

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 1 October 2019	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Vincent Square	
Subject of Report	78-102 Rochester Row, London		
Proposal	Erection of rear extensions from ground to third floor and a roof extension at fourth floor, to provide additional office (Class B1) floorspace. Refurbishment of building including revised facade design and reconfiguration of car, cycle parking, plant and storage areas.		
Agent	Montagu Evans LLP		
On behalf of	Amdec UK Limited		
Registered Number	19/04254/FULL	Date amended/ completed	5 September 2019
Date Application Received	31 May 2019		
Historic Building Grade	Unlisted		
Conservation Area	n/a		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

78 – 110 Rochester Row is a part-five part-six storey building in mixed office, conference centre and residential use built in the 1980s. The building is unlisted and outside of a conservation area. It is adjacent to the Vincent Square Conservation Area to the east and north and opposite two grade II listed buildings. The application proposes a roof extension, extensions to the north (rear) elevation, façade alterations and associated works to provide additional office floorspace.

The key issues for consideration are:

- The acceptability of additional office floorspace within Pimlico;
- The impact of the extensions and alterations on the appearance of the building and setting of adjacent Vincent Square Conservation Area and listed buildings; and
- The impact of the extensions and alterations on residential amenity.

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

3. LOCATION PLAN



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4. PHOTOGRAPHS



View along Rochester Row



5. CONSULTATIONS

WESTMINSTER SOCIETY:

No objection. The new facades have a robustness and scale appropriate to the street and appropriate details; the removal of the roof plant and the design of the roof extension is an improvement to the appearance of the building as a whole; choice of brick is critical and should be dealt with by condition; the increased floor plates are acceptable subject to daylight and sunlight.

THORNEY ISLAND SOCIETY [n.b. the site is outside this amenity society's area]:

Objection. Do not see the merit in so much demolition and re-building in order to gain a relatively small amount of additional floorspace; it would be at the expense of a somewhat higher skyline reducing light to neighbouring buildings; the existing facades are unexceptional, but the new design would be no better, the low windows will make a cluttered office more visible; there is no planning merit in providing better quality office space - in this area all types of office space are in demand.

VICTORIA NEIGHBOURHOOD FORUM:

Any response to be reported verbally.

HIGHWAYS PLANNING MANAGER:

No objection, subject to conditions.

PROJECT OFFICER for WASTE:

No objection, subject to a condition to ensure the proposed waste and recycling storage is provided.

ENVIRONMENTAL HEALTH:

No objection to noise assessment, subject to conditions to prevent noise disturbance. Further information on air quality requested (the applicant later provided this).

ARBORICULTURAL OFFICER:

No objection, subject to a condition to ensure trees are protected

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 178

Total No. of objection: 5 (excluding duplicates)

[n.b. 4 comments were received after the first consultation; 1 further comment was received after the second consultation]

Objections from neighbouring residents on the following summarised grounds:

Design:

- The alterations and extensions would harm the character and appearance of the building, they are not in keeping with Rochester Row;

Residential Amenity:

- The extensions to the rear and roof would unacceptably enclose/ be overbearing for the residents within Buckingham Chambers and Admiral House to the rear;

- The extensions to the rear and roof would result in a loss of light for residents within Buckingham Chambers and Admiral House to the rear, and 75 Rochester Row to the front.

Others:

- Impact on existing services for residents within the building;
- Noise and disturbance from building works;

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is located on the north-west side of Rochester Row, close to the junction with Vauxhall Bridge Road. The building is part-five part-six storeys high, plus a basement level. The building is in mixed office, residential and conference centre (D1) uses, with a shared car park at basement level. The existing roof level includes roof plant and lift overrun structures, as well as the upper floor of an existing flat (Flat 17) and its associated roof terrace to the south-west corner of the building. The west side of the building contains the residential flats, the east side contains the offices.

The application site is not listed or located within a conservation area. It is adjacent to the Vincent Square Conservation Area to the east and north and opposite two Grade II listed buildings.

The building dates from the 1980s and given its location has a strong presence in the townscape. It is comparable in height and scale to neighbouring buildings which are between four and six storeys high.

6.2 Recent Relevant History

On 31 August 2016, the City Council granted permission for the erection of a roof extension to provide six residential units (use class C3) and associated alterations.

On 23 February 2018, the City Council granted permission for the erection of a roof extension to provide office floorspace (Use Class B1) and associated alterations. [Considered by Planning Applications Sub-Committee (2), chaired by Councillor Melvyn Caplan].

7. THE PROPOSAL

The applicant seeks permission to extend the existing building rearwards (to the north elevation) and at roof level to provide additional office floorspace, to alter the building's façades and to reconfigure car, cycle parking, plant and storage areas.

Since submission, the applicant has revised the proposal to reduce the scale of the extensions to the rear of the site and provide further clarity on air quality, tree and waste storage issues.

Table 1: Floorspace Figures

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Office (Class B1)	1,757	2,553	796
Residential (Class C3)	1,853	1,853	0
Conference Centre (Class D1)	692	692	0
Total	4,302	5,098	796

8. DETAILED CONSIDERATIONS

8.1 Land Use

Policy S20 of the City Plan identifies the need for significant additional office floorspace within Westminster to retain and enhance Westminster's strategic role in London's office sector and support London's global competitiveness. However, the policy directs new office floorspace to the Core CAZ, Opportunity Areas and Named Streets as these areas have the predominate capacity for growth and because commercial uses are the priority in these areas. Elsewhere area specific policies apply, and policy S10 of the City Plan relates to Pimlico. It states this area will be primarily residential, and new commercial uses will not generally be appropriate, unless they provide services to support the local residential community.

In 2018, the City Council considered a proposal to extend this building to provide additional office accommodation. Officers had recommended to planning sub-committee that they refuse permission because proposals for additional office floorspace would conflict with the Council's policy relating to Pimlico. Sub-committee resolved to grant permission however. This was because exceptional circumstances of the case justified a departure from policy. These circumstances were that the application building already contains a mix of both commercial and residential floorspace, that the immediate area around the junction of Rochester Row and Vauxhall Bridge Road contains a mix of uses and that the site is close to the Core CAZ. In this context, the proposal would not have introduced a new use alien to the building or the area, nor would it have changed the overall character of the building or impacted on the character and function of the locality.

The current scheme would provide further additional floorspace, resulting in a net uplift of 796 sqm (GIA) compared to 533 sqm (GIA) approved in 2018. Nonetheless, the same principles and logic would apply to the current scheme as it did with the 2018 scheme, given all other circumstances remain extant. As such, the principle of additional office floorspace on this site remains acceptable in land use terms.

The City Council's mixed-use policy (S1 of the City Plan) does not require residential floorspace to offset the increase in office floorspace for sites outside of the Core CAZ. Therefore, no housing provision is required.

8.2 Townscape and Design

Policies DES 1 (principles of urban design and conservation), DES 5 (alterations and extensions) and DES 6 (roof level alterations and extensions) of the UDP and policy S28 of the City Plan are the most relevant design policies. These aim to ensure the highest

standards of design in alterations and extensions in all parts of the city. As the site is within setting of the Vincent Square Conservation Area and the grade II listed buildings on Rochester Row, UDP policies DES 9 (conservation areas) and DES 10 (listed buildings) are also relevant. These aim to ensure the preservation or enhancement of the City's conservation areas and listed buildings.

Some commenters object on the grounds the proposed extensions and alterations would harm the appearance of the building and area because they consider the proposed façades to be inferior to the existing, the extensions would be overly large and because they would reduce gaps between buildings that are important to the townscape, amongst other issues.

The alterations and extensions focus on the eastern side of the building where the existing office part of the building is located. The proposals would result in this part of the building appearing visually distinct from the residential part of the building.

Unlike the existing building, the proposed new façades would feature a coherent pattern of larger scaled bronze framed windows finishes with red reconstituted stone reveals and decorative headers. The base of the building would be opened-up with large glazed display windows, again framed by red stone surrounds. The ground floor arrangement would activate the frontage, which is a welcome improvement. Similarly, the other fenestration alterations would modernise and improve upon the existing building. To ensure their quality however, samples of the facing materials and design details of the windows are recommended to be secured by condition.

The previous permissions in 2016 and 2018 have established the principle of a roof extension to this building. The roof extension proposed now differs in design. It would be in two distinct sections: the part over the residential element of the building would reflect the character of the existing building, and the part of the office element would be more contemporary, suiting the proposed façade alterations.

In terms of its height and perceived bulk from the front, the currently proposed roof extension would appear comparable to the approved schemes. To the rear, the roof level was initially larger, but the applicant revised it to be set back to be similar in scale as the previously approved roof extensions, except for the new building core which would be located centrally at the rear resulting in this section having greater bulk. The roof extension over the office element would be contemporary in its form and details and would be predominantly glazed, but it would be partially obscured by the parapet which would limit its potential prominence. The roof extension over the residential element is of a similar design to the previously approved and is therefore also acceptable.

From a townscape and design perspective the bulk and form of the rear extension is unproblematic, and its fenestration details are reflective of the wider scheme. In design terms the architectural language proposed is suitable for an office use and the details would greatly improve the appearance of the building without adding any significant additional height or bulk. While the gap to the side of the building and Buckingham Chambers (viewed from Stillington Street) would be reduced in size, it would remain as a legible gap. Further, the set back of the extension at third and fourth floor levels would help to reduce the bulk of the building when viewed from the side and rear.

Overall the scale, form and appearance of the extensions and alterations are appropriate to this unlisted building and would not harm nearby heritage assets.

8.3 Residential Amenity

There are numerous residential properties both within the application building and surrounding the site within buildings on Rochester Row, Willow Place and Greencoat Place.

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.

Neighbouring residents have objected on the grounds the proposal would harm their amenity in terms of loss of light and an increased sense of enclosure. In response, the applicant revised their proposal to introduce set backs to improve lighting and reduce a sense of enclosure.

Sunlight and Daylight

The applicant has carried out an assessment on the neighbouring properties based on the various numerical tests laid down in the Building Research Establishment (BRE) guide "Site Layout Planning for Daylight and Sunlight: a guide to good practice" – the applicant updated this assessment considering the revision. The BRE guide stresses that the numerical values are not intended to be prescriptive in every case and are intended to be interpreted flexibly depending on the circumstances since natural lighting is only one of many factors in site layout design. For example, in a dense urban environment, more obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings. The BRE guide principally seeks to protect light to principal habitable rooms, and it accepts that bedrooms are of less importance.

Daylight

The BRE methodologies for the assessment of daylight values is the 'vertical sky component' (VSC) and 'no sky line' (NSL).

VSC measures the amount of light reaching the outside face of a window. Under this method, a window achieving a VSC value of 27% is well lit. If, because of the development, light received to an affected window is below 27%, and would be reduced by 20% or more, the loss would be noticeable.

NSL measures the proportion of a room that will receive light. If, because of the development, the proportion of the room that receives light reduces by 20% or more, the loss would be noticeable.

There are breaches of the above criteria in Buckingham Chambers and Admiral House to the rear, and 75 Rochester Row and 83 Rochester Row to the front. These are summarised below:

Table 2: Vertical Sky Component breaches

Neighbouring building	No. of windows assessed	No. BRE complaint	No. BRE breaches			Total
			20% to 29.9% loss	30% to 39.9% loss	40% + loss	
Buckingham Chambers	65	53 (82%)	4	8	0	12
Admiral House	97	95 (98%)	2	0	0	2
75 Rochester Row	39	39 (100%)	0	0	0	0
83 Rochester Row	3	3 (100%)	0	0	0	0
Totals*	204	190 (93%)	6	8	0	14

*Excludes properties assessed and found to be BRE compliant

Table 3: No Sky Line breaches

Neighbouring building	No. of rooms assessed	No. BRE complaint	No. BRE breaches			Total
			20% to 29.9% loss	30% to 39.9% loss	40% + loss	
Buckingham Chambers	57	51(89%)	2	2	2	6
Admiral House	77	65 (84%)	9	2	1	12
75 Rochester Row	23	20 (87%)	3	0	0	3
83 Rochester Row	3	2 (67%)	1	0	0	1
Totals*	160	138 (86%)	15	4	3	22

*Excludes properties assessed and found to be BRE compliant

The majority of the breaches (both VSC and NSL measures) occur to Buckingham Chambers and Admiral House to the rear. Of these, most are between 20% and 29.9% although there are 15 breaches greater than 30%.

In terms of VSC, the most significant breaches are to Buckingham Chambers. The applicant sought to identify the most impacted rooms within Buckingham Chambers and discovered these likely serve bedrooms and kitchens located in the rear addition of Buckingham Chambers which faces directly toward the site, both often these rooms contain an alternative BRE compliant window. Table 4 below shows the 8 most significant breaches (between 30 and 39.9%) and explains the mitigating circumstances.

Table 4: Most significant VSC breaches at Buckingham Chambers

Floor	Window	Existing VSC	Proposed VSC	% loss	Circumstances
Ground	W9	12.51	8.55	32	Serves a kitchen, and it enjoys an alternative BRE compliant window.
Ground	W11	11.09	7.22	35	Serves a bedroom, and it enjoys an alternative BRE compliant window.

First	W10	16.40	11.18	32	Serves a kitchen, and it enjoys an alternative BRE compliant window.
First	W11	15.04	9.83	35	Serves a bedroom
Second	W10	20.89	14.27	32	Serves a bedroom, and it enjoys an alternative BRE compliant window.
Second	W12	19.75	13.01	35	Serves a bedroom, and it enjoys an alternative BRE compliant window.
Third	W9	22.8	15.09	34	Serves a bedroom, and it enjoys an alternative BRE compliant window.
Third	W11	22.04	13.88	38	Serves a bedroom

Some of the other windows affected at Buckingham Chambers in VSC terms are in the part of the building that also faces onto the street, and so are dual aspect rooms. In terms of NSL, the significant breaches (above 30%) are all to the rooms identified above in Table 4 where there are mitigating circumstances.

Given the BRE guide principally seeks to protect light to principal habitable rooms and accepts bedrooms are of less importance; that most of the significantly affected rooms also benefit from a BRE compliant window; and that the other breaches are mostly modest or to a dual aspect room, the development would not unduly harm those within Buckingham Chambers in terms of loss of daylight.

For Admiral House, there are only two breaches for the VSC measure (21% and 22 % losses). For the NSL, all but three of the breaches are between 20% and 29.9% losses. The three losses greater than 30% all involve a relatively small absolute loss of area that would no longer receive sky light. This, combined with the fact that the most affected rooms at Admiral House maintain a good VSC figure, means the residents within Admiral House would also not be unduly harmed in terms of loss of daylight.

For 75 and 83 Rochester Row which are to the front of the application building, no window would breach the VSC measure. Four windows would breach the NSL measure however. The losses are 25% or less, so are relatively modest breaches. The use of the affected room at 83 Rochester Row is unknown but the breach would be a 22% loss. For 75 Rochester Row, two of the breaches are to bedrooms but one is to a living room. While it is regrettable that a living room would endure a breach in NSL, given it is modest at 23% and that the window will comply with the VSC measure, this resident would not be unduly harmed in terms of loss of daylight.

Sunlight

The BRE methodology for the assessment of sunlight is Annual Probable Sunlight Hours (APSH). It is a measure of sunlight that a given window may expect over a year period. The BRE guidance recognises that sunlight is less important than daylight in the amenity of a room. Sunlight is influenced by orientation (north facing windows will rarely receive sunlight) and so only windows with an orientation within 90 degrees of south are assessed.

BRE guidance recommends that the APSH received at a given window in the proposed case should be at least 25% of the total available, including at least 5% in winter. Where the proposed values fall short of these, and the loss is greater than 4%, then the proposed values should not be reduced by 20% or more of their previous value in each

period. Breaches of this criteria occur in Buckingham Chambers and Admiral House, and these are summarised below:

Table 4: Annual Probable Sunlight Hours breaches

Neighbouring building	No. of windows assessed	No. BRE complaint	Total
Buckingham Chambers	54	44 (81%)	10
Admiral House	27	24 (89%)	3
Totals*	81	68	13

*Excludes properties assessed and found to be BRE compliant.

The number of rooms that would experience a 20% plus loss of APSH is similar to the number of that would breach the VSC criteria. And for the most part, the same rooms would be affected. Of those that would fail to comply with the BRE criteria, the losses are all less than 40% for APSH, with the majority being between 20% and 29.9%. Given these losses are relatively modest, that most of the rooms affected are bedrooms and kitchens as explained above, the sunlight losses would not unduly harm the residents of either Buckingham Chambers or Admiral House.

Overshadowing

The BRE guidelines have methodologies to assess overshadowing of gardens. And the applicant has conducted one with reference to the sun-on-ground on the spring equinox. This is used to determine the areas which receive direct sunlight and those which do not. This method applies to both new and existing areas of amenity space. The BRE Guidelines suggest that the Spring Equinox (21 March) is a suitable date for the assessment as this is the midpoint of the sun's position throughout the year. It is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least 2 hours of sunlight on 21 March.

The applicant assessed amenity spaces to the rear of the application building, and these would comply with the BRE guidelines and therefore would not be unduly overshadowed.

Sense of Enclosure

An increase in a sense of enclosure occurs where development would have an adverse overbearing effect that would result in an unduly oppressive living environment.

For residents to the front of the site on Rochester Row, the impact from the proposed development is comparable to the previously approved schemes. Indeed, given the width of Rochester Row (approximately 15 metres) and that the roof extension would be limited to one additional storey, those opposite would not experience a significant increase in a sense of enclosure.

To the rear, the proposed development is larger than previously approved as the proposal involves extending the building to the rear by approximately 2.6 metres at first and second floor levels. Initially the applicant proposed this increased depth would

continue to the top floor across the entire extension, but since submission the applicant revised the extension to include set backs on parts of the third and fourth floors.

Admiral House and Buckingham Chambers are relatively close to the application building. However, the orientation of the buildings means most windows would only view the application site at an oblique angle – and this orientation will help reduce a sense of enclosure. Still, the south facing windows in the rear addition of Buckingham Chambers are nearest and have the most direct view of the application site. The closest window would be approximately 8.6 metres from the extended building (at ground to second floors). This represents a reduction from over 11 metres, and so would impact on the residents there. But as explained above, these rooms are bedrooms and kitchens rather than the principle habitable space of the flats they serve. Further, the building is set back at third and fourth floor which would reduce the sense of enclosure. On balance therefore, the proposals would not give rise to an unacceptable increase in a sense of enclosure.

Loss of Privacy

The proposal involves the creation of new windows at roof level and to the rear. Those at roof level would be the same distance as those a floor below, and the loss of privacy would therefore be limited. To the rear, the new windows would be closer than the existing by 2.6 metres, but there would be fewer of them. On balance therefore, the level of privacy would not be significantly different for those to the rear.

There would access onto, and railings surrounding, the flat roof areas introduced as a result of the set backs at third and fourth floors. However, the applicant has confirmed that these flats roofs would not be used as an amenity space and would only be used for maintenance. A condition is recommended to ensure this is the case.

8.4 Transportation/Parking

Car Parking

The proposal involves the reconfiguration and reduction in the off street car parking spaces.

Policy TRANS 22 of the UDP relates to off street parking for commercial uses and states the parking standard for offices is a maximum of one space for each 1,500sqm of floorspace. Policy TRANS 23 of the UDP relates to off street parking for residential uses and states these spaces should be protected.

The existing basement contains a total of 33 car parking spaces, 10 of which are used for residential occupiers of the building and the remaining are either used for the commercial tenants, are vacant or are used for cycle parking.

14 car parking spaces are proposed in the proposed reconfigured basement. The applicant has clarified that 10 of these would be retained for the residential occupiers and 4 spaces will be retained for the conference centre use. Given the existing level of car parking space for the commercial uses are a significant overprovision, the reduction in spaces is welcomed.

Servicing

Policy S42 of the City Plan encourages servicing to be undertaken off-street. Where the City Council considers that this is not possible, servicing should be undertaken in a way that minimises the adverse effects on other highway and public realm users, and other residential or commercial activity. In this case however, the existing building is serviced on street and this would be maintained. The Highway Planning Manager notes that the overall uplift in servicing trips would be modest and would not have an adverse impact on the public highway, and so raises no objection.

Cycle Parking

The London Plan requires one space per 90sqm for B1 office use, and given the uplift in floorspace, this would require a minimum of 13 spaces to be provided.

8.5 Economic Considerations

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

8.6 Access

The proposed office floorspace would all be accessible by lifts and each floor will be a single level. Accordingly, they would provide suitable access for those with reduced mobility.

8.7 Other UDP/Westminster Policy Considerations

Plant

The application includes plant to be located in in parts of the basement and at roof level. Environmental Health raises no objection to the proposal, but notes that the acoustic report submitted to support the application does not provided information on the specific plant that would be installed, and therefore a supplementary acoustic report is required which is recommended to be secured by condition, in addition to standard noise conditions.

Refuse /Recycling

The initial waste storage provision shown was identified as not being adequate for the proposal by the Council's Project Officer for Waste. Following revisions and the submission of further details regarding waste arrangements and management, there is now no objection subject to condition securing the proposed waste storage and that no waste shall be left or stored on the highway.

Trees

Although no trees are proposed for removal, the development could impact on four Maidenhair street trees (that are between 9 metres and 14.5 metres tall and an off-site Himalayan birch (T1) to the rear of the building, which is 8 metres tall.

Initially, the applicant proposed heavy pruning of the street trees to allow for the works. The City Council's Arboricultural Officer considered this to be excessive and so during the course of the application the applicant revised this to reduce the amount of pruning.

In terms of impacts on these tree's roots, the applicant has confirmed that no excavation works are proposed that would harm the trees. In terms of tree protection, the applicant's arboricultural report provides a suitable specification for protective wooden barriers to be constructed around the trunks of the street trees, and the arboricultural report sets out acceptable supervision of the work.

Air Quality

Environmental Health stated that the applicant should provide confirmation of the impacts from transport emissions in their Air Quality Assessment. The applicant subsequently provided this further information.

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 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 ensure the site is investigated for contamination and if required, is mitigated. 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 estimated CIL payment is:

Westminster CIL: £119,400

Mayoral CIL: £147,260

Total: £266,660

8.13 Environmental Impact Assessment

An Environmental Impact Assessment is not required for a development of this size.

8.14 Other Issues

Services for Existing Residents

An objector has raised concern that the existing services for residents within the building would be harmed by the development. The applicant explains regarding:

Refuse and Recycling

The residential refuse collection area currently located externally at the rear of the site and is proposed to be relocated to basement level. The basement level store would have full access via the existing residential lift and stair. The basement level is a shared area – with both residential and commercial tenants having access to the cycle store facilities and car parking area. But, the refuse storage for residents would be separated from the office refuse store and therefore would operate independently. Officers have no objection to refuse being stored internally or the arrangement.

Removal of Domestic Hot Water Tanks

The proposals shows the retention of the majority of roof domestic water tanks with the remainder being relocated and combined into a new tank enclosure. The applicant explains that temporary water supplies would be provided during the relocation works to maintain continuity of water supply, with downtime minimised to part of a day during the changeover from existing to temporary and then from temporary to the final arrangement. This is be a matter between the building owner and its occupiers, and the City Council should not be involved.

Residential Lift

The reconfiguration of the residential lift over run room would require the lift to be taken

out of service. The applicant explains this would be for a minimal amount of time and the methodology would be developed through detailed design. This is be a matter between the building owner and its occupiers, and the City Council should not be involved.

Loss of Common Services

Primary services to the residential are separate to the commercial, with the exception of services at roof level which will be diverted as necessary to accommodate the roof extension. Again, this is a matter between the building owner and its occupiers, and the City Council should not be involved.

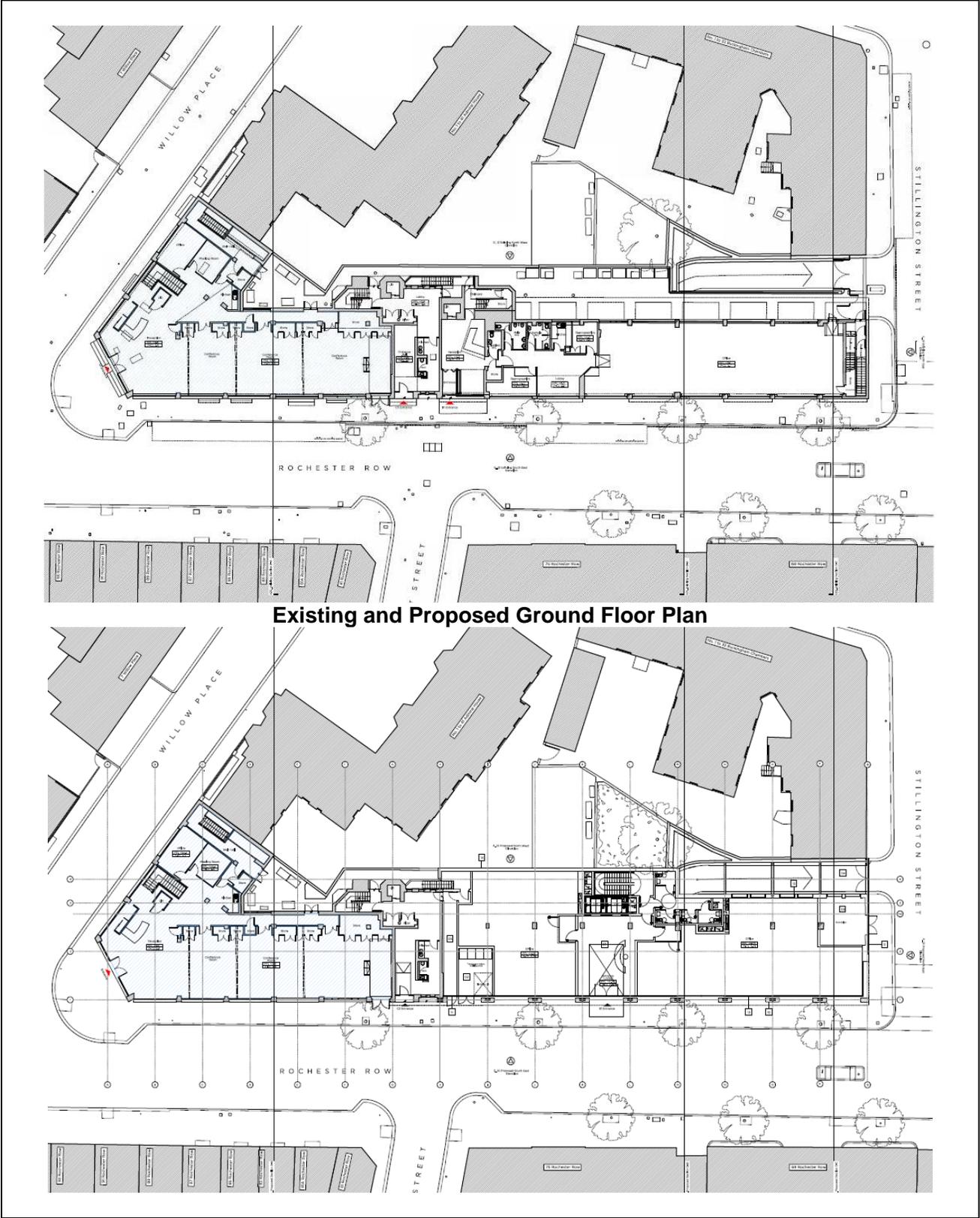
Statement of Community Involvement

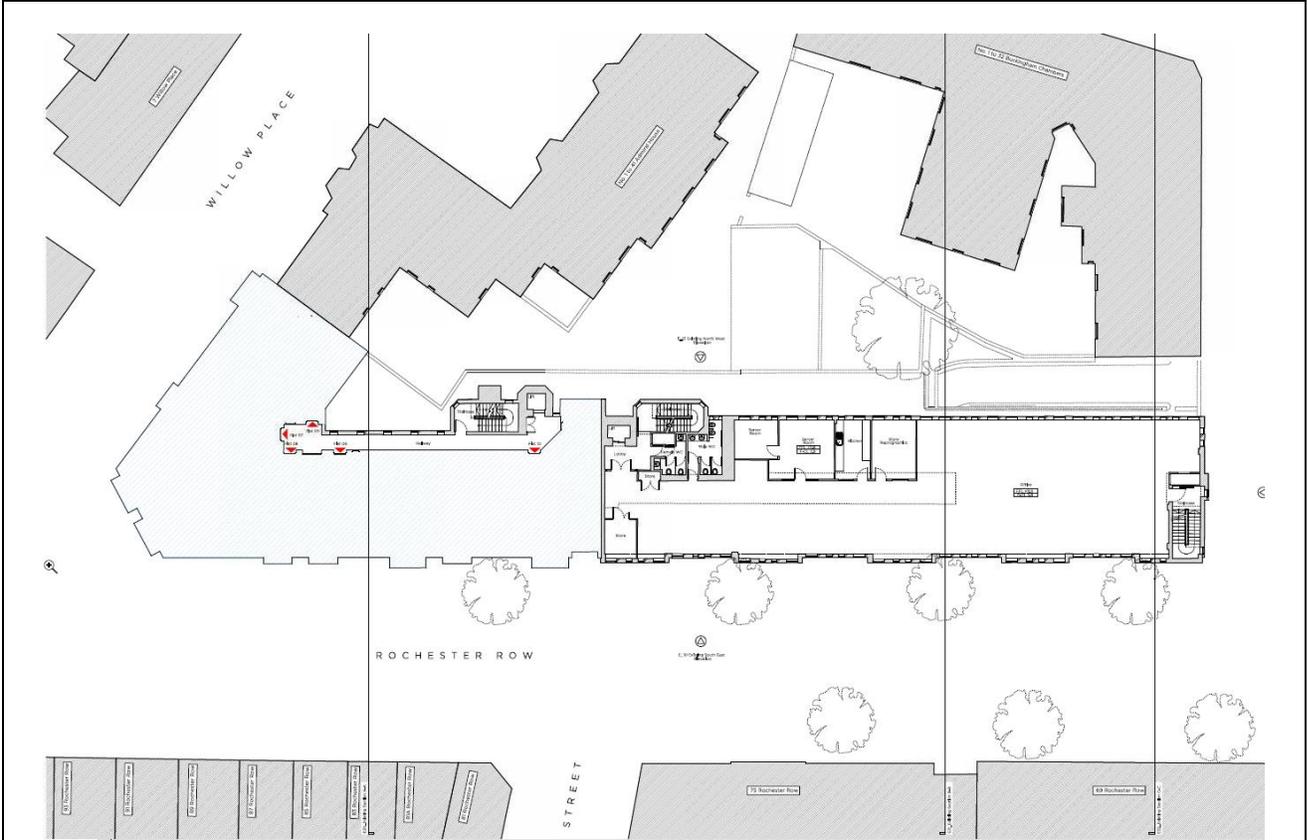
The applicant has submitted a statement outlining their engagement with interested people and organisations in the years leading up to the submission of this application. This included neighbours and amenity societies, as well as the City Council.

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

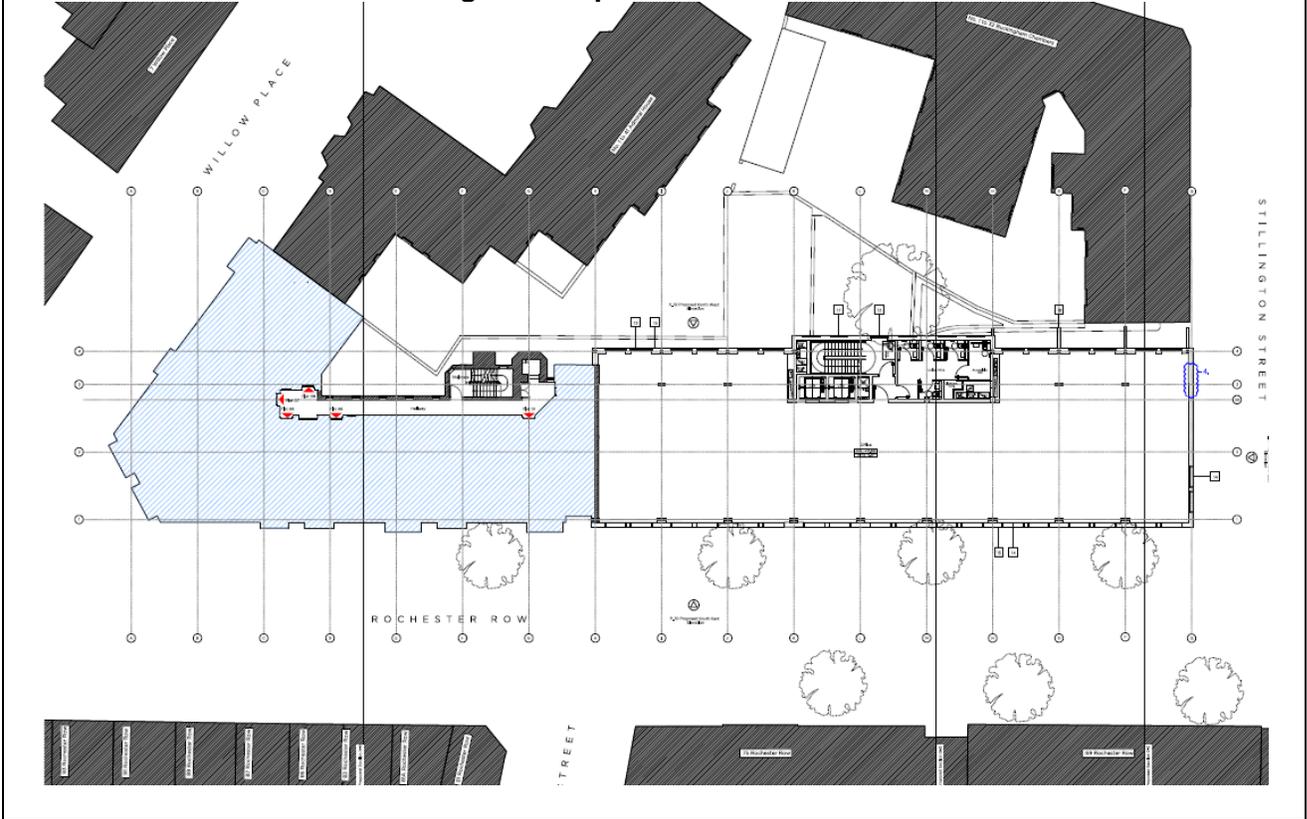
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: JOSHUA HOWITT EMAIL AT jhowitt@westminster.gov.uk

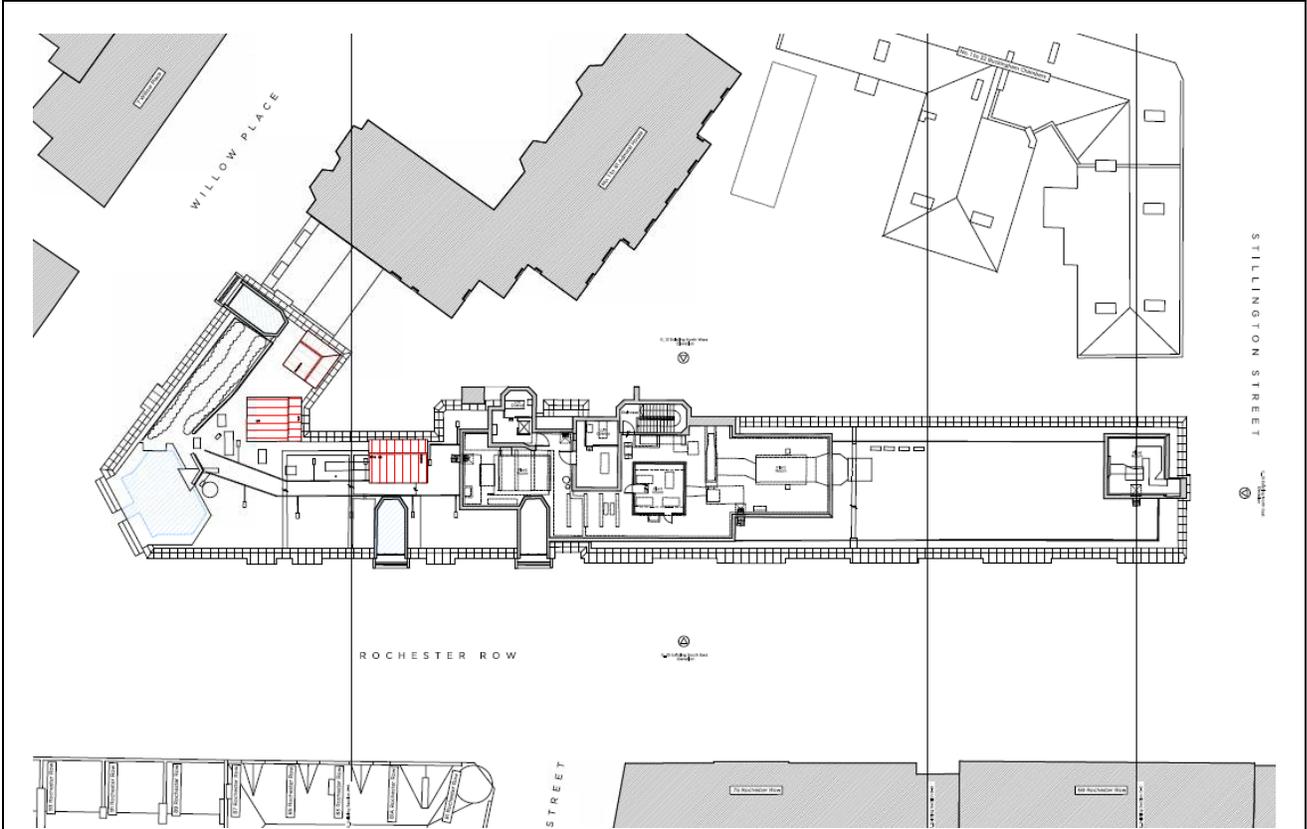
9. KEY DRAWINGS



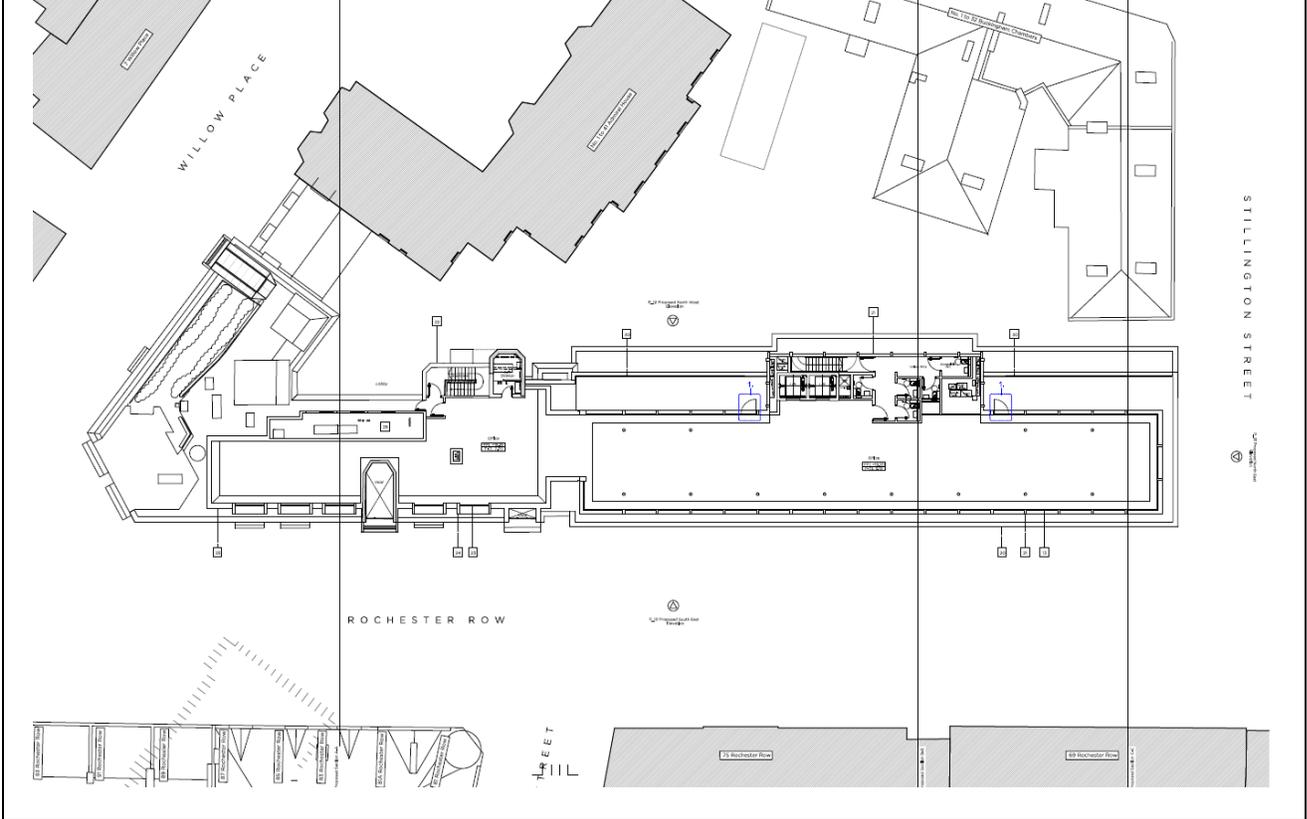


Existing and Proposed Second Floor Plan





Existing and Proposed Fourth Floor Plan





Existing and Proposed Front Elevation



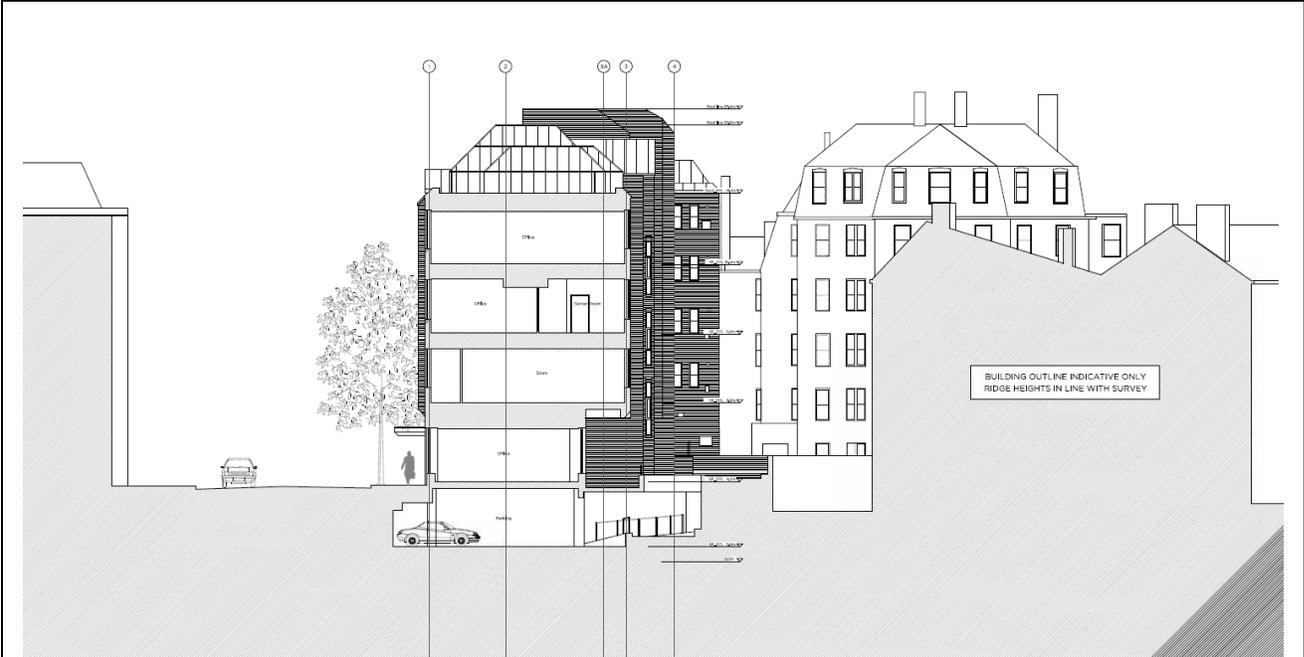
Existing and Proposed Rear Elevation





Existing and Proposed Side Elevation





Existing and Proposed Section



DRAFT DECISION LETTER

Address: 78-102 Rochester Row, London

Proposal: Extensions to existing building on north elevation and at roof level to provide fourth floor containing additional office (Class B1) floorspace, refurbishment of building including revised facade design and reconfiguration of car, cycle parking, plant and storage areas.

Reference: 19/04254/FULL

Plan Nos: Site Location Plan; E_01; E_02; E_03; E_04; E_05; E_06; E_07; E_10; E_12; E_20; E_21; E_22; D_01; D_02; D_03; D_04; D_05; D_06; D_07; D_10; D_12; D_13; D_20; D_21; D_22; P_01 rev B; P_02; P_03 rev A; P_04 rev A; P_05 rev B; P_06 rev B; P_07 rev A; P_10; P_12 rev B; P_13 rev A; P_14; P_20; P_21 rev A; P_22 rev A; P_30; Noise Impact Assessment dated 18 March 2019; Ventilation and Extraction Statement dated 23 May 2019; Design and Access Statement dated August 2019; Delivery and Servicing Management Plan dated 24 May 2019; Planning Statement stated May 2019; Arboricultural Report dated 9th September 2019 and the corresponding Tree Retention and Tree Protection Measures plan (Ref: 1-38-4809/P2 v3).

For Info Only:

Cover Letter dated 28 May 2019; Air Quality Assessment dated 25 April 2019 and additional note dated 23 July 2019; Arboricultural Report dated 4 April 2019 and additional note dated 13 August 2019; Energy and Sustainability Statement dated 21 May 2019; Flood Risk Assessment dated May 2019; Framework Travel Plan dated 24 May 2019; Desk Study/Preliminary Risk Assessment Report dated 14 March 2019; Statement of Community Involvement dated May 2019; Transport Statement dated 24 May 2019; Daylight and Sunlight Report dated 28 August 2019.

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 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 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)

- 4 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved materials. (C26BD)

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)

- 5 You must apply to us for approval of detailed drawings of the following parts of the development

- windows (scaled at 1:10).

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 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 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

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)

- 7 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2016 (R22FA)

- 8 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)

- 9 You must provide each car parking space shown on the approved drawings and 10 car parking spaces shall only be used for the parking of vehicles of people living in the residential part of the building.

Reason:

To provide parking spaces for people living in the residential part of the development as set out in STRA 25 and TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R22BB)

- 10 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number P_01 rev B. You must clearly mark them and make them available at all times to everyone using the building. (C14FB)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 11 **Pre Commencement Condition.** You must carry out a detailed site investigation to find out if the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology and general requirements outlined in 'Contaminated Land Guidance for Developers submitting planning applications' - produced by Westminster City Council in January 2018.

You must apply to us for approval of the following investigation reports. You must apply to us and receive our written approval for phases 1, 2 and 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed but before it is occupied.

Phase 1: Desktop study - full site history and environmental information from the public records.

Phase 2: Site investigation - to assess the contamination and the possible effect it could have on human health, pollution and damage to property.

Phase 3: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate. (C18AA)

Reason:

To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in STRA 34 and ENV 8 of our Unitary Development Plan that we adopted in January 2007. (R18AA)

- 12 (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 L A90, 15 mins measurement recorded under (f) above;
 - (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
 - (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

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)

- 13 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)

- 14 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition(s) 12 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

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. (R51AB)

- 15 You must not use any of the roofs of the building for sitting out or for any other purpose, except for the existing residential roof terrace connected to Flat 17, 102 Rochester Row. You can however use the roofs to escape in an emergency and for maintenance.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 16 You must protect the trees according to the details set out in your Report on the impact on trees of proposals for development, dated 9th September 2019 and the corresponding Tree Retention and Tree Protection Measures plan (Ref: 1-38-4809/P2 v3). If you need to revise any of these tree protection details, you must apply to us for our approval of the revised details and you must not carry out work to the relevant part of the development until we have approved what you have sent us. You must then carry out the work according to the approved details.

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)

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 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

24 Hour Noise Team,
Environmental Health Service,
Westminster City Hall,
64 Victoria Street,
London,
SW1E 6QP
Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

- 3 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.
- 4 Asbestos is the largest single cause of work-related death. People most at risk are those working in the construction industry who may inadvertently disturb asbestos containing materials (ACM's). Where building work is planned it is essential that building owners or occupiers, who have relevant information about the location of ACM's, supply this information to the main contractor (or the co-ordinator if a CDM project) prior to work commencing. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/asbestos/regulations.htm (I80AB)
- 5 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:
 - * Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;
 - * This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

- 6 The supplementary acoustic report relating to plant required by condition 14 must include:
 - (a) A schedule of all plant and equipment installed;
 - (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 all most affected noise sensitive receptor locations and the most affected windows;
- (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) The lowest existing L A90 (15 minutes) measurement as already established.
- (g) New noise monitoring data, measurement evidence and any calculations demonstrating that plant complies with the planning condition.
- 7 Conditions 12 and 13 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)
- 8 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.
- 9 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)
- 10 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 11 Condition 16 requires you to submit a method statement for works to a tree(s). The method statement must be prepared by an arboricultural consultant (tree and shrub) who is registered with the Arboricultural Association, or who has the level of qualifications or experience (or both) needed to be registered. It must include details of:
- * the order of work on the site, including demolition, site clearance and building work;
 - * who will be responsible for protecting the trees on the site;
 - * plans for inspecting and supervising the tree protection, and how you will report and solve problems;
 - * how you will deal with accidents and emergencies involving trees;
 - * planned tree surgery;
 - * how you will protect trees, including where the protective fencing and temporary ground protection will be, and how you will maintain that fencing and protection throughout the development;
 - * how you will remove existing surfacing, and how any soil stripping will be carried out;
 - * how any temporary surfaces will be laid and removed;
 - * the surfacing of any temporary access for construction traffic;
 - * the position and depth of any trenches for services, pipelines or drains, and how they will be dug;

- * site facilities, and storage areas for materials, structures, machinery, equipment or piles of soil and where cement or concrete will be mixed;
- * how machinery and equipment (such as excavators, cranes and their loads, concrete pumps and piling rigs) will enter, move on, work on and leave the site;
- * the place for any bonfires (if necessary);
- * any planned raising or lowering of existing ground levels; and
- * how any roots cut during the work will be treated.

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.