

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 9 June 2020	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Maida Vale	
Subject of Report	Flat 1, 280 Elgin Avenue, London, W9 1JR		
Proposal	Rear extension at lower ground floor with new basement extension beneath, installation of sash windows to the front elevation and alterations to the front boundary wall and front lightwell.		
Agent	Ms Melissa McDonald		
On behalf of	Mr Michael Orwin		
Registered Number	19/07934/FULL	Date amended/ completed	17 October 2019
Date Application Received	11 October 2019		
Historic Building Grade	Unlisted		
Conservation Area	Maida Vale		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The application site is a five storey mid terraced unlisted building located within the Maida Vale Conservation Area. This application relates to the flat at lower ground floor level.

Planning permission is sought for the erection of a rear extension at lower ground floor level with the excavation of a basement extension beneath, installation of timber sash windows to the front elevation and alterations to entrance arrangements at lower ground floor level.

Objections have been received from neighbouring residents on a number of grounds including the design, impact on the conservation area and the impact of excavation works and amenity on neighbouring properties and residents.

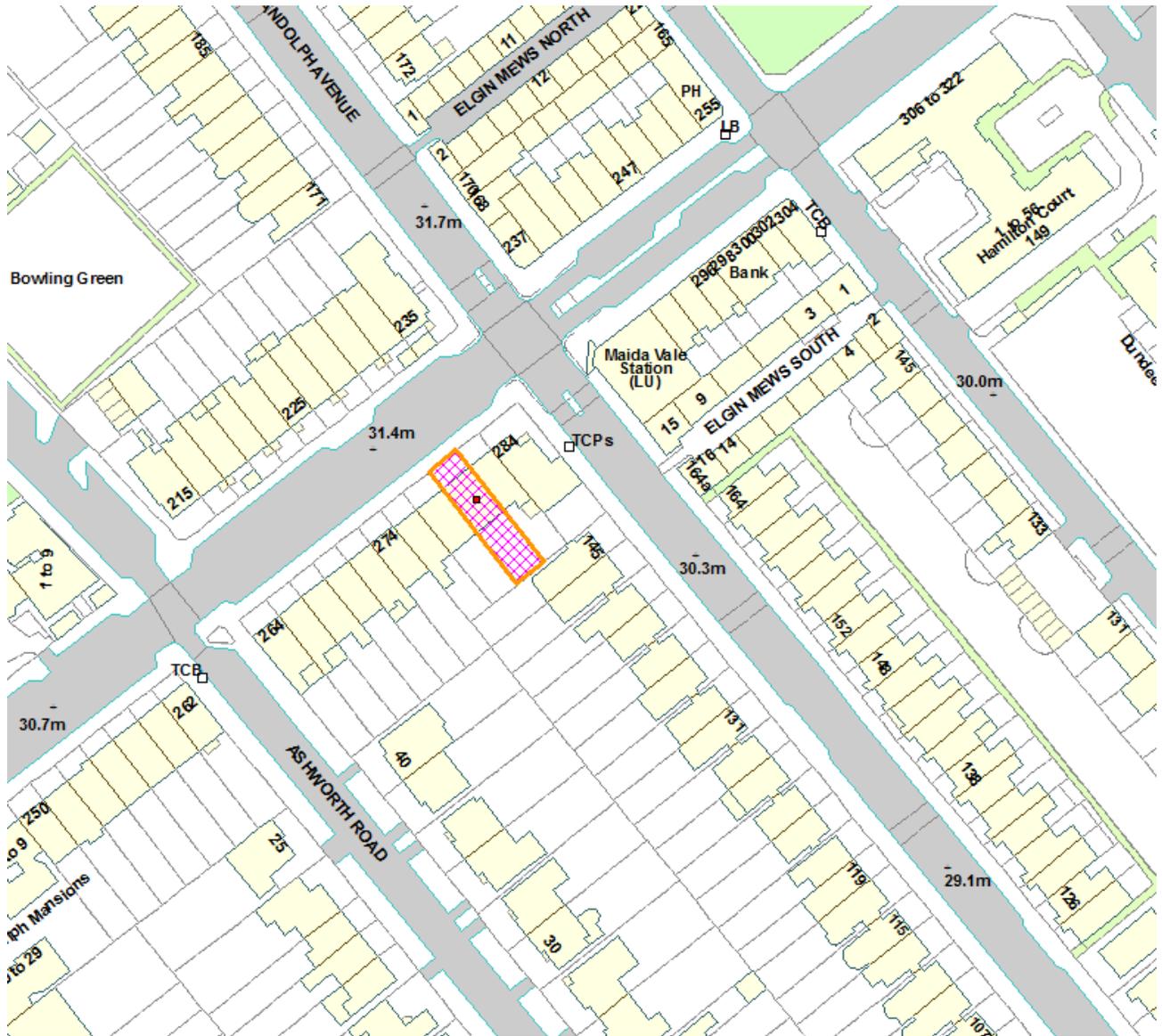
The key issues in this case are:

* The impact of the proposal on the appearance of the host building and the character and appearance of the Maida Vale Conservation Area

* The impact of the proposal on the amenity of neighbouring residents.

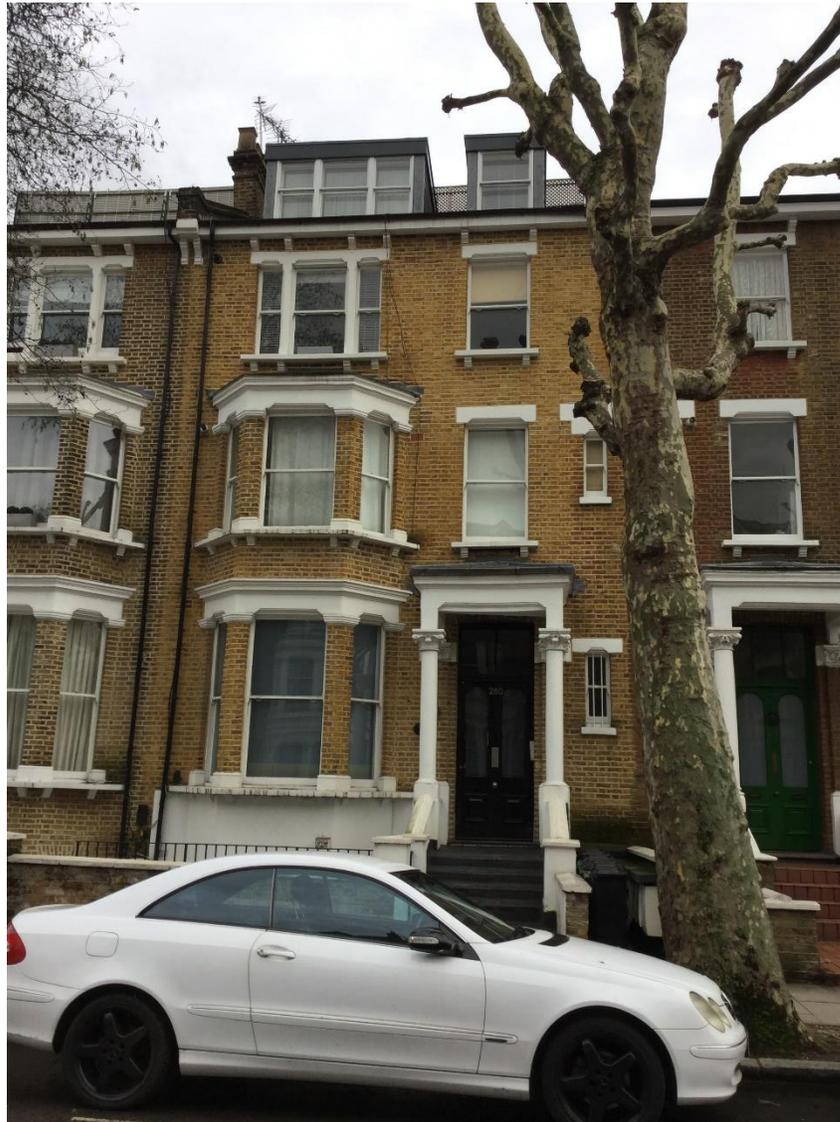
Subject to appropriate conditions as set out in the draft decision letter appended to this report, the proposals are considered to comply with the relevant design, conservation and amenity policies in Westminster's City Plan adopted in November 2016 (the City Plan) and the Unitary Development Plan adopted in January 2007 (UDP). As such, the application is recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front Elevation (application at lower ground floor level)

Rear



Elevation

5. CONSULTATIONS

ORIGINAL CONSULTATION

PADDINGTON WATERWAYS & MAIDA VALE SOCIETY:

No objections

Please take neighbours views into consideration

BUILDING CONTROL:

Acceptable.

ENVIRONMENTAL HEALTH:

Any response to be verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 14; Total No. of replies: 8

Eight objections raised on all or some of the following grounds:

Amenity:

- Loss of light to adjacent properties and gardens
- Sense of enclosure to adjacent properties
- Proposal does not accord with Policy S29 of Westminster's City Plan due to it resulting in an impact on the amenity of the adjacent occupiers due to its siting and scale.

Design:

- Out of character with the host building and buildings within the area
- Living roof has no precedent in the surrounding area and no indication of how it will be maintained
- Proposal does not accord with Policies S25 and S28 of Westminster's City Plan due to its bulk, mass and materials.

Basement Excavation:

- Proposal does not accord with CM28.1 of Westminster's City Plan due to exceeding 50% of the garden, side walls are not set in from neighbouring property boundaries, insufficient information has been provided in terms of timescales or programme of work.
- Concerns over the existing properties being structurally safe for the proposal
- Proposal does not accord with S29 of Westminster's City Plan due to significant impact on residents due to the construction noise/dust and vibration.
- Impact on parking from the construction vehicles
- Damage to the mature trees in the garden

Other:

- Not notified of the planning application
- Inaccurate drawings submitted
- Set a precedent

- Over development of the site
- Examples given within the Design and Access Statement were granted decades ago and therefore cannot be supported
- Concerns with the proposed internal layout of the basement resulting in a long term vision of the applicant to split the flat into two residential units
- No second means of escape from the basement resulting in a fire risk
- Sub-standard refuse provision
- Proposal results in a security risk to the residential units in upper levels

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

RE-CONSULTATION (following design amendments)**ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED**

No. Consulted: 14; Total No. of replies: 5

Five objections raised on all or some of the following grounds:

Amenity:

- Loss of light to adjacent properties and gardens

Basement Excavation:

- Concerns over the existing properties being structurally safe for the proposal
- Damage to the plants and trees

Other:

- Revisions are minor and do not overcome previous objection
- Requests extension to submit comments

6. BACKGROUND INFORMATION**6.1 The Application Site**

The application site is a five storey terraced red brick building situated on the southern side of Elgin Avenue. The site is an unlisted building located within the Maida Vale Conservation Area. The building has been converted into 7 residential flats and this application relates to the flat at lower ground floor level.

6.2 Recent Relevant History**18/06956/FULL**

Rear extension at ground floor with new basement extension beneath, installation of sash windows to the front elevation and alterations to entrance arrangements to flat including new stone stairs from street level.

Application Withdrawn

15 March 2019

The current application has been submitted to overcome the officer's concerns regarding

the above application.

7. THE PROPOSAL

The application proposes to erect a rear single storey extension at lower ground floor level with the excavation of a basement extension beneath, installation of timber sash windows to the front elevation and alterations to entrance arrangements at lower ground floor level.

The proposal has been revised during the course of the application, to overcome officer's concerns with the design of the rear extension.

A site visit was carried out by the case officer in December 2019 and the design officer and team leader undertook a site visit in February 2020, therefore the current government movement restrictions during Covid-19 have not impacted the assessment of the site and proposals.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The addition of an increased amount of residential floorspace is considered acceptable in principle under housing Policy H3 of the UDP, adopted in January 2007.

8.2 Townscape and Design

Objections have been received to the proposals on the grounds of design and that the proposals result in an overdevelopment of the site.

The key legislative requirements in respect to designated heritage assets are as follows:

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that *"In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

Section 66 of the same Act requires that *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

Section 72 of the same Act requires that *"In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."*

Whilst there is no statutory duty to take account of effect on the setting of a conservation area, Policy DES 9 (F) in the UDP requires that where development will have a visibly

adverse effect upon a conservation area's recognised special character or appearance, including intrusiveness with respect to any recognised and recorded familiar local views into, out of, within or across the area, it will not be permitted.

The rear extension projects across the width of the rear elevation to the building, though with a main central section generally lined up with the two bands of windows to the upper ground above, and in this case is considered acceptable in design terms. The design closely follows the brick facing and size, design and arrangement of windows to the existing floor level above, and it has a brick facing to match that found on the main rear elevation. Whilst representing a horizontally proportioned extension on a building with vertically emphasised windows, in this particular case there is some evidence that this building when originally constructed had a lower level projecting wing across the width of the building as the existing adjacent building still retains, and in that context the full width horizontal projection at lower ground floor level is more in character with the original form of the building. The intention of the applicants is also to tone down the white render currently at rear lower ground floor level in the areas where it would project beyond the extension, which will also help integrate the new extension into the principally brick faced rear elevation. Its projection is comparable to other rear extensions to this level in the terrace, and the inclusion of the green roof above is welcomed.

To the front elevation, the entrance door set within the front lightwell is not in Victorian style, however seen in association with the proposed new sash window restoring back the centre of the front bay to the building at lower ground floor level then overall there is no harm to the frontage when considering both these proposals. To the front, the alterations to the boundary wall are in line with other examples to the terrace, and whilst gate piers flanking the residential entrance may not be an original feature of the building nonetheless they are found to several other buildings in the vicinity and piers are also found to party wall lines and given this and their relatively low height they do not harm the frontage of the building. The railing design is shown to follow the adjoining example, however it is not clear that this is the case given the scale of the drawings and the appearance of the railings on site, and as such a condition is included to secure further details.

The rooflight to the new basement accommodation immediately adjacent to the extension is considered uncontentious, and the lightwell relatively large but not unduly cluttering of the rear of the building, and the basement proposed raises no other design or conservation issues (the basement element of the scheme is discussed in more detail below).

Whilst recognising the concerns raised by neighbours, the scheme in its revised form is considered to overcome the concerns regarding the extension and alterations proposed, is appropriate in terms of 'overdevelopment' and the application is now considered acceptable, mindful of policies DES 1, DES 5 and DES 9 of Westminster's City Plan and S28 of the UDP and therefore a recommendation to grant conditional permission would be compliant with the requirements of the NPPF and considered in line with the statutory duty in s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8.3 Residential Amenity

Objections to the proposals have been received on the grounds that the proposals will result in detrimental harm to the neighbouring properties.

Given the subterranean nature of the proposed basement extension and the limited extent of its external manifestations, a lightwell to the rear and a glazed rooflight, the development would not result in a significant impact on the amenity of neighbouring residents. The lightwell will provide natural light and ventilation to the home cinema, gym and shower room at basement level.

The proposed works to the front entrance do not raise any issues in amenity terms.

The proposed full width extension to the rear will project 4.2m from the rear elevation and be 3.2m in height on the shared boundary with No. 278 Elgin Avenue. On this boundary, there will also be a small courtyard to allow natural light into the second bedroom of the application site. The lower ground floor flat within No. 278 Elgin Avenue contains a pair of French doors and a window close to the boundary which serves a bedroom. Whilst the roof form of the extension will be visible from this window, the proposal includes a 0.7m set in at 2.2m height to help mitigate the situation and it is not considered that the outlook or slight sense of enclosure is so significant so as to warrant refusal of the application. A lightwell is proposed to the rear of the proposed extension, close to the shared boundary which would provide natural light and ventilation to the cinema room and gym located in the basement. Due to the size it is not considered to result in light pollution to the adjacent neighbours.

The proposed extension contains a sloping glazed roof to a height of 2m on the boundary shared with No. 282 Elgin Avenue, below this glazed roof will be the staircase to the basement floor. No. 282 Elgin Avenue at lower ground floor benefits from glazed doors opening to the garden which serve the living room and the kitchen towards the front, the proposed extension will impact the light levels to this room however not enough to warrant a reason for refusal. Again, whilst this increase in bulk will be noticeable from the neighbouring property, the stepped back roof will reduce the feeling of being enclosed and minimise any loss of outlook and therefore it is considered acceptable.

The application site benefits from an existing low boundary wall with timber fencing to increase the height. The proposed rear elevation will have a sliding sash window and French doors, this faces into the large garden and therefore is not considered to result in overlooking.

It is not considered that in this instance the objections received on amenity concerns can be sustained and the proposals are considered acceptable and accord with ENV13 of the UDP and S28 of the City Plan.

8.4 Transportation/Parking

The proposal raises no transportation or parking issues.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

Not applicable.

8.7 Other UDP/Westminster Policy Considerations

Basement Excavation

The proposals are considered to be in accordance with policy CM28.1 of the City Plan (July 2016) for the reasons set out as follows:

Part A. 1-4

The applicant has provided an assessment of ground conditions for this site and this has informed the structural methodology proposed, which has also been submitted with the application within a structural statement prepared by an appropriately qualified structural engineer. These documents have been reviewed by Building Control who advise that the structural methodology proposed is appropriate for the ground conditions found on this site.

In terms of construction impact, the applicant has provided a signed proforma Appendix A confirming that they agree to comply with the City Council's Code of Construction Practice (CoCP). A condition is recommended to ensure that the applicant complies with the COCP and that the construction works are monitored for compliance by the Environmental Inspectorate at the applicant's expense.

We have received objection in regards to the potential harm to the fabric of the building due to the proposed basement excavation, this would be dealt with by the CoCP that would have been dealt with by the Environmental Inspectorate.

The flooding risk has been investigated within the Basement Impact Assessment and this indicates the property lies within a flood risk Zone 1 and therefore no flood risk assessment needs to be provided as part of the application.

Part A. 5-6

Objections have been received from neighbouring residents regarding the impact of construction work associated with the proposed basement and general disturbance associated with construction activity. The proposed hours of working condition states that no piling, excavation and demolition work is undertaken on Saturdays. This condition is consistent with environmental protection legislation and will help to alleviate disturbance to neighbours outside of the prescribed hours.

The City Council adopted its Code of Construction Practice (CoCP) at the end of July 2016 and if permission is granted, the applicants will be required to comply with the CoCP. This is a fundamental shift in the way the construction impacts of developments are dealt with relative to the position prior to July 2016.

Previously conditions were attached to planning permissions requiring Construction Management Plans to help protect the amenity of neighbours during construction. The new CoCP expressly seeks to move away from enforcement via the planning system. It

recognises that there is a range of regulatory measures available to deal with construction impacts, and that planning is the least effective and most cumbersome of these. The Environmental Inspectorate has been resourced in both numbers and expertise to take complete control over the monitoring of construction impacts.

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

While the comments from the neighbours are noted, it is considered that the CoCP will adequately ensure that the development is undertaken in such a manner as to ensure that the impact is mitigated as far as possible.

A condition is recommended requiring evidence to be submitted of compliance with the CoCP. This must be submitted before work starts on site, subject to which the proposals are considered acceptable.

The site is not in an archaeological priority area and therefore part 6 does of the policy does not apply.

Part B. 1 & 2

The application has not been accompanied by a tree report and no trees have been identified within the site however from the submitted lower ground floor plan it has incorporated a soft landscaping plan with planting and shrubs towards the edging and a permeable surface being proposed for the majority, therefore this is considered acceptable.

Part B. 3

The proposals include natural lighting and ventilation by the rear lightwell accessed by doors and a window, which serve the home cinema and gym. Therefore this is considered acceptable.

Part B. 4 & 7

The only external manifestations of the basement to the rear would be the lightwell adjacent the neighbouring property. These are not considered to have a significant impact in terms of sustainable urban drainage. Furthermore a water permeable hardstanding surface will be provided to the rear to provide drainage.

Part B. 5 & 6

The proposal to excavate the basement and the lightwell and flush roof light are considered to be discreet and will not negatively impact on the conservation area (see also Section 8.2 of this report).

Part C. 1

The proposal is to extend the lower ground floor beneath the proposed extension to the rear with a small lightwell. The garden area is approximately 118m² and the proposed

basement is measured to be 52m², so 48% therefore it does not extend under more than 50% of this garden area and is therefore compliant in this regard. The garden to the front and side of the application site will be unaffected from the proposed excavation. The proposals do not include an area of undeveloped garden land. The applicant has advised that to incorporate a margin of undeveloped land into the design of the basement, in this instance this would result in a significantly reduced size of basement excavation, in an already very small rear 'yard/garden'. Given the existing garden is hard paved (to the extent of depth of the proposed extension and there appears to be an astro turf garden it is not considered that permission could be withheld on this basis.

Part C. 2

With the exception of the lightwell to the rear, the proposed basement provides a minimum of 1m soil depth and 200mm drainage layer above, which is required to support sustainable planting and gives an overall volume of soil sufficient to support spread of roots. Therefore, the proposal does meet this part of the policy.

Part C. 3

This part of the policy states that the proposed basement extension should not involve the excavation of more than one storey below the lowest original floor level. In this case, there is an existing 'lower ground floor', and the proposal is to excavate underneath this level and the garden and therefore is considered acceptable and in accordance with this part of the policy.

Part D

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

8.8 Westminster City Plan

The City Council is currently working on a complete review of its City Plan. Formal consultation on Westminster's City Plan 2019-2040 was 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 and on the 19 November 2019 the plan was submitted to the Secretary of State for independent examination. In the case of a draft local plan that has been submitted to the Secretary of State for Examination in Public, under Regulation 22(3) of the Town and Country Planning Act (Local Planning) (England) Regulations 2012, 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 London Plan

This application raises no strategic issues.

8.10 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 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.

8.11 Planning Obligations

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

8.12 Environmental Impact Assessment

The proposed development is of insufficient scale to require the provision of an Environmental Impact Assessment.

8.13 Other Issues

We have received objections on grounds relating to the proposal resulting in harm to the trees and the surrounding wildlife as seen on the submitted plans and viewed on site there are no trees within the close proximity of the proposed basement excavation and therefore this objection cannot be supported in this instance.

Objections were received on the grounds that not everyone was notified of the planning application. Letters were sent to the most affected properties and a site and press notice were also in place.

According to objectors, inaccurate drawings were submitted. Case officers disagree with this.

In terms of permissions setting a precedent for future applications, each application is assessed on its own merits and therefore permission cannot be withheld on this basis.

Concerns have been raised on the proposed internal layout of the basement which could potentially resulting in a long term vision of the applicant to split the flat into two residential units. This would require planning permission and any future application would be assessed against City Council policy.

Neighbours have commented that there is no second means of escape from the basement resulting in a fire risk. Any development would be subject to Building Regulations.

Comments have finally been received on the grounds that the proposed lower ground floor extension could results in a security risk to the residential units in upper levels.

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Many properties in the locality which are split into flats have lower ground extensions and this again cannot be a reason in which to withhold permission.

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

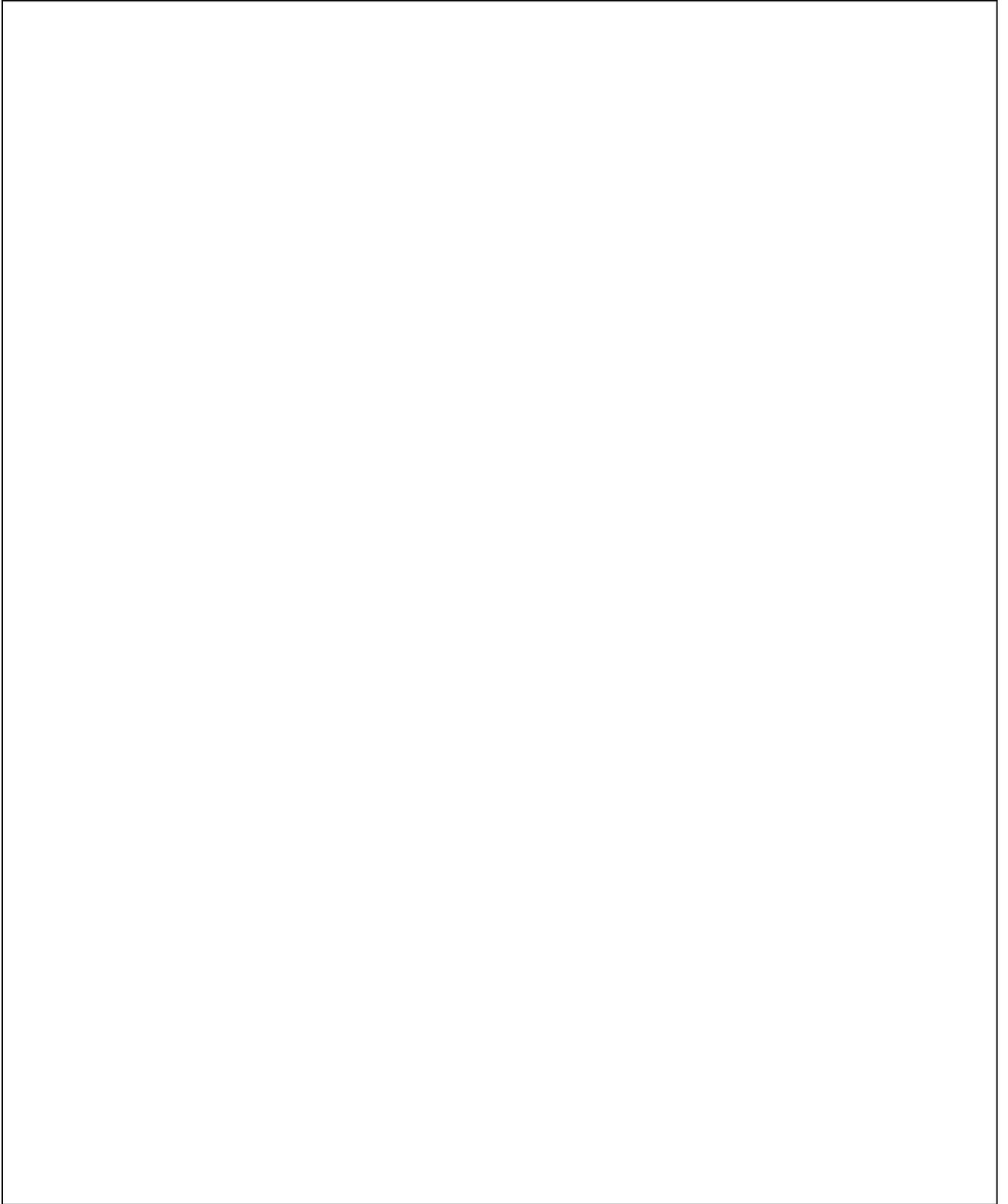
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: KIMBERLEY DAVIES BY EMAIL AT kdavies1@westminster.gov.uk
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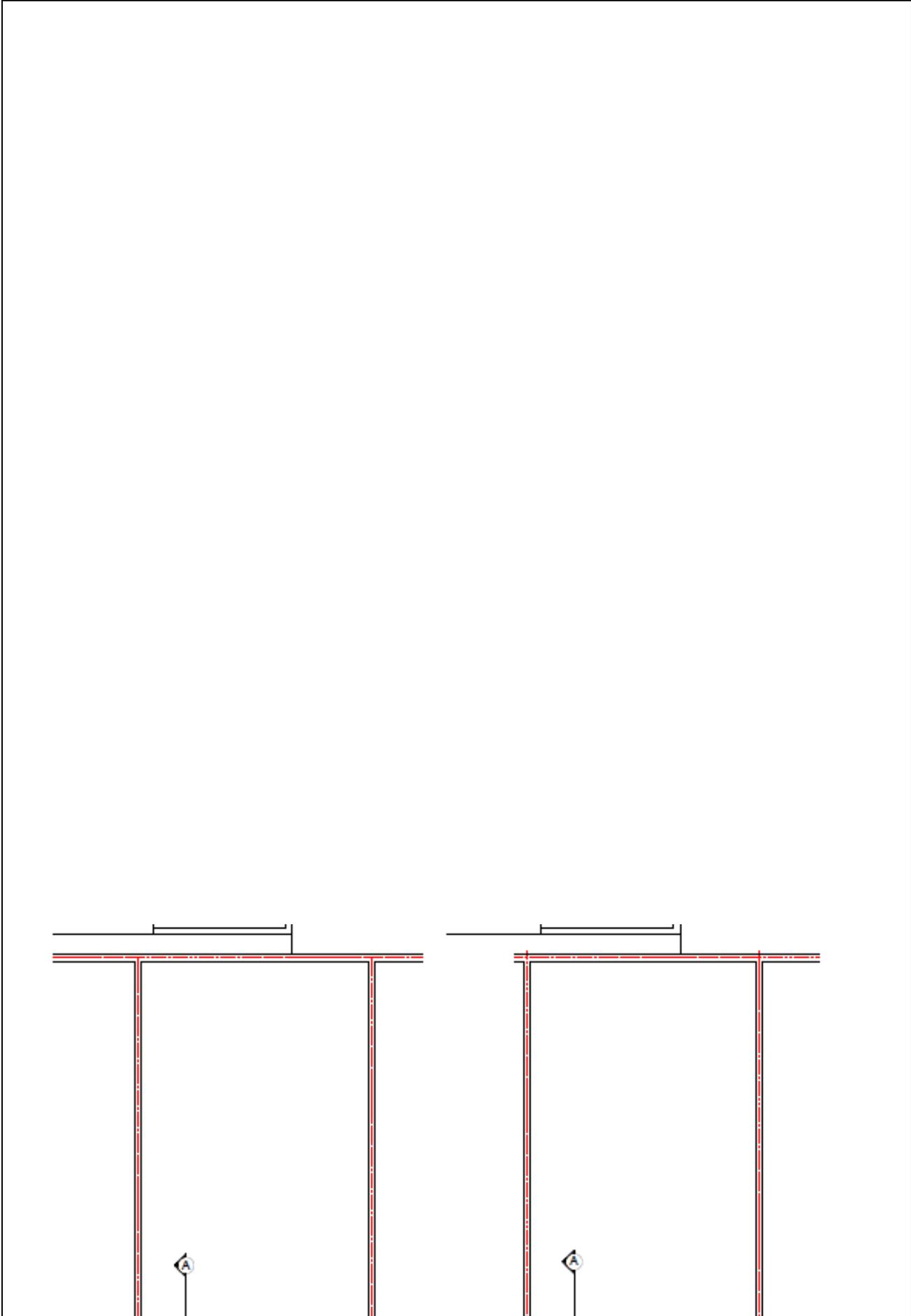
9. KEY DRAWINGS



Item No.

3





Item No.

3

DRAFT DECISION LETTER

Address: Flat 1, 280 Elgin Avenue, London, W9 1JR

Proposal: Rear extension at lower ground floor with new basement extension beneath, installation of sash windows to the front elevation and alterations to the front boundary wall and front lightwell.

Reference: 19/07934/FULL

Plan Nos: Site Location Plan, GA-01, GA-02, GA-03, EL - 01, EL - 02, EL - 03 - A, SC-01, SC-02, SC-03, SC-04, SC-05, SC-06, IM-01-A, SA-01, SA-02, WAL-01, WAL-02-A, WAL-03, WAL-04, SCH-01-A, Planning, Design and Access and Heritage Statement (undated).

For info:

Flood Risk Assessment & SUDS Report dated 07 June 2019 and Stage 2 Design Report dated 06 September 2019 Rev P1.

Case Officer: Frederica Cooney

Direct Tel. No. 0 07866037206

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 **Pre Commencement Condition.** Prior to the commencement of any:

- (a) Demolition, and/or
- (b) Earthworks/piling and/or
- (c) Construction

On site you must apply to us for our written approval of evidence to demonstrate that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of the relevant completed Appendix A checklist from the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Sciences Team, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of the relevant stage of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval through submission of details prior to each stage of commencement. (C11CD)

Reason:

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

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

Reason:

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

5 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

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 Maida Vale 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)

- 6 The new external windows and doors shall be formed in glazing and white painted timber framing.

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 Maida Vale 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)

- 7 You must apply to us for approval of annotated elevations and a colour sample (as appropriate) showing the works to the areas of render to the rear elevation remaining visible above or to the side of the rear extension approved in this application. 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 drawings and sample (as appropriate) and this work shall be undertaken prior to the completion of the new rear extension approved in this application. (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 Maida Vale Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 8 You must provide, maintain and retain the following bio-diversity features before you start to use any part of the development, as set out in your application.

Living roof

You must not remove any of these features. (C43FA)

Reason:

To increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43FB)

- 9 The new external metalwork shall be black in colour and retained as such thereafter.

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

- 10 Notwithstanding the details submitted, you must apply to us for approval of an elevation and a section drawings of the railings to the front boundary and their integration with the boundary wall, and also an elevation drawing of the gate between the front threshold area and the landing to the head of the new front lightwell staircase. 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 drawings. (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 Maida Vale 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 **HIGHWAYS LICENSING:**
Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also

have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please visit our website at www.westminster.gov.uk/guide-temporary-structures.

CONSIDERATE CONSTRUCTORS:

You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

BUILDING REGULATIONS:

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

- 3 With reference to condition 3 please refer to the Council's Code of Construction Practice at (www.westminster.gov.uk/code-construction-practice). You will be required to enter into an agreement with the Council 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, e.g. the full Site Environmental Management Plan (Levels 1 and 2) or Construction Management Plan (basements), must be submitted to the City Council's Environmental Sciences team (environmentalsciences2@westminster.gov.uk) **at least 40 days prior to commencement of works** (which may include some pre-commencement works and demolition. The checklist must be countersigned by them before you apply to the local planning authority to discharge the above condition.

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

Please note: the full text for informatives can be found in the Council's Conditions, Reasons

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& Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.