

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 19 July 2016	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Abbey Road	
<b>Subject of Report</b>	27 Clifton Hill, London, NW8 0QE,		
<b>Proposal</b>	Demolition of existing 3 storey dwellinghouse and erection of replacement dwellinghouse comprising basement, ground and two upper floors with associated works.		
<b>Agent</b>	Mr Ian` Hume		
<b>On behalf of</b>	Mr JM Broun		
<b>Registered Number</b>	16/00579/FULL	<b>Date amended/ completed</b>	19 May 2016
<b>Date Application Received</b>	22 January 2016		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	St John's Wood		

## 1. RECOMMENDATION

Grant conditional planning permission.

## 2. SUMMARY

Permission is sought for the demolition of the existing 3 storey dwelling house and erection of a larger 3 storey dwelling house with a new basement.

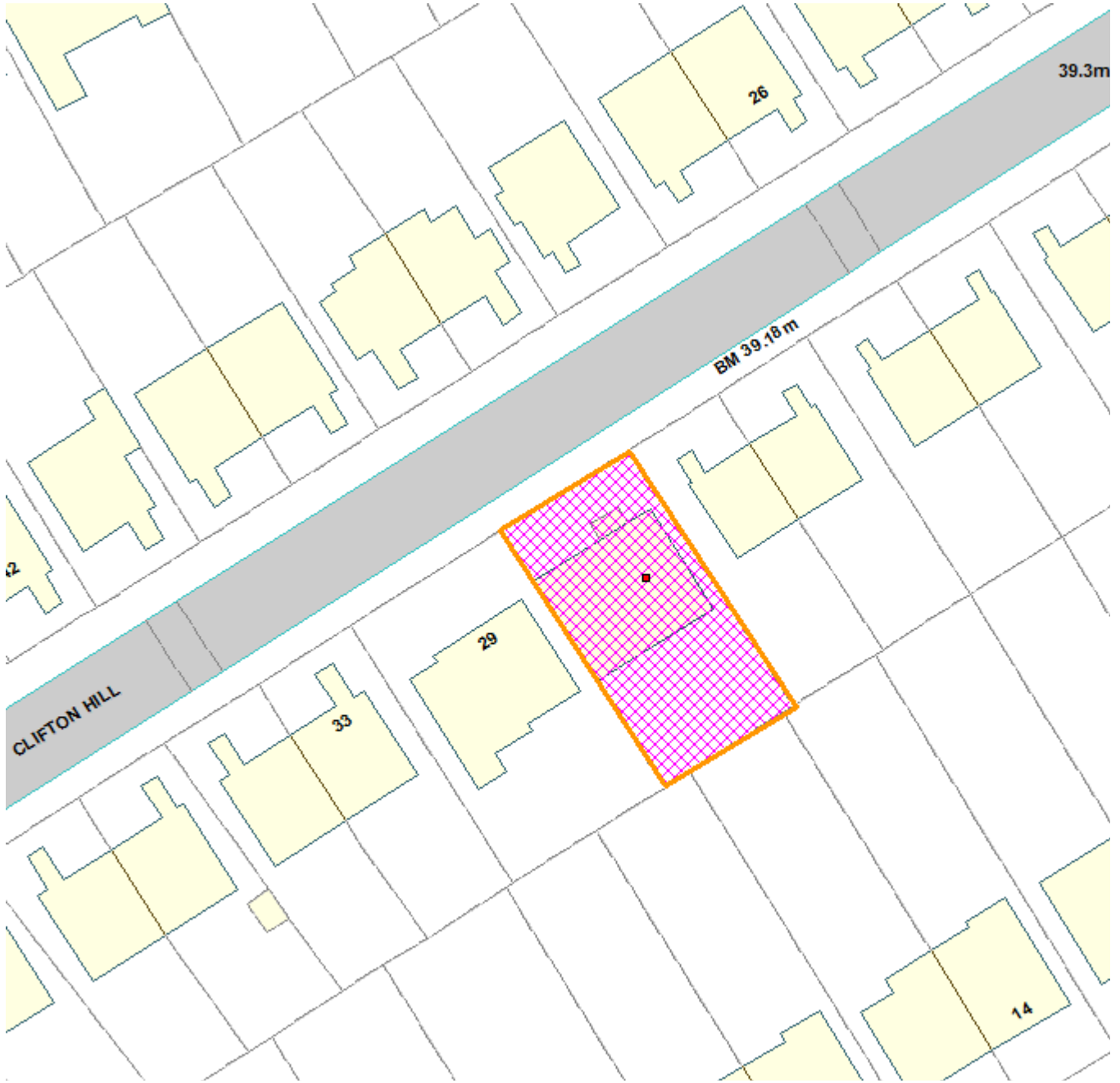
Objections have been received from the St John's Wood Society and neighbours on grounds including detailed design, amenity, structural issues and construction impact.

The key considerations are:

- Impact on the character and appearance of the St John's Wood conservation area;
- Impact on residential amenity
- Impact of the basement excavation on the structural stability of this and neighbouring buildings.
- Impact upon trees

The proposed development would be consistent with development plan policies in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (the City Plan) in terms of conservation, design and amenity. As such, the application is recommended for approval subject to the conditions set out in the draft decision letter.

3. LOCATION PLAN



4. PHOTOGRAPHS

**Front of 27 of Clifton Hill**



**Side elevation of 27 Clifton Hill**



**Side elevation of 27 Clifton Hill**

19 Apr 2016 09:44:12



**Rear of 27 of Clifton Hill**

19 Apr 2016 09:41:26



## 5. CONSULTATIONS

### ORIGINAL CONSULTATION

#### ST JOHN'S WOOD SOCIETY

No objection to redevelopment of site but object to specific aspects of the design;

- \* over-sized and overly dominant roof
- \* poorly proportioned front and rear dormer windows
- \* chimney projects above the roofline
- \* 'solid to void' ratio on the front elevation is out of proportion
- \* casement windows on front elevation should be timber sash
- \* ground floor windows are too high and over-sized
- \* portico lacks finesse
- \* circular rooflight is inappropriate and visible from street
- \* bin store is oversized and dominant on the streetscape
- \* artist's studio should be re built.
- \* significant light pollution from the glazed roof to rear extension.

#### HIGHWAYS PLANNING

No objection

#### CLEANSING

No objection

#### BUILDING CONTROL

No objection

#### ENVIRONMENTAL HEALTH

Holding objection, recommend conditions to ensure building provides satisfactory noise environment for future occupiers, no details of plant equipment

#### TREES

No objection subject to suitable tree replacements and details of landscaping.

#### ADJOINING OWNER/OCCUPIERS & OTHER REPRESENTATIONS

No consulted: 31; No of replies: 3 (2 objections, 1 comment)

#### Objections -

- \* scale of development
- \* disturbance on local residential amenity
- \* structural risk to adjoining properties from basement

#### Comment -

\* measures to reduce disturbance during construction supported, should be secured through planning condition.

#### ADVERTISEMENT/SITE NOTICE

Yes.

### RECONSULTATION

ST JOHN'S WOOD SOCIETY  
Any responses to be reported verbally

ENVIRONMENTAL HEALTH  
No objections subject to conditions.

ADJOINING OWNER/OCCUPIERS & OTHER REPRESENTATIONS  
No consulted: 31; No of replies: 1 (1 objection)

- \* scale of development,
- \* loss of privacy upon property to rear, as a result of building encroaching on garden
- \* adverse effects on neighbouring amenity from construction period
- \* adverse effects on water table from basement

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

27 Clifton Hill is an unlisted detached three storey single family dwelling house with front and rear garden and dormers within roof slope, located within the St John's Wood Conservation Area.

### 6.2 Recent Relevant History

#### 10/02348/FULL

Erection of a rear conservatory, excavation of new basement floor below existing house with front lightwell, conversion of existing garage into habitable space (involving an increase in height from 2.8m to 3.8m to create an enlarged side extension), and alterations to the front entrance portico.

Application Permitted 17 June 2010

#### 13/03083/FULL

Extension of time for the commencement of development granted planning permission on 17 June 2010 (extant permission: Ref: 10/02348) for erection of a rear conservatory, excavation of new basement floor below existing house with front lightwell, conversion of existing garage into habitable space (involving an increase in height from 2.8m to 3.8m to create an enlarged side extension), and alterations to the front entrance portico.

Application Permitted 20 June 2013

#### 14/07553/ADFULL

Details of construction management plan pursuant to Condition 6 of planning permission dated 20 June 2013 (RN: 13/03083).

Application Permitted 18 November 2014

#### 15/05110/CLOPUD

Demolition of existing rear extension and erection of replacement rear extension.

Application Permitted 27 July 2015

15/05207/FULL

Alterations to front, rear and side elevations of single family dwelling. Replacement windows and associated works.

Application Permitted 31 July 2015

## 7. THE PROPOSAL

Permission is sought to demolish the existing 3 storey (dormers within roof) dwelling house and the erection of a replacement 3 storey plus basement dwelling house.

## 8. DETAILED CONSIDERATIONS

### 8.1 Land Use

In land use terms the replacement of the existing dwelling house with a new dwelling house of increased floor space accords with Policy H3 of the UDP and policies S14 and S15 of the City Plan. The replacement dwelling house would provide a good standard of residential accommodation, with a total floor area that would significantly exceed Government's new technical housing standards dated March 2015.

### 8.2 Townscape and Design

#### *Existing buildings*

The building is noted in the City Council's published St John's Wood Conservation Area Audit as a neutral building in terms of its contribution to the character and appearance of the conservation area, and from a site inspection this appears based to a significant degree on how it sits within the street scene rather than from any intrinsic design quality. Most of the surrounding buildings were built in the mid 19th century as, principally, semi-detached villa buildings with classically inspired Italianate detailing and stucco clad front elevations, with exposed brick to side and rear elevations, and with low pitched roof structure with overhanging eaves over each elevation. The design of these surrounding 19th century buildings is very consistent in terms of their overall appearance, they are almost all listed buildings and the list descriptions make significant reference to these forming 'part of unusually complete surviving scheme', reflecting the significant harmony to the street scene from a consistent series of largely unaltered buildings.

The limited number of separate early/mid 20th century buildings also have a good degree of consistency to each other (though differing in many respects from the 19th century buildings), and are characterised by markedly steeper pitched roof structures and exposed brick to all elevations. The existing application building, though it differs in some details, generally falls squarely in the general appearance of the early/mid 20th century buildings in the street. Given its more recent date of construction, designation in the Audit, and relatively poor design quality, the demolition of the building could be considered acceptable subject to the replacement building being of sufficient design and architectural merit and appropriateness to the conservation area context.

#### *Proposed development*

### *Massing*

The proposed development comprises a new building at ground and first floor levels, with accommodation also within the roof structure to second floor level and within a newly excavated basement level. Aside from the proposed ground floor rear extension structure which is broadly the same as previous permissions at the site, the footprint of the proposed dwelling remains the same.

In terms of the roof, The St John's Wood Society raise objection to the 'over-sized and overly dominant roof'. The roof line however matches the height and pitch of the existing roof structure, and such prominent roof structures are a consistent feature of the surrounding 20th century buildings. As such, in massing terms the proposed building is considered acceptable.

### *Detailed design*

Objections were received from the St John's Wood Society and other neighbours concerning a number of detailed design points. The following discussion relates to detailed design and deals with objections from the St John's Wood Society where relevant.

In terms of elevation design treatment, the proposed building is a brick faced structure with an arrangement of vertically proportioned windows to the front and rear elevations. This is considered an appropriate design. Concerns were expressed that the 'solid to void ratio' was out of proportion. This concern also relates to the dormer windows proposed. However the scale and proportioning of windows, relative to the elevations, is not dissimilar to that found on surrounding Victorian and 20th century buildings whilst the dormers are not of a dissimilar scale to the existing, with the exception of the east elevation which are smaller.

The east side elevation incorporates a large staircase window projecting up from ground to first floor level. Given that a similar two storey window feature is found to the east elevation of the existing building at no. 29 Clifton Hill this is considered acceptable. The west elevation incorporates a retained single storey side wing to ground floor, with the first floor of blank brickwork. This approach is considered acceptable.

Further to the fenestration, the St John's Wood Society expressed a desire for sash windows. The windows however in the context of the proposed development are considered acceptable, given that it's modelling is reflective of a mid 20th century building, and inward opening function will ensure they do not unduly clutter the impression of the building when open.

Concerns were expressed in relation to the design and scale of the proposed front portico. This concern is shared by officers, as the portico is an overly plain and imposing structure. Revised plans were sought which reduced the scale of the front portico to a more appropriate door case which is now considered acceptable.

In terms of the proposed lightwells serving the basement, these are located at the front and rear, are relatively small in size and smaller than those previously approved on 17.06.2010. In addition, the front lightwells have grills over, creating a neater and more discreet finish than the open lightwells with railings previously approved on 17.06.2010.



The lightwells to the rear are sited immediately adjacent to the rear extension element of the building and are not considered over-scaled.

With regards to the roof, following advice from Officers, the slate roof originally proposed was amended to a clay tiled roof which is more in keeping with the character of early/mid 20th century buildings. With regards to proposed chimneys, the St John's Wood Society expressed concerns that they did not project above the roofline. This approach however is consistent with the character of the street scene, where the Victorian buildings have high and prominent chimney stacks, but that the 20th century buildings typically have much lower stacks which are not strongly defined features of the appearance of those buildings. This approach is therefore considered acceptable.

Objections are also raised to the circular rooflight proposed to the east side elevation. Given the unorthodox shape of this feature and its visibility from street level, this was amended to a rectangular opening which is a more appropriate shape.

The St John's Wood Society express a preference for the artist's studio structure to the west side of the building to be demolished and rebuilt (and therefore better integrated) into the scheme. Whilst sympathising with these views, it is a relatively small scale brick structure which will be seen in context with the new brick building, and as such will not adversely affect the character of the new development.

Concerns were expressed regarding the lack of detail relating to the proposed bin and cycle store to the front garden. A further condition is recommended requiring full details of these structures, and advising that they should have a minimal visual impact.

Overall, though the new development is not of notably high architectural quality, the design draws on many aspects of the design of the surrounding early/mid 20th century villas in Clifton Hill and elsewhere, and their principal characteristics of ground floors at ground (and not raised ground) level, large and prominent dormered roof structures and exposed brick as the principal facing material. Having incorporated the aforementioned changes, it is a notable improvement upon the existing building, and will integrate acceptably into the pattern of early/mid 20th century buildings to Clifton Hill which it largely resembles. Further consultation on the above changes with neighbours and St John's Wood Society was undertaken. No further comments were received from the St John's Wood Society whilst the single representation received from No. 16 Carlton Hill did not raise any additional design issues. As such it is considered acceptable on design grounds.

### **8.3 Residential Amenity**

Policy ENV 13 of the UDP states that the Council will resist proposals that would result in a material loss of daylight/sunlight, particularly to dwellings, and that developments should not result in a significant increased sense of enclosure, overlooking or cause unacceptable overshadowing. Similarly, Policy S29 of Westminster's City Plan: Strategic Policies aims to protect the amenity of residents from the effects of development.

The proposed building would occupy broadly the same footprint as the existing building, apart from the additional footprint at ground floor level to the rear which would project further into the garden. The proposed building would also be the same height as existing.

Given the, footprint, height and bulk of the proposed building it is not considered to result in any significant impact on daylight, sunlight and sense of enclosure to neighbouring occupiers.

With regards to privacy, the proposed side dormers and rear balconies are similar to those on the existing building. In addition the separation between the proposed dwelling and 16 Carlton Hill to the rear remains similar to the existing situation, notwithstanding the ground floor extended element, as such it is not considered that the proposed house would significantly impact on the privacy of the occupiers of that neighbouring property to the rear.

The St John's Wood Society raise concerns that the roof light within the roof of the single storey extension element could be the source of light pollution. Given the size and location of the extension to this detached house and the relationship with neighbouring properties it is not considered that permission could be withheld on this ground.

### **8.3.1 Transportation/Parking**

The works involve the loss of an integrated garage. However a car space in the front curtilage is retained which accords with parking standards and TRANS23 of the UDP. Cycle parking and dedicated waste storage spaces are also provided.

### **8.4 Economic Considerations**

No economic considerations are applicable for a development of this size

### **8.5 Access**

The new dwelling would have level access and dedicated off street parking. Pursuant to Policy H8 of the UDP which requires new housing to meet lifetime homes standards, in the context of the proposed replacement dwellinghouse this is considered an acceptable

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

#### **8.6.1 Revision to Basement Policy**

The Basement Revision and Mixed Use Revision to the City Plan were submitted to the Secretary of State in December 2015. The independent examination was held in March 2016. Following the examination, a further consultation was held between 20 April and 5 June 2016, inviting responses to the proposed main modifications. Having considered the responses, none of the matters raised bring forward new issues which were not considered by the Inspector at the examination hearings in March.

Therefore, in accordance with Paragraph 216 of the National Planning Policy Framework, the Council will take the Basement Revision and Mixed Use Revision into account as a material consideration with significant weight in determining planning applications, effective from Tuesday 7 June 2016. One exception applies, in relation to the Basement Revision, specifically the application of the Code of Construction Practice [Policy CM28.1

Section A2b], which will be applied from the date of publication of the Code of Construction Practice document.

In addition to this, the City Council adopted the Supplementary Planning Document 'Basement Development in Westminster' in October 2014, which can be given considerable weight.

The implications of the revisions to the City Plan and adopted basement SPD for the development subject of this report are outlined elsewhere in the report

### **8.6.2 Trees and landscaping**

The proposed development does not involve the felling of any trees. The line of Pear trees at the rear of the site have been assessed in the submitted arboricultural report and found to be of sufficient distance from the basement to ensure they are not threatened. Appropriate ground protection is outlined in the arboricultural report with respect to these trees, whilst the construction management plan contains details of protective hoarding for the single street tree outside the property. The City Council's arboricultural officer has reviewed the proposals and does not raise any objections, subject to a condition to require the planting of trees in the front garden. However given the front garden is currently hard landscaped and contains no trees, it is not sustainable to require tree planting as part of this development.

### **8.6.3 Environmental assessment**

Policy S28 of the City Plan requires applicants to demonstrate how their scheme incorporates elements of sustainable design through the submission of an Environmental Performance Statement. The submitted statement confirms the proposed building will achieve a 36.4% improvement on baseline Kg/Co2 emissions set out in 2013 Building regulation Part L through incorporating a number of measures as listed on page 5 of the statement. This satisfies the objectives of policy S28.

### **8.6.4 Plant and noise considerations**

With regards to the basement plant room shown on plans, Environmental Health Officers highlighted the absence of any detailed specifications or noise acoustic reports and issued a holding objection. The agent advised on site this room will accommodate utilities only and no mechanical plant. Environmental Officers have been updated of this and no longer raise objection. An informative is recommended to advising that the installation of any mechanical plant and extraction will require planning permission.

With regards to the quality of the noise environment for future occupiers, Environmental Health have advised that in the absence of details, a condition should be attached to ensure the design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise. A condition will be attached accordingly.

### **8.6.5 Flood risk**

Objections from neighbours express concerns regarding the impact of the extension on groundwater. The existence of groundwater, including underground rivers, has been researched and the likelihood of local flooding or adverse effects on the water table has been found to be negligible. In terms of surface water, a small increase in impermeable surface will be mitigated through the inclusion of rainwater harvesting tanks.

### **8.7 London Plan**

This application raises no strategic issues.

### **8.8 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.

### **8.9 Planning Obligations**

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

### **8.10 Environmental Impact Assessment**

Not applicable

### **8.11 Other Issues**

#### **8.11.1 Basement Structural Issues**

With regards to basement structural impact, objections have been received from adjoining occupiers in relation to potential risk of subsidence and movement as a result of basement works. To address this and the requirements of the basement SPD and emerging basement policy, the applicant has provided a structural engineer's report and supporting geotechnical survey explaining the likely methodology of excavation. Any report by a member of the relevant professional institution carries a duty of care which should be sufficient to demonstrate that the matter has been properly considered at this early stage.

The level of analysis and detail submitted with the application is substantial and has been prepared by a suitably qualified Structural Engineer. Building Control officers have reviewed the submitted details and raised no concerns. It should be emphasised that the purpose of commissioning such an analysis at this stage is to show that there is no foreseeable impediment to the scheme satisfying the Building Regulations in due course. Should permission be granted, this Construction Methodology will not be approved, nor will conditions be imposed requiring the works to be carried out in accordance with it.

Accordingly, it is considered that the report has provided sufficient consideration at this stage and this is as far as this matter can reasonably be taken as part of the consideration of the planning application. Detailed matters of engineering techniques, and whether these secure the structural integrity of the development and neighbouring buildings during the course of construction, are controlled through other statutory codes and regulations, cited above. To go further would be to act beyond the bounds of planning control.

In addition to the construction implications, the proposed basement has been assessed in relation to key criteria contained with the SPD and emerging basement policy CM28. These are; the basement not occupying more than 50% of the garden curtilage, the retention of a margin of undeveloped garden land either side of the basement proportionate to the size of the scheme and plot, the basement being limited to a single storey only and retaining a minimum of 1.2m soil depth above the basement where it extends beneath domestic gardens. Pursuant to these requirements the proposed basement is compliant.

### **8.11.2 Construction management**

Objections submitted in relation to construction management object to the disturbances that are likely to arise as a result of the proposed basement excavation and suspension of on street parking bays. A Construction Management Plan (CMP) has been submitted detailing;

The CMP provides an itemised construction programme of 71 weeks and contact telephone number, routing and scheduling of deliveries, suspensions of on street parking bays and highways licences to enable deliveries and the skip location, storage of plant and materials in the front garden with consideration for tree protection, parking and other travel arrangements for site operatives and visitors, erection and maintenance of security hoarding's and gantry spoil removal system retaining 1.2m clear footway to allow pedestrian movement, measures to reduce noise, dust and other environmental impacts, and a scheme for recycling/disposing of waste resulting from demolition and construction works.

The CMP sufficiently demonstrates an adequate approach to reduce the impact of construction upon the amenity of neighbours at this stage and will be secured through planning condition.

## **9. BACKGROUND PAPERS**

1. Application form
2. Response from St John's Wood Society, dated 8 March 2016
3. Response from Building Control - Development Planning, dated 26 February 2016

4. Response from EH Consultation, dated 17 February 2016, 5 July 2016
5. Response from Highways Planning, dated 17 February 2016
6. Response from Trees Section, dated 1 April 2016
7. Response from Cleansing dated 18 February 2016
8. Letter from occupier of 28, Clifton Hill dated 15 February 2016
9. Letter from occupier of 38 Clifton Hill, dated 22 February 2016
10. Letter from occupier of 29 Clifton Hill, dated 21 February 2016
11. Letter from occupier of 16 Carlton Hill, London, dated 28 June 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 THE PRESENTING OFFICER: SARAH WHITNALL BY PHONE: 02076412929 BY EMAIL AT [swhitnall@westminster.gov.uk](mailto:swhitnall@westminster.gov.uk)

### 10. KEY DRAWINGS

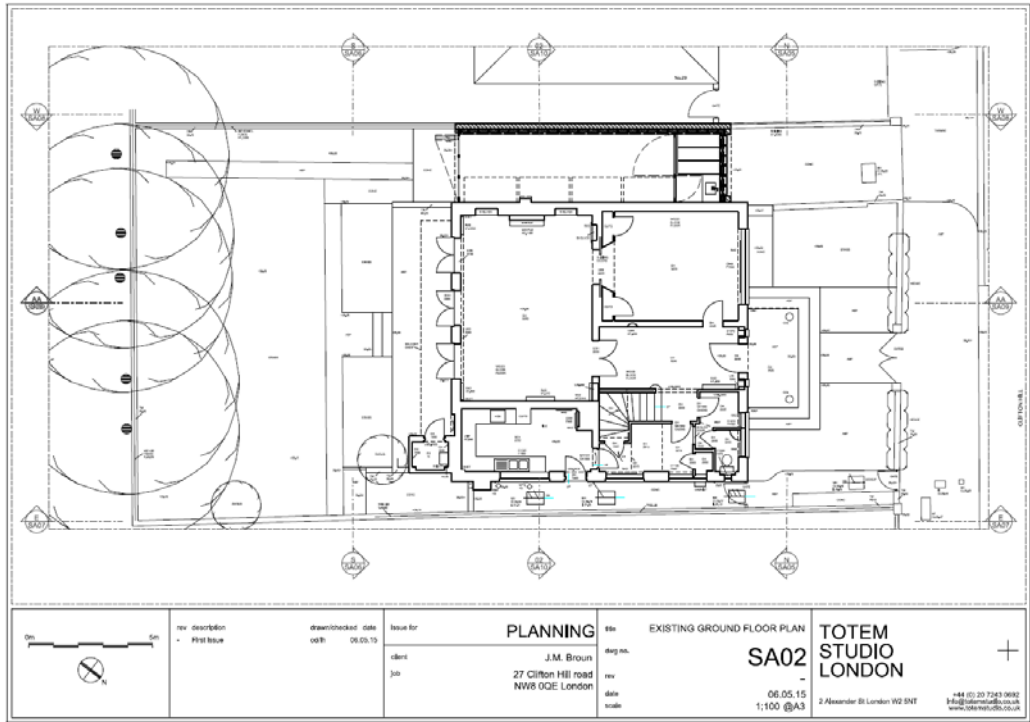
Existing front elevation



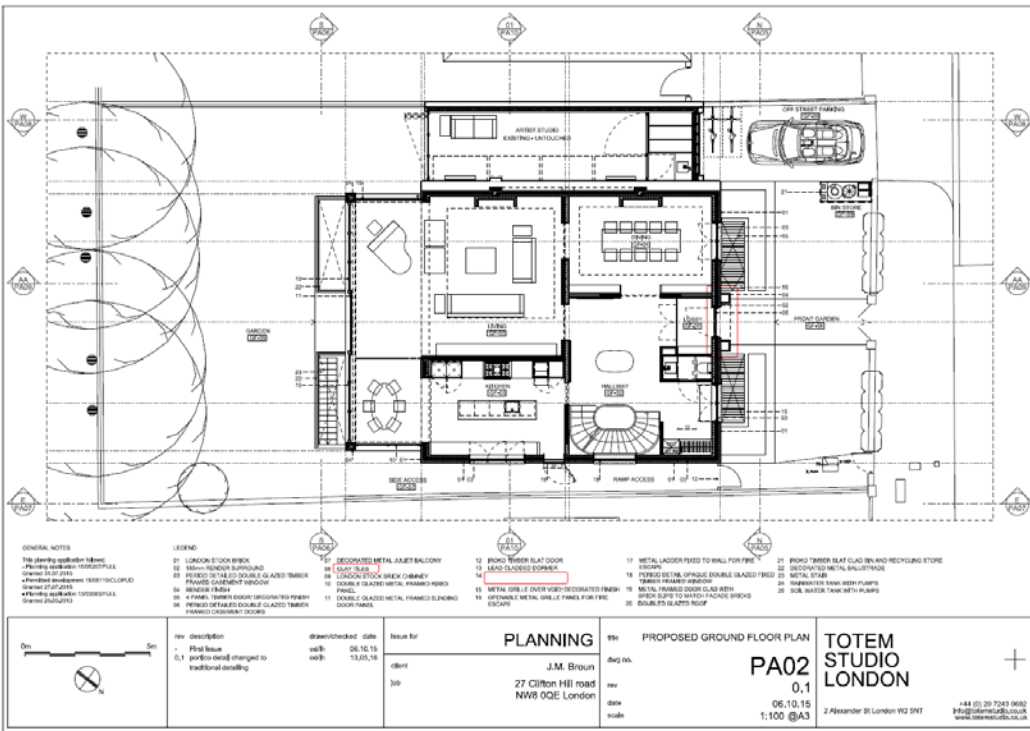
Proposed front elevation



Existing Ground floor plan

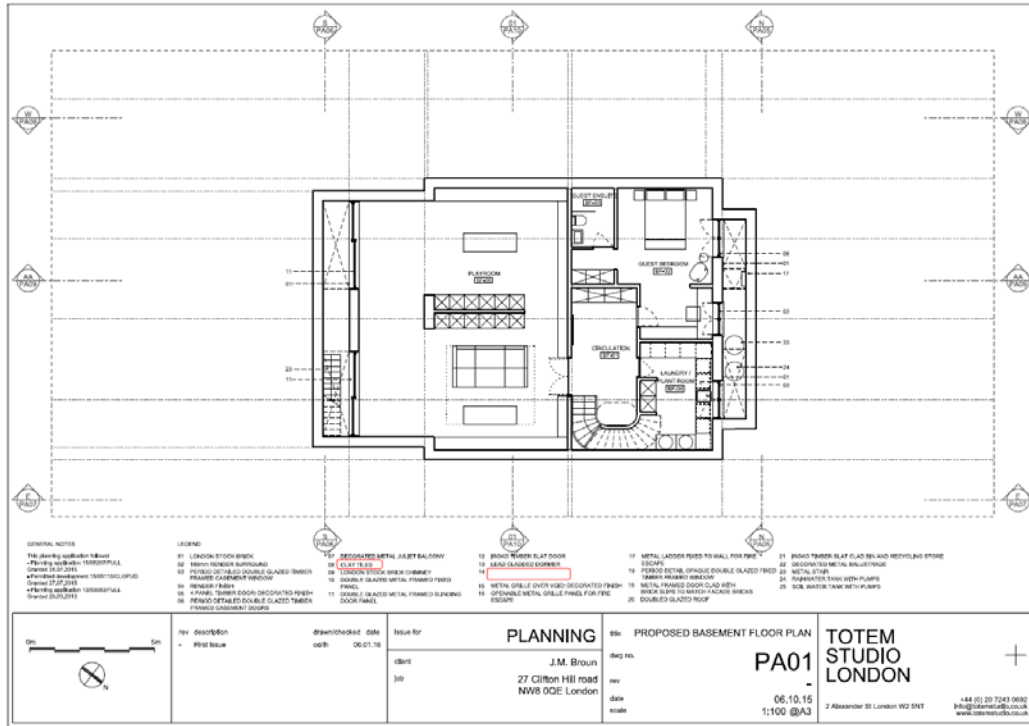


Proposed ground floor plan

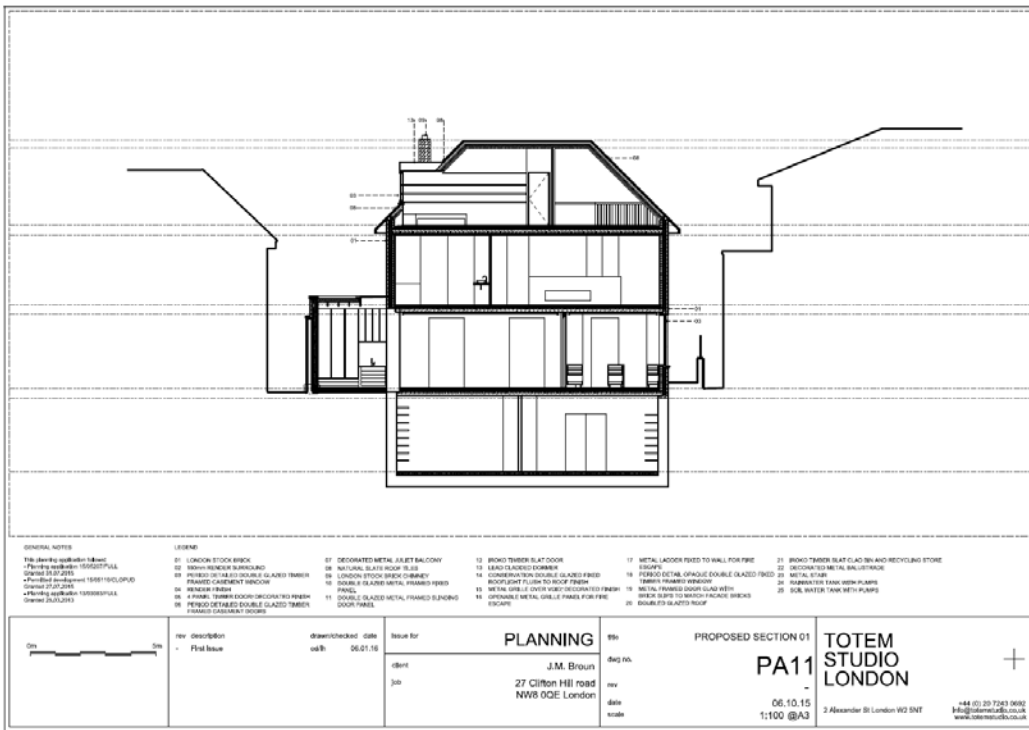




Proposed basement plan



Proposed section through basement



**DRAFT DECISION LETTER**

**Address:** 27 Clifton Hill, London, NW8 0QE,

**Proposal:** Demolition of existing 3 storey dwellinghouse and erection of replacement dwellinghouse comprising basement, ground and two upper floors with associated works.

**Reference:** 16/00579/FULL

**Plan Nos:** D01, D02, D03, D04, D05, D06, D07, D08, D09, D10, PA01, PA02 01, PA03 01, PA04 01, PA05 01 PA06 01, PA07 01, PA08 01, PA09 01, PA10 01, PA11 01, PE01, PE02, PE03, PG01, PG02, PG03, PG04, SA01, SA02, SA03 SA04, SA05, SA06, SA07, SA08, SA09, SA10, SA11, Planning Statement dated 20 January 2016, Design and access statement dated 20 January 2016, Heritage Statement dated January 2016, Flood risk assessment dated 11 January 2016, planning application 3d renderings, planning application photo report, Arboricultural Implications Assessment dated 18 January 2016, CTMP B prepared by ADL planning, Structural Methodology Statement prepared by Solid Geometry Structural Engineers dated 26 January 2016 (for information purposes only)

**Case Officer:** Samuel Gerstein

**Direct Tel. No.** 020 7641 4273

**Recommended Condition(s) and Reason(s):**

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

Reason:

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

- 2 Except for basement excavation work, you must carry out any building work which can be heard at the boundary of the site only:
  - \* between 08.00 and 18.00 Monday to Friday;
  - \* between 08.00 and 13.00 on Saturday; and
  - \* not at all on Sundays, bank holidays and public holidays.

You must carry out basement excavation work only:

- \* between 08.00 and 18.00 Monday to Friday; and
- \* not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11BA)

Reason:

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

Development Plan that we adopted in January 2007. (R11AC)

- 3 The grilles to the front lightwells shall be installed prior to the occupation of the building and shall be retained in-situ thereafter, and shall be formed of black coloured metal.

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

- 4 You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. The bricks shall not be rendered, painted or otherwise overclad. (C27DB)

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 St John's Wood 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)

- 5 The new windows and external doors shall be formed in glazing and white painted timber framing, with the exception of the doors to rear ground and lower ground floor levels which shall be formed in either timber or metal.

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 St John's Wood 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)

- 6 You must apply to us for approval of a sample of the clay roof tiles. 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 this sample. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St John's Wood 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)

- 7 You must apply to us for approval of elevation/section/plan drawings (as appropriate) showing the location, size and design of both the bin store and any structures associated with the cycle parking. You must not start work until we have approved what you have sent us. You must then carry out the work according to these drawings. (C26CB)

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

- 8 The windows and external doors to the front and side elevations of the building shall open inwards only.

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 St John's Wood 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 All external metal railings and grilles shall be black in colour, and maintained as such thereafter.

Reason:

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

- 10 The 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 The excavation and construction of the development shall be carried out in accordance with the measures included in your Construction and Traffic Management Plan prepared by ADL planning at all times throughout the construction process.

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.

**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 advised that Condition 6 of this approval requires clay tiles to roof level. You are advised to review the shade, colour and appearance of the existing clay tiles to the other 20th century neo-Georgian buildings nearby in Clifton Hill.
- 4 You are reminded that this permission does not authorise works to the front boundary of the property
- 5 With regards to condition 7, you should seek to incorporate these structures within the main body of the development, with the most suitable location being sited just inside the side wing to the west side of the building
- 6 Your planning permission does not allow for the installation of a mechanical plant in the basement. If you intend to install any mechanical plant which has the potential to create noise and vibration, you must make an application for planning permission including an acoustic report demonstrating that the plant will comply with the Council's noise criteria.
- 7 This permission is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council and as a consequence we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.

- 8 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: [www.westminster.gov.uk/cil](http://www.westminster.gov.uk/cil)

Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form** **immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**

CIL forms are available from the planning on the planning portal:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

Forms can be submitted to [CIL@Westminster.gov.uk](mailto:CIL@Westminster.gov.uk)

**Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.**

- 9 In recognition of the greater susceptibility of basements to flooding from surface water and sewerage in comparison to conventional extensions, it is recommended you install a 'positive pumped device' (or equivalent reflecting technological advances) in the basement.
- 10 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, [sitenquiries@ccscheme.org.uk](mailto:sitenquiries@ccscheme.org.uk) or visit [www.ccscheme.org.uk](http://www.ccscheme.org.uk).
- 11 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. (150AA)

- 12 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:

\* Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;

\* This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc.) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at [www.hse.gov.uk/risk/index.htm](http://www.hse.gov.uk/risk/index.htm).

It is now possible for local authorities to prosecute any of the relevant parties with respect to non-compliance with the CDM Regulations after the completion of a building project, particularly if such non-compliance has resulted in a death or major injury.

- 13 The design and structure of the development shall be of such a standard that the dwelling is free from the 29 hazards listed under the Housing Health Safety Rating System (HHSRS). However, any works that affect the external appearance may require a further planning permission. For more information concerning the requirements of HHSRS contact:

Residential Environmental Health Team  
4th Floor East, Westminster City Hall  
64 Victoria Street  
London SW1E 6QP  
[www.westminster.gov.uk](http://www.westminster.gov.uk)  
Email: [res@westminster.gov.uk](mailto:res@westminster.gov.uk)  
Tel: 020 7641 3003 Fax: 020 7641 8504.

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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.