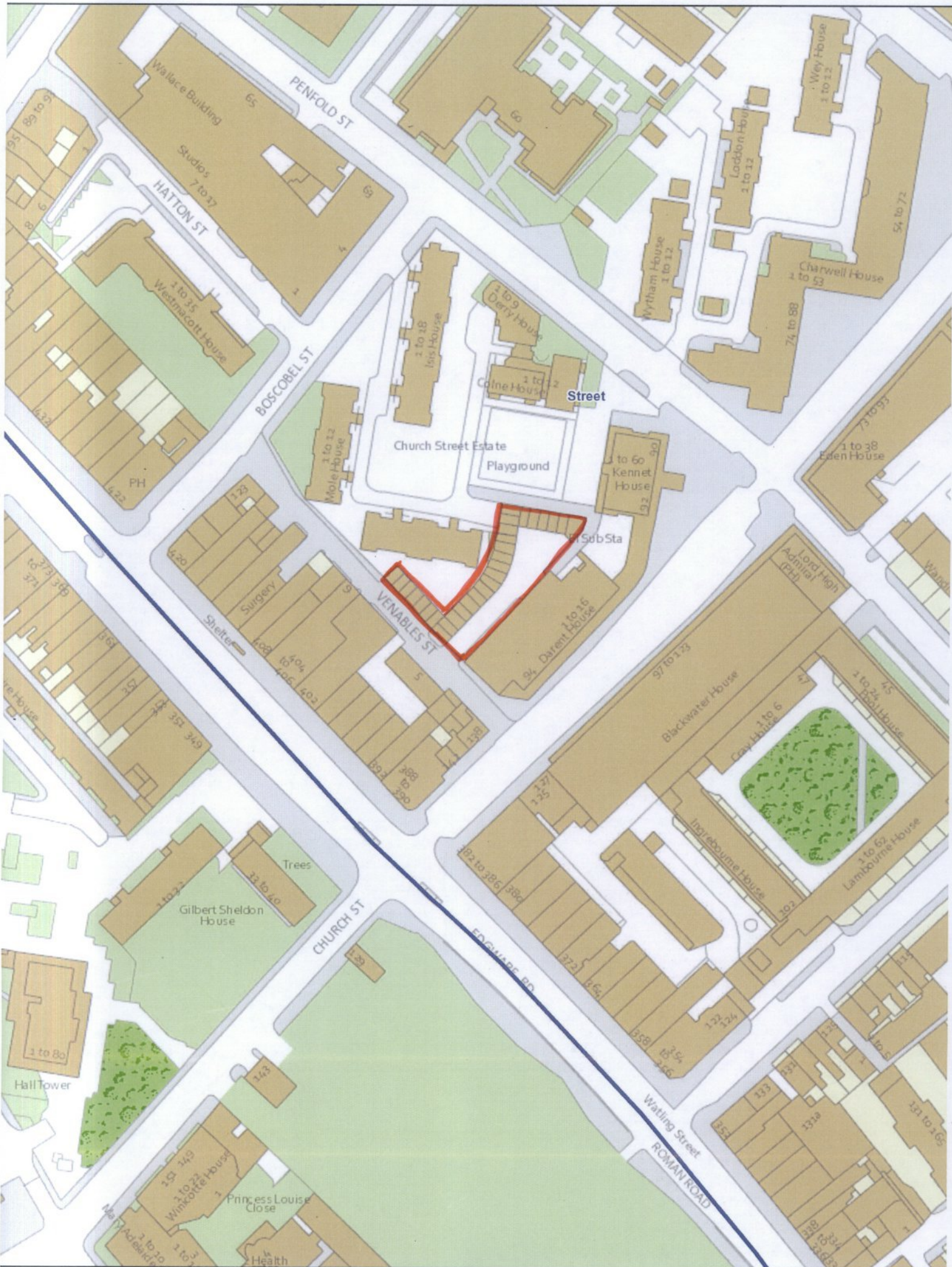
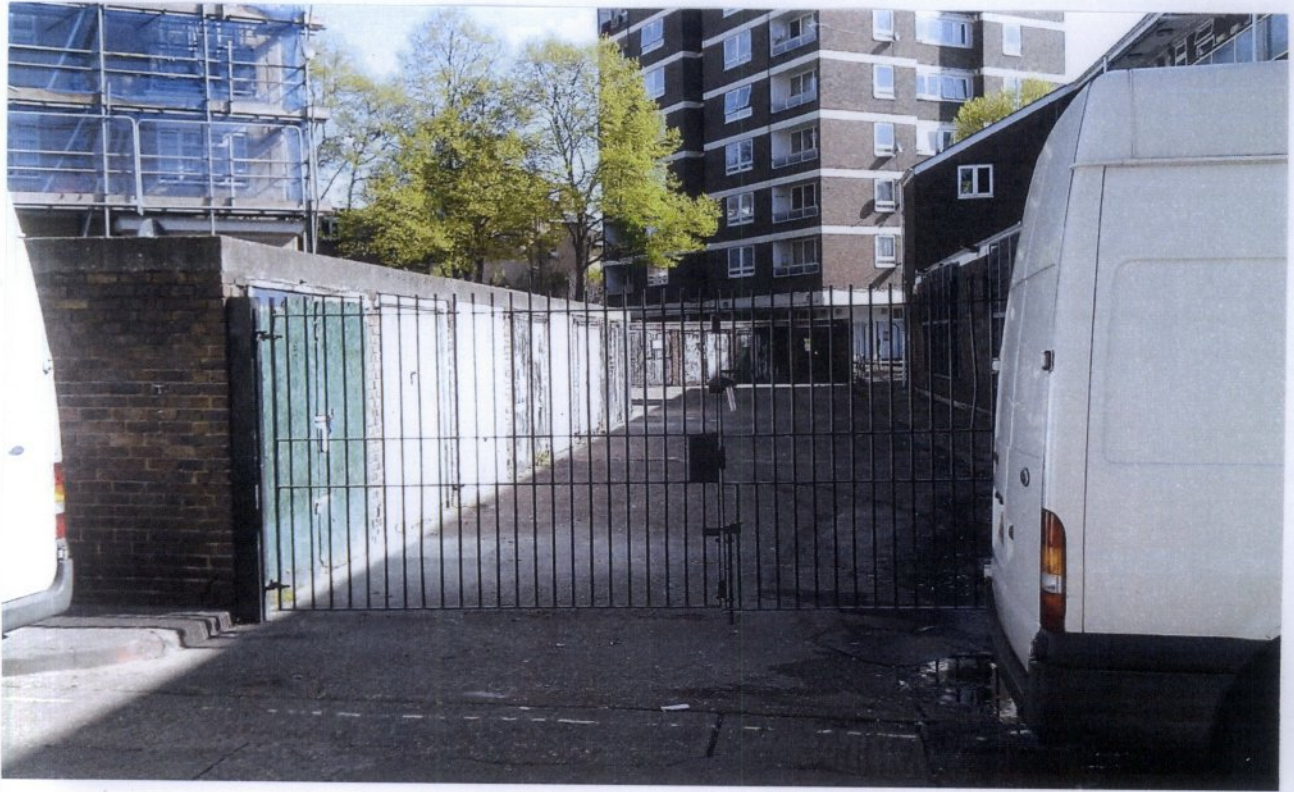


CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 29 September 2015	Classification For General Release	
Report of Director of Planning		Wards involved Church Street	
Subject of Report	Venables Street, London, NW8		
Proposal	Demolition of existing garages adjacent to Darent House and Windrush House in connection with the temporary use of the land as market storage for the Church Street market traders, the erection of storage containers and new gates, fencing and security lighting.(Council's Own Development)		
Agent	David Miller Architects		
On behalf of	Westminster City Council		
Registered Number	15/07114/COFUL	TP / PP No	TP/25783
Date of Application	06.07.2015	Date amended/ completed	05.08.2015
Category of Application	Minor		
Historic Building Grade	Unlisted		
Conservation Area	Outside Conservation Area		
Development Plan Context - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Outside London Plan Central Activities Zone Within North Westminster Economic Development Area (NWEDA)		
Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

Grant conditional permission under Regulation 3 of the Town and Country Planning General Regulations 1992.





VENABLES STREET, NW8

2. SUMMARY

This Council's Own Development application involves the demolition of the existing single storey garages in Venables Street and the replacement with 25 single storey metal shipping containers to provide storage for the market traders in Church Street. Alternative storage facilities need to be provided for the market, as the existing units in Samford Street will be lost as part of the forthcoming redevelopment of Luton Street, one of the key sites in Phase 1 of the Church Street regeneration programme. A temporary permission is being sought until a permanent location can be found which will form Phase 2 of the regeneration proposals.

The main considerations are:

- Whether the benefits of providing alternative storage for the market traders for a temporary period represents an exceptional circumstance to warrant the loss of off-street residential car parking spaces which Policy TRANS 23 normally seeks to protect.
- The impact of the proposed use, in particular the hours of opening early in the morning on the amenities of nearby residents, and how this impact can be adequately mitigated.
- The impact of these metal storage containers on the visual amenity of the area, and increased traffic and vehicular movement associated with the use.
- Policy TRANS 23 seeks to protect the existing garages, but it is considered that the need to provide storage for the market traders represents an exceptional circumstance to warrant a policy departure.

The submitted Operational Management Plan indicated hours of use from 04.00 to 00.00 (midnight). The applicant has agreed to revised hours of 06.00 to 22.00 Monday to Saturday only, albeit the seven storage containers fronting onto Venables Street will be open from 04.00 as a number of traders have to store perishable foods and need access to the units as these deliveries arrive early. This proposed early morning use has the potential to cause noise and disturbance to residents on the opposite side of the street and in Windrush House. It is therefore recommended to impose a condition to require the submission of a detailed Operational Management Plan which includes the implementation of a range of mitigation measures and emergency contact numbers for residents. It is recommended that this Plan to be reviewed after six months of use and this will allow a re-assessment of the hours of operation in the light of any comments received from residents. It is therefore recommended to grant a temporary five year permission.

3. CONSULTATIONS

WARD COUNCILLORS

To be reported verbally.

PADDINGTON WATERWAYS AND MAIDA VALE SOCIETY

To be reported verbally.

ST MARYLEBONE SOCIETY

Defer to the Church Street Group.

CHURCH STREET GROUP

To be reported verbally.

CRIME PREVENTION DESIGN ADVISOR

To be reported verbally.

HIGHWAYS PLANNING MANAGER

Refuse on transportation grounds. The proposal is in breach of Policy TRANS 23 which protects existing off-street residential parking spaces. No evidence submitted to justify their loss, although in poor condition has any attempt been made to repair the garages? Cannot support the proposal. Parking occupancy rates within 200 metres radius is 92.8% in the daytime and 91.8% at night time. The containers on Venables Street open out onto the highway but given existing garages open out raise no objection. Normally require the double gates onto Venables Street to be set back, but given the gates are already in this location again raise no objection. If minded to approve, agree with the suggestion that the double yellow lines are implemented outside the entrances to the containers to stop other drivers parking outside controlled hours and for this to be secured by an appropriate condition or legal agreement.

ENVIRONMENTAL HEALTH

To be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 225; Total No. of Replies: 1.

One objection (anonymous) received to date.

Amenity

- The proposed use will shatter the current peace and quiet and quality of life for local residents throughout the night and into the early hours of the morning.
- Increased noise and disturbance will affect residents' health.
- The Noise Assessment report states that Kennet House is 17m away from the nearest refrigeration unit, but the distance is only 7m away. Impossible for residents to have their windows closed at night especially in the summer months.
- No clear operational responsibility for residents if traders abuse the hours of use.

Other

- Proposal will attract and increase noise from seagulls perching on top of the container roofs attracted by the sight/smells of food and fish.

ADVERTISEMENT/SITE NOTICE: Yes

4. BACKGROUND INFORMATION**4.1 The Application Site**

This application for Council's Own Development relates to a garage block and yard accessed from Venables Street, There are 24 single storey garages which are in poor condition, and seven of these garages front directly onto Venables Street. The majority of the garages are empty, albeit a number are being used for storage purposes by a number of Church Street market traders.

The garages are located at the rear of Darent House, to the south of Windrush House and to the west of Kennet House and are overlooked by residential flats. At the end of the yard there is a substation and pedestrian access via a gate onto Church Street.

The application site is located outside a conservation area and within the North Westminster Economic Development Area (NWEDA).

4.2 Planning History

None relevant on the application site.

The existing market traders stores (28 units) are located in Samford Street to the east of the application site. These stores will form part of a much larger redevelopment site in Luton Street, which is a key site in the wider Church Street regeneration programme. The Church Street Futures Plan is a 15-20 year plan to regenerate the Church Street neighbourhood. A Draft Planning Brief for Luton Street was published in October 2011 for consultation purposes, but the Brief was not formally adopted by the City Council. It is anticipated that a planning application for the redevelopment of Luton Street will be submitted later this year.

Church Street market operates six days a week, Monday to Saturday and opens from 08.00 to 18.00. There are 220 trading pitches on Saturday and 154 trading pitches on weekdays.

5. THE PROPOSAL

This planning application is for the demolition of the existing single storey garages and for the temporary use of this land as market storage for the Church Street market traders for a temporary period and the installation of 25 retrofitted shipping containers. These containers are approximately 6m (20 foot) long and will be in blue, green, red and orange colours. The existing substation will remain.

The units which will be used to store fish, fruit and vegetables and other perishable foodstuffs will have suitable chiller provision, with ventilation louvres on the roof.

An Operational Statement has been submitted with the planning application which sets out the proposed hours of operation. The applicant is applying for use from 04.00 to midnight, and states that some traders will require earlier access at 04.00 in order to take delivery of fresh produce and these units will be located facing onto Venables Street. The rest of the market is set up between 06.00 to 08.00 hours and must be complete by 10.00. The stalls are removed from 16.00 to 20.00. The traders will need access to the stores through the day to replenish their stock.

The Operational Management Plan states that the Market Managers will oversee the operation of the market and they are on shift weekdays (either 07.00 -17.00 or 08.30 to 18.30) and Saturdays (06.00 to 16.00 and 11.00 to 21.00) and if only one officer it will be between 06.00 to 16.00 only. The Market Managers are located at City Hall and start and end their shift at City Council. If complaints or issues arise when the market is not in use, these will be reported to the Environmental Action Line.

No waste will be stored on the site.

6. DETAILED CONSIDERATIONS

6.1 Land Use

The lawful use of this land is residential garages, and Policy TRANS 23 in the UDP states that 'the permanent loss of off-street residential car parking spaces will not be permitted other than in exceptional circumstances'.

The existing garages are in a poor condition and have not been used for residential parking for some time. A number of the garages are being used for storage by the market traders, and it is understood that these traders have been given notice to quit.

In land use terms, the loss of 24 garages are regretted and normally resisted under Policy TRANS 23. The Highways Planning Manager objects to the loss of the existing off-street residential garages and does not consider that a convincing case has been made for their loss.

Whilst the loss of these car parking spaces is regretted, car ownership in the Church Street Ward is low, and these garages have not been used for parking in some time and are in a very poor condition. Although it is recognised that on street parking pressures are high, it is considered that the wider economic benefits of the proposal outweigh the loss of parking.

The future redevelopment of the Samford Street garages as part of the larger Luton Street redevelopment necessitates that alternative provision for the market traders is provided and this needs to be located close to the market. There are few suitable sites in the vicinity.

It is anticipated that permanent storage for the market will form part of Phase 2 of the Church Street redevelopment proposals, which is at least 5 years away.

Policy SS13 in the UDP relates to street markets and seeks to protect licensed street markets such as Church Street. Proposals for the relocation of existing markets will be considered with reference to amenity, parking, servicing, highways, cleaning, refuse storage, recycling and licensing considerations, and the effect on existing street markets and local shopping facilities.

The provision of adequate market storage is essential to allow the continued use of the Church Street market and as such the proposed use will accord with Policy SS13 in the UDP and comply with City Plan Policy S12 for the WEDA.

It is considered that the retail economic benefit to the local area will outweigh the loss of these existing garages and represents an exceptional circumstance to depart from Policy TRANS 23.

The impact of the use on the amenities of neighbouring residents is set out in Section 6.3 of this report.

6.2 Townscape and Design

Venables Street was created in the mid-20th century, sometime after the creation of the Church Street Estate adjacent to the east, and as a result both the estate and the buildings to the west which front onto Edgware Road largely turn their back onto this street creating a poor quality urban environment. The street is flanked to the west by high and largely blank boundary walls and with the east side containing the unattractive garages which are proposed to be replaced in this application.

The new containers are single storey and of utilitarian design and appearance, and though clearly not of a high and well-crafted design quality, in a setting such as this they will have a positive impact when considered as a replacement for the existing garage structures, and will add some life and vitality to a street of currently poor urban quality. The more sedate blue colour is proposed for the containers directly flanking Venables Street, with the brighter colours set further into the site. They will rise little higher than the existing fencing elsewhere along the east side of the street and are appropriately scaled for this small scale urban space.

Had this been a permanent use, a more bespoke design of structure would be appropriate, however, given the use is for a temporary period it is considered that the proposed storage container structures will add some life and colour to the street in replacement for the existing unattractive garages. The proposal is considered acceptable in townscape terms.

There are no objections in townscape terms to the new fences and security lights. The existing gates will be retained. A new tarmac surface will be laid to the existing road.

6.3 Residential Amenity

Daylight/Sunlight /Enclosure

It is not considered that the replacement of single storage garages with single storey storage containers (approximately 2.9m high) will result in any material loss of daylight or sunlight or enclosure to adjoining residents in Darent House, Windrush House or the flats on the other side of Venables Street. The main impact on residential amenity is the proposed hours of use of the facility and the activity associated with the use.

Noise from Operations

The current market storage in Samford Street is accessible 24 hours, but this has been historic use and not subject to any planning controls regarding its hours of use. It is proposed that the replacement stores will be open from 04.00 to 00.00 (midnight).

The applicant's acoustic report recommends the following mitigation measures be in place to minimise the impact on neighbouring residents:

- A clear management plan to include guidance on the control of noise. This should include but not limited to switching off engines when stationary, no slamming of doors, loading and unloading with goods trolleys with rubber wheels, no reversing alarms and time restrictions on unit use.
- Appropriate signage reminding unit users to be considerate to neighbours.
- Entry doors to the containers to be fitted with rubber seals and snubbers to minimise the effects of noise of the container doors being opened and closed.
- In order to minimise the effects of the metal containers resonating and causing noise disturbance, it is recommended that the containers are boarded out with a single layer of 15mm ply board on minimum 10mm rubber blocks, to isolate the board from the metal containers.
- The nearest residential occupiers to be informed of the proposed plans and given a contact number for complaints.

One objection has been received to date on the grounds that the proposal will generate unacceptable noise and disturbance which will affect residents' health.

The operational noise from the day to day use of the containers has the potential to cause adverse impacts on nearby residents especially in the early hours of the morning and late at night when residents can expect peace and quiet.

It is considered that access to all the units from 04.00 until midnight is likely to cause noise and disturbance in the early hours of the morning and late at night to neighbouring residents. Therefore, it is considered that units inside the yard shall only be accessed from 06.00 to 22.00 hours and limited to six days a week (Monday to Saturday) and no access on Sundays. Whilst it is accepted that 06.00 is still early, this has to be balanced against the need to allow this popular street market to operate whilst at the same time balancing the needs of residents.

The applicant has stressed that a number of traders will require access in the early hours of the morning in order to take deliveries of fresh produce from 04.00 to 06.00 and is suggesting that these traders be offered the container units which directly front onto Venables Street and therefore will not need to enter inside the yard.

Such use in the early hours of the morning is highly contentious, and in order to mitigate any adverse impact on residential amenity, there needs to be a very robust management plan.

It is recommended that this Plan will need to ensure that engines are switched off when stationary, no slamming of doors, unloading and loading using goods trolleys with rubber wheels, no reversing alarms, appropriate signage and a procedure for residents to register any complaints. The management plan also needs to address that no rubbish is left within the yard or the street, and for the traders to strictly adhere to the Plan in their street trading licence. Traders need to be reminded that failure to adhere to the licence and breaches of the access outside the consented times may result in the revocation of their licence.

It is also regrettable that the Market Managers will not be present early in the morning or late at night to oversee the operation of the stores. Therefore, an agreed procedure for the handling of any complaints, actions taken and any further mitigation required needs to be embedded in the revised Operational Management Plan.

The applicant has been requested to submit a revised Plan which will be reported verbally to Committee. However, in the interim, it is recommended that this revised Plan be secured by condition. The draft condition will also require for this Plan to be reviewed after six months of operation in the light of experience and complaints from residents. This review will allow the opportunity for the hours of opening to be reviewed by officers and the Committee, and the flexibility to amend the hours of use if required.

6.4 Transport/Parking

As stated in Section 6.1 of this report, the Highways Planning Manager objects to the loss of off street residential parking and recommends that the application be refused. However, it is considered that there are exceptional circumstances to allow a policy departure.

The layout of the storage containers within the yard will allow sufficient space for two vehicles to pass safely and there is a turning head at the end of the yard. It is recognised that the proposed use will generate additional vehicular movements compared to the existing residential garage use, but this is not considered to result in such increased levels of traffic or parking pressures to warrant refusal of permission.

The majority of the container units can be serviced off street, with the exception of those units which face onto Venables Street. These container units have doors which open onto the crossover and will be serviced from the street which is normally undesirable in highway safety terms. The Highways Planning Manager advises that this is normally discouraged, but given the existing garage doors currently open up over the highway, no objection is raised.

The Highways Planning Manager would also prefer the double gates in Venables Street to be set back to allow a vehicle to wait, but as there are already gates in this location, again no objection is raised.

The Highways Planning Manager advises that if minded to approve this application, the proposal to paint double yellow lines outside the entrances to the Venables Street containers be carried out to prevent other drivers parking outside controlled hours and for this to be secured by condition or a legal agreement. It is considered that a condition can secure this.

6.5 Equalities and Diversities

There is level access to the storage containers.

6.6 Economic Considerations

The proposal will continue to provide storage for market traders to the Church Street market and this is welcomed from an economic development point of view, but this benefit has to be weighed against the impact on the amenities of neighbours.

6.7 Other UDP/Westminster Policy considerations

Noise from Plant

It is proposed that the chiller units that are currently located within the Samford Street garages would be relocated to Venables Street and installed in the containers which will be used to store perishable foods such as fish, fruit and vegetables. There is an alternative option for new chiller units to be installed. An objection has been received from a local resident that the plant will cause a noise nuisance to nearby residents and the acoustic report wrongly refers to Kennet House being 17m away.

The applicant's acoustic report concludes that the sound from the relocated chillers is unlikely to cause an adverse impact on the nearest residents at Windrush House and Venables Street, and it is recommended to impose the standard noise conditions to safeguard the amenities of nearby residents. The units which will have chillers are those used to store perishable food which front directly onto Venables Street, a good distance away from Kennet House.

If the existing units are to be replaced with new units, a further acoustic assessment will be necessary.

The formal views of Environmental Health are awaited and will be reported verbally to Committee.

Refuse and Recycling

A separate planning application has been made for the relocation of the market's compactor to Blackwater House and this application will be dealt with separately. The draft Operational Management Plan states that traders will be responsible for the management of their waste and this will be part of the conditions of their street trading licence.

Contamination

It is likely that the existing garages may contain asbestos and the applicant is being advised by way of an Informative regarding the demolition of the existing garages and the safe disposal of asbestos to ensure no adverse impact on human health.

Designing out Crime

The gates will be locked and the traders have access to their individual units. New security lighting is proposed and there is an existing security camera which covers the land. The applicant has included an email from the Designing Out Crime Officer dated 8.6.2015 which is recommending that all container padlocks should be Sold Secure approved with the ownership of keys and units to be carefully managed. General access through both gates is to be electronically controlled to facilitate access during the approved hours of operation. Lighting is to be provided throughout, use of lightweight/anti-climb trellis and to make it visible to those outside that the site is carefully managed and operated.

The formal views of the Crime Prevention Design Officer will be reported verbally to Committee. It is recommended to condition the design of the new security lights and lux levels in order to safeguard the amenities of nearby flats.

In order to ensure that the yard is kept secure the existing pedestrian gate onto Church Street must be fitted with security controls.

6.8 London Plan

This application raises no strategic issues.

6.9 Central Government Guidance

Regard has been had to the advice in the National Planning Policy Framework (NPPF).

6.10 Planning Obligations

It is not considered that a development of this scale will require a legal agreement.

6.11 Environmental Assessment including Biodiversity and Sustainability Issues.

There is a mature Lime tree to the north east of the application site, and this will not be affected by the proposal.

The applicant is to erect timber posts, fencing with a cable trellis to the rear façade to the containers, and to plant climbers which will help to screen the view of the metal storage units from Windrush House. This landscaping and maintenance will be secured by condition.

6.12 Other Matters

Time period for permission

The applicant is applying for a flexible time period of more than five years, until an alternative facility is provided as part of the Church Street Phase 2 development.

Given no formal applications have been granted for Phase 2 schemes, it would not be reasonable to have such an open ended planning permission. There are no objections to a temporary five year permission subject to the market operating in accordance with an agreed Operational Management Plan.

Statement of Community Involvement

The applicant states that a number of consultation events have been held in respect of this proposal. The first was held on 21.11.2014, and this scheme included enterprise units on top of the market storage. The responses were broadly positive and two residents were completely opposed to the proposal.

A second event was held on 3.2.2015, and this was based on updated plans which no longer included the enterprise units. Residents voiced strong concerns about the increased traffic implications of creating an exit for traders from Venables Street into Penfold Street, and residents in Kennet House opposed opening up a route through the adjacent blocks.

A third consultation was held on 11.6.2015 and welcomed the removal of the access route to Penfold Street. The key areas of feedback related to traffic management, security and reducing the risks of anti-social behaviour, rodent/rubbish and noise from traders. There has also been consultation with the market traders.

Substation

UK Power Networks will have access to the substation on site 24 hours a day in case of emergency.

Vermin

There is a risk of vermin associated with food storage, but the containers are secure metal structures. No waste compactor will be located in this area.

6.13 Conclusion

Subject to the submission of a revised Operational Management Plan and a review of the Plan after six months of operation, it is recommended to grant permission for the proposed use and associated storage containers for a limited five year period.

BACKGROUND PAPERS

1. Application form.
2. Response from St Marylebone Society dated 29.8.2015.
3. Memorandum from Arboricultural Manager dated 28.8.2015.
4. Memorandum from Highways Planning Manager dated 15.9.2015.
5. Anonymous letter from a local resident dated 7.9.2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT AMANDA COULSON ON 020 7641 2875 OR BY E-MAIL – acoulson@westminster.gov.uk

DRAFT DECISION LETTER

Address: Venables Street, London, NW8

Proposal: Demolition of existing garages adjacent to Darent House and Windrush House in connection with the temporary use of the land as market storage for the Church Street market traders , the erection of storage containers and new gates, fencing and security lighting.(Council's Own Development)

Plan Nos: Church Street Market Storage document Revision R1 ; Community Consultation Statement , Noise Assessment Report July 2015 , Venables Street and Penfold Street Parking and Traffic Review December 2014, Tree Schedule , Email from Designing Out Crime Officer dated 8.6.2015 .
VEN DMA ALL GF DR A3 01002 Rev A, VEN DMA ALL ZZ DR A3 01001 Rev A,
VEN DMA ALL RF DR A3 02102 Rev A, VEN DMA ALL ZZ DR A3 03101 Rev A,
VEN DMA ALL ZZ DR A3 04101 Rev A; VEN DMA ALL ZZ DR A3 04102 Rev A.
70009501-01-TK-01 Rev A and 02 Rev A

Case Officer: Amanda Coulson

Direct Tel. No. 020 7641 2875

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 Prior to the occupation of the containers, they shall be painted to all sides and roof and in the colours shown on the application drawings, and maintained as such thereafter

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 3 You must apply to us for approval of details including lux levels of the following parts of the development - security lights. 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 the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 4 You must 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.

Noisy work must not take place outside these hours. (C11AA)

Reason:

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 5 The market traders storage use hereby approved shall only take place within the following times:

06.00 to 22.00 hours Monday to Saturdays , and no use on Sundays

with the exception of the 9 containers fronting on Venables Street which can be accessed from 04.00 to 22.00 Monday to Saturdays, and no use on Sundays.

The use shall not commence until an Operational Management Plan has been submitted to and approved by the City Council as local planning authority. The use shall take place in accordance with the approved Operational Management Plan .The Operational Management Plan shall be reviewed by the local planning authority within 6 months of the date of the use commencing.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6, ENV 7 and S13 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 6 Before the use commences, all the storage containers shall be boarded out with a single layer of 15 mm ply board on a minimum 10 mm rubber blocks, in order to isolate the board from the metal containers .The boards shall not be removed unless agreed by the City Council as local planning authority.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13FB)

- 7 If it is agreed to install new chillers rather than relocate the existing chillers from Samford Street, 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 8 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out

in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels.

8 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing 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.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 9 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 10 The planting to the rear of the containers as set out in the Design and Access Statement shall be implemented before the use commences and this planting to be maintained for the lifetime of the development.

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of the area, and to improve its contribution to biodiversity and the local environment. This is as set out in S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R30BC)

- 11 You must use the parking, access, loading, unloading and manoeuvring areas shown on the approved plans only for those purposes. (C23AA)

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 12 The storage use for market traders allowed by this permission can continue until 30 September 2020. After that, the use must end and you must remove the containers.

Reason:

The proposed use is temporary until alternative permanent provision for the market traders is provided as part of the Church Street Phase 2 redevelopment, and so we can assess the effect of the use and make sure it meets policies S12, S29, S31 of the City Plan and policies S13, ENV6, ENV13, TRANS 2, and TRANS 3 of our Unitary Development Plan that we adopted in January 2007.

- 13 You must use the land and containers only for storage by the Church Street market traders. You must not use it for any other purpose, including any within Class B8 of the Town and Country Planning (Use Classes) Order 1987 as amended April 2005 (or any equivalent class in any order that may replace it). (C05AB)

Reason:

We cannot grant planning permission for unrestricted use within Class B8 because it would not meet S13, ENV6, ENV13 of our Unitary Development Plan that we adopted in January 2007, and because of the special circumstances of this case. (R05BB)

- 14 Before the containers fronting Venables Street are used, double yellow lines must be painted in order to prevent other drivers parking outside these units outside controlled hours.

Reason:



To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

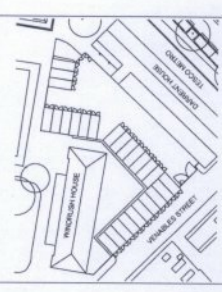
Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 With regards to condition 3 of this approval, you are advised that the preference would be for new railings to match those existing to the immediate north side of the existing garages which flank the western side elevations of Windrush House and Mole House.
- 3 You may need to get separate permission under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 if you want to put up an advertisement at the property. (I03AA)
- 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. If you would like more information, you can contact Ray Gangadeen on 020 7641 7064. (I54AA)
- 5 Conditions control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 6 Asbestos is the largest single cause of work-related death. People most at risk are those working in the construction industry who may inadvertently disturb asbestos containing materials (ACM's). Where building work is planned it is essential that building owners or occupiers, who have relevant information about the location of ACM's, supply this information to the main contractor (or the co-ordinator if a CDM project) prior to work commencing. For more information, visit the Health and Safety Executive website at [.hse.gov.uk/asbestos/regulations.htm](http://www.hse.gov.uk/asbestos/regulations.htm) (I80AB)

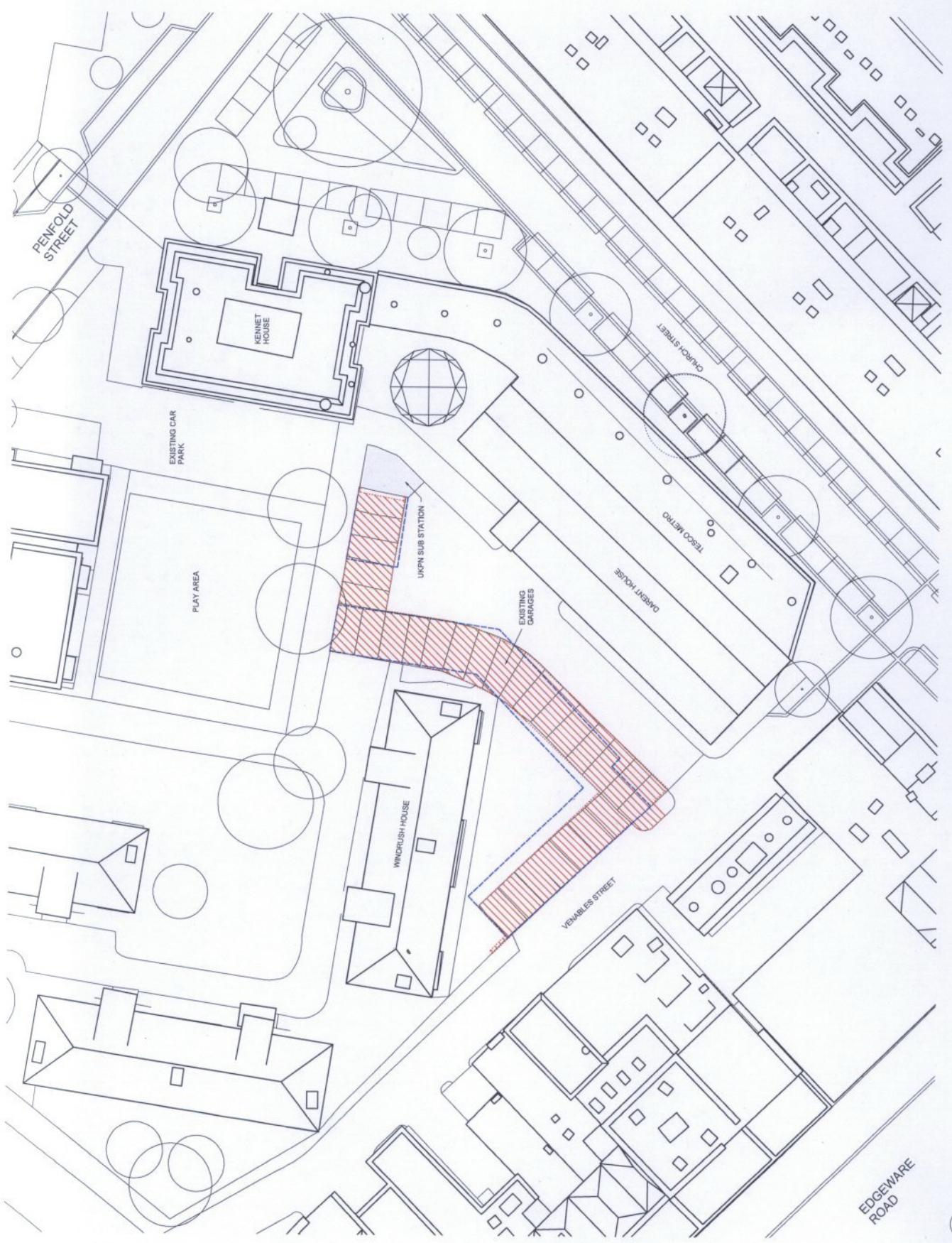
DEMOLITION ZONE: 

NEW OUTLINE: 

KEY	RESOLUTION
	DEMOLITION ZONE
	NEW OUTLINE



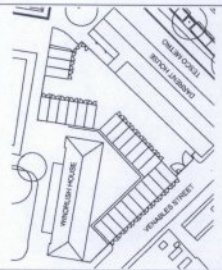
PROJECT INFORMATION	
OWNER	EXISTING SITE PLAN
DATE	12/17/2024
SCALE	1:200
PROJECT	DEMOLITION
DMA	ALL OF
DR	A3
01002	A



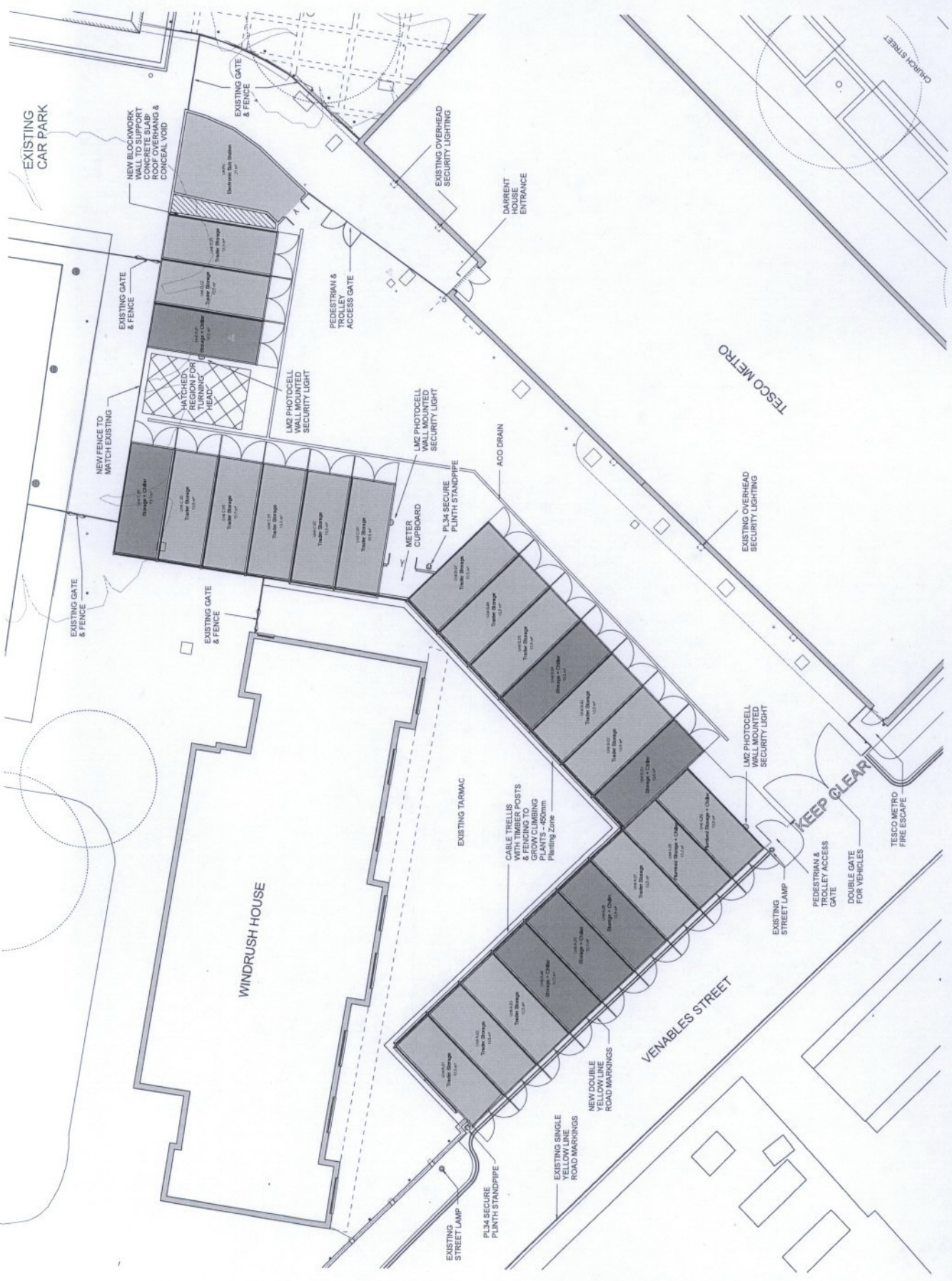
1 METER CLEARANCE ZONE FOR REINFORCED CONCRETE SLAB VIBRATION WITH SUBSTATION DURING DEMOLITION WORKS.

- Substructure Layout
- Existing Column
 - Existing Wall
 - Existing Floor
 - Existing Void

KEY	RESIDUAL RISK
1	KEY PLAN

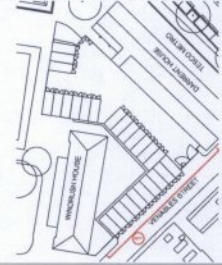


CONTRACTOR	DRIVING TITLE	PROPOSED GROUND LEVEL PLAN
VENABLES SHEET	317	FOR PLANNING
SCALE	DATE	PROJECT APPROVED
1:100	11/04/16	VEN DWA ALL GF DR A3 02101 A

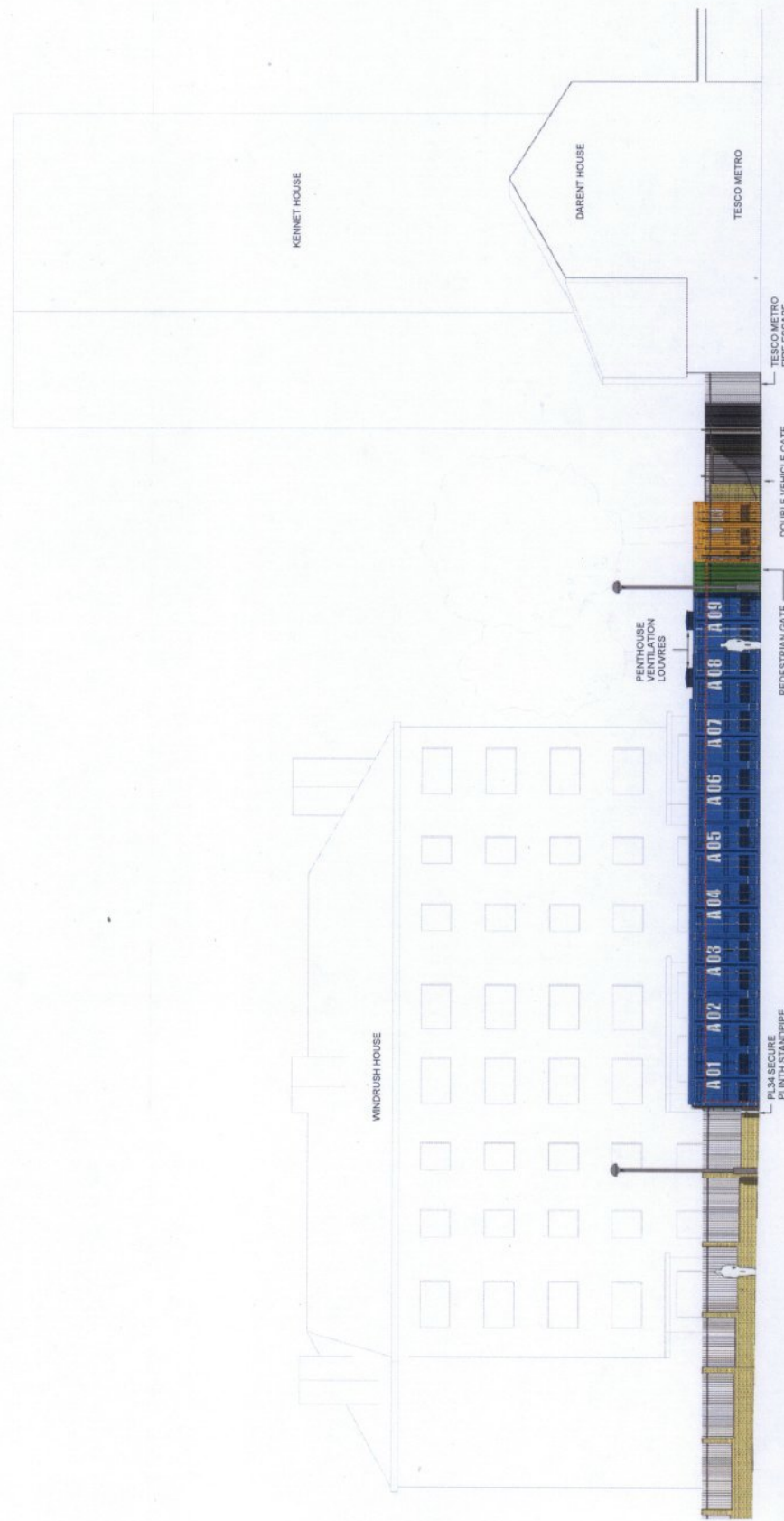


EXISTING GARAGE
OUTLINE

KEY	RESIDUAL RISK
①	KEY PLAN



CONTRACTOR	www.davidmiller.co.uk
DESIGNER	www.davidmiller.co.uk
VENABLES ELEVATION	
JOB TITLE	FOR PLANNING
DATE	07.07.18 (AS DMA)
PROJECT	DRAWN: [Name] CHECKED: [Name] DATE: [Date]
VEN	DMA ALL ZZ DR A3 03/01 A



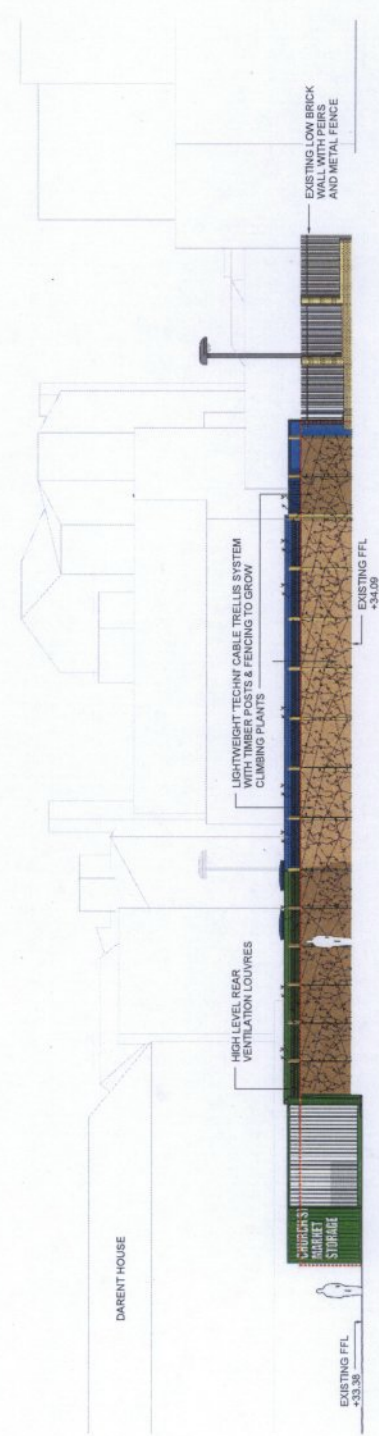
DATE	10/11/18
BY	PL/18
PROJECT	WINDRUSH HOUSE
DESCRIPTION	EXISTING GARAGE OUTLINE

KEY	RESIDUAL RISK
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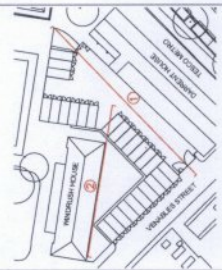
CLIENT	WINDRUSH HOUSE
ADDRESS	WINDRUSH HOUSE, WINDRUSH STREET, WINDRUSH, WINDRUSH, WINDRUSH
DATE	10/11/18
SCALE	1:100
PROJECT	WINDRUSH HOUSE
VEN	DMA ALL ZZ DR A3 04101 A



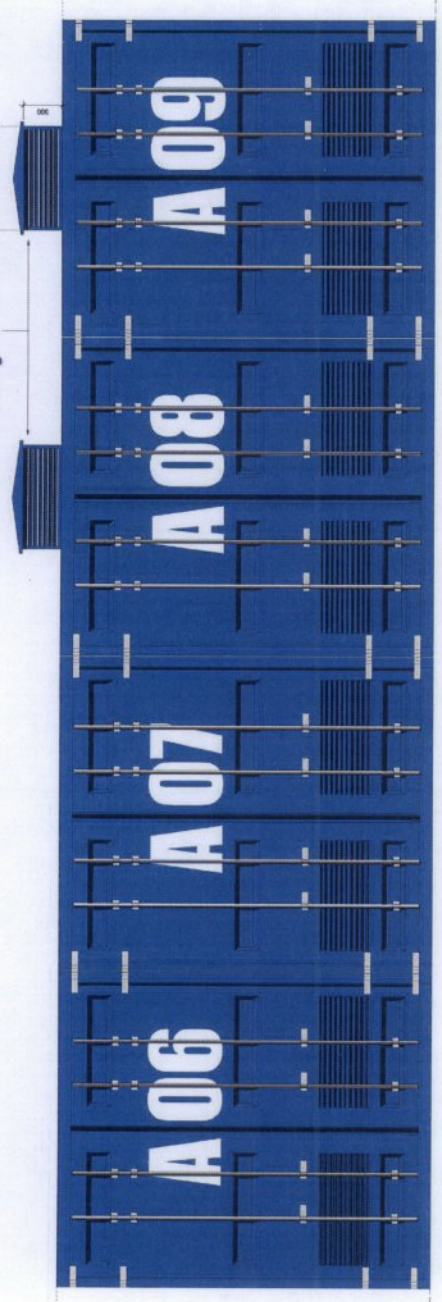
1 WINDRUSH HOUSE ELEVATION
1:100



2 DARENT HOUSE ELEVATION
1:100



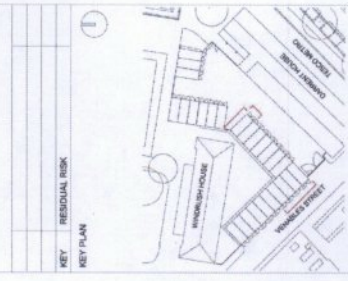
800x800x300 PENTHOUSE VENTILATION LOUVRE TO ACHIEVE ± 0.35m² FREE AREA @ 50%



HIGH LEVEL VENTILATION LOUVRE TO ACHIEVE ± 0.35m² FREE AREA @ 50%



LOW LEVEL DOOR VENTILATION LOUVRE TO ACHIEVE ± 0.35m² (2 x 0.175m²)



CONTAINER DETAILS	
CONTAINER	800x800x300
STATUS	FOR PLANNING
DATE	07/07/18
PROJECT	CHURCH STREET MARKET STORAGE
VEN	DMA ALL ZZ DR A3 10001 A