

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 6 March 2018	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Lancaster Gate	
<b>Subject of Report</b>	14 Garway Road, London, W2 4NH,		
<b>Proposal</b>	Excavation of a basement floor below existing house and part of front garden, insertion of rooflight with decorative metal grille over within front lightwell, internal alterations, including the insertion of 3 rooflights in the floor of rear extension between lower ground and new basement level and removal of tree from front garden.		
<b>Agent</b>	Manalo & White Architects		
<b>On behalf of</b>	Mr Helio Romero de Diego		
<b>Registered Number</b>	16/06234/FULL & 16/06235/LBC	<b>Date amended</b>	27 November 2017
<b>Date Application Received</b>	07.07.2016		
<b>Historic Building Grade</b>	II		
<b>Conservation Area</b>	Bayswater		

## 1. RECOMMENDATION

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

## 2. SUMMARY

The application site forms one half of a grade II listed 1830's semi-detached villa pair located within the Bayswater Conservation Area.

Planning permission and listed building consent are sought for the excavation of a basement floor below the existing house and part of the front garden, insertion of a rooflight with decorative metal grille over it within front lightwell, internal alterations, including the insertion of three rooflights in the floor of rear extension between lower ground and new basement levels and removal of a Mulberry tree from within the front garden.

The current applications for planning permission and listed building consent follow the dismissal of an appeal against non-determination of earlier planning and listed building consent applications for a similar development, including a basement extension with alterations to the front lightwell, formation of a rear lightwell and demolition and reconstruction of the modern rear extension on 20 May 2016. The current applications seek to overcome the grounds that the Inspector gave for dismissing the earlier appeal, as well as addressing the requirements of the subsequently adopted basement development policy in the City Plan, Policy CM28.1.

Also of note is that an application for the excavation of a basement extension below the neighbouring property at No.12 Garway Road, which comprises the other half of this semi-detached villa pair, is also on this committee meeting agenda (Item 4). The applications at No.12 Garway Road follow the quashing in March 2017 of the planning permission and listed building dated 13 December 2016 that were granted for development including a basement extension with front and rear lightwells. Full details of the planning history for No.12 Garway Road can be found in the report on this agenda for the current applications at that address.

The key considerations in this case are:

- The impact of the proposed internal and external alterations on the significance of the listed building and the setting of the listed paired villa.
- The impact of the proposed external alterations on the character and appearance of the Bayswater Conservation Area.
- The compliance of the proposed basement with the basement development policy (CM28.1 in the City Plan), including the impact of the development on flood risk and the appropriateness of the structural methodology in terms of its suitability to the ground conditions in this location and its ability to safeguard the host listed building and its neighbour at No.14.
- The impact of the proposed development on trees on the site and adjacent to it.
- The impact on the amenity of neighbouring residents.

For the detailed reasons set out in this report, it is not considered that the proposed development would harm the significance of the host listed building, the setting of neighbouring listed buildings including No.12 Garway Road or the character and appearance of the Bayswater Conservation Area. Furthermore, the application demonstrates general compliance with the basement development policy (Policy CM28.1 in the City Plan) and is also acceptable in land use, amenity and environment terms. Accordingly, the proposed development would comply with the relevant policies set out in the Unitary Development Plan (UDP) and Westminster's City Plan (the City Plan). Therefore, it is recommended that planning permission and listed building consent are granted subject to the conditions set out in the draft decision letters appended to this report.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front elevation (No.14 to left of photograph) (top) and rear elevation as seen from No.12 (bottom).



Existing front lightwell.

## 5. CONSULTATIONS

### WARD COUNCILLORS (LANCASTER GATE)

Any response to be reported verbally.

### BAYSWATER RESIDENTS ASSOCIATION

Any response to be reported verbally.

### ARBORICULTURAL MANAGER

Mulberry tree in front garden is small but attractive and until recent pruning without notification to the Council it made a positive contribution to the character and appearance of the conservation area. Difficult to object to its removal given its current condition but it should be replaced. Support soil depth proposed over basement below front garden but soil depth should be the same across whole of the front garden (i.e. omitting the stepped lightwell) and this soil volume should be linked to surrounding volumes of soil and not treated as a 'planter'. Tree protection measures in the application documents need amendment and updating and it is suggested that details of tree protection measures and a landscaping scheme for the site are secured by condition.

### BUILDING CONTROL

Further to the provision of further information in April 2017 and November 2017 the following comments have been provided. The structural stability, geology and hydrology issues have all been adequately covered in the submitted documents.

#### Structural Stability:

- While engineering and structural matters are controlled through the Building Act 1984, Building Regulation 2010 and the party Wall Act 2005, the feasibility report submitted illustrates that the basement can be achieved, whilst structurally supporting the building, with piles and steel framing for lateral support.
- The buildings do not have any visible damage from wartime bombing. The basement will provide a firm base for the buildings above.

#### Geology:

- A site investigation in 2014 with 6m deep test excavations showed that the subsoil was firm to stiff London clay, so there would be no damming effect from the concrete construction of the basement.

#### Hydrology:

- The site does not fall within a sea or river floodplain and there is a low chance of flooding by extreme rainfall. The site investigation shows that surface water only flows in the top 1.6m of permeable soil.
- The basements are constructed in London clay which has a very low rate of absorption. The basement will result in the replacement of the existing drainage system and will allow for the increased capacity of storage for drainage in line with the Building Regulations. The new system will have a separate sump system for each property, to deal with any water ingress through the wall or form under the slab.
- The proposal would not increase flood risk to other properties and this property could be 'operated' safely.

**ENVIRONMENT AGENCY**

Any response to be reported verbally.

**ENVIRONMENTAL HEALTH**

No objection in principle. The rooms in the basements and lower ground floor are acceptable for habitable use on proportionality grounds if these are used with rest of the premises as part of a single family dwelling. If new basement rooms are used as staff accommodation or separate habitable use this would likely fail the Housing Health and Safety Rating System test under the Housing Act 2004 and be subject to enforcement action by the Residential Enforcement Team. Advice provided on means of escape and ventilation matters and conditions and informatives recommended.

**HIGHWAYS PLANNING MANAGER**

No objection. Conditions and informatives recommended.

**HISTORIC ENGLAND**

Do not consider it necessary to be consulted.

**THAMES WATER**

Any response to be reported verbally.

**ADJOINING OWNERS/ OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED**Consultation on Originally Submitted Scheme (July/ August 2016)

No. Consulted: 68.

Total No. of replies: 3.

No. of objections: 3.

No. of support: 0.

Three emails received from two respondents raising objection on all or some of the following grounds:

**Amenity**

- Loss of privacy.
- Light pollution from increased glazing.
- Noise disturbance from use of proposed basement.

**Other Matters**

- Harm to/ loss of trees.
- Noise disturbance from construction works.

Consultation on Revised Scheme Including Flood Risk Assessment dated 21 November 2017 (December 2017/ January 2018)

No. Consulted: 5.

Total No. of Replies: 2.

No. of Objections: 2.

No. of Support: 0.

Two objections received raising objection on all or some of the following grounds:

#### Amenity

- Loss of privacy.
- Light pollution from increased glazing.
- Noise disturbance from use of proposed basement.

#### Other Matters

- Harm to/ loss of trees.
- Noise disturbance from construction works.
- Objection received from the representative of the three freeholders of 14 A, B and C Garway Road stating that they maintain the grounds for objection raised in their earlier representations made on the planning application. (Note that the City Council has no record of earlier representations on this planning application and has written to the objector on 22 February 2018 requesting that they make a copy of their earlier representation, if one was made, available for consideration).

#### ADVERTISEMENT/ SITE NOTICE

Yes.

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

The application site comprises a grade II listed, early 1830's semi-detached single bay house with side flanking wing. It has attractive brick with stucco detailing and comprises lower ground, ground and two upper floors, below a shallow pitched roof. The rear elevation is dominated by a large two storey predominantly glazed extension, which replaced an earlier addition to the building of similar scale. The building is in use as a single dwelling house.

The house is broadly symmetrical to No.12 and together they form a typical Regency villa composition. These remaining examples of the earlier forms of development within Bayswater positively contribute to the architectural and historical character and appearance of the Bayswater Conservation Area in which they are located.

In terms of the wider context, the neighbouring semi-detached pair, to the south of No.12 at Nos.8 and 10 Garway Road, are also grade II listed. Opposite the site is the relatively recently rebuilt College Park School, whilst to the rear of the site the terrace properties facing Kensington Gardens Square are also grade II listed.

### 6.2 Recent Relevant History

20 May 2016: Non-determination appeals in respect of planning and listed building consent applications for 'Excavation of a new basement floor beneath the existing lower ground floor and front garden with rooflights and clerestory windows to front lightwell and removal of tree from front garden' were dismissed (RNs: 15/05881/FULL and 15/05882/LBC).



In dismissing the appeal, the Inspector had concerns regarding the clerestory windows and lay-lights/ rooflights proposed within the front lightwell. The Inspector concluded that they *'...would allow light to play on the façade of the building ...and this could appear out of place and disturb the appearance of the building after dark... There would also be lay-lights in the floor of the basement area and these together with the windows would be visible from the house and the front steps, and the interests of listed buildings is not confined only to those places accessible by the general public. As it is there would be a risk of harm to the character and appearance of the conservation area from light spillage'*.

The Inspector also agreed with the City Council that the positioning of one of the proposed internal lay-lights/ rooflights within the original building at lower ground floor level was unacceptable in listed building terms. The Inspectors comments on the positioning of the internal lay-lights were as follows: *'The one near the cooking range is shown inboard of the walls of the chimney breast to a sufficient degree and the precise arrangement could be conditioned. The one by the front doors however is over large and does not have any visible margin, and as such would appear as an incongruous feature, risking being seen in the same views as the front elevation of the building, and in that location the possibility of lighting from underneath would be harmful, not in denoting a basement, but in the intrusive and unusual effect. The external lay-light would have a similar harmful effect'*.

The Inspector was not convinced that the Mulberry tree must be retained, but he was clear that *'...there would be a need to maintain at least the existing level of planting'*. The Inspector concluded that the City Council was right to be sceptical that the appeal scheme would have the ability to reintroduce meaningful landscaping and that this would result in harm to the character and appearance of the Bayswater Conservation Area.

The Inspector concluded that whilst there was harm as a result of the areas of concern identified above, the harm was less than substantial harm as per paragraph 134 of the NPPF.

26 November 2012: Permission and listed building consent granted for installation of recessed letter box and call point to existing brickwork pier; removal of flower bed in front garden and installation of new gate to side boundary entrance. Installation of storage cupboard below front flower beds within front lightwell (RNs: 12/08641/FULL and 12/08642/LBC).

18 August 2011: Permission and listed building consent granted for installation of new security gate, and retention of new drainage pipework locations, flower bed in front garden and lights to front basement lightwell elevation (RN: 11/01782/FULL and 11/01783/LBC).

5 January 2010: Permission and listed building consent granted for infill of window opening on side (north) elevation at lower ground floor level and formation of new window opening on side (north) elevation at lower ground floor level (RNs: 09/08439/FULL and 09/08440/LBC).

29 September 2009: Permission and listed building consent granted for alterations during the course of construction to a scheme granted planning permission 22 June

2004 (RN: 04/03270) for removal of existing dormer windows and rear conservatory. Erection of new conservatory to rear and works to alter existing internal layout; namely, revised design of alterations and extensions (RNs: 09/05941/FULL and 09/05942/LBC).

22 June 2004: Permission and listed building consent were granted for removal of existing dormer windows and rear conservatory. Erection of new conservatory to rear and works to alter existing internal layout (RNs: 04/03270/FULL and 04/02383/LBC).

## **7. THE PROPOSAL**

Planning permission and listed building consent are sought for the excavation of a basement floor below existing house and part of the front garden, insertion of a rooflight with decorative metal grille over it within front lightwell, internal alterations, including the insertion of three rooflights in the floor of rear extension between lower ground and new basement levels and removal of a Mulberry tree from within the front garden.

The current applications for planning permission and listed building consent follow the dismissal of an appeal against non-determination of earlier planning and listed building consent applications for a similar development, including a basement extension with alterations to the front lightwell, formation of a rear lightwell and demolition and reconstruction of the modern rear extension on 20 May 2016. The current applications seek to overcome the grounds that the Inspector gave for dismissing the earlier appeal, which are set out in section 6.2 of this report, as well as addressing the requirements of the subsequently adopted basement development policy in the City Plan, Policy CM28.1.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Land Use**

The enlargement of the existing dwelling house accords with Policy H3 in the UDP and is acceptable in land use terms.

### **8.2 Townscape and Design**

#### **8.2.1 Legislative and Policy Context**

In term of national legislative context, Section 16 of the Planning (Listed Buildings and Conservation Area) Act 1990 (as amended) requires local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historical interest which it possesses, when considering whether to grant listed building consent.

Section 66 of the same act requires the local planning authority to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest it possesses, when considering whether to grant planning permission for development affecting a listed building or its setting.

Section 72 of that act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

In design, conservation and historic building terms Policies DES1, DES5, DES9 and DES10 in the UDP and Policies S25, S28 and CM28.1 in the City Plan are relevant.

### 8.2.2 Significance of the Affected Heritage Assets

No.14 Garway Road, along with its semi-detached pair, dates from the mid-nineteenth century and represents the first phase of townscape development on this site. The semi-detached villa layout was a typical form of development during this mid-nineteenth century period and alongside rows of terraced housing were and remain the predominant form of development in this part of Bayswater/ Westbourne.

To the front façade the two semi-detached villas exhibit a high degree of symmetry with a main four storey block flanked by lower entrance wings. A hipped roof with oversailing eaves has a central party wall with chimney stacks. The villas comprise lower ground floor, a raised ground floor and two upper floors and the front façade exhibits a classical hierarchy with raised ground floor appearing as the main floor level, with diminishing window sizes to the upper floors. The lower ground floor windows are subordinate in prominence. The symmetry of the villas is less evident to the rear, where later extensions have altered the original form. This is particularly the case where a two storey full width extension obscures the whole of the rear of the original building at lower ground and ground floor level.

In terms of the interior the principal ground floor layout retains much of its historic plan form and character with cornices and traditional joinery surviving. The double door between the two main rooms is likely to be a later alteration. The main staircase, within the side bay retains its original detailing, albeit unlike No.12, the original handrail and balustrade have been lost. The room to the rear of the staircase is likely to form part of a later extension of the side wing.

The first floor layout again maintains its historic cellular floor plan, with front and rear rooms divided by a stair flight from first to second floor. Original joinery survives at this level.

At second floor level while two main rooms survive these spaces have undergone some alteration including the introduction of en-suite bathroom to both rooms.

The lower ground floor is where the greatest degree of change to the layout and historic floor plan has occurred. While the stair flight down from the ground floor appears to be in its original location and may retain some original fabric, the historic plan form has been heavily eroded with the removal of the cross wall between front and back room and the addition of a modern two storey rear extension accessed via an almost full width opening in the rear wall. The effect of these changes has been to create a modern open plan layout to this floor level, which has little relationship to the plan form of the original building.

In terms of the significance of No.14 Garway Road as a designated heritage asset, it is considered that its external appearance, along with its pair at No.12, make an important

contribution to the historic and architectural character of the townscape, exhibiting the original appearance of a first phase of development in the area. The paired villa design, with classical elements is also reflective of late Georgian/ early Victorian development, which is found elsewhere within the conservation area and makes a very important contribution to the area's character and appearance. Thus the external appearance of the building has significance both in terms of historical value and in terms of aesthetic value.

The interior of No.14 also contributes to its significance with a discernible hierarchy of spaces and traditional plan form, which are common features within properties of this period. There are also numerous elements of surviving historic fabric and/ or later complementary fabric. It is considered that the ground floor front room, main staircase and first floor make the greatest contribution to the significance of the interior, having undergone the least amount of modification. The second floor, rear room at ground floor level (which opens in to the modern double height extension), and to a greater degree the lower ground floor make a lesser contribution to the significance of the building, having undergone quite considerable alteration, particularly in the case of the lower ground floor. The interior elements which contribute to the building's significance do so in terms of historical value and aesthetic value, but the degree of significance varies with elements such as the front portion of the ground floor, staircase enclosure and first floor making a far greater contribution than areas such as the lower ground floor.

In terms of the significance of the Bayswater Conservation Area, this is a large conservation area which can be characterised as primarily residential and of nineteenth century date; however, it is composed of sub-areas and in this instance Garway Road sits within the western extent of the conservation area, which is predominantly mid to late nineteenth century speculative housing in the form of villa style properties and to a greater extent terraced housing. The conservation area has historic and aesthetic value revealing the westward expansion of London in the Victorian period. Unquestionably the appearance of Nos.12 and 14 Garway Road underpin and reinforce this character and appearance.

Having regard to the preceding assessment of the significance of the listed building, it is considered that in this case the principle of forming a basement extension below the existing building and part of the front garden is acceptable in listed building terms. This is because the proposal would not result in the loss of historic fabric of significance at lower ground floor level, as there is little internal fabric of interest at lower ground floor level (the historic, but non-original range at lower ground floor level is to be reinstated in the rear chimney breast), and as the hierarchy of the original floors within the building would remain, with the internal link to the new basement within the original portion of the building confined to a discreetly located single staircase below the existing stair at lower ground floor level. As per the 2016 appeal scheme, the current scheme does include internal lay-lights within the floor of the modern rear extension, but these are located outside the volume of the original building and, as per the Inspector's findings in the 2016 appeal decision, this arrangement, in what is an overtly modern element of the building, is not considered to adversely affect the significance of the listed building.

In addition to the basement having no adverse impact on the significance of the interior; its discreet external manifestations are such that there would be no adverse impact on

the external appearance of the building, which would thus maintain its significance and that of the wider conservation area (see Sections 8.2.3 and 8.2.4).

In terms of the structural impact of the proposed basement on the existing listed building, basements can be safely constructed below existing structures through specialist design and construction, including hand excavation, sequential underpinning and temporary support for the internal structure. It is noted that the structural engineer that drafted the submitted structural methodology does not appear to be by a Conservation Accreditation Register for Engineers (CARE) accredited engineer. However, this is recommended by the 'Basement Development in Westminster' SPD and is not a requirement. Building Control have considered the submitted structural methodology and are content that it is sufficient to demonstrate that the proposed basement can be constructed without structural harm occurring to the heritage asset. The detailed structural design will be subject to building regulations approval.

### **8.2.3 Alterations to Front Lightwell and Garden**

In light of the 2016 appeal decision the applicant has omitted the clerestory windows in the front wall of the lightwell in the current scheme (see Inspector's comments in Section 6.2.2) and has consolidated the previously proposed rooflights into a single rooflight located directly in front of the existing lower ground floor French doors. Over the rooflight a metal grille is proposed. Grilles are a normal part of the architectural vocabulary of cellars and lightwells, and provided the design is appropriate to the period of the building, then it will not stand out as a utilitarian feature. A condition is recommended to secure details of the proposed grille.

The omission of the clerestory windows proposed in the 2016 appeal scheme has allowed the current scheme to deliver a soil and drainage layer depth of 1.29m over the front part of the basement and the structure of the basement is to be designed to allow drainage from this area out under the highway (i.e. the soil within this area would not be isolated like a planter). As a result, the garden area in front of the reinstated stepped front lightwell will be able to support a suitable replacement landscaping scheme that addresses the concerns of the Inspector in the 2016 appeal. This would include a replacement tree for the existing Mulberry tree, which the applicant has agreed to replace (see Section 8.7.2).

As such, the external manifestations of the front of the proposed basement would have an acceptable visual impact in terms of the listed building, preserving its setting, as well as the character and appearance of the Bayswater Conservation Area.

### **8.2.4 Design, Conservation and Listed Building Conclusion**

It is considered that the development proposed by the current planning and listed building consent applications preserves the overall character of the building's setting, its features of interest and the character of the Bayswater Conservation Area. Thus the alterations to the listed building are considered to accord with Policies DES 1, DES 5, DES 9 and DES10 in the UDP and Policies S25, S28 and CM28.1 (where relevant to design and heritage assets) in the City Plan. The proposal is also consistent with the relevant guidance provided in the 'Repairs and Alterations to Listed Buildings' SPG

(1995) and the 'Basement Development in Westminster' SPD (2014) (in respect of design and heritage asset considerations – see also Section 8.7.1 of this report).

### **8.3 Residential Amenity**

Given the subterranean location of the proposed extension, the alterations and extensions proposed do not give rise to significant amenity concerns.

Concern has been expressed by one neighbouring occupier that the development would result in increased overlooking and noise disturbance from use of the enlarged dwellinghouse. However, the increases in glazing would be negligible with three rooflights proposed within the building to the rear and one rooflight within the front lightwell. As such, there would not be any material increase in overlooking or noise disturbance to neighbouring residents as a result of the proposed development.

Noise and disturbance arising from construction works is to be controlled by a condition limiting the hours of works, which will be more restrictive in respect of particularly noisy works of excavation, which will not be permitted at weekends.

Many of the grounds for objection in amenity terms relate to the proposed development at No.12 Garway Road and the impact of that scheme, which includes the removal of a Bay tree from the rear garden of No.12. The current application for No.12 is also on this committee agenda, and the report for that item (Item 3) considers the impact of that development on the amenity of neighbouring residents.

As such, the scheme at No.14 accords with Policies S29 and S32 in the City Plan and Policy ENV6 and ENV13 in the UDP and is acceptable in amenity terms.

### **8.4 Transportation/Parking**

The proposed development does not raise any significant transportation or parking considerations.

The Highways Planning Manager has suggested conditions relating to waste storage and the opening of doors over the highway, but as the scheme represents an extension of an existing dwellinghouse and not the creation of a new dwelling and as the scheme does not propose any doors or gates opening over the highway, these conditions have not been included in the draft decision letters.

### **8.5 Economic Considerations**

No economic considerations are applicable for a development of this size.

### **8.6 Access**

The proposed development would not alter the existing means of access to this private residential dwelling.

### **8.7 Other UDP/Westminster Policy Considerations**

### 8.7.1 Basement Development

The 'Basement Development' policy in the City Plan (CM28.1) is split into four parts with not all parts and sub-sections being applicable in every case of basement development. In this case, parts A to C are relevant, whilst part D is not as the proposed basement does not extend under the highway.

In terms of parts A(1) and A(2) of the policy, the applicant has provided a site investigation report, a structural methodology prepared by a suitably qualified structural engineer and a flood risk assessment.

The structural methodology submitted has been assessed by Building Control who are content that the methodology proposed is appropriate for the ground conditions on this site and would safeguard the structural stability of the listed building and its nearby neighbours. Building Control officers have visited the site and are content that there are no signs of historical damage to the building that would mean the structural methodology proposed is not appropriate. As such, part A(3) of Policy CM28.1 has been satisfied.

Part A(4) of Policy CM28.1 requires that all applications for basement development will not increase or otherwise exacerbate flood risk on the site or beyond. Although not an objection received in respect of this application, the application at No.12 Garway Road, which is under consideration concurrently with the application at No.14, has been the subject of objection on grounds that the proposed basement would increase the potential of flooding within the building and increase surface water flooding in the area. This scheme was not initially accompanied by a full Flood Risk Assessment, but was amended in November 2017 by the addition of a Flood Risk Assessment, which has now been assessed by officers and has been the subject of further consultation.

Due to the location of the site within Surface Water Flood Risk Hotspot 'No.10 – Bayswater', where there is a 1 in 100 year risk of flooding as a result of extreme rainfall leading to surface water flooding, in accordance with the requirements of Policy CM28.1 and the supplementary guidance in the 'Basement Development in Westminster' SPD, the current application is accompanied by a flood risk assessment (see copy of this document in the background papers).

Paragraph 6.3.6 of the 'Basement Development in Westminster' SPD states that basement development beneath gardens may result in increased surface water runoff through reducing infiltration capacity. Furthermore, the reduction in ground capacity may reduce the ability to act as a store for rainwater. The guidance adds that self-contained basement dwellings should be located outside of surface water 'hotspots', to reduce vulnerability to surface water flooding where possible.

Furthermore, the reasoned justification for City Plan Policy CM28.1 states that basements are more susceptible to flooding, both from surface water and sewage than conventional extensions, adding that fitting basements with positive pumped devices will ensure that they are protected from sewer flooding.

The proposed basement would not significantly increase the impermeable area of the site as it is largely contained below the existing building and the hard paved front

lightwell and patio areas. Only where the basement extend below part of the front garden area would this increase impermeable area for water infiltration on the site. However, as identified in the application documents and by Building Control this is not a large area of additional impermeable area and the site is located above London Clay meaning that only the top 1.6m of top soil is readily permeable at present. Given these factors and as the scheme would allow for the replacement of 1.29m of soil and drainage layer over the front part of the basement where it would be below the front garden, it is not considered that the proposed basement would materially increase the surface water flood risk to other properties within the Surface Water Flood Risk Hotspot.

In terms of the proposed basement itself, the following measures are proposed by the applicant's engineer to ensure the new basement accommodation is resilient to future episodes of surface water flooding:

- The basement development will be entirely tanked (i.e. sealed from water ingress);
- Where perched groundwater is encountered (during site investigation / construction) a sump will be installed to eliminate any residual groundwater;
- A positive pumped sump will be permanently installed;
- Installation of a pump discharge to the foul sewer, along with 24hr attenuation storage;
- The soil area within the front garden area will be linked to adjoining areas of soil to allow drainage of water from this area in the event of water infiltration into the front garden. A condition is recommended to secure details of how this is to be designed.

In addition, the applicant has confirmed that a trial pit will be completed prior to undertaking the work to identify the level of the water table. The design of the foundations will have to satisfy the requirement of the Building Regulations which require the water table to be considered.

On the basis of the considerations set out in the preceding paragraphs, the proposed development would not exacerbate existing levels of flood risk and the mitigation measures identified are considered to be adequate through maintaining the surface water infiltration capacity of the site and through incorporating suitable resistance and resilience measures within the design of the basement. For these reasons, it is considered that the proposal accords with part A(4) despite the site being located within a surface water flooding 'hot spot'.

In terms of part A(5) of Policy CM28.1, which relates to construction impact of basement development, as noted in Section 8.3, it is recommended that the hours of construction works are controlled by condition. A further condition is recommended pursuant to the requirements of Policy CM28.1 in the City Plan, to require the construction works to construct the proposed basement to be carried out in accordance with the Code of Construction Practice, including the funding of monitoring of the site by the Environmental Inspectorate at the applicant's expense. The applicants have confirmed that they do not object to the recommended condition.

In respect of part A(6), which relates to the impact on archaeological deposits, the site is not within an Archaeological Priority Area and is a 'Tier 3' development under Historic



England's Archaeological Risk Model. Accordingly, the proposal poses a negligible risk to archaeological remains and further assessment is therefore not required.

Part B(1) of the policy requires the provision of '*a satisfactory landscaping scheme, incorporating planting and permeable surfacing as appropriate*'. The provision of a soil and drainage layer depth of 1.29m over the element of the basement under the front garden allows for flexibility in terms of planting and this will allow an appropriate landscaping scheme to be delivered pursuant to the recommended landscaping condition. The Arboricultural Manager has raised concern that a lesser depth of soil will be provided over the basement where the lightwell is stepped, but this is a replication of the existing form of the front lightwell and this is therefore not objectionable. As set out in Section 8.7.2, the landscaping scheme for the front garden must include a replacement tree for the Mulberry tree that is to be removed. The permeable area to the rear will not be reduced from the existing arrangement as the proposed basement would not extend beyond the existing rear building line. The landscaped area will remain the same and therefore the rear garden will be capable of providing landscaping commensurate with the existing situation. Subject to conditions and a condition to secure details of tree protection measures during construction and a replacement tree for the Mulberry tree that is to be removed, part B(2) of the policy has been met.

The applicant's Design and Access Statement sets out that the highest levels of sustainability possible, having regard to the need to retain the historic fabric of the building, will be employed in delivery of the proposed development. This will include use of water efficient fixtures and fittings and use of materials with a reduced carbon footprint, such as those that are recycled or recyclable. This approach is consistent with the requirements of part B(3) of policy CM28.1.

Part B(4) requires the inclusion of sustainable urban drainage measures to reduce peak run off and to reduce the general risk of flooding. The measures proposed have been set out earlier in this section of the report in respect of part A(4) of the policy and these are sufficient to ensure that the proposed development would not contribute to increased floor risk.

Parts B(5) and B(6) require basement development to protect the character and appearance of the existing building and surrounding area and to protect heritage assets. The impacts of the proposed development in these regards are considered separately in Section 6.2 of this report and have been found to be acceptable and in compliance with Policy CM28.1, the NPPF and other relevant policies within the development plan.

Part B(7) of CM28.1 requires the installation of a suitable pumped device to prevent sewer flooding. As set out earlier in this section of the report in respect of Part A(4) of the policy, the scheme would include such a pump and is therefore compliant with part B(7).

The final relevant part of Policy CM28.1 is part C. Part C(1) seeks to limit the size of basement development so that it extends beneath no more than 50% of the garden land and would leave a margin of undeveloped garden land proportionate to the scale of the development around the entire site boundary except where it is beneath the existing building. The proposed basement would extend under less than 50% of the garden land on the site. To both sides at the front and along the whole southern side of the site the

extent of the basement would be compliant, with the basement proportionately set in from the site boundaries. To the front, the proposed basement would extend to the front edge of the site at the boundary with the highway. However, given this is a relatively small area, as a policy compliant soil depth is to be provided and as the soil volume is to be linked to other areas of soil around the perimeter to aid drainage, this is not considered to be such a significant departure from the policy requirement so as to warrant withholding permission. To the rear the proposed basement would not extend beyond the existing rear building line and therefore it would be compliant with this part of the policy.

Part C(2) requires the provision of 1m of soil depth and a 200mm drainage layer over basements where they extend beyond existing buildings. To the front of the site, the proposal incorporates 1.29m of soil and drainage layer over the front part of the basement and this is compliant with this part of the policy.

In terms of part C(3), the proposed basement extension would be limited to a single storey and therefore it is compliant with this part of the policy.

In summary, the proposed basement is considered to be largely compliant with the Basement Development policy CM28.1, except where specifically identified in this section of the report. The area of transgression with the precise requirements of part C(1) is though sufficiently minor for the reasons set out so as not to warrant withholding permission.

#### **8.7.2 Arboricultural Issues**

As set out in Section 6.2, the Inspector in the previous appeal relating to this site did not consider that the case had been made to justify the retention of the Mulberry tree and in this context the Arboricultural Manager does not object to the loss of this tree, provided a replacement tree is secured by condition. A condition to secure a replacement tree is recommended, as well as conditions to secure details of tree protection measures for other trees on or close to the site during construction works, which the Arboricultural Manager considers need refinement from the details provided with the application, and to secure a landscaping scheme for the front and rear gardens following completion of the development. Subject to these conditions, it is considered that the scheme would accord with Policies ENV16 and ENV17 in the UDP.

#### **8.8 London Plan**

The application does not raise any strategic issues.

#### **8.9 National Policy/Guidance Considerations**

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

#### **8.10 Planning Obligations**

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

### 8.11 Environmental Impact Assessment

The proposed development is of insufficient scale to require an Environmental Impact Assessment. Where relevant these issues have been considered elsewhere in this report.

### 8.12 Other Issues

None relevant.

## 9. BACKGROUND PAPERS

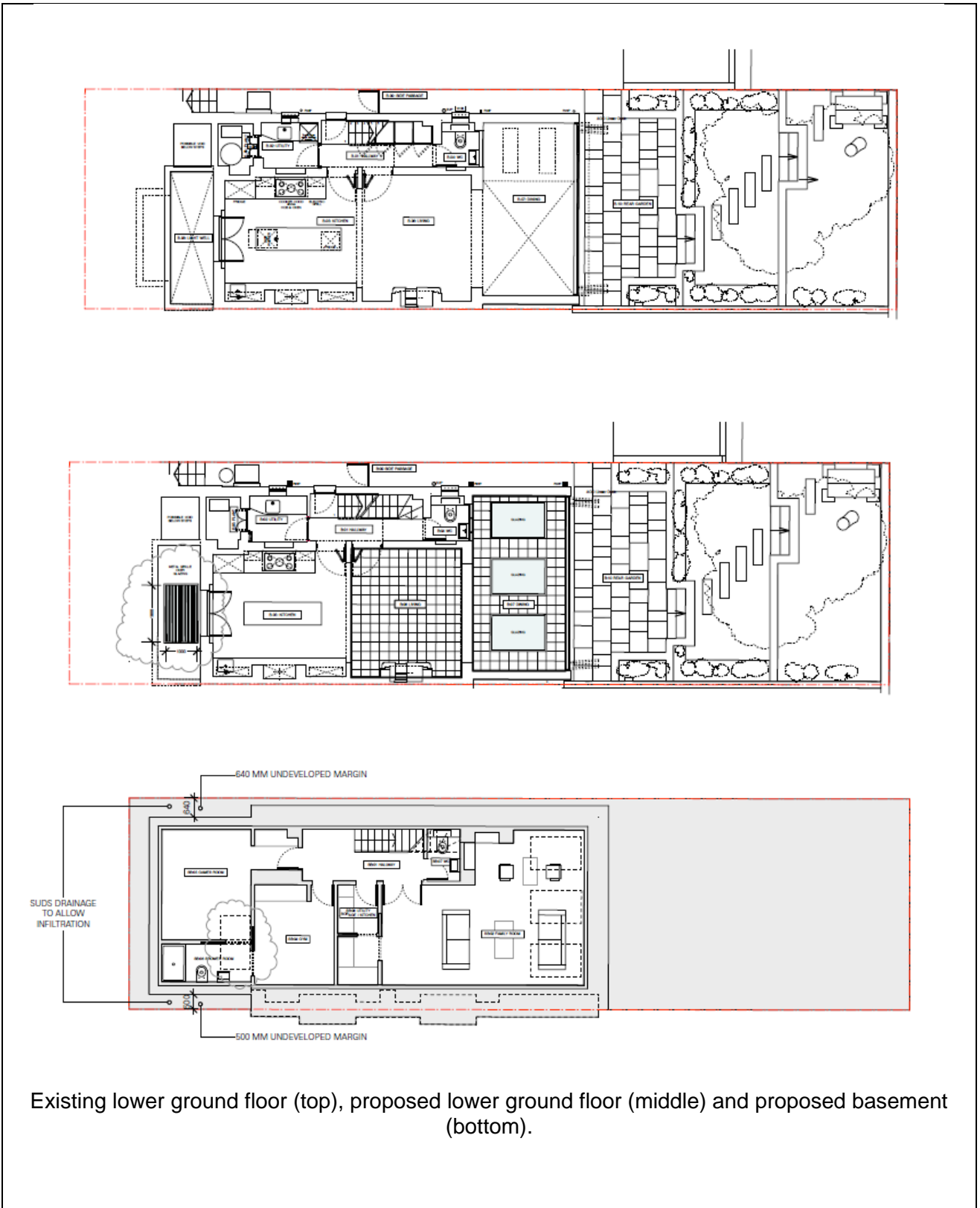
1. Application form.
2. Memo from Environmental Health dated 4 August 2016.
3. Memo from the Arboricultural Manager dated 20 December 2017.
4. Memo from Building Control dated 23 February 2018.
5. Memo from the Highways Planning Manager dated 19 February 2018.
6. Emails from the occupier of Ground Floor, 46 Kensington Gardens Square dated 6 August 2016, 5 June 2017 and 28 December 2017.
7. Email from the occupier of 46 Kensington Gardens Square dated 3 June 2017.
8. Email from the occupier of 14C Garway Road on behalf of the freeholders of 14A, B and C Garway Road dated 31 January 2018.
9. Email from case officer to occupier of 14C Garway Road dated 22 February 2018.
10. Appeal decision dated 20 May 2016 and associated drawings.
11. Copy of applicant's Flood Risk Assessment dated 21 November 2017.

### Selected relevant drawings

(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 OLIVER GIBSON ON 020 7641 2680 OR BY EMAIL AT [ogibson@westminster.gov.uk](mailto:ogibson@westminster.gov.uk).

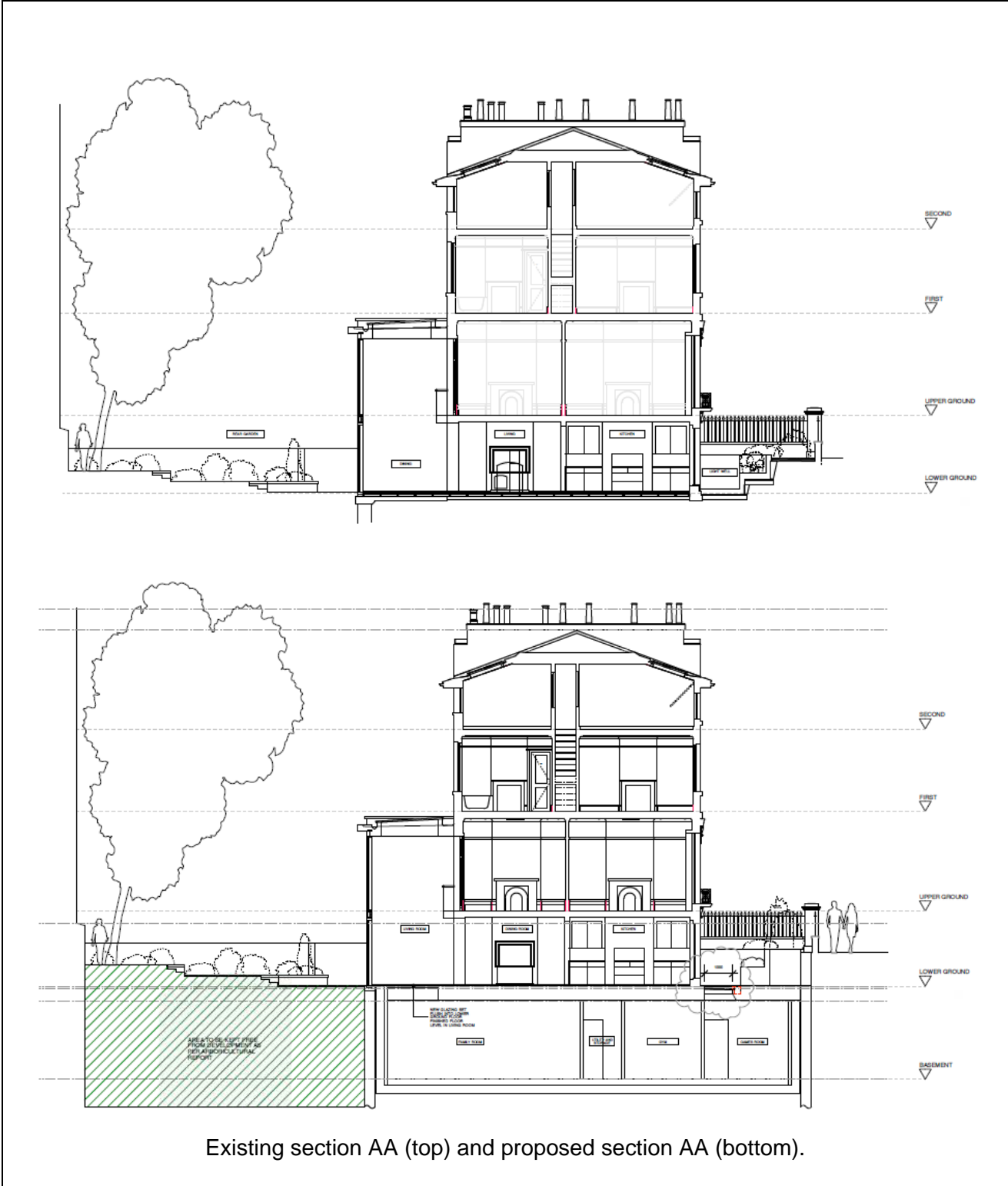
## 10. KEY DRAWINGS



Existing lower ground floor (top), proposed lower ground floor (middle) and proposed basement (bottom).



Existing front and rear elevations (top) and proposed front and rear elevations (bottom).



**DRAFT DECISION LETTER**

**Address:** 14 Garway Road, London, W2 4NH,

**Proposal:** Excavation of a basement floor below existing house and part of front garden, insertion of rooflight with decorative metal grille over within front lightwell, internal alterations, including the insertion of 3 rooflights in the floor of rear extension between lower ground and new basement level and removal of tree from front garden.

**Plan Nos:** 838/01/0100 P2, 825/01/0200 P2, 825/01/0202 P2, 825/01/0301 P2, 825/01/0302 P2, 825/01/0303 P2, 825/01/0304, 825/03/0210 P4, 825/03/0211 P6, 825/03/0210 P4, /82503/0211/P6, 825/03/0212 P5, 825/03/0213 P3, 825/03/0311 P5, 825/03/0312 P4, 825/03/0313 P4, 825/03/0314 P4, 825/03/0315 P6, Design and Access Statement and Historic Building Impact Assessment dated June 2016, Flood Risk Assessment dated 21 November 2017, Construction Method Statement dated June 2016 (Rev.A) (for information only - see Informative 11), Arboricultural & Method Statement 17 June 2015 and 3062-BT1 (For information only).

**Case Officer:** John Wilman

**Direct Tel. No.** 020 7641 5961

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

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

Reason:

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

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

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

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

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

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of

Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

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

Reason:

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

- 4 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 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 Bayswater 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 apply to us for approval of detailed drawings of the following parts of the development: Decorative grille to front lightwell shown in context with surrounding paving and rooflight below. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these drawings and you must not occupy the basement extension until the grille has been installed. Thereafter the grille must be permanently retained in accordance with the details we approve. (C26DB)

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 Bayswater 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)

- 6 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. The landscaping scheme must include the provision of at least one tree to replace the Mulberry tree that is to be



removed from the front garden. 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 one planting season of completing the development (or within any other time limit we agree to in writing).

If you remove any trees that form part of the landscaping scheme we approve 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 Bayswater 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)

- 7 **Pre Commencement Condition.** Notwithstanding the content of the submitted arboricultural assessment, you must apply to us for approval of the ways in which you will protect the trees which you are keeping, as shown on drawing 13062-BT1. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. The tree protection must follow the recommendations in section 7 of British Standard BS5837: 2005. You must then carry out the work according to the approved details. (C31AC)

Reason:

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

- 8 You must provide a minimum of 1m soil depth (plus minimum 200mm drainage layer) and adequate overall soil volume above the top cover of the basement were it extends beyond the front of the building and the front lightwell, as shown on the drawings hereby approved. The soil depth and soil volume above the basement must thereafter be retained as approved.

Reason:

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

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

- The sustainable urban drainage system to be incorporated into the design of the structure of the front part of the basement to enable the flow of water through the areas of soil around the perimeter of the basement structure and below the highway.

You must not start any work on these parts of the development until we have approved what

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

Reason:

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

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
  
- 2 When you apply to us for approval of tree protection measures during construction works you must include details of an auditable system of arboricultural site supervision and record keeping prepared by an arboricultural consultant who is registered with the Arboricultural Association, or who has the level of qualifications and experience needed to be registered. The details of such supervision must include:
  - o identification of individual responsibilities and key personnel.
  - o induction and personnel awareness of arboricultural matters.
  - o supervision schedule, indicating frequency and methods of site visiting and record keeping
  - o procedures for dealing with variations and incidents.

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

- 3 When you apply to us to for approval of details of landscaping you must include section drawing(s) demonstrating how the soil above the basement will be connected to adjacent, unexcavated soil volumes.

You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)

- 5 This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I32AA)
- 6 Some of the trees on the site are protected by a Tree Preservation Order. You must get our permission before you do anything to them. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I30AA)
- 7 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 8 You may need to seek technical approval for the works prior to commencement of development if they comprise a structure that is supporting the highway. You should contact Andy Foster on 020 7641 2541 in Engineering and Transportation Projects to progress the application for works to the highway.
- 9 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, [siteenquiries@ccscheme.org.uk](mailto:siteenquiries@ccscheme.org.uk) or visit [www.ccscheme.org.uk](http://www.ccscheme.org.uk).
- 10 With reference to condition 3 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work. The Code does require the submission of a full Site Environmental Management Plan or Construction Management Plan as appropriate 40 days prior to commencement of works (including demolition). These documents must be sent to [environmentalsciences2@westminster.gov.uk](mailto:environmentalsciences2@westminster.gov.uk).

Appendix A or B must be signed and countersigned by Environmental Sciences prior to the submission of the approval of details of the above condition.

You are urged to give this your early attention

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11 This permission is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council in an in depth way in which it would at a building control stage and, as a consequence, we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the listed building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.

**DRAFT DECISION LETTER**

**Address:** 14 Garway Road, London, W2 4NH,

**Proposal:** Excavation of a basement floor below existing house and part of front garden, insertion of rooflight with decorative metal grille over within front lightwell and internal alterations, including the insertion of 3 rooflights in the floor of rear extension between lower ground and new basement level.

**Plan Nos:** 838/01/0100 P2, 825/01/0200 P2, 825/01/0202 P2, 825/01/0301 P2, 825/01/0302 P2, 825/01/0303 P2, 825/01/0304, 825/03/0210 P4, 825/03/0211 P6, 825/03/0210 P4, /82503/0211/P6, 825/03/0212 P5, 825/03/0213 P3, 825/03/0311 P5, 825/03/0312 P4, 825/03/0313 P4, 825/03/0314 P4, 825/03/0315 P6, Design and Access Statement and Historic Building Impact Assessment dated June 2016, Flood Risk Assessment dated 21 November 2017, Construction Method Statement dated June 2016 (Rev.A) (for information only - see Informative 3), Arboricultural & Method Statement 17 June 2015 and 3062-BT1 (For information only).

**Case Officer:** John Wilman

**Direct Tel. No.** 020 7641 5961

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

Reason:

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

- 3 You must apply to us for approval of detailed drawings of the following parts of the development: Decorative grille to front lightwell shown in context with surrounding paving and rooflight below. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these drawings and you must not occupy the basement extension until the grille has been installed. Thereafter the grille must be permanently retained in accordance with the details we approve. (C26DB)

**Reason:**

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

- 4 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 our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

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

- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:
- \* any extra work which is necessary after further assessments of the building's condition;
  - \* stripping out or structural investigations; and
  - \* any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents.

It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

- 3 This consent is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council in an in depth way in which it would at a building control stage and, as a consequence, we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the listed building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects. If this results in alterations to the impact of the development on the listed building, then further listed building consent may be required, as set out in Informative 2.