

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 29 November 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Marylebone High Street	
Subject of Report	1 - 2 Barrett Street, London, W1U 1DN		
Proposal	Demolition of 1 and 2 Barrett Street and the redevelopment to provide a restaurant (Class A3) use on basement and ground floors, dual/alternative use of the first floor for either restaurant (Class A3) and/or residential (Class C3) use (to provide one residential unit); the use of the second, third and fourth floor as residential use (Class C3) for three residential units, and the creation of a roof terrace. Ancillary residential cycle parking and waste store within the basement. Installation of photovoltaic panels and plant on the roof.		
Agent	Rolfe Judd Planning		
On behalf of	SCP Estate Ltd		
Registered Number	16/01203/FULL	Date amended/ completed	22 February 2016
Date Application Received	11 February 2016		
Historic Building Grade	Unlisted		
Conservation Area	Stratford Place		

1. RECOMMENDATION

Grant conditional planning permission

2. SUMMARY

The application site comprises two adjoining unlisted buildings located on Barrett Street, overlooking the pedestrianised piazza, sited just outside the boundary of the West End Retail Special Policy Area. The area is characterised by a mix of uses, but there are numerous restaurant/café premises on the lower floors and office and residential use on the upper floors. In the City Plan St Christopher's Place is recognised as an Oasis Area of rest which performs the important role of providing café and restaurant facilities to support West End shopping streets such as Oxford Street.

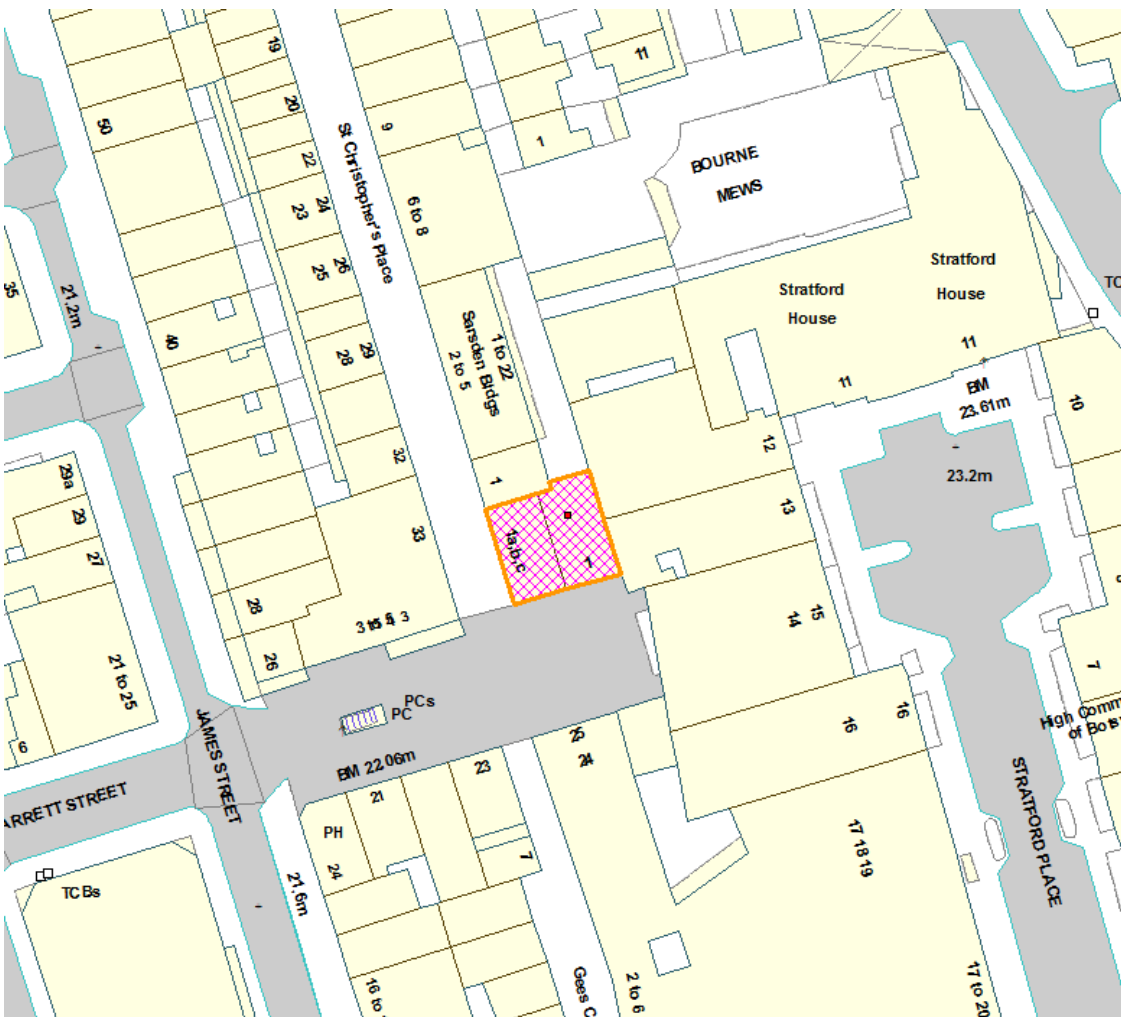
Neither of the existing buildings is particularly attractive and in the conservation audit No.1 Barrett Street has a neutral visual impact on the conservation area whilst No.2 Barratt Street has a negative impact. The uses contained within the current buildings are a restaurant, vacant electrical wholesaler, temporary "pop-up" coffee shop, two permanent residential flats and several flatlets used as temporary sleeping accommodation. The proposal is for the redevelopment of the site to provide a new building 2m taller than the existing buildings for restaurant and permanent residential purposes.

The key issues for consideration are:

- The appropriateness of the mix of uses and the contribution of the development towards the St Christopher's Place designated Oasis Area of rest
- The quality of the replacement building
- The impact on surrounding residential amenity

The proposals are considered acceptable in land use and design terms, and the proposals would have no materially harmful impact on the amenities of the immediate neighbours. The application is therefore recommended for conditional approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

MARYLEBONE ASSOCIATION

Any response to be reported verbally

HISTORIC ENGLAND (ARCHAEOLOGY)

Potential for archaeological interest beneath 2 Barrett Street. No objection subject to archaeological conditions.

HIGHWAYS PLANNING MANAGER

Object- absence of off-street parking for the flats, inadequate cycle parking provision; separate cycle and refuse storage areas required for the residential use.

CLEANSING OFFICER

No objection in principle further details and clarification.

ENVIRONMENTAL HEALTH

No objection subject to conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. consulted: 78; No. of replies: 0

ADVERTISED/SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site comprises two adjoining unlisted buildings located in the north-west corner of St Christopher's Place at its junction with Barrett Street, overlooking the pedestrianised piazza. The site is located within the Stratford Place conservation area and the Core Central Activities Zone, but outside of the designated entertainment Stress Areas and just outside the boundary of the West End Retail Special Policy Area. The area is characterised by a mix of uses, with retail and numerous restaurant/café premises on the lower floors and office and residential use on the upper floors. There are residential premises to the north of the site including flats at Sarsden Buildings 2-5 St Christopher's Place (including the upper floors of the shop at 1 St Christopher's Place) and to the east, on the upper floors of 13 Stratford Place. No 12 Stratford Place is occupied by the Kabbalah Centre.

No.1 Barrett Street is a period building with a rendered façade and patterned casement windows. The Stratford Place conservation area audit describes the building as having a "neutral impact" within the conservation area. The building is currently, pending its redevelopment, occupied as temporary "pop-up" coffee shop on the basement and ground floors and temporary offices on the first floor - the previous lawful use of these three floors having been a now defunct electrical wholesaler which operated under a personal planning permission. The two upper floors, which

are in dilapidated condition, are laid out as two separate flats, each with a kitchen and bathroom.

No.2 Barratt Street (also known as 1a-1c St Christopher's Place) is a 1960s brick development, with a lead covered mansard story. The building is considered to have a "negative" impact in the conservation area audit. The building is in lawful restaurant use (Class A3) on the basement and ground floors. The restaurant facade comprises openable windows above a fixed base. The four upper floors, which are vacant, have a separate entrance on Barrett Street. At the time of a 2015 site visit, this accommodation was laid out as seven self-contained flatlets, comprising bedrooms and en-suite bathrooms with a small reception area/office at the top of the entrance stair, and which appear to be for short-term letting.

6.2 Recent Relevant History

1 Barrett Street

1 May 1959: Personal permission was granted to The Wallace Electrical Co, (Marylebone Ltd) for the use of the basement to first floors as a warehouse and offices in connection with the wholesale sale of electrical goods. (This is considered to be a sui generis use). This permission, which was implemented, required separate access to be provided to the residential accommodation located on the upper floors. In the event that the company ceased trading, a condition was imposed which restricted the subsequent occupation of the basement to first floors to a shop use. (At that time restaurants were also included in the shop definition).

The Wallace Electrical Co. is no longer trading, and its last presence at the site appears to have been in 2014. Since then the basement to ground floors have largely been in temporary uses and at present the basement and ground floors are occupied as a "pop up" coffee shop on a lease expiring December 2016, and the first floor is being used as unauthorised offices.

2 Barrett Street

In January 1967 permission was granted for the erection of a new building comprising a basement restaurant, ground floor shop and eight serviced flatlets on first to fourth floors.

21 May 1969: The City Council determined that the use of the first and second floors as serviced flatlets for businessmen did not require further planning permission.

19 July 1971: Permission refused for the use of Flat 2 (first floor) as a massage treatment room on the grounds that this would result in a loss of residential accommodation. An Enforcement Notice requiring the cessation of the unauthorised use was served in October 1972.

24 March 1994: Permission granted for the use of the ground floor retail unit as an extension to the existing basement restaurant and for the relocation of the entrance to the residential accommodation on the upper floors. This permission was implemented.

7. THE PROPOSAL

This application seeks permission for the demolition of both buildings (with the exception of the flank wall to 2 Barrett Street) and for the erection of a single building comprising a restaurant (Class A3) on part basement and part ground floors; the flexible use of the first floor as either additional restaurant accommodation linked to the lower floors, or as a 1 x 2 bed flat (Class C3); and for 3 x 2 bed flats on second to fourth floors.

Residential refuse stores and cycle would be provided within the remainder of the basement, and

an entrance to the upper floor flats would be on St Christopher's Place. The residential parts of the building would be served by a lift and separate stair core. Hatch access would be provided from the top floor flat to a roof terrace (on site of the former 2 Barrett Street). The remaining roof would house a plant enclosure and photovoltaic panels. The kitchen extract to the restaurant would rise through the building and discharge at roof level. The restaurant would have a fully openable shopfront.

The application has been amended to enclose the kitchen extract duct within a brick, chimney-like enclosure, to increase the level of residential cycle parking provision and to provide separate staff cycle parking in association with the restaurant use. Outward opening doors have also been replaced by inward opening doors.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The existing and proposed land use floorspace figures (GEA) are as follows:

	Existing M2 (GEA)	Proposed M2 GEA	+/-
Restaurant (A3)	170	336	+166
(excluding 1 st floor, 1 Barrett Street)		191	+21
Retail (A1)	161	0	-161
(excluding 1 st floor, 1 Barrett Street)			
* 1st floor, 1 Barrett Street	67	0	-67
Residential (C3)	115	729	+614
(excluding 1 st floor, 1 Barrett Street)		584	+469
Temporary sleeping accommodation flatlets (sui generis)	287	0	-287
Total	800	920	+120

*No clear current use - can lawfully be used for wholesale showroom, shop or restaurant.

9. DETAILED CONSIDERATIONS

9.1 Land Use

Loss of retail floorspace

UDP SS5 states that A1 uses at ground, basement or first floor level in the CAZ will be protected. City Plan policy S21 seeks to protect existing retail uses throughout Westminster, except where it can be demonstrated that the unit is unviable through long term vacancy, despite attempts to let.

Whilst the proposals would result in the loss of 160 sqm of Class A1 floorspace, it is accepted that the existing retail use was only ever intended as a very short-lived pop-up operation designed to introduce some activity to the site pending its proposed redevelopment, and so avoid blighting the appearance of the conservation area by having a boarded up unit. It is also acknowledged that under the terms of the 1959 permission, a temporary restaurant use could also have been implemented without the need for further permission. Given that prior to its use as a temporary coffee shop the site had never been in retail use and therefore has no long-standing history in this regard, it is not considered that the loss of the coffee shop would have any material harm on local shopping character and function.

The eastern end of Barrett Street is a cul-de-sac comprising the two application buildings on the north side, a retail shop on the east side, and a garage (storage) and sandwich shop on the south side. The 6 shop units adjacent to the site on St. Christopher's Place are in Class A1 retail use. The proposal would therefore not result in a concentration of three or more consecutive non-retail uses within the frontage. In these circumstances, it is not considered that the proposal would have an adverse impact on the balance of local shopping.

Loss of first floor uses at 1 Barrett Street

Despite its current unauthorised use as temporary offices, the first floor of 1 Barrett Street has a lawful use as either shop, restaurant or for wholesale showroom purposes. Given that the only showroom that benefits from the lawful use of the first floor for this purpose is Wallace Electricals which no longer exists, the loss of that former use on the first floor could not be resisted under policy COM 12.

The application proposes the option to use this first floor as either restaurant floorspace in connection with the ground floor and basement or a residential flat. The existing first floor already has permission for restaurant use due to the condition imposed on the 1959 permission which allows a shop/restaurant on cessation of the personal permission which has now occurred. Although the loss of the lawful retail use would ordinarily be contentious, the first floor has never been in such use and therefore its loss would not have any material impact on shopping. Further, the use of the first floor for either restaurant or residential uses is supported by the relevant restaurant and residential policies and both would be beneficial uses.

Loss of temporary sleeping accommodation and replacement with permanent residential use

The lawful use of the second and third floors at 1 Barratt Street is as two self-contained flats, comprising 115 sqm of permanent residential accommodation. The lawful use of the upper floors at 2 Barrett Street is for short-term letting providing a total of 287 sqm temporary sleeping accommodation.

The application proposes the use of the second to fourth floors of the new building as 3 permanent 2 bed flats (584 sqm). The proposed increase in permanent residential floorspace on the site accords with policies H3 and S14. Policy S14 seeks to optimise the number of units on a development site and would normally resist a reduction in the number of units. However, given the nature of the existing accommodation, the replacement of seven flatlets and two flats, with three/four larger, permanent flats is considered acceptable. UDP policy H5 normally requires 33% of all new housing to provide three or more bedrooms. Although no family sized accommodation is proposed, given that none currently exists on site, and given the site location, close to numerous restaurants and bars, the absence of family sized units is considered acceptable in this

instance.

All new units would comply with minimum floorspace requirements and are considered to provide a good standard of accommodation in terms of room size and layout. The flats would be fitted with a means of mechanical ventilation should residents choose to keep their windows shut.

Conditions are recommended, including those requiring the submission of further details to show that the development will provide satisfactory noise insulation for the new flats from internal and external noise sources.

Restaurant use

The proposal would create a new, larger restaurant on the site measuring either 191 or 363 sqm (if the first floor is used for this purpose) - an increase of either 21 or 166 sqm when compared to the existing restaurant use. Given the site's location and the size of the proposed restaurant, UDP policy TACE 8 applies. Permission will normally be granted for restaurant proposals where the Council is satisfied that the use would have no adverse effect (nor, taking into account the number and distribution of entertainment uses in the vicinity, any cumulatively adverse effect) upon residential amenity or local environmental quality as a result of noise, vibration, smells, increased late night activity, or increased parking and traffic; and would have no adverse effect on the character or function of the area. In considering applications for planning permission for such uses the Council will take into account the need for conditions, and where relevant, necessary and appropriate, will impose them to control restaurant capacity, opening hours, arrangements to safeguard amenity and prevent smells, noise and vibration disturbance (including that from the use of air conditioning and ventilation plant and servicing arrangements).

There is already a restaurant on part of the site and the remainder of the lower floors is currently occupied as a temporary coffee shop. Barrett Street is characterised by entertainment uses. City Plan Policy S7 designates St Christopher's Place, including this part of Barrett Street, as an Oasis Area of rest, where restaurant and café uses are considered to be appropriate in terms of scale and location to support the retail function of the primary streets within the West End Retail Special Policy Area. It is also acknowledged that, had the applicant not decided to introduce the temporary coffee shop use on the basement and ground floors of 1 Barrett Street, the three lower floors of that building could have lawfully been used for Class A3 purposes on cessation of the lawful wholesale showroom use, in addition to the restaurant at No. 2, providing more restaurant floorspace than that maximum currently proposed. In these circumstances, it would be difficult to argue that the proposed restaurant use would have an adverse impact upon the character and function of this part of the city and the use is therefore considered acceptable in principle in land use terms. The impact of the use upon the amenity of neighbouring occupiers, local environmental quality and traffic/servicing is discussed in the amenity section below.

9.2 Townscape and Design

The existing buildings are not considered to make a positive contribution to the character and appearance of the Stratford Place Conservation Area. The conservation area audit states that No.1 makes a neutral contribution and No.2 a negative contribution. The two buildings are to be demolished and replaced with one new building. Their demolition is acceptable in principle, subject to the quality of the replacement building, and its contribution to the conservation area.

The proposed building is five storeys high, similar to the buildings immediately to the west, on the opposite side of St Christopher's Place. The façade is clad in brick, with dark grey brick on the eastern bays and dark grey glazed brick on the remainder. The corner has decorative dark glazed

brick at ground floor and first floor. This is all considered acceptable, subject to approval of samples. The fenestration is varied, with both vertically and horizontally proportioned window openings. On the corner there are metal panels within the openings at upper floor levels, and decorative laser cut panels on the eastern section. This gives the building rich and varied facades, albeit using in the same dark palette.

The application drawings indicate proposals to install a fully opening shopfront. As the existing shopfront comprises fully openable windows above a fixed base, this is acceptable in principle amenity terms. However, fully opening shopfronts are not considered acceptable in this location and amending condition is required to seek a more traditional, fixed arrangement.

It is concluded that this is a high quality building which will contribute positively to the character and appearance of the Stratford Place Conservation Area and would not adversely affect the setting of neighbouring listed buildings. The scheme complies with the City Council's urban design and conservation policies, including strategic policies S25 and S28, and Unitary Development Plan policies including DES 1, DES 4 and DES 9.

Historic England (Archaeology) has advised that there is potential for archaeological interest beneath 2 Barrett Street and have requested that an archaeological condition be imposed requiring the submission of a written scheme of investigation outlining the methodology of site investigation and recording prior to any demolition or development works.

9.3 Residential Amenity

Impact of the restaurant use

The existing restaurant use is not subject to planning controls. The proposed restaurant capacity is largely dependent on the requirements of any future restaurant operator and the restaurant style. This is a speculative proposal and the applicants have undertaken a preliminary assessment and consider that the smaller restaurant (not including the first floor) could accommodate 110 customers and the larger restaurant (first floor included) could accommodate 150 customers. Additional seating is also proposed to be provided outside (maximum 28 covers), but this would require separate planning permission.

The applicants do not wish the customer capacity to be restricted by condition on the basis that this would limit the site's marketing potential and have instead requested that a condition be imposed requiring details of the restaurant capacity at a later stage. However, if this is not acceptable, they have requested that a condition set the customer capacity at 150 (excluding external seating).

The existing restaurant, though not restricted by planning condition, operates between 08.00 to 00.30 the following day on Monday to Saturday and from 10.00 to midnight on Sunday. These are the same as the proposed opening hours for the new restaurant and are considered acceptable in this location. Additional operating conditions are also proposed to control the hours of plant operation, to prevent takeaway sales and a delivery service, and requiring the submission of a detailed Operational Management Plan setting out measures to mitigate the impact of the use. Given that residential accommodation is proposed directly above the restaurant, it is also considered appropriate to impose a condition requiring any opening elements within the revised shopfront design to be closed after 23.00 hours.

Subject to these conditions, given the site's location and the fact that the site has a history of

existing and potential uncontrolled restaurant floorspace, it is considered that the proposals would have no materially adverse impact upon the amenities of neighbouring occupiers. No objections have been received.

Plant operation

The application is supported by an acoustic report which assesses the impact of the proposed plant on the nearest noise sensitive receptors. This report has been assessed by the Environmental Health Officer who has raised no objection to the proposals subject to standard conditions relating to noise and vibration, a supplementary noise report to demonstrate that the plant selected will comply with these conditions and further details of the kitchen extract system,

Subject to these conditions, and a condition to restrict the hours of restaurant plant operation, this aspect of the scheme is considered acceptable in terms of the impact of plant operation upon the amenities of existing residents and future occupiers of the development.

Daylight/sunlight

The proposal involves an increase in the overall height of both buildings by approximately 2m. At present, the rear of 1 Barrett Street is set back from the northern site boundary (and the neighbouring courtyard at the rear of 1 St Christopher's Place) above ground level. This set back would be infilled to provide the new residential stair core, with obscured glazed windows on the site boundary.

The application is supported by a daylight/sunlight report, which assesses the impact of the proposals upon the closest residential properties, including flats in Sarsden Buildings in St Christopher's Place (to the north) where there are rear bedroom windows to flats on the upper floors above 1 St Christopher's Place and at 13 Stratford Place, immediately to the east, where there is a single dwelling.

The report assesses the impact on 13 Stratford Place based on the approved layouts for that building and in accordance with the BRE guidelines. (It is noted that the floor levels within the report are incorrectly labelled and that the report does not assess the accommodation at fifth floor level). The VSC analysis shows that any reductions in VSC and to the No-Sky Line (NSL) analysis would be well below 20%. The sunlight test shows that any loss of annual sunlight would be below 20% There would be no losses of winter sunlight. Given these reported values, it is not considered that the proposals would have a material impact on levels of daylight and sunlight received to the study/living room at fifth floor level which is dual aspect, being served by large windows leading on to a terrace at the front of the building.

The east facing dining room at first floor level is served by glazed doors which lead out onto a small terrace. This window would not experience any loss of annual or winter sun. Given its location and relationship with the application premises, it is not considered that this terrace would experience any significant increase in overshadowing as a result of the proposals.

The report also assesses the impact of the development on flats at 1 and 2-5 St Christopher's Place (Sarsden Buildings). The first to third floor bedroom windows immediately adjacent to the site boundary would see reductions in VSC of between 26.9 and 32.64%. However, these are disproportionately high because these existing values are so low (between 2.19 and 6.77%). No other windows are adversely affected and none of the windows would be adversely affected by the

NSL assessment. As the affected windows are bedrooms, which are afforded a lesser degree of protection than other habitable rooms, it is not considered that the impact on these rooms could justify a recommendation for refusal. None of the rear windows to Sarsden Buildings face within 90 degrees of due south and consequently, do not have to be analysed for sunlight loss.

Sense of enclosure

Plans of the existing residential development at 13 Stratford Place indicate that the principal living areas and master bedrooms are located at the front of the building. Windows to rear habitable rooms serve a first floor dining room, a second floor bedroom and a gym (2 windows), a third floor bedroom, and a dual aspect living room/study on the fourth floor. At present, these rear windows look out onto the sheer flank elevation of 1 Barrett Street which is topped by a roof parapet inset with a railing. The scheme would retain this wall, increasing its overall height by 2.25m (excluding the height of the existing parapet railings) through the addition of a mansard roof. Although the proposed additional height would result in some increased sense of enclosure to these rear windows, given the use of the affected rooms, it is not considered that the impact would be so significant as to justify a recommendation for refusal.

Overlooking

There is an existing terrace to the roof of 2 Barrett Street. Under the proposed scheme, this terrace would be relocated to the roof of 1 Barrett Street, with an 1100mm balustrade set behind the parapet. The roof of no. 2 would house photovoltaic panels and a plant enclosure to the same height as the terrace balustrade. The relocation of the terrace away from the rear of the neighbouring residential properties is welcomed. The new terrace would be set away from the building parapet behind planters. In these circumstances, and given the relationship of the terrace to properties on the eastern and southern side of Barrett Street (east end) and on the west side of St Christopher's Place, which are in commercial use, the provision of the terrace would not result in a material loss of privacy.

It is not considered that the installation of a full height, narrow window strip to the residential stair would result in material overlooking of the rear of neighbouring properties to the north on the St Christopher's Place. It would not normally be considered acceptable for windows to derive their light from a neighbouring site, as it could prejudice the development potential of that site. However, given that this stair could be wholly artificially lit if natural light is removed as a result of a neighbouring development, this aspect of the scheme would not be considered objectionable.

9.4 Transportation/Parking

Parking and cycle parking

Demand for car parking is generated by the permanent residential uses at the site. There would be a potential maximum increase of 2 residential units and therefore a requirement for 2 off-street parking spaces. The scheme includes no off-site parking provision. UDP Policy TRANS 23, recognises that at 80% occupancy, which is considered to represent a serious deficiency in parking availability, the impact of parking demand associated with additional units is likely to have a significantly adverse impact on parking conditions in the local area.

The most recent night time parking survey shows that occupancy levels within a 200m radius of the site, including single yellow lines, is 26%. During the daytime, this figure increases to 81%.

The Highways Planning Manager has objected to the scheme on parking grounds. However, it is accepted that the site is close to all transport and given that the scheme would provide only a maximum of 2 additional flats, it is not considered that it could be reasonably resisted on parking grounds. However, in order to ameliorate the potential impact of the development, a condition is recommended requiring the submission of details of arrangements to ameliorate the impact of the development on on-street parking demand. In practice, this would be the provision of Lifetime Car Club membership (25 years), in association with the flats. Although this would not remove the objections of the Highways Planning Manager this is acknowledged as being the best means of reducing the potential demand for additional on-street parking. The applicants have confirmed that they would accept this condition.

The application has been revised to provide 2 staff cycle spaces in association with the restaurant use and 8 residential cycle spaces, in a separate cycle storage area. This level of provision accords with standards in the Further Alterations to the London Plan and is considered acceptable

Servicing

The site does not benefit from direct access to the carriageway and, as at present, goods would be delivered to the site on trolleys. The Highways Planning Manager has raised no objection to this arrangement but has requested that any permission be subject to a condition to prevent the restaurant operating a delivery service as this can reduce the availability of parking for other uses (as well as resulting in increased noise disturbance and vehicle emissions)

Refuse

The Project Manager (Waste) has raised no objection to the scheme in principle but has requested further plans showing arrangements for the storage of general waste, food waste and recyclable materials for the restaurant (with waste been appropriately designated as general waste, organic waste and recycling) and a separate waste store for the flats (marked to show waste and recycling). The waste storage capacity will need to be specified for each use and details will be required to confirm how the residential waste bins will be transferred to ground level on collection days. These details would be reserved by condition.

9.5 Economic Considerations

The economic benefits of regenerating this site are recognised.

9.6 Access

The new development would be fully accessible.

9.7 Other UDP/Westminster Policy Considerations

Sustainability and biodiversity

The submitted energy statement demonstrates that the new building fabric will provide increased thermal efficiency and energy efficient lighting, water and heating system will be used throughout the development. Renewable technologies will include the installation of air source heat pumps and the installation of photovoltaic panels over the greater part of the roof. These measures will be secured by condition.

The report confirms that the development would achieve a reduction in carbon dioxide emission of

34.4% (3 flat scheme) or 37.73% (4 flats) compared with the target in part L of the Building Regulations 2013, with 18.7 and 18.8% reductions though the use of renewables. Given the scale of the development, the level of savings achieved is considered acceptable.

A significant part of the roof (which does not provide a terrace) will be covered in photovoltaic panels. However, an area of green roof will be provided, enclosing the roof terrace which will increase the site's contribution to the biodiversity of the area when compared with the existing situation. This area of green/planted roof will be secured by condition.

9.8 London Plan

This application raises no significant strategic issues.

9.9 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

9.10 Planning Obligations

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

9.11 Environmental Impact Assessment

The application does not require the submission of an Environmental Impact Assessment.

9.12 Other Issues

Construction Management

The proposal is not a major development and the application does not involve the construction of an additional basement. It was also submitted prior to the adoption of the revised City Plan and the adoption of new arrangements concerning the Code of Construction Practice.

The site is located in a pedestrianised area at the east end of Barrett Street which is characterised by restaurant/café/public house uses, many with external seating, and which leads into narrow pedestrian streets of small shops. Given this location, notwithstanding the nature of the development, the management of the construction process is vital. In these circumstances, it is considered appropriate to impose a condition requiring the submission of a CMP, which should include details of delivery routes and the method of transferring building materials to the site and arrangements for safeguarding customers of neighbouring uses etc.

The applicants have declined to sign up to the new arrangements under the COCP on the basis that these are not triggered by the proposals. However, they are willing to submit and comply with a Construction Management Plan which would include details on demolition and construction and would set out the measures to ensure the scheme is constructed with limited impact on the surrounding uses. The applicants have emphasised that their offices are based next to the site and they would have a daily involvement in the construction process; the area is wholly managed by the applicant and they therefore have control over this and surrounding buildings; they have a

contractual requirement within tenants' leases to ensure that there is no disruption which would harm the commercial properties. The applicant would be subject to rent abatement should the development impact on neighbouring sites, meaning that there is further incentive to control the construction. The applicant has a commercial responsibility to ensure the development has limited inconvenience on the surrounding properties and to ensure that St Christopher's Place continues to operate successfully while building works are on site. In these circumstances, and subject to a condition requiring the submission of a CMP, and hours of works conditions, it is not considered that the proposed construction works would have an adverse impact on neighbouring amenity.

10. BACKGROUND PAPERS

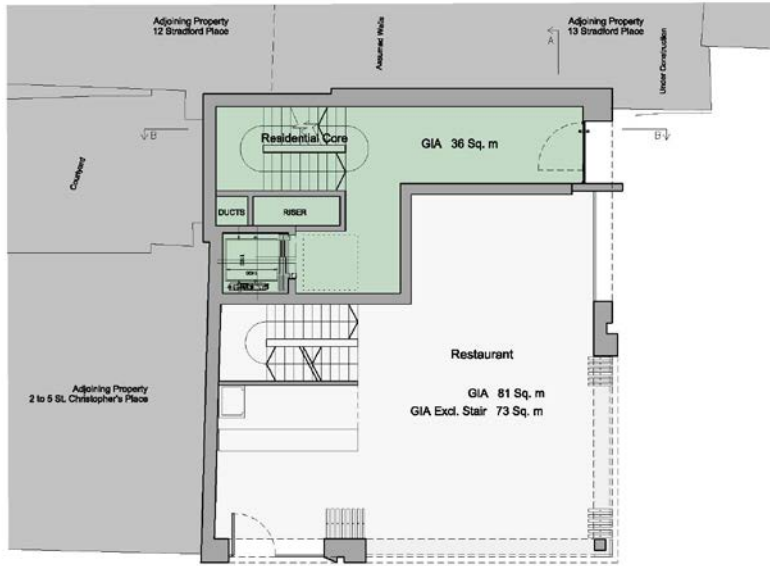
1. Application form
2. Response from Highways Planning Manager dated 9 May 2016
3. Response from Cleansing dated 16 March 2016
4. Response from Environmental Health dated 18 March 2016
5. Response from Historic England dated 9 March 2016

Selected relevant drawings

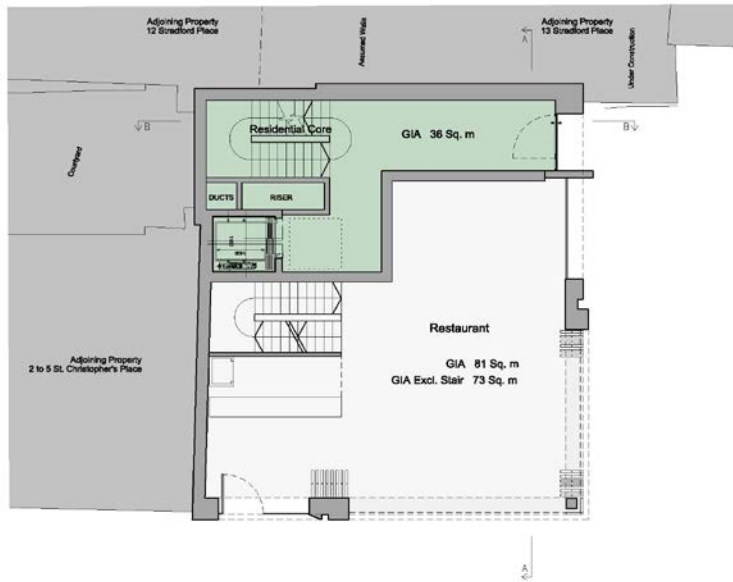
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: JO PALMER BY EMAIL AT jpalme@westminster.gov.uk

11. KEY DRAWINGS



Proposed Ground Floor Plan



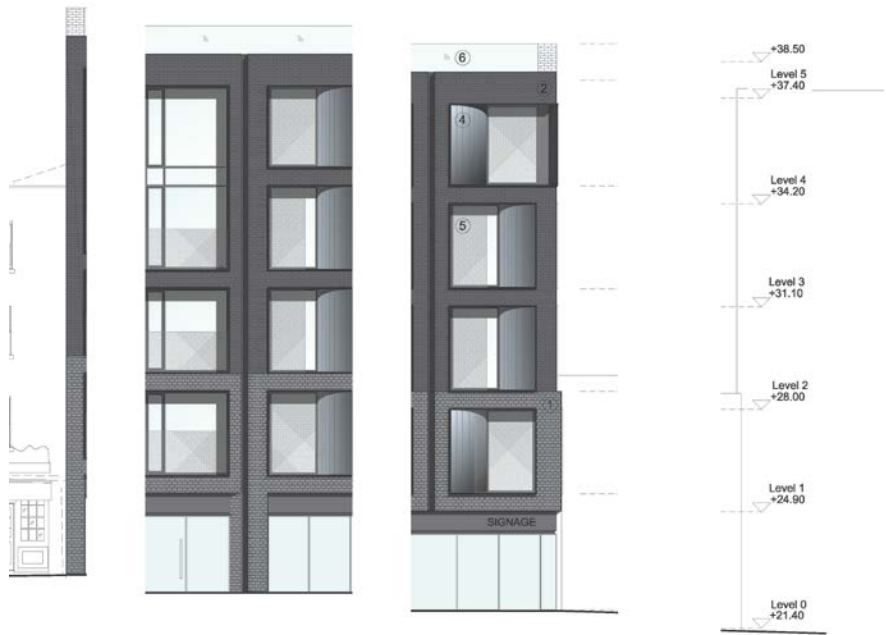
Proposed 1st Floor Plan (Option 1)



Proposed 1st Floor Plan (Option 2)



Barrett Street elevation



St Christophers Place elevation

DRAFT DECISION LETTER

Address: 1 - 2 Barrett Street, London, W1U 1DN,

Proposal: Demolition of 1 and 2 Barrett Street and the redevelopment to provide a restaurant (Class A3) use on basement and ground floors, dual/alternative use of the first floor for either restaurant (Class A3) and/or residential (Class C3) use (to provide one residential unit); the use of the second, third and fourth floor as residential use (Class C3) for three residential units, and the creation of a roof terrace. Ancillary residential cycle parking and waste store within the basement. Installation of photovoltaic panels and plant on the roof.

Reference: 16/01203/FULL

Plan Nos: 050/ 200 Rev B, 201 Rev A, 202 (restaurant use), 202 (residential use), 203, 204, 205, 206 Rev A, 320, 321, 322, 323, 420, 421 Rev A

Case Officer: Sara Spurrier

Direct Tel. No. 020 7641 3934

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 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 Stratford Place 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)

- 3 You must apply to us for approval of detailed drawings (scales 1:20 and 1:5) of the following parts of the development - Typical façade details - at all levels. 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 detailed drawings. (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 Stratford Place 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 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. (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 Stratford Place 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)

- 5 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:

Because these would harm the appearance of the building, and would not meet S25 or S28, or both, of Westminster's City Plan (July 2016) and DES 1 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R26HC)

- 6 You must apply to us for approval of detailed drawings showing the following alteration to the scheme - The shopfronts shall not be fully opening. They should have fixed sections, with solid stallrisers. You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Stratford Place 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)

- 7 You must not carry out demolition work unless it is part of the complete development of the site. You must carry out the demolition and development without interruption and according to the drawings we have approved. (C29BB)

Reason:

To maintain the character of the Stratford Place Conservation Area as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and DES 9 (B) of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation

Areas) Act 1990. (R29AC)

- 8 **Pre Commencement Condition.** You must not start any demolition work on site until we have approved either:
- (a) a construction contract with the builder to complete the redevelopment work for which we have given planning permission on the same date as this consent, or,
 - (b) an alternative means of ensuring we are satisfied that demolition on the site will only occur immediately prior to development of the new building.
- You must only carry out the demolition and development according to the approved arrangements. (C29AC)

Reason:

To maintain the character of the Stratford Place Conservation Area as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and DES 9 (B) of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29AC)

- 9 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)

- 10 **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 privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (July 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 11 (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 (July 2016), 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.

- 12 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.

- 13 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.

- 14 You must apply to us for approval of details of the ventilation system to get rid of cooking smells, including details of how it will be built and how it will look. You must not begin the use allowed by this permission until we have approved what you have sent us and you have carried out the work according to the approved details. (C14AB)

Reason:

To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

- 15 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 11 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 (July 2016), by contributing to reducing excessive ambient noise levels.

- 16 You must apply to us for approval of sound insulation measures and a Noise Assessment Report to demonstrate that the residential units will comply with the Council's noise criteria set out in Condition 13 of this permission. 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 details approved before the residential units are occupied and thereafter retain and maintain.

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.

- 17 The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise 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 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development.

- 18 You must apply to us for approval of sound insulation measures and a Noise Assessment Report to demonstrate that the residential units will comply with the Council's noise criteria set out in Condition 17 of this permission. 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 details approved before the residential units are occupied and thereafter retain and maintain.

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development.

- 19 You must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the restaurant and flats. (C14EC)

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)

20 **Pre Commencement Condition.**

- (a) You must apply to us for approval of a written scheme of investigation for a programme of archaeological work. This must include details of the suitably qualified person or organisation that will carry out the archaeological work. You must not start work until we have approved what you have sent us.,
- (b) You must then carry out the archaeological work and development according to this approved scheme. You must produce a written report of the investigation and findings, showing that you have carried out the archaeological work and development according to the approved scheme. You must send copies of the written report of the investigation and findings to us, to Historic England, and to the Greater London Sites and Monuments Record, 1 Waterhouse Square, 138-142 Holborn, London EC1N 2ST.,
- (c) You must not use any part of the new building until we have confirmed that you have carried out the archaeological fieldwork and development according to this approved scheme. (C32BC)

Reason:

To protect the archaeological heritage of the City of Westminster as set out in S25 of Westminster's City Plan (July 2016) and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32BC)

- 21 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

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.

- 22 You must not use any part of the development until we have approved appropriate arrangements to secure the following: - measures to mitigate the impact of the development on on-street parking demand in the area.

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 TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R19AC)

- 23 You must apply to us for approval of a management plan ,
- i) to show how you will prevent customers who are leaving the restaurant from causing nuisance for people in the area, including people who live in nearby buildings and future residential occupiers of the development and ,
 - ii) including details of arrangement for the servicing of the restaurant, including servicing hours, to show how you will prevent restaurant servicing from causing nuisance for

people in the area, including people who live in nearby buildings and future residential occupiers of the development.

You must not start the restaurant use until we have approved what you have sent us. You must then carry out the measures included in the management plan at all times that the restaurant is in use. (C05JB)

Reason:

We cannot grant planning permission for unrestricted use within Class A3 because it would not meet S24 and S29 of Westminster's City Plan (July 2016) and TACE 8 of our Unitary Development Plan that we adopted in January 2007. (R05CC)

- 24 You must not allow more than 150 customers into the property at any one time. (C05HA)

Reason:

We cannot grant planning permission for unrestricted use within Class A3 because it would not meet S24 and S29 of Westminster's City Plan (July 2016) and TACE 8 of our Unitary Development Plan that we adopted in January 2007. (R05CC)

- 25 Customers shall not be permitted within the restaurant premises before 08.00 or after midnight on Monday to Saturday (not including bank holidays and public holidays) and between midnight and after 00.30 the following Tuesday to Sunday mornings and before 10.00 or after 24.00 (midnight) on Sundays bank holidays and public holidays. (C12DD)

Reason:

We cannot grant planning permission for unrestricted use within Class A3 because it would not meet S24 and S29 of Westminster's City Plan (July 2016) and TACE 8 of our Unitary Development Plan that we adopted in January 2007. (R05CC)

- 26 Any opening elements within the revised shopfront design submitted in accordance with condition 6 of this permission, shall be closed between 23.00 hours and 08:00 the following morning on Sunday to Friday and between 23:00 hours on Saturdays and 10:00 the following Sunday mornings.

Reason:

We cannot grant planning permission for unrestricted use within Class A3 because it would not meet S24 and S29 of Westminster's City Plan (July 2016) and TACE 8 of our Unitary Development Plan that we adopted in January 2007. (R05CC)

- 27 With the exception of any refrigeration plant, the restaurant plant shall not operate 07.00 or after midnight on Monday to Saturday (not including bank holidays and public holidays) and between midnight and after 01.30 the following Tuesday to Sunday mornings and before 09.00 or after (midnight) on Sundays bank holidays and public holidays and between midnight and 01.00 the following morning.

Reason:

To safeguard the amenity of occupiers of noise sensitive properties and the area generally by ensuring that the plant/machinery hereby permitted is not operated at hours when external background noise levels are quietest thereby preventing noise and vibration nuisance as set out in S32 of Westminster's City Plan (July 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.

- 28 You must not sell any take-away food or drink on the premises, even as an ancillary part of the primary Class A3 use. (C05CB)

Reason:

We cannot grant planning permission for unrestricted use within Class A3 because it would not meet S24 and S29 of Westminster's City Plan (July 2016) and TACE 8 of our Unitary Development Plan that we adopted in January 2007. (R05CC)

- 29 You must not operate a delivery service from the restaurant hereby approved

Reason:

We cannot grant planning permission for unrestricted use within Class A3 because it would not meet S24 and S29 of Westminster's City Plan (July 2016) and TACE 8 of our Unitary Development Plan that we adopted in January 2007. (R05CC)

- 30 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (July 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 31 No waste shall be stored on the highway

Reason:

To protect the environment 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)

- 32 You must provide the following environmental sustainability features (environmentally friendly features) before you start to use any part of the development, as set out in your application.
i) photovoltaic panels
You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan (July 2016). (R44AC)

- 33 You must provide the following bio-diversity features before you start to use any part of the development, as set out in your application - green/living roof. You must not remove any of these features. (C43FA)

Reason:

To increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan (July 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43FB)

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), Westminster's City Plan: Strategic Policies Consolidated Draft Version incorporating Basement Revision, Mixed Use Revision, Regulation 19 and Main Modifications dated June 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 22, we are likely to accept a legal agreement under section 106 of the Town and County Planning Act to secure Lifetime car club membership in association with each flat, as set out in the letter dated 19 August 2016 from Rolfe Judd Planning. 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. (I77AA)
- 3 For the avoidance of doubt the Construction Management Plan required under condition 10 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.
- 4 Please contact our Environmental Health Service (020 7641 2971) to register your food business and to make sure that all ventilation and other equipment will meet our standards. Under environmental health law we may ask you to carry out other work if your business causes noise, smells or other types of nuisance. (I06AA)

- 5 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 6 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)
- 7 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)
- 8 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)
- 9 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 10 The term 'clearly mark' in condition 19 means marked by a permanent wall notice or floor markings, or both. (I88AA)
- 11 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.
- 12 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)

- 13 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)
- 14 Approval for this residential use has been given on the basis of sound insulation and ventilation mitigation measures being incorporated into the development to prevent ingress of external noise. Occupiers are therefore advised, that once the premises are occupied, any request under the Licensing Act 2003, Environmental Protection Act 1990, Control of Pollution Act 1974 or planning legislation for local authority officers to make an assessment for noise nuisance arising from external sources is likely to be undertaken only if the noise and ventilation mitigation measures installed are in operation. E.g. windows kept closed.
- 15 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)
- 16 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.
- 17 You are advised that the car club operator (condition 22) must be a Carplus operator

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.