

|  |   |  |                |
|--|---|--|----------------|
| <b>CITY OF WESTMINSTER</b>                 |   |  |                |
| <b>PLANNING APPLICATIONS SUB COMMITTEE</b> | <b>Date</b><br>18 December 2018   | <b>Classification</b><br>For General Release |                |
| <b>Report of</b><br>Director of Planning   |   | <b>Ward(s) involved</b><br>St James's        |                |
| <b>Subject of Report</b>                   | <b>Christchurch Gardens, Victoria Street, London, SW1H 0AY</b>  |  |                |
| <b>Proposal</b>                            | Hard and soft landscaping improvements to public open space, with new and realigned paths, enhanced signage, lighting and planting. |  |                |
| <b>Agent</b>                               | Westminster City Council  |  |                |
| <b>On behalf of</b>                        | Victoria BID and Westminster City Council   |  |                |
| <b>Registered Number</b>                   | 18/07319/COFUL  | <b>Date amended/<br/>completed</b>           | 29 August 2018 |
| <b>Date Application Received</b>           | 28 August 2018  |  |                |
| <b>Historic Building Grade</b>             | Unlisted  |  |                |
| <b>Conservation Area</b>                   | Broadway And Christchurch Gardens   |  |                |

## 1. RECOMMENDATION

Grant conditional permission under Regulation 3 of the Town and Country Planning Regulations 1992.

## 2. SUMMARY

Christchurch Gardens is a green open space located at the corner of Victoria Street and Broadway. The site lies within the Central Activities Zone, the Broadway and Christchurch Gardens Conservation Area, and within a Tier 2 Archaeological Priority Area.

The Victoria Business Improvement District (BID) are leading on proposals for landscape improvements in Christchurch Gardens in partnership with Westminster City Council (WCC). The aspiration of the Victoria BID and WCC is to transform the site through a hard and soft landscaping scheme from one that currently feels unwelcoming, into an enhanced public space with increased opportunities for seating and positive social interaction.

The key issues are:

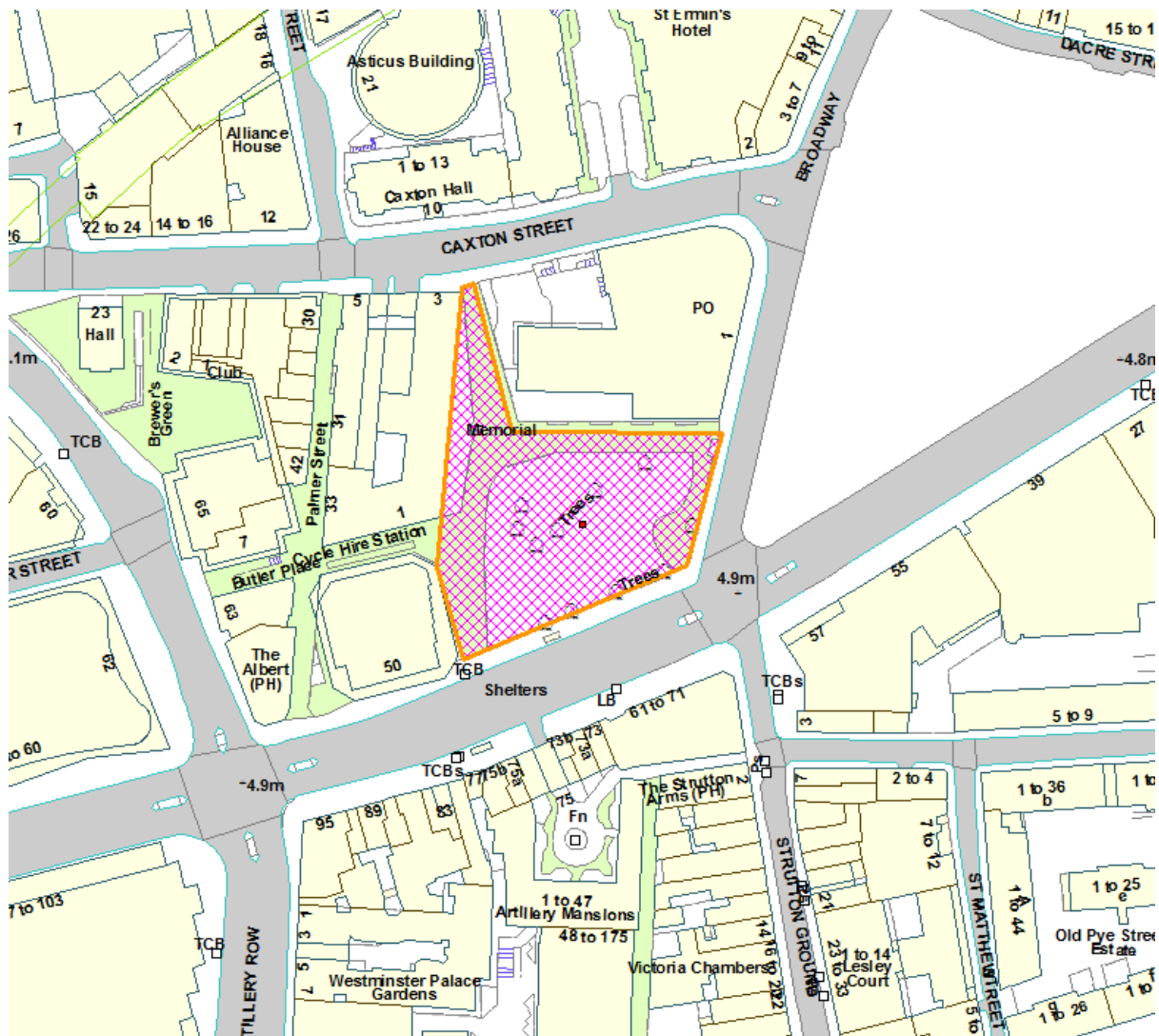
- The effect of the proposal on the character and appearance of the Broadway and Christchurch Gardens Conservation Area;
- The effect of the proposals on existing trees.

The proposed landscaping scheme is considered to offer benefits to the quality of the environment in Christchurch Gardens. The layout has been designed to open up new routes through the gardens,

to create a usable and attractive green space.

For the reasons set out in this report, the proposed development is considered to accord with relevant policies within the Unitary Development Plan adopted in January 2007 (the UDP) and Westminster's City Plan adopted in November 2016 (the City Plan). As such, it is recommended that planning permission is granted, subject to the conditions set out in the draft decision letter.

### 3. LOCATION PLAN



This production includes mapping data licensed from Ordnance Survey with the permission of the controller of Her Majesty's Stationary Office (C) Crown Copyright and/or database rights 2013. All rights reserved License Number LA 100019597

4. PHOTOGRAPHS



Christchurch Gardens

## 5. CONSULTATIONS

### THORNEY ISLAND SOCIETY:

Welcome the approach to design. Consider the history of the site is fascinating and would welcome a condition requiring display boards explaining its history.

### ARBORICULTURAL MANAGER:

The proposed redesign of Christchurch Gardens, a Westminster maintained open space is to be welcomed. The removal of a number of trees, which are of poor quality greatly improves the appearance and usability of the space.

However, there are areas for concern. The most visually important trees are the mature London planes that abut the Victoria street boundary of the site. The installation of the proposed new pathways within the Root Protection Areas (RPAs) of these trees could result in damage to the trees' root systems. The applicant will need to demonstrate that the proposed pathways and seating within the RPAs can be installed without harm to the trees.

The proposed treatment of the northern boundary with the BT exchange building seems a missed opportunity to create a sustainable boundary comprising low level herbaceous and shrub planting backed by a natural barrier of hedging or climbing plants.

In summary, the proposed scheme is generally acceptable but there is concerns regarding the installation of the pathway and seating within the RPAs, and the treatment of the northern boundary.

Conditions are recommended requiring an arboricultural impact assessment that addresses the issues raised and tree protection.

### LONDON PARKS AND GARDENS

Supportive of the proposals which will enhance the space and improve the usage for those in the area. This space provides rare access to green landscape in an area of open space deficiency and we recommend support - these proposals will improve the amenity value.

### HISTORIC ENGLAND – GREATER LONDON ARCHAEOLOGICAL ADVISORY SERVICE (GLAAS):

The development could cause harm to archaeological remains. However the significance of the asset and scale of harm to it is such that the effect can be managed by planning conditions.

### WASTE (PROJECT OFFICER):

No objection.

### HIGHWAYS PLANNING MANAGER:

No objection. The only effect on the highway will be to improve access between it and the gardens, which is positive.

## ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 132

Total No. of replies: 6

No. in support: 2

One letter of support from The Cathedral Area Residents Group on following grounds:

- Welcome proposals to improve this area, the only green space on Victoria Street, in order to make it more welcoming and useful for residents and visitors to this neighbourhood.
- Appreciate the action of the Victoria Business Improvement District to develop the proposed changes and to invite comments.
- Agree it is appropriate that an objective of the development is to design out features which facilitate various forms of anti-social behaviour. At present these gardens do not provide a safe place for those sleeping rough and other vulnerable people but do leave them at risk to their health and to being exploited whilst discouraging entry and use by the great majority of residents and passers-by.
- Though we broadly support the development described in this application we are concerned that it is proposed to introduce too many paths and five different paving types which reduce and fragment the grassed area.
- Urge WCC to require that the proposed pathways are somewhat reduced and simplified and also to ensure that the removal of trees is limited to those which are not viable.

One letter of support from a neighbour on the following grounds:

- Fully support the proposal to transform a dismal eyesore into an intelligent, imaginative and exciting public space.
- Commend the design team and Victoria BID for their time and efforts to explain their proposals to the public.

No. of objections: 3

One letter of objection from a neighbour on following grounds:

- The proposals set out to improve limited green space in Victoria, while actually reducing the grassed area and felling existing mature trees.
- References to "antisocial behaviour" in the proposal documents, and specifically to homelessness, suggest that the real purpose is to make the space less welcoming to rough sleepers.
- Rough sleepers are among the most vulnerable and most marginalised members of our society and the least able to respond to any public consultation or planning consultation. Using a 'greening' proposal to reduce green space in order to further marginalise vulnerable people cannot be permitted in good conscience.

Two letters of objection from representatives on behalf of Strutton Ground Market Stall Traders on following grounds:

- Christchurch Gardens was to be used to relocate the 22 Traders currently residing and trading in Strutton Ground during works to resurface Strutton Ground;
- The council indicated that the Landlord (Church of England) objected this sighting as it would be in conflict with their Doctrine but the CoE advised traders that they would be satisfied with this sighting
- Victoria BID would not assist traders with relocating preferring to go ahead with this proposal
- Victoria Bid Has made this application in the knowledge that their activities would cause Traders severe financial impact to the 22 businesses and 100 employees of Strutton Ground Market Pitches
- Council officers have repeatedly misinformed relevant Stakeholders and accepted this application some months after the traders looked to relocate

PRESS ADVERTISEMENT / SITE NOTICE: Yes

## **6. BACKGROUND INFORMATION**

### **6.1 The Application Site**

Christchurch Gardens is a green open space located at the corner of Victoria Street and Broadway. The site lies within the Central Activities Zone, the Broadway and Christchurch Gardens Conservation Area, and within a Tier 2 Archaeological Priority Area.

The Gardens do not feature on the Register of Historic Parks and Gardens, nor are they protected under the London Squares Preservation Act.

The Gardens are owned by the Diocese of London, leased to WCC (on a long lease), and managed by the WCC Parks team. Whilst 'Christ Church' was destroyed by bombing in WWII, its churchyard, a former burial ground, was landscaped and opened to the public in the 1950s. The gardens have remained open to the public since then and are the main subject of this report.

Currently Christchurch Gardens is made up of a central lawn space with sparsely planted planting beds and paved footpaths around its periphery. A low brick wall borders the southern and eastern boundaries with railings to the northern boundary. A dense tree canopy is provided by a number of London Plane trees located in the lawn area. Smaller trees of varying species are present in the northern half of the gardens, of mixed age and generally of a low quality. The Gardens contain three sculpture commemorating Henry Purcell, the Suffragettes, and Victims of Violence.

The BT Exchange building bounds the site to the north, and the buildings of Windsor House and 1 Butler Place bound the site to the west. To the south sits Strutton Ground Market which is undergoing regeneration and improvement. Redevelopments are also taking place to the east at Broadway and to the west at Buckingham Green.

## 6.2 Recent Relevant History

### 11/01254/FULL

Erection of a stone memorial dedicated to victims of violence in Christchurch Gardens.  
Application Permitted 22 October 2012

### 95/04996/COFUL

Erection of memorial statue to Henry Purcell.  
Application Permitted 25 August 1995

## 7. THE PROPOSAL

The proposal is for a hard and soft landscaping scheme to redesign Christchurch Gardens to create a public outdoor space for use by local residents, workers, tourists and visitors as well as to improve the biodiversity benefits.

The new proposals provide open and inviting footpaths into, out of and through the gardens, connecting to key routes in the surrounding urban area.

New lawns provide flexible open space for seating and activities while a range of seating opportunities in carefully selected locations offer numerous places to sit and enjoy the gardens.

New lighting will improve safety and security after dark to enhance the quality of visitor experience and legibility of the space.

New planting in the gardens will provide visual amenity through all the seasons.

The proposals key objectives are:

- To create a space that people enjoy spending time in and where they can engage with each other.
- To increase opportunities for seating.
- Maximise the biodiversity of the site through diverse planting with extended flowering periods of pollinator friendly plants.
- To establish a relationship between the gardens and adjacent Strutton Ground market recognising pedestrian desire lines.
- To design out crime and anti-social behaviour.
- To allow for the future relationship of adjacent premises to the gardens.

## 8. DETAILED CONSIDERATIONS

### 8.1 Land Use

The use of Christchurch Gardens, is primarily as a place of relaxation for public use. The proposal aims to enhance the existing public outdoor space for use by local residents, workers, tourists and visitors, which is welcomed. This is in accordance with policies ENV 15 of the UDP and S35 of the City Plan, which seek to enhance open space for public use.



## 8.2 Townscape and Design

The proposals seek to make better use of Christchurch Gardens, through the installation of additional paths and removing some of the existing barriers. Concern has been raised that the proposed pathways should be somewhat reduced and simplified. In design terms, the works are beneficial and the paths connect desire lines, bringing people into the gardens.

The proposal retain all existing monuments, albeit in relocated positions, which is welcome. Whilst the loss of some trees may be regrettable, it is likely to allow greater amounts of sun light into the space, which will further enhance its usability.

In summary the proposals are considered to have a positive effect on the character and appearance of the Broadway and Christchurch Gardens Conservation Area.

## 8.3 Residential Amenity

The proposals are not considered to raise any amenity issues.

## 8.4 Transportation/Parking

None of the physical works proposed would encroach upon the highway. The only effect on the highway will be to improve access between it and the Gardens, which is welcomed.

## 8.5 Economic Considerations

No economic considerations are applicable for a development of this size

## 8.6 Other UDP/Westminster Policy Considerations

### Trees

The proposed redesign of Christchurch Gardens, a Westminster maintained open space is to be welcomed and, in general the Arboricultural Manager does not raise any objections to the proposed design.

Concerns have been raised to proposals to remove a number of trees in the central lawn. The removal of a number of trees, which are of poor quality is considered to greatly improve the appearance and usability of the space.

The most visually important trees are the mature London planes that abut the Victoria street boundary of the site, and would be retained (Nos. T1, T2, T6, T8 and T12). These are all large mature specimens that contribute to the fundamental character of the space and the immediate surrounds. The installation of the proposed new pathways within the Root Protection Areas (RPAs) of these trees could result in damage to the trees' root systems. A condition is recommended requiring an arboricultural impact assessment to

demonstrate that the proposed pathways and seating within the RPAs can be installed without harm to the trees.

A number of conditions are recommended requiring details to demonstrate that all existing trees to be retained will be satisfactorily protected during works.

On the northern boundary with the BT exchange building it is proposed to install a decorative art wall and green wall. The Arboricultural Manager considers that this is a missed opportunity to create a sustainable boundary with low level planting, backed by a natural barrier of hedging or climbing plants. However this is not considered a sustainable reason for refusal.

### Biodiversity

New planting in the gardens will provide visual amenity through all the seasons. The plant palette will be selected to enhance the diversity of plants, insects and birds in the gardens. It is hoped that this increased presence of wildlife will improve the connection between garden users and nature.

### Archaeology

The site is located within a Tier 2 Archaeological Priority Area (Victoria Street). A Historic Environment Assessment report has been submitted with the application which accords with relevant standards and guidance. The site had been used as a burial ground for 230 years (17th- C19th) and the Greater London Historic Environment Record indicates an association with the London plague of 1665 and 1666 increasing its historic significance. There is also potential for post medieval remains of former structures and properties at the southern and western fringes of the site.

Historic England's Greater London Archaeological Advisory Service (GLAAS) have reviewed the applicant's Historic Environment Assessment and consider that the work could impact on archaeological remains which may survive here. Therefore, GLAAS consider that further exploratory fieldwork and assessment will be required to determine the nature and significance of remains, and to refine an appropriate mitigation strategy if required. As such, GLAAS advise that appropriate conditions be attached to secure a staged programme of archaeological work in the usual way. This would ensure any archaeological assets are protected.

## **8.7 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.

## 8.8 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.

The submission version of the Mayfair Neighbourhood Plan has been submitted by Mayfair Neighbourhood Forum to the council for consultation and an independent examiner is due to be appointed shortly.

## 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 pre-commencement conditions to secure the applicant's adherence to protect the archaeological heritage and trees to be retained. The applicant has agreed to the imposition of these conditions.

## 8.11 Planning Obligations

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

## 8.12 Other Issues

### Site History

The Thorney Island would welcome display boards which explain the site's history. It is intended that the decorative art wall on the northern boundary with the BT exchange building would contain graphics/ text/ imagery illustrating the site history as well as other points of interest.

### Anti-Social Behaviour and Rough Sleepers

The site has known anti-social behaviour issues with incidents of drug use. Westminster's Rough Sleeping Strategy (2017-2022) lists Victoria as a notable hotspot for rough sleepers. The gardens often attracts rough sleepers and the applicant's design team have been working with the City Council's Homelessness Prevention Team to support the rough sleepers that do come to the gardens, into accommodation.

Concern has been raised from a local resident that references to 'antisocial behaviour' in the proposal documents, and specifically to homelessness, suggest that the real purpose is to make the space less welcoming to rough sleepers, and that a proposal to further marginalise vulnerable people cannot be permitted in good conscience. Whilst the concerns of the objector are understood, it is not considered that this is a sustainable planning ground for refusal.

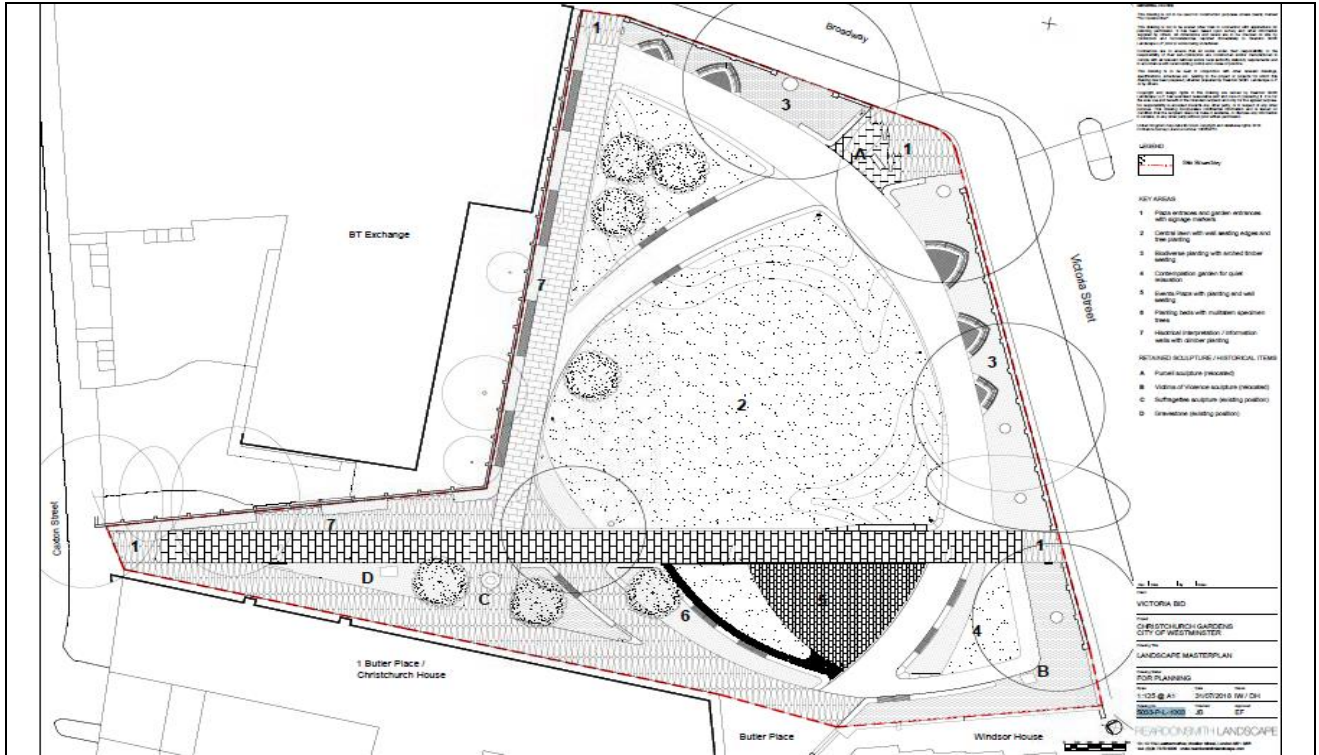
### Strutton Ground Market Traders

Concerns have been raised from representatives on behalf of Strutton Ground Market Stall Traders who consider that Christchurch Gardens should be used to relocate the 22 traders currently residing and trading in Strutton Ground during works to resurface Strutton Ground. Any proposal to relocate Strutton Ground Market Traders would need planning permission and would have to be assessed on its own merits.

(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: DAVID DORWARD BY EMAIL AT [ddorward@westminster.gov.uk](mailto:ddorward@westminster.gov.uk)

9. KEY DRAWINGS





**DRAFT DECISION LETTER**

**Address:** Christchurch Gardens, Victoria Street, London, SW1H 0AY,

**Proposal:** Hard and soft landscaping improvements to public open space, with new and realigned paths, enhanced signage, lighting and planting.

**Reference:** 18/07319/COFUL

**Plan Nos:** 5033-P-L-1001, 5033-P-L-1002, 5033-P-L-1003, 5033-P-L-1004, 5033-P-L-1005, 5033-P-L-1010, 5033-P-L-3001, 5033-P-L-3002, 5033-P-L-3101

For Information: Design and Access Statement August 2018 including Illustrative CGIs, Arboricultural Impact Assessment / Arboricultural Method Statement, Conclusions & Recommendations from Archaeological Evaluation, and Soil and Turf Assessment Report; Preliminary Ecological Appraisal (TEC); Drainage Strategy Report; Lighting Report, Statement of Community Involvement; Historic Environment Report (MOLA); Archaeological Evaluation Report; , , UXO Risk Assessment (1st Line Defence); and 1846 Broadway Ground Burial Map (Westminster Archives)

**Case Officer:** David Dorward

**Direct Tel. No.** 020 7641 2408

**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:**

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.

- 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 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 Christchurch Gardens is suitable and that it contributes to the character and appearance of this part of the Christchurch Gardens 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.

- 4 You must apply to us for approval of samples of the materials you will use, including plans annotated to show where the materials are to be located. 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.

Reason:

To make sure that the appearance of Christchurch Gardens is suitable and that it contributes to the character and appearance of this part of the Christchurch Gardens 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.

- 5 **Pre Commencement Condition.** No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and:

- A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and,  
B. The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material.

You must then carry out the archaeological work and development according to this approved scheme.

Reason:

To protect the archaeological heritage of the City of Westminster as set out in S25 of Westminster's City Plan (November 2016) and DES 11 of our Unitary Development Plan that we adopted in January 2007.



(R32BC)

- 6 **Pre Commencement Condition.** No development shall take place until details of the foundation design and construction method to protect archaeological remains have been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason:

To avoid damage to any archaeological remains on site as set out in S25 of Westminster's City Plan (November 2016) and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32AC)

- 7 You must apply to us for approval of an arboricultural impact assessment to demonstrate that the proposed pathways within the Root Protection Areas of the trees you are keeping can be installed without harm to these trees. 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 according to the approved details.

Reason:

To protect the trees and the character and appearance of this part of the Christchurch Gardens Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

- 8 **Pre Commencement Condition.** You must apply to us for approval of a method statement explaining the measures you will take to protect the trees on and close to the site. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved in writing what you have sent us. You must then carry out the work according to the approved details. (C31CC)

Reason:

To protect the trees and the character and appearance of this part of the Christchurch Gardens Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

- 9 You must apply to us for our approval of the positions and method to be used to dig trenches, pipelines or ducts for services or drains. You must not start any work to dig trenches, pipelines or ducts for services or drains until we have approved in writing what you have sent to us. The work must be carried out according to the approved details. (C31PB)

Reason:

To protect the trees and the character and appearance of this part of the Christchurch Gardens

Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

- 10 You must apply to us for our approval of any planned digging to make a hard surface underneath any trees that you are going to keep, and the materials you plan to use to make the hard surface. You must not start any work on any digging to make a hard surface underneath any trees that you are going to keep until we have approved in writing what you have sent to us. The surfacing must be carried out according to the approved details. (C31LB)

Reason:

To protect the trees and the character and appearance of this part of the Christchurch Gardens Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

- 11 You must apply to us for our approval of the depth and methods to be used to dig the foundations. You must not start any work to dig the foundations until we have approved in writing what you have sent to us. The excavation and foundations must be carried out according to the approved details. (C31MB)

Reason:

To protect the trees and the character and appearance of this part of the Christchurch Gardens Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

- 12 You must carry out any digging underneath the canopy of any trees which are to be kept as shown on plan 5033-P-L-1005 by hand or using hand-held tools (other than power-driven tools). If you come across any roots of 25 millimetres or more in diameter, you must carefully protect them from being exposed and drying out. You must cut any damaged or severed roots with a sharp cutting tool so that the final wound is as small as possible. (C31FA)

Reason:

To protect the trees and the character and appearance of this part of the Christchurch Gardens Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

**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.

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.