

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 4 July 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Vincent Square	
Subject of Report	110 Vauxhall Bridge Road, London, SW1V 2RQ		
Proposal	Use of ground and basement floors as two residential flats (Class C3); alterations, including to windows, doors and the rear extensions at ground and first floor levels and the creation of a lightwell to Vauxhall Bridge Road frontage.		
Agent	Peter Munnelly		
On behalf of	Mendoza Limited		
Registered Number	16/07328/FULL	Date amended/ completed	18 November 2016
Date Application Received	1 August 2016		
Historic Building Grade	Unlisted		
Conservation Area	Vincent Square		

1. RECOMMENDATION

Grant conditional permission including a condition to secure the following benefits:

- Measures to mitigate the impact of the new residential units on-street parking demand.

2. SUMMARY

The application property is an historic (late 19th century) but unlisted public house (The Surprise) which comprises of basement, ground and two upper floors and is located within the Vincent Square Conservation Area.

Permission is sought for the use of The (former) Surprise public house at ground and basement floors to provide two residential flats, as well as alterations including to windows, doors and the rear extensions at ground and first floor levels and the creation of a lightwell to Vauxhall Bridge Road frontage.

The key issues in this case are:

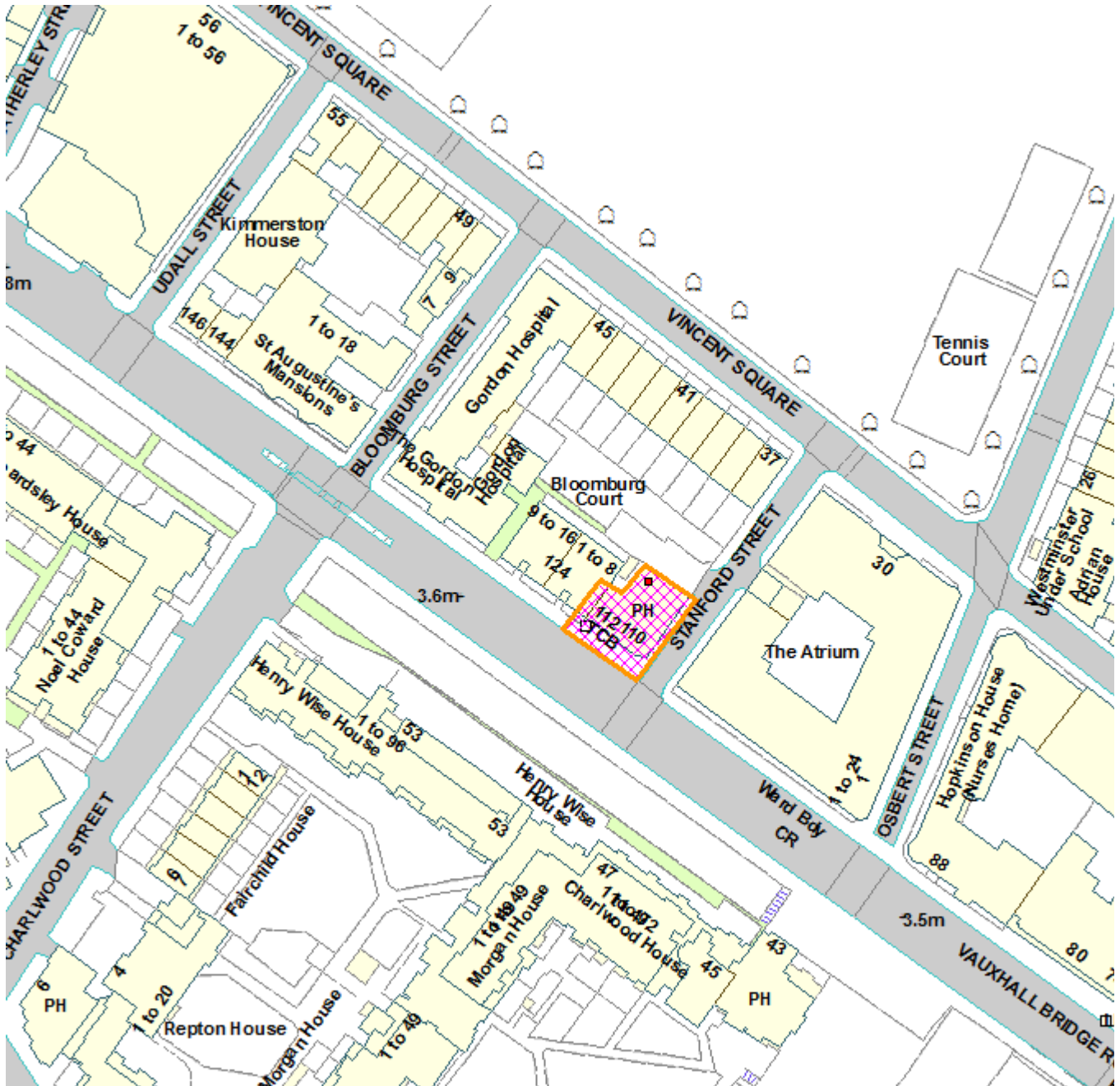
*The loss of the existing public house;

*The impact on the character and appearance of the conservation area;

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The proposed development is considered to be acceptable in land use, design and amenity terms and would accord with policies within the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (City Plan). As such, it is recommended that conditional planning permission is granted.

3. LOCATION PLAN



4. PHOTOGRAPHS



5. CONSULTATIONS

ENVIRONMENTAL AGENCY:

No objection.

TRANSPORT FOR LONDON:

No objection subject to a condition to secure a construction management plan (CMP); residents of the scheme should be exempt from being able to obtain CPZ permits; consideration should be given to encouraging use of a car club by residents; improvements should be made to accessibility of the cycle parking spaces in the basement.

WESTMINSTER SOCIETY:

No objection.

VINCENT SQUARE RESIDENTS' ASSOCIATION:

No objection.

ENVIRONMENTAL HEALTH:

No objection, subject to conditions.

HIGHWAYS PLANNING MANAGER:

No objection, subject to conditions.

CLEANSING:

No objection, subject to conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 209

Total No. of replies: 1

No. of objections: 0

No. in support: 1

One letter of support received from the residents of 37-45 Vincent Square

Support the conversion of the public house to residential accommodation but would like the existing planting to their side of the north eastern boundary wall to be protected and retained

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application property is an historic (late 19th century) but unlisted public house (The Surprise) which comprises of basement, ground and two upper floors and is located within the Vincent Square Conservation Area.

The building is currently vacant but was last occupied as a public house (Class A4) on the basement and ground floors with an unlawful tourist hostel (Class C1) on the upper floors.

6.2 Recent Relevant History

15/09678/FULL

Retention of the existing public house at part basement and part ground floor levels; Use of first and second floors and new roof extension to provide 8 flats (6 x 1 bed, 2 x 3 bed) with associated rear extensions at first and second floor levels, and external alterations including new windows to rear elevation, creation of an entrance door at ground floor level, and installation of wall lighting and entry system.

Application Permitted 5 April 2016

7. THE PROPOSAL

Permission is sought for the use of The (former) Surprise public house at ground and basement floors to provide two residential flats (1 x 1 bed; 1 x 3), as well as alterations including to windows, doors and the rear extensions at ground and first floor levels and the creation of a lightwell to Vauxhall Bridge Road frontage.

Access to the residential units would be via Vauxhall Bridge Road and Stanford Street respectively. No car parking is proposed.

8. DETAILED CONSIDERATIONS

8.1 Land Use

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Public House (Class A4)	169	0	-169
Residential (Class C3)	0	169	+169
Total	169	169	0

Loss of Existing Public House

Policy S21 of the City Plan states that existing non-A1 retail uses, and uses occupying shop-type premises within designated shopping centres will be protected from changing to uses that do not serve visiting members of the public and that do not have active shop fronts.

UDP Policy SS8 states that the loss of Non-A1 retail uses outside District and Local Centres to residential, B1 or other uses which do not serve visiting members of the public will only be permitted in isolated shop-type units. The policy states that, "traditional public houses are generally considered to add to the character and function of a locality, and their loss will only be acceptable if they have been vacant and marketed for at least 18 months without success".

The public house, although vacant since February 2014, has in the past provided a service to local residents and businesses. Local residents have made representations supporting the loss of the public house and no representations have been received from

neighbours objecting to its loss. Despite this, it is considered that the premises constitute a “traditional” public house for the purposes of Policy SS8.

In order to justify the loss of the public house, the applicant has submitted a marketing report in connection with the marketing of the property prepared by Jenkins Law. The report explains the process of marketing the public house since October 2014. The marketing period undertaken is over the 18 months required under Policy SS8.

It concludes that the location of the property has been the main reason potential operators have not made any offers. This is attributed to poor footfall by comparison to other locations in Pimlico and Victoria, the residential use of the upper floors and lack of outdoor drinking/dining space attributed to traffic noise and emissions coming from Vauxhall Bridge Road.

The marketing report has been independently assessed by Fleurets on behalf of the City Council who agree that the external trade area to the front is unappealing due to its proximity to a major, busy thoroughfare. Notwithstanding, they go on to provide examples of other public houses, albeit with larger trading areas, that have managed to continue to trade in this area.

Fleurets have confirmed that Jenkins Law have adopted a marketing approach consistent across the property sector as a whole, with marketing particulars circulated to applicants registered with the company as well as targeted approaches to known local and national operators. The marketing particulars have also been listed on the Jenkins Law website and remain so to date. However, Fleurets do not consider that there has been extensive coverage, with circulation of the marketing particulars described as “very low”, they also highlight that a To Let board was never erected at the property.

In terms of viability, it is clear that the public house is impacted by a number of compounding factors. These relate to competition from other public houses, reduced trading spaces, lack of owner’s domestic accommodation, costs associated with modernisation/refurbishment and re-opening the business and the inability of the projected turnover to result in a sufficient level of profit.

Fleurets confirm that the public house would only be capable of generating a relatively small profit, subject to investment and modernisation of the premises and a period of time to re-establish the business. Jenkins Law maintain that they have no confidence in letting the property as a public house and strongly believe that if the property had benefitted from planning permission for other uses it would have been let by now.

Considering the information submitted and findings of the independent assessment, officers consider that the loss of the pub is acceptable in this instance.

Provision of Residential Accommodation

The proposed use of the ground and basement floors of the building as residential flats is supported under Policies S14 of the City Plan and H3 of the Unitary Development Plan (UDP).

The mix of the proposed units is as follows: 1 x 1 bed; 1 x 3. UDP policy H5 seeks to ensure that an appropriate mix of unit sizes is achieved in all housing developments. The proposed mix of residential units is in accordance with the policy's requirement for a third to be family sized (3 or more beds).

In terms of internal floor area, the residential units would all provide a good standard of accommodation, which would be consistent with guidance in the Technical Housing Standards – Nationally Described Space Standard (2015).

A condition has been attached ensuring that prior to the occupation of the residential flats; details shall be submitted of a scheme of ventilation to be installed, to prevent overheating with the windows closed.

Affordable housing

Policy S16 of the City Plan relates to affordable housing. It requires that proposals of 10 or more new residential units, or over 1000sqm of additional residential floorspace will be expected to provide a proportion of the floorspace as affordable housing.

When considered in conjunction with the previously consented scheme for the creation of 8 residential units on the upper floors of the building (RN: 15/09678), the combined number of residential units is 10 with a floorspace of 540sqm.

However, there are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which gave legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 (HCWS50).

These circumstances are that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm. Accordingly, no affordable housing contribution has been sought in this instance.

8.2 Townscape and Design

In design terms, the proposals include minimal changes to the appearance of the building. The main new additional proposal is the creation of a lightwell marked by traditional metal railings to the Vauxhall Bridge Road frontage. This would reinstate a previous lightwell and would continue a theme of front railings on this street block. The design proposed would respect the character of the building, and would be consistent with the character of the area. The proposals have been revised to retain the pub door and link it to the pavement via a new lightwell bridge which is welcomed.

The lightwell elevations submitted during the application show a style of window which would be harmful to the appearance of the building. Accordingly, an amending condition is recommended requiring traditional painted timber sash windows at basement level to match the rest of the building. The alterations to the rear extensions are considered to be acceptable and visually reduce the impact on the rear elevations.

The change of use does introduce conservation issues regarding the contribution the use of the building, as a public house, makes to the character and appearance of the area. Pubs are traditional and positive components of all urban communities, and it is the building's original designed use – the building's appearance is definitively that of a London pub. Its position on the corner of a junction between a major and minor road acts as a punctuation mark to Vauxhall Bridge Road, and aids the legibility of the transition between Pimlico and Vincent Square. The loss of the use will inevitably cause some changes in character beyond the physical changes set out by this application. This would include the level of activity around the building, and the continuity of the building's original use in purely historical terms. There would also be pressure to remove the pub signage. There is also some risk of accumulated domestic paraphernalia at ground floor level, visible from the street in the lightwell, which might have otherwise been restrained by the continued use of the ground floor and basement. Accordingly, a condition is recommended to ensure that structures such as canopies, fences, trellises or satellite or radio antennae are not put within the front lightwells.

However, it must also be recognised that the pub's relationship with the core of the Vincent Square Conservation Area is limited and that the site relates more to the busy thoroughfare of Vauxhall Bridge Road. Equally, it does not relate directly to the character of the Lillington and Longmoore Gardens Conservation Area opposite, and the remaining pub signage is limited to the main applied lettering at main fascia level (no traditional pub hanging sign remains). A condition is recommended to ensure that the existing pub fascia sign is restored to the Council's satisfaction before the residential use is commenced.

Given the above, and the potential protection which can be secured through conditions, the proposed loss of pub use would cause only a limited degree of harm to the character of the conservation area. This harm is considered to be outweighed by the benefits of securing a long-term viable use for the site.

8.3 Residential Amenity

Policies S29 of the City Plan and ENV13 of the UDP seek to protect residential amenity in terms of light, privacy, sense of enclosure and encourage development which enhances the residential environment of surrounding properties.

Due to their scale, design and position it is considered that the altered rear extensions would not result in a material loss of light, increased overshadowing, increased sense of enclosure or loss of privacy over the existing arrangement. A condition is recommended to prevent the roof of the ground floor extension being used for sitting out or any other purpose.

The proposed terrace at ground floor level would measure approx. 12 sqm and would be set back approx. 3.5m from the boundary with 124 Vauxhall Bridge Road and approx. 20m from the rear elevations of the nearest Vincent Square buildings. Accordingly, it is considered that the proposed terrace would not result in an unacceptable increase in noise or loss of privacy to neighbouring occupiers.

The proposals are considered to accord with policies S29 and ENV13.

Transportation/Parking

The application site is located on Vauxhall Bridge Road which forms part of the Transport for London Road Network (TLRN). Transport for London (TfL) is the highway authority of the TLRN and is therefore concerned about any proposal which may impact the safety and or performance of this road.

TfL have requested that the footway on the TLRN is not blocked during demolition or construction. A condition has been added to ensure that no development shall take place, including any works of demolition, until a construction logistics and management plan for the proposed development has been submitted to the Council and approved in consultation with TfL.

No off-street parking is provided as part of the development; however parking pressures in the area remain below the 80% stress level set out in policy TRANS23. On the basis of the Council's data and car ownership levels any additional on-street parking generated by the proposed residential units can be absorbed into the surrounding street network. Therefore the development is consistent with TRANS23. Given the car free nature of the proposals, TfL has suggested that consideration be given to encouraging use of a car club by residents. Accordingly, the applicant has agreed to meet the costs of providing lifetime membership of a car club for future residents of both flats. There are no UDP or City Plan policies which would support exempting residents from being able to obtain CPZ permits.

The London Plan requires 1 cycle parking space per 1 bed residential unit and 2 spaces for all others. 4 secure cycle parking spaces are proposed, this will be secured by condition. Due to the constraints of the site, the cycle parking will be located at basement level, making use of a bike wheeling ramp and self-opening and closing doors.

The design of the lightwell has been amended during the application process to include a chamfered corner, to maintain pedestrian ease and directness of movement on the highway in line with TRANS3. It is considered that the proposed lightwell will not impact on pedestrian movement.

8.4 Economic Considerations

No economic considerations are applicable for a development of this size

8.5 Access

Due to the compact nature of the site a residential passenger lift is not a viable solution for access. Accordingly, the proposed development has been designed to accommodate residents with a centralised staircase, designed to provide safe and secure access to all units, with handrails, treads and nosings in accordance with Part M of the Building Regulations.

8.6 Other UDP/Westminster Policy Considerations

Refuse/ Recycling

The proposals include storage for waste and recyclable materials at ground floor level, accessed from Stanford Street which is in line with the requirements of the City Council. A condition is recommended to ensure that the waste storage facilities are made permanently available and used for no other purpose.

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

The City Council adopted its own Community Infrastructure Levy Charge (CIL) on the 1st of May 2016. The estimated charge for this development for Westminster CIL is £67,600 and for the Mayoral CIL is £8,450; which will be verified in due course.

8.10 Environmental Impact Assessment

The proposal is of an insufficient scale to require an Environmental Impact Assessment.

8.11 Other Issues

Planting on rear boundary wall

It is proposed to reduce the height of the north east boundary wall to allow more light into one of the proposed residential units. The residents of 37-45 Vincent Square have asked for clarification about how the applicant will maintain and support the existing planting on their side of the wall (located on their land). Having reviewed this with the Council's Arboricultural Officer, it is not considered that the planting could reasonably be protected through the planning process. This is considered to be a private matter between the respective land owners. An informative has added to encourage the applicant to make contact the residents of 37-45 Vincent Square regarding this issue.

9. BACKGROUND PAPERS

1. Application form
2. Response from Environment Agency, dated 2 May 2017
3. Response from Transport for London, dated 23 December 2016
4. Response from Westminster Society, dated 29 November 2016
5. Response from Vincent Square Residents' Association, dated 25 April 2017
6. Response from Highways Planning Manager, dated 29 November 2016
7. Response from Cleansing, dated 29 November 2016
8. Response from Environmental Health, dated 30 March 2017
9. Letter from occupier of 43 Vincent Square, Westminster, dated 12 December 2016
10. Written Ministerial Statement dated 28.11.14 (HCWS50)

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(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: KIMBERLEY DAVIES BY EMAIL AT kdavies1@westminster.gov.uk
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10. KEY DRAWINGS



Existing South East Elevation



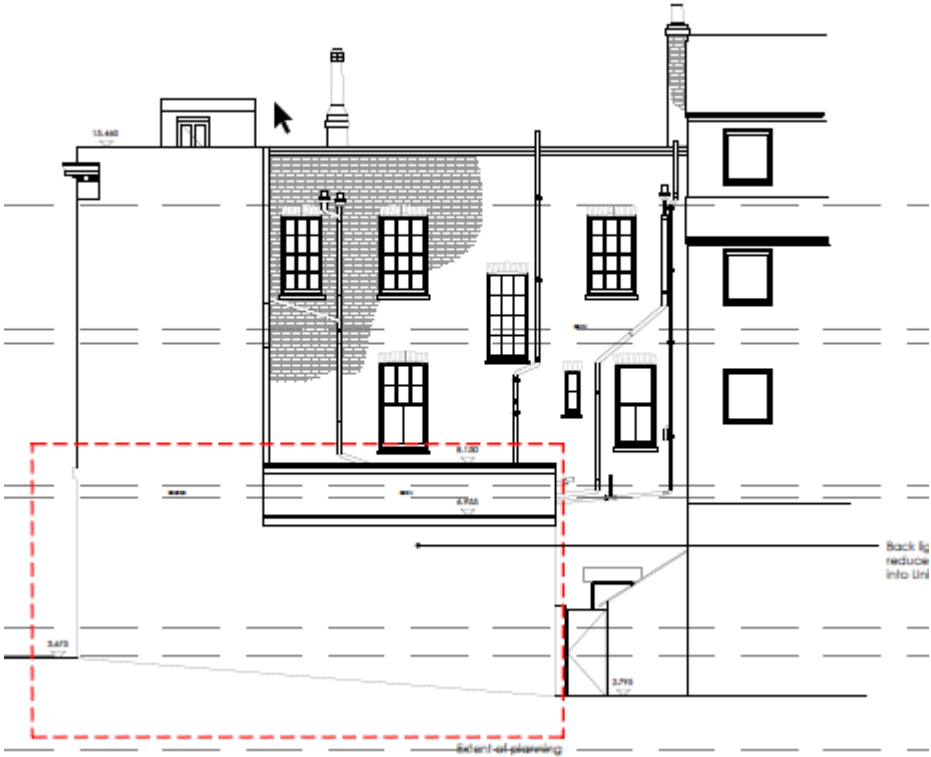
Proposed South East Elevation



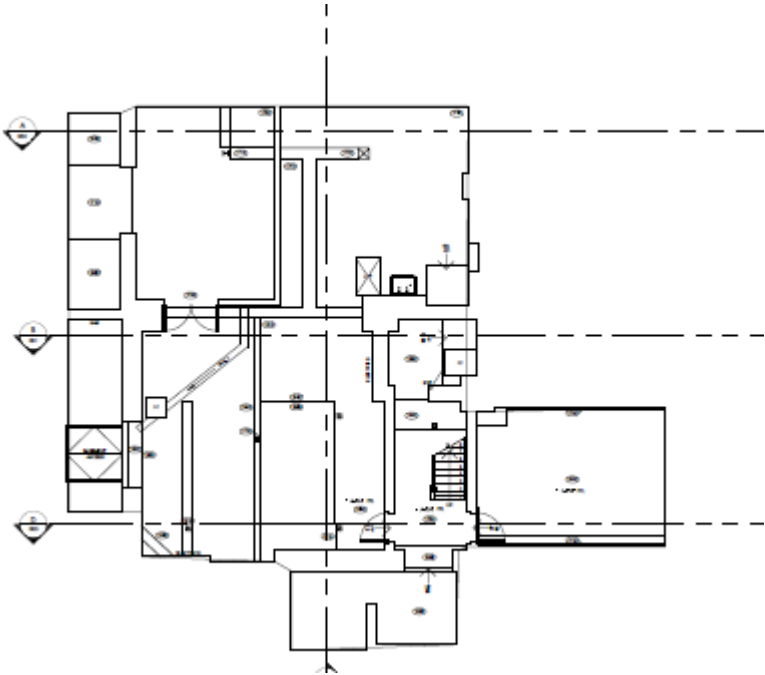
Existing North East Elevation



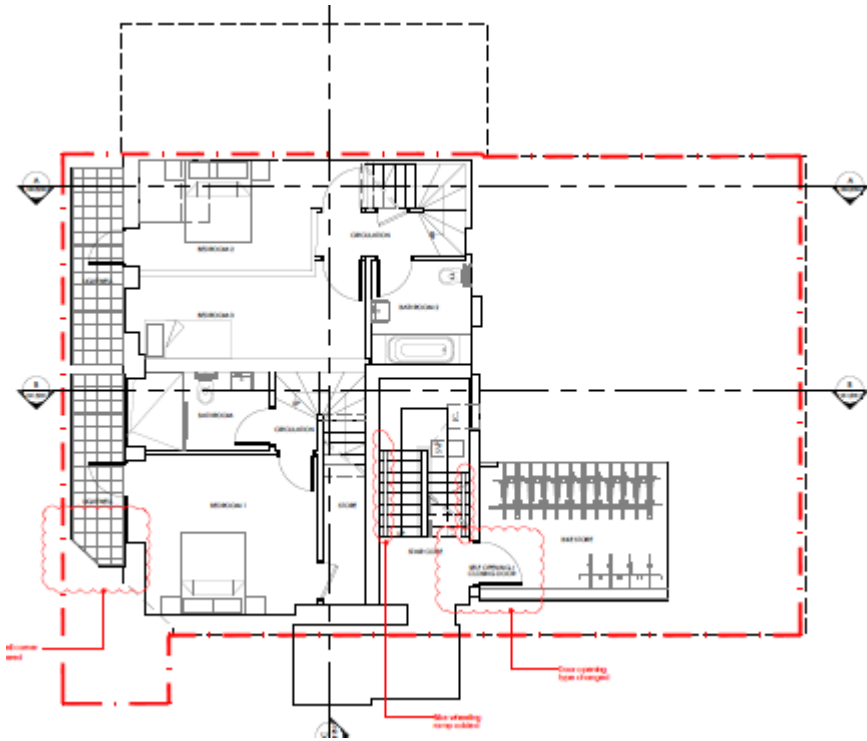
Proposed North East Elevation



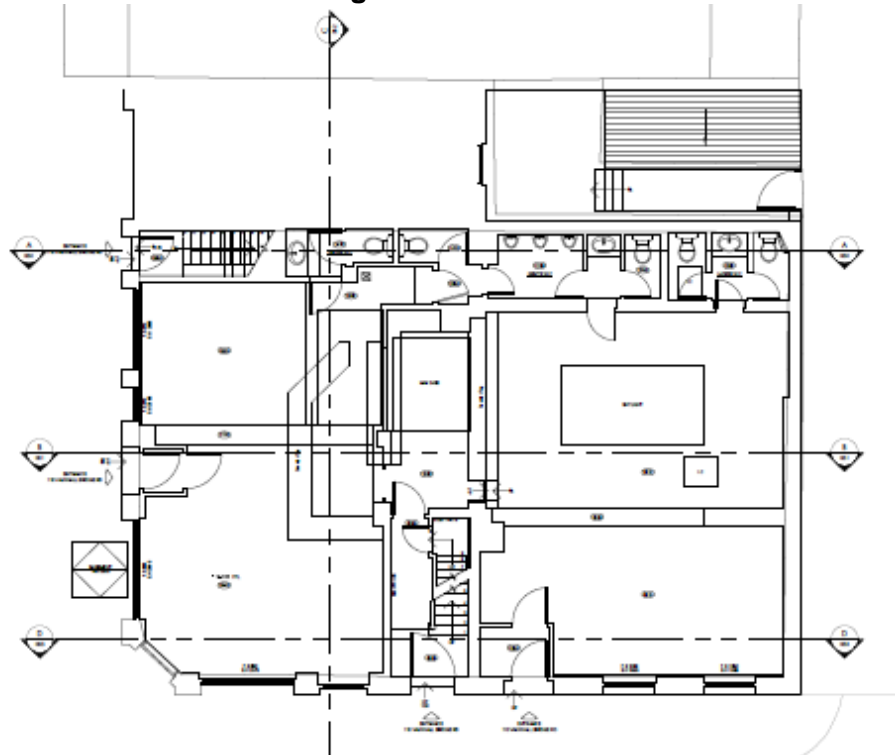
Existing Basement Plan



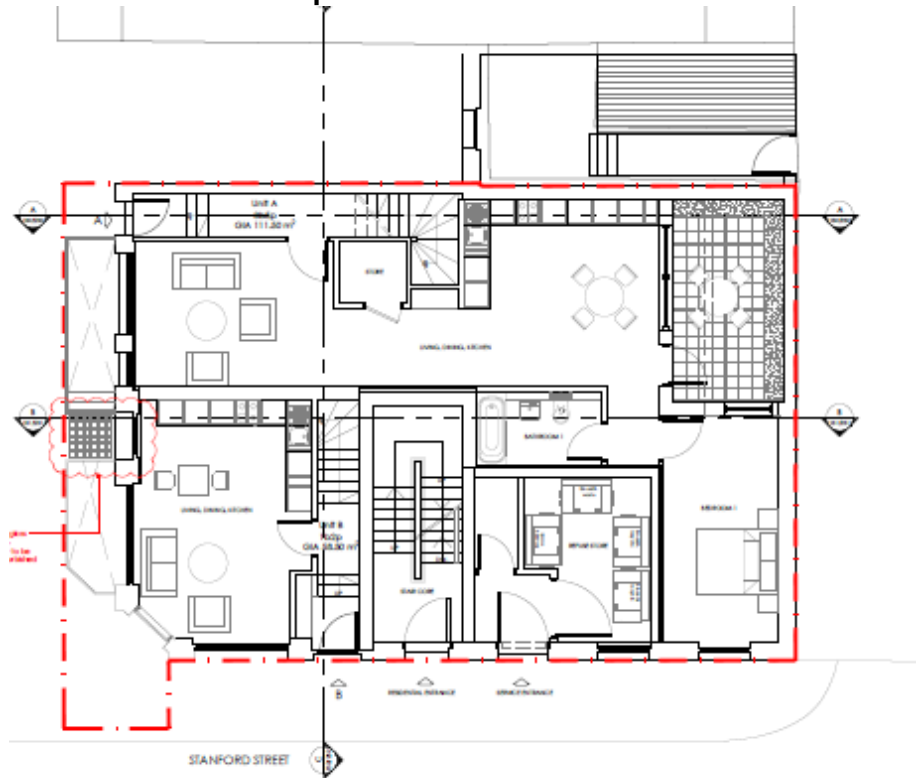
Proposed Basement Plan



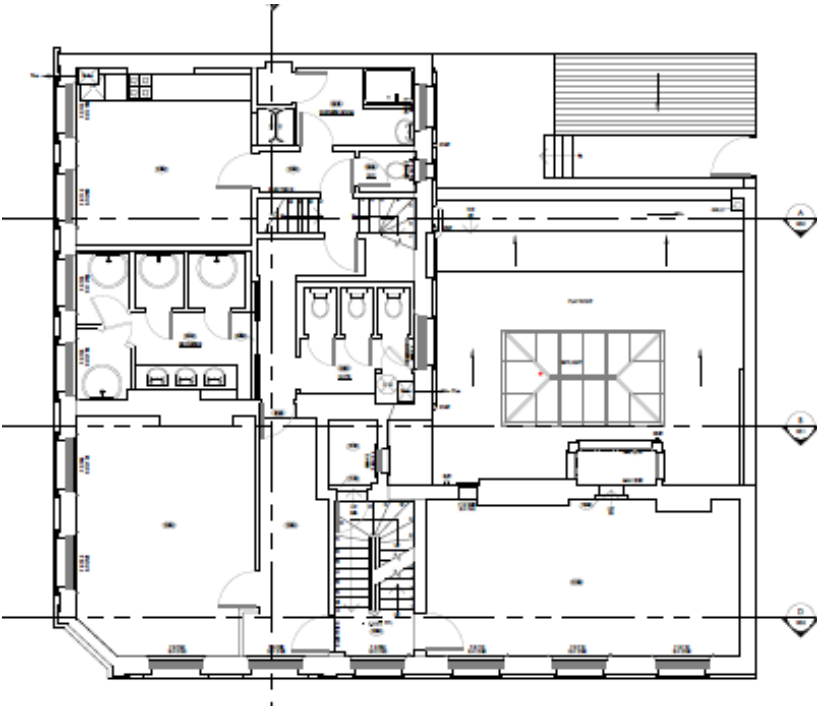
Existing Ground Floor Plan



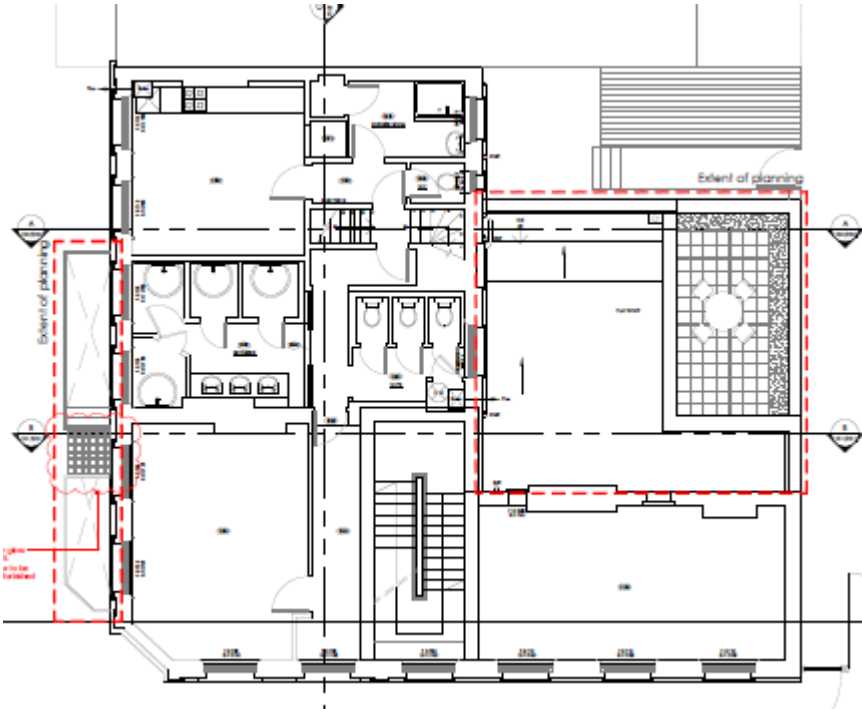
Proposed Ground Floor Plan



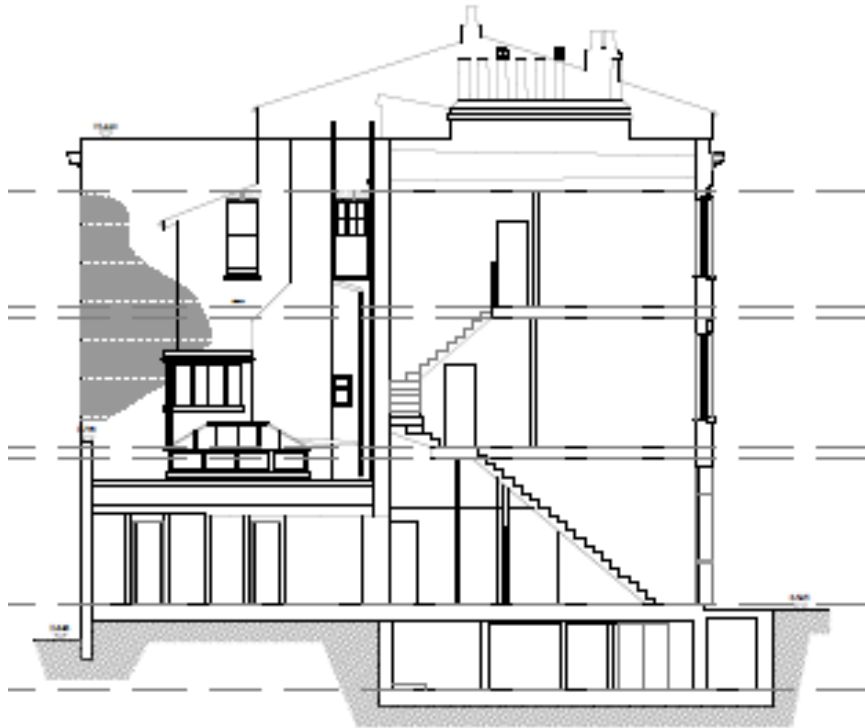
Existing First Floor Plan



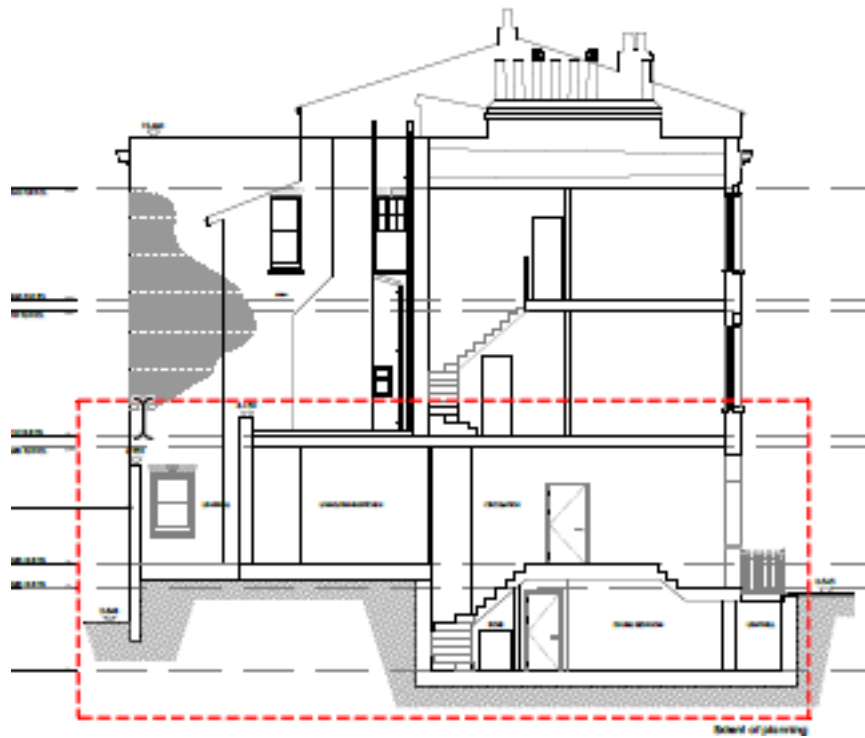
Proposed First Floor Plan



Existing Section AA



Proposed Section AA



DRAFT DECISION LETTER

Address: 110 Vauxhall Bridge Road, London, SW1V 2RQ

Proposal: Use of ground and basement floors as two residential flats (Class C3). Alterations, including to windows, doors, the rear extensions at ground and first floor levels and the creation of a lightwell to Vauxhall Bridge Road frontage.

Reference: 16/07328/FULL

Plan Nos: 001; 110 Rev. A; 111 Rev. B; 112 Rev. B; 120 Rev. A; 121 Rev. B; 122; 123; 125; 130; 131 Rev. A;

For information:

Design and Access Statement, Sustainability Statement, Acoustic Statement dated July 2016; Marketing Report dated 26 April 2016; Flood Risk Assessment dated April 2017.

Case Officer: Ian Corrie

Direct Tel. No. 020 7641 1448

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 (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 You must apply to us for approval of detailed drawings at 1:20 showing the following alteration(s) to the scheme:

- (a) Traditional painted timber sash windows at basement level to match the rest of the building;
- (b) Retention and restoration of existing pub fascia sign fronting Vauxhall Bridge Road.,

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 must be maintained to the Council's satisfaction. (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 Vincent Square Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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 further information as set out below of the following parts of the development:

- (a) New railings and bridge link (drawn elevations, plans and sections at 1:10);
- (b) New windows and doors (drawn elevations and sections at 1:5).

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these approved details. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Vincent Square Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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 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 Vincent Square Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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)

- 6 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae within the front lightwell. (C26OA)

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 Vincent Square Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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 paint any outside walls of the building without our permission. This is despite the fact that this work would normally be 'permitted development' (under class C of part 2 of schedule 2 to the Town and Country Planning General Permitted Development (England) Order 2015) (or any order that may replace it). (C26WB)

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 Vincent Square Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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)

- 8 Prior to the occupation of the residential flats, details shall be submitted of a scheme of ventilation to be installed, to prevent overheating with the windows closed, demonstrating compliance to at least the Overheating Standard of CIBSE Guide A (2006), Specifically;

- i, for living rooms, less than 1% of occupied hours are over an operative temperature of 28 degrees C;
- ii, for bedrooms, less than 1% of occupied hours are over an operative temperature of 26 degrees C.

Reason:

To safeguard the amenity of residential occupiers of the development as set out in S29 of Westminster's City Plan (November 2016) and ENV13 of our Unitary Development Plan that we adopted in January 2007.

- 9 You must provide the waste store shown on drawing PL 111 Rev.B before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the building. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

Reason:

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

- 10 No development shall take place, including any works of demolition, until a construction logistics and management plan for the proposed development has been submitted to the Council and approved in consultation with Transport for London.

Reason:

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

- 11 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 (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 12 (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 (November 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.

- 13 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.

- 14 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.

- 15 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.

- 16 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.

- 17 **Pre Commencement Condition.** You must not start work on the site until we have approved appropriate arrangements to secure the following

-Measures to mitigate the impact of the new residential units upon on-street parking demand.

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. (C19AB)

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 (November 2016) and in TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R19AC)

- 18 You must not use the roof of the ground floor extension for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21AA)

Reason:

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

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 (November 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 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.

- 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 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)
- 5 Under condition 17, we are likely to accept a legal agreement under section 106 of the Town and County Planning Act to secure free lifetime (25 years) car club membership for residents of the development, as set out in the letter dated 16 June 2017 from Peter Munnely. 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)
- 6 You are encouraged to make contact with the residents of 37-45 Vincent Square regarding the proposed changes to the height of the rear boundary wall and the impact this might have on the existing planting against their side of the wall

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.