

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 11 <sup>th</sup> June 2019	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Bayswater	
Subject of Report	20 Westbourne Park Villas, London, W2 5EA		
Proposal	Excavation of basement with rear lightwell, erection of ground floor rear extension and first floor rear extension to square off chamfered bay, alterations to windows, reinstatement of front boundary with new bin store, bike store and re-landscaping to rear garden. All in association with the use of the building as a single-family dwelling.		
Agent	Mr Adam Beamish		
On behalf of	Mr Alastair Graham		
Registered Number	18/10463/FULL	Date amended/ completed	18 April 2019
Date Application Received	11 December 2018		
Historic Building Grade	Unlisted		
Conservation Area	Westbourne		

## 1. RECOMMENDATION

Grant conditional permission.

## 2. SUMMARY

No.20 Westbourne Park Villas is an unlisted semi-detached three storey building subdivided into three flats, located within the Westbourne Conservation Area.

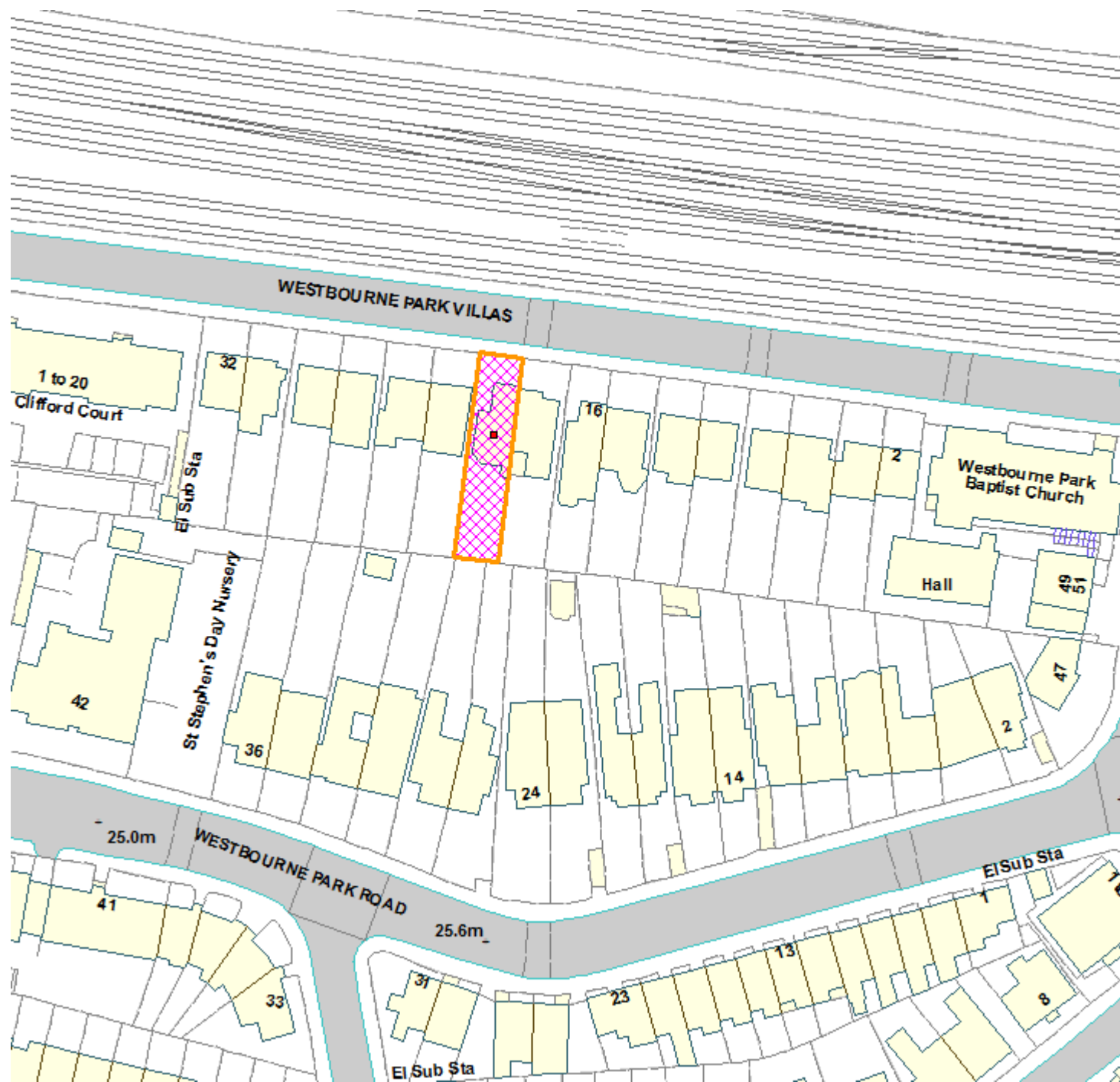
Permission is sought for works involving extensions and alterations to the building and its curtilage in connection with the amalgamation of the flats into a single family dwelling house. Most of the works were granted permission last year under two applications, apart from two new elements now included which comprise works of excavation to form a basement beneath part of the building and the reinstatement of a front boundary wall. The proposal has been revised during the application to amend the proposed rear lightwell and proposed landscaping plan to include tree planting and to revise the ownership certificate.

Objections have been received from six neighbours on a number of grounds including principle of basement, design, amenity, structural, trees and construction. The key considerations are:

- Impact on the proposal on character and appearance of the building and Westbourne conservation area; and
- Impact of the proposal on the amenities of neighbouring properties

The proposal is considered acceptable and satisfies the relevant planning policies our Unitary Development Plan and City Plan. Accordingly, it is recommended that conditional permission is granted.

## 3. LOCATION PLAN



#### 4. PHOTOGRAPHS

The front elevations of 18 (left) and 20 Westbourne Park Villas (right).





The rear elevation of 20 Westbourne Park Villas.





The rear elevation of 20 (left) and 18 Westbourne Park Villas (right).





The rear elevation of 22 (left) and 20 Westbourne Park Villas (right).



## 5. CONSULTATIONS

### ORIGINAL CONSULTATION

#### WESTBOURNE NEIGHBOURHOOD FORUM

Any response to be reported verbally.

#### SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

Any response to be reported verbally.

#### BUILDING CONTROL

No objection. The scheme has been justified structurally, sufficient details have been provided to show how the walls will be extended using traditional mass fill concrete underpinning in 1m wide section and piling which is appropriate for this site. The proposals to safeguard adjacent properties during construction is acceptable. The proposal will not have any effects on ground or surface water and it will not increase the likelihood of flooding in the local area.

#### ARBORICULTURAL SERVICES

No objection, subject to conditions, to secure tree protection, landscaping and tree planting. Noted that revised landscaping plan should be secured to include replacement tree planting for the removed plum trees (subsequently submitted).

#### ADJOINING OWNERS / OCCUPIERS AND OTHER REPRESENTATIONS

No. consulted: 20

No. of objections: From 6 addresses

No. of other responses: 0

The objections are summarised as follows:

#### DESIGN

- Harm to the conservation area, from loss of garden and due to basement not being traditional feature
- Extensions harmful to building
- Details of boundary wall should be provided

#### AMENITY

- Loss of daylight, to kitchen at no. 18
- Noise disturbance from proposed family room in basement
- Light pollution to rear

#### BASEMENT

- Cumulative impact of basements on ground water levels is not known
- Full width lightwells and no margin of undeveloped land has been provided
- Lightwell should not be altered in the future



- Building is at risk of subsidence, as it is not underpinned, ground levels of the gardens nearby vary and as it is alleged that local water causes are known to rise and fall throughout the year
- The collapse to the rear at no. 10 Westbourne Park Villas in February 2019 is not reassuring to neighbours
- An independent assessment of the Structural Methodology Statement should be carried out

#### LANDSCAPING

- Landscaping plans do not show the recently felled plum tree or replacement tree.

#### CONSTRUCTION IMPACT

- Construction noise produced would be in breach of Article 1 and 8 Human Rights Act - the right to peacefully enjoy a home and threaten neighbour's health
- Vibrations caused will weaken neighbouring buildings
- A timetable of works should be provided

#### PROCEDURAL MATTERS

- The consultation letter arrived 9 calendar days after it was dated
- Consultation letters have been sent to empty flats within the application site.

#### OTHER MATTERS

- The work is being carried out to make the site more 'saleable'
- Wrong ownership certificate has been served

#### RECONSULTATION

Following revisions to the design of the rear lightwell and omission of glazed balustrade revised landscape plan to show replacement tree planting for the removed Plum tree and a revised certificate of ownership (Certificate B) re-consultation was carried out.

#### BUILDING CONTROL

Please note that No 10 Westbourne park Road was not a basement, it was a rear extension. The Collapse at No 10 was cause due by the builder putting the temporary supports were close to excavated area. The Council has a duty to consider the information submitted in planning and health and safety issues but we cannot control negligence.

#### ADJOINING OWNERS / OCCUPIERS AND OTHER REPRESENTATIONS

No. consulted: 20

No. of objections: From 3 Addresses

No. of other responses: 0

Amendments do not satisfactorily address previous objections and concerns. Welcomes the removal of glazed lightwell balustrade, reduction in the width of the lightwell, and amended landscaping plan.

ADVERTISEMENT/SITE NOTICE: Yes

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

No.20 Westbourne Park Villas is an unlisted three-storey semi-detached mid-19th century villa in use as three flats on the south side of Westbourne Park Villas, located within the Westbourne Conservation Area. It is currently vacant but arranged as three flats.

The site which has front and rear gardens contains a small lilac tree within the rear garden. A previously existing individual plum tree and small group of plum trees have been lawfully removed. The adjoining sites also contain trees, a Lawson Cypress at No.18 Westbourne Park Villas abutting the rear boundary and a small Holly tree within No.22 Westbourne Park Villas that abuts the front boundary.

The application site is joined to No.18 Westbourne Park Villas which lies to the east and to the west is No.22 Westbourne Park Villas. To the rear lie the properties of Westbourne Park Road, some 40m away.

### 6.2 Recent Relevant History

#### 17/09966/FULL

Amalgamation of three existing flats to form one 4 bedroom single dwellinghouse.

Application Permitted 3 January 2018

#### 18/03376/FULL

Erection of single storey rear extension at ground floor level, extension at rear first floor level, installation of fenestration within the flank elevation, alterations to the existing fenestration within the upper floor rear extension and associated alterations.

Application Permitted 10 July 2018

#### 18/05925/ADFULL

Details of rooflights being fully concealed behind parapet to ground floor extension pursuant to Condition 4 of planning permission dated 10 July 2018 (RN:

18/03376/FULL).

Application Permitted 24 July 2018

#### 18/04017/TCA

No objection was raised to the removal of a healthy plum tree under an application for tree works 18/04017/TCA. A replacement tree is required to be planted within 12 months of removal.

The removal of a moribund plum tree did not require the formal consent of the Council but requires a replacement tree to be planted with agreement of size and species with the City Council.

## 7. THE PROPOSAL

Planning permission is sought for extensions and alterations to the building comprising of excavation to create a single storey basement beneath part of the building as proposed to be extended with associated rear lightwell, ground floor rear extension, first floor rear extension (squaring off the chamfered bay), alterations to fenestration, new front boundary and bin store and new rear bike store, all in association with the amalgamation of three flats into a single family dwellinghouse,

During the course of this application, the proposal was amended. The rear lightwell was reduced in width and the glazed balustrade around the lightwell was omitted. The landscaping plans were update revised to include replacement tree planting. A revised ownership certificate was also submitted to reflect that some basement works are proposed to the party wall. Re-consultation was subsequently undertaken.

It is of note that a significant amount of the works proposed have already gained planning permission under separate planning applications, as set out in the planning history section of this report and that these permissions remain extant and able to be implemented. This application includes works granted permission in under both of the 2018 applications, together with additional works comprising excavation to create a new single storey basement and the reinstatement of a front boundary.

There has been no significant change in on site circumstances or planning policy since the granting of permissions in 2018.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Land Use**

It is proposed to amalgamate the three flats within the building into a single family dwellinghouse. This has already gained planning permission (2018) which remains extant.

The building would have originally been a single family dwellinghouse when it was first erected in the mid-19th century and the proposal is to return it to this use, the loss of two residential units in this instance is acceptable under policy H5 of our Unitary Development Plan (UDP and S14 of our City Plan.

It is also proposed to enlarge the building by 84sq. m. This will be achieved by the excavation of a basement, a ground floor rear extension (17 sq. m) and the squaring-off the chamfered bay to rear first floor level (3sq. m.). Increasing the provision of residential floor space accords with policies S14 of the City Plan and H 3 of the UDP.

Given the above, the proposal application is acceptable in land use terms and accords with policies of S14 to the City Plan and H3 and H5 of the Unitary Development Plan (UDP).

### **8.2 Townscape and Design**

#### Rear Extensions



The proposed ground floor rear extension is predominantly the same as that approved in 2018, the only difference being that a higher parapet is proposed to screen the rooflight in order to address a condition of that permission. The scale of the proposed extension is in keeping with the proportions of the host building and respect the hierarchy of the upper floors. At each corner of the rearward facing elevation of the extension it is stepped back and this recessed nature of the elevation reduces its visual mass.

At first floor level it is proposed that the existing chamfered bay will be 'squared-off' which was also permitted in 2018. The additional mass is not considered to detract from the architectural design of the building and therefore the alteration is acceptable in design terms.

#### Window Alterations

The changes to the fenestration including replacement and alterations to windows are the same as that approved in 2018. They are considered to enhance the building's contribution to the Westbourne Conservation Area through their traditional detailed design. A condition is recommended requiring the windows to be timber framed and painted white.

#### Lightwell

The proposed lightwell covering (part glazed, part steel mesh) measures 1m deep and 3.3m wide and is centrally located adjacent to the rear elevation. The lightwell as whole will be seen in the context of the principally glazed rear elevation of the ground floor rear extension. As such the walk on glazing to provide access from the extension into the garden will not appear incongruous, in either the context of the host building or the conservation area. The lightwell itself is considered of modest size and is discreetly located. As such the lightwell would not harm the character and appearance of the existing building or that of the surrounding conservation area. Accordingly, the proposal preserves that character and appearance of the conservation area consistent with policies DES 1, DES 5 and DES 9 of the UDP and S28 of the City Plan.

#### Front Boundary

The existing front boundary to the application site is mostly open except for three concrete planters adjacent to the public footway. This arrangement is not considered to be in keeping with the conservation area or the character of the host building. The proposed low render wall with piers capped in coping stones is considered to be an acceptable design approach to reinstating a boundary in this location. A sample of stone and Yorkstone paving is to be sought by condition. Behind the proposed front boundary wall and sitting just lower than it, is to be a refuse and recycling store faced in render. The location of the bin store to the side of the garden adjacent to the boundary with no. 22 Westbourne Grove is acceptable.

Given the above, the proposal preserves that character and appearance of the Westbourne conservation area and is consistent with policies DES 1, DES 5 and DES 9 of the UDP and S28 of the City Plan.

### 8.3 Residential Amenity

The proposed ground floor rear extension and first floor rear extension (squaring off the chamfered bay) were granted permission in 2018 and in granting permission were assessed in terms of their potential impact on the amenity of neighbouring properties. There is no reason in which to come to a different conclusion. Notwithstanding this, the assessment is set out below.

The proposed single storey rear extension is to project 3m away from the existing rear elevation of the building, adjacent to the boundary with no. 18 Westbourne Park Villas and be situated approximately 4m away from no. 22 Westbourne Park Villas. The extension has brought about objection on the potential impact it would have on the amount of daylight received by the ground floor kitchen window of No. 18 Westbourne Park Villas. However, given the scale of the extension and its relationship with this neighbouring property, it is considered that no significant loss of daylight or sense of enclosure would occur. Given the distance and relationship to other surrounding properties (No.22 Westbourne Park Villas and properties to the rear in Westbourne Park Road), it is also considered that there would be no significant loss of amenity to these neighbours. The objection raised by a neighbour on this ground is therefore not supported.

The proposed squaring-off of the chamfered bay at First Floor level would result in a minor increase in the sense of enclosure to the bedroom window within no. 18 Westbourne Park Villas. However, it is not considered to be significant.

Objections have been raised with respect to noise escape from use of a “family room” and potential for light pollution from the lightwell and rear extension. It was requested if permission is to be granted that the room layout is not altered from that shown on the submitted drawings. However, it is unreasonable to place such a restriction on a single family dwelling house, where domestic activities are to take place. With respect to the potential for light pollution, given the size and location of the lightwell and glazing, it is not considered that any significant light pollution would occur from this single family dwelling house. For these reasons the objections are not supported.

The replacement of the ground floor flank window that is nearest to the front door with a larger window as well as the replacement of each of the first and second floor windows on the rear elevation with larger windows are both considered acceptable. These windows would be only marginally larger than the existing and would therefore not result in any significant increase in overlooking.

Given the above, notwithstanding the objections raised, the proposal is considered acceptable in amenity terms and accords with policies S29 of the City Plan and ENV 13 of the UDP.

### 8.4 Transportation/Parking

As the proposal will result in a reduction in the number of residential units, the parking arrangements satisfy TRANS 23 of the UDP. An external waste storage has been indicated on the submitted plans. The absence of secure, accessible, weatherproof cycle

parking is regrettable however, as the units exist already and there is external amenity space where bikes could be stored, it is not necessary to condition these details. The proposal is therefore acceptable in highways terms.

### **8.5 Economic Considerations**

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

### **8.6 Access**

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

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

#### **Trees and landscaping**

The City Council acknowledges that gardens are an integral feature of the Westbourne Conservation Area. An objection has been raised on grounds of loss of garden. The existing garden is around 129sq.m and would reduce to approximately 101sq.m under this proposal. Given that the proposal would make only modest incursion into the rear garden, and the amount of retained garden is consistent with the prevailing garden size in this locality. The objection on this ground is not sustainable.

The proposed basement meets the landscaping criteria under our basement policy. However, a revised proposed soft landscape plan has been submitted in order to address the concerns of the City Council's arboricultural officer. The plan now indicates tree planting to replace the trees removed from the garden (as set out in the history section of this report). Subject to conditions requiring protection of trees during the works within and adjacent to the site and full details of soft landscaping including replacement tree planting, the proposal is acceptable in tree and landscaping terms.

### **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 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.

### **8.9 Neighbourhood Plans**

This application raises no neighbourhood plan issues.

### **8.10 London Plan**



This application raises no strategic issues.

### **8.11 National Policy/Guidance Considerations**

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

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

During the course of this application a notice was served relating to the proposed imposition of a pre-commencement condition to secure the applicant's adherence to the Council's Code of Construction Practice during the demolition/excavation and construction phases of the development under condition 3 as well as requirement to provide details of acceptable tree protection measures under condition 6. The applicant has agreed to the imposition of the conditions.

### **8.12 Planning Obligations**

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

### **8.13 Environmental Impact Assessment**

Environmental Impact issues are not relevant in the determination of this application.

### **8.14 Other Issues**

#### **Basement**

The excavation of basements must be considered against policy CM28.1 of the City Plan, as set out below.

#### Part A of Policy CM28.1

##### *Structural Matters*

Structural integrity matters during construction are controlled through the Building Regulations and the Party Wall Act and not directly by the planning system. Notwithstanding this, policy CM28.1 requires the applicant to provide a structural engineer's report which explains the likely methodology of excavation and the impact on adjacent properties. As these provided reports that have been produced by a member of the relevant professional institution they carry a duty of care which should be sufficient to demonstrate that the matter has been properly considered at this early stage.

It was raised in objections from neighbours that the basement could cause subsidence and adversely affect neighbouring properties, namely due to their age, absence of underpinning, because the grounds levels vary between neighbouring properties and also as it is alleged that that local water courses are known to rise and fall during hot and cold weather. Matters such as this are not typically considered material planning considerations, despite this each of the structural survey reports provided by the applicant have been as assessed by the City Council's Building Control department whom have advised that the structural approach is justified, sufficient details have been provided, concluding that they have no adverse comments in relation to the application. For these reasons it is not considered reasonable that matters raised by neighbours which express structural concerns can be sustained as to refuse permission on these grounds.

An objector has cited an incident at 10 Westbourne Park Villas, where in February 2019 part of the rear elevation at ground, first floor and second levels collapsed, in connection with constriction of a rear extension. Each case must be dealt with on its merits and with respect to this application, sufficient information has been submitted at this stage. This incident in the vicinity of the site appears to have been caused by temporary supports too close to an excavated area. Our Building Control officer has advised that whilst the City Council has a duty to considered in planning and health and safety issues they cannot control negligence. Similarly, it is not considered reasonable that the request by a neighbour is adhered to that an independent assessment of the Structural Methodology Statement is carried out.

#### *Flooding Matters*

The application site is located in Flood Zone 1 which is the Environmental Agency's area of lowest flood risk and approximately 310m away from the nearest hidden river according to the City Council's GIS maps. Despite this applicant was required by Part A of policy CM28.1 to provide a Flood Risk Assessment because it was located in the Westbourne Grove surface water flooding hot spot as defined by the City Council's Basements Supplementary Planning Document (SPD). The data provided in the submitted Flood Risk Assessment shows the application site as well as all of the properties on southern side of Westbourne Park Villas have a 'very low' risk of surface water flooding. The City Council wishes to make it clear that they are not approving these reports and assessments produced external professional organisations, but instead using them for the purpose of showing that there is no known impediment at this stage preventing the creation of basement.

It was raised in an objection that the cumulative impact of basements is not known on local ground water levels, citing the development approximately 100m away on the corner of Westbourne Park Baptist Church which includes basement works. No specific information or evidence came to light regarding local ground water levels that demonstrated that there is risk from the cumulative impact of basement disturbing ground water levels. The submitted Flood Risk Assessment has shown that the application site is not over is not situated over a groundwater vulnerability area according the Environment Agency's data. Although it has been demonstrated that there is no likely risk from either fluvial or pluvial flooding the applicant is advised by way of informative to install pump to prevent sewer flooding.

#### *Construction Matters*

The construction process of the basement and its impacts are not typically considered material planning matters, however, in order to protect the residential environment Part A of policy CM28.1 does require that the applicant gives due consideration to its impacts prior to permission being granted. The applicant has provided a completed Code of Construction (CoCP), demonstrating their willingness to adhere to its requirements. The CoCP binds the applicant providing mitigation measures to impacts such as dust and vibrations in a Construction Management Plan that must be approved by the City Council's Environmental Sciences team before the any excavation work commences.

While the objections from neighbours are noted, which stated the construction noise produced would be in breach of Article 1 and 8 Human Rights Act - the right to peacefully enjoy a home and threaten neighbour's health it is considered that the CoCP will adequately ensure that the development is undertaken in such a manner as to ensure that the impact is mitigated as far as possible. If the application is considered acceptable as whole, a condition is to be included requiring the applicant having the form authorised by the City Council's environmental sciences team before works commence. The City Council's Environmental Sciences team will require a construction management plan, of which will include a timetable of the works as was requested in a comment received by a neighbour.

#### Part B of Policy CM28.1

It is required that the basement (both during construction and upon completion) must not result in a loss of trees of townscape, ecological or amenity value and that a satisfactory landscaping scheme is provided. The impact of the basement on the trees within and near to the application site and landscaping matters will be discussed in the arboricultural section of this report. The folding doors into the lightwell is considered to acceptable in order to provide the basement with sufficient natural ventilation. The proposed basement plan does not indicate the location of pump device required to prevent the basement from sewer flooding, however, as the floor plans indicate sufficient floor space it is not considered permission could be resisted for this. Part C of the policy requires direct external manifestations of the extension such as that of lightwells to be sensitively designed and discreetly located. Matters relating to the appearance of the lightwell are to be discussed separately in the design part of this report.

#### Part C of Policy CM28.1

The originally submitted basement plan showed the excavated lightwell adjacent to the boundary shared with no. 18 Westbourne Park Villas on the site's eastern boundary. The applicant was advised that is an acceptable basement would be one which leaves a margin of undeveloped land on each of its sides which are not under the main footprint of the building. The applicant provided amended drawing which accords with this requirement with a margin of approximately 1200mm. It has also been shown that the basement is under less than 50% of the garden land associated with the building.

#### Part D of Policy CM28.1

There not any matters included in Part D which are relevant to this application.

In summary, it is considered that the proposed basement and associated lightwell fully accords with the relevant policy of CM28.1 of the UDP. The basement is therefore regarded as acceptable.



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

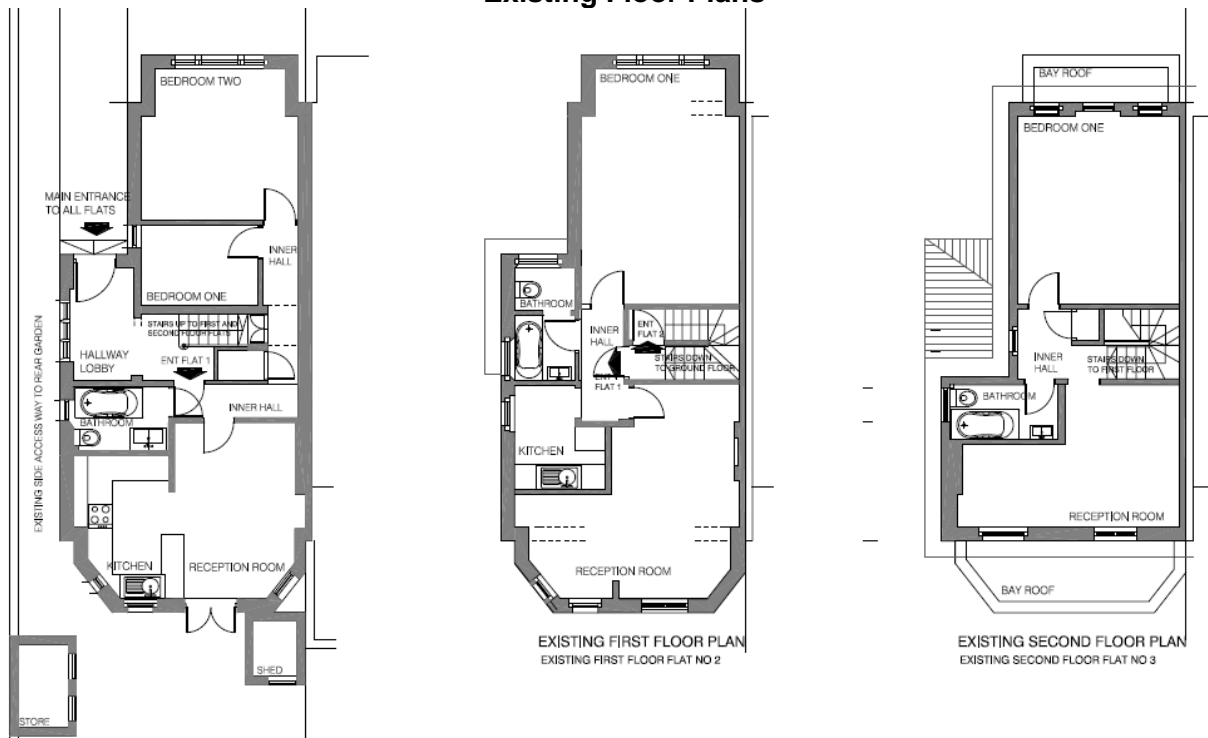
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: ADD SARAH WHITNALL BY EMAIL AT [SWHITNALL@WESTMINSTER.GOV.UK](mailto:SWHITNALL@WESTMINSTER.GOV.UK)

## 9. KEY DRAWINGS

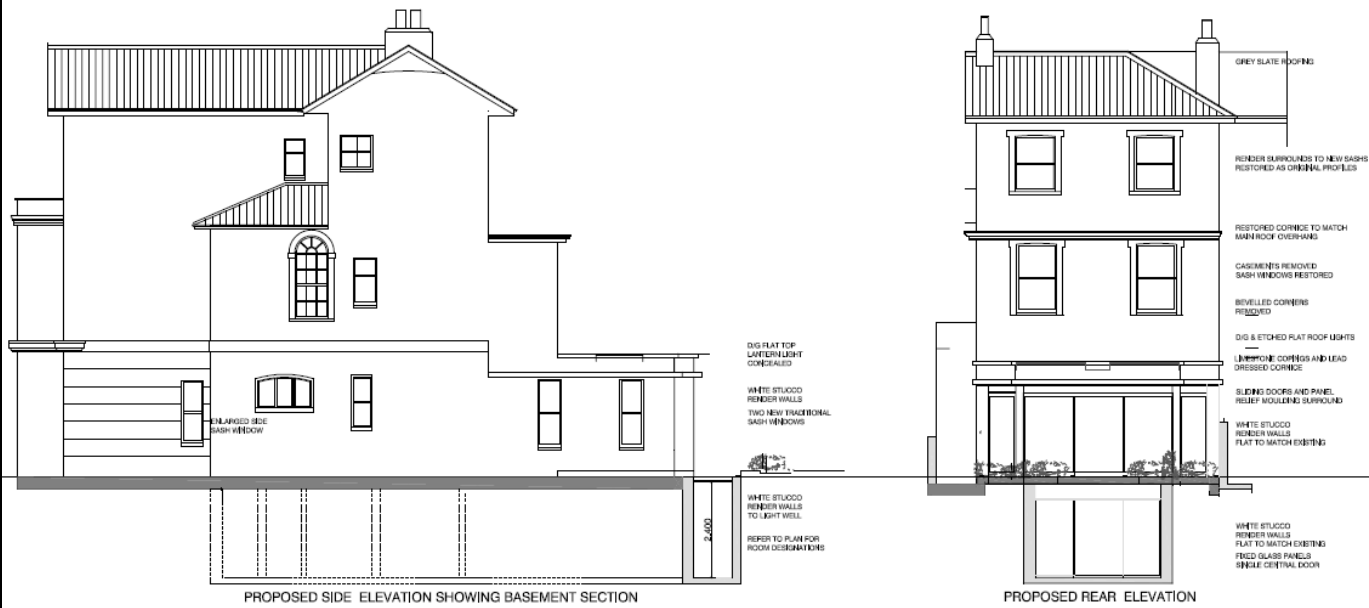
### Existing Side and Rear Elevations



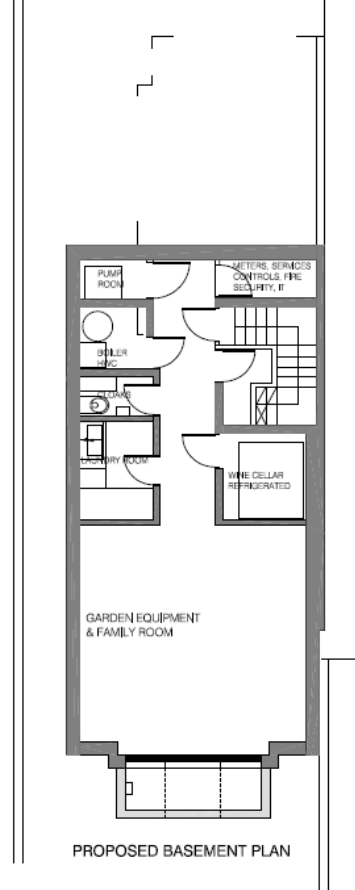
### Existing Floor Plans



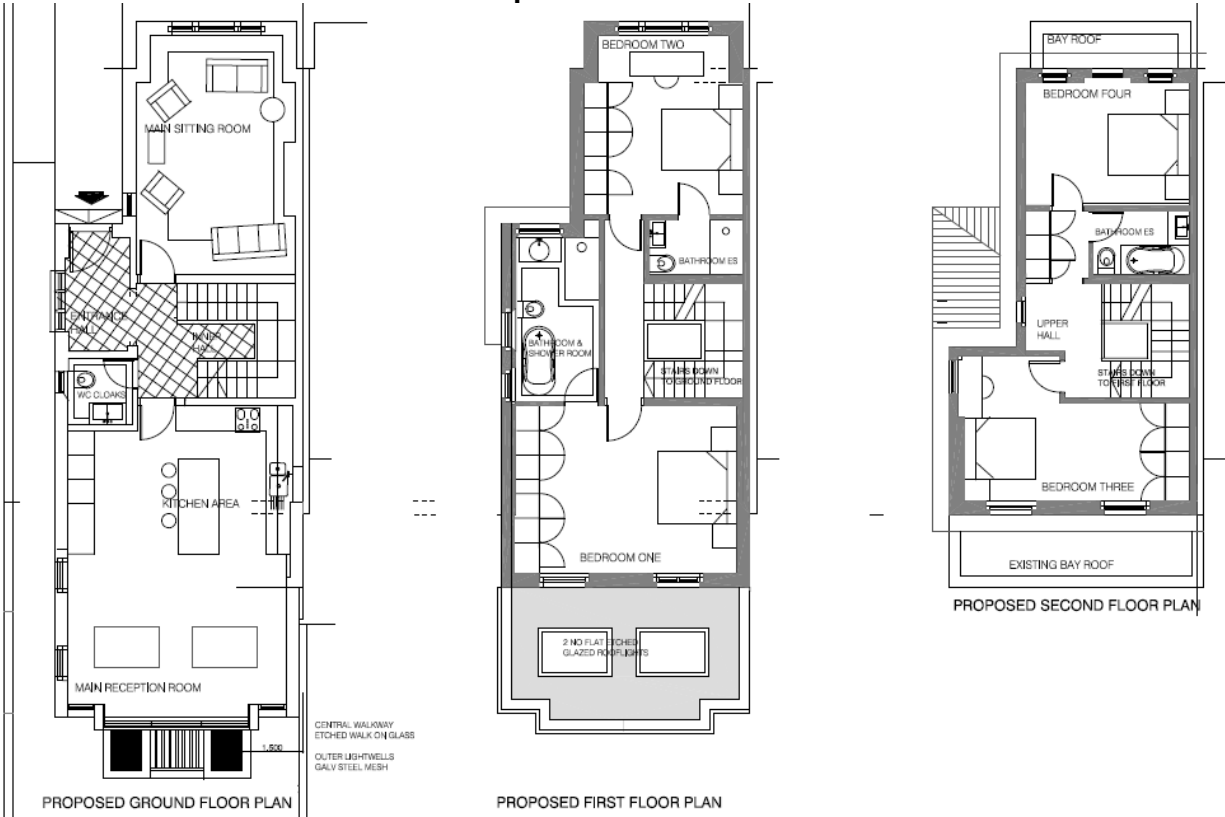
Proposed Side and Rear Elevations



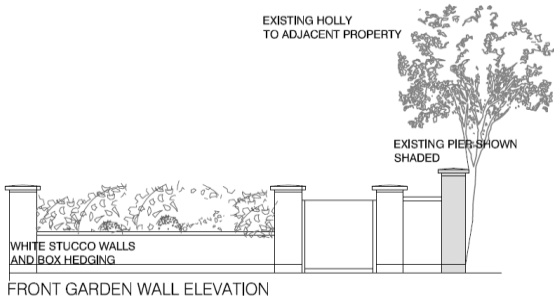
Proposed Basement Plan



Proposed Floor Plans



Proposed Front Boundary



**DRAFT DECISION LETTER**

**Address:** 20 Westbourne Park Villas, London, W2 5EA

**Proposal:** Excavation of basement with rear lightwell, erection of ground floor rear extension and first floor rear extension to square off chamfered bay, alterations to windows, reinstatement of front boundary with new bin store, bike store and re-landscaping to rear garden. All in association with the use of the building as a single-family dwelling.

**Reference:** 18/10463/FULL

**Plan Nos:** 01, 02, 07, 09A, 10B, 11A, Design and Access Statement, Cover Letter, Location Plan, Appendix A Checklist and Arboricultural Report dated 9th April 2019.

USED FOR INFORMATION - Flood Risk Assessment, Soil Investigation, Structural Methodology Statement - Appendix A Rev 1, Structural Methodology Statement - Appendix B, Structural Methodology Statement - Appendix C, Structural Methodology Statement - Appendix D and Structural Methodology Statement - Appendix E.

**Case Officer:** Harry Berks

**Direct Tel. No.** 020 7641 3998

**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 Prior to the commencement of any: (a) demolition, and/or, (b) earthworks/piling and/or, (c) construction, on site you must apply to us for our written approval of evidence to demonstrate 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 the relevant completed Appendix A checklist from the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Sciences Team, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of the relevant stage of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval through submission of details prior to each stage of commencement.

**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 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 Westbourne Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 5 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

**Reason:**

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 6 **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 Westbourne; 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)

- 7 Each of the new and replacement windows must be timber framed and painted white. They must be maintained in this way thereafter without interruption.

## 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 Westbourne 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)

- 8 You must provide us with a sample of the stone you will use to cap the gate piers on the front boundary. We must have approved of this part of the development before you carryout works to this part of the development.

## 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 Westbourne Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 9 The front garden area must be paved in Yorkstone as shown on approved drawing no. 10 B.

## 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 Westbourne 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)

- 10 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes the number, size, species and position of trees and shrubs as well as include tree planting to replace those already removed. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping and planting within 1 planting season; of completing the development (or within any other time limit we agree to in writing).

If you remove any trees or find that they are dying, severely damaged or diseased within 1 year; of planting them, you must replace them with trees of a similar size and species.

## Reason:

To protect the trees and the character and appearance of this part of the Westbourne 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 Notwithstanding the details shown on the Landscape Layout drawing no. 10 B, you may not erect the timber garden shed and bike store until you have provided us with detailed elevational drawings and plans with details on the proposed materials. These plans, drawings and materials must be agreed and approved prior to work on this part of the development.

## 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 Westbourne Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 4 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26DD)

- 12 You must not use the roof of the extension 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)

**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 HIGHWAYS LICENSING:, Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560.,

CONSIDERATE CONSTRUCTORS:, 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](mailto:siteenquiries@ccscheme.org.uk) or visit [www.ccscheme.org.uk](http://www.ccscheme.org.uk).

BUILDING REGULATIONS:, You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website <https://www.westminster.gov.uk/contact-us-building-control>

- 3 This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I32AA)
- 4 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. For further information on how to make an application and to read our guidelines on street naming and numbering, please visit our website: <https://www.westminster.gov.uk/street-naming-numbering> (I54AB)

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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.