

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 27 October 2015	Classification For General Release	
Report of Director of Planning		Wards involved Marylebone High Street	
Subject of Report	5 Bingham Place, London, W1U 5AT		
Proposal	Demolition of the existing dwelling behind the retained front facade. Excavation beneath site and erection of replacement dwelling (Class C3) over two basement storeys, ground, first and new mansard second storey. Use of Part of 21 Nottingham Place to form part of replacement dwelling (Class C3).		
Agent	Montagu Evans LLP		
On behalf of	Latitude Investments Limited		
Registered Number	15/02805/FULL	TP / PP No	TP/23545
Date of Application	30.03.2015	Date amended/ completed	09.04.2015
Category of Application	Minor		
Historic Building Grade	Unlisted		
Conservation Area	Harley Street		
Development Plan Context - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Within London Plan Central Activities Zone Outside Central Activities Zone		
Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

Grant conditional planning permission.





5 BINGHAM PLACE, W1

2. SUMMARY

The application site comprises 5 Bingham Place, an unlisted mews building situated within the Harley Street Conservation Area and in use as a single family dwelling (Class C3). Permission is sought for extensive works, including a mansard roof extension and the excavation of a new double basement to form a larger single family dwelling.

The key issues for consideration are:

- The impact of the proposals upon the amenities of neighbouring residents.
- The impact of the works, in design terms, on the application property and the character and appearance of the wider conservation area.

Permission was previously refused in 2001 for a scheme which involved a mansard roof extension and larger rear extension. However, since this refusal permission has been granted for mansard roof extensions at several other properties along Bingham Place. Given these circumstances, it is now considered that the proposed mansard roof extension, which takes a traditional design, is considered to be acceptable.

The proposals are considered acceptable in amenity, design and conservation grounds and comply with the policies set out in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies.

3. CONSULTATIONS

MARYLEBONE ASSOCIATION

Request conditions to reduce that noise and disturbance from the basement construction work including an exemplary Construction Management Plan.

BUILDING CONTROL

No objection.

HIGHWAYS PLANNING MANAGER

No objection subject to condition requiring cycle and waste storage.

THAMES WATER

Request that the applicant incorporates a non-return valve or other suitable device to avoid backflow problems during storm conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 80; Total No. of Replies: 14

13 letters of objection and 1 neutral letter received on the following grounds:

Basement and construction issues

- Impact on the stability of neighbouring properties.
- Impact on the water table and local drainage.
- Harm to amenity of residents as a result of construction noise, fumes, dust and scaffolding from works and vehicles associated with the development.
- Inconvenience caused to residents and businesses from construction works and associated disruption.
- The development would set an unacceptable precedent for basements.
- Bingham Mews is too narrow for the large vehicles associated with the construction works
- The impact of construction traffic on the local traffic network

Design

- Design fails to respect character of the Harley Street Conservation Area.

- Harmful effect on the architectural and historic interest of the mews
- Contributes to the wider impact on the character of Marylebone caused by a number of recent large developments.
- Substantial loss of original fabric is unacceptable.

Highways

- Loss of residential parking spaces during construction works.
- Increase in traffic congestion on local road networks as a result of construction works.

Amenity

- Roof terrace will encourage outdoor activities and associated noise.
- Overlooking from Bingham Place to Albert Mansions.
- Loss of daylight and sunlight to surrounding residential properties and hotel on Nottingham Place.

Other

- The proposal will provide luxury accommodation not homes for local residents.

4. BACKGROUND INFORMATION

4.1 The Application Site

No.5 Bingham Place is a two storey unlisted mews building currently in use as a single family dwelling (Class C3) and located within the Harley Street Conservation Area. Part of the property oversails office premises (Class B1) at lower ground floor level which are part of 21 Nottingham Place, located immediately to the rear of the application property.

4.2 Relevant History

On 7 August 2001 an application (RN:01/03999/FULL) for the erection of a mansard roof and two storey rear extension was refused due to the impact that the proposals would have on the appearance of the conservation area and the sense of enclosure and impact on amenity of neighbouring residents at 21 Nottingham Place.

On 11 July 2002 an application (RN:02/03705/FULL) for the use of the rear ground floor flat roof as terrace and erection of associated screens was refused for design and amenity reasons. At present, this area of roof appears to be unlawfully in use as a terrace.

5. THE PROPOSAL

Permission is sought for the demolition of the existing dwelling behind a retained front façade and the rebuilding of a replacement dwelling. Subterranean excavation is proposed to create a second basement level. The existing lower ground floor level, which is currently in use as office premises forming part of, and accessed from, 21 Nottingham Place will be amalgamated into the new replacement dwelling. The new dwelling will have three upper stories including a mansard storey. The rebuilt rear elevations will largely follow the existing form of the building with a slight extension at rear first floor level.

6. DETAILED CONSIDERATIONS

6.1 Land Use

The proposal increases the amount of residential floorspace in accordance with UDP Policy H3 and City Plan Policy S14.

It is proposed to amalgamate the office floorspace at lower ground floor of 21 Nottingham Place into the new single family dwelling at 5 Bingham Place. There are no current or emerging policies which protect offices outside of the core Central Activities Zone. The loss of office floorspace is considered to be acceptable.

6.2 Townscape and Design

5 Bingham Place is an attractive mews building within the Harley Street Conservation Area. The mews as a whole has a mixed Victorian character and many of the buildings have undergone alterations, with the majority of the eastern side of the street having already had mansard roof extensions. The Harley Street Conservation Area Audit does not identify No. 5 as a building which contributes to the character of the conservation area. However, this is considered to be an error as the building makes a positive contribution to this mews and the character of the wider area. The audit also identifies no. 5 as a building which is unsuitable for roof extension. The primary policies of relevance in relation to the design conservation are DES1, DES 5, DES6 and DES9 of the Westminster Unitary Development Plan.

The proposed demolition of the building behind retained façade is considered acceptable in principle, as it is the front façade which makes the greatest contribution to the character and significance of this part of the conservation area. The rear elevations on this mews have a mixed character, with many buildings having undergone significant alterations and extensions. No 5 has been extended and does not retain its original detail and character to the rear. The rebuilt rear elevations will largely follow the existing form of the building with slight extension and partial rebuilding of the closet wing to 21 Nottingham Place. Traditional materials are to be used at rear which will be in brick with all windows in timber and glazed brick in the lower courtyard. Subject to conditions to ensure appropriate details, this is considered acceptable.

The proposed new basement will have no visual impact and, as such, it is not considered this will affect the townscape or character and appearance of the conservation area. It is, however, recognised that this is a constrained mews site and the demolition/ excavation methodology will therefore be important. It is recommended a condition is imposed to ensure demolition and excavation will be undertaken sensitively and original historic fabric to the front façade of the building will not be damaged and will be retained.

The principle of a mansard roof extension on this site is contentious as the conservation area audit identifies No. 5 as unsuitable for roof extension. In 2001 permission was refused for a scheme which involved a mansard roof extension and larger rear extension. However, since this refusal permission has been granted for mansard roof extensions at several other properties along Bingham Place.

There are mansard roof extensions at the majority of properties on the east of Bingham Place; the exceptions being No's 2, 3, 12 and 15 Bingham Place. In addition, the building retains its attractive original pitched roof form and is already taller than No 4, whilst the adjoining building at No. 6 is already taller than No. 5, with a prominent party wall upstand which has a detrimental impact in street views. The proposed mansard will partially obscure views of this upstand.

In terms of its detailed design, the height of the proposed mansard to No. 5 has been kept to a minimum and chimney stacks will be retained to maintain the character of the roofscape. It will be a traditionally detailed natural slate mansard and the parapet will be in brick, with brick on edge coping to match the detail of the adjoining buildings on the street. On balance, the principle of a mansard on this site is therefore considered acceptable. In light of the above, proposals are considered to be acceptable in design and conservation terms and will accord with UDP Policies DES5, DES6 and DES9.

6.3 Residential Amenity

UDP Policy ENV 13 and S29 of the City Management Plan: Strategic Policies seeks to ensure that new developments do not result in a material loss of amenity to existing residents.

Overlooking

Located directly to the rear of the application property No. 21 Nottingham Place has residential windows from ground floor level and above. The proposal's new ground floor level window will look towards an obscure glazed ground floor bathroom window within 21 Nottingham Place, thus having no additional impact on privacy.

As existing there is a level of mutual overlooking between the application property and No. 21 Nottingham Place. It is not considered that the new east facing windows at first and second floor level will have any greater impact on the neighbouring occupiers' privacy than the existing windows allow. At first floor level a new bathroom window is proposed in very close proximity to the rear window of No. 21. In order to ensure overlooking is not possible a condition is proposed to require that the bathroom window is obscure glazed.

A previous application for the use of the rear ground floor roof area as a terrace was refused as it was considered that it would result in a loss of privacy to the neighbouring residential properties within 21 Nottingham Place. At present, this area of roof appears to be unlawfully in use as a terrace. It is considered that there has been no material change in circumstances that would allow the use of this area of roof as a terrace. In order to protect the amenity of residents at No. 21 it is proposed that conditions are imposed to prohibit the use of this area for sitting out, and requiring the submission of amended drawings which detail an appropriately designed barrier across the first floor sliding doors to prevent access to the flat roof.

Objections have been received from occupiers of Albert Mansions, which is located on the opposite side of Bingham Mews, on the grounds that the mansard roof extension will result in a loss of privacy and loss of daylight and sunlight.

The mansard roof will have three new dormer windows which will look towards Albert Mansions. However, it is considered that the existing character of Bingham Place is that of a narrow mews with mutual overlooking from properties on both sides. Albert Mansions is already overlooked by No. 5's windows at first floor level as well as windows on the upper floors of several other properties on the eastern side of Bingham Place. It is not considered that the addition of three new dormer windows will have a significant impact on the privacy levels of residents within Albert Mansions.

Daylight and Sunlight

With regard to the loss of light to properties within Albert and Nottingham Mansions, recommended standards for daylight and sunlight in residential accommodation are set out in the Building Research Establishment (BRE) publication 'Site layout for daylight and sunlight' 2011.

Vertical Sky Component (VSC) is the amount of light hitting the surface of a window. If this achieves 27% or more, the BRE guidance advises that the window will have the potential to provide good levels of daylight. The guidance also suggests that reductions from existing values of more than 20% should be avoided as occupiers are likely to notice the change. In respect of sunlight, the guidelines also suggest that any reductions of over 20% over the whole year are likely to be noticeable.

A Daylight Report has been submitted in support of the application. This assesses the impact of the development on windows within Albert Mansions. The report illustrates that windows at ground and first floors of Albert Mansions will not be affected by the proposals. There will be slight reductions to existing VSC levels however, the losses will be between 0% and 5.5%. The losses are therefore significantly below the BRE guidance of 20% which should be avoided as occupiers are likely to notice the change.

The Daylight Report considers the impact on 21 Nottingham Place located to the rear of the application property. The windows on the upper floors will suffer no loss of daylight, however two windows at ground floor level have VSC reductions of 33% and 46%. The window that loses 46% supplies a bathroom and is not afforded the level of protection that a habitable window would receive. With regard to the window which would experience a 33% loss of VSC, the actual reduction (from 7.83% to 5.86 %) is only 1.97%, but the overall percentage loss is relatively high due to the fact that the existing level of light is relatively low and any loss is therefore proportionately higher when expressed as a percentage of the original value. In these circumstances, it is not considered that the impact will be significant.

In terms of sunlight the BRE guidance states that sunlight need only be tested where the development lies within 90 degrees to the south of the window in question. In this case the residential flats at Albert Mansions are situated to the west of the application premises and the residential windows to the rear of Nottingham Place are located to the east. A sunlight test is not therefore required.

Noise from construction

Objections have been received on the grounds that the proposed works will be noisy and disruptive, that construction vehicles in the mews will make it difficult for existing residents to park, and that construction vehicles will potentially cause congestion to the local road network. Objections on the grounds of noise and disruption during construction do not in themselves form a sustainable reason for refusal. The City Council's standard building works and excavation condition is recommended to control the hours of building works.

The applicant has submitted a Construction Management Plan (CMP) which addresses how the proposed works will commence. However, given the proximity to neighbouring residents, the level of objection from neighbours, and the potential for disruption it is recommended that a condition is imposed requiring a more detailed CMP to be submitted which specifically sets how it is intended to ameliorate the impact of works on neighbouring residents.

A plant area is indicated within a basement level store to provide domestic scale mechanical ventilation heat recovery. The plant is located internally and will recover heat by extracting air from two WCs and the kitchen. If any additional air conditioning plant were to be proposed in the future it would require a new planning application. Notwithstanding this, the Council's standard noise conditions are proposed in order to protect against any noise outbreak.

6.4 Transportation/Parking

As the proposal does not involve an increase in residential units there is no requirement for any additional car parking provision. However, the redevelopment does provide an opportunity for the provision of cycle and waste storage. Conditions requiring the necessary details will be imposed.

6.5 Economic Considerations

Any economic benefits generated are welcomed.

6.6 Other UDP/Westminster Policy Considerations

Not applicable.

6.7 London Plan

The proposal does not raise any strategic implications.

6.8 National Policy/Guidance Considerations

Central Government's National Planning Policy Framework (NPPF) came into effect on 27 March 2012. It sets out the Government's planning policies and how they are expected to be applied. The NPPF has replaced almost all of the Government's existing published planning policy statements/guidance as well as the circulars on planning obligations and strategic planning in London. It is a material consideration in determining planning applications.

Until 27 March 2013, the City Council was able to give full weight to relevant policies in the Core Strategy and London Plan, even if there was a limited degree of conflict with the framework. The City Council is now required to give due weight to relevant policies in existing plans "according to their degree of consistency" with the NPPF. Westminster's City Plan: Strategic Policies was adopted by Full Council on 13 November 2013 and is fully compliant with the NPPF. For the UDP, due weight should be given to relevant policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the NPPF, the greater the weight that may be given).

The UDP policies referred to in the consideration of these applications are considered to be consistent with the NPPF unless stated otherwise.

6.9 Planning Obligations

None required.

6.10 Environmental Assessment including Sustainability and Biodiversity Issues

None required.

6.11 Access

Access to the main building would be unaffected.

6.12 Other Issues

Objections have been received concerning any potential impact that the basement excavation would have on the foundations and structural integrity of other buildings, and to the potential effects on the water table and the potential increase in the risk of flooding.

This impact of basement excavation is at the heart of concerns expressed by residents across many central London Boroughs, heightened by well publicised accidents occurring during basement constructions. Residents are concerned that the excavation of new basements is a risky construction process with potential harm to adjoining buildings and occupiers.

Studies have been undertaken which advise that subterranean development in a dense urban environment, especially basements built under existing vulnerable structures is a challenging engineering endeavour and that in particular it carries a potential risk of damage to both the existing and neighbouring structures and infrastructure if the subterranean development is ill-planned, poorly constructed and does not properly consider geology and hydrology.

While the Building Regulations determine whether the detailed design of buildings and their foundations will allow the buildings to be constructed and used safely, the National Planning Policy Framework March 2012 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by land instability.

The NPPF goes on to state that in order to prevent unacceptable risks from land instability, planning decisions should ensure that new development is appropriate for its location. It advises that where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

The NPPF advises that planning decisions should ensure that a site is suitable for its new use taking account of ground conditions and land instability and any proposals for mitigation, and that adequate site investigation information, prepared by a competent person, is presented.

Officers consider that in the light of the above it would be justifiable to adopt a precautionary approach to these types of development where there is a potential to cause damage to adjoining structures.

To address this, the applicant has provided a structural engineer's report explaining the likely methodology of excavation. Any report by a member of the relevant professional institution carries a duty of care which should be sufficient to demonstrate that the matter has been properly considered at this early stage.

The purpose of such a report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the site, existing structural conditions and geology. It does not prescribe the engineering techniques that must be used during construction which may need to be altered once the excavation has occurred. The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act.

This report has been considered by our Building Control officers who have advised that the structural approach appears satisfactory. We are not approving this report or conditioning that the works shall necessarily be carried out in accordance with the report. Its purpose is to show, with the integral professional duty of care, that there is no reasonable impediment foreseeable at this stage to the scheme satisfying the Building Regulations in due course. This report will be attached for information purposes to the decision letter. It is considered that this is as far as we can reasonably take this matter under the planning considerations of the proposal as matters of detailed engineering techniques and whether they secure the structural integrity of the development and neighbouring buildings during construction is not controlled through the planning regime but other statutory codes and regulations as cited above. To go further would be to act beyond the bounds of planning control.

The City Management Plan will include policies specifically dealing with basement and other subterranean extensions. This is at an early stage of development and will not carry any weight as a material consideration in determining planning applications until it has progressed significantly along the route to final adoption.

6.13 Conclusion

The proposals are considered acceptable on amenity, design and conservation grounds, and comply with the policies set out in the UDP and City Plan.

BACKGROUND PAPERS

1. Application forms
2. Letter from Marylebone Association dated 07 May 2015
3. Memorandum from Highways Planning Manager dated 28 April 2015
4. Letter from owner/occupier of 8 Albert Mansions, Luxborough Street dated 25 April 2015
5. Letters from owner/occupier of 1A Nottingham Mansions, Nottingham Street dated 26 April 2015 and 6 May 2015
6. Letter from owner/occupier of 7 Albert Mansions, Luxborough Street dated 01 May 2015
7. Letter from owner/occupier of 9 Nottingham Mansions, Nottingham Street dated 5 May 2015
8. Letter from owner/occupier of 8 Nottingham Mansions, Nottingham Street dated 06 May 2015
9. Letter from owner/occupier of 21 Bingham Place dated 06 May 2015
10. Letter from managing agent (Quadrant Properties Ltd) of Albert Mansions, Luxborough Street dated 06 May 2015
11. Letter from owner/occupier of 6 Albert Mansions, Luxborough Street dated 06 May 2015
12. Letter from management agents of Nottingham Mansions dated 07 May 2015
13. Letter from owner/occupier of 11 Albert Mansions, Luxborough Street dated 09 May 2015
14. Letter from owner/occupier of 11 Albert Mansions, Luxborough Street dated 09 May 2015
15. Letter from owner/occupier of 10 Albert Mansions, Luxborough Street dated 09 May 2015
16. Letter from owner/occupier of 4 Bingham Place dated 28 July 2015
17. Letter from owner/occupier of 1A Nottingham Mansions, Nottingham Street
18. Email from District Surveyor's Service dated 25 September 2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT MIKE WALTON ON 020 7641 2521 OR BY E-MAIL – mwalton@westminster.gov.uk

DRAFT DECISION LETTER

Address: 5 Bingham Place, London, W1U 5AT

Proposal: Demolition of the existing dwelling behind the retained front facade. Excavation beneath site and erection of replacement dwelling (Class C3) over two basement storeys, ground, first and new mansard second storey. Use of Part of 21 Nottingham Place to form part of replacement dwelling (Class C3).

Plan Nos: AL [00] 001/01; 110/01; 111/01; 112/01; 113/01; 114/02; 115/01; 210/04; 310/04; 311/03; 312/04; 313/04; 314/02; 100/01; 101/01; 102/01; 200/01; 300/01; 301/01; 302/01; 303/01; 304/01; Construction Management Plan Ref MCM/FJK/A17238; Daylight and Sunlight Report Ref P144

Case Officer: Billy Pattison

Direct Tel. No. 020 7641 3267

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 basement excavation 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 basement excavation 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. (C11BA)

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)

- 3 You must apply to us for approval of samples and details of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. 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 using the approved materials. (C26BC)

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 Harley Street Conservation Area. This is as set

out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 4 **Pre Commencement Condition.** No development shall take place, including any works of demolition, until a construction management plan for the proposed development has been submitted to and approved in writing by the City Council as local planning authority. The plan shall provide the following details:
- (i) a construction programme including a 24 hour emergency contact number;
 - (ii) parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - (iii) locations for loading/unloading and storage of plant and materials used in constructing the development;
 - (iv) erection and maintenance of security hoardings (including decorative displays and facilities for public viewing, where appropriate);
 - (v) wheel washing facilities and measures to control the emission of dust and dirt during construction; and
 - (vi) a scheme for recycling/disposing of waste resulting from demolition and construction works.

You must not start work until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

- 5 You must apply to us for approval of details of secure cycle storage for the residential use. You must not start any work on this part of the development until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose.

Reason:

To provide cycle parking spaces for people using the development as set out in TRANS 10 of our Unitary Development Plan that we adopted in January 2007.

- 6 You must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the dwellinghouse. (C14EC)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 7 You must apply to us for approval of detailed drawings at 1:10 or 1:20 of the following parts of the development - all new windows and doors. 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 detailed drawings. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 8 The tiles that you use on the new mansard roof must be natural Welsh slate tiles.

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 Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 9 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 Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 10 The glass that you put in the first floor bathroom window in the northern elevation of the of the new dwellinghouse must not be clear glass, and you must fix it permanently shut. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission. (C21DB)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 11 You must not use the ground floor 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. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 12 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:

The installation of an appropriately detailed metal railing to prevent access from the ground level kitchen to the adjacent flat roof.

You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 13 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.

- 14 (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 L A90, 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.

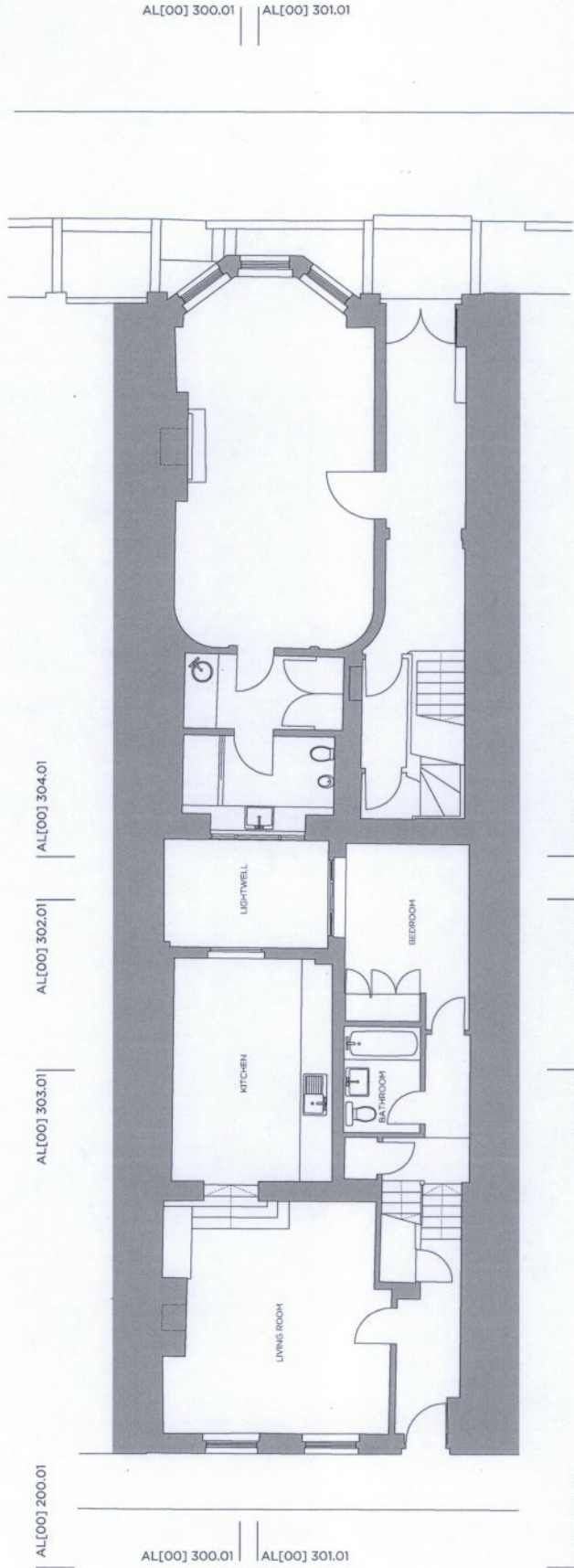
Reason:

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. 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.

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 This development has been identified as potentially liable for payment of the Mayor of London's Community Infrastructure Levy (CIL). Responsibility for paying the levy runs with the ownership of the land, unless another party has assumed liability. We will issue a CIL Liability Notice to the landowner or the party that has assumed liability with a copy to the planning applicant as soon as practicable setting out the estimated CIL charge. If you have not already done so you must submit an **Assumption of Liability Form** to ensure that the CIL liability notice is issued to the correct party. This form is available on the planning portal at <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> Further details on the Mayor of London's Community Infrastructure Levy can be found on our website at: <http://www.westminster.gov.uk/services/environment/planning/apply/mayoral-cil/>. **You are reminded that payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay.**
- 3 This permission is based on the structural report by Price & Myers submitted with the application. For the avoidance of doubt these reports have not been assessed by the City Council and as a consequence we do not endorse or approve it in anyway and have included

it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.



01 EXISTING GROUND FLOOR PLAN

REVISIONS

NO. DATE

BY

DATE

BY

DATE

BY

DATE

DESCRIPTION

1. Do not scale from this drawing.
 2. All dimensions are in millimetres unless otherwise stated.
 3. All dimensions are to the centre line of walls, windows and doors unless otherwise stated.
 4. This drawing is for the use of the architect only and is not to be used for any other purpose.
 5. The architect is not responsible for any errors or omissions in this drawing or for any consequences arising therefrom.
 6. The architect is not responsible for any errors or omissions in this drawing or for any consequences arising therefrom.
 7. The architect is not responsible for any errors or omissions in this drawing or for any consequences arising therefrom.
 8. The architect is not responsible for any errors or omissions in this drawing or for any consequences arising therefrom.
 9. The architect is not responsible for any errors or omissions in this drawing or for any consequences arising therefrom.
 10. The architect is not responsible for any errors or omissions in this drawing or for any consequences arising therefrom.

LOCATION

PROJECT

13017

DATE

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SCALE

1:100@A3

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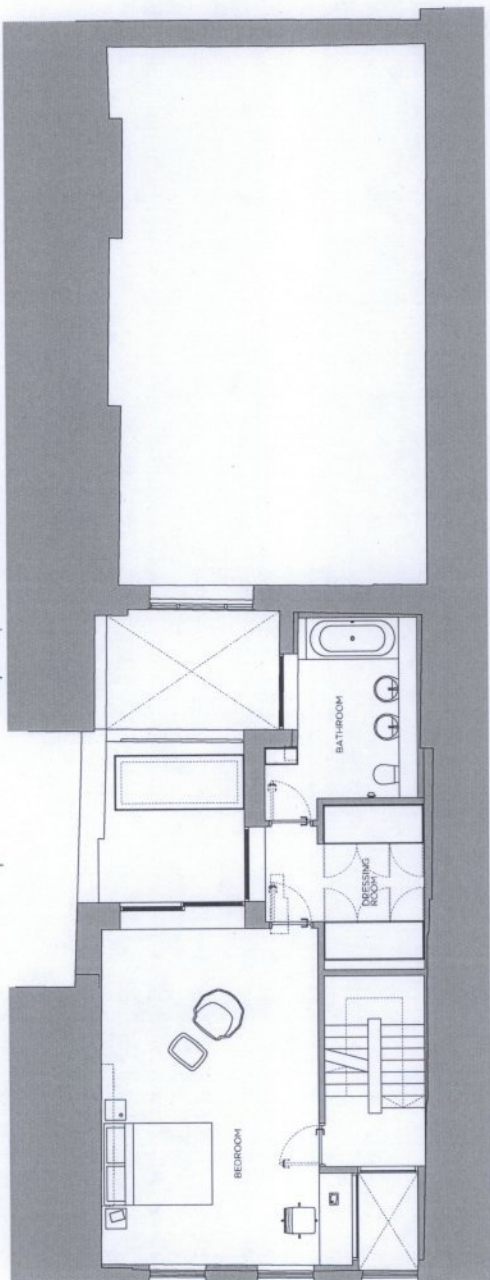
AL[00] 313.01

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AL[00] 314.01

01 PROPOSED FIRST FLOOR PLAN

DATE: 13/07/17

SCALE: 1:100

PROJECT: BINGHAM PLACE

LOCATION: BINGHAM PLACE

CLIENT: BINGHAM PLACE

ARCHITECT: GIBSON THORNLEY

DATE: 13/07/17

SCALE: 1:100

PROJECT: BINGHAM PLACE

LOCATION: BINGHAM PLACE

CLIENT: BINGHAM PLACE

GIBSON THORNLEY
 Gibson Thornley Architects Limited
 15 Abchurch Lane
 London EC4A 3DF
 Tel: +44 (0)20 7799 7000
 Email: info@gibsonthornley.com
 www.gibsonthornley.com

BINGHAM PLACE
 PROPOSED FIRST FLOOR PLAN
 DRAWN BY: MJT
 CHECKED BY: BG
 SCALE: 1:100@A1
 DATE: 13/07/17

GENERAL NOTES
 1. Do not scale from this drawing.
 2. All dimensions are in millimetres unless otherwise stated.
 3. All dimensions are to the face of the work unless otherwise stated.
 4. The architect is not responsible for the accuracy of the information provided by the client.
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 9. The architect is not responsible for the accuracy of the information provided by the client.
 10. The architect is not responsible for the accuracy of the information provided by the client.

TEAM
 ARCHITECT: GIBSON THORNLEY
 PROJECT MANAGER: MJT
 ARCHITECTURAL CONSULTANT: GIBSON THORNLEY
 STRUCTURAL ENGINEER: GIBSON THORNLEY
 MECHANICAL ENGINEER: GIBSON THORNLEY
 ELECTRICAL ENGINEER: GIBSON THORNLEY
 PLUMBING CONSULTANT: GIBSON THORNLEY
 FLOORING CONSULTANT: GIBSON THORNLEY
 PAINT CONSULTANT: GIBSON THORNLEY



REVISIONS

NO.	DATE	DESCRIPTION
1	13/07/17	ISSUED FOR PERMIT

DATE: 13/07/17

AL[00] 310.01 | AL[00] 311.01

AL[00] 313.01 | AL[00] 314.01

AL[00] 312.01

AL[00] 313.01

AL[00] 210.01



AL[00] 310.01 | AL[00] 311.01

AL[00] 312.01 | AL[00] 314.01

AL[00] 313.01

AL[00] 210.01

01 PROPOSED SECOND FLOOR PLAN

<p>GIBSON THORNLEY Gibson Thornley Architects Limited 30 Abchurch Lane, London EC4A 3DF Tel: +44 (0)20 7729 7000 Fax: +44 (0)20 7729 7001 Email: info@gibsonthornley.com</p>		<p>BINGHAM PLACE PROPOSED SECOND FLOOR PLAN SCALE: 1:50 @ A1 1:100 @ A3 DRAWN BY: M.J.T. CHECKED BY: BG PROJECT NO: AL [00] 114 DATE: 02</p>							
<p>GENERAL NOTES 1. Do not scale from this drawing. 2. All dimensions are in millimetres unless otherwise stated. 3. All dimensions are to the face of the work unless otherwise stated. 4. The architect shall be liable for the accuracy of the information provided in this drawing. 5. The architect shall be liable for the accuracy of the information provided in this drawing. 6. The architect shall be liable for the accuracy of the information provided in this drawing. 7. The architect shall be liable for the accuracy of the information provided in this drawing. 8. The architect shall be liable for the accuracy of the information provided in this drawing. 9. The architect shall be liable for the accuracy of the information provided in this drawing. 10. The architect shall be liable for the accuracy of the information provided in this drawing.</p>		<p>PROJECT INFORMATION CLIENT: [REDACTED] ARCHITECT: GIBSON THORNLEY PROJECT NO: AL [00] 114 DATE: 02</p>							
<p>SCALE (m) 0 1 2 3 4 5 10</p>		<p>REVISIONS</p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>		NO.	DATE	DESCRIPTION			
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