

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 16 July 2019	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Warwick	
Subject of Report	Belgravia Court , 33 Ebury Street, London, SW1W 0NY		
Proposal	Erection of 2 storey porters lodge comprising ground floor and basement, including louvres to ventilate plant equipment within roof space of the lodge. Installation of new boundary railings and landscaping works. Associated alterations to entrances of the main buildings.		
Agent	Eleven10 Architecture		
On behalf of	Belgravia Court 2017		
Registered Number	19/00352/FULL	Date amended/ completed	23 January 2019
Date Application Received	18 January 2019		
Historic Building Grade	Unlisted		
Conservation Area	None		

1. RECOMMENDATION

Grant conditional permission

2. SUMMARY

The site, Belgravia Court, comprises two linked 8 storey residential blocks and a forecourt fronting Ebury Street. It falls just outside of the boundary of the Belgravia Conservation Area. Permission is sought for the erection of a two storey porters lodge including basement and plant machinery, the installation of new boundary railings and gates and associated landscaping works. It is also proposed to install new stairs and platform lifts to the front entrances of the existing buildings.

Letters of both objection and support have been received.

The key issues are:

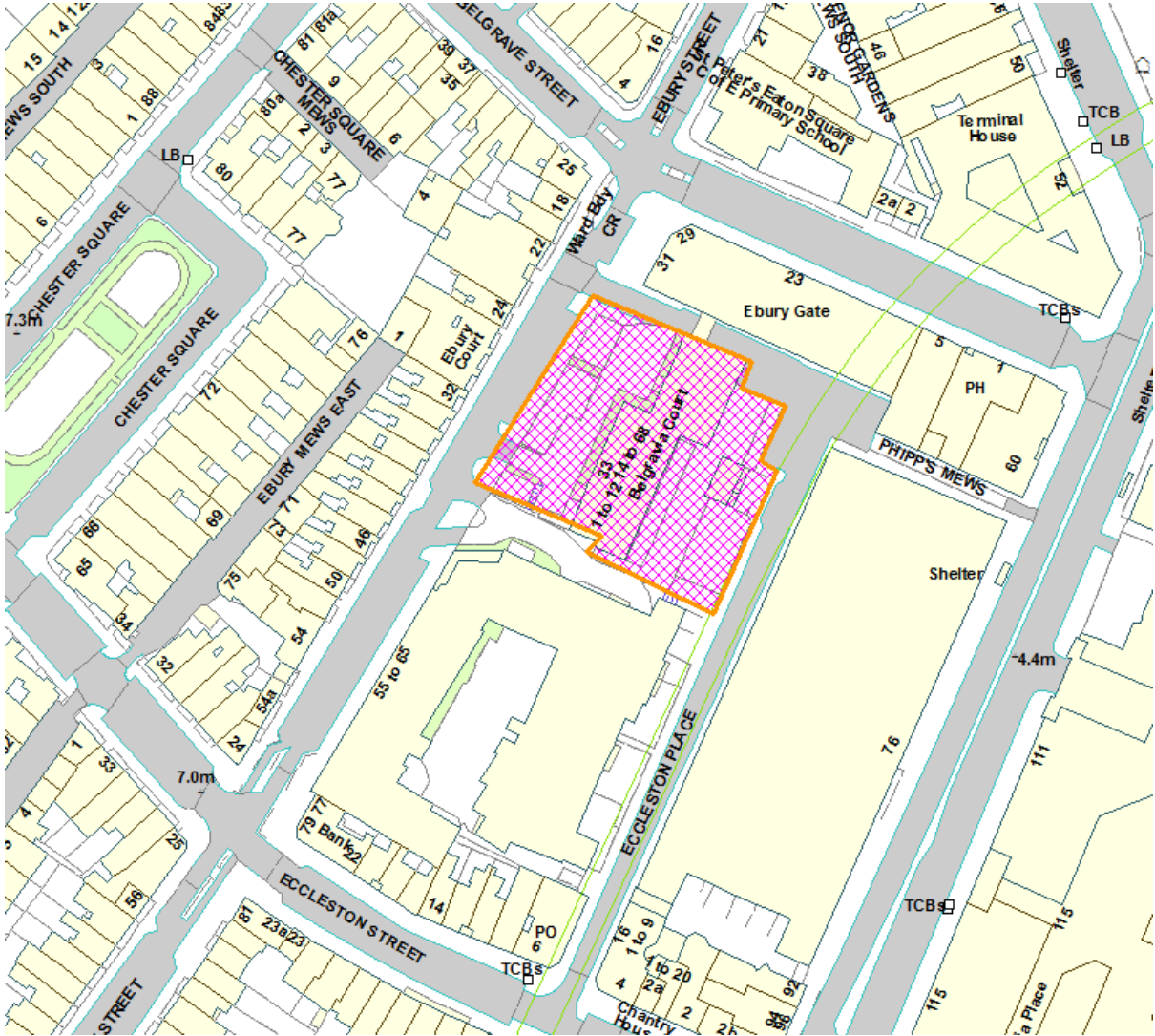
- The impact of the design and appearance of the proposal on the Belgravia Conservation Area;
- The impact on the amenity of neighbouring residents;

Item No.

4

The proposed development is considered to be acceptable in land use, design and amenity terms and would accord with policies within the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (November 2016). As such, it is recommended that conditional planning permission is granted.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Ebury Street elevation

5. CONSULTATIONS

HISTORIC ENGLAND (ARCHAEOLOGY)

- The proposals is unlikely to have a significant effect on heritage assets of archaeological interest.

BELGRAVIA SOCIETY

- Supports the application and considers that the proposals will enhance the appearance of Ebury Street, provide proper working conditions for the building porter, increase security and stop anti-social behaviour.

HIGHWAYS PLANNING MANAGER

- No objection, the proposal does not represent an increase in residential units or loss of car parking and as such is policy compliant. Conditions recommended.

ENVIRONMENTAL HEALTH

- No objection on environmental noise or nuisance grounds, subject to conditions.

TREE SECTION

- No objection, conditions recommended to secure details of tree protection, suitable replacement tree planting and landscaping.

BUILDING CONTROL

- No objection, the structural method statement is considered to be acceptable, an investigation of existing structures and geology has been undertaken and found to be of sufficient detail;
- The proposals to safeguard adjacent properties during construction are considered to be acceptable.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 93

Total No. of replies: 15

No. of objections: 2

No. in support: 13

Twelve letters of support have been received from local residents making the following points:

CONSERVATION AND DESIGN

- The works would improve the appearance of Ebury Street and provide attractive planting.

OTHER

- The railings would discourage antisocial behaviour/ criminal activities and increase safety for residents;
- The porters lodge will provide excellent working conditions for the porter;
- The forecourt is currently in a poor state of repair and suffering from subsidence;

HIGHWAYS

- There will be no changes to the number of parking spaces or any increase in activity of residents;

Two letters of objection have been received on the following grounds:

CONSERVATION AND DESIGN

- The site of the porters lodge is currently an attractive and rare open space, its removal and enclosure would be detrimental to the street scene;

AMENITY

- The light received by the ground floor windows of Belgravia court could be impacted by the porters lodge;
- The porters lodge and fencing could lead to sense of enclosure;

HIGHWAYS

- Assurances sought that the proposals would not restrict access or ease of use of parking spaces at front of site;
- It is suggested that disabled access to the basement car park is created in a location closer to the main building;
- No information provided about servicing and deliveries.
- Traffic management issues resulting from the new gates could lead to more stop/stop starting of vehicles and consequent increase in air pollution, noise and disturbance over the existing situation.

OTHER

- The need for the development/ why the current porter's accommodation is unsatisfactory and how the new lodge would operate is unclear;
- The creation of a gated forecourt would reduce interaction with the street and be less inclusive;
- The outlook from Belgravia court would be adversely affected by the new lodge;
- The disturbance from the construction works could negatively impact local businesses;
- The net reduction in green space would lead exacerbate the heat island effect;

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is located on the east side of Ebury Street close to its junction with Lower Belgrave Street. The works relate to the forecourt of two eight storey residential blocks, which currently accommodates car parking, entrance stairs to a UKPN station and areas of planting.

6.2 Recent Relevant History

In September 2002, conditional permission was granted for the installation of railings and gate to the rear of the building (RN:02/04162).

7. THE PROPOSAL

The proposals involve the erection of a two storey porters lodge with basement level. The lodge will comprise of a reception area and lockers at ground floor level, with shower/bathroom facilities and a kitchen at basement level. There will be plant machinery within the roof space with louvres to ventilate and a green wall installed on the west and south elevations of the lodge. The existing UKPN power station will be enclosed.

New boundary railings with electronic gates will be installed around the forecourt of the existing building. It is also proposed to install new stairs and platform lifts to the front entrances of the existing building and carry out landscaping works to the forecourt.

The applicant states that the current porters accommodation is not fit for purpose due to its small size and the new facilities will enable a full-time (24 hours a day, 7 days a week) porter service, which along with the proposed railings, will help to address anti-social behaviour in the forecourt.

8. DETAILED CONSIDERATIONS

8.1 Land Use

In land use terms the erection of a porters lodge, ancillary to the existing residential flats, is considered to be acceptable and in accordance with Policy S14 of the City Plan. A condition is recommended to ensure that the porters lodge shall not be occupied at any time other than for purposes ancillary to the residential use of the main building. The lodge comprises 88 square metres GIA.

An objector states that enclosing the forecourt with fencing would reduce interaction with the street and be less inclusive. However, as the forecourt is private land providing car parking and a setting for the flats (and not a public open space) it would not be reasonable to refuse the application for this reason.

8.2 Townscape and Design

The site contains no listed buildings, and falls just outside the boundary of the Belgravia Conservation Area, the setting of which it affects. Opposite the northern end of the site is the Grade II listed 22 Ebury Street, which is set within a wider terrace typical of Belgravia and as such interacts with the site as a part of that wider townscape rather than individually. Whilst the application site has a close visual relationship with the conservation area and the listed building, it is architecturally and spatially defined from it by its very different built form, scale and position set back from the main street building line. This frontage is occupied by mature planting and parking, which is the focus of this application.

Being single-storey above ground and roughly square in plan, the porters lodge would sit quietly but prominently to the front, south-western corner of the site. An objector states that the site of the porters lodge is currently an attractive and rare open space and that building on this area would be detrimental to the street scene. The lodge comprises brick/render elevations along with a zinc roof. It is considered that the porters lodge has been designed to echo the original architecture of the main building, respecting the open character of the site's front parking and landscaped area, and in turn preserving the manner in which the site contributes to the setting of the conservation area. The proposals would have no effect on the setting of the nearby listed building due to its situation as part of the wider townscape. The proposed railings are considered appropriate in design terms.

To achieve the stated architectural quality of the proposals, a condition is recommended to ensure that the materials use on the porters lodge match the main building.

Subject to conditions, it is considered that the proposals accord with Unitary Development Plan (UDP) policies DES 1, DES 9 and DES 10 and City Plan Policies S25 and S28.

8.3 Residential Amenity

Policies S29 of the City Plan and ENV13 of the UDP seek to protect residential amenity in terms of light, privacy, sense of enclosure and encourage development which enhances the residential environment of surrounding properties.

One of the objectors has raised concern that the porters lodge could impact the light received by the ground floor windows at Belgravia Court. Given the size and massing of the porters lodge (approx. 7.15m x 8.0m x 4.0m) and the distance between it and the ground floor windows (approx. 9m), it is unlikely that the proposals would not lead to an unacceptable loss of light. Whilst the porters lodge and fencing would be visible from the ground floor windows, it is considered that the proposals would not lead to an unacceptable sense of enclosure.

Objection has also been raised on the grounds that the new gates could lead to more "stop/starting" of vehicles and consequent increase in air pollution, noise and disturbance over the existing situation. However, as the proposals do not involve any increase in residential units or parking it is unlikely that the development would lead to any increase in traffic, and consequently more pollution.

The proposals include the installation of air conditioning plant within the roof of the porters lodge. The applicant has submitted an acoustic assessment which demonstrates that the proposed plant machinery is capable of meeting the Council's policies for noise and vibration. No objections have been raised by Environmental Health subject to the Council's standard noise and vibration conditions.

The proposals are considered to be in accordance with policies S29 and ENV13.

8.4 Transportation/Parking

The proposals have been amended on officers advice and front gates set back a further 3m to ensure that any waiting vehicles do not obstruct the footway or vehicle carriageway and a condition is recommended to ensure that the new gates do not open over the highway. The proposals do not involve an increase in residential units or loss of car parking and for these reasons are considered to be in accordance with policies TRANS 20 and TRANS 23.

An objector seeks assurances that the proposals would not restrict access or ease of use of the sites parking spaces. The applicant has stated that all users will have access to their spaces. This is considered to be a private matter.

The proposals are considered to be acceptable in highways terms and have raised no objection from the Highways Planning Manager.

8.5 Economic Considerations

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

8.6 Access

The site will have a pedestrian gate and electrical sliding gate to the front (Ebury street) and side of the forecourt. Access to the main building will be improved by the installation of new stairs and a platform lift.

The porters lodge will have level access and be DDA compliant.

8.7 Other UDP/Westminster Policy Considerations

None.

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, the draft plan has been revised and formal consultation is now being carried out 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

Not applicable.

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 a method statement explaining the measures the applicant will take to protect trees on and close to the site (Condition 10) and adherence to the City Council's Code of Construction Practice during the demolition/excavation and construction phases of the development (Condition 11). The applicant has agreed to the imposition of these conditions.

8.12 Planning Obligations

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

This application is not CIL liable.

8.13 Environmental Impact Assessment

The application is of insufficient scale to trigger the requirement of an EIA.

8.14 Other Issues

Basement (Including Construction Impact and Trees)

The proposals are considered to be in accordance with the Council's basement policy, CM28.1 of the City Plan, as set out below.

Part A. 1-4

These parts of the policy relate to ground conditions, structural methodology, the Code of Construction Practice, structural stability and flood risk.

The applicant has provided an assessment of ground conditions for this site and this has informed the structural methodology statement prepared by an appropriately qualified structural engineer. These documents have been reviewed by Building Control who advise that the structural methodology proposed is appropriate for the ground conditions that are likely to be on this site. Accordingly, it is considered that as far is reasonable and practicable at this stage, the applicant has satisfactorily investigated the site and surmised the likely existing ground conditions and provided a suitable structural methodology report in light of it.

The purpose of the structural methodology report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the existing structural conditions and geology. It does not prescribe the engineering techniques that must be used during construction which may need to be altered once the excavation has occurred. The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act. Therefore, we are not approving this report or conditioning that the works shall necessarily be carried out in accordance with the report. Its purpose is to show, with professional duty of care, that there is no reasonable impediment foreseeable at this stage to the scheme satisfying the Building Regulations in due course. This report will be attached for information purposes to the draft decision letter.

Part A. 5

An objection has been received from a neighbouring business on the grounds that the proposals will cause noise disturbance during their key trading time and has requested that building works cease between 12:30 and 16:00 hours.

The City Council adopted its Code of Construction Practice (CoCP) at the end of July 2016 and if permission is granted the applicants will be required to comply with the CoCP. This is a fundamental shift in the way the construction impacts of developments are dealt with relative to the position prior to July 2016. Previously conditions were attached to planning permissions requiring Construction Management Plans to help protect the amenity of neighbours during construction. The CoCP expressly seeks to move away from enforcement via the planning system. It recognises that there is a range of regulatory measures available to deal with construction impacts, and that planning is the least effective and most cumbersome of these. The Environmental Inspectorate has been resourced in both numbers and expertise to take complete control over the monitoring of construction impacts.

The CoCP strongly encourages early discussions between developers and those neighbouring the development site. It notes that this should be carried out after planning permission is granted and throughout the construction process. By providing neighbours with information about the progress of a project, telling them in good time about when works with the potential to cause disruption will take place and being approachable and responsive to those with comments or complaints will often help soothe the development process.

The concerns of the neighbouring residents are at the heart of why the City Council has adopted its new Policy in relation to basements (CM28.1) and created the new CoCP. While the comments from the neighbours are noted, 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.

A condition is recommended requiring evidence to be submitted of compliance with the CoCP. This must be submitted before work starts on site, subject to which the proposals are considered acceptable. This condition is consistent with environmental protection legislation and will help to alleviate disturbance to neighbours.

Additionally, a condition is recommended to ensure that any building work which can be heard at the boundary of the site is only carried out between 08.00 and 18.00 Monday to Friday, between 08.00 and 13.00 on Saturday and not at all on Sundays, bank holidays and public holidays. Piling, excavation and demolition work will only be carried out between 08.00 and 18.00 Monday to Friday and not at all on Saturdays, Sundays, bank holidays and public holidays. It is considered unreasonable to further restrict these hours according to the requirements of individual businesses. The parties involved are free to come to a private arrangement.

Part A. 6

The applicant has provided an Archaeological Desk Based Assessment which demonstrates that the proposals are unlikely to have a significant effect on heritage assets of archaeological interest and Historic England (Archaeology) have raised no objections to the proposals.

Part B. 1 and 2

Part 1 states that proposals should provide a satisfactory landscaping scheme, incorporating soft landscaping, planting and permeable surfacing as appropriate. An objector states that the removal of a landscaped area, which they consider to be an attractive and rare open space, would not meet this requirement. Even with the new porters lodge in place, there is still a substantial landscaped area in front of the car park, providing an attractive setting for the residential block and wider area. The Council's tree section has raised no objection to the proposals, subject to a condition requiring that the applicant apply for approval of detailed drawings of a planting scheme which includes the number, size, species and position of trees and shrubs.

A cherry tree is to be removed to allow the construction of the porters lodge, this has caused no objection from the Council's tree section subject to suitable replacement planting, which will be secured by condition. A pre-commencement condition is recommended requiring the applicant to apply for approval of a method statement explaining the measures that will be taken to protect the trees on and close to the site.

Part B. 3

The basement will be ventilated mechanically (see section 8.3 of this report)

Part B. 4 and 7

The applicants structural engineering report identifies that the works will require a new sewer connection and to mitigate the risk of flooding, non-return or anti-flood valves will be considered. Volumes of surface water run-off from the site are not anticipated to increase significantly and it is understood that surface water will be discharged to the sewer network through existing connections.

Part B. 5 and 6

The basement would have no external manifestations and would not negatively impact on the conservation area (see Section 8.2 of this report).

Part C. 1 and 2

The basement would not extend beneath more than 50% of the garden land. The porters lodge would be positioned in the South West corner of the site and would not leave a

margin of undeveloped garden land on the south boundary. However, given the unusual circumstances of the proposal and that this boundary is adjacent to the driveway associated with 55 Ebury Street it is difficult to identify any material harm that could result.

Part C. 3

A single basement is proposed which is considered acceptable and in accordance with this part of the policy.

Part D

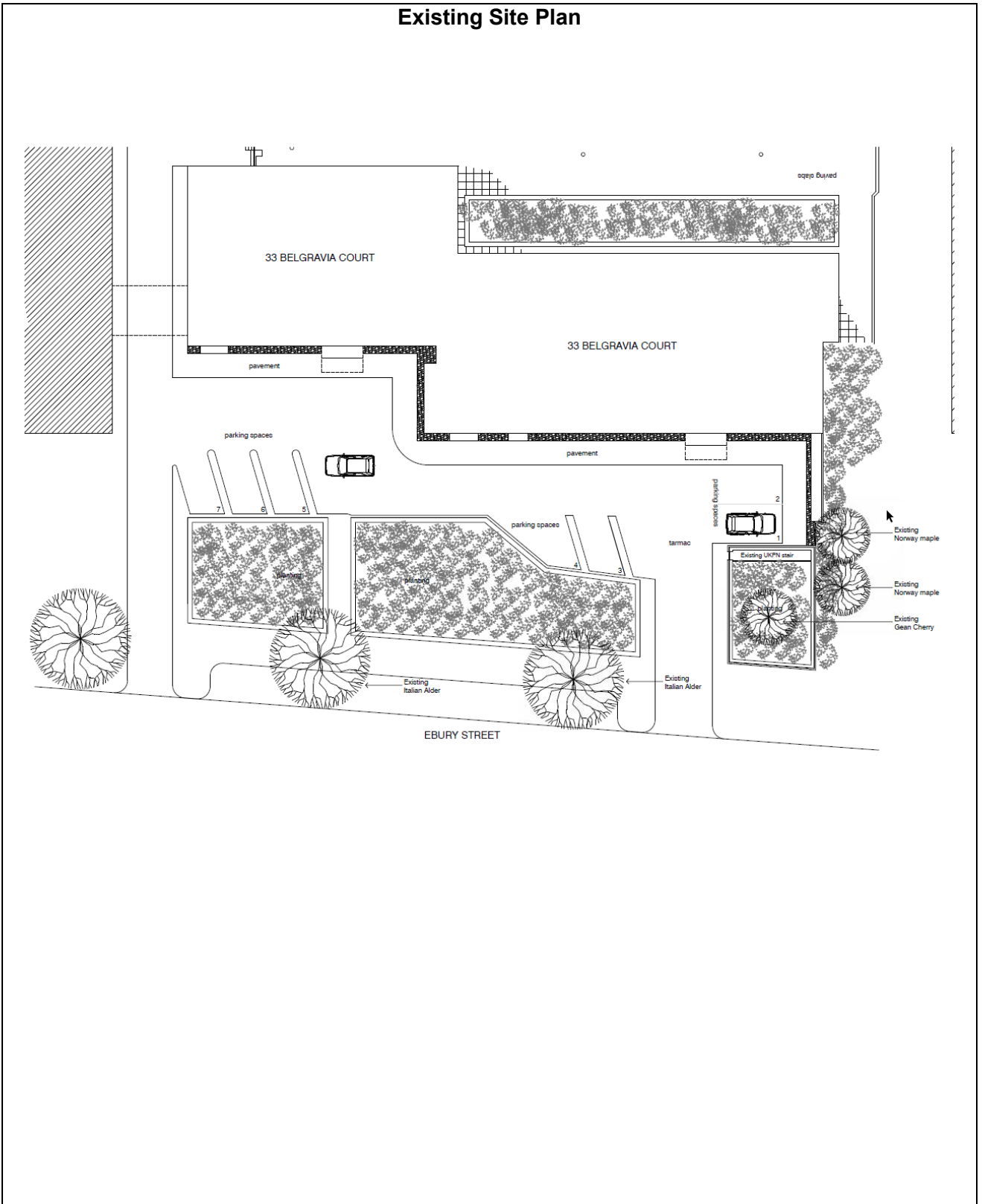
The basement does not extend under the highway, therefore this part of the policy does not apply in this case.

Overall, the proposed basement is considered to comply with City Plan Policy CM28.1.

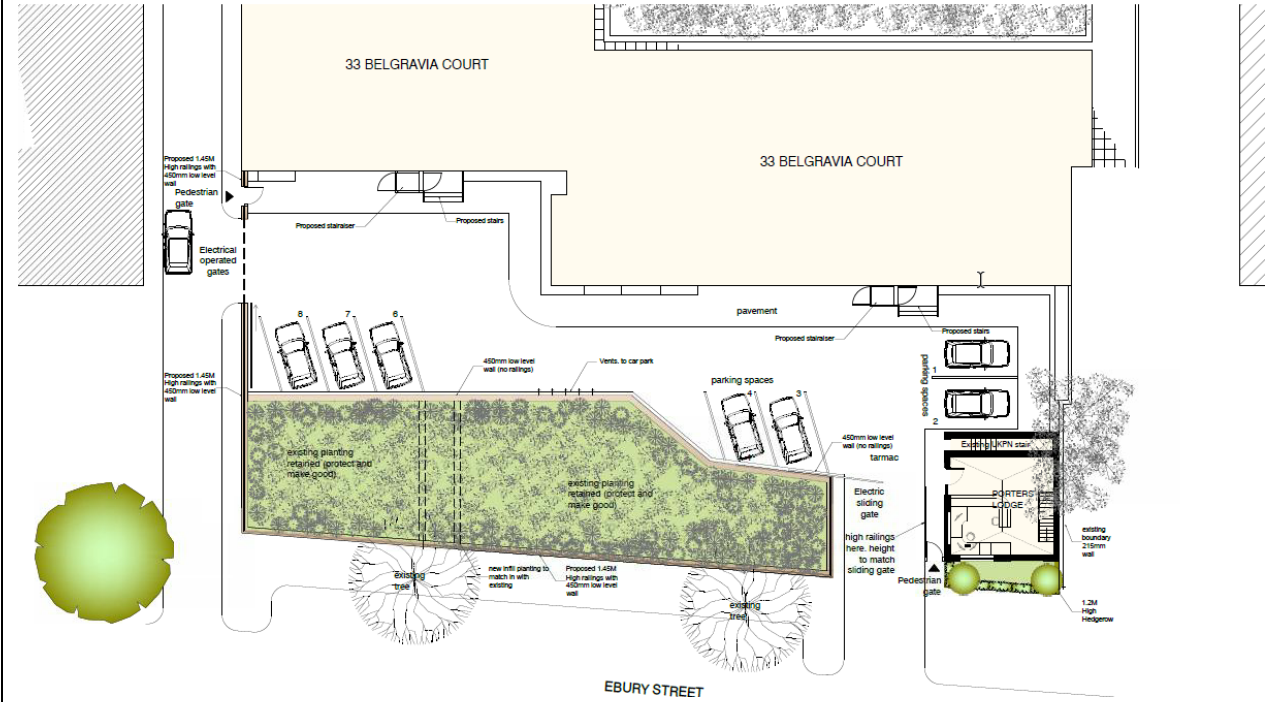
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

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

9. KEY DRAWINGS



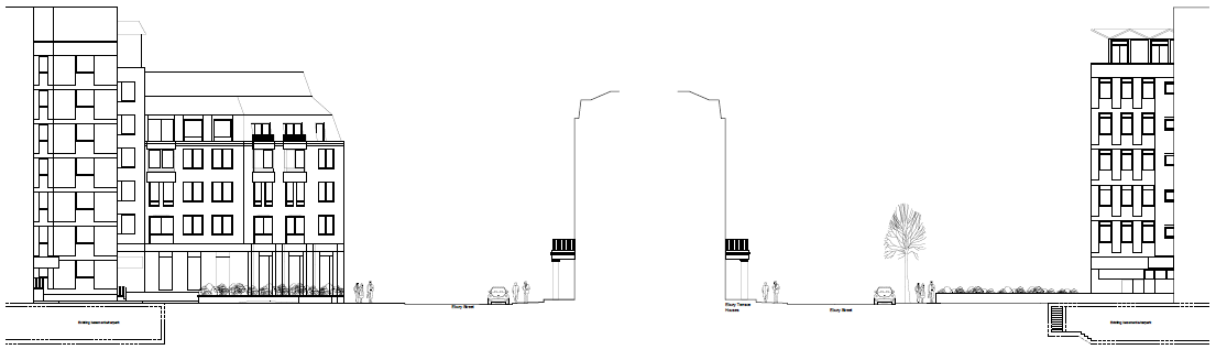
Proposed Site Plan



Existing Elevations



WEST ELEVATION
1:200



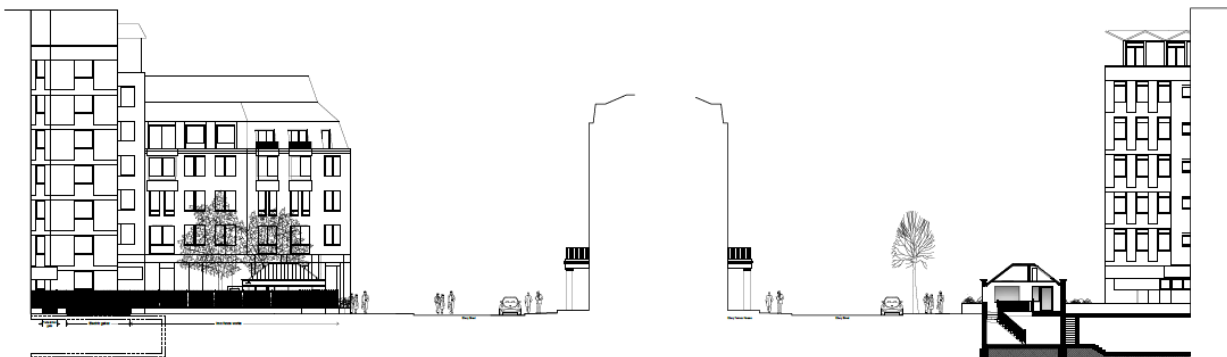
NORTH ELEVATION
1:200

SOUTH ELEVATION
1:200

Proposed Elevations



WEST ELEVATION
1:200



NORTH ELEVATION
1:200

SOUTH ELEVATION
1:200

Porters Lodge Elevations



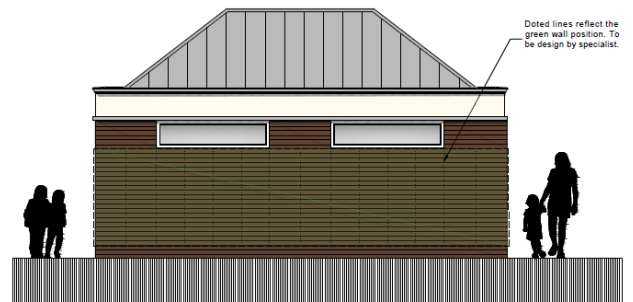
NORTH ELEVATION
1:50



WEST ELEVATION
1:50



EAST ELEVATION

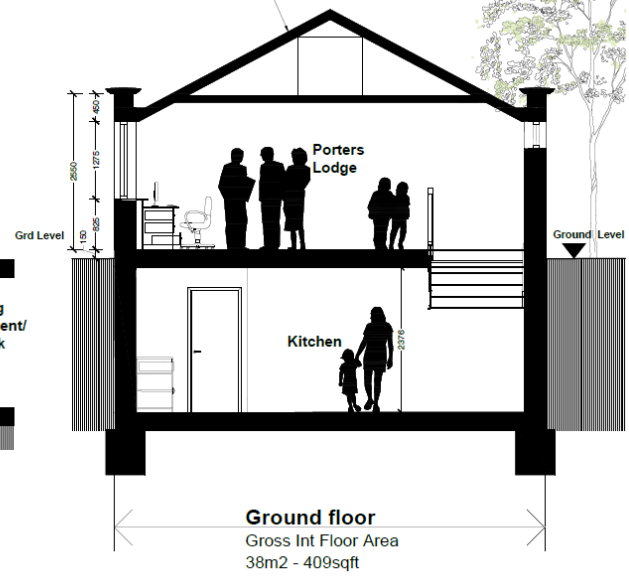
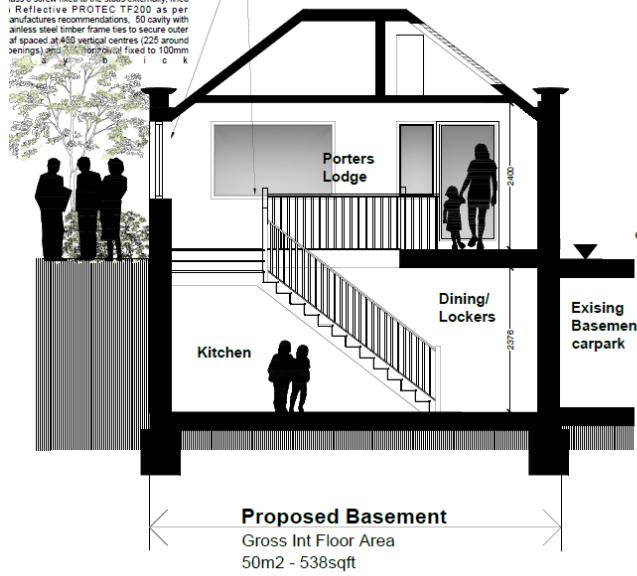


SOUTH ELEVATION METRES 0 1 2 3 4 5

Porters Lodge Sections

400x100 with staggered noggin, partial filled
 with 120 KINGSPAN TW65 between studs, 12.5
 BP 18mm Exterior Grade Ply to EN 836 : 2003
 less 3 screw fixed to the studs externally, lined
 with Reflective PROTEC TF200 as per
 manufactures recommendations, 50 cavity with
 aniless steel timber frame ties to secure outer
 leaf spaced at 450 vertical centres (225 around
 openings) and horizontal fixed to 100mm

and approved VCL, all gaps and joints to be fully taped
 and sealed, finished with gypsum skim

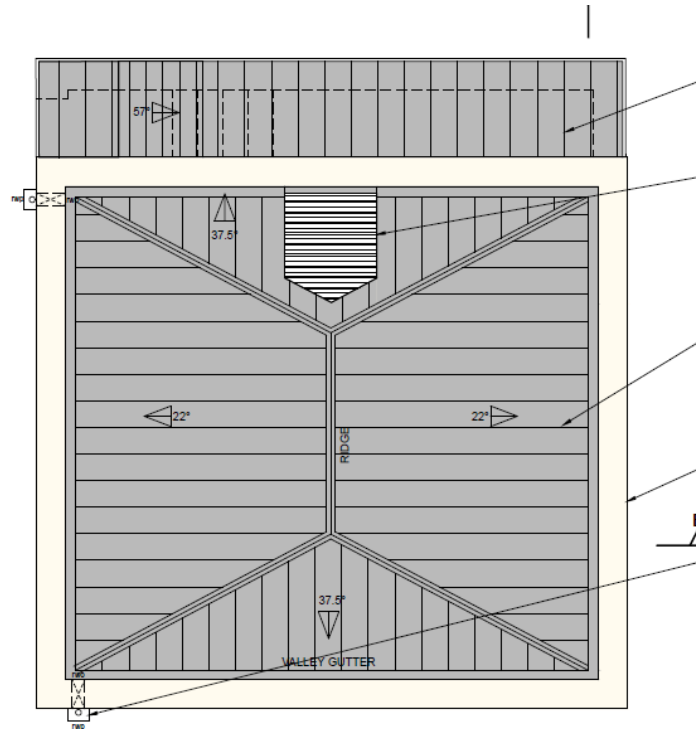


Section A-A

Section B-B

METRES

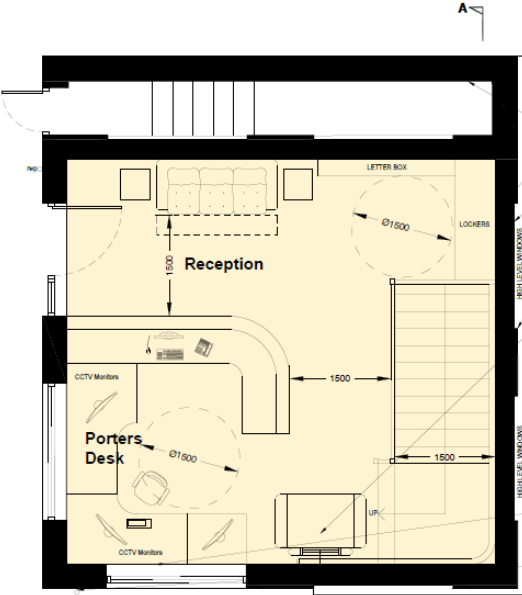
Porters Lodge Roof Plan



Roof Plan -
 Scale 1:50

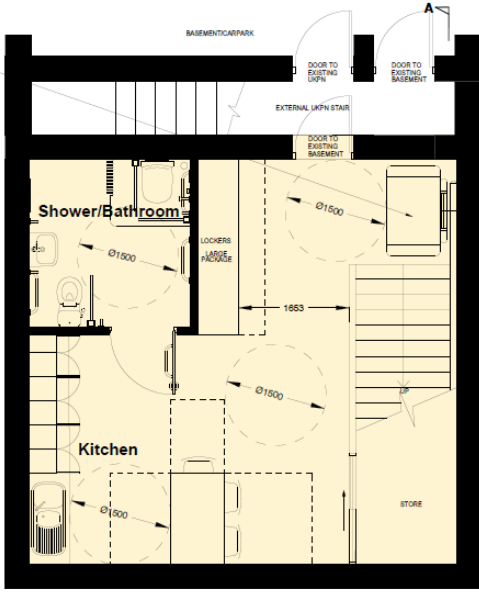
A

Porters Lodge Floor Plans



Ground Floor Plan -
Gross Int Floor Area 38m2

- Wheelchair platform stairlift
- Reconstituted stone coping colour to be agreed with LPA
- Softwood timber window frames to match existing - colour white.
- Mosaic feature tiling to match existing.
- Facing Brickwork to match existing.
- Wheelchair platform stairlift
- Green wall to be design by specialist.
- Softwood timber window frames to match existing - colour white.
- Aluminum RWP and hopper to match existing



Basement Floor Plan -
Gross Int Floor Area 38m2



Image of proposed porters lodge

DRAFT DECISION LETTER

Address: Belgravia Court , 33 Ebury Street, London, SW1W 0NY

Proposal: Erection of 2 storey porters lodge comprising ground floor and basement, including louvres to ventilate plant equipment within roof space of the lodge. Installation of new boundary railings and landscaping works. Associated alterations to entrances of the main buildings.

Reference: 19/00352/FULL

Plan Nos: 01 Rev. B; 07 Rev. C; 08 Rev. B; 09 Rev. B; 10 Rev. B; 11 Rev. C; 12 Rev. C; 13 Rev. B; 14 Rev. A; 15 Rev. B; 21; 31; Acoustic Report No. 17608.PCR.01 dated 17 May 2018; Signed Checklist B: Code of Construction Practice dated 27 February 2019.

For information purposes:

Archaeological Desk Based Assessment dated March 2019; Structural Engineering Report for Planning (Including construction methodology statement); Tree Schedule & Arboricultural Impact Assessment, Ref no. R2433a dated 5 April 2019; 5 Rev. A; Tree Protection Plan - A M Lane -05-04-2019; 17 Rev. A; 16 Rev. B.

Case Officer: Ian Corrie

Direct Tel. No. 020 7641 1448

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:
 - o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and
 - o not at all on Sundays, bank holidays and public holidays.

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

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

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

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

Reason:

To make sure that the appearance of 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 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 5 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest,

shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing LA90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R46AB)

- 6 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)

- 7 The porters lodge permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the building known as Belgravia Court, 33 Ebury Street.

Reason:

To ensure that the impacts of using the porters lodge as a separate unit of accommodation can be properly assessed by the City Council as set out in S15, S29, S30, S41 and S42 of Westminster's City Plan (November 2016) and H5, TRANS 20, TRANS 23 and ENV13 of our Unitary Development Plan that we adopted in January 2007.

- 8 You must apply to us for approval of detailed drawings of a planting scheme which includes the number, size, species and position of trees and shrubs. The scheme must include at least 3 trees, to be planted at a minimum size of 12-14cm girth. 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 planting within one planting season of completing the development. , , If you remove any trees or find that they are dying, severely damaged or diseased within 5 years of planting them, you must replace them with trees of a similar size and species. (C30CB)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of the Belgravia Conservation Area, and to improve its contribution to biodiversity and the local environment. 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. (R30CD)

- 9 **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 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 Pre Commencement Condition

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. (C11CD)

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),

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 or visit 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 Conditions 5 and 6 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 4 You are advised 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>
- 5 With reference to condition 11 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work.

Your completed and signed Checklist A (for Level 1 and Level 2 developments) or B (for basements) and all relevant accompanying documents outlined in Checklist A or B must be submitted to the City Council's Environmental Sciences team (environmentalsciences2@westminster.gov.uk) and the checklist must be countersigned by them before you apply to the local planning authority to discharge the above condition. The full Site Environmental Management Plan (Levels 1 and 2) or Construction Management Plan (basements) must be submitted at least 40 days prior to commencement of works (which may include some pre-commencement works and demolition).

You are urged to give this your early attention as the relevant stages of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval of each of the relevant parts, prior to each stage of commencement. Where you change your plans after we have discharged the condition, you must re-apply and submit new details for consideration before you start work. Please note that where separate contractors are appointed for different phases of the project, you may apply to partially discharge the condition by clearly stating in your submission which phase of the works (i.e. (a) demolition, (b) excavation or (c) construction or a combination of these) the details relate to. However please note that the entire fee payable to the Environmental Sciences team must be paid on submission of the details relating to the relevant phase.

Appendix A or B must be signed and countersigned by Environmental Sciences prior to the submission of the approval of details of the above condition.

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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.