

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 26 July 2016	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> St James's	
<b>Subject of Report</b>	<b>24 Carlton House Terrace, London, SW1Y 5AP,</b>		
<b>Proposal</b>	Demolition of the existing mansard roof and construction of two floors to create a duplex residential flat with roof terrace and associated works including a new rooftop plant area and extension to the existing internal lift.		
<b>Agent</b>	Mr Luke Emmerton		
<b>On behalf of</b>	Carlton House Terrace Ltd		
<b>Registered Number</b>	16/02449/FULL	<b>Date amended/ completed</b>	3 May 2016
<b>Date Application Received</b>	18 March 2016		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	St James's		

## 1. RECOMMENDATION

Grant conditional permission.

## 2. SUMMARY

24 Carlton House Terrace is an 8 storey 1970's residential building located within the St James's Conservation Area. The building is divided into 14 flats; the current application relates to the existing 7<sup>th</sup> floor flat. Planning permission is sought to remove the existing mansard roof (7<sup>th</sup> floor) and to construct two new floors (7<sup>th</sup> and 8<sup>th</sup>) to create a duplex 4 bedroom residential flat with roof terrace at 8<sup>th</sup> floor level plus roof top plant enclosure.

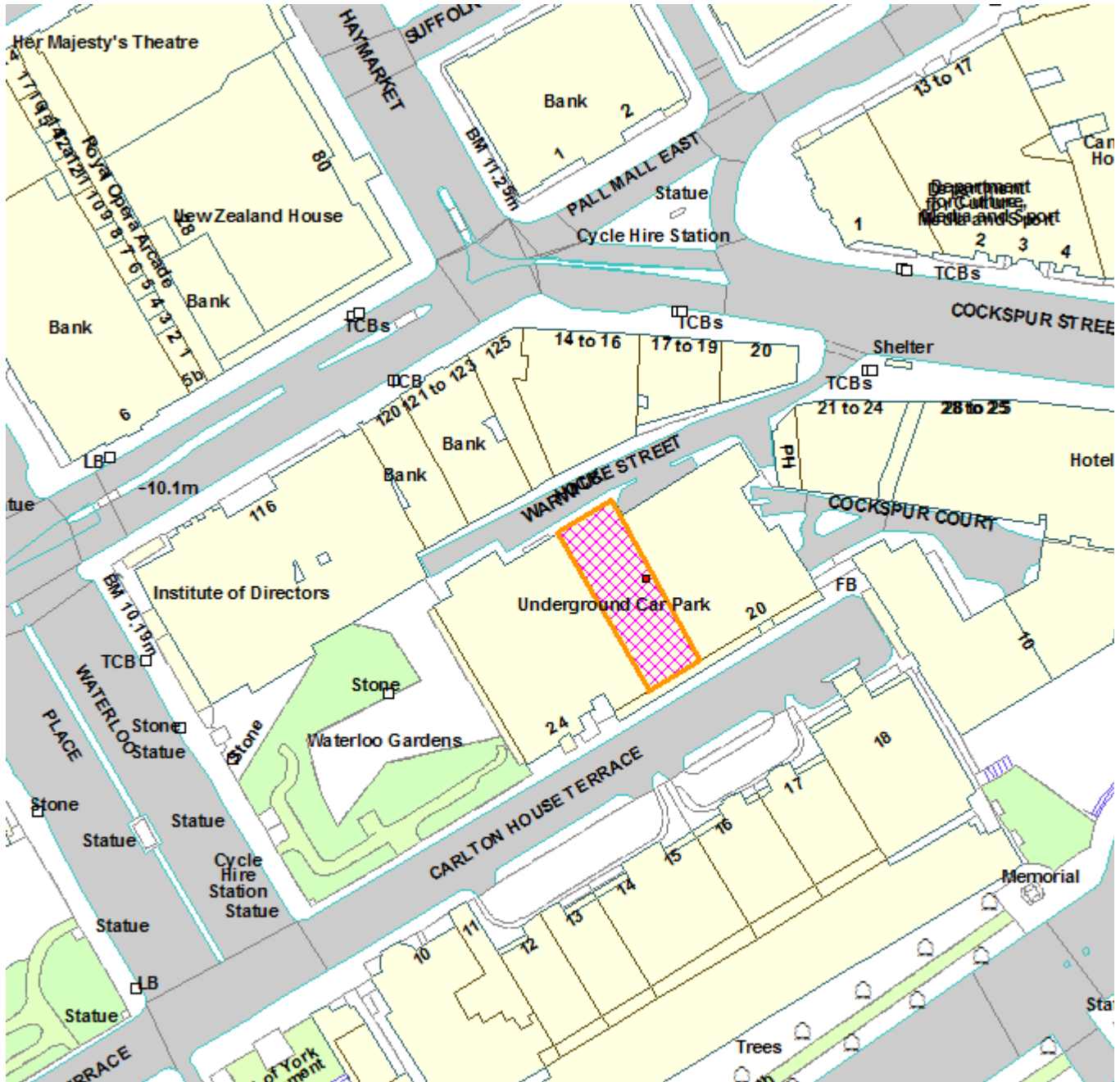
Objections have been received from local residents on amenity grounds (privacy, overlooking and noise) to the new roof terrace and to the disruption likely to be caused by the construction work.

The key issues for consideration are:

- The impact on the appearance of the building and on the character and appearance of the St James's Conservation Area
- The impact on residential amenity

Notwithstanding the objections received the application is considered to be acceptable and would accord with the relevant policies in Westminster's City Plan: Strategic Policies adopted in November 2013 (the City Plan) and the Unitary Development Plan adopted in January 2007 (the UDP).

LOCATION PLAN



3. PHOTOGRAPHS



Front elevation

#### 4. CONSULTATIONS

Westminster Society: no serious reservations. Support approval.

Environmental Health: no objection subject to conditions to control noise from plant.

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

No. Consulted: 62 No. of replies: 4

Objections from and on behalf of Flats 2, 3, 5, 8 & 9, 10 & 11, 12 & 14 24 Carlton House Terrace; 1<sup>st</sup> floor apt, 2<sup>nd</sup> floor apt, penthouse 13-15 Carlton House Terrace, 13-16 Carlton House Terrace and 16 Carlton House Terrace on the following grounds:

##### AMENITY

- Loss of privacy and overlooking from terrace
- Noise disturbance caused by people and activity on the terrace

##### OTHER

- Disturbance from building work and construction traffic
- Works should take place in accordance with an approved construction management plan
- Lengthy construction period will exacerbate nuisance
- Building works should only be carried out between 0800-1800 Monday to Friday and particularly noisy building works should be further restricted

PRESS ADVERTISEMENT / SITE NOTICE: Yes

#### 5. BACKGROUND INFORMATION

##### 5.1 The Application Site

24 Carlton House Terrace is an eight storey 1970s residential building located on the eastern side of Waterloo Gardens within the St James's Conservation Area. The building is accessed from Carlton House Terrace but its primary elevation fronts on to the private garden fronting on to Waterloo Place.

The building, which is not listed, is formed of large stone panels with deep recessed windows and protruding balconies (from ground to 6th floor). The 7th floor plan is set back and designed as a tiled mansard roof. The building is divided into 14 residential flats which are accessed at ground floor level from Carlton House Terrace.

##### 5.2 Recent Relevant History

None relevant

## 6. THE PROPOSAL

This application seeks permission to demolish the existing mansard roof and to construct two floors to create a single duplex residential unit with roof terrace; associated works include a new rooftop louvred plant enclosure and extension of the existing internal lift.

## 7. DETAILED CONSIDERATIONS

### 7.1 Land Use

The application involves the replacement of the existing family size 7<sup>th</sup> floor flat with a larger, duplex, four bedroom family size flat on 7<sup>th</sup> and new 8<sup>th</sup> floor. The principal habitable spaces; dining room and living rooms opening out onto a terrace, are located at new 8<sup>th</sup> floor level, with bedrooms below at 7<sup>th</sup> floor level. The proposed accommodation complies with the national housing technical standards and with the London Plan housing standards. The new flat would be accessed via stairs and lift; the existing lift is to be extended up to the new eighth floor level within the existing core tower.

### 7.2 Townscape and Design

The existing building is of some architectural merit and reflects the architecture of its time. However the current roof structure, whilst it has been suggested that it is contemporary with the building, does not retain the same architectural quality. It is therefore considered that its demolition (including the unsightly safety railing) and replacement with a more suitable architectural form which enhances the building and its surroundings is acceptable in principle.

The design of the extension is contemporary but detailed and proportioned to reflect the form and character of the host building. The extension will be set within a Portland stone frame. At 7<sup>th</sup> floor level alternating glazed and limestone panels are set back from the frame. The 8<sup>th</sup> floor, which is further set back from the main façade line, is formed as a bronzed box with decorative sliding metal work screens.

The proposed extension presents an architectural termination to the building, which is currently missing. The plant area has been set down and does not project too far (1.4m) above the walls of the structure. The verified views clearly indicate that the proposal will only be visible in those views closest to the building and it will not impact at views from St James's Park or over Nash House.

The existing building has a simple white/ grey structural frame with simple railings. The detailing of the extension will be key to the overall success of the proposal. The design for the sliding bronze screens as originally submitted was considered overly dominant. It is considered that the design of these screens should provide a minimal, subdued appearance, which does not dominate the stark architecture below. It is therefore recommended that the detail of the sliding screens is reserved by condition, with advice given by way of an informative that the design should be simple and not overtly decorative and dominant.

### 7.3 Residential Amenity

Objections have been raised on behalf of owner/occupiers in 13-16 Carlton Terrace and other flats within 24 Carlton House Terrace itself, to the creation of a roof terrace on the south (Carlton House Terrace) side of the new flat.

The roof terrace is created by inseting the new 8<sup>th</sup> floor back from the edge of the roof of the 7<sup>th</sup> floor below whilst setting it within the stone frame of the extension. Although there is an existing roof terrace within the existing mansard on this side of the application building, the objector's concerns are that the enlarged roof terrace is capable of accommodating more outdoor furniture and a greater number of people which could cause additional overlooking to the occupiers of flats in 13-16 Carlton House Terrace and noise nuisance (raised voices of large groups of people and loud music) to these residents and the residents of other flats within 24 Carlton House Terrace.

The proposed terrace is set slightly further back from the main building line on Carlton House Terrace than the existing terrace. The distance between 24 Carlton House Terrace and 13-16 Carlton House Terrace is over 30metres, which is nearly twice the typical street width in much of Westminster. Furthermore, given the difference in height between the buildings, 24 Carlton House Terrace will be two storeys higher, and the fact that the front courtyard of 13-16 Carlton House Terrace is used for parking and access, it is not considered that the new roof terrace would have a material impact on the amenity, in terms of loss of privacy or additional overlooking, of residents in 13-16 Carlton House Terrace.

The applicant's agent has confirmed that there will not be any cooking facilities on the terrace and that the terrace will not be used for any outdoor events. The applicant is accordingly willing to accept conditions that preclude any outdoor cooking or amplified music. They are also willing to accept the Council's standard condition which prohibits the use of additional features on the terrace such as trellises, patio heaters etc. It is considered that these conditions would be sufficient to address and overcome many of the objector's concerns regarding the use of the terrace. It is not however considered appropriate to restrict the hours of use of a residential roof terrace.

The application is accompanied by a daylight and sunlight assessment which demonstrates that there will be no material impact on the levels of daylight and sunlight received by adjacent residential properties.

### 7.4 Transportation/Parking

The replacement of an existing family size residential flat with a slightly larger family size flat does not raise any parking or highways issues.

### 7.5 Other UDP/Westminster Policy Considerations

There is an existing plant room within the existing 7<sup>th</sup> floor mansard plus further plant, flues and satellite dishes scattered around on the existing roof of the building. The existing plant room is retained at 7<sup>th</sup> floor level and a new 1.4m high louvred plant

enclosure is proposed at roof level to accommodate the air-conditioning plant for the new flat plus the other existing roof top plant equipment which needs to be relocated.

The applicant has indicated the type of plant equipment that will be housed at roof level i.e. air-handling units and heat recovery units but the exact specification is not known at this stage. Environmental Health have therefore requested a condition requiring the submission of a supplementary acoustic report to ensure that the plant equipment when selected does comply with the Council's normal conditions controlling noise and vibration plus conditions to ensure acceptable residential internal noise standards and to control the hours of building works.

## **7.6 London Plan**

This application raises no strategic issues.

## **7.7 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.

## **7.8 Planning Obligations**

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

## **7.9 Other Issues**

### **Construction Work**

The concerns expressed by and on behalf of existing residents, within the building and within nearby 13-16 Carlton House Terrace, regarding the disturbance which will be caused by the building work and construction traffic are acknowledged.

The application is supported by a draft Construction Management Plan which identifies the key issues associated with the demolition of the existing mansard roof and the erection of a two storey extension. It is recommended that the submission of a final detailed Construction Management Plan is secured by condition. The Council's standard condition controlling the hours of noisy building works is also recommended. Further controls and restrictions on building works are likely to be agreed with Environmental Health via a Section 61 notice (under the Control of Pollution Act 1974). Skips, scaffolds and the temporary suspension of on-street parking bays (if required) will require the relevant licences under the Highways Act. The developer intends to join the national Considerate Contractors scheme which is welcomed.

**8. BACKGROUND PAPERS**

1. Application form and DP9 letter dated 18.3.16 and email dated 3.5.16
2. Westminster Society on-line response dated 5 April 2016
3. Environmental Health on-line response dated 12 May 2016
4. Flat 3, 24 Carlton House Terrace on-line response dated 6 April 2016
5. Forsters on behalf of owner/occupier of Flat 5, 24 Carlton House Terrace letter dated 28 April 2016
6. Weldon Walshe on behalf of Flat 2, 8 & 9, 10 & 11 and 12 & 14, 24 Carlton House Terrace, 1<sup>st</sup> floor apt, 2<sup>nd</sup> floor apt and penthouse 13-15 Carlton House Terrace, 13-16 Carlton House Terrace and 16 Carlton House Terrace on-line response dated 20 May 2016 and email dated 1 July 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)

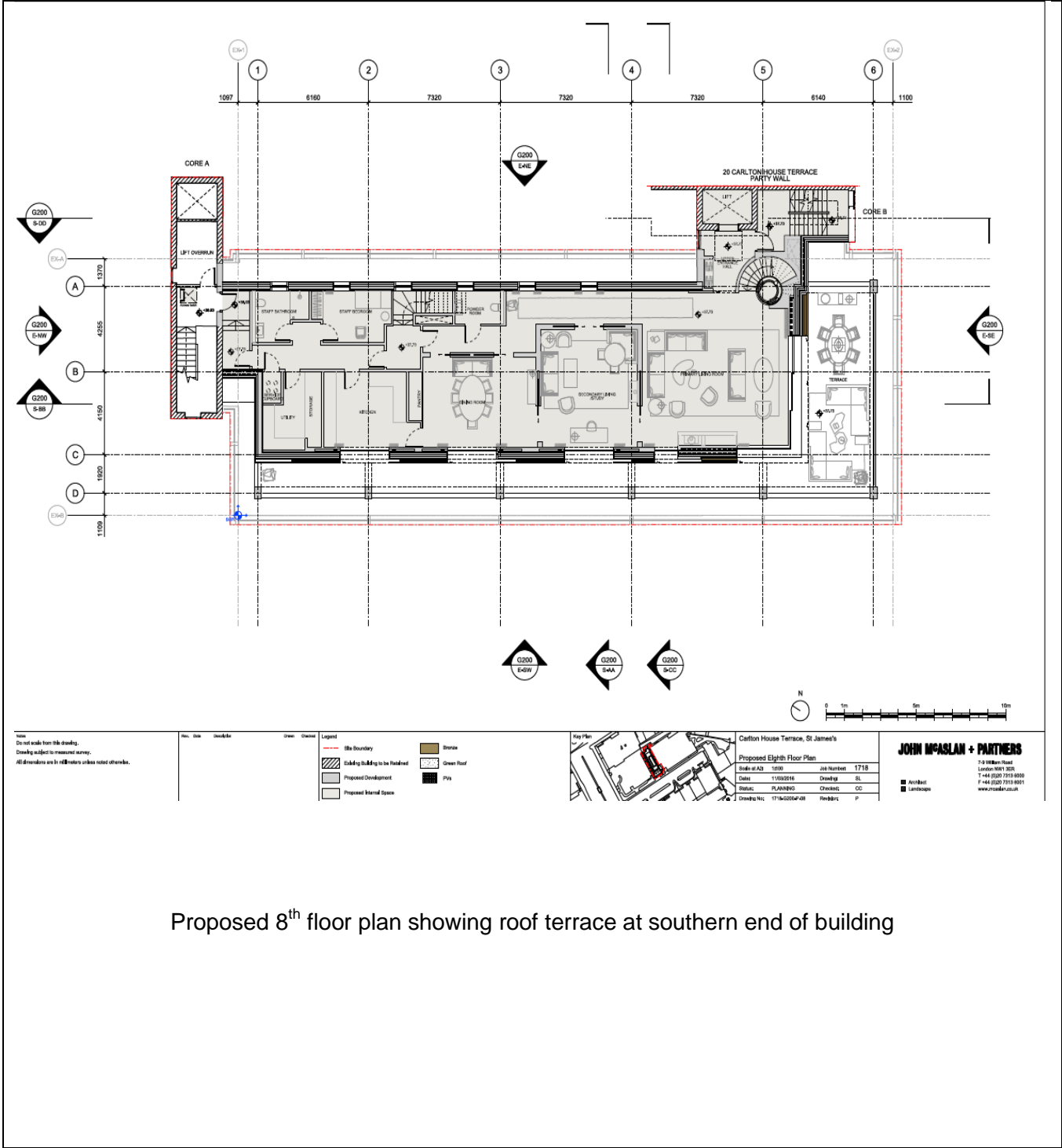
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: VINCENT NALLY BY EMAIL AT [vnally@westminster.gov.uk](mailto:vnally@westminster.gov.uk)



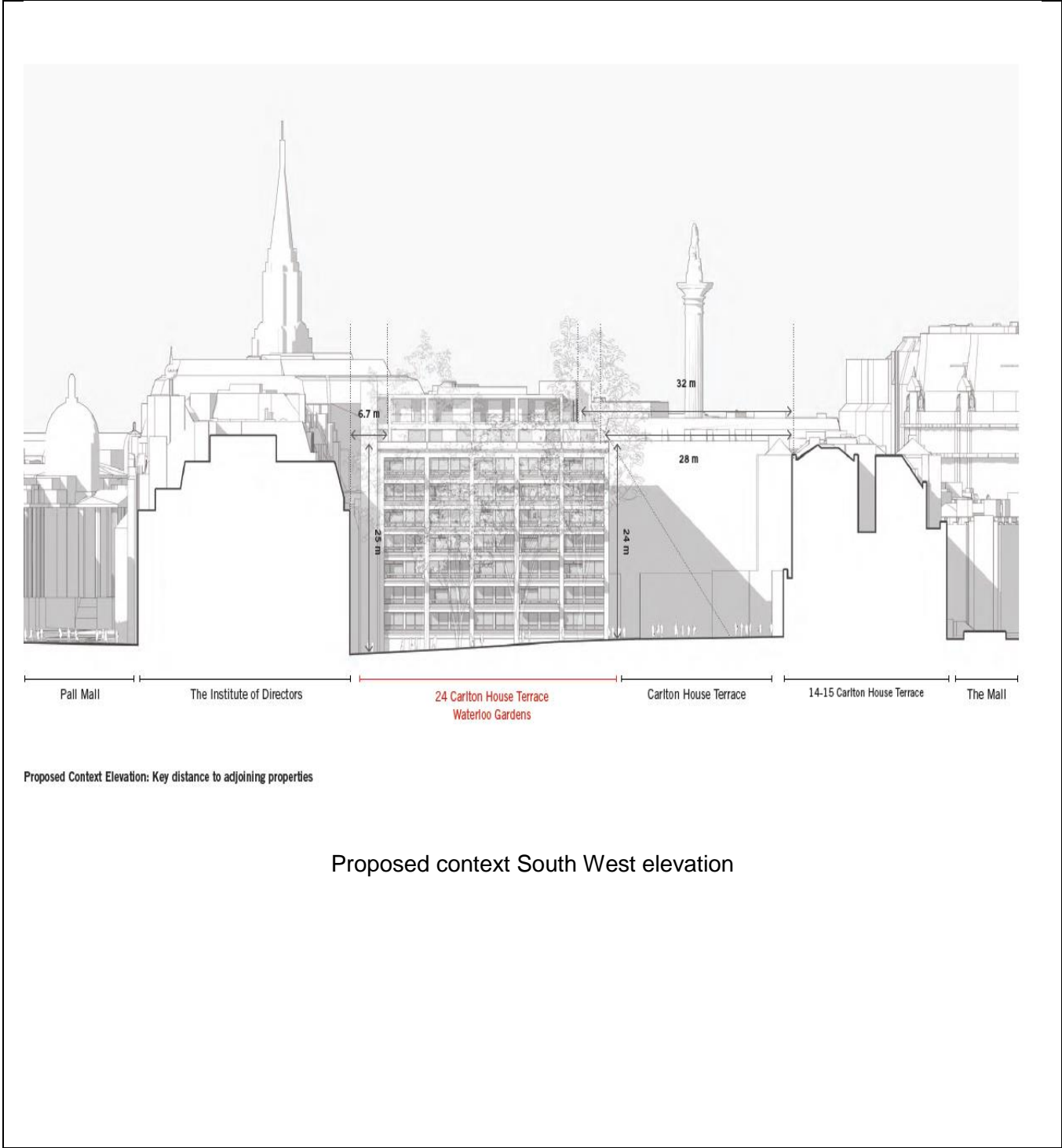




Proposed two storey roof extension with roof terrace



Proposed 8<sup>th</sup> floor plan showing roof terrace at southern end of building



**DRAFT DECISION LETTER**

**Address:** 24 Carlton House Terrace, London, SW1Y 5AP,

**Proposal:** Demolition of the existing mansard roof and construction of two floors to create a duplex residential flat with roof terrace and associated works including a new rooftop plant area and extension to the existing internal lift.

**Plan Nos:** DP9 letter dated 18.3.16 and Planning Statement March 2016 and email dated 3.5.16; John McAslan & Partners Design & Access Statement March 2016 and Supplementary Planning Statement dated 27.5.16; KM Heritage Heritage & Townscape Appraisal March 2016; Point 2 Surveyors Ltd Daylight & Sunlight Assessment March 2016; Aecom Energy Statement March 2016 and Overheating analysis dated 7.3.16; JMP Access Statement 11.3.16;

1718-G100-P-LP; G100-P-SP; JC10-XP-07, 08, RF; JC10-XE-NE, NW, SE, SW, XS; JC20-XP-07, 08, RF; JC20-XE-NE, NW, SE, SW, XS; G200-P-06, 07, 08, 08U, RF; G200-E-NE-P1, NW-P1, SE-SC-P1, SE-SO-P1, SW-SC-P1, SW-SO-P1; G200-E-SE-CXT-SC-P1, SE-CXT-SO-P1, SW-CXT-SC-P1, SW-CXT-SO-P1; G200-S-AA & CC P1, S-BB P1, S-DD P1; G252-D-TY-001 P1, D-TY-002, D-TY-003 P1;

FOR INFORMATION PURPOSES ONLY: Aecom Structural report dated 11.3.16; Aecom Construction Management Plan dated 16.3.16

**Case Officer:** Amanda Jackson

**Direct Tel. No.** 020 7641 2934

**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 **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.

- 4 You must put a copy of this planning permission and all its conditions at street level outside the building for as long as the work continues on site.

You must highlight on the copy of the planning permission any condition that restricts the hours of building work. (C21KA)

Reason:

To make sure people in neighbouring properties are fully aware of the conditions and to protect their rights and safety. (R21GA)

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

shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

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

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 6 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.

- 7 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 5 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

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

- 8 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.

- 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 St James's 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 at a scale of 1:10 and sections at 1:5 of the following parts of the development:

- i) railings;
- ii) windows;
- iii) plant enclosure.

You must not start any work on these parts of the development until we have approved what you have sent us.

You must then carry out the work according to these approved details. (C26DB)



**Reason:**

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St James's 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 You must apply to us for approval of detailed drawings including sections and samples of the proposed sliding screens. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these approved details. (C26DB)

**Reason:**

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

- 12 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace. (C26NA)

**Reason:**

Because these would harm the appearance of the building, and would not meet S25 or S28, or both, of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R26HC)

- 13 You must not install or use any outdoor cooking equipment or play any amplified music on the roof terrace hereby approved.

**Reason:**

To protect the environment of the people in the residential part of the development. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R21CC)

**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](mailto:siteenquiries@ccscheme.org.uk) or visit [www.ccscheme.org.uk](http://www.ccscheme.org.uk).
- 3 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.
- 4 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. (I50AA)

- 5 For the avoidance of doubt the Construction Management Plan required under condition 3 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.
- 6 Your proposals include demolition works. If the estimated cost of the whole project exceeds £300,000 (excluding VAT), the Site Waste Management Plan (SWMP) Regulations 2008

require you to prepare an SWMP before works begin, to keep the Plan at the site for inspection, and to retain the Plan for two years afterwards. One of the duties set out in the Regulations is that the developer or principal contractor "must ensure, so far as is reasonably practicable, that waste produced during construction is re-used, recycled or recovered" (para 4 of the Schedule to the Regulations). Failure to comply with this duty is an offence. Even if the estimated cost of the project is less than £300,000, the City Council strongly encourages you to re-use, recycle or recover as much as possible of the construction waste, to minimise the environmental damage caused by the works. The Regulations can be viewed at [www.opsi.gov.uk](http://www.opsi.gov.uk).

- 7 The sound insulation in each new unit of a residential conversion should meet the standards set out in the current Building Regulations Part E and associated approved documents. Please contact our District Surveyors' Services if you need more advice. (Phone 020 7641 7240 or 020 7641 7230). (I58AA)
- 8 Asbestos is the largest single cause of work-related death. People most at risk are those working in the construction industry who may inadvertently disturb asbestos containing materials (ACM's). Where building work is planned it is essential that building owners or occupiers, who have relevant information about the location of ACM's, supply this information to the main contractor (or the co-ordinator if a CDM project) prior to work commencing. For more information, visit the Health and Safety Executive website at [www.hse.gov.uk/asbestos/regulations.htm](http://www.hse.gov.uk/asbestos/regulations.htm) (I80AB)
- 9 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.

- 10 You must ensure that the environment within a workplace meets the minimum standard set out in the Workplace (Health, Safety and Welfare) Regulations 1992 with respect to lighting, heating and ventilation. Detailed information about these regulations can be found at [www.hse.gov.uk/pubns/indg244.pdf](http://www.hse.gov.uk/pubns/indg244.pdf). (I80DB)
- 11 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.
- \* Window cleaning - where possible, install windows that can be cleaned safely from within the building.
  - \* Internal atria - design these spaces so that glazing can be safely cleaned and maintained.
  - \* Lighting - ensure luminaires can be safely accessed for replacement.
  - \* Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).
- More guidance can be found on the Health and Safety Executive website at [www.hse.gov.uk/falls/index.htm](http://www.hse.gov.uk/falls/index.htm).
- Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)
- 12 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 13 Conditions 5, 6 & 7 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 14 With regard to Condition 11, the proposed sliding screens should accord with the character of the existing building. An overly decorative design and use of materials is unlikely to be considered favourably. Simple forms should be used to provide the level of privacy/shading required, without becoming overtly dominant.