

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 22 May 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	104A Park Street, London, W1K 6NG,		
Proposal	Alterations and erection of a two storey front extension at roof level, infilling central lightwell at second floor to new fourth floor level, replacement of single storey rear basement buildings including excavation to create two storey extension, and installation of condensers to roof within an acoustic enclosure; all to provide additional office (Class B1) floorspace.		
Agent	Firstplan		
On behalf of	New Horizon Properties Ltd		
Registered Number	17/08405/FULL	Date amended/ completed	19 September 2017
Date Application Received	19 September 2017		
Historic Building Grade	Unlisted		
Conservation Area	Mayfair		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The site comprises an unlisted mid-terrace building of basement, ground and three upper floors, all in office use. Both neighbouring properties are also in office use. At the rear, the site backs onto the blank wall of a residential block. The front part of the building is lower than the rear part of the building. The site is situated within the Mayfair Conservation Area.

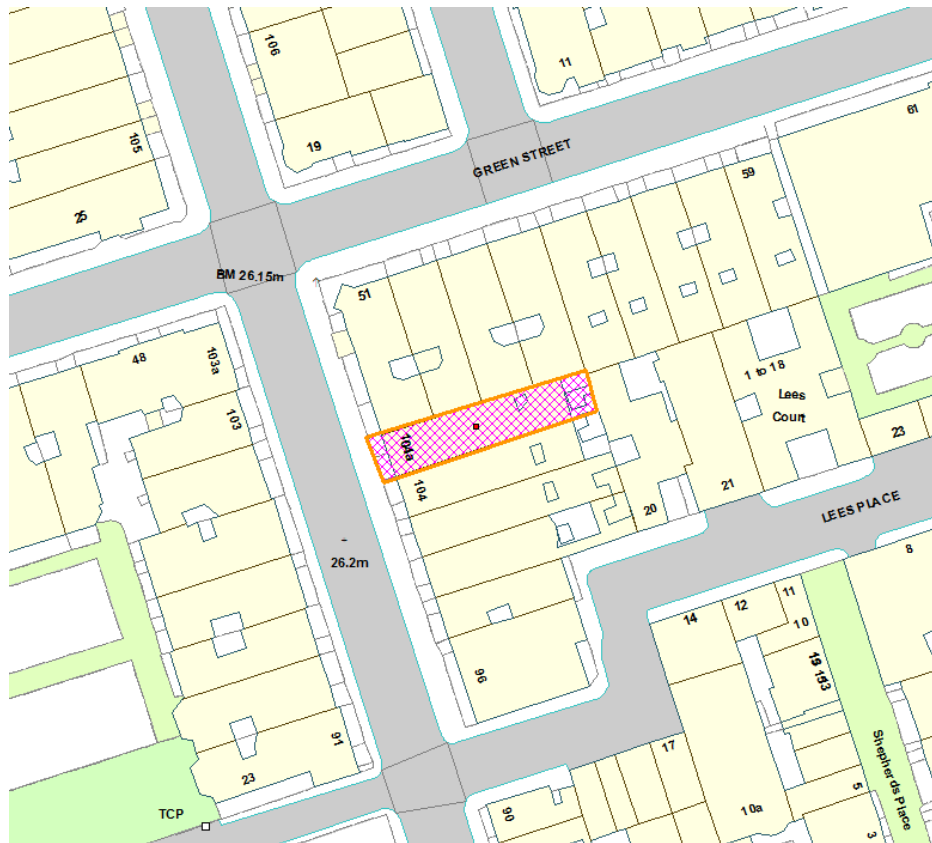
Permission is sought for erection of a two storey front extension, this will allow the building to match the adjoining building at No.104. The existing internal lightwell will be infilled to new roof level and two air condenser units within an acoustic enclosure are proposed at roof level. Permission is also sought for the excavation under the rear courtyard by 1.8m to allow for the erection of a two-storey building to the rear over lower ground and ground floor level. However, the height of the extension will not be higher than the existing rear buildings.

The key issues for consideration are:

- The impact of the extensions on the character and appearance of the Mayfair conservation area;
- and

- The impact of the proposals on the amenity of surrounding properties.
The proposals are considered to be in line with the policies set out in the Unitary Development Plan (UDP) and Westminster's City Plan (City Plan) and the application is recommended for approval.

3. LOCATION PLAN



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Item No.

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4. PHOTOGRAPHS

Application site



5. CONSULTATIONS

RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S

Any response to be reported verbally.

ENVIRONMENTAL HEALTH

No objection.

CROSS LONDON RAIL LINKS LTD

No objection.

BUILDING CONTROL

No objection

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 27

Total No. of replies: 2

No. of objections: 2 letters of objection from the same building, raising the following:

Amenity

- Daylight and sunlight report has not been submitted with the application and the proposals will lead to a loss of light

Basement

- The submitted basement impact assessment does not take into account the Crossrail tunnels under the site

Other

- Neighbour letters were not received at the property;
- concern raised to the wording and implementation of a construction management plan
- The uplift in floorspace is over 100sqm therefore a SEMP is required
- method for the disposal of foul sewerage is not defined in the application form

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

This is an unlisted mid terrace building. The front part of the building comprises lower ground, ground and three upper floors, the middle section of the building is one storey taller, with the rear part comprising of buildings at lower ground floor level only.

The site is located close to the junction with Green Street and the nearest residential is located within 52 Green Street.

The site is within the Core CAZ and the Mayfair Conservation Area.

6.2 Recent Relevant History

Planning permission was granted on 7 May 2014 for alterations and erection of a two storey front extension at roof level, infilling central lightwell; and replacement of single storey rear basement buildings with a two-storey extension. All to provide additional office (Class B1) floorspace. This permission has not been implemented.

Planning permission was granted on 12 November 2010 for an extension of time for the commencement of development granted planning permission on 26 November 2007 (extant permission: RN: 07/07891); namely, alterations and erection of two storey front extension at roof level; infilling of central lightwell; replacement of single storey rear basement buildings with a two storey extension, all in connection with the office use. This permission was not implemented.

Planning permission was granted on 26 November 2007 for alterations and erection of two storey front extension at roof level; infilling of central lightwell; replacement of single storey rear basement buildings with a two-storey extension, all in connection with the office use. This permission was not implemented.

Planning permission was granted on 6 May 1999 for extension at 4th floor level and alterations to rear basement area for office use. This permission was not implemented.

7. THE PROPOSAL

Permission is sought for alterations and erection of a two storey front extension at roof level, infilling central lightwell at second floor to new fourth floor level, replacement of single storey rear basement buildings including excavation to create two storey extension, and installation of condensers to roof; all to provide additional office (Class B1) floorspace.

Planning permission was granted in 2007 and then extended in 2010 and 2014 for alterations and erection of two storey front extension at roof level; infilling of central lightwell; replacement of single storey rear basement buildings with a two storey extension, all in connection with the office use.

There are a number of design alterations sought to the 2014 scheme, including the following:

- the addition of rooflights to rear ground floor roof; and
- installation of air conditioning units roof level within an acoustic enclosure.

The proposal includes the lowering of the existing lower ground floor level by 1.8m to allow for two levels to the rear, while maintaining the height of the existing lower ground floor extension. Two rooflights are proposed to provide natural light to the lower floors. The two storey roof extension to the front of the building will match the height and detailed design of the existing buildings in this part of Park Street. The existing lift will be extended to meet the new floor levels. It is proposed to install air conditioning within an acoustic enclosure at new roof level between the roof pitches.

The proposal will result in an increase in office floorspace of 128sqm.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Office floorspace

The proposal will result in an increase of 128sqm of office floorspace. This increase complies with City Plan Policy S20, which aims to increase the amount of office floorspace within the Core CAZ.

8.2 Townscape and Design

The roof extension would closely follow the design of the neighbouring property at No.104. Without the proposed extension this end of the street appears as a rather disjointed group and it is unusual that the application property was built in this way. Therefore the belated addition of the front gable is uncontentious in terms of UDP Policy DES6 which controls roof extensions, as long as the detailed design and materials are of sufficient quality - which can be controlled by conditions.

It is therefore considered that the addition of the new front gable of brick and stone with timber windows to the front elevation of this turn of the century building will be an improvement and will enhance the character and appearance of the Mayfair conservation area.

The proposed rear extension is similarly uncontentious in design terms, not being readily visible in public views and replacing a ramshackle collection of extensions.

The proposed extension within the lightwell would be largely invisible and therefore not contentious in design terms.

8.3 Residential Amenity

The proposal include a two storey extension to the front elevation. The existing lift will be extended to the new floor levels. There is an existing internal lightwell on the boundary with the neighbouring office building at No.104. The lightwell serving No.104 has been partially infilled to accommodate a lift. It is proposed to infill the existing lightwell to create additional office floorspace. Objections have been received from the office occupiers of No.104 on the grounds that there will be a loss of light to their windows as a result of the infilling of the lightwell. A daylight report has not been submitted with the planning application, but it is not considered that one is necessary.

UDP Policy ENV13 is primarily designed with regard to residential accommodation, the City Council may apply them to other uses, such as schools and other activities where loss of daylight/sunlight may prejudice the present use of the premises. The adjoining building is in use as offices and it appears that there is one user for the whole building, the light received by the windows in lightwell is already compromised due to the location within a lightwell and by the existing lift serving the office space. As the main windows on the front and rear elevations are not affected by the proposals, it is not considered that the objections on the loss of light are sustainable to justify a reason for refusal. A

condition is recommended to ensure that the lightwell elevation is painted white to increase reflectivity to the neighbouring building.

8.4 Transportation/Parking

The increase in office floorspace does not raise any highway implications.

8.5 Economic Considerations

Any economic benefits generated by the proposal are welcomed.

8.6 Access

The stepped access to the building will remain as existing as there are no proposed changes to the front ground floor. Due to the scale of the works this is considered acceptable.

8.7 Other UDP/Westminster Policy Considerations

Plant

Two air conditioning units are proposed at roof level, within an acoustic enclosure. An acoustic report has been submitted with the application and environmental health has no objection to the proposal on noise nuisance grounds, subject to the City Council's standard noise conditions.

8.8 London Plan

This application raises no 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 proposal is of an insufficient scale to require an Environmental Impact Assessment.

8.12 Other Issues

Basement

The proposal includes the excavation under the existing buildings at rear lower ground floor level by 1.8m. Objections have been received submitted basement impact report on the basis that the report does not take into account the proposed Crossrail lines under the site.

City Plan Policy CM28.1 does not restrict the size or the depth of basements within the Core CAZ and requires that basement development be accompanied by a detailed structural methodology statement and a signed proforma Appendix A which demonstrates that the applicant will comply with relevant parts of the COCP. These have been submitted.

Crossrail Ltd have been consulted on the planning application, and they have no objection to the scale of the proposed basement development. It is considered that the scale of the works are modest and the objections on the grounds that the proposed basement will interfere with the Crossrail lines are not considered to be justified.

Part C (c) of the policy states that basement development to non-residential development adjoining residential properties where there is potential for an impact on those adjoining properties outside Core CAZ; will not involve the excavation of more than one storey below the lowest original floor level. Therefore, as the site is located within the Core CAZ, the excavation of more than one basement level complies with this section of the policy.

This impact of basement excavation is at the heart of concerns expressed by residents across many central London Boroughs, heightened by well publicised accidents occurring during basement constructions. Residents are concerned that the excavation of new basements is a risky construction process with potential harm to adjoining buildings and occupiers. Many also cite potential effects on the water table and the potential increase in the risk of flooding.

Studies have been undertaken which advise that subterranean development in a dense urban environment, especially basements built under existing vulnerable structures is a challenging engineering endeavour and that in particular it carries a potential risk of damage to both the existing and neighbouring structures and infrastructure if the subterranean development is ill-planned, poorly constructed and does not properly consider geology and hydrology.

While the Building Regulations determine whether the detailed design of buildings and their foundations will allow the buildings to be constructed and used safely, the National Planning Policy Framework March 2012 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by land instability.

The NPPF goes on to state that in order to prevent unacceptable risks from land instability, planning decisions should ensure that new development is appropriate for its location. It advises that where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

The NPPF advises that planning decisions should ensure that a site is suitable for its new use taking account of ground conditions and land instability and any proposals for mitigation, and that adequate site investigation information, prepared by a competent person, is presented.

Officers consider that in the light of the above it would be justifiable to adopt a precautionary approach to these types of development where there is a potential to cause damage to adjoining structures.

To address this, the applicant has provided a structural engineer's report explaining the likely methodology of excavation. Any report by a member of the relevant professional institution carries a duty of care, which should be sufficient to demonstrate that the matter has been properly considered at this early stage.

The purpose of such a report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the site, existing structural conditions and geology. It does not prescribe the engineering techniques that must be used during construction which may need to be altered once the excavation has occurred. The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act.

This report has been considered by our Building Control officers who advised that the structural approach appears satisfactory. We are not approving this report or conditioning that the works shall necessarily be carried out in accordance with the report. Its purpose is to show, with the integral professional duty of care, that there is no reasonable impediment foreseeable at this stage to the scheme satisfying the building regulations in due course. This report will be attached for information purposes to the decision letter. It is considered that this is as far as we can reasonably take this matter under the planning considerations of the proposal as matters of detailed engineering techniques and whether they secure the structural integrity of the development and neighbouring buildings during construction is not controlled through the planning regime but other statutory codes and regulations as cited above. To go further would be to act beyond the bounds of planning control.

Flood Risk

The existence of groundwater, including underground rivers, has been researched and the likelihood of local flooding or adverse effects on the water table has been found to be negligible. However, the proximity of the hidden River Tyburn close to the site's eastern boundary, will mean careful excavation will be needed to ensure it is not damaged.

Construction impact

Objections have been received from the neighbouring office occupiers on the grounds to the lack of a construction management plan, they also state that as the proposal will result in additional floorspace of over 100sqm, a SEMP is also required. The objectors comment that the CMP should include details on the hours of works, how the footpaths will be treated, the traffic implications etc. Planning permission cannot reasonably be withheld on these grounds.

Prior to June 2016, CMP's would have been secured by planning condition, however, this is now covered by the Code of Construction Practice (COCP) and the Environmental Inspectorate. The COCP categorise developments into three levels, this scheme is a Level 3 development. Level 3 developments are not generally required to prepare a SEMP or CMP. In response to the objectors comment regarding schemes of over 100sqm requiring a SEMP, this is not correct, schemes over 1000sqm require a SEMP.

However, this does not alter the need for all projects to comply with the relevant legislation covering construction impacts or to be considerate of the impacts their activities may have on neighbours. It is important to note that planning have no role in determining what goes into the Code of Construction nor will it enforce compliance, this will exclusively be dealt with by the Environmental Inspectorate.

Hours of building and excavation work will be secured by condition. Therefore, it is considered that the concerns from objectors about the construction process are fully addressed.

Objections have been received to the lack of consultation letters received at the property. The City Council has no control over the posting of the consultation letters and it is unfortunate that some of these letters were not received. As further information was received during the course of the application, a further consultation letter was sent to the objectors property which was received as a further objection from that property has been received.

9. BACKGROUND PAPERS

1. Application form
2. Responses from Environmental Health, dated 3 October 2017 and 12 October 2017
3. Response from Building Control, dated 11 April 2018
4. Response from Crossrail Ltd, dated 3 May 2018
5. Letters from occupier of 104 Park Street, London, dated 26 October and 27 March 2018

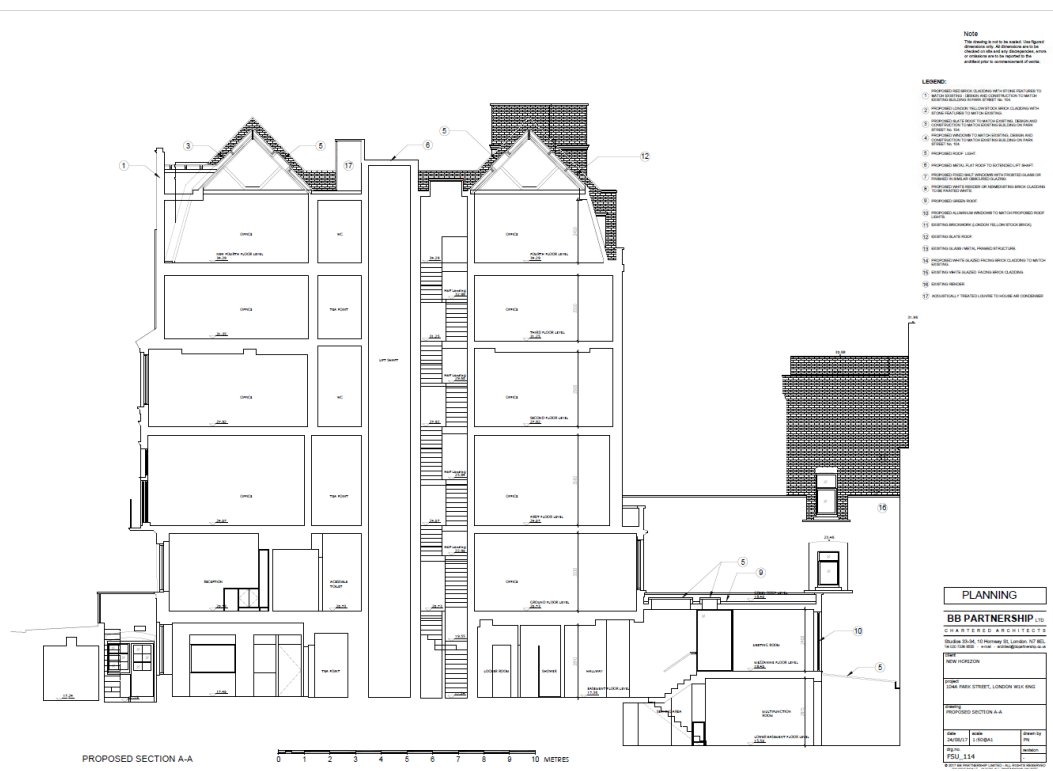
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: HELEN MACKENZIE BY EMAIL AT hmackenzie@westminster.gov.uk

Existing section AA



Proposed section AA



DRAFT DECISION LETTER

Address: 104A Park Street, London, W1K 6NG,

Proposal: Alterations and erection of a two storey front extension at roof level, infilling central lightwell at second floor to new fourth floor level, replacement of single storey rear basement buildings including excavation to create two storey extension, and installation of condensers to roof within an acoustic enclosure; all to provide additional office (Class B1) floorspace.

Reference: 17/08405/FULL

Plan Nos: FSU_109, FSU_110, FSU_111, FSU_112, FSU_113, FSU_114, FSU_115, FSU_116, Basement risk assessment and method statement (INFO ONLY)

Case Officer: Helen MacKenzie

Direct Tel. No. 020 7641 2921

Recommended Condition(s) and Reason(s)

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

Reason:

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

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
- o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and
 - o not at all on Sundays, bank holidays and public holidays.
- You must carry out piling, excavation and demolition work only:
- o between 08.00 and 18.00 Monday to Friday; and
 - o not at all on Saturdays, Sundays, bank holidays and public holidays.
- Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

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

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

Reason:

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

- 4 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

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

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

Reason:

To protect the environment of people in neighbouring properties and the appearance of the site. This is in line with S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7, DES 5 and DES 6 of our Unitary Development Plan that we adopted in January 2007. (R13CC)

- 6 The plant/machinery hereby permitted shall not be operated except between 07.00 hours and 23.00 hours daily.

Reason:

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

- 7 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)

- 8 You must apply to us for approval of details of the following parts of the development:
1. Samples of the new windows
 2. Sections and elevations at 1:20 and 1:10 through the proposed stonework.
- You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these details. (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 Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 9 The window in the proposed rear extension shall be permanently fixed shut and shall be finished in obscured glazing

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)

- 10 You must paint the lightwell elevation white. You must then keep it in that condition. (C26HA)

Reason:

To increase the reflectivity to the adjoining premises.

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 carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work. Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974. 24 Hour Noise Team, Environmental Health Service, Westminster City Hall, 64 Victoria Street, London, SW1E 6QP Phone: 020 7641 2000. Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)
- 3 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:
- * Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;
 - * This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant. Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm. It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.
- 4 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained. Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following:
- * Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings;
 - * Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase;
 - * Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained;
 - * Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the centre of particularly wide staircases where necessary;

- * Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.
- 5 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.
- * Window cleaning - where possible, install windows that can be cleaned safely from within the building.
 - * Internal atria - design these spaces so that glazing can be safely cleaned and maintained.
 - * Lighting - ensure luminaires can be safely accessed for replacement.
 - * Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission). More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm. Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)
- 6 Conditions 3 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 7 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 8 This permission is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council and as a consequence we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.
- 9 With reference to condition 7 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. 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

- 10 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.**

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.