

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 13 March 2018	Classification For General Release	
Addendum Report of Director of Planning		Ward(s) involved	
Subject of Report	Garages To The Rear Of, Ordnance Mews, London, NW8		
Proposal	Demolition of 9 single storey garages and erection of a replacement building comprising two to three storeys for use as 3 dwellinghouses (Class C3).		
Agent	Metropolitan Workshop		
On behalf of	City West Homes		
Registered Number	17/06573/COFUL	Date amended/ completed	28 July 2017
Date Application Received	24 July 2017		
Historic Building Grade	Unlisted		
Conservation Area	St John's Wood		

1. RECOMMENDATION

Subject to no new issues being raised prior to the expiry of the consultation period on 13 March 2018, grant conditional permission under Regulation 3 of the Town and Country Planning General Regulations 1992, including a condition to secure highway works necessary to make the development accessible and to secure the relocation and/ or replacement of the existing street lamp in Ordnance Mews.

2. SUMMARY

The application was reported to the Planning Applications Sub-Committee on 5 December 2017. The Sub-Committee resolved to defer the application for the following reason:

'To enable the applicant to amend the proposal to replace the proposed integral garages with habitable floor space and for the applicant to provide further information on how vehicle access for all types of vehicles to Ordnance Mews and existing garage and parking areas will be maintained together with additional information with respect to emergency vehicle access to the Mews.'

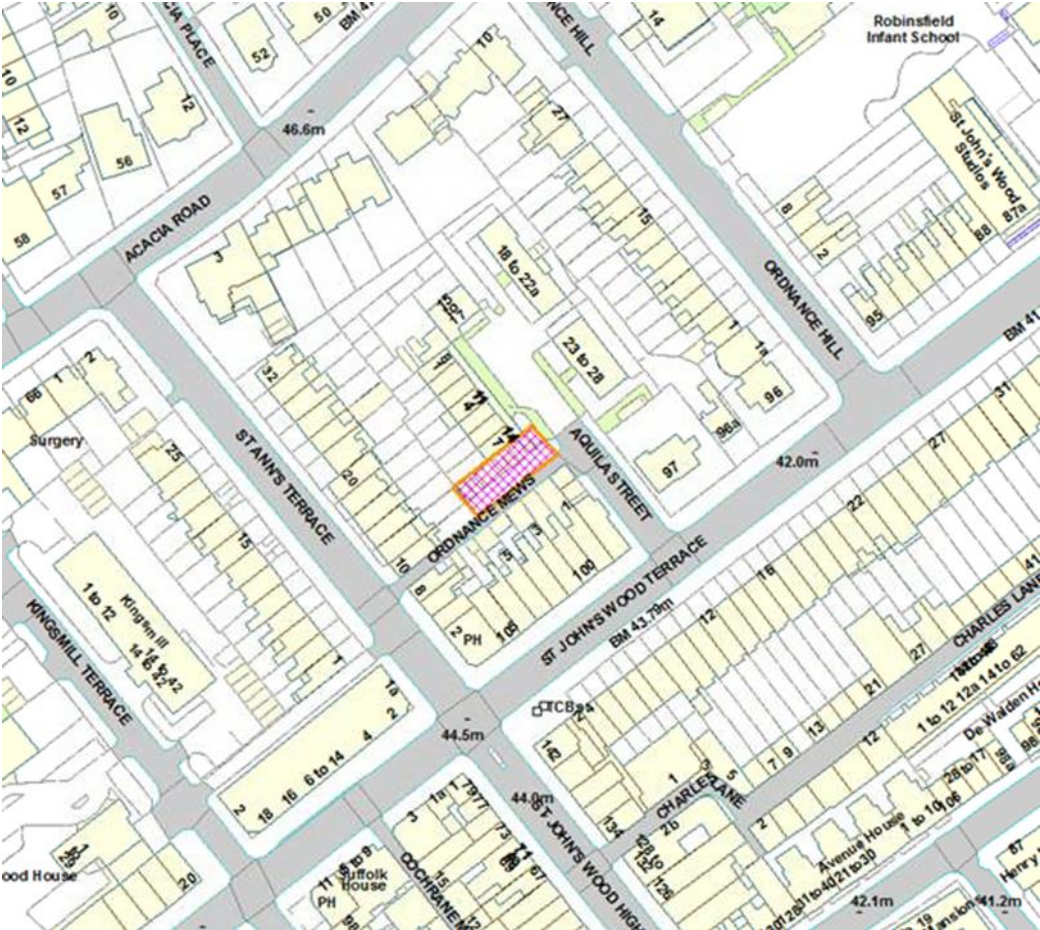
The scheme has been amended to omit the garages from the ground floor of the three dwellinghouses and replace them with additional habitable accommodation in the form of an additional bedroom. The applicant has also reconfigured the layout of the three dwellinghouses to

improve the quality of the accommodation. The two three storey houses have been increased from 2 bedroom 3 person dwellings, to three bedroom 6 person dwellings, with open plan kitchen, living and dining rooms on the third floor. The two storey house remains a three bedroom dwelling, but the number of bedspaces has been increased from 4 to 6. This aspect of the reason for deferral has therefore been addressed.

The applicant has provided further information, including tracking diagrams, to demonstrate the accessibility of the proposed parking spaces and garages opposite the application site (see full copy of submitted document in the background papers). The additional tracking diagrams demonstrate that the parking spaces and garages would remain accessible through the use of the forecourt area in front of the proposed dwellinghouses, without the need for them to be set back additionally at ground floor level. A condition is recommended to ensure the forecourt area is not used for parking, or otherwise obstructed, so that the existing off-street parking for neighbouring residents is maintained in accordance with Policy TRANS23 in the UDP. Objection has been raised on grounds that it is unclear whether neighbours with garages opposite will have a right of access over the forecourt area, but this is not a material planning consideration and is rather a private legal matter between the respective landowners.

In terms of emergency access, the applicant has provided additional details of the accessibility of the site for emergency vehicles and this demonstrates that the degree of access for such vehicles, in the event of an emergency within the development or existing neighbouring properties will not be unduly obstructed in the event of an emergency relative to the existing situation. The London Fire Brigade have previously advised that they do not object to the layout of the proposed development for this site. Any responses to consultation on the revised scheme from the London Fire Brigade and Building Control will be reported verbally to the Sub-Committee.

3. LOCATION PLAN



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4. PHOTOGRAPHS



View of existing garages from Aquila Street (top) and view of garages looking east within Ordnance Mews (bottom).

5. CONSULTATIONS

5.1 Additional and Late Representations Reported Verbally to the Planning Applications Sub-Committee on 5 December 2017

COUNCILLOR HALL

Object to inclusion of garages within the development. Support provision of new affordable housing in NW8, but consider the development should be 'car free' given the proximity of public transport and the opportunities for walking and cycling. Garages would be better used to provide additional habitable accommodation.

ST. JOHN'S WOOD SOCIETY

Disappointed that applicant did not engage with the Society until late in the application process. Consider that simple extension of the existing building out over the garages would be a more pragmatic and cost effective solution. No objection to principle of developing the garages to provide affordable housing, but object to design proposed which would cause a loss of light, overlooking, noise from terraces and a sense of enclosure to neighbours in Ordnance Mews, St. Ann's Terrace and Aquila Street. Question the need for garages with affordable housing given proximity to public transport. Consider it better to provide more affordable housing rather than garages.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

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

- Increased sense of enclosure to neighbouring property in Aquila Street.
- Projection into Aquila Street would adversely impact safety and security of neighbouring property.
- Noise disturbance from proposed roof terrace at first floor level.
- Aquila Street grounds should not be used as a parking area or for placing equipment during construction.
- Question what the intended use of the homes is – affordable homes or council houses.
- It is unfair that proposals for alterations to neighbouring properties have been refused whilst similar works in the application scheme are recommended for approval.
- Proposal is incongruous and would harm the character and appearance of the conservation area.
- Scheme should be more traditionally detailed with stock brickwork and white timber sash windows.
- Concern that scheme will prevent access to existing parking spaces and garages on the south side of Ordnance Mews, particularly for larger vehicles
- Question how right of access to neighbouring garages will be established.
- Increased overlooking to properties on the opposite side of Ordnance Mews.

5.2 Responses to Re-consultation on Revised Scheme (Omission of garages from ground floor and additional information to demonstrate access to adjacent off-street parking and emergency vehicle access.)

ST JOHN'S WOOD SOCIETY

Any response to be reported verbally.

BUILDING CONTROL

Any response to be reported verbally.

HIGHWAYS PLANNING MANAGER

Any response to be reported verbally.

LONDON FIRE BRIGADE

No objection to initially submitted scheme (as reported to the Planning Applications Sub-Committee on 5 December 2018) that has same footprint and form as revised scheme.
Any response on revised scheme to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 50.

Total No. of replies: 0.

No. of objections: 0.

No. in support: 0.

6. BACKGROUND PAPERS

1. Application form.
2. Email from Building Control Officer, dated 27 February 2018
3. Email from the London Fire Brigade dated 27 November 2017.
4. Copy of 'Updated Planning Drawings' document dated February 2017.
5. Representations as reported to the Planning Applications Sub-Committee on 5 December 2017.

Additional and Late Representations Reported Verbally to the Sub-Committee on 5 December 2017

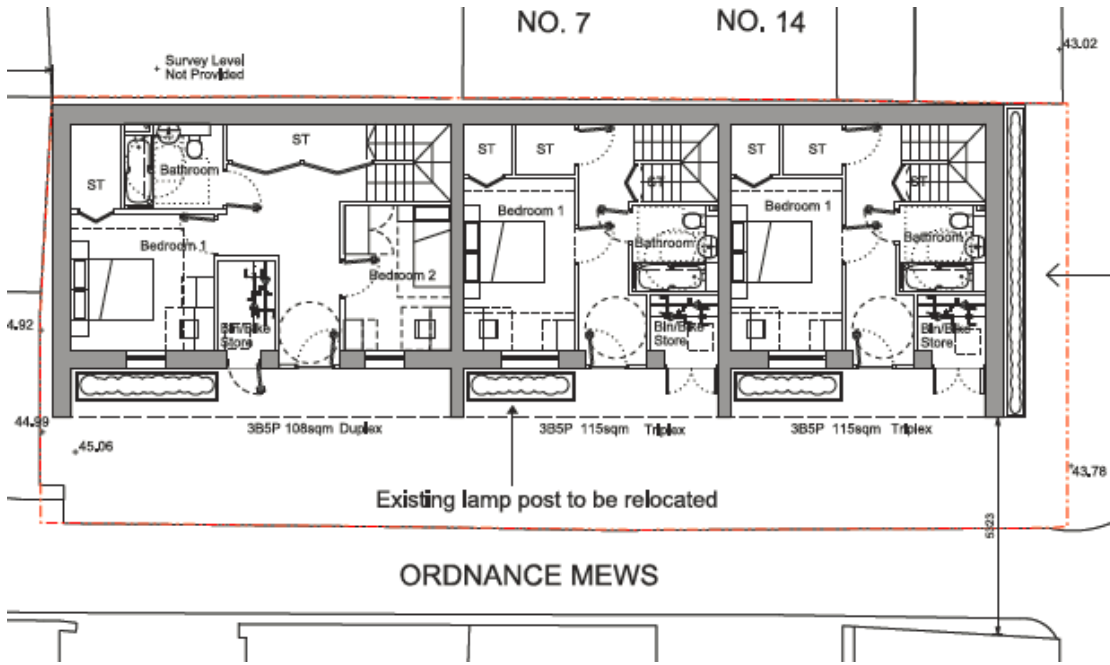
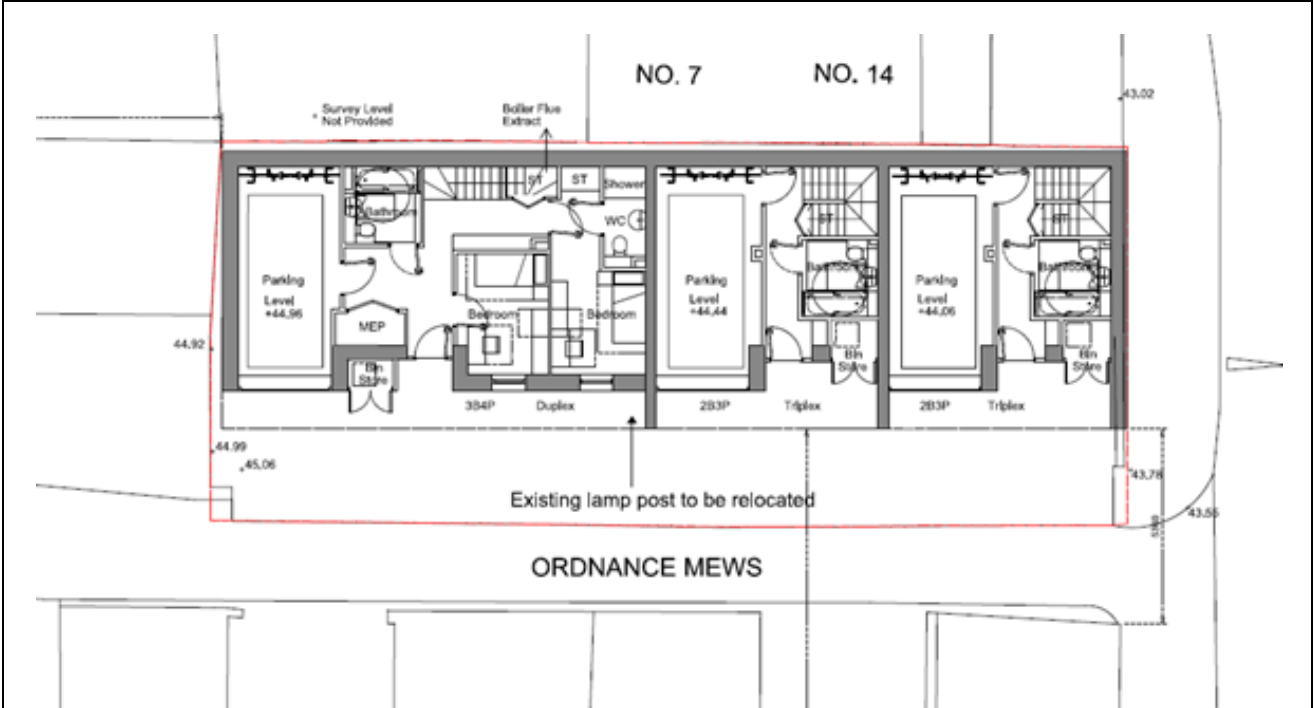
6. Email from the occupier of 9 Aquila Street dated 28 November 2017.
7. Email from Councillor Hall dated 5 December 2017.
8. Email from the St. John's Wood Society date 4 December 2017.
9. Email from the occupier of 3 Ordnance Mews dated 4 December 2017.

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

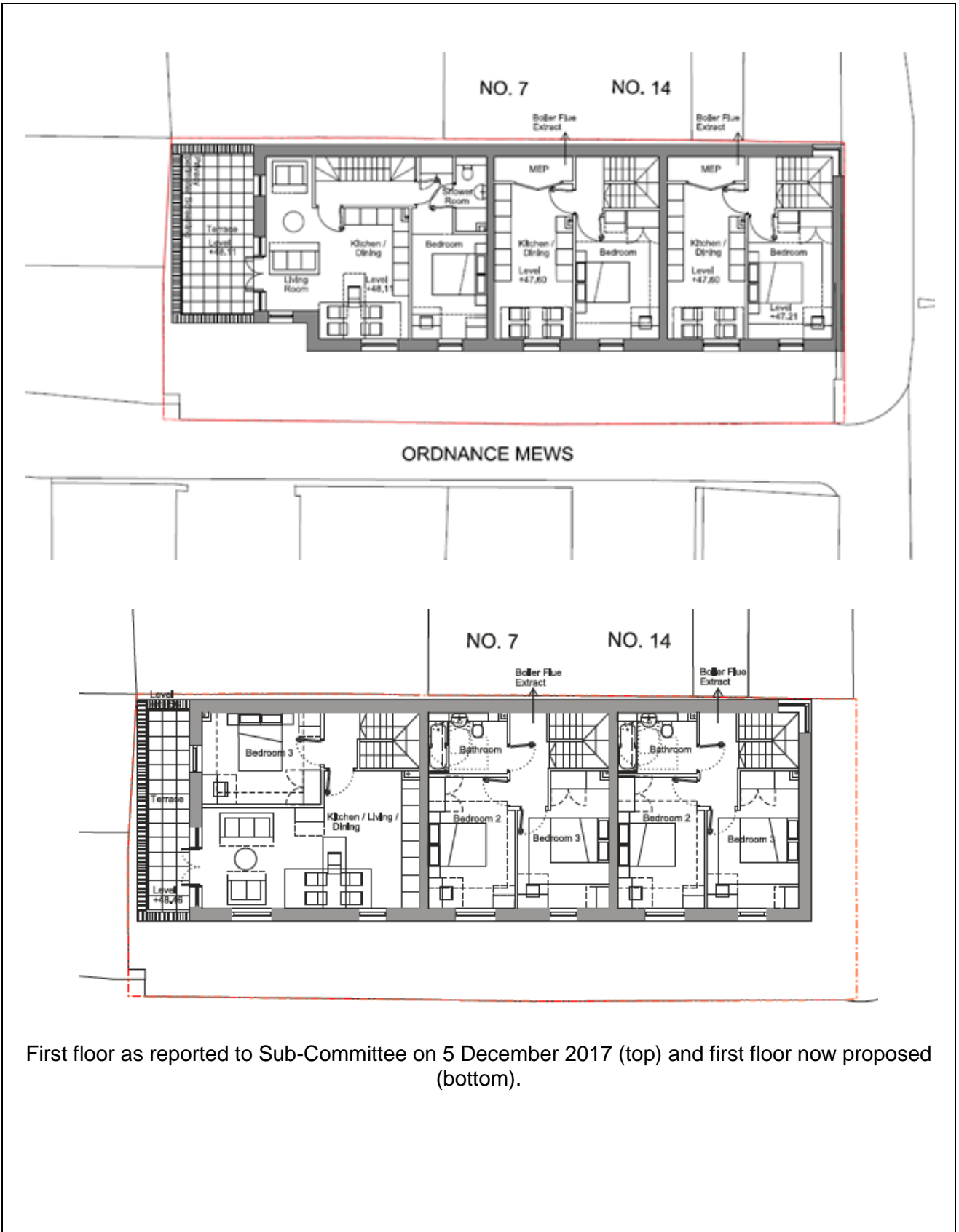
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: NATHAN BARRETT BY EMAIL AT nbarrett@westminster.gov.uk.

7. KEY DRAWINGS





Ground floor as reported to Sub-Committee on 5 December 2017 (top) and ground floor now proposed (bottom).

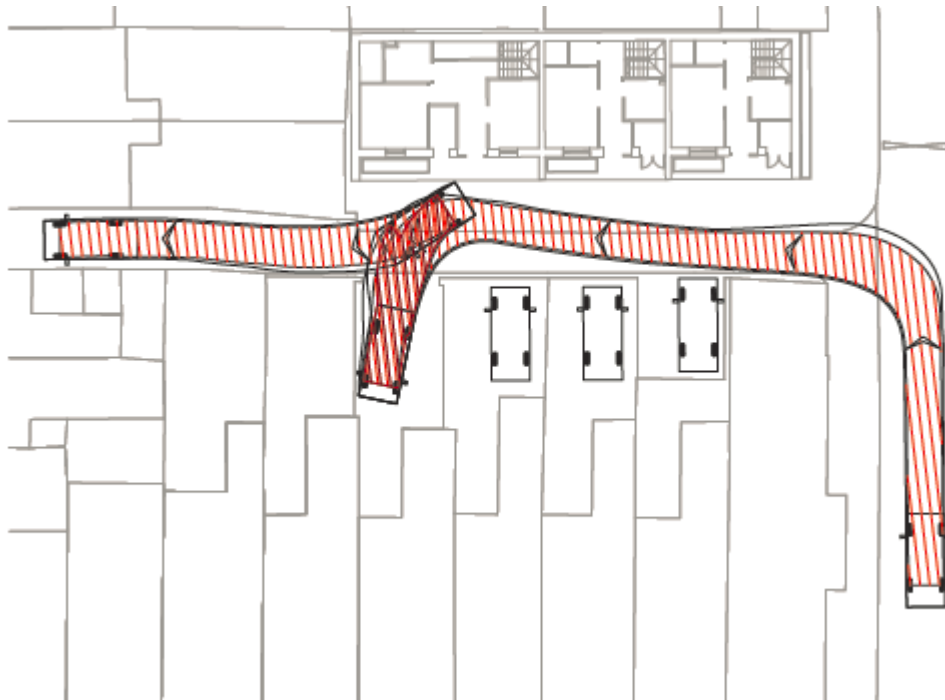
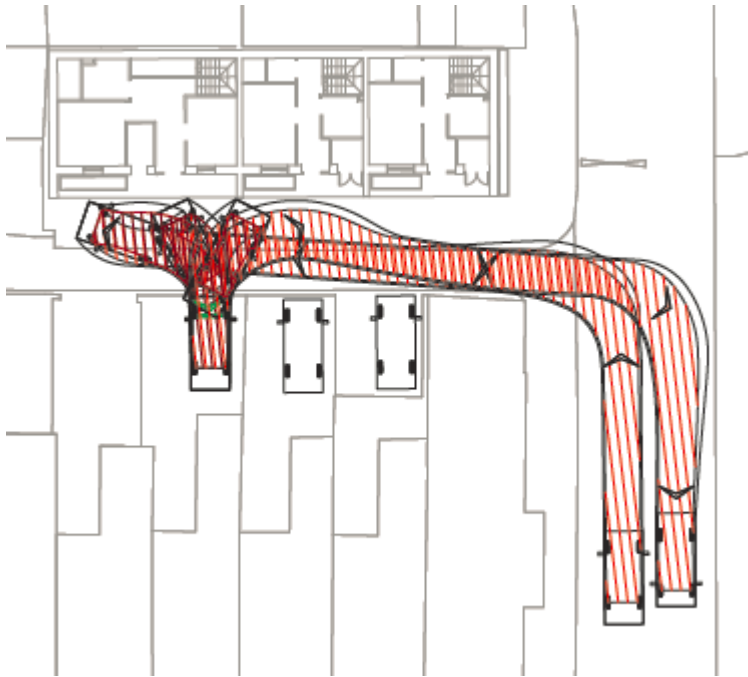




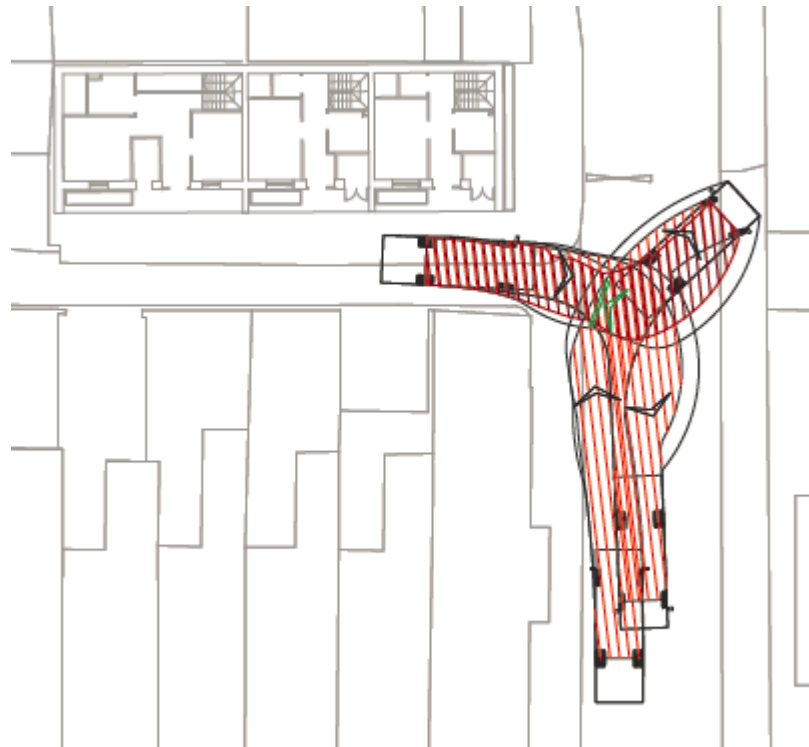
Second floor as reported to Sub-Committee on 5 December 2017 (top) and second floor now proposed (bottom).



Vehicle tracking for a 4x4 size vehicle measuring 4.84m for Nos.1 and 2 Ordnance Mews.



Vehicle tracking for a 4x4 size vehicle measuring 4.84m for Nos.3 and 4 Ordnance Mews.



Vehicle tracking diagram for a 11.33m fire appliance.

MINUTES OF PROCEEDINGS

Planning Applications Sub-Committee (2) – 5 December 2017

1 GARAGES TO THE REAR OF ORDNANCE MEWS, LONDON, NW8 6PF

Demolition of 9 single storey garages and erection of a replacement building comprising two to three storeys for use as 3 dwellinghouses (Class C3).

An additional representation was received from Ms Sabina Assan (November 2017).

Late representations were received from Paul Rowbotham (04.12.2017), Christine Cowdray (04.12.2017) and Abbey Road Ward Councillors Lindsey Hall, Peter Freeman and Judith Warner (05.12.2017).

RESOLVED

That the application be deferred, to enable the applicant to amend the proposal to replace the proposed integral garages with habitable floor space and for the applicant to provide further information on how vehicle access for all types of vehicles to Ordnance Mews and existing garage and parking areas will be maintained together with additional information with respect to emergency vehicle access to the Mews.

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Historic Building Grade	Unlisted		
Conservation Area	St John's Wood		

8. RECOMMENDATION

Grant conditional permission under Regulation 3 of the Town and Country Planning General Regulations 1992, including a condition to secure highway works necessary to make the development acceptable, including relocation and/ or replacement of the existing street lamp in Ordnance Mews.

9. SUMMARY

The application seeks permission for the demolition of nine garages and erection of a replacement building comprising between two and three storeys to provide 3 dwellinghouses (Class C3). The site does not contain any listed buildings, but is located within the St. John's Wood Conservation Area.

The key issues in this case are:

- The acceptability of the proposed residential units in terms of their size and mix.
- The acceptability of the design of the development and its impact on the character and appearance of the St. John's Wood Conservation Area.
- The impact on the amenity of neighbouring residents.
- The acceptability of loss of existing off-street parking.
- The impact on the availability of on-street residents' parking in the vicinity of the site.
- The impact on neighbouring trees.

For the detailed reasons set out in this report the proposed development is considered to be acceptable in land use, design, amenity, transportation and environment terms and, given the public benefits of the scheme, would accord with the relevant policies in the Unitary Development Plan adopted in January 2007 (the UDP) and in Westminster's City Plan adopted in November 2016. Therefore the application is recommended for approval subject to the conditions set out in the draft decision letter appended to this report.

10. LOCATION PLAN



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11. PHOTOGRAPHS



View of existing garages from Aquila Street (top) and view of garages looking east within Ordnance Mews (bottom).

12. CONSULTATIONS

5.1 Consultation on Initially Submitted Scheme – July 2017

ST. JOHN'S WOOD SOCIETY

Objection and comment on the following grounds/ issues:

- Delighted to see affordable housing provided locally but do not consider that the design of the mews houses makes best use of the site.
- The design of the mews houses is incongruous to the St. John's Wood Conservation Area.
- St. John's Wood Society was not consulted about proposals until very late in the process, contrary to comments made about community engagement in the application.
- Object to terraces at first and second floor levels due to overlooking it will cause to neighbours in St. Anne's Terrace, Aquila Street and Ordnance Mews.
- Proposed privacy screens will not prevent noise nuisance and could be removed.
- Object to the sense of enclosure created by the height and bulk of the proposed building, particularly at the Aquila Street end of the development.
- Query the inclusion of three garages in the scheme due to the difficult access and as there is excellent public transport facilities locally.
- As residents' parking is already in short supply in the area this affordable housing scheme should be 'car free' without garages in accordance with the Mayor's Transport Strategy, the Council's policy to promote cycling quiet ways and superhighways and the Council's walking strategy.

ARBORICULTURAL MANAGER

No objection to loss of tree in rear garden of No.7 Aquila Street, but replacement tree should be provided. Condition not necessary on soft landscaping given the limited amount proposed.

BUILDING CONTROL

No comment given no basement development is proposed.

CLEANSING MANAGER

No objection subject to a condition to secure additional details of the layout of the proposed bin stores to ensure they can accommodate waste and recycling.

HIGHWAYS PLANNING MANAGER

Objection to the loss of the existing garages if they are secured by condition to provide residents parking. Loss of garages would be likely to increase pressure on on-street residents parking in the vicinity. No objection to cycle storage and content that the garages within the proposed development and those existing garages/ parking spaces opposite in Ordnance Mews would be accessible; albeit it is recognised that the manoeuvre required to access the existing garages/ parking opposite would become more difficult. Conditions and informatives recommended.

LONDON FIRE BRIGADE

Any response to be reported verbally.

ADJOINING OWNERS/ OCCUPIERS AND OTHER REPRESENTATIONS

No. of Consultations: 50; No. of Responses: 5.

Five emails received raising objection on all or some of the following grounds:

Land Use

- Overdevelopment of the site due to density of development.
- Not an appropriate development for social rented housing. Would prefer intermediate or key worker housing.

Design

- Development is too high on Aquila Street side.
- Building line of development should stop at existing block in Aquila Street to prevent crime and anti-social behaviour issues.
- Development would be overbearing, out of scale and out of character with existing properties surrounding the mews.
- Development would not preserve or enhance the St. John's Wood Conservation Area.
- Development bears no resemblance to the surrounding terrace houses or the blocks in Aquila Street.
- Materials used are not consistent with neighbouring buildings.
- The surrounding Victorian buildings have valley roofs and not gable roofs as proposed.
- Roofs should be flat as per the parapets of Victorian properties and the roofs of the Aquila Street blocks.
- Supporting documents refer to the wrong conservation area.
- Soldier brick work is not consistent with the appearance of the conservation area.
- Dark grey aluminium windows are not consistent with the white timber sash windows of neighbouring properties.
- Lamp post to be moved is a heritage lamp post and contributes to the conservation area.

Amenity

- Loss of daylight and sunlight.
- Increased sense of enclosure.
- Overlooking from windows and terraces in development.
- Development would be closer to neighbouring windows that appears the case in submitted images
- Neighbouring properties have previously been refused permission for terraces.
- Daylight distribution figures should be provided for daylight loss.
- Noise disturbance from proposed terraces.

Highways/ Parking

- Loss of existing off-street parking for local residents.
- Garages should not be provided in development to discourage car use.
- Development will reduce safety for pedestrians.
- Social rented units are unlikely to require parking.
- Mews is cobbled and no elements are tarmacked as suggested in the application.
- Not clear how blockwork would be laid given slope of the mews.

- Not clear how new garages will be accessed.
- Extent of private land shown to extend further on to the cobbled street than elsewhere in mews and concerned this will make the mews too narrow for vehicles to pass along.
- Not clear where pedestrians will walk. Mews is busy during the day as used by estate agencies with parking accessed from the mews.
- Cycle parking proposed is un-useable as garages not wide enough to accommodate two cycles as shown.
- Bins for neighbouring properties will have to be left in Aquila Street rather than on the garages hardstanding.
- Adverse impact on emergency vehicle access.
- Construction works are likely to damage the cobbles in the mews.
- Lamp post should not be removed from the mews as it will leave it poorly lit.
- Concern that the development will necessitate turning on private land to access adjacent garages if existing forecourt area is removed.
- Proposed building will extend 2.5m on to the forecourt area and make manoeuvring into neighbouring garages and parking more difficult/ impossible.
- Tracking drawings should be drawn for all neighbouring off-street parking and drawn on topographic drawings and not OS maps.

Other Matters

- Consider drainage shown to be wrong as drain runs under Ordnance Mews.
- Pigeons nest in neighbouring trees.
- Existing garages provide useful storage for nearby residents.
- Public consultation has been limited and not as set out in the statement of community involvement.
- Ordnance Mews was not heavily bombed and was not redeveloped with social housing, only garages.
- Supporting documents fail to fully recognise that there are residential properties in Ordnance Mews that are accessible from the mews.
- State of repair of the garages is as a result of lack of maintenance and should not be a justification for redevelopment.

ADVERTISEMENT/ SITE NOTICE

Yes.

5.2 Consultation on Revised Scheme (amendments to height of parapet and detailed design of two storey dwellinghouse) – November 2017

ST. JOHN'S WOOD SOCIETY

Any response to be reported verbally.

ADJOINING OWNERS/ OCCUPIERS AND OTHER REPRESENTATIONS

No. of Consultations: 50; No. of Responses: 0.

13. BACKGROUND INFORMATION

13.1 The Application Site

This application site comprises 9 garages originally built to serve the mid 20th Century residential flats in the blocks arranged around the northern end of Aquila Street. However, whilst this appears to be the original purpose of the garages there are no planning conditions requiring their use by occupiers of the blocks in Aquila Street or specifically for the use as car parking and not for any other purpose. The applicant has submitted evidence demonstrating that only 5 garages are currently let to occupiers of the Aquila Street blocks.

The garages are not listed, but are located within the St. John's Wood Conservation Area. The nearest listed buildings are the grade II listed terrace of houses facing St. Ann's Terrace to the west of the application site.

13.2 Recent Relevant History

9 October 1956 – Planning permission granted for *'The erection of one block of 14 maisonettes, one block of three flats and one block of six flats together with a block of ten lock-up garages, on a site in the Aquila Street Extension'*. One condition was imposed requiring approval of the proposed facing materials.

14. THE PROPOSAL

The application, made by City West Homes, seeks permission for the demolition of the existing nine garages and the erection of a replacement building comprising between two and three storeys to provide 3 dwellinghouses (Class C3). The scheme would deliver 2x2 bedroom houses and 1x3 bedroom house. The two bedroom houses would be arranged over three storeys with garages at ground floor level and terraces at second floor level. The three bedroom house would be arranged over two storeys with a garage at ground floor level and a terrace to the western elevation at first floor level. The three storey houses would have pitched roofs, with a flat roof with a green roof to the two storey house. Replacement landscaping is proposed to the front forecourt of the site, adjacent to the cobbled road surface in Ordnance Mews.

15. DETAILED CONSIDERATIONS

15.1 Land Use

For the reasons set out in Section 8.4 of this report, it is not considered that the loss of the existing garages can reasonably be resisted in land use terms. In this context, the principle of providing new residential accommodation on this site is acceptable in land use terms and accords with Policies S13 and S14 in the City Plan and Policy H3 in the UDP. In terms of density, the development would have a density of 577hr/ha and this falls comfortably within the density range in Policy 3.4 of the London Plan, which is between 200 and 700 hr/ha for an urban location with a PTAL rating of between 4 and 6. As such, the objection raised on density grounds cannot be supported.

The proposed development would provide a mix of units (2x2 bed houses and 1x3 bed houses) which is consistent with the requirements of Policy H5 in the UDP and Policy S15 in the City Plan. The size and layout of the accommodation would be compliant with

the minimum standards set out in the Government's Technical Housing Standards and Policy 3.5 of the London Plan. As such, the residential accommodation proposed would be of a good standard.

The applicant has identified that the units are intended to be used to provide social rented housing. However, given only three residential units are proposed and the scheme delivers less than 1,000m² of new residential floorspace on the site, it does not trigger a requirement to provide affordable housing under Policy H4 in the UDP and Policy S16 in the City Plan. Therefore whilst the provision of the units as a form of affordable housing is welcomed, it is not necessary, nor would it be reasonable to require that the units are provided as affordable housing via a planning condition or legal agreement. In this context the objections raised regarding the type of affordable housing tenure to be provided on this site cannot be supported.

15.2 Townscape and Design

The site is currently functional in appearance reflecting its use as garage accommodation. The garage structures are of simple form and construction and have little, if any, architectural merit. Similarly the garages are alien in terms of their form and detailing to all of the neighbouring buildings, although they share a similar palette of materials to the neighbouring Aquila Street block. Therefore, the garages are considered to be harmful to the character and appearance of this part of the St. John's Wood Conservation Area and their demolition is not considered to be objectionable, subject to the replacement building on the site being one that preserves or enhances the character and appearance of the conservation area.

The proposed building is conceived as a contemporary mews style development with buildings of relatively limited scale such that they would be lower than the adjoining properties in Aquila Street, St. John's Wood Terrace and St. Ann's Terrace. The form and massing of the proposed buildings would be mews like with garage accommodation predominant at ground floor level, a sheer storey of accommodation at first floor level and, a recessive roof storey of additional accommodation at second floor level; albeit the form of the second storey would comprise a setback sheer storey with a pitched roof rather than a traditionally detailed mansard roof form. Given that there is not an existing mews vernacular along Ordnance Mews, it is considered that the contemporary mews approach taken to the design and massing of the proposed development is appropriate. In this context, the objections raised on bulk and massing grounds are not supported as a ground for withholding permission.

Concern has been expressed regarding the use of a pitched roof to the three storey houses, rather than a valley roof as found to surrounding Victorian terraces. However, the pitched roofs provide a varied roof line and in combination with the flat roof of the two storey house, the development would provide a blend of roof forms which reflect the relatively varied roof forms of neighbouring buildings, which include valley roofs, flat roofs and a pitched roof to one of the Aquila Street blocks.

In terms of footprint, the proposed development would extend 2.5m further forward on the site than the existing garages (reducing the forecourt area from 5.1m to 2.6m) and would extend to the full east/ west length of the site. At the western end this is coupled with a reduction in bulk which provides for a comfortable transition to the neighbouring

garden boundary walls. To the eastern end in Aquila Street the end mews house would extend beyond the front elevation of the block containing No.1-14 Aquila Street. However, it would replicate the building line formed by the side elevation of No.98 St. John's Wood Terrace to the south and therefore there is a sound design rationale for seeking to continue this building line along the eastern side of Aquila Street. This will result in a three storey return elevation adjacent to Nos.7 and 14 Aquila Street and concerns have been raised regarding the risk of crime and anti-social behaviour in the area to the north of the eastern end of the development. However, the garages already form a similar secluded landscaped corner at ground floor level and the proposed development would not materially worsen the existing situation as it would not enclose this area at ground floor level to a materially greater extent than existing.

The detailing and palette of materials proposed has attracted objection for being un-contextual. The scheme proposes the use of yellow/ brown brick as the predominant facing material and this is appropriate given the predominant use of brick in the construction of immediate neighbouring buildings.

The palette of materials is otherwise relatively restrained with dark grey aluminium windows and timber garage and front doors. The majority of the detailing to the houses would be generated by use of the brick in less traditional forms, such as laid in multiple soldier courses. This is not considered to be objectionable as this reflects that the development is conceived as a contemporary interpretation of a traditional mews house form. It also assists in breaking down the bulk and massing of the mews houses. The fenestration proposed, whilst modern in appearance, being a grey aluminium frame, would be dimensioned to echo the sash windows in neighbouring properties to the south and west, which predominantly contain sash windows with a strong vertical emphasis.

Sample panels of the brickwork and other facing materials and details of the key elevational treatments are to be secured by condition to ensure they are appropriate.

In conclusion in design terms, for the reasons set out, the proposed development would not harm the character and appearance of the St. John's Wood Conservation Area. The proposed development would be more prominent within the conservation area, but nevertheless, it is considered to enhance its character and appearance relative to the existing mid 20th Century garages. It would also not harm the setting of adjacent listed buildings. As such, the proposed development would accord with Policies DES1, DES4, DES9 and DES10 in the UDP and Policies S25 and S28 in the City Plan.

15.3 Residential Amenity

8.3.1 Daylight and Sunlight

The applicant has submitted a daylight and sunlight assessment of the proposed development, which assesses its impact on properties at Nos.4-14 St. Ann's Terrace, Nos.98-105 St. John's Wood Terrace (including properties to the rear in Ordnance Mews) and Nos.1-14 Aquila Street (the block directly to the north of the application site) and Nos.23-28 Aquila Street.

The proposed development would not result in a material loss of daylight to any neighbouring windows in neighbouring properties in St. John's Wood Terrace, Ordnance

Mews, St. Ann's Terrace or Nos.23-38 Aquila Street, with any losses of daylight that would occur to windows in properties in these streets limited to levels below the threshold at which the Building Research Establishment (BRE) Guidelines (2011) identify that the loss of daylight would be noticeable.

The only material losses of daylight that would occur using the VSC method of assessment, which the BRE Guidelines identify as the primary method of assessing daylight loss of new development on windows serving existing neighbouring light sensitive uses, would be to five windows serving the lower maisonette in Nos.7-14 Aquila Street, which is located immediately to the rear of the application site.

As a consequence of the additional bulk proposed, the ground floor window to the rear of No.7, adjacent to the boundary with the application site would suffer a material loss of daylight (a reduction of 26% of its existing VSC value). The windows and glazed front door to the front elevation would also suffer material losses of daylight (see Table 1 below). The glazed front door and side light windows are though likely to serve a non-habitable room and furthermore, when assessed without the oversailing first floor above, which the BRE Guidelines allows, the windows would fall within the tolerances of the BRE Guidelines for daylight loss.

Table 1 – Material Losses of Daylight to No.7 Aquila Street using Vertical Sky Component (VSC).

Window Location	Habitable Room	Existing VSC	Proposed VSC	VSC Loss	Ratio
Rear Ground Floor Window	Yes	29.9%	22.2%	4.9	0.74
Front Ground Floor Window	Yes	10.6%	7.4%	3.2	0.7
Front Ground Floor Door/ Sidelight Window	No	3.4%	2.3%	1.1	0.68
Front Ground Floor Door/ Sidelight Window	No	0.3%	0.2%	0.1	0.67
Front Ground Floor Door/ Sidelight Window	No	1.8%	1.3%	0.5	0.72

Consequently, the material losses of daylight would be limited to two windows; namely, the ground floor front and rear windows of the ground and first floor maisonette at No.7 Aquila Street. Given that the material loss to the rear ground floor level window would only be marginally above the 20% VSC loss threshold above which the losses would become noticeable and as the window would continue to receive a good level of daylight, the impact on this window is not so significant so as to justify withholding permission.

The window to the front elevation at ground floor level is over sailed by the upper floor of the maisonette at first floor level and this design feature of the block already reduces the extent of daylight it receives. Given this, and as the windows serving the upper floors of the maisonette would not suffer a material loss of daylight, the overall impact on the maisonette would not be so significant in daylight loss terms so as to warrant withholding permission.

In terms of sunlight loss, the proposed development would not cause any material losses to the windows or gardens of neighbouring properties, save for the neighbouring

maisonette immediately to the north of the site at No.7 Aquila Street. The rear windows would suffer a material loss of sunlight. The proposed development would also increase the overshadowing of the rear garden of this property to a noticeable degree with sunlight availability reduced to less than 0.8 times its former value. Cumulatively the impact on the rear of No.7 Aquila Street and its rear garden would be significant; however, it is considered that the public benefit of the scheme in terms of delivering three additional units would outweigh the harm that would be caused in this instance.

In light of the above considerations the proposed development is considered to be acceptable in terms of its impact on daylight and sunlight and would accord with Policy ENV13 in the UDP and S29 in the City Plan.

8.3.2 Sense of Enclosure

In sense of enclosure terms the occupiers of neighbouring properties on the south side of Ordnance Mews have raised concerns that the development would increase enclosure to their windows to a significant degree. However, the windows of neighbouring properties on the south side of the mews are well set back from the boundary and the proposed development would be set back 2.6m from the northern edge of the highway in Ordnance Mews, such that the cumulative distance between the properties opposite and the proposed development would not be dissimilar to many mews across the City. In this context, whilst there would be an increase in enclosure as a result of the introduction of a two to three storey building, it would not have such a significant impact on neighbouring occupiers to the south of the site so as to justify withholding permission.

The proposed development would be sufficiently distant from neighbouring properties to the east and west so as not to cause a material increase in enclosure to these neighbouring buildings.

The most significant impact would be to the adjoining residential accommodation to the north in Nos.7-14 Aquila Street, as noted by the St. John's Wood Society, who object on this basis. It is acknowledged that the maisonette at No.7 will suffer an increase in the degree of enclosure to its front and rear windows and its rear garden. However in the case of the windows, these are set at 90 degrees to the proposed development and they would therefore retain an otherwise unobstructed outlook. The rear garden would be enclosed by a two, rather than a single storey wall to its southern side. As identified in the preceding section of this report, this will undoubtedly diminish the quality of the amenity space the garden provides; however, the public benefits of the proposed development would outweigh the harm caused to this one existing residential unit. On this basis the proposal is considered to be capable of being supported, despite the material increase in enclosure that would occur, which would ordinarily be contrary to Policy ENV13 in the UDP and S29 in the City Plan.

8.3.3 Overlooking

No windows are proposed in the rear elevation of the development, save for two windows in the north eastern corner, and these are sufficiently distant from the block at Nos.1-14 Aquila Street so as not to cause any significant overlooking.

There are no windows in the side elevations of the development and therefore no significant overlooking would occur to neighbouring properties to either side, provided the degree of enclosure around the terrace at the western end of the development, which is immediately adjacent to neighbouring boundary walls, is improved. Currently only a 1.3m high enclosure is proposed around the terrace and this is insufficient to prevent overlooking to neighbouring windows and gardens. A raised enclosure of not less than 1.7m is to be secured by condition to overcome this concern.

Objection has been raised by neighbours in Ordnance Mews that the proposed development will cause significant overlooking to their properties on the south side of the mews. The closest distance between the front elevation of the proposed development and windows in properties on the south side of the mews will be at least 10m. At this distance, although the windows in the proposed development will be appreciable, they would be sufficiently distant so as not to result in a significant increase in overlooking. The majority of windows facing the application site on the south side of the mews are further back from the front elevation of the proposed development, with the windows in the main rear elevation of the terrace along St. John's Wood Road approximately 18m from the proposed development.

The scheme includes three roof terraces, but all would be small in size and as such they would not be likely to give rise to significant overlooking to neighbouring properties on the south side of the mews given the aforementioned distances to neighbouring windows, nor would their use cause significant noise disturbance to neighbouring occupiers.

8.3.4 Other Amenity Issues

Conditions are recommended to control the amenity impact of the development. The recommended conditions comprise a condition to prevent the future addition of new windows or extensions which may increase enclosure or overlooking to neighbours and to prevent the use of the roofs of the houses as roof terraces, except where terraces are proposed as part of the proposed development.

In conclusion in amenity terms, given the benefits of the scheme, the amenity impacts of the development are acceptable, subject to the recommended conditions.

8.4 Transportation/Parking

The Highways Planning Manager objects to the loss of the existing garages on the basis that their loss is likely to increase the pressure on on-street residents' parking in the vicinity of the site; however, he notes that this objection is on the basis that the existing garages are protected by condition. In this case the garages are not restricted by condition to use by occupiers of adjoining residential properties and they are already used for a number of different purposes and by persons residing or working a range of distances from the application site (see Table 2 below). In addition it is evident from the representations received that at least one of the garages is used solely as storage. In this context, and having regard to the public benefit of providing additional housing on this site, it is not considered that the loss of the garages would have such a demonstrable impact on on-street parking pressure in the immediate vicinity of the site

so as to warrant withholding permission pursuant to Policies STRA25 and TRANS23 in the UDP.

Table 2 – Location of Existing Garage Leasees and Letting Status of Garages.

ID	Occupier Address	Status
1	Aquila Street	Let
2	Aquila Street	Let
3	Ordnance Mews	Let
4	Aquila Street	Let
5	Scott Ellis Gardens	Let
6	Aquila Street	Let
7	Scott Ellis Gardens	Let
8	Cotman House	Let
9	Alma Square	Let

The proposed development would reduce the depth of the forecourt area in front of the new mews houses from 5.1m to 2.6m (measured outside No.3 Ordnance Mews). The applicant has provided vehicle tracking demonstrating that typical sized vehicles will be capable of accessing existing garages and parking areas opposite the site on the south side of the mews using the reduced private forecourt area. The Highways Planning Manager does not object to this aspect of the application, but does note that the manoeuvres required to access the adjacent garages and parking areas would become more difficult. However, this in itself is not a reasonable ground on which to withhold permission; rather a condition is recommended preventing the use of the forecourt area for parking or for any other purpose that would obstruct the forecourt area at any time. Subject to this recommended condition, the proposed development would maintain adequate access to the neighbouring off street residents parking and as such, the proposed development would accord with Policy TRANS23 in the UDP in this regard.

The provision of one car parking space for each of the three houses is considered acceptable and in accordance with Policy TRANS23 in the UDP and therefore objection raised on grounds by the St. John’s Wood Society that less parking should be provided cannot be supported. The Highways Planning Manager is content that the garages would be accessible from Ordnance Mews. The parking spaces are to be secured by condition to provide parking for residents of the development.

The scheme includes cycle parking within the rear of the garages, which would be secure and weather proof. One objection notes that two bicycles would not fit next to each other at the end of the garages; however, they could be overlapped in this location or alternatively one cycle could be wall hung above the other. As such, the location for cycle parking is acceptable and in accordance with Policy 6.9 in the London Plan and the objection raised cannot be supported. A condition is recommended to secure the cycle parking.

The Cleansing Manager does not object to the general strategy of waste storage, with waste stores provided to the front of each house, but asks that the arrangement of the waste and recycling bins within the stores is clarified to ensure compliance with Policy ENV12 in the UDP. It is recommended that these additional details are secured by condition.

Objection has been raised with regard to the impact of the development on the safety and accessibility of Ordnance Mews. In terms of pedestrian safety, pedestrians will continue to be able to walk along the forecourt area, as is currently the case and this will not materially worsen pedestrian safety relative to the existing situation. Similarly the proposed development would not narrow the existing vehicular carriageway and therefore the proposed development would not materially worsen the accessibility of Ordnance Mews for vehicles, including emergency vehicles. Furthermore, the recommended condition preventing obstruction of the forecourt area on the application site will ensure the width of the mews will not be narrowed in future by items such as bollards.

Concerns have been raised that the development may harm the cobbled surface of the mews. However, there is no intention to alter or replace the cobbles and the cost of repairs for any damage caused by construction vehicles will be reclaimed from the developer by the Local Highway Authority.

One objector has concerns about how the fall in the level of the site from west to east will be incorporated into the development. The fall in levels is not though so great so as to preclude the provision of the proposed garages and as such, the precise levels across the forecourt area are to be reserved by condition (as part of the recommended hard and soft landscaping scheme condition).

The proposed development will necessitate occupiers of properties with entrances on the south side of Ordnance Mews to relocate where they leave their bins for collection as they currently place them on the forecourt of the existing garages. However, the existing arrangement relies on the bins being placed on private land outside the ownership of the occupiers of the affected properties and in this context, permission could not reasonable be withheld on the basis that the bins of these properties will need to be left in a less convenient location in Aquila Street.

Concerns have been expressed about the removal/ relocation of the existing heritage lamp post within the mews. Its removal cannot be resisted in design terms given it is not in itself a historic item of street furniture; rather it is a modern lamp in a traditional style. The impact on the lighting level within Ordnance Mews is though of concern given the applicant intends to relocate the existing lamp further to the west. It is unclear at this stage whether the relocation of this street lamp to the location proposed would be acceptable to the local highway authority and therefore a condition is recommended to reserve details of appropriate arrangements to deliver the relocation of the street lamp and/ or the provision of replacement street lighting within the mews. It is recommended that this condition also delivers any necessary highway works to the edge of the existing highway that are necessary to facilitate access to the forecourt of the proposed development.

8.5 Economic Considerations

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

8.6 Access

The forecourt of the proposed development would be level with the existing level of Ordnance Mews and the paving to the forecourt is to be agreed as part of the recommended hard and soft landscaping condition to ensure it is appropriate for persons with disabilities affecting their movement. Due to the limited size of the site, two of the houses, whilst provided with level access, would not have habitable accommodation at ground floor level. The two storey house to the western end of the site would though have two bedrooms and bathrooms at ground floor level that would provide accessible habitable accommodation at ground floor level. Given the constraints of the site this level of accessibility is considered to be acceptable.

8.7 Other UDP/ Westminster Policy Considerations

8.7.1 Tree Impact

It is intended to remove a Plum Cherry tree in the rear garden of No.7 Aquila Street owing to its proximity to the boundary of the site and the Arboricultural Manager does not object to this given its poor condition. The Arboricultural Manager would like to see a replacement tree provided. However, given the limited size and contribution to visual amenity within the conservation area of the existing tree, it is not considered that this is necessary in this instance. The loss of the Plum Cherry tree is therefore not considered to be objectionable and would be compliant with Policy ENV16 and DES9 in the UDP and Policy S38 in the City Plan. However, as the tree is outside of the red line boundary of the application site, a separate tree works application will need to be submitted to secure its removal. An informative advising the applicant of this is recommended.

8.7.2 Biodiversity

The applicant has assessed the impact of the development on wildlife and this includes assessment of the likelihood of bats roosting in the existing garage structures. The assessment concludes that given their condition, the garages are unlikely to provide for bat roosting and therefore their demolition is unlikely to disturb this protected species. An informative is recommended to advise the applicant of the measures to be taken in the unlikely event that roosting bats are discovered.

The submitted Ecological Appraisal and Surface Water Drainage Strategy suggest that a green roof will be provided over the roof of the two storey house at the western end of the site. This is not indicated on the drawings, but the applicant has verbally advised that a green roof is proposed in this location. The provision of a green roof is considered to be necessary on three grounds. Firstly the scheme does not include any substantive soft landscaping and a green roof would mitigate this lack of landscaping; secondly the roof of this lower house will be significantly overlooked and the provision of a green roof would substantially enhance the visual appearance of this large flat roof; and thirdly the green roof is necessary to provide attenuation of water run off as set out in the applicant's drainage strategy. A condition is therefore recommended requiring the

submission of revised drawings showing a green roof on the second floor level flat roof and requiring its provision prior to occupation and its retention thereafter.

8.7.3 Sustainability

As identified in the application documents, the site is in an area of low flood risk and is therefore an appropriate and sustainable location for residential development.

The energy strategy for the development targets compliance with 2013 Building Regulations, primarily through the energy efficiency of the building fabric. Given that this is a non-major development of limited scale this is acceptable and in accordance with Policy S28 in the City Plan. The introduction of photovoltaic panels at roof level has been considered to provide on-site renewable energy but has been discounted in this instance due to the conservation area setting of the development, which includes listed buildings immediately to the west of the site.

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

With the exception of the appropriate arrangement to secure relocation and/ or replace the existing street lamp in Ordnance Mews and associated highway works necessary to form access to the development, which are to be obtained via a Grampian condition (see Section 8.4), no other planning obligations are relevant in the determination of this application.

The proposed development would be CIL liable; however, if built as social rented affordable housing it is likely to be eligible for CIL relief.

8.11 Environmental Impact Assessment

The proposed development is of insufficient scale to require an Environmental Impact Assessment.

8.12 Other Issues

Concerns have been expressed that pigeons nest in neighbouring trees; however, pigeons are not a protected species and as such, the impact of the development on them is not a ground on which permission could reasonably be withheld.

One objector identifies that the existing garages provide useful storage for nearby residents. However, this is not the intended purpose of the garages and there are

alternative storage providers in the St. John's Wood area that provide storage facilities for residents.

Concerns have been raised by more than one objector and the St. John's Wood Society in relation to the level and timing of public consultation that was undertaken by the applicant prior to the submission of the application. The objectors consider that this consultation was not as extensive as is suggested by the applicant's Statement of Community Involvement. Whilst this is regrettable, it is not a ground on which to withhold planning permission. The City Council as Local Planning Authority has consulted widely during the course of the planning application and the consultation exercise undertaken accords with the City Council's 'Statement of Community Involvement for Planning'. The concerns expressed with regard to the applicant's pre-application consultation have been raised with the applicants so they can address these concerns should they consider bringing forward similar proposals elsewhere on their estate.

Objection has been raised on the basis that some of the supporting documents fail to fully recognise that there are residential properties in Ordnance Mews that are accessible from the mews. As set out earlier in this report, officers are fully aware of the location of residential properties on the south side of Ordnance Mews and the impact on these neighbouring properties has been fully considered in the assessment of the application.

Concern has been expressed that the drainage strategy submitted does not identify the existing drain that the objector states runs below Ordnance Mews, as the strategy suggests the development will be directly linked to the drain running below Aquila Street. However, this is not a ground to withhold permission; rather the detailed design of the drains from the development is a building control matter. The possible presence of a drain below Ordnance Mews has been reported to the applicant to assist them with the future detailed design of the drainage from the development.

One objector notes that the current state of repair of the garages is as a result of lack of maintenance by the applicant and should not be a justification for redevelopment. Officers concur that the state of repair should not be a material consideration in the determination of the application and the assessment of the proposed development in this report does not attribute any significant weight to the current condition of the existing garages.

9 BACKGROUND PAPERS

1. Application form.
2. Email from St. John's Wood Society, dated 14 August 2017.
3. Memo from the Cleansing Manager dated 14 August 2017.
4. Memo from the Highways Planning Manager dated 18 August 2017.
5. Email from Building Control dated 22 August 2017.
6. Memo from the Arboricultural Manager dated 23 November 2017.
7. Email from the occupier of 2 Ordnance Mews dated 15 August 2017.
8. Email and attachment from occupiers of 3 Ordnance Mews dated 23 August 2017.
9. Email from the occupier of 10 Cotman House, Charlbert Street dated 31 August 2017

Item No.
1

10. Email from the occupier of 10 Aquila Street dated 15 September 2017.

DRAFT DECISION LETTER

Address: Garages To The Rear Of, Ordnance Mews, London,

Proposal: Demolition of 9 single storey garages and erection of a replacement building comprising two to three storeys for use as 3 dwellinghouses (Class C3).

Plan Nos: 1638-1/A/106/004 (site location plan), 1638-1/A/101/001 (dated 13.02.18), 1638-1/A/101/002 (dated 13.02.18), 1638-1/A/101/003 (dated 13.02.18), 1638-1/A/101/004 (dated 13.02.18), 1638-1/A/102/000 (dated 13.02.18), 1638-1/A/102/001 (dated 13.02.18), 1638-1/A/103/000 Rev.01, 1638-1/A/106/001, 1638-1/A/106/002, Design and Access Statement dated July 2017 (as amended Updated Planning Drawings document dated 13.02.18 and February 2018), Daylight and Sunlight Study dated 20 April 2017, Heritage Statement dated July 2017, Ecological Appraisal dated June 2017, Air Quality Assessment dated April 2017, Statement of Community Involvement dated July 2017, Ground Investigation Report dated May 2017, Surface Water Drainage Strategy dated July 2017, Structural Notes to Accompany Planning Submission dated July 2017, Transport Statement dated 24 July 2017 (Version 4), Acoustic Planning Report dated March 2017, Energy Statement dated 14 June 2017 (Issue 01) and LD-SKE-003 Rev.A (for information only).

Case Officer: Oliver Gibson

Direct Tel. No. 020 7641 2680

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

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

Reason:

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

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

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

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

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

Reason:

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

- 3 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

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

- 4 You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. (C27DB)

Reason:

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

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

- (a) All windows in context with the window surrounds and window reveals.
- (b) All external doors.
- (b) Hit and miss brickwork to roof terraces/ balconies.

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

- 6 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio

antennae on the roof terraces. (C26NA)

Reason:

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

- 7 Except where the drawings here by approved are cross hatched and annotated 'Terrace', you must not use the roofs of the building for sitting out or for any other purpose. You can however use the roofs to escape in an emergency. (C21AA)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 8 You must not form any windows or other openings (other than those shown on the plans) in the outside walls of the building or erect any extensions without our permission. This is despite the provisions of Classes A, B, C and D of Schedule 2, Part 1 to the Town and Country Planning General Permitted Development Order (England) 2015 (or any order that may replace it). (C21EB)

Reason:

To protect the privacy and environment of people in neighbouring properties and protect the appearance of the development and the character and appearance of the St. John's Wood Conservation Area. This is as set out in S25, S28 and S29 of Westminster's City Plan (November 2016) and DES1, DES5, DES6, DES9 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 9 You must apply to us for approval of detailed drawings showing the following alteration to the scheme:

- Provision of a living green roof at second floor level on the flat roof at the western end of the development.

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 and the living green roof must be installed prior to the occupation of the development. Thereafter the green roof must be permanently retained in the approved location. (C26UB)

Reason:

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

- 10 You must provide each car parking space shown on the approved drawings and each car parking space shall only be used for the parking of vehicles of people living in the residential part of this development. (C22BA)
- Reason:
To provide parking spaces for people living in the residential part of the development as set out in STRA 25 and TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R22BB)
- 11 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.
- 12 Notwithstanding the bin stores shown on the drawings hereby approved, you must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately (bins for waste and recycling should be indicated with the letters 'w' and 'r' respectively). You must not start work on the relevant part of the development 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 occupying the dwellinghouses. (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)
- 13 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)
- 14 The ground floor forecourt area to the southern side of the site between the dwellinghouses and Ordnance Mews must not be used to park vehicles and must not be obstructed in any other way at any time.
- Reason:
To ensure that the existing off-street residents parking on the south side of Ordnance Mews remains accessible in accordance with Policies STRA25 and TRANS23 in the Unitary Development Plan we adopted in January 2007.

- 15 **Pre Commencement Condition.** You must not start work on the site until we have approved appropriate arrangements to secure the following:

- Highway works necessary to facilitate access to the development, including relocation and/ or replacement of the existing street lamp column.

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. (C19AB)

Reason:

To make sure that the development provides the planning benefits that have been agreed, as set out in S33 and S41 of Westminster's City Plan (November 2016) and in TRANS2 and TRANS3 of our Unitary Development Plan that we adopted in January 2007. (R19AC)

- 16 You must apply to us for approval of detailed drawings showing the following alteration to the scheme:

- Provision of a privacy screen/ means of enclosure to the side (western) and rear (northern) sides of the roof terrace at first floor level that is not less than 1.7 metres in height above the finished floor level of the terrace.

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 and you must not use the terrace until the means of enclosure we approve has been installed. Thereafter the means of enclosure must be permanently retained in accordance with the approved drawings. (C26UB)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

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

If you remove any trees or find that they are dying, severely damaged or diseased within 5 years of planting them, you must replace them with trees of a similar size and species. (C30CB)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the St. John's Wood Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25,

S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

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 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)
- 3 This permission does not permit the removal of the tree indicated on drawing LD-SKE-003 Rev.A as it is located outside the application site. You will need to make a separate tree works application should you wish to remove the tree.
- 4 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 5 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 6 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.

- 7 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 8 When you carry out the work, you must not intentionally kill, injure or take a bat, or intentionally or recklessly damage, destroy or block access to any structure or place that a bat uses for shelter. These would be offences under the Wildlife and Countryside Act 1981, the Habitats Regulations 1994 and the Countryside and Rights of Way Act 2000. For more advice, please speak to our Biodiversity Project Manager on 020 7641 1951. (I81DA)
- 9 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at:

www.westminster.gov.uk/cil

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

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

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

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

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

- 10 Under condition 15 we are likely to accept a legal agreement under section 106 of the Town and County Planning Act to secure the relocation of the street lamp and/ or its replacement in Ordnance Mews and provision of necessary highway works to facilitate access to the development. 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)
- 11 One or more of the conditions above prevent work starting on the development until you have applied for, and we have given, our approval for certain matters. It is important that you are

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aware that any work you start on the development before we have given our approval will not be authorised by this permission. (I77BA)

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.