size of units / acoustic enclosures).
- Concern in respect to the additional condensing units proposed within the basement lightwell of the mews housing, arguing that it is unclear how they will be housed and acoustically shielded.
- Proposal represents overdevelopment of the plot and not in keeping with the conservation area and the surrounding listed buildings.

SITE NOTICE / PRESS ADVERTISEMENT - Yes.

5. BACKGROUND INFORMATION

5.1 The Application Site

The site comprises a Grade II listed building arranged over lower ground, ground and four upper floors. To the rear is a mews building on lower ground and ground floors levels. This mews building is linked to the main building by a two storey structure. As the mews building is in the same ownership as the main building, is linked at basement and ground floor levels and was in existence at the time of listing it is also considered to be a listed building by virtue of being a curtilage structure.

Prior to the commencement of works to implement the permission and consent dated 20 December 2016, the lower ground floor contained two flats, the ground floor was a private walk-in medical clinic, and the upper floor contained three flats.

The site is located within the Harley Street Conservation Area, the Core Central Activities Zone and the Harley Street Special Policy Area.

5.2 Recent Relevant History

17/10139/ADFULL - Details of the new roof lantern above the main staircase pursuant to Condition 3 of planning permission dated 13 November 2017(RN: 16/08184/FULL) Application Permitted on 22 November 2017

17/10140/ADLBC - Details of the new roof lantern above the main staircase pursuant to Condition 3 of listed building consent dated 20 December 2016 (RN: 16/08185/LBC) Application Permitted on 22 November 2017

16/08184/FULL - Demolition of mews building and lower ground and ground floor rear extensions. Erection of replacement mews building on lower, ground and first floors to provide a four bedroom dwellinghouse (Class C3), accessed from Wigmore Place. Erection of replacement lower ground and ground floor levels rear extension to the main building and use of part ground and part lower ground floor as medical floorspace (Class D1) and use of part lower ground, part ground floor and first to fourth floors as nine flats (Class C3). Alterations to rear elevation including the installation of new windows. Application Permitted on 20 December 2016

16/08185/LBC - Demolition of mews building and lower ground and ground floor rear extensions. Erection of replacement mews building on lower, ground and first floors. Erection of replacement lower ground and ground floor levels rear extension to the main building. Alterations to rear elevation including the installation of new windows. Internal alterations. Application Permitted on 20 December 2016

6. THE PROPOSAL

Permission and listed building consent were granted on 20 December 2016 to:

- Demolish the mews building and the lower ground and ground floor link extensions.
- Erect a replacement mews building over lower ground, ground and first floors to form a new four-bedroom house.
- Reconfigure the uses in the main building to provide 9 x residential units, retain medical floorspace at front ground floor level and relocate the medical floorspace at rear ground floor level to front lower ground floor levels.
- Undertake a number of internal and external alterations.

The applicant seeks to make the following 'minor material amendments' to the approved permission / consent:

- A number of minor internal alterations.
- The replacement of windows within the non-original mansard roof of the main building.
- The installation of replacement single glazing within refurbished sash windows / doors to the front elevation.
- The additional of two condensing units within the lower ground floor courtyard of the replacement mews building.

- Relocation of the approved condensing units around the lantern light within the sunken part of the mansard roof of the Wimpole Street building to a gantry at main roof level between the pitched front part of the roof and the hipped central part of the roof.
- Minor alteration to the design of the windows within the replacement mews building in the form of adjusted proportions and adding opening top lights to all windows (the approved windows are to be fixed shut). It is proposed that the lower 2.0m of the first floor windows within the mews building be fitted with obscure glass. This compares to the lower 1.8m in the approved scheme.

The application has been amended during the course of its consideration in the following ways:

- The condensing units originally proposed on the first floor flat roof between the main building and the rebuilt mews building have been omitted from the proposal.
- Amended plans have been submitted to explicitly show the location and extent of the louvred enclosure for the plant that will be located at main roof level and within the rear lightwells at rear basement level.
- Amended plans have been submitted to adjust the location of the roof level gantry so that it does not extend onto the party wall with No.13 Wimpole Street.

The floorspace figures remain unchanged from the approved development:

	Residential floorspace sq.m (GIA)	Medical floorspace sq.m (GIA)	Total floorspace (GIA)
As existing	795	172	967
As proposed	832	173	1,005
Change	+37	+1	+38

7. DETAILED CONSIDERATIONS

7.1 Land Use

The application makes no changes to the approved land uses on site and there has been no material change in policy since the determination of the original application that raises any new land use issues.

7.2 Townscape and Design

As set out above, the proposed condensing units on the first floor flat roof of the rebuilt two-storey 'link' part of the building are no longer proposed and therefore the objections to this aspect of the proposal are no longer relevant.

The detailed design of the proposed replacement mews building is very similar to that already approved and is acceptable in terms of its contribution to the character and appearance of the Harley Street Conservation Area and would not harm the setting of any of the listed buildings within or near the site. The windows are slightly shorter and

narrower than those approved and their relationship with the fenestration the adjoining building is still acceptable in design and conservation terms.

The relocated condensing units to roof level are discreetly sited and would not be readily visible in either public or private views.

The internal alterations depart only very slightly from the approved listed building consent and will not harm the special interest of this listed building.

Despite the objections received, the alterations to the approved scheme are relatively minor and will not harm the listed building or conservation area. The works are acceptable and in accordance with the NPPF, UDP Policies DES 1, DES 6, DES 9 and DES 10, and City Plan Policies S25 and S28.

7.3 Residential Amenity

The omission from the application of the proposed condensing units on the first floor flat roof between the main building and the replacements mews building is considered to overcome the two objections from neighbouring residents in terms of the impact of this additional plant upon neighbouring residential amenity.

Contrary to the assertion from the neighbouring residents, the windows within the mews building are slightly shorter and slightly more narrow than as approved. The lower 2m of the first floor windows are proposed to be fitted with obscure glazing (recommended to be secured by condition) which is higher than the 1.8m as approved. The result will be even less overlooking than the approved scheme.

Whilst the top section of the first floor windows is now proposed to be openable where they are currently conditioned to be fixed shut, the high level location of these opening will not result in a material loss of amenity for the neighbouring residents from overlooking given that no views of neighbouring properties will be possible. Furthermore, having small openable top windows is considered to be reasonable to provide natural ventilation for a residential unit. It is not considered that an openable top-pane to these windows will cause a material loss of amenity for adjoining residents from a noise perspective given the domestic nature of the occupation of the mews building and the normal relationship between mews buildings and the rear gardens of the main building.

The proposed additional condensing units proposed at basement level are located discreetly, are acoustically housed and Environmental Health has no objection from a noise perspective (subject to appropriate conditions including the submission of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria).

In addition, further information has been submitted by the application in respect to how these new condensing units will be both visually and acoustically housed.

7.4 Transportation/Parking

The proposal raises no new transportation issues.

7.5 Economic Considerations

Any economic benefits generated by the proposals are welcomed.

7.6 Access

The proposal raises no new access issues.

7.7 Other UDP/Westminster Policy Considerations

None.

7.8 London Plan

This application raises no strategic issues.

7.9 National Policy/Guidance Considerations

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

7.10 Planning Obligations

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

The estimated CIL liability of the scheme is as follows:

£4,183.49 (index linked) – Mayoral CIL.

£27,540.00 (index linked) – Westminster CIL.

£3,1723.49 (index linked) – Total CIL

7.11 Environmental Impact Assessment

The scheme is of insufficient size to require the submission of an Environmental Statement.

7.12 Other Issues

It is recommended that permission and consent be granted subject to the same conditions as originally proposed with the exception of:

- Condition 3 on both the planning permission and the listed building consent are proposed to be amended to reflect that detailed drawings of the replacement roof lantern were approved by the City Council on 22 November 2017.
- Condition 6 on the planning permission is proposed to be reworded to require the lower 2.0m of all first floor windows of the mews house to be fitted with obscure glass and requiring these windows to be fitted shut (with the exception of the high level openable parts).

- Condition 17 on the planning permission and Condition 9 of the listed building consent are proposed to be deleted as these 'amending' conditions are no longer required as the balustrade railings to the roof of the ground floor rear extension has been omitted from the revised drawings.
- Addition conditions are proposed requiring the plant enclosures shown on the proposed drawings to be installed prior to the plant becoming operational.
- Additional conditions are proposed requiring the commencement of development / works within the life of the original permission / consent.

8. BACKGROUND PAPERS

1. Application form
2. Response from Marylebone Association, dated 18 October 2017
3. Response from Environmental Health, dated 3 October 2017
4. Letter from the occupier of 13 Wimpole Street, dated 5 October 2017
5. Letter written on behalf of the occupiers of 15 Wimpole Street, dated 19 October 2017

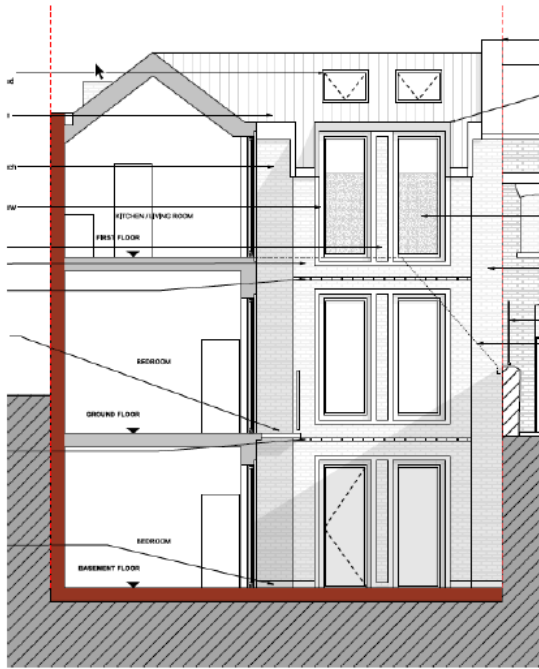
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: JO PALMER BY EMAIL AT JPALME@WESTMINSTER.GOV.UK

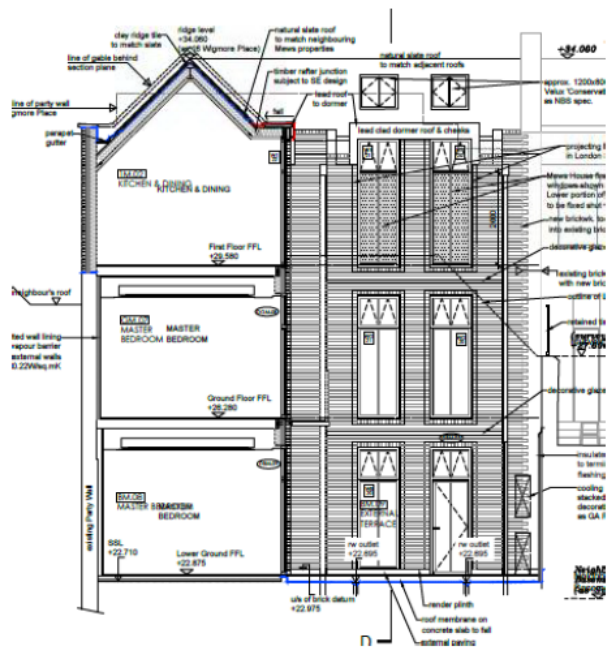
9. KEY DRAWINGS

Mews building:

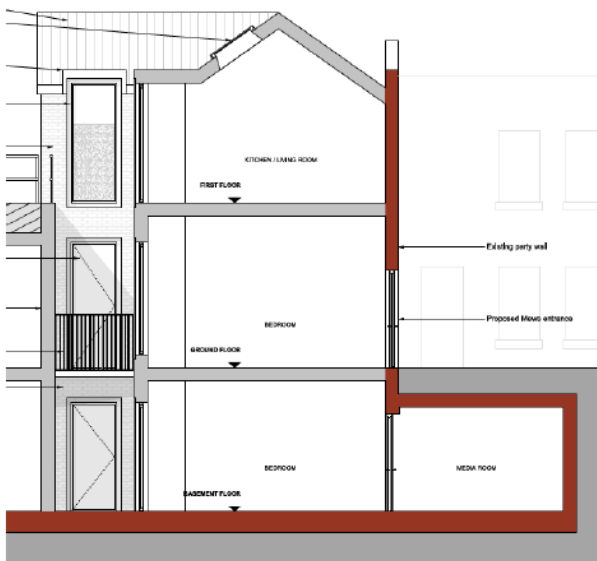
As approved.



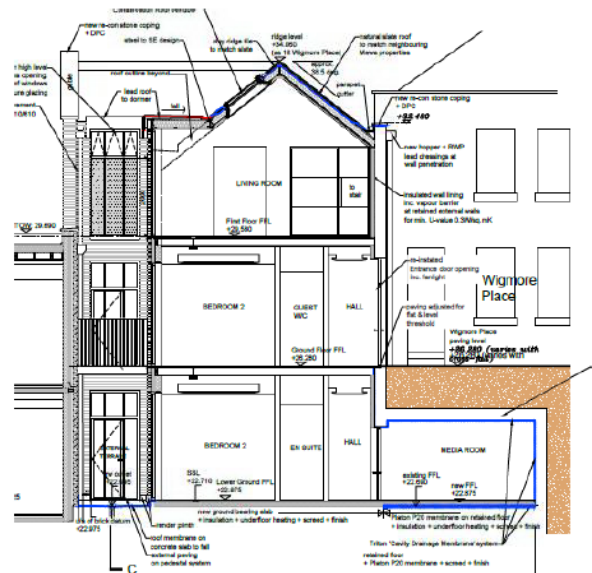
As proposed.



As approved.



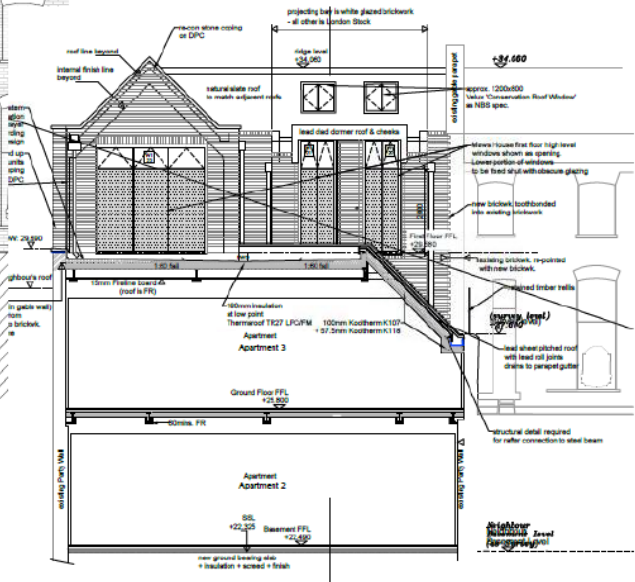
As proposed.



As approved.

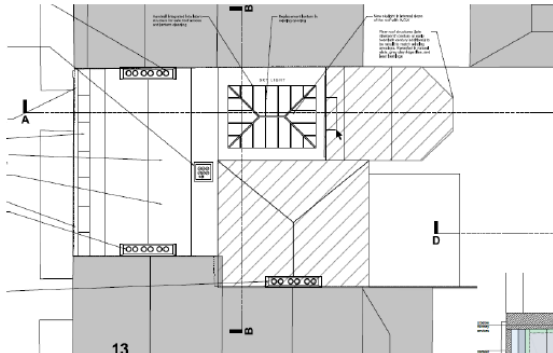


As proposed.

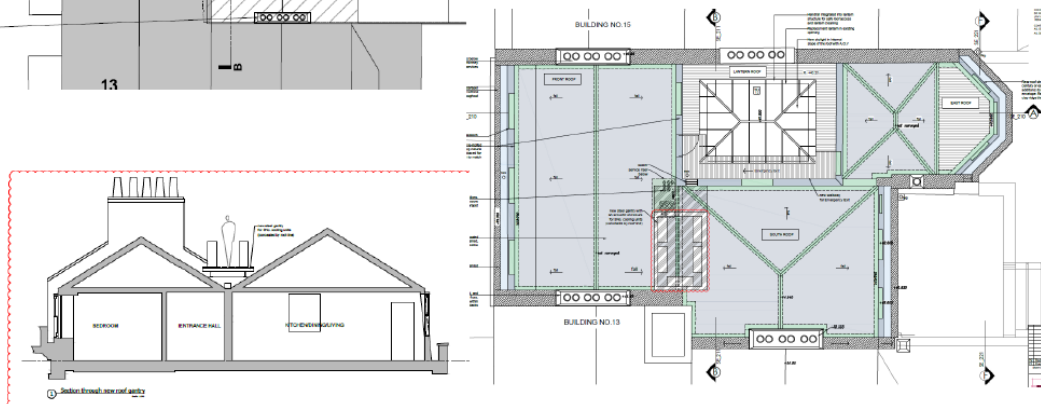


Roof level plant:

As approved.



As proposed.



DRAFT DECISION LETTER (REF: 17/08201/FULL)

Address: 14 Wimpole Street, London, W1G 9SX

Proposal: Variation of Condition 1 of planning permission dated 20 December 2016 (RN 16/08184/FULL) for, 'Demolition of mews building and lower ground and ground floor rear extensions. Erection of replacement mews building on lower, ground and first floors to provide a four bedroom dwellinghouse (Class C3), accessed from Wigmore Place. Erection of replacement lower ground and ground floor levels rear extension to the main building and use of part ground and part lower ground floor as medical floorspace (Class D1) and use of part lower ground, part ground floor and first to fourth floors as nine flats (Class C3). Alterations to rear elevation including the installation of new windows'; NAMELY, to vary the consented demolition at basement, ground, first, second, third and fourth floors, internal alterations to all floor levels, installation of five air conditioning units within acoustic enclosure at roof level, alterations to the windows within the mews house, the addition of two condensing units within the lower ground floor courtyard of the replacement mews building, and associated minor alterations.

Reference: 17/08201/FULL

Plan Nos: 16/08184/FULL

Demolition drawings:

10411-T-01-0208-AB1 Rev. 02, 0209-BB1 Rev. 02, 0210-Z00 Rev. 03, 0211-Z01 Rev. 02, 0212-Z02 Rev. 02, 0213-Z03 Rev. 03, 0214-Z04 Rev. 03, 0215-Z05 Rev. 02, 0410-ZWE Rev. 01 and 0411-ZEA Rev. 02.

Proposed drawings:

10411-T-01-0218-AB1 Rev. 04, 0219-BB1 Rev. 04, 0220-Z00 Rev. 03, 0221-Z01 Rev. 04, 0222-Z02 Rev. 04, 0223-Z03 Rev. 05, 0224-Z04 Rev. 05, 0225-Z05 Rev. 04, 0420-ZWE Rev. 02, 0421-ZEA Rev. 02, 0422-ZCC Rev. 03, 0423-ZDD Rev. 03, 0520-ZAA Rev. 03, 0521-ZBB Rev. 02, 0522-ZEE Rev. 02 and 0603-ZSO Rev. 03.,

17/10139/ADFULL

SE_223 P2

17/08201/FULL

Demolition drawings:

PL_1019 Rev. P1, PL_1020 Rev. P2, PL_1021 Rev. P1, PL_1022 Rev. P1, PL_1023 Rev. P1, PL_1024 Rev. P3, PL_1025 Rev. P2, EL_1110 Rev. P2, EL_1111 Rev. P1, EL_1112 Rev. P1 and EL_1113 Rev. P1.

Proposed drawings:

PL_1029 Rev. P3, PL_1030 Rev. P3, PL_1031 Rev. P4, PL_1032 Rev. P2, PL_1033 Rev. P2, PL_1034 Rev. P2, PL_1035 Rev. P2, EL_1120 Rev. P2, EL_1121 Rev. P1, EL_1122 Rev. P2, SE_1210 Rev. P2, SE_1211 Rev. P2, SE_1220 Rev. P3, SE_1221 Rev. P2, SE_1222 Rev. P3 and DE_1503 Rev. P2.

Case Officer: Mark Hollington

Direct Tel. No. 020 7641 2523

Recommended Condition(s) and Reason(s)

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

Reason:

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

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

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

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

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

Reason:

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

- 3 You must apply to us for approval of detailed drawings of the following parts of the development:
 1. The new roof lantern above the main staircase. 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 details.

Alternatively, you must carry out these works in accordance with the detailed drawings approved by the City Council on 22 November 2017 (Ref: 17/10139/ADFULL).

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 4 You must apply to us for approval of material samples of the facing materials you will use on the new mews building, 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 protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 5 You must not use the roof of the lower ground/ground floor rear extensions for sitting out or for any other purpose. You can however use the roof to escape in an emergency and for maintenance purposes.

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)

- 6 The glass that you put in the lower 2.0m of the all first floor windows of the mews dwellinghouse hereby approved must not be clear glass, and you must fix these parts of the windows permanently shut. 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, 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)

- 7 The mews house hereby approved shall not be occupied until the new medical floorspace (Class D1) at front lower ground floor level as shown on approved drawing PL_1029 Rev. P3 has been provided and is ready for occupation.

Reason:

To ensure that there is no loss of medical (Class D1) floorspace within the Harley Street Special Policy Area, as required by Policies CM2.1 and S34 of the Westminster City Plan (November 2016).

- 8 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75)

16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 9 (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.

- 10 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 9 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

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.

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

Reason:

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

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

Reason:

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

- 13 The three bedroom residential units shown on the approved drawings must be provided and thereafter shall be permanently retained as accommodation which (in addition to the living space) provides three separate rooms capable of being occupied as bedrooms.

Reason:

To protect family accommodation as set out in S15 of Westminster's City Plan (November 2016) and H 5 of our Unitary Development Plan that we adopted in January 2007. (R07DC)

- 14 You must not occupy any of the residential units shown on the approved drawings until we have approved appropriate arrangements to secure the following:

- Means to mitigate the impact of the residential development upon on-street parking demand in the area.

In the case of each of the above benefits, you must include in the arrangements details of when you will provide the benefits, and how you will guarantee this timing. You must only carry out the development according to the approved arrangements. (C19BA)

Reason:

To reduce the impact of the increase in residential units on on-street car parking stress, as required by Policy TRANS 23 of our Unitary Development Plan that we adopted in January 2007.

- 15 You must apply to us for approval of full details (including layout and volumes) of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not occupy the medical floorspace or any of the dwellings hereby approved until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the building. (C14EC)

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)

- 16 The new windows within the rear closet wing shall match adjacent windows in terms of their materials, detailed design and shall be fitted within single glazing.

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 Harley Street 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)

- 17 This permission must be commenced no later than 19 December 2019.

Reason:

This permission authorises amendments to the original planning permission granted on 20 December 2016 (RN 16/08184/FULL) which must be commenced no later than the above date.

- 18 You must put up the plant screens /enclosures shown on the approved drawings before you use the machinery. You must then maintain it in the form shown for as long as the machinery remains in place. (C13DA)

Reason:

To protect neighbouring residents from noise nuisance and 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 Harley Street Conservation Area. This is as set out in S25, S28, S29 and S32 of Westminster's City Plan (adopted

November 2016) and ENV 6, ENV 7, 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.

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 Conditions 9 and 10 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 3 Under the Greater London Council (General Powers) Act 1973, as amended by the Deregulation Act 2015, you need planning permission to use residential premises as 'temporary sleeping accommodation' (i.e. where the accommodation is occupied by the same person or persons for less than 90 consecutive nights) unless the following two conditions are met:
 1. The number of nights in any single calendar year in which the property is used to provide 'temporary sleeping accommodation' does not exceed 90 [ninety].
 2. The person who provides the sleeping accommodation pays council tax in respect of the premises under Part 1 of the Local Government Finance Act 1992 (where more than one person provides the sleeping accommodation, at least one of those persons must pay council tax in respect of the premises).

This applies to both new and existing residential accommodation. Please see our website for more information: <https://www.westminster.gov.uk/short-term-letting-0>.

Also, under Section 5 of the Greater London Council (General Powers) Act 1984 you cannot use the property for any period as a time-share (that is, where any person is given a right to occupy all or part of a flat or house for a specified week, or other period, each year).

- 4 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.**

5 Under Condition 14, we are likely to accept a legal agreement under section 106 of the Town and County Planning Act to secure car club membership for all ten of the flats within the site hereby approved for a period of 25 years. Please look at the template wordings for planning obligations (listed under 'Supplementary planning guidance') on our website at www.westminster.gov.uk. Once the wording of the agreement has been finalised with our Legal and Administrative Services, you should write to us for approval of this way forward, under this planning condition. (I77AA)

6 For the purpose of Condition 15, you should:

- Provide more details about what is going into the plant room and provide alternative waste stores separate from the plant.
- Provide a plan showing the medical waste store completely demarcated and separate from the residential waste store by closing the new structural access opening.
- Provide a plan showing exclusive storage provision for clinical waste separate from medical general waste and recyclable materials.

Advice on the storage requirements is available at - <https://www.westminster.gov.uk/waste-storage-planning-advice>.

7 You must get further planning permission for any tanks, equipment, lift motor rooms, railings or other additions to the property which are not shown on the drawings hereby approved.

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

DRAFT DECISION LETTER (REF: 17/08202/LBC)

Address: 14 Wimpole Street, London, W1G 9SX,

Proposal: Variation of Condition 1 of listed building consent dated 20 December 2016 (RN 16/08185/LBC) for, 'Demolition of mews building and lower ground and ground floor rear extensions. Erection of replacement mews building on lower, ground and first floors to provide a four bedroom dwellinghouse (Class C3), accessed from Wigmore Place. Erection of replacement lower ground and ground floor levels rear extension to the main building and use of part ground and part lower ground floor as medical floorspace (Class D1) and use of part lower ground, part ground floor and first to fourth floors as nine flats (Class C3). Alterations to rear elevation including the installation of new windows'; NAMELY, to vary the consented demolition at basement, ground, first, second, third and fourth floors, internal alterations to all floor levels, installation of five air conditioning units within acoustic enclosure at roof level, alterations to the windows within the mews house, the addition of two condensing units within the lower ground floor courtyard of the replacement mews building, and associated minor alterations.

Plan Nos: 16/08185/LBC

Demolition drawings:

10411-T-01-0208-AB1 Rev. 02, 0209-BB1 Rev. 02, 0210-Z00 Rev. 03, 0211-Z01 Rev. 02, 0212-Z02 Rev. 02, 0213-Z03 Rev. 03, 0214-Z04 Rev. 03, 0215-Z05 Rev. 02, 0410-ZWE Rev. 01 and 0411-ZEA Rev. 02.

Proposed drawings:

10411-T-01-0218-AB1 Rev. 04, 0219-BB1 Rev. 04, 0220-Z00 Rev. 03, 0221-Z01 Rev. 04, 0222-Z02 Rev. 04, 0223-Z03 Rev. 05, 0224-Z04 Rev. 05, 0225-Z05 Rev. 04, 0420-ZWE Rev. 02, 0421-ZEA Rev. 02, 0422-ZCC Rev. 03, 0423-ZDD Rev. 03, 0520-ZAA Rev. 03, 0521-ZBB Rev. 02, 0522-ZEE Rev. 02 and 0603-ZSO Rev. 03.

17/10140/ADLBC

SE_223 P2

17/08202/LBC

Demolition drawings:

PL_1019 Rev. P1, PL_1020 Rev. P2, PL_1021 Rev. P1, PL_1022 Rev. P1, PL_1023 Rev. P1, PL_1024 Rev. P3, PL_1025 Rev. P2, EL_1110 Rev. P2, EL_1111 Rev. P1, EL_1112 Rev. P1 and EL_1113 Rev. P1.

Proposed drawings:

PL_1029 Rev. P3, PL_1030 Rev. P3, PL_1031 Rev. P4, PL_1032 Rev. P2, PL_1033 Rev. P2, PL_1034 Rev. P2, PL_1035 Rev. P2, EL_1120 Rev. P2, EL_1121 Rev. P1, EL_1122 Rev. P2, SE_1210 Rev. P2, SE_1211 Rev. P2, SE_1220 Rev. P3, SE_1221 Rev. P2, SE_1222 Rev. P3 and DE_1503 Rev. P2.

Case Officer: Mark Hollington

Direct Tel. No. 020 7641 2523

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

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

1. The retention of the fireplace at basement level OR its sensitive relocation elsewhere in the listed building.

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.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.129 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26ED)

- 3 You must apply to us for approval of detailed drawings of the following parts of the development

1. The new roof lantern above the main staircase.

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 details.

Alternatively you must carry out these works in accordance with the detailed drawings approved by the City Council on 22 November 2017 (Ref: 17/10140/ADLBC).

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 4 You must apply to us for approval of material samples of the facing materials you will use on the new mews building, 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 protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

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

Reason:

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

- 6 You must scribe all new partitions around the existing ornamental plaster mouldings. (C27JA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 2.3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 7 You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 2.3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 8 The new windows within the rear closet wing shall match adjacent windows in terms of their materials, detailed design and shall be fitted within single glazing.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Harley Street Conservation

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

- 9 You must apply to us for approval of detailed drawings of the following parts of the development - Alterations to the lift shaft (internal works). You must not start any work on these parts of the development until we have approved what you have sent us.

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

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.129 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26ED)

- 10 The development hereby permitted shall be begun before 19 December 2019.

Reason:

As required by s18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by s51 of the Planning and Compulsory Purchase Act 2004.

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan March 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council decided that the proposed works would not harm the special architectural and historic interest of this listed building.

In reaching this decision the following were of particular relevance:

S25 and S28 of Westminster's City Plan and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 You must get further listed building consent for any tanks, equipment, lift motor rooms, railings or other additions to the property which are not shown on the drawings hereby approved.