

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	SUB	Date 22 October 2019	Classification For General Release
Report of Director of Place Shaping and Town Planning		Ward(s) involved St James's	
Subject of Report	7-8, Langley Court, London, WC2E 9JY		
Proposal	Creation of a roof terrace with railings at main roof level.		
Agent	Mr Anthony Richardson		
On behalf of	Ingrid Paragyte		
Registered Number	19/05680/FULL	Date amended/ completed	24 July 2019
Date Application Received	19 July 2019		
Historic Building Grade	Unlisted		
Conservation Area	Covent Garden		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

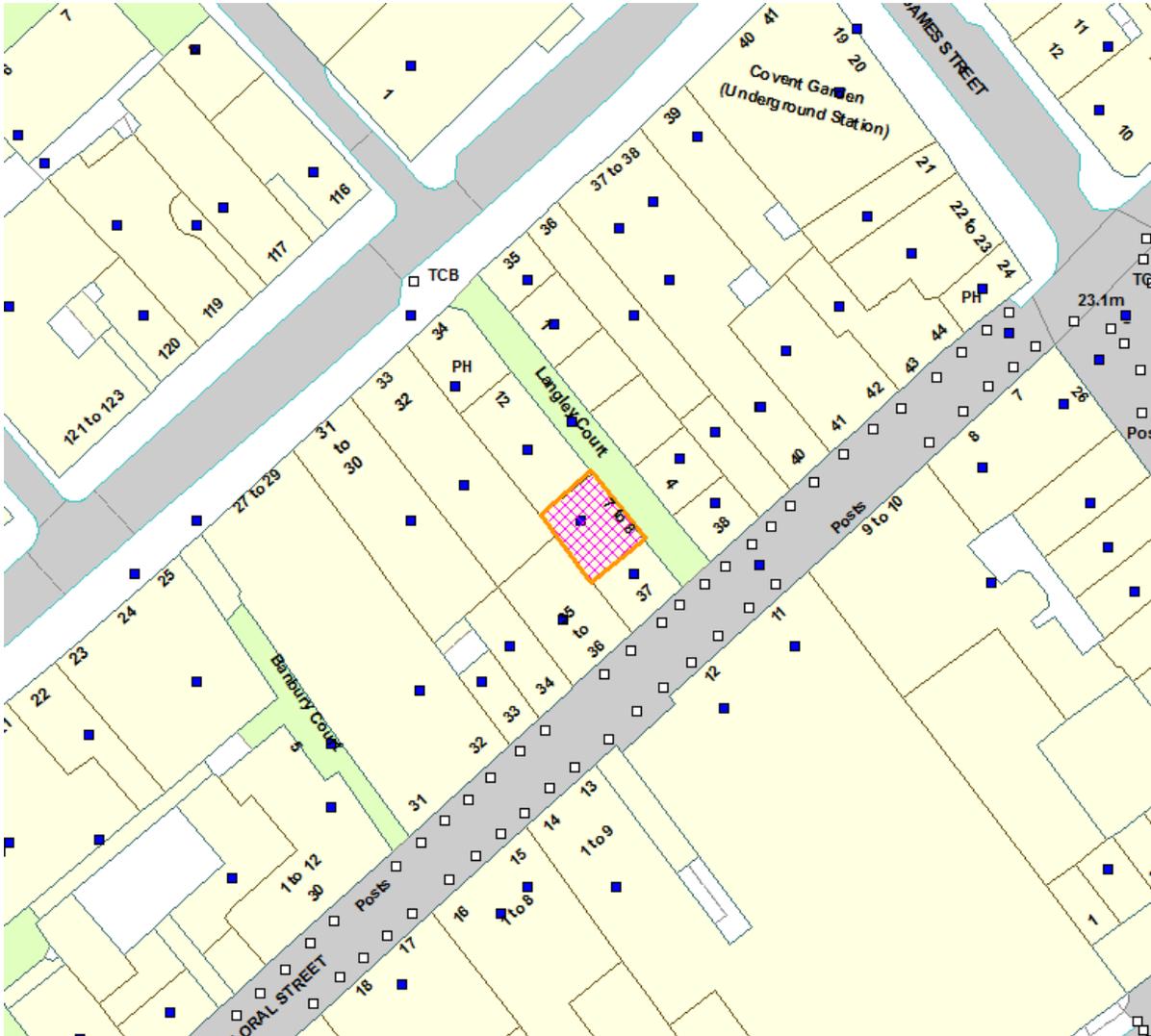
7-8 Langley Court is an unlisted five-storey building (including basement) located in the Covent Garden Conservation Area. Permission is sought for the use of the main roof as a terrace in connection with the existing office use at third floor level. The proposed terrace would comprise the full perimeter of the roof and be bounded by metal railings.

The key issues to consider in this case are:

- The impact of the proposal on the character and appearance of the building and the Conservation Area;
- The impact of the proposal on the amenity of neighbouring occupiers.

Subject to conditions, the proposal is considered acceptable in design and amenity terms and it therefore recommended for approval.

3. LOCATION PLAN

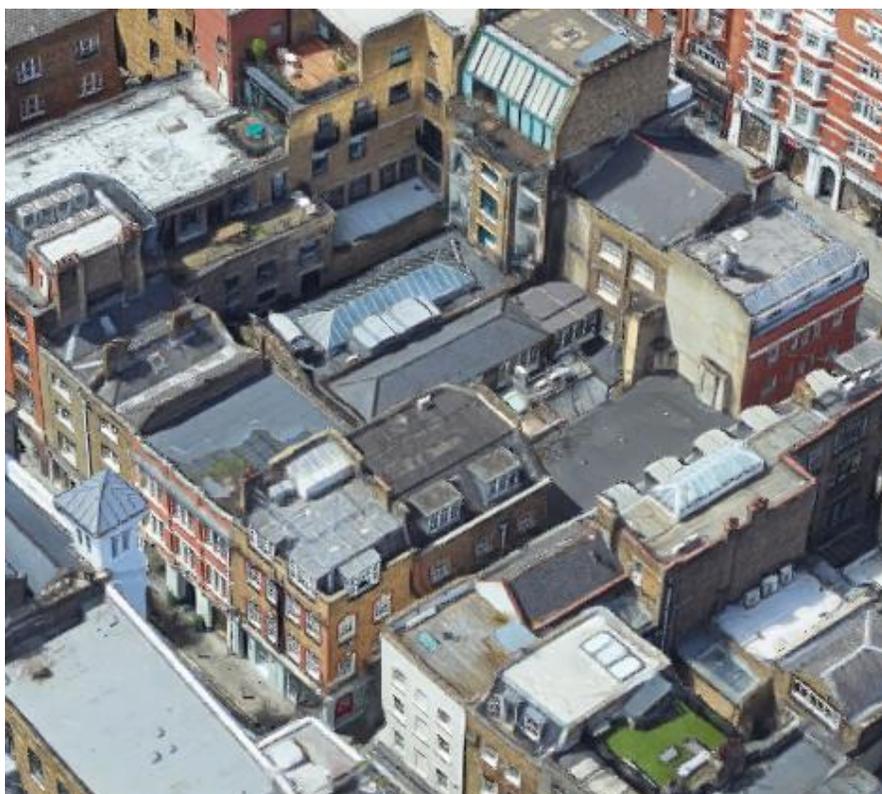


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4. PHOTOGRAPHS



6-7 Langley Court



5. CONSULTATIONS

COVENT GARDEN AREA TRUST

Raise an objection. The proposed roof terrace overlooks a quiet residential court which is shared with many residential properties on Floral Street and Long Acre. Floral Street is one of the few peaceful areas left in Covent Garden. A new roof terrace for use by office workers would disrupt that peace.

COVENT GARDEN COMMUNITY ASSOCIATION

Floral Street and Long Acre, adjacent to Langley Court has many residential properties at higher level who will be disturbed by the use of the roof as a terrace at this site. Object to the use of the flat roof as a terrace unless there are stringent conditions put in place to avoid unnecessary nuisance to the residents in the area and also the office users on the upper adjacent floors.

A solid barrier should be put in place and at a height to avoid any overlooking to the residential or sensitive office areas and be sufficiently set back so that it is not visible from the street. Use of the terrace must be limited to 7pm and only used by the office workers and not for entertaining or events. No music to be played on the terrace and no smoking.

BUILDING CONTROL

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS

No. Consulted: 31

Total No. of replies: 1

No. of objections: 1

One letter has been received from a residential occupier in Floral Street on the following grounds:

Amenity

- The proposed roof terrace overlooks a quiet residential court which is shared with many residential properties on Floral Street and Long Acre. At the moment it is a haven of peace but if there is a new terrace used by office workers that quiet will be shattered.

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

7-8 Langley Court is an unlisted five-storey building (including basement) located in the Covent Garden Conservation Area and the core Central Activities Zone (core CAZ). The basement and ground floors are in retail use with offices on the upper floors.

6.2 Recent Relevant History

19/05847/ADV

Display of hoarding to shopfront measuring 4.00m x 11.00m for a temporary period from 1 August 2019 to 10 January 2020.

Application Permitted 7 August 2019

19/05189/FULL

Installation of four air conditioning units at roof level.

Application Permitted 18 September 2019

19/00707/FULL

Change of use of first and second floors from office (class B1a) to retail (class A1) for a temporary period of 20 years.

Application Permitted 21 March 2019

7. THE PROPOSAL

Permission is sought for the creation of a terrace on the main roof of the building in connection with the existing third floor office use. The proposed terrace would comprise the full perimeter of the roof space (approximately 44sqm), bounded by 1.2m high new metal railings.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposed roof terrace would be used in connection with the existing third-floor office use at 7-8 Langley Court and therefore the proposal raises no land use implications.

8.2 Townscape and Design

Given the nature of the existing roof slope, the proposed railings will be set-back from the front elevation of the building by approximately 3m and they will not therefore be readily visible at street level. A condition is recommended to secure details of the metal railings. The proposal is therefore considered acceptable in design and conservation terms, in accordance with Policies DES 1, DES 6 and DES 9 of the Council's Unitary Development Plan (adopted in 2007) and S25 and S28 of Westminster's City Plan (adopted in 2016).

8.3 Residential Amenity

There are residential units on the upper floors of surrounding properties at 12 Langley Court, 38 Floral Street and to the rear at 32-34 Floral Street and 30-31 Long Acre with windows, balconies and terraces facing towards the application property.

The Covent Garden Community Association, Covent Garden Area Trust and one residential occupier have raised concern on the grounds of noise and disturbance to neighbouring residents from the proposed terrace.

The area is characterised by high level balconies and terraces and a degree of mutual overlooking therefore already existing between properties. The residential properties to the rear on Floral Street and Long Acre are approximately 18-20m away and the proposed terrace is considered sufficient distance away from these windows so as not to cause any significant overlooking or loss of privacy.

The proposed terrace will be used in connection with the existing office use and conditions are therefore recommended restricting the hours of use of the terrace to between 08:00 until 19:00 on week days only and to ensure that no amplified music is played on the terrace to protect the amenity of neighbouring residents in terms of noise and disturbance.

On this basis, the proposal is considered acceptable in amenity terms in accordance with Policies ENV 6 and ENV 13 of the UDP and S29 and S32 of the City Plan.

8.4 Transportation/Parking

The proposal will not impact on the local highway network.

8.5 Economic Considerations

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

8.6 Access

No changes are proposed to the existing entrance arrangements. Access to the roof is proposed via a new roof hatch with an internal spiral staircase

8.7 Other UDP/Westminster Policy Considerations

None.

8.8 Westminster City Plan

The City Council is currently working on a complete review of its City Plan. Informal consultation on the first draft of Westminster's City Plan 2019-2040 took place between Monday 12 November 2018 and Friday 21 December 2018. Following this informal consultation, the draft plan has been revised and formal consultation is now being carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 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 applicable to this site.

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.

8.12 Planning Obligations

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

8.13 Environmental Impact Assessment

Not applicable.

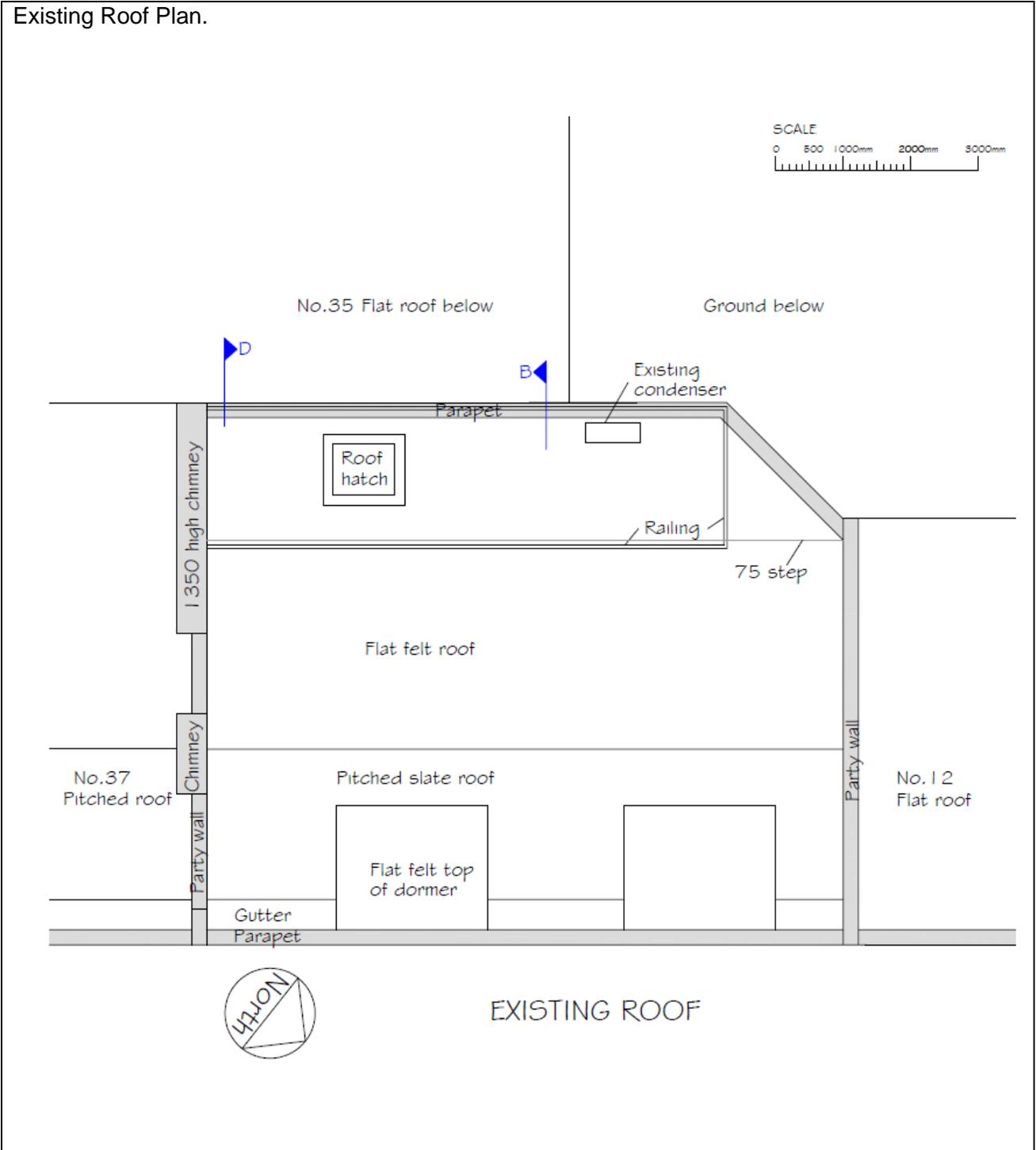
8.14 Other Issues

None.

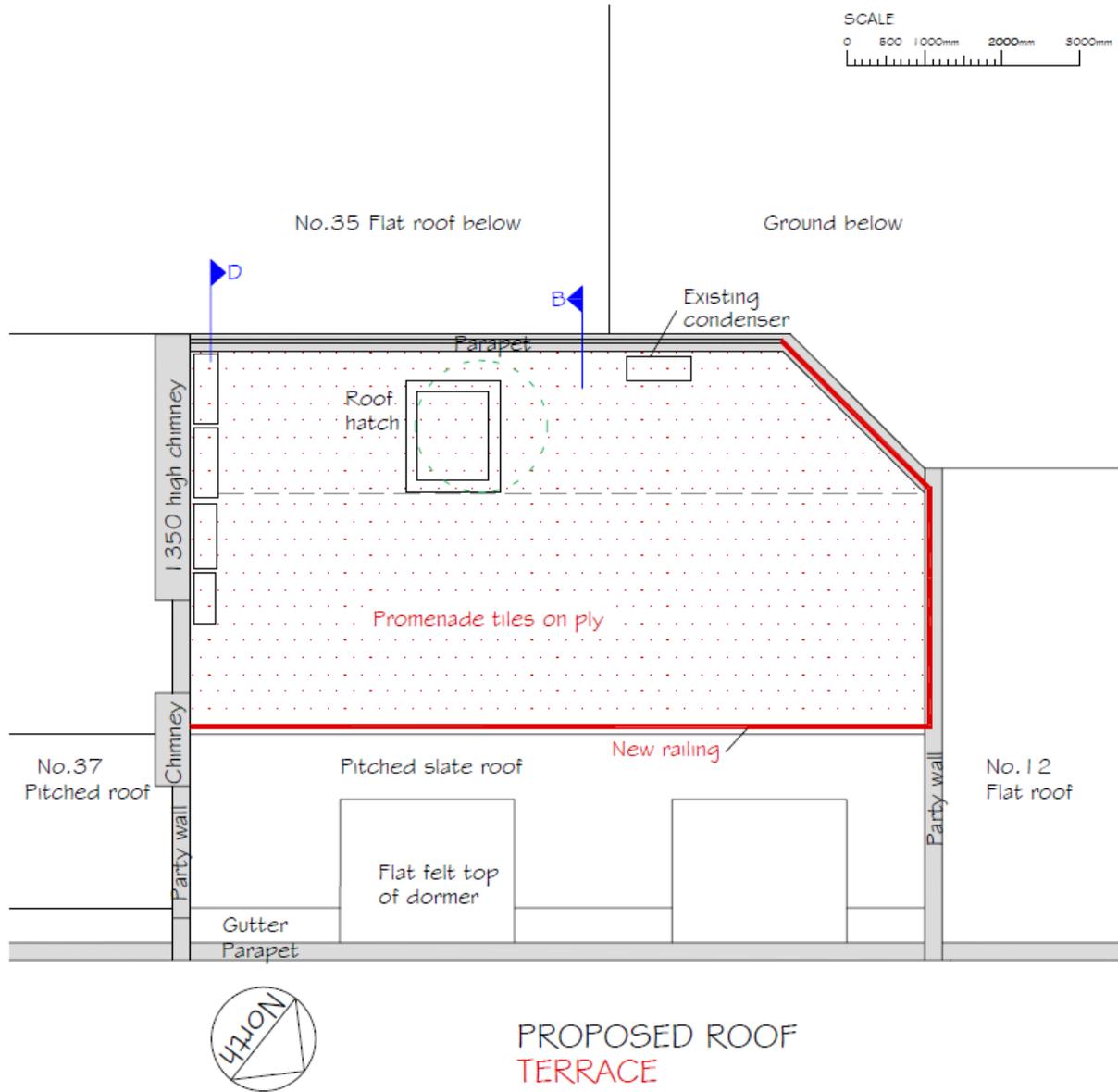
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: JULIA ASGHAR BY EMAIL AT JASGHAR@WESTMINSTER.GOV.UK

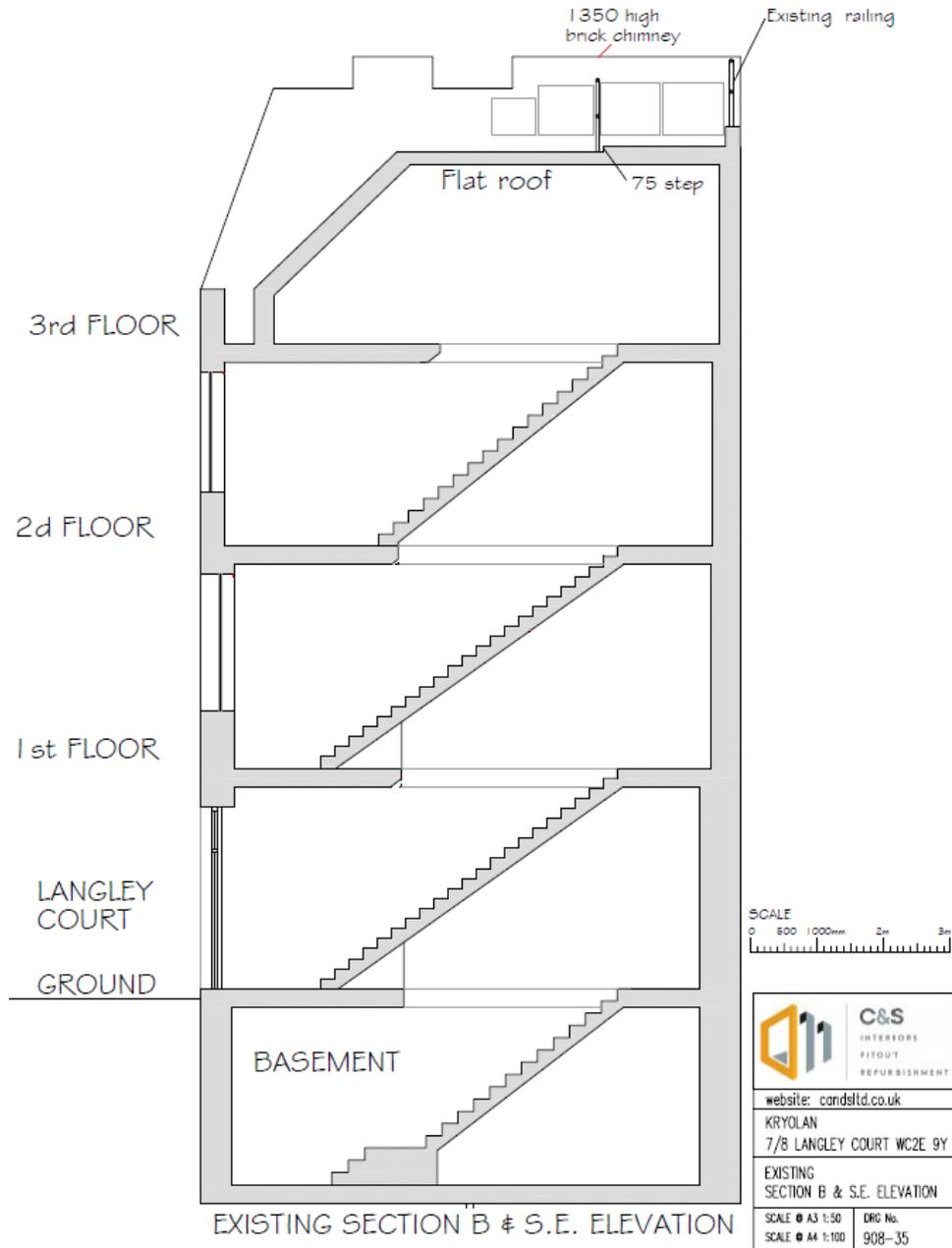
9. KEY DRAWINGS



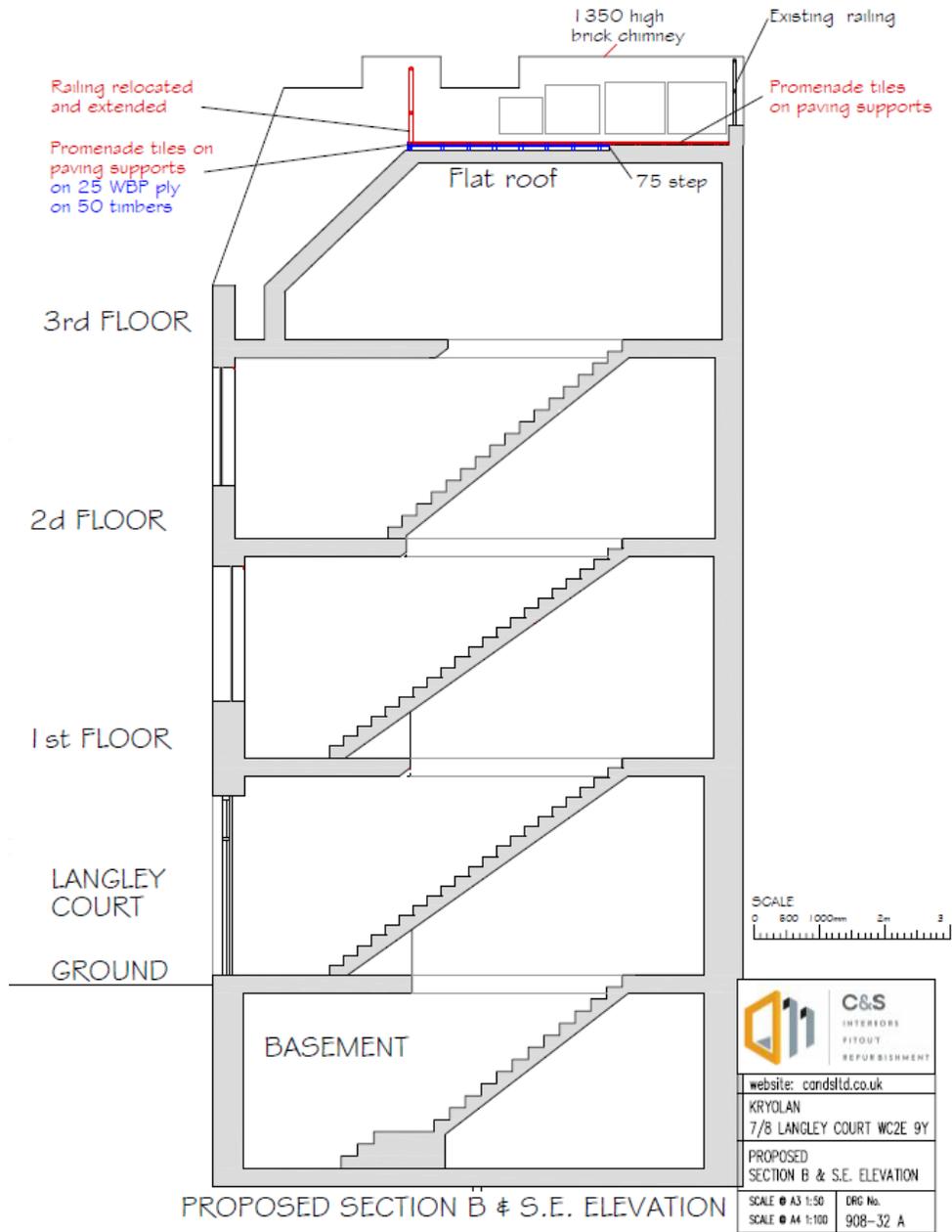
Proposed Roof Plan.



Existing Section and Elevation.



Proposed Section and Elevation.



PROPOSED SECTION B & S.E. ELEVATION

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 4 The proposed roof terrace shall only be used in connection with the existing B1 office use at third floor level.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, 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. (R13FB)

- 5 The roof terrace level shall only be used between the hours of 0800 and 1900 Monday to Friday.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, 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. (R13FB)

- 6 No amplified music shall be played on the roof terrace.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, 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. (R13FB)

- 7 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae, other than what has been approved on the proposed drawings, on the roof terrace. (C26NA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

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

- new railings around the perimeter of the 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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to

10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

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 You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website <https://www.westminster.gov.uk/contact-us-building-control>
- 3 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.
- 4 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.

- * Window cleaning - where possible, install windows that can be cleaned safely from within the building.
 - * Internal atria - design these spaces so that glazing can be safely cleaned and maintained.
 - * Lighting - ensure luminaires can be safely accessed for replacement.
 - * Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).
- More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm.

Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)

- 5 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained.
- Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following:
- * Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings;
 - * Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase;
 - * Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained;
 - * Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the centre of particularly wide staircases where necessary;
 - * Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.

Item No.

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