

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 Knightsbridge And Belgravia	
Subject of Report	17 Chester Square, London, SW1W 9HS		
Proposal	Excavation of a basement beneath the footprint of the dwelling, and associated plant in the rear lightwell and internal alterations.		
Agent	Chelsea Consultants		
On behalf of	Cannon Nominees Ltd		
Registered Number	18/07471/FULL and 18/07472/LBC	Date amended/ completed	11 June 2019
Date Application Received	30 August 2018		
Historic Building Grade	II		
Conservation Area	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

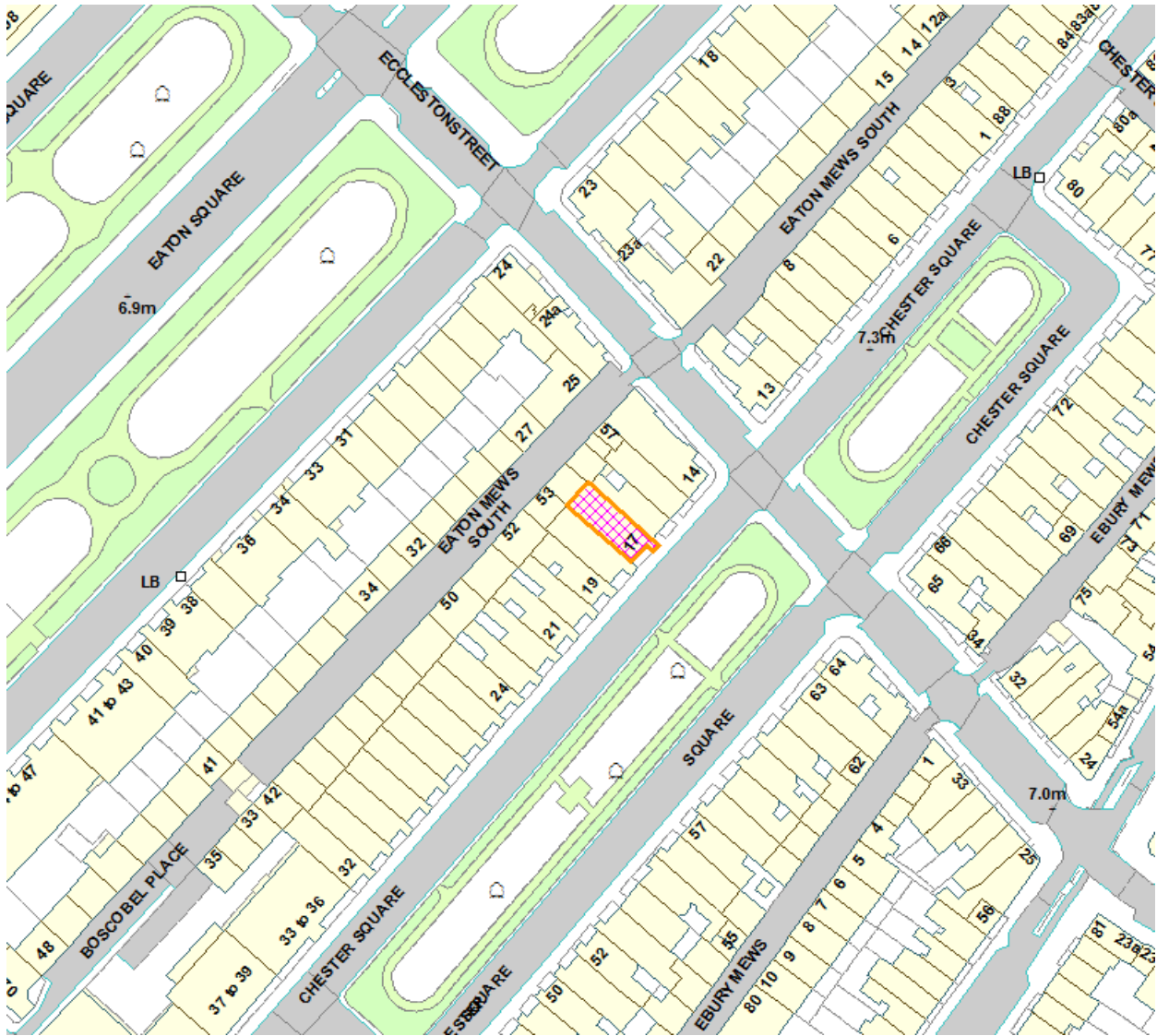
17 Chester Square is a grade II listed building within the Belgravia Conservation Area. It is in use as a single family dwelling house. The applicant seeks permission and listed building consent for excavation to create a basement beneath the footprint of the dwelling, to provide a swimming pool, sauna and gym, and associated plant in the in the rear lightwell above.

The key issues in this case are:

- the impact of the proposed development on the character and appearance of the listed building and the character and appearance of the Belgravia Conservation Area; and
- the impact on the amenity of neighbouring residents.

As set out in this report, the proposed development is considered to accord with the relevant policies in the Unitary Development Plan (UDP) and Westminster's City Plan (the City Plan) and is therefore acceptable in land use, design and amenity terms. As such, the application is recommended for approval subject to the conditions as set out on the draft decision letter.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front Elevation

5. CONSULTATIONS

HISTORIC ENGLAND (Archaeology):

The proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No further assessment or conditions are necessary.

ENVIRONMENTAL HEALTH:

No objection, subject to conditions.

BUILDING CONTROL:

The structural method statement is acceptable. An investigation of existing structures and geology has been undertaken and found to be of sufficient detail. The existence of groundwater has been researched and the likelihood of local flooding or adverse effects on the water table has been found to be negligible. The basement is to be constructed using RC underpinning which is considered to be appropriate for this site. The proposals to safeguard adjacent properties during construction are considered to be acceptable.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 16

Total No. of objections: 6 (excluding duplicates)

Six objections received from neighbouring residents/ interested parties on the following summarised grounds:

Design/ heritage:

- the scale of basement is too large and out of character with Chester Square;
- the building is listed and delicate, and the excavation could harm it and neighbouring listed buildings;

Environmental:

- basements such as these require mechanical ventilation and additional power which may not be sustainable in the longer term;

Construction Impact/ Structural Methodology:

- the excavation, and building work, would unduly harm residential amenity in terms of increased noise, dirt, dust, vibration and other nuisance;
- the works would cause damage to adjoining properties, are technically too complex to be done without risk and would affect the water table;
- the structural methodology statement submitted is insufficient, it relies on investigations carried out at nearby properties (rather than the application property) and it would be 'gross negligence' on the part of the City Council to accept the findings/ conclusions of the statement;
- the basement would be deeper than the 2.7 metres that the basement policy indicates would be acceptable;
- the proposals do not meet the requirements of the basement policy

Other:

- the Grosvenor Estate (the freeholder of much of the properties in this area, but not the application property) does not allow basements of this size;

- the building is already very large;
- the proposals would serve as a precedent resulting in widespread danger to residents and their property.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

17 Chester Square is a grade II listed building within the Belgravia Conservation Area. It is in use as a single family dwelling house. The property comprises an original basement level, ground and four upper levels (including the mansard). The ground and basement levels extend to the rear boundary with 54 Eaton Mews South and there is no rear garden therefore (although a roof terrace exists at first floor level).

The site is located within Flood Zone 1 and within a Tier 3 Archaeological Priority Area.

6.2 Recent Relevant History

On 1 April 2015, the City Council granted permission and listed building consent for infilling of inner rear lightwell area at lower ground floor level.

On 24 April 2008, the City Council granted permission and listed building consent replacement of existing pitched lantern light at rear first floor level with new flat glass rooflight.

7. THE PROPOSAL

The applicant seeks permission and listed building consent for excavation to create a basement beneath the footprint of the dwelling, to provide a swimming pool, sauna and gym, and associated plant in the rear lightwell, intake/extract vents to the rear terrace and associated internal alterations.

Floorspace Figures:

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Residential Use (Class C3)	538	654	+116

8. DETAILED CONSIDERATIONS

8.1 Land Use

The application property is a single family dwelling house and the additional residential floorspace created would enlarge it. This would raise no land use implications.

8.2 Townscape and Design

Policies DES 1 (urban design / conservation principles), DES 5 (alterations and extensions), DES 9 (conservation areas) and DES 10 (listed buildings) of the UDP apply to the consideration of these applications, whilst S26 and S28 of the City Plan provide the strategic planning policies relevant to design and CM28.1 of the City Plan relates to basements.

Sections 7 and 12 of the National Planning Policy Framework (NPPF) require great weight be placed on design quality and on the preservation of designated heritage assets. Paragraph 133 makes it clear that 'substantial harm' must only be approved in exceptional circumstances in return for substantial public benefits and subject to various tests. Paragraph 134 meanwhile requires a similar but proportionate assessment of 'less than substantial harm' against public benefits.

The main design/ townscape issue in this instance is the impact of the proposals on the special architectural and historic interest (significance) of this Grade II listed building.

In considering the impact on the special interest of the listed building, part B (6) of policy CM28.1 of the City Plan is of particular relevance. It notes, with regards to listed buildings, that basement extensions should not unbalance a buildings' original hierarchy of spaces, where this contributes to its significance.

17 Chester Square retains its original hierarchy of spaces, with larger principal rooms on the ground and first floor and less prestigious spaces at lower ground floor, and this arrangement contributes to its significance. However, the proposed basement floor to ceiling height would be less than that of the principal spaces, with swimming pool only occupying part of the space and the overall hierarchy of spaces would therefore remain legible. As such, the principle of a basement extension is acceptable and will not affect the character and significance of the original spaces in the building.

In terms of the impact on historic fabric, the existing basement/lower ground floor space is largely characterised by its modern finishes and detail, including modern tile floor with underfloor heating throughout much of the lower ground floor. It does, however, retain an attractive stone staircase from ground to lower ground. The proposal would retain this original staircase in situ with the new access staircase to the basement located immediately behind this. The applicants have indicated the staircase will remain unaltered and be supported and protected during the course of works. An amended structural statement has been submitted which provides details of how this will be undertaken and the retention and protection of the staircase will also be secured by condition.

No works are proposed within the front basement lightwell or to the front of the property and works will not affect the character and appearance of the existing building. An air handling unit will be located within the enclosed rear lightwell area and intake and exhaust terminals mounted above the rear terrace. Given their location at the rear these will have minimal visual impact and works are not considered to affect the character and appearance of the Belgravia Conservation Area. The applicants have indicated that any associated pipework will be located within existing voids and on this basis, proposals are considered acceptable.

Conditions are set out in the draft decision letters which require the protection of all existing original detail, secure the retention and protection of the historic staircase, require further

details of the screening of the air handling unit, require all new pipework to be run within existing routes, and finally, that original joists, floorboards, lath and plaster ceilings must not be disturbed.

Overall, subject to the suggested conditions, the proposals are considered to have minimal impact on historic fabric and will not cause harm to the significance of this Grade II listed building or to the character and appearance of the Belgravia Conservation Area. These therefore comply with local and national policy, in particular that set out in the National Planning Policy Framework, in policies S25 (Heritage) and CM28.1 (Basement Development) of the Westminster City Plan and saved policies DES1, DES5, DES9 and DES10 of the Unitary Development Plan.

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 that enhances the residential environment of surrounding properties.

The subterranean nature of the excavation means that once complete the basement itself would have no amenity impact on neighbouring properties in terms of daylighting, sense of enclosure or privacy. The impact of basement excavation and construction is discussed in section 8.14 of this report.

Given the position of the external plant equipment within a lightwell, it would have no implications on neighbours in terms of light or enclosure. The impact in terms of noise is discussed in section 8.7 of this report.

8.4 Transportation/Parking

The proposal does not represent an increase in residential units. There is no requirement for the provision of cycle or car parking.

8.5 Economic Considerations

Any economic benefits generated are welcome.

8.6 Access

Access arrangements will remain unchanged.

8.7 Other UDP/Westminster Policy Considerations

Basement Excavation

Policy CM28.1 relates to all basement excavation in the City. The proposal complies with this policy. Of relevance to this application are the parts of the policy that consider structural impacts, construction impacts, ventilation, flood risk and archaeological impacts and these are discussed below. The policy also seeks to ensure the heritage assets are protected but this is discussed above in section 8.2 and that trees are protected but there are not trees near the site.

Structural Impact:

The applicant has submitted a detailed structural methodology statement as required by the basement policy. Objectors have raised concern on structural impact grounds, arguing harmful impacts on the structural integrity of the building and adjoining buildings and on the water table. An objector also raises specific concern that the structural methodology statement is insufficient.

The City Council's Building Control team have confirmed that the applicant's structural method statement is satisfactory and have raised no concerns. The applicant has investigated existing structures and geology and Building Control consider this to be of sufficient detail. An objector stated that the statement should not have referred to borehole records from investigations carried out at a nearby property (24 Chester Square) but Building Control have advised this is acceptable given it is close to the site and the geology map of the area indicates the site is not close to a boundary of different soil types. Further, the developer proposes to construct the basement using RC underpinning which Building Control confirm is appropriate, and so too are the plans to safeguard adjacent properties during construction. In these circumstances, there are no grounds to withhold permission because of the structural impacts on neighbouring properties.

It should be noted that 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 the developer must use during construction which may need to be altered once the site investigation/ 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.

Construction Impact:

The principal way the basement policy seeks to limit the disturbance to neighbours during construction is by limiting the size of the basement developments – this therefore limits the duration and harmful impacts associated with the works. The proposed single storey basement contained underneath the footprint of the dwelling accords the with the size criteria with the basement policy.

The applicant has also submitted the required draft signed proforma Appendix A which demonstrates that the applicant would comply with the relevant parts of the council's Code of Construction Practice (CoCP). Objectors argue the works would cause undue disturbance to neighbouring residents, and that the proforma was not submitted (it was, but it contains sensitive information which the City Council cannot publish given the General Data Protection Regulations).

The City Council adopted its Code of Construction Practice (CoCP) at the end of July 2016. This was a fundamental shift in the way the City Council deals with the construction impacts of developments relative to the position prior to July 2016. Previously the City Council attached conditions 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 the developer should carry this out if and when the City Council grants planning permission 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 reduce the impact of the development process.

The concerns of the neighbouring residents are at the heart of why the City Council has adopted the basement policy 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 acceptable.

Ventilation Equipment:

The basement policy states that new basements should use the most energy efficient means of ventilation, and wherever practicable natural ventilation should be used. An objector has raised concern about the energy requirements of equipment needed to mechanically ventilate the basement. In this case, mechanical ventilation is proposed because the basement would involve a swimming pool and there are no opportunities to ventilate the space naturally.

The applicant has submitted an acoustic assessment as part of the application. Plant equipment is proposed within the lightwell and internally in the basement. Air intake/extract pipework also runs up to the rear of the first floor terrace within existing voids. The acoustic assessment indicates that the equipment would likely be inaudible at the nearest residential premises. The City Council's Environmental Health Team have confirmed that they agree this would be the case and officers recommend conditions to ensure it. Attenuation measures are specified in the submission, and these will be secured by condition. Subject to the conditions set out in the draft decision letters, the proposed plant and ventilation strategy is acceptable in both amenity and design terms.

Flood Risk:

The site is located within Flood Risk Zone 1, which means there is a low probability of river or coastal flooding. Further, Building Control have confirmed that the applicant has acceptably researched the likelihood of local flooding and impacts on the water table, and have found the impacts to be negligible.

In terms of drainage of rain water, given the basement would be underneath the footprint of the existing dwelling (rather than a garden), there would be no additional impact. The proposal would not affect an existing sewer.

Archaeological Impact:

The site is within a Tier 3 Archaeological Priority Area which has the potential for prehistoric and post-medieval remains.

Historic England's Greater London Archaeological Advisory Service (GLAAS) have reviewed the applicant's archaeological assessment of this site and consider that the work would unlikely affect archaeological assets and state no further assessment or conditions are necessary.

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 between Wednesday 19 June 2019 and Wednesday 31 July 2019. In the case of a draft local plan that has been published for consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012, including a second revision Regulation 19 plan, it remains at a pre-submission stage (i.e. has yet to be submitted to the Secretary of State for Examination in Public) and therefore, having regard to the tests set out in para. 48 of the NPPF, it will generally attract very limited weight at this present time.

8.9 Neighbourhood Plans

None are relevant.

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 to City Council's Code of Construction Practice during the demolition/excavation and construction phases of the development. The applicant has agreed to the imposition of the condition.

8.12 Planning Obligations

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

The development is not CIL liable.

8.13 Environmental Impact Assessment

Not relevant to this application.

8.14 Other Issues

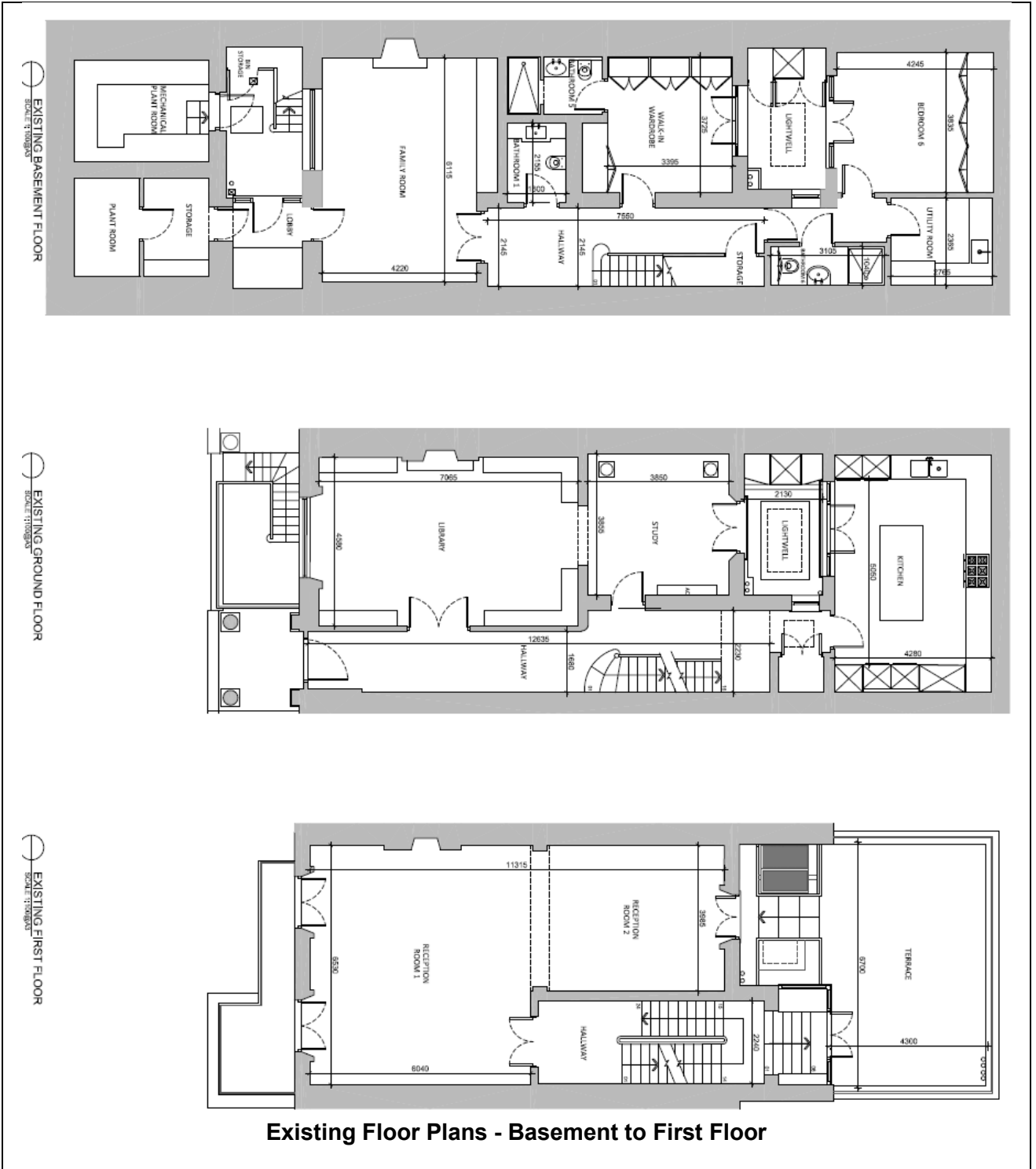
Grosvenor Estate

The Grosvenor Estate is the freeholder of large areas of Belgravia, and in this instance they have raised concerns regarding the extent of excavation and it's potential impact upon the historic building and amenity impacts associated with the construction process. Whilst the Estate applies its own terms and conditions to the properties where they have a freehold interest, they do not appear to have any ownership of the application site. As set out in the report, the proposals are considered to comply with the City Council's planning policies and the Grosvenor Estate's terms and conditions regarding basements are not a planning matter.

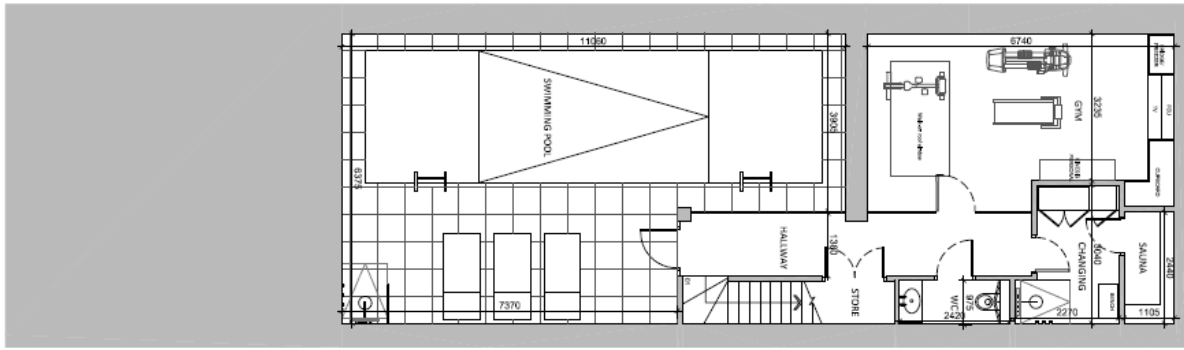
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

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

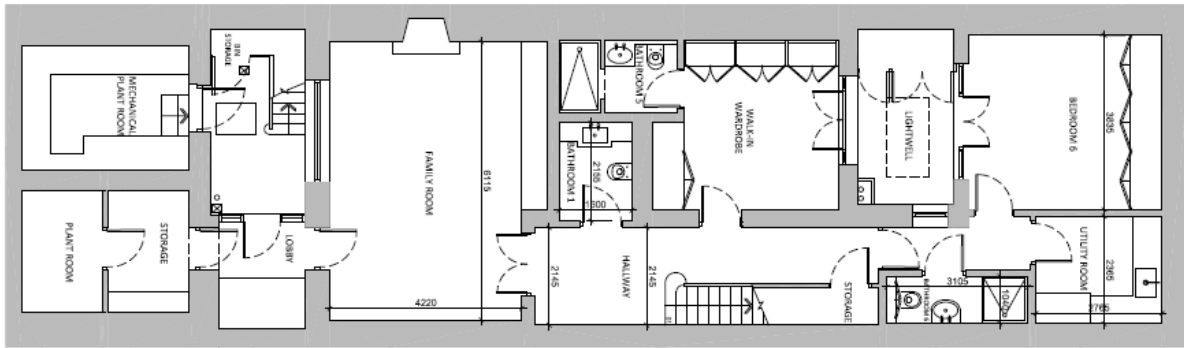
9. KEY DRAWINGS



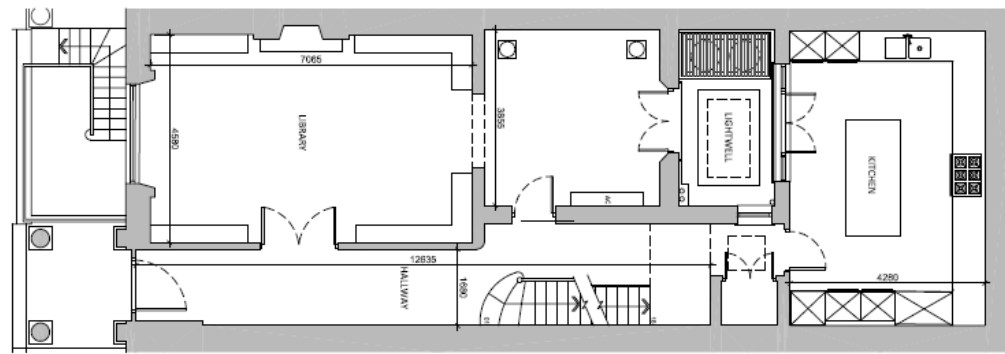
PROPOSED SUB-BASEMENT FLOOR PLAN
SCALE: 1/1000



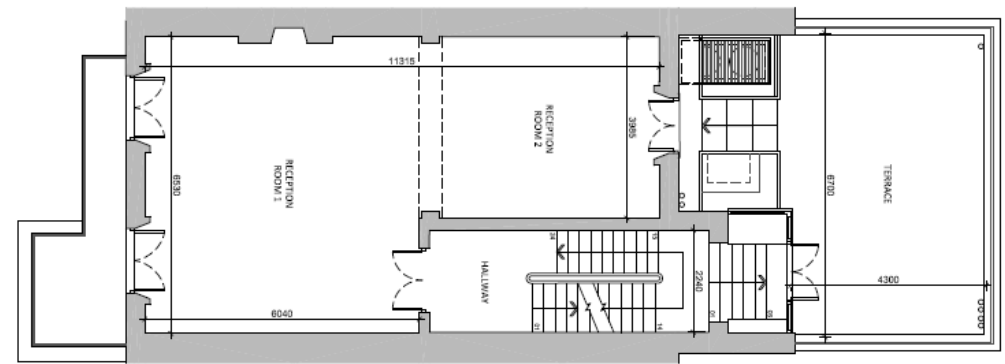
PROPOSED BASEMENT FLOOR PLAN
SCALE: 1/1000



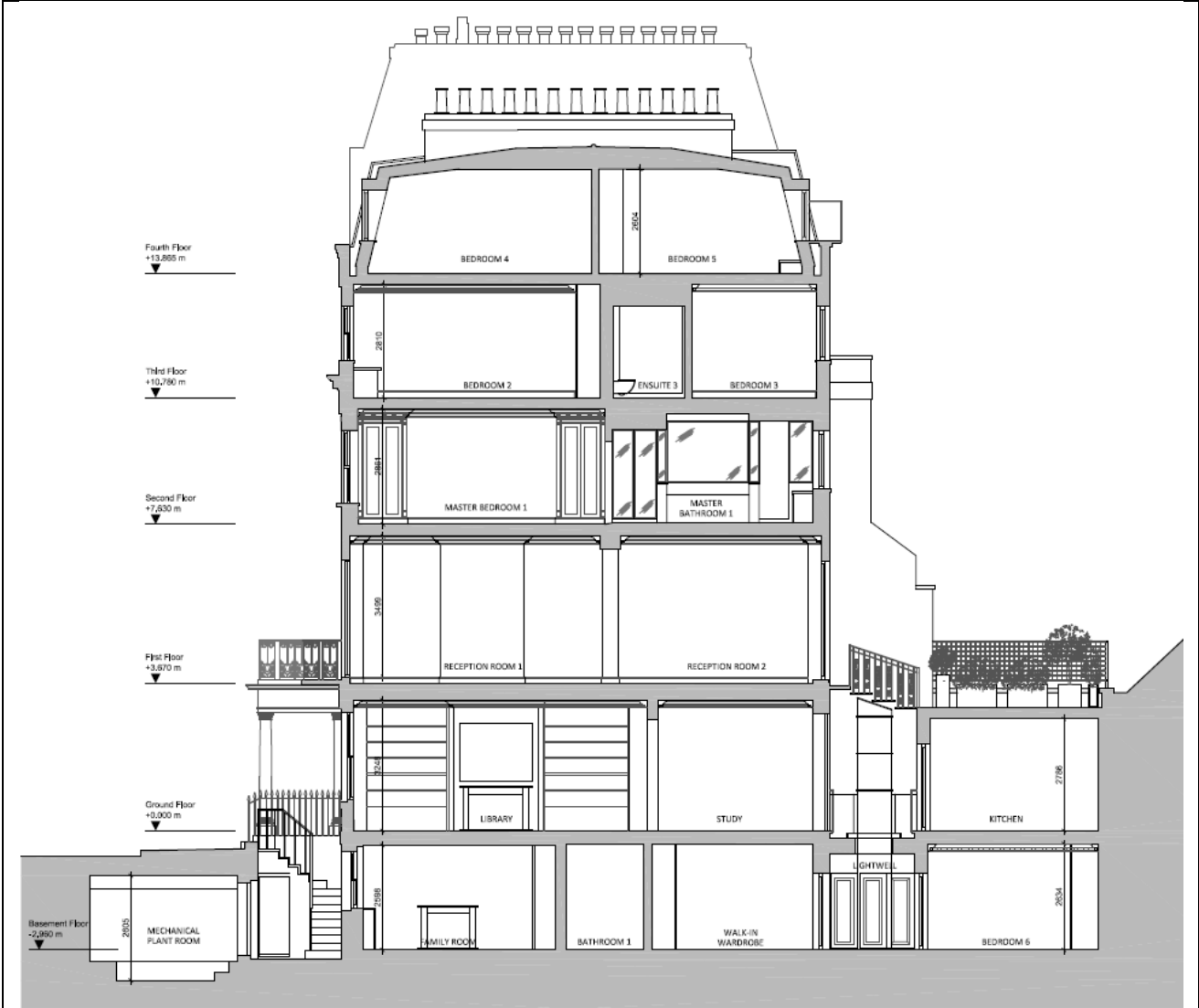
PROPOSED GROUND FLOOR PLAN
SCALE: 1/1000



PROPOSED FIRST FLOOR PLAN
SCALE: 1/1000

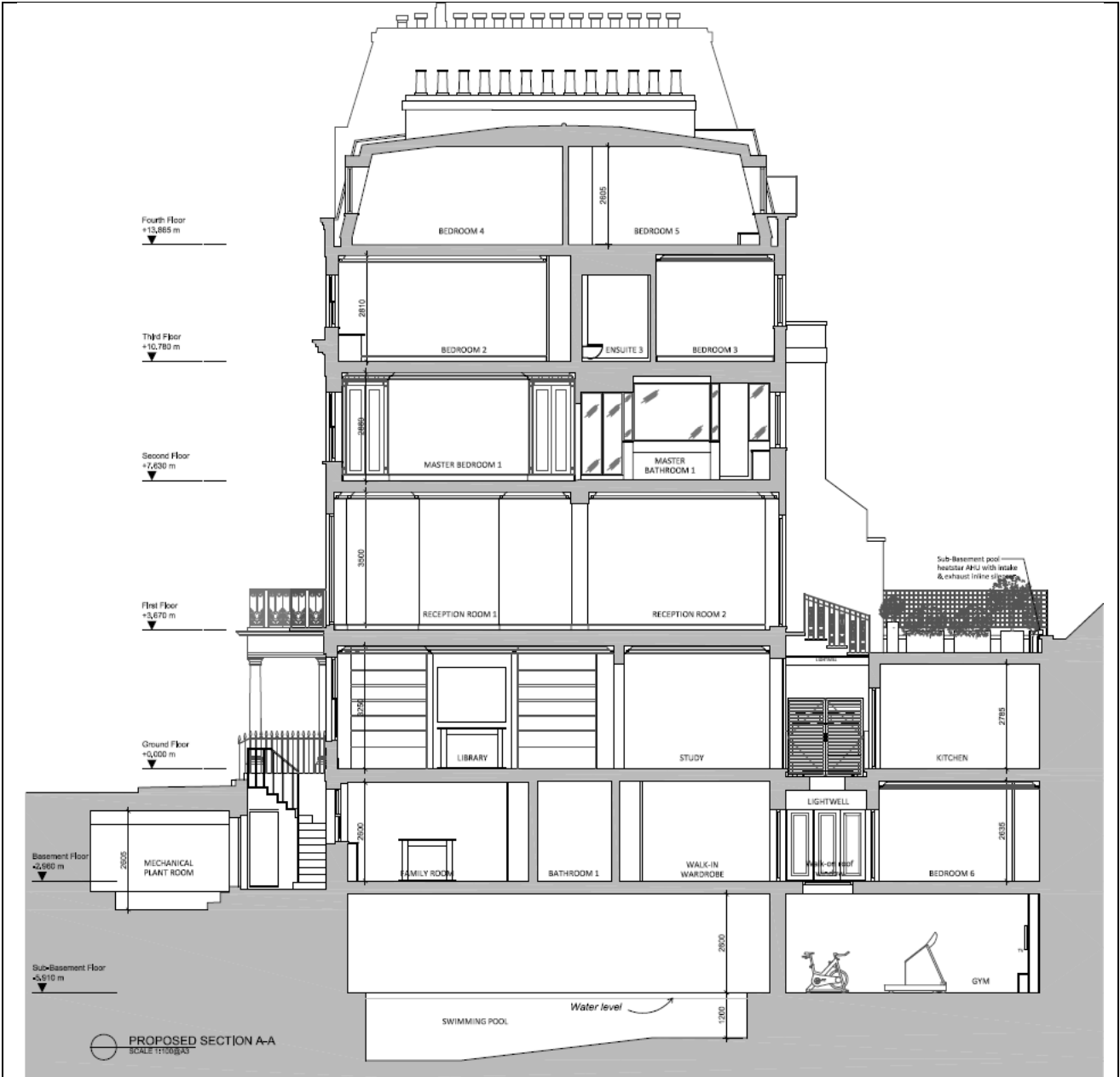


Proposed Floor Plans Sub-basement to First Floor



SECTION A-A AS EXISTING
SCALE 1:100 @ A3

Existing Section AA



Proposed Section AA

DRAFT DECISION LETTER – Planning Permission

Address: 17 Chester Square, London, SW1W 9HS

Proposal: Excavation of a basement beneath the footprint of the dwelling, and associated plant in the rear lightwell.

Reference: 18/07471/FULL

Plan Nos: Site Location Plan; SK100; SK101; SK200; SK300 rev B; SK301 rev A; SK400; TW01; SK140 rev A; SK141 rev A; SK201; SK250; SK350 rev B; SK351 rev B; SK410; M-501 rev P3; M-502 rev P3; M-503 rev P3; M-504 rev P3; Heritage Statement (August 2018); Environmental Noise Survey and Plant Noise Assessment (November 2018); VRF replacement and ventilation strategy report (Cu-tec Building Services Design).

For Info Only:

Structural Methodology Statement (February 2019); Trial Hole Photo Schedule (February 2019); Flood Risk Assessment (August 2018); Archaeological Desk-Based Assessment (August 2018); Draft Appendix A (September 2018).

Case Officer: Joshua Howitt

Direct Tel. No. 020 7641 2069

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 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)

- 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 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 (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 noise attenuation measures as described in the acoustic report and specification from Cu-tec Building Services Design shall be installed prior to first operation of the plant, and thereafter maintained for as long as the plant remains in place.

Reason

To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13AC)

- 8 You must apply to us for approval of detailed drawings of the following parts of the development - screening to the lightwell plant and air intake extract pipes to the rear terrace.

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. (C26DB)

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)

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 With reference to condition 3 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.

- 3 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.
- 4 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. (I35AA)

- 5 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. (182AA)

- 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.

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 – Listed Building Consent

- Address:** 17 Chester Square, London, SW1W 9HS
- Proposal:** Excavation of a basement beneath the footprint of the dwelling, and associated plant in the rear lightwell and internal alterations.
- Reference:** 18/07472/LBC
- Plan Nos:** Site Location Plan; SK100; SK101; SK200; SK300 rev B; SK301 rev A; SK400; TW01; SK140 rev A; SK141 rev A; SK201; SK250; SK350 rev B; SK351 rev B; SK410; M-501 rev P3; M-502 rev P3; M-503 rev P3; M-504 rev P3; Heritage Statement (August 2018).

For Info Only:
Structural Methodology Statement (February 2019).

Case Officer: Joshua Howitt

Direct Tel. No. 020 7641 2069

Recommended Condition(s) and Reason(s)

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

Reason:

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

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

Reason:

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

- 3 You must 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)

- 4 The staircase between ground and lower ground floor must be retained in situ and protected during the course of works in accordance with the structural statement.

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 You must not disturb existing original floor boards and structure at ground floor and above unless changes are shown on the approved drawings. (C27MA)

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)

- 6 All new internal pipework shall be located within existing voids and shall not disturb original fabric.

Reason:

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

- 7 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. 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)

8. You must apply to us for approval of detailed drawings of the following parts of the development - screening to the lightwell plant and air intake extract pipes to the rear terrace.

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. (C26DB)

Reason

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

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.