

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 24 May 2016	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Westbourne	
<b>Subject of Report</b>	65 Alfred Road, London, W2 5EU		
<b>Proposal</b>	Erection of two additional storeys and a side extension to form new third and fourth floor level to existing workshop and artist studio building; installation of plant; alterations to the eastern elevation.		
<b>Agent</b>	DP9		
<b>On behalf of</b>	Great Western Studios Limited		
<b>Registered Number</b>	15/08377/FULL	<b>Date amended/ completed</b>	29 September 2015
<b>Date Application Received</b>	9 September 2015		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	NA		

## 1. RECOMMENDATION

Grant conditional permission.

## 2. SUMMARY

The application site contains a three-storey building comprising multiple units all used for studio/light industrial purposes (Class B1) which are individually let. The building is unlisted and not within a conservation area. The application site is located within the Crossrail Safeguarding Zone, and the North Westminster Economic Development Area (NWEDA).

Permission is sought for a two storey roof extension and a side extension to accommodate 21 additional studio/light industrial units (Use Class B1). This would be one additional storey to that recently approved under permission ref: 13/11924/FULL and which is currently being implemented. The top storey would also feature a sign stating 'Great Western Studios on its southern elevation and integrated into the fabric of the top storey. Alterations to the eastern façade and provision of associated plant and car and cycle parking are also proposed.

The key considerations are:

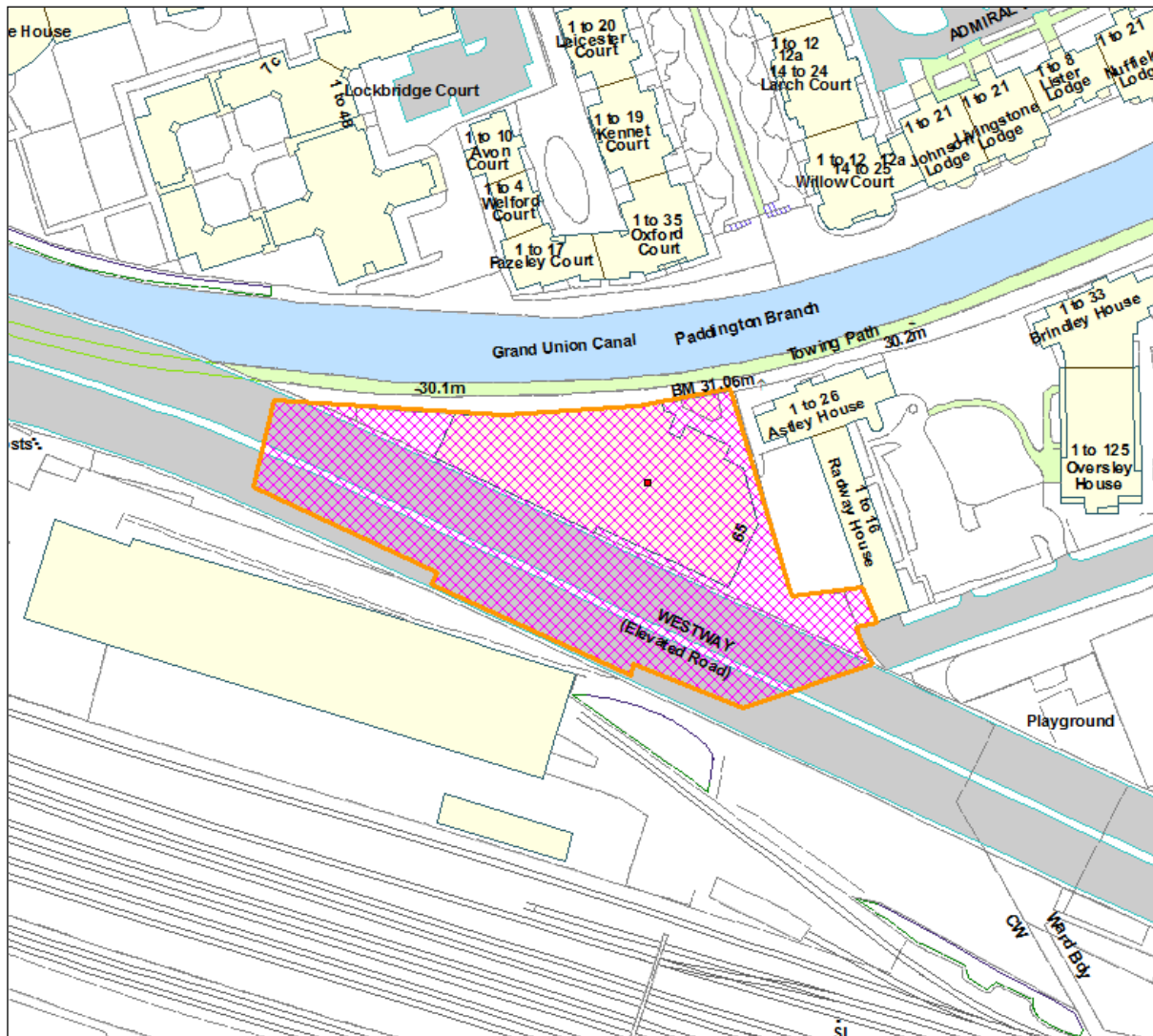
- The provision of additional employment floorspace within NWEDA;
- Impact of the proposed extensions on the character and appearance of the existing building and the area;
- Impact on the amenity of residential properties nearby, including loss of light; and

- Impact on highways and parking;

The proposed development would result in daylight loss to surrounding properties that exceeds BRE Guidance. However, the additional units/floorspace would help to maintain local employment and assist in the regeneration of the area whilst providing affordable and small workspaces for a wide range of creative businesses/industries. Accordingly, these light losses are not sufficient to refuse permission when weighed against the benefits of the development.

In all other respects, the development would be consistent with relevant development plan policy in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (the City Plan). As such, the application is recommended for approval subject to the conditions set out in the draft decision letter.

### 3. LOCATION PLAN



This production includes mapping data licensed from Ordnance Survey with the permission of the controller of Her Majesty's Stationary Office (C) Crown Copyright and/or database rights 2013. All rights reserved License Number LA 100019597

4. PHOTOGRAPHS



## 5. CONSULTATIONS

FIRST ROUND OF CONSULTATION THAT EXPIRED ON 30 OCTOBER 2016.

### Councillor David Boothroyd

Asked that this application is referred to Planning Applications Committee as there are concerns from neighbouring residents about the light impact.

### Crossrail

No objection subject to condition requiring approval of method statement that demonstrates that the proposal would not impede construction of Crossrail structures and tunnels.

### Environmental Health Officer

No objection. Have not requested monitoring by the Environmental Inspectorate. Have requested conditions to control plant noise and vibration.

### North Paddington Society

Supports projects that bring increased opportunity and employment to the area. However, this cannot be at the expense of residents rights to enjoy their home life. They have received comments from a resident concerned at the loss of daylight should the proposal go ahead. They also have concerns about the non-specific proposed installation of plant - would this be air-con units on the roof or license to install noisy printing presses within the building?

### Highways Planning

Proposed does not show where cycle parking will be provided. Disappointed that additional parking provided at expense of servicing area. Request condition requiring completion of Travel Plan, Servicing Management Plan, and details of waste storage. Comments considered in greater detail below.

### Transport for London

No objection. Have requested conditions requiring details of the location of cycle parking, electric vehicle charging points, an updated Travel Plan and Construction Management Plan.

### Canal & River Trust

No objection, subject to conditions regarding stormwater discharge, the green roof, oil tank on roof, construction management. Have requested planning obligation in relation to towpath improvements to discourage anti-social behaviour.

### Inland Waterways Association

Any response to be reported verbally.

### Arboricultural Section

No objection. Have requested green roof.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 230

Total No. of replies: 16  
No. of objections: 12  
No. in support: 4

In summary, the objectors raise the following issues:

- The proposal would result in loss of privacy as people in the development would be able to look into neighbouring residential properties;
- The existing building has already caused significant loss of light for neighbouring residents and this would be exacerbated by the proposed extension;
- Proposal is overdevelopment of site;
- Proposal would increase traffic and parking congestion on Alfred Road and surrounding streets, particularly with other uses already on the street;
- The local amenity society have not been consulted;
- The studios provide no benefit to local residents, providing neither housing or employment;
- Construction noise, pollution and traffic would be harmful to local residents;
- The additional height would be overpowering when viewed from neighbouring properties;
- The proposals would result in loss of property value for surrounding residents;
- The proposal would result in loss of views for surrounding residents;
- Object to the presence of plant on the roof;
- The proposed studios would be used by 'High End Art Businesses'; and
- The proposed development would contravene the Human Rights act.

In summary, those supporting the application raise the following issues:

- The existing studio complex provides an opportunity for new businesses to network and grow;
- The expansion would allow existing businesses in the building to expand and not have to relocate;
- The expansion would contribute to the economic performance of this poor, but dynamic Westminster quarter; and
- Construction would cause disruption but we live in a middle of a city which is constantly growing.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

SECOND ROUND OF CONSULTATION THAT EXPIRED ON 15 FEBRUARY 2016  
FOLLOWING CORRECTION TO DEVELOPMENT DESCRIPTION

Councillor David Boothroyd

The proposed extension would result in light losses exceeding BRE guidance at several properties in Fazeley Court and Astley House

Crossrail

No further comments received.

Environmental Health Officer

No further comments received.

North Paddington Society

No further comments received.

Highways Planning

No further comments received.

Transport for London

No further comments in addition to those received in response to first consultation.

Canal & River Trust

Advise that they have no further comments to make.

Inland Waterways Association

Any response to be reported verbally.

Arboricultural Section

No objection. Have reiterated request for green roof and landscaping.

**ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED**

No. Consulted: 230

Total No. of replies: 4

No. of objections: 3

No. in support: 2

In summary, the objectors raise the following issues:

- The proposed extension would result in significant loss of light for neighbouring resident's;
- The light assessment does not contain any assessment of Oxford Court;
- The proposal would result in further traffic congestion;
- The proposal would offer no benefits to local residents;

In summary, the supporter of the application raises the following issues:

- The extension would allow existing businesses to stay and grow;
- The studios are a hub that enables creative businesses to start up, grow and prosper.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

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

The application site contains a three-storey building comprising multiple units all used for studio/light industrial purposes (Class B1) which are individually let. The building has ancillary communal areas including a café, atrium, gallery, shower room and reception area. The existing floorspace is approximately 5300 sqm.

The building is bounded to the north by the towpath serving the Grand Union Canal and to the south by the elevated part of the Westway which passes over part of the building. To the east is an eight-storey blocks of flats known as Astley House which adjoins the four-storey plus basement known as Radway House.

The building is unlisted and not within a conservation area. The application site is located within the Crossrail Safeguarding Zone, and the North Westminster economic Development Area.

## 6.2 Recent Relevant History

### 08/10932/FULL

Use of building for studio/light industrial purposes by Great Western Studios (Class B1(b) and (c)). External alterations to the existing building with new windows and access points, new grey render finish and the erection of an additional second floor and extensions at ground and first floor levels. Pedestrian access from the canal towpath.  
Application Permitted 19 March 2009

### 13/11924/FULL

Erection of additional storey to form new third floor level to provide additional studio/light industrial units and erection of extension at part ground, part first and second floors to provide new studio/light industrial units and associated works. (Class B1(b) and (c)).  
Application Permitted 12 May 2014

This permission has recently been implemented.

## 7. THE PROPOSAL

The proposal is for the construction of extensions to facilitate the creation of new studio/light industrial units (Use Class B1).

Two additional storey's (i.e. levels three and four) and a side extension would be added to the existing three storey building. This would be an additional storey above the development approved under planning permission ref: 13/11924/FULL. The additional floorspace would provide an additional 1075 square metres GIA of floorspace accommodating 21 additional units if configured as studios or 8 duplex and 5 studio units if so configured. In total, the proposal would increase floorspace on-site to 7673 square metres GIA.

Like the previous approval, the proposed third floor would match the detailing of the existing building, while the new proposed fourth floor extension is intended to be clad in a ribbed terracotta cladding to differentiate it and define it as the top storey. The top storey would also feature a sign stating 'Great Western Studios on its southern elevation. This sign would be integrated into the fabric of the top storey.

It is also proposed to install plant and associated screening, provide additional parking and install additional cycle parking.

## 8. DETAILED CONSIDERATIONS



## 8.1 Land Use

The proposed additional floorspace for Class B1 (b) and (c) studios is welcomed in land use terms and is supported by policy S12 for the North Westminster Economic Development Area (NWEDA) of Westminster's City Plan: Strategic Policies (adopted 2013) ("the City Plan"). The proposal is also supported by policy S18 of the City Plan which encourages and directs commercial development to NWEDA.

The additional units/floorspace would help to maintain local employment and assist in the regeneration of the area. It will continue to provide affordable and small workspaces for a wide range of creative businesses/industries. As per the previous permission, a condition is recommended that would restrict the use to Class B1(b) and (c) studios and light industry rather than allowing general Class B1 use, which includes offices.

## 8.2 Townscape and Design

Permission was granted in May 2014 for an additional storey and this development has been begun. This proposal seeks to add an additional storey to the 2014 scheme (i.e. a two storey extension to the existing building). The proposed third floor, as previously approved, would match the detailing of the existing building, while the new proposed fourth floor extension is intended to be clad in a ribbed terracotta cladding to differentiate it and define it as the top storey. This top storey would be set back from the third floor at its eastern end and there would also be a plant zone and roof terrace incorporated within this new fourth floor, positioned centrally on the southern side of the roof plan. The latter area will be screened on its south side (i.e. facing the Westway) and it is proposed to incorporate signage reading 'Great Western Studios' into the fabric of this screen (eg. etched or carved into the material). Plant is also proposed on the main roof. The window arrangement of the new floors would follow the established pattern and size. It is also proposed to reclad the first floor section of the building around the entrance and facing towards Alfred Road in Corten and to undertake changes to the signage in this location and to undertake modifications at ground floor level associated with relocating a café area.

Given the character and scale of the adjacent townscape, the principle of a two storey enlargement of the existing building would be acceptable in design terms. Furthermore, it is appropriate that the top storey is distinguished from the rest of the building in terms of the choice of material and that the proposed terracotta cladding, providing it is tonally complementary, would also be acceptable. It is considered that there is merit in setting back the top storey (on the canal-facing side) both to further define it as the top storey and also to allow a visually more satisfactory transition in materials.

The changes proposed at ground and first floor level around the entrance to the building are uncontentious in design terms. The change in cladding material will define the entrance area and in this highly varied townscape context, the choice of corten is not regarded as having any adverse impacts.

The concept of introducing a high level non-illuminated sign 'Great Western Studios' integrated into the fabric of the new top storey is acceptable in townscape and design terms, but further details of its appearance would be required. It is considered that any such sign ought to be relatively discreet and tonally complementary to the cladding

material. A condition is recommended to secure further details of this sign to be secured by condition.

Given the above, the proposed development is consistent with policy S28 of the City Plan and policies DES 1, DES 5, DES 6 and DES 8 of the Unitary Development Plan (adopted 2007) (“the UDP”).

### **8.3 Residential Amenity**

#### **8.3.1 Use**

By definition, uses within Class B1 can be carried out within a residential area without creating a nuisance. Accordingly, the expansion of the existing use would not adversely affect the amenities of neighbouring residents in Alfred Road, Carlton Gate and Elmfield Way.

#### **8.3.2 Loss of Daylight**

The majority of the objections to this development received are concerned with loss of day and sunlight.

Recommended standards for daylight and sunlight in residential accommodation are set out in the Building Research Establishment (BRE) publication 'Site layout planning for daylight and sunlight' (second edition 2011) (“the BRE Guide”). The BRE guide stresses that the numerical values are not intended to be prescriptive in every case and are intended to be interpreted flexibly depending on the circumstances.

The applicant has submitted a Daylight and Sunlight Report by GIA (“the Light Study) and data and an assessment has been provided in respect of daylight and sunlight and their impact upon three neighbouring block of flats. The Light Study considers loss of daylight and sunlight to the following residential properties:

- 1-17 Fazeley Court;
- 1-26 Astley House;
- 1-16 Radway House;
- Oxford Court;
- Lockbridge Court

All other residential properties are located too far from the application site to result in unacceptable loss of light when considered against the BRE Guide.

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

The use of the affected rooms has a major bearing on the weight accorded to the effect on residents' amenity as a result of material losses of daylight. For example, loss of light to living rooms, dining rooms, bedrooms, studies and large kitchens (if they include dining space and are more than 12.6 square metres) are of more concern than loss of light to non-habitable rooms such as stairwells, bathrooms, small kitchens and hallways.

The Light Studies conclusions on daylight are summarised in the table below:

### Daylight Loss Summary

SITE	No. of Windows With VSC Losses Exceeding 20%	VSC Losses (%)	No. of Rooms with NSL Losses Exceeding 20%	NSL Losses (%)
1-26 Astley House	11 out of 24	25.5 - 49.7	3 out of 16	26.67 – 50.86
1-16 Radway House	6 out of 57	21.28 - 23.5	6 out of 36	23.01 – 41.27
1-7 Fazeley Court (without balconies*)	11 out of 54	20.6 - 25.9	14 out of 46	21.58 – 43.11
Oxford Court (without balconies*)	3 out of 65	21 – 48.6	1 out of 40	22.56
Lockbridge Court (without balconies*)	0 out of 28	NA	0 out of 20	NA
<b>TOTAL</b>	<b>30 out of 228 (13%)</b>		<b>24 out of 158 (15%)</b>	

\*The presence of these balconies was found to be the main factor in causing light loss and calculations were made without them to indicate the true extent of light loss from the proposed development, as suggested by the BRE Guide.

The BRE Guide itself stresses that its guidelines are intended to be applied flexibly as light levels are only one factor affecting site layout. In an urban location like this, expectations of natural light levels cannot be as great as development in rural and suburban locations and to which the BRE guide also applies.

Overall, the proposed development also achieves a relatively high level of compliance with BRE Guidance for a development of this scale. Only 13% of all windows and 15% of all eligible rooms would experience light loss that would be noticeable according to the BRE.

Out of the 11 windows at Astley House experiencing VSC losses above 20%, seven would have losses between 30.25% and 46.94%. Two bedrooms would also experience NSL losses of 44.14% and 50.86%, although bedrooms are less important for daylight levels, as noted in the BRE Guide.

At Radway House, the levels of VSC loss and NSL loss to three rooms (kitchens) would marginally exceed what is deemed noticeable by the BRE Guide. Three rooms would

experience NSL loss levels between 30.51% and 41.27% where the loss could be considered harmful.

With regards to the daylight losses to Fazeley Court, the transgressions of VSC are only marginally beyond those deemed noticeable by the BRE Guide. NSL losses at Fazeley Court would be higher, with seven rooms experiencing NSL losses that would be reasonably considered noticeable (i.e. 20-30%) and the remaining seven experiencing losses that could be reasonably considered harmful (i.e. 30-43.11%). However, the rooms and windows affected are also shaded by existing trees on the northern bank of the canal.

Of the three windows at Oxford Court with VSC losses above 20%, two would have losses exceeding 40%. NSL losses exceeding BRE guidance at Oxford Court would be confined to one room and that loss would be only marginally above what is deemed noticeable by the BRE.

Lockbridge Court would not experience levels of daylight loss exceeding BRE guidance.

Overall, the windows and rooms experiencing what could be deemed harmful levels of light loss (i.e. a loss of 30% or more), would be limited to 9 windows and 12 rooms. This equates to 4% of eligible windows and 8% of rooms.

However, these light losses must be weighed against the benefits of the development. In this instance, the additional units/floorspace would help to maintain local employment and assist in the regeneration of the area whilst providing affordable and small workspaces for a wide range of creative businesses/industries. Given these benefits of the development, the relatively small number of windows and rooms with harmful levels of light loss and the flexibility set out within the BRE Guide, refusal of the development on this basis would not be sustainable.

### 8.3.3 Loss of Sunlight

The BRE guidelines state that rooms will appear reasonably sunlit provided that it receives 25% of annual probable sunlight hours, including at least 5% of annual winter sunlight hours. A room will be adversely affected if the resulting sunlight level is less than the recommended standards and reduced by more than 20% of its former values and if it has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours. The BRE Guide states that only sunlight to living rooms needs to be assessed.

#### **Sunlight Loss Summary**

SITE	No. of Eligible Windows With Sunlight Loss Exceeding BRE Guidelines
1-26 Astley House	1 out of 8
1-16 Radway House	0 out of 41
1-7 Fazeley Court (without balconies)	0 out of 34

Oxford Court (without balconies)	1 out of 49
Lockbridge Court (without balconies)	0 out of 25
<b>TOTAL</b>	<b>2 out of 157 (1%)</b>

The sunlight loss proposed would be relatively modest for an urban site such as this with only 1 window at Astley House and 1 window at Oxford Court having losses exceeding BRE Guidance. When considered against the benefits of this development, this level of sunlight loss would not warrant refusal of this application.

#### 8.3.4 Sense of Enclosure

The proposed development would be separated from Oxford, Fazeley and Locksbridge Courts by the width of the Grand Union Canal (i.e. over 26 m away). The width of the canal provides sufficient separation distance to ensure that the proposed development does not result in a significant increase in sense of enclosure for the occupiers of those properties.

The proposed development has been designed so that it steps away from Astley and Radway Houses at its closest points to those buildings. The eastern façade is also not parallel to Astley and Radway Houses and includes a large recess which ensures that windows in Astley and Radway Houses would have oblique views of the proposed extension. Given the above and the separation distance between the proposed development and these properties, the proposed development would not result in a significant sense of enclosure for the occupants of Astley and Radway Houses.

Given the above, the proposed development would not result in a significant sense of enclosure for the occupants of residential properties surrounding the site. Accordingly, the proposal would be consistent with policy ENV13 of the UDP and policy S29 of the City Plan.

#### 8.3.5 Privacy

The windows proposed in the eastern and northern elevations at the eastern end of the extension would have a similar outlook to the existing building. They would also be orientated at an oblique angle to Astley and Radway Houses and would be located no closer than approximately 13 m to those buildings.

The proposed development would be separated from Oxford, Fazeley and Locksbridge Courts by the width of the Grand Union Canal (i.e. over 26 m away). The additional windows proposed would also have a comparable outlook to existing windows. Accordingly, the additional windows on the northern face of the building would not result in a material loss of privacy for the occupiers of those properties.

The proposed terrace on the eastern side of the site at fourth floor level would be separated from Astley House by 9 m at its nearest point and would largely face existing terraces at Astley House. Given this separation distance, this terrace is not considered to

result in a material loss of privacy or increased overlooking into Astley House particularly given there are existing terraces in this block. A condition is recommended to prevent further roof terraces that may cause harm to the amenity of nearby residents.

Subject to the recommended condition, the proposed development would not result in unacceptable loss of privacy for the occupants of nearby residential properties and would be consistent with policy S29 of the City Plan and policy ENV 13 of the UDP.

#### 8.3.6 Plant Noise

The proposed development would include rooftop plant. The Environmental Health Officer has reviewed the proposed development and the acoustic report submitted by the applicant. The Environmental Health Office advises that the application site is located in an area with high background noise levels, largely from the adjacent Westway and that, in this context, the proposed plant would comply with the City Council's noise limits. Accordingly, and subject to conditions, the proposed development would be consistent with policies ENV6 and ENV7 of the UDP and policy S32 of the City Plan.

### 8.4 **Transportation/Parking**

#### 8.4.1 Car Parking and Servicing

The applicant proposes one additional parking space, resulting in six on-site spaces for the entire development. This would be consistent with the parking standards of TRANS 22 of the UDP.

However, the submitted Transport Assessment indicates that 20 people drive to the site. This is exceptionally high car usage for this site, especially given the available public transport links. It is also unclear why private vehicle trips to the site are so high.

The submitted Transport Assessment does not contain any assessment of future trips to the site by private vehicle, based on the increase in floor space. The current use generates a high demand for car parking and private vehicle trips and the proposed additional units are likely to increase this demand. Significant concern is raised that additional units and capacity will place more pressure on the surrounding road network, in terms of demand for parking.

Despite this, given the sites location, it is disappointing that additional car parking is being provided. This is likely to only lead to increased private vehicle use to the site, as opposed to other more sustainable travel modes.

To help minimise private vehicle use and to ensure other sustainable transport modes are provided for the site, a comprehensive Travel Plan should be developed. This process can ensure facilities are tailored specifically for the occupants needs. This will also minimise the impact of the proposed additional units on the surrounding highway network. A condition is recommended to secure such a Travel Plan.

The proposed car parking also appears to remove any servicing provision from the site. Policy S42 of the City Plan and policy TRANS20 require off-street servicing provision. Given the use is existing and current off-street provision is being reduced, a Servicing

Management Plan (SMP) is to be secured by condition to ensure the studios are serviced in a way to minimise impact upon the highway.

Subject to the recommended conditions, the proposed development would be consistent with policies S41 and S42 of the City Plan and policies TRANS 20, TRANS 21 and TRANS 22 of the UDP.

#### 8.4.2 Cycle Parking

Policy 6.9 of the London Plan (FALP – March 2015) requires one cycle parking space per 250m<sup>2</sup> of B1 light industrial. The increase proposed would therefore require ten additional cycle parking spaces. Whilst the applicant indicates that overall 100 cycle parking spaces will be provided, they do not appear on the submitted drawings, although room is available for this on-site. A condition has been recommended to secure this cycle parking. Subject to this condition, the proposal would be consistent with policy 6.9 of the London Plan.

#### 8.4.3 Waste

Waste stores are indicated on the submitted drawings. Given the increase in floor space and number of occupants, it is unclear if the waste provision is sufficient for the additional occupants. Furthermore, whilst it is accepted that the café is existing, given the improvements to the offer, provision should be made for additional organic waste.

A condition is recommended, to ensure that the level of waste storage indicated is sufficient for the proposed number of units and is in accordance with the requirements of the Westminster Recycling and Waste Storage Requirements and policy S41 and S44 of the City Plan and policies ENV12 and TRANS3.

### 8.5 **Economic Considerations**

As noted above, the proposed studio space would provide low cost office space to nurture small businesses and assist further regeneration of NWEDA. Construction of the proposed development would also provide job opportunities in the short term as well as support local businesses that support construction workers.

### 8.6 **Access**

The proposed units would all be accessible by lift and from level access ways. A disabled parking space has also been provided. Overall the scheme is considered to comply with Policy DES1 in the adopted UDP and Policy S28 in the City Plan in terms of accessibility.

### 8.7 **Other UDP/Westminster Policy Considerations**

#### 8.7.1 Sustainability

The applicant has submitted an Energy Strategy for the proposed development that demonstrates that the proposal will achieve a carbon dioxide saving of 36% through the use of VRV Heat Pumps and Solar Thermal Water Heaters. This would be consistent with policy S28 and S40 of the City Plan. Whilst this would not achieve the 40% saving

required by policy 5.2 of the London Plan, the proposal would need to be built accordance with current building regulations which would achieve a comparable level of savings. Accordingly, the proposed development would achieve an appropriate level of carbon savings.

#### 8.7.2 Biodiversity

The adjacent Grand Union Canal is a Site of Nature Conservation Importance (SNCI) and it is understood that bats use it for feeding and as a travel route. To minimise the impact of the proposal on wildlife, a condition is recommended requiring the City Council's approval of lighting associated with this development.

#### 8.7.3 Sustainable Urban Drainage Systems (SUDS)

Policy 5.13 of the London Plan specifies that development should utilise Sustainable Urban Drainage Systems (SUDS) unless there are practical reasons for not doing so, should aim to achieve greenfield run-off rates, and ensure that surface water run-off is managed as close as possible to its source.

The proposed development includes a small area of green roof at the eastern end of the development. However much of the roof of the proposed development is unobstructed and could accommodate a large area of green roof. Accordingly, a condition is attached requiring the applicant to provide a larger green roof where feasible. The provision of such a roof would provide further run-off attenuation, consistent with policy 5.13 of the London Plan.

### 8.8 **London Plan**

This application raises no strategic issues.

### 8.9 **National Policy/Guidance Considerations**

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

### 8.10 **Planning Obligations**

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

The Canal and River Trust have requested a contribution toward tackling anti-social behaviour on the adjacent tow path. However, no link has been given or is apparent between the proposed development and this behaviour. Accordingly, such a contribution would not be reasonably related in scale and kind to the development and therefore would not meet regulation 122 of the CIL Regulations 2010 (as amended). As such, a contribution has not been sought.

### 8.11 **Environmental Impact Assessment**

Not applicable to this scale of development



## 8.12 Other Issues

### 8.12.1 Construction Impact

The Canal and River Trust and Crossrail have requested conditions requiring further approval of construction management and methodology. Conditions are recommended that limit the hours of construction and require the development to be carried out in accordance with the Construction Management Plan recently approved in relation to application ref: 13/11924/FULL so as to minimise harm to the amenity of local residents and traffic flow. Subject to these conditions, the proposed development would not result in unacceptable harm to the amenity of local residents or the free flow of traffic.

## 9 BACKGROUND PAPERS

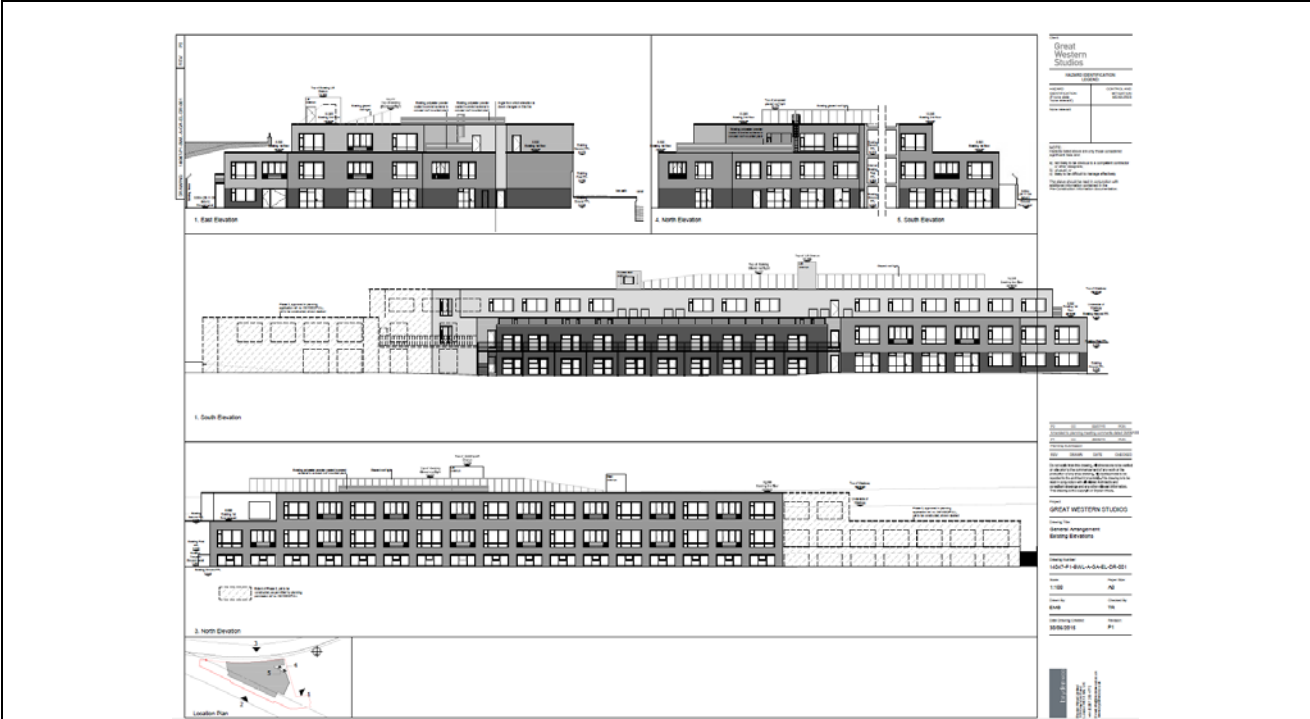
1. Application form
2. Emails from Councillor David Boothroyd, dated 18 October 2015 and 28 January 2016
3. Response from Environmental Health Officer, dated 23 October 2015
4. Response from Highways Planning Manager, dated 30 October 2015
5. Response from Tree Officer, dated 16 November 2015 and 25 April 2016
6. Response from TFL, dated 23 October 2015 and 1 February 2016
7. Response from Crossrail, dated 13 October 2015
8. Response from Canal and River Trust, dated 28 October 2015 and 23 February 2016
9. Response from the North Paddington Society (undated)
10. Letter from occupier of Flat 6, Oxford Court, dated 28 January 2016
11. Letter from occupier of Flat 2, Fazeley Court, dated 10 February 2016
12. Letter from occupier of Flat 1, Fazeley Court, dated 29 October 2015
13. Letter from occupier of Flat 12, Astley House, dated 15 December 2015
14. Letter from occupier of Great Western Studios, 65 Alfred Road, dated 21 October 2015
15. Letter from occupier of 8 Oxford Court, Elmfield Way, dated 14 October 2015
16. Letter from occupier of 9 The Old Aeroworks, 17 Hatton Street, dated 15 October 2015
17. Letter from occupier of 41 Warrington Crescent, London, dated 15 October 2015
18. Letter from occupier of Flat 6 Radway House, Alfred Road, dated 22 October 2015
19. Letter from occupier of 34 Oxford Court, London, dated 14 October 2015
20. Letter from occupier of Studio 18, Great Western Studios, dated 21 October 2015
21. Letter from occupier of 11 Elm Grove, London, dated 21 October 2015
22. Letter from occupier of Studio 39, Great Western Studios, dated 21 October 2015
23. Letter from occupier of 2 Oxford Court, Elmfield Way, dated 15 October 2015
24. Letter from occupier of 5 Fazeley Court, Elmfield Way, dated 30 October 2015
25. Letter from occupier of 122 Great Western Studios, 65 Alfred Road, dated 26 October 2015
26. Letter from occupier of 6 Radway House, Alfred Road, dated 24 October 2015
27. Letter from occupier of Flat 4 Fazeley Court, Elmfield Way, dated 3 November 2015
28. Letter from occupier of 2 Fazeley Court, Elmfield Way, dated 10 February 2016
29. Letter from occupier of 19 Oxford Court, Elmfield Way, dated 10 February 2016
30. Letter from occupier of Flat 1, Fazeley Court, dated 17 February 2016
31. Letter from Adam Brown, dated 27 April 2016
32. Letter from occupier of Studio 38, Great Western Studios, dated 10 May 1 2016

**Selected relevant drawings**

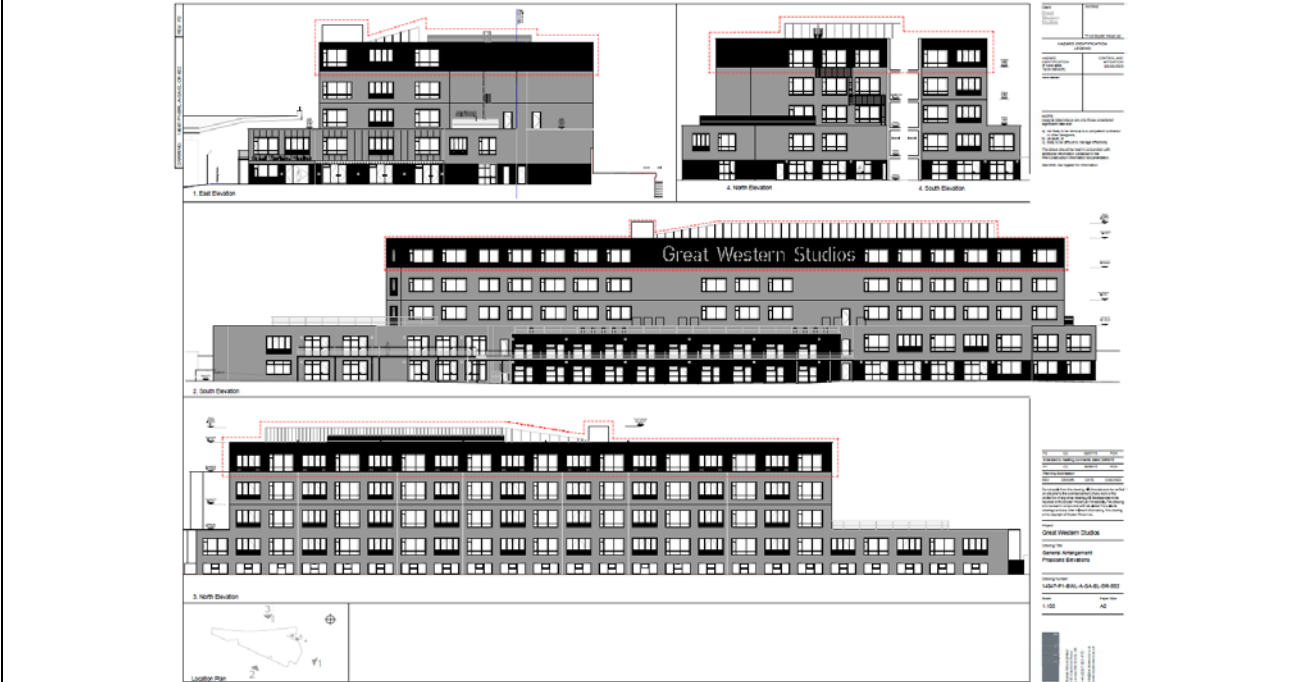
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT KIMBERLEY DAVIES ON 020 7641 5939 OR BY EMAIL AT [NorthPlanningTeam@westminster.gov.uk](mailto:NorthPlanningTeam@westminster.gov.uk)

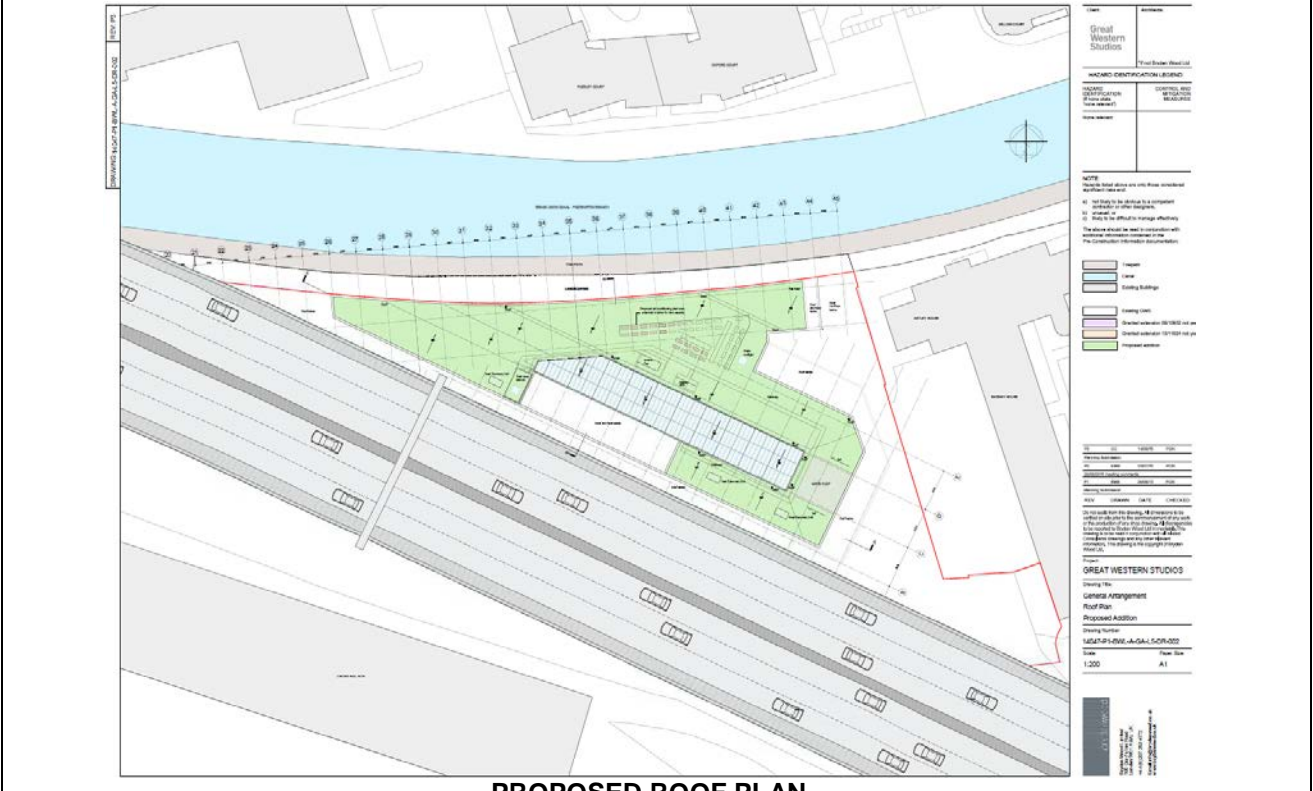
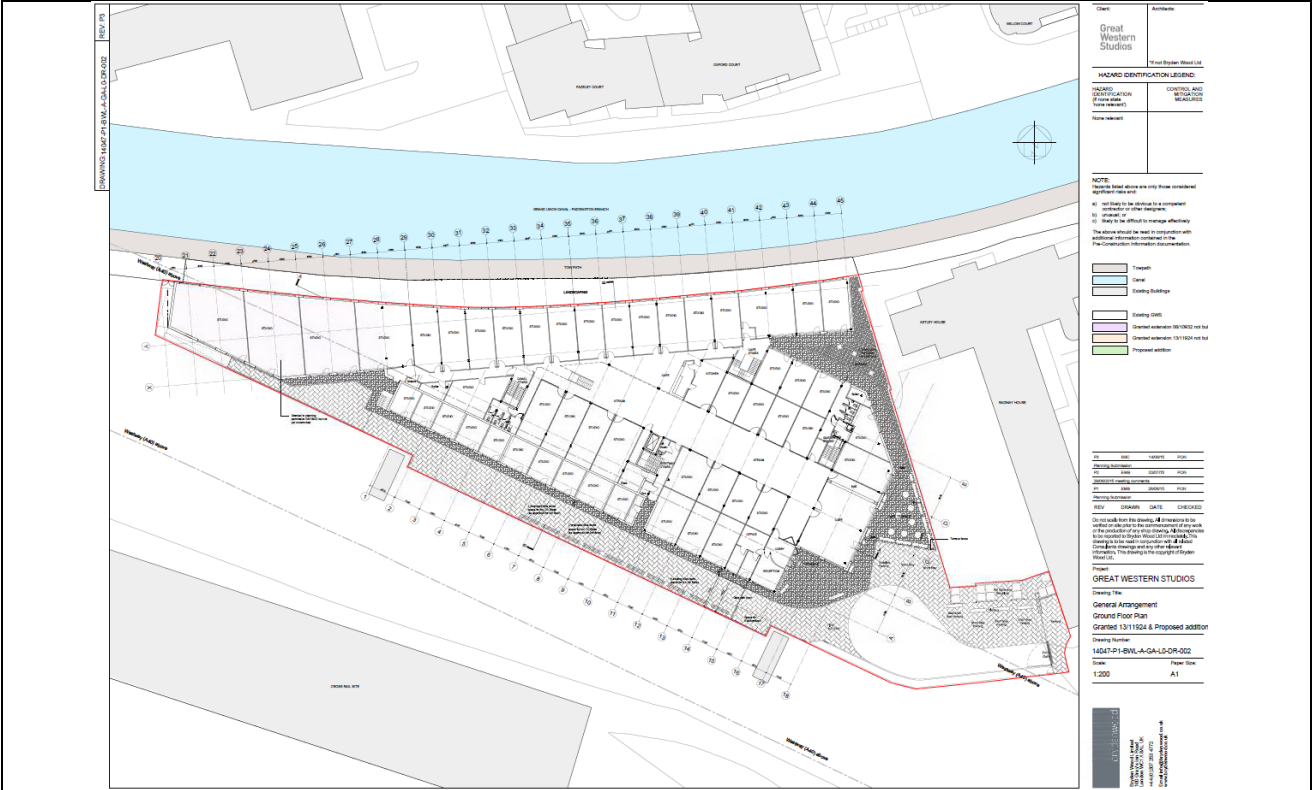
10 KEY DRAWINGS



EXISTING ELEVATIONS



PROPOSED ELEVATIONS





**DRAFT DECISION LETTER**

- Address:** 65 Alfred Road, London, W2 5EU
- Proposal:** Erection of two additional storeys and a side extension to form new third and fourth floor level to existing workshop and artist studio building; installation of plant; alterations to the eastern elevation.
- Plan Nos:** Drawing no's 14047-P1-BWL-A-GA-EL-DR-001 Rev P2, 14047-P1-BWL-A-GA-L0-DR-000 Rev P2, 14047-P1-BWL-A-GA-L0-DR-001 Rev P3, 14047-P1-BWL-A-GA-L0-DR-002 Rev P3, 14047-P1-BWL-A-GA-L1-DR-001 Rev P2, 14047-P1-BWL-A-GA-L1-DR-002 Rev P3, 14047-P1-BWL-A-GA-L2-DR-001 Rev P2, 14047-P1-BWL-A-GA-L2-DR-002 Rev P2, 14047-P1-BWL-A-GA-L3-DR-001 Rev P2, 14047-P1-BWL-A-GA-L3-DR-002 Rev P3, 14047-P1-BWL-A-GA-L4-DR-002 Rev P3, 14047-P1-BWL-A-GA-L5-DR-002 Rev P3, 14047-P1-BWL-A-GA-SE-DR-001 Rev P2, 14047-P1-BWL-A-GA-SE-DR-002 Rev P3, 14047-P1-BWL-A-GA-SE-DR-003 Rev P3, 14047-P1-BWL-A-GA-SE-DR-004 Rev P4, 14047-P1-BWL-A-GA-EL-DR-002 Rev P3, 14042-P1-BWL-A-DT-01-DR-1000 REV T2; Design and Access Statement (ref: 14047-REP-001); Transport Statement by TPA (dated August 2015); Energy Strategy Report by TUV SUD (dated August 2015); Planning Statement by DP9 (dated September 2015); Plant Noise Assessment by Anderson Acoustics (dated July 2015); Construction Management Plan – Traffic Management Plan by MBS (Rev E dated 14 December 2015); Method Statement for Works Adjacent to the Grand Union Canal (Paddington Branch) by MBS (Rev E dated 5 November 2015)

**Case Officer:** Nathan Barrett

**Direct Tel. No.** 020 7641 5943

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of 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 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)

- 4 The accommodation hereby approved shall be used for studio and light industrial purposes only falling within Class B1 (b) and (c) of the Town and Country Planning Use Classes Order 1987 (as amended), with the exemption of the ancillary offices, cafe and canteen.

Reason:

To ensure that this building provides studio and light industrial space for the creative industries and to assist in the regeneration of the area, in accordance with policies S12 and S18 of Westminster's City Plan: Strategic Policies adopted November 2013.

- 5 The development shall be carried out in accordance with the document titled "Method Statement for Works Adjacent to the Grand Union Canal (Paddington Branch)" by MBS (Rev E dated 5 November 2015).

Reason:

To ensure that the development can be carried out in a safe manner and without harm to the adjacent canal.

- 6 You must apply to us for approval of the following parts of the development before the units hereby approved are occupied:

- The location of one Electric Vehicle Charging Point.

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.

Reason:

To encourage sustainable transport, in accordance with policy 6.13 of The London Plan (FALP - March 2015).

- 7 You must apply to us for approval of detailed drawings of the following parts of the development:

- Elevations and sections of all signage (scale 1:50); and

- Elevations and sections of all roof top plant enclosures (scale 1:50)

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.

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)

- 8 You must apply to us for approval of samples 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.

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)

- 9 The 'Great Western Studios' sign on the southern elevation, facing the A40, shall not be illuminated.

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)

- 10 Before the new units are occupied, full details of the proposed cycle parking racks shall be submitted to and approved in writing by the City Council as a local planning authority. The cycle parking racks must be installed prior to occupation of the new units hereby approved. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 of The London Plan (FALP – 2015).

- 11 Prior to occupation of the new units, you must apply to us for approval of an updated Travel Plan. The Travel Plan must include details of:
- (a) A comprehensive survey of all users of these premises;
  - (b) Details of local resident involvement in the adoption and implementation of the Travel Plan;
  - (c) Targets set in the Plan to reduce car journeys to these premises;
  - (d) Details of how the Travel Plan will be regularly monitored and amended, if necessary, if



targets identified in the Plan are not being met over a period of 5 years from the date the new units are occupied.

At the end of the first and third years of the life of the Travel Plan, you must apply to us for approval of reports monitoring the effectiveness of the Travel Plan and setting out any changes you propose to make to the Plan to overcome any identified problems.

Reason:

In the interests of public safety, to avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TRANS 2, TRANS 3 and TRANS 15 of our Unitary Development Plan that we adopted in January 2007. (R45AB)

- 12 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 13 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.

- 13 (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.

- 14 You must not use the roof of the extension for sitting out or for any other purpose. You can however use the roof to escape in an emergency.

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.

- 15 The units hereby approved shall not be occupied until a Servicing Management Plan (SMP) has been submitted to and approved in writing by the City Council. You must then carry out the development in accordance with the approved SMP.

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 TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007.

- 16 You must apply to us for approval of detailed drawings showing the following alteration to the scheme.
- The maximum possible area of Green Roof that can be provided on the roof of the extension. If total coverage with Green Roof is not possible, justification for this must be provided.

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.

Reason:

To minimise run-off from the site, in accordance with policy 5.13 of The London Plan (FALP – 2015).

- 17 Before occupation of the units hereby approved, full details of any proposed lighting and CCTV shall be submitted to and approved in writing by the City Council as a local planning authority in consultation with the Canal and River Trust. The development shall be carried out in accordance with the approved lighting and CCTV details.

Reason:

To reduce the effect the development has on the biodiversity of the environment, as set out in S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 17 of our Unitary Development Plan that we adopted in January 2007.

- 18 The development shall be carried out in accordance with the document titled "Construction Management Plan – Traffic Management Plan" by MBS (Rev E dated 14 December 2015).

Reason:

As required by Transport for London given the proximity of the site to the A40 Westway.

- 19 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 occupy the new units hereby approved 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 premises. (C14EC)

Reason:

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 premises. (C14EC)

**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 The applicant/developer should refer to the current "Code of Practice for Works affecting the Canal and River Trust" to ensure that any necessary consents are obtained. Further information is available on their website:, <http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-our-property>
- 3 The applicant/developer is advised that any encroachment or access onto the canal towpath requires written consent from the Canal and River Trust, and you should contract the Canal and River Trust's Estates Surveyor, Jonathan Young (jonathan.young@canalrivertrust.org.uk) regarding this.
- 4 The applicant/developer is advised that any encroachment or access onto the canal towpath requires written consent from the Canal and River Trust, and you should contract the Canal and River Trust's Estates Surveyor, Jonathan Young (jonathan.young@canalrivertrust.org.uk) regarding this.
- 5 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work. Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

24 Hour Noise Team  
Environmental Health Service  
Westminster City Hall  
64 Victoria Street  
London  
SW1E 6QP  
Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval.

- 6 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.**

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.