

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	72 Chester Square, London, SW1W 9DU		
Proposal	Erection of new mews building in Ebury Mews East with terrace above, incorporating ac unit, alterations to the rear of main house, including infill within the existing courtyard, extension to rear closet wing at second floor level, extension to roof, single storey basement excavation to create plant room, new entrance portico and internal alterations, in connection with the enlargement of 72 Chester Square.		
Agent	Leconfield Property Group		
On behalf of	Mr Jai Waney		
Registered Number	18/06328/FULL & 18/06329/LBC	Date amended/ completed	26 July 2018
Date Application Received	26 July 2018		
Historic Building Grade	Grade II		
Conservation Area	Belgravia		

1. RECOMMENDATION

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

2. SUMMARY

72 Chester Square is a Grade II listed building located within the Belgravia Conservation Area. Planning permission and listed building consent are sought for the erection of a new mews building in Ebury Mews East, alterations to the rear of the main house, including infill within the existing courtyard, extension to rear closet wing at second floor level, extension to roof, single storey basement excavation to create plant room, new entrance portico and internal alterations.

The key issues in this case are:

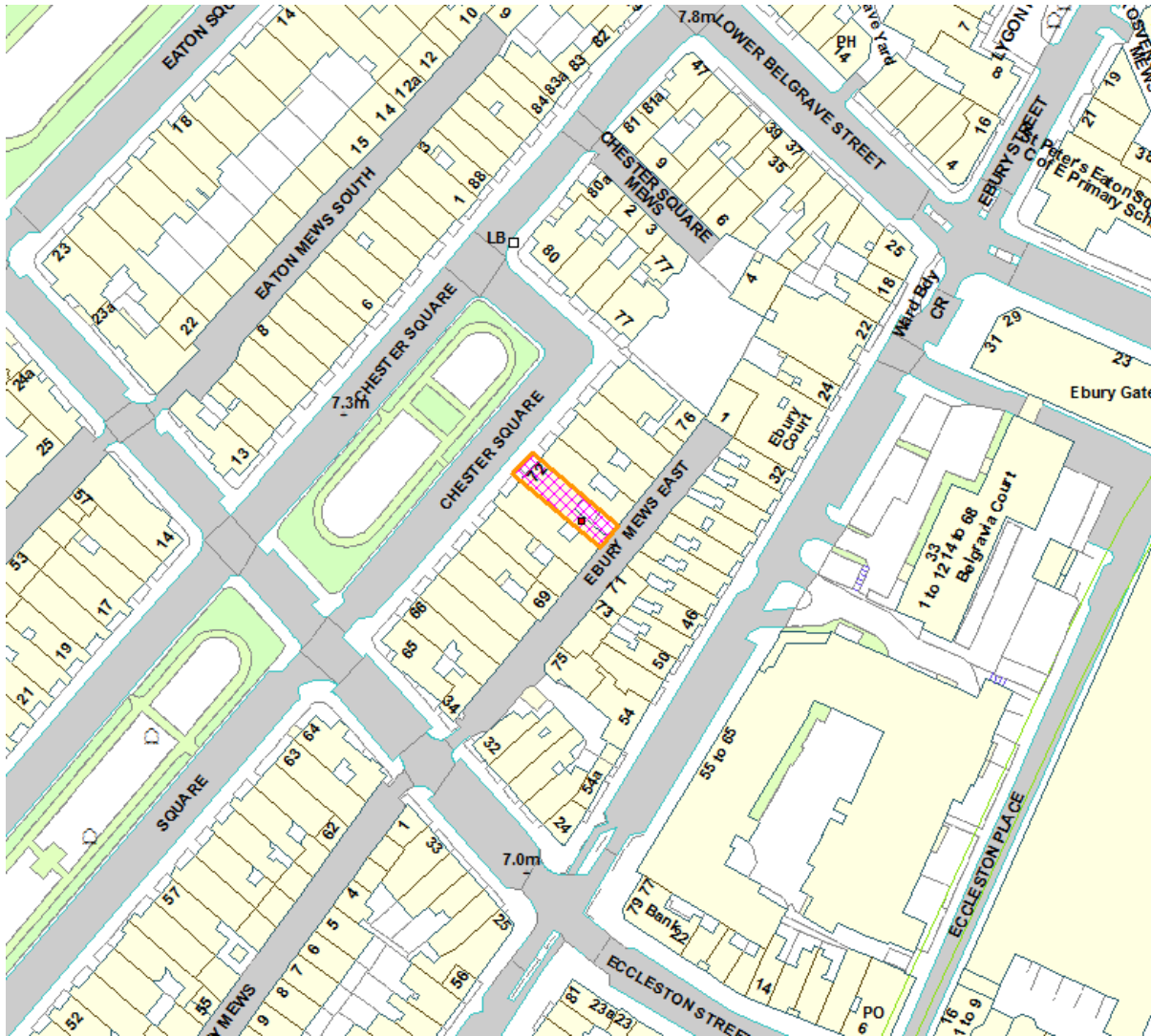
*The impact of the scheme on the special interest of the listed building and the character and appearance of the conservation area and;

*The impact of the scheme on the amenity of the neighbouring properties.

Two objections have been received from residents in Ebury Mews East on grounds including loss of privacy, loss of daylight and sunlight and increased noise, disruption and disturbance. Whilst the objections are noted it is considered that a reason for refusal could not be sustained on this occasion. Conditions are recommended to minimize the impact of the proposals on the amenity of the neighbours.

The proposal is considered acceptable in design and amenity terms and would accord with policies within the Unitary Development Plan (UDP) and Westminster City Plan: Strategic Policies (City Plan). As such, it is recommended that conditional permission and consent are granted.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

HISTORIC ENGLAND

Any response to be reported verbally.

BELGRAVIA RESIDENTS ASSOCIATION

Any response to be reported verbally.

BELGRAVIA NEIGHBOURHOOD FORUM

Any response to be reported verbally.

THE BELGRAVIA SOCIETY

Any response to be reported verbally.

ENVIRONMENTAL HEALTH

No objections subject to conditions.

WASTE PROJECT OFFICER

No objections. The existing waste arrangement should be adequate.

HIGHWAYS PLANNING MANAGER

If there is no condition requiring the retention of the car parking space then an objection would not be raised to the application.

BUILDING CONTROL

The structural method statement is considered to be acceptable.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 26

Total No. of replies: 2

Two objections from neighbours within Ebury Mews East raising the following:

AMENITY

Overlooking/loss of privacy;

Second floor would increase the bulk and height of the property hemming in the property facing the scheme;

Loss of sunlight and daylight;

HIGHWAYS

Increase in traffic, making access and parking more difficult;

Request that if building work is carried out that parking and deliveries be confined to Chester Square;

OTHER

Increase in noise by potential increase in family unit;

Basement excavation would result in increased noise, dust, vibration, implications on soakaway waters and flooding; and

Request works do not start before 8am or finish after 4pm and not on weekends.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

This application site comprises a Grade II listed building located to the north of the square with Ebury Mews to the rear. The property is a mid-terraced second-rate townhouse over lower ground, ground and four upper floors. It is a six-storey dwellinghouse which includes a lower ground to fourth floor accommodation. The site lies in the Belgravia Conservation Area.

The surrounding area is predominately residential in nature and there have been recent examples of properties being extended in a similar way to that proposed including No. 57 Chester Square which was allowed on appeal in 2017.

6.2 Recent Relevant History

Construction of new ground floor front entrance portico with railings above granted permission on 12 February 2015 (14/12844/FULL and 14/12845/LBC)

Demolition of existing roof structures and coverings, construction of new roof structure and coverings and internal alterations granted permission on 18 January 1995 (94/06802/FULL and 94/06803/LBC)

7. THE PROPOSAL

Permission and consent is sought for the erection of a new open portico to the front elevation, which would replicate others and was granted planning permission and listed building consent in 2015 but is currently unimplemented.

A new mews building is sought to the rear which would be linked to the main dwellinghouse by a two storey link replacing the existing lower ground and ground floor rear wing which extends to the full depth of the site. The mews building would extend across the full width of the with a lower glazed flat roof and lightwell to the rear of the main house.

Roof terraces are created at first floor and second floor levels. A new external spiral staircase is proposed to link the roof terrace of the mews building and the first floor terrace. A second stair will provide access from the winter garden at the rear of the main house to the first floor terrace of the mews link.

To the rear of the main house, a new closet wing extension attached to and replacing the lower projections of the existing closet wing would provide a lift up to second-floor half-landing level, accessed internally at the half-landings of the main staircase.

A subterranean plant room is proposed beneath the modern extensions to the rear. The existing lower ground floor level would be also be extended beneath the mews house. At roof level, the existing roof would be extended in mansard form. Internal alterations include the erection and removal of partitions. This includes the re-formation

of the wall which divides the hallway from the family room and rationalisation of the entrance hall at ground floor level.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposals do not raise land use issues and it would remain in use as a single family dwelling.

8.2 Townscape and Design

The stuccoed front elevation is flat apart from a projecting stone and cast-iron balcony at first floor beneath which is the usual front area protected by cast-iron railings and crossed by a Portland stone entrance bridge to the front door. The adjacent house, No.71 projects slightly from the application site's wall line as part of the overall composition of the terrace. Several of the houses on this terrace now feature projecting open porticos, added over the past decade creating a strong architectural pattern.

To the front elevation, the proposed open portico would match those built to a number of other properties on the terrace. Due to the strength of the pattern now established to this highly designed composite elevation, it is considered that this proposal would equally be acceptable on this site. The slight step in the terrace's wall line seen between Nos. 72 and 71 has been well handled by the submitted design, and the new portico would sit comfortably alongside those of the rest of the terrace.

To the rear, the proposal is more extensive but it should be noted that a nearly identical scheme incorporating the erection of mews building, comprising of lower ground, ground and first floor levels, with a terrace above, basement and rear extensions was allowed on appeal by the Planning Inspectorate at 57 Chester Square in 2017.

The current scheme proposes a similar three-storey plus roof terrace mews building proposed to the rear of the yard, which would replace the rear vault and modern extension. The principle of a new mews building in this location is considered to be acceptable, given that it is now the only gap on this terrace. The proposed form and design of the proposal is acceptable due to the established pattern of development to the rear of the terrace; the proposal is largely identical to that built recently next door at No.73 and there are other examples of the same.

The new mews building would be linked to the main house by a two-storey link extension replacing the existing lower ground and ground floor rear wing. It is considered that the combination of the proposed rear extensions would be significant, but are effectively identical to those approved and/or built to Nos. 73 and 57, which have proven to be successful.

The rear of the building consists of its original closet wing which rises up to the main parapet and is typically plainer than the front elevation being built of brick and having an almost vernacular character. To first floor level the closet wing includes a shallow additional lobby projection, lit by an arched casement window, which internally is separated from the half-landing by a smartly proportioned archway.

The impact of the proposed lift extension would be more significant, but nonetheless would be identical to that approved and partly built to Nos. 57 and 73. The extension to the closet wing to accommodate a lift to second floor level was allowed on appeal to No. 57 Chester Square and has set a strong precedent. The Planning Inspector noted in his decision that there were a number of properties that have altered the closet wings and he considered it to represent a relatively modest element on the rear elevation of No. 57 Chester Square. He concluded that the height of the closet wing was subservient to the listed building and that it was in keeping with the height and scale of other examples in the area. Therefore, no objections would be raised in terms of the impact on the historical character of the listed building.

The proposed plant room beneath the extensions to be formed as a sub-basement would have no external manifestations and would therefore would not add to the occupied volume of the dwellinghouse. As such, it is considered to be acceptable in design and conservation terms.

Overall, the proposal would be considered to preserve and, in some places, enhance the special architectural and historic interest of the listed building and conservation area. Therefore, the proposal would be considered to comply with policies S25 and S28 of the City Plan and DES 1, DES 5, DES6, DES9 and DES10 of the UDP and the advice set out in our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

8.3 Residential Amenity

Policy ENV13 of the UDP states that the Council will resist proposals that would result in a material loss of daylight/sunlight, particularly to dwellings, and that developments should not result in a significant increased sense of enclosure, overlooking or cause unacceptable overshadowing. Similarly, Policy S29 of the City Plan aims to protect the amenity of residents from the effects of development. Objections have been received from residents within Ebury Mews East on grounds of increased sense of enclosure, loss of light and loss of privacy.

Sunlight and Daylight

In terms of the proposed mews building to the rear, it would have the same separation distance as the mews buildings to neighbouring properties along the terrace.

The sunlight and daylight report has assessed the impact on Nos. 71 and 73 Chester Square and 40, 42, 44 and 71 Ebury Mews East. The report concludes that the proposed development would have a low impact on the light received by these neighbouring properties.

No.71 Chester Square would see a loss in daylight to five windows within the rear lightwell below the recommendations of the BRE Guidelines. Those losses are proportionally high in percentage terms due to the existing levels being low in real terms. It is unlikely that the loss of daylight to those rooms would be perceived by the occupier. The resulting levels are not uncommon for windows located within lightwells. Given the

losses are to a small proportion of rooms within what is a large dwelling it is not considered reasonable to withhold permission on grounds of loss of light.

No.73 Chester Square would see a loss in sunlight to three windows (a pair French doors and a fanlight) to the same opening, which accesses the rear first floor terrace. These windows serve circulation space off a staircase and as such it would not be reasonable with withhold permission due to the losses.

The remainder of surrounding properties, including those on the opposite side of Ebury Mews East would not experience losses more than that recommended by the BRE guidelines. The application is considered acceptable in daylight and sunlight terms.

Sense of Enclosure

No. 73 Chester Square, which has recently been redeveloped, has built a mansard roof extension, infill closet wing extension at second floor, a new entrance porch, an extension in the courtyard, and a mews building. The adjoining neighbouring property No. 71 Chester Square already features a mews building, albeit a storey lower, with link to the main building.

The proposed mews would be the same height as the mews recently built at No. 73 Chester Square and lower in height to the mews building at No. 71. The prevailing character along the mews is of two and three storey mews houses and extensions to the main buildings on both Chester Square and Ebury Street. The closet wing extension would extend further beyond the rear of No.71, its projection would not be significant.

It is considered that, given the existing form of development along the mews and to the rear of the main buildings on Chester Square, the proposals it would not lead to an unacceptable relationship with neighbours in term of increases sense of enclosure.

Privacy

The level of overlooking from the main dwellinghouse would not be considerably different from the existing situation. The proposed mews building and roof terrace would be located approximately 4.5m from the opposite side of the mews, which are the most directly affected properties from this part of the development. There is already an established rear building line with similar relationships to that proposed along the mews. It should be noted that No. 42 Ebury Street is an office and therefore there would be no overlooking into any habitable rooms.

There would be an element of overlooking from the terrace above the mews building. Terraces above mews buildings are a common feature along Ebury Mews East. The application includes a setback in the terrace of approximately 1m from the front edge of mitigate the level of overlooking across the mews. The resulting relations within the mews is considered acceptable.

It would be difficult to demonstrate loss of privacy to adjoining properties Nos. 71 and 73 Chester Square as they also contain terraces and there would be some mutual overlooking. It is not considered that the proposal would not result in a harmful level of overlooking or loss of privacy to neighbours given the existing context.

8.4 Transportation/Parking

The rear garden area accessed from Ebury Mews East not large enough for the practical use of parking a car measuring only 2.2m x 3.8m. The history of the site shows no record of a condition to secure this area for parking provision. The proposal would not result in a loss of off-street parking and the proposal would comply with saved policy TRANS23 of the UDP.

8.5 Economic Considerations

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

8.6 Access

The proposal would not alter the existing access arrangements.

8.7 Other UDP/Westminster Policy Considerations

Noise and Plant

A noise assessment has been submitted with the application to demonstrate that the acoustic measures proposed from the plant in the new basement and within the vaults would meet the noise criteria set out in policies ENV6 and ENV7 of the UDP.

Environmental Health raise no objections. The Councils standard conditions are recommended to ensure the plant does not negatively impact neighbours in terms of noise and vibration.

One of the objections raised concern over the increase in the noise from the enlarged family unit. The mews building would be an extension to the main dwellinghouse and cannot be sub-divided to create a separate unit of accommodation without the benefit of planning permission. Notwithstanding this, the extension and outdoor areas for use in connection with the single family dwelling are unlikely to result in sufficient disturbance to neighbours to justify withholding permission on the grounds of noise.

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 12 November 2018 and will close on Friday 21 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 London Plan

This application raises no strategic issues.

8.10 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 such a condition.

8.11 Planning Obligations

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

The floorspace increase would be below the threshold and would be exempt from paying the Mayoral and Council CIL charges.

8.12 Other Issues

Basement

The scheme involves excavation works to create a lower ground floor to the proposed mews property and the creation of a plant room under part of the existing lower ground floor courtyard. Two objectors have expressed strong concerns to the excavation of the new basement, the construction noise, vibration, dust and disruption in the mews.

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.

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. 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.

Policy CM28.1 of the City Plan clearly states that basement to existing residential buildings are acceptable when they do not extend beneath more than 50% of the garden land, when they leave a margin of undeveloped garden land proportionate to the scale of development and the size of the affected garden, and provide a minimum of 1m soil depth. Given the modest size of the existing garden land in this case, the excavation works which include a relatively modest plant room and single storey below the mews building, it is considered to be in accordance with policy CM28.1.

The application is supported by a construction method statement which considers these aspects of the site and concludes that the excavation is feasible. The Building Control Officer has considered the report and advised that the findings are acceptable and of sufficient detail to ensure that the adjacent properties would be safeguarded during construction. Further investigation and information would be required for the purposes of Building Regulations but the submitted information is sufficient to address the requirements of the NPPF.

Construction impact

In terms of the impact of construction on the amenity of neighbours and the operation of the local highway network, whilst it is recognised that there would inevitably be an element of disturbance to residents particularly during construction of the new basement, the applicant would be required to adhere to the Council's Code of Construction Practice. The City Council's Code of Construction Practice and associated Environmental Inspectorate have been developed to mitigate against construction and development impacts on large and complex development sites. The Code of Construction Practice was adopted in July 2016 and the applicant is required to sign up to it, which has been agreed. Compliance is monitored by the Environmental Inspectorate. A condition is recommended requiring the applicant to provide evidence of compliance with the CoCP before starting work.

The standard condition to control hours of building work is recommended which includes specific restrictions for basement excavation work which can only be carried out between 08:00 and 18:00 Monday to Friday and not at all on Saturdays, Sundays and bank holidays. Furthermore, to address the concern raised by one of the objectors, the agent has agreed that the deliveries would be via Chester Square. This will need to be agreed separately under the Council's Code of Construction Practice.

(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

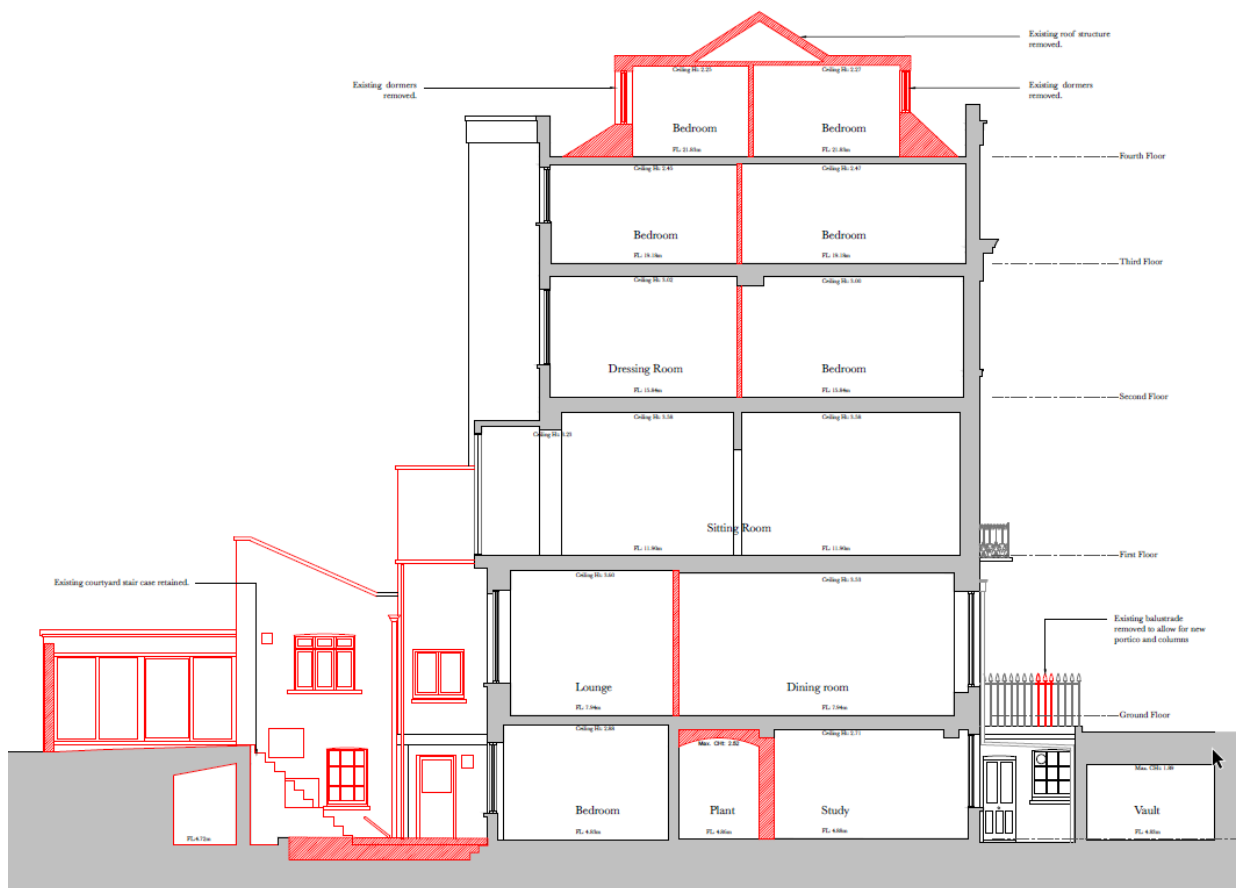
9. KEY DRAWINGS



Existing front elevation



Proposed front elevation

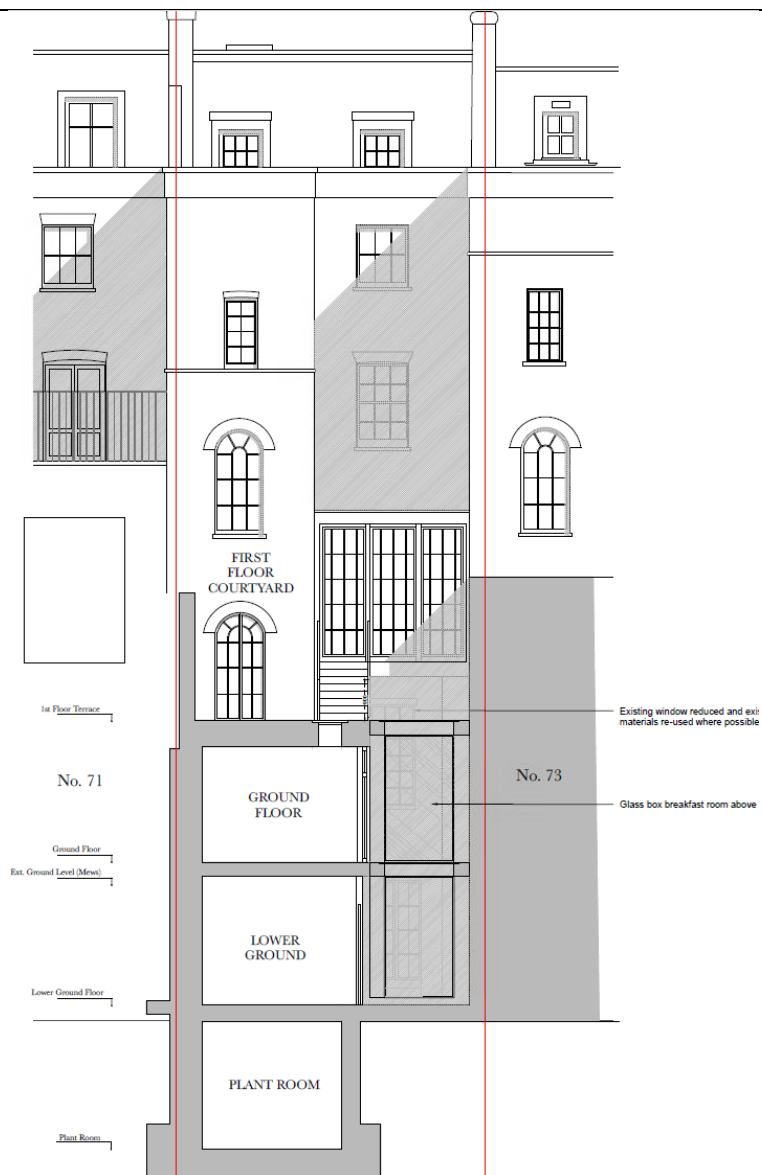


Existing section





Existing rear elevation



Proposed rear elevation

DRAFT DECISION LETTER

Address: 72 Chester Square, London, SW1W 9DU,

Proposal: Erection of new mews building in Ebury Mews East; alterations to the rear of main house, including infill within the existing courtyard; extension to rear closet wing at second floor level; extension to roof; single storey basement excavation to create plant room; new entrance portico and internal alterations, in connection with enlargement of 72 Chester Square.

Reference: 18/06328/FULL

Plan Nos: LBP01, SP01-E, SP02-P, EL_01E, EL_02E, EL_03E, EL_04E, EL_05E, GA_01E, GA_02E, GA_03E, GA_04E, GA_05E, GA_06E, GA_07E, SC_01E, SC_02E, SC_05E, EL_01P - 01, EL_02P - 02, EL_03P - 03, EL_04P - 04, EL_06P, GA_01P, GA_02P, GA_03P, GA_04P, GA_05P, GA_06P, GA_07P, SC_01P, SC_02P, SC_03P, SC_04P, EL_01D, EL_02D, EL_03D, EL_04D, GA_01D, GA_02D, GA_03D, GA_04D, GA_05D, GA_06D, GA_07D, SC_01D, SC_02D, SC_05D.

For information only: Planning statement, daylight and sunlight study, construction method statement, noise assessment.

Case Officer: Nosheen Javed

Direct Tel. No. 020 7641 2858

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 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Belgravia 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)

- 3 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)

- 4 You must apply to us for approval of a detailed written and photographic schedule of the facing materials you will use, including sample panels prepared on-site for our inspection. Your submission must include annotated versions of the approved elevations / plans (as applicable) which demonstrate / locate the use of each of the proposed materials. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved materials. (C26BD)

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 Belgravia 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 **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)

- 6 You must not use the roof of the extensions for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 7 (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. (R46AB)

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

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration. (R48AA)

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 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.
- 3 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.
- 4 Conditions 7 and 8 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)

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

DRAFT DECISION LETTER

Address: 72 Chester Square, London, SW1W 9DU

Proposal: Erection of new mews building in Ebury Mews East; alterations to the rear of main house, including infill within the existing courtyard; extension to rear closet wing at second floor level; extension to roof; single storey basement excavation to create plant room; new entrance portico and internal alterations.

Reference: 18/06329/LBC

Plan Nos: LBP01, SP01-E, SP02-P, EL_01E, EL_02E, EL_03E, EL_04E, EL_05E, GA_01E, GA_02E, GA_03E, GA_04E, GA_05E, GA_06E, GA_07E, SC_01E, SC_02E, SC_05E, EL_01P - 01, EL_02P - 02, EL_03P - 03, EL_04P - 04, EL_06P, GA_01P, GA_02P, GA_03P, GA_04P, GA_05P, GA_06P, GA_07P, SC_01P, SC_02P, SC_03P, SC_04P, EL_01D, EL_02D, EL_03D, EL_04D, GA_01D, GA_02D, GA_03D, GA_04D, GA_05D, GA_06D, GA_07D, SC_01D, SC_02D, SC_05D.

For information only: Heritage Statement.

Case Officer: Nosheen Javed

Direct Tel. No. 020 7641 2858

Recommended Condition(s) and Reason(s)

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

Reason:

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

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

Reason:

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

- 3 You must apply to us for approval of a detailed written and photographic schedule of the facing materials you will use, including sample panels prepared on-site for our inspection. Your submission must include annotated versions of the approved elevations / plans (as applicable) which demonstrate / locate the use of each of the proposed materials. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved materials. (C26BD)

Reason:

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

- 4 You must apply to us for approval of further information (as set out below) of the following parts of the development:

- (a) New / altered windows, doors and rooflights (including roof glazing) (detailed elevations and sections at 1:5)
- (b) New / altered staircases, balustrades and railings (detailed elevations, plans and sections at 1:20);
- (c) Typical external profiles of new extensions, including dormers (detailed elevations and sections at 1:20).

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 approved details. (C26DB)

Reason:

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

- 5 All new outside rainwater and soil pipes must be made out of metal and painted black. (C27HA)

Reason:

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

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

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BD)

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

Reason:

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

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework, the London Plan 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations., , The City Council decided that the proposed works would not harm the special architectural and historic interest of this listed building., , In reaching this decision the following were of particular relevance:, S25 and S28 of Westminster's City Plan and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.
- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:
 - * any extra work which is necessary after further assessments of the building's condition;
 - * stripping out or structural investigations; and,
 - * any work needed to meet the building regulations or other forms of statutory control.
 Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents., , It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

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.