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| CITY OF WESTMINSTER | | | |
| PLANNING APPLICATIONS COMMITTEE | Date 14 June 2016 | Classification For General Release | |
| Report of Director of Planning | | Ward(s) involved Knightsbridge And Belgravia | |
| Subject of Report | Park Mansions, Knightsbridge, London, SW1X 7QU, | | |
| Proposal | Single storey extension at roof level to provide four additional residential units, including terraces and plant room. Reinstatement of the central cupola and northern and southern turrets. | | |
| Agent | Mr Tom Payne, Bilfinger GVA | | |
| On behalf of | Knightsbridge Freehold Company LTD | | |
| Registered Number | 15/10847/FULL | Date amended/ completed | 23 November 2015 |
| Date Application Received | 11 November 2015 | | |
| Historic Building Grade | Unlisted | | |
| Conservation Area | Knightsbridge Green | | |

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The application seeks planning permission for a roof extension to provide 4 additional flats.

The main issues for consideration are:

- The detailed design of the extension and impact on the surrounding conservation area and views into and across the area.
- The impact of the extension on the amenity of other flats within Park Mansions.

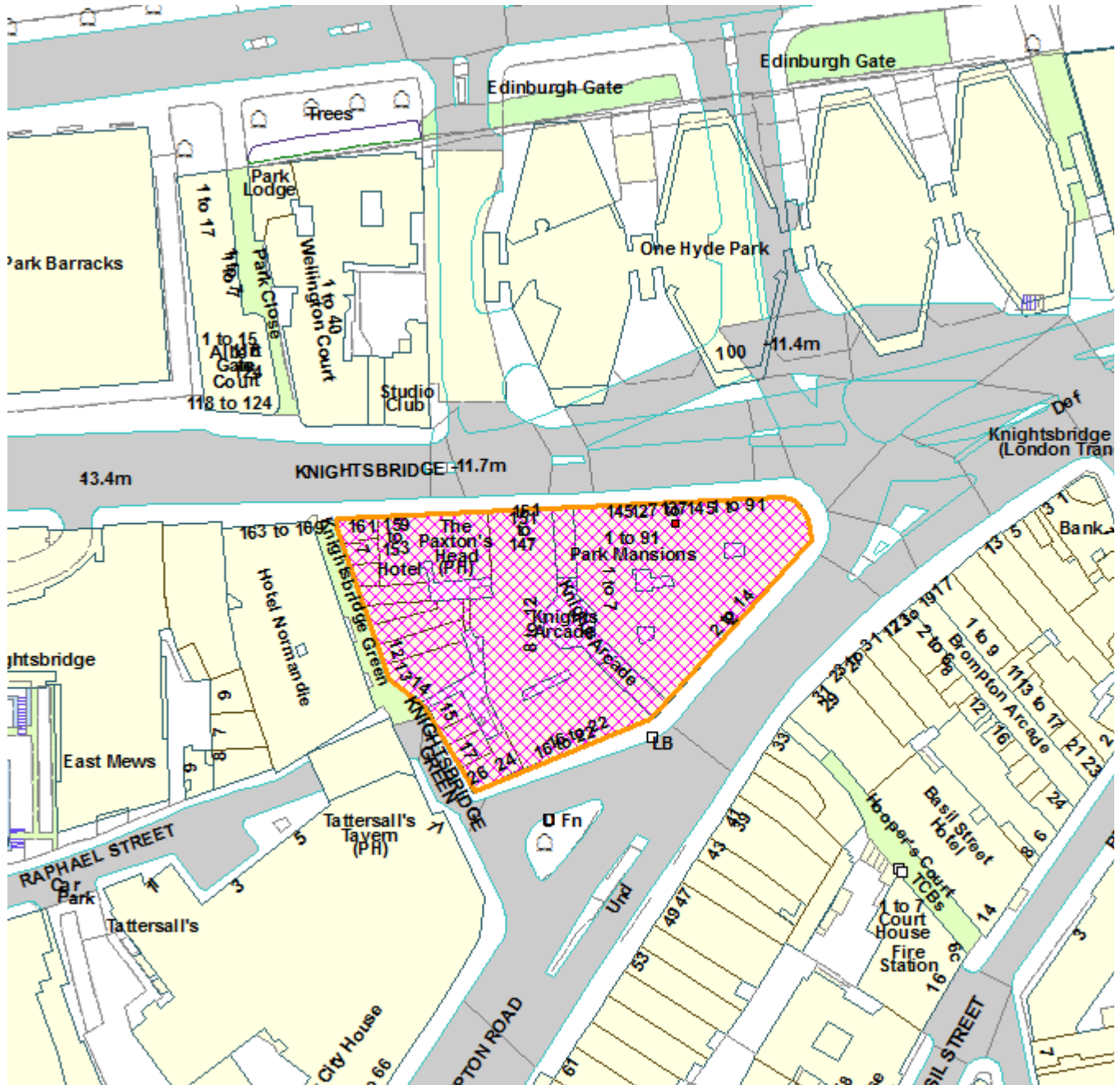
There has been substantial objection to the proposals from residents of Park Mansions, their Leaseholders Association and the Knightsbridge Association. The objections largely relate to the principle of a roof extension on this building and its impact upon the building and wider conservation area, the implications for the amenity of existing residents and increased parking pressures along with other non planning matters.

The proposed extension is set well back from the street elevations. Though it will be visible in some long views and private views from the upper storeys of surrounding buildings, it is not considered that

the views would be damaging to the building or wider conservation area. There is considered to be a significant benefit in restoring the turrets and cupola which were part of the original building design and removed many years ago.

Whilst there will be a material impact on the daylight and sunlight to some residential windows, it is not considered that the impact is such that a refusal of planning permission could be sustained on this occasion.

3. LOCATION PLAN



4. PHOTOGRAPHS



Brompton Road elevation



Long View from the east

5. CONSULTATIONS

Councillor Robathan

Objection – considers that the extension will be visible in long views and the style is inappropriate for this building. The terraces and the large windows in the new units will cause overlooking to existing residents.

Royal Borough of Kensington & Chelsea
No objection.

Knightsbridge Association

Objection. The extra floor will detract from the roofline. The removal of the 14 chimney stacks is unacceptable as they are an integral part of the building's composition. The extension is likely to be visible in long views. There will be greater impact to the light on existing flats than the daylight report would suggest.

Highways Planning Manager

Object on the basis that the 4 additional flats will add to the pressure on the availability of on-street parking in the area.

Cleansing

Request a revised plan is submitted showing refuse storage.

District Surveyor

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 196

Total No. of replies: 53

No. of objections: 53

No. in support: 0

Objections received on the following grounds:

Design

- The building is unsuitable for a roof extension – it has been identified as such in the Conservation Area Audit.
- The design is an unsuitable addition to an Edwardian roofscape.
- The removal of 14 chimney stacks is unacceptable in terms of its impact on the conservation area and the host building.
- The metal screen is not appropriate and just serves to hide an incongruous structure behind.
- The restoration of the cupola is not a benefit.

Amenity

- Loss of daylight and sunlight to residential windows facing the lightwell.
- The extension would provide an unacceptable outlook to windows facing the lightwell, given many flats are single aspect.

- Overlooking from the proposed flats and terraces.
- Noise and dust from construction.

Highways

- The applicants proposal of permit free development for the 4 additional flats is impractical.
- The additional flats will put pressure on local on street parking.
- The construction will disrupt Knightsbridge traffic

Other

- Inadequate waste storage.
- Existing residents' flats would be uninhabitable during construction works.
- Impact of a prolonged period of scaffolding on the living conditions of residents is unacceptable.
- Structural issues regarding the ability of the existing building (rooftop and foundations) to be able to take the additional weight of the extension.
- The removal of the chimney stacks means that those who use them as a route for flues from gas fires/boilers would be compromised.
- The additional storey is not capable of construction as the proposed flats would conflict with the hot water/heating pipework on the existing roof.
- Repeated applications for the same development.
- Existing waste water drainage system is inadequate and results in frequent flooding of the Brompton Rd entrance; additional flats will put more pressure on this system.
- Fire escape routes are blocked.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

Park Mansions is an unlisted Edwardian residential building comprising 96 flats, with commercial units at street level. It is within the Knightsbridge Green Conservation Area. It is noted as an unlisted building of merit in the conservation area appraisal. The building is arranged around three lightwells.

6.2 Recent Relevant History

July 2012 (12/03283/FULL) – application for “Residential extension at roof level (new eighth floor) to existing residential mansion block to provide five additional residential units” withdrawn.

1 February 2013 (RN 12/11828/FULL) – application for a roof extension to provide 5 additional dwellings (3x3 bed and 2 x 4 bed) was refused under delegated powers solely on design grounds.

November 2013 (13/06733/FULL) – application for “residential extension at roof level (new eighth floor) to existing residential mansion block to provide nine additional residential units

including terraces and relocated plant room”. Withdrawn following a recommendation to committee for refusal on design, amenity and highways grounds.

7. THE PROPOSAL

This application seeks permission for a roof extension at eighth floor level comprising 4 residential units with associated terraces. The application follows the refusal or withdrawal of several previous applications for roof extensions to provide various amounts of additional residential accommodation. It is also proposed to reinstate the cupola and currents, understood to have been removed in the 1970s.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The residential use is acceptable in principle and is in line with S15 of the City Plan. Policy H5 of the UDP requires 33% of new residential units to be of three or more bedrooms. The proposed mix of unit sizes is 2 x 3 bedroom units and 2 x 2 bedroom units. The 3 bedroom flats comprise 158 square metres and 135 square metres, whilst the 2 bedroom flats are 103 and 108 square metres. The proposed terraces provide amenity space for each flat.

In terms of the quality of accommodation provided, each of the units is considered to be well proportioned and would satisfy the national space standards.

8.2 Townscape and Design

Park Mansions is located in a prominent position within the Knightsbridge Green Conservation Area. Erected in 1897-1902, it is an exuberant design in red brick and Bath stone. It is identified in the Conservation Area Audit as an unlisted building of merit and as a landmark building with an identified local view of the building from the east. The Audit also identifies it as a building with a distinctive roofline and a completed composition.

There has been significant local opposition to the proposals in terms of the principle of a roof extension, as well as the detailed design, removal of 14 chimney stacks and impact on views from both street level and from private vantage points. The Park Mansions Leaseholders Ltd and the Knightsbridge Association have made detailed representations in this regard, as well as occupiers of individual flats within Park Mansions.

UDP policy DES 6 relates to roof level alterations and extensions. It states that permission may be refused for roof extensions in a number of circumstances, including where buildings are completed compositions and where the existing building's form or profile makes a contribution to the local skyline or was originally designed to be seen in silhouette. As such, any proposed alteration to the roof needs to be considered against this policy to assess its impact on these.

The proposal is for modification of the roofs behind the front roof slope and the construction of new single storey roof extensions. The rear roof slope is removed along with a number of roof structures, plant and chimneys and flues which are currently located on the flat roofs behind. Significantly, there is no alteration to the front roof slopes or chimneys located within them. It is also proposed to restore the original cupola and flanking turrets to the prominent east corner which is considered an enhancement.

Given the single storey nature of the new construction and the set back behind the retained front roof slope, there is very little visibility of the proposed new structure from the surrounding streets. The identified local view in the Conservation Area Audit is slightly affected with a glimpse of part of the new structure visible in the sky component between two chimneys on the south elevation. However, the view is also improved with the reconstructed cupola and flanking turrets which could be considered to enhance this view. There are fleeting views from other vantage points (view 4, Hyde Park, view 6 Raphael Street, view 8 Brompton Road) but it is not considered that any of these cause significant harm to the host building or conservation area. There would be some limited views of the new extension from the upper floors of adjacent higher buildings, but this would not be considered a significant impact in conservation area terms and could be considered an improvement over the current view of a cluttered and rather unsightly rooftop. Any harm to these views is considered minor and could be considered to be outweighed by the public benefit of reinstating the cupola and flanking turrets to the corner.

The design approach adopted for the new roof structures is for a fairly neutral design aesthetic with clean lines and minimal detailing. The use of materials is restrained and in a modern idiom. The units are predominantly inward looking with highly glazed facades onto the internal courtyard. There is very little architectural impact on the views of the building from surrounding streets. While the view from the internal courtyard is affected, this has little impact on the conservation area. The neutral aesthetic does not clash with the relatively plain and unadorned elevations facing onto the courtyard.

The statutory requirement for development in conservation areas is for them to preserve or enhance the character or appearance of the conservation area. The impact of the works proposed upon the conservation character and appearance is very minor and is considered to be outweighed by the benefit of reinstating the highly prominent cupola and flanking turrets. In terms of the National Planning Policy Framework, the less than substantial harm would be outweighed by the public benefits. It would be important, if permission was granted, to ensure that the works to the cupola and flanking turrets were required as part of the permission.

8.3 Residential Amenity

Policy S29 of the City Plan relates to health, safety and wellbeing, stating that the Council will resist proposals that would result in an unacceptable material loss of amenity. Policy ENV13 of the UDP relates to protecting amenities, daylight and sunlight, and environmental quality. Policy ENV 13 (D) states that the City Council will resist proposals which result in a material loss of daylight/sunlight, particularly to existing dwellings and educational buildings. Policy ENV 13 (E) goes on to state that developments should not result in a significant increase in sense of enclosure, overlooking, or cause unacceptable overshadowing, particularly on gardens, public open space or on adjoining buildings, whether in residential or public use.

The application has attracted objections from a significant proportion of existing residents within the building itself, along with the occupiers of the residential units above the Bulgari Hotel and residential occupiers in 199 Knightsbridge, both buildings located to the west of the site.

Sunlight and Daylight

The application is supported by a daylight/sunlight assessment that analyses the impact of the extension on the amount of natural light available to the existing windows within the building. The Building Research Establishment (BRE) guidelines state that daylight levels may be adversely affected if the Vertical Sky component (VSC) measured at the centre of an existing main window is less than 27% and less than 0.8 times its former value. Although a failure to meet these criteria does not necessarily mean that a proposal is unacceptable, it does provide planning authorities with a guide to assessing the impact of development on neighbouring properties. In terms of sunlight, the BRE sets out as a guide that at least 25% of annual probable sunlight hours should be received over the year, with 5% of those hours during the winter period. For there to be a material impact upon the level of sunlight received, the BRE guidance is that the proposed level of sunlight must be less than 0.8 times the original figure.

The occupiers of one of the apartments above the Bulgari Hotel consider that the applicant's daylight/sunlight assessment should have included their windows. The extension is set well away from these windows and it is not considered that a single storey addition would have any undue impact on the daylight or sunlight to these properties. The applicants daylight consultant has confirmed that any assessment of the windows above the hotel was scoped out of their assessment due to the proposed extension not breaching the 25 degree line taken from the centre of the affected window (as set out in the 2011 BRE guidelines).

The proposed roof extension has a material impact on some of the windows facing the central and east lightwells within Park Mansions. In terms of daylight, there is a material loss of VSC to 13 windows in the south east elevation of the east lightwell. Four of these windows serve non habitable rooms (bathroom or entrance hall). Of the remaining windows, four will lose between 27% to 29% while there is a very marginal impact on the remaining 5 windows (largely bedrooms) at 21-22% loss. The affected windows are not from single aspect flats.

In terms of sunlight, there is a material impact to 11 windows in the central lightwell facing south and east, all of which are from single aspect flats. As a general point, the level of sunlight received by the windows facing the lightwells within Park Mansions is fairly low, particularly in winter, but quite typical of an urban setting such as this. The actual loss of sunlight to most windows is small, the percentage loss being high due to existing low figures. There is one east facing window at fourth floor where both summer and winter sunlight are materially affected.

There is no flat where both daylight and sunlight are materially affected. In the context of an urban area, it is considered that the retained levels of daylight to the affected windows are reasonable, and whilst there are impacts on sunlight particularly in winter, the losses are considered to be within reasonable limits. It is not considered therefore that permission could reasonably be withheld on the basis of loss of daylight and sunlight to existing windows.

Sense of Enclosure

The additional storey will be apparent when viewed from residential windows adjacent and opposite the extension. It is not considered that the resultant relationship would be

uncommon for an urban environment and as such it is not considered that the application is contrary to ENV13 in this respect.

Privacy

Objectors are concerned that the windows of the additional storey will result in an excessive degree of overlooking to existing residential windows overlooking the lightwells. There are large expanses of glazing facing the lightwell serving living areas, bedrooms and bathrooms.

To respond to objectors' and officer concerns regarding the potential for overlooking between the proposed flats and other existing residential windows within Park Mansions, the applicants have proposed to install angled louvres over the more sensitive windows in this regard. The louvres would certainly improve the situation, but they will also be required to the lightwell elevation living room windows of 'penthouse D' (to the Brompton Rd side of the site). The applicants point out that there is a 17m separation between the north and south sides of the lightwell at this point – this is noted, but neither the City Plan nor the UDP have any specific distance references in relation to overlooking between properties.

There also appear to be small balconies shown on the plans and elevations to the lightwell elevations. The applicants state that the projecting areas shown immediately in front of windows within the proposed extension will not be accessible. Any balconies in this location will not be acceptable and would exacerbate issues of overlooking and the potential noise and disturbance associated with balconies in close proximity to residential windows. An amending condition is recommended in this regard.

In terms of the terraces, it is recommended their extent is limited beyond that shown on the submitted drawings. As shown on the drawings, it is considered there is potential for overlooking towards the flats at the Bulgari Hotel and windows facing the lightwells within Park Mansions. Additional set backs are recommended to be secured by condition.

8.4 Transportation/Parking

Policy TRANS23 requires, where appropriate and practical, the provision of off-street parking for new residential developments.

No off street parking is proposed to serve the additional flats. There is no off-street parking serving the building as a whole and it is clearly impractical to provide off-street parking in this development. By way of mitigation for the potential impact of the proposed flats, the applicants propose car club membership for each of the residential units for a period of 25 years.

Objections have been received on the basis that the cars associated with the 4 proposed flats will put additional pressure on the availability of on-street parking in the area. Objectors do not consider that the use of a car club would be sufficient to offset the potential pressure put on local on-street parking.

The Highways Planning Manager states that the most recent survey of available on street parking overnight, showed a 76% occupancy rate when single yellow lines were included. During the day, the parking survey showed all legal on-street spaces were taken.

The previous application for 9 flats (withdrawn in November 2013) was recommended for refusal on the grounds that this number of flats would increase pressure on on-street parking to an unacceptable degree. The application for 5 flats that was refused in February 2013 was not refused on highways grounds. Our adopted policy has not changed in the intervening period.

In the context of the large number of flats within Park Mansions, it is not considered that an additional 4 flats is a significant increase. Whilst it is acknowledged that there is little on-street parking availability, the area has exceptionally good access to public transport and the mitigation offered in the form of car club membership is considered a reasonable solution. It is recommended the car club membership is secured by condition.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

The proposed units would benefit from the existing lift access being raised up to serve the eighth floor.

8.7 Other UDP/Westminster Policy Considerations

The City Council's cleansing manager has requested a revised plan is submitted to show locations for refuse storage for the new flats. It is recommended this is secured by condition. The demands on waste storage are high given the overall number of flats and commercial occupiers at ground floor, and objectors concerns in this regard are well understood. However, it is considered that this issue can be dealt with effectively by condition and in itself would not be a reason for refusing the application.

There is some plant shown on the drawings within an enclosure to the west of the roof. It is recommended the standard noise conditions are imposed, along with a pre-commissioning report to be carried out to demonstrate the required noise levels can be achieved.

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.

8.11 Environmental Impact Assessment

The application is of an insufficient scale to require an Environmental Assessment.

8.12 Other Issues

Construction impact

A draft construction management plan has been submitted, containing brief details of the proposed locations for scaffolding, gantries and deliveries. The submitted plan does not go into sufficient detail at this stage, and it is recommended a revised management plan setting out further details of the construction programme, deliveries/loading, security and means of reducing dust/noise during construction is reserved by condition.

Given its modular construction, the applicants state a lot of the work building the extension will be done off site, then the modules lifted by crane onto the rooftop. Knightsbridge would have to be closed for this purpose. Objectors have concerns over the logistics and the ability of cranes to undertake this task. Reference is also made to the requirement for scaffolding, how long this might be in place and associated inconvenience to existing residents. The closure of roads and appropriate licences are obtained under other legislative regimes and are not a matter for consideration at planning stage.

Structural issues

The objections of the Park Mansions Leaseholders and individual occupiers within the building refer to the impact on the structure of the building and whether it could withstand the weight of the roof extension. The applicants have provided an additional letter from a Structural Engineering consultancy, on which the Leaseholders have provided comments. The City Council's District Surveyor has examined the documents and does not raise any concerns at this stage in respect of the capability of the scheme satisfying the Building Regulations in due course. Structural matters are dealt with by Building Regulations and the extension must be built to comply.

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. To go further would be to act beyond the bounds of planning control.

Objections also refer to the extension blocking fire escape routes over the existing roof. The applicants have confirmed that the existing routes would be maintained. In any event, the development has to satisfy the Building Regulations requirements for ensuring safe escape routes and planning permission could not reasonably be refused on this basis.

Other

Parts of the existing flat roof are covered with hot water/heating pipes. There is concern from objectors that the presence of the pipes would either hinder construction or render the scheme un-buildable. There is a concern that the extension would be higher than shown in the drawings in order to accommodate sufficient void area for the pipes. Objectors are concerned that there is a risk their heating and hot water supply will be disrupted as a result of works being done to the pipes to enable the extension to be built. The applicants are aware of this issue. They state that the central heating system itself is not to be replaced, but the distribution pipes running over the flat roof will be replaced and will fit into a 250mm void which has been designed into the overall height of the scheme.

The detail of what happens to the hot water pipes is not a planning matter, but it clearly has the potential to effect the height of the overall development. The City Council is obliged to consider the drawings as submitted, and any subsequent alteration to the bulk or height of the scheme is likely to require a further application for planning permission.

9. BACKGROUND PAPERS

1. Application form
2. Response from Cllr Robathan dated 15 January 2016.
3. Response from the Knightsbridge Association, dated 8 January and 11 May 2016
4. Response from Environmental Health dated 22 December 2015
5. Response from the Highways Planning Manager dated 14 December 2015.
6. Response from Cleansing dated 15 December 2015.
7. Response from the District Surveyor dated 24 May 2016.
8. Letter and attachments from Bilfinger GVA on behalf of the applicant dated 26 February 2016.
9. Letters from Park Mansions Leaseholders Ltd dated 29 December 2015 and 9 May 2016.
10. Letter from the owners of 6 and 7 Park Mansions dated 31 December 2015.
11. Letter from Turley Associates on behalf of 199 Knightsbridge dated 4 January 2016.
12. Letter from Somerset Consult on behalf of 8th and 9th floor apartment Bulgari Hotel dated 5 January 2016.
13. Letter from the occupier, 26 Park Mansions dated 5 January 2016
14. Letter from the occupier, 83 Park Mansions dated 5 January 2016.
15. Letter from the occupier, 40 Park Mansions dated 5 January 2016.
16. Letter from the occupier, 44 Park Mansions dated 6 January 2016.
17. Letter from an occupier of Park Mansions dated 6 January 2016.
18. Letter from Xenia on behalf of 7th floor apartment Bulgari Hotel dated 6 January 2016.
19. Letter from the occupier, 12 Park Mansions dated 6 January 2016.
20. Letter from the occupier, 68B Park Mansions dated 6 January 2016.
21. Letter from the occupier, 14 Park Mansions dated 8 January 2016.
22. Letter from the occupier, 26B Park Mansions dated 8 January 2016.
23. Letter from the occupier, 87 Park Mansions dated 12 January 2016.
24. Letter from the occupier, 27 Park Mansions dated 12 January 2016.
25. Letter from the occupier, 36 Park Mansions dated 12 January 2016.
26. Letter from the occupier, 86 Park Mansions dated 12 January 2016.
27. Letter from the occupier, 64 Park Mansions dated 13 January 2016.
28. Letter from the occupier, 34 Park Mansions dated 13 January 2016.
29. Letter from the occupier, 19 Park Mansions dated 14 January 2016.
30. Letter from the occupier, 65 Park Mansions.
31. Letter from the occupier, 3 Park Mansions.
32. Letter from the occupier, 71a Park Mansions.
33. Letter from the occupier, 24 Park Mansions.
34. Letter from the occupier, 88 Park Mansions.
35. Letter from the occupier, 37 Park Mansions.
36. Letter from the occupier, 90 Park Mansions.
37. Letter from the owner 31, 33 and 71 Park Mansions.
38. Letter from the occupier, 29 Park Mansions.
39. Letter from the occupier, 76 Park Mansions.
40. Letter from the occupier, 82 Park Mansions.

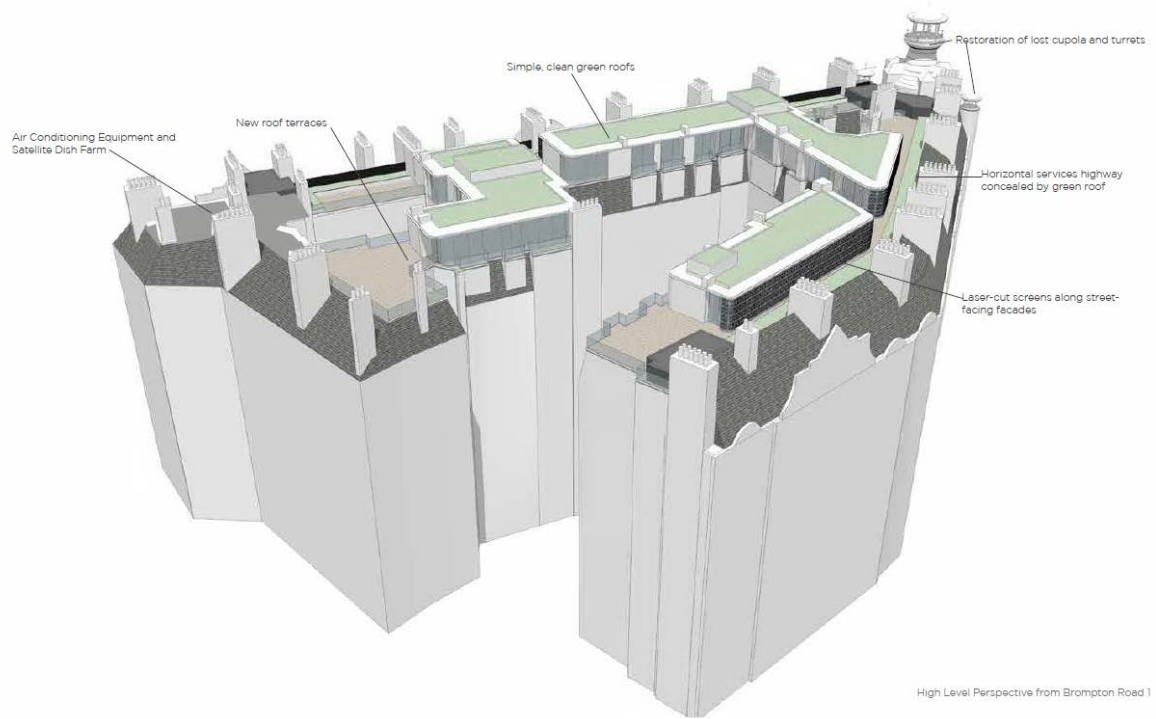
41. Letter from the occupier, 62 Park Mansions.
42. Letter from the occupier, 52 Park Mansions.
43. Letter from the occupier, 26 Park Mansions.
44. Letter from the occupier, 83 Park Mansions.
45. Letter from the occupier, 68A Park Mansions.
46. Letter from the occupier, 43 Park Mansions.
47. Letter from an occupier, Park Mansions.
48. Letter from the occupier, 8 Park Mansions.
49. Letter from the occupier, 66 Park Mansions.
50. Letter from the occupier, 1 and 2 Park Mansions.
51. Letter from the occupier, 72 Park Mansions.
52. Letter from the occupier, 53 Park Mansions.
53. Letter from the occupier, 4 Park Mansions.
54. Letter from the occupier, 61 Park Mansions.
55. Letter from the occupier, 26A Park Mansions.
56. Letter from the occupier, 35 Park Mansions.
57. Letter from the occupier, 42 Park Mansions.
58. Letter from the occupier, 51 Park Mansions.
59. Letter from the occupier, 84A Park Mansions.
60. Letter and attachments from the occupier, 11 Park Mansions.
61. Letter from the occupier, 86 Park Mansions.

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 LOUISE FRANCIS ON 020 7641 2488 OR BY EMAIL AT SouthPlanningTeam@westminster.gov.uk

10. KEY DRAWINGS



High level axonometric of roof extension viewed from Brompton Road

DRAFT DECISION LETTER

Address: Park Mansions, Knightsbridge, London, SW1X 7QU

Proposal: Single storey extension at roof level to provide four additional residential units, including terraces and plant room. Reinstatement of the central cupola and northern and southern turrets.

Plan Nos: (01) S-01; E-01/P1; (01) E-02/P1; (01) E-03/P1; (01) E-04/P1; (01) E-05/P1; (01) E-06/P1; (01) E-07/P1; (01) E-08/P1; (01) X-01/P1; (01) X-02/P1; (01) X-03/P1; (02)-P-08/P1; (02)-X-01/P1; (02)-X-02/P1; (02) X-03/P1; (03) X-01/P1; (03)-E-01/P1; (03)-E-02/P1; (03)-E-03/P1; (03)-E-04/P1; (03)-E-05/P1; (03)-E-06/P1; (03)-E-07/P1; (03)-E-08/P1; (03)-P-08/P1; (03)-P-09/P1; (03)-P18/P1; (03)-X-01/P1; (03)-X-02/P1; (03)-X-03/P1.

Supporting documents:

Design and Access Statement (rev P1 November 2015 Darling Associates); Townscape, heritage and visual assessment dated November 2015 (Richard Coleman Citydesigner); Daylight/sunlight assessment (Hawkins environmental, August 2015); Planning Statement (Bilfinger GVA November 2015); Transport Assessment (Odyssey Markides July 2015); statement of community involvement (four communications November 2015); Draft construction management plan (John Sisk November 2015).

Case Officer: Louise Francis

Direct Tel. No. 020 7641 2488

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 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 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)

- 3 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 flats. (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)

- 4 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 Policy 6.9 (Table 6.3) of the London Plan 2015.

5 **Pre commencement condition.**

You must not start work on the site until we have approved appropriate arrangements to secure the following.

- Car club membership for a minimum period of 25 years for successive occupants of the 4 roof level flats.
- Completion of the works to restore the cupola and turrets prior to the occupation of the residential units.

In the case of each of the above benefits, you must include in the arrangements details of when you will provide the benefits, and how you will guarantee this timing. You must only carry out the development according to the approved arrangements. (C19AB)

Reason:

To make sure that the development provides the planning benefits that have been agreed, as set out in S33 of Westminster's City Plan: Strategic Policies adopted November 2013 and in TRANS23, DES1 and DES9 of our Unitary Development Plan that we adopted in January 2007. (R19AC)

6 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.

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

- 7** You must apply to us for approval of detailed drawings of the following parts of the development - louvred screens to the lightwell elevations of the flats. For the avoidance of doubt this must also include the lightwell elevation of Penthouse D (the unit to the south side of the application site). 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 details.

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)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Knightsbridge Green 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 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. (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 Knightsbridge Green 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 You must apply to us for approval of detailed drawings of the following parts of the development:
- i) all new windows at a scale of 1:10
 - ii) the metal screen to elevations at a scale of 1:10 (typical detail)
 - iii) the cupola and turrets to be reconstructed at a scale of 1:50 with details at 1:10
- You must not start work on these parts of the development until we have accepted what you have sent us. You must then carry out the work according to these details.

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 Knightsbridge Green 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)

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

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

- 12 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a

point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

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

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

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

Reason:

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.

- 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 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 12 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.

- 15 You must provide the following bio-diversity features before you start to use any part of the development, as set out in your application: The green roof

You must not remove any of these features. (C43FA)

Reason:

To increase 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. (R43FB)

- 16 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme: the useable areas of the terraces to be set back from the lightwell elevations and from the west elevation. 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)

- 17 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme the removal of balconies from the lightwell elevations. 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)

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 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 3 Under Section 25 of the Greater London Council (General Powers) Act 1973 you need planning permission to use residential premises as temporary sleeping accommodation. To make sure that the property is used for permanent residential purposes, it must not be used as sleeping accommodation by the same person for less than 90 nights in a row. This applies to both new and existing residential accommodation.

Also, under Section 5 of the Greater London Council (General Powers) Act 1984 you cannot use the property for any period as a time-share (that is, where any person is given a right to occupy all or part of a flat or house for a specified week, or other period, each year). (I38AB)
- 4 For the avoidance of doubt the Construction Management Plan required under condition 6 shall be limited to the items listed. Other matters such as noise, vibration, dust and construction methodology will be controlled under separate consents including the Control of Pollution Act

1974 and the Building Regulations. You will need to secure all necessary approvals under these separate regimes before commencing relevant works.

- 5 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)

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.