

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 11 December 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Knightsbridge And Belgravia	
Subject of Report	16-19 Montpelier Mews, London, SW7 1HB		
Proposal	Demolition of existing buildings and construction of a four storey building with basement to provide eight residential units (3 x 1-bedroom, 3 x 2-bedroom and 2 x 3-bedroom) (Class C3). Provision of air-conditioning units on the first floor external roof of the proposed building.		
Agent	Daniel Watney LLP		
On behalf of	Cheval Property Management Ltd		
Registered Number	18/05866/FULL	Date amended/ completed	12 July 2018
Date Application Received	12 July 2018		
Historic Building Grade	Unlisted		
Conservation Area	Knightsbridge		

1. RECOMMENDATION

Grant conditional permission

2. SUMMARY

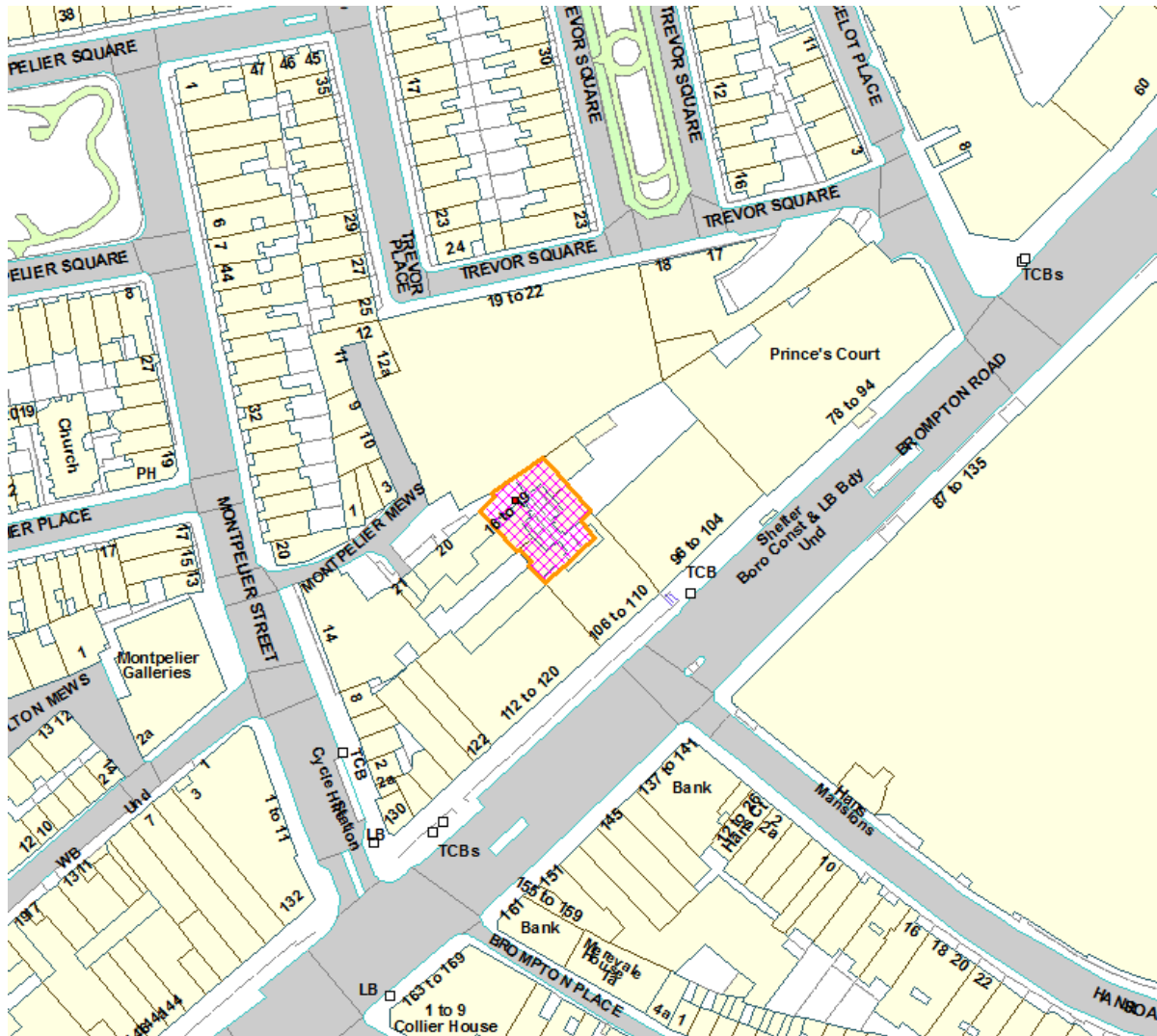
The application relates to a site in an enclosed corner of Montpelier Mews within the Knightsbridge Conservation Area. Permission is sought to demolish the existing four two-bedroom semi-detached houses and construct a four storey building with basement to provide eight residential units (3 x 1-bedroom, 3 x 2-bedroom and 2 x 3-bedroom) (Class C3). The application includes the provision of air-conditioning units on the first floor external roof of the proposed building.

The key issues for the application are:

- The impact on the amenity of neighbouring properties;
- The impact on the character and appearance of the Conservation Area.
- The impact of the proposals on the surrounding highway network.

The proposed development is considered acceptable in land use, design, highways and amenity terms and would accord with policies within the Unitary Development Plan (UDP), Westminster's City Plan: Strategic Policies (City Plan) and the Knightsbridge Neighbourhood Plan (KNP). As such, it is recommended that conditional planning permission is granted.

3. LOCATION PLAN



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4. PHOTOGRAPHS



View of 16-19 Montpelier Mews in the foreground with 17-22 Trevor Square behind and 20-21 Montpelier Mews on the left.

5. CONSULTATIONS

ENVIRONMENT AGENCY

Any comments to be reported verbally.

KNIGHTSBRIDGE NEIGHBOURHOOD FORUM

Any comments to be reported verbally.

KNIGHTSBRIDGE ASSOCIATION

Concern that proposals are an overdevelopment and will seriously harm the character of the mews and of this part of the Knightsbridge Conservation Area. Development proposals would lead to problems caused by size and number of construction vehicles and an unacceptable increases in vehicular servicing and accessing the additional residential units.

WASTE PROJECT OFFICER

No objection, subject to condition to secure a revised plan indicating proposals for the storage of residual waste and recyclable materials. (Revised lower ground floor plan has been submitted).

HIGHWAYS PLANNING MANAGER

No objection, subject to details of cycle parking. (Cycle parking rack specifications have subsequently been submitted). Any additional on-street parking generated by the proposal can be absorbed into the surrounding street network.

ENVIRONMENTAL HEALTH

No objection, subject to standard conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 64

Total No. of replies: 2

No. of objections: 2

Two letters of objection from residents on Montpelier Mews raising concerns on the following grounds:

Design

- Proposed bicycle store is 'surprisingly dull' and number of bikes is excessive.
- Impact of additional traffic movements on the character of the conservation area.
- 'Cuckoo' in the mews 'nest' as can only be accessed via a narrow 3m wide opening.

Amenity

- Noise from mechanical plant.
- Pollution from additional vehicles.

Highways

- Increase in traffic, taxis and delivery vans obstructing free access throughout the mews.

Other

- Impact of construction vehicle movements on the mews, particularly with such restricted access.
- Disruption from estimated 18 months of construction process and cumulative effect with other developments which come forward.
- Construction Method Statement can only go so far.
- Waste storage will be in basement of site.
- Half of the mews is privately demised and how will unimpeded access to these properties be maintained.
- No room to park or access properties during construction.
- Why can't the existing buildings not be refurbished and maintained.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application relates to a group of four two-storey modern 'mews' dwellings set around a series of semi-private / shared courtyard spaces. They dwelling were built in the 1980s in an enclosed corner of Montpelier Mews. This site located in the Core Central Activities Zone (CAZ), the Knightsbridge Conservation Area and in the Knightsbridge Neighbourhood Forum Area. The former Harrods depository is located to the north of the site.

6.2 Recent Relevant History

Planning permission was granted in September 1987 (RN: 86/04546/FULL) for the demolition of existing buildings demolition of existing buildings and new mixed development for retail, offices and four houses and one maisonette at 112 - 120 Brompton Road and 14-18 Montpelier Mews.

7. THE PROPOSAL

Planning permission is sought to demolish the existing four two-bedroom semi-detached houses and construct a four storey building with basement to provide eight residential units (3 x 1-bedroom, 3 x 2-bedroom and 2 x 3-bedroom) (Class C3). The application includes the provision of air-conditioning units on the first floor external roof of the proposed building. A standalone cycle store is proposed within Montpelier Mews.

The proposals would result in an increase in residential (Class C3) floorspace at the site as set out below:

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Residential (Class C3)	339.50	848	+508.5

8. DETAILED CONSIDERATIONS

8.1 Land Use

Residential use

Policy S14 states that the council will work to achieve and exceed its borough housing target set out in the London Plan. Residential use is the priority across Westminster except where specifically stated. The additional residential floorspace is therefore welcomed in policy terms.

The existing and proposed units and percentage of family-sized units are set out below.

	No. of bedrooms			Total No. of units	% family-sized
	1-bed	2-bed	3 bed		
Existing units		4		4	0%
Proposed units	3	3	2	8	25%

Unitary Development Plan policy H5 seeks to ensure that an appropriate mix of unit sizes is achieved in all housing developments. At 25% the proposed mix of residential units falls short of the policy requirement for a third to be family sized (3 or more beds), however due to the constraints presented by the site and the form of the proposed building, it is not feasible to accommodate any further three bedroom units, it is recognised that the proposed mix would be an improvement on the existing situation.

The flats are consistent with the minimum residential space standards for new development as set out in the Technical Housing Standards - Nationally Described Space Standard (2015). Each unit benefits from private amenity space in the form of a balcony, with the exception of the family unit at lower ground floor which benefits from a private garden. The quality of accommodation proposed is considered acceptable.

8.2 Townscape and Design

The application relates to a group of four two-storey modern 'mews' dwellings in an enclosed corner of Montpelier Mews, within the Knightsbridge Conservation Area. The buildings are not listed, nor are they of any real architectural merit.

There are no listed buildings close enough to be affected by the site. The existing buildings' primary contribution to the surrounding conservation area is one of neutrality,

sitting quietly between the much larger buildings which otherwise now characterise the surrounding area.

The principle of the redevelopment of the site, demolishing the existing buildings would cause no harm to the character or appearance of the conservation area and is considered acceptable.

The proposed new development would be notably larger than the existing, comprising of five storeys from lower ground to third floors. From the north, four above-ground storeys would be presented to Montpelier Mews, whilst to the south, the lower ground floor also would be visible so presenting five storeys to view.

The proposed building has been designed to sit below the eaves of the adjacent 20 Montpelier Mews, a further modern building which dominates the southern side of the mews and which is the main visual screen for the site. The lower height ensures that the proposed building sits comfortably within the corner plot, surrounded by taller developments.

The building would be constructed in brick in a simple modern style with large punched windows. The proposed eight flats within are laid out to face southwards with fewer windows facing north and none facing east. The communal stair would be placed to the north-east corner facing the former Harrods Depository and slightly projecting from the northern wall line to enclose a new entrance courtyard which would be concealed behind a full height privacy screen. The proposed screen would be constructed of metal fins to ensure adequate ventilation to the plant area behind. The proposed finish of the fins is to be anodised aluminium to match the proposed window frames.

Whilst the proposals would represent a significant increase in scale and bulk when compared with the existing houses, its position set well within a gap back from the main mews and largely screened by the larger, surrounding buildings, means that it would have a largely neutral effect on the character and appearance of the conservation area. The design of the building is also considered to be of a high quality appropriate to the current context of the site.

Subject to the proposed conditions, the proposals would comply with relevant local and national policies and guidance, in particular DES1, DES 5, DES 9 of the UDP, KBR1 and KBR9 of the KNP, and Chapters 12 and 16 of the NPPF (2018).

8.3 Residential Amenity

Policies S29 of the City Plan and ENV 13 of the UDP seek to protect residential amenity in terms of light, privacy, sense of enclosure, outdoor space and encourage development which enhances the residential environment of the surrounding properties.

Sense of Enclosure/ Privacy

The application site is enclosed by buildings in office use to the south and east, at Montpelier House and One Hundred Brompton, and residential flats to the north and west at 17-22 Trevor Square and 20-21 Montpelier Mews, the latter of which the proposed development will adjoin.

The drawings indicate that the northern-most aspect of the proposed development will be approximately 3m from 17-22 Trevor Square at its nearest point, however this will be the fins of the rear screen which will be approximately 4m higher than the ground floor level of the outside area at 17-22 Trevor Square.

Although this will result in increased enclosure to the external access walkway at this point, the two closest windows within the neighbouring building serve a single bedroom, and it is apparent from photographs taken at a site visit that the larger of these windows will look directly past the new development, glimpsing the screen only obliquely. The other window though having a direct outlook towards the screen is smaller and appears to act in supplementing the larger window in providing outlook to the bedroom. No objections have been received from the occupier of this flat.

Two windows on the top (third floor) level of the proposed development will face towards the southern most aspect of 17-22 Trevor Square, however given the angle and set back between the two sites these are not considered to raise significant concern in terms of privacy. It is considered that there would not be an unacceptable sense of enclosure or loss of privacy concerns arising as result of the proposed development that would be sufficient to justify refusing permission.

Sunlight and Daylight

The submitted Daylight and Sunlight information concludes that the proposals will comply with the BRE's vertical sky component (VSC) guidelines, and are compliant with the BRE guidelines in all other regards (with any transgressions falling within the guideline's permissible values), with the exception of two windows serving a single bedroom of a flat on the ground floor (as viewed from the rear) of the development at 17-22 Trevor Square.

These windows would experience VSC losses beyond the levels recommended in the BRE guidelines at 23% and 34%. The reductions are only marginally below what is permissible under the BRE guidelines and appear to largely arise as a result of the fact that one of the windows is located very close to the site boundary meaning that it currently receives a good share of light from across the application site, and the other window is set beneath a balcony, which blinkers the available light from above.

In terms of NSL, the bedroom served by these windows will satisfy the suggested numerical targets set out in the BRE guidelines, with the NSL result showing a fractional change in visible sky only. The proposals are fully complain in terms of sunlight.

On balance given the benefits of providing a net increase of four residential units this marginal daylight loss, which will not prejudice the use of the room as a bedroom, is considered acceptable. No objections have been received from the affected occupier.

Subject to conditions, the proposals are considered to be in line with policies S29 of the City Plan and ENV13 of the UDP.

8.4 Transportation/Parking

Objectors state that the proposals would lead to increased traffic in the area, with taxis and delivery vans obstructing free access throughout the mews.

Policy KBR29 states that proposals that are likely to generate significant transport movements should demonstrate no significant adverse impacts on:

- a. air quality
- b. road safety
- c. the pedestrian environment and movement
- d. cycling infrastructure;
- e. disabled access; and
- f. the street network

Policy TRANS 23 states that where the on street parking threshold in an area is over 80% then this will result in an unacceptable level of deficiency and increase parking stress in the area. The day time parking occupancy of residential parking bays within a 200m radius of the site is 73%. The night time parking occupancy of residential parking bays within a 200m radius of the site is 60%.

Parking pressures in this area is therefore below the stress level and therefore the development is not inconsistent with the aims of the City Council's policy TRANS 23 (B) and (D). The Highways Planning Manager considers that the any additional on street parking generated by the four additional units is likely to be absorbed into the surrounding street network.

Additional information has been sought with regard to cycle parking. Fourteen cycle parking spaces are proposed in a dedicated bike store, which meets the requirements of the London Plan in this regard. A conditions is recommend to secure the cycle store.

The proposed development is accessible to a number of local facilities and transport connections. Montpelier Mews is a private road and not a public highway. Given that the development would only result in the creation of a net additional four units, the proposals are not considered to detrimentally impact on the operation of the local road network or highway safety during operation or result in a material increase in trips to result in a harmful impact upon amenity sufficient to withholding planning permission.

8.5 Economic Considerations

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

8.6 Access

The development has been designed to conform with Part M of the Building Regulations and would be DDA compliant.

8.7 Other UDP/Westminster Policy Considerations

None relevant.

8.8 Westminster City Plan

The City Council is currently working on a complete review of its City Plan. Informal consultation on the first draft of Westminster's City Plan 2019-2040 started on Monday

12th November 2018 and will close on Friday 21st December 2018. Following this informal consultation, any representations received will be considered and the draft plan will be revised in advance of formal consultation under regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012. Given the very early stage of the consultation process and having regard to the tests set out in para. 48 of the NPPF, the policies of the emerging draft City Plan are given little to no weight at the present time.

8.9 Neighbourhood Plans

The Knightsbridge Neighbourhood Plan includes policies on a range of matters including character, heritage, community uses, retail, offices, housing, cultural uses, transport and the environment. It has been through independent examination and supported at referendum on 18 October 2018, and therefore now forms part of Westminster's statutory development plan. It will be used alongside the council's own planning documents and the Mayor's London Plan in determining planning applications in the Knightsbridge Neighbourhood Area. Where any matters relevant to the application subject of this report are directly affected by the policies contained within the neighbourhood plan, these are discussed elsewhere in this report.

8.10 London Plan

This application raises no strategic issues.

8.11 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.

Further to the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the City Council cannot impose a pre-commencement condition (a condition which must be discharged before works can start on site) on a planning permission without the written agreement of the applicant, unless the applicant fails to provide a substantive response within a 10 day period following notification of the proposed condition, the reason for the condition and justification for the condition by the City Council.

During the course of this application a notice was served relating to the proposed imposition of a pre-commencement condition to secure the applicant's adherence to the City Council's Code of Construction Practice during the demolition/excavation and construction phases of the development. The applicant has agreed to the imposition of the condition.

8.12 Planning Obligations

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

The estimated CIL payment is £371,311.95, which is made up of £334,371.59 Mayoral CIL and £39,940.36 Westminster CIL.

8.13 Environmental Impact Assessment

The proposed development is of insufficient scale to require an Environmental Impact Assessment. Where relevant, the environmental impact of the development has been assessed in earlier sections of this report. The applicant has agreed to the addition of a biodiverse roof at main roof level. As well as providing benefits to local biodiversity it will also mitigate surface water run-off. It is recommended that details of the roof treatment and maintenance be secured by condition.

8.14 Other Issues

Construction Impact

Objections have been raised on the grounds of noise, disturbance, issues of access and pollution created by the construction impact.

Policy KBR22 of the Knightsbridge Neighbourhood Plan states that proposals should be designed in a way that minimises their impacts on amenity, public health and the environment through dust and emissions, light pollution, noise and vibration during deconstruction and construction.

Concerns have been raised by objectors relating to disruption resulting from the movement of construction vehicles during the building works.

The Code of Construction Practice was published in July 2016 and is designed to monitor, control and manage construction impacts on sites throughout Westminster. It applies to all major developments from September 2016. As the proposals are for change of use and refurbishment of the building, it is considered that the number of construction vehicles will be less than could be expected for a major development. The application does not fit into the Council's Code of Construction Practice scheme given the extent of works proposed.

Informatives have been added to encourage the applicant to join the nationally recognised Considerate Constructors Scheme and to keep neighbours informed about unavoidable disturbance such as noise and traffic disruption.

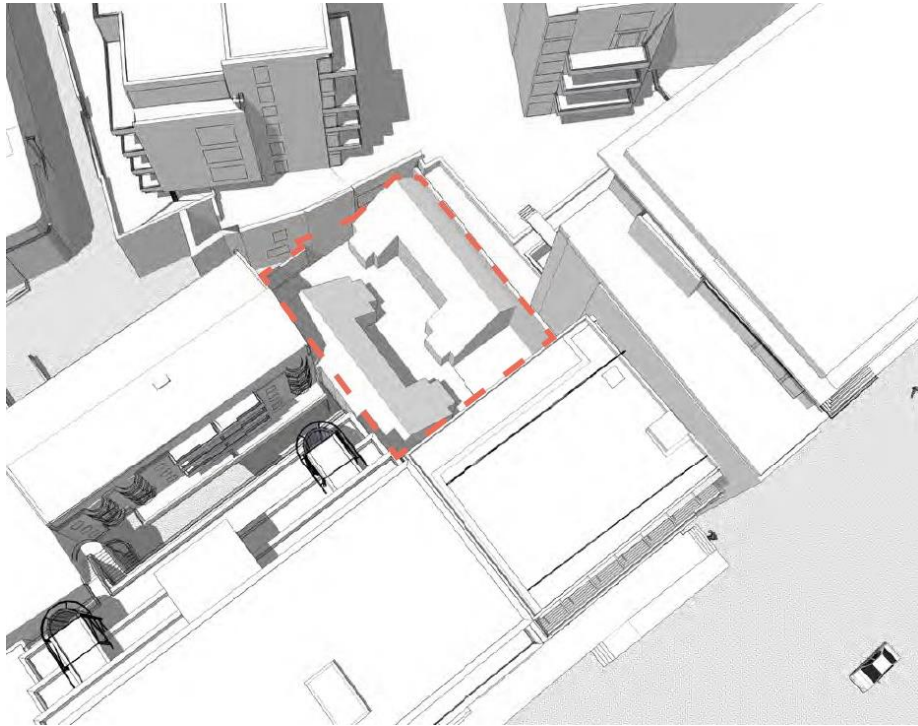
A condition has been added restricting any building work which can be heard at the boundary of the site to between 08.00 and 18.00 Monday to Friday, between 08.00 and 13.00 on Saturday and not at all on Sundays, bank holidays and public holidays. Piling, excavation and demolition work is restricted to between 08:00 and 18:00 Monday to Friday and will not be carried out on Saturdays, Sundays, bank holidays and public holidays.

Accordingly, the proposals are considered to be in accordance with KBR22 of the KNP.

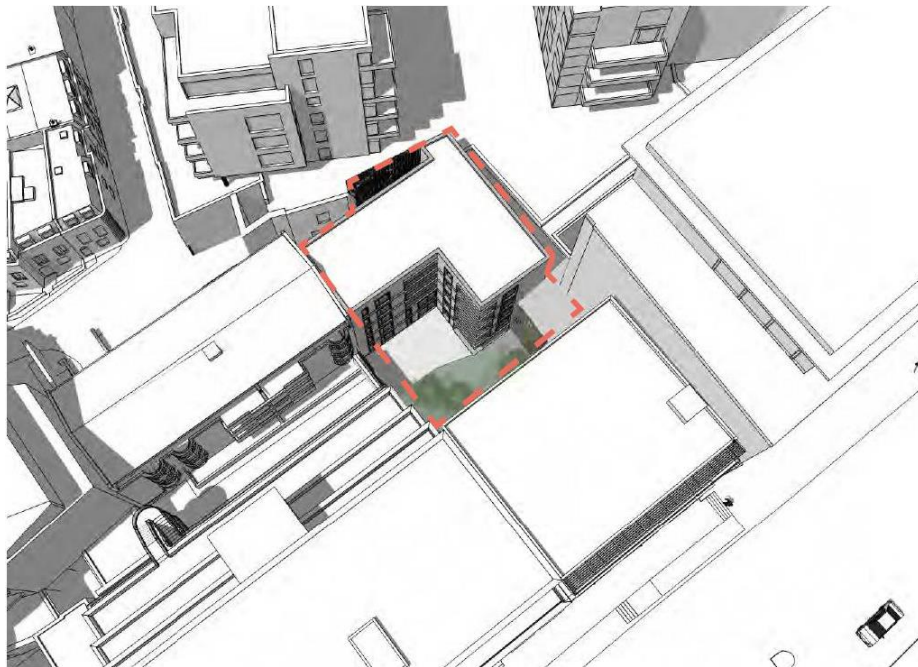
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: VINCENT NALLY BY EMAIL AT vnally@westminster.gov.uk.

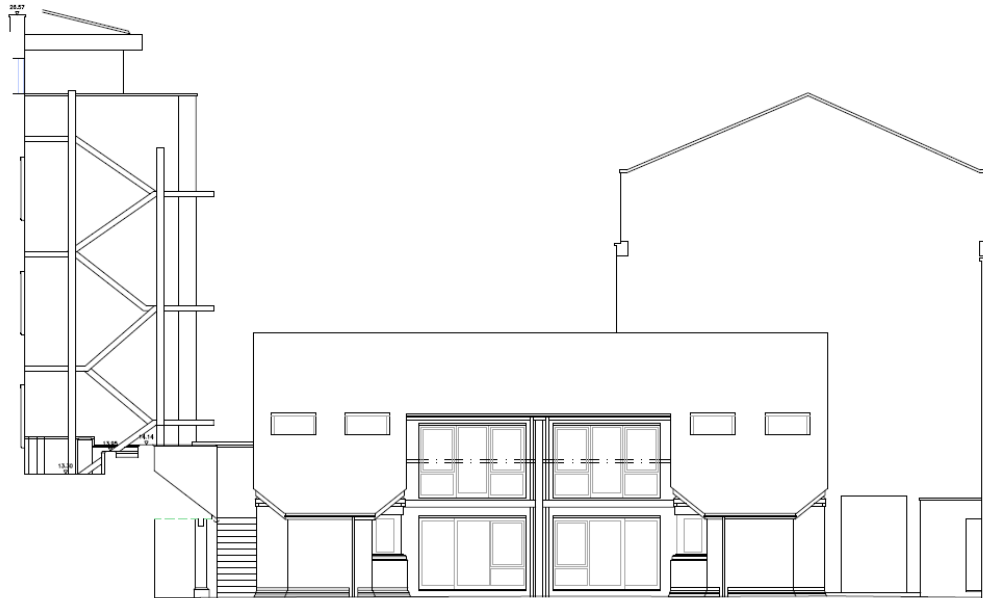
9. KEY DRAWINGS



Existing view of 16-19 Montpelier Mews



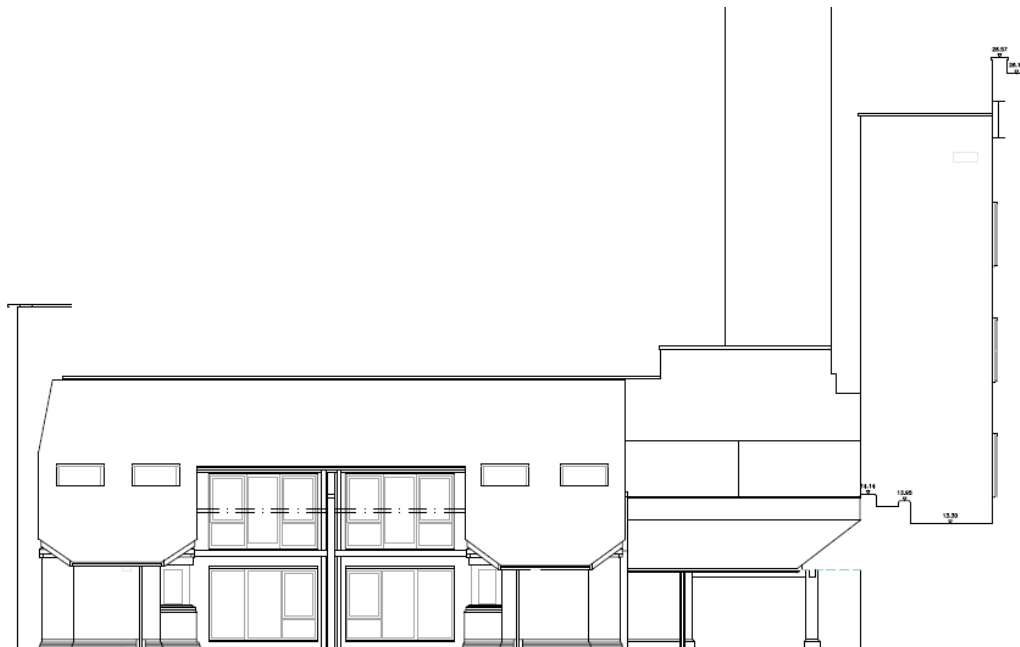
Proposed view of 16-19 Montpelier Mews



Datum 7.00m

East Elevation Montpelier Mews

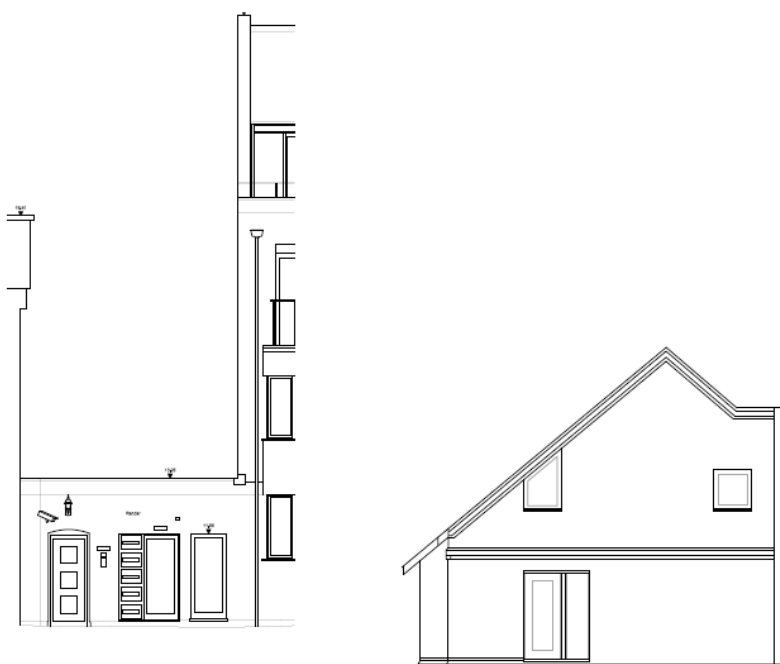
Existing East Elevation



Datum 7.00m

West Elevation Montpelier Mews

Existing West Elevation



Datum 6.00 A.C.D.

Datum 7.00m

North Elevation Montpelier Mews

Existing North Elevation

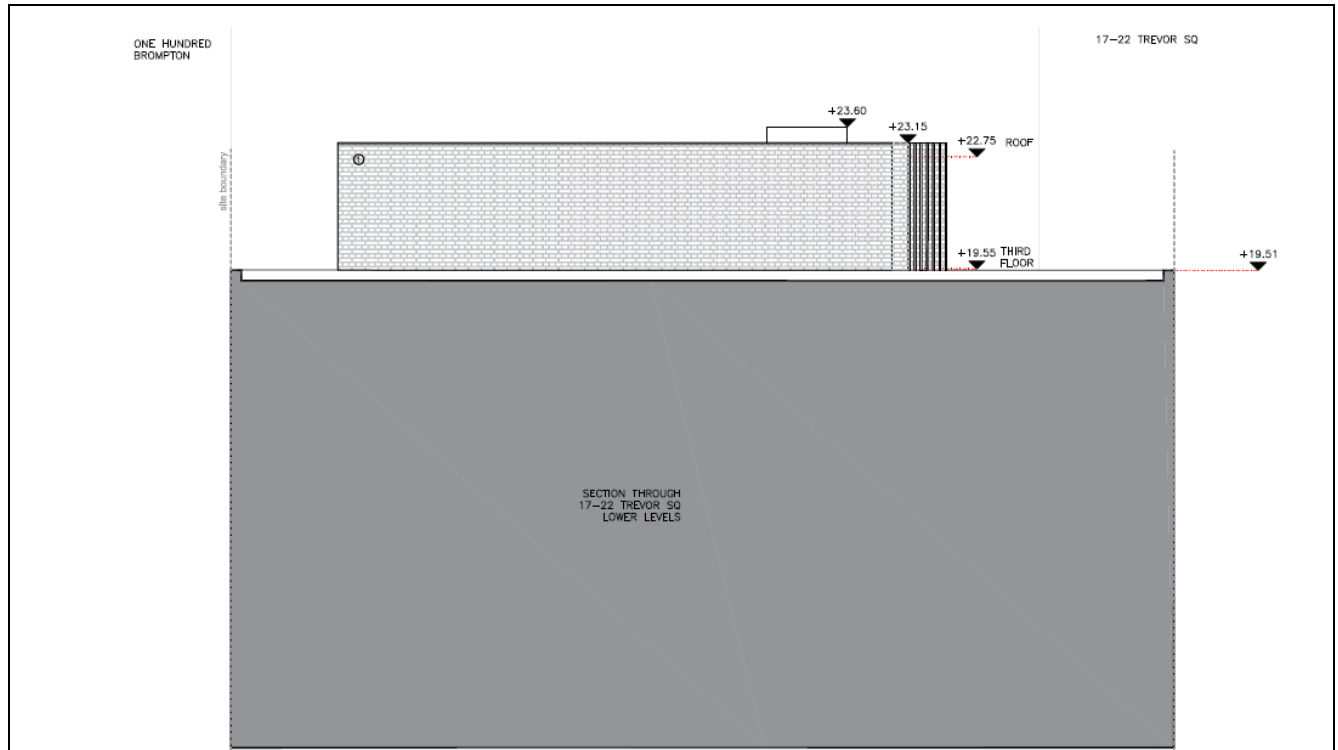


Datum 7.00m

South Elevation Montpelier Mews

SCALE BAR IN mm

Existing South Elevation



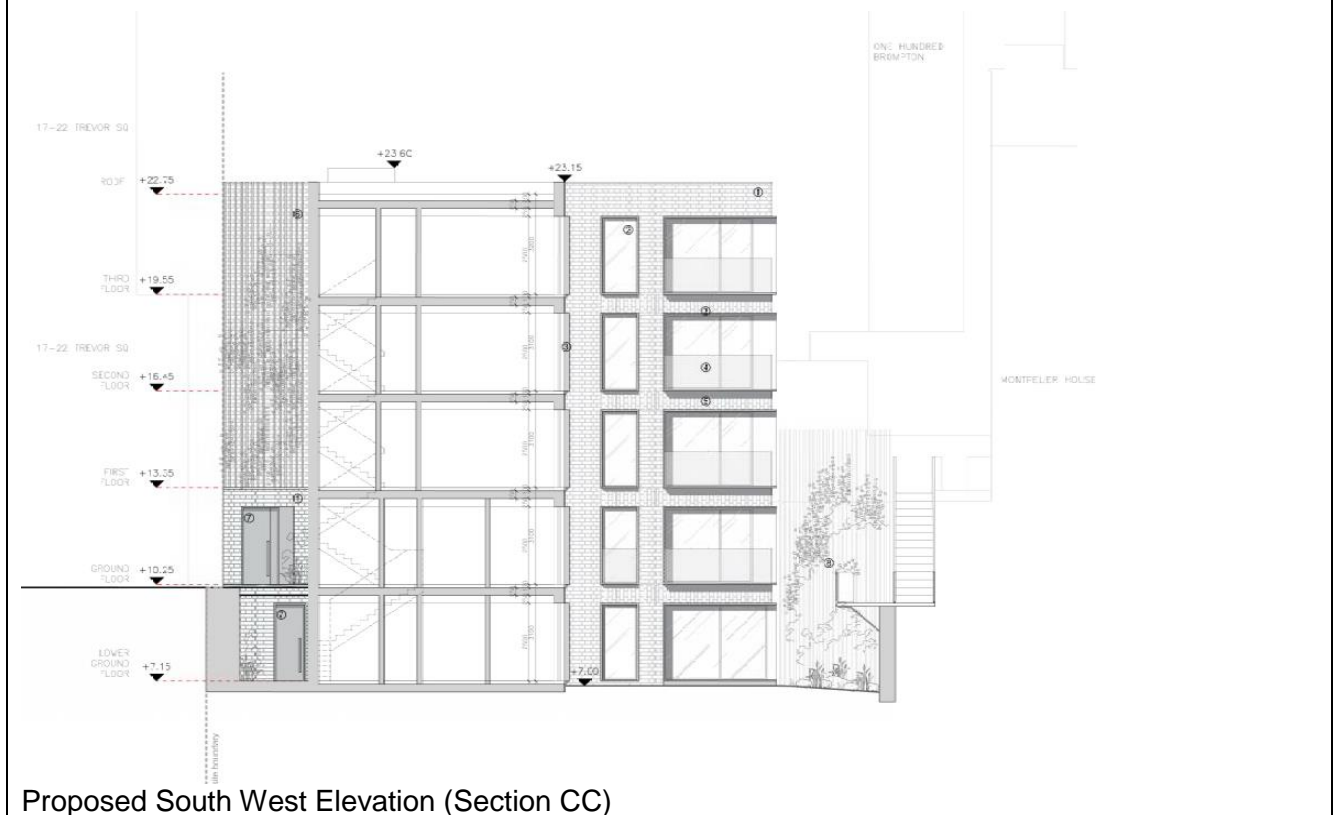
Proposed North East Elevation



Proposed South East Elevation



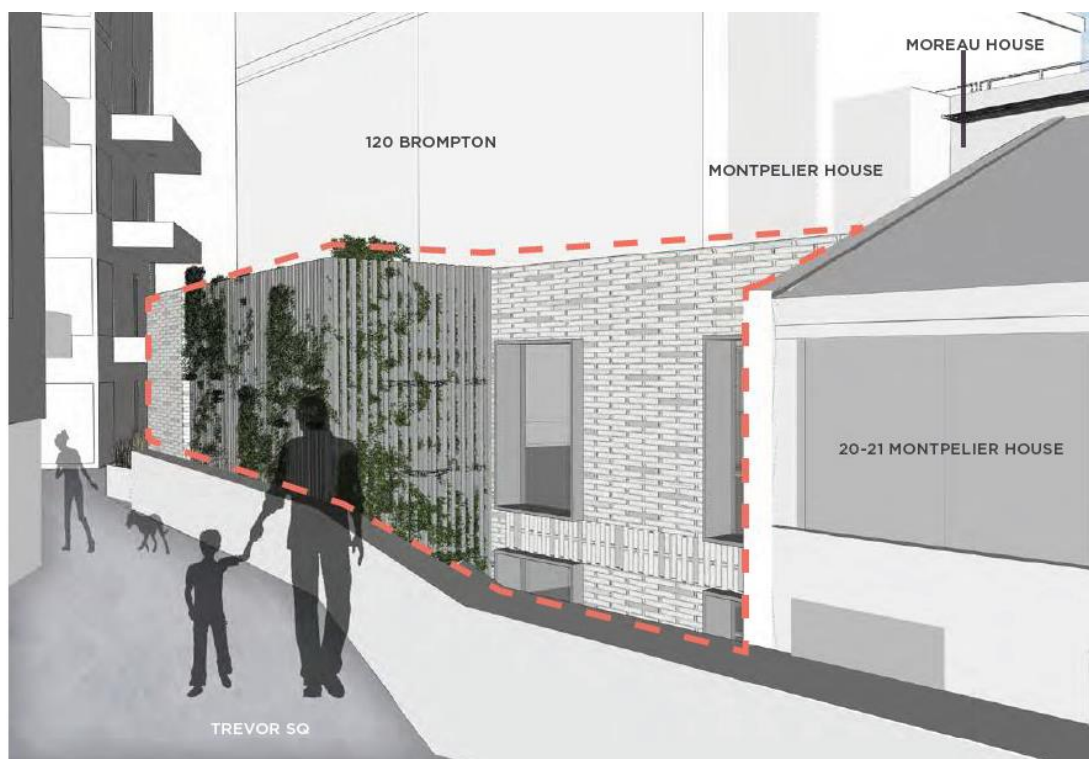
Proposed North West Elevation



Proposed South West Elevation (Section CC)



Existing View from 17-22 Trevor Square



Proposed View from 17-22 Trevor Square



CGI of proposed rear of 16-19 Montpelier mews (indicative)



CGI of proposed front of 16-19 Montpelier Mews (through gap) with bike store in front (indicative)

DRAFT DECISION LETTER

Address: 16-19 Montpelier Mews, London, SW7 1HB,

Proposal: Demolition of existing buildings and construction of a four storey building with basement to provide eight residential units (3 x 1-bedroom, 3 x 2-bedroom and 2 x 3-bedroom) (Class C3). Provision of air-conditioning units on the first floor external roof of the proposed building. [Site includes 16-19 Montpelier Mews]

Plan Nos: (01)-P-S00 Rev. PL; (01)-P-S01 Rev PL; (03)-P-0B0 Rev. PL1; (02)-P-0G0 Rev. PL; (02)-P-001 Rev. PL; (02)-P-002 Rev. PL; (01)-E-001 Rev. PL; (01)-E-002 Rev. PL; (01)-E-003 Rev. PL; (01)-P-001 Rev. PL; (01)-P-0G0 Rev. PL; (01)-P-002 Rev. PL; (PL)-E-002 Rev. PL; (PL)-E-001 Rev. PL; (03)-P-001 Rev. PL; (03)-P-0G0 Rev. PL; (03)-P-0B0 Rev. PL; (03)-P-004 Rev. PL; (03)-P-002 Rev. PL; (03)-P-003 Rev. PL; (PL)-X-01 Rev. PL; (PL)-X-02 Rev. PL; (PL)-X-03 Rev. PL; (PL)-E-003 Rev. PL; Environmental Noise Survey Report dated 25 January 2018, prepared by Noico Limited; Daylight and Sunlight Report dated 24 April 2018, prepared by EB7; Bike rack specifications; (for information only) Construction Approach dated September 2018, prepared by Cheval Property Management Ltd.

Case Officer: Sebastian Knox

Direct Tel. No. 020 7641 4208

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 residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our

Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 **Pre Commencement Condition.** 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 of Construction Practice and requirements contained therein. Commencement of any demolition or construction cannot take place until the City Council as local planning authority has issued its written approval of such an application (C11CC)

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 4 You must apply to us for approval of a written and photographic schedule of the facing materials you will use, including glazing, cross-referenced against versions of the approved elevations and roof plans annotated to show where each of the materials would be used. 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 Knightsbridge 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 drawings of the following parts of the development: -

(a) Typical bay studies, including windows and privacy screen (drawn elevations, plans and sections at 1:10).

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 Knightsbridge 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 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 2016 (R22FA)

- 7 You must provide the waste store shown on drawing (03)-P-0B0 Rev. PL1 before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the residential units. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling 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. (R14CC)

- 8 (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 5 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 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.

(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:

As set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(2) of our Unitary Development Plan that we adopted in January 2007 (UDP), 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. (R46BB)

- 9 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. (R48AA)

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

Installation of a biodiverse roof at main roof level of the proposed building, including sections to show construction of base, substrate depth, species list, maintenance regime and works to accommodate the supporting structure within the proposed new roof structures and associated piping/irrigation etc.

You must not occupy the development until we have approved what you have sent us. You must then carry out the work according to these details and retain the biodiverse in perpetuity and in accordance with the maintenance regime.

Reason:

To reduce the effect the development has on 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. (R43AB)

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 With reference to Condition 3 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work. The Code does require the submission of a full Site Environmental Management Plan or Construction Management Plan as appropriate 40 days prior to commencement of works (including demolition). These documents must be sent to environmentalsciences2@westminster.gov.uk.

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.
- 3 Conditions 8 and 9 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)
- 4 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.
- 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.