

|  |  |  |                 |
|--|--|--|-----------------|
| <b>CITY OF WESTMINSTER</b>   |  |  |                 |
| <b>PLANNING APPLICATIONS SUB COMMITTEE</b>                         | <b>Date</b><br>14 May 2019   | <b>Classification</b><br>For General Release           |                 |
| <b>Report of</b><br>Executive Director Growth Planning and Housing |  | <b>Ward(s) involved</b><br>Knightsbridge And Belgravia |                 |
| <b>Subject of Report</b>   | <b>30 Chapel Street, London, SW1X 7DD</b>  |  |                 |
| <b>Proposal</b>  | Variation of condition 1 of planning permission dated 23rd September 2014 (RN 14/02800/FULL) for the "Excavation under rear garden to create a basement with swimming pool, demolition of lower ground rear extension, erection of lower ground and ground floor rear extensions, terrace at first floor level, installation of rooflight at main roof level and associated landscaping". NAMELY, to vary drawings to install new rooflights at second and roof level and relocation of roof access hatch at main roof level, alter the layout at approved basement and lower ground floors and, minor internal alterations at ground, second and third floors, relocate a rainwater pipe on the front elevation, install metal poles in the rear garden to support an artificial green wall along all boundaries, install a new rooflight at third floor level to provide access to the plant room, installation of new steps to the front entrance and front lightwell, replacement of damaged pipe on the boundary wall and installation of mounted wall lights, CCTV and external cooler unit. (Linked to 19/00464/LBC). |  |                 |
| <b>Agent</b>   | Ms Liz Shannon (Savills)   |  |                 |
| <b>On behalf of</b>  | Terrace Development Corporation  |  |                 |
| <b>Registered Number</b>   | 19/00331/FULL<br>19/00464/LBC  | <b>Date amended/<br/>completed</b>                     | 6 February 2019 |
| <b>Date Application Received</b>                                   | 17 January 2019  |  |                 |
| <b>Historic Building Grade</b>                                     | II   |  |                 |
| <b>Conservation Area</b>   | Belgravia  |  |                 |

## 1. RECOMMENDATION

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

## 2. SUMMARY

The application site is a grade II listed building located in the Belgravia Conservation Area. The building has 5 storeys and is the tallest building in the listed terrace (nos. 28-32 Chapel Street). The property is in use as a single-family residential dwelling (class C3).

The proposals involve some minor alterations to a previously approved scheme for excavation and extensions to the property.

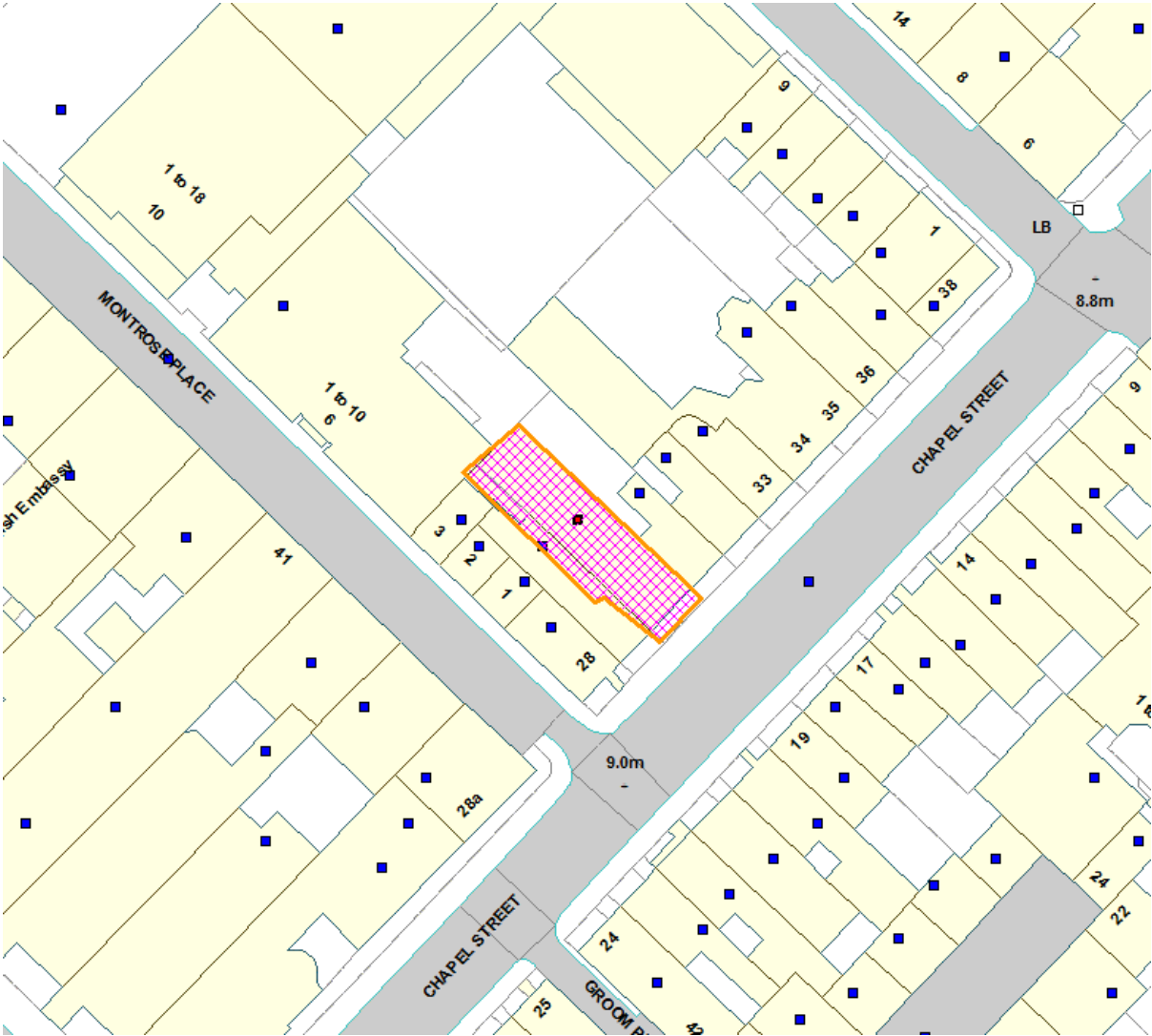
The key issues for consideration are:

- The impact of the proposals on the appearance of the listed building and character of the Belgravia Conservation Area.
- The impact of the proposals on the amenity of the neighbouring residents.

Several objections have been received from a neighbouring resident, but largely relate to non-planning matters.

The proposals are considered acceptable and comply with Westminster's City Plan (adopted in 2016) and the Council's Unitary Development Plan (adopted in 2007) and are therefore recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Front elevation, 30 Chapel Street SW1



**View over completed rear garden (timber fence on boundary with no. 29 Chapel St and 3 Montrose Place to the left of the photo)**



Party wall with no. 29 during works – photo taken from application site.



## 5. CONSULTATIONS

### THE BELGRAVIA SOCIETY

Any response to be reported verbally.

### BELGRAVIA RESIDENTS ASSOCIATION

Any response to be reported verbally.

### BELGRAVIA NEIGHBOURHOOD FORUM

Any response to be reported verbally.

### ENVIRONMENTAL HEALTH

No objection subject to standard noise and vibration conditions.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 20

Total No. of replies: 1

No. of objections: 1 objection from an adjacent residential occupier comprised of 1 letter and 14 emails of objection (dating 21 November 2018 to 11 April 2019). The letters express the following concerns:

- Trespassing
- Demolishing party wall and consequent damage to the roof of part of No. 29
- New party wall with timber fence– fire hazard and safety issues
- Rain water pipe alterations and damage to front elevation of No. 29
- Loss of gap in party wall for ventilation
- Works undertaken without consent from the adjacent owner or council
- Unclear how site will drain

No. in support: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

30 Chapel Street is a grade II listed building located in the Belgravia Conservation Area. The building has 5 storeys and is the tallest building in the listed terrace (nos. 28-32 Chapel Street). The property is in use as a single-family residential dwelling (class C3). The site is within close proximity to a number of residential properties both within Chapel Street adjacent and Montrose Place behind. There have been ongoing building works to implement the 2014 planning permission and listed building consent.

### 6.2 Recent Relevant History

23 September 2014 (14/02800/FULL) – planning permission and listed building consent granted for the “excavation under rear garden to create a basement with swimming pool, demolition of lower ground rear extension, erection of lower ground

and ground floor rear extensions, terrace at first floor level, installation of rooflight at main roof level and associated landscaping”.

There have been 4 subsequent planning permissions and listed building consents to vary the originally approved scheme in 2016, 2017 and 2018. These permissions allowed alterations to the layouts at approved basement, lower ground and ground floors, alter the external appearance including the building section of the closet wing wall, reposition the basement stair, alter the third-floor staircase, install new rooflights at the second, third and main roof level, relocate the roof access hatch, install two condenser units and an acoustic enclosure at roof level, and to extend the existing rainwater pipe to the front façade.

The most recent minor material amendment applications for planning permission and listed building consent were granted on 18<sup>th</sup> September 2018 (18/05804/FULL & 18/05859/LBC respectively), namely, to vary the drawings to include alterations on the basement, lower ground, ground, second and third floors.

In 2018 complaints were lodged with Planning Enforcement regarding some unauthorised works to the downpipes on the front elevation and the erection of metal poles and a timber fence in the rear garden.

### 6.3 THE PROPOSAL

|                | Existing GIA (sqm) | Proposed GIA (sqm) | +/- (sqm) |
|----------------|--------------------|--------------------|-----------|
| C3 Residential | 533                | 527                | -6        |
| Total          | 533                | 527                | -6        |

This application, along with listed building consent application 19/00464/LBC, seeks a further variation of condition 1 of planning permission and listed building consent applications dated 23<sup>rd</sup> September 2014 (14/02800/FULL & 14/02801/LBC). The alterations comprise various alterations including the installation of new rooflights at second floor, third floor and roof level and relocation of the roof access hatch at main roof level, alterations to the layout at approved basement and lower ground floors and minor internal alterations at ground, second and third floors. The retention of the current rainwater pipe arrangement on the front elevation is also sought, along with the retention of the metal poles in the rear garden to support an artificial green wall/timber fence along all boundaries. The replacement of the existing steps to the front entrance and front lightwell, replacement of damaged pipe on the boundary wall and installation of mounted wall lights, CCTV and external cooler unit are also proposed.

As part of the scheme, this application seeks to regularise enforcement matters on the property regarding the replacement of an existing hopper/rainwater pipe on the boundary with No. 29 Chapel Street and the installation of metal posts in the rear garden to support the timber boundary fence/green wall. In 2017 (17/06505/LBC), permission was granted to alter a rainwater pipe that sits on the front elevation of the host property. The original rainwater pipe was shared by No. 29 and No. 30 Chapel Street and the 2017 scheme sought to extend the main run of the existing cast pipe to serve No. 30 only, while the existing run would remain serving No. 29 Chapel Street. However, the approved layout was altered on site during construction works, deviating from the 2017 permission. This application seeks approval of the new layout.



The proposed metal posts and boundary treatment have been constructed without planning permission or listed building consent and therefore the application seeks retrospective approval.

## **7. DETAILED CONSIDERATIONS**

### **7.1 Land Use**

The application does not propose to alter the use of the property, currently in use as a single-family dwelling.

### **7.2 Townscape and Design**

Notwithstanding their inclusion to this application for completeness, the alterations permitted under previous variation of condition applications (quoted above) have not been considered in this application given that they are permitted. Therefore, this application will only consider the newly proposed alterations including the proposed wine cooler unit to the rear lightwell, new boundary treatment, new roof hatch, external lighting, rainwater pipe alterations, staircase alterations to the front, new rooflights, minor internal alterations and new CCTV.

#### **Boundary Treatment**

The proposed boundary treatment comprises of metal posts and timber fencing along the rear boundary edges of the property, measuring approx. 2.8m along the southwest boundary until it adjoins No. 3 Montrose Place where it then falls to approx. 2.5m high. The boundary treatment would extend approx. 3.5m in height from lower ground floor level along the northeast boundary and would be approx. 2m high to the northwest boundary. The boundary treatment comprises green artificial foliage on the surface which completely covers the fencing. In addition, a frameless glass balustrade is proposed at ground floor level fixed to the new external brick wall at the rear, behind the planter to the northeast boundary, and would be approx. 1m in height.

The proposed boundary treatment would be the same height as the existing boundary wall and the section of wall between nos 29 and 30 that has now been demolished. The objector is very concerned regarding the demolition of the section of party wall between nos 29 and 30 in terms of its appearance and other issues including consent for its removal, consequent property damage and rights of access. The main consideration in planning terms is the appropriateness of the proposed boundary treatment in terms of its impact upon the listed building and conservation area. Whilst it is an unusual treatment, it is a very small section of wall that has been removed, and it is not considered that the fence/green wall as built has any harmful impact on the special interest of the listed building. It is visible only in private views from the application site and limited surrounding properties, including limited views from No. 29. It is not considered that it would be reasonable to refuse the scheme on the basis of the timber fence and supporting structure along the boundary.

#### **External Lighting and CCTV**

The external wall-mounted lighting within the front and rear lightwells is found acceptable subject to a condition ensuring that they are down-lit only. Meanwhile, the proposed CCTV is discreetly located within the front lightwell and rear garden.

Subject to the above condition, the proposed external lighting and CCTV are found acceptable in design and conservation terms and are not considered to negatively impact the character and appearance of the listed building or Belgravia Conservation Area.

### **Wine Cooler Unit**

The proposed wine cooler unit is located within the rear lightwell at lower ground level and measures approx. 0.8m in width, 0.3m in depth and 0.6m in height. The unit does not include an enclosure. The unit is small in scale and is effectively hidden from public view in the lightwell on the boundary with No. 31 Chapel St. On this basis, the proposed unit is considered acceptable.

### **Rooflights, Access Hatch and Internal Alterations**

The proposed works are acceptable and do not have any impact on the special interest of the listed building or character and appearance of the Belgravia Conservation Area.

### **Rainwater Pipe**

Whilst the comments of the objector are noted, the appearance of the rainwater pipe is appropriate and is considered to be representative of a usual arrangement within Belgravia. It is not considered to have a negative impact on the character or appearance of the grade II listed terrace or Belgravia Conservation Area and is found acceptable in design and conservation terms.

### **Staircase Alterations**

The proposals seek to replace both the front entrance and front lightwell staircases. The submitted method statement dated 22<sup>nd</sup> March 2019 states that the screed acting as the sub-base beneath the steps are broken and have been found bearing on poor quality loose fill and earth. Installing new steps over the existing defective steps has been found unviable within the method statement due to the sub-base being 'structurally unsound'. On this basis the works propose the complete replacement of both staircases, using Portland Stone for the front entrance staircase and York Stone for the front lightwell staircase. The proposals are acceptable.

In summary, the proposed works are not considered to have a negative impact on the character and appearance of the Belgravia Conservation Area or special interest of the Grade II listed terrace and are in accordance with Policies DES 1, DES 5, DES 6, DES 9 and DES 10 of the Council's Unitary Development Plan (adopted in 2007) and S25 and S28 of Westminster's City Plan (adopted in 2016). The works are therefore found acceptable on design and conservation grounds.

## **7.3 Residential Amenity**

Overall, the proposed works by virtue of their siting, scale and massing, are not considered to have a negative impact on the neighbouring residential amenity in terms of loss of light, loss of outlook, loss of privacy, overbearingness or a sense of enclosure. The proposals are therefore in accordance with Policies ENV13 of the UDP and S29 of the City Plan and are found acceptable in terms of amenity.

#### **7.4 Transportation/Parking**

The proposals would not impact on the existing highways or parking provisions.

#### **7.5 Economic Considerations**

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

#### **7.6 Access**

Access to the property will remain at the front of the property as existing via Chapel Street.

#### **7.7 Other UDP/Westminster Policy Considerations**

##### **Plant**

The submitted acoustic report has outlined that the proposed new cooling unit would emit acceptable levels of noise. The existing minimum background noise levels were found to be 31dBA. Due to the distance between the site and nearest noise sensitive receiver, the resultant highest predicted noise level from the air condensers is predicted to be 31dBA. The resultant noise levels would therefore comply with Policies ENV 6 and ENV 7 of the UDP and are not likely to significantly harm the nearest neighbouring properties in terms of noise and disturbance. The Council's Environmental Health Officer raises no objection to the proposal subject to standard conditions and informatives controlling noise and vibration.

#### **7.8 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 took place between Monday 12 November 2018 and Friday 21 December 2018. Following this informal consultation, any representations received are being 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.

#### **7.9 Neighbourhood Plans**

None applicable to this site.

#### **7.10 London Plan**

This application raises no strategic issues.

#### **7.11 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.

### 7.12 Planning Obligations

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

### 7.13 Environmental Impact Assessment

Not applicable for a scheme of this size.

### 7.14 Other Issues

Numerous objections have been received from a neighbouring resident raising a number of issues outside the bounds of planning control. The matters raised including trespass, potential boundary disputes, party wall notification, fire hazards and health and safety are not matters which we can reasonably take into account in determining this application. Whilst construction works on this site have unfortunately been ongoing for several years and have caused issues for neighbours, we cannot take this inconvenience into account in our consideration of the scheme. The other issues of contention in respect of the rainwater drainage pipe to the front elevation and the merits of the boundary treatment have been discussed elsewhere in this report and we do not consider that the works compromise the special interest of the listed building.

Matters relating to the party wall outside of those considered in this report are civil matters to be agreed between the two affected parties via a Party Wall agreement and are not a material planning consideration.

#### **Serving Notice**

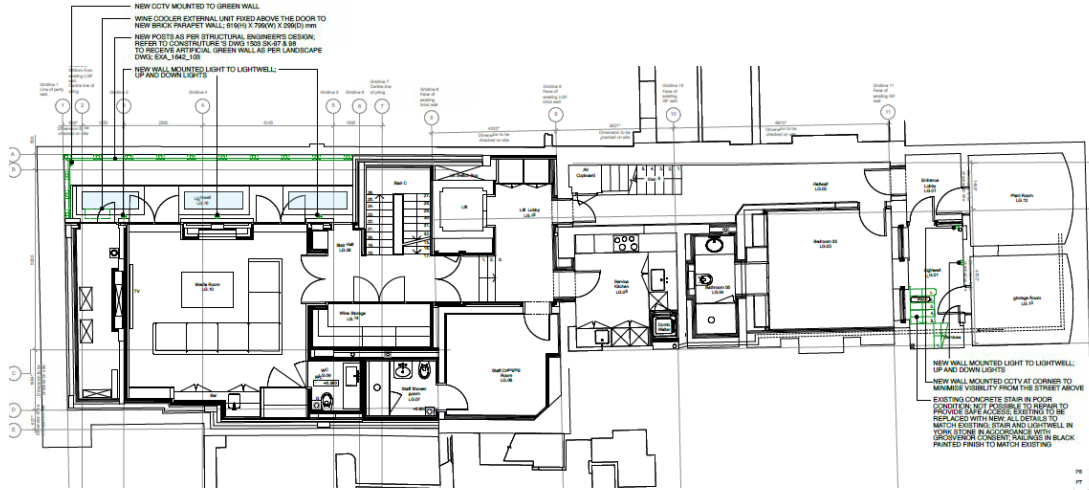
The City Council sent out 20 neighbour notification letters to the appropriate nearby and adjoining owners including No. 29 Chapel Street and 31 Chapel Street. In addition, the applicant correctly signed Certificate B which includes serving notice on all appropriate adjacent properties to which the development shares or abuts a boundary line. In this case, No. 3 Montrose Place, No. 29 Chapel Street and No. 30 Chapel Street were all served notice under Certificate B and we are satisfied that the applicant has discharged their duty in respect of the requirements of the Planning Acts.

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

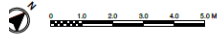
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: LOUISE FRANCIS BY EMAIL AT [lfrancis@westminster.gov.uk](mailto:lfrancis@westminster.gov.uk)

8. KEY DRAWINGS

Proposed lower ground floor plan



INFORMATIVE PROPOSED LOWER GROUND FLOOR PLAN  
SCALE 1:500 @ A1, 1:100 @ A3



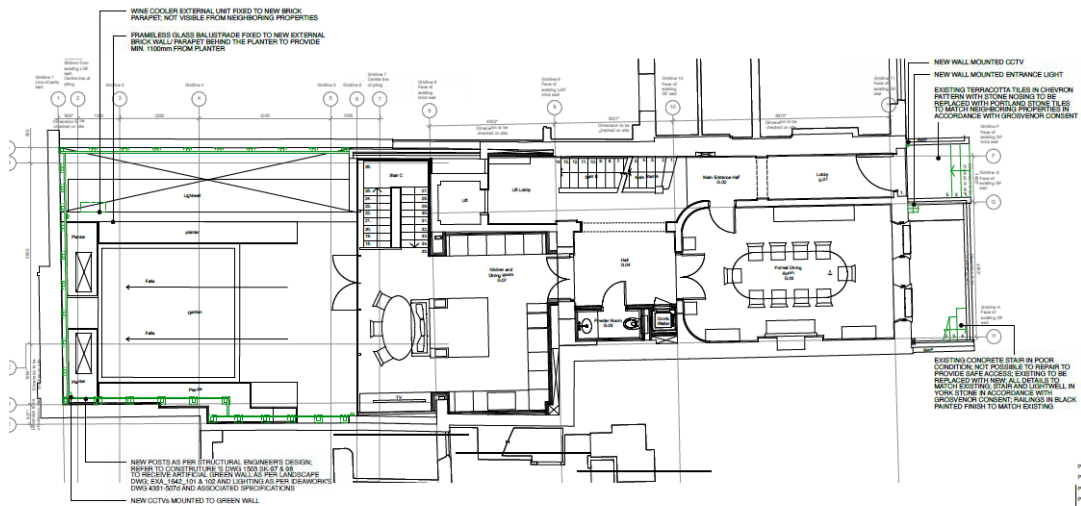
PROPOSED WALL LIGHT

|    |          |                    |
|----|----------|--------------------|
| PT | 18.04.11 | FOR PLANNING (MMA) |
| PT | 18.05.21 | FOR PLANNING (MMA) |
| PT | 18.01.10 | FOR PLANNING (MMA) |
| PT | 18.01.02 | FOR PLANNING (MMA) |
| PT | 18.12.18 | FOR PLANNING (MMA) |
| PT | 18.11.18 | FOR PLANNING (MMA) |
| PT | 18.07.05 | FOR PLANNING (MMA) |
| PT | 18.07.02 | DRAFT REVIEW       |

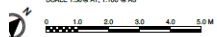
**MorenoMasey**  
+44 20 3142 6554  
morenomasey.com

|  |                                 |          |          |
|--|---------------------------------|----------|----------|
| PROJECT                                      | 30 CHAPEL STREET                |          |          |
| CLIENT                                       | TERRACE DEVELOPMENT AGENCY CORP |          |          |
| ISSUED FOR                                   | DATE                            | BY       | REVISION |
| INFORMATIVE PROPOSED LOWER GROUND FLOOR PLAN | 2018.08.22                      | WJL      | 21       |
| PROJECT NO.                                  | DWG NO.                         | REVISION |          |
| 18010  | 011                             | P8       |          |

Proposed ground floor



INFORMATIVE PROPOSED GROUND FLOOR PLAN  
SCALE 1:500 @ A1, 1:100 @ A3

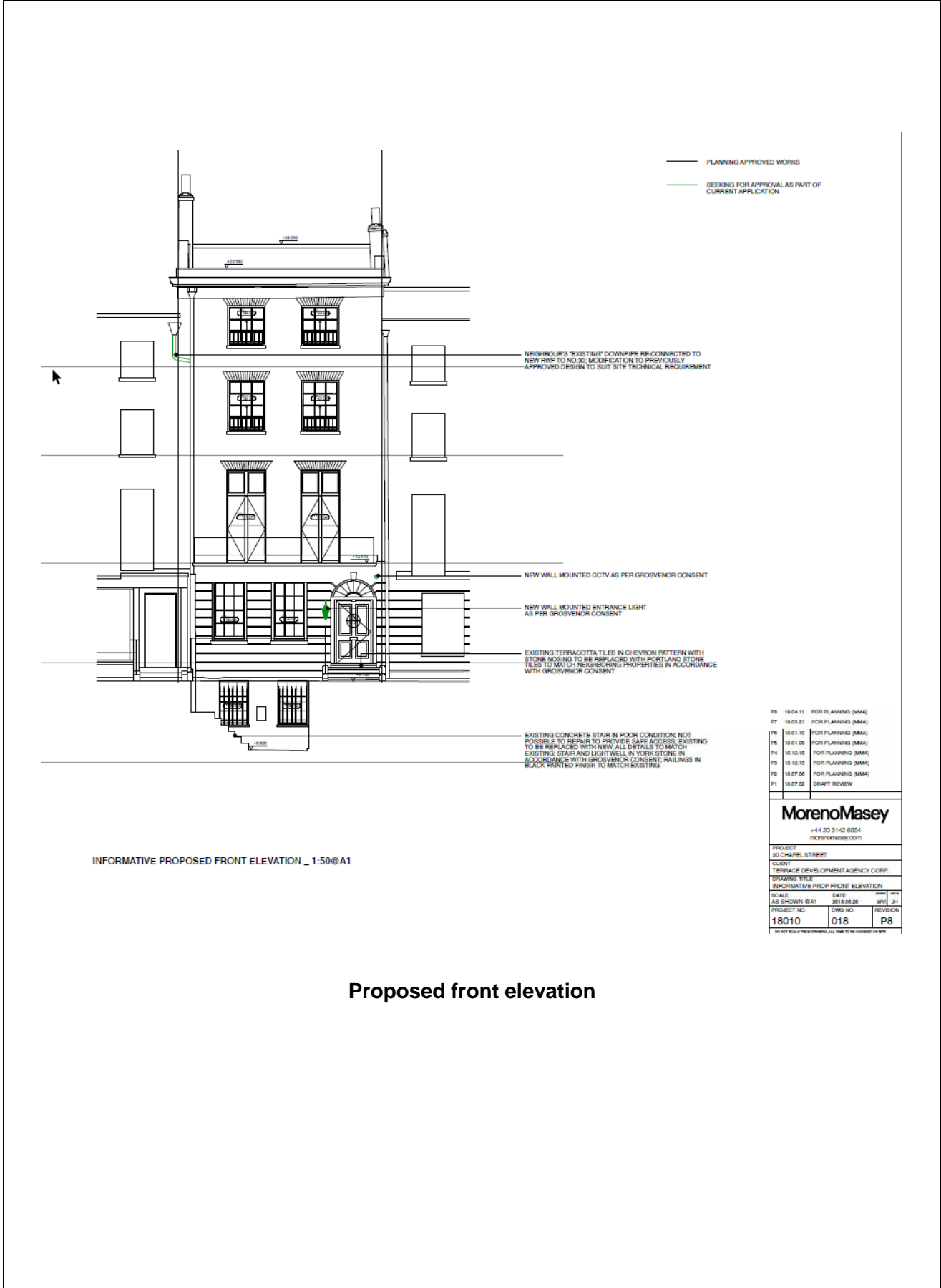


PROPOSED WALL LIGHT AT FRONT ENTRANCE

|    |          |                    |
|----|----------|--------------------|
| PT | 18.04.11 | FOR PLANNING (MMA) |
| PT | 18.01.10 | FOR PLANNING (MMA) |
| PT | 18.01.02 | FOR PLANNING (MMA) |
| PT | 18.12.18 | FOR PLANNING (MMA) |
| PT | 18.11.18 | FOR PLANNING (MMA) |
| PT | 18.07.05 | FOR PLANNING (MMA) |
| PT | 18.07.02 | DRAFT REVIEW       |

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|  |                                 |          |          |
|--|---------------------------------|----------|----------|
| PROJECT                                | 30 CHAPEL STREET                |          |          |
| CLIENT                                 | TERRACE DEVELOPMENT AGENCY CORP |          |          |
| ISSUED FOR                             | DATE                            | BY       | REVISION |
| INFORMATIVE PROPOSED GROUND FLOOR PLAN | 2018.08.22                      | WJL      | 21       |
| PROJECT NO.                            | DWG NO.                         | REVISION |          |
| 18010                                  | 012                             | P8       |          |



INFORMATIVE PROPOSED FRONT ELEVATION \_ 1:50@A1

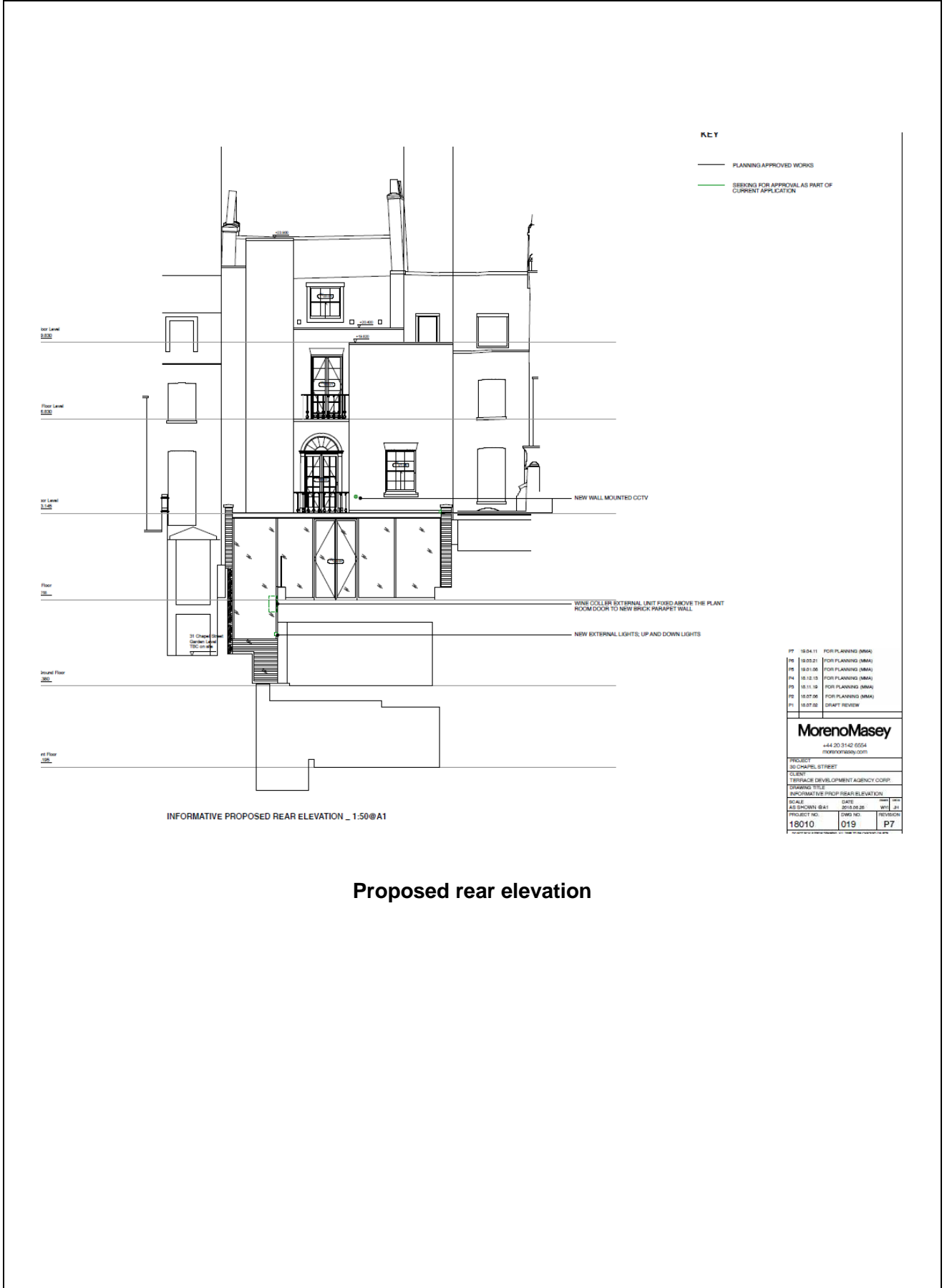
|    |          |                    |
|----|----------|--------------------|
| P8 | 18.04.11 | FOR PLANNING (MMA) |
| P7 | 18.03.21 | FOR PLANNING (MMA) |
| P6 | 18.01.10 | FOR PLANNING (MMA) |
| P5 | 18.01.08 | FOR PLANNING (MMA) |
| P4 | 18.12.15 | FOR PLANNING (MMA) |
| P3 | 18.12.13 | FOR PLANNING (MMA) |
| P2 | 18.07.08 | FOR PLANNING (MMA) |
| P1 | 18.07.02 | DRAFT REVIEW       |

|   |                  |
|---|------------------|
| <b>MorenoMasey</b>                                    |                  |
| +44 20 3142 6554<br>www.morenomasey.com               |                  |
| PROJECT<br>30 CHAPEL STREET                           |                  |
| CLIENT<br>TERRACE DEVELOPMENT AGENCY CORP.            |                  |
| DRAWING TITLE<br>INFORMATIVE PROPOSED FRONT ELEVATION |                  |
| SCALE<br>AS SHOWN @A1                                 | DWG NO.<br>18010 |
| DATE<br>2018.06.28                                    | REVISION<br>018  |
|   | REVISION<br>P8   |

DO NOT SCALE FROM DRAWING. ALL DIMS TO BE CHECKED ON SITE.

Proposed front elevation



INFORMATIVE PROPOSED REAR ELEVATION \_ 1:50@A1

Proposed rear elevation

**DRAFT DECISION LETTER**

**Address:** 30 Chapel Street, London, SW1X 7DD

**Proposal:** Variation of condition 1 of planning permission dated 23rd September 2014 (RN 14/02800/FULL) for the Excavation under rear garden to create a basement with swimming pool, demolition of lower ground rear extension, erection of lower ground and ground floor rear extensions, terrace at first floor level, installation of rooflight at main roof level and associated landscaping from RN 14/02800/FULL. NAMELY, to vary drawings to install new rooflights at second and roof level and relocation of roof access hatch at main roof level, alter the layout at approved basement and lower ground floors and, minor internal alterations at ground, second and third floors, relocate a rainwater pipe on the front elevation, install metal poles in the rear garden to support an artificial green wall along all boundaries, install a new rooflight at third floor level to provide access to the plant room, installation of new steps to the front entrance and front lightwell, replacement of damaged pipe on the boundary wall and installation of mounted wall lights, CCTV and external cooler unit. (Linked to 19/00464/LBC)

**Reference:** 19/00331/FULL

**Plan Nos:** Acoustic report 24835/PNA2 dated 6 February 2019; Landscape General Arrangement Plan EXA\_1642\_010 Rev C1; Metal Planter EXA\_1642\_210 Rev C1; EXA\_1642\_101 Rev C1; EXA\_1642\_102 Rev C1; EXA\_1642\_103 Rev C1; Cooler Unit Specification (PACi Elite Inverter Single Phase); 011/P8; 012/P8; 013/P5; 014/P5; 015/P4; 016/P4; 017/P4; 018/P8; 019/P7; 20/P1; 021/P1; 021/P2

Information Only: Covering letter dated 11 January 2019;  
 CCTV information document; Constructure Method Statement 1503/DOM/AS dated 22.03.19; Drawings: SK98-1, SK98-2, SK98-3, SK-97; Lighting plan- 4331-507d; Front Entrance Steps RF: 1503/DOM/AS; Existing sections- Section E-E, F-F: SS(0)004 Rev 02;  
 Lighting Technical Specification; Sketch Drawing of rear boundary treatment (Rec'd 22-03-19); Heritage Statement dated April 2019.

**Case Officer:** Hayley White **Direct Tel. No.** 020 7641

**Recommended Condition(s) and Reason(s)**

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

**Reason:**

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



- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:

- 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.

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

- between 08.00 and 18.00 Monday to Friday; and
- 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 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)

- 4 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 listed 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, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 5 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

Reason:

To protect the special architectural or historic interest of this listed 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, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 6 Notwithstanding approved drawings, the proposed external lights within the front light-well must be downlighters only and not provide upward light.

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)

- 7 You must apply to us for approval of details of the following parts of the development:

- i) A sample of stone for the front steps- to be provided on site.

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.

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)

- 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 You must keep to the terms of the detailed drawings of the ground floor extension approved by the City Council as Local Planning Authority on 10 August 2015 under RN: 15/05223/ADFULL, or in accordance with other detailed drawings as submitted to and approved by the City Council.

Reason:

To protect the special architectural or historic interest of this listed 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, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 10 You must keep to the terms of the Tree Protection Method Statement approved by the City Council as Local Planning Authority on 18 June 2015 under RN: 15/03858/ADFULL, or in accordance with an alternative tree protection plan as submitted to and approved by the City Council.

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 11 You must keep to the terms of the construction management plan approved by the City Council as Local Planning Authority on 23 April 2015 under RN 14/11345/ADFULL, or in accordance with another construction management plan as submitted to and approved by the City Council.

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),

- 12 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, neighbourhood plan (where relevant), 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 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following: , , \* Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible; , , \* This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be

given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant., , Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at [www.hse.gov.uk/risk/index.htm](http://www.hse.gov.uk/risk/index.htm). , , It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

- 3 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained., Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following:
  - \* Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings;,\* Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase;,\* Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained;,\* Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the centre of particularly wide staircases where necessary;,\* Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.
  
- 4 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.
  - \* Window cleaning - where possible, install windows that can be cleaned safely from within the building., \*
  - Internal atria - design these spaces so that glazing can be safely cleaned and maintained., \*
  - \* Lighting - ensure luminaires can be safely accessed for replacement., \*
  - Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission)., More guidance can be found on the Health and Safety Executive website at [www.hse.gov.uk/falls/index.htm](http://www.hse.gov.uk/falls/index.htm). , Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)
  
- 5 Conditions 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)
  
- 6 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.

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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: 30 Chapel Street, London, SW1X 7DD,
- Proposal: Variation of condition 1 of listed building consent dated 23rd September 2014 (RN 14/02801/LBC) for the Excavation under rear garden to create a basement with swimming pool, demolition of lower ground rear extension, erection of lower ground and ground floor rear extensions, terrace at first floor level, installation of rooflight at main roof level and associated landscaping from RN 14/02801/LBC. NAMELY, to vary drawings to install new rooflights at second and roof level and relocation of roof access hatch at main roof level, alter the layout at approved basement and lower ground floors and minor internal alterations at ground, second and third floors, relocate a rainwater pipe on the front elevation, install metal poles in the rear garden to support an artificial green wall along all boundaries, install a new rooflight at third floor level to provide access to the plant room, installation of new steps to the front entrance and front lightwell, replacement of damaged pipe on the boundary wall and installation of mounted wall lights, CCTV and external cooler unit. (Linked to 19/00331/FULL)
- Reference: 19/00464/LBC
- Plan Nos: Landscape General Arrangement Plan EXA\_1642\_010 Rev C1; Metal Planter EXA\_1642\_210 Rev C1; EXA\_1642\_101 Rev C1; EXA\_1642\_102 Rev C1; EXA\_1642\_103 Rev C1; 011/P8; 012/P8; 013/P5; 014/P5; 015/P4; 016/P4; 017/P4; 018/P8; 019/P7; 20/P1; 021/P1; 021/P2
- Information Only: Covering letter dated 11 January 2019;  
CCTV information document; Constructure Method Statement 1503/DOM/AS dated 22.03.19; Drawings: SK98-1, SK98-2, SK98-3, SK-97; Lighting plan- 4331-507d; Front Entrance Steps RF: 1503/DOM/AS; Existing sections- Section E-E, F-F: SS(0)004 Rev 02;  
Lighting Technical Specification; Sketch Drawing of rear boundary treatment (Rec'd 22-03-19); Heritage Statement dated April 2019.
- Case Officer: Hayley White Direct Tel. No. 020 7641

**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)

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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 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

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 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 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)

- 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 keep to the terms of the detailed drawings of the services, secondary staircase and design of the rear extension approved by the City Council as Local Planning Authority on 08 June 2015 under RN: 15/04485/ADLBC, 10 August 2015 RN: 15/05240/ADLBC and 18 August 2015



RN: 15/05692/ADLBC, or in accordance with other detailed drawings as submitted to and approved by the City Council.

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)

- 7 The new joinery work must exactly match the existing original work unless differences are shown on the drawings we have approved. (C27EA)

Reason:

To protect the special architectural or historic interest of this listed 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, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 8 You must apply to us for approval of details of the following parts of the development:
  - i) A sample of stone for the front steps- to be provided on site.

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.

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.