

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 Bayswater	
Subject of Report	Porchester Centre, Porchester Road, London, W2 5HS		
Proposal	Installation of two Air Source Heat Pumps and associated plant, within new louvred areas at rear roof level. (Linked with 21/08518/COLBC)		
Agent	Mr Robert Greenwood		
On behalf of	Mrs Claire Barrett Westminster City Council		
Registered Number	21/08517/COFUL 21/08516/COLBC	Date completed	23 February 2022
Date Application Received	14 December 2021		
Historic Building Grade	II*		
Conservation Area	Queensway, the boundary of the Westbourne Conservation Area which runs along the rear of the site .		

1. RECOMMENDATION

1. Grant conditional permission under Regulation 3 of the Town and Country Planning General Regulations 1992
2. Grant conditional listed building consent
3. Agree reasons for granting conditional listed building consent as set out in Informative 1 attached to the draft decision notice

2. SUMMARY

The Porchester Centre is a Grade II* listed building within the Queensway Conservation Area. These Council Own applications relate to the installation of Air Source Heat Pumps (ASHP) on the three areas of flat roofs (No's 14 upper gym ,20 and 21) at the rear of the Centre , associated plant, internal and external works. The proposed ASHPs will supplement the existing gas fired boiler plant and will potentially generate 83% of the building's heat requirements .This will result in a carbon saving of 437,000kg of CO2per year and it is part of the Council's programme to retrofit existing sports centres.

Ten objections have been received from residents at the rear in Westbourne Gardens on grounds of increased noise from the proposed equipment, the cumulative effect of plant on the roof ,loss of light and enclosure and the proposal will be unsightly.

Whilst the proposals to optimise energy efficiency are most welcomed in terms of the Council's adopted policy 36(energy) in the City Plan and the Council's climate emergency, these public benefits need to be assessed in terms of the less than substantial harm to the special architectural and historic interest of this Grade II* listed building, the character and appearance of this part of the Queensway Conservation Area and the adjoining Westbourne Conservation Area. Given size and the proximity of the proposed plant which are enclosed in louvres, another key consideration is the impact on the amenities of neighbouring residents in Westbourne Gardens in terms of additional noise generated, the cumulative impact, loss of light and increased sense of enclosure.

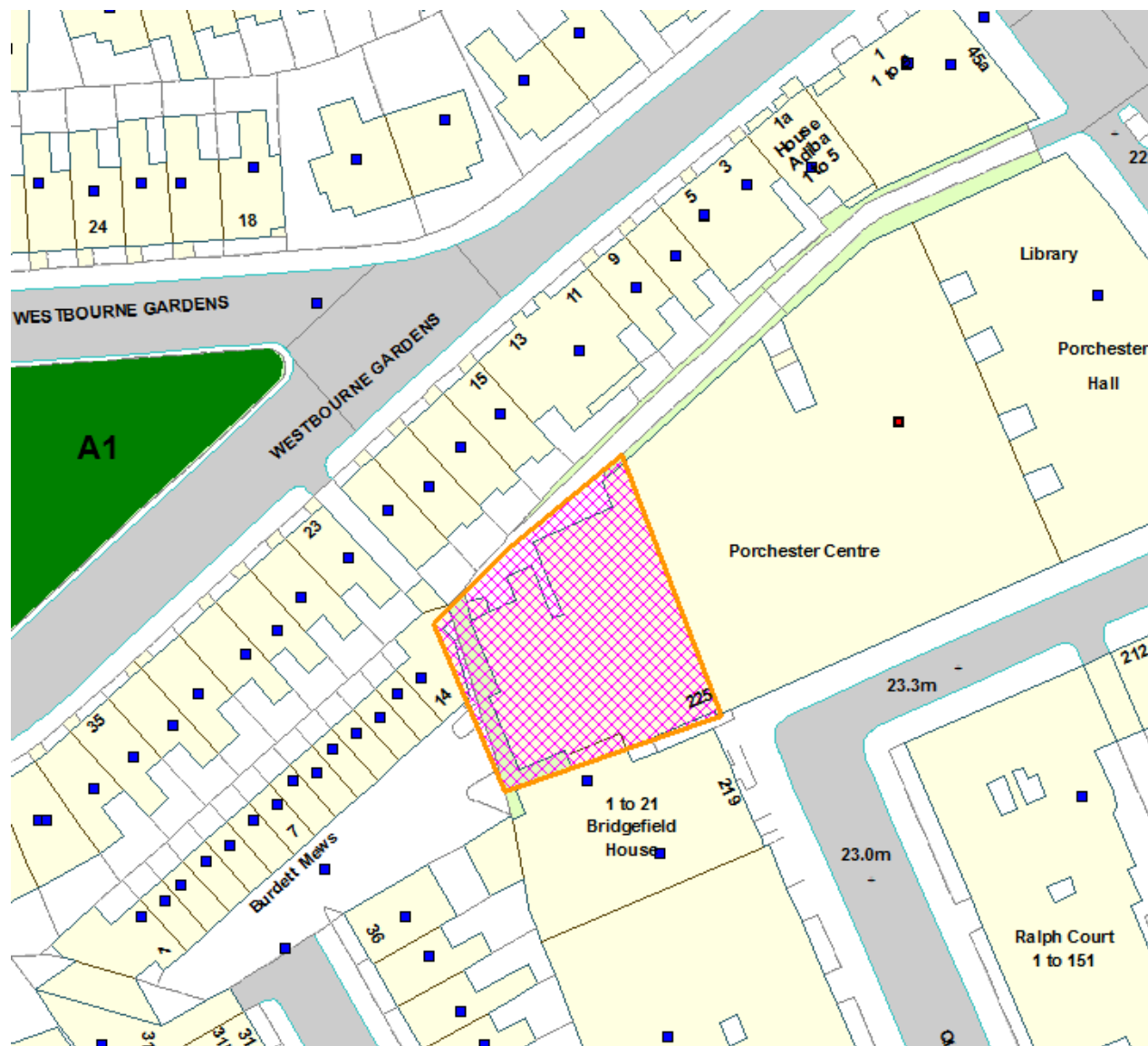
The applicant during the determination of these applications was requested to investigate whether alternative locations to position some of the proposed plant away from the boundary with the flats to the rear in Westbourne Gardens might be possible. However, the applicant has provided further information why this is not possible.

It is considered that the proposed ASHPs given their location in the north-western corner of the Centre will result in less than substantial harm to special architectural and historic interest of this Grade II * listed building. The plant will be located on existing flat roof areas of utilitarian appearance or on much later additions which used to house plant. Whilst they do add more clutter, they will not compromise the main areas of historic importance/significance of this Grade II* building. It is recognised that the proposed plant will cause some harm, but at the low end of the spectrum of less than substantial, and it is considered that this is outweighed by the energy and public benefits associated with the use of ASHPs. The proposal will preserve the character and appearance of this part of the Queensway Conservation Area and the adjoining Westbourne Conservation Area.

In terms of noise and disturbance, nearby residents are very concerned about the cumulative impacts given other plant on the roof of the centre. Some existing plant has already been removed to accommodate the proposed new ASHPs, whereas some plant is new. The Council's Environmental Health Officer raises no objections subject to conditions. The agent has confirmed the heat pumps nearest the rear of No's 15-21 Westbourne Gardens on Roof 14 will cease to operate between 23:00 – 07:00 and this will be controlled by condition. It is recognised that the proposed louvres to enclose the ASHP on roofs 14 and 20 will result in some degree of loss of sunlight and increased sense of enclosure but not to such a harmful level to justify refusal of planning permission. The proposed louvre to roof 21 is marginally lower than the existing structure.

The applications are being recommended for conditional approval.

3. LOCATION PLAN

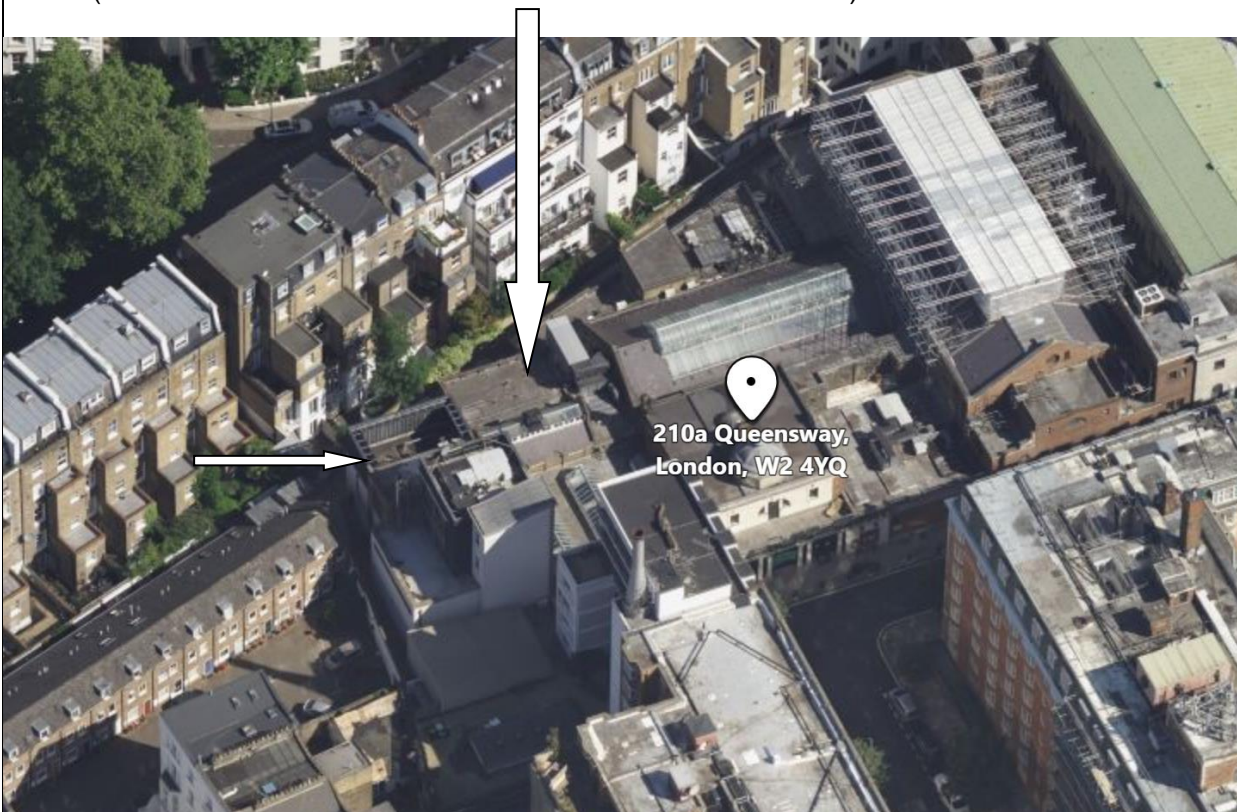


4. PHOTOGRAPHS

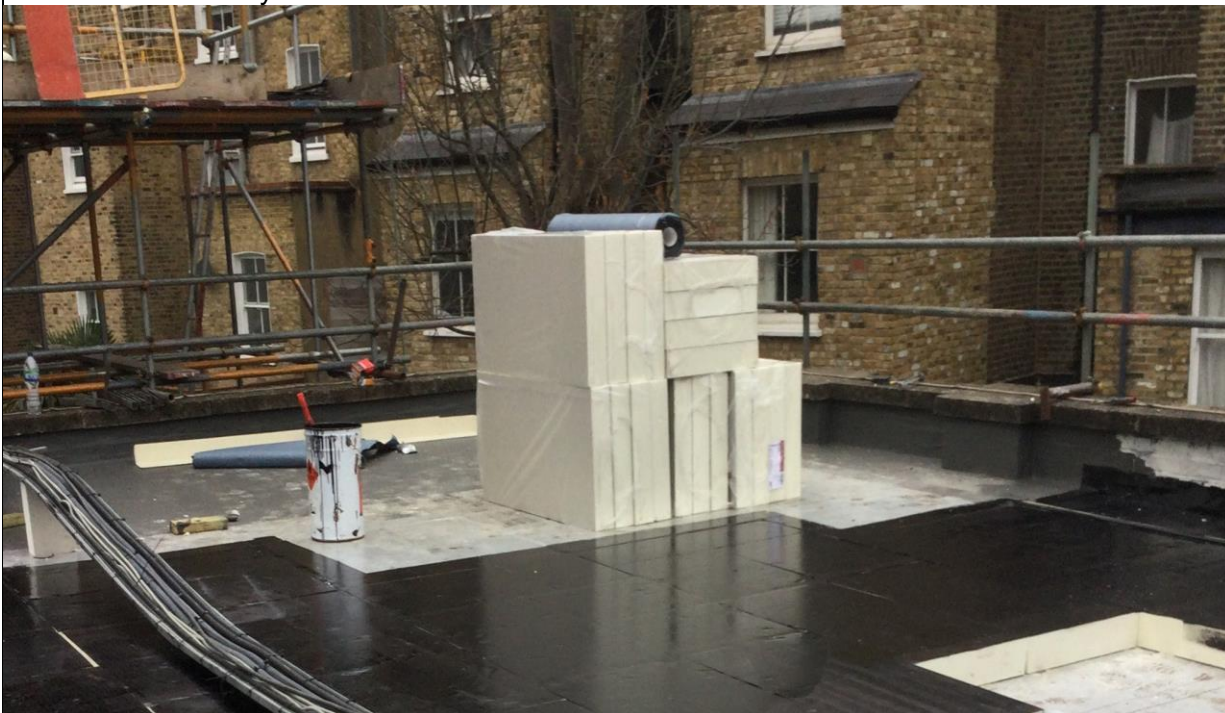
Front elevation looking up Queensway



Aerial view of the roof and the areas identified for ASHP's Roof 14 and Roof 21 highlighted by arrows(Roof 21 at a lower level and not visible on this aerial shot)



Existing flat roof area and properties at the rear in Westbourne Gardens – proposed ASHP on Roof 14 to be enclosed by a louvre screen.



Roof 14 looking west and existing louvre screen which encloses Roof 21 another location for the proposed ASHP. Existing louvre will be removed and replaced with a new slightly lower louvre.

Roof 21 is now largely empty as most of the existing plant has been removed and proposed location for ASHP and replacing existing louvre with a new lower louvre



Roof of next to the swimming pool plant (Roof 14) - existing swimming pool plant, proposed 200 Kw SHP's to be located on flat roof area and enclosed in louvres



Proposed location of compressor unit Roof No 20 – former shed structure has been recently removed – proposed compressor will be enclosed by a louvre.

5. CONSULTATIONS

Ward Councillors for Bayswater: To be reported verbally
 Historic England : Authorisation received
 South East Bayswater Residents Association : to be reported verbally
 Environmental Health : no objections subject to conditions

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 344
 Total No. of replies: 10
 No. of objections: 10
 No. in support: 0
 Objections received on the following grounds:

Design

The proposed louvres are unsightly .

Amenity

Residents already suffer from noise from plant and unable to enjoy their existing flats and gardens and this proposal will make matters worse .
 Plant will be operating 24 hours a day and will cause a noise nuisance . Residents already find it difficult to sleep due to existing plant .
 Noise assessment only tests No's 15-21 Westbourne Gardens and other flats including No 9 are being affected by noise from plant noise from the Centre.
 Flats at the rear will be adversely affected by the cumulative impact of adding more plant at roof level
 Loss of light to adjoining flats and gardens from the proposed equipment and associated louvres .
 Air particles from the plant will be blown towards residents .

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The Porchester Centre is a Grade II* listed building located at the northern end of Queensway. It was first listed in 1994 as Grade II and was upgraded to Grade II* in 2019 in recognition of the importance of the Turkish baths . The building comprises of two swimming pools, Turkish baths, assembly halls and a public library built between 1923 and 1929. These applications relate to the north -western end of the Centre, which includes a number of flat roofs and more recent additions to the centre granted approximately 20 years ago.

The building lies within the Queensway Conservation Area, and the rear is the boundary of the Westbourne Conservation Area.

On the roofs of the Porchester Centre there is a range of plant which serves the main

and small swimming pools, and at the western end there are later additions to the building which have louvred screened plant areas at upper levels . These applications relate to three flat roof areas known as Roof 14 , Roof 20, and Roof 21 on the submitted drawings.

There is service road and footpath which runs along the rear of the building accessed from Porchester Road. This narrows towards the western end of the Centre to a footpath. At the rear are the terraced properties in Westbourne Gardens which are mainly subdivided into flats and their back gardens abut the rear boundary of the Centre. The application site also abuts the boundary with Burdett Mews to the west and Bridgefield House a block of flats .

6.2 Recent Relevant History

There have been many decisions relating to alterations and extensions to the Porchester Centre.

Of relevance to plant are the following:

4 March 2022 - Planning permission and listed building consent granted for extensions to the existing service tower at the western end of the Centre to provide new changing facilities, gym, and dance studio. Alterations including the upgrading of existing mechanical plant and new plant. (Council's Own Development) 00/09333/COFUL and 00/09324/COLBC

30 January 2002 - Planning permission and listed building consent granted for the erection of single storey store building at rear and external alterations to brick up an existing window (Council's Own Development).03/06271/COFUL and 03/06257/COLBC

23 January 2006 - Planning permission and listed building consent granted for the retention of small swimming pool air handling unit and attenuation measures, retention of two chillers and acoustic screens to the rear of the service tower, and retention of kitchen extract fan on the roof of Porchester Hall. Erection of access ladders to rear elevation and minor elevational changes. (Council's Own Development) 05/00776/COFUL and 05/00777/COLBC

26 May 2006 - Permission and listed building consent granted for the Installation of external mechanical ventilation plant and ductwork to internal lightwells at the rear of Porchester Hall (Council's Own Development) 06/00932/COFUL and 06/00933/COLBC

6 June 2012 - Permission and listed building consent granted for the construction of a new build link block between Porchester Centre and Bridge Field House, alterations to create new health and fitness suite at mezzanine level of Bridge Field House and associated external alterations, including the relocation of two air conditioning units to the roof of the link block extension.12/03107/COFUL and 12/03108/COLBC

1 December 2012 - Permission and listed building consent granted for internal alterations and refurbishment of Porchester Centre at basement and first floor level including alteration to Spa access. Installation of mechanical plant at second floor roof

level and within internal lightwells. 16/09006/FULL and 16/09007/LBC)

There are also current planning application and listed building consent for the installation of roof mounted photovoltaic panels (162 panels) on the roof of Paddington Library (Ref 21/08701/COFUL and 21/085702/COLBC)

7. THE PROPOSAL

Permission and listed building consent are sought to erect two sets of Air Source Heat Pumps (ASHPs) at the Porchester Centre, associated compressors, minor external and internal works. This is one of the measures to retrofit existing sports centres in Westminster. It is envisaged that the proposed ASHP will potentially generate approximately 83% of the building's total annual heat requirement, representing a carbon saving of approximately 437,000 kg Co 2 per year.

Two sets of 200 kW ASHPs are proposed to be split across two rooftops each comprising of two collectors and one compressor. These installations will involve the installation of new platforms structurally designed to distribute the weight of these units safely onto the building. The third area is a compressor on another flat roof.

The first unit is located on roof 14 adjacent to the small swimming pool plant and comprises to two collectors and all plant will be screened by louvres.

The second area is roof 21 in the modern extension (which is now redundant of plant as it is used to house chillers) and this will accommodate another set of ASHPs, and it is proposed to replace the existing louvres with a new lower louvre.

A separate compressor will be located on a flat roof below known as Roof 20 and will also be enclosed by louvres .There was a timber structure/shed on this flat roof which was recently removed.

Other works include new pipework internally and externally .Refrigeration pipework from each unit will pass through the louvres and new pipework will drop into the existing combined heat and power room through new penetrations through the roof and interconnecting pipework between the new units and the existing system will follow the same route as the existing pipework .Following the site visit, further information was provided regarding the pipe routes .

Following the site visit and in the light of the objections received, the agents were requested to provide additional information on the proposed ASHP and associated equipment. The agent was also asked to look at alternative locations for the proposed ASHP on Roof 14 and whether it was possible to move the compressor from roof 21 into the upper level plant area. The applicant has provided reasons why this is not practicable, and this is covered in more detail in this report.

8. DETAILED CONSIDERATIONS

8.1 Land Use

These applications raise no land use issues

8.2 Townscape and Design

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

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

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

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

Whilst there is no statutory duty to take account of effect on the setting of a conservation area, Policy 39 of the City Plan seeks to ensure that features that contribute positively to the significance of conservation areas and their settings are conserved and opportunities taken to enhance setting wherever possible.

Furthermore Chapters 12 and 16 of the NPPF require great weight 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, considering the statutory duty to have special regard or pay special attention, as relevant. This should also consider the relative significance of the affected asset and the severity of the harm caused.

Detailed Assessment

The Porchester Centre is a Grade II* listed civic complex comprised of baths, swimming pools, assembly rooms and a public library of the 1920's .The architectural value of the Porchester Centre is principally derived from both grand elevations to Porchester Road and Queensway and the high quality of the interior public spaces and Turkish baths. The main historic aspects of the roofscape are the roof over the library and the two swimming pool roofs .

The proposed ASHPs are to be located at the north-western end of the Centre and therefore do not affect the principal elevations or the significant interior spaces, and not

visible from street views looking north along Queensway. These roof spaces are utilitarian in terms of their appearance and include the more modern additions to the Centre. Nevertheless, it is recognised that the size of these ASHPs are large and together with the proposed louvres the proposal will add more bulk and clutter to the rear of the building to roofs 14 and 20, especially when viewed from the residential terrace at the rear.

Regarding the proposed plant to the two remaining flat roof areas. The applicant has demonstrated that it is not practicable to relocate this proposed plant elsewhere at roof level, and the locations which have been chosen have less visual impact and make a lesser contribution to the heritage significance of this listed building.

The proposal does add further plant to Roofs 14 and 21 to this important listed building, however the proposal is to areas of flat roof at the rear of the building. These are utilitarian flat roofs adjacent to the rear service road and footpath. The proposed ASHPs and compressor will be enclosed by louvres to screen them. It is considered that the proposal will cause less than substantial harm and at the lower end of the spectrum and this therefore needs to be weighed against the public benefits. It is recognised that the proposal will deliver energy benefits, generating significantly less CO₂ emissions compared to the existing. The proposal is supported by the Council's adopted energy policy 36 in the City Plan. It is considered that the proposal will preserve the character and appearance of this part of the Queensway Conservation Area and the adjoining Westbourne Conservation Area.

In respect of roof 21 this was originally built as a plant enclosure as part of the modern extensions to the Centre and there are no design or historic building objections to this area being used to house ASHPs and the lower replacement louvre is an improvement on the current screen.

In respect of the associated pipework, this work will not affect the historic significance of the building. The proposed plant is sited on platforms to protect the structural integrity of the building.

As such, whilst being mindful of policies 38,39 and 40 of the City Plan, given the public benefits that would be delivered; namely the installation of more energy efficient air source heat pumps which will provide significant CO₂ savings; and that the proposed plant will be screened by louvre enclosures to reduce their visual impact, the proposal is considered acceptable in terms of its impact on the designated heritage asset(s). Therefore, the recommendation to grant conditional permission and listed building consent is 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

Sunlight and Daylight

The nearest affected windows and gardens in Westbourne Gardens at the rear face south and therefore an assessment needs to be made in respect of loss of sunlight.

Objections have been received that the proposal will further reduce light and affect outlook. Regard has been had to the BRE advice, and the agent has submitted a detailed Daylight and Sunlight Report. The agent was requested to submit further information regarding the proposed losses. A site visit was also undertaken to a flat at the rear .

It is recognised that the proposed louvre panels to screen the ASHPs to Roof 14 and 20 will result in further losses of sunlight given the distances that separate the Centre and these flats and gardens .The worse affected properties will be No's 17-21 Westbourne Gardens, in particular the rear gardens and those windows/doors at lower ground and ground and to a lesser extent those at first floor level It should be noted there was until recently a timber shed structure on Roof 20 and this was recently removed, but this proposal is for a taller louvre along the full elevations and to the side .

The reduced height of the louvre to Roof 21 will represent a marginal improvement, but overall it is recognised that cumulatively the proposed louvres to Roofs 14 and 20 will result in a further diminution of sunlight, in particular losses of early morning sunlight.

Following an on site assessment and assessment of the submitted Daylight and Sunlight Report, it is considered that while these further losses are regrettable, the proposal will not result in a material loss of sunlight to these gardens and windows on the lower and ground floors to justify refusal of planning permission .

It is not considered that the louvre enclosures will adversely affect the light and outlook to the houses in Burdett Mews .

The proposal therefore complies with policies 7 and 38(C) in the City Plan in terms of loss of sunlight.

Sense of Enclosure

The proposed louvres to Roofs 14 and 21 will result in an increase sense of enclosure to the flats and gardens at the rear and be clearly visible from upper floor windows and terraces . It would have been preferable for the units to be located a bit further away, but regrettably this is not possible. The louvres will result in the gardens being more enclosed due to their close proximity and height. Although it is indicated that the louvres be painted to match existing, it is considered that a lighter grey colour at these two levels would be preferable, and this is to be secured by condition.

There will be a slight improvement to some of the upper level windows by a slight reduction in height to the louvre that encloses the plant on roof 21.

8.4 Transportation/Parking

These applications raise no transportation issues .

8.5 Economic Considerations

It is recognised that the reduced energy savings the proposal will generate to the day to day operation of the Centre .

8.6 Access

Not applicable for a development of this nature.

8.7 Other City Plan Policy Considerations**Noise and Vibration**

This is one of the key considerations given the existing plant on the roof of the centre and the objections received. There is a significant amount of plant on the existing roof associated with the main and small swimming pools. Residents are naturally concerned about the cumulative impact of adding more plant on the roof of the Porchester Centre , and the proposed operation of the ASHPs generating more noise and disturbance .

The applicant has submitted a detailed acoustic report with the application , and it has tested the nearest residential properties .An objection has been received that the report did not test several flats further along in Westbourne Gardens, but the report did test the nearest affected windows .

The Environmental Health Officer has reviewed the applicant's acoustic report and raises no objections subject to conditions .

In addition , in the light of the concerns raised by the objectors the applicant has agreed that the ASHP on Roof 14 which is next to the flats in Westbourne Gardens will cease to operate between 23:00 – 07:00 and this will be controlled by condition.

Whilst residents' concerns about the possibility of additional noise is understood, it is considered that the proposed ASHPs will operate in accordance with the Council's standard noise conditions and comply with policies 7 and 33 in the City Plan.

The plant will sit on new platforms and is not considered to cause a vibration nuisance to nearby residents.

Sustainability

As already set out in this report, the proposed ASHPs fully accord with adopted policy 36 in the City Plan and are welcomed in terms of greater energy efficiency and significant reductions in CO2 emissions.

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

There is no Neighbourhood Plan for this part of the city .

8.10 London Plan

These applications raise 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 consistent with the NPPF 2019 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.

No pre-commencement conditions are necessary.

8.12 Planning Obligations

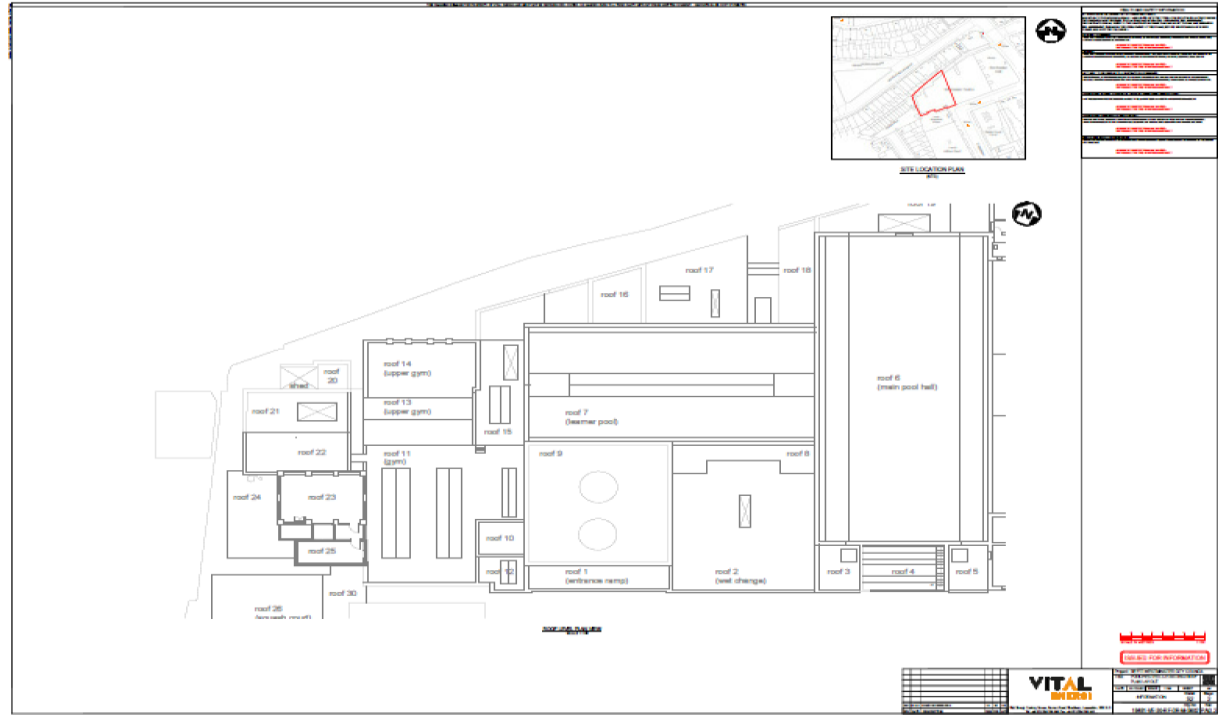
Planning obligations are not relevant in the determination of these applications.

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

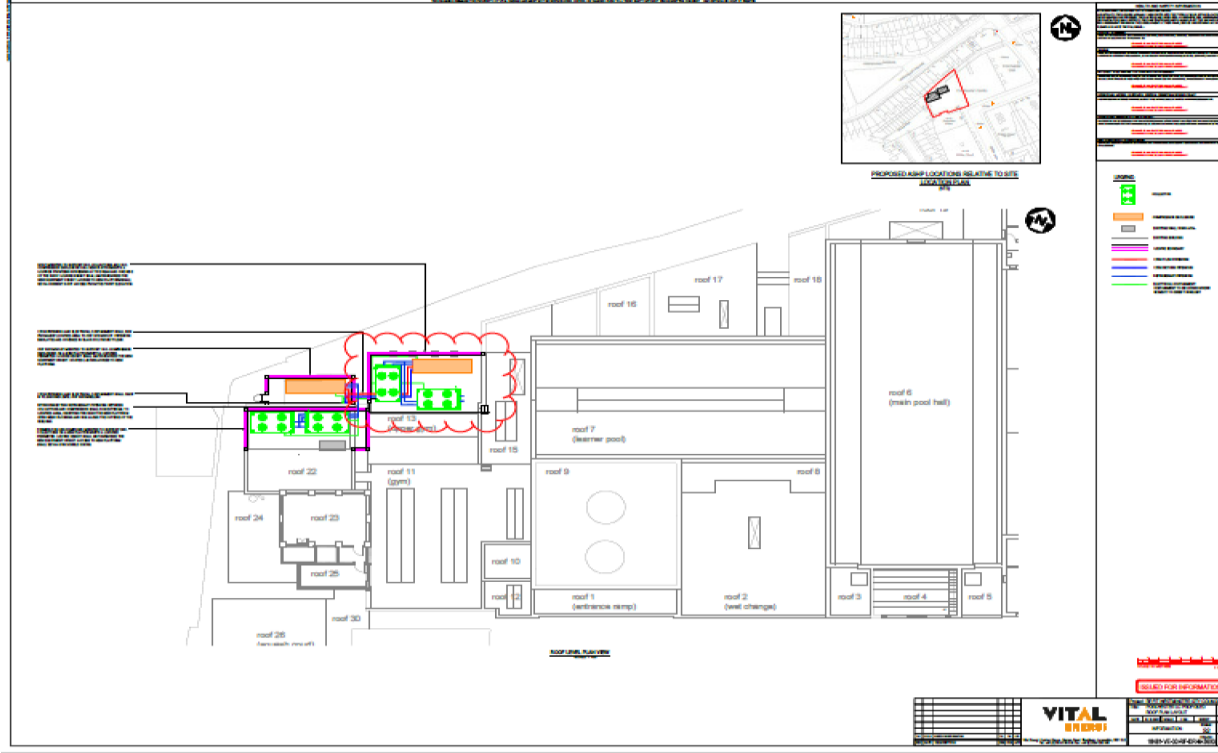
<p>IF YOU HAVE ANY QUERIES ABOUT THIS REPORT, PLEASE CONTACT THE PRESENTING OFFICER: NATHAN BARRETT BY EMAIL AT nbarrett@westminster.gov.uk</p>
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9. KEY DRAWINGS

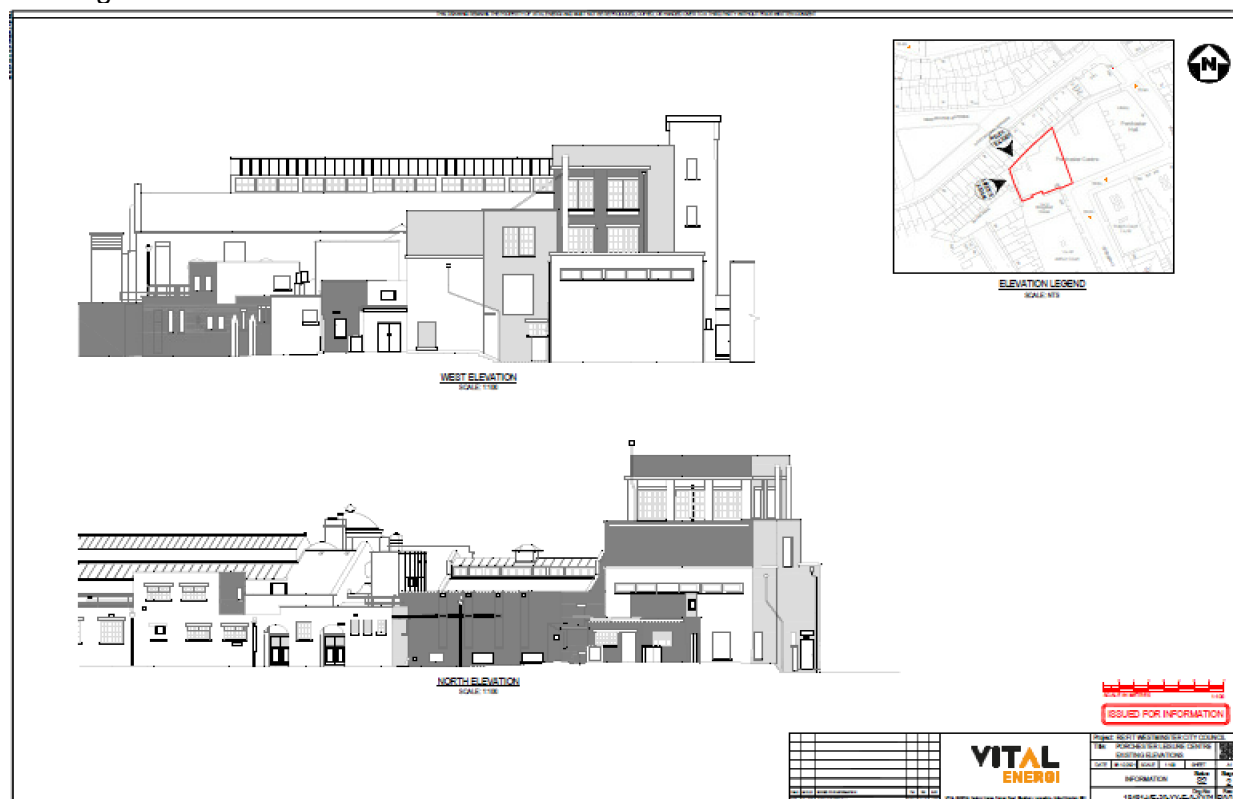
Existing drawings roof plan



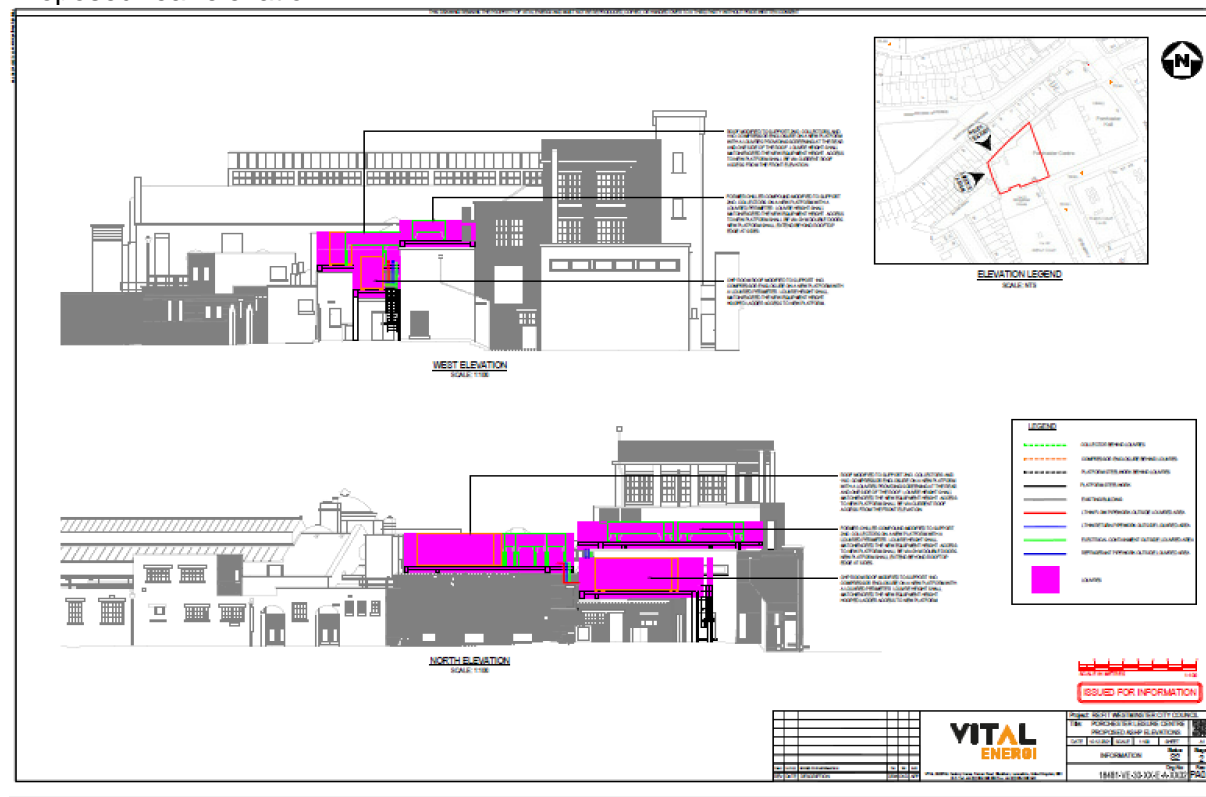
Proposed Roof Plan



Existing rear elevation



Proposed rear elevation



Specification of the ASHP's from submitted Design and Access Statement

7 SPECIFICATIONS

7.1 Air Source Heat Pump

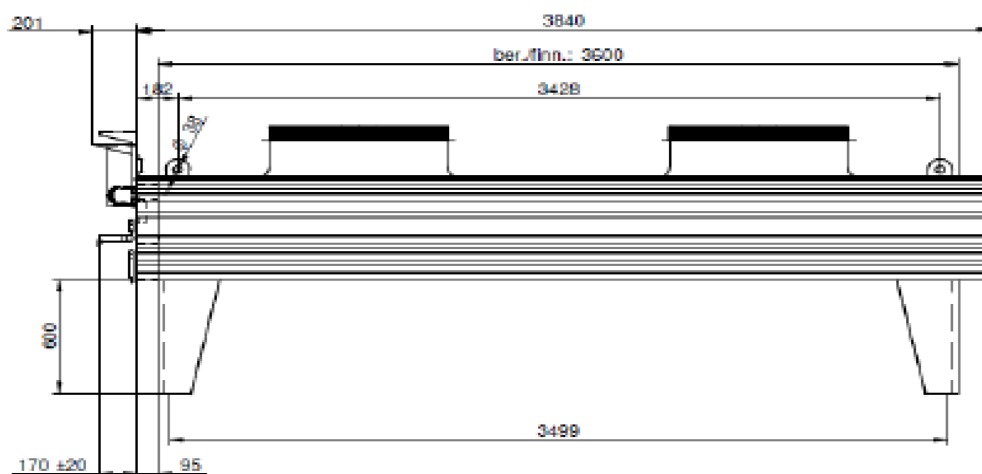


Figure 2 – Collector Side Elevation. (2no. required per 200kW heat pump)

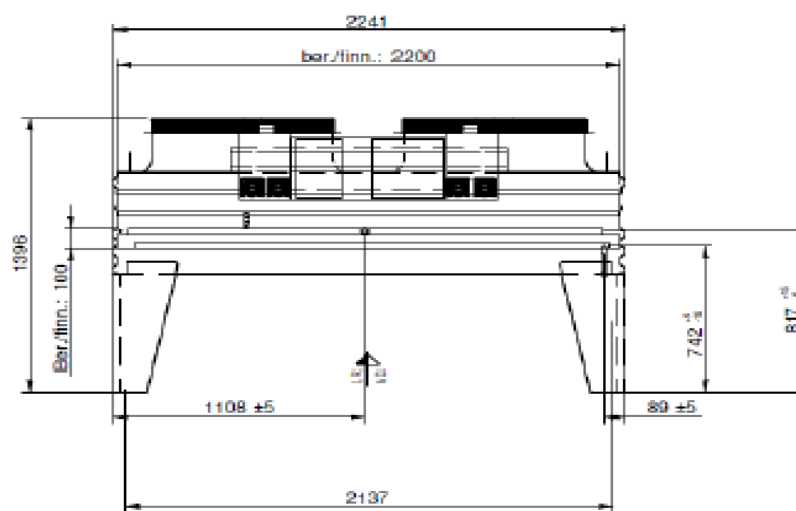


Figure 3 – Collector End Elevation. (2no. required per 200kW heat pump)

DRAFT DECISION LETTER

Address: Porchester Centre, Porchester Road, London, W2 5HS

Proposal: Installation of two Air Source Heat Pumps and associated plant, within new louvred areas at rear roof level. (Linked with 21/08518/LBC)

Reference: 21/08517/COFUL

Plan Nos: Supporting Information, Location Plan 18481-VE-30-XX-SI-M-5601 Rev PA02
Design and Access Statement , Heritage Assessment ,Acoustic Report ,
Porchester Sun Shading Analysis,
18481 -VE-30-XX-E-A-XX01 Rev PA0.A ,18481-VE-30-ZZ-DR-M-5604 Rev PA03,
18481-VE-30-RF-DR-M-5602 Rev PA02 ,18481-VE-30-XX-E-A-XX02 Rev PA0.3 ,
18481-VE-30-ZZ-DR-M-5605 Rev PA03, 18481-VE-30-RF-DR-M-5603 Rev PA06 ,
Cable Route drawing and photographs of proposed cable route 2022-02-03
Electrical Sketch, 50634-VE-30-22-DR-ME-5601-C1 GA , Electrical photographs,
21072-S-101Rev G, 21072-S-102 Rev E,21072-S-201 Rev E, 21072-S-202 Rev C,
21072-S-301Rev H, 21072-S-302 RevE.

Case Officer: Amanda Coulson

Direct Tel. No. 020 7641
07866037509

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 (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)

- 4 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 because 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)

5. The louvre screens must be installed prior to the ASHP's and associated plant being operational. The louvre screens must be maintained and retained so long as the ASHP and associated plant is in use and shall not be removed unless agreed in writing by the local planning authority .

Reason : To safeguard the special architectural historic interest of this listed building and this part of the Queensway Conservation Area and to safeguard the amenities of adjoining residents in accordance with policies 7, 33 ,38,39 and 40 of the City Plan 2019-2040(April 2021)

6. The ASHP on the roof 14 shall cease to operate between the hours of 23.00 and 07.00 hours .

Reason To safeguard the amenities to safeguard the amenities of adjoining residents in accordance with

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

Reason :

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Queensway Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

8 The louvres to the plant on roofs 14 and 20 shall be a light grey colour.

Reason

To improve the outlook for adjoining flats and gardens in Westbourne Gardens as set out in policies 7 and 33 of the City Plan 2019-2040 (April 2021)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in 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.

2. HIGHWAYS LICENSING:

Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please visit our website at www.westminster.gov.uk/guide-temporary-structures.

CONSIDERATE CONSTRUCTORS:

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

BUILDING REGULATIONS:

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

3. You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (including date decision and planning reference number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
4. Conditions 3,4 and 6 control noise from the approved machinery. It is very important that you meet the conditions, and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (182AA)

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.

Address: Porchester Centre, Porchester Road, London, W2 5HS

Proposal: Installation of two Air Source Heat Pumps and associated plant within new louvred areas at rear roof level. (Linked with 21/08517/COFUL)

Reference: 21/08518/COLBC

Plan Nos: Supporting Information, Location Plan 18481-VE-30-XX-SI-M-5601 Rev PA02 , Design and Access Statement , Heritage Assessment ,Acoustic Report , , Porchester Sun Shading Analysis, , 18481 -VE-30-XX-E-A-XX01 Rev PA0.A ,18481-VE-30-ZZ-DR-M-5604 Rev PA03, 18481-VE-30-RF-DR-M-5602 Rev PA02 ,18481-VE-30-XX-E-A-XX02 Rev PA0.3 , 18481-VE-30-ZZ-DR-M-5605 Rev PA03, 18481-VE-30-RF-DR-M-5603 Rev PA06 , Cable Route drawing and photographs of proposed cable route 2022-02-03 Electrical Sketch, 50634-VE-30-22-DR-ME-5601-C1 GA , Electrical photographs, 21072-S-101Rev G, 21072-S-102 Rev E,21072-S-201 Rev E, 21072-S-202 Rev C, 21072-S-301Rev H, 21072-S-302 RevE.

Case Officer: Amanda Coulson

Direct Tel. No. 020 7641
07866037509

Recommended Condition(s) and Reason(s)

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

Reason:

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

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

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Queensway Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040

(April 2021). (R27AC)

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT -
In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework, the London Plan (March 2021), the City Plan (April 2021), as well as relevant supplementary planning guidance, representations received and all other material considerations. The City Council has had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses and has decided that the proposed works would not harm this special architectural or historic interest; or where any harm has been identified it has been considered acceptable in accordance with the NPPF. In reaching this decision the following were of particular relevance:, Policies 38, 39 and 40 of the City Plan 2019 - 2040 adopted in April 2021 and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.
- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes any extra work which is necessary after further assessments of the building's condition, stripping out or structural investigations; and any work needed to meet the building regulations or other forms of statutory control., , Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents. It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.