

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 5 April 2022	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Abbey Road	
Subject of Report	St Marks Court, Abercorn Place, London, NW8 9AN		
Proposal	Erection of single storey roof extension, four storey rear extension and new basement level to provide 5 new residential dwellings (Class C3), additional bay windows to the façade,-new entrance to Abbey Road, additional cycle parking and landscaping and-associated works.		
Agent	DP9		
On behalf of	Stuart Goulds		
Registered Number	21/06791/FULL	Date amended/ completed	4 October 2021
Date Application Received	4 October 2021		
Historic Building Grade	Unlisted		
Conservation Area	St John's Wood		

1. RECOMMENDATION

1. Grant conditional permission subject to a legal agreement to secure the following:
 - a) All highway works immediately surrounding the site required for the development to occur prior to occupation of the development, including alterations to the vehicle crossover and for it to be to the Council's specification, at full cost (administrative, legal and physical) of the developer;
 - b) Provision of lifetime (25 year) car club membership for the five new residential units from first occupation of the development.
2. If the legal agreement has not been completed within 6 weeks of the date of the Sub-Committee meeting then:
 - a) The Director of Place Shaping and Town Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Place Shaping and Town Planning is authorised to determine and issue such a decision under Delegated Powers; however, if not;
 - b) The Director of Place Shaping and Town Planning shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which would have been secured; if so, the Director of Place Shaping and Town Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2. SUMMARY

The application site is an unlisted building in use as 24 Flats (Class C3) in the St John's Wood Conservation Area.

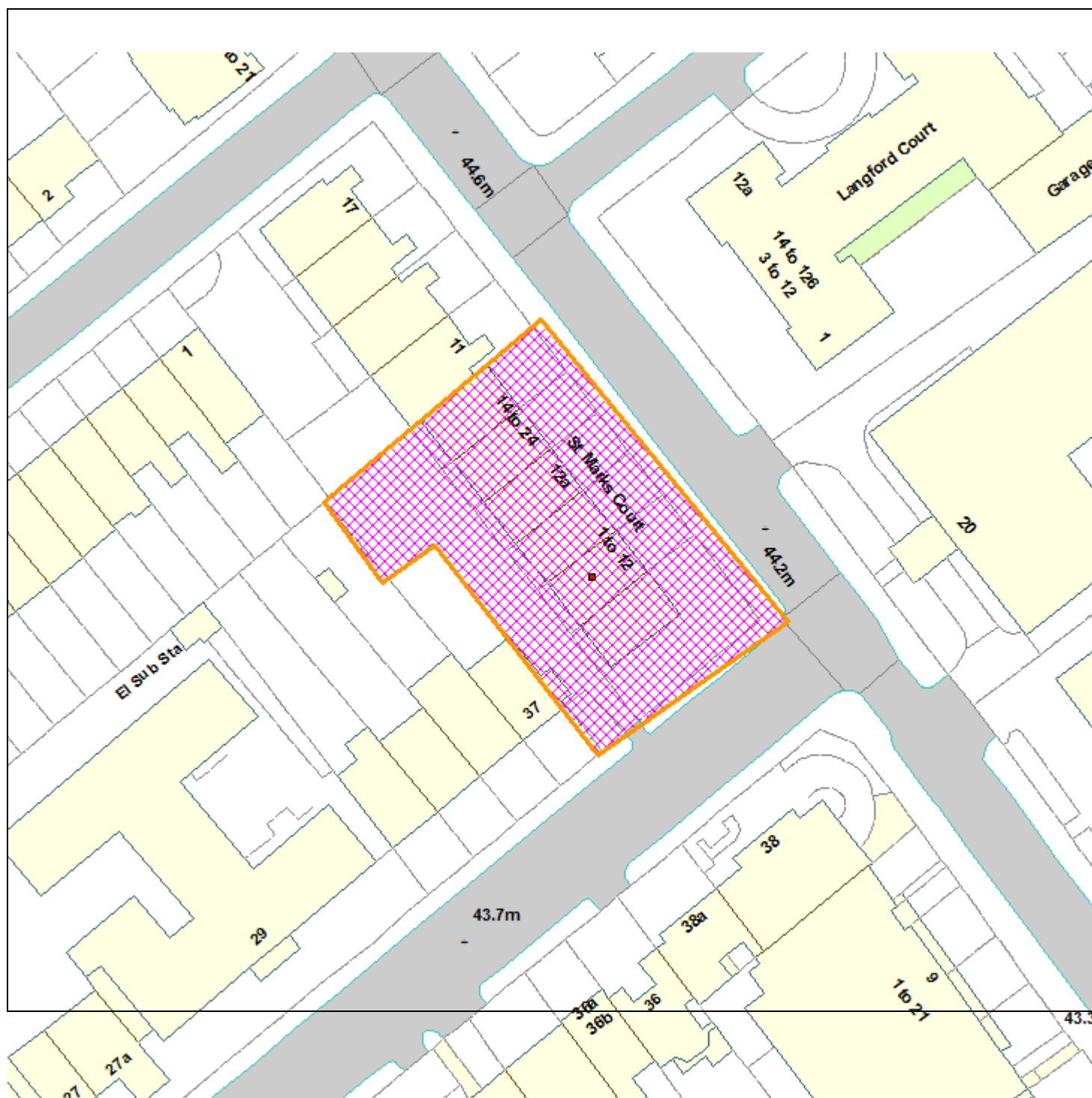
Permission is sought for extensions and alterations to provide five additional Flats (Class C3) and other associated alterations. The application received ten objections from neighbours to the first round of consultation and a further seven objections to the second round of consultation. The objections on each occasion were mainly concerned with design, amenity and highways as well as some other matters.

The key issues are:

- The impact of the proposed upward extensions and façade alterations on the appearance of the building and conservation area; and
- The impact of the proposed upward extensions and façade alterations on the amenity of neighbours

Subject to the conditions as set out in the draft decision letter at the end of this report, the proposals are considered acceptable and complies with relevant development plan policy. Accordingly, it is recommended that conditional permission is granted, subject to a Section 106 agreement to secure alterations to the highway and club membership.

3. LOCATION PLAN



4. PHOTOGRAPHS

Front Elevation – Abbey Road



Side Elevation – Abercorn Place



Rear Elevation



5. CONSULTATIONS

FIRST CONSULTATION EXPIRED – EXPIRED 15TH OCTOBER 2021 ST JOHN'S WOOD SOCIETY

- Concerned about the proposed roof extension's fenestration and the loss of existing unified harmony of the building as the solid to void of the upper stories loses all relationship with the stories beneath.
- Concerned about the loss of daylight and sunlight for neighbours and we support the comments made by neighbours about this.
- Concerns about a loss of amenity to neighbours from overlooking from the proposed terraces at the rear.

HEALTH AND SAFETY EXECUTIVE

- No comment - the building is less than 18m in height (ground to top floor FFL) and therefore not in scope.

METROPOLITAN POLICE

- Request that the gate on Abercorn Place is fobbed only for owner of the car parking space and a new pedestrian gate is created with access control system for each flat
- Internal and external doors and windows should meet LPS and PAS standards.
- All divides between the balconies/terraces will be full height and comply with the recommended security ratings.

THAMES WATER

- No objection with regard to waste water network and sewage treatment works infrastructure capacity
- The developer should minimise groundwater discharges into the public sewer. Further information should be provided by informative.
- The developer should follow a sequential approach for the disposal of surface water which should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Further information should be provided by informative.
- The developer should install a positive pumped device (or equivalent) for protection against any sewerage network surcharge to ground level during storm conditions. Further information should be provided by informative.

HIGHWAYS PLANNING

- Objection to proposed gate widening and creation of one off-street car parking space
- Objection to quantity of proposed cycle parking
- Car Club Membership and highways works should be secured by S106 agreement.

ARBORICULTURE – FIRST CONSULTATION

- Request the proposed side lightwell is reduced to preventing trees reaching maturity and increases the likelihood of their removal in the future.
- Request details of foundations for proposed pedestrian access route at Abbey Road frontage and the front cycle parking is relocated.
- The replacements for the removal of all four trees to the are not adequate.

ARBORICULTURE – SECOND CONSULTATION

- Previously expressed concern over the lightwell remains

- Request a replacement to T1 in a similar position
- The use of cherry prunus along the driveway is acceptable, however, many of the proposed trees for rear garden are not considered to be suitable

ARBORICULTURE – THIRD CONSULTATION

- The now proposed wild cherry is an acceptable replacement for T1
- The revisions to the rear garden are considered an improvement. Request that the wild crab apple and alder are omitted for alternative native species.

ARBORICULTURE – FOURTH CONSULTATION

- Previously expressed concern over the lightwell remains, however, as the lightwell is outside of the RPA of the nearby trees it may not present sufficient reason to refuse
- The further revisions to the proposed Tree Planting Plan include the use of hawthorn and wild service are acceptable
- Recommends condition to secure tree protection details and details foundations for new structures

BUILDING CONTROL

- The Structural Method Statement is compliant and accepted and the scheme is justified structurally and considered to be viable.
- Ground water was not encountered, and the flood risk is considered to be minimal
- The structural impact and movements on adjacent buildings are anticipated to be within acceptable limits

ENVIRONMENTAL HEALTH

No objection. Recommend conditions to secure land contamination and an acoustic report.

WASTE PROJECT OFFICER – FIRST CONSULTATION

- The proposed drawings are not in accordance with the City Council's waste guidance due to the absence of annotations confirming the separation of waste streams
- The proposed 660l food waste is unacceptable. Food waste must only be stored in 150l bins

WASTE PROJECT OFFICE – SECOND CONSULTATION

- The previous comments were given in respect of the information already provided in page 54 of the Design and Access Statement

ADJOINING OWNERS / OCCUPIERS

No. of total neighbours consulted: 544

No. of objections: 10

No. of supports: 0

No. of neutrals: 0

In summary, the objectors raise the following issues:

Design:

- The building will look top heavy and very bulky changing the look and feel of the conservation area

- The roof extension is not in keeping with neighbouring properties
- The rear elevation and extensions are not in keeping with the conservation area
- The proposed height is out of keeping with the building itself and the conservation area

Amenity:

- Neighbours are already overshadowed by existing mansion blocks
- Loss of privacy for neighbours in Abercorn Place and Langford Court
- Loss of sunlight for neighbours in Abercorn Place and Langford Court
- Loss of view for neighbours in Langford Court

Standard of accommodation:

- Information has not been given why the building cannot be refurbished
- Information has not given why the building has been in a poor condition for years

Highways:

- Insufficient on-site car parking is proposed or provided in the local area

Environment:

- The new residents are likely to have higher carbon footprints than the pre-existing residents
- The building should not use natural gas as a source of energy

Construction:

- Information has not been given on the likely duration of works
- The works would cause noise, debris and a loss of privacy
- A construction traffic management plan has not been provided
- Request noisy works are only carried out between 10:00am and 16:00

Other:

- Request a taller boundary is erected to rear of Abercorn Place to prevent burglaries
- Insufficient local drainage infrastructure for additional residents

SECOND CONSULTATION EXPIRED – EXPIRED 22ND FEBRUARY 2022

ST JOHN'S WOOD SOCIETY

- Welcome the improvements to the facades and the overall reduction in height
- Remain concerned about overlooking from the terraces and potential loss of daylight and sunlight. We support the comments made by neighbours about this

No. of total neighbours consulted: 544

No. of objections: 7

No. of supports: 0

No. of neutrals: 0

In summary, the objectors raise the following issues:

Land use:

- There is no affordable housing contribution

Design:

- The building continues to be out of proportion with the conservation area
- The building will be taller than the surrounding
- The building should be refurbished and remain the same size
- The building's poor state of repair is not a reason to for the extensions and façade alterations

Amenity:

- The reduction in height by 625mm does not overcome overlooking issues
- The reduction in height by 625mm does not overcome loss of light issues
- A Daylight and Sunlight Assessment for neighbours has not been submitted
- Glare from the additional windows will shine onto 29 Abercorn Place
- The Daylight and Sunlight Assessment has not addressed the impact on the neighbouring buildings on Abbey Road

Highways:

- The building will create more traffic
- Local traffic will increase and parking availability will decrease

Construction:

- Construction will be disruptive on a quiet road and
- Construction noise will cause issues for residents working from home
- A traffic management plan has not been submitted to prevent the road from blockages
- How long will the works last and be managed?

SITE NOTICE

Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

St Marks' Court is an unlisted building formed of four storeys that is in use as 24 flats (Class C3). It is located in the St John's Wood Conservation Area and fronts Abbey Road but is accessed from its side on Abercorn Place.

The St John's Wood Conservation Area Audit describes the building as an unlisted building of merit. Built in the mid to late 19th century as a terrace of 6 large houses typical of the period, it was later converted around 1918 into the block of 24 flats that it is today.

6.2 Recent Relevant History

None.

7. THE PROPOSAL

Permission is sought for the removal of the roof, erection of upwards extension with further mansard style roof storey above, creation of basement storey, alterations to windows on all facades, cycle and waste stores, landscaping and associated works. The proposed works would provide five new additional residential units (Class C3). In total the proposed application site will contain 29 residential units (Class C3).

A total of ten objections were received from neighbours. These objections most commonly raised concern over amenity impacts, however they also raised design, standard of accommodation, highways and other concerns. During the course of the application amendments were made to the design of the proposed extensions and supplementary tree details were provided. A further seven objections were received to the second consultation where concerns were still expressed over design, amenity and highways impacts.

8. DETAILED CONSIDERATIONS

8.1 Land Use

8.1.1 Residential use

The City Council seeks to maximise housing delivery through optimising site densities, delivering higher number homes on small sites and permitting upwards extensions as set out in policy 8 of the City Plan. Policy 10 seeks residential development provides a mix of units in terms, size, type and tenure to secure mixed and inclusive communities.

The application site as existing has an GIA of 1939sq.m and contains 24 units. The existing units are comprised of 0 – Studios, 3 – 1x bedroom flats, 15 – 2x bedroom flats, 1 – 3x bedrooms flats and 5 – 4x bedrooms flats.

The proposed extensions will give the site a GIA of 2927sq.m and provide 29 units. The proposed layout will be comprised of 3 – Studios, 13 – 1x bedrooms flats, 5 – 2x bedroom flats, 7 – 3x bedroom flats and 1 – 4x bedroom flat. The proposal will provide an uplift of 988sq.m of floorspace resulting in an additional five units.

In total, the additional five flats would result in 27.6% of the units on-site being family sized (i.e. having three bedrooms or more), in accordance with policy 10 B of the City Plan.

The proposed flats meet or exceed the Nationally Described Space Standards, in accordance with policy 12 of the City Plan. None of the proposed flats exceed 200 sqm GIA, in accordance with policy 8 of the City Plan.

The new flats proposed at basement and the new fourth and fifth floor levels also include private outdoor amenity space in the form of terraces and would be dual aspect, in accordance with policy 12 of the City Plan.

8.1.2 Affordable housing

The City Council seek that at least 35% of all new homes will be affordable. Affordable housing is required on sites with a site of area greater than 0.5ha, 10 or more proposed residential units or 1000sq.m of proposed residential floor space as set out policy 9 of the City Plan 2019 – 2040.

The application site has a total area of approximately 0.14ha and it is proposed that 988sq.m of new residential floor space and 5x new additional residential units are to be created.

The submitted drawings show the extent of proposed demolition will mean that most internal walls within and between the existing units will be removed during construction works. The proposed floor plans show that flats will not be replaced like-for-like due to many being of a different size, position and aspect to; with some having extra storeys added. The City Council has given consideration as to whether these 24 reconfigured flats would be new units and require an affordable housing contribution or whether they were replacement units and do not require an affordable housing contribution.

Regard has been had to the advice in the recently published Statement of Intention of Affordable Housing October 2011. Section C states that 'in cases including refurbishment or re-configuration of an existing building together with an extension, or a combination of demolition and partial retention, the existing housing will not be counted. In such cases, the extent of the area that should be considered when assessing whether a scheme triggers an affordable housing requirement will be determined on a case-by-case basis, considering the extent of changes to existing floorspace.' Officers in dealing with this application have addressed this proposal in the light of the above statement and sought legal advice as to whether to treat this application as 29 'new homes' or whether it was for 5 'new homes' as stated by the applicant.

Counsel advice has been that the policy does not specifically refer to affordable housing contributions only being triggered by the provision of new or additional units or floorspace. However, this would seem as the proper interpretation of the policy as policy 9 of the City Plan specifically states 'new homes' and that it does not use wording such as reconfigured homes or similar. Any requirement for affordable housing in respect of the reconfigured units would not be in accordance with the policy. This view is consistent with a decision by the Planning Inspectorate relating to an application in the Royal Borough of Kensington and Chelsea during 2020, where it was considered that it is not appropriate to regard reconfigured residential floorspace as 'proposing' residential floorspace. It is therefore considered that in this case, the proposal which creates five new homes does not trigger the provision of affordable housing.

It should be noted that the City Council is currently consulting on a Draft Planning Obligations and Affordable Housing SPD (March 2022), with the consultation period expiring on 29 April 2022. This SPD includes criteria for deciding when refurbishment and reconfiguration of existing units on an application site counts as 'new homes' and therefore triggers an affordable housing contribution. As per the SPD, the key principle is whether the reconfigured or refurbished units provide a new form of housing supply that caters to a different market or level of housing need to the homes that previously existed on site. Any judgement on whether the refurbishment or reconfiguration of existing stock counts as new housing supply and should therefore contribute to affordable housing

requirements will be based on an assessment of the extent of changes proposed to the existing building, with regard to changes to:

- The size of individual dwellings (the number of bedrooms, floorspace, or floor to ceiling heights);
- Communal areas (the provision of stairs, lifts, circulation space, and any new on-site amenities);
- The external appearance of the building (including matters such as re-siting of windows and provision of balconies); and
- Whether any existing dwellings are single or dual aspect.

In officers view, application of the above criteria would likely result in the reconfigured units being treated as new homes and therefore result in a requirement for an affordable housing contribution. However, the SPD is currently in draft form and has not been through a full round of public consultation. Accordingly, it has little to no weight at the present time and a requirement for affordable housing from the reconfigured units would not be reasonable at the time of the committees meeting. It should be noted that the SPD may gain greater weight by the time the s106 agreement is signed and that this application may need to be referred back to the committee in the event that this occurs.

8.2 Townscape and Design

8.2.1 Site and Significance

The application relates to an unlisted building of merit within the St John's Wood Conservation Area. Built in the mid to late 19th century as a terrace of large houses typical of the period, they were later converted around 1918 to a mansion block for the housing of families of soldiers killed during the First World War. The character of the building now combines characteristics of both a 19th century terrace and an interwar mansion block.

The site forms the corner between Abercorn Place and Abbey Road and sits at the edge of the conservation area.

The building is a four-storey brick-built block, generally consistent in height to the row of terraced houses adjacent to the north, and with many others in the area and wider city. The division of bays is equally consistent with the common widths of 19th century houses of this type. The front façade features two-storey (ground and first) bay windows. The building's architectural hierarchy is marked by the proportion and detailed design of windows, which is exaggerated to first and second floors, diminishing to the third (top) floor, by a stringcourse between second and floors, and finally terminated by a corbelled brick cornice marking the edge of the shallow-pitched roof above. Above the third floor is an occupied roof storey, but this is of a shallow pitch and therefore does not read as a mansard storey.

Elements which indicate the building's history as a terrace of houses include its rhythmic, uniform façade of bay windows, sash windows and a diminishing hierarchy to the upper floors, as well as party-wall upstands and prominent chimneys to the roof, demarcating the structural and property divisions between the former houses. The rear is equally

reminiscent, including multi-pane sash windows which may pre-date the building's conversion, and a simpler, almost vernacular character lacking in ornamentation or ostentation, but historically characteristic nevertheless. Internally the building also retains some remnants of the historic planform of the houses.

Elements relating to the 20th century use of the building as a mansion block are various, and relate to the loss of the original front doors and steps to each house, the creation of a singular, almost art-deco communal entrance to the rear elevation, and the communality of the grounds as a single garden and parking court.

The area is typical of St John's Wood, consisting predominantly of terraced and rows of semi-detached houses, interspersed with larger, mostly later mansion blocks and, particular to Abbey Road, a number of notably larger modern blocks. The prevailing scale of the area is between 4 and 5 storeys, as shown by the applicant's own assessment. Close to the site there are a small handful of notably larger mansion blocks, including the 12 storey 20 Abbey Road but most of these are outside of the conservation area and are of limited architectural value, and in some cases are harmful to the setting of the conservation area.

8.2.2 Legislation, Policy and Guidance

Being within a conservation area, the determination of the application is subject to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which 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."

Policy 38 (design principles), 39 (heritage) and 40 (townscape and architecture) of the Westminster City Plan 2019-2040 provide the basis for interpreting this requirement, and collectively require that development proposals be of a high standard which respect their local contexts, including in particular any affected designated or undesignated heritage assets.

Chapters 12 and 16 of the NPPF similarly require great weight to be placed on design quality and the preservation of designated heritage assets including their setting. Chapter 16 of the NPPF clarifies that harmful proposals should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, taking into account the statutory duty to have special regard or pay special attention, as relevant. This should also take into account the relative significance of the affected asset and the severity of the harm caused.

There is an adopted (SPD) Conservation Area Audit for St John's Wood which notes the building as being an unlisted building of merit, and defines the key characteristics of the local area, including typical building heights and building types. This includes an assessment that the application site is not suited to an upwards extension. There is no Neighbourhood Plan for St John's Wood.

8.2.3 Proposals and Their Impacts

The application proposes to substantially remodel and extend the building although

stops short of substantial demolition, retaining all four walls, the majority of the floor plates and structural walls. The roof would be completely removed. The extent of works has been notably reduced during the course of the application, including a reduction in overall height, based on the advice of officers and taking into account objections received from the St John's Wood Society and local residents.

The most significant proposal remains the upwards extension of the whole building, replacing the existing low-pitched roof with a sheer-storey, and building a new mansard roof above that. This would alter the building from 4.5 storeys to 6 including the mansard. The initial submission had included in addition to this the stretching of the retained upper floor of the building, but this has now been reduced along with reductions also to the floor to ceiling heights of the new floors, such that the proportionality of the building is much improved, and generally now respectful of traditional characteristics. These revisions are considered to overcome previous concerns which were raised in neighbour objections that stated the proposed extensions would make the building appear top heavy.

As raised in some of the objections from neighbours the height the revised proposed height of the building is still indeed greater than the prevailing storey heights in the area, which generally does not exceed 5 storeys. When viewed from the west and south, this height would be seen to step up from the height of the adjacent terraces on both Abbey Road and Abercorn Place. It would however be generally consistent with the height of mansion blocks seen elsewhere in St John's Wood and would be notably lower than the larger modern blocks which, whilst mostly outside of the conservation area, equally characterise this part of Abbey Road. On this basis, objections relating to the height of the building cannot be sustained as reason for refusal.

The proposed mansard is designed to be pitched on all sides and with a flat top. The party wall upstands and chimneys of the original terrace are now proposed to be replicated to the visible part of this new roof, which is a further enhancement secured during the course of the application in order to refer to the historical origins of the building as a terrace of houses. The existing prominent chimneys to the south and west elevations would be rebuilt above third floor, with vertical slot windows punched through each to provide some light to the new top floor. The spacing of dormers to the proposed roof have been improved during the application in order to relate better to the windows below and to the historic division of the building as a terrace of houses.

Also proposed are a number of alterations to the facades of the building. To the front (east) elevation it is proposed to insert a balcony between bays above a new ground floor entrance. This has been improved since original submission in order to better respect the bays to each side. Above this at third floor level, it is proposed to extend the bay windows to both the front (east) and side (south) elevations (which currently terminate at second floor) by another storey, adding also a roof terrace to each. This aids the proportionality of the building in its extended form, and with the revisions secured to reduce the overall additional and stretched heights of the building, enables the proposals to avoid a top-heavy appearance.

Objections were originally received from the local amenity society and some neighbours on grounds of the appearance of the rear elevation. During the course of the application the proposed drawings have again been substantially revised to retain a façade based

around sash windows, whereas originally it had been proposed to replace all with very different character casements. In respect of these revisions the local amenity society commented that the revisions to the design of the rear elevation are welcomed. Two large four-storey 'closet wing' type extensions are proposed to be built up to third floor height, with roof terraces on top and balconies partly spanning the gap between. These extensions would feature prominent corner windows which have again been revised during the application to a more appropriate design. A new entrance portico, similar to that proposed to the front would be built at ground floor level, set between the new extensions.

Finally, also proposed is a large basement extension. This would feature new lightwells to part of the front, to the side and part of the rear elevations. The projection of these lightwells from the main building line has been reduced since submission and is now less prominent and can be seen now as generally consistent with the typical historic lightwells seen on similar such terraces throughout the city.

8.2.4 Summary

Overall, it is considered that the proposals, whilst still a significant scheme which alters the appearance of the building, would represent a good design which would not harm the character or appearance of the conservation area. The increase in height from the neighbouring terraces is not such that it would dominate either group, nor would it represent an uncharacteristic step-up between similar age properties, particularly given that the history of this site has in fact been substantially that of a mansion block.

It is recommended that the application in its revised form is considered acceptable in design and conservation terms, mindful of the relevant policies discussed above and therefore, a recommendation to grant conditional permission would be compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8.3 Residential Amenity

The City Council seeks that all development will be neighbourly by protecting and where appropriate enhancing local environmental quality as set out in policy 7 and 33 of the City Plan. Policy 7 seeks to prevent unacceptable impacts in terms of losses of daylight and sunlight, privacy and increases in sense of enclosure and overshadowing. Policy 33 seeks development prevents the adverse effects of noise and vibration including minimising noise impacts and preventing noise intrusion to residential and sensitive uses.

8.3.1 Sunlight and Daylight

The local amenity society and several neighbours raised concern over losses of daylight and sunlight in their objections. Neighbours specifically referred to losses of sunlight for properties on Abercorn Place and Langford Court to the other side of Abbey Road.

Although not specifically referred to in the above policies, BRE's "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" (2011), is widely recognised as the

appropriate method for measuring light loss and appropriate light levels. The BRE stress 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 an area with modern high-rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.

In assessing daylight levels, the Vertical Sky Component (VSC) is the most commonly used method. It is a measure of the amount of light reaching the outside face of a window. If the VSC achieves 27% or more, the BRE advise that the window will have the potential to provide good levels of daylight. The BRE guide also recommends consideration of the distribution of light within rooms served by these windows. Known as the No Sky Line (NSL) method, this is a measurement of the area of working plane within these rooms that will receive direct daylight from those that cannot. With both methods, the BRE guide specifies that reductions of more than 20% are noticeable.

The applicant has submitted a Daylight and Sunlight Assessment which considers the impacts on neighbouring properties. Three neighbouring sites (37 Abercorn Place, Flats 1-126 Langford Court and 20 Abbey Road (includes Flats 1-119) would have daylight losses that exceed BRE Guidelines. All other neighbouring properties eligible for testing under the BRE Guide would have daylight losses below BRE Guidelines.

No. 37 Abercorn Place is the nearest neighbouring building to the rear of the site. The submitted Daylight and Sunlight Assessment demonstrates that ten of the 14 windows in the building will meet BRE Guidelines for Vertical Sky Component (VSC). The four windows that do not meet BRE Guidelines would experience VSC losses of 24.3% to 36.5%. One room would also have NSL losses exceeding BRE Guidelines (i.e. 36%). These daylight losses are considered minor in magnitude. The affected rooms and windows either do not serve habitable rooms; serve bedrooms and therefore have less of a need for daylight (as per BRE Guidance) or are secondary windows to rooms with their primary source of light coming from the front or rear elevation. Given this, the low level of these light losses and the flexibility inherent in the BRE Guide itself, these light losses are acceptable in this instance. It should also be noted that the residents of 37 Abercorn Place have not objected to the development.

No's 1 – 126 Langford Court is an eight-storey building located to the other side of Abbey Road. The submitted assessment has considered all flats on the ground and first floor of the building. All windows and rooms above are not eligible for testing under the BRE Guide as they do not breach a 25-degree plane taken from these windows. Of the 24 rooms, assessed a total of 21 rooms will remain compliant with BRE compliant for both VSC and NSL guidance. All assessed windows meet VSC guidance. The affected rooms will have NSL reductions of 20.4%, 26.0% and 27.4%. Although above the 20% threshold for being noticeable, these transgressions are minor and would not outweigh the acceptability of the building's height and bulk in townscape and design terms, given the flexibility inherent in the BRE Guide.

Flats 1 – 119 at 20 Abbey Road is a large apartment building to the east of the application site and is formed of twelve stories. Of the 36 rooms that were assessed within the building, the submitted assessment states that 34 rooms will remain fully compliant with BRE Guidelines, with all assessed rooms meeting VSC guidelines. Two

rooms would experience NSL losses of 27.8% and 28%. Although above the 20% threshold for being noticeable, these transgressions are minor and would not outweigh the acceptability of the building's height and bulk in townscape and design terms, given the flexibility inherent in the BRE Guide.

It was raised in an objection from neighbours that the area already suffers from overshadowing and that the proposed increase in height will worsen this. The submitted Daylight and Sunlight Assessment has confirmed that the nearest outdoor amenity space that could be overshadowed by the proposal is the rear gardens of nos. 37 and 35 Abercorn Place. However, the levels of overshadowing would not exceed BRE Guidelines.

It has also been raised in an objection that the Daylight and Sunlight Assessment has not addressed the impact on the residents at 11, 15 and 17 Abbey Road. Due to these neighbouring buildings not having windows facing towards the application site it is not necessary that the Daylight and Sunlight Assessment considers these impacts. The proposed closet wing extension is approximately 6.5m away from no. 11 Abbey Road and given its modest depth of approximately 3m is highly unlikely to have impact on the amenity of these neighbours. For these reasons the Daylight and Sunlight Assessment was not required to consider the impacts on nos. 11, 15 and 17 Abbey Road.

All properties will receive full compliance for Annual Probably Sunlight Hours (APSH). Accordingly, the proposed development would not result in unacceptable levels of sunlight loss to neighbouring properties.

8.3.2 Sense of Enclosure

It was raised in an objection from a neighbour that the proposal will cause a loss of view from Langford Court. However, loss of view is not a material planning consideration. The proposed development would be visible from the flats to the front of Langford Court and that the roof extensions may reduce the extent of sky that is visible from these flats. However, due to the separation distance and the numerous mature trees between the two buildings, the very minor loss of outlook will not unacceptably enclose any residents within Langford Court. The application site will have a similar relationship to the Flats within no. 20 Abbey Road. The flats on the upper floors of Langford Court and no. 20 Abbey Road may not have their outlook affected at all.

There may be a minor increase in sense of enclosure to some of the east facing flats on the lower floors within no. 29 Abercorn Place. However, as the application site is approximately 40m away from these flats the proposed increase in height of approximately 4.1m will not unacceptably enclose this small number of flats. The flats on the upper floors no. 29 Abercorn Place will have a similar outlook to existing.

Overall, the proposed development would not result in an unacceptable increase in sense of enclosure for the occupants of nearby properties.

8.3.3 Privacy

The local amenity society raised concern over the terraces causing a loss of privacy, whilst neighbours also raised objections on privacy grounds of losses of privacy for properties on Abercorn Place and Langford Court. The proposed terrace on the side elevation which is to be created on the roof a bay window and will have clear views of no. 38 Abercorn Place which may cause some overlooking to this property. As no. 38 Abercorn Place already contains some ten terraces itself facing back in this direction it would be unreasonable to refuse permission on these grounds.

The alterations to the front elevation from ground to third floor levels involve the replacement of windows in their existing window openings. A further six small terraces are to be created on the front elevation also on the roof of bay windows below. The terraces will not offer any close-range views through any other windows within the application site. The views that the terraces will principally offer will be onto the tree canopy of the mature trees within the application site. Langford Court and no. 20 Abbey Road may be visible in views through the trees. However, the presence of the trees and the distance away these neighbouring buildings would mean any additional overlooking would not be harmful to the privacy of these neighbours. The additional windows at fourth and fifth floor levels will offer similar to views already achievable from this elevation in the building and therefore will be acceptable.

The proposal will increase the number and size of some of the windows on the rear elevation. In addition to this, as the closet wing extensions will add further depth to the building it will bring some windows closer to the nearest neighbouring properties of nos. 35 and 37 Abercorn Place. During the Officer's visit to the application site, it was observed that from existing views in the rear elevation of the host building the gardens and many of the windows in the rear elevations of these neighbouring properties are already readily visible. The proposed increase in size and number of windows on the rear elevation plus the closet wing extensions and the two terraces on top of the closet wing extensions will intensify the overlooking between the application site and nos. 35 and 37 Abercorn Place. Whilst this increased overlooking is undesirable, the matter is not considered unacceptable due to the separation distance between the properties at its closest point only reducing from approximately 15m at its closest point to approximately 12m and therefore being unlikely to offer significantly clear views than are already available. The small windows in the side elevation of the closet wing are undesirable in overlooking terms, however, given that these windows offer a valuable second aspect to many of the currently single aspect flats within the application site they should be retained within the proposal.

Given the degree of overlooking to the rear of application site and the nearest terrace of nos. 31 - 37 Abercorn Place, it is not considered that the creation of four further terraces within the application site in the rear roof slope will result in any additional harm to the privacy of neighbours. These proposed four roof terraces are considered to be sensitively sized and will be positioned behind the line of the existing windows within the building and therefore will not appear prominent in views from neighbour windows. Moreover it was noted during the during the Officer's visit have shown that there are at least two roof terraces within the immediate vicinity at third floor level within the terrace of no. 31 - 37 Abercorn Place. On this basis, the terraces proposed to be created in the rear roof slope can be considered acceptable in amenity terms.

8.3.4 Plant Equipment

The submitted Noise and Vibration Survey by Hoare Lea only contains details of an external and background noise level assessment and does not appear to contain technical details of any specific proposed plant equipment. The Environmental Health Officer has subsequently recommended that inclusion of condition to secure a supplementary acoustic report if permission is to be granted. They raised no objection to the data contained in the external and background noise level assessment.

8.3.5 Summary

Overall and subject to conditions, the proposed development would be consistent with policies 7 and 33 of the City Plan.

8.4 Transportation/Parking

The City Council seek that all development is car free as set out in policy 27 of the City Plan 2019 – 2040 as consistent with policy T6 of the London Plan. The City Council instead will seek that development promotes sustainable transport by prioritising walking and cycling, through creating high-quality and safe road environments as set out in policy 25 of the City Plan. Policy 25 of the City Plan and policy T5 of the London Plan require 1.5 space per 1 bedroom unit and 2 spaces for all other dwellings.

Information provided by the applicant has shown that whilst there is not any existing on-site designated car parking, some cars occasionally had parked to the rear of the building via the access on Abercorn Place. The proposal includes the widening the existing gate on Abercorn Place by approximately 1.0m to create a total width of 3m and the formalisation of 1x on-site accessible car parking space. The Highways Planning Manager states that the width of the proposed opening is unacceptable as it will create an increased conflict point and disruption to pedestrian movement and other highway users. As the location of the point of access to the rear of site for car parking is not changing between the existing and proposed, and that the wider opening in the gate will enhance visibility splays, the impact on pedestrian safety and other highway users is therefore not considered to significant enough to warrant refusal on these grounds.

The Highways Planning Manager states that provision of one car parking space is unacceptable through being contrary to the relevant policy that seeks car free development. Given that the proposed car parking space is formalisation of an existing car parking space and that it is an accessible space, it is not considered reasonable to argue that the provision of this one car parking space will significantly undermine the City Council's commitments to the promotion of sustainable transport. The proposed car parking space is therefore acceptable in highway terms.

An objection was received from a resident which suggested that the new occupiers of the application site may be more likely to be car owners than the previous occupiers and that this would cause additional on-street parking demand. As stated above, the City Council do not wish to provide designated car parking spaces particularly as the application site is readily accessible on public transport. Notwithstanding this, the applicant has agreed to provide car club membership for the new flats and this being secured by a Section 106 agreement as advised by the Highways Planner to further

discourage the use of private car ownership. The applicant also agreed to a Section 106 agreement to secure works and any required alterations to the highway as also recommended by the Highways Planner. The Highways Planning Manager did not express any concerns over the proposal creating any additional traffic or traffic that would negatively impact the local road network, on this basis the proposal is acceptable in traffic terms.

A total of 30 cycle parking spaces are proposed. This includes 22 at basement level in a secure store and 4 short stay spaces as well as designated for 4 larger cargo-style bicycles. Whilst the Highways Planning Manager supports the proposed provision of cycle parking they advised that it was disappointing that cycle parking provision is close to the minimum given the extent interventions being proposed to the application site. As the proposed cycle parking exceeds the minimum and a choice of cycle parking has been provided it is considered acceptable. A condition is recommended to ensure that all proposed cycle parking is implemented. In summary of the above, the application is regarded as acceptable in highways terms.

In summary of the above, the proposal can be considered acceptable in highways planning terms subject to Section 106 agreement to secure works to the highway and car club membership.

8.5 Economic Considerations

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

8.6 Access

The creation of a new pedestrian access from the building onto Abbey Road is uncontentious.

8.7 Other UDP/Westminster Policy Considerations

8.7.1 Refuse /Recycling

The City Council seek that all new development must provide appropriate facilities for the storage and separating of waste streams to maximise recycling and which are safe and convenient to access for the deposit and collection as set out in policy 37 of the City Plan 2019 – 2040. This supported by policy 7 part G which seeks that development is neighbourly by making providing appropriate waste management arrangements. Policy D6 of the London Plan also requires the separation of waste streams.

The proposed waste store is shown on drawing P2000 P1 proposes 5x 1100litre bins a 1x 660litre bins. Details of which bins will be used for which waste streams is however shown on page 54 of the Design and Access Statement. During the first consultation with the Waste Officer they raised an objection stating the submitted drawing is not in accordance with the City Council's Waste Storage Guidance, namely because of the absence of annotations on the drawing and that food waste can only be stored in 140L bins. In the second consultation with the Waste Project Officer they clarified their

objection was made with taking page 54 of the Design and Access Statement into consideration, and that they require the annotations of waste streams on the drawings for ease of including conditions securing the waste store in accordance with these details.

Due to the applicant demonstrating that it would be possible to provide sufficient waste storage for general waste and various separated recyclable materials including separated bins for paper, glass and other recyclable materials and that the waste store is conveniently located for resident use and collection it is not considered reasonable to refuse permission on these grounds. A condition is therefore recommended to obtain a revised waste store which provides the necessary multiple 150litre food waste bins so all waste streams can be fully separated in line with the City Council's waste requirements.

8.7.2 Trees

The City Council seeks to maximise greening wherever practical and to protect and enhance its tree population as set out in policies 7, 34 and 38 of the City Plan 2019 - 2040. Policy 34 seeks trees of amenity, ecological and historic value which contribute to the character and appearance of townscape are protected and that all development contributes to the greening of Westminster by incorporating trees, green walls and other green features.

The Arboricultural Officer raised objection to the application on grounds that the proposed lightwell to the south side of the building would be in close proximity to three young lime trees. They have stated that the extent that the lightwells could have an uncomfortable relationship with the trees which may prevent them from reaching full maturity by constricting their root growth.

In response to the applicant reduced the lightwell's width from approximately 2.5m to 2.0m. The applicant was asked to reduce the width more than this. However, the applicant demonstrated that any further reductions would cause a high degree of enclosure to the bedroom served by the lightwell as well as begin to reduce the daylight and sunlight it would receive. On balance, this incursion into the RPA of these trees is considered acceptable as it would safeguard the living standards of a future resident and would not necessarily result in the decline or loss of these trees.

The Arboricultural Officer also raised concern over the proposed pedestrian route from the Abbey Road frontage which is to be positioned between T12 and T13 which are mature lime trees protected by the tree preservation order. In addition to this pedestrian route has further associated hard landscaped area for short-stay cycle parking in very close proximity to T13. The Arboricultural Officer stated that these hard landscaping elements have the potential to cause harm to the roots of these trees routes and details of the foundations and surface design will need to be secured to ensure that the foundations can be modified to avoid tree roots and that they are 'no-dig'. In response to this, revised landscaping plans were submitting omitting the cycle parking from this location. The short stay cycle parking is now located close to the bin store where it will not impact on any trees. A condition is recommended requiring foundation details of any structures within RPAs whilst a further condition also recommended to secure tree protection measures.

There are a total four trees in the rear garden area of the application site. These trees are T1, T4, T5 and T7 and they are all proposed to be removed. The Arboricultural Officer advised that the trees are not exceptional specimens, however they added that they provide valuable greening in particular T5 which is large cypress tree that is overlooked by a number of properties and visible from Abbey Gardens. In addition, they added that T1 which is cherry tree provides focal point of greening within the site, as such it would be desirable for a replacement tree to be planted in a similar location.

The proposed replacement trees shown on the originally submitted landscaping plans were not deemed by the Arboricultural Officer to provide adequate justification for the removal of the four trees. During the course of the application the Arboricultural Officer provided detailed advice on the specific tree species that believed would be appropriate to this garden setting based on canopy shapes and suitability to local soil. Following this advice, a third set of landscaping plans were provided which now include an additional tree to replace the attractive cherry tree and revisions to other proposed species that now meet the Arboricultural Officer's expectations.

In summary of the above, the application is regarded as being acceptable in arboricultural terms.

8.7.3 Biodiversity

Policy 34 of the City Plan requires that all development contribute to the greening of Westminster by incorporating trees, green walls other green features into the design of the scheme in the interest of achieving a biodiversity net gain as well as to provide new habitats for priority species.

The applicant is generally considered to have limited scope for the incorporation of green walls or green roofs. However, green roofs are proposed on the roof of each of the three single storey extensions at basement level and on the top of the bin and cycle stores. It is not considered possible for any other green roofs to be incorporated at main roof level given the solar panels proposed. A condition is recommended seeking further details of these green roofs and an associated management plan. It is stated on the proposed landscaping plans that bat boxes, bird boxes, a log pile and two invertebrate boxes will be added, however the location of these features has not been stated. During the Officer's visit it was noted that there are not any existing features actively encouraging wildlife and biodiversity, as such the proposal can be considered as being an improvement and therefore acceptable in this regard. A condition is recommended to ensure that these biodiversity features are implemented. Subject to conditions the application can therefore be considered acceptable in greening and biodiversity terms.

8.7.4 Energy / Sustainability

The City Council seek that all development maximises the use and creation of renewable and or low carbon energy sources to minimise the effects of climate change and follows the principles of the Mayor of London's energy hierarchy in policy SI 2 in the London Plan as set out in policy 36 of the City Plan 2019 – 2040. This is supported by policy 38 of the City Plan 2019 – 2040 that seeks sustainable design is incorporated into all development through the use of high-quality durable materials, flexible and high quality floorspace, optimising resource and water efficiency and minimising the need for

plant and machinery. Policy 38, part E requires that conversions or extensions over 500sqm demonstrate an 'Excellent' BREEAM rating or equivalent.

The submitted Energy and Sustainability Statement has demonstrated that a 'be lean (use less energy)' approach will be taken through; upgrading of the thermal envelope and ensuring new fabric both exceed building Regulations, new windows being selected to minimise solar gain in the summer and maximise solar gain in the winter, mechanical heat recovery to provide energy efficient ventilation as well as the use of energy efficient lighting throughout. There will not be any plant equipment which provides cooling such as air condition. These measures present reduction of 57% CO2 emissions when compared to the existing; therefore exceeding the Be Lean target of 10%, and can be considered acceptable as well as fulfil the relevant advice the City Council's Environment Supplementary Planning Document. Water efficiency will be enhanced through the use of specification of energy efficient sanitary ware and the use of water meters in each dwelling to encourage occupants to reduce water use.

With regard to 'be clean (supply energy efficiently)' the submitted Energy and Sustainability Statement has demonstrated why it will not be possible to connect to any existing Decentralised Heat Networks as desired by the City Council's ESPD. A Combined Heat and Power system has not been proposed which is supported by the City Council's ESPD in the interest of potential air quality impacts.

With regard to 'be green (use low and zero carbon technologies)' the submitted Energy and Sustainability Statement is considered to provide ample reason why ground, water and exhaust source heat pumps have not been proposed. Air source heat pumps are becoming increasingly popular within Westminster and is anticipated that proposals of this nature now incorporate them. The Energy and Sustainability Statement states air source heat pumps have not been proposed due to scale of external plant space that would be required to meet the energy needs of the building, and how this would impact on the amount of outdoor space for residents and landscaping, its visual impacts on the conservation area as well as amenity impacts on neighbours. As it is considered that the proposal already efficiently uses the layout of the site and there it being agreed that there are not any obvious spaces for air source heat pumps without making other sacrifices the absence of air source heat pumps is considered acceptable. The main roof of the building is to contain 58 photovoltaics panels and is considered to efficiently use the space available. These 'be green' measures present reduction of 62% CO2 emissions when compared to the existing; therefore exceeding the Be Lean target of 10% and can be considered acceptable as well as fulfil the relevant advice the City Council's Environment Supplementary Planning Document.

As the proposal is not a major development it is not required to be zero-carbon nor is a cash in lieu contribution required in the event of any shortfalls. The submitted BREEAM Domestic Refurbishment pre-assessment demonstrates that the proposal will achieve a baseline score of 74.12% and therefore exceed the minimum recommended Excellent score of 70%. A condition is subsequently recommended requiring that the development is implemented in full accordance with the submitted Energy and Sustainability Statement.

In summary of the above and given the constraints and limitations of the application site including the retention of the original exterior of the building the proposal is considered to

fulfil the recommended hierarchy of be lean, be clean and be green. In addition to this the submitted BREEAM report has shown that it will exceed minimum Excellent rating and as such it can be considered to be acceptable in energy terms.

8.8 Westminster City Plan

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in accordance with paragraph 219 of the NPPF. Therefore, in accordance with s.38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan adopted in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 8.9). As set out in s.38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

8.9 Neighbourhood Plans

The application site is not located in an area that is subject to a neighbourhood plan.

8.10 London Plan

This application raises no strategic issues.

8.11 National Policy/Guidance Considerations

The City Plan 2019 - 2040 (April 2021) policies referred to in the consideration of this application are considered to be consistent with the NPPF 2021 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, the requirement to provide land contamination information and tree protection details. The applicant has agreed to the imposition of each of these conditions.

8.12 Planning Obligations

The applicant has confirmed that they are willing to enter a S106 agreement to ensure the following are provided –

- a) All highway works immediately surrounding the site required for the development

- to occur prior to occupation of the development, including alterations to the vehicle crossover and for it to be to the Council's specification, at full cost (administrative, legal and physical) of the developer;
- b) Provision of lifetime (25 year) car club membership for the five new residential units from first occupation of the development.

The estimated CIL payment is as follows –

The TFL Gross Charge is £78,802.64

The WCC Gross Charge is £655,715.13

The total charge is £744,517.77

The above figures do not include any CIL exemptions that the applicant may be applicable to the applicant.

8.13 Environmental Impact Assessment

The proposed development is not EIA development.

8.14 Other Issues

8.14.1 Basement

The excavation of basements must be found to be in accordance with policy 45 of the City Plan 2019 – 2040.

Part A 1 and 2 of policy 45 requires basement development to safeguard structural stability and be design and constructed to minimise construction impacts on the surrounding area as well as minimise surface water and sewerage flooding risks. Part A 3 and 4 seek that basement development protects heritage assets and conserves the character and appearance of the host building, its setting and the surrounding area. These considerations are discussed separately in Design part of this report.

The City Council's Building Control Officers have reviewed the applicant's Structural Methodology Statement and advise that they have no adverse comments with stating that submitted information is compliant and accepted and the scheme is justified structurally and considered viable. The City Council wish to make it clear the applicant's reports are not directly being approved, but instead is used to show that there is no impediment foreseeable at current stage that would prevent the creation of a basement in principle. As the relevant reports have been produced by a professional organisation, they carry a duty of care which should be sufficient to demonstrate that assessment made is accurate.

One objection from a neighbour raised concern over disruption during the works such as from noise, debris crane use and losses of privacy. Whilst construction impacts are not typically regarded as material planning matters, the applicant has agreed to the City Council's Code of Construction Practice (CoCP), which demonstrates their adherence to undertaking measures to mitigate various construction impacts such as noise, dust and vibration.

The application site is located within Flood Risk Zone 1 (Low Risk) but within the Surface Water Hotspot as identified by the City Council's Basement Development Supplementary Planning Document. A site-specific Flood Risk Assessment has been provided within the Drainage Statement. The FRA clarifies that the proposal will reduce the extent of impermeable surfaces on the site by 289sq.m adding that that permeable paving will be used for the driveway to the rear of the building, given this and the prevalence of soft landscaping to the front, sides and rear of the site it is considered that the proposal has been designed to sufficiently minimise surface water flooding as sought by the policy. The FRA confirms the pumps will be added basement level in the event of sewer surcharge which is in accordance with Thames Water's comments on the application.

Parts B1 and B2 of the policy seek that basement do not extend beneath more than 50% of the garden and that they leave a margin of undeveloped land between the basement and the edge of the site. Parts B3 seek that only one basement storey is added and that any basements not beneath the host building are at least 1.2m below the surface. Part B5 of the policy applies to basement extensions which extend beneath the highway.

The proposed basement does not extend beneath any of the garden. The majority of the proposed basement is positioned a considerable distance from the edge of the application site except for an approximately 1m long stretch adjacent to the boundary with no. 11 close to the rear elevation of this property. Whilst the arrangement is not in accordance with the policy, it is not considered reasonable to refuse permission on these grounds the very minor extent this may impact this neighbours garden and that it is so close to the rear elevation of their property. Due to the relatively minor extent that the proposed buildouts at basement level project into the garden and they will be topped with garden roofs, it is not considered that these rooms should onerously be located at least 1.2m below the level of the surface as sought by the policy. The proposed buildouts a basement level will be topped with green roofs enabling a contribution to garden setting of the application site.

In summary of the above the proposed basement excavation is fully compliant with the relevant policy and can be considered acceptable.

8.14.2 Construction impact

A number of objections raised concern over construction impacts. The objections stated that it will be disruptive on quiet road, noise will cause issues for residents working from home, debris will be created and there will be loss of privacy. Others queried the absence of traffic management plan and requested the duration of the works and that works only take place between 10:00am and 16:00. Regrettably construction impacts are not a material planning consideration, as such these objections should not influence the outcome of this planning application. Notwithstanding this the applicant has agreed the City Council's code of construction practice which should help mitigate some of the impacts and in addition to this noise work including drilling, piling and excavation will only take place between Monday to Friday from 08:00 until 18:00 in accordance with the City Council standard conditions for development of this size. Similarly, traffic management plans are not required for development of this size and as such it is not reasonable to insist that one is provided within this planning application. The duration of

the works also beyond the City Council's control, however the programme of works within the submitted Construction Methodology Statement shows that basement and structural works will take approximately one year.

8.14.2 Crime and Security

The Metropolitan Police were consulted on the application and raised no objection to the application. However they did request that the gate on Abercorn Place is fobbed only for the owner of the car parking space and a new pedestrian gate is created with access control system for each flat. Given the frequency that the rear entrance is to be used by many of the occupiers of the building and due to it also being the entrance most people use when coming to or from the cycle and waste stores, in addition to this entrance also being where servicing will take place, it is not considered reasonable that the City Council insist that this entrance is fobbed. Whilst the creation of adjacent pedestrian access would be desirable it is not considered that there is sufficient space to create one given the proximity of adjacent tree and bin stores. The terrace in the rear roof slope have now been reduced in size in accordance with the Metropolitan Police's advice in order to prevent unauthorised access from one terrace to the next. It was requested in an objection from a neighbour that fences to the rear of the site were increased in height to prevent burglaries. Whilst the matter is noted, it is considered to be beyond the scope of the application and it appears to be no obvious reason why the objector could not install their own fence.

8.14.3 Other

It was raised in an objection that the local sewer infrastructure of the area is not equipped to accommodate the increased demand. The submitted FRA states that Thames Water have been notified about the proposal and confirmed there is sufficient capacity in the local sewer network. Thames Water also commented on the application specifically stating that they raise no objection to the application with regards to wastewater network and sewage treatment works infrastructure capacity.

In the Environmental Health Officer comments on the application they stated given the extent of proposed demolition and excavation that the applicant should consider the possibility of land contamination from sources such as asbestos or hydrocarbon storage tanks. As such they requested that land contamination details are secured by condition.

8.14.4 Glare

An objection was received stating that the additional glazing to the rear elevation will cause additional glare shining onto no. 29 Abercorn Place. Although it is recognised that this is possible, the revised extent of glazing is not significantly different to the existing and in any event such glare would be unlikely to be harmful to the amenity of nearby residents.

(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: NATHAN BARRETT BY EMAIL AT northplanningteam@westminster.gov.uk.

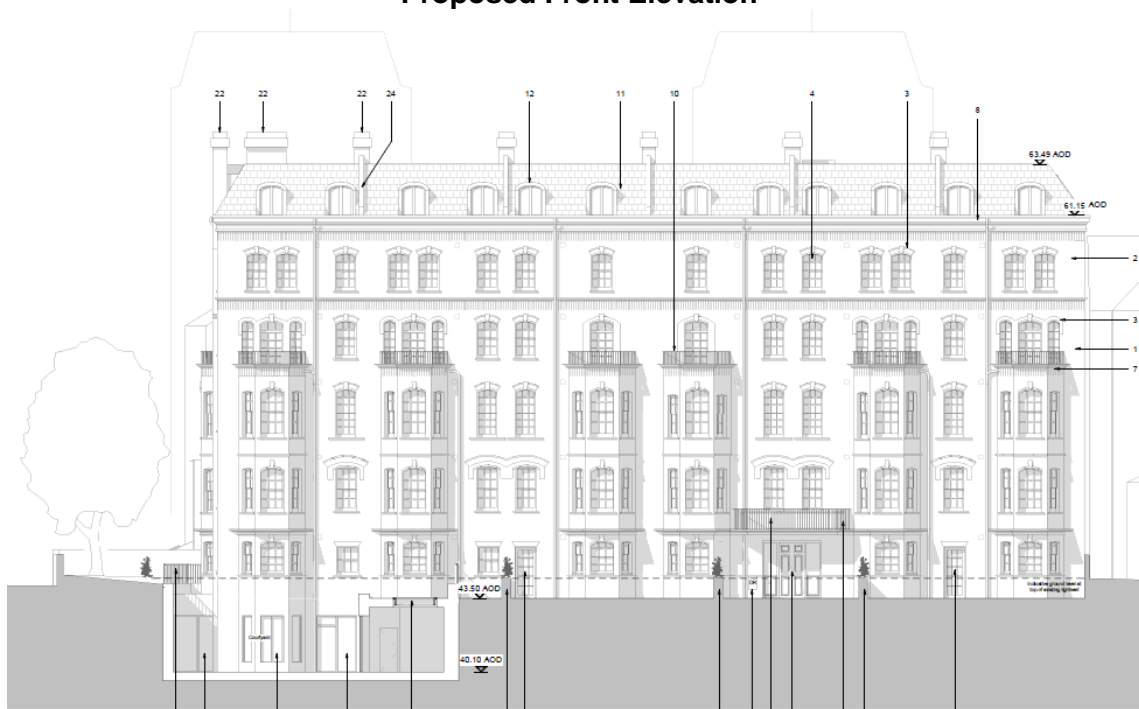
Item No.
3

9. KEY DRAWINGS

Existing Front Elevation



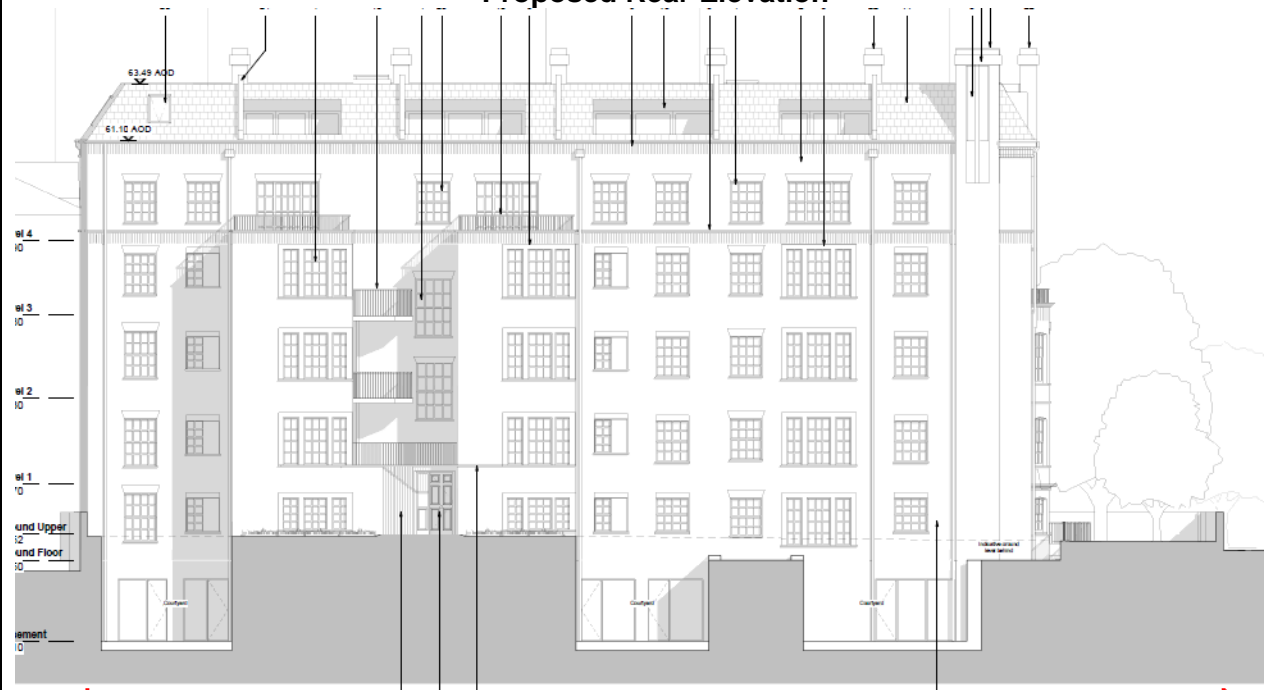
Proposed Front Elevation



Existing Rear Elevation



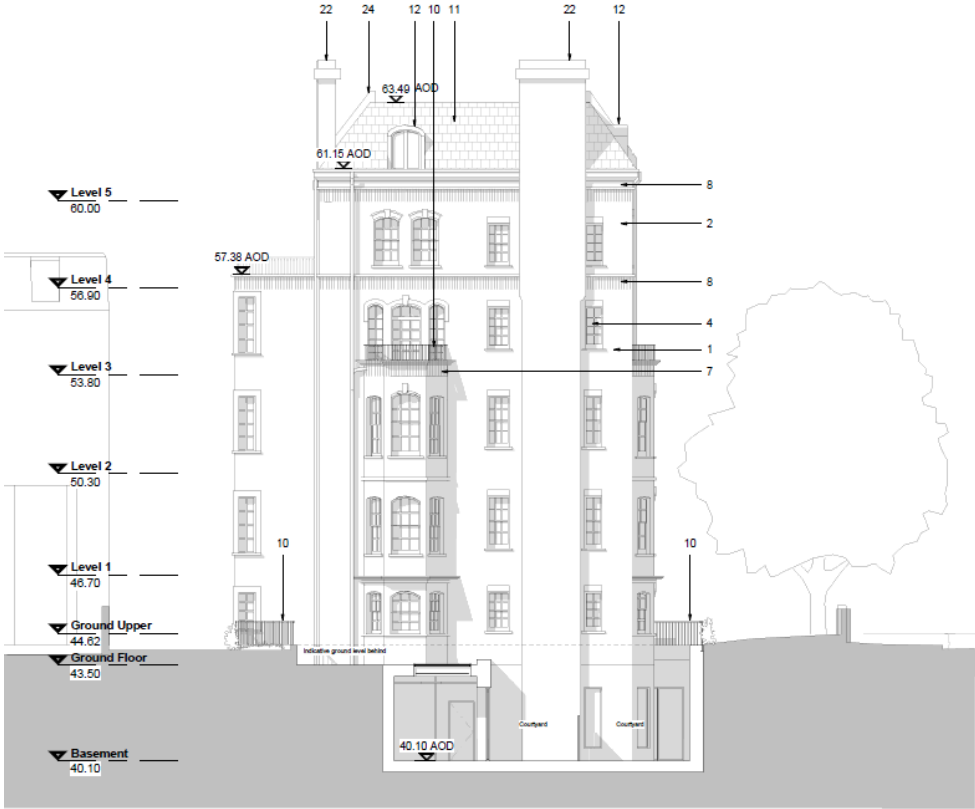
Proposed Rear Elevation

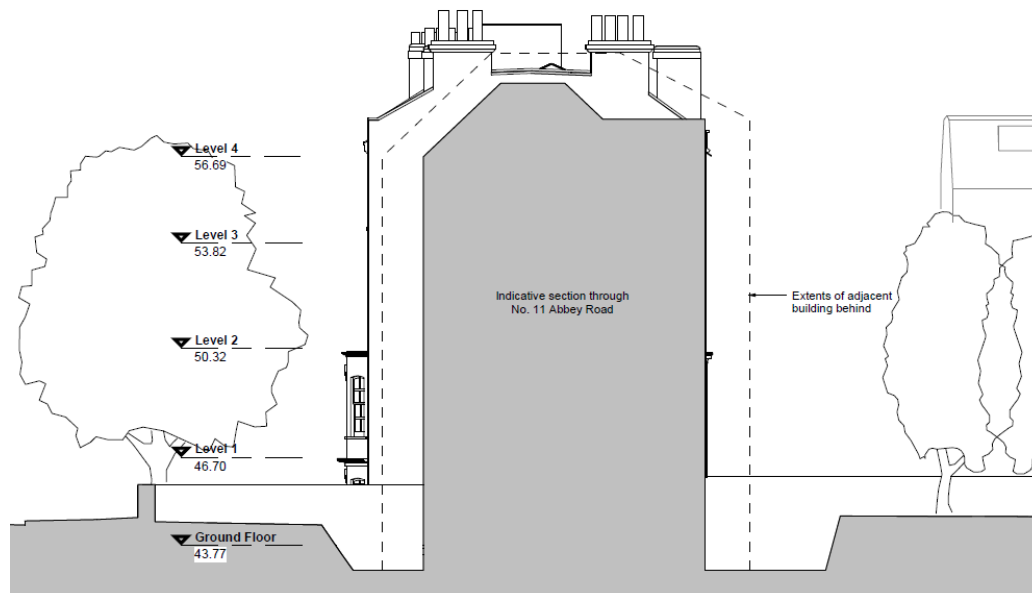
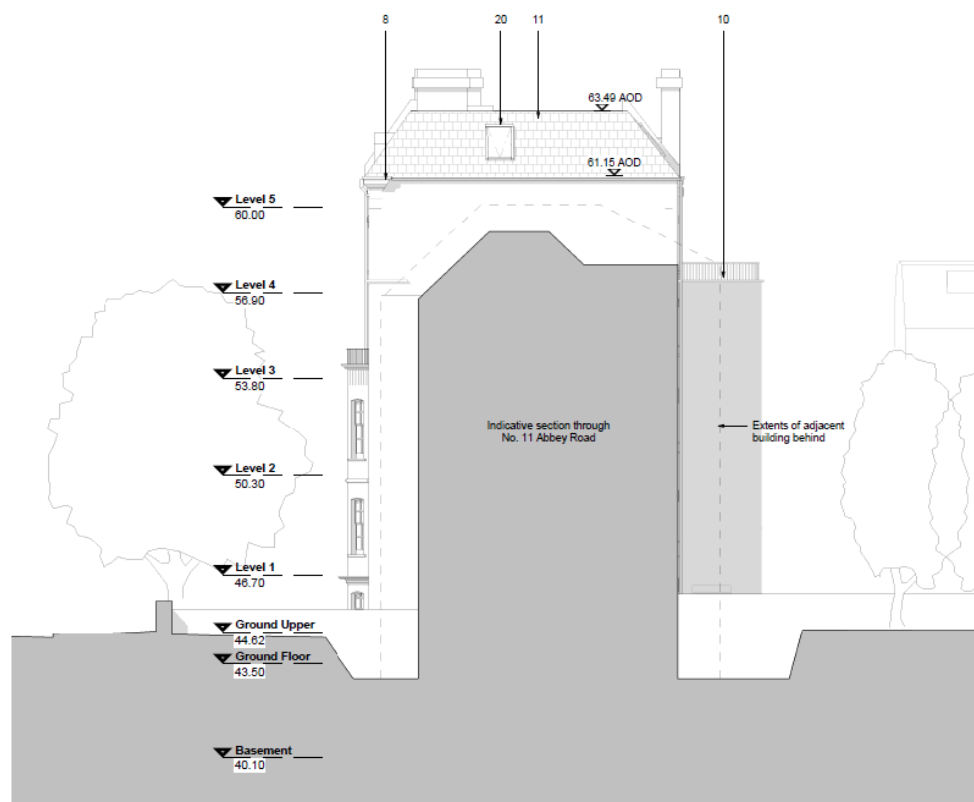


Existing South East (Abercorn Place) Elevation



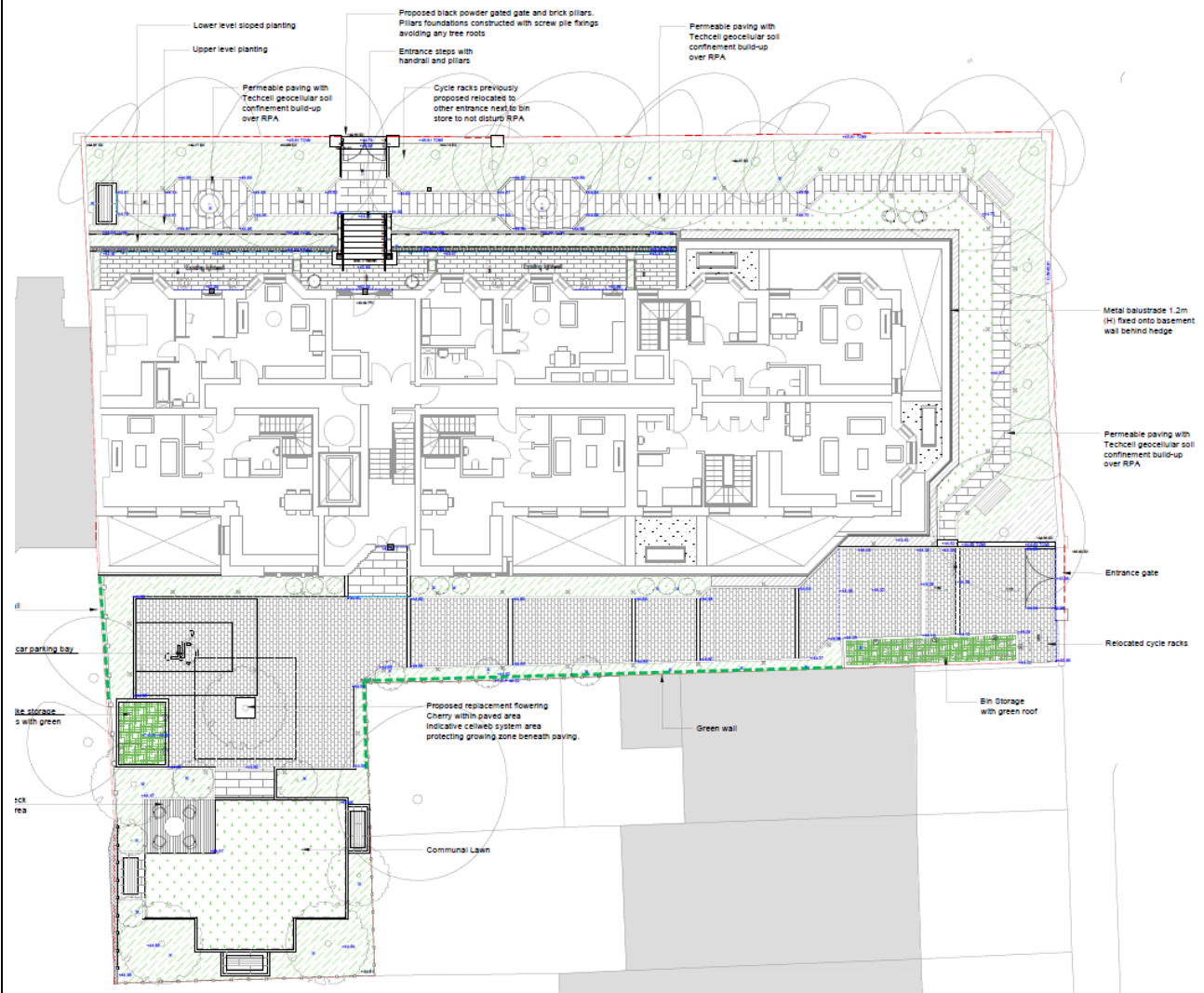
Proposed South East Elevation



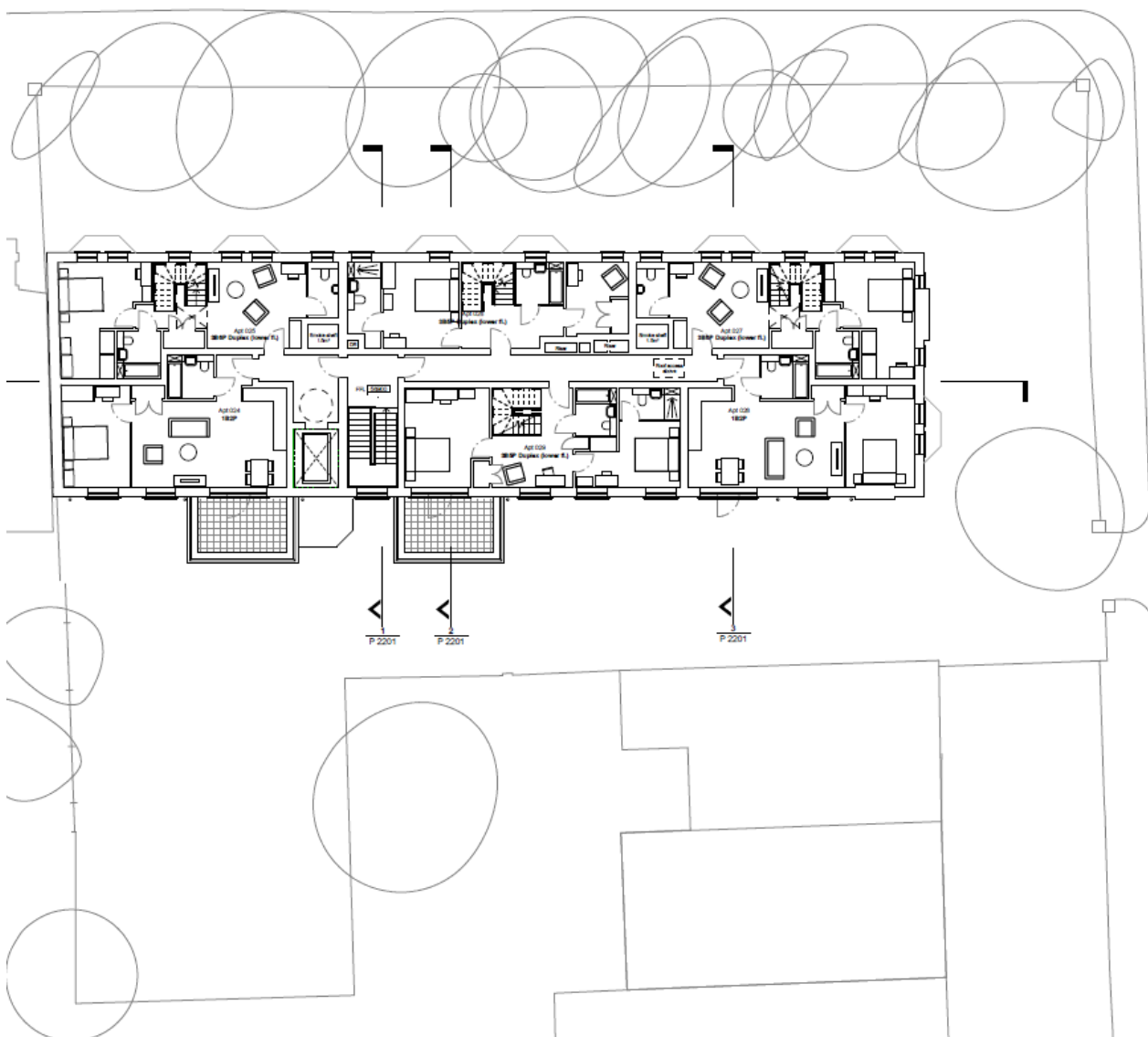
Existing North West Elevation**Proposed North West Elevation**

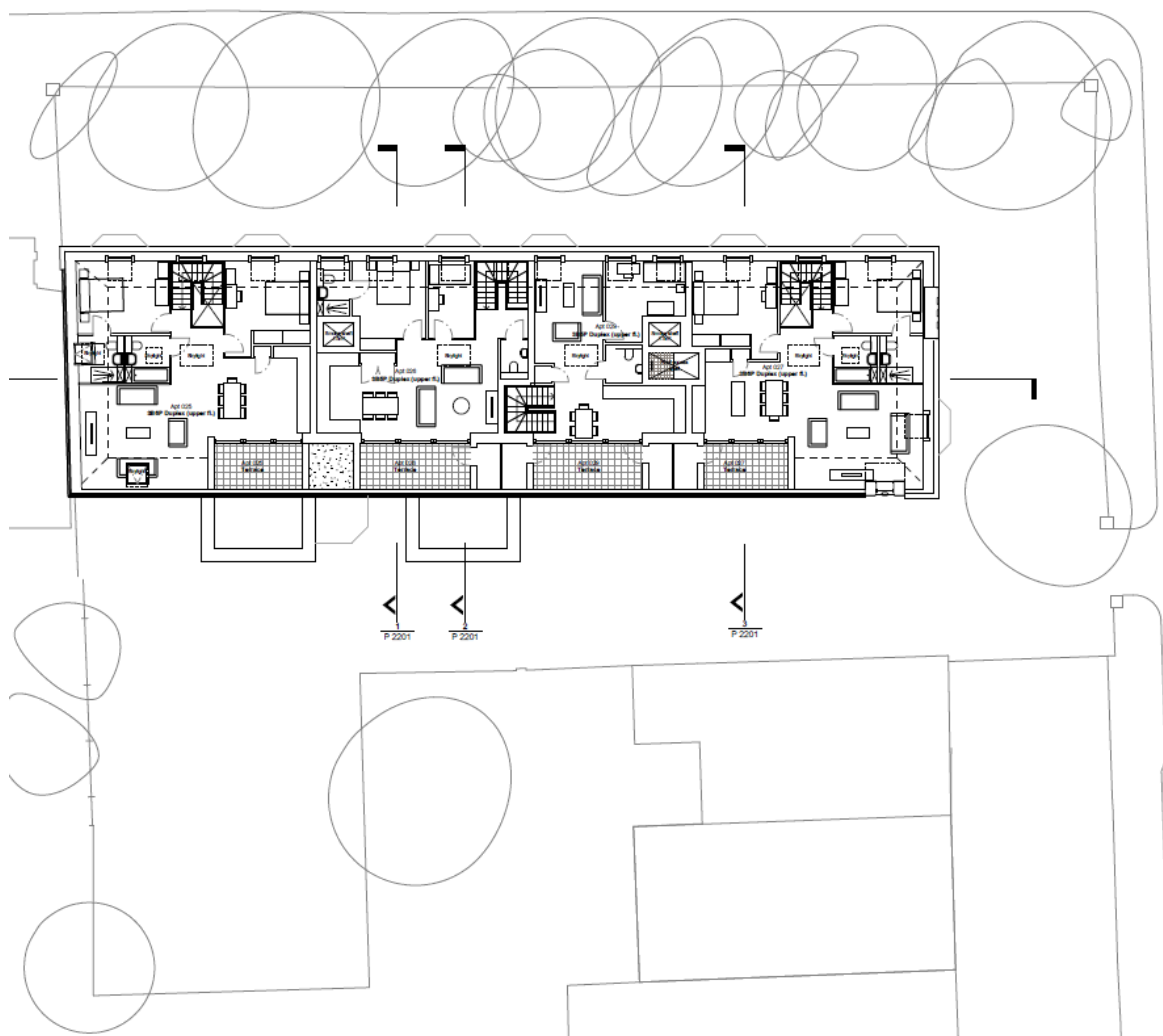
Existing Long Section**Proposed Long Section**

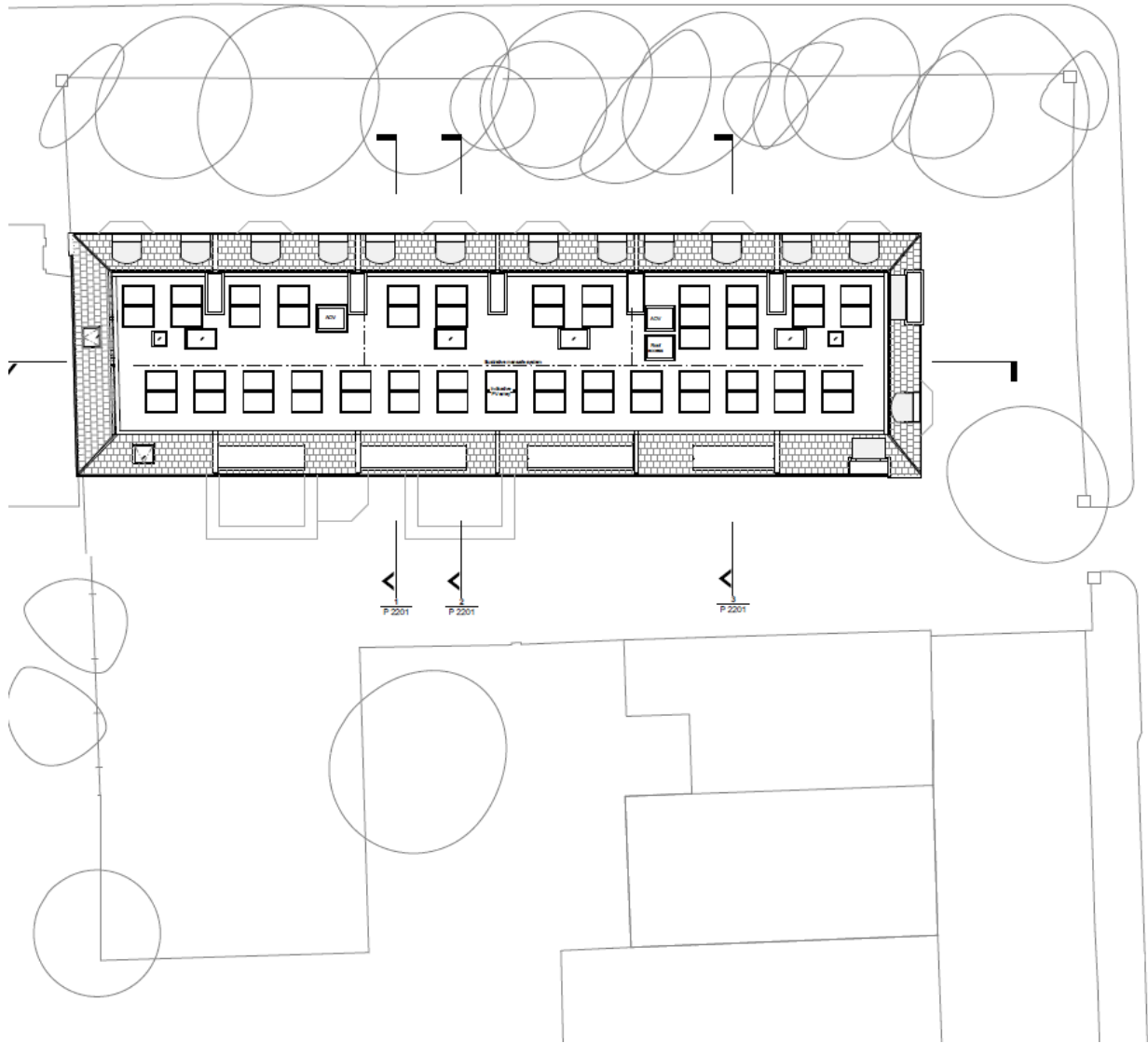
Proposed Site Plan



This architectural floor plan depicts a building with a complex layout of rooms and outdoor spaces. The plan includes several rooms labeled with their functions: 'Tank room', 'Landlord's office', 'Plant room', 'Cycling shed', 'Bicycle shed', 'Apartment 101', 'Apartment 102', 'Apartment 103', 'Apartment 104', and 'Apartment 105'. Each apartment unit is shown with its own set of rooms, including a kitchen, living area, and bedroom. The plan also features multiple terraces, such as 'Apartment 101 Terrace', 'Apartment 102 Terrace', 'Apartment 103 Terrace', 'Apartment 104 Terrace', and 'Apartment 105 Terrace'. A large 'Tank room' is located in the upper left section. The plan is overlaid with a red dashed line indicating 'Root Protection Areas shown dashed'. The plan is oriented with North at the top, as indicated by a north arrow in the upper right corner. The plan is labeled with 'P 2201' at the bottom left and 'P 2202' at the bottom right.

Proposed Fourth Floor Plan

Proposed Fifth Floor Plan

Proposed Roof Plan

DRAFT DECISION LETTER

Address: St Marks Court, Abercorn Place, London, NW8 9AN

Proposal: Erection of single storey roof extension, four storey rear extension and new basement level to provide 5 new residential dwellings (Class C3), additional bay windows to the façade, new entrance to Abbey Road, additional cycle parking and landscaping and associated works.

Reference: 21/06791/FULL

Plan Nos: P0200 P1, P0600 P1, P0601 P1, P0602 P1, P0603 P1, P0604 P1, P0605 P1, P0700 P1, P0701 P1, P0702 P1, P0800 P1, P1000 P1, P1001 P1, P1002 P1, P1003 P1, P1004 P1, P1005 P1, P1100 P1, P1101 P1, P1102 P1, P1200 P1, P0300 P2, P1999 P2, P2000 P2, P2001 P2, P2002 P2, P2003 P2, P2004 P2, P2005 P2, P2006 P2, P2100 P2, P2101 P2, P2102 P2, P2110 P2, P2111 P2, P2200 P2, P2201 P2, ST_MRKS_GA_001_L101, Accommodation Schedule, Appendix A - Checklists, Financial Viability Assessment Review (Turley), Existing Area, Design and Access Statement Part 1, Design and Access Statement Part 2, Cover Letter, Fire Statement, Infrastructure Statement, Noise Vibration Survey, Planning Statement, Primarily Ecological Appraisal, Statement of Community Involvement, Drainage Statement, Structural Methodology Statement, design and Access Statement Addendum, Internal Daylight and Sunlight Assessment, Daylight, Sunlight and Overshadowing, Daylight and Sunlight Assessment Impact on Neighbouring Properties Appendices, Arboricultural Impact Assessment Rev 1a, Energy Statement Part 1, Energy Statement Part 2, Heritage Statement, Transport Statement, Financial Viability Assessment and Appendices (DS2) and Refurbishment and Construction Methodology.

Case Officer: Harry Berks

Direct Tel. No. 07866037030

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

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

- between 08.00 and 18.00 Monday to Friday; and
- 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 neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St John's Wood Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26DE)

- 4 **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 neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 5 **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 Policy 33(E) of the City Plan 2019 - 2040 (April 2021). (R18AB)

- 6 You must apply to us for approval of materials and their specifications; of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. This must include on-site a trial panel of brickwork demonstrating your proposed brick type(s), bonding, pointing and any surface finishes. This must be made available to us for our inspection with good notice and be kept for reference on-site until practical completion. You must also apply to us for approval of a detailed written and photographic specification of the agreed brickwork trial panel along with any other new facing and hard surfacing materials you propose to use, supported by annotated versions of the approved elevations and roof plans to demonstrate the usage of each of the proposed materials. You must not start work on the relevant parts 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.

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 St John's Wood Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 7 You must apply to us for approval of further information about the following parts of the development;
 - (a). New windows and doors (detailed elevations and sections at 1:5);,
 - (b). External envelope of extensions (detailed elevations and sections at 1:20);,
 - (c). New external steps, ramps, balconies and railings / balustrades (detailed elevations and sections at 1:10);
 - (d). New gates and gate piers (detailed elevations, plans and sections at 1:20).

All drawings must show the relevant new components in context with their surrounding fabric such as reveals or adjoining retained construction. 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 approved 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 St John's Wood Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 8 You must paint all new outside rainwater and soil pipes black and keep them that colour. (C26EA)

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 St John's Wood Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 9 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building facing the street unless they are shown on drawings we have approved. (C26MA)

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 St John's Wood Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26DE)

- 10 You must not use the roof of the building for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21AA)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out Policies 7 and 38 of the City Plan 2019 - 2040 (April 2021). (R21AD)

- 11 You must apply to us for approval of details of how waste is to be stored on site and how materials for recycling and food waste will be stored separately. 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 provide the approved waste store prior to occupation of the development and thereafter permanently retain the stores according to these details. You must clearly mark the stores and make them available at all times to everyone using St Mark's Court.

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)

- 12 You must provide each cycle parking space shown on the approved drawings prior to occupation of the development. Thereafter the cycle spaces must be retained and the space used for no other purpose.

Reason:

To provide cycle parking spaces for people using the development in accordance with Policy 25 of the City Plan 2019 - 2040 (April 2021). (R22FB)

- 13 You must provide the disabled car parking space shown on the approved drawings prior to occupation of the development and thereafter permanently retain them. The car parking shall only be used for the parking of vehicles of disabled people living in this development.

Reason:

To provide parking spaces for people using the development as set out in Policy 27 of the City Plan 2019 - 2040 (April 2021). (R22AC)

- 14 You must apply to us for approval of details of any new foundations or surfacing or any other new structures which are located within the root protection area of any retained tree (as defined by paragraph 5.2.2 of British Standard BS5837: 2012) and within five metres beyond it. You must include existing and proposed Section drawings of these features and you must demonstrate that any new surfacing is 'no-dig'. You must not start work on these parts of the development until we have approved what you have sent us. You must then carry out the works in accordance with the approved details.

Reason:

To protect the trees and the character and appearance of this part of the St John's Wood Conservation Area. This is as set out in Policies 34, 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R31DD)

- 15 **Pre-Commencement Condition.** You must apply to us for approval of a method statement explaining the measures you will take to protect the trees on and close to the site. You must not start any external demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved in writing what you have sent us. You must then carry out the work according to the approved details. (C31CC)

Reason:

To protect the trees and the character and appearance of this part of the St John's Wood Conservation Area. This is as set out in Policies 34, 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R31DD)

- 16 You must carry out the tree planting as shown drawing ST_MRKS_GA_10_L500 dated 14th March 2022 within one planting season of completing the development (or within any other time limit we agree to in writing). If you remove any trees or find that they are dying, severely damaged or diseased within ten years; of planting them, you must replace

them with trees of a similar size and species.

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the St John's Wood Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in Policies 34, 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R30CE)

- 17 You must provide details and locations of the following bio-diversity features before you start to use any part of the development, as set out in your application:

2x bat boxes, 4x bird boxes, 1x log pile and 2x invertebrate boxes.

You must maintain and retain these features for the lifetime of the development.

Reason:

To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43FC)

- 18 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green roofs for the followings part of the development - ,

- Single storey extensions at basement level
- Roof of the single storey entrance to the rear
- The cycle and bin stores.

This should include construction method, layout, species and maintenance regime. You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan. (C43GA)

Reason:

To protect and increase the biodiversity of the environment, as set out in Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43CC)

- 19 (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 in writing 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 in writing 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 written approval by the City Council. Your submission of a noise report must include:; (a) A schedule of all plant and equipment that formed part of this application; (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment; (c) Manufacturer specifications of sound emissions in octave or third octave detail; (d) The location of most affected noise sensitive receptor location and the most affected window of it; (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location; (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures; (g) The lowest existing LA90, 15 mins measurement recorded under (f) above; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition; (i) The proposed maximum noise level to be emitted by the plant and equipment. (C46AC)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R46AC)

- 20 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 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property. (C48AB)

Reason:

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise environment in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the

draft Environmental Supplementary Planning Document (May 2021). (R48AB)

- 21 The design and structure of the building shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night. (C49AA)

Reason:

To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development, as set out Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021). (R49BB)

- 22 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) 19 of this permission. You must not start work on this part of the development until we have approved in writing what you have sent us. (C51AB)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and by contributing to reducing excessive ambient noise levels. (R51AC)

Informative(s):

- 1 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

- 2 With reference to condition 4 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 Inspectorate (cocp@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 Inspectorate team must be paid on submission of the details relating to the relevant phase. Appendix A must be signed and countersigned by the Environmental Inspectorate prior to the submission of the approval of details of the above condition.

- 3 Condition 5 refers to a publication 'Contaminated Land Guidance for Developers submitting planning applications' - produced by Westminster City Council in January 2018. You can get a copy of this document at www.westminster.gov.uk/contaminated-land. For further advice you can email Public Protection and Licensing at environmentalsciences2@westminster.gov.uk.
- 4 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: www.westminster.gov.uk/street-naming-numbering (I54AB)
- 5 The development will result in changes to road access points. Any new threshold levels in the building must be suitable for the levels of neighbouring roads. If you do not plan to make changes to the road and pavement you need to send us a drawing to show the threshold and

existing road levels at each access point.

If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and the development. You will have to pay all administration, design, supervision and other costs. We will carry out any work which affects the road. For more advice, please email AskHighways@westminster.gov.uk.

- 6 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, removal or alteration of on-street restrictions (including residents parking bays) and changes to on-street speed reduction humps. You will have to pay all administration, design, supervision and other costs of the work, including those relating to the relocation of the existing speed humps, if possible. We will carry out any work which affects the highway. For more advice, please phone 020 7641 3200. Also this approval is subject to site survey and findings.

Under Section 184 of the Highways Act 1980, the permission is likely to be required for the necessary footway crossover and it is likely to be refused in most cases, particularly where the provision of a footway crossover lead to the loss of an on-street parking space either for daytime or night-time use.

- 7 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

If you wish to discharge surface water to a public sewer you must obtain prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services.>

If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not

taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes> Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>,

The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our, assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes> Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk

- 8 The Metropolitan Police give the following advice: The communal doors should tested and certified to LPS1175 B3 with an audio visual access control system for each dwelling and that there are not any trades buttons on access door. Air lock lobbies should be created and internal doors should tested and certified to LPS1175 B3 with an audio visual access control system for each dwelling. An additional set of doors is needed between the lift lobby and the corridor from the Ground Floor level to Third Floor level. All accessible windows and doors must be tested and certified to PAS24:2016. This will include the windows and doors to the terraces on the basement level. All new front doors will be tested and certified to PAS24:2016 and have a suitable door viewer installed. It is recommended that the windows within the stairwell are not openable to avoid anyone being able to gain access to the balconies through these. Please note that this should be passed to the Fire Security Consultant to ensure it complies with fire safety regulations.
- 9 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 the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), 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.

Item No.
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Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.