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| <b>CITY OF WESTMINSTER</b>               |   |  |                   |
| <b>PLANNING APPLICATIONS COMMITTEE</b>   | <b>Date</b><br>29 November 2016   | <b>Classification</b><br>For General Release |                   |
| <b>Report of</b><br>Director of Planning |   | <b>Ward(s) involved</b><br>Regent's Park     |                   |
| <b>Subject of Report</b>                 | <b>5 Denning Close, London, NW8 9PJ</b>   |  |                   |
| <b>Proposal</b>                          | Details of Arboricultural Tree Protection Plan Report and Construction Management Plan, pursuant to Condition 4 and 5 of the planning permission dated 27 October 2015 (RN: 15/01829/FULL). |  |                   |
| <b>Agent</b>                             | The Basement Design Studio  |  |                   |
| <b>On behalf of</b>                      | Mrs Sally Kattan  |  |                   |
| <b>Registered Number</b>                 | 16/09337/ADFULL   | <b>Date amended/ completed</b>               | 28 September 2016 |
| <b>Date Application Received</b>         | 28 September 2016   |  |                   |
| <b>Historic Building Grade</b>           | Unlisted  |  |                   |
| <b>Conservation Area</b>                 | N/A   |  |                   |

## 1. RECOMMENDATION

Approve details

## 2. SUMMARY

This application seeks approval of tree protection measures and a Construction management plan pursuant to Conditions 4 and 5 of the planning permission dated 27 October 2015 (RN: 15/01829/FULL), which granted permission for the excavation of a basement extension below the dwellinghouse at No.5 Denning Close.

In granting permission in October 2015 the Planning Applications Committee (No.4) resolved that the construction management plan required by Condition 5 should include the position of the skip and an additional informative was imposed that set out the need for the applicant to explore the siting of the skip off the road in Denning Close and demonstrate that the location of the skip would maintain access to neighbouring properties, including for emergency services vehicles.

The tree protection measures and construction management plan that have been submitted address the requirements of the two conditions and it is therefore recommended that the details submitted are approved.



#### 4. PHOTOGRAPHS



Front elevation with previously approved construction hoardings.

## 5. CONSULTATIONS

### ARBORICULTURAL MANAGER

No objection. The details of the tree protection detail including fencing and ground protection on the submitted plan are acceptable and are consistent with the Construction Management Plan.

### ENVIRONMENTAL HEALTH

Note that planning application to which this approval of details application relates was approved before new Code of Construction Practice regime came into force under the new basement development policy (Policy S28.1 in the City Plan).

### HIGHWAYS PLANNING MANAGER

Acceptable in transportation terms.

### ADJOINING OWNERS/ OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 13.

Total No. of replies: 0.

No. of objections: 0.

No. in support: 0.

### PRESS ADVERTISEMENT/ SITE NOTICE

Yes.

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

The application site comprises a two storey unlisted building located within the St John's Wood Conservation Area. Denning Close is a private road and does not form part of the public highway. The property is in use as a single dwellinghouse.

### 6.2 Recent Relevant History

27 October 2015 – Planning permission was granted by the Planning Applications Committee (No.4) for the creation of a new basement storey with two front lightwells, one rear lightwell and one rear glazed rooflight (15/01829/FULL). This proposal involved excavation of a larger basement than was approved on 25 September 2013. This approval of details application relates to this application.

29 January 2014 – Approval given for details of method statement explaining measures to protect the trees on and close to the site and an arboricultural method statement pursuant to Condition 4 of planning permission dated 25 September 2013 (RN: 13/07524).

25 September 2013 – Planning permission granted for the creation of a new basement storey with two front lightwells and one rear glazed roof (13/07524/FULL). This permission is currently being implemented on site in accordance with a construction management plan approved as part of the planning application in September 2013 and the tree protection measures approved in January 2014 (see above).

## 7. THE PROPOSAL

The application seeks approval of details of tree protection measures during construction works and a construction management plan pursuant to Conditions 4 and 5 of the planning permission dated 27 October 2015 (RN: 15/01829/FULL)

Condition 4 states:

*“Notwithstanding the documents submitted you must apply to us for approval of the ways in which you will protect the trees on and close to the site. You must not start any demolition, site clearance or building work and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. You must then carry out the work according to the approved details”.*

Condition 5 states:

*“Notwithstanding the Construction Management Plan submitted 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.*
- vii. detailed plans of skip location options considered and final location proposed, indicating ability of emergency vehicles to pass when skip in situ.*

*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.”*

The above condition was amended by the Committee to include the requirement at (vii) to provide details of the position of the skip and an additional informative was added outlining the need to explore the siting of the skip off the road and the need to demonstrate maintenance of access for emergency services. The informative reads as follows:

*“In relation to Condition 5 you will need to consider and evidence the following:*

- a) the possibility of locating the skip off of the road and within the application site;*
- b) alternative skip locations considered;*
- c) ability for emergency vehicles to pass when the skip is in situ;*
- d) the use of smaller construction vehicles.”*

## **8. DETAILED CONSIDERATION**

### **8.1 Tree Protection Measures (Condition 4)**

The Arboricultural Manager has assessed the submitted details of the tree protection, which include protective fencing and ground protection and considers that these are acceptable and would provide appropriate protection for trees adjacent to the development site. As such the details submitted pursuant to Condition 4 accord with Policies ENV16 and ENV17 in the UDP and are recommended for approval.

### **8.2 Construction Management Plan (Condition 5)**

A construction management plan and addendum have been submitted in pursuit of Condition 5 and this successfully addresses the first six criteria of the condition.

In respect of the seventh criteria imposed by the Committee (to consider options for the location of the skip so that it would not impede access, including for emergency vehicles), the applicant has stated that alternative skip locations off the road have been considered. However, the area at the front of the property within the site is too small to accommodate a skip and would restrict excavation of the front lightwell and site access. The carport area houses the welfare facilities for the construction phase and the proposed basement is to be constructed under this area. In addition the car port would need to be demolished to allow skip access.

Locating the skip on an alternative road outside Denning Close has also been considered by the applicant, but has been dismissed as this would involve more disruption within the close itself because of the need to transfer spoil from the site to the skip along Denning Close.

The applicant has confirmed that emergency vehicle access will not be hindered by the skip as that more than the required width of road remains. A road width of 3.3 metres would be retained past the site hoarding with the maximum width of emergency vehicles typically being 2.5 to 2.6 metres (excluding wing mirrors). The applicant states that the skip location proposed, which is already in operation on site as it was approved as part of the 2013 planning permission, has resulted in any complaints from neighbours regarding access and it is noted that the current application has not attracted any objections.

In relation to the request to consider the use of smaller construction vehicles, the applicant has confirmed that a smaller grab lorry than would typically be used is to be used on this site to minimise the impact on neighbours and to avoid causing parking issues for residents in Denning Close. They also state that they have agreed to notify the owner of No. 4 Denning Close (which is immediately adjacent to No.5) 10 minutes before any deliveries are due to arrive on site.

No objections have been received to the application in response to consultation with the occupiers of Denning Close and it is considered that the proposed construction management arrangements are acceptable and would suitably protect the amenity of

neighbouring residents and the operation of the highway during the period of construction works.

## 9. BACKGROUND PAPERS

1. Application form.
2. Memorandum from Environmental Health dated 6 October 2016.
3. Memorandum from the Highways Planning Manager dated 17 October 2016.
4. Memorandum from Arboricultural Officer dated 4 November 2016.

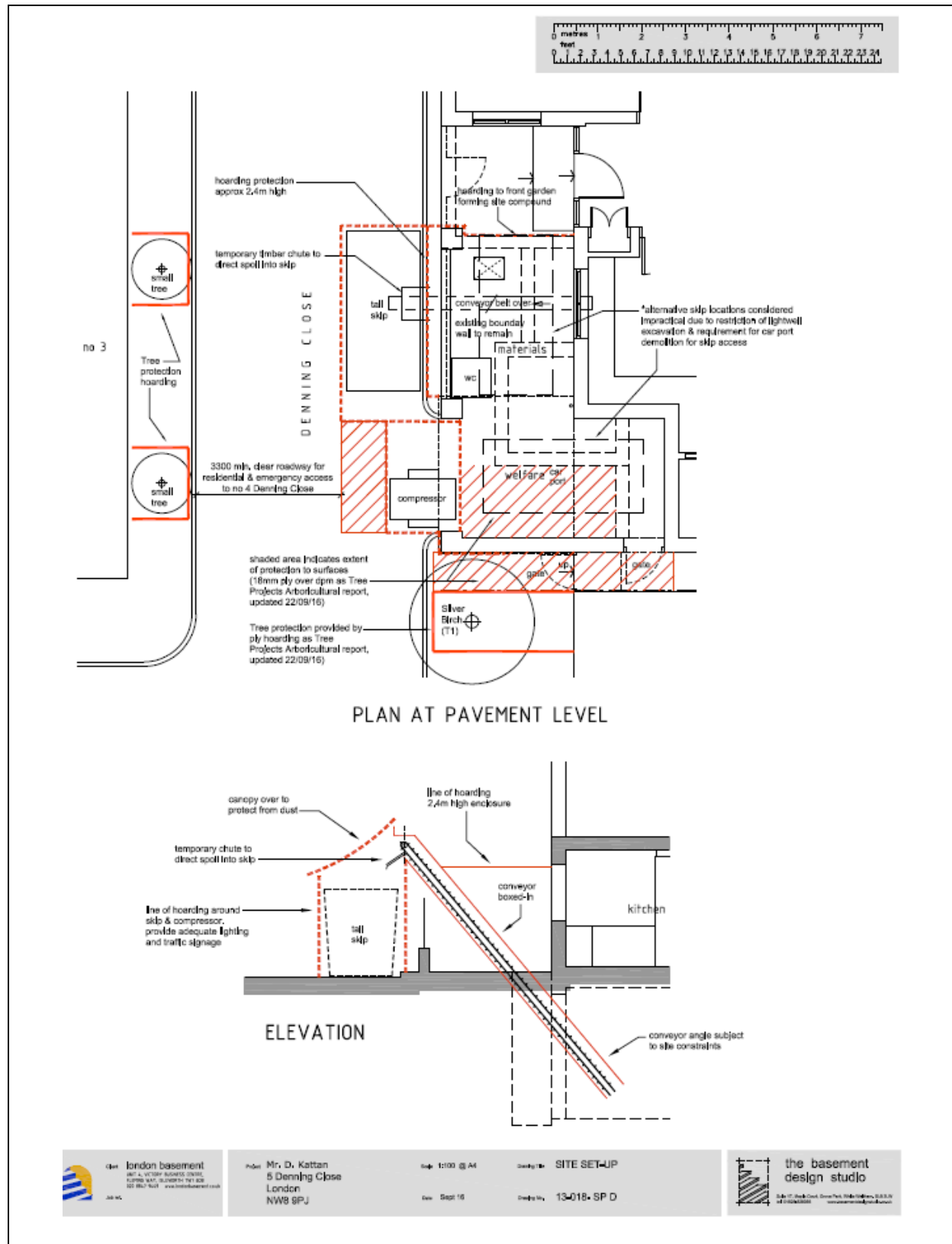
### **Selected relevant drawings**

Construction site set up plan and tree protection plan.

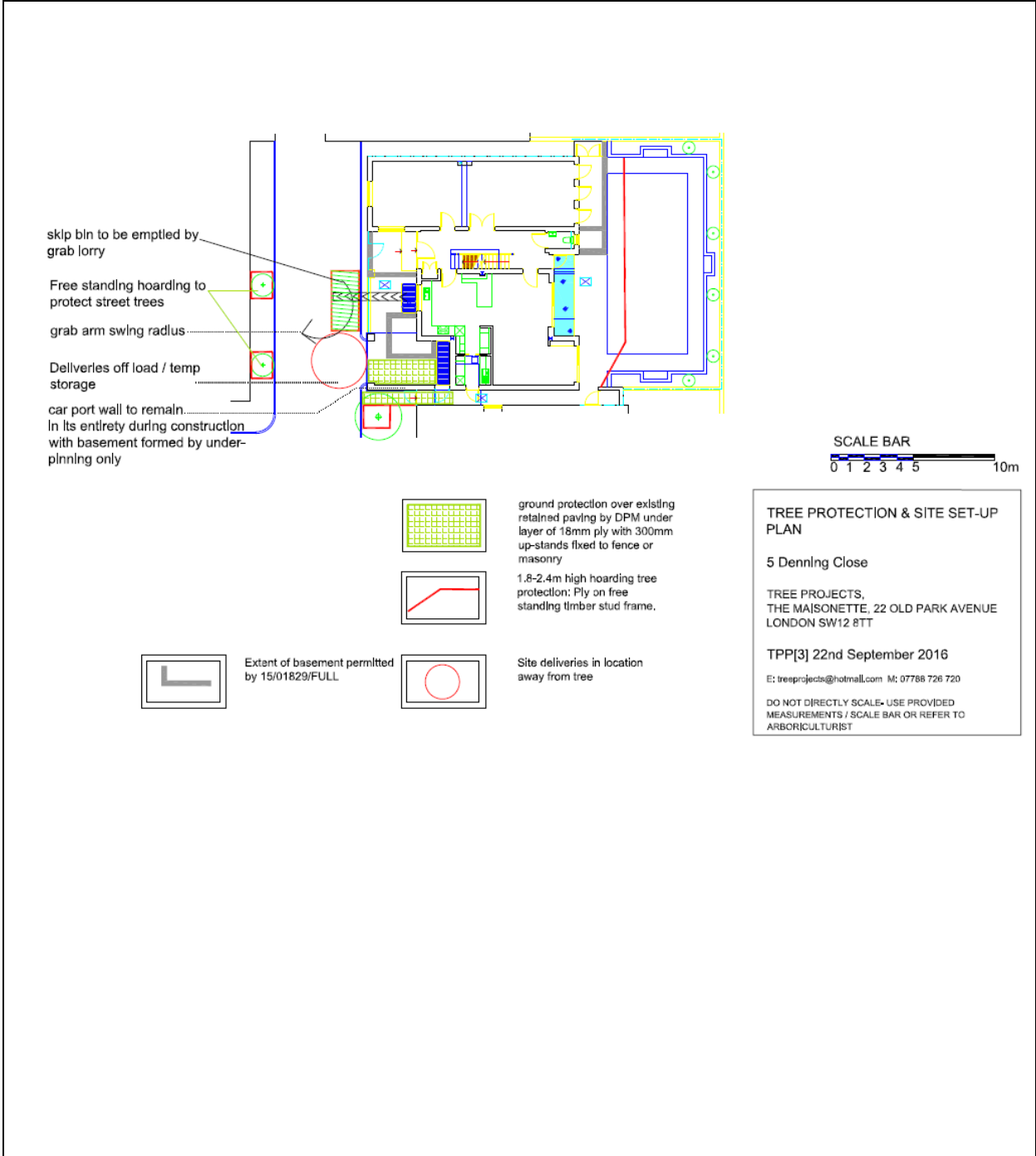
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

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

10. KEY DRAWINGS







**DRAFT DECISION LETTER**

**Address:** 5 Denning Close, London, NW8 9PJ,

**Proposal:** Details of tree protection and a construction management plan pursuant to Condition 4 and 5 of the planning permission dated 27 October 2015 (RN: 15/01829/FULL).

**Plan Nos:** Construction Management Plan (Rev.E) dated September 2016, Construction Management Plan Addendum dated November 2016, Tree Protection Statement dated 22 September 2016 and Tree Protection Plan (TPP[3] 22 September 2016).

**Case Officer:** Richard Langston

**Direct Tel. No.** 020 7641 7923

Unconditional or if an Advert Application only the standard advert conditions

**Informative(s):**

- 1 You may need to get separate permission under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 if you want to put up advertisements on the proposed hoarding.
- 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 This permission fully meets conditions 4 and 5 of the planning permission dated 17 October 2015. (I11AA)