

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 29 November 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Hyde Park	
Subject of Report	1 - 5 Rainsford Street, London, W2 1PY		
Proposal	Use of 1-5 Rainsford Street as three residential dwellings (Use Class C3) and associated external alterations, including erection of roof extension.		
Agent	Barton Willmore LLP		
On behalf of	Imperial College London		
Registered Number	16/06450/FULL	Date amended/ completed	8 September 2016
Date Application Received	7 July 2016		
Historic Building Grade	Unlisted		
Conservation Area	Bayswater		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The application seeks permission to convert three existing mews buildings in Rainsford Street in to three residential dwellings and make external alterations to the buildings, including the addition of a mansard roof extension to create a new second floor. The buildings were most recently used to provide ancillary storage and changing facilities for the now demolished adjacent sports hall, which was redeveloped following the granting of planning permission in January 2013 to provide a new building of between two and four storeys to provide additional student accommodation and ancillary facilities. The buildings are now surplus to the requirements of Imperial College following the demolition and redevelopment of the sports hall site.

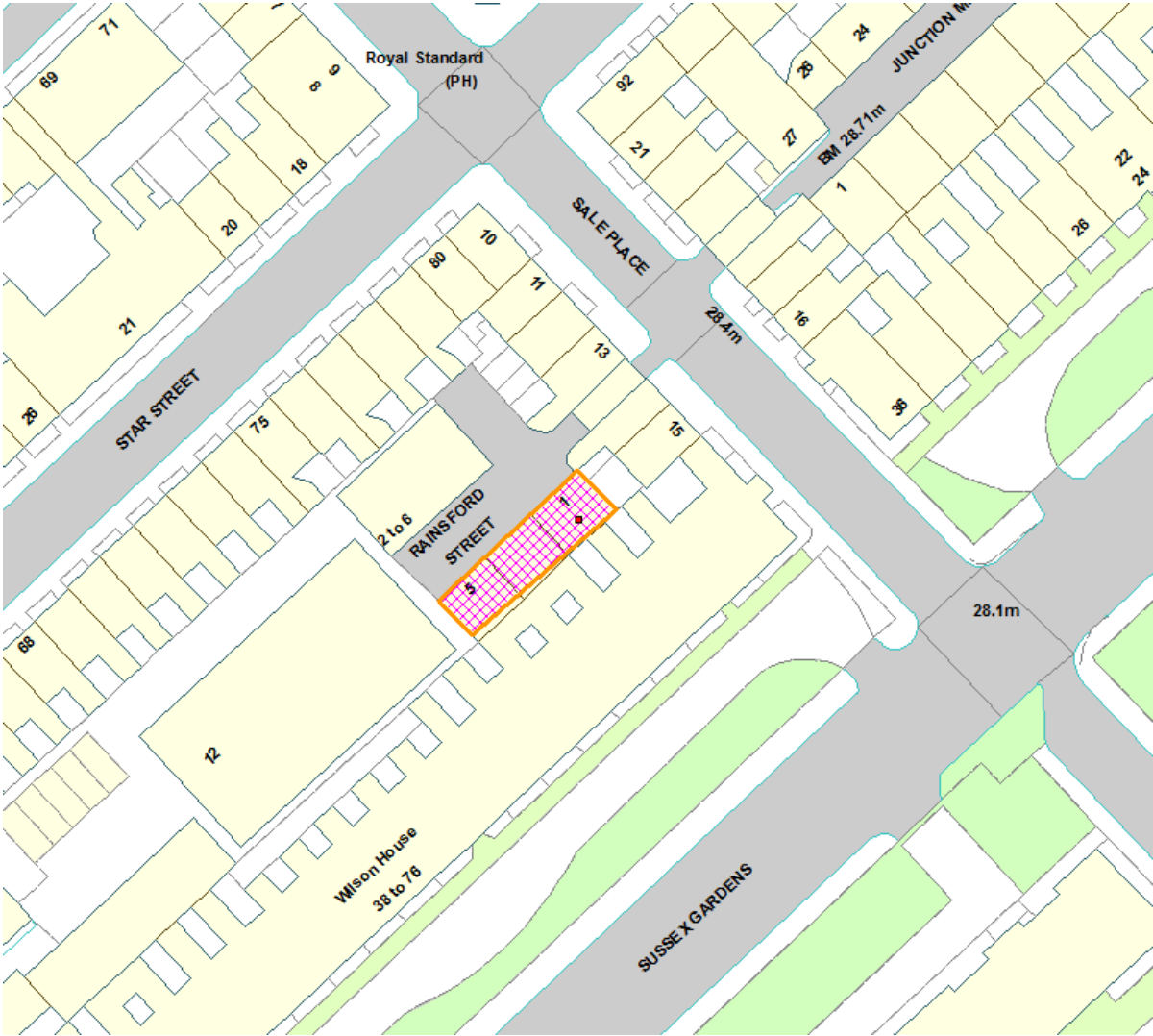
The key issues in this case are:

- The loss of current social and community use floorspace.
- The impact of proposed development on the Bayswater Conservation Area and setting of the adjacent Grade II listed buildings.
- The impact upon amenity of adjoining residential occupiers (including the halls of residents in

Sussex Gardens).

Given that the university sports hall to which these mews buildings formally acted as ancillary accommodation for has been redeveloped, it is considered that their conversion to residential accommodation is acceptable in land use terms. Amendments during the course of the application have addressed officer's initial concerns in design and amenity terms. The proposal therefore accords with the relevant policies in the City Plan and UDP and as such, it is recommended for conditional approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS

View looking up Rainsford Street toward Sale Place (site on right).



Application site to the left, recently completed student halls development at end of street.



View of roofs of application site with Wilson House student halls of residents behind.

5. CONSULTATIONS

HYDE PARK ESTATE ASSOCIATION

Any response to be reported verbally.

CLEANSING MANAGER

Objection – dedicated cycle parking and refuse area not of sufficient area to accommodate both functions.

ENVIRONMENTAL HEALTH

Any response to be reported verbally.

HIGHWAYS PLANNING MANAGER

Objection – increased parking demand in area of on street parking deficiency. Securing lifetime membership to car club can mitigate impact but does not overcome objection.

ADJOINING/OWNER OCCUPIERS

No consulted: 49; No of replies: 1 email raising objection on the following grounds:

- Increased parking congestion in Rainsford Street as a result of conversion to residential use.
- Disruption to office occupier in Rainsford Street from residential use and during construction.

ADVERTISEMENT/ SITE NOTICE

Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site comprises three unlisted mews buildings, which face north-west within Rainsford Street, a small mews located behind Grade II listed buildings on Sussex Gardens and Sale Place, within the Bayswater Conservation Area. The buildings are currently vacant, having most recently used to provide ancillary storage and changing facilities for the now demolished adjacent sports hall at the western end of Rainsford Street, which was redeveloped following the granting of planning permission in January 2013 to provide new student accommodation.

6.2 Recent Relevant History

07.07.1953 - Planning permission granted for the conversion of 42-76 Sussex Gardens for use as a hostel for students of the St Mary's Hospital Medical School.

12.05.1954 - Planning permission granted for the erection of a single storey building at the rear of No's.54-62 (even) Sussex Gardens to be used for recreational purposes for students from St Mary's Hospital Hostel for students (37186/A).

12.06.1957 - Planning permission granted for the erection of a building comprising two squash courts.

17.02.1960 - Planning permission granted for the conversion of Nos.38 and 40 Sussex Gardens for use as a hostel for students of the St Mary's Hospital Medical School (22145).

05.03.1982 - Planning permission granted for the erection of a student recreation centre and the use of Rainsford Street as a private road.

05.03.1982 - Planning permission granted for alterations in connection with the creation of a ground and first floor link with a proposed student recreation centre in Rainsford Street.

17.01.2013 - Planning permission granted for extensions, alterations and refurbishment of Wilson House for continued use as student accommodation and the redevelopment of the sports complex buildings to the rear of the site to provide a new building of between two and four storeys to provide additional student accommodation and ancillary facilities.

A planning application (RN: 16/05494/FULL) has been submitted concurrently with this application for 'Use of 1-5 Rainsford Street as three residential dwellinghouses (Class C3) and associated external alterations, including construction of roof terraces'. This application is also on this committee agenda and is recommended for refusal on design grounds.

7. THE PROPOSAL

The application seeks permission for use of the three mews buildings at Nos.1-5 Rainsford Street as three dwellinghouses (Class C3) and associated external alterations, including the erection of a roof extension.

8. DETAILED CONSIDERATIONS

8.1 Land Use

8.1.1 Loss of Existing Social and Community Use

The properties were most recently in use by building contractors during the construction of the adjacent student accommodation associated with Wilson House, granted planning permission 17 January 2013 which ended in August 2014. Prior to this, the buildings were used as ancillary storage and changing facilities by Imperial College in conjunction with the sports hall until it was demolished and redeveloped in accordance with the January 2013 planning permission.

Given their long standing ancillary use in conjunction with the university, it is appropriate to consider the conversion of these properties in the context of Policies SOC1 and SOC3 in the adopted UDP and Policy S34 in the City Plan, which seek to protect and encourage social and community uses. These policies allow for the conversion of social and community floorspace where the existing provision is being reconfigured, upgraded or relocated in order to improve services and meet identified needs as part of a published strategy by a local service provider. In these circumstances the policy requires the applicant to demonstrate that the overall level of social and community provision is

improved and there is no demand for an alternative social and community use of the application premises.

The letter from Imperial College London dated 4 November 2016 sets out a justification for the loss of the existing social and community use and states that the storage and other ancillary uses the buildings have provided historically in association with the adjacent sports hall is now redundant, and incorporated where required into the adjacent recently completed student hall redevelopment.

The university advise that they considered the use of buildings for continued education and wider social and community use; however, these options were discounted for a number of reasons set out in their letter. These include, (i) the building internal layouts which limit the scope for a functional open plan area; (ii) the small building footprint; (iii) the lack of level access, and; (iv) conservation area constraints limiting the scope for alterations such as installation of mechanical plant.

The university advises that it had sought to expand existing community engagement spaces at the St Mary's Hospital Site on the application site, but concluded that the premises were not suitable for the reasons summarised in the preceding paragraph. Instead the university advises that has provided engagement space elsewhere on its estate, including as part of the Alexander Fleming Laboratory Museum and the HELIX Centre.

In conclusion, it is evident that the proposal is not part of a published strategy and, in the absence of marketing evidence, the feasibility of use of the application site by an alternative social and community use provider has not been explored in the manner expected by the relevant social and community use policies. However, whilst not part of a published strategy, following the loss of the sports hall in conjunction with which these buildings were formally used, it is acknowledged that the buildings are surplus to Imperial College's requirements. Furthermore, given their discreet mews location and restricted floor areas, it is apparent that the buildings are limited in terms of the quantum, standard and flexibility of social and community floorspace they can provide. In this context, whilst it is highly regrettable that the applicant has not sought to definitively demonstrate a lack of interest from other social and community uses in using the premises, in this case the prospect of identifying an appropriate alternative social and community user for these premises is considered to be sufficiently low, so as to justify their loss without provision of marketing evidence.

8.1.2 Proposed Residential Use

In terms of the proposed use, the provision of residential accommodation adheres with Policies H3 of the UDP and S14 of the City Plan, which seek to encourage the provision of more residential floorspace. It would also accord with Policy S34 in the City Plan, which specifies that in this location, where social and community uses are lost, the appropriate alternative use is residential accommodation.

The proposal would provide three family-sized dwellings with three or more bedrooms and this would accord with Policy H5 in the UDP. Whilst the scheme does not provide a mix of unit sizes in accordance with Policy S15 in the City Plan, given the site comprises three

mews buildings, their conversion back to use as three dwellinghouses of modest size is not objectionable in land use terms.

In terms of the quality of accommodation that would be provided, all three dwellinghouses would provide sufficient internal floor area so as to be in accordance with the Government's Nationally Described Minimum Standards.

8.2 Townscape and Design

The buildings currently comprise two storeys with mono pitched roofs set behind high front brick parapet walls. The mews buildings have been altered in the past, in particular at ground floor level, with the introduction of modern doors and windows and with No.5 Rainsford Street having lost its garage style opening. However, the mews buildings have largely retained their original mews composition and scale and can be considered as a group with the mews buildings directly opposite, which are of the same scale and form, although not of the same age. Despite the alterations to the buildings themselves, and the historic and modern alterations to their setting, the historic relationship between the mews properties and the taller grand terraced houses in Sussex Gardens beyond is still observed given the inherent hierarchical contrast in scale. This is considered to contribute to the character and appearance of the Bayswater Conservation Area and to the setting of the adjoining listed buildings.

Alterations to the front and rear façade of the buildings consist of the installation of timber sash windows within existing openings and new timber framed bi-folding doors within the existing garage doors. Following revisions the garage doors have been amended so that they incorporate less glazing and maintain a greater semblance of the original mews property appearance. As proposed the scale and materiality of the façade treatments are considered to be appropriate and will preserve the interpretation of the buildings within their setting.

The principle of adding a mansard roof extension is considered to be acceptable in this case in design terms given that the mews buildings have an unusual and relatively unattractive high front parapet and as the roofs behind this parapet do not appear to be original and are not roof forms of historical interest. Furthermore, the current scheme proposes the provision of roof extension to all three mews buildings so that they would retain a coherent group appearance. A condition is recommended to ensure the roof extension is built in its entirety. Subject to this condition the principle of a roof extension on these buildings would accord with Policies DES1, DES6 and DES9 in the UDP and S25 and S28 in the City Plan.

The proposed roof extension takes the form of a flat topped mansard with two dormers on the front and rear elevations. The mansards would be separated by insertion of party wall upstands between each mews house and the height of the existing chimneys are to be increased. During the course of the application, the following alterations to the mansard roof extension were incorporated to address initial concerns raised by officers: (i) a hipped roof at either end of the terrace has been incorporated; (ii) the windows in the dormers have been amended to comprise timber sash windows; (iii) the chimney stacks have been extended to be higher than ridge line, and; (iv) the flat roof of the mansard roof extension is now to be clad in lead.

As a result of these amendments, the form and materials would now be sympathetic to the conservation area and the setting of the listed buildings to the rear and side of the site, and it is considered that the detailed design of the roof extension is acceptable and would accord with the guidance provided in the Supplementary Planning Guidance 'Mews- A Guide to Alterations'.

8.3 Residential Amenity

The adjoining properties comprise residential windows Nos.13 - 15 Sale Place to the east of the site and the university Halls of Residents within Wilson House to the rear, which contain a large number of windows across three floors facing the site.

8.3.1 Daylight and Sunlight

Given the increased scale of the mansard extension and tight nature of the site, the application is accompanied by a daylight and sunlight assessment, prepared in relation to the impact on adjoining properties. The results show that only three windows serving habitable rooms to the rear within Wilson House would fall marginally short of the good practice benchmarks within the Building Research Establishment (BRE) guidelines, whilst the rest would be compliant in terms of daylight loss. There would be no material losses to windows serving habitable rooms in other neighbouring residential properties.

Given the losses of daylight would only be marginally above the level at which they may become noticeable to occupier of the rooms served by the affected windows and as the rooms are understood to be bedrooms in halls of residents accommodation, where occupiers are likely to be more transient, it is not considered that permission could reasonably be withheld on grounds of loss of daylight

In terms of sunlight, all windows which face within 90 degrees of due south have been tested for sunlight loss. The daylight and sunlight assessment confirms that the proposal would not result in a material loss of sunlight to any neighbouring windows. As such, the proposal are acceptable in sunlighting terms.

8.3.2 Privacy and Sense of Enclosure

In terms of overlooking, the applicant proposes that all first floor windows to the rear will be fitted with obscure glazing to the bottom window pane whilst at ground floor each property is fitted with a high level obscure glazed fixed window. The flank first floor window facing Sale Place is also obscure glazed in its entirety. These measures are to be secured by condition.

The applicant has not specified any obscure glazing to the dormer windows; however, it is considered that these would also provide the opportunity for overlooking to occur and as such, a condition is recommended requiring the rear windows to be obscured to their bottom half and for the bottom half of the sash windows to be fixed shut.

In terms of enclosure, following revisions to convert the mansard gable end to a hipped roof, the mansard now slopes away from the adjacent residential windows in the rear elevation of No. 15 Sale Place and as a result the end elevation would be significantly less intrusive than initially proposed. The mansard is now considered to be of a scale and mass

that will not result in an unacceptable increased sense of enclosure to surrounding properties.

To prevent future extensions and alterations to fenestration that could result in material losses of amenity for neighbours, a condition is recommended to restrict the permitted development rights of the three dwellinghouses. This condition would also serve to prevent harm occurring to the character and appearance of the conservation area as a result of amendments to the buildings under permitted development rights.

Subject to the recommended conditions, the proposed development is acceptable in amenity terms and would accord with Policy ENV13 in the UDP and S29 in the City Plan.

8.4 Transportation/Parking

In terms of existing off street parking, whilst the building retains garage doors, the space within the buildings behind the doors is used as internal floorspace at present and the garages have long since been lost. As such, there is no off street parking provided in conjunction with the existing social and community use of the site.

Highways Planning Manager has objected to the proposed development on grounds that it would increase on street parking demand for residents parking bays. He notes that on-street parking bay occupancy has reached a level of 56% overnight and 85% during daytime hours. The Highways Planning Manager has suggested that the impact on on-street parking could be mitigated in part by provision of lifetime (25 year) car club membership. Whilst car club membership is not sought on developments of this limited scale, it is noted that the applicants have suggested such mitigation in their Transport Statement and as such a condition is recommended to secure car club membership for each dwellinghouse. Subject to this mitigation, it is not considered that permission could reasonably be withheld on parking grounds given the limited number of new dwellings proposed.

Policy 6.9 in the London Plan sets out the requirements for secure cycle parking provision. Cycle parking is shown on the submitted drawings, but is insufficient in size to meet the requirements of the London Plan policy and therefore revised cycle storage details are to be secured by condition.

The Cleansing Manager has objected to the application on grounds that the refuse and recycling spaces provided are not of sufficient area to accommodate both cycle parking and residual and recyclable waste storage. A condition requiring amended details has therefore been recommended.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Other UDP/Westminster Policy Considerations

Policy 5.3 of the London Plan and Policy S28 of the City Plan seek to maximise sustainable construction and design that reduces energy use and emissions and reduces waste. The applicant's planning statement sets out that the proposed development will

incorporate features to minimise carbon footprint and maximise sustainability including; use of low energy appliances, cycle storage, replacement of existing windows with efficient double glazed units improving thermal and acoustic performance, improvements to building fabric to increase u-values. These features are beneficial.

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

A pre-commencement condition is recommended to secure lifetime car club membership for each of the three dwellinghouses (see Section 6.4).

8.10 Other Issues

The occupier of the commercial premises at No.2-6 Rainsford Street has commented that the conversion would be likely result in parking congestion on Rainsford Street. However, Rainsford Street is a private road and not one within which the City Council as Local Highway Authority (LHA) has any control over in terms of how the road space within the street is used. It is noted that at present it is marked with single yellow lines, but as a private road, these would not be controlled by the City Council as LHA.

Concerns regarding the impact of construction works on the neighbouring office occupier are not grounds on which permission could reasonably be withheld and a condition is recommended to control the hours of building works.

9. BACKGROUND PAPERS

1. Application form.
2. Letter from Imperial College dated 4 November 2016.
3. Memo from the Cleansing Manager dated 27 July 2016.
4. Memo from Highways Planning Manager dated 10 August 2016.
5. Letter from the occupier of Nos.2-6 Rainsford Street dated 2 August 2016.

Selected relevant drawings

Existing and proposed 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: OLIVER GIBSON BY EMAIL AT ogibson@westminster.gov.uk.

Item No.

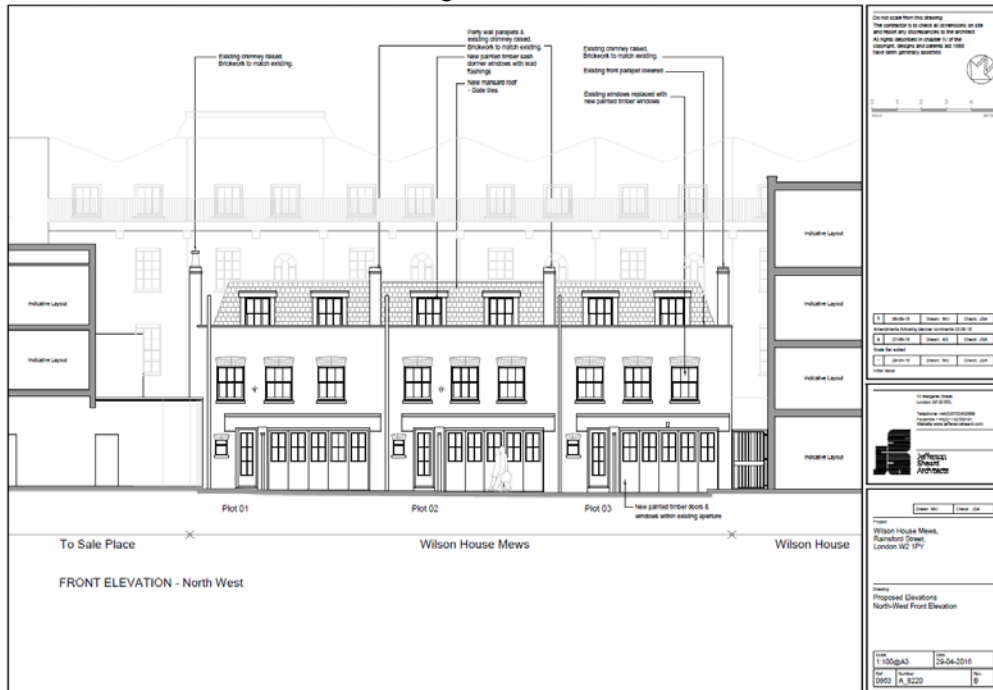
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10. KEY DRAWINGS

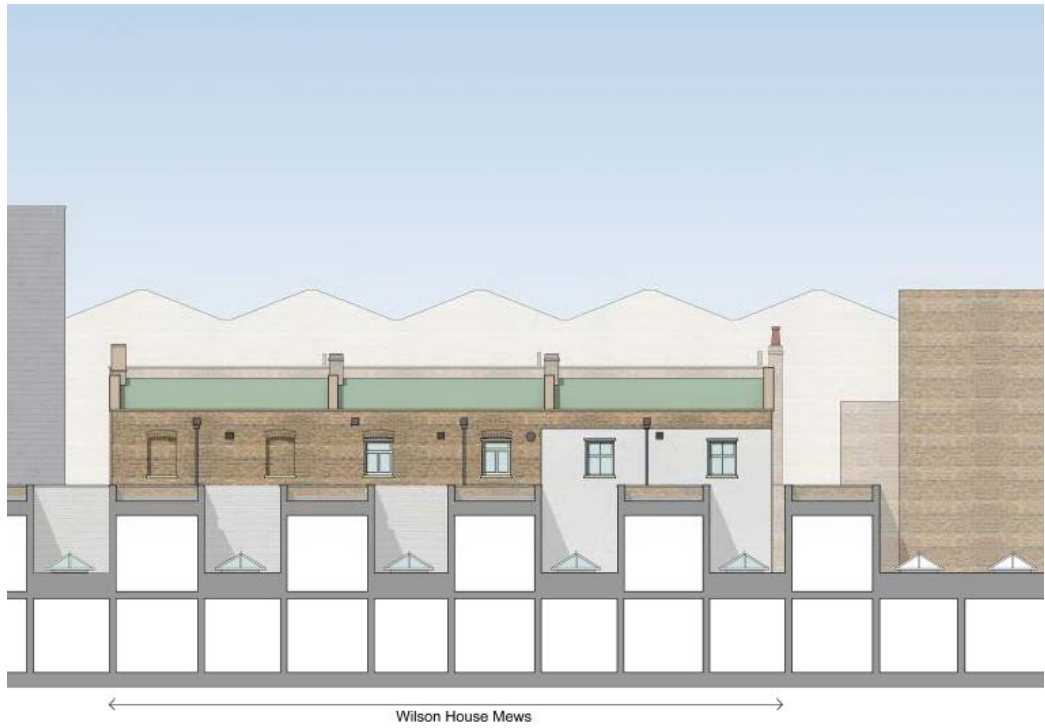


FRONT ELEVATION - North West

Existing front elevation.

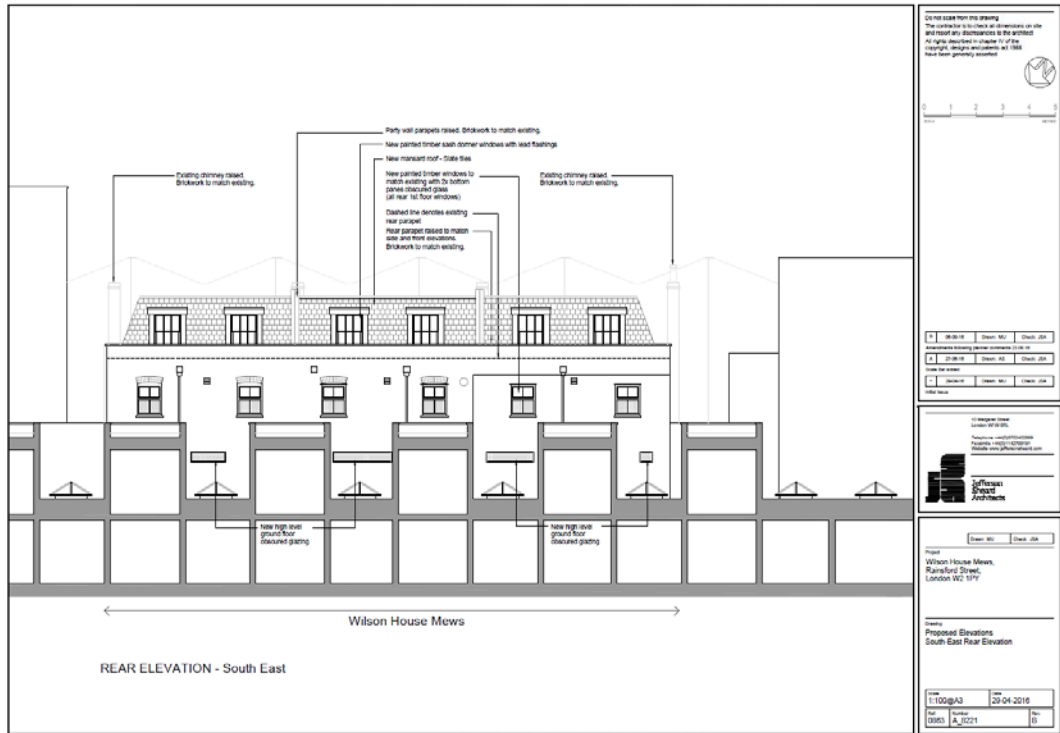


Proposed rear elevation.



REAR ELEVATION - South East

Existing rear elevation.



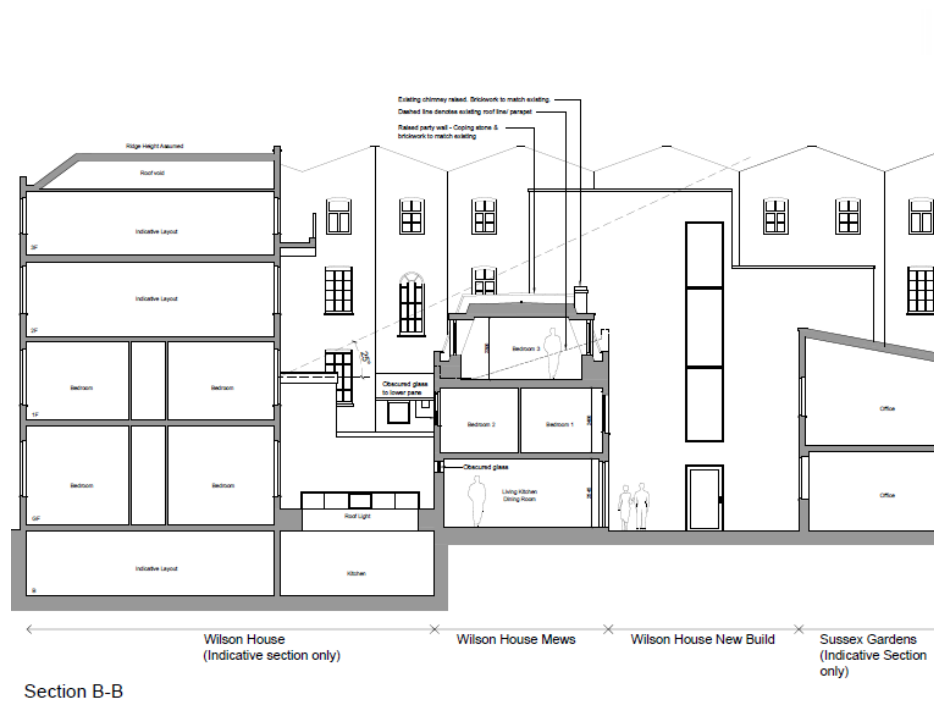
REAR ELEVATION - South East

Proposed rear elevation.



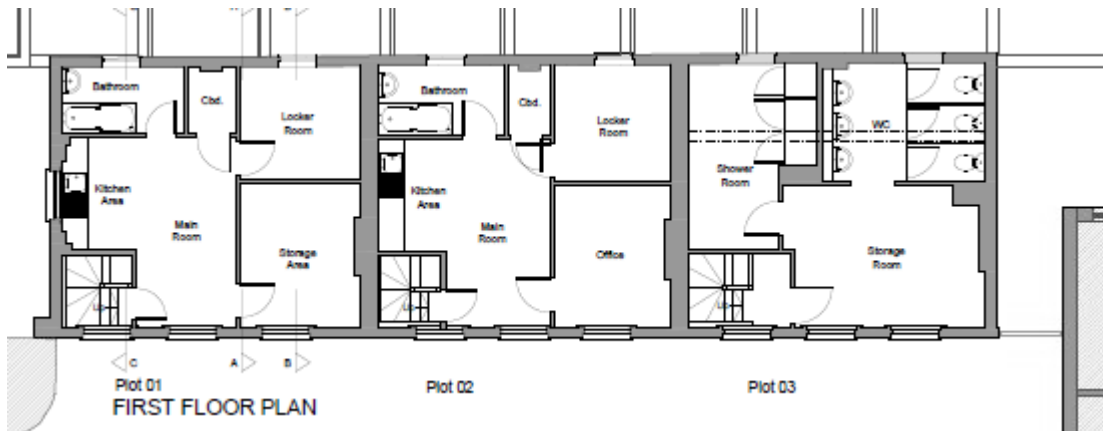
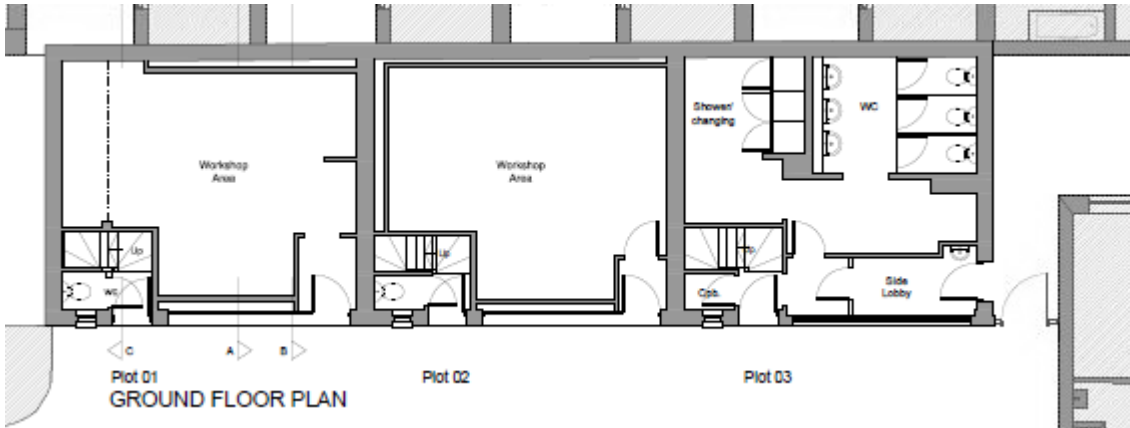
Section B-B

Existing Section.

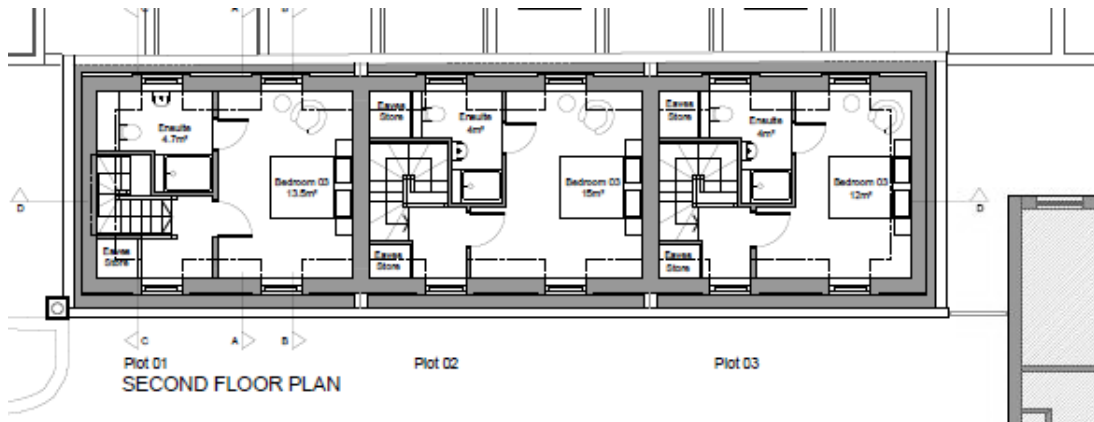
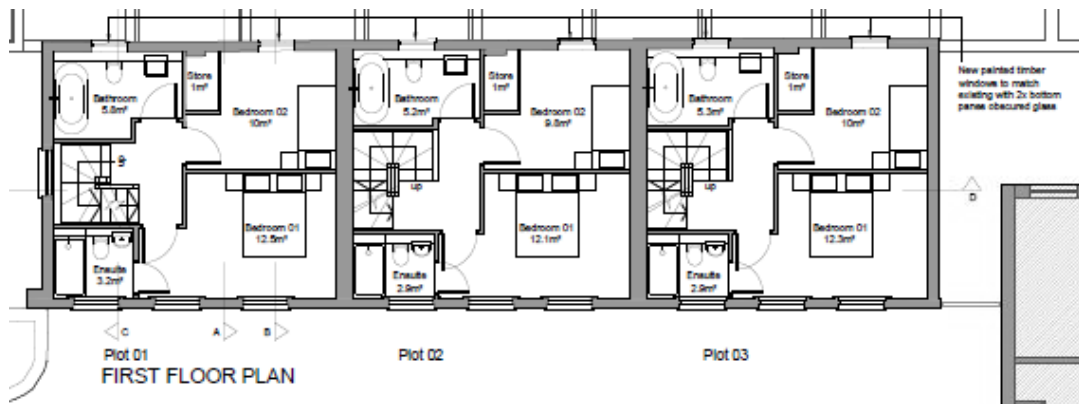
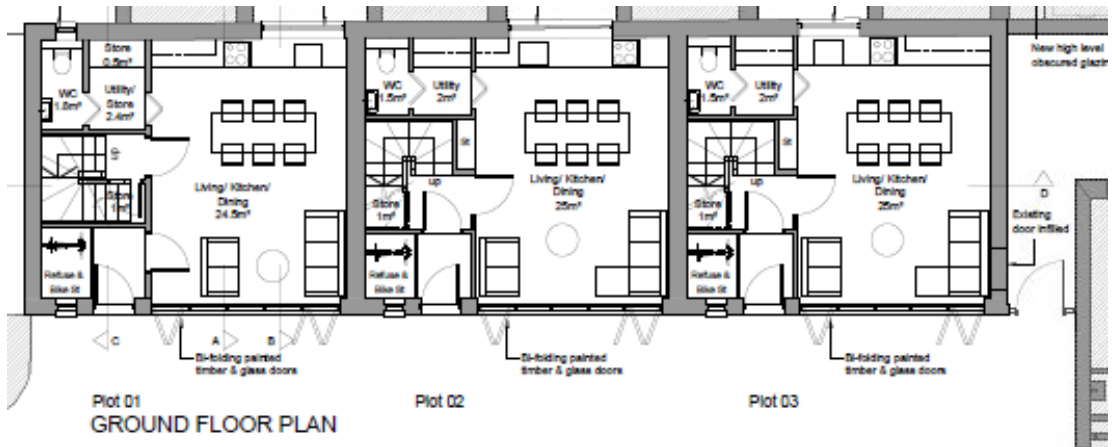


Section B-B

Proposed Section.



Existing Floorplans.



Proposed Floorplans.

DRAFT DECISION LETTER

Address: 1 - 5 Rainsford Street, London, W2 1PY,

Proposal: Use of 1-5 Rainsford Street as three residential dwellinghouses (Class C3) and associated external alterations including erection of roof extension.

Reference: 16/06450/FULL

Plan Nos: A_0001_A, A_0002_B, A_0100_A, A_0102_A, A_0200_A, A_0201_A, A_0300_A, A_0301_A, A_0302_A, A_8020_B, A_8120_B, A_8121_B, A_8122_B, A_8123_B, A_8220_B, A_8221_B, A_8222_B, A_8223_B, A_8320_B, A_8321_B, A_8322_B, A_8323, Design and Access Statement prepared by Jefferson Sheard Architects dated June 2016, Planning Statement prepared by Barton Wilmore dated July 2016, Transport Statement prepared by Caneparo Associates dated June 2016, Daylight and Sunlight Report prepared by Right of Light Consulting dated 5 July 2016, Heritage Statement dated July 2016 prepared by Heritage Collective, Cover letter from Barton Wilmore dated July 2016, Email from Barton Wilmore dated 2 September 2016, Email from Barton Wilmore dated 20 October 2016, Letter from Imperial College dated 5 October 2015.

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 piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only: , o between 08.00 and 18.00 Monday to Friday; , o between 08.00 and 13.00 on Saturday; and , o not at all on Sundays, bank holidays and public holidays. , , You must carry out piling, excavation and demolition work only: , o between 08.00 and 18.00 Monday to Friday; and , o not at all on Saturdays, Sundays, bank holidays and public holidays. , , Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 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 Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) 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 detailed drawings showing the following alteration(s) to the scheme: Windows to the rear elevation at second floor level fixed shut to their lower half and the lower half of the windows obscure glazed., , You must not start on these parts of the development until we have approved what you have sent us. You must then carry out the work according to the drawings we approve prior to occupation of the dwellinghouses and thereafter you must permanently retain the second floor windows in accordance with 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 (July 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 5 Notwithstanding the details shown on the approved ground floor plans, you must apply to us for approval of revised details of how waste and recycling is going to be stored on the site. 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 waste and recycling store in accordance with the details we approve, and clearly mark it and make it available at all times to the occupiers of the new dwellings.

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (July 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 6 You must not use any part of the development until we have approved appropriate arrangements to secure the following., , Lifetime car club membership for each dwellinghouse., , 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. (C19BA)

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 (July 2016) and in TRANS23 of our Unitary Development Plan that we adopted in January 2007. (R19AC)

- 7 You must not create any external window or door openings or erect any extensions without our permission. This is despite the provisions of Classes A, B and C of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development (England) Order 2015 (or any order that may replace it).

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 Bayswater Conservation Area, and to protect the privacy and environment of people in neighbouring properties, as set out in S25, S28 and S29 of Westminster's City Plan (July 2016) and DES 1, DES 5, DES 6, DES 9, paras 10.108 to 10.128, and ENV 13 of our Unitary Development Plan that we adopted in January 2007.

- 8 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme: Amended cycle storage for each dwellinghouse that provides sufficient weatherproof secure cycle storage so as to accord with Policy 6.9 in the London Plan (FALP 2015 - as amended). 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 and provide the cycle storage prior to occupation of the dwellinghouses. Thereafter the cycle storage we approve must be permanently retained.

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.

- 9 You must construct the second floor mansard roof extension hereby approved in its entirety as one continuous phase of construction work.

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 Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) 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 windows in the rear (south east) elevation at ground floor level and the side (north east) elevation at first floor level shall be fixed shut and fully obscure glazed. The windows at first and second floor levels to the rear elevation shall be obscured glazed and fixed shut to their lower halves. You must apply to us for approval of a sample of the glass (at least 300mm square) to be fitted in these windows/ parts of these windows and the partially obscure glazed windows at second floor level (see Condition 4). You must not start work on the relevant part of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission. (C21DB)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) 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 (July 2016), 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 Under Condition 6, we are likely to accept a legal agreement under section 106 of the Town and County Planning Act to secure lifetime (25 year) car club membership. Please look at the template wordings for planning obligations (listed under 'Supplementary planning guidance') on our website at www.westminster.gov.uk. Once the wording of the agreement has been finalised with our Legal and Administrative Services, you should write to us for approval of this way forward under this planning condition.
- 3 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.
- 4 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.
- 5 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 (I80AB)
- 6 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)

- 7 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.
- 8 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, Email: res@westminster.gov.uk, Tel: 020 7641 3003 Fax: 020 7641 8504.
- 9 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)
- 10 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. , , 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.

- 11 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, , 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, , **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.**

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.