



City of Westminster

# Committee Agenda

Title: **Planning Applications Committee (4)**

Meeting Date: **Tuesday 24th November, 2015**

Time: **6.30 pm**

Venue: **Rooms 5, 6 & 7 - 17th Floor, City Hall, 64 Victoria Street, London SW1E 6QP**

Members: **Councillors:**  
Andrew Smith  
Angela Harvey  
Jonthan Glanz  
Barbara Grahame

**Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda**

**Admission to the public gallery is by ticket, issued from the ground floor reception at City Hall from 6.00pm. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.**



**An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Reuben Segal, Committee and Governance Officer.**

**Tel: 020 7641 3160; Email: [rsegal@westminster.gov.uk](mailto:rsegal@westminster.gov.uk)  
Corporate Website: [www.westminster.gov.uk](http://www.westminster.gov.uk)**

**Note for Members:** Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Head of Legal & Democratic Services in advance of the meeting please.

## **AGENDA**

### **PART 1 (IN PUBLIC)**

#### **1. MEMBERSHIP**

To note that Councillors Andrew Smith and Barbara Grahame had replaced Councillors Anthony Devenish and Jason Williams.

To appoint a chairman.

#### **2. DECLARATIONS OF INTEREST**

To receive declarations by members and officers of the existence and nature of any personal or prejudicial interests in matters on this agenda.

#### **3. MINUTES**

To sign the minutes of the last meeting as a correct record of proceedings.

#### **4. PLANNING APPLICATIONS**

Applications for decision

##### **Schedule of Applications**

- |  |                          |
|--|--------------------------|
| <b>1. 40-41 PALL MALL, SW1 (ADDENDUM REPORT)</b>                 | <b>(Pages 3 - 54)</b>    |
| <b>2. 12 ELGIN AVENUE, W9</b>                                    | <b>(Pages 55 - 86)</b>   |
| <b>3. SUSSEX SQUARE, GLOUCESTER SQUARE, HYDE PARK SQUARE, W2</b> | <b>(Pages 87 - 158)</b>  |
| <b>4. 84 CLIFTON HILL, NW8</b>                                   | <b>(Pages 159 - 180)</b> |
| <b>5. 49 MARYLEBONE HIGH STREET, W1</b>                          | <b>(Pages 181 - 190)</b> |

**Charlie Parker  
Chief Executive  
16 November 2015**

# Agenda Item

CITY OF WESTMINSTER  
PLANNING APPLICATIONS COMMITTEE – 24 NOVEMBER 2015  
SCHEDULE OF APPLICATIONS TO BE CONSIDERED

ITEM No	References/ Ward	SITE ADDRESS	PROPOSAL	
1	RN 14/10618/FULL St James's	40-41 PALL MALL, SW1  (ADDENDUM REPORT)	Demolition of 40 and 41 Pall Mall behind retained facades and redevelopment to provide a building of basement, ground and five upper floors comprising retail (Class A1) at part basement and part ground floor levels with the remainder of the building in use as four self-contained residential flats (Class C3).	
	Recommendation Grant conditional permission.			
2	RN 15/06880/FULL Harrow Road	12 ELGIN AVENUE, W9	Demolition of the existing buildings on site and erection of a five storey plus basement level building to provide 15 self-contained flats, with two off-street car parking spaces at ground level and ancillary servicing and storage at basement level. Removal of two Lime trees to site frontage and provision of new hard and soft landscaping.	
	Recommendation Refuse permission – insufficient affordable housing provision.			
3	RN 15/03105/FULL RN 15/03109/FULL RN 15/03110/FULL Hyde Park	SUSSEX SQUARE, GLOUCESTER SQUARE, HYDE PARK SQUARE, W2	Removal of existing fences, gates and railings and installation of replacement railings and gates and associated works to boundary of communal garden (to Sussex Square, Gloucester Square and Hyde Park Square respectively).	
	Recommendation Application 1 – (Sussex Square) - Grant conditional permission. Application 2 – (Gloucester Square) - Grant conditional permission. Application 3 – (Hyde Park Square) - Grant conditional permission.			
4	RN 15/04945/FULL RN 15/04946/LBC Abbey Road	84 CLIFTON HILL, NW8	Alterations to the existing garden studio including excavation of a new basement level with associated lightwell, revised footprint and new fenestration and excavation of a staircase under the main building with a glazed bridge.	
	Recommendation 1. Grant conditional permission and conditional listed building consent. 2. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.			
5	RN 15/08304/FULL Marylebone High Street	49 MARYLEBONE HIGH STREET, W1	Installation of four new recessed vent louvres and one replacement louvre on the southern elevation at lower ground floor level to serve a new internal ventilation system.	
	Recommendation Grant conditional permission.			

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16/11/2015

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# Agenda Item 1

Item No.
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<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 24 November 2015	<b>Classification</b> For General Release	
<b>Addendum Report of</b> Director of Planning		<b>Wards involved</b> St James's	
<b>Subject of Report</b>	<b>40 - 41 Pall Mall, London, SW1Y 5JG</b>		
<b>Proposal</b>	Demolition of 40 and 41 Pall Mall behind retained facades and redevelopment to provide a building of basement, ground and five upper floors comprising retail (Class A1) at part basement and part ground floor levels with the remainder of the building in use as four self-contained residential flats (Class C3).		
<b>Agent</b>	Savills		
<b>On behalf of</b>	Pall Investments Ltd		
<b>Registered Number</b>	14/10618/FULL	<b>TP / PP No</b>	TP/10116
<b>Date of Application</b>	24.10.2014	<b>Date amended/ completed</b>	17.12.2014
<b>Category of Application</b>	Minor		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	St James's		
<b>Development Plan Context</b> - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Within London Plan Central Activities Zone  Within Central Activities Zone		
<b>Stress Area</b>	Outside Stress Area		
<b>Current Licensing Position</b>	Not Applicable		

## 1. RECOMMENDATION

Grant conditional permission.





40-41 PALL MALL, SW1

## 2. SUMMARY

This proposed redevelopment scheme was considered by the Planning Applications Committee on 29 September 2015. The Committee resolved to defer its decision to allow the applicant to reconsider the following:

- a) Improving the window design at the rear third and fourth floors to minimise overlooking.
- b) Making provision for retaining the cafe.
- c) Reducing bulk at the rear of the proposed building to minimise the impact on the Army and Navy Club.

Since the Committee's resolution the scheme has been amended to adjust the rear windows within the closet wing of No.41 at third and fourth floor levels so that they are partially obscured and angled away from the club. At fifth floor level the windows are set back from the rear building line as before and a new obscured glass privacy screen has been incorporated to the parapet of the closet wing of No.40 to prevent overlooking to the Club terrace.

With regard to the existing cafe (Class A1/A3/A5), it is clear that the works would require the current occupier to vacate the premises. The matters of the lease, temporary relocation of the cafe and reinstatement of the cafe once works are complete are not valid planning considerations. The applicant has confirmed that it was not their intention to replace the A3 cafe or A5 hot food takeaway use due to the need to install full height ducting and the potential for the use to adversely impact on neighbouring occupiers including residents. The introduction of a solely A1 use would not preclude a sandwich bar occupying the site. The proposals remain acceptable in land use terms.

In terms of the bulk and massing, the applicant has set back the rear of No. 40 by approximately 3.5m at fourth floor level and by approximately 2m at fifth floor level. It is understood these setbacks have been made in agreement with the Club. The height and bulk of the replacement building remains acceptable in design and amenity terms.

## 3. CONSULTATIONS

### CONSULTATIONS UNDERTAKEN SINCE COMMITTEE ON 29 SEPTEMBER 2015

#### COUNCILLOR HYAMS

Any response to be reported verbally.

#### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

18 letters sent to original contributors detailing amendments.

Two responses have been received at the time of writing the report on behalf of two residential occupiers of the application site. One of the residents withdraws their previous objection and the other resident reiterates their objection.



**BACKGROUND PAPERS**

1. Application form.
2. Report to Planning Applications Committee dated 29 September 2015, background papers, and minutes.
3. Letter from Farooq Bajwa & Co dated 16 October 2015.
4. Letter from Avison Young dated 19 October 2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT LOUISE FRANCIS ON 020 7641 2488 OR BY E-MAIL – [lfrancis@westminster.gov.uk](mailto:lfrancis@westminster.gov.uk)

**2 40-41 PALL MALL, SW1**

Demolition of 40 and 41 Pall Mall behind retained facades and redevelopment to provide a five storey building comprising retail (Class A1) at part basement and part ground floor levels with the remainder of the building in use as four self-contained residential flats (Class C3).

Councillor Hyams addressed the Committee in her capacity as a Ward Councillor in objecting to the application.

**RESOLVED:**

That the application be deferred for the applicant to consider the following:

- (a) Improving the window design at the rear 3<sup>rd</sup> and 4<sup>th</sup> floors to minimise overlooking.
- (b) Making provision for retaining the cafe.
- (c) Reducing bulk at the rear of the proposed building to minimise the impact on the Army and Navy Club.

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<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 27 October 2015	<b>Classification</b> For General Release	
<b>Addendum Report of</b> Director of Planning	<b>Wards involved</b> St James's		
<b>Subject of Report</b>	<b>40 - 41 Pall Mall, London, SW1Y 5JG</b>		
<b>Proposal</b>	Demolition of 40 and 41 Pall Mall behind retained facades and redevelopment to provide a building of basement, ground and five upper floors comprising retail (Class A1) at part basement and part ground floor levels with the remainder of the building in use as four self-contained residential flats (Class C3).		
<b>Agent</b>	Savills		
<b>On behalf of</b>	Pall Investments Ltd		
<b>Registered Number</b>	14/10618/FULL	<b>TP / PP No</b>	TP/10116
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<b>Category of Application</b>	Minor		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	St James's		
<b>Development Plan Context</b> - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Within London Plan Central Activities Zone Within Central Activities Zone		
<b>Stress Area</b>	Outside Stress Area		
<b>Current Licensing Position</b>	Not Applicable		

**1. RECOMMENDATION**

Grant conditional permission.

## 2. SUMMARY

Nos. 40 and 41 Pall Mall are unlisted buildings of merit located within the St James's Conservation Area. Permission is sought for the demolition of the buildings behind retained facades and redevelopment to create a building comprising basement, ground and five upper floors. The proposals would provide an enlarged retail unit at part basement and part ground floor level with the remainder of the building providing four residential flats and ancillary areas.

A substantial amount of objection has been received from the adjoining Army and Navy Club and from occupiers of the existing building.

The key issues are:

- The impact of the proposals on the character and appearance of the conservation area.
- The impact of the proposals on the amenity of neighbouring occupiers.

The redevelopment of Nos. 40 and 41 are considered acceptable in design and conservation area terms as is its impact on amenity of neighbouring occupiers. The proposed development is considered to comply with relevant policies in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (City Plan).

## 3. CONSULTATIONS

### HISTORIC ENGLAND

Authorisation given to determine as seen fit.

### WESTMINSTER SOCIETY

No objection.

### ST JAMES'S CONSERVATION TRUST

Supports the Army and Navy Club and objects to the increased height and bulk, loss of privacy and loss of light. The proposals would conflict with the St. James's Special Policy Area status by harming the reputation of the Club and the enjoyment of Club users.

### BUILDING CONTROL

The method of construction is acceptable.

### CLEANSING MANAGER

No objection subject to conditions.

### ENVIRONMENTAL HEALTH

No objection subject to conditions.

### HIGHWAYS PLANNING MANAGER

One cycle parking space should be provided for the retail use. If the retail unit is to be used as a food retailer, a Servicing Management Plan should be required.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 64; Total No. of Replies: 22.

Letters have been received from and on behalf of one commercial and two residential occupiers within the application site and from a neighbouring office occupier. Letters

have also been received from and on behalf of the Army and Navy Club and its members. The responses raise the following concerns and objections.

#### Design

- The increase in height and bulk of the development would be harmful;
- The proposals would represent overdevelopment;
- The residential entrance would create a dead frontage.

#### Amenity

- Increased height and bulk would result in a loss of light, increased overshadowing and increased sense of enclosure to the Club;
- The terraces and additional windows would result in a loss of privacy and loss of security to the Club.

#### Land Use

- Lack of mix in unit sizes;
- Lack of outdoor amenity space;
- Query whether the Council protects offices.

#### Other

- Concern over noise, vibration, dust and disruption during construction;
- Request to delay works until nearby redevelopment is completed;
- Office occupier requests works be undertaken outside normal office hours;
- The Club requests works do not take place before 10.00hrs, between 12.00-14.30hrs or after 17.30hrs.
- The proposals would prejudice the potential for redevelopment of the Club in the future;
- Residential occupiers within the application site hold life interest/assured tenancy and seek re-housing;
- Reference is made to the Landlord and Tenant Act;
- No provision to replace the existing cafe operator;
- Query why no full height extract duct is provided.

### BACKGROUND PAPERS

1. Application form.
2. Letter from English Heritage dated 13 January 2015.
3. Letter from the Westminster Society dated 20 January 2015.
4. Letter from the St. James's Conservation Trust dated 17 August 2015.
5. Memorandum from Environmental Health dated 9 January 2015.
6. Memorandum from Cleansing Manager dated 9 January 2015.
7. Memorandum from Highways Planning Manager dated 20 January 2015.
8. Letter from Building Control dated 2 September 2015.
9. Letter from occupier of 45 Pall Mall dated 21 January 2015.
10. Letters on behalf of the occupier of 4th-5th floor flat 40 Pall Mall dated 21, 27 January, 2 February and 14 August 2015.
11. Letters on behalf of the St James Cafe at 40 Pall Mall dated 28 January and 2 February 2015.
12. Letters from and on behalf of the Army and Navy Club dated 28 January, 25 March, 29 April, 14 July, 19 August and 2 September 2015

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13. Letter on behalf of the occupier of 4th floor 40-41 Pall Mall dated 28 January 2015.
14. Letters from members of the Army and Navy Club dated 19 (x4), 20 (x2), 21 (x2), 26, 27 August and 1 September 2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT VINCENT NALLY ON 020 7641 5947 OR BY E-MAIL – [vnally@westminster.gov.uk](mailto:vnally@westminster.gov.uk)

**2 40-41 PALL MALL, SW1**

Demolition of 40 and 41 Pall Mall behind retained facades and redevelopment to provide a five storey building comprising retail (Class A1) at part basement and part ground floor levels with the remainder of the building in use as four self-contained residential flats (Class C3).

Councillor Hyams addressed the Committee in her capacity as a Ward Councillor in objecting to the application.

**RESOLVED:**

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Item No.

2

CITY OF WESTMINSTER			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 29 September 2015	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning	<b>Wards involved</b> St James's		
<b>Subject of Report</b>	<b>40-41 Pall Mall, London, SW1Y 5JG</b>		
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<b>Stress Area</b>	Outside Stress Area		
<b>Current Licensing Position</b>	Not Applicable		

#### 1. RECOMMENDATION

Grant conditional permission.



Item No.

## 2. SUMMARY

40 and 41 Pall Mall are unlisted buildings of merit located within the St James's Conservation Area. Permission is sought for the demolition of the buildings behind retained facades and redevelopment to create a building comprising basement, ground and five upper floors. The proposals would provide an enlarged retail unit at part basement and part ground floor level with the remainder of the building providing four residential flats and ancillary areas.

A substantial amount of objection has been received from the adjoining Army and Navy Club and from occupiers of the existing building.

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## 3. CONSULTATIONS

### HISTORIC ENGLAND

Authorisation given to determine as seen fit.

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No objection.

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### BUILDING CONTROL

The method of construction is acceptable.

### CLEANSING MANAGER

No objection subject to conditions.

### ENVIRONMENTAL HEALTH

No objection subject to conditions.

### HIGHWAYS PLANNING MANAGER

One cycle parking space should be provided for the retail use. If the retail unit is to be used as a food retailer, a Servicing Management Plan should be required.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 64; Total No. of Replies: 22.

Letters have been received from and on behalf of one commercial and two residential occupiers within the application site and from a neighbouring office occupier. Letters have also been received from and on behalf of the Army and Navy Club and its members. The responses raise the following concerns and objections.

### Design

- The increase in height and bulk of the development would be harmful;
- The proposals would represent overdevelopment;
- The residential entrance would create a dead frontage.

### Amenity

- Increased height and bulk would result in a loss of light, increased overshadowing and increased sense of enclosure to the Club;
- The terraces and additional windows would result in a loss of privacy and loss of security to the Club.

### Land Use

- Lack of mix in unit sizes;
- Lack of outdoor amenity space;
- Query whether the Council protects offices.

### Other

- Concern over noise, vibration, dust and disruption during construction;
- Request to delay works until nearby redevelopment is completed;
- Office occupier requests works be undertaken outside normal office hours;
- The Club requests works do not take place before 10.00hrs, between 12.00-14.30hrs or after 17.30hrs.
- The proposals would prejudice the potential for redevelopment of the Club in the future;
- Residential occupiers within the application site hold life interest/assured tenancy and seek re-housing;
- Reference is made to the Landlord and Tenant Act;
- No provision to replace the existing cafe operator;
- Query why no full height extract duct is provided.

## 4. BACKGROUND INFORMATION

### 4.1 The Application Site

40-41 Pall Mall consists of two adjacent unlisted buildings located on the northern side of Pall Mall close to the junction with St James's Square. To the east of the site is the Army and Navy Club and to the west is Nos.42-43 Pall Mall which has recently been redeveloped to provide retail and residential.

No.40 dates from the 1850s and No.41 is dated from the 1870s. Neither building is listed but the two facades contribute positively to the character of the St James's Conservation Area. Both buildings comprise of basement, ground and five upper floors, albeit No.41 is taller by approx.3.5m. The buildings share a central stair core which links the different levels between the two properties.

The ground floor of No.41 contains a cafe (mixed Class A1/A3/A5). The ground floor of No.40 contains a vacant unit for which the history is unclear but appears to have last been used by an architectural design and construction business. Existing offices (Class B1) are located at basement and first to third floor levels and three self-contained residential flats (Class C3) are located at fourth and fifth floor levels.

## 4.2 Relevant History

13 March 2012 - Permission granted for the continued use of the ground floor of 41 Pall Mall as a sui generis mixed retail/cafe/takeaway (Class A1/A3/A5).

13 February 2012 - Permission granted for the redevelopment of Nos.42-43 Pall Mall behind retained facade at No.42 to provide a building of basement, ground and five upper floors, use of part basement and part ground floors for retail purposes and the upper floors as four residential flats comprising 3 x 3 bed and 1 x 4 bed units.

## 5. THE PROPOSAL

Permission is sought for the demolition of both buildings behind retained facades which includes the removal of the fifth floor extensions and redevelopment to create a building comprising basement, ground and five upper floor levels (part sixth floor to No.40). Alterations are also sought to introduce traditional shopfronts.

The replacement building would comprise of a retail unit (Class A1) at part basement and part ground floor levels with the remainder of the building containing four self-contained residential flats comprising 3 x 3 bed and 1 x 4 beds (Class C3). The replacement building would include plant, cycle and refuse storage within the basement and a modest plant and ventilation housing at roof level.

## 6. DETAILED CONSIDERATIONS

### 6.1 Land Use

	Existing (m2)	Proposed (m2)	Change (+ or - m2)
Office	456	0	- 456
Residential	423	1,081	+ 658
Retail	112	185	+ 73
Total	991	1,266	+ 275

#### 6.1.1 Loss of Offices

The proposals would result in the loss of office floorspace amounting to 456m2 within the CAZ. The change of use needs to be assessed in the context of Policy S47 of the City Plan which advises that 'when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework... to secure development that improves the economic, social and environmental conditions in the area.'

Paragraph 51 of the NPPF advises that local planning authorities should normally approve planning applications for change of use to residential and any associated development from commercial buildings (currently in the B use class) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.

Whilst there would be a net reduction in office floorspace and employment as a result of the development, there is no evidence to suggest that the economic impact of the proposals on this part of Pall Mall, the St James's area or the City as a whole would be sufficiently harmful in this instance to withhold permission. The change to increase residential use would provide social benefits with the provision of a net increase of one residential unit and all four units being family sized.

### 6.1.2 Residential Use

Two residential occupiers within the application site hold life interest/assured tenancy. Objections have been raised on the grounds that alternative comparable accommodation should be secured. A request has been made for the Council to require the applicant to enter into a legal agreement to ensure an existing occupier is re-housed. This legal agreement is sought by the objector on the basis that the separate private legal agreement between the applicant and tenant is unlikely to be resolved prior to determination of the application

Officers have sought legal opinion on this point, and whilst we sympathise with the personal position of the existing tenants, the matter of securing alternative accommodation, through the Landlord and Tenancy Act or by other means, is considered to be a private matter between the respective parties and it is entirely appropriate that this is dealt with outside of the planning application process.

Policy S14 of the City Plan and Policy H3 of the UDP seek to maximise the amount of land or buildings in residential use. The introduction of an additional residential unit on site would help the Council meet its housing target and is welcomed in policy terms. The mix of the residential provided on site would be 3 x 3 bed and 1 x 4 bed units.

The residential provision is less than 1000m<sup>2</sup> and does not trigger a requirement to provide affordable housing. The units proposed would range in size between 171m<sup>2</sup> (three bed) to 336m<sup>2</sup> (four bed). Although large, the units are typical for this type of development and are not considered to be oversized. It could be possible to increase the number of residential units on site, however, given the location of the access core, this would likely result in residential flats which would be wholly north facing. It is considered that a request to increase the unit numbers could not be reasonably sustained in this instance.

The flats would all be dual aspect and would receive acceptable levels of natural light for this urban location. All units comply with the London Plan housing minimum space standards and all bedrooms are over the minimum 8m<sup>2</sup> requirement. The Council wants to encourage more families to move into and stay in the City by providing more family sized housing. Policy H5 of the UDP requires that 33% of housing units be family sized (being three or more bedrooms). All of the proposed units are family sized which is considered acceptable.

As part of housing developments, Policy H10 of the UDP normally expects the provision of amenity space. The policy recognises that this can be met through the use of balconies and roof terraces on sites within CAZ. Only the top floor maisonette includes outdoor amenity space in the form of two roof terraces to the front of the building. An additional terrace was proposed at rear fifth floor level but this has subsequently been omitted following concerns raised by the Club. Given the dense urban location of the site, the inability to increase outdoor amenity space to the front of the building, and the enclosed north facing rear aspect, the level of outdoor amenity space provided is considered acceptable in this instance.

Background noise levels in this area of the City can be high. Policy ENV6 of the UDP states that residential developments are required to provide adequate protection from existing background noise. Environmental Health officers have confirmed that subject to the imposition of safeguarding conditions, it is considered that sufficient measures can be put into place to mitigate against internal and external noise

### 6.1.3 Retail Use

The proposal would result in the loss of a retail type premises at No.40, although the planning history of this unit does not conclusively confirm it as having a lawful Class A1 use. It appears that the unit was last in use by an architectural and building company. The proposal would also result in the loss of a mixed Class A1/A3/A5 café at No.41.

Permission is sought for a single retail unit (Class A1) amounting to 185m<sup>2</sup> which amounts to more than the two existing units combined. This would represent 73m<sup>2</sup> of additional retail floorspace and is considered compliant with Policy S21 which seeks to protect existing A1 and non-A1 retail uses.

Objections have been received on behalf of the current café operator on the grounds that their operation will not be replaced. Planning legislation cannot protect individual occupiers, and instead can only have regard to the use classes in which they operate. It would be unreasonable to withhold permission on the ground that the café operator is not to be reinstated. In any event, the replacement retail as part of the scheme is for a Class A1 use rather than A1/A3/A5 café operation.

Comments have been received with regard to the lack of a replacement full height extract duct. The proposal does not include a full height duct due to the replacement retail unit being a Class A1 shop. A Class A3 or A5 unit is not proposed, and it is these uses that would normally involve cooking and the requirement of a duct.

The point has been raised that the residential entrance to No.41 would create a dead frontage. The proposal is similar to that implemented next door at Nos.42-43 where one shopfront is used as the entrance lobby for the residential flats and the other shopfront is used for an enlarged retail unit. Given the application proposes an increase in retail floorspace, improvements to the shopfronts and that site has existing dead frontage, the proposals are considered acceptable in this regard.

## 6.2 Townscape and Design

Nos.40 and 41 are not listed buildings but are considered to be unlisted buildings of merit and contribute positively to the character of the St James's Conservation Area. The main consideration in design terms is the proposed demolition of the buildings behind the retained front façades.

The façades of both Nos.40 and 41, whilst not listed, are positive features of Pall Mall. Behind the façades, the buildings have been substantially altered in the 1950s. The rear façades do not retain the interest of the front and therefore the proposed demolition behind the front façades is considered acceptable in principle.

The rebuilt rear building line extends further than existing, however, it has been designed to closely replicate two projecting wings, which helps to break up the overall mass. At roof level, mansards are proposed to both buildings, set back behind the existing retained façade. Both are considered in keeping with the buildings overall appearance and similar to alterations that have previously been allowed to buildings along Pall Mall.

The proposed redevelopment is considered to preserve the character and appearance of the existing buildings and this part of the St James's Conservation Area. Subject to conditions requiring the submission of facing materials, a sample panel of brickwork and details of windows and doors, the proposals are considered acceptable.

The new shopfronts which reinstate historically appropriate features are also considered in keeping with the style and character of the buildings and area as a whole. The shopfront works are considered acceptable, subject to a condition requiring the submission of additional details on the construction and finish of the shopfronts.

### 6.3 Amenity

Policy ENV13 of the UDP states that the Council will resist proposals that would result in a material loss of daylight/sunlight, particularly to dwellings, and that developments should not result in a significant increased sense of enclosure, overlooking or cause unacceptable overshadowing. Similarly, Policy S29 of the City Plan aims to protect the amenity of residents from the effects of development.

The nearest residential properties to the site are located adjoining the site at No.42-43 Pall Mall. Objections have not been received from these residential properties. The remainder of the surrounding properties are in commercial use. These include the large office building to the rear at 20 St. James's Square and the Army and Navy Club adjoining the site to the east and to the rear which includes a large roof terrace. A large amount of objection has been received from the Club on the grounds of loss of light, increased overshadowing, increased sense of enclosure and loss of privacy.

The redeveloped No.41 will be similar in height to the existing with a replacement mansard. The redeveloped No.40 would include an additional roof storey increasing in height by approx. 3.5m to match the height of No.41 and the adjoining Nos.42-43. The closet wing to the rear of No.40 would also be increased by a single storey.

The current building line to the rear will, on the whole, decrease at ground and first floor levels with the relocation of an internal lightwell to the rear boundary of the site. From second to fourth floor levels the rear building line will be altered with the closet wing to the rear of No.40 increasing in width by approx. 1m and the closet to No.41 increasing in width by approx. 0.5m. The depth of the closet wing at No.40 would remain the same and the depth of the closet wing to No.41 would be reduced by approx. 300mm. The rear building line in between the closet wings would increase in depth by approx. 3.7m.

#### 6.3.1 Daylight and Sunlight/Overshadowing/Sense of Enclosure

Policy S29 of the City Plan seeks to resist proposals that result in an unacceptable material loss of residential amenity. Policy ENV 13 of the UDP seeks to resist proposals which result in a material loss of daylight/sunlight, particularly to existing dwellings and education buildings. In addition, developments should not result in a significant increase in the sense of enclosure or overlooking, or cause unacceptable overshadowing, particularly on gardens, public open space or on adjoining buildings, whether in residential or public use.

Given the orientation and scale of the proposals, it is considered that the only residential dwellings neighbouring the site at Nos.43-44 would not experience a material loss of light, increase in overshadowing or increased sense of enclosure as a result of the proposals.

In policy terms it is clear that commercial premises are not afforded the same protection as residential properties. Notwithstanding this, the Army and Navy Club does include an element of residential occupancy by members of the type akin to a hotel service. Windows to these boarding rooms is located to the north east of the application site and the windows face south west. The roof terrace which serves the Club's bar is also located behind to the north of the application site.

Officers consider that the Club is a non-domestic use which has a reasonable expectation of daylight and sunlight, similar to that of a hotel. However, the windows which serve the boarding rooms are set back from the application site by the depth of the roof terrace and are substantially screened by the Club itself which adjoins the application site to the east being two storeys taller than the proposed development. It is considered that the application site is orientated in such a way and located sufficient distant from these windows to ensure there is no unacceptable loss of light or increased sense of enclosure.

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With regard to the terrace which serves the Club bar, it is acknowledged that this is a valued space for members, however, given the modest increase in height to No.40 by approx. 3.5m and the increase in depth of the building line by approx.3.7m which is set between the two projecting closet wings, it is considered that there would not be a sufficiently detrimental loss of light, increase in overshadowing or sense of enclosure to preclude the continued use of this space.

### 6.3.2 Privacy

Policy ENV13 of the UDP seeks to resist development which would result in an unacceptable degree of overlooking. Once again the most sensitive area in this respect would be the residential dwellings located within the adjoining Nos. 42-43. Given the orientation of the site to the neighbouring dwellings and location of the proposed terraces to the front of the building, the proposals will not result in an unacceptable loss of privacy.

Objections have been received from the Club on the grounds of loss of privacy in particular to the terrace area. The concerns are intensified due to the potential security implications as current and former armed forces personnel frequently use the terrace.

The terrace, when compared to the application site, is located at approx. third floor level. A substantial amount of plant and ducting is located between the terrace and the application site which is surrounded with a single storey timber plant screen which terminates at approx. fourth floor level. Due to the level of existing screening, the majority of overlooking would occur from the proposed fourth and fifth floor maisonette. The terrace is already overlooked by the existing top floor flat within No.41.

The proposals will introduce additional windows to the rear elevation, although no windows are located within the rear of the closet wing to No.40 which shares a boundary with the terrace. From third to fifth floor levels, four bedrooms, a kitchen and a dining room could have views towards the terrace. The majority of new windows in the rear elevation will face towards a lower plant area, located beyond the roof terrace. No terraces or balconies are proposed to the rear of the site.

The replacement building will continue to be used as private dwellings on the upper floors. It is acknowledged that there will be an increase in overlooking from the new windows and extension, however, the orientation of these windows and level of existing screening will to some extent mitigate overlooking. The level of overlooking would be no more than one would reasonably expect in such a dense urban environment and similar relationships are found throughout the City. A large number of windows already overlook the terrace from the surrounding office buildings. It is considered that the replacement building would not cause an unacceptable degree of overlooking to the Club sufficient to justify refusing permission.

### 6.3.4 Noise

Given the level of separation between the site and neighbours, and typically the noisy nature of this area, the potential for increased noise from the residential flats would not be sufficient to justify refusing permission.

New plant is proposed within the basement and at roof level. Environmental Health officers have confirmed that they have no objection subject to the Council's standard noise conditions including a supplementary acoustic report to ensure compliance once the plant items have been finalised.

Subject to these conditions, it is considered that the plant will not result in noise nuisance or a loss of neighbouring amenity. It is also considered that additional retail floorspace and residential units, including roof terraces, would not result in an unacceptable level of noise to the existing neighbouring properties.

With regard to construction impact, this is dealt with under Section 6.10 of this report.

#### **6.4 Transportation/Parking**

##### **6.4.1 Car Parking**

Policy TRANS23 requires, where appropriate and practical, the provision of off-street parking for new residential developments. Given the site constraints, including the lack of vehicular access into the application site, car parking is not provided as part of the proposals.

The policy states that the Council will normally consider there to be a serious deficiency where additional demand would result in 80% or more of available legal on-street parking spaces. The evidence of the Council's most recent parking survey in 2011 indicates that parking occupancy of legal parking spaces within a 200m radius of the site is 54% at night and 61% during the day.

Although the introduction of two additional residential units in this area without off-street parking or on-street parking restraint would likely increase the stress levels, the Highways Planning Manager has advised that the potential on-street parking generated could be absorbed into the surrounding street network.

##### **6.4.2 Cycle Parking**

Seven secure cycle parking spaces are to be provided for the residential units at basement level. Ideally one cycle parking space should be provided for the retail unit, however, given the limited floorspace it is not considered reasonable to require its provision in this instance.

##### **6.4.3 Servicing**

Policy TRANS 20 of the UDP generally requires servicing to be provided off-street. Servicing for development is to be undertaken on-street with delivery vehicles temporarily waiting on Pall Mall, as per the existing arrangement. The Highways Planning Manager has stated that the servicing requirements are likely to be similar to the existing situation. A condition is recommended to secure the submission of a Servicing Management Plan in the event that the retail unit is to be used by a food retailer.

#### **6.5 Economic Considerations**

The proposal is in accordance with the UDP and the economic benefits generated by the increase in retail floorspace and new residential units are welcomed.

#### **6.6 Other UDP/Westminster Policy Considerations**

##### **Access**

All thresholds into both the retail and residential areas will be designed as level access. A mechanical lift will provide access across all floors. The residential units at first to third floor levels all have a split level element due to the staggered window positions to the front elevations of Nos. 40 and 41. Short stairs are designed to be wide enough to retrofit a stair lift should this be required. The access arrangements are considered acceptable.



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### **Refuse**

Policy ENV12 of the UDP requires the provision of suitable facilities for waste storage and recycling in new developments. The waste store for the residential and commercial unit will be stored at basement level. It is recommended that the provision of this storage is secured by condition.

### **6.7 London Plan**

The application is not referable to the Mayor and is not considered to raise strategic issues of any significance.

### **6.8 National Policy/Guidance Considerations**

Central Government's National Planning Policy Framework (NPPF) came into effect on 27 March 2012. It sets out the Government's planning policies and how they are expected to be applied. The NPPF has replaced almost all of the Government's existing published planning policy statements/guidance as well as the circulars on planning obligations and strategic planning in London. It is a material consideration in determining planning applications.

Until 27 March 2013, the City Council was able to give full weight to relevant policies in the Core Strategy and London Plan, even if there was a limited degree of conflict with the framework. The City Council is now required to give due weight to relevant policies in existing plans "according to their degree of consistency" with the NPPF. Westminster's City Plan: Strategic Policies was adopted by Full Council on 13 November 2013 and is fully compliant with the NPPF. For the UDP, due weight should be given to relevant policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the NPPF, the greater the weight that may be given).

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

### **6.9 Planning Obligations**

Not applicable.

### **6.10 Other issues**

#### **Future Club development**

The Club has raised concern with regard to the proposals prejudicing any future redevelopment opportunities of the Club in the future. Each application must be considered on its own merits. The current application cannot be reasonably withheld on the basis that a future application on an adjoining site may be submitted.

#### **Construction**

The proposal does not include basement excavation. The façade retention structure relies on flying shores and ladder beams spanning between the retained party walls. Building Control has confirmed that this appears well designed. The permanent structure behind the retained façade is a reinforced concrete frame founded on a new basement slab.

With regards to noise, vibration, dust and disruption from construction, the worst effects of these can to some degree be mitigated by the careful management of the site. Much of this can be negotiated and agreed outside of the planning process with other mechanisms such as through the Party Wall Act

An Informative is recommended to encourage the applicant to join the Considerate Constructors Scheme. The Council's standard condition to control hours of building work is recommended which ensures works can only be carried out between 08.00 and 18.00 Monday to Friday, between 08.00 and 13.00 on Saturdays and not at all on Sundays, bank holidays or public holidays. It is not considered reasonable to restrict the hours of work further.

### 6.11 Conclusion

The demolition of Nos.40 and 41 behind retained façades is considered acceptable to provide a mixed use development that will complement the character and appearance of the conservation area. The principle of new residential units in this location is acceptable and the scheme is considered acceptable in terms of its impact on the amenity of surrounding occupiers.

In all other respects the proposals are considered acceptable in land use, design and amenity terms and therefore planning permission is recommended for approval.

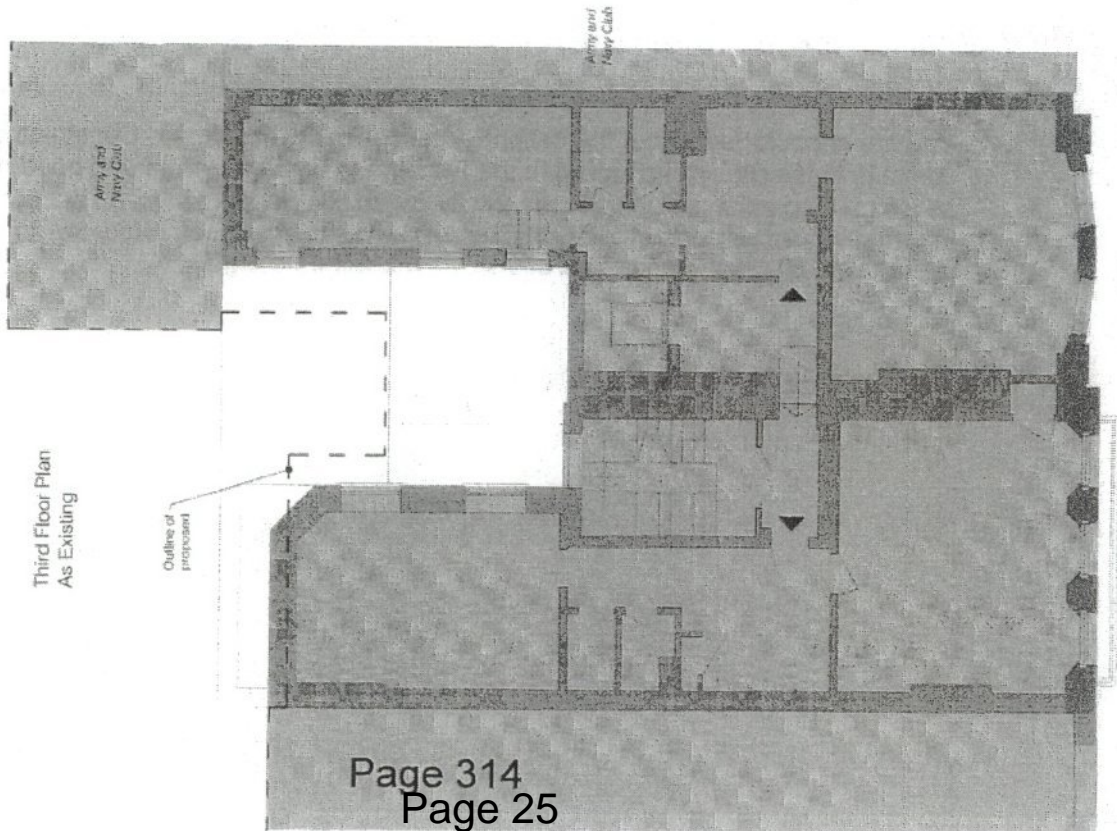
### BACKGROUND PAPERS

1. Application form.
2. Letter from English Heritage dated 13 January 2015.
3. Letter from the Westminster Society dated 20 January 2015.
4. Letter from the St. James's Conservation Trust dated 17 August 2015.
5. Memorandum from Environmental Health dated 9 January 2015.
6. Memorandum from Cleansing Manager dated 9 January 2015.
7. Memorandum from Highways Planning Manager dated 20 January 2015.
8. Letter from Building Control dated 2 September 2015.
9. Letter from occupier of 45 Pall Mall dated 21 January 2015.
10. Letters on behalf of the occupier of 4th-5th floor flat 40 Pall Mall dated 21, 27 January, 2 February and 14 August 2015.
11. Letters on behalf of the St James Cafe at 40 Pall Mall dated 28 January and 2 February 2015.
12. Letters from and on behalf of the Army and Navy Club dated 28 January, 25 March, 29 April, 14 July, 19 August and 2 September 2015
13. Letter on behalf of the occupier of 4th floor 40-41 Pall Mall dated 28 January 2015.
14. Letters from members of the Army and Navy Club dated 19 (x4), 20 (x2), 21 (x2), 26, 27 August and 1 September 2015.

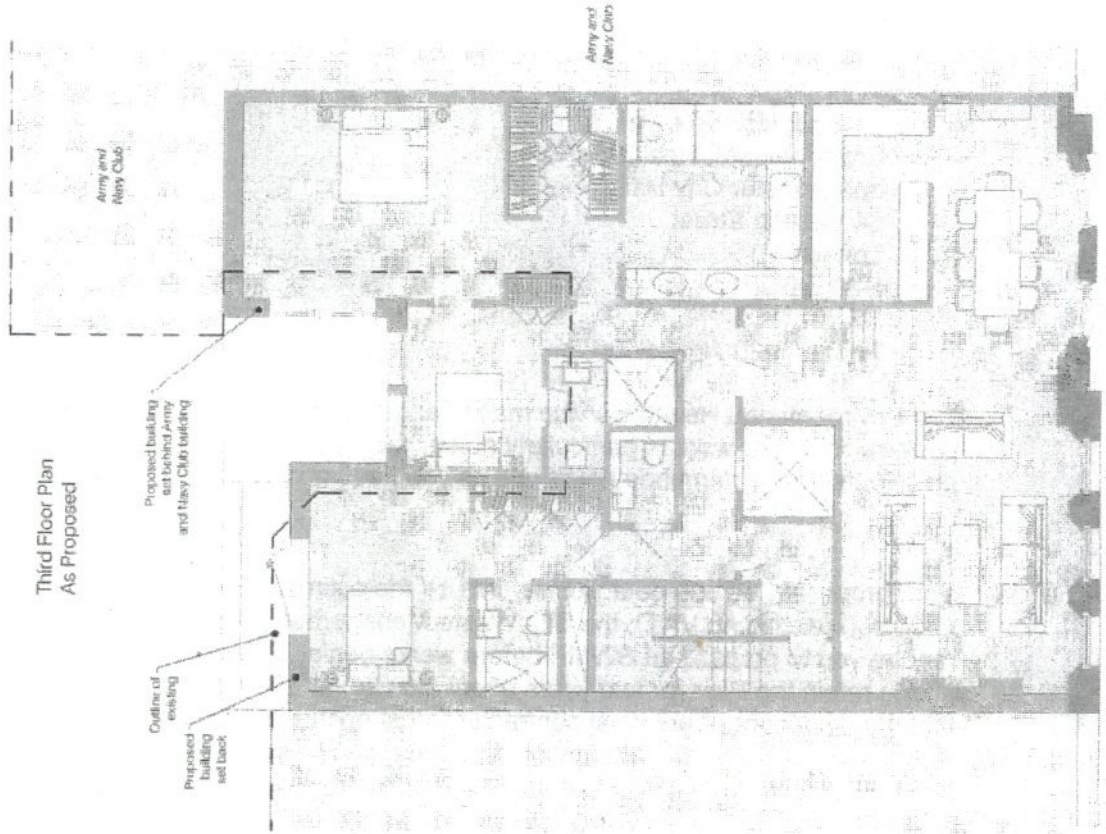
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT VINCENT NALLY ON 020 7641 5947 OR BY FAX 020 7641 2338 OR BY E-MAIL – [vnally@westminster.gov.uk](mailto:vnally@westminster.gov.uk)



Third Floor Plan As Existing



Third Floor Plan As Proposed



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No.	Project Name	Location
1	40-41 Pall Mall	Westminster

**PLANNING**

40-41 Pall Mall  
 Westminster  
 London  
 SW1 4RJ

Client:  
 Pall Mall Investments Ltd

Project Name:  
 Third Floor Existing & Proposed

Drawing No:  
**4046 (SK) 021**

Date:  
 10/04/2014

Scale:  
 1:500 (A3)

Drawn by:  
 NFA architects

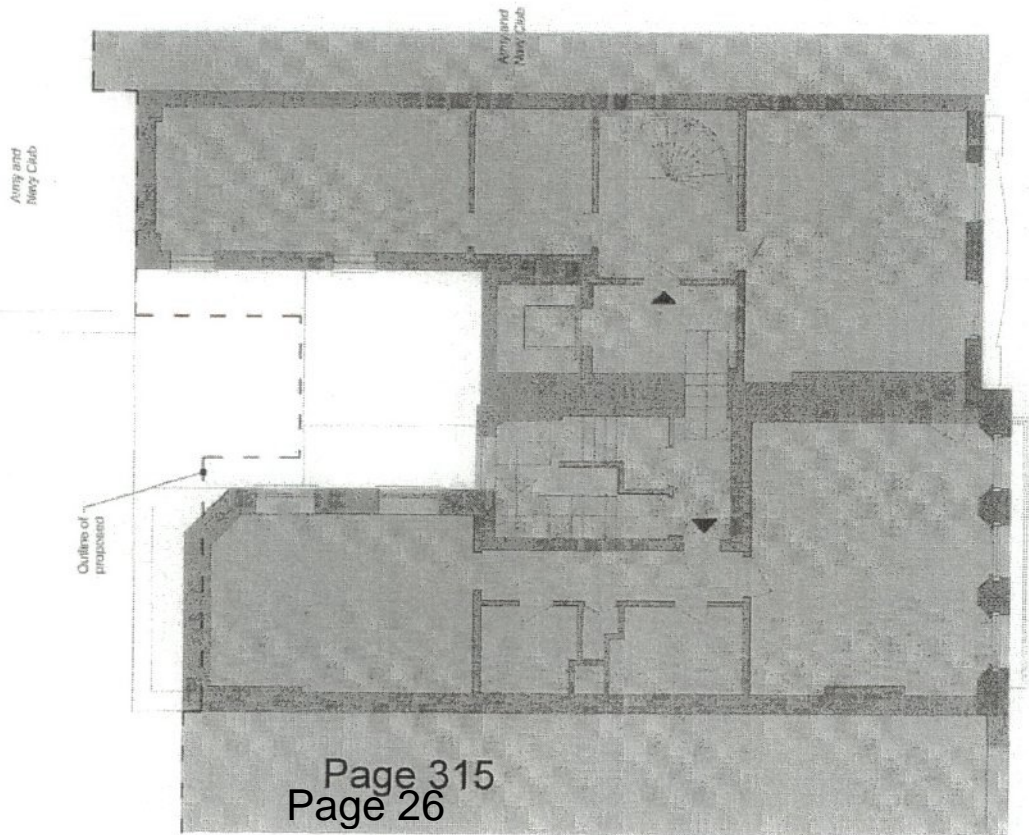
Paul Davis

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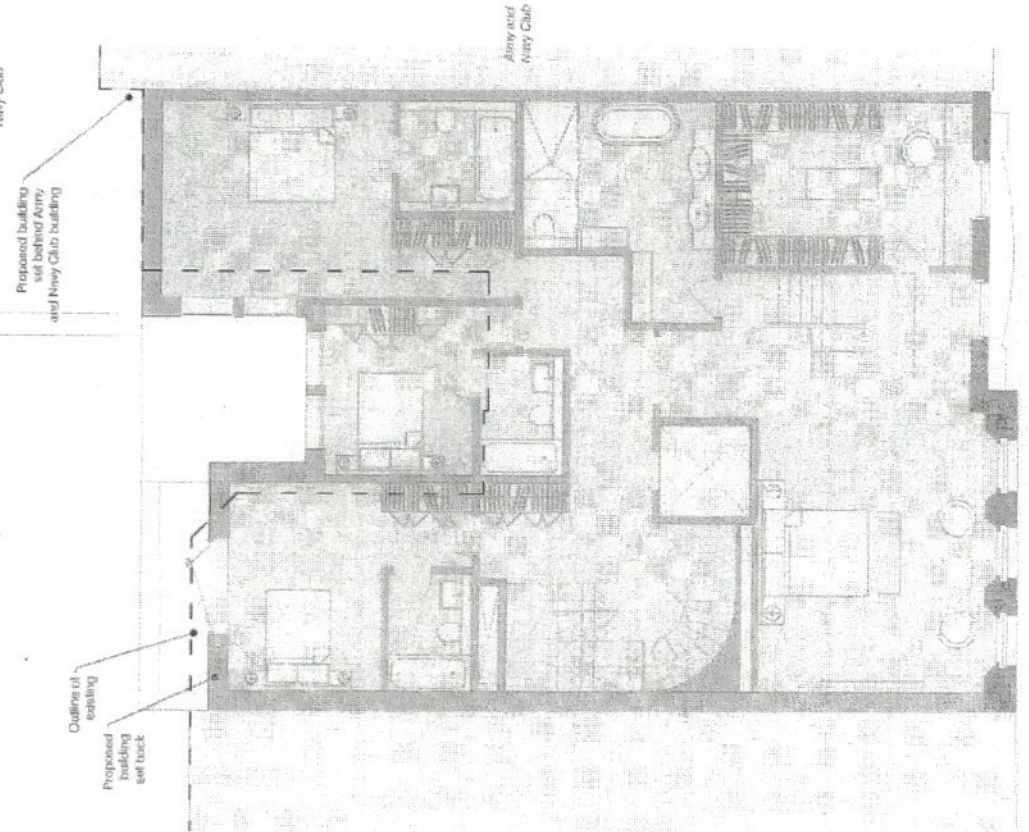
Drawings have not been subject to  
 approval by ABC SURVEYS Ltd  
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Fourth Floor Plan  
 As Existing



Fourth Floor Plan  
 As Proposed



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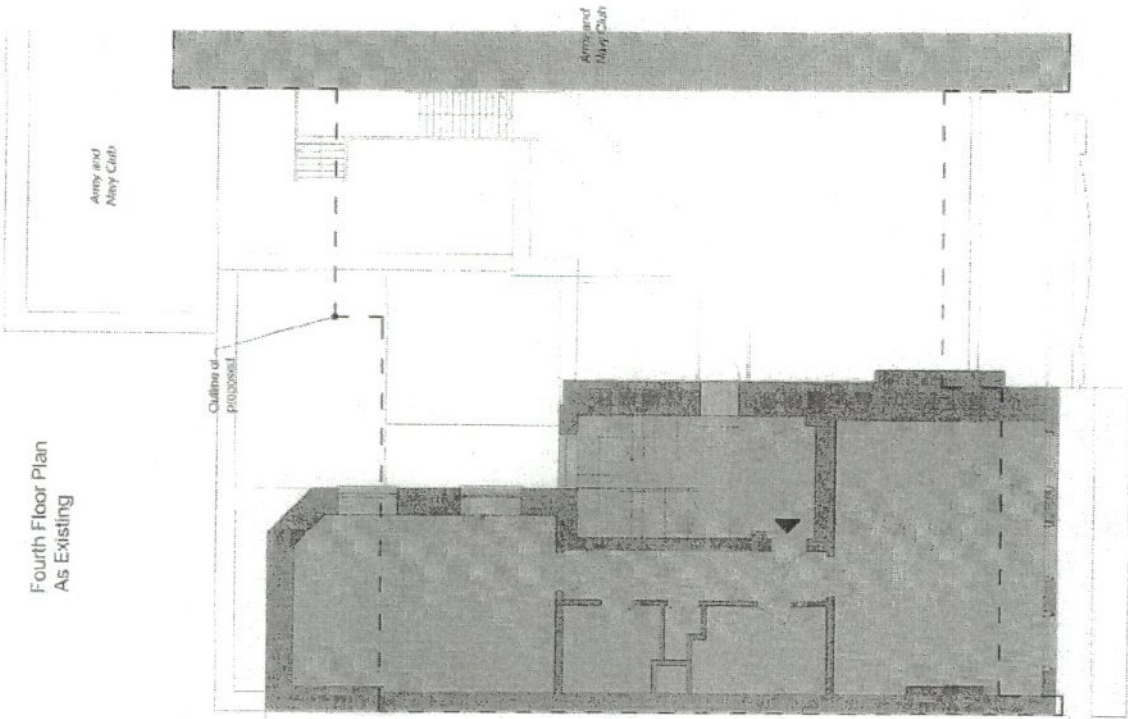
PLANNING  
 40-41 Pall Mall  
 Westminster  
 London  
 SW1 4PJ  
 Pall Mall Investments Ltd  
 Fourth Floor Existing + Proposed  
 4046 (SK) 022  
 NFA architects  
 paul davis

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 Building Surveyors

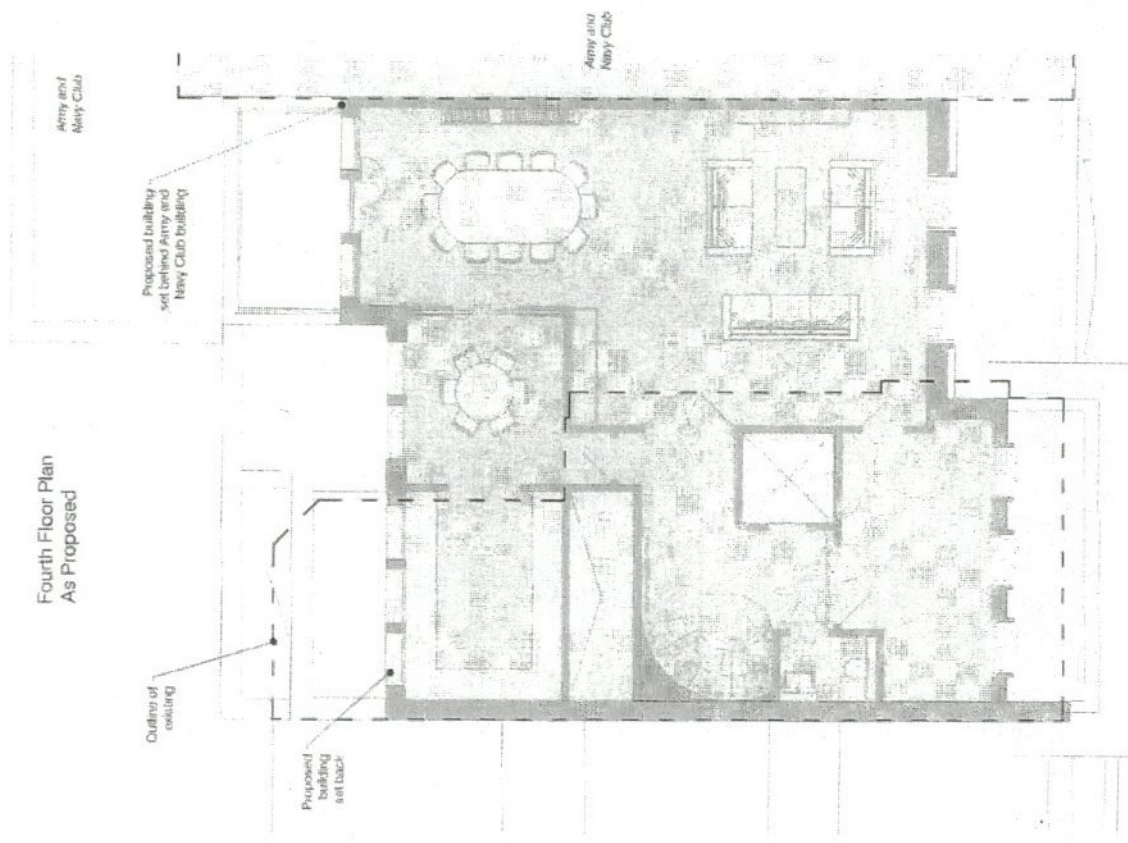


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 CHECKED BY: [unreadable]  
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Fourth Floor Plan  
 As Existing



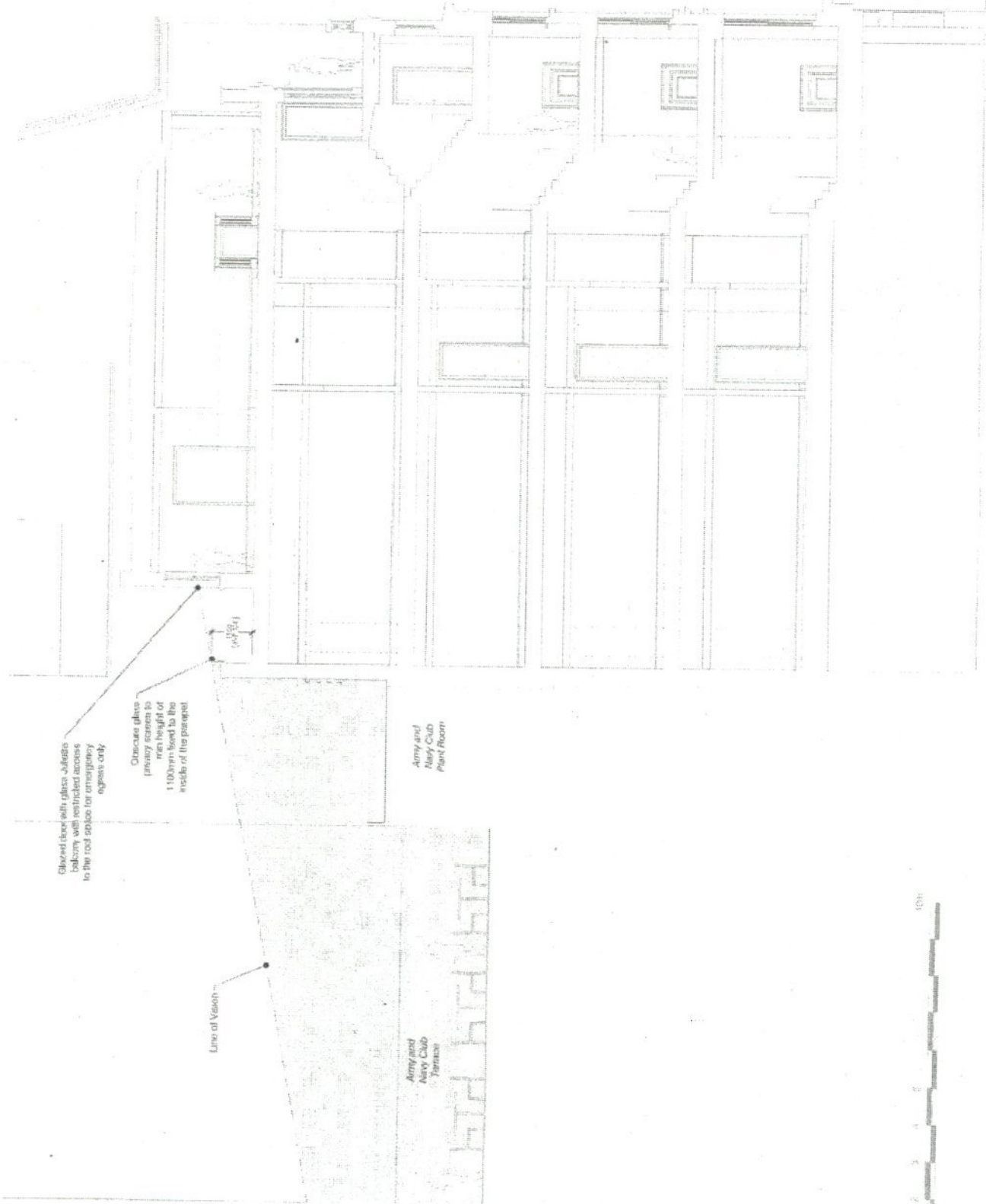
Fourth Floor Plan  
 As Proposed



Client	Paul Davis Ltd
Drawing Type	Planning
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Client	Pall Mall Investments Ltd
Project Title	Fifth Floor Existing + Proposed
Drawing No.	<b>4046 (SK) 023</b>
Date	03/01/11
Drawn by	JD
Checked by	[unreadable]
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<b>paul davis ARCHITECTS</b> 62 Abchurch Lane London EC4A 3DF Tel: 020 7424 2200 Fax: 020 7424 2201 Email: info@pauldavisarchitects.co.uk www.pauldavisarchitects.co.uk	

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App No	10/11
App Name	Private development (residential)
App Type	Residential

**PLANNING**

**Project Name**  
 40-41 Pall Mall  
 Westminster  
 London  
 SW1 4RJ

**Client**  
 Pall Mall Investments Ltd

**Design Title**  
 Overlooking Diagram

**Drawing No**  
 4046 (SK) 018 A

**Date** 20/08/11 **Sheet No** 018 **Of** 018

**Drawn by** [Name] **Checked by** [Name]

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Paul Davis Architects Ltd

10-11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

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Project No	4046 (SK) 019 B
Client	Pall Mall Investments Ltd
Project Name	40-41 Pall Mall Westminster London SW1 4RJ
Drawing No	Overlooking Diagram
Revision	
Date	20/07/2014
Scale	1:50

**PLANNING**

Project No: 40-41 Pall Mall Westminster London SW1 4RJ

Client: Pall Mall Investments Ltd

Drawing No: Overlooking Diagram

Revision: 4046 (SK) 019 B

Date: 20/07/2014

Scale: 1:50

Checked by: NFA architects

Drawn by: paul davis

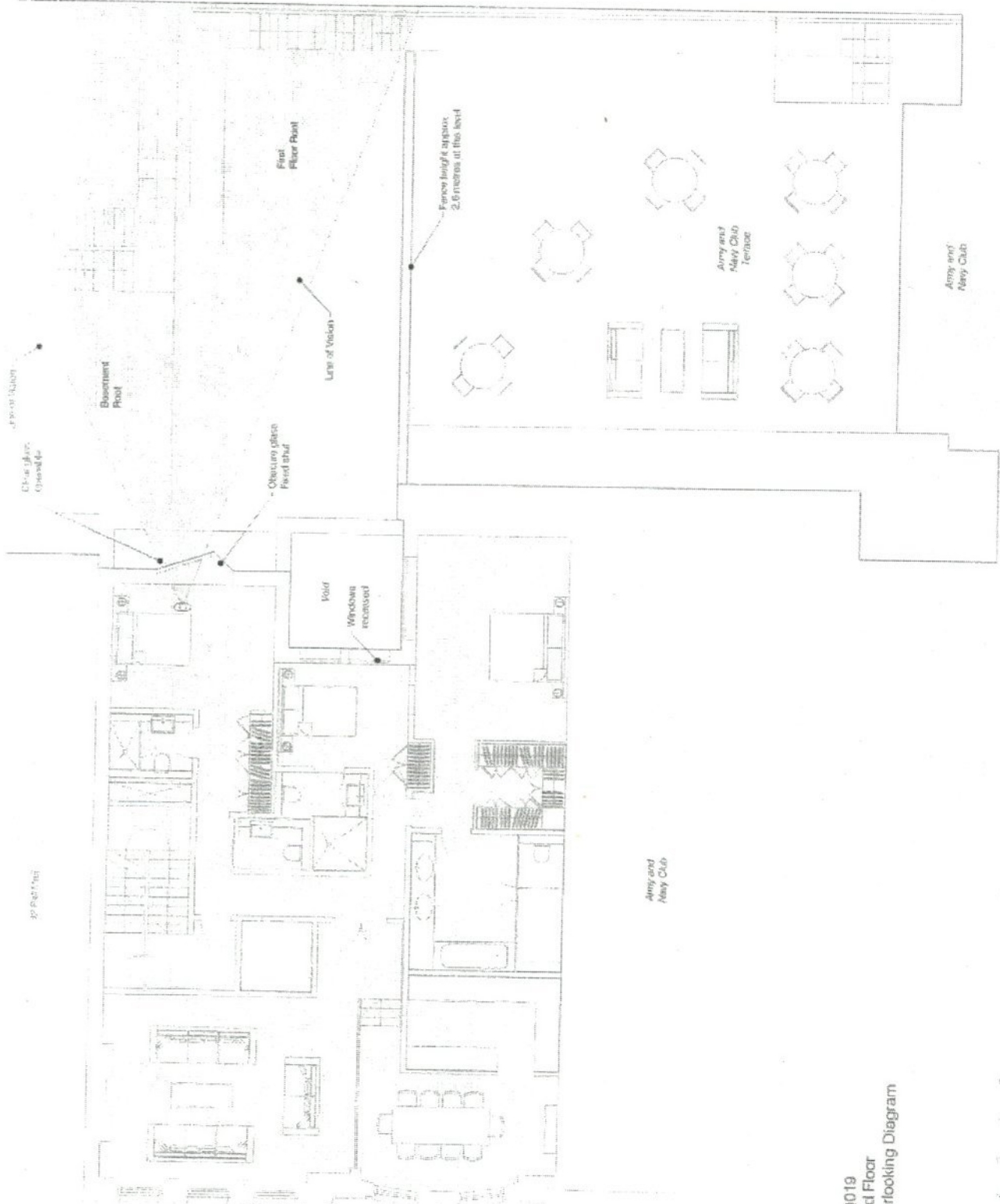
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(SK)019 Third Floor Overlooking Diagram

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**PLANNING**

Project Title:  
**40-41 Pall Mall**  
 Westminster  
 London  
 SW1 4RJ

Client:  
**Pall Mall Investments Ltd**

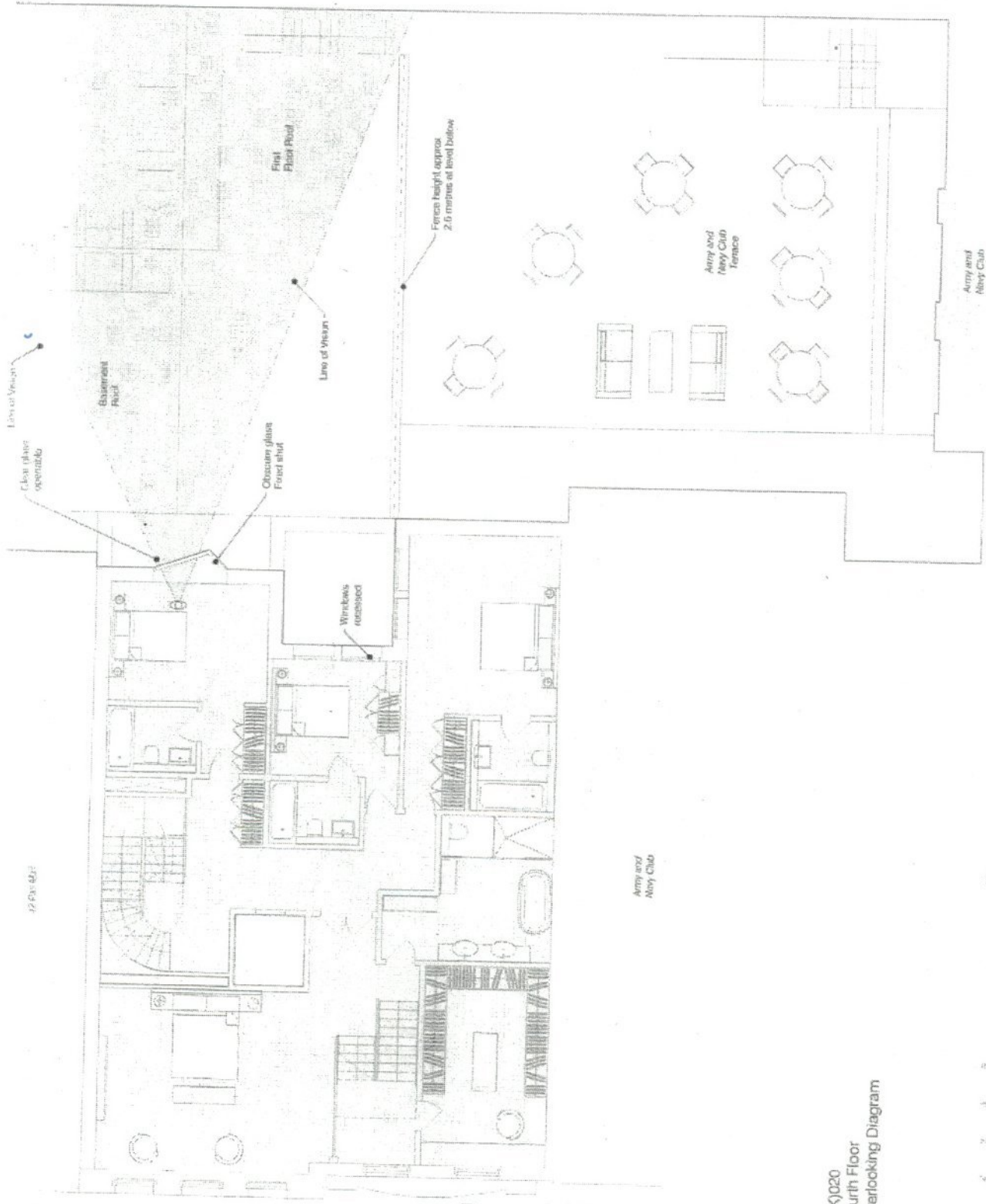
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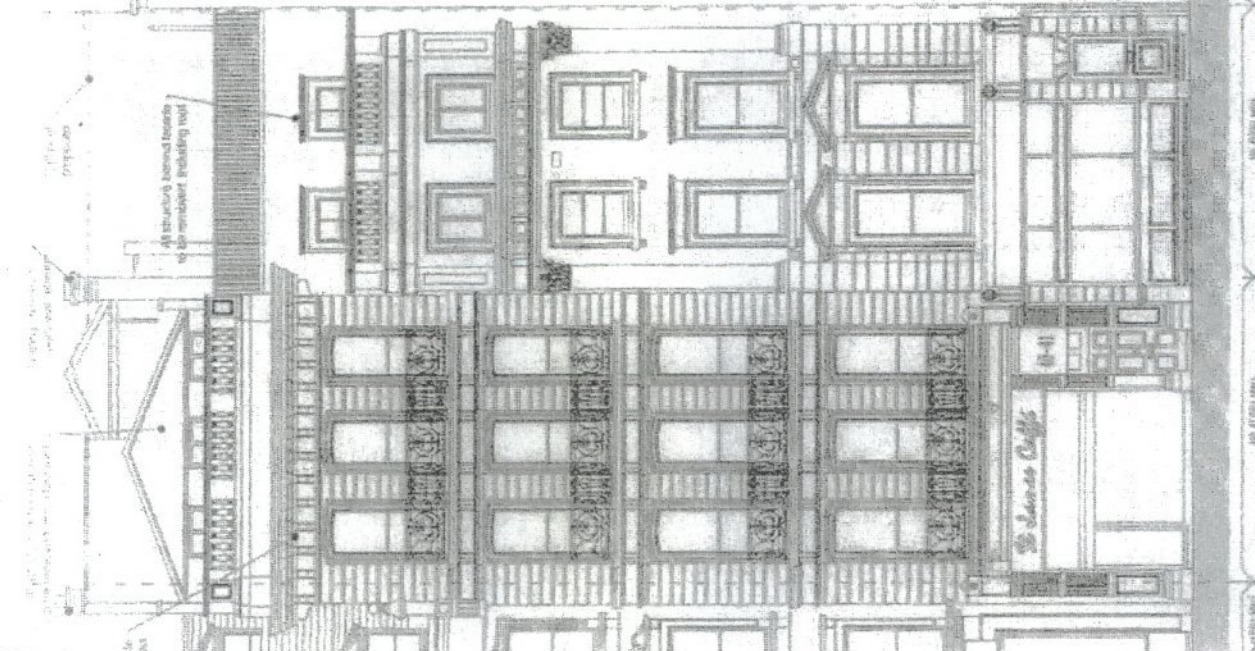
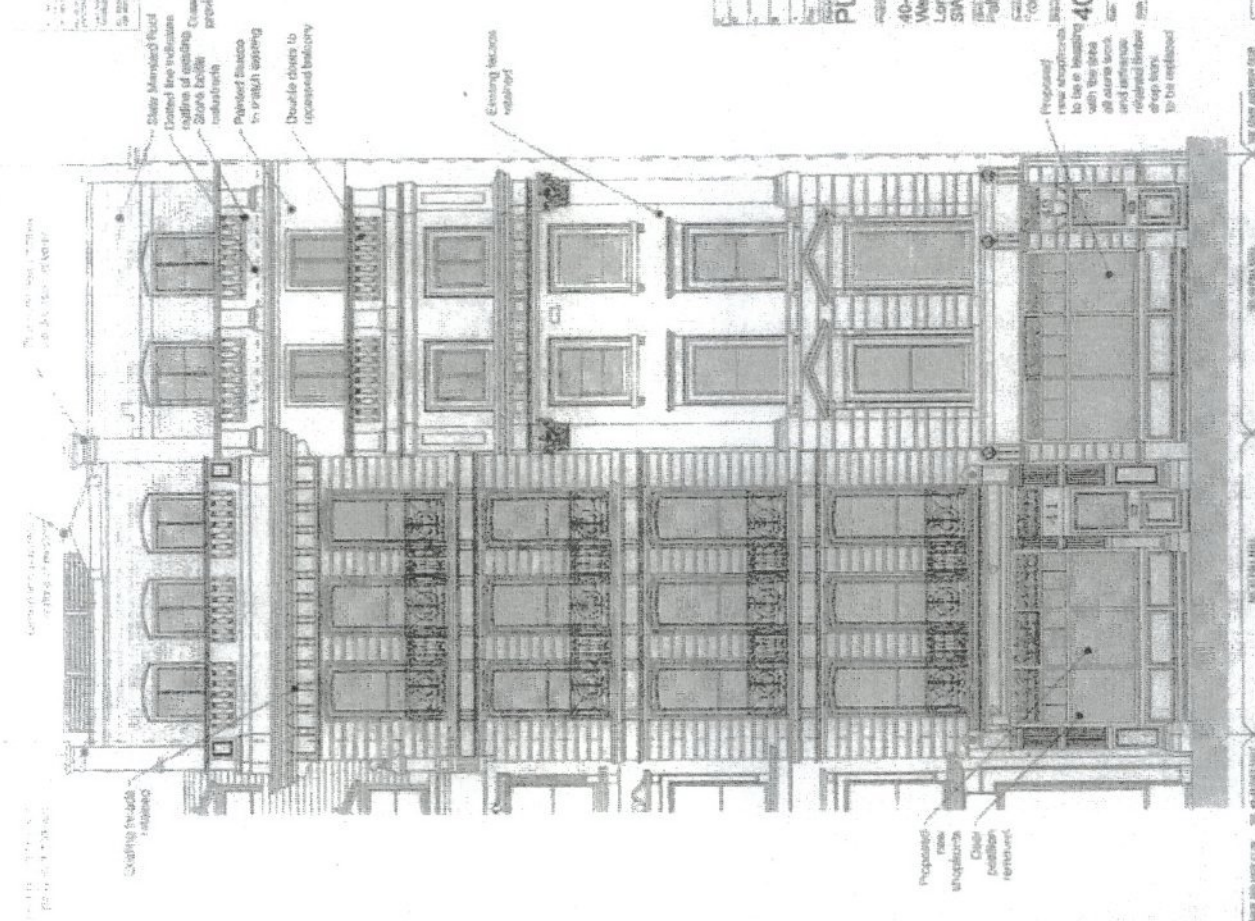
(SK)020  
 Fourth Floor  
 Overlooking Diagram





1. The proposed development is shown in red on the site plan.  
 2. The proposed development is shown in red on the site plan.  
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 4. The proposed development is shown in red on the site plan.  
 5. The proposed development is shown in red on the site plan.

Counters based on survey plan and  
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PLANNING	
Project Name	40-41 Pall Mall
Client	Westminster London SW1 4RN
Architect	NFA architects
Planning Ref	4046 (SK) 006 E
Date	10/10/10
Scale	1:100
Drawn by	[Name]
Checked by	[Name]
Project Manager	[Name]

**PLANNING**  
 40-41 Pall Mall  
 Westminster  
 London SW1 4RN  
 Pall Mall Investments Ltd  
 From Elevation As Proposed/Existing  
**4046 (SK) 006 E**  
 NFA architects  
 10/10/10  
 1:100  
 paul david architecture  
 paul.david@paul-david.com



Elevation Pall Mall As Existing  
 Elevation Pall Mall As Proposed  
 Scale 1:100

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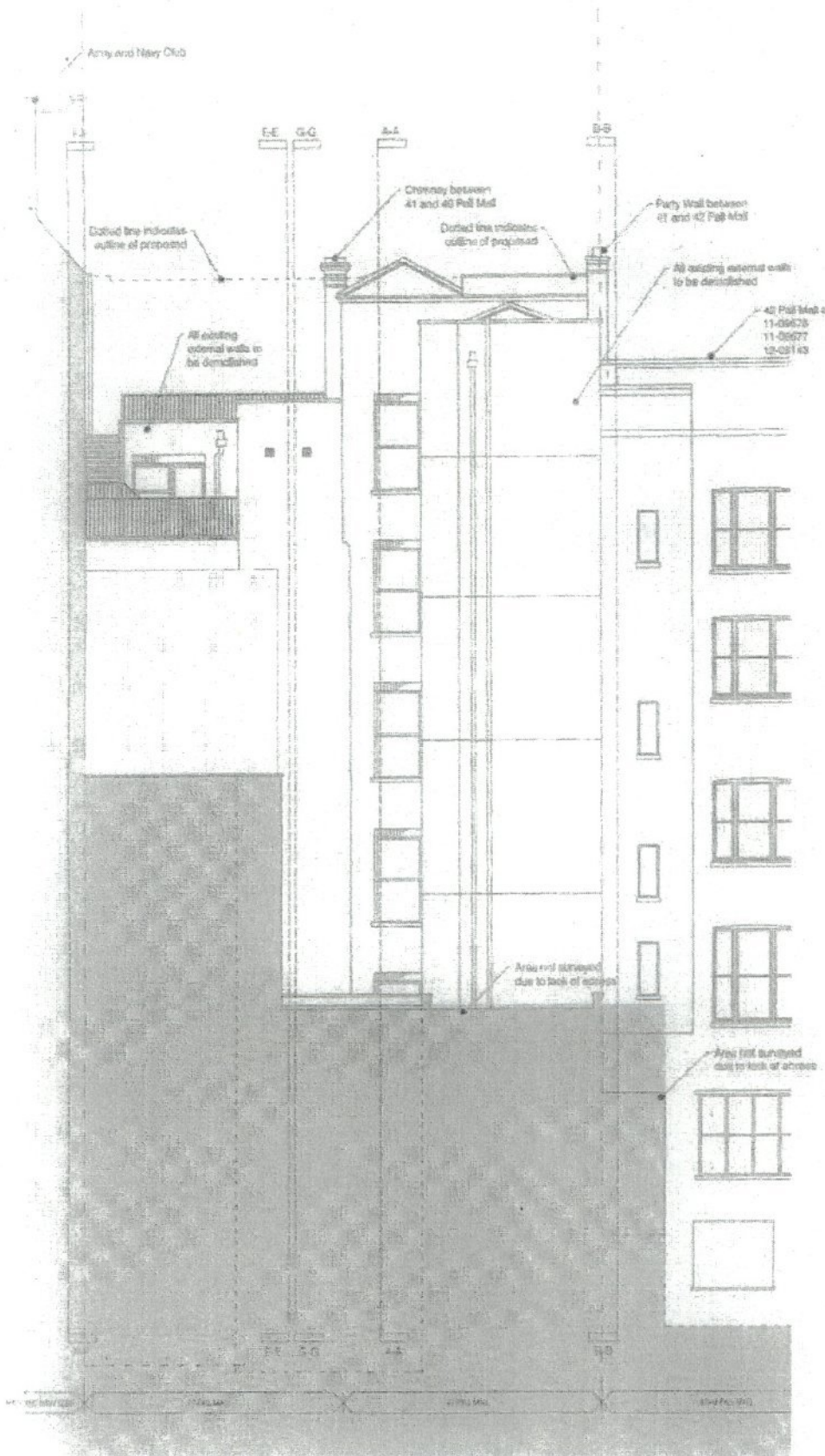
**NOTES**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING REGULATIONS 2010 AND THE PARTIAL EXEMPTION REGULATIONS 2010.

2. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPOSED WORKS AND THEREFORE CANNOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED.

3. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPOSED WORKS AND THEREFORE CANNOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED.

4. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPOSED WORKS AND THEREFORE CANNOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED.



Rear Elevation  
As Surveyed

Client	Paul Davis
Project Name	40-41 Pall Mall
Address	Westminster, London SW1 4RU
Survey Type	Planning

**PLANNING**

Project No: 40-41 Pall Mall  
Westminster  
London  
SW1 4RU

Client: Paul Davis Investments Ltd

Survey No: Rear Elevation As Surveyed

Drawing No: 4046 (EX) 011 D

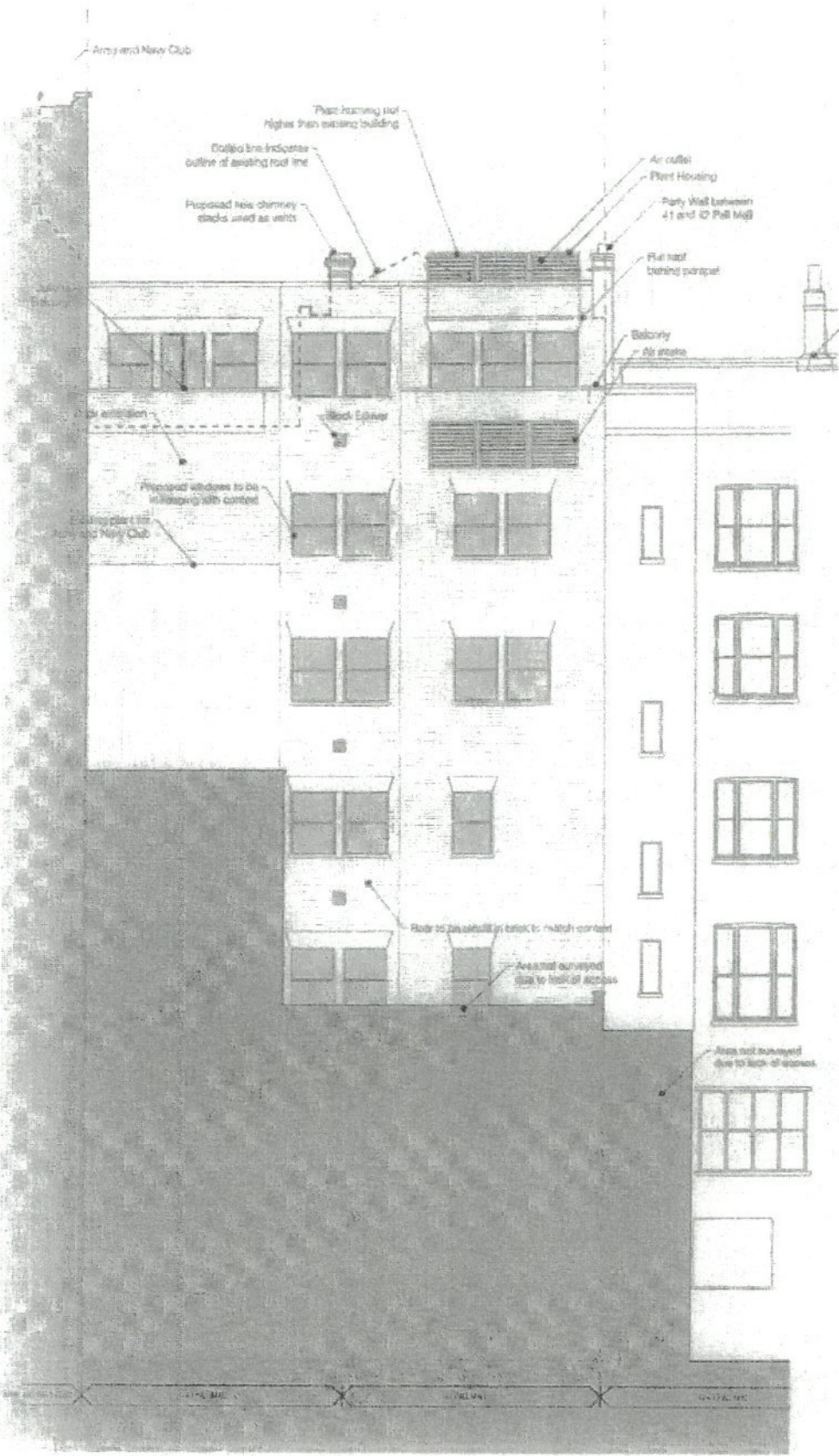
Date: 10/08/2010

**NFA architects**  
paul davis architecture

10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

Form 2 (Rev. 11/01) of survey information  
 ABC Surveys Ltd  
 Building Surveyors

10529  
 This document is the property of the Surveyor and is not to be distributed outside the client's organization.  
 The Surveyor does not accept liability for any loss or damage arising from the use of this document.  
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NO.	DATE	DESCRIPTION
1	11/11/07	PLANNING
2	11/11/07	PLANNING
3	11/11/07	PLANNING
4	11/11/07	PLANNING

**PLANNING**  
 Project No:  
**40-41 Pall Mall**  
 Westminster  
 London  
 SW1 4RJ  
 Client:  
 Pall Mall Investments Ltd  
 Drawing No:  
 Rear Elevation As Proposed  
 Drawing No:  
**4046 (SK) 010 B**  
 Date: 11/11/07  
 Scale: 1:1000  
**NFA architects**  
 paul davis architects

**NOTES**

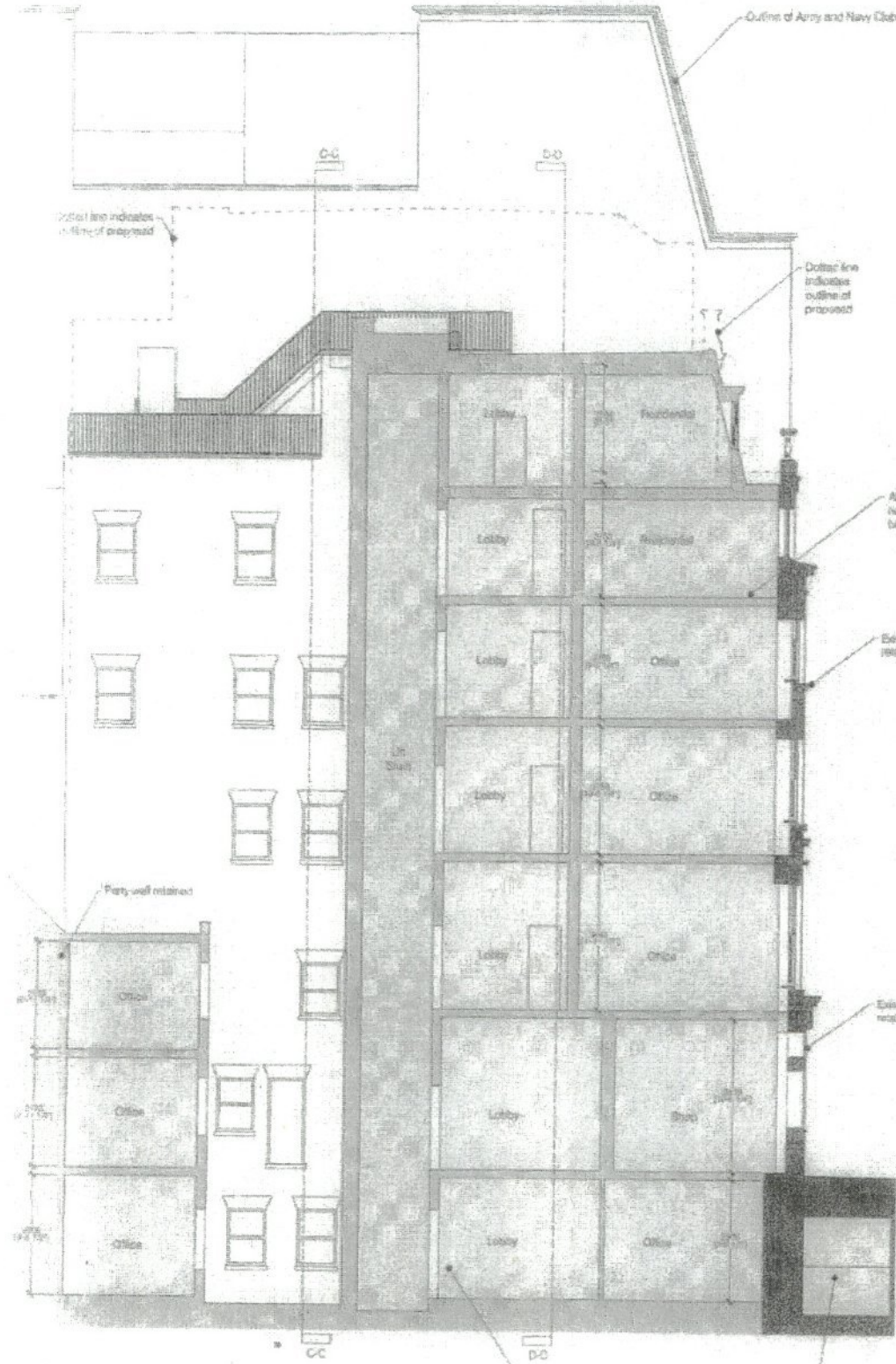
1. This drawing is prepared in accordance with the provisions of the Building Act 1984 and the Building Regulations 1991.

2. The drawings are prepared on the basis of a visual inspection of the building and the information provided by the client.

3. The drawings do not constitute a contract and are not to be used for any other purpose without the written consent of the surveyor.

4. The drawings are prepared on the basis of the information provided by the client and the surveyor's own observations.

5. The drawings are prepared on the basis of the information provided by the client and the surveyor's own observations.



Section B-B  
As Surveyed

DATE	DESCRIPTION
10/10/2011	Issue for client
10/10/2011	Issue for client
10/10/2011	Issue for client
10/10/2011	Issue for client
10/10/2011	Issue for client
10/10/2011	Issue for client

**PLANNING**

Plot No.  
45-41 Pall Mall  
Westminster  
London  
SW1 4RJ

Site  
Pall Mall Investments Ltd

Project No.  
Section B-B As Surveyed

Drawing No.  
4046 (EX) 010 D

Date Issued  
Drawing No.

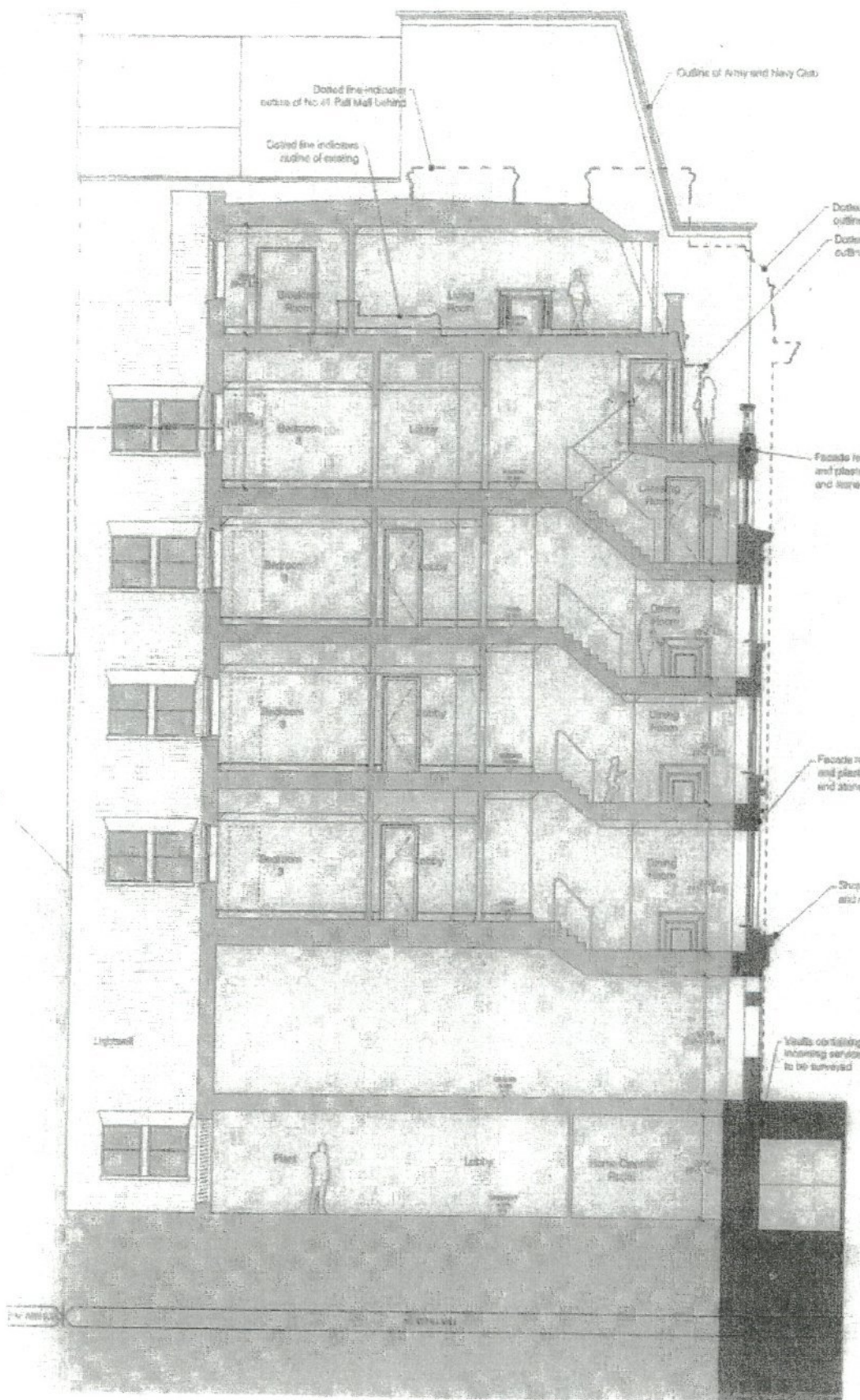
Scale  
Drawing No.

NFA architects

paul davis architects

Walls containing  
existing structures  
to be surveyed

**NOTE**  
 All measurements are taken from the internal face of walls unless otherwise stated.  
 All measurements are taken from the internal face of walls unless otherwise stated.  
 All measurements are taken from the internal face of walls unless otherwise stated.  
 All measurements are taken from the internal face of walls unless otherwise stated.  
 All measurements are taken from the internal face of walls unless otherwise stated.



**Section B-B  
As Proposed**

NO.	DESCRIPTION	DATE
1	Issue for Planning	10/10/11
2	Issue for Building Control	10/10/11
3	Issue for Construction	10/10/11

**PLANNING**

40-41 Pall Mall  
Westminster  
London  
SW1 4RJ  
 Pall Mall Investments Ltd  
 Section B-B As Proposed  
 4046 (SK) 009 C

**NFA architects**  
 paul davis architects  
 © NFA architects Ltd

ABC Surveys Ltd  
Building Surveyors

**Key**  
 Shaded Commercial Areas  
 Residential  
 All Commercial

**Basement Plan**  
 Street Community Areas - 483sqm / 110sqp  
 Residential - Basements - 101sqm  
 All Commercial - 33sqm / 30sqp  
 Gross Internal Area - 21,320sqm / 2,200sqp

**Ground Plan**  
 Street Community Areas - 443sqm / 117sqp  
 All Commercial - 148sqm / 1,280sqp  
 Gross External Area - 21,320sqm / 2,200sqp

Room	Area (sqm)	Area (sqft)	Notes
Basement	483	110	Street Community Areas
Basement	101	10	Residential
Basement	33	3	All Commercial
Ground	443	117	Street Community Areas
Ground	148	13	All Commercial
<b>Total</b>	<b>1065</b>	<b>116</b>	

**PLANNING**

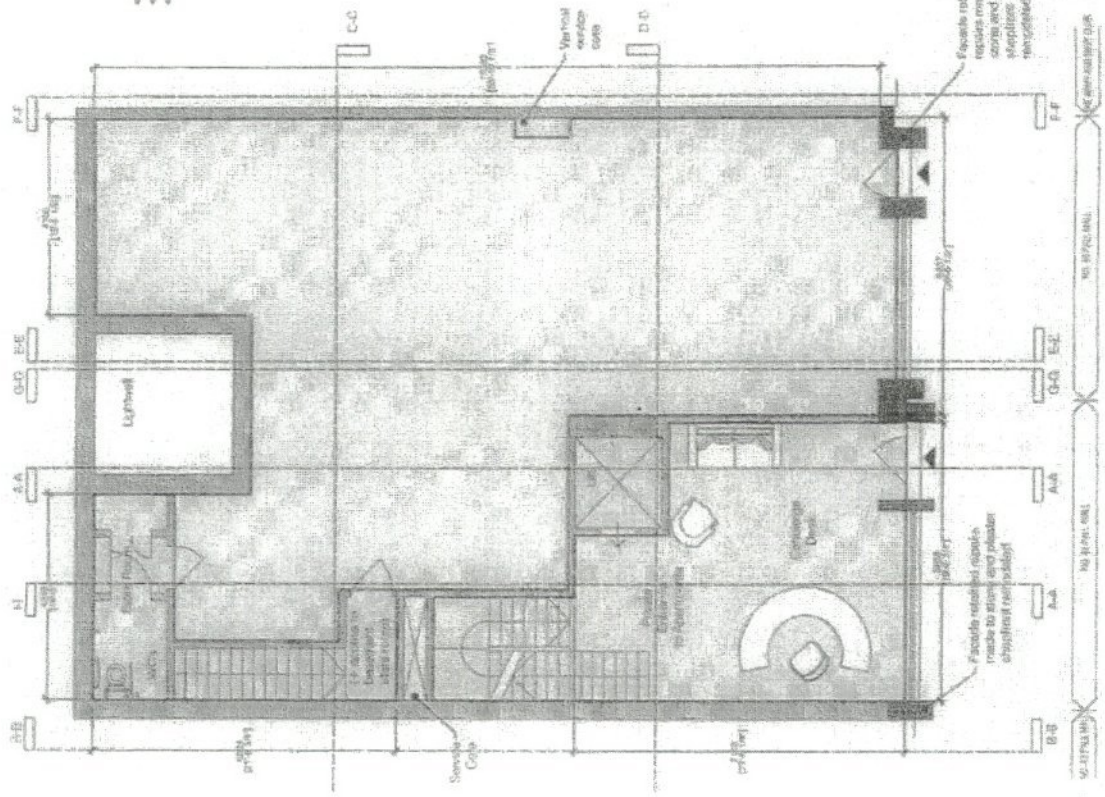
Project No: 40-41, Pall Mall Westminster London SW1 4RU

Client: Pall Mall Investments Ltd

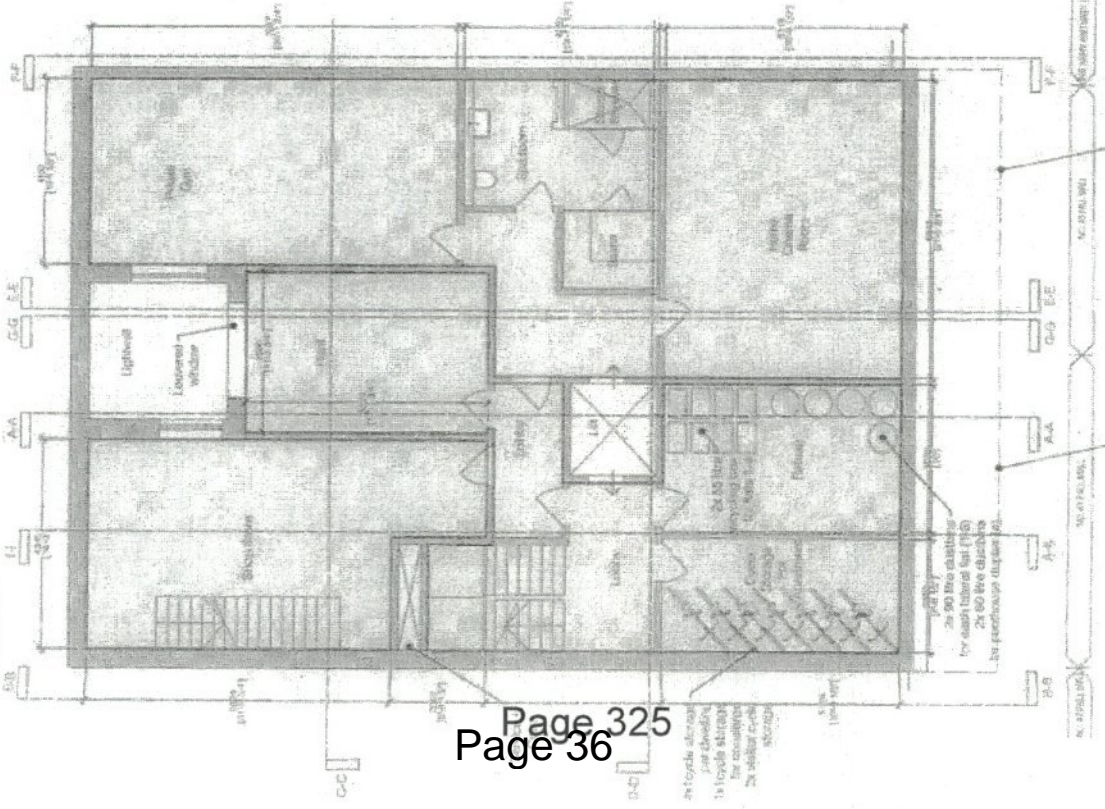
Basement: Ground Plan As Proposed

4046 (SK) 001 1

NFA architects  
 paul davis architects



Ground Floor Plan  
(Commercial Units 1)  
As Proposed



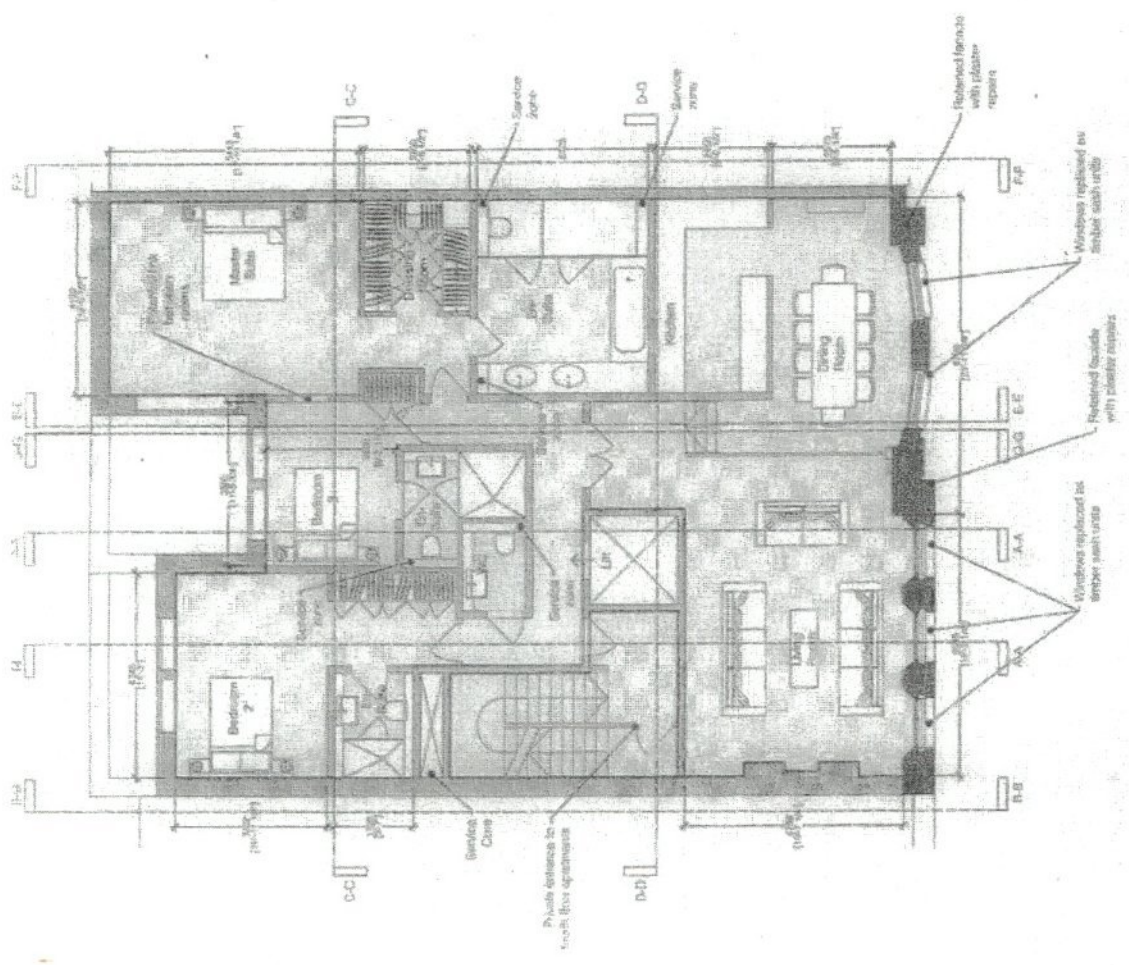
Basement Floor Plan  
(includes Duplex Apartment)  
As Proposed



1. This plan is a preliminary plan and is not to be used for any other purpose.  
 2. It is not to be used for any other purpose.  
 3. It is not to be used for any other purpose.  
 4. It is not to be used for any other purpose.  
 5. It is not to be used for any other purpose.

**Key:**  
 Charred Common Area  
 Residential

**Third Floor Plan**  
 Divided Common Area - 120sqm / 142sqft  
 Residential - 171sqm / 1840sqft  
 Gross Divided Area - 291sqm / 3262sqft



1:100  
 0 1 2 3 4 5  
 METRES

Third Floor Plan  
 (Apartment 3)  
 As Proposed

NO.	DESCRIPTION	DATE	BY
1	Issue for Planning	12/11/2014	ARC SURVEYS
2	Issue for Planning	12/11/2014	ARC SURVEYS
3	Issue for Planning	12/11/2014	ARC SURVEYS
4	Issue for Planning	12/11/2014	ARC SURVEYS
5	Issue for Planning	12/11/2014	ARC SURVEYS
6	Issue for Planning	12/11/2014	ARC SURVEYS
7	Issue for Planning	12/11/2014	ARC SURVEYS
8	Issue for Planning	12/11/2014	ARC SURVEYS
9	Issue for Planning	12/11/2014	ARC SURVEYS
10	Issue for Planning	12/11/2014	ARC SURVEYS

**PLANNING**

40-41 Pall Mall  
 Westminster  
 London  
 SW1 4RJ

Pall Mall Investments Ltd  
 Third Floor Plan As Proposed

**4046 (SK) 003 G**

12/11/2014

**NFA architects**  
 paul devis architect  
 40-41 Pall Mall  
 Westminster  
 London  
 SW1 4RJ



Drawings based on survey information provided by:  
**ABC Surveys Ltd**  
 Building Surveyors

Client:  
 Paul Davis  
 10, Upper Richmond Road, Richmond, Surrey TW9 1DF

Project:  
 4046 (SK) 004 I  
 Paul Davis Architecture

Revised:  
 Fourth Floor  
 Study  
 Bedrooms  
 Group Residential

Notes:  
 - To survey 2005/06/07  
 - To survey 12/04/07  
 - To survey 10/10/07  
 - To survey 20/08/07

No.	Description	Date
1	Issue for tender	10/10/07
2	Issue for construction	12/04/07
3	Issue for construction	20/08/07
4	Issue for construction	20/08/07
5	Issue for construction	20/08/07
6	Issue for construction	20/08/07
7	Issue for construction	20/08/07
8	Issue for construction	20/08/07
9	Issue for construction	20/08/07
10	Issue for construction	20/08/07

**PLANNING**

4046-41 Paul Mall  
 Westminster  
 London  
 SW1 4RU

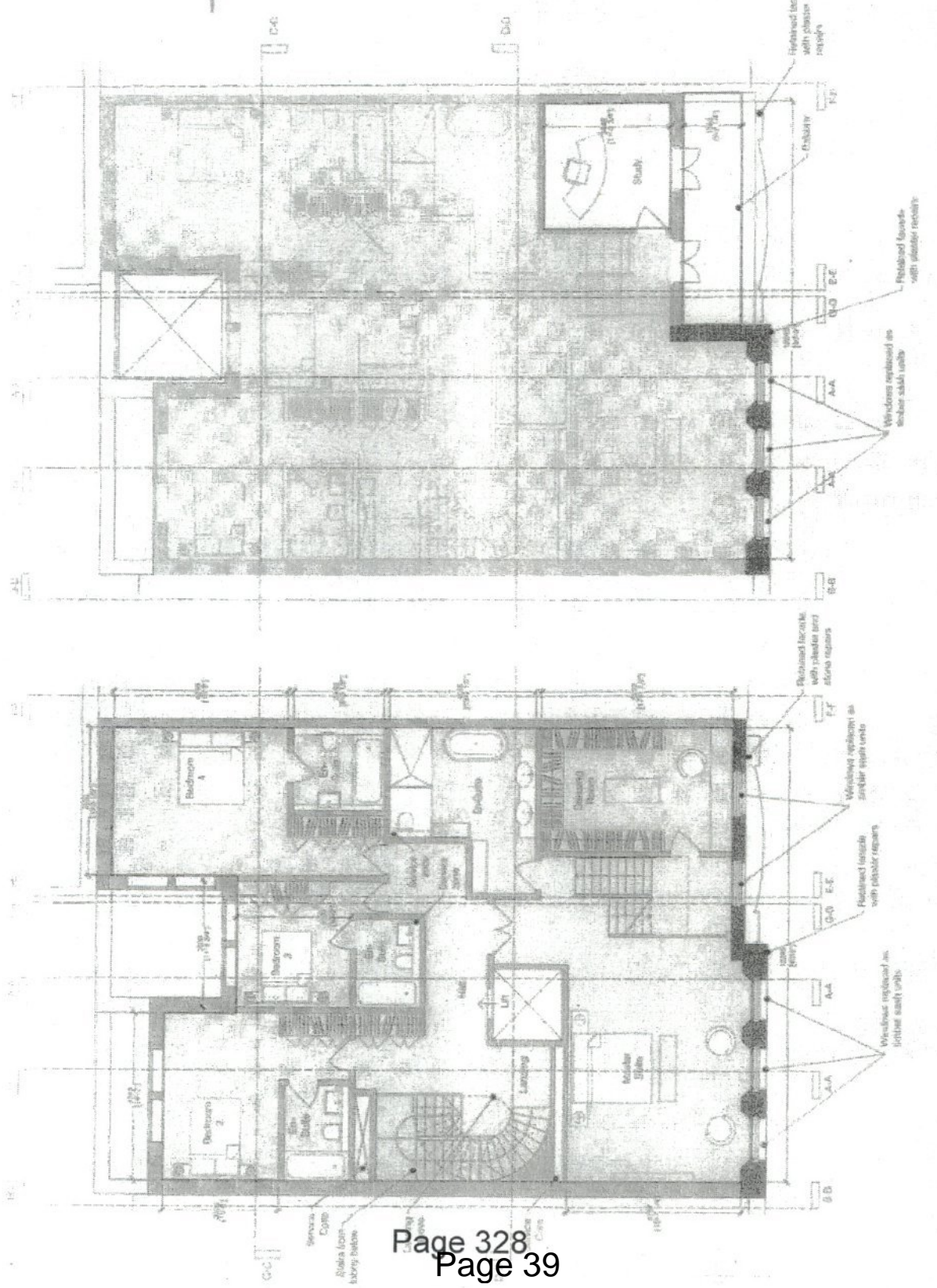
Paul Mall Investments Ltd

Fourth Floor Plan As Proposed

**4046 (SK) 004 I**

Scale: 1:500  
 Date: 10/10/07

**NFA architects**  
 10, Upper Richmond Road  
 Richmond, Surrey TW9 1DF  
 paul.davis@nfa-architects.co.uk  
 020 8996 8888



Scale: 1:500

Fourth Floor Plan (Duplex Apartment) As Proposed

Fourth Floor Plan (Duplex Apartment) As Proposed

Fourth Floor Plan (Duplex Apartment) As Proposed

Designs based on survey information supplied by  
**ABC Surveys Ltd**  
 Building Surveys

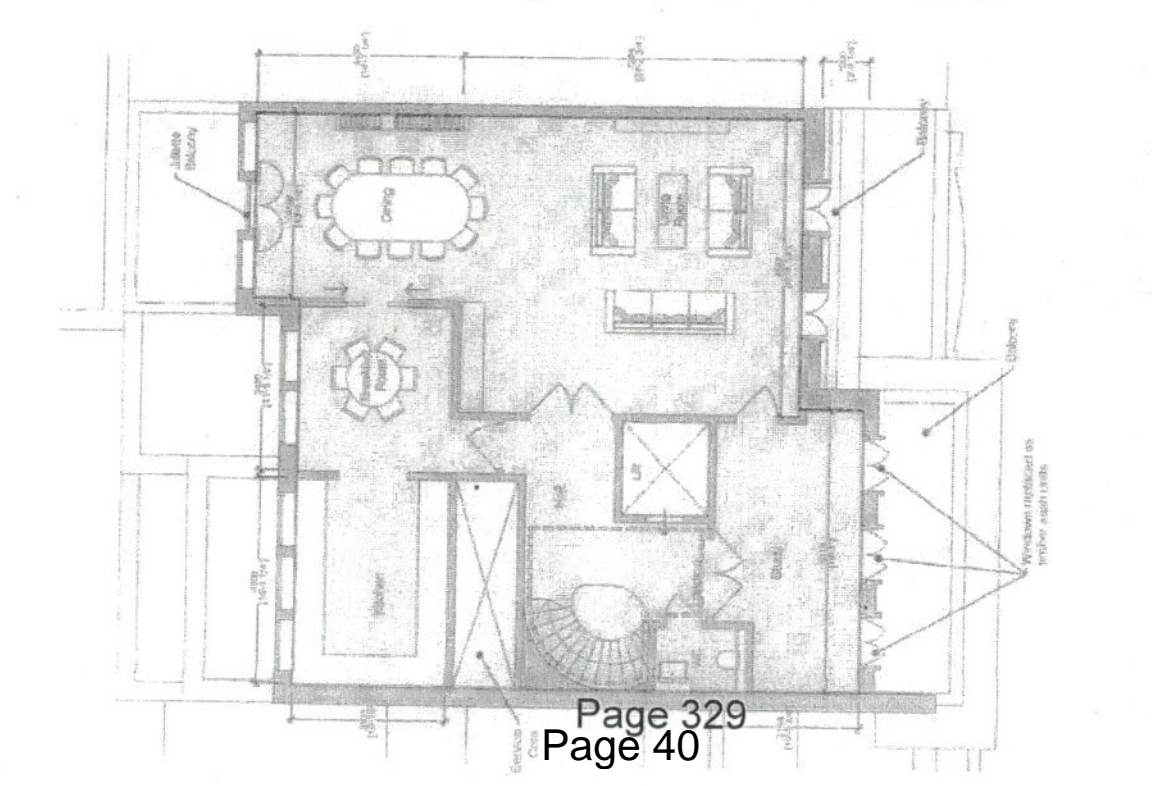
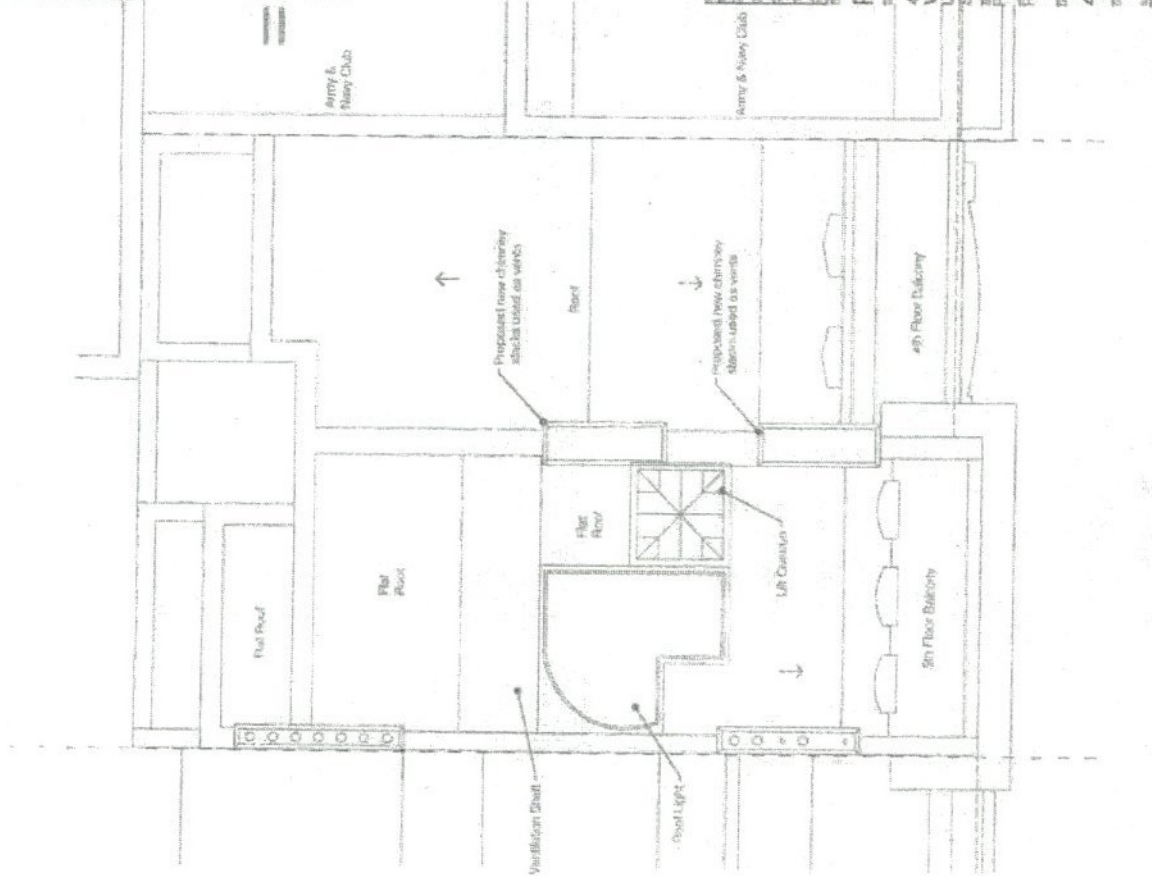
Key  
 Staircase  
 Reception  
 5th Floor Plan  
 Residential - 140sqm / 1501sqft  
 Gross External Area - 143sqm / 1545sqft

Room	Area (sqm)	Area (sqft)
Living Room	10.0	107.6
Dining Room	10.0	107.6
Kitchen	10.0	107.6
Bathroom	10.0	107.6
Bedroom	10.0	107.6
Hallway	10.0	107.6
WC	10.0	107.6
Storage	10.0	107.6
Other	10.0	107.6
<b>Total</b>	<b>140.0</b>	<b>1501.6</b>

**PLANNING**

40-41 Pall Mall Westminster London SW1 4RJ  
 Pall Mall Investments Ltd.  
 Roof Plan As Proposed  
**4046 (SK) 005 F**  
 Date: 10/10/11  
 Scale: 1:100

**NFA architects**  
 Paul Davis Architects Ltd  
 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000



Scale: 1:100  
 Roof Plan As Proposed  
 Fifth Floor Plan (Duplex Apartment) As Proposed  
 NFA architects  
 Paul Davis Architects Ltd  
 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000

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**DRAFT DECISION LETTER**

**Address:** 40 - 41 Pall Mall, London, SW1Y 5JG

**Proposal:** Demolition of 40 and 41 Pall Mall behind retained facades and redevelopment to provide a building of basement, ground and five upper floors comprising retail (Class A1) at part basement and part ground floor levels with the remainder of the building in use as four self-contained residential flats (Class C3).

**Plan Nos:** 4046(LO)001; 4046(EX)001D; 4046(EX)002D; 4046(EX)003D; 4046(EX)004D; 4046(EX)005D; 4046(EX)006D; 4046(EX)007D; 4046(EX)008C; 4046(EX)009D; 4046(EX)010D; 4046(EX)011D; 4046(EX)012D; 4046(EX)013C; 4046(EX)015; 4046(EX)016; 4046(EX)017; 4046(EX)018; 4046(EX)019; 4046(EX)020; 4046(EX)021; 4046(EX)022; 4046(EX)023; 4046(EX)024; 4046(EX)025; 4046(EX)026; 4046(EX)027; 4046(EX)028; 4046(EX)029; 4046(EX)030; 4046(EX)031; 4046(EX)032; 4046(SK)001I; 4046(SK)002G; 4046(SK)003I; 4046(SK)004N; 4046(SK)005G; 4046(SK)006E; 4046(SK)007B; 4046(SK)008B; 4046(SK)009F; 4046(SK)010E; 4046(SK)011; 4046(SK)012B; 4046(SK)013B; 4046(SK)014C; 4046(SK)015; 4046(SK)016D; 4046(SK)018C; L(14)01P1; L(14)02P1; BRE Daylight/Sunlight Report dated October 2014; Sustainability Statement; Preliminary M&E Services Description; Historic Building report dated October 2014; Noise Impact Assessment Ref: 102792.ph.Issue1; Design and Access Statement RevB.

**Case Officer:** Vincent Nally

**Direct Tel. No.** 020 7641 5947

**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 carry out any building work which can be heard at the boundary of the site only:

- \* between 08.00 and 18.00 Monday to Friday;
- \* between 08.00 and 13.00 on Saturday; and
- \* not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

**Reason:**

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number 4046(SK)001 I. You must clearly mark them and make them available at all times to everyone using the premises and the waste store shall not be used for any other purpose.

**Reason:**

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary

Development Plan that we adopted in January 2007. (R14BD)

- 4 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 TRANS 10 of our Unitary Development Plan that we adopted in January 2007.

- 5 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: Strategic Policies adopted November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 6 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 St James's Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 7 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St James's Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 8 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 protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the St James's Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 9 You must submit detailed drawings at a scale of 1:10 and sections at 1:5 of the following parts of the development:

- i) Windows,
- ii) privacy screen,
- iii) Doors,
- iv) Shopfront, including proposed finishes.

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St James's Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 10 You must 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 St James's Conservation Area as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 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)

- 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: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 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 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.

- 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 and 12 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

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

- 16 You must apply to us for approval of sound insulation measures to demonstrate that the residential units will comply with the Council's noise criteria set out in Condition 13 and 14 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:

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

- 17 You must apply to us for approval of details of all ventilation systems, flues and plant associated with the residential use. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the work according to these details prior to occupation.

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.

- 18 If the Class A1 retail unit hereby approved is to be used by a food retailer, you must submit a detailed Servicing Management Plan for the approval of the City Council before occupation of the Class A1 retail unit. The plan must include details of the management of waste, delivery vehicles, number of deliveries, time of deliveries and how deliveries will be managed. The Class A1 use must then operate in accordance with the approved Servicing Management Plan.

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 19 You must not use areas of roof at rear fourth and fifth floor levels for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and



ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007.  
(R21BC)

- 20 The sections of window facing the Army and Navy Club in the rear elevation of the closet wing to No.40 at third and fourth floor levels must be permanently fixed shut and those sections of window and the privacy screen around the edge of the closet wing roof to No.40 at fifth floor level must not be made of clear glass. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission. (C21DB)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007.  
(R21BC)

#### **Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You 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)
- 3 We recommend you speak to the Head of the District Surveyors' Services about the stability and condition of the walls to be preserved. He may ask you to carry out other works to secure the walls. Please phone 020 7641 7240 or 020 7641 7230. (I22AA)
- 4 You must apply for a licence from our Highways Licensing Team if you plan to block the road or pavement during structural work to support the building. Your application will need to show why you cannot support the building from private land. For more advice, please phone 020 7641 2560. (I36AA)
- 5 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)

- 6 Your proposals include demolition works. If the estimated cost of the whole project exceeds £300,000 (excluding VAT), the Site Waste Management Plan (SWMP) Regulations 2008 require you to prepare an SWMP before works begin, to keep the Plan at the site for inspection, and to retain the Plan for two years afterwards. One of the duties set out in the Regulations is that the developer or principal contractor "must ensure, so far as is reasonably practicable, that waste produced during construction is re-used, recycled or recovered" (para 4 of the Schedule to the Regulations). Failure to comply with this duty is an offence. Even if the estimated cost of the project is less than £300,000, the City Council strongly encourages you to re-use, recycle or recover as much as possible of the construction waste, to minimise the environmental damage caused by the works. The Regulations can be viewed at [www.opsi.gov.uk](http://www.opsi.gov.uk).
- 7 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, [siteenquiries@ccscheme.org.uk](mailto:siteenquiries@ccscheme.org.uk) or visit [www.ccscheme.org.uk](http://www.ccscheme.org.uk).
- 8 Conditions 11 and 12 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)

**NOTES**

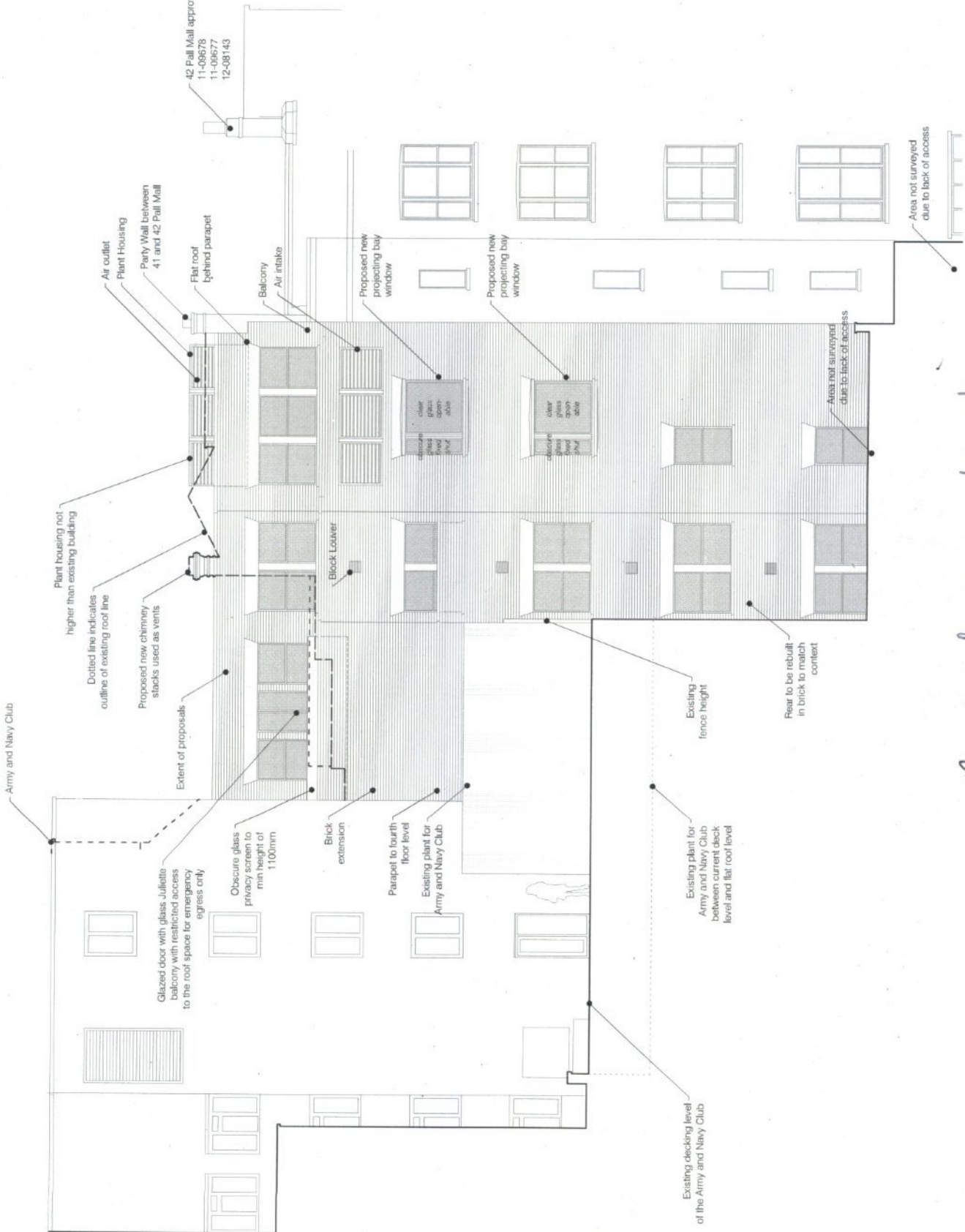
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Drawings based on survey information provided by: **ABC Surveys Ltd**  
Building Surveyors

42 Pall Mall approved in applications:  
11-086278  
11-086277  
12-081743



*Revised rear elevation*



D	02/06/2015	Finalist and 428 New and built
C	02/07/2015	Planning permission
B	02/08/2015	Planning permission
A	02/09/2015	Planning permission
Rev	Initial & Date	Modifications

**PLANNING**

Project Name: **40-41 Pall Mall Westminster London SW1 4RJ**

Client: **Pall Mall Investments Ltd**

Drawings Title: **Rear Elevation As Proposed**

Drawing No: **4046 (SK) 016 D**

Date: **Sept 2014** Drawn by: **DS**

Scale: **1:100 (AS 1:50)**

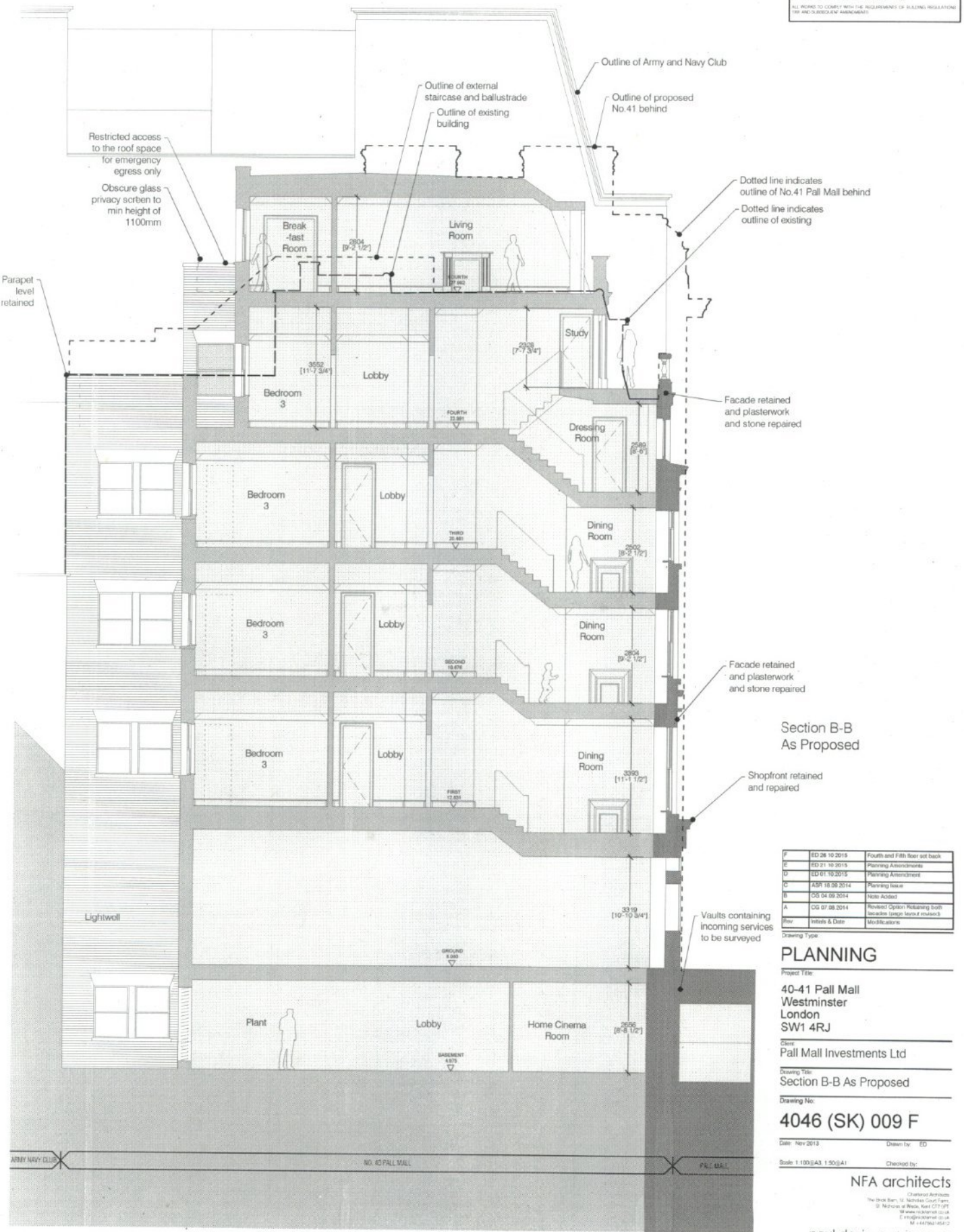
Checked by:

**NFA architects**  
The Old Bank, 25, Northbank Court Park, 15 Northbank, London SW1A 1AA  
Tel: +44 (0)20 7646 4646  
www.nfaarchitects.com

**paul davis architecture**  
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Rev	Issue & Date	Modifications
F	ED 26 10 2015	Fourth and Fifth floor set back
E	ED 21 10 2015	Planning Amendments
D	ED 01 10 2015	Planning Amendments
C	ASR 16 08 2014	Planning Issue
B	OS 04 09 2014	Note Added
A	CG 07 08 2014	Revised Option Retaining both balconies (single level 2 stories)

Drawing Type: **PLANNING**  
Project Title:  
**40-41 Pall Mall**  
Westminster  
London  
SW1 4RJ  
Client:  
**Pall Mall Investments Ltd**  
Drawing Title:  
**Section B-B As Proposed**  
Drawing No:  
**4046 (SK) 009 F**  
Date: Nov 2013 Drawn by: ED  
Scale: 1:100 @ A3 1:50 @ A1 Checked by:

**NFA architects**  
Chartered Architects  
The Grove Barn, 12, Nicholas Court Farm,  
25, Redcross Lane, Kent CT7 0PT  
www.nfaarchitects.co.uk  
E: info@nfaarchitects.co.uk  
M: 01474 654112  
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10. THE DRAWING IS TO BE USED IN CONNECTION WITH THE BUILDING REGULATIONS.

Drawings based on survey information provided by: **ABC Surveys Ltd**  
Building Surveyors

C	02.10.2015	Final and / or Final and / or Final
B	02.11.2015	Planning (overlook)
A	02.12.2015	Planning (overlook)
Rev	1	Initial & Date
		Modifications

**PLANNING**

Project Title: **40-41 Pall Mall Westminster London SW1 4RJ**

Client: **Pall Mall Investments Ltd**

Drawing Title: **Overlooking Diagram**

Drawing No: **4046 (SK) 018 C**

Date: **Sept 2014** Drawn by: **CG**

Scale: **1:100 (A3)** Created by:

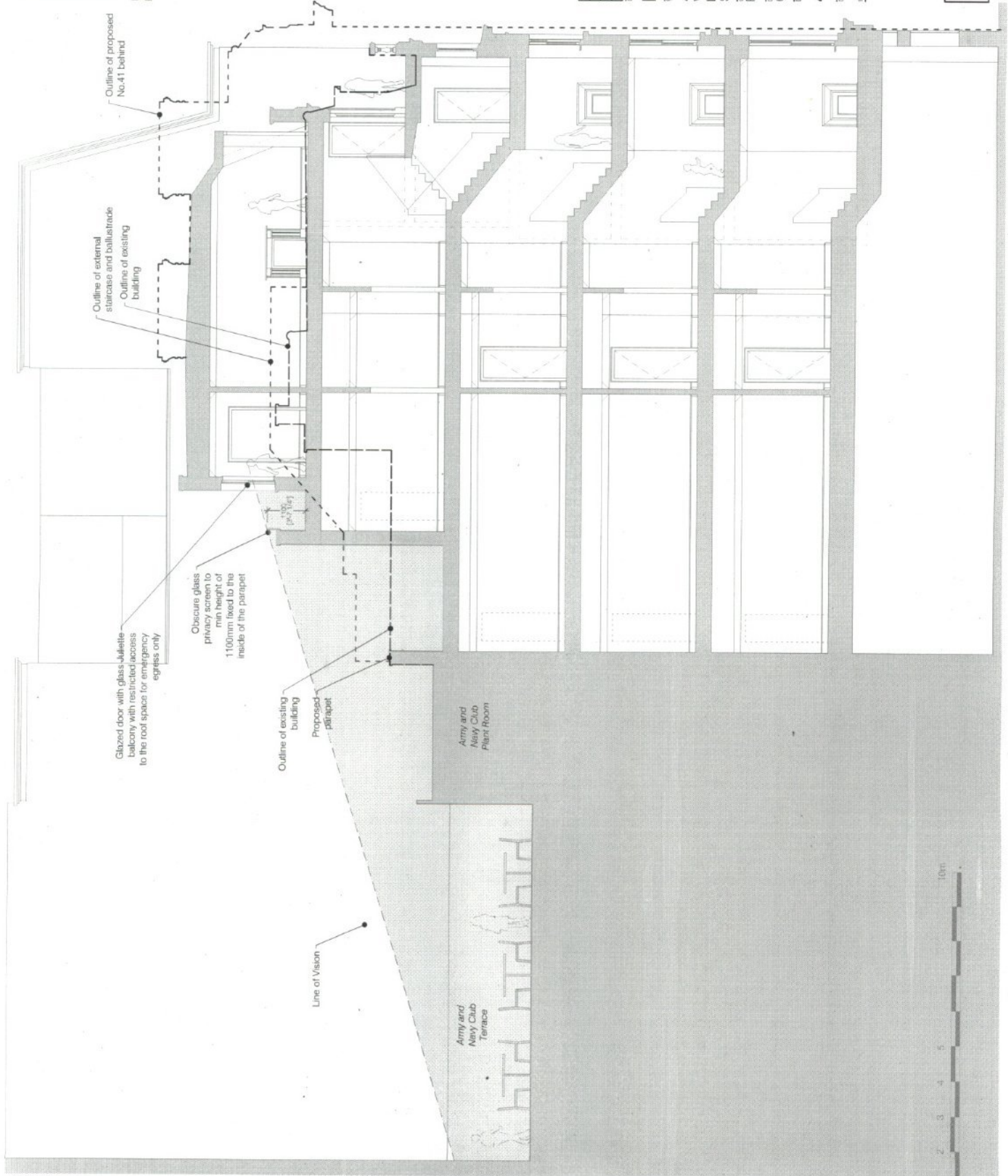
**NFA architects**

The Architects  
15 York Street, London, EC3A 3AP  
Tel: 020 7493 4141  
www.nfa-architects.co.uk

**paul davis architecture**

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Drawings based on survey information provided by:  
**ABC Surveys Ltd**  
 Building Surveyors

**Key:**  
 Residential

Fourth Floor  
 Study  
 Balcony  
 Gross Residential - 183sqm/1978sqft  
 - 120sqm/1286sqft  
 - 103sqm/1078sqft  
 Gross Residential - 205sqm/2207sqft

No.	Date	Description
1	01.08.2015	Final and full set of drawings
2	01.08.2015	Planning Application
3	01.08.2015	Planning Application
4	01.08.2015	Planning Application
5	01.08.2015	Planning Application
6	01.08.2015	Planning Application
7	01.08.2015	Planning Application
8	01.08.2015	Planning Application
9	01.08.2015	Planning Application
10	01.08.2015	Planning Application
11	01.08.2015	Planning Application
12	01.08.2015	Planning Application
13	01.08.2015	Planning Application
14	01.08.2015	Planning Application
15	01.08.2015	Planning Application
16	01.08.2015	Planning Application
17	01.08.2015	Planning Application
18	01.08.2015	Planning Application
19	01.08.2015	Planning Application
20	01.08.2015	Planning Application

**PLANNING**

Project Title:  
**40-41 Pall Mall Westminster London SW1 4RJ**

Client:  
**Pall Mall Investments Ltd**

Drawing Title:  
**Fourth Floor Plan As Proposed**

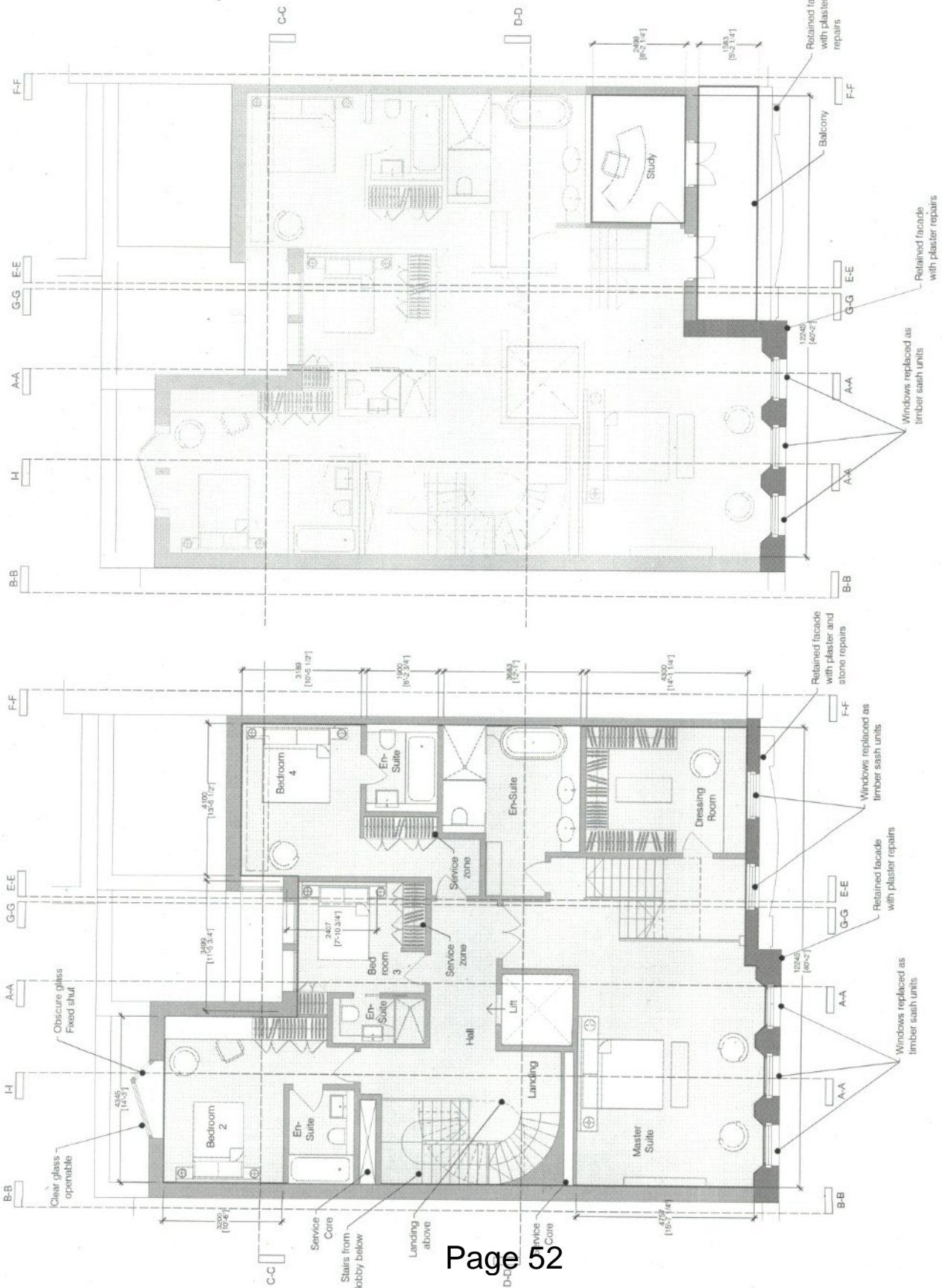
Drawing No:  
**4046 (SK) 004 M**

Date: 17th July 2013  
 Drawn by: ED  
 Checked by: ED

Scale: 1:100 (A4, 1:200 (A1))

**NFA architects**  
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**paul davis architecture**  
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Scale: 1:100

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NO. 42 PALL MALL THE ARMY AND NAVY CLUB NO. 43 PALL MALL NO. 40 PALL MALL NO. 41 PALL MALL NO. 40 PALL MALL THE ARMY AND NAVY CLUB

**Fourth Floor Plan (Duplex Apartment) As Proposed**

**Fourth Floor Plan (Duplex Apartment) As Proposed**

**NOTES**

1. ALL WORKS TO BE COMPLETED BY THE CONTRACTOR BEFORE THE COMMENCEMENT OF THE WORKS.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONSENTS AND PERMISSIONS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONSENTS AND PERMISSIONS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONSENTS AND PERMISSIONS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONSENTS AND PERMISSIONS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.

Drawings based on survey information provided by:  
**ABC Surveys Ltd**  
 Building Surveyors

**Key:**  
 Shared Common Areas  
 Residential

**Fifth Floor Plan**  
 Residential - 141sqm / 1518sqft  
 Gross External Area - 159sqm / 1711sqft

Rev	Date	Description
1	15/03/2013	Planning Approved
2	15/03/2013	Planning Approved
3	15/03/2014	Planning Approved
4	15/03/2014	Planning Approved
5	15/03/2014	Planning Approved
6	15/03/2014	Planning Approved
7	15/03/2014	Planning Approved
8	15/03/2014	Planning Approved
9	15/03/2014	Planning Approved
10	15/03/2014	Planning Approved
11	15/03/2014	Planning Approved
12	15/03/2014	Planning Approved
13	15/03/2014	Planning Approved
14	15/03/2014	Planning Approved
15	15/03/2014	Planning Approved
16	15/03/2014	Planning Approved
17	15/03/2014	Planning Approved
18	15/03/2014	Planning Approved
19	15/03/2014	Planning Approved
20	15/03/2014	Planning Approved

**PLANNING**

Project Title  
**40-41 Pall Mall**  
 Westminster  
 London  
 SW1 4RJ

Client  
 Pall Mall Investments Ltd

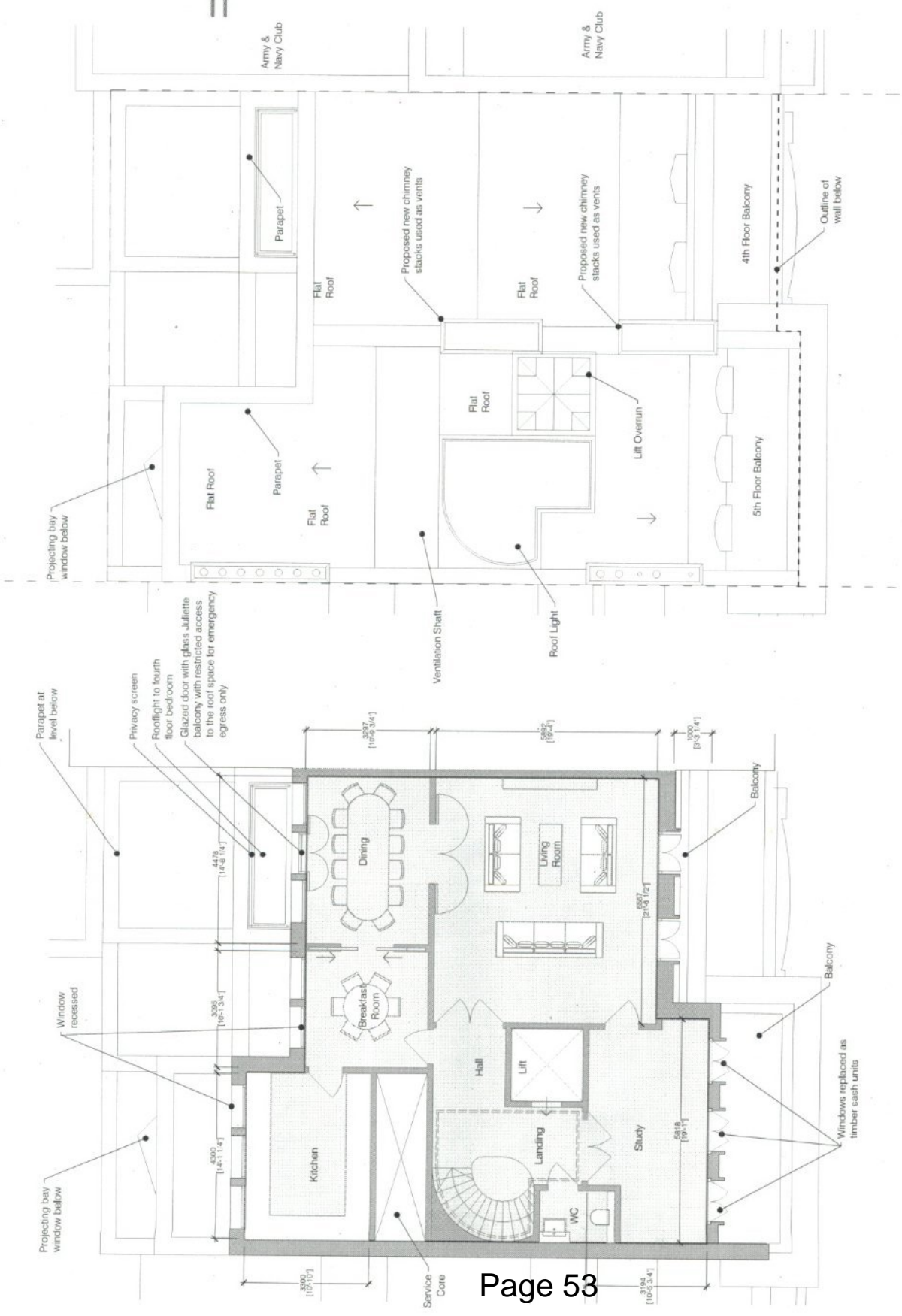
Roof Plan As Proposed

Drawing No:  
**4046 (SK) 005 G**

Date: 15/03/2013  
 Drawn by: ED  
 Checked by:

**NFA architects**  
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**paul davis architecture**  
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NO. 42 PALL MALL NO. 43 PALL MALL NO. 44 PALL MALL NO. 45 PALL MALL NO. 46 PALL MALL NO. 47 PALL MALL NO. 48 PALL MALL NO. 49 PALL MALL NO. 50 PALL MALL NO. 51 PALL MALL NO. 52 PALL MALL NO. 53 PALL MALL NO. 54 PALL MALL NO. 55 PALL MALL NO. 56 PALL MALL NO. 57 PALL MALL NO. 58 PALL MALL NO. 59 PALL MALL NO. 60 PALL MALL NO. 61 PALL MALL NO. 62 PALL MALL NO. 63 PALL MALL NO. 64 PALL MALL NO. 65 PALL MALL NO. 66 PALL MALL NO. 67 PALL MALL NO. 68 PALL MALL NO. 69 PALL MALL NO. 70 PALL MALL NO. 71 PALL MALL NO. 72 PALL MALL NO. 73 PALL MALL NO. 74 PALL MALL NO. 75 PALL MALL NO. 76 PALL MALL NO. 77 PALL MALL NO. 78 PALL MALL NO. 79 PALL MALL NO. 80 PALL MALL NO. 81 PALL MALL NO. 82 PALL MALL NO. 83 PALL MALL NO. 84 PALL MALL NO. 85 PALL MALL NO. 86 PALL MALL NO. 87 PALL MALL NO. 88 PALL MALL NO. 89 PALL MALL NO. 90 PALL MALL NO. 91 PALL MALL NO. 92 PALL MALL NO. 93 PALL MALL NO. 94 PALL MALL NO. 95 PALL MALL NO. 96 PALL MALL NO. 97 PALL MALL NO. 98 PALL MALL NO. 99 PALL MALL NO. 100 PALL MALL

Scale: 1:100

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THE ARMY AND NAVY CLUB

Fifth Floor Plan (Duplex Apartment) As Proposed

Roof Plan As Proposed

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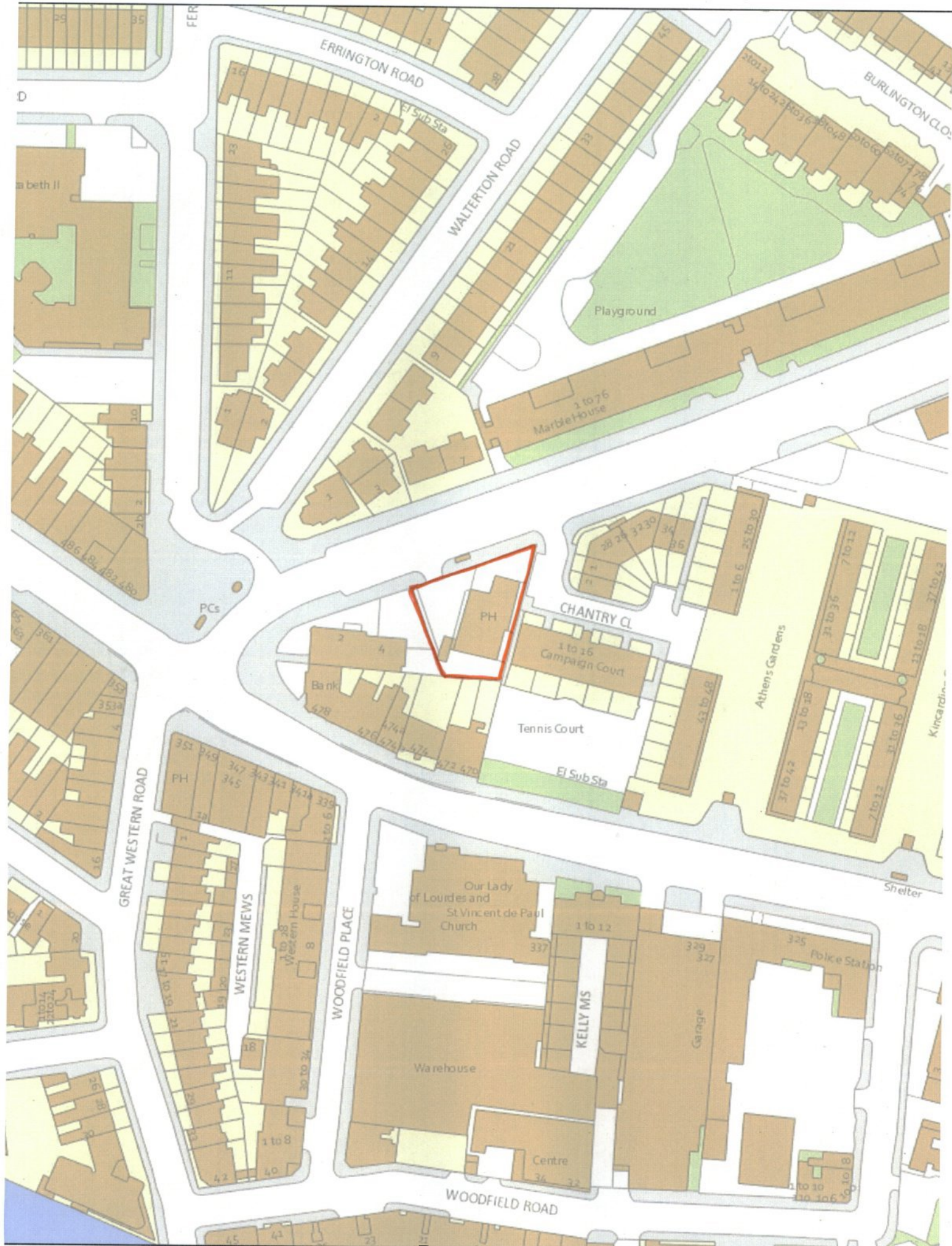
# Agenda Item 2

Item No.
2

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 24 November 2015	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Wards involved</b> Harrow Road	
<b>Subject of Report</b>	<b>12 Elgin Avenue, London, W9 3QP</b>		
<b>Proposal</b>	Demolition of the existing buildings on site and erection of a five storey plus basement level building to provide 15 self-contained flats, with two off-street car parking spaces at ground level and ancillary servicing and storage at basement level. Removal of two Lime trees to site frontage and provision of new hard and soft landscaping.		
<b>Agent</b>	GL Hearn		
<b>On behalf of</b>	Elgin Avenue Ltd		
<b>Registered Number</b>	15/06880/FULL	<b>TP / PP No</b>	TP/6173
<b>Date of Application</b>	28.07.2015	<b>Date amended/ completed</b>	28.08.2015
<b>Category of Application</b>	Major		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Outside Conservation Area		
<b>Development Plan Context</b> - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Outside London Plan Central Activities Zone  Outside Central Activities Zone		
<b>Stress Area</b>	Outside Stress Area		
<b>Current Licensing Position</b>	Not Applicable		

## 1. RECOMMENDATION

Refuse permission - insufficient affordable housing provision.





12 ELGIN AVENUE, W9

## 2. SUMMARY

The application site comprises a two storey 1970s public house located on the south side of Elgin Avenue, which is currently vacant. The application seeks permission for the demolition of the existing buildings on site and erection of a five storey plus basement level building to provide 15 self-contained flats, with two off-street car parking spaces at ground level, ancillary servicing and storage at basement level, removal of two Lime trees to site frontage and provision of new hard and soft landscaping. Permission was granted in February 2014 for redevelopment of this site to provide 14 flats.

The key issues in this case are:

- The acceptability of the proposed affordable housing provision.
- The impact of the development on the appearance of this part of the City.
- The impact on the amenity of neighbouring residents.
- The acceptability of removing two of the Lime trees subject to a TPO to the Elgin Avenue frontage of the site.
- The impact on the public highway in terms of the alterations to the highway to form access to the development.

The proposed development is considered to be acceptable in all regards (subject to the conditions recommended later in this committee report), save for the provision of affordable housing. This is because the financial contribution to the affordable housing fund in lieu of on-site provision that has been offered falls significantly below that which the independent viability consultant advises can be provided. As such, the scheme would be contrary to Policy H4 in the Unitary Development Plan (UDP), Policy S16 in Westminster's City Plan: Strategic Policies (the City Plan) and the guidance in the Interim Guidance Note: Affordable Housing Policy (November 2013). As such, the application is recommended for refusal.

## 3. CONSULTATIONS

### WARD COUNCILLORS

Any response to be reported verbally.

### NORTH PADDINGTON SOCIETY

Any response to be reported verbally.

### ARBORICULTURAL MANAGER

Objection to loss of tree T3 (Lime), but note that its loss was not previously objected to as part of determination of previous schemes to redevelop this site. No objection to the loss of tree T4. Detailed drawings of the car turntable will be required to demonstrate any level changes within root protection areas. Details of cantilevering to front elevation required to demonstrate scheme will not adversely affect tree T2 (a TPO Lime). Additional soil depth required over basement to rear and replacement tree planting proposed is not appropriate to mitigate trees to be lost. Conditions recommended should it be resolved to grant permission.

### BUILDING CONTROL

No objection to Structural Method Statement, which is acceptable. Notes that internal layout would be likely to require amendment to meet Building Regulations in respect of means of escape.

### ENVIRONMENTAL HEALTH

Objection on grounds that the means of escape proposed are poor due to remote rooms that require escape via another habitable room in the event of an emergency. Whilst bedrooms on lower ground floor have poor access to daylight, overall these units with living rooms on the ground floor would be adequately lit. Conditions recommended in respect of mechanical plant

noise control and to ensure new residential accommodation is adequately insulated from external noise sources.

#### HIGHWAYS PLANNING MANAGER

Undesirable but could be considered acceptable in transportation terms. On-street parking has yet to reach a level of serious deficiency and therefore the provision of three on-site parking spaces is acceptable. Provision of car club membership for each flat for 25 years should be secured. Electric car charging points should be secured by condition for the two car parking spaces. Waste storage proposals are acceptable. Suggests that additional cycle storage should be provided in accordance with the London Plan (2015). Recommends that provision and maintenance of the car turntable required to access the car parking spaces on site is secured. Conditions and Informatives recommended.

#### HOUSING DEVELOPMENT MANAGER

Any response to be reported verbally.

#### TRANSPORT FOR LONDON (TfL)

No objection, content that vehicular site access would not have an adverse impact on bus stop. Would prefer development to be 'car free'. A Construction Logistics Plan should be secured by condition. On-site car parking spaces should be designed and allocated to blue badge holders. Recommends that number of cycle parking spaces should be increased from 19 to 27. Note that the development will be CIL liable in respect of the Mayor's CIL.

#### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 115; Total No. of Replies: 7.

Seven responses received from six respondents.

Four emails in support of the proposed development on all or some of the following grounds:

- Would bring architectural merit to neglected end of Elgin Avenue.
- Nearby buildings are of little aesthetic value, bar the RBS bank at No.2 Elgin Avenue.
- Impressed how applicant has taken on board objections to the scheme previously refused in early 2014.
- Proposed building would make a positive impact and would replace a 'ghastly' public house with much needed accommodation.
- Great improvement on view from neighbouring flat.
- Smart in appearance and well designed.
- High quality contemporary building of considered proportion, massing and relationship to neighbouring building and streetscape.
- Materials sympathetic to context without being a pastiche.
- Good quality accommodation to attract more families and professionals to the area, which will enhance social mix of Maida Hill and increase hopes for regeneration.

One neutral comment regarding the date of the committee meeting and three emails received raising objection on all or some of the following grounds:

#### Land Use

- Area needs social housing not foreign investors.
- Cannot see that affordable housing is included.

#### Design

- The design of the building is not in keeping with other buildings in the surrounding area.
- Object to design and height of development.
- Proposed building is far too large for the site.
- There are no buildings above four storeys at this end of Elgin Avenue.
- Would prefer to see smaller three storey building with 8-10 units.

- Not convinced it would improve the streetscape, which is already messy.
- Poor relationship with neighbouring RBS bank building.
- Metal cladding to top floor not appropriate.
- Development would be overscaled, oversized, imposing and do nothing to enhance Elgin Avenue.

#### Amenity

- Increased overlooking to Marble House.
- Loss of privacy.
- Increased noise disturbance.

#### Other Issues

- Insufficient car parking provision.
- Additional pressure on schools and medical facilities.
- Question demand for such a development on this site given Harrow Road Police Station development.

ADVERTISEMENT/SITE NOTICE: Yes.

## 4. BACKGROUND INFORMATION

### 4.1 The Application Site

The application site comprises a two storey 1970s public house located on the south side of Elgin Avenue, which has been vacant since late 2011. The site faces Elgin Avenue along its northern boundary, with Chantry Close forming part of the eastern boundary of the site. The western boundary faces the rear of No.2 Elgin Avenue, which is in use as a bank (RBS), whilst mixed commercial and residential buildings facing Harrow Road lie to the rear of the application site.

The building is not listed and is not located within a conservation area. The site is located within the North Westminster Economic Development Area (NWEDA), as designated in the City Plan and is located within the North West Westminster Special Policy Area (NWWSPA), as designated by the UDP.

To the Elgin Avenue frontage of the site there is a group of three Lime trees and a separate smaller Lime tree (closer to the boundary with No.2 Elgin Avenue), which are all protected by Tree Preservation Orders (Nos. 420 and 603). Within the curtilage of No.2 Elgin Avenue there are a further three trees (a Sycamore, a London Plane and a Lime), which are located along the western boundary of the application site.

### 4.2 Relevant History

5 October 2012 – Planning permission was granted for retention of light grey timber hoardings, ranging between 2.2m and 3.0m in height to the north, east and west elevations of the perimeter of the site for a temporary period of one year (RN: 12/06476/FULL).

26 February 2014 – Planning permission was granted for demolition of the existing building and redevelopment comprising erection of a part three, part five storey building to provide 14 self-contained flats (2x1 bed, 9x2 bed and 3x3 bed), with provision of three off-street parking spaces at ground level and ancillary servicing and storage at basement level, removal of one Lime tree and provision of new hard and soft landscaping (13/04346/FULL).

The above permission was granted following completion of a S106 agreement to secure the provision of a financial contribution of £522,120 towards the affordable housing fund, provision of works to alter the public highway outside the site necessary to form access to the

development, comprising alterations to the crossovers and repaving outside the application site and a parking mitigation (PROP) payment of £11,000. See this decision letter and relevant application drawings in the background papers.

21 May 2014 – Planning permission refused for variation of Condition 1 and removal of Conditions 12, 13, 14 and 23 of planning permission dated 26 February 2014 (RN: 13/04346) for demolition of the existing building and redevelopment comprising erection of a part three, part five storey building to provide 14 self-contained flats (2x1 bed, 9x2 bed and 3x3 bed), with provision of three off-street parking spaces at ground level and ancillary servicing and storage at basement level, removal of one Lime tree and provision of new hard and soft landscaping; namely, to remove three on-site parking spaces and enlarge Flats 1 and 5 at ground floor level (Flat 5 enlarged from a two bedroom flat to a three bedroom flat) and omit the provision of a car turntable and electric car charging points.

The above application was refused on lack of off-street parking, lack of electric vehicle charging points and design grounds.

30 January 2015 – Permission refused for demolition of the existing building and redevelopment comprising erection of a part four, part six storey building to provide 19 residential flats (Class C3), with provision of two off-street parking spaces at ground level, ancillary servicing and storage at basement level, removal of two Lime trees (T3 and T4) and provision of new hard and soft landscaping (14/11463/FULL).

The above application was refused on design grounds (due to the height and bulk of a six storey building), lack of affordable housing provision, lack of family sized units, loss of daylight and tree impact grounds (in respect of the impact of the basement on the London Plane tree (T6) and Lime tree (T7) at No.2-4 Elgin Avenue).

## **5. THE PROPOSAL**

The application seeks permission for the demolition of the existing public house buildings on site and erection of a five storey plus basement level building to provide 15 self-contained flats, with two off-street car parking spaces at ground level and ancillary servicing and storage at basement level. To facilitate the development it is proposed to remove two Lime trees to the site frontage. The proposed development would deliver new hard and soft landscaping around the replacement building.

## **6. DETAILED CONSIDERATIONS**

### **6.1 Land Use**

#### **6.1.1 Loss of Existing Use**

The lawful use of the existing building on site is as a public house at basement and ground floor level with ancillary staff/manager accommodation above at first floor level. The lawful use is therefore a Class A4 Public House. The premises are located immediately outside the Harrow Road District Centre, which is located to the west of the site (the neighbouring property at No.2 Elgin Avenue is within the District Centre). However, despite this proximity, the application premises is very much divorced from the District Centre by virtue of its built form, orientation relative to the highway and the lack of a shopping parade linking the site with No.2 Elgin Avenue.

Policy SS8 in the UDP normally seeks to resist the loss of non-A1 retail uses outside of a designated District or Local Centre, particularly where the non-A1 use in question is a 'traditional public house', which adds to the character and function of the locality. In this case, it has previously been accepted as part of the scheme approved in February 2014 that the

loss of the existing mid 20<sup>th</sup> century Class A4 public house use was acceptable due to its disjunction from the adjacent District Centre, due to the premises history of causing noise and general disturbance to neighbours and as it is not a 'traditional public house' that contributes to the character and function of the area. In this context, the loss of the existing Class A4 public house use in favour of a wholly residential scheme for redevelopment of this site is considered to remain acceptable.

Whilst the site is located within the NWWSPA, as designated in the UDP, the site has a floor area well in excess of 250m<sup>2</sup> and therefore UDP policy does not seek to prevent the loss of the existing employment generating use. The site is located within the NWEDA in the City Plan and therefore Policy S12 is also relevant. However, this strategic policy encourages both residential and employment generating uses within the NWEDA and in this context, as per the previously approved scheme, it is not considered that permission could be withheld on the basis of the loss of employment caused by the loss of the current public house use of the site.

### **6.1.2 Proposed Residential Accommodation**

In light of Section 6.1.1, the principle of providing residential accommodation on this site is considered acceptable in land use terms and also accords with Policy H3 in the UDP and S14 in the City Plan. The mix of unit sizes proposed (3x1 bedroom flats, 8x2 bedroom flats and 4x3 bedroom flats) would provide 26.6% of the units with three bedrooms or more. Whilst this is below the 33% level sought by Policy H5 in the UDP, it is a higher proportion of family sized units (containing three bedrooms or more) than was secured in the previously approved scheme. The previously approved scheme secured 21% of the units as three bedroom units or larger. In this context, the mix of units proposed in the current scheme is considered to be acceptable in residential mix terms. The development as a whole would optimise the residential accommodation on the site in accordance with Policy S14 in the City Plan.

In terms of the quality of the residential accommodation proposed, the units would be provided with external amenity space in the form of garden areas, external lightwells, balconies and roof terraces (both communal and private). All of the units are of sufficient size to accord with the minimum floorspace standards set out in the Nationally Described Space Standards (2015) and in Policy 3.5 of the London Plan 2015 (Consolidated with Alterations Since 2011).

Environmental Health and Building Control have raised concerns regarding the layout of a number of the flats in terms of means of escape, however, the remedies to these concerns lie in minor amendment to the internal layout of the flats to remove remote rooms that require escape via other habitable rooms or provision of uprated fire protection measures. Given that both solutions can be provided without materially altering the scheme in planning terms, it is recommended that had the application been recommended for approval, the concerns raised would have been highlighted to the applicant via an Informative.

Environmental Health have raised concern regarding the level of natural light reaching the bedrooms proposed at basement level, which receive natural light via lightwells to the side and rear of the site. However, as the basement and ground floors are proposed to be used as four maisonettes so that the more poorly lit basement rooms form the bedrooms of larger flats with generous and well lit living rooms at ground floor level, this arrangement is considered acceptable and represents an efficient use of the available residential floorspace within the proposed development.

In summary, the residential accommodation is considered acceptable in land use terms and would accord with the relevant policies in the UDP, City Plan and London Plan.



### **6.1.3 Affordable Housing Provision**

The proposed development would create 1,789.8m<sup>2</sup> (GEA) of residential floorspace. A policy compliant scheme in affordable housing terms would deliver three on-site affordable housing units or 240m<sup>2</sup> of affordable housing floorspace in accordance with Policy H4 in the UDP and S16 in the City Plan. In the event that it is demonstrated that it is not viable to provide affordable housing on-site or off-site in the vicinity, a financial contribution to the affordable housing fund that would be consistent with the formula set out in the Interim Guidance Note: Affordable Housing Policy (November 2013) would be £990,150.

The applicant initially set out that the development was not sufficiently viable to provide any affordable housing on-site and that only a limited financial contribution of £65,000 could be made to the affordable housing fund. In this context a viability report was submitted with the application to support the applicant's assertions on the viability of the development.

During the course of the application the applicant's viability report has been assessed by independent viability consultants on behalf of the City Council. They have advised that the provision of affordable housing on-site would not be viable and the applicant does not have alternative sites in the vicinity on which affordable housing could be provided off-site. In this context, the provision of a financial contribution in lieu of on-site or off-site provision is considered to be appropriate in this case. The independent viability consultants have advised in their initial review of the applicant's viability report that they believe that the scheme could provide a policy compliant financial contribution to the affordable housing fund of £990,150. However, the applicant does not accept the independent viability consultants initial findings, in particular in relation to the assumptions that have been made in respect of the gross development value, residential sales values and construction costs. As such, discussions are ongoing and will continue in the lead up to the committee meeting to explore the applicant's areas of concern. Should these concerns be substantiated through the submission of additional viability evidence by the applicant, and if this additional evidence is subsequently accepted by the independent viability consultants, a revised position on the viability of the proposed development will be reported verbally to the Committee.

In the interim, given the applicant does not accept the currently adopted position of the independent viability consultant, that the development is capable of delivering a policy compliant financial contribution to the affordable housing fund, the application is recommended for refusal on grounds that it would provide insufficient affordable housing to accord with Policy H4 in the UDP, Policy S16 in the City Plan and the guidance in the Interim Guidance Note: Affordable Housing Policy (November 2013).

## **6.2 Townscape and Design**

### **6.2.1 Demolition of the Existing Building**

The existing building is a purpose built 1970s public house. The building is typical of the surrounding townscape in terms of its scale and built form and detracts from the prevailing appearance of the area. The demolition of the existing building is therefore welcome in design terms.

### **6.2.2 Proposed Building**

The proposed development has received both significant support and objection from neighbouring residents in respect of its detailed design, height, bulk and appearance. These

representations are summarised earlier in this report and provided in full in the background papers.

The proposed development would have a similar footprint to the previously approved scheme and the overall height of the building is marginally lower at its highest point. The currently proposed scheme is more bulky than the previously approved scheme, with additional bulk predominantly proposed at third and fourth floor levels. However, whilst the building now proposed is bulkier than the previously approved scheme, the additional bulk proposed, when taken in conjunction with the detailed design now proposed, assists in providing the proposed building with a more comfortable form that more successfully addresses the street in Elgin Avenue.

In terms of height, the current scheme addresses the ground for refusal of the application refused in January 2015, as the current scheme reverts to a building of five storeys in height above ground level, which is no higher than the scheme approved in February 2014. In this context, the objections raised on grounds that the proposed building is excessively high cannot be supported as grounds to withhold permission.

In detailed design terms the current scheme is similar to the previously approved scheme in so much that the scheme comprises three distinct rectilinear building forms clad in contrasting, yet complementary facing materials; namely a buff brick to the largest street facing block, a predominantly blue brickwork to the recessed block and brass cladding with vertical detailing to the central block, which is predominantly seen at third and fourth floor levels. The base of the building would be marked by corbelled brickwork and similar banded brickwork would be used to define the floor levels within the building and help to break up what would otherwise be a large expanse of brickwork. The main brickwork elevations would be further enlivened by use of large feature windows, a number of which would project or recess to bring greater modelling to the otherwise rectilinear form. At roof level large feature windows are proposed within the brass clad central block at third and fourth floor levels.

To the side and rear elevations, away from the principal elevations that are to be faced in buff brick and the brass clad central block, the detailed design proposed would be more restrained, with window openings arranged in a more ordered arrangement, with window frames, reveals and balconies finished in a bronze colour to reflect the colour of the brass cladding to the 'feature' central block.

The application site is set within an area of Elgin Avenue of mixed townscape quality, where there is a lack of a prevailing building form or typology. The strongest townscape feature is the prevailing building height of new blocks along the southern side of Elgin Avenue, to which the proposed development would conform. In this context, the detailed design proposed is considered to be a largely successful architectural composition, which utilises high quality materials. Despite the concerns raised by objectors, the proposed brass cladding is considered to be an innovative and distinctive facing material, which enhances the overall composition, however, it is agreed that the colouration of the brass should be more muted than is shown in the submitted drawings. It is understood that the cladding in question is available in a range of finishes and therefore had the application been recommended favourably, the precise finish of the brass cladding would have been reserved by condition. Further conditions would have been recommended to secure samples of all other facing materials, detailed drawings of windows and doors (all types) and the corbelled/decorative brickwork.

There are though a number of areas of the scheme that require minor amendment to address officer concerns in respect of the scheme as submitted, had the application been recommended for approval. At roof level the brass clad roof storey, despite not being any higher than the previously approved scheme, does appear in some views to be overly prominent, mainly because of its height above the third floor parapet and its un-modelled form.

Had the scheme been recommended for approval an amending condition is recommended to lessen its prominence and soften its appearance, particularly in street views.

Also at roof level, the layout of the top floor flat positions a kitchen behind the curtain wall glazing to the front elevation, necessitating the use of blanking panels within the glazing. This would detract from the appearance of the top of the building and the need for these panels could be alleviated by revision of the layout of the top floor flat. Had the scheme been recommended for approval a condition would have been recommended to secure this minor amendment to the scheme.

At ground floor level the entrance to the building needs further consideration to ensure that it provides an appropriate visual marking of the entrance to the building. As currently proposed the entrance doorway is not discernibly different in scale or form from the other full height window openings at ground floor level. It is also recommended that the opening in the front façade to the car parking spaces at ground floor level is omitted to provide the base of the building with a stronger, more solid base. In addition, stone copings should be added to brickwork facades and a balustrade has been omitted from the roof terrace to the east elevation at fourth floor level. These amendments would also have been secured by amending condition had the scheme been recommended for approval.

As submitted the scheme includes the provision of low railings to the main street elevations, however, these are not fully shown in all elevations and the detail of these railings does not relate well to the appearance and design rationale of the proposed building. Had the application been recommended for approval, it would have been recommended that details of all boundary treatments, including those within the site to the side and rear of the site, be reserved by condition, notwithstanding the details shown on the submitted drawings.

In summary in design terms, it is considered that the proposed development is acceptable in terms of its bulk, height, scale and massing. The detailed design of the proposed building is considered to have significant merit and is a significant improvement upon the previously approved scheme. As such, the residual concerns set out in this section of the report could have been resolved by appropriately worded amending conditions and do not in themselves amount to a ground on which to recommend the scheme for refusal on. In this context, despite the objections received on design grounds, the scheme would accord with Policies DES1 and DES4 in the UDP and Policy S28 in the City Plan and would not harm the appearance of this part of the City.

### **6.3 Amenity**

#### **6.3.1 Daylight and Sunlight**

The applicant has submitted a comprehensive daylight and sunlight assessment which has been reviewed in detail by officers. The submitted assessment demonstrates that the proposed development would result in some material losses of daylight and sunlight to neighbouring residential windows. However, the losses are relatively minor and are not significantly greater than the losses previously found to be within acceptable limits when permission was previously granted in February 2015.

Opposite the application site at No.3 Elgin Avenue, one window in the front elevation would suffer a material loss of daylight using the Vertical Sky Component (VSC) method of assessment. However, the room served by this window is served by other windows that would not suffer any significant loss of daylight and therefore the impact on this one window is not unacceptable in daylight terms.

At Nos.5-7 Elgin Avenue, which are also opposite the application site, the submitted assessment shows the front doors and associated side light/fan light windows to suffer a

material loss of daylight. However, the impact on these doors and windows is exacerbated by the presence of the existing porch that over sails them and in any event, the hallway behind is not a habitable room and therefore permission could not be withheld on the basis of the impact of the development on these doors and windows.

The submitted daylight and sunlight report indicates the development would cause a material loss of daylight to one front ground floor window at No.1 Chantry Close and two front ground floor windows of No.2 Chantry Close, which faces the eastern side boundary of the site across Chantry Close. However, on detailed analysis of the data it is apparent that these windows are in fact the recessed door and adjacent recessed windows (presumably to a cloakroom or toilet) and, which do not serve habitable rooms. As such, the impact on these neighbouring windows is acceptable in daylighting terms.

There would be a further material loss of light to one of the first floor windows at No.2 Chantry Close, however, the loss caused would be only marginally above the level at which the BRE Guidance advises that the loss would be noticeable. The room served by the affected window would remain well day lit as it is also lit by other windows that would not be materially affected. Consequently, permission could not reasonably be withheld on the basis of the impact on this window.

The current scheme would have a marginally increased impact on one window in Marble House opposite, relative to the approved scheme, such that the loss of light caused would become material. However, given that this would be an isolated material loss of light to one window, which has an oversailing balcony (which has the effect of limiting the existing daylight to this window), it is not considered that permission could be withheld on the loss of light to this window.

The proposed scheme would result in a material loss of daylight to two windows in the end elevation of Campaign Court, which face the application site. However, these appear to be windows serving non-habitable rooms such as a bathroom or circulation space and therefore, despite the material losses of light to these windows, permission could not reasonably be withheld on the basis of this impact. Additionally, it is noted that the previously approved scheme had a similar material impact on the light reaching these windows.

In terms of sunlight, whilst the development would result in losses of both annual and winter probable sunlight hours to neighbouring windows on the opposite side of Elgin Avenue and Chantry Close, none of the affected windows would suffer a material loss of existing sunlight. That is to say that the losses that would be caused by the proposed development would be within the levels deemed acceptable by the BRE Guidelines (2011) on the basis that occupiers of neighbouring flats and houses with affected windows would be unlikely to notice the sunlight losses that would occur.

In conclusion in daylight and sunlight terms, the impact of the proposed development would not be so significant so as to merit withholding permission, as the losses that would be caused would either be immaterial or sufficiently minor so as that the development can be considered to be in accordance with Policy ENV13 in the UDP and Policy S29 in the City Plan.

### **6.3.2 Sense of Enclosure**

To the front and the eastern side elevation, the proposed development and its associated boundary walls would be sufficiently distant from neighbouring windows so as not to cause a materially increased sense of enclosure. Whilst the eastern side boundary wall would be close to front windows in Campaign Court, the neighbouring windows would be at right angles with the wall and consequently would not be enclosed significantly by it.

To the western side of the site the development would be a significant distance from neighbouring windows in the rear of residential flats on the upper floors of properties in Harrow Road. The building at No.2 Elgin Avenue is in use as a bank and consequently there are no residential windows to this neighbouring property that could be enclosed.

To the rear the bulk of the building would be sufficiently distant from neighbouring windows on the upper floors of buildings in Harrow Road so as not to cause a material increase in enclosure.

As such, in sense of enclosure terms, the proposed development would accord with Policy ENV13 in the UDP and Policy S29 in the City Plan.

### **6.3.3 Overlooking**

The scheme has been designed to avoid windows facing one another, particularly where the proposed development faces Chantry Close. Small balconies are proposed on the rear elevation, however, these would be well set back from the boundary with properties in Harrow Road. Larger amenity spaces are limited to third and fourth floor levels and set back from the roof edges of the floor below to minimise the prominence of these terraces in views from neighbouring windows.

The garden areas to the rear serving the larger family units would be enclosed by higher boundary walls, as is the case to the rear of the existing public house, and therefore these gardens would not overlook neighbouring windows.

A significant number of windows are proposed to the front elevation, however, these are separated by the width of Elgin Avenue from neighbouring windows opposite. At this considerable distance there would be no material increase in overlooking.

The windows in the west (side) elevation would face on to the car park of the neighbouring bank at No.2 Elgin Avenue and would be sufficiently distant from windows in the rear of residential properties in Harrow Road so as not to cause an unacceptable loss of privacy.

Subject to a condition to restrict the use of the roofs as terraces or balconies, except where they are shown as such on the submitted drawings (had the application been recommended for approval), the proposed development is considered acceptable in overlooking/loss of privacy terms and would accord with Policy ENV13 in the UDP and Policy S29 in the City Plan.

### **6.3.4 Other Amenity Issues**

In terms of noise disturbance, the proposed development includes a number of elements of mechanical plant or equipment; namely, a vehicle turntable located externally within the curtilage of the site and a plant room at basement level. Environmental Health have considered the submitted acoustic report and do not object to the scheme on noise disturbance grounds. Had the application been recommended for approval conditions would have been recommended to control the future operational noise and vibration levels of mechanical plant and equipment installed as part of the development.

All of the roof terraces/balconies proposed are relatively small in scale and therefore do not give rise to concerns in noise disturbance terms.

Had the application been recommended for approval a condition would have been recommended to ensure that the external envelope of the building is such that it would protect future residents of the development from external noise sources in this relatively busy location.

Had the application been recommended for approval, the scheme would accord with Policies ENV6 and ENV7 in the UDP and Policies S29 and S32 in the City Plan.

#### 6.4 Transportation/Servicing

In terms of parking provision, the Highways Planning Manager does not object to the proposed development. In this location on-street parking in the vicinity of the site has yet to reach a level of serious deficiency (80% occupancy) either at night (62% occupancy) or during day time hours (68% occupancy). In this context the provision of a lower level of on-site parking that might otherwise be the case is considered acceptable.

Having regard to the constraints of the site in terms of its size and proportions and the location of the access on to the site adjacent to the existing bus stop, the two spaces proposed are considered to represent an acceptable level of on-site parking provision in this case. However, in light of the significant disparity between the number of parking spaces and the number of units proposed, it is recommended that had the application been recommended for approval, the applicant's offer of lifetime (25 year) car club membership for each flat should have been accepted and appropriate arrangements to secure the car club memberships would have been secured by way of a Grampian condition in order to mitigate the impact of the development on the availability of on-street residents parking in the vicinity of the site.

Access to the proposed car parking spaces has been demonstrated to be achievable, although it would be reliant on the provision of a vehicle turntable to allow vehicles to enter and exit the public highway in forward gear. The Highways Planning Manager does not object to this arrangement provided the vehicle turntable is installed and permanently maintained. It is recommended that had the application been recommended for approval this would have been achieved using the conditions, as per the previously approved scheme.

A condition is recommended to ensure the permanent provision of the car parking spaces. The Highways Planning Manager does not consider that the applicant's undertaking to provide an on-street electric car charging point is appropriate and recommends that had the application been recommended for approval a condition should be imposed requiring both the on-site parking spaces to be served by an electric charging point. The proposed car parking arrangements would therefore have been considered acceptable subject to the recommended conditions and accord with Policies STRA25 and TRANS23 in the UDP.

Vehicular access to the site already exists and it is not proposed to alter the location of this, albeit, as per the approved scheme, it is proposed to alter the width of the crossover and improve the appearance of the footpath of the public highway in connection with the proposed development. Were the application recommended for approval it is recommended that appropriate arrangements to secure these planning obligations would be secured via a Grampian condition.

Policy NWW3 in the UDP seeks financial contributions to public realm improvement projects within the NWWSPA, however, there are no identified public realm projects in the vicinity of the site at present. Given this and in view of the limited viability of the scheme overall, as per the approved scheme, a financial contribution to public realm improvements has not been sought pursuant to Policy NWW3.

The cycle storage proposed would be located within the basement of the building and consequently would be secure and weather proof. The number of cycle storage spaces falls below the expectation set by the London Plan 2015 (Consolidated with Alterations Since 2011); namely, provision of 27 cycle storage spaces. The proposed development includes 19 cycle storage spaces. Transport for London and the Highways Planning Manager would prefer to see this number of cycle storage spaces increased in line with the London Plan

requirement. However, the number of cycle storage spaces proposed is greater than in the previously approved scheme, which remains extant, and in this context the proposed number of cycle storage spaces, which exceeds the number of units proposed, is not considered to be objectionable.

The waste and recycling storage provision proposed is not considered to be objectionable and is consistent with the storage provision required by Policy ENV12 in the UDP.

#### **6.5 Equalities and Diversities (Including Access)**

The proposed development would provide level access from the public highway, with lift access to all floors. All of the units within the development have been designed to meet Lifetime Homes standards. As such, the development would accord with Policy DES1 in the UDP in access terms.

#### **6.6 Economic Considerations**

Not applicable.

#### **6.7 Other UDP/ Westminster City Plan/ Policy Considerations**

None relevant.

#### **6.8 London Plan**

The proposed development accords with the relevant parts of the London Plan 2015 (Consolidated with Alterations Since 2011). In particular, the standard of residential accommodation would accord with Policy 3.5; the affordable housing provision has been assessed in accordance with Policy 3.12, which sets out that development viability is considered when determining the affordable housing content of a development, and; the sustainability of development would be consistent with the relevant policies in Chapter Five: 'London's Response to Climate Change'.

#### **6.9 National Policy/Guidance Considerations**

Central Government's National Planning Policy Framework (NPPF) came into effect on 27 March 2012. It sets out the Government's planning policies and how they are expected to be applied. The NPPF has replaced almost all of the Government's existing published planning policy statements/guidance as well as the circulars on planning obligations and strategic planning in London. It is a material consideration in determining planning applications.

Until 27 March 2013, the City Council was able to give full weight to relevant policies in the Core Strategy and London Plan, even if there was a limited degree of conflict with the framework. The City Council is now required to give due weight to relevant policies in existing plans "according to their degree of consistency" with the NPPF. Westminster's City Plan: Strategic Policies was adopted by Full Council on 13 November 2013 and is fully compliant with the NPPF. For the UDP, due weight should be given to relevant policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the NPPF, the greater the weight that may be given).

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

## 6.10 Planning Obligations

On 6 April 2010 the Community Infrastructure Levy (CIL) Regulations came into force which make it unlawful for a planning obligation to be taken into account as a reason for granting planning permission for a development, or any part of a development, whether there is a local CIL in operation or not, if the obligation does not meet all of the following three tests:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development;
- (c) fairly and reasonably related in scale and kind to the development.

Policy S33 of the City Plan relates to planning obligations. It states that the Council will require mitigation of the directly related impacts of the development; ensure the development complies with policy requirements within the development plan; and if appropriate, seek contributions for supporting infrastructure. Planning obligations and any Community Infrastructure Levy contributions will be sought at a level that ensures that the overall delivery of appropriate development is not compromised.

From 6 April 2015, the Community Infrastructure Levy Regulations (2010 as amended) impose restrictions on the use of planning obligations requiring the funding or provision of a type of infrastructure or a particular infrastructure project. Where five or more obligations relating to planning permissions granted by the City Council have been entered into since 6 April 2010 which provide for the funding or provision of the same infrastructure types or projects, it is unlawful to take further obligations for their funding or provision into account as a reason for granting planning permission. These restrictions do not apply to funding or provision of non-infrastructure items (such as affordable housing) or to requirements for developers to enter into agreements under Section 278 of the Highways Act 1980 dealing with highway works. The recommendations and detailed considerations underpinning them in this report have taken these restrictions into account.

The City Council has consulted on the setting of its own Community Infrastructure Levy, which is likely to be introduced in early 2016. In the interim period, the City Council has issued interim guidance on how to ensure its policies continue to be implemented and undue delay to development avoided. This includes using the full range of statutory powers available to the Council and working pro-actively with applicants to continue to secure infrastructure projects by other means, such as through incorporating infrastructure into the design of schemes and co-ordinating joint approaches with developers.

For reasons outlined elsewhere in this report, had the application been recommended for approval, a Grampian condition would have been recommended to secure appropriate arrangements to secure the following:

- i. Provision of works to alter the public highway outside the site necessary to form access to the development, comprising alterations to the crossovers and repaving outside the application site.
- ii. Provision of one lifetime car club membership per residential flat for a period of 25 years.
- iii. Provision of a financial contribution towards the affordable housing fund (amount as determined to be viable by the independent viability consultant).
- iv. Provision of costs for monitoring of agreement (£500 per Head of Term).

The proposed development is also liable for a Mayoral CiL payment.

It is considered that the 'Heads of Terms' listed above would have satisfactorily addressed City Council policies, had the applicant agreed to the financial contribution towards the



affordable housing fund to mitigate the lack of affordable housing on-site or off-site in the vicinity of the application site (see Section 6.1.2). The planning obligations that would have been secured had the applicant agreed to the affordable housing provision recommended by the independent viability consultant, are in accordance with the City Council's adopted City Plan and London Plan policies and they do not conflict with the Community Infrastructure Levy Regulations (2010 as amended).

## **6.11 Environmental Assessment including Sustainability and Biodiversity Issues**

### **6.11.1 Arboricultural Impact**

Whilst the Arboricultural Manager accepts the loss of the TPO Lime tree (T4), she objects to the loss of another TPO Lime tree (T3) to the front of the site. However, the loss of both of these trees has previously been accepted as part of the previously determined schemes for redevelopment of this site and therefore the concerns of the Arboricultural Manager in respect of these trees cannot be supported as a ground to withhold planning permission.

The applicant has provided details of the car turntable to be sited within the root protection area of trees. This is the same turntable as was approved as part of the previously approved scheme and it is considered to be acceptable, subject to detailed sections showing the turntable in context with level changes within the RPA of the trees along the western boundary of the site, which would have been secured by condition had the application been recommended for approval.

The Arboricultural Manager's concerns regarding the cantilevering of the front elevation, as per the previously approved scheme, could have been resolved by the provision of further details by condition had the application been recommended for approval.

Whilst the scheme would not provide a 1.2m depth of soil over the basement, where it projects beyond the footprint of the building, as per the guidance in the 'Basement Development in Westminster' SPD, the basement of the previously approved scheme had no soil depth over the basement and therefore the limited soil depth now proposed (approximately 0.3m), is considered to be acceptable. Given the basement would not extend below the whole site, there would be ample space for more substantial planting beyond the footprint of the basement floor. Details of replacement landscaping, including replacement tree planting, could have been secured by condition had the application been recommended for approval.

### **6.11.2 Sustainability**

The London Plan requires all developments to achieve a 40% CO<sub>2</sub> emissions reduction over 2010 Building Regulations. The Mayor's Sustainable Design and Construction SPG (April 2014) requires all new developments to achieve a 35% reduction beyond Part L of the 2013 Building Regulations. The proposed development would deliver an improvement in CO<sub>2</sub> emissions relative to Part L of the 2013 Building Regulations of 35.25%. This improvement is to be achieved by the construction of a highly sustainable and resource efficient building, with photovoltaic panels at roof level providing on-site renewable energy.

The site is currently entirely hard landscaped and as such, the proposed development would not increase water run off relative to the existing situation, as the scheme would deliver soft landscaping to the edges of the site to the front and rear.

The proposed development is acceptable in sustainability terms and would accord with the relevant policies in the London Plan (2015) and Policies S28, S39 and S40 in the City Plan.

## 6.12 Other Issues

### 6.12.1 Excavation and Structural Matters

This issue is at the heart of concerns expressed by residents across many central London Boroughs, heightened by well publicised accidents occurring during basement constructions. Generally residents are concerned that the excavation of new basements is a risky construction process with potential harm to adjoining buildings/structures and occupiers. Many also cite potential effects on the water table and the potential increase in the risk of flooding.

In terms of the progression of our policy towards basements, the City Council adopted its Supplementary Planning Document (SPD) 'Basement Development in Westminster' in October 2014 and this application has been assessed having regard to this SPD, which provides detailed advice on how current policy in relation to basement development is implemented. It does not introduce any additional restrictions on basement development above and beyond the precautionary approach that the City Council had already adopted in response to such development.

The Draft Basements Revision to the City Plan ('the Draft Basements Policy') has been the subject of consultation between 16 July and 9 September 2015. Following this pre-submission consultation exercise, the Draft Basements Policy, which has now reached an advanced stage, is likely to be submitted to the Secretary of State for public examination by an independent Inspector following minor modification. In view of its advanced stage of adoption and the limited number of unresolved objections, the Cabinet Member Statement dated 23 October 2015 sets out that the Draft Basements Policy will be applied, where there are no unresolved objections, to all new planning applications received from 1 November 2015 onwards. However, given this application was submitted well in advance of that date, in accordance with the Cabinet Member Statement, it has not been assessed against the Draft Basements Policy.

Studies have been undertaken which advise that subterranean development in a dense urban environment, especially basements built under existing vulnerable structures is a challenging engineering endeavour and that in particular it carries a potential risk of damage to both the existing and neighbouring structures and infrastructure if the subterranean development is ill-planned, poorly constructed and does not properly consider geology and hydrology.

While the Building Regulations determine whether the detailed design of buildings and their foundations will allow the buildings to be constructed and used safely, the National Planning Policy Framework March 2012 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by land instability.

The NPPF goes on to state that in order to prevent unacceptable risks from land instability, planning decisions should ensure that new development is appropriate for its location. It advises that where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

The NPPF advises that planning decisions should ensure that a site is suitable for its new use taking account of ground conditions and land instability and any proposals for mitigation, and that adequate site investigation information, prepared by a competent person, is presented.

Officers consider that in the light of the above it would be justifiable to adopt a precautionary approach to these types of development where there is a potential to cause damage to adjoining structures. To address this, the applicant has provided a structural engineer's report explaining the likely methodology of excavation. Any report by a member of the relevant professional institution carries a duty of care which should be sufficient to demonstrate that the matter has been properly considered at this early stage.

The purpose of such a report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the site, existing structural conditions and geology. It does not prescribe the engineering techniques that must be used during construction which may need to be altered once the excavation has occurred. The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act.

Building Control have assessed the reports provided and consider that the proposed construction methodology appears satisfactory. Should permission be granted, these statements will not be approved, nor will conditions be imposed requiring the works to be carried out in accordance with them. The purpose of the reports is to show that there is no foreseeable impediment to the scheme satisfying the Building Regulations in due course. It is considered that this is as far as this matter can reasonably be taken as part of the consideration of the planning application. Detailed matters of engineering techniques, and whether these secure the structural integrity of the development and neighbouring buildings during the course of construction, are controlled through other statutory codes and regulations cited above. To go further would be to act beyond the bounds of planning control.

#### **6.12.2 Construction Management**

A Construction Management Plan has not been submitted with the application. Had the application been recommended favourably a condition would have been imposed requiring the submission and approval of a Construction Management Plan prior to the commencement of development. A further condition would have been recommended to restrict the hours of construction works, particularly noisy works of basement excavation.

Transport for London has asked for a Construction Logistics Plan to be secured by condition. However, it is not considered that this level of detail is required on a scheme of this scale and where relevant the recommended Construction Management Plan condition would adequately control the impact of the development on neighbouring residents and the local highway network.

### **7. CONCLUSION**

The proposed development is considered to be acceptable in all regards (subject to the conditions recommended in this committee report), save for the provision of affordable housing. This is because the financial contribution to the affordable housing fund in lieu of on-site provision that has been offered falls significantly below that which the independent viability consultant advises can be provided. As such, the scheme would be contrary to Policy H4 in the UDP, Policy S16 in the City Plan and the guidance in the Interim Guidance Note: Affordable Housing Policy (November 2013). As such, the application is recommended for refusal.

**BACKGROUND PAPERS**

1. Application form.
2. Memo from Environmental Health dated 15 September 2015.
3. Email from Transport for London dated 24 September 2015.
4. Memo from the Arboricultural Manager dated 25 September 2015.
5. Email from Building Control dated 1 October 2015.
6. Memo from the Highways Planning Manager dated 3 November 2015.
7. Email from the occupier of 13 Marble House, Elgin Avenue dated 11 September 2015.
8. Email from the occupier of Flat D, 3 Elgin Avenue dated 16 September 2015.
9. Email from the occupier of 58 Goldney Road dated 1 October 2015.
10. Email from the occupier of 3C Elgin Avenue dated 6 October 2015.
11. Email from Blenheim Bishop dated 13 October 2015.
12. Emails from the occupier of 35 Hormead Road dated 18 October 2015 and 21 October 2015.
13. Email from the occupier of 66 Fermoy Road dated 26 October 2015.
14. Email from the occupier of 58 Hormead Road dated 27 October 2015.
15. Copy of decision letter dated 26 February 2014 (13/04346/FULL) and associated approved drawings.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT SARAH WHITNALL ON 020 7641 2929 OR BY E-MAIL – [swhitnall@westminster.gov.uk](mailto:swhitnall@westminster.gov.uk)

**DRAFT DECISION LETTER**

**Address:** 12 Elgin Avenue, London, W9 3QP

**Proposal:** Demolition of the existing buildings on site and erection of a five storey plus basement level building to provide 15 self-contained flats, with two off-street car parking spaces at ground level and ancillary servicing and storage at basement level. Removal of two Lime trees to site frontage and provision of new hard and soft landscaping.

**Plan Nos:** (00)\_001/P00, (00)\_002/P00, (10)\_000/P04, (20)099/P04, (20)100/P04, (20)101/P04, (20)102/P04, (20)103/P04, (20)\_200/P04, (20)\_201/P04, (20)\_202/P04, (20)\_203/P04, (20)\_300/P04, Design and Access Statement dated July 2015, Planning Statement dated July 2015, Daylight and Sunlight Report dated 7 July 2015, Internal Daylight and Sunlight Report dated 20 July 2015, Arboricultural Impact Assessment Report dated 9 July 2015, Planning and Noise Assessment dated 23 July 2015 (Issue 5), Schedule of Areas dated 23.07.15, Sustainability Statement (Ver 1 02/07/15), Energy Statement (Ver 6 30/06/2015), Transport Statement dated July 2015 and Structural Method Statement (for information only - see Informative ##).

**Case Officer:** Oliver Gibson

**Direct Tel. No.** 020 7641 2680

**Recommended Reason for Refusal:****Reason:**

- 1 The proposed development would fail to provide affordable housing in accordance with Policy H4 in the Unitary Development Plan that we adopted in January 2007, Policy S16 in Westminster's City Plan: Strategic Policies that we adopted in November 2013 and the Interim Note on the Affordable Housing Policy dated November 2013.

**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 so far as practicable. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition further guidance was offered to the applicant by the case officer during the processing of the application to identify amendments to address those elements of the scheme considered unacceptable. You are therefore encouraged to consider submission of a fresh application incorporating the material amendments set out below which are necessary to make the scheme acceptable.

**Required amendments:**

- Provision of affordable housing in compliance with the recommendation of the independent viability consultant.
- Amendment of design of building in accordance with Section 6.2 of the committee report dated 24 November 2015.

Project: 12 Eight Avenue  
Job No.: 28825  
Title: North Elevation  
Scale: 1/100 @ A1, 1/200 @ A3 CMG  
Date: November 2014  
Checked By: DJD  
Drawn By: PJA  
(20) 203

The interior elevations and exterior elevations are arbitrary sizes of buildings may be subject to change without notice. The interior elevations are subject to change without notice. The exterior elevations are subject to change without notice. The interior elevations are subject to change without notice. The exterior elevations are subject to change without notice.

- 7. Windows with Jali Slats - Window Slats
- 8. Recessed Windows - Recessed Windows
- 9. Recessed Windows - Recessed Windows
- 10. Glass Balconies - Glass Balconies
- 11. Glass Balconies - Glass Balconies
- 12. Glass Balconies - Glass Balconies
- 13. Glass Balconies - Glass Balconies
- 14. Glass Balconies - Glass Balconies

- Material Key
- 1. Facing Bricks - Red Brick
- 2. Facing Bricks - Red Brick
- 3. Facing Bricks - Red Brick
- 4. Facing Bricks - Red Brick
- 5. Facing Bricks - Red Brick
- 6. Facing Bricks - Red Brick
- 7. Facing Bricks - Red Brick
- 8. Facing Bricks - Red Brick

Scale 1:100

North Elevation

Prepared by: PJA  
Checked by: DJD  
Date: 11/24/14



Proposed North Elevation 1:100



Proposed South Elevation 1:100



**South Elevation**

Scale 1:100  
0 1 2 3 4 5m

NOV 26/2014	CHD	By
DEC 01/2014	CHD	CH
JAN 27/2015	CHD	CH
MAY 11/2015	CHD	CH
AUG 17/2015	CHD	CH
OCT 21/2015	CHD	CH
FEB 11/2016	CHD	CH
MAR 25/2016	CHD	CH

Revised Primary Application, address of  
address of address of address of address of  
address of address of address of address of  
address of address of address of address of  
address of address of address of address of  
address of address of address of address of

1. Floor Plans - Final (not yet completed)
2. Section - Final (not yet completed)
3. Elevation - Final (not yet completed)
4. Contract Book - Complete (not yet completed)
5. 100% Elevation with Primary Vertical Shading

7. Window and Door Schedule - Window and Door Schedule
8. Window and Door Schedule - Window and Door Schedule
9. Window and Door Schedule - Window and Door Schedule
10. Window and Door Schedule - Window and Door Schedule
11. Window and Door Schedule - Window and Door Schedule
12. Window and Door Schedule - Window and Door Schedule
13. Window and Door Schedule - Window and Door Schedule
14. Window and Door Schedule - Window and Door Schedule

The listed items were prepared separately and are subject to design development.  
The general location of work, bearing doors, columns, floors and the indicated layout of windows and doors are for information only and are subject to change and may vary from the stated design and for final plans.  
These items were prepared and shall be subject to design development. If a change occurs in a window or door, the window and door schedule shall be updated accordingly.  
A maximum window or door height is indicated only and may be subject to change upon final design development.

Project: 12 Elgin Avenue  
Title: South Elevation  
Scale: 1:100 @ A1, 1:500 @ A3 CHG  
Client: CHG  
Date: November 2014  
Drawing No: (20)\_201

Job No: 26626

Plan No:  
Section No:  
Elevation No:  
Date:  
Drawing No:

**PLANNING**

**caryjanes**  
Architects and Engineers Inc.  
1001 West Beaver Creek Road  
Richmond Hill, Ontario L4B 1N5  
Tel: +1 (905) 709-1001  
Fax: +1 (905) 709-1002  
www.cjct.ca



Proposed East Elevation 1:100

**Scale 1:100**

**East Elevation**

Corrector must verify all dimensions on site before commencing any work or stop coverage. If the drawing involves the installation of any work or stop coverage, the corrector must verify all dimensions on site before commencing any work or stop coverage. If the drawing involves the installation of any work or stop coverage, the corrector must verify all dimensions on site before commencing any work or stop coverage. If the drawing involves the installation of any work or stop coverage, the corrector must verify all dimensions on site before commencing any work or stop coverage.

**Project:** 12 Edgin Avenue  
**Title:** East Elevation  
**Scale:** 1:100 @ A1, 1:200 @ A3 CMG  
**Drawn By:** DUD  
**Checked By:** DUD  
**Project No.:** 200\_202

**Job No.:** 20025

**Materials Key**

1. Face Bricks - Red (Blue Blue indicated by arrow)
2. Window Sills - Wood (Blue indicated by arrow)
3. Window Frames and Sillings - Wood (Blue indicated by arrow)
4. Window Frames and Sillings - Wood (Blue indicated by arrow)
5. Window Frames and Sillings - Wood (Blue indicated by arrow)
6. Window Frames and Sillings - Wood (Blue indicated by arrow)
7. Window Sills - Wood (Blue indicated by arrow)
8. Window Frames and Sillings - Wood (Blue indicated by arrow)
9. Window Frames and Sillings - Wood (Blue indicated by arrow)
10. Window Frames and Sillings - Wood (Blue indicated by arrow)
11. Window Frames and Sillings - Wood (Blue indicated by arrow)
12. Window Frames and Sillings - Wood (Blue indicated by arrow)
13. Window Frames and Sillings - Wood (Blue indicated by arrow)
14. Window Frames and Sillings - Wood (Blue indicated by arrow)

**Notes:**

1. Window Sills - Wood (Blue indicated by arrow)
2. Window Frames and Sillings - Wood (Blue indicated by arrow)
3. Window Frames and Sillings - Wood (Blue indicated by arrow)
4. Window Frames and Sillings - Wood (Blue indicated by arrow)
5. Window Frames and Sillings - Wood (Blue indicated by arrow)
6. Window Frames and Sillings - Wood (Blue indicated by arrow)
7. Window Sills - Wood (Blue indicated by arrow)
8. Window Frames and Sillings - Wood (Blue indicated by arrow)
9. Window Frames and Sillings - Wood (Blue indicated by arrow)
10. Window Frames and Sillings - Wood (Blue indicated by arrow)
11. Window Frames and Sillings - Wood (Blue indicated by arrow)
12. Window Frames and Sillings - Wood (Blue indicated by arrow)
13. Window Frames and Sillings - Wood (Blue indicated by arrow)
14. Window Frames and Sillings - Wood (Blue indicated by arrow)

**Disclaimer:**

The above levels and elevations are indicated only and may be subject to change. The corrector must verify all dimensions on site before commencing any work or stop coverage. If the drawing involves the installation of any work or stop coverage, the corrector must verify all dimensions on site before commencing any work or stop coverage. If the drawing involves the installation of any work or stop coverage, the corrector must verify all dimensions on site before commencing any work or stop coverage. If the drawing involves the installation of any work or stop coverage, the corrector must verify all dimensions on site before commencing any work or stop coverage.

**Company:** Carey Jones  
 1000 Lakeshore Drive  
 Toronto, Ontario M5G 1S1  
 Tel: +1 (416) 291-1000  
 Fax: +1 (416) 291-1001  
 www.careyjones.com





Proposed West Elevation 1:100

**PLANING**

**cjct**  
careyjonas  
chapsin@cjct.ca

10600 Howe Street, Suite 100, Richmond, BC V6X 2E9  
Tel: +1 604 275 9800  
Fax: +1 604 275 9801  
www.cjct.ca

**Project:** 12 Elgin Avenue  
**Job No.:** 28525  
**The:** West Elevation  
**Scale:** 1:100 @ A1, 1:200 @ A3 CMG  
**Date:** November 2014  
**Drawn By:** DJD  
**Checked By:** PJA

The client hereby certifies that the information contained herein is true and correct to the best of their knowledge and belief. The client further certifies that they have authorized the architect to prepare the drawings for the project and that they will indemnify the architect from and against all claims, damages, costs and expenses, including reasonable attorney's fees, that may be incurred by the architect in connection with the preparation and execution of the drawings.

**Materials Key:**

1. Brick - Reddish Brown - Full Size Brick - staggered by 1/2" (per manufacturer's instructions)
2. Concrete Block - Concrete Block - staggered by 1/2" (per manufacturer's instructions)
3. Stone - Natural Stone - staggered by 1/2" (per manufacturer's instructions)
4. Wood - Cedar - Vertical Grain - staggered by 1/2" (per manufacturer's instructions)
5. Glass - Clear Glass - staggered by 1/2" (per manufacturer's instructions)
6. Steel - Steel - staggered by 1/2" (per manufacturer's instructions)
7. Window - 48" x 66" - Double Hung - White - 1/2" (per manufacturer's instructions)
8. Window - 24" x 36" - Double Hung - White - 1/2" (per manufacturer's instructions)
9. Window - 12" x 36" - Double Hung - White - 1/2" (per manufacturer's instructions)
10. Window - 6" x 36" - Double Hung - White - 1/2" (per manufacturer's instructions)
11. Window - 48" x 36" - Double Hung - White - 1/2" (per manufacturer's instructions)
12. Window - 24" x 36" - Double Hung - White - 1/2" (per manufacturer's instructions)
13. Window - 12" x 36" - Double Hung - White - 1/2" (per manufacturer's instructions)
14. Window - 6" x 36" - Double Hung - White - 1/2" (per manufacturer's instructions)

**Scale:** 1:100  
0 1 2 3 4 5 6 7 8 9 10

**West Elevation**  
1:100  
11/11/14  
11/11/14

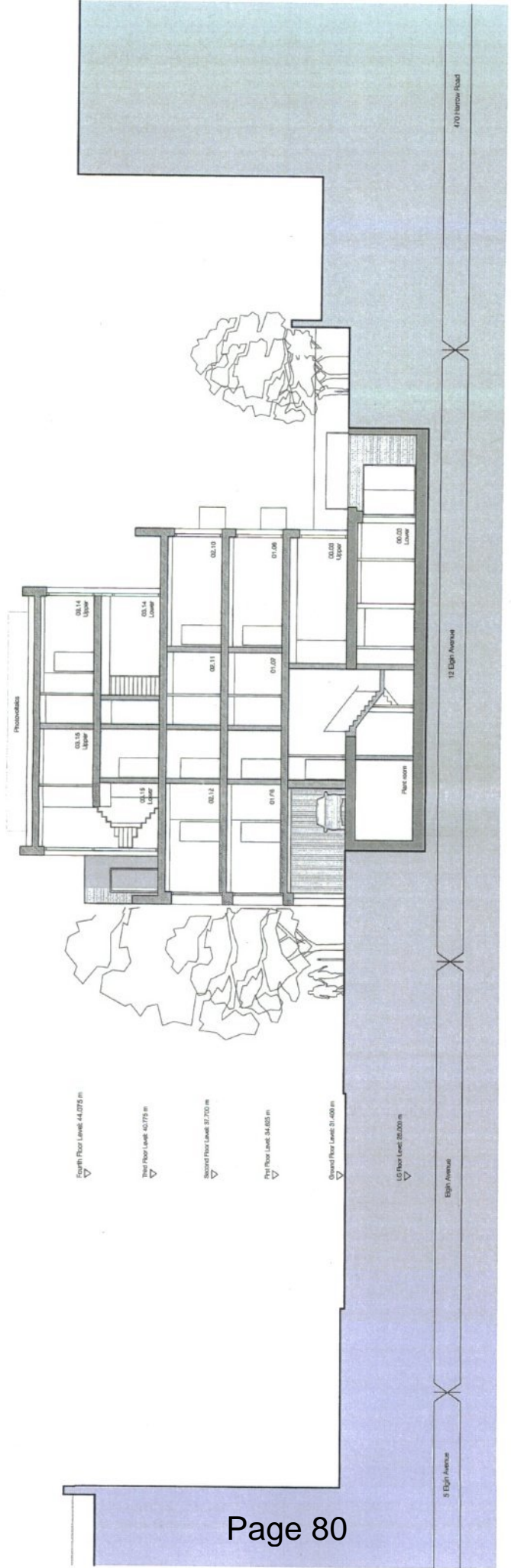
By: DJD, CH  
Date:

**Location Plan**

NSIC 10/20/13  
CAD 10/20/13  
CAD 11/11/14  
CAD 11/11/14

West Elevation  
1:100  
11/11/14  
11/11/14

10600 Howe Street, Suite 100, Richmond, BC V6X 2E9  
Tel: +1 604 275 9800  
Fax: +1 604 275 9801  
www.cjct.ca



Proposed Section AA 1:100

**PLANNING**

**cjct**  
careyjoness  
consultants

1000A Kingsdown Road, Victoria Park, Auckland  
 Tel: +64 9 220 7200 Fax: +64 9 220 7201  
 Email: info@careyjoness.co.nz Website: www.careyjoness.co.nz

Project: 12 Elgin Avenue  
 Sub-Project: Section AA  
 Date: 11/09 @ A1, 1/200 @ A3 CHG  
 Drawn By: DDB  
 Checked By: CH  
 Scale: 1:100 @ A1, 1:200 @ A3 CHG  
 Date: September 2014  
 Project No: 200\_300

The layout shown in this plan is a preliminary design and is subject to change. It is not to be used for construction purposes. All dimensions are in millimeters unless otherwise stated. The drawing is the property of Carey Jones and is not to be reproduced without their written consent. The drawing is not to be used for any other purpose without their written consent. The drawing is not to be used for any other purpose without their written consent. The drawing is not to be used for any other purpose without their written consent.

**Scale 1:100**

**Section AA**

City of Auckland Planning Department  
 11/1/14  
 By: DDB, CH

**LOCATION PLAN**

Project: 12 Elgin Avenue, 25525  
 Title: Lower Ground Plan  
 Scale: 1:100 @ A1, 1:200 @ A3, CMB  
 Date: November 2014  
 Drawn By: PJD  
 Checked By:  
 Revision: P01\_099

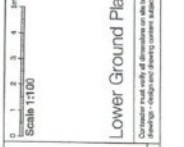
The layout depicts the proposed apartment and auxiliary areas of building and is subject to design development. The proposed location of walk, toward down, corridors, stairs and the detailed layout of interior and exterior circulation is for design development stage and may vary from its final location and details shown here.

These floor elevations should not affect the usability and arrangements of interior space and exterior circulation areas. Any adjustments to these elevations should be made in consultation with the architect and other relevant stakeholders.

Any adjustments to the proposed floor elevations should be made in consultation with the architect and other relevant stakeholders.



Proposed Basement Plan 1:100



Lower Ground Plan

0 1 2 3 4 m  
 Scale 1:100

MO	15/11/14	DD
MA	19/11/14	DD
CH	12/11/14	DD
PR	26/11/14	DD
BY	DWB	CH



The listed fabric with individual apartments and smaller scale of building may be subject to change.  
The listed fabric with individual apartments and smaller scale of building may be subject to change.  
The listed fabric with individual apartments and smaller scale of building may be subject to change.  
The listed fabric with individual apartments and smaller scale of building may be subject to change.

- Key**
- Existing fence complete
  - To be removed (R)
  - To be replaced (R)
  - Existing fence to remain (R)
  - Proposed fence to be replaced (R)
  - Proposed fence to remain (R)

For further information regarding the individual planning phases please refer to the relevant drawings and specifications.  
The drawings are the property of Carey Jones Clayton Mitchell and should not be used for any other purpose without their written consent.

**Scale 1:100**

**Ground Floor Plan**

Rev.	Date	Ch.
001	18/07/14	C.D.
002	18/07/14	C.D.
003	11/11/14	C.D.
004	11/11/14	C.D.
005	11/11/14	C.D.
006	11/11/14	C.D.
007	11/11/14	C.D.
008	11/11/14	C.D.
009	11/11/14	C.D.
010	11/11/14	C.D.
011	11/11/14	C.D.
012	11/11/14	C.D.
013	11/11/14	C.D.
014	11/11/14	C.D.
015	11/11/14	C.D.
016	11/11/14	C.D.
017	11/11/14	C.D.
018	11/11/14	C.D.
019	11/11/14	C.D.
020	11/11/14	C.D.
021	11/11/14	C.D.
022	11/11/14	C.D.
023	11/11/14	C.D.
024	11/11/14	C.D.
025	11/11/14	C.D.
026	11/11/14	C.D.
027	11/11/14	C.D.
028	11/11/14	C.D.
029	11/11/14	C.D.
030	11/11/14	C.D.
031	11/11/14	C.D.
032	11/11/14	C.D.
033	11/11/14	C.D.
034	11/11/14	C.D.
035	11/11/14	C.D.
036	11/11/14	C.D.
037	11/11/14	C.D.
038	11/11/14	C.D.
039	11/11/14	C.D.
040	11/11/14	C.D.
041	11/11/14	C.D.
042	11/11/14	C.D.
043	11/11/14	C.D.
044	11/11/14	C.D.
045	11/11/14	C.D.
046	11/11/14	C.D.
047	11/11/14	C.D.
048	11/11/14	C.D.
049	11/11/14	C.D.
050	11/11/14	C.D.
051	11/11/14	C.D.
052	11/11/14	C.D.
053	11/11/14	C.D.
054	11/11/14	C.D.
055	11/11/14	C.D.
056	11/11/14	C.D.
057	11/11/14	C.D.
058	11/11/14	C.D.
059	11/11/14	C.D.
060	11/11/14	C.D.
061	11/11/14	C.D.
062	11/11/14	C.D.
063	11/11/14	C.D.
064	11/11/14	C.D.
065	11/11/14	C.D.
066	11/11/14	C.D.
067	11/11/14	C.D.
068	11/11/14	C.D.
069	11/11/14	C.D.
070	11/11/14	C.D.
071	11/11/14	C.D.
072	11/11/14	C.D.
073	11/11/14	C.D.
074	11/11/14	C.D.
075	11/11/14	C.D.
076	11/11/14	C.D.
077	11/11/14	C.D.
078	11/11/14	C.D.
079	11/11/14	C.D.
080	11/11/14	C.D.
081	11/11/14	C.D.
082	11/11/14	C.D.
083	11/11/14	C.D.
084	11/11/14	C.D.
085	11/11/14	C.D.
086	11/11/14	C.D.
087	11/11/14	C.D.
088	11/11/14	C.D.
089	11/11/14	C.D.
090	11/11/14	C.D.
091	11/11/14	C.D.
092	11/11/14	C.D.
093	11/11/14	C.D.
094	11/11/14	C.D.
095	11/11/14	C.D.
096	11/11/14	C.D.
097	11/11/14	C.D.
098	11/11/14	C.D.
099	11/11/14	C.D.
100	11/11/14	C.D.



Elgin Avenue

Chantry Close

Proposed Ground Floor Plan 1:100



Job No. 28525

Project 12 Elgin Avenue  
Third Floor and Fourth Floor Plan

Client No. 0314  
Scale: 1:100 @ A1, 1:200 @ A3 CMG  
Date: September 2014  
Created By: DJD  
Checked By: PMA

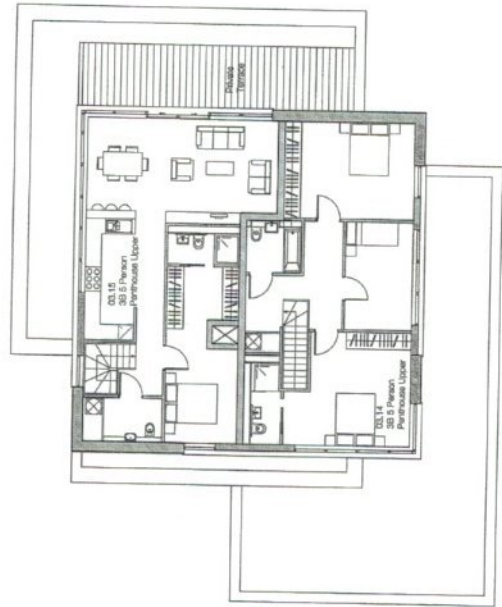
The third floors within residential apartments and utility area of building may be subject to design development.

The precise location of walls, fixed doors, windows, stairs and the detailed layout of all interior fixtures and casework is the subject of architectural concept and may vary from the interior design concept.

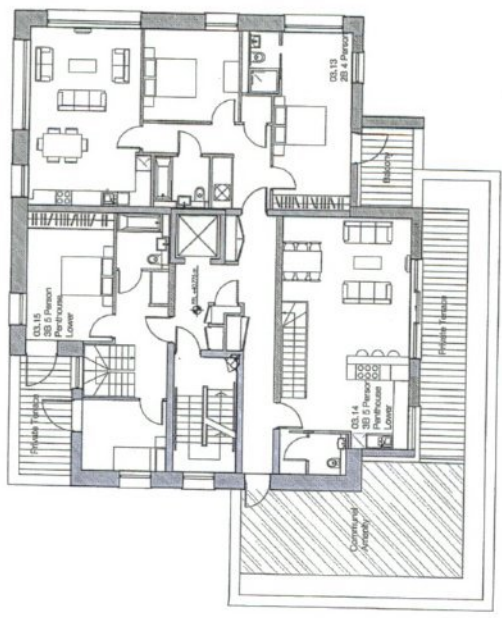
These floor plans should not affect the building and arrangement of exterior doors and windows nor should they affect the relationship between interior rooms and exterior.

These floor plans are shown as preliminary and may be subject to design development.

Design development is to be shown on the drawings. All use of the drawings, design development or otherwise, is the responsibility of the user. Design development is not a final design and is not intended to be used for construction purposes. All design development is the property of CareyJonas Architectural and is not to be used for any other purpose without the written consent of CareyJonas Architectural.



Proposed Fourth Floor Plan 1:100



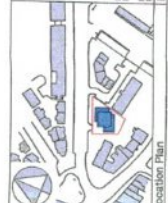
Proposed Third Floor Plan 1:100

Scale: 1:100

Third Floor and Fourth Floor Plan

By: DJD, CH  
Date: CH

Revised Planning Application  
1400 Huntington River  
Huntington, VA 24042  
Tel: +1 802 768 9000  
Fax: +1 802 768 9001  
www.cjctarchitect.com



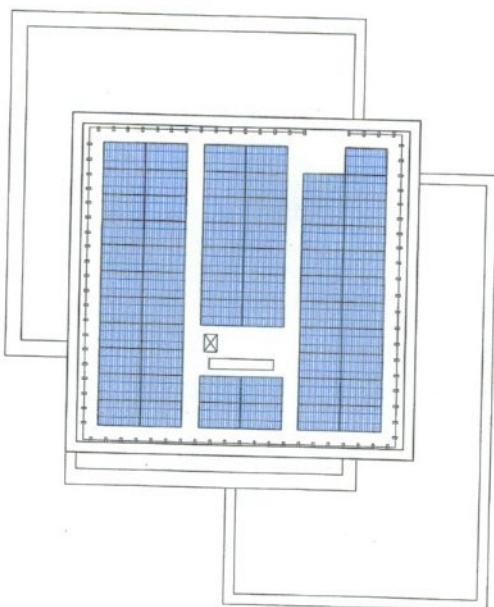


10000 Woodloch Forest Road  
 Suite 1000  
 Bethesda, MD 20814  
 Tel: 301.223.2000  
 Fax: 301.223.2002  
 www.cjct.com

Job No. 28825  
 Project: 12 Eight Avenue  
 Title: Roof Plan  
 Scale: 1:100 @ A1, 1:200 @ A3, CMB  
 Date: November 2014  
 Checked by: DJD  
 Plotted by: PUA

The second floor eight residential apartments and auxiliary area of building may be subject to design development.  
 The precise location of walls, framed doors, columns, beams and the detailed layout of partitions are shown for the subject of non-structural changes and may vary from the listed schedule and shall be subject to design development.  
 These minor alterations should not affect the position and arrangement of structural frame and without our consent they should be subject to design development.  
 A complete review of the drawings is not made of the details. Change orders or design errors may be subject to design development. © 2014, Carter-Long Engineering, Inc. All rights reserved. LECT Corporation.

Key  
 PV Element



Scale 1:100

Proposed Roof Plan

Revised: 11/11/14  
 Date: 11/11/14  
 By: DJD, CH

Project: 12 Eight Avenue  
 Title: Roof Plan  
 Scale: 1:100 @ A1, 1:200 @ A3, CMB  
 Date: November 2014



Proposed Roof Plan 1:100

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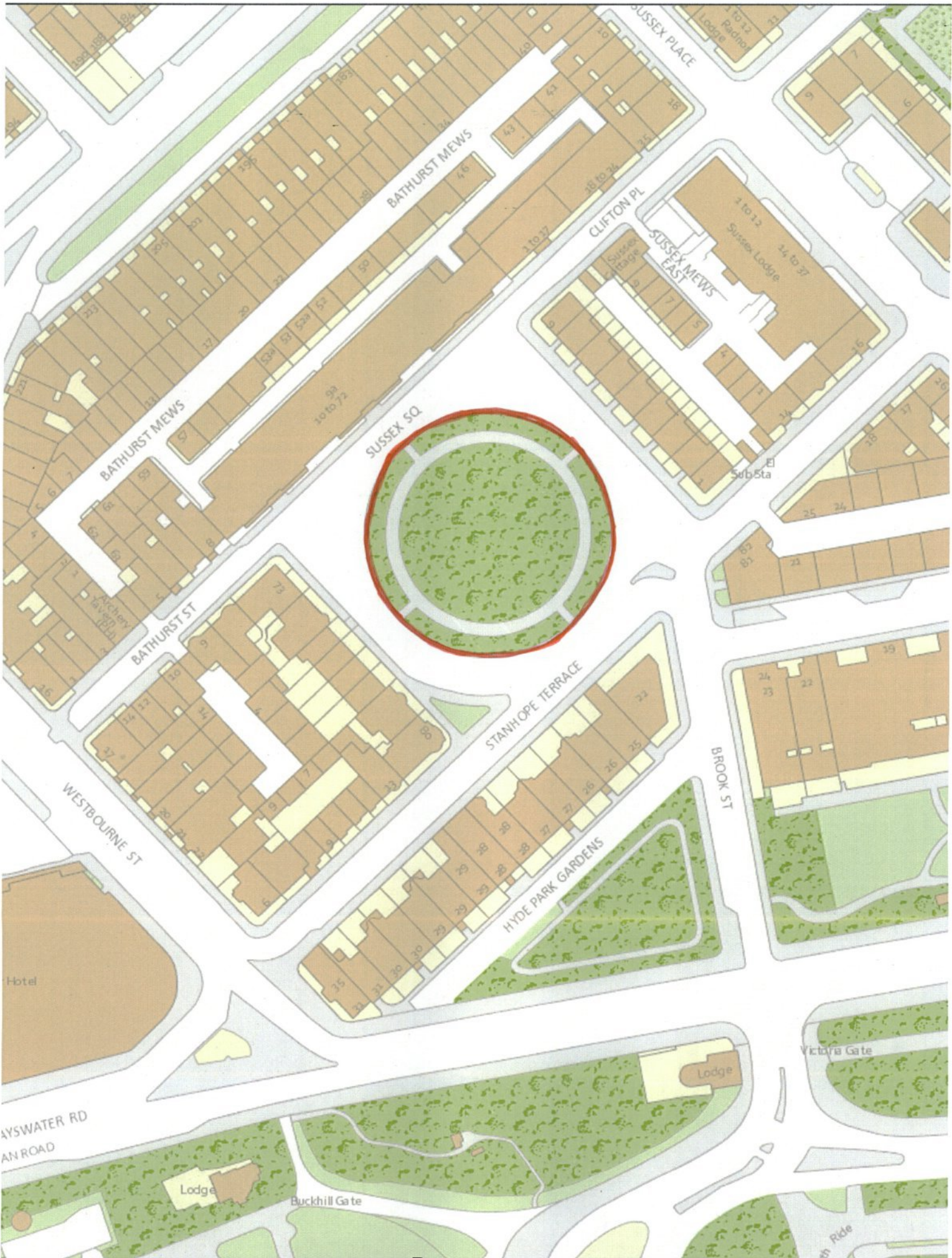
# Agenda Item 3

Item No.
3

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 24 November 2015	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Wards involved</b> Hyde Park	
<b>Subject of Report</b>	<ol style="list-style-type: none"> <li>1. Sussex Square, London, W2</li> <li>2. Gloucester Square, London, W2</li> <li>3. Hyde Park Square, London, W2</li> </ol>		
<b>Proposal</b>	Removal of existing fences, gates and railings and installation of replacement railings and gates and associated works to boundary of communal gardens (to Sussex Square, Gloucester Square and Hyde Park Square respectively).		
<b>Agent</b>	Knight Frank LLP		
<b>On behalf of</b>	The Church Commissioners for England		
<b>Registered Number</b>	Application 1 – Sussex Square 15/03105/FULL Application 2 – Gloucester Square 15/03109/FULL Application 3 – Hyde Park Square 15/03110/FULL	<b>TP / PP No</b>	TP/25701
<b>Date of Application</b>	09.04.2015	<b>Date amended/ completed</b>	04.11.2015
<b>Category of Application</b>	Minor		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Bayswater		
<b>Development Plan Context</b> - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Outside London Plan Central Activities Zone Outside Central Activities Zone		
<b>Stress Area</b>	Outside Stress Area		
<b>Current Licensing Position</b>	Not Applicable		

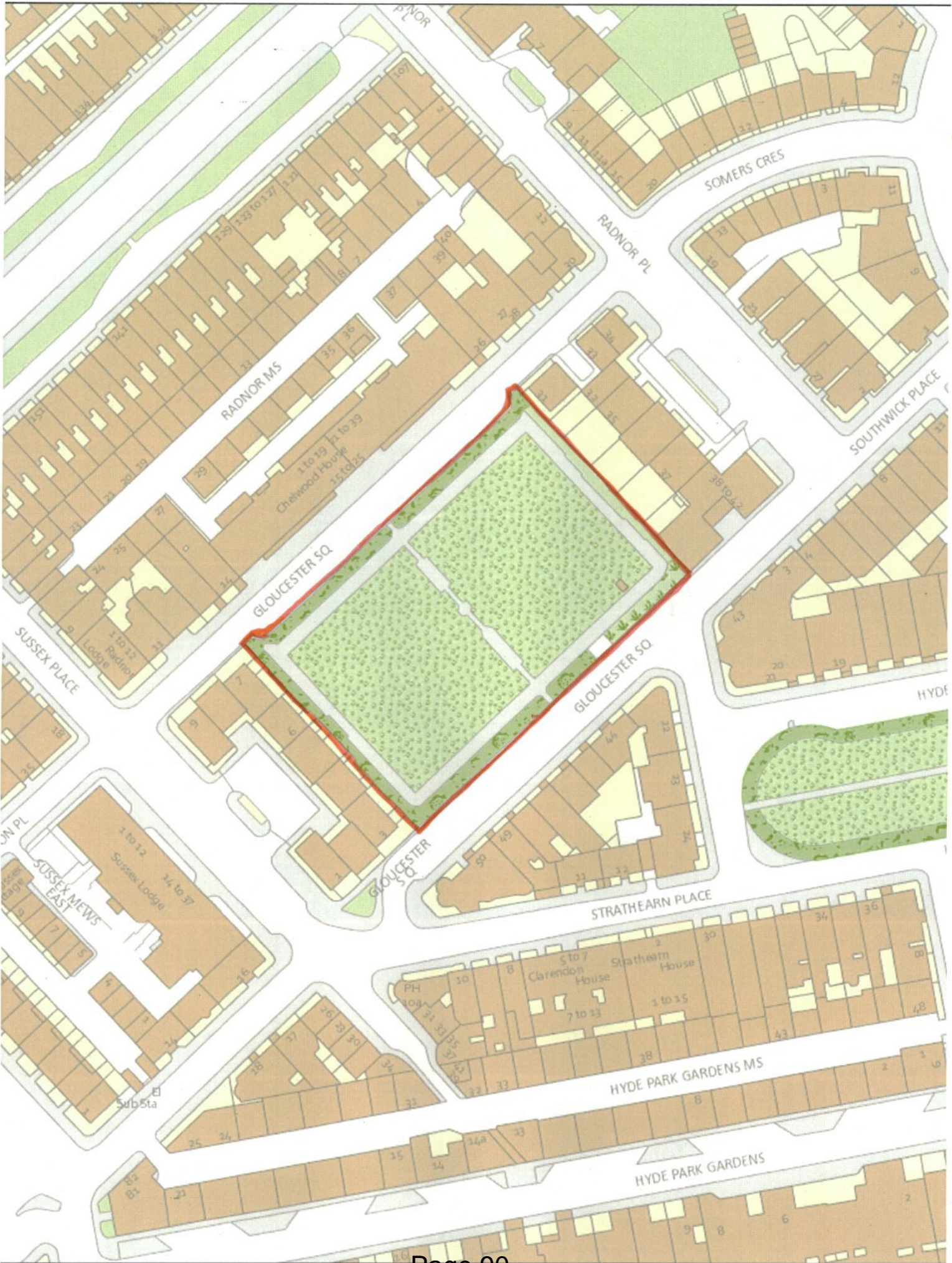
## 1. RECOMMENDATION

1. Application 1 (Sussex Square - 15/03105/FULL) - Grant conditional permission.
2. Application 2 (Gloucester Square - 15/03109/FULL) - Grant conditional permission.
3. Application 3 (Hyde Park Square - 15/03110/FULL) - Grant conditional permission.



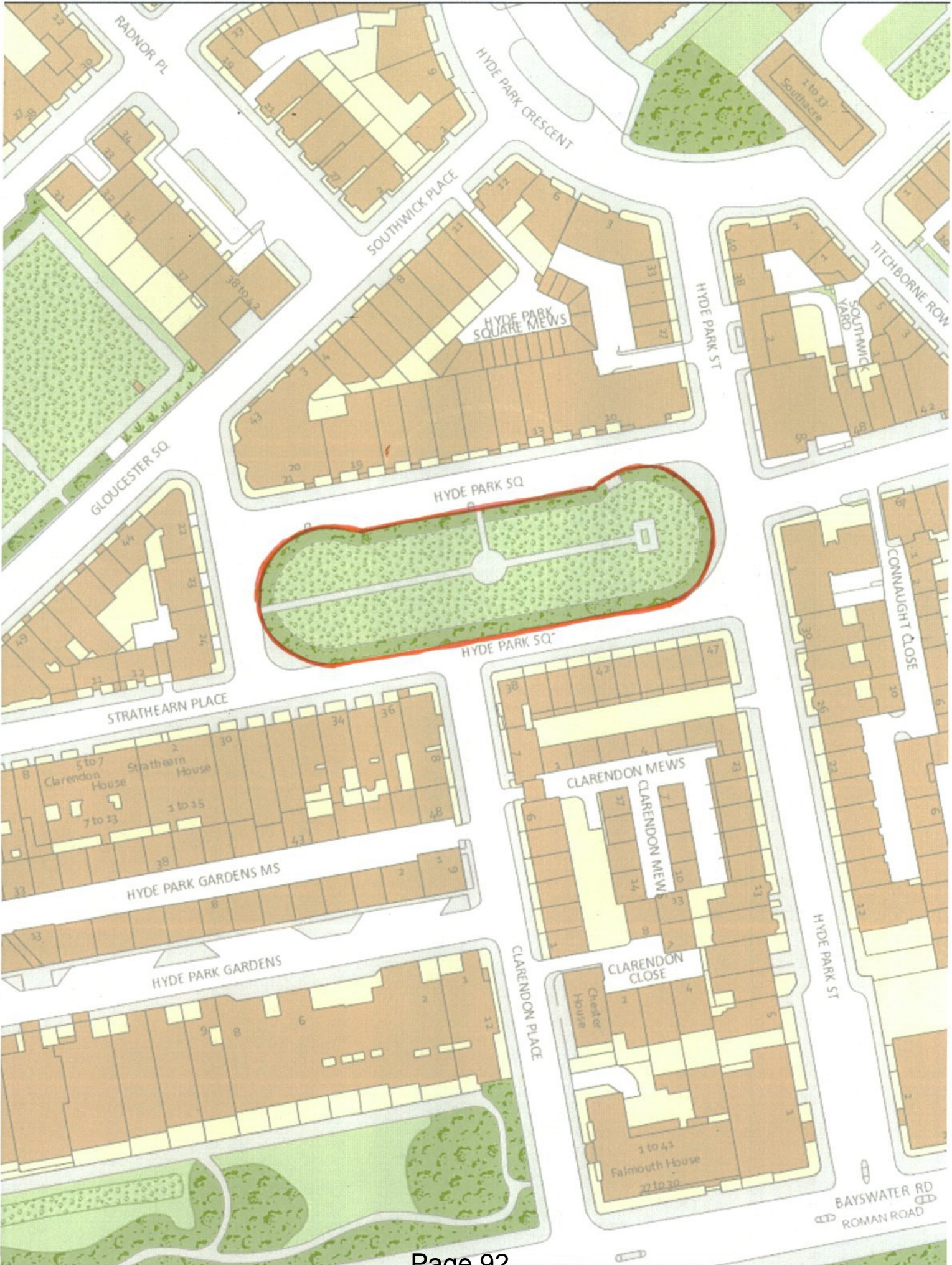


SUSSEX SQUARE, W2





GLOUCESTER SQUARE, W2





HYDE PARK SQUARE, W2

## 2. SUMMARY

Three separate applications (one for each Square) have been submitted proposing to remove the existing fencing, railings and gates around the central landscaped areas to three of the squares within Bayswater; namely Sussex Square, Gloucester Square and Hyde Park Square, and to replace them with new railings and gates. These three squares are all within the Bayswater Conservation Area, and the central landscaped areas to all three squares are listed in the London Squares Preservation Act of 1931. At some point in the mid 20th century the original boundary railings which formerly surrounded these landscaped garden areas were removed and replaced principally by chain link fencing.

Objections and concerns have been received relating to all three applications.

The key issues in these cases are:

- The impact of the proposed works upon the character and appearance of the Bayswater Conservation Area and, as appropriate, the setting of surrounding Grade II listed buildings.
- The impact of the proposed works on the trees and landscaping cover to the garden areas.
- The impact of the proposed works upon the adjacent public highway.

The proposals for each of the three squares are considered to accord with the relevant policies within the Westminster City Plan: Strategic Policies and the Unitary Development Plan (UDP) adopted in January 2007 and all three applications are recommended for approval.

## 3. CONSULTATIONS

### APPLICATION 1 - SUSSEX SQUARE (15/03105/FULL):-

#### COUNCILLOR FLORU

Objects to the proposals on grounds that the removal of the existing hedge surrounding the square would adversely affect the privacy of residents using the square, that the railings would have an adverse impact upon the appearance of the square, that the cost of maintenance of the proposed railings would be borne by the residents and that the existing fence needs only low maintenance, that the traditional design of the railings is inappropriate in a square with generally modern buildings, and that the existing entrance gate is attractive and the new one is not a suitable replacement.

#### COUNCILLOR COX

Copy of email to local resident noting the strength of feeling of residents with regards to the scheme.

#### COUNCILLOR ACTON

Copy of email to local resident noting the concerns of local residents, and that further information is anticipated prior to the application being presented to the Planning Applications Committee.

#### HISTORIC ENGLAND

Recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of the City Council's specialist conservation advice.

#### HYDE PARK ESTATE ASSOCIATION

Any comments to be reported verbally.



**ARBORICULTURAL MANAGER**

Raise no objections, subject to conditions.

**ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS**

No. Consulted: 163; Total No. of Replies: 12.

Twelve letters of objection on the following grounds:

- Loss of the hedge on grounds of the visual impact of its removal on the Square.
- The railings would encase the free flowing nature of the hedge.
- Loss of the hedge - impact upon its provision of natural habitat.
- Loss of the hedge on grounds of the loss of privacy.
- Loss of the hedge on grounds of its current role in protection from noise and wind.
- Concern expressed about the cost of the works.
- Use of traditional railings in the context of a square with modern buildings.
- Reference made to the proximity of the open space in Hyde Park in the context of concern at the opening up of the Square.
- Concern about the lack of consultation with local residents.
- Concern expressed about the generic nature of the application submissions to Sussex, Gloucester and Hyde Park Squares.
- Concern that the works will reduce the security of the gardens and increase the fear of security.
- View expressed commenting favourably on the appearance of the existing railings and gates, noting that they are low maintenance and secure.

ADVERTISEMENT/SITE NOTICE: Yes

**APPLICATION 2 - GLOUCESTER SQUARE (15/03109/FULL):-****WARD COUNCILLORS**

Any comments to be reported verbally.

**HISTORIC ENGLAND**

Recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of the City Council's specialist conservation advice.

**HYDE PARK ESTATE ASSOCIATION**

Any comments to be reported verbally.

**ARBORICULTURAL MANAGER**

Raise no objections, subject to conditions.

**ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS**

No. Consulted: 134; Total No. of Replies: 2.

Two letters of objection on the following grounds:

- Concern expressed about the inappropriateness of traditional railings in the context of a square where over two thirds of the buildings facing on to it have been redeveloped since the railings were removed.
- Concern expressed that the replacement railings are 1.5m high and do not replicate the original 1.2m high railings, and that the height will isolate the square.

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- Concern expressed that the 1.5m high railings proposed are lower in height than the existing railings and will therefore compromise the security of the square, where there is direct access to some houses on the east/west side of the square.

ADVERTISEMENT/SITE NOTICE: Yes

APPLICATION 3 - HYDE PARK SQUARE (15/03110/FULL):-

WARD COUNCILLORS

Any comments to be reported verbally.

HISTORIC ENGLAND

Recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of the City Council's specialist conservation advice.

HYDE PARK ESTATE ASSOCIATION

Any comments to be reported verbally.

ARBORICULTURAL MANAGER

Raise no objections, subject to conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 314; Total No. of Replies: 1.

One email received concerning potential removal of Camelia trees.

ADVERTISEMENT/SITE NOTICE: Yes

**4. BACKGROUND INFORMATION**

**4.1 The Application Sites**

Sussex Square, Gloucester Square and Hyde Park Square are all within the Bayswater Conservation Area, and the central landscaped areas to all three squares are listed in the London Squares Preservation Act of 1931. At some point in the mid 20<sup>th</sup> century the original boundary railings which formerly surrounded these three landscaped garden areas were removed and replaced principally by the existing chain link fencing.

**4.2 Planning History**

There is no planning history relevant to these applications.

**5. THE PROPOSAL**

Three separate applications for planning permission (one to each square) have been submitted proposing to remove the existing fencing, railings and gates around the central landscaped areas to Sussex Square, Gloucester Square and Hyde Park Square, and to replace them with new cast iron railings and gates. The existing hedge surrounding the garden square at Hyde Park Square is shown on the submitted drawings as being proposed for removal, with the drawings showing the existing hedges to Sussex Square and Gloucester Square principally intended for retention.

The application at Sussex Square has attracted 12 letters of objection from local residents, and also representations from Councillors Floru, Cox and Acton. The application at Gloucester Square has attracted two objections from local residents. The application at Hyde Park Square has attracted one objection.

## 6. DETAILED CONSIDERATIONS

### 6.1 Land Use

The proposals raise no land use implications.

### 6.2 Townscape and Design

When Sussex Square, Hyde Park Square and Gloucester Square were originally laid out in the 19<sup>th</sup> century, the landscaped garden areas to the centre of each of them would have been surrounded by cast iron railings in similar design to those railings fronting the front lightwells of the 19<sup>th</sup> century terraced housing originally built around the edge of each square. These original railings to the landscaped garden areas were removed in the mid 20<sup>th</sup> century and replaced principally with chain link fencing and gates of poor design and appearance, though some limited amount of railings and metal gates of no particular design quality have also been installed to certain locations.

These applications seek the removal of the existing boundary treatment to each square and their replacement with new gates and railings on the existing boundary line formed in black painted cast iron, and to a design which will closely follow the design of the remaining original front lightwell railings to the Victorian terraced houses in the general vicinity. The plinth to the railings will be formed in reconstituted Portland stone, and a sample of this will be secured by condition to ensure its appropriate colour and finish. The railings are shown as being individually set into the plinths in traditional manner, and above the top rail are a regularly spaced pattern of decorative ball finials with the majority of finials between these having spearhead finials, which again follows the pattern of original 19<sup>th</sup> century railings found in the area. The railings from the plinth to the top of the finials are 1.5m in height, a height the applicant states derives from a desire by local residents and the garden committee that the railings be this height for security purposes.

Officers consider that the existing boundary treatments to each of the squares is of poor quality and that a reintroduction of traditionally designed railings on a reconstituted stone plinth, with traditionally detailed entrance gates, will represent a significant improvement in the appearance of the boundary treatment to the landscaped garden grounds and will restore an important element of the 19<sup>th</sup> century character of the squares which has been lost since the removal of the original railings in the mid 20<sup>th</sup> century. The 1.5m height of the railing is not markedly higher than original examples to surrounding 19<sup>th</sup> century terraced properties, and the plinth is as low as the landscaping levels immediately behind would allow. The appropriate detailing of plinth, railings and finials will be secured by conditions.

It is noted that a number of residents in Sussex Square and also in Gloucester Square have expressed concern about the introduction of traditionally designed railings of 19<sup>th</sup> century appearance on grounds that the majority of the buildings around these Squares are no longer the original 19<sup>th</sup> century terraced houses. Whilst noting this concern, the railings being proposed for installation are historically appropriate to the landscaped garden grounds, and are considered a significant improvement upon the existing poor quality fencing and gates. To Sussex Square, it is also noted that the buildings forming the terrace along the south side of Sussex Square are Grade II listed 19<sup>th</sup> century properties (though admittedly modernised to their Sussex Square elevation) and that the buildings on the east and west sides of the Square are 20<sup>th</sup> century in origin though nonetheless drawing some inspiration in their design from traditional buildings. To Gloucester Square the original 19<sup>th</sup> century buildings remain along the south side of the Square, and also to the east and west ends on the north side. To Hyde Park Square original buildings remain to north and south sides of the Square. In these circumstances, it is not considered that a reason for refusal could be sustained on this ground, and the traditional design proposed is considered appropriate.

To accommodate circumstances where significant tree roots project across the line of the new plinth and railings, the applicant has shown a detail where the plinth is omitted to allow the tree roots to continue unbroken, with that section of railings above supported neatly by rising from a bottom bar. This is a standard approach to such situations for railings, and is considered neatly detailed.

The new railings and gates proposed to each square are therefore considered acceptable and the proposals are in line with Policies DES 1, 7, 9 and 10 in our UDP, and Policy S25 in our Westminster City Plan.

### **6.3 Residential Amenity**

Concerns have been raised by a number of objectors to the proposals at Sussex Square about the loss of privacy which would be caused by removal of the existing hedging which surrounds the gardens to that Square. The applicant states that to Sussex Square, aside from a small area to the east side of the Square, all the existing vegetation and overhanging branches of shrubs is intended to be held back to provide working space for the installation of railings, and also retained in this manner to Gloucester Square. The hedge to Hyde Park Square, however, is proposed to be removed, with replacement planting to be secured by condition. Though noting that the removal of hedging would lessen the privacy currently enjoyed by users of the Square, the garden square is nonetheless an accessible recreation space and not private accommodation, and it is not considered that permission could reasonably be refused on grounds of the greater visibility of persons using the Square from the public realm surrounding.

Several objections have also been received on grounds of a perceived increase in noise and wind to users of the square if hedges are removed, and whilst it is noted that to Hyde Park Square a removal of the existing hedge could increase the impact of such issues, it is also noted that the square is a large and open recreation area and it is not considered that such issues raised by the objectors are sufficient to warrant the refusal of an application for planning permission.

### **6.4 Transportation /Parking/Access**

To each Square there are residents parking bays adjacent to the central gardens along much of each of their perimeters. Through the course of the application process, officers had asked the applicant to consider options for setting the plinth and railings back marginally further to allow for a slightly wider area for doors on the garden side of cars to open. In the application submission, the drawings show a distance of 0.403m between the kerb edge and the railings to each square. Though a modest gap, it is recognised that this distance is approximately the distance between the kerb edge and the existing fencing, with the existing vegetation projecting through the fencing in many areas and extending out closer to the kerb edge. It is also recognised that the further back any plinth and railings are set the more problematic the issues become of the potential for impact on the trees within the gardens. In these circumstances, it is not considered that the new railings would have an unacceptable impact upon the usability of car parking provision within each of these squares.

### **6.5 Equalities and Diversities**

No change.

### **6.6 Economic Considerations**

Any economic benefits generated by the development are welcomed.

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### **6.7 Other Westminster Policy Considerations**

There are no other policy considerations.

### **6.8 London Plan**

These applications raise no strategic issues.

### **6.9 National Policy/Guidance Considerations**

Central Government's National Planning Policy Framework (NPPF) came into effect on 27 March 2012. It sets out the Government's planning policies and how they are expected to be applied. The NPPF has replaced almost all of the Government's existing published planning policy statements/guidance as well as the circulars on planning obligations and strategic planning in London. It is a material consideration in determining planning applications.

Until 27 March 2013, the City Council was able to give full weight to relevant policies in the Core Strategy and London Plan, even if there was a limited degree of conflict with the framework. The City Council is now required to give due weight to relevant policies in existing plans "according to their degree of consistency" with the NPPF. The City Council has recently published the NPPF Revisions to the Core Strategy which was submitted to the Secretary of State on 25 January 2013. For the UDP, due weight should be given to relevant policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the NPPF, the greater the weight that may be given).

The UDP policies referred to in the consideration of these applications are considered to be consistent with the NPPF unless stated otherwise.

### **6.10 Planning Obligations**

Not relevant in the determination of these applications.

### **6.11 Environmental Assessment including Sustainability and Biodiversity Issues**

Across the three squares there are a significant number of trees in close proximity to the line of the railings, and also a significant amount of lower level vegetation and hedging. All the existing trees are to be retained, and subject to conditions, the Arboricultural Manager is content with the proposals and thus the objection on grounds of the implications for trees is not considered sustainable.

A number of objections have been received with regards to the application for railings at Sussex Square expressing concern about the implications of the loss of the hedge/vegetation located around the square just to the inside of the existing fencing. The vegetation around the outsides of Sussex Square and Gloucester Square, however, is principally intended to be retained, and the applicant's arboricultural consultants advise that during works this vegetation would be held back where reasonably practicable to allow for working space for the installation of the railings and to maintain the natural shape of shrubs or bushes.

To Hyde Park Square, however, the entire Yew hedge around the boundary is proposed to be removed, as the existing and proposed fences are located in the centre of the hedge and it does not appear practically possible to undertake the proposed works without removing it. Although this is regrettable, it is considered justified to allow for the replacement of the railings. Furthermore, the Arboricultural Manager is content that it should be relatively

straightforward to replace the hedge following the works, and a condition is attached to secure a package of landscaping proposals to allow for suitable replacement planting once the works are complete. Subject to this, it is not considered that the concerns expressed are sustainable on this ground.

### **6.12 Other Matters**

Concern has been raised about a perceived increased security risk to the squares given the height of the railings. The railings themselves are 1.5m high from the base of the shaft to the top of the finials, with the plinth being an additional 250mm high to Gloucester Square and Hyde Park Square, and a height closer to 450mm to Sussex Square to accommodate the higher height of garden grounds behind the boundary to that square. Though noting the concerns of residents on security grounds, this height is considered appropriate in terms of securing the boundary to the Squares.

Several objectors and also Councillor Floru have expressed concern about the cost of the railings to surrounding residents, and that the existing fencing is low maintenance, and that the maintenance of the railings will come at a cost to local residents. The cost of the new railings and maintenance costs, however, are private matters between the residents and the applicant, and it is not considered that permission could be withheld on grounds of concerns about the costs of the works.

One objector has made reference to the proximity of Hyde Park which already gives considerable open amenity space, and in this context expresses concern about an opening up of Sussex Square. Though noting the proximity of Hyde Park, the application must be considered on its merits, and in the case of Sussex Square the applicant intends to seek to retain the existing vegetation surrounding the square through the course of the works.

Concern has also been raised about a lack of consultation between the applicant and local residents regarding the works, however, this is considered a private matter and the City Council has carried out the normal consultation process on the planning applications to advise local residents of the application proposals.

Concern has also been expressed about a perceived generic nature between the three application submissions, however, given the similarities between the application proposals to the three squares then similarities between aspects of the proposals would be expected. The submissions are considered accurate in terms of their representation of the proposals to each square, and the concerns on this ground are not considered sustainable.

### **6.13 Conclusion**

Overall therefore, the proposed works contained within each of the three applications are considered acceptable in design, trees and highways terms and all three applications are considered to accord with the relevant policies contained in the Westminster City Plan and the UDP.

## **BACKGROUND PAPERS**

### **APPLICATION 1 - SUSSEX SQUARE (15/03105/FULL)**

1. Application form
2. Emails from Councillor Floru dated 02.09.2015 and 03.09.2015.
3. Email from Councillor Cox dated 26.08.2015 including email from Chairman of Sussex Square (10-72) Residents Association dated 25.08.2015.

4. Email from Councillor Acton dated 25.08.2015 including email from Chairman of Sussex Square (10-72) Residents Association dated 25.08.2015.
5. Letter from Historic England dated 29.04.2015.
6. Memorandum from Arboricultural Manager dated 18.09.2015.
7. Email from occupier of 'Flat 13, Sussex Square' dated 31.08.2015.
8. Letter from occupiers of 27 Sussex Square dated 14.05.2015.
9. Email from occupier of 26 Stanhope Terrace dated 24.05.2015.
10. Email from occupier of 33 Stanhope Terrace dated 28.05.2015.
11. Letter from occupier of 48 Sussex Square dated 12.06.2015.
12. Email from occupier of 24 Stanhope Terrace dated 17.05.2015.
13. Email from occupier of 23 Stanhope Terrace dated 16.05.2015.
14. Letter from occupier of 15 Sussex Square dated 07.05.2015.
15. Email from occupier of 78 Sussex Square dated 13.05.2015.
16. Email from occupier of 40 Sussex Square dated 05.05.2015.
17. Email from occupier of 14 Sussex Square dated 05.05.2015.
18. Letter from occupier of 17 Sussex Square dated 06.05.2015.

#### APPLICATION 2 - GLOUCESTER SQUARE (15/03109/FULL)

1. Application form.
2. Letter from Historic England dated 29.04.2015.
3. Memorandum from Arboricultural Manager dated 18.09.2015.
4. Letter from Chelwood House Freehold Company dated 10.05.2015.
5. Email from occupier of 44 Gloucester Square dated 19.06.2015.

#### APPLICATION 3 - HYDE PARK SQUARE (15/03110/FULL)

1. Application form.
2. Letter from Historic England dated 29 April 2015.
3. Memorandum from Arboricultural Manager dated 5 November 2015.
4. Email from occupier of north side of Square.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT SARAH WHITNALL ON 020 7641 2929 OR BY E-MAIL – [swhitnall@westminster.gov.uk](mailto:swhitnall@westminster.gov.uk)

**DRAFT DECISION LETTER**

**Address:** Sussex Square, London, W2

**Proposal:** Three separate applications proposing - removal of existing fence, gates and railings and installation of replacement railings and gates and associated works to boundary of communal garden (to Sussex Square, Gloucester Square and Hyde Park Square respectively).

**Plan Nos:** D2292 L220, D2292 L.003, D2292 L.221B, D2292 L.222B, G-Prelim-02, un-numbered drawing titled 'Railings At Tree Locations GA' from MetalCraft dated 21.08.15, tf1008/MS/300B, D2292 L.431, D2292 L.103B, D2292 L.430B, Planning Design and Access Statement including Heritage Statement, email from Knight Frank dated 12.05.15, 1x example photo of railings accommodating a tree

**Case Officer:** Alistair Taylor

**Direct Tel. No.** 020 7641 2979

**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 carry out any building work which can be heard at the boundary of the site only:

- \* between 08.00 and 18.00 Monday to Friday;
- \* between 08.00 and 13.00 on Saturday; and
- \* not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

**Reason:**

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

**Reason:**

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)



- 4 The gates and railings shall be formed in black painted metal, and shall be maintained in that colour thereafter.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 5 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: Strategic Policies adopted November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 6 You must protect the trees according to the details, proposals, recommendations and supervision schedule set out in your Arboricultural Method Statement (drawing no tf1008/MS/300 Rev B). The methods of working and arboricultural supervision schedule must be carried out according to the submitted details. If you need to revise any of these tree protection provisions, you must apply to us for our approval of the revised details, and you must not carry out work the relevant part of the development until we have approved what you have sent us. You must then carry out the work according to the approved details.

Reason:

To protect the trees and the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

- 7 You must submit a written report to us within 5 days of each arboricultural monitoring visit in relation to the Work Stages listed in Table 2 of the Arboricultural Method Statement. The arboricultural monitoring and reporting must be carried out by a suitably qualified and experienced arboricultural consultant.

Reason:

To protect the trees and the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

- 8 During the development, you must not dig, or store or position any structures, machinery, equipment, materials or spoil within the Square (garden). If you need to use the Square for storage or welfare you must apply to us for approval of the details of the ways in which you will protect the trees in the Square.

Reason:

To protect the trees and the character and appearance of this part of the Bayswater

Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

- 9 Notwithstanding the recommendations in the AMS, any work under or around any of the retained trees must not damage the branches of the trees or the roots over 25mm in diameter. If you uncover any roots of this diameter, you must build bridge foundations around them.

Reason:

To protect the trees and the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

- 10 You must apply to us for approval of a sample of the reconstituted stone for the plinth to the railings. 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 the sample. (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 Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 11 You must apply to us for approval of a sample of a two railing shafts linked by a top bar including one railing with a ball finial and one with a spearhead finial - showing the thickness of railing shaft, the detailing of finials and the spacing of the railing shafts.

You must not start work until we have approved what you have sent us. You must then carry out the work according to these samples. (C26CB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 12 Notwithstanding the details shown on 'Elevation 1' of drawing D2292 L430C, the railings shall run continuously unless interrupted by the incorporation of gates

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I32AA)
- 3 Some of the trees on the site are protected by a Tree Preservation Order. You must get our permission before you do anything to them. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I30AA)
- 4 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)

**DRAFT DECISION LETTER**

**Address:** Gloucester Square, London, W2

**Proposal:** Removal of existing railings and installation of replacement railings and gates and associated works to boundary of communal garden.

**Plan Nos:** D2292 L,200, D2292 L.001, un-numbered drawing titled 'Railings At Tree Locations GA' from MetalCraft dated 21.08.15, G-Prelim-01, G-Prelim-01 (incorporating detail of railings/plinth accommodating tree), G-Prelim-02, D2292 L.410E, D2292 L.411E, D2292 L.201B, D2292 L.202B, D2292 L.203B, D2292 L.413, D2292 L.412, D2292 L.101B, tf1008/MS/301B, Planning Design and Access Statement including Heritage Assessment dated 08.04.15, email from Knight Frank dated 12.05.2015, 1x example photograph of railings accommodating a tree

**Case Officer:** Alistair Taylor **Direct Tel. No.** 020 7641 2979

**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 carry out any building work which can be heard at the boundary of the site only:

- \* between 08.00 and 18.00 Monday to Friday;
- \* between 08.00 and 13.00 on Saturday; and
- \* not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

**Reason:**

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

**Reason:**

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 4 The gates and railings shall be formed in black painted metal, and shall be maintained in that colour thereafter.

**Reason:**

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 5 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: Strategic Policies adopted November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 6 You must protect the trees according to the details, proposals, recommendations and supervision schedule set out in your Arboricultural Method Statement (drawing no tf1008/MS/301 Rev B ). The methods of working and arboricultural supervision schedule must be carried out according to the submitted details. If you need to revise any of these tree protection provisions, you must apply to us for our approval of the revised details, and you must not carry out work the relevant part of the development until we have approved what you have sent us. You must then carry out the work according to the approved details.

**Reason:**

To protect the trees and the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

- 7 You must submit a written report to us within 5 days of each arboricultural monitoring visit in relation to the Work Stages listed in Table 2 of the Arboricultural Method Statement. The arboricultural monitoring and reporting must be carried out by a suitably qualified and experienced arboricultural consultant.

**Reason:**

To protect the trees and the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

- 8 During the development, you must not dig, or store or position any structures, machinery, equipment, materials or spoil within the Square (garden). If you need to use the Square for storage or welfare you must apply to us for approval of the details of the ways in which you will protect the trees in the Square.

**Reason:**

To protect the trees and the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

- 9 Notwithstanding the recommendations in the AMS, any work under or around any of the retained trees must not damage the branches of the trees or the roots over 25mm in diameter. If you uncover any roots of this diameter, you must build bridge foundations around them.

**Reason:**

To protect the trees and the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

- 10 You must apply to us for approval of a sample of the reconstituted stone for the plinth to the railings. 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 the sample. (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 Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 11 You must apply to us for approval of a sample of a two railing shafts linked by a top bar including one railing with a ball finial and one with a spearhead finial - showing the thickness of railing shaft, the detailing of finials and the spacing of the railing shafts.

You must not start work until we have approved what you have sent us. You must then carry out the work according to these samples. (C26CB)

**Reason:**

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I32AA)
- 3 Some of the trees on the site are protected by a Tree Preservation Order. You must get our permission before you do anything to them. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I30AA)

- 4 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)

**DRAFT DECISION LETTER**

- Address:** Hyde Park Square, London, W2
- Proposal:** Removal of existing railings and installation of replacement railings and gates and associated works to boundary of communal garden.
- Plan Nos:** D2292 L.002, D2292 L.211B, D2292 L.212B, G-Prelim-02, un-numbered drawing titled 'Railings At Tree Locations GA' from MetalCraft dated 21.08.15, G-Prelim-01, G-Prelim-01 (incorporating detail of railings/plinth accommodating tree), tf1008/MS/302B, D2292 L.210, D2292 L.420C, D2292 L.421E, D2292 L.422C, D2292 L.425, D2292 L.424, D2292 L.423, D2292 L.102B, Planning Design and Access Statement including Heritage Assessment, email from Knight Frank dated 12.05.15, 1x example photo of railings accommodating a tree

**Case Officer:** Alistair Taylor **Direct Tel. No.** 020 7641 2979

**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 carry out any building work which can be heard at the boundary of the site only:

- \* between 08.00 and 18.00 Monday to Friday;
- \* between 08.00 and 13.00 on Saturday; and
- \* not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

**Reason:**

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

**Reason:**

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 4 The gates and railings shall be formed in black painted metal, and shall be maintained in that colour thereafter



## Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 5 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: Strategic Policies adopted November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 6 You must protect the trees according to the details, proposals, recommendations and supervision schedule set out in your Arboricultural Method Statement (drawing no ff1008/MS/302 Rev B ). The methods of working and arboricultural supervision schedule must be carried out according to the submitted details. If you need to revise any of these tree protection provisions, you must apply to us for our approval of the revised details, and you must not carry out work the relevant part of the development until we have approved what you have sent us. You must then carry out the work according to the approved details.

## Reason:

To protect the trees and the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

- 7 You must submit a written report to us within 5 days of each arboricultural monitoring visit in relation to the Work Stages listed in Table 2 of the Arboricultural Method Statement. The arboricultural monitoring and reporting must be carried out by a suitably qualified and experienced arboricultural consultant.

## Reason:

To protect the trees and the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

- 8 During the development, you must not dig, or store or position any structures, machinery, equipment, materials or spoil within the Square (garden). If you need to use the Square for storage or welfare you must apply to us for approval of the details of the ways in which you will protect the trees in the Square.

## Reason:

To protect the trees and the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

- 9 Notwithstanding the recommendations in the AMS, any work under or around any of the retained trees must not damage the branches of the trees or the roots over 25mm in diameter. If you uncover any roots of this diameter, you must build bridge foundations around them.

**Reason:**

To protect the trees and the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

- 10 You must apply to us for approval of a sample of the reconstituted stone for the plinth to the railings. 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 the sample. (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 Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 11 You must apply to us for approval of a sample of a two railing shafts linked by a top bar including one railing with a ball finial and one with a spearhead finial - showing the thickness of railing shaft, the detailing of finials and the spacing of the railing shafts.

You must not start work until we have approved what you have sent us. You must then carry out the work according to these samples. (C26CB)

**Reason:**

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 12 You must apply to us for approval of detailed drawings of a soft landscaping scheme which includes the number, size, species and position of trees and shrubs in any areas where existing shrubs/hedging adjacent to the line of the new railings is to be removed. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping and planting within 1 year of completing the development (or within any other time limit we agree to in writing).

If you remove any trees or find that they are dying, severely damaged or diseased within 3 years of planting them, you must replace them with trees of a similar size and species. (C30CB)

**Reason:**

To improve the appearance of the development and its contribution to biodiversity and the local environment, as set out in S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R30AC)

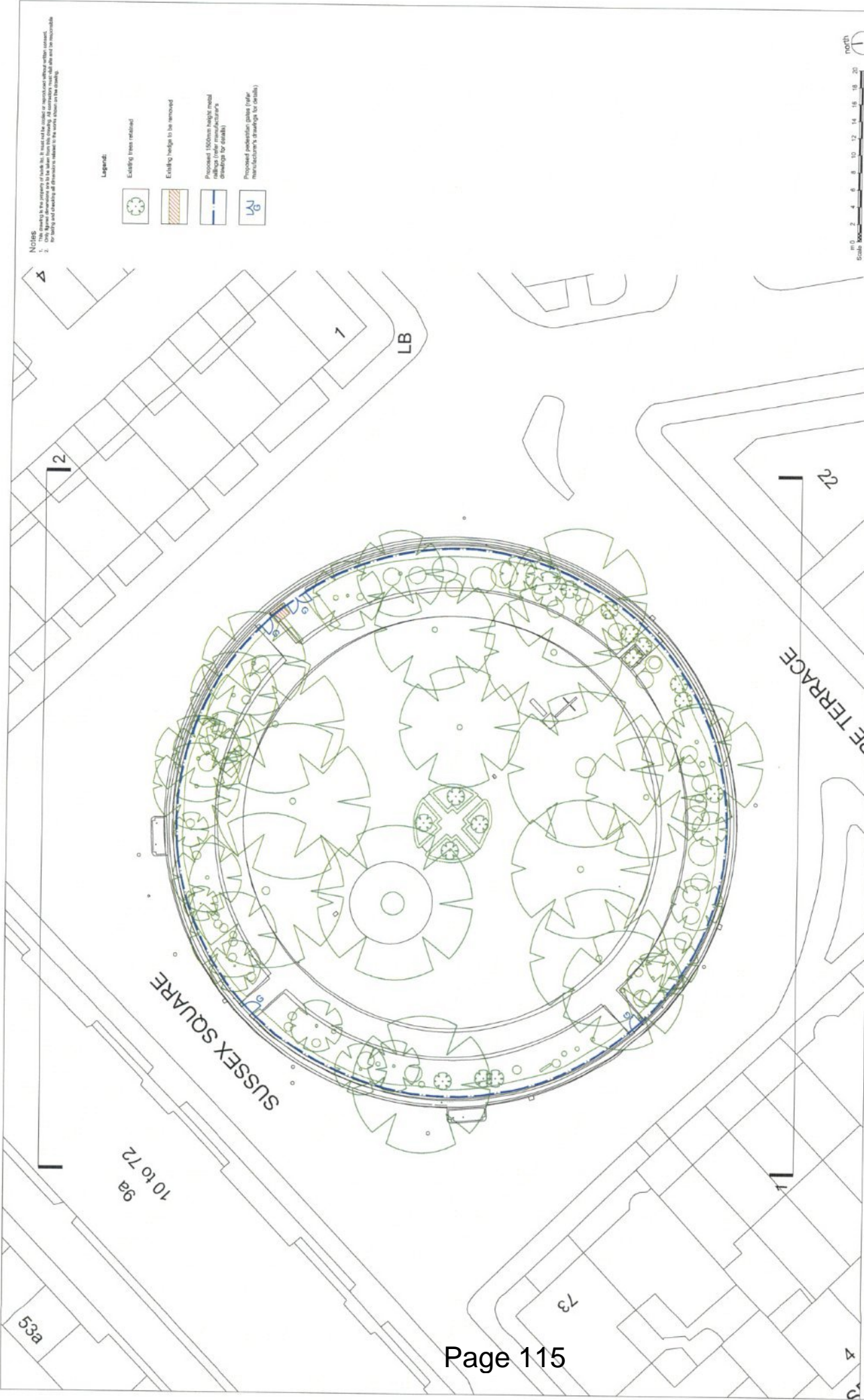
**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have

made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- 2 This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I32AA)
  
- 3 Some of the trees on the site are protected by a Tree Preservation Order. You must get our permission before you do anything to them. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I30AA)
  
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## APPLICATION 1



**Notes**

1. Check the proposed or existing tree status and the number of specimens without further consent.
2. Check the proposed or existing hedge status and the number of specimens without further consent.
3. Check the proposed or existing railing status and the number of specimens without further consent.
4. Check the proposed or existing trailer status and the number of specimens without further consent.

- Legend:**
- Existing trees retained
  - Existing hedges to be removed
  - Proposed 1800mm high railings (refer manufacturer's drawings for details)
  - Proposed pedestrian glass trailer manufacturer's drawings (for details)



**Project:** Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners

**Client:** AW

**Scale:** 1:200 @ A1

**Date:** Jan '15

**Revision:** B

**Drawing No.:** D2292 L-103

**Drawing sheet size:** A1

**Drawn by:** AW

**Checked by:** AW

**Revision:**

<input type="checkbox"/> Preliminary	<input type="checkbox"/> Issued for Planning Approval	<input type="checkbox"/> Issued for Building Information
<input type="checkbox"/> Issued for Planning Approval	<input type="checkbox"/> Issued for Construction	<input type="checkbox"/> As Built

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**Project:** Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners

**Drawn by:** AW

**Checked by:** AW

**Revision:**

**Legend:**

- Existing trees retained
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- Proposed 1800mm high railings (refer manufacturer's drawings for details)
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**Scale:** 1:200 @ A1

**Date:** Jan '15

**Revision:** B

**Drawing No.:** D2292 L-103

**Drawing sheet size:** A1

**Drawn by:** AW

**Checked by:** AW

**Revision:**

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Elevation 1



Elevation 2

Scale: 1:100 @ A1  
 Date: Jan '15  
 Drawing: D2292 L.A30  
 Client: Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners  
 Project: Sussex Square: Site Sections & Elevations  
 Revision: C  
 Drawing sheet size: A1  
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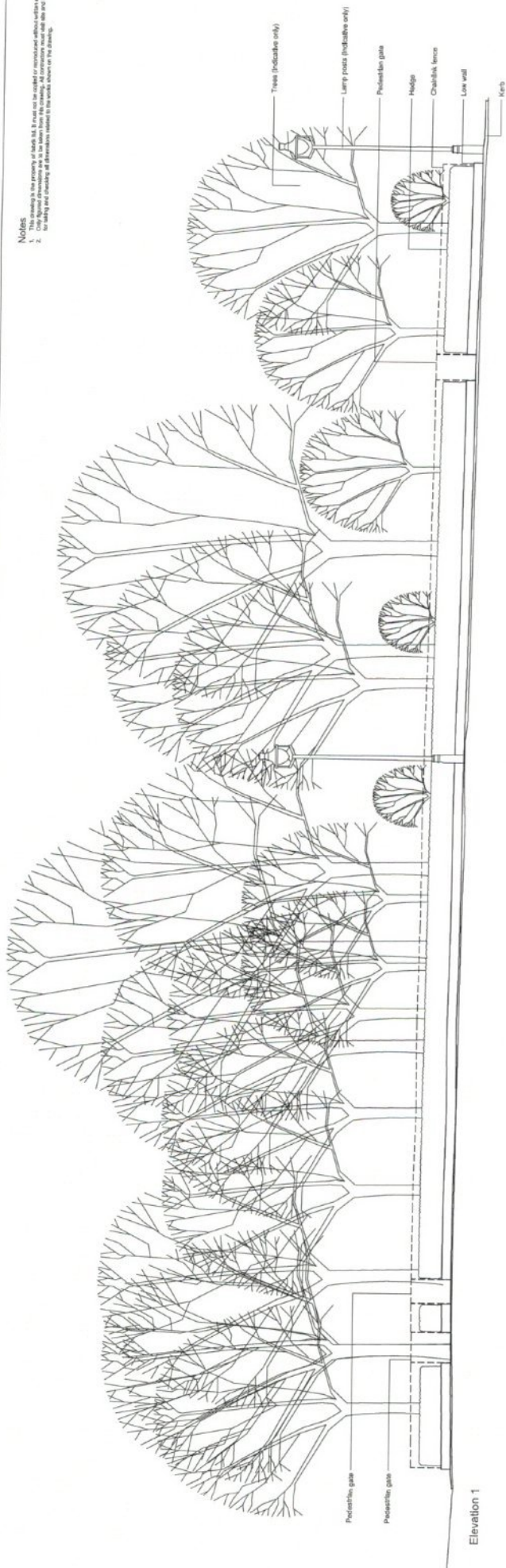
Scale: 1:100  
 Scale bar: 0 1 2 3 4 5 6 7 8 9 10  
 Existing trees retained (indicative only)  
 Existing lamp posts retained  
 Proposed pedestrian gate (refer manufacturer's drawings for details)  
 Existing hedge retained and trimmed back as necessary to allow for installation of string railings (refer manufacturer's drawings for details)  
 Reconstructed Portland stone gate, retaining wall and brick base to suit existing ground levels  
 Existing herb retained

Project: Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners  
 Drawing: Sussex Square: Site Sections & Elevations  
 Date: Jan '15  
 Scale: 1:100 @ A1  
 Drawing: D2292 L.A30  
 Client: Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners  
 Project: Sussex Square: Site Sections & Elevations  
 Revision: C  
 Drawing sheet size: A1  
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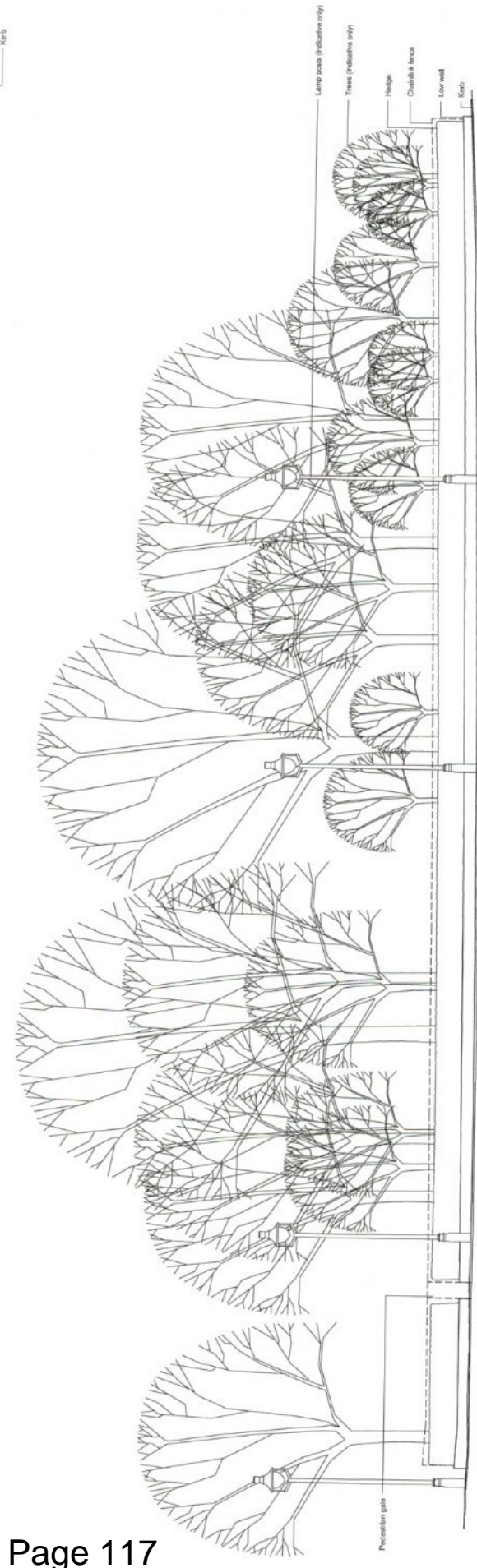
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 E: info@fabrik.com

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Elevation 1



Elevation 2

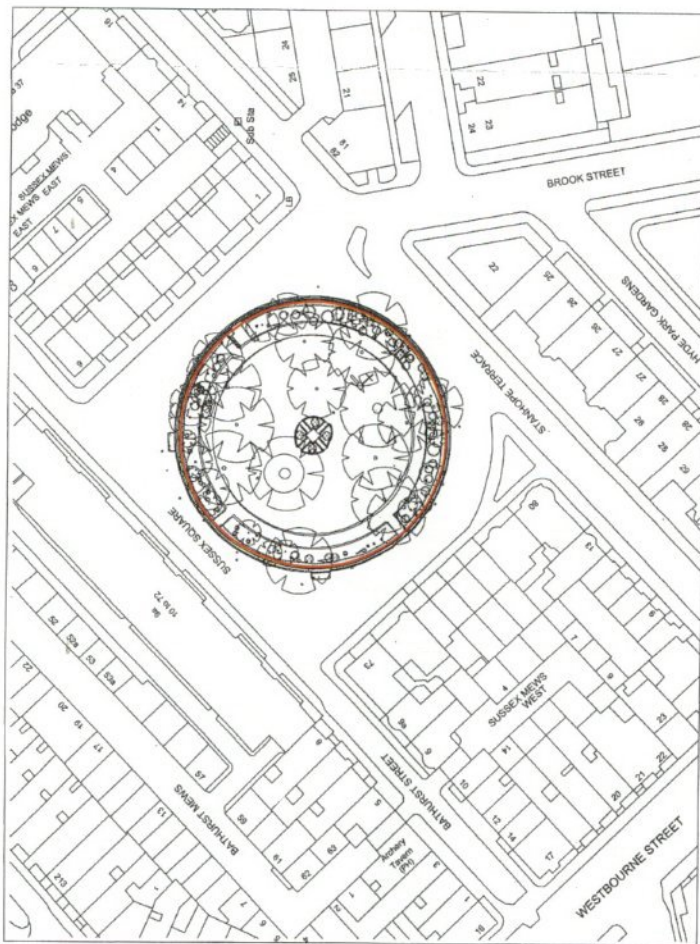


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**Project:**  
Sussex Square, Gloucester Square & Hyde Park Square, London  
for The Church Commissioners  
Sussex Square: Location Plan

**Client:**  
AW

**Case:**  
Mar '15

**Scale:**  
1:1250 @ A3

**Drawing No.:**  
D2292 L.003

**Revision:**

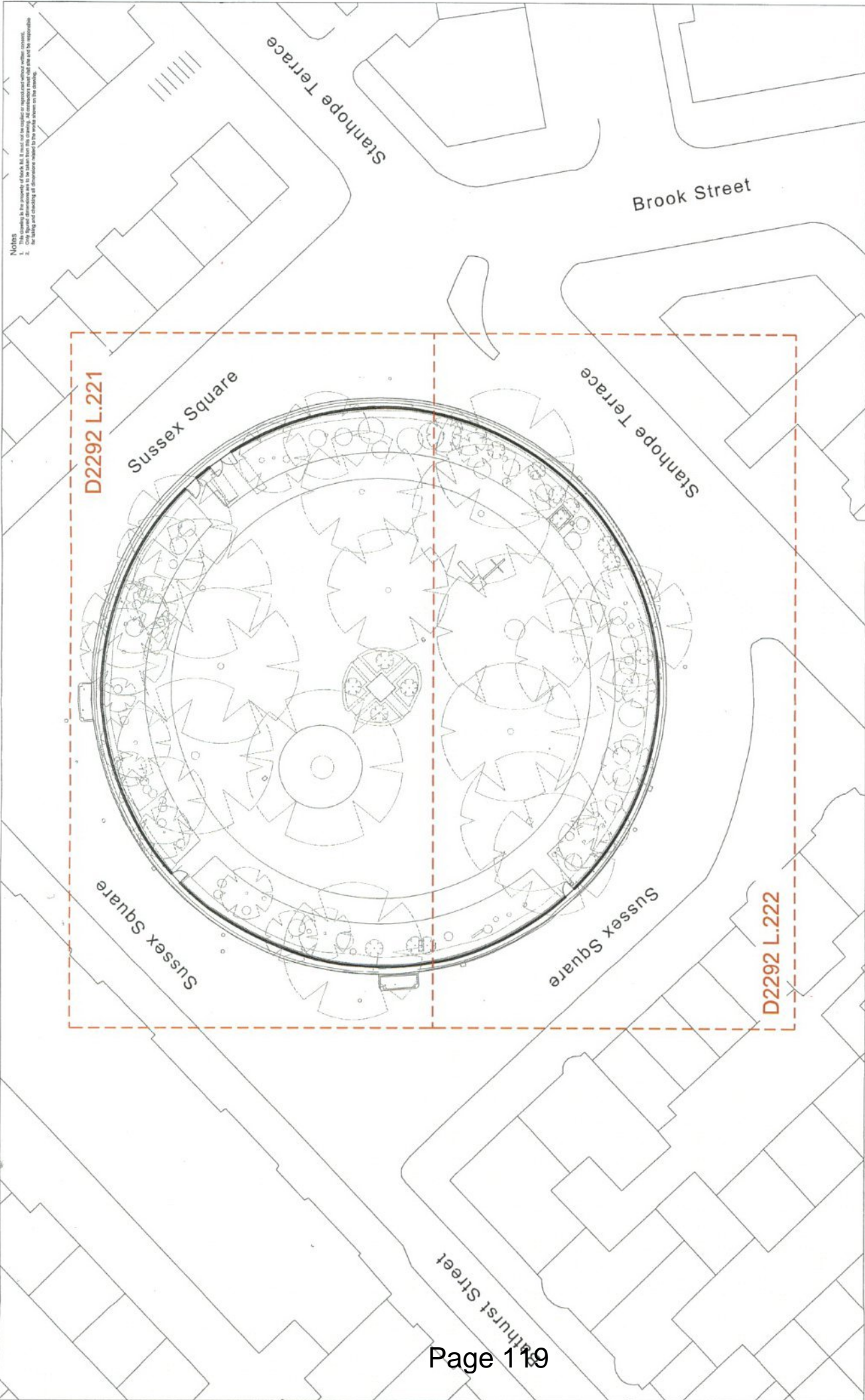
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Drawn by: [Name]  
Checked by: [Name]  
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MD 2015

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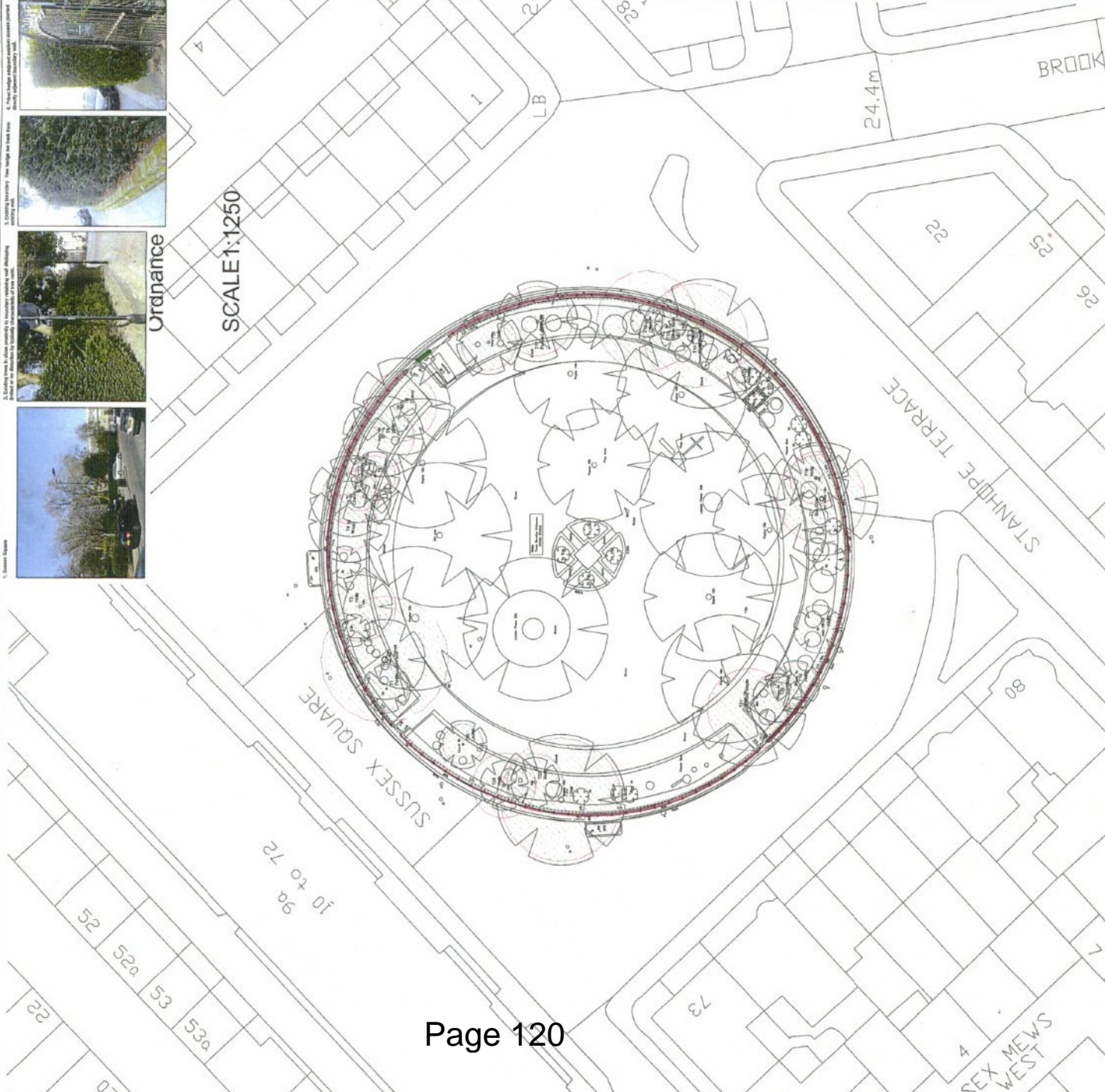
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 Project Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners  
 Drawing Date: 15/08/15

Project Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners  
 Drawing Date: 15/08/15

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 2 15/08/15 Initial Release  
 3 15/08/15 Initial Release

Project Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners  
 Drawing Date: 15/08/15

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 100 Brook Street  
 London E1 1RN  
 T: 0203 242 7122  
 F: 0203 242 7123  
 W: www.fabrik.com



**NOTES:** The works for this scheme will be undertaken in accordance with the 'Highways Act 1980' and 'The Traffic Signs Regulations and General Directions 2002'. The works will be carried out in accordance with the 'Highways Act 1980' and 'The Traffic Signs Regulations and General Directions 2002'. The works will be carried out in accordance with the 'Highways Act 1980' and 'The Traffic Signs Regulations and General Directions 2002'.

**Legend:**

- 1. Existing boundary
- 2. Existing boundary to be removed
- 3. Existing boundary to be replaced
- 4. Existing boundary to be replaced with a new boundary
- 5. Proposed boundary
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- 77. Proposed boundary to be replaced with a new boundary
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- 96. Proposed boundary to be replaced with a new boundary
- 97. Proposed boundary to be replaced with a new boundary
- 98. Proposed boundary to be replaced with a new boundary
- 99. Proposed boundary to be replaced with a new boundary
- 100. Proposed boundary to be replaced with a new boundary

**Arboricultural Method Statement**

This document sets out the method statement for the proposed works to be undertaken on the site of Sussex Square. The works will be carried out in accordance with the 'Highways Act 1980' and 'The Traffic Signs Regulations and General Directions 2002'. The works will be carried out in accordance with the 'Highways Act 1980' and 'The Traffic Signs Regulations and General Directions 2002'.

**Method Statement:**

1. Site investigation and assessment
2. Site preparation and safety measures
3. Tree assessment and identification
4. Tree protection and preservation
5. Tree removal and stump removal
6. Tree replacement and planting
7. Tree maintenance and care
8. Site reinstatement and final works

The works will be carried out in accordance with the 'Highways Act 1980' and 'The Traffic Signs Regulations and General Directions 2002'. The works will be carried out in accordance with the 'Highways Act 1980' and 'The Traffic Signs Regulations and General Directions 2002'.

**tree:fabrik**

19 Ladbroke Street  
 Albany, Hammersmith  
 London W6 0RH  
 T: 01453 633200  
 F: 01453 944243  
 E: info@treefabrik.com

Project: SUSSEX, GLOUCESTER & HYDE PARK SQUARES LONDON

Drawing: ARBORICULTURAL METHOD STATEMENT SUSSEX SQUARE

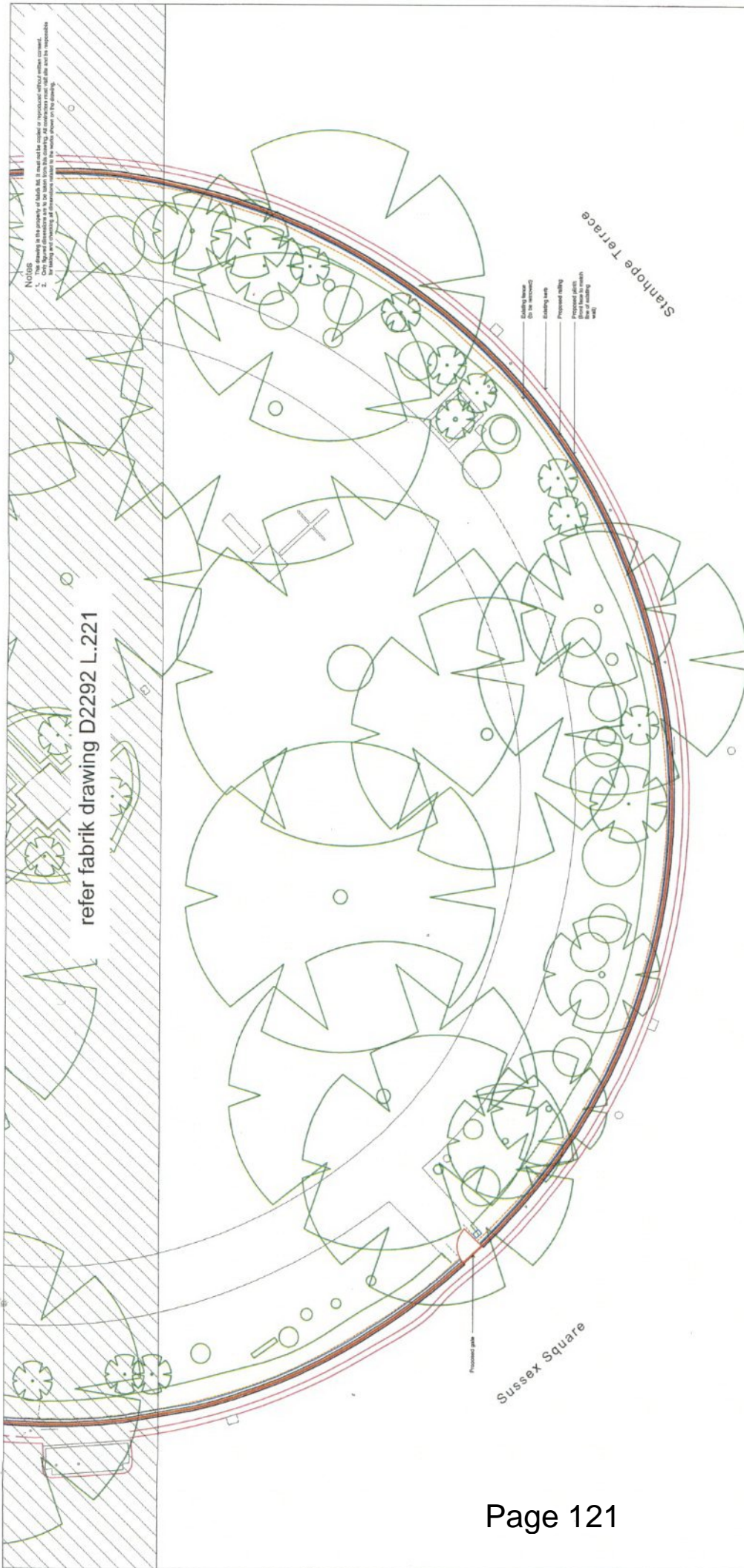
Scale: 1:250  
 Date: MARCH '15  
 Drawn: AR  
 Revision: B

Drawing No: 11008/MS/300

Legend:

- Preparation
- Issued for Planning Approval
- Issued for Construction
- Revised by Client/Architect
- Revised by Tree:fabrik
- As Built

SCALE: 1:250



NOTES  
 1. Refer to the notes on sheets L.220 & L.221 for further information on the planting scheme.  
 2. Only approved materials may be used from this drawing. All contractors must refer to the notes on the drawing.  
 3. In making and checking all dimensions refer to the notes shown on the drawing.

**fabrik**  
 7th Floor  
 Level 7 House  
 Microtower  
 882 3007  
 T: 0181 242 1772  
 W: www.fabrik.com

**Legend**

- Existing trees retained
- Existing trees removed
- Existing hedge
- Existing walls to be removed
- Proposed to be retained (for details)
- Proposed to be removed (for details)
- Proposed to be retained (for details)
- Proposed to be removed (for details)

**Scale**  
 1:100 @ A1  
 0 1 2 3 4 5 6 7 8 9 10  
 m

**North**

**Project**  
 Sussex Square, Gloucester Square & Hyde Park Square,  
 London  
 for The Church Commissioners

**Client**  
 The Church Commissioners

**Drawing**  
 Sussex Square: General Arrangement Plan  
 (sheet 2 of 2)

**Scale**  
 1:100 @ A1

**Date**  
 Aug '15

**Drawn**  
 AWW

**Revision**  
 B

**Check No.**  
 D2292 L.222

Proposed  
 Approved for Planning Approval  
 Approved for Construction  
 Approved for Design/Manufacture  
 Approved for Tender  
 Job Done

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**Notes**

1. The proposed fabric drawing is based on the existing fabric drawing and is intended to provide a general indication of the proposed fabric drawing.
2. The proposed fabric drawing is to be taken from the existing fabric drawing and is intended to provide a general indication of the proposed fabric drawing.

Sussex Square

Sussex Square



Existing fabric  
(to be retained)

Existing fabric  
(to be removed)

Proposed fabric  
(to be retained)

Proposed fabric  
(to be removed)

Proposed fabric  
(to be retained)

Proposed fabric  
(to be removed)

**fabrik**

11 The Liberty House  
London Street  
London EC2M 2NF

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W: www.fabrik.com

**Legend**

	Existing fabric retained		Proposed fabric to be retained
	Existing fabric to be removed		Proposed fabric to be removed
	Existing wall		Proposed wall to be retained
	Existing service		Proposed service to be retained
	Existing wall to be removed		Proposed wall to be removed
	Existing service to be removed		Proposed service to be removed

**Project**  
Sussex Square, Gloucester Square & Hyde Park Square,  
London  
for The Church Commissioners

**Drawing No.** D2292 L.221

**Scale** 1:100 @ A1

**Date** Aug '15

**Drawn** AW

**Revision** B

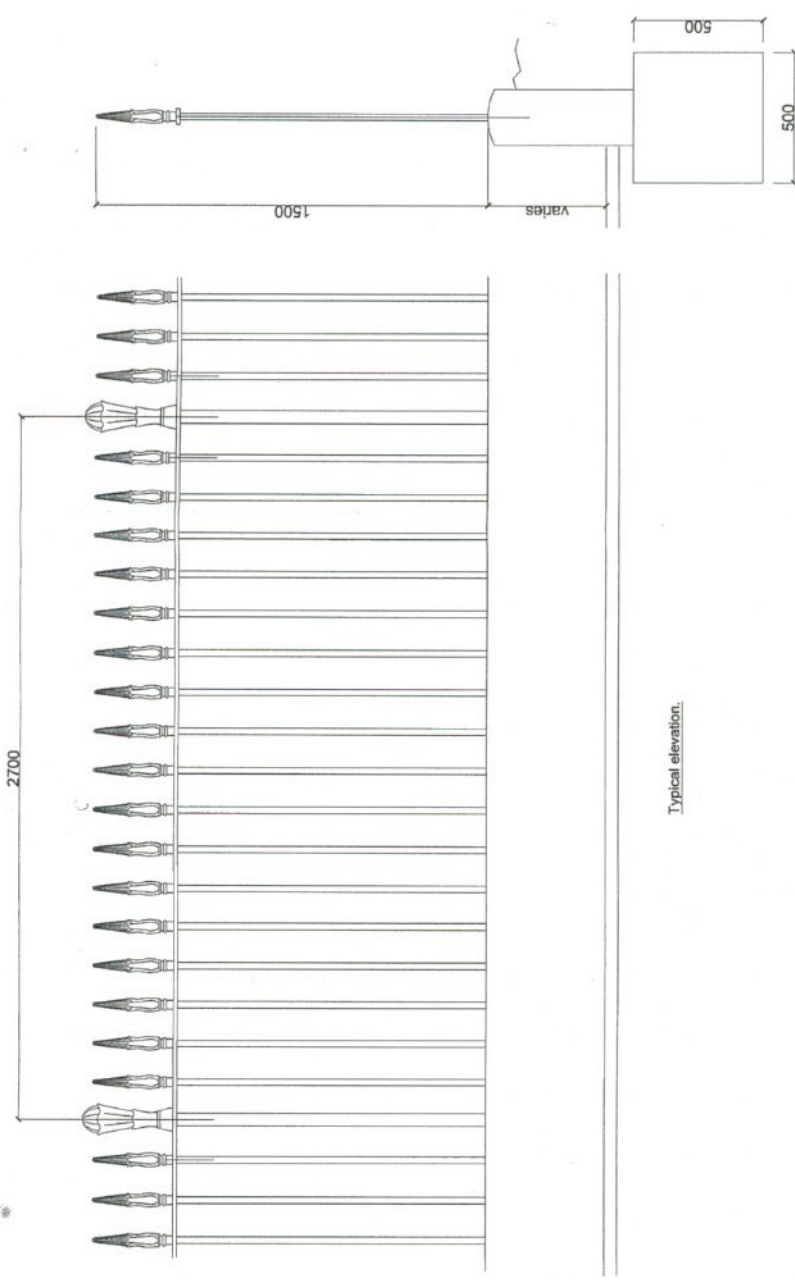
**Notes**

- Based on existing fabric drawing
- Based on existing fabric drawing
- Based on existing fabric drawing
- Based on existing fabric drawing

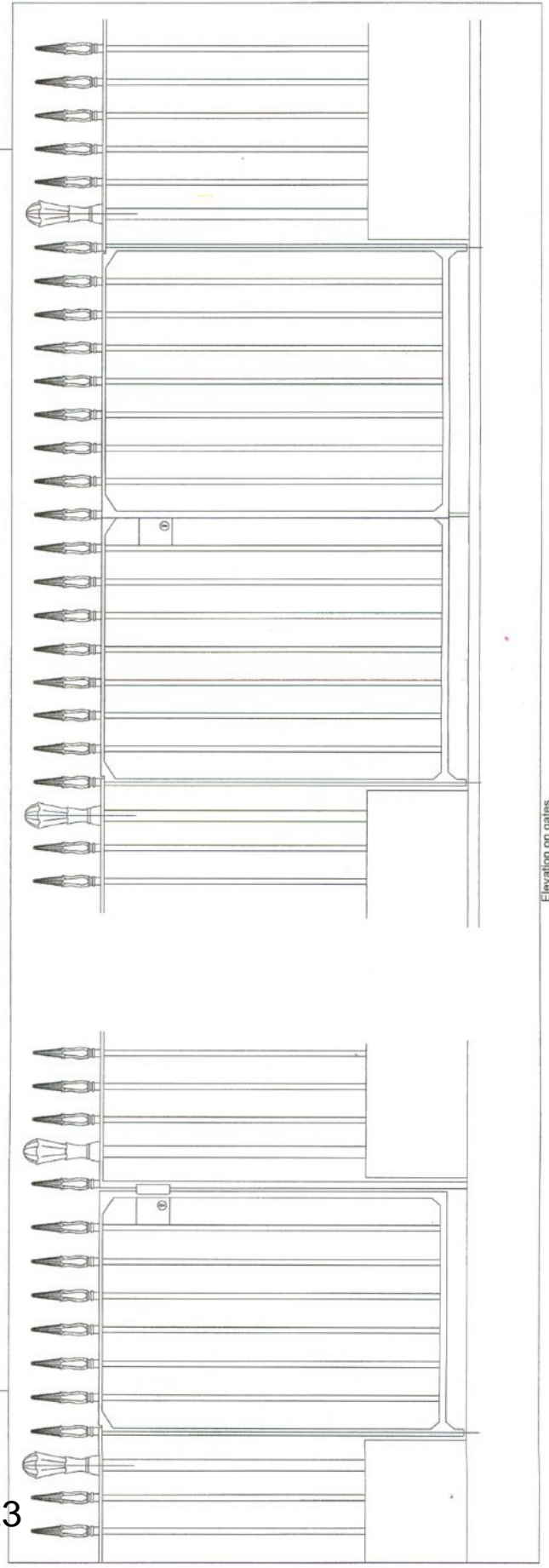
**Copyright** Fabrik Ltd

**General Notes**

- The drawing must not be scaled.
- Specification:  
 25 dia bars @ 150 pc  
 on posts  
 80 mm top rail  
 Forged railing heads to match existing.  
 Bars leaded in to stone coping.



Typical elevation.



Elevation on gates.

Issue	Date	Description
C	08.05.15	Single gate added
B	07.04.15	Height reduced
A	23.02.15	Wall changed to stone

REVISIONS

**METALCRAFT**  
 TOTTENHAM LIMITED  
 145-147, BRISTOL ROAD, TOTTENHAM, NORTH YORKSHIRE, LE19 1BQ  
 01892 512345

CUSTOMER  
 The Church Commissioners

PROJECT  
 Sussex Sq

DRAWING TITLE  
 Typical railings and gates

DRAWN BY	CHECKED BY	DATE	SCALE
PW		14/02/15	1:1

PRODUCT No. [ ]  
 Drawing No. [ ]  
 (E) - Prelim-02

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**Do not scale drawings.**

**General Notes**  
Component Characteristics  
Tolerances of dimension and shape  
EN 1090-2 Tolerance class 1  
Weldability  
EN 10025-2, S275 / S355  
Fracture toughness / Impact resistance  
EN 10025-2, S275 (30°C)  
S355 (30°C)  
Stainless 304 / 316

**Load Bearing Capacity**  
Designed to BS5950 / EN 1993  
**Steel Specification**  
New Structure: S275  
Specification for Building Construction  
5th Edition CE Marking

**Welds**  
All welds in conformity with Welding Procedure Specifications (WPS)  
**Steel Grades**  
All UC / UB / RFC / RSA - S355-JR  
All SHS / RHS / CHS - S355-J2  
All Plates - S275 - UNO



**Welded Structural Components**  
Execution Class 2 BS EN 1090

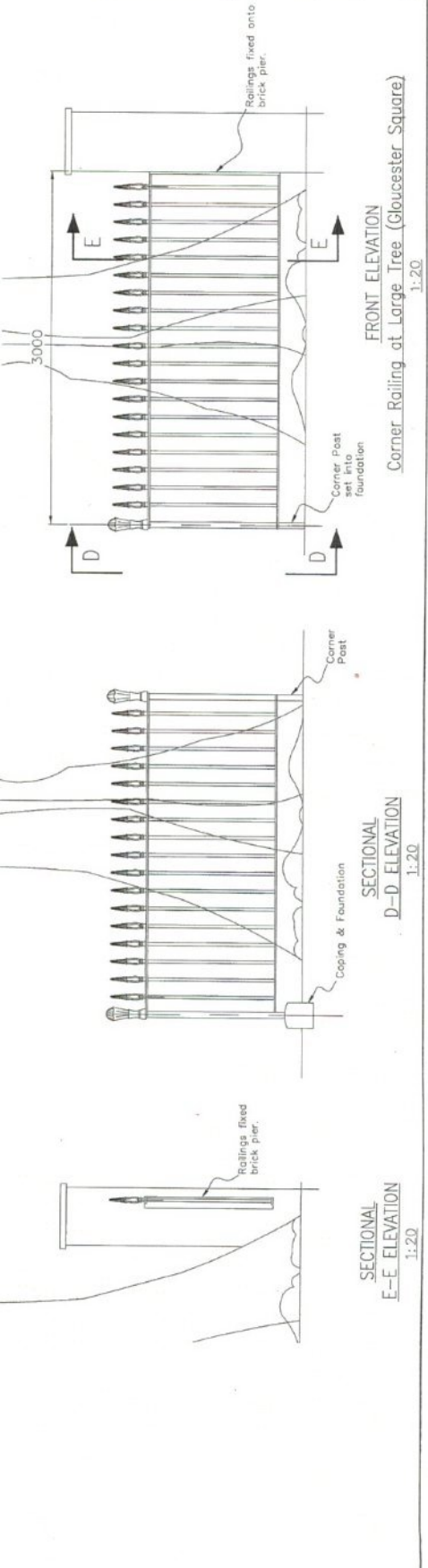
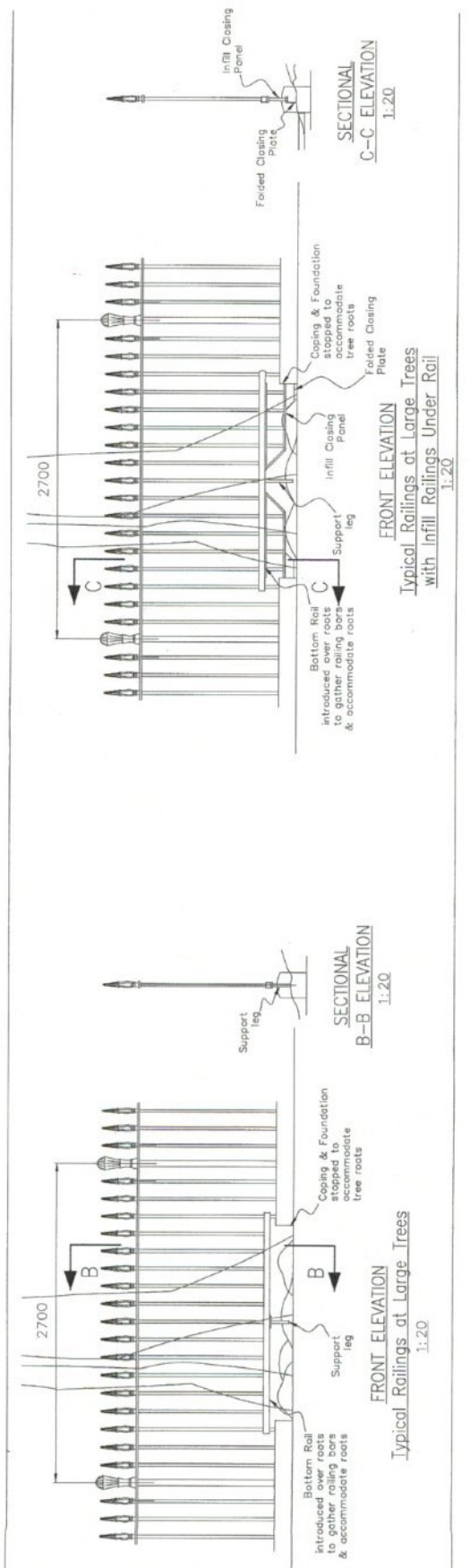
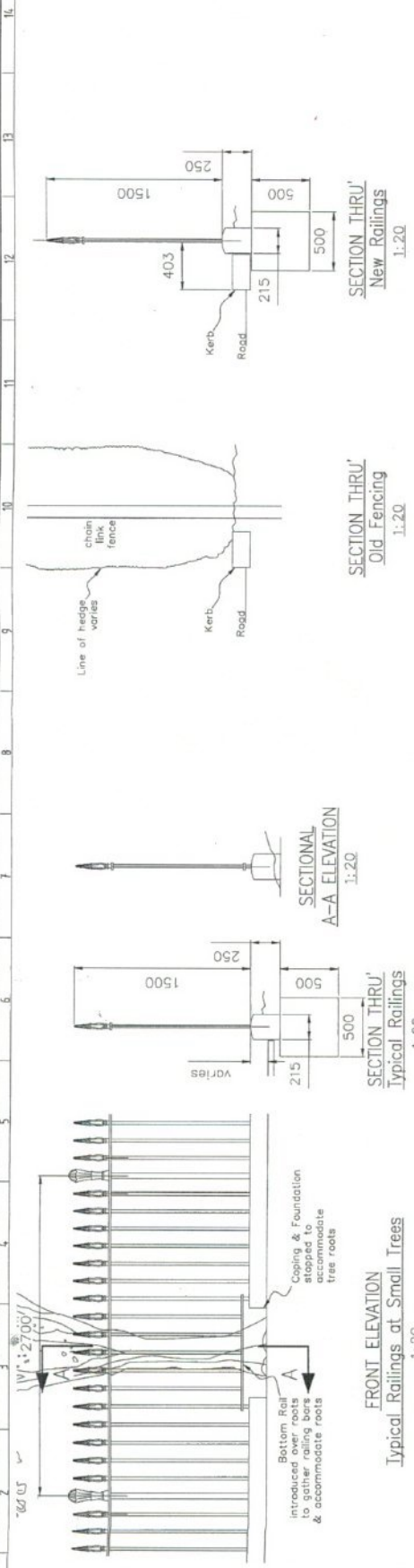
Hyde Park Sq, Sussex Sq & Gloucester Sq.

**THE CHURCH COMMISSIONERS FOR ENGLAND**

Project Number:	5386
Drawing Code:	21-08-15
Issue No:	SEE DWG
Checked By:	JMS
Drawn By:	NOT APPROVED
Scale:	AS SHOWN
Revision:	By / Date

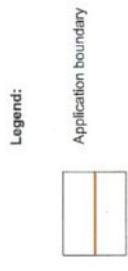
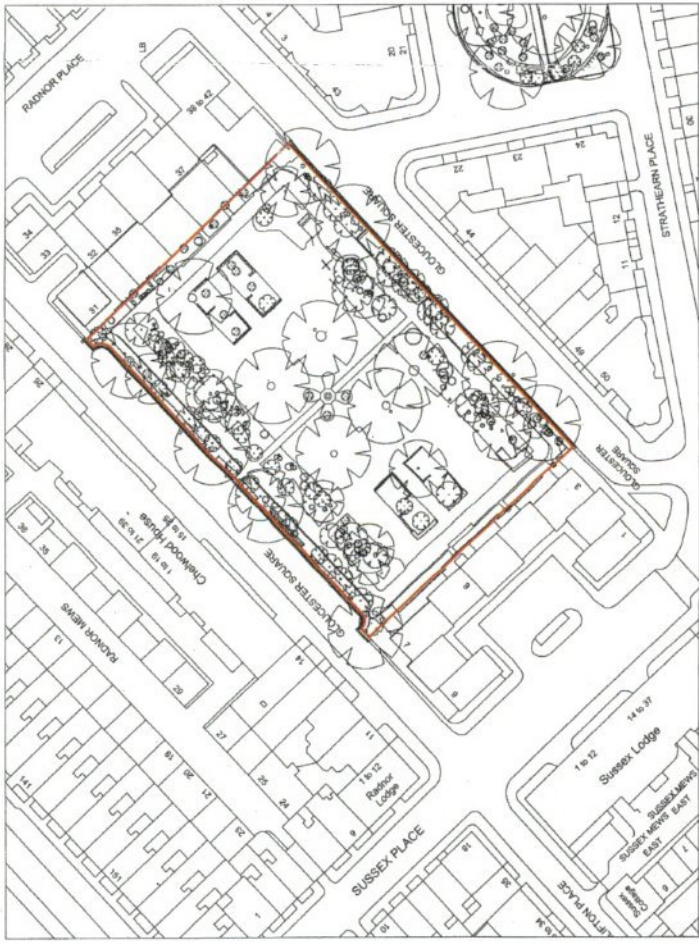
**RAILINGS AT TREE LOCATIONS**  
GA

**METALCRAFT**  
Tottonham Limited  
6-40 Dumberd Street  
Seven Sisters Road  
London N15 6NQ  
Tel: 020 860 3744  
Fax: 020 860 3288  
E mail: sales@metcrafttottonham.com



**Preliminary Proposals**

## APPLICATION 2



CASE COPY  
 T.P.  
 ADDRESS



**Project:** Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners  
**Gloucester Square: Location Plan**

**Notes:**  
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**Scale:** 1:1,250 @ A3  
**Date:** Mar '15  
**Drawn:** A.W.  
**Number:**

**Legend:**

<input type="checkbox"/> Boundary	<input type="checkbox"/> Issue for Design/Information
<input type="checkbox"/> Issue for Planning Approval	<input type="checkbox"/> Issue for Tender
<input type="checkbox"/> Issue for Construction	<input type="checkbox"/> All Full

**fabrik**  
 fabrik inc. 1111 11th Street, Suite 100, San Francisco, CA 94103  
 Tel: +1 415 435 7172  
 Email: info@fabrik.com  
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Gloucester Square

D2292 L.201

D2292 L.202

D2292 L.203

Gloucester Square

Project: Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners

Scale: 1:200 @ A1

Date: Aug '15

Client: AW

Drawing No: D2292 L.200

Revision:

Drawn by: [ ] Preliminary [ ] Issued for Planning Approval [ ] Issued for Construction [ ] Issued for Design Information [ ] As Built

Checked by: [ ]

Drawn by: [ ]

Project Name: Gloucester Square: Drawing Location Plan

Scale: 1:200

North Arrow

No. Date Reason

1 13/11/2014 Gloucester Square - Orig DWG

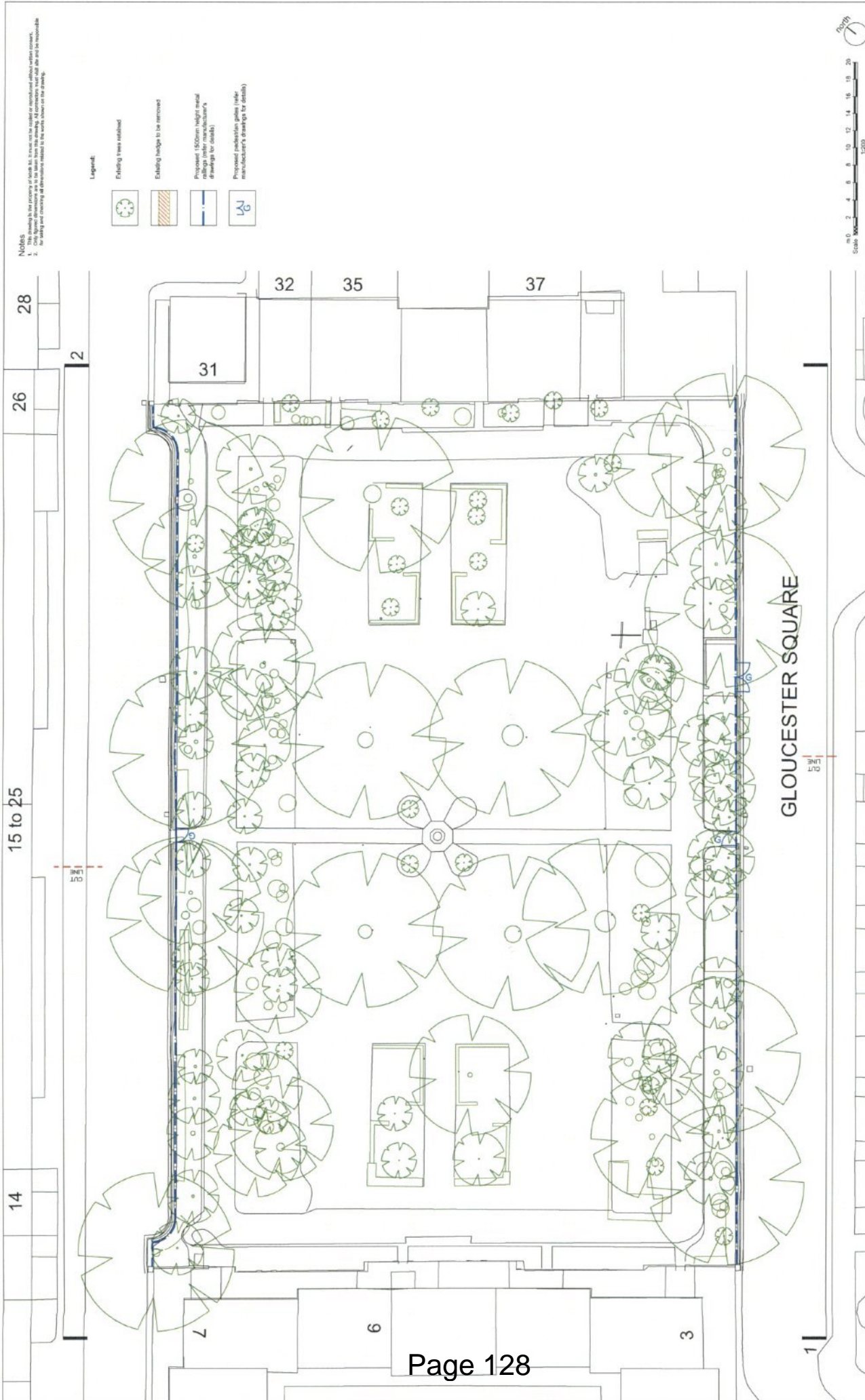
2 13/11/2014 Gloucester Square - Orig DWG

3 Gloucester Square - Orig Revit 02 - 025.rvt

fabrik

7th Floor  
 100 Broad Street  
 Birmingham  
 B1 2DS

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 E: info@fabrik.com  
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**Notes**  
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 2. The drawings are the property of the architect and shall remain his/her property. The client shall not be responsible for making and creating all dimensions related to the work shown on the plans.

- Legend:**
- Existing trees retained
  - Existing hedge to be removed
  - Proposed 1500mm height metal railings (refer manufacturer's drawings for details)
  - Proposed pedestrian paths (refer manufacturer's drawings for details)

Scale: 1:200 @ A1  
 Date: Jan '15  
 Drawing No: D2292 L.101  
 Client: Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners  
 Drawing: Gloucester Square: Railings Plan  
 Author: AW  
 Designer: AW  
 Revision: B

Scale: 1:200  
 0 2 4 6 8 10 12 14 16 18 20  
 m

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 2. All drawings are to be read in accordance with the notes on the drawing.  
 3. All drawings are to be read in accordance with the notes on the drawing.



Scale: 1:100  
 0 1 2 3 4 5 6 7 8 9 10

Elevation 1

**fabrik**  
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 Leazes Road  
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 NE2 2BQ  
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 E: info@fabrik.com  
 W: www.fabrik.com

Project: **Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners**  
 Drawing: **Gloucester Square: Site Sections & Elevations**  
 Sheet: **Sheet 1**

Scale: **1:100 @ A1**  
 Date: **Jan '15**  
 Drawn: **AW**  
 Checked: **AW**  
 Approved: **AW**  
 Revision: **E**

Revision History:  
 E 27/01/15 Siting elevations raised in accordance with manufacturer's proposals  
 D 20/01/15 Raising height of metal  
 S 19/02/15 Annotations amended  
 A1 18/02/15 Annotations amended to reflect revised railing details.  
 Revision: **AW**  
 Author: **AW**  
 Date: **18/02/15**  
 Project: **107M-GLOUCESTER SQUARE - Cont 2/10**  
 Drawing: **107M-GLOUCESTER SQUARE - Cont 2/10**  
 Scale: **1:100**  
 Date: **18/02/15**  
 Project: **107M-GLOUCESTER SQUARE - Cont 2/10**  
 Drawing: **107M-GLOUCESTER SQUARE - Cont 2/10**  
 Scale: **1:100**  
 Date: **18/02/15**

Legend:  
 Preliminary  
 Issued for Primary Approval  
 Issued for Design/Construction  
 Issued for Construction  
 As Built  
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**Notes**

1. The accuracy of each view is dependent on the quality of the photographs used.
2. Only typical dimensions are to be taken from this drawing. All construction must be in accordance with the relevant standards and specifications.



Proposed pedestrian gates (refer manufacturer's drawings for details)

Existing lamp posts retained

Existing trees retained (indicative only)

Existing hedge retained and trimmed back as necessary to allow for installation of gates

Proposed 1000mm height metal railing (refer manufacturer's drawings for details)

Reconcreted Portland stone pillars, overall height to match existing and to suit external ground levels

Pillar

Existing kerb retained



Existing lamp posts retained

Existing trees retained (indicative only)

Existing hedge retained and trimmed back as necessary to allow for installation of gates

Proposed 1000mm height metal railing (refer manufacturer's drawings for details)

Reconcreted Portland stone pillars, overall height to match existing and to suit external ground levels

Pillar

Existing kerb retained



Elevation 2

**fabrik**

The Firm  
 1000  
 Victoria Street  
 London  
 W1B 4JF

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 F: 011 242 7173  
 W: www.fabrik.com

Project: **Sussex Square, Gloucester Square & Hyde Park Square, London**  
 Client: **for The Church Commissioners**

Scale: **1:100 @ A1**  
 Date: **Jan '15**

Drawing No: **D252 L.411**  
 Revision: **E**

Sheet: **Gloucester Square, Site Sections & Elevations**  
 Sheet 2

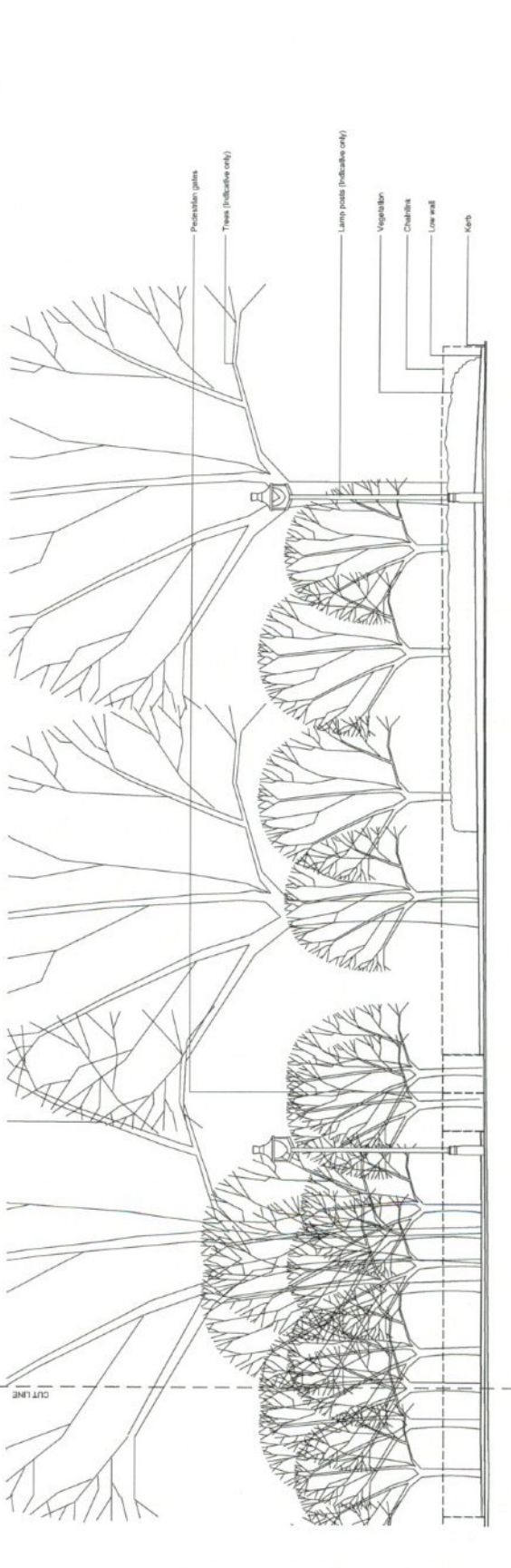
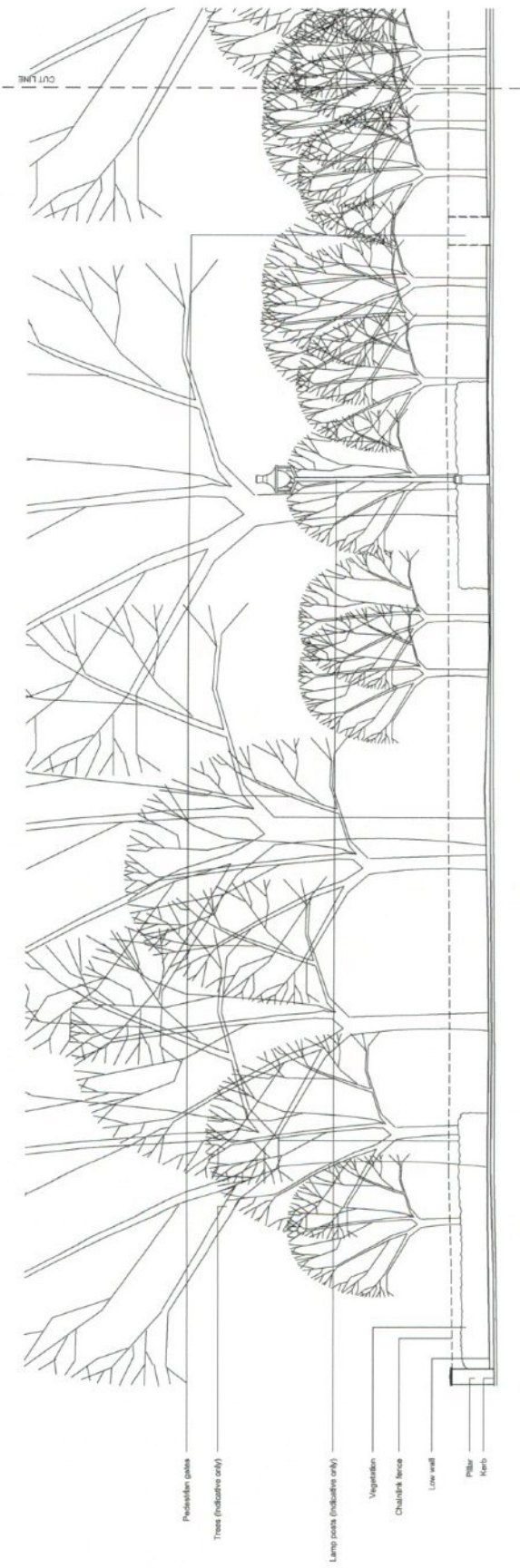
Rev	Date	Description
1	27.08.15	Initial elevations issued in accordance with manufacturer's proposals.
2	28.08.15	Revised elevations issued.
3	18.02.15	Revisions issued.
4	18.02.15	Revisions issued to reflect revised railing details.
5	18.02.15	Revisions issued.

Revisions:  
 1. 100% - Gloucester Square - City DWG  
 2. Gloucester Square - Local Road (L.411) DWG

Proposed  
 Existing  
 Retain for Construction  
 Retain for Landscape  
 Retain for Fencing  
 As Built  
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**Notes**

1. This drawing is the property of the client. It is to be used for the purposes of the project only. It is not to be used for any other purpose without the written consent of the client.
2. Any errors or omissions are the responsibility of the client. The client is to be responsible for checking and verifying all dimensions related to the works shown on this drawing.



Project: Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners  
 Drawing No.: D2292 L.412  
 Date: Feb '15  
 Scale: 1:100 @ A1  
 Revision: AW  
 Drawing sheet size: A1  
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Project: Gloucester Square: Existing Elevations  
 Drawing: Sheet 1  
 No. Date Revision  
 1 15/02/15  
 2 15/02/15  
 3 15/02/15  
 4 15/02/15  
 5 15/02/15  
 6 15/02/15  
 7 15/02/15  
 8 15/02/15  
 9 15/02/15  
 10 15/02/15

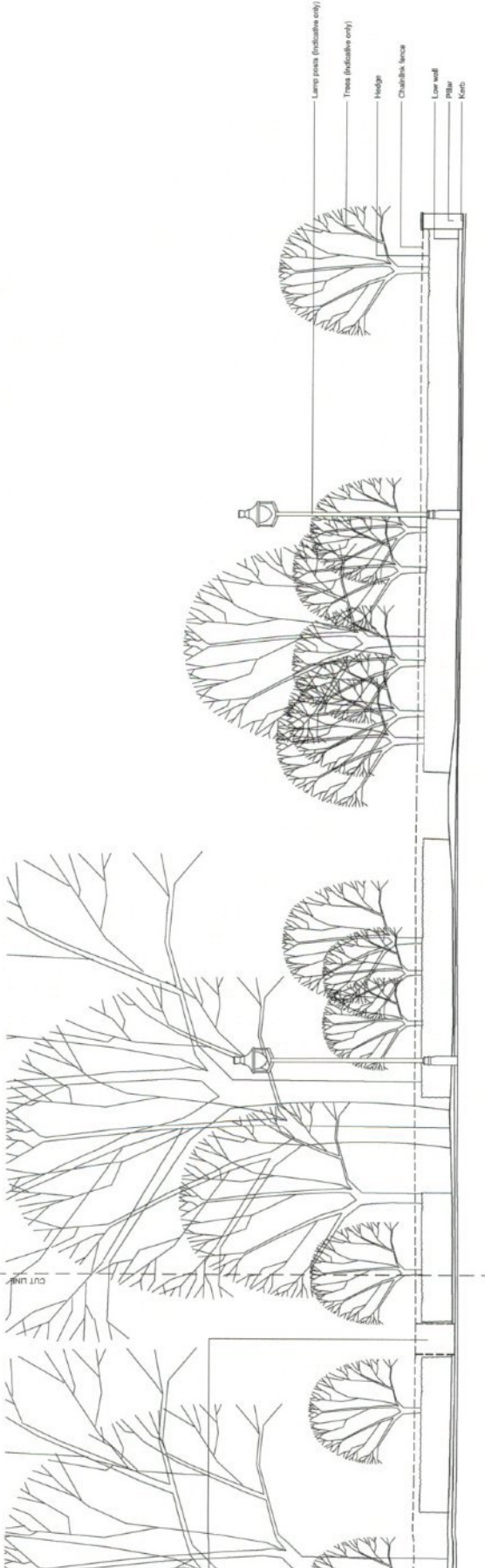
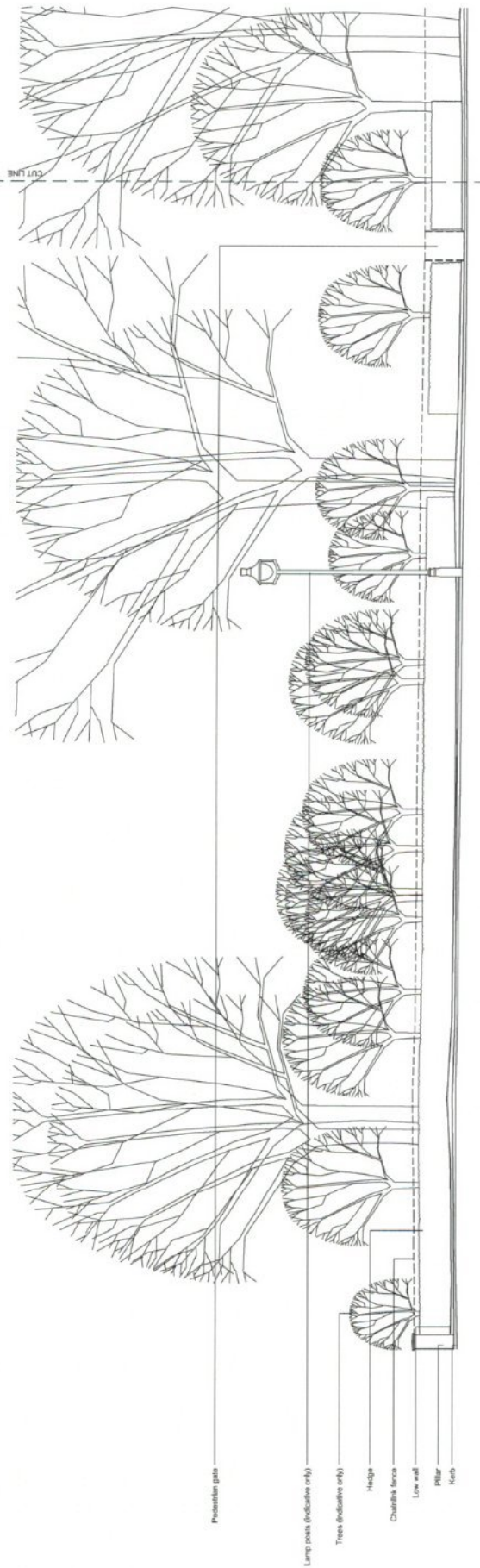
Project: Gloucester Square: Existing Elevations  
 Drawing: Sheet 1  
 No. Date Revision  
 1 15/02/15  
 2 15/02/15  
 3 15/02/15  
 4 15/02/15  
 5 15/02/15  
 6 15/02/15  
 7 15/02/15  
 8 15/02/15  
 9 15/02/15  
 10 15/02/15

Project: Gloucester Square: Existing Elevations  
 Drawing: Sheet 1  
 No. Date Revision  
 1 15/02/15  
 2 15/02/15  
 3 15/02/15  
 4 15/02/15  
 5 15/02/15  
 6 15/02/15  
 7 15/02/15  
 8 15/02/15  
 9 15/02/15  
 10 15/02/15

Project: Gloucester Square: Existing Elevations  
 Drawing: Sheet 1  
 No. Date Revision  
 1 15/02/15  
 2 15/02/15  
 3 15/02/15  
 4 15/02/15  
 5 15/02/15  
 6 15/02/15  
 7 15/02/15  
 8 15/02/15  
 9 15/02/15  
 10 15/02/15

Project: Gloucester Square: Existing Elevations  
 Drawing: Sheet 1  
 No. Date Revision  
 1 15/02/15  
 2 15/02/15  
 3 15/02/15  
 4 15/02/15  
 5 15/02/15  
 6 15/02/15  
 7 15/02/15  
 8 15/02/15  
 9 15/02/15  
 10 15/02/15

**Notes**  
 1. All drawings to be printed in black ink. Do not use red ink for marking out or other purposes.  
 2. Only approved dimensions are to be used. All dimensions are to be given in millimetres unless otherwise stated.  
 3. All drawings are to be drawn to the correct scale and to be consistent with the design.



Scale: 1:100  
 0 1 2 3 4 5 6 7 8 9 10  
 1:100

Scale: 1:100 @ A1  
 Date: Feb '15  
 Class: AW  
 Drawing No.: D2292 L.4.13  
 Revision: -  
 Preliminary  
 Issued for Planning Approval  
 Issued for Construction  
 Approved for Design Submission  
 Issued for Tender  
 As Built  
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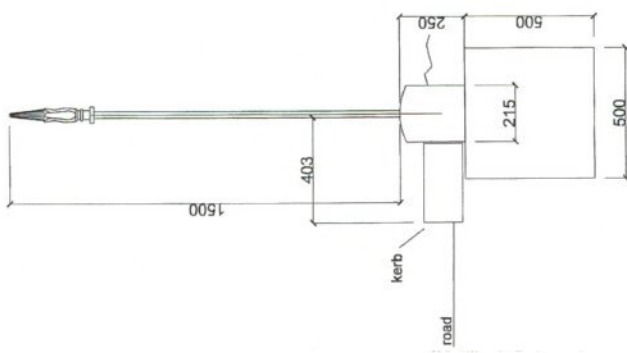
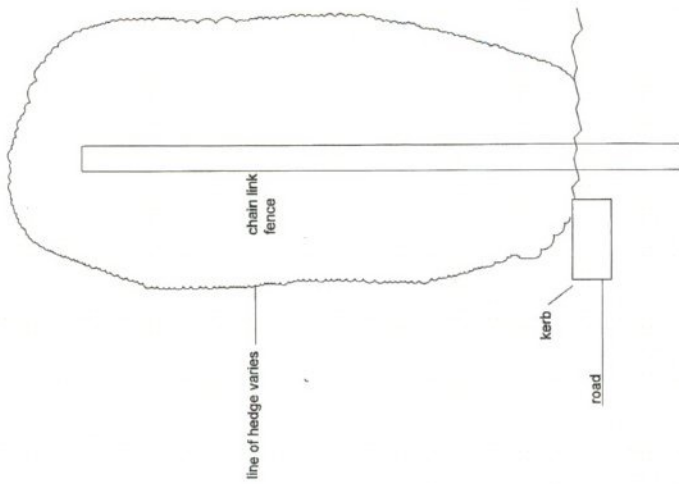
Project: Sussex Square, Gloucester Square & Hyde Park Square, London  
 Drawing: Gloucester Square: Existing Elevations  
 Sheet 2

No. Date Name  
 Revisions  
 1 18/04/2015 J. B. [Name]  
 2 02/05/2015 J. B. [Name]  
 3 02/05/2015 J. B. [Name]

fabrik  
 7th Floor  
 100, Abchurch Lane  
 London EC4N 3DF  
 T: 020 7464 4400  
 E: info@fabrik.com

**General Notes**

- 1. This drawing must not be scaled.
- Specification:  
 25 dia bars @ 150 c/c  
 50 dia posts  
 65 X 115 flat top rail  
 100 dia x 100 dia x 100 mm  
 Bars headed in to stone coping.



C	04-22-15	Single gate added
B	07-24-15	Height revised
A	23-02-15	Height increased to 1500
Issue	Date	Description

REVISIONS

**METALCRAFT**  
 METALCRAFT LIMITED  
 100, WILSON ROAD, WILSON INDUSTRIAL ESTATE, WILSON, SOUTH AFRICA

CLIENT  
 The Church Commissioners

PROJECT  
 Hyde Park Square & Gloucester Square

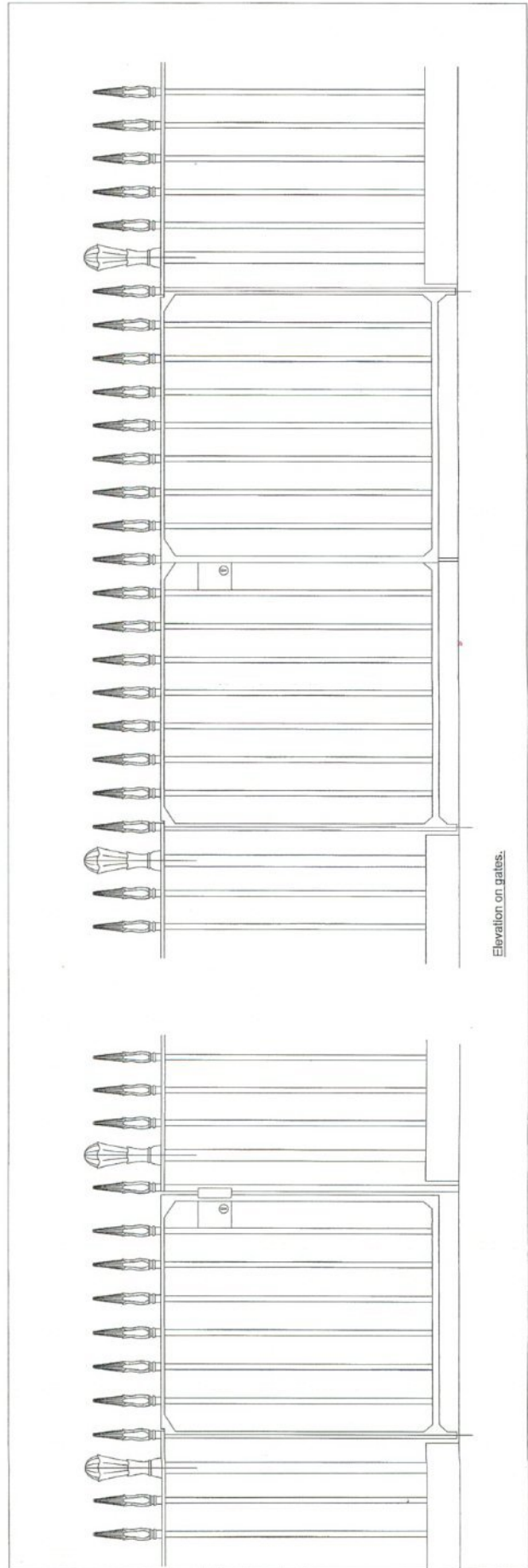
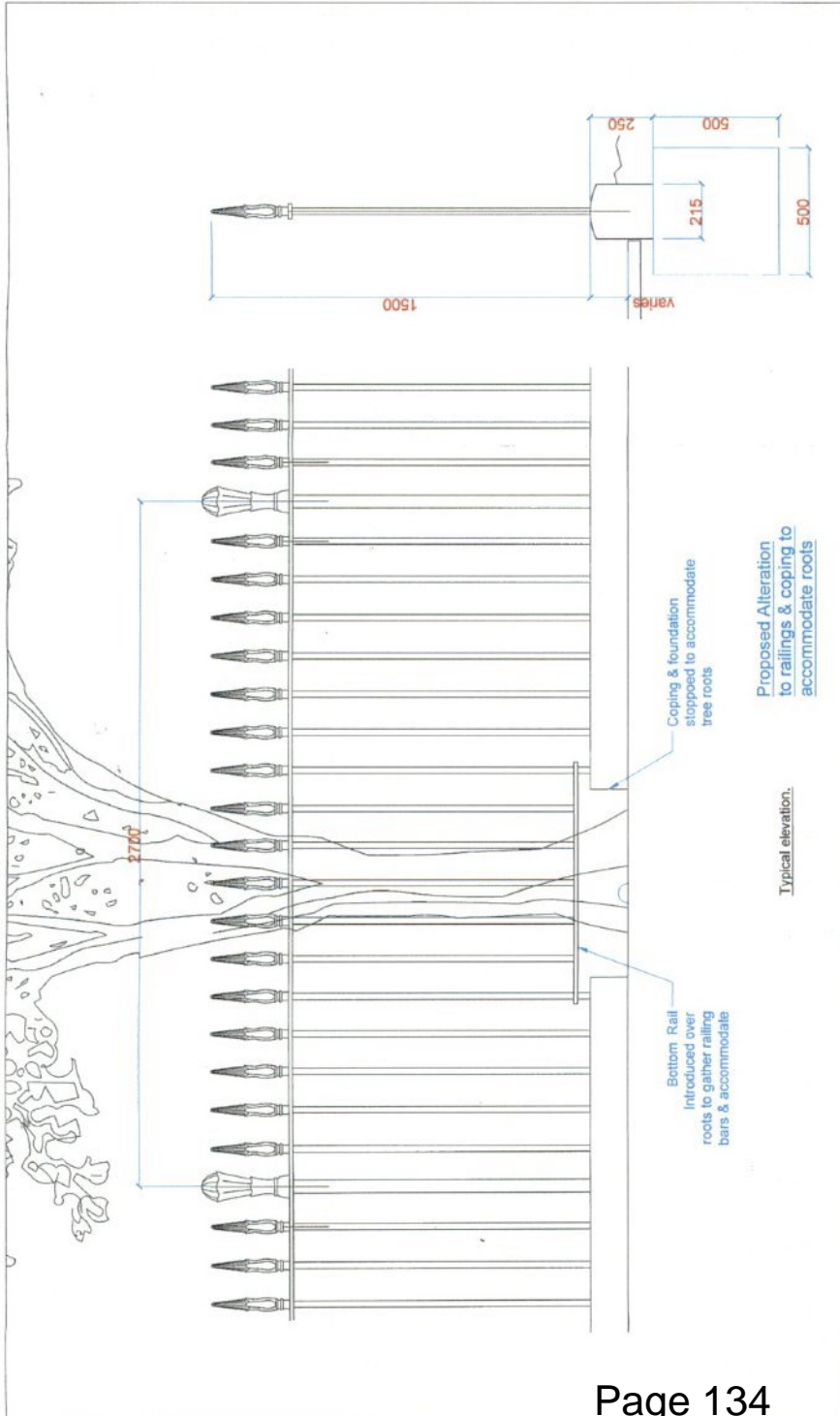
DRAWING TITLE  
 Before and after conditions

DRAWN BY	CHECKED BY	DATE	SCALE
PW	MB/SJS	11	

PROJECT No. \_\_\_\_\_ Drawing No. \_\_\_\_\_ (S) - Prelim-02

**General Notes**

- 1. The drawing shall not be used for construction.
- Specification:  
 25 dia bars @ 150 c/c  
 30 dia posts @ 1500 c/c  
 100 dia coping @ 1500 c/c  
 Forged railing heads to match existing.  
 Bars lapped in to stone coping.



1	25 dia bars @ 150 c/c	1500
2	30 dia posts @ 150 c/c	1500
3	100 dia coping @ 150 c/c	1500
4	Forged railing heads to match existing	
5	Bars lapped in to stone coping	

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 METALWORK, WELDING & FABRICATION  
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 100, NORTH BRIDGE STREET, TOTTENHAM, NORTH YORKSHIRE, UK  
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 WWW.METALCRAFT.CO.UK

The Church Commissioners  
 Hyde Park Square & Gloucester Square  
 London W1J 7AT  
 Typical railings and gates

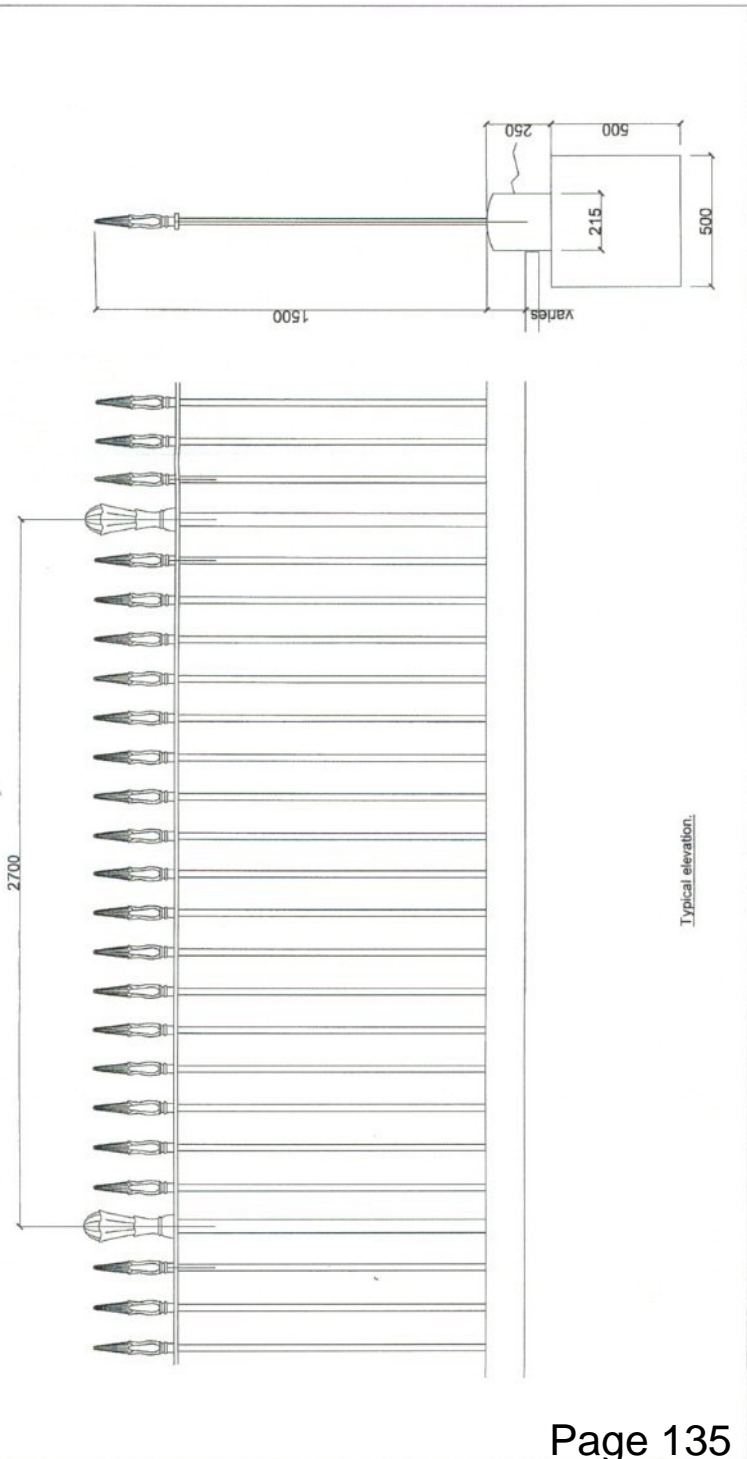
P/W	0602015	1:1
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[0] - Plain-01

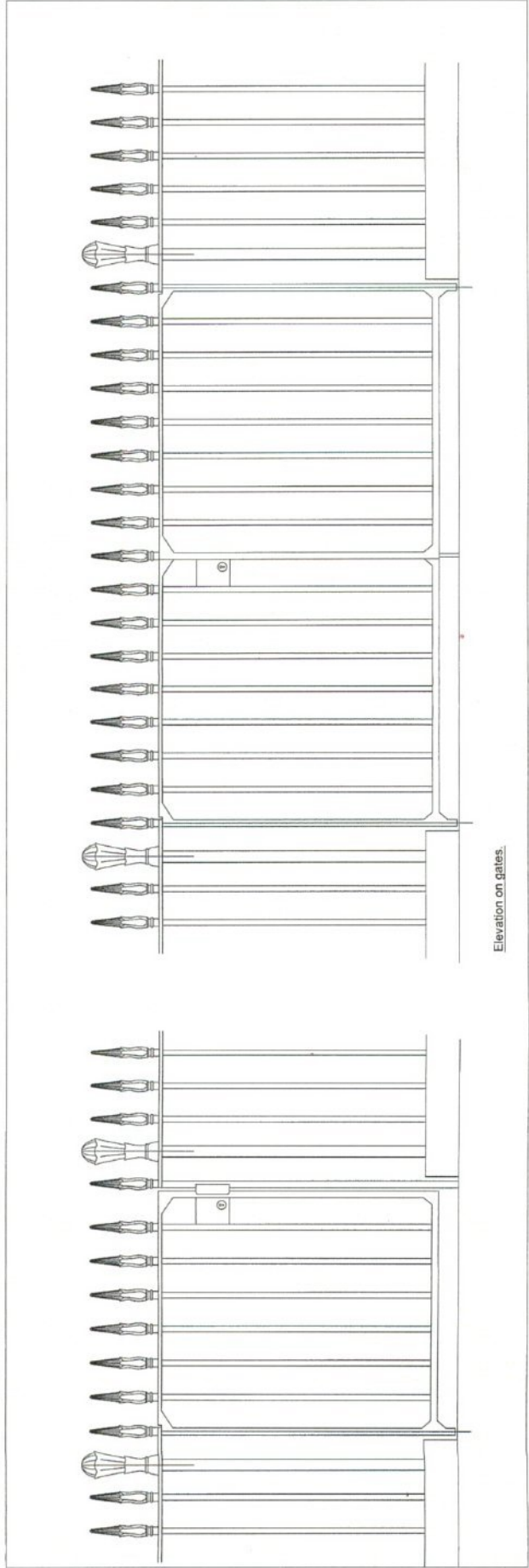


**General Notes**

- The drawing must not be scaled.
- Specification:  
 25 dia bars @ 150 c/c  
 150 dia top rail  
 85 x 15 dia top rail  
 Forged railing heads to match existing.  
 Bars finished in to stone coping.



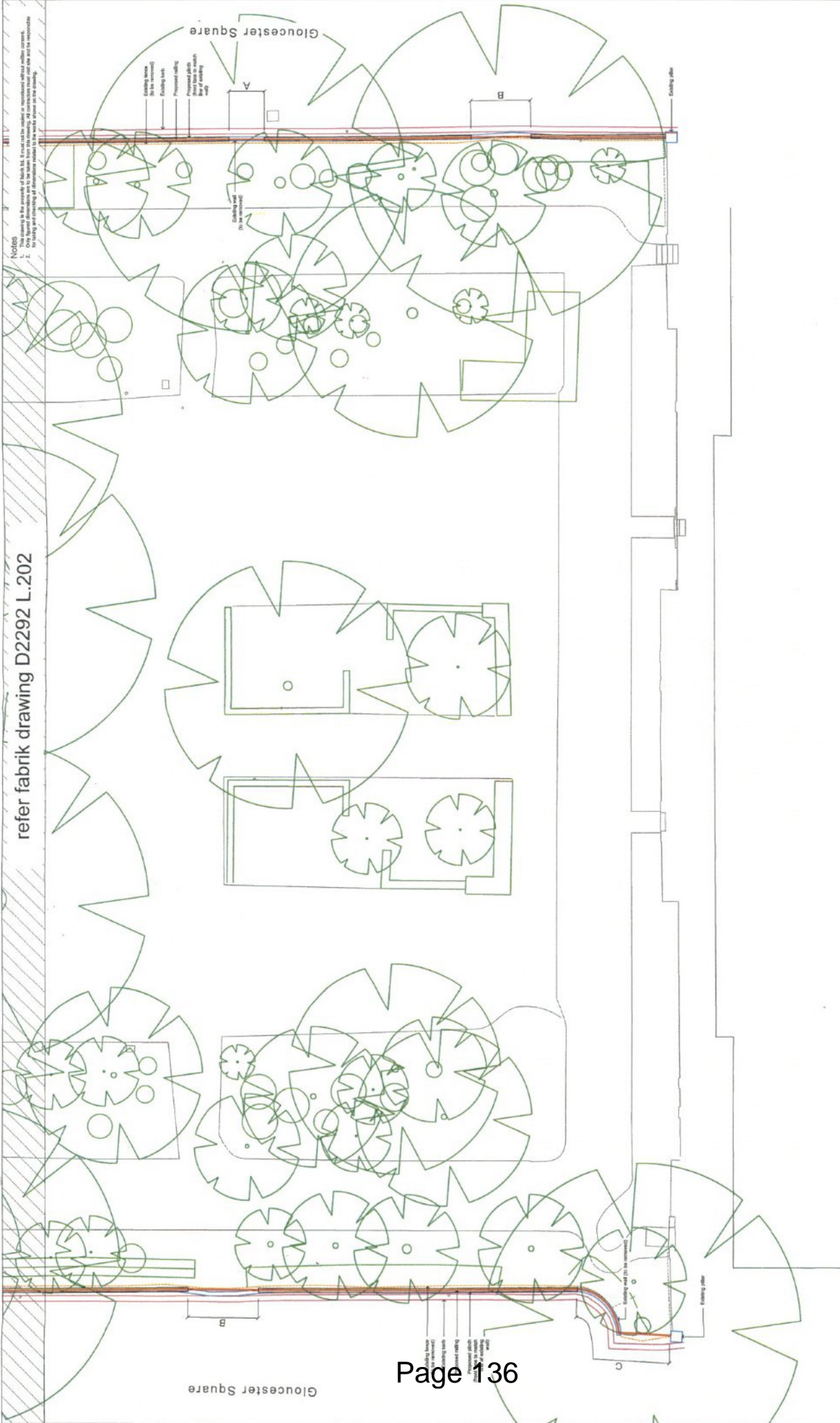
Typical elevation.



Elevation on gates.

C	08-25-15	Single gate added
B	07-24-15	Height revised
A	23-22-15	Height increased to 500
Index	Date	Description
REVISIONS		
<b>METALCRAFT</b> <small>Architectural Metalwork          TOTTENHAM LIMITED          100-102, Victoria Road          TOTTENHAM, NORTH YORKSHIRE          NN16 9JG</small>		
CLIENT The Church Commissioners		
PROJECT Hyde Park Square & Gloucester Square DENNIS RTLL		
Typical railings and gates		
DRAWN BY PW	CHECKED BY DATE	SCALE 1:1
PROJECT No.	DRAWING No.	[01] - Prelim-01

refer fabrik drawing D2292 L.202



Gloucester Square

Notes

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- For any further information please contact the architect. All drawings are the copyright of the architect.

- Existing fence (to be replaced)
- Existing path
- Proposed edging
- Proposed paths
- Proposed walls
- Proposed walls with paving
- Proposed walls with paving and edging
- Proposed walls with paving and edging

Scale: 1:100 @ A1

Date: Aug '15

Revision: B

Project: Sussex Square, Gloucester Square & Hyde Park Square, London

Client: The Church Commissioners

Drawing: Gloucester Square: General Arrangement Plan (sheet 1 of 3)

North Arrow

Scale: 0 1 2 3 4 5 6 7 8 9 10 meters

1:100

**Legend:**

- Existing fence
- Existing path
- Existing edging
- Existing wall
- Proposed paths (to be replaced)
- Proposed paths
- Proposed walls
- Proposed walls with paving
- Proposed walls with paving and edging
- Proposed walls with paving and edging
- Proposed paths (to be replaced)
- Proposed paths
- Proposed walls
- Proposed walls with paving
- Proposed walls with paving and edging
- Proposed walls with paving and edging

**A:** Typical edging at road level (refer manufacturer's drawings for details)

**B:** Typical edging at large tree level (refer manufacturer's drawings for details)

**C:** Typical edging at large tree level (refer manufacturer's drawings for details)

**23.04.15** Spatial scheme agreed. General layout revised.

**27.04.15** Arrangements in excavations and the columns.

**04.05.15** Approved.

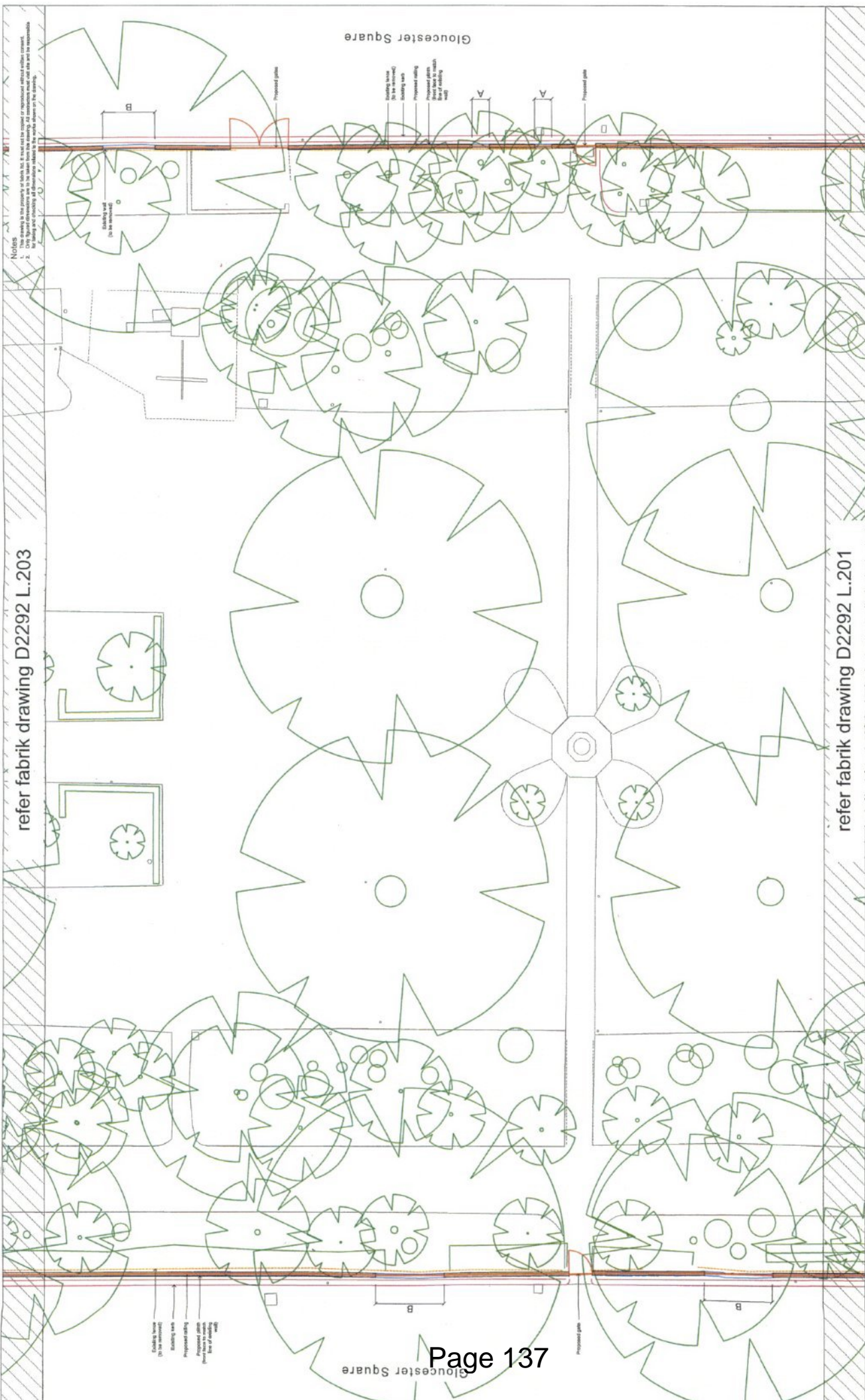
**18.05.15** Gloucester Square - CAD (not to scale)

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refer fabrik drawing D2292 L.203

refer fabrik drawing D2292 L.201



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**Project**  
 Sussex Square, Gloucester Square & Hyde Park Square,  
 London  
 for The Church Commissioners

**Drawing No.**  
 D2292 L.202

**Scale**  
 1:100 @ A1

**Date**  
 Aug '15

**Drawn**  
 AW

**Revised**  
 B

**Legend**

	Existing trees retained		Proposed planting (to be removed)		A. Typical widths of small trees (refer manufacturer's drawings for details)
	Existing paths		Proposed paths (to be removed)		B. Typical widths of large trees (refer manufacturer's drawings for details)
	Existing walls		Proposed paths (to be removed)		C. Typical widths of large trees (refer manufacturer's drawings for details)
	Existing walls		Proposed paths (to be removed)		
	Existing walls		Proposed paths (to be removed)		
	Existing walls		Proposed paths (to be removed)		

**AW**  
 Name

**Scale**  
 1:100

**North Arrow**

**Revision**

<input type="checkbox"/>	Revised	<input type="checkbox"/>	Issued for Design/Preparation
<input type="checkbox"/>	Issued for Planning Approval	<input type="checkbox"/>	Issued for Tender
<input type="checkbox"/>	Issued for Construction	<input type="checkbox"/>	As Built

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Do not scale drawings.

**General Notes**  
Component Characteristics  
Tolerances of dimension and shape EN 1090-2 Tolerance class 1  
Weldability EN 10025-2, S275 / S355  
Fracture toughness / Impact resistance S275JR (27.0/20°C)  
S355JR (35.0/20°C)  
S355J0 (35.0/20°C)  
S355J2 (35.0/20°C)  
S355J2H (35.0/20°C)  
S355J2K (35.0/20°C)  
S355J2L (35.0/20°C)  
S355J2N (35.0/20°C)  
S355J2R (35.0/20°C)  
S355J2S (35.0/20°C)  
S355J2T (35.0/20°C)  
S355J2U (35.0/20°C)  
S355J2V (35.0/20°C)  
S355J2W (35.0/20°C)  
S355J2X (35.0/20°C)  
S355J2Y (35.0/20°C)  
S355J2Z (35.0/20°C)  
S355J2ZA (35.0/20°C)  
S355J2ZB (35.0/20°C)  
S355J2ZC (35.0/20°C)  
S355J2ZD (35.0/20°C)  
S355J2ZE (35.0/20°C)  
S355J2ZF (35.0/20°C)  
S355J2ZG (35.0/20°C)  
S355J2ZH (35.0/20°C)  
S355J2ZI (35.0/20°C)  
S355J2ZJ (35.0/20°C)  
S355J2ZK (35.0/20°C)  
S355J2ZL (35.0/20°C)  
S355J2ZM (35.0/20°C)  
S355J2ZN (35.0/20°C)  
S355J2ZO (35.0/20°C)  
S355J2ZP (35.0/20°C)  
S355J2ZQ (35.0/20°C)  
S355J2ZR (35.0/20°C)  
S355J2ZS (35.0/20°C)  
S355J2ZT (35.0/20°C)  
S355J2ZU (35.0/20°C)  
S355J2ZV (35.0/20°C)  
S355J2ZW (35.0/20°C)  
S355J2ZX (35.0/20°C)  
S355J2ZY (35.0/20°C)  
S355J2ZZ (35.0/20°C)



Rev.	Details	By	Date

**Welded Structural Components**  
Execution Class 2 BS EN 1090  
Hyde Park Sq, Sussex Sq & Gloucester Sq.

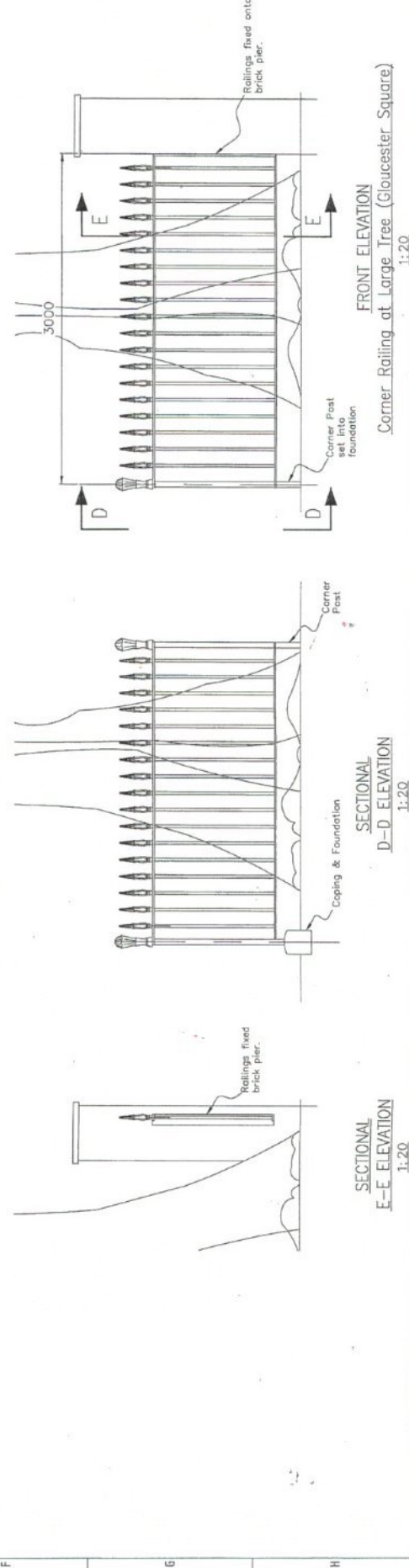
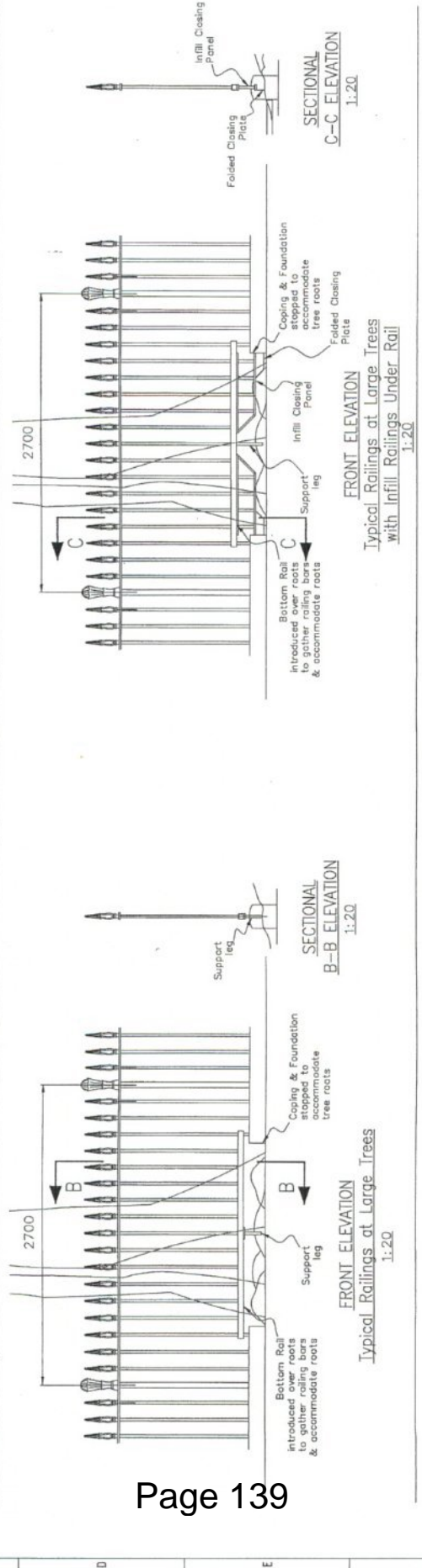
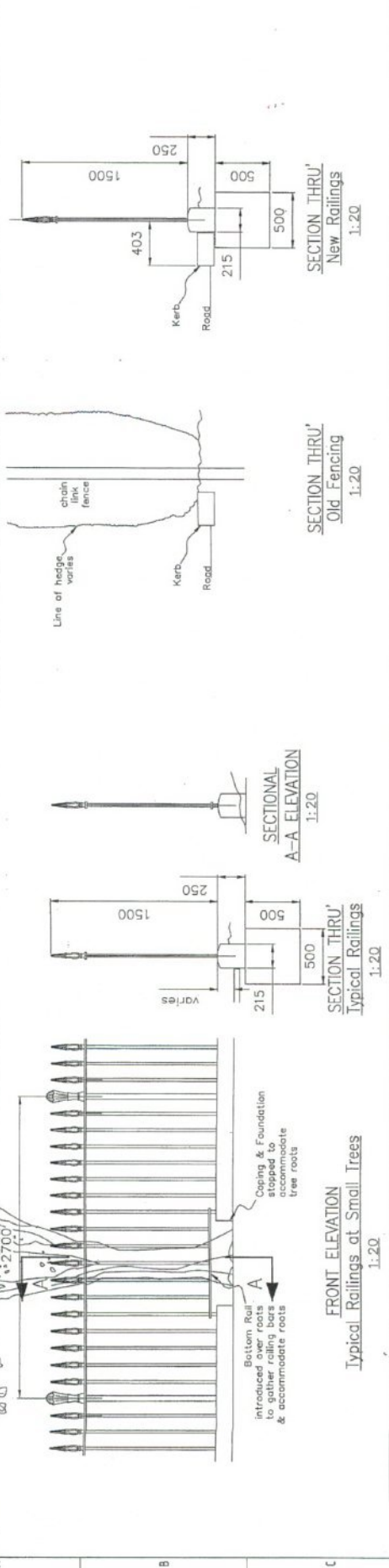
**THE CHURCH COMMISSIONERS FOR ENGLAND**

Project Number: 5366  
Drawing Number: 21-03-10  
Date: 10/10/10  
Scale: 1:20  
Status: NOT APPROVED  
Drawing Title: RAILINGS AT TREE LOCATIONS

**RAILINGS AT TREE LOCATIONS**  
GA

**METALCRAFT**  
Tottonham Limited  
8-40 Dumbard Street  
Seven Stairs Road  
London W13 9JG  
Tel: 020 892 0715  
Fax: 020 892 0716  
Email: metalcraft@metalcraft.co.uk

Preliminary Proposals



**Arboricultural Method Statement**

This document provides a detailed description of the proposed works to be carried out on the site. It is intended to provide a clear understanding of the scope and nature of the works, and to ensure that all relevant parties are aware of the risks and safety considerations associated with the proposed works.

The works are to be carried out in accordance with the following schedule of work:

- Step 1: Pre-implementation meeting
- Step 2: Site survey and assessment
- Step 3: Obtain necessary permits and approvals
- Step 4: Establish safety zones and barriers
- Step 5: Mobilise and commence work
- Step 6: Carry out the proposed works in accordance with the Method Statement
- Step 7: Clean up and site restoration
- Step 8: Prepare final report and drawings
- Step 9: Handover to client
- Step 10: Review and close out

**tree:fabrik**

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Project: SUSSEX, GLOUCESTER & HYDE PARK SQUARES LONDON

Drawing: ARBORICULTURAL METHOD STATEMENT GLOUCESTER SQUARE

Scale: 1:250 DATE: MARCH '15 DRAWN: AR

Drawing No: 11008/MS/301 Revision: B

SCALE: 1:250

**NOTES**

1. General site information

2. Typical appearance of existing boundary wall and existing

3. Typical appearance of existing boundary wall and existing

4. Typical appearance of existing boundary wall and existing

5. Typical appearance of existing boundary wall and existing

6. Typical appearance of existing boundary wall and existing

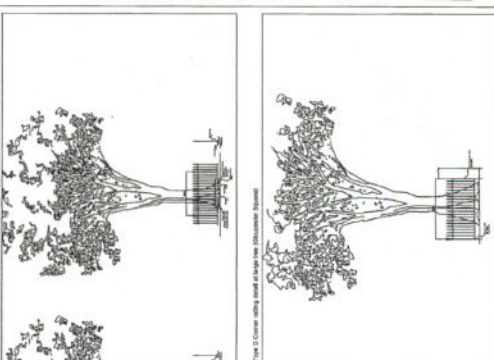
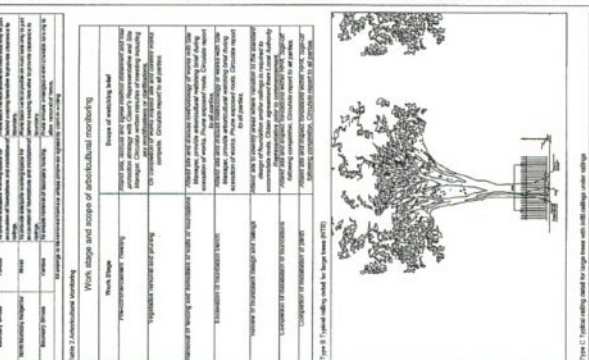
7. Typical appearance of existing boundary wall and existing

8. Typical appearance of existing boundary wall and existing

9. Typical appearance of existing boundary wall and existing

10. Typical appearance of existing boundary wall and existing

Work	Scope and scope of arboricultural work
Removal of trees	Removal of trees to be carried out in accordance with the Method Statement.
Pruning of trees	Pruning of trees to be carried out in accordance with the Method Statement.
Planting of trees	Planting of trees to be carried out in accordance with the Method Statement.
Site restoration	Site restoration to be carried out in accordance with the Method Statement.



## APPLICATION 3



**Legend:**

Application boundary



**Project**  
Sussex Square, Gloucester Square & Hyde Park Square, London  
for The Church Commissioners  
Hyde Park Square: Location Plan

**Drawn**  
AW

**Date**  
Mar '15

**Scale**  
1:1250 @ A3

**Drawing No.**  
D2292 L.002

**Revision**

**Checklist**

<input type="checkbox"/> Preliminary	<input type="checkbox"/> Issued for Planning Approval	<input type="checkbox"/> Issued for 'in situ'	<input type="checkbox"/> Issue for Design/Construction
<input type="checkbox"/> Issued for Construction	<input type="checkbox"/> As Built	<input type="checkbox"/>	<input type="checkbox"/>

Drawn by: [Name]  
Checked by: [Name]

013 242 7172  
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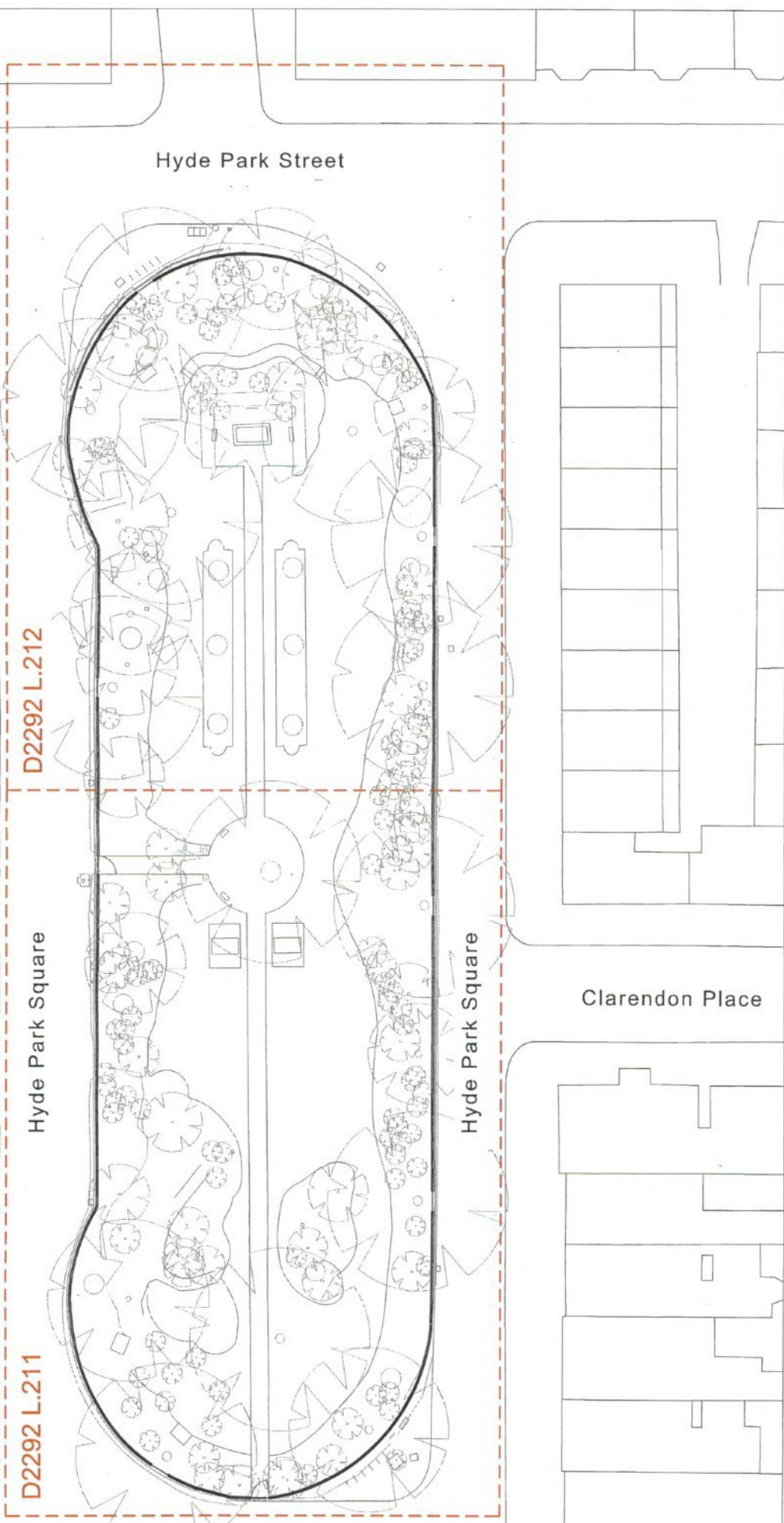
**Notes**

- The location of the proposed building is shown in red. It is not to be used for residential purposes.
- Only the information shown on this plan is to be used for planning purposes. All other information is the responsibility of the user.



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- 3. The drawings are to be used for the purposes of the project and are not to be used for any other purpose.



D2292 L.212

D2292 L.211

Hyde Park Square

Hyde Park Square

Hyde Park Street

Clarendon Place

**fabrik**

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Bristol  
BS1 1JH  
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Scale 1:200  
0 2 4 6 8 10 12 14 16 18 20  
1:200



Project: Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners  
Drawing: Hyde Park Square: Drawing Location Plan  
Drawing No: D2292 L.210  
Scale: 1:200 @ A1  
Date: Aug '15  
Drawn: AW

- Proposed
- Based on Previous Approval
- Based on Data
- All Built

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- Legend:**
- Existing trees retained
  - Existing bridge to be removed
  - Proposed 1500mm height metal railings with 100mm spacing for details
  - Proposed manufacturer's drawings for details



**Project:** Sussex Square, Gloucester Square & Hyde Park Square, London  
**Client:** For The Church Commissioners  
**Drawing No.:** D2292 L.102  
**Scale:** 1:200 @ A1  
**Date:** Jan '15  
**Drawn:** AW  
**Revision:** B

**Check:** Hyde Park Square: Railings Plan  
**AW Name:**  
**AW No.:**  
**AW Date:**

**Revisions:**

1	31/03/15	Legend amended.
2	01/04/15	Existing bridge to be removed. Legend amended.
3	01/04/15	Revised railings.
4	10/04/15	100mm spacing for details.
5	10/04/15	100mm spacing for details.
6	10/04/15	100mm spacing for details.

**Legend:**

- Preliminary
- Issued for Planning Approval
- Issued for Construction
- Issued for Detailed/As-Built
- Issued for Tender
- As-Built

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 Brighton  
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**Notes**

1. All trees to be retained are to be retained in situ and are to be protected in accordance with the relevant legislation.
2. Only ground elevations are to be taken from this cut and not from any other source. All ground levels are to be taking and checking all dimensions related to the works shown on the drawing.



Scale: 1:100  
m 0 1 2 3 4 5 6 7 8 9 10

Elevation 1

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15 Abchurch Lane  
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**Project** Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners  
**Drawing No.** D2392 L-A20  
**Revision** C

**Client** Church Commissioners  
**Project Approval**  Issued for Design Information  Issued for Tender  
**Contract Approval**  Issued for Construction  Approved for Construction

**Scale** 1:100 @ A1  
**Date** Jan '15

**Author** AW  
**Checker** AW  
**Designer** AW

**Revisions**

No.	Date	Reason
C	27.06.15	Issuing elevation revised to accommodate with manufacturer's proposals.
B	17.05.15	Issuing elevation revised to accommodate with manufacturer's proposals.
A	17.05.15	Issuing elevation revised to accommodate with manufacturer's proposals.

**External References:**

- BS1486:2007 STEEL SECURITY FENCES AND GATES
- BS1175:2001 SECURITY FENCES AND GATES

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4. All dimensions are to be taken from the finished ground level unless otherwise stated.



Proposed pedestrian gate (refer manufacturer's drawings for details)

Existing trees retained (indicative only)

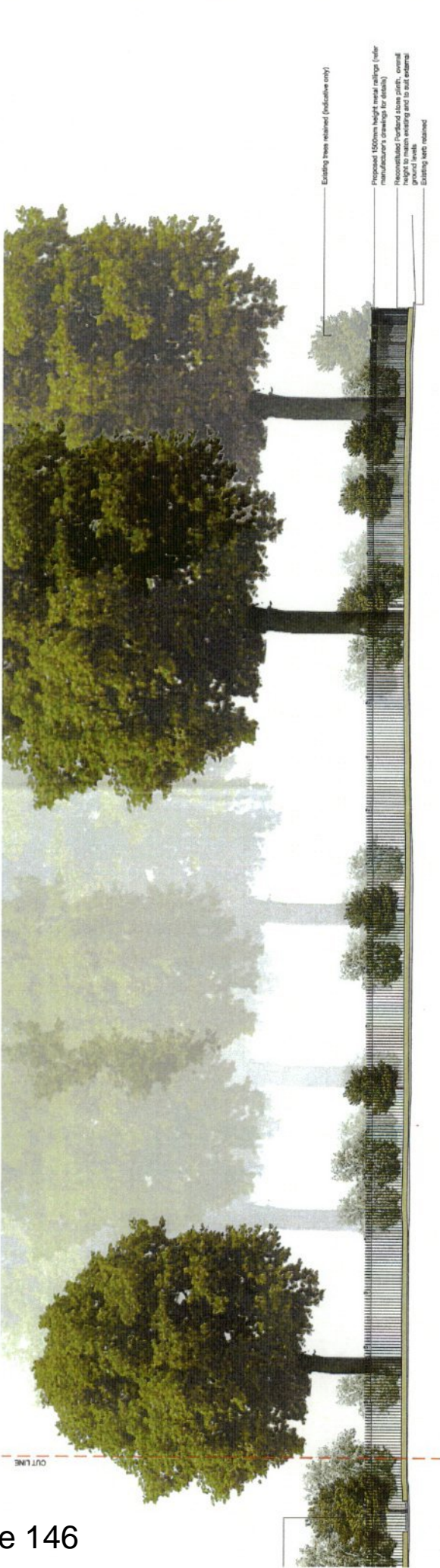
Existing fence retained

Existing junction box retained

Proposed 1500mm height metal railings (refer manufacturer's drawings for details)

Reconstructed Portland stone pillars, overall height to match existing and to suit external ground levels

Existing trees retained



Existing trees retained (indicative only)

Proposed 1500mm height metal railings (refer manufacturer's drawings for details)

Reconstructed Portland stone pillars, overall height to match existing and to suit external ground levels

Existing trees retained

Elevation 2

Scale: 1:100

1 2 3 4 5 6 7 8 9 10

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Project: Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners

Drawing: D2292 L-421

Scale: 1:100 @ A1

Date: Jan 15

Drawn: AW

Revision: E

Legend:

- Proposed
- Issued for Planning Approval
- Issued for Design/Construction
- Issued for Tender
- As Built

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Revisions:

Rev	Date	Description
D	20.05.15	Issue for planning
C	20.05.15	Issue for planning
B	20.05.15	Issue for planning
A	17.02.15	Issue for planning

External References:

- Gloucester Square - CAD Block 05 - 13.05.14.dwg
- Gloucester Square - CAD Block 06 - 13.05.14.dwg

**Notes**

- 1. Accuracy to the property of title is to be used to establish whether a proposed development is within the boundaries of a title.
- 2. Only the property owner is to be named on the drawings. All other names, including those of the architect and the contractor, are to be omitted.



Elevation 3

Existing lamp post retained  
 Existing junction box retained  
 Existing trees retained (indicative only)

Proposed 1500mm height metal railings (per manufacturer's drawings for details)  
 Proposed 1500mm height metal railings (per manufacturer's drawings for details)  
 Proposed 1500mm height metal railings (per manufacturer's drawings for details)  
 Proposed 1500mm height metal railings (per manufacturer's drawings for details)  
 Existing trees retained (indicative only)



Elevation 4

Proposed pedestrian gate (per manufacturer's drawings for details)  
 Existing trees retained (indicative only)

Proposed 1500mm height metal railings (per manufacturer's drawings for details)  
 Recycled Porcelain stone path, overall height to match existing and to suit external ground levels  
 Existing trees retained (indicative only)



<b>Project</b>		<b>Sussex Square, Gloucester Square &amp; Hyde Park Square, London for The Church Commissioners</b>	<b>Scale</b>	<b>1:100 @ A1</b>	<b>Date</b>	<b>Jan '15</b>	<b>Owner</b>	<b>AW</b>	
<b>Drawings</b>		<b>Hyde Park Square: Site Sections &amp; Elevations</b>	<b>Revision</b>	<b>D2292 L-422</b>	<b>Revised By</b>	<b>C</b>	<b>Revision</b>		
<b>Scale</b>	1:100 @ A1	<b>Project</b>	Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners	<b>Drawings</b>	Hyde Park Square: Site Sections & Elevations	<b>Date</b>	Jan '15	<b>Owner</b>	AW
<b>Revision</b>	D2292 L-422	<b>Scale</b>	1:100 @ A1	<b>Project</b>	Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners	<b>Date</b>	Jan '15	<b>Owner</b>	AW
<b>Drawings</b>		<b>Project</b>		<b>Scale</b>		<b>Date</b>		<b>Owner</b>	
C 14.02.15 1:100 @ A1 B 11.02.15 1:100 @ A1 A 03.02.15 1:100 @ A1 11/12/14 Approved Approved Approved Approved Approved		7th Floor 7th Floor 7th Floor 7th Floor 7th Floor		1:100 @ A1 1:100 @ A1 1:100 @ A1 1:100 @ A1 1:100 @ A1		14.02.15 11.02.15 03.02.15 11/12/14 11/12/14		Approved Approved Approved Approved Approved	
<p> <input type="checkbox"/> Issued for Planning Approval     <input type="checkbox"/> Issued for Design Approval  <input type="checkbox"/> Issued for Construction     <input type="checkbox"/> Issued for Tender     <input type="checkbox"/> As Built                  Drawing sheet size: A1     Copyright Reserved ©             </p>									



**Arboricultural Method Statement**

This document provides a detailed plan for the removal and preservation of trees within the Hyde Park Square development. It outlines the objectives, methods, and safety measures for all tree work. The plan must be reviewed by the project manager and approved by the local authority before any work begins.

**Objectives:**

- To remove trees that are in conflict with the proposed development.
- To preserve and enhance the existing tree canopy.
- To ensure all tree work is carried out safely and in accordance with best practice.

**Methods:**

- Removal:** Trees to be removed will be cut back to a stump height of 100mm. The remaining stump will be removed by stump grinding.
- Preservation:** Trees to be preserved will be supported by steel raking and bracing. Any necessary pruning will be carried out to maintain the health and safety of the tree.
- Planting:** New trees to be planted will be selected in consultation with the local authority and will be planted in accordance with best practice.

**Safety:**

- All workers must be trained and competent in tree work.
- Appropriate safety measures must be in place at all times, including the use of safety harnesses, helmets, and eye protection.
- Clearance of the work area must be maintained at all times.
- Access to the site must be maintained at all times.

- Steps:**
- Site survey and identification of trees to be removed and preserved.
  - Obtain necessary permits and approvals from the local authority.
  - Establish safety zones and barriers around trees to be removed.
  - Mark out and remove vegetation prior to tree removal.
  - Apply and secure appropriate safety measures to preserve trees.
  - Remove trees to be removed in accordance with the approved method statement.
  - Preserve trees to be preserved in accordance with the approved method statement.
  - Plant new trees in accordance with the approved method statement.

**Working Hours:** All work shall be carried out between 07:00 and 18:00 hours, Monday to Friday. All work shall be carried out in accordance with the approved method statement and the relevant legislation.

**Weather:** Work shall not be carried out in wet or icy conditions. Work shall be suspended if the weather is such that it is unsafe to carry out the work.

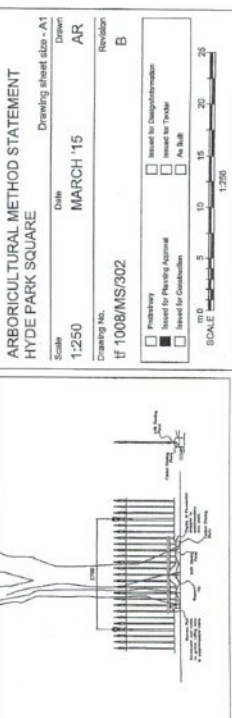
**Access:** Access to the site must be maintained at all times. Any necessary restrictions on access must be agreed with the local authority and the relevant stakeholders.

**Insurance:** All contractors must have appropriate public liability and employer's liability insurance. All workers must be covered by a valid employers' liability insurance policy.

**Training:** All workers must be trained and competent in tree work. All workers must be trained in the use of the relevant equipment and tools.

**Table 1: List of Trees**

Tree No.	Tree Name	Species	Height (m)	DBH (cm)	Health	Proposed Action
1	Tree 1	Oak	15	15	Good	Remove
2	Tree 2	Maple	10	10	Good	Remove
3	Tree 3	Cherry	8	8	Good	Remove
4	Tree 4	Apple	6	6	Good	Remove
5	Tree 5	Plum	5	5	Good	Remove
6	Tree 6	Almond	4	4	Good	Remove
7	Tree 7	Peach	4	4	Good	Remove
8	Tree 8	Apricot	4	4	Good	Remove
9	Tree 9	Walnut	12	12	Good	Preserve
10	Tree 10	Hickory	10	10	Good	Preserve
11	Tree 11	Beech	8	8	Good	Preserve



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 E: alan@treefabrik.com

**Project:** SUSSEX, GLOUCESTER & HYDE PARK SQUARES LONDON

**Scale:** 1:250

**Date:** MARCH 15

**AR**

**Drawing No.:** 1008/MS/302

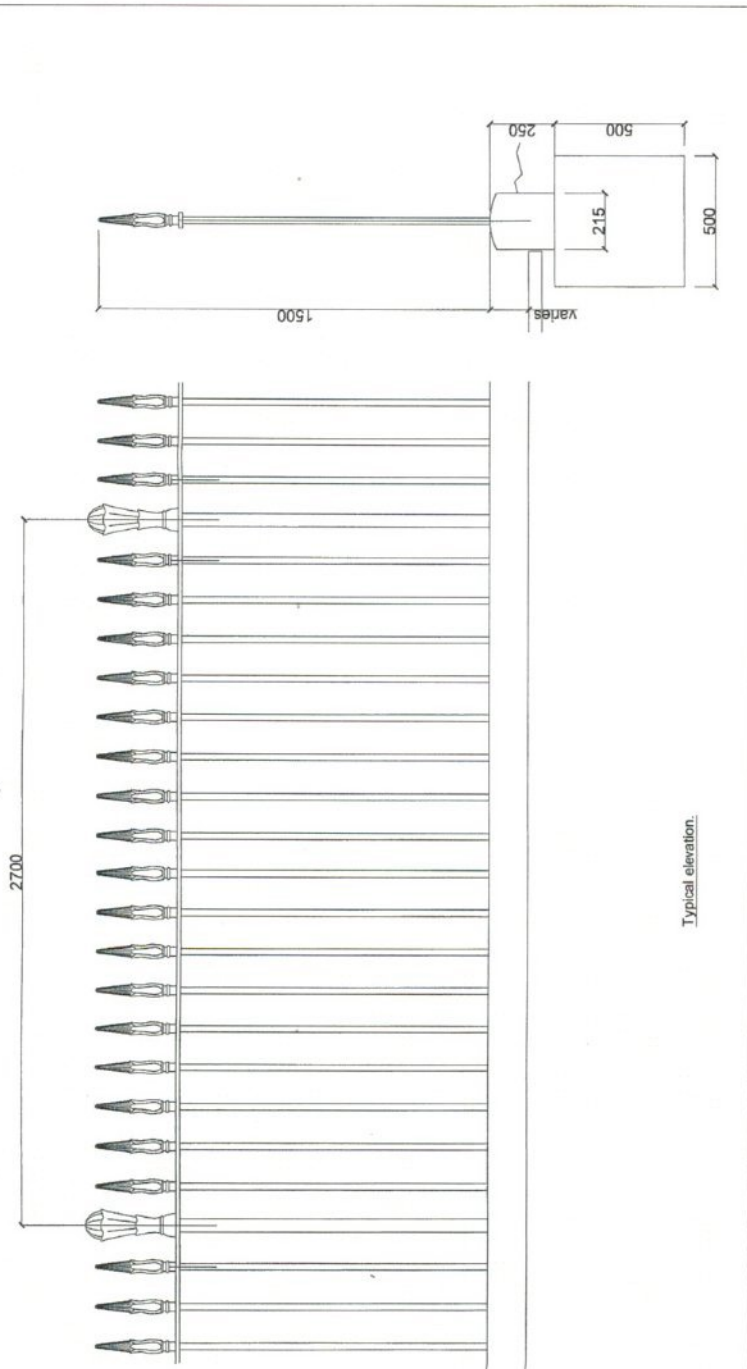
**Revision:** B

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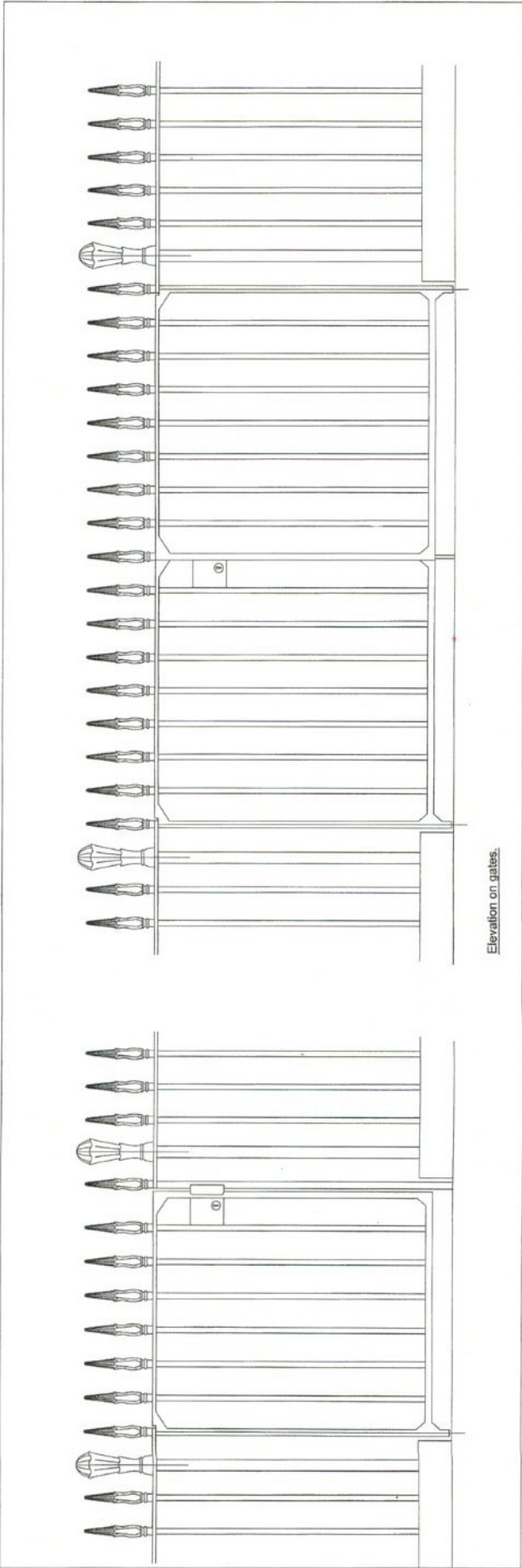


**General Notes**

- 1. This drawing must not be scaled.
- Specification:  
 25 dia bars @ 150 cc  
 50 dia posts  
 60 x 15 flat top rail  
 Bars to be welded to match existing.  
 Bars finished to stone coping.



Typical elevation.



Elevation on gates.

C	06-02-15	Single gate added
B	07-04-15	Height revised
A	23-03-15	Height increased to 1500
Mark	Date	Description

REVISIONS

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CLIENT  
 The Church Commissioners

PROJECT  
 Hyde Park Square & Gloucester Square

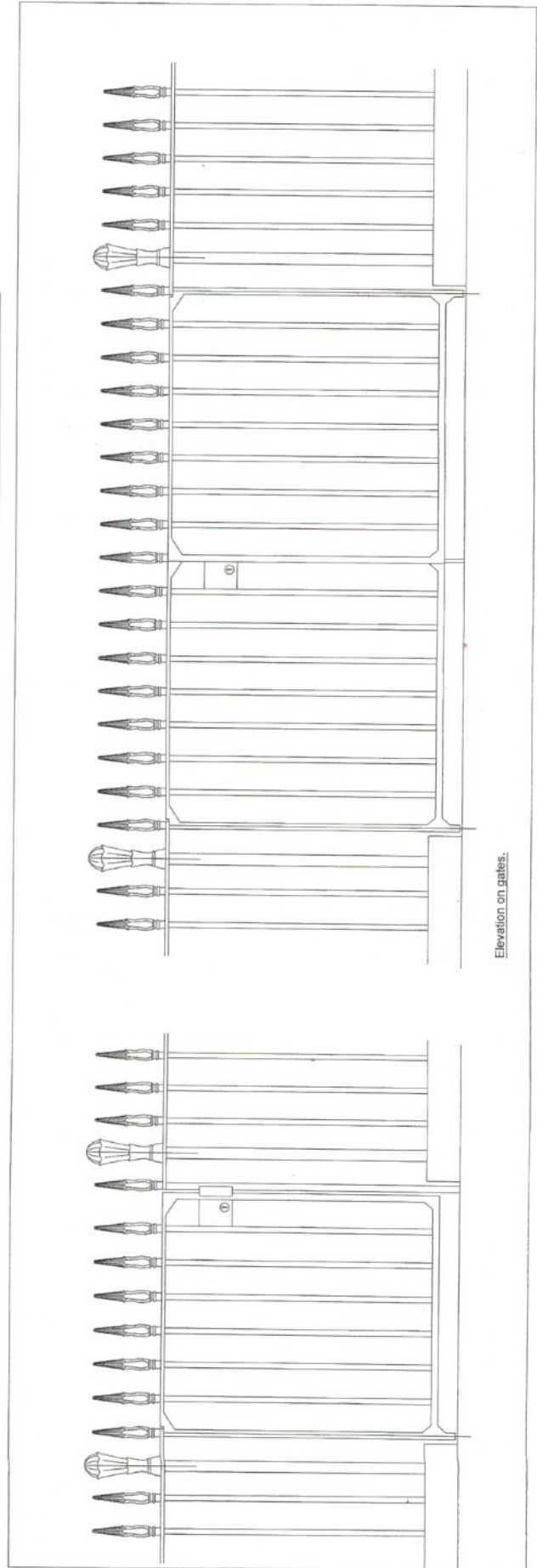
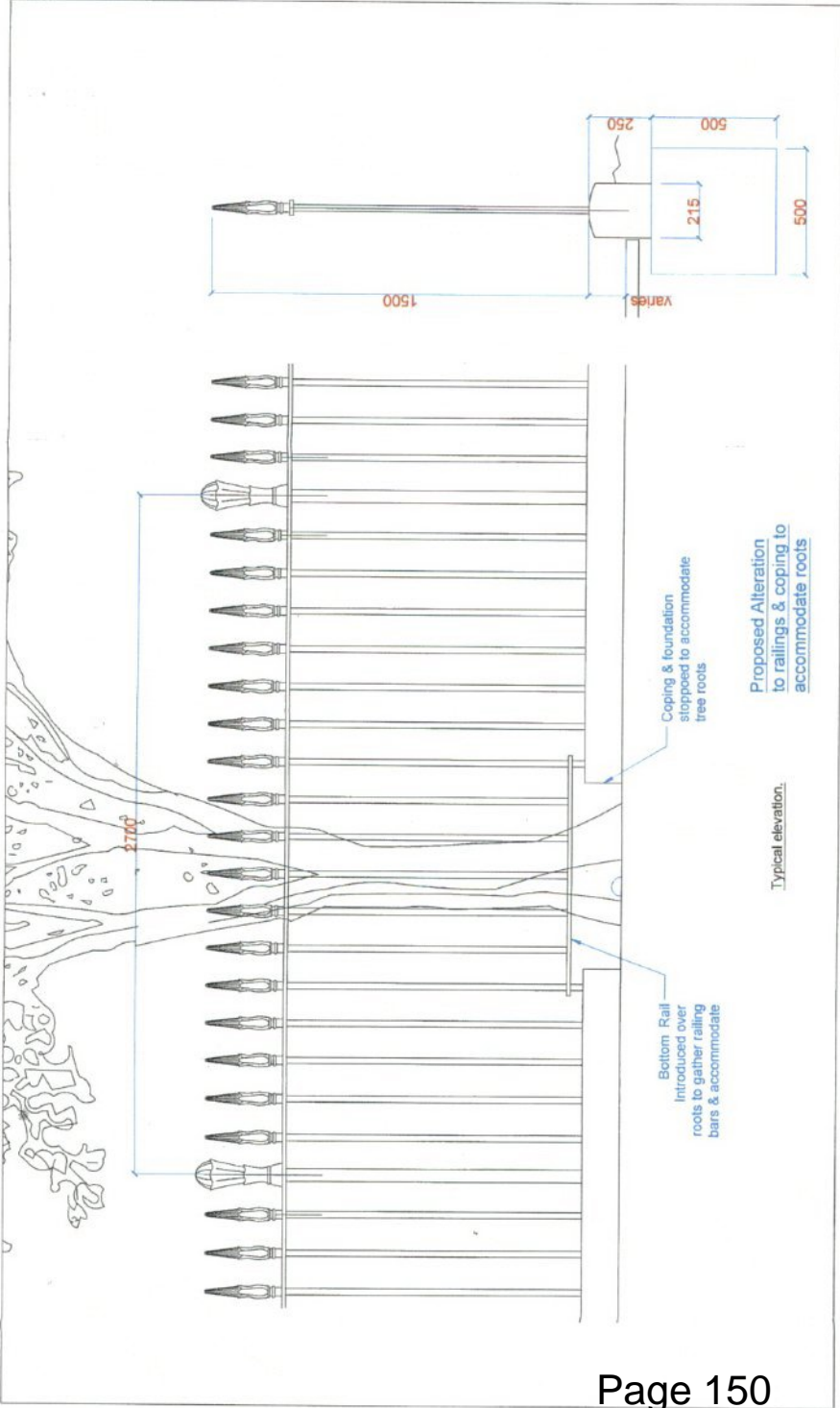
DRAWING TITLE  
 Typical railings and gates

DRAWN BY	CHECKED BY	DATE	SCALE
PW		06/02/15	1:1
PROJECT No.	DRAWING No.		
		[C] - Prelim-01	

**General Notes**

1. *Tree Raising and Root Bar Installation*

Specification:  
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50 dia posts  
60% of rail top rail  
Flare leaded in to match existing.  
Flare leaded in to show coping.



REVISIONS	
No.	Description
1	Issue for construction
2	Issue for construction
3	Issue for construction
4	Issue for construction

**METALCRAFT**  
TOTTENHAM LIMITED  
1000 NORTH AVENUE  
TOTTENHAM, NORTH YORKSHIRE, YO1 1 7LW  
TEL: 01870 500000 FAX: 01870 500001

The Church Commissioners  
Holy Park Square & Gloucester Square  
Typical railings and gates

PW 06/02/15 1:1  
[3] - Prelim-01



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**Do not scale drawings.**

**General Notes**  
 Component Characteristics  
 Tolerances of dimension and shape EN 1090-2 Tolerance class 1  
 Weldability  
 EN 10025-2, S275 / S355  
 Fracture toughness / impact resistance S275JR (27.0g20°C)  
 S355JR (27.0g20°C)  
 Standards 304 / 316  
 Load Bearing Capacity  
 Designed to BS5950 / EN 1993  
 Steel Specification  
 National Structural Steelwork  
 Specification for Building Construction 8th Edition CE Minding  
**Welds**  
 All welds to comply to MTL Welding Procedure Specifications (WPS)  
**Steel Grades**  
 All UC / UB / PFC / RSA - S355-JR  
 All SHS / RHS / CHS - S355-J2  
 All Plates - S275 - UKO



**Welded Structural Components**  
 Execution Class 2 BS EN 1090  
 Hyde Park Sq, Sussex Sq & Gloucester Sq.

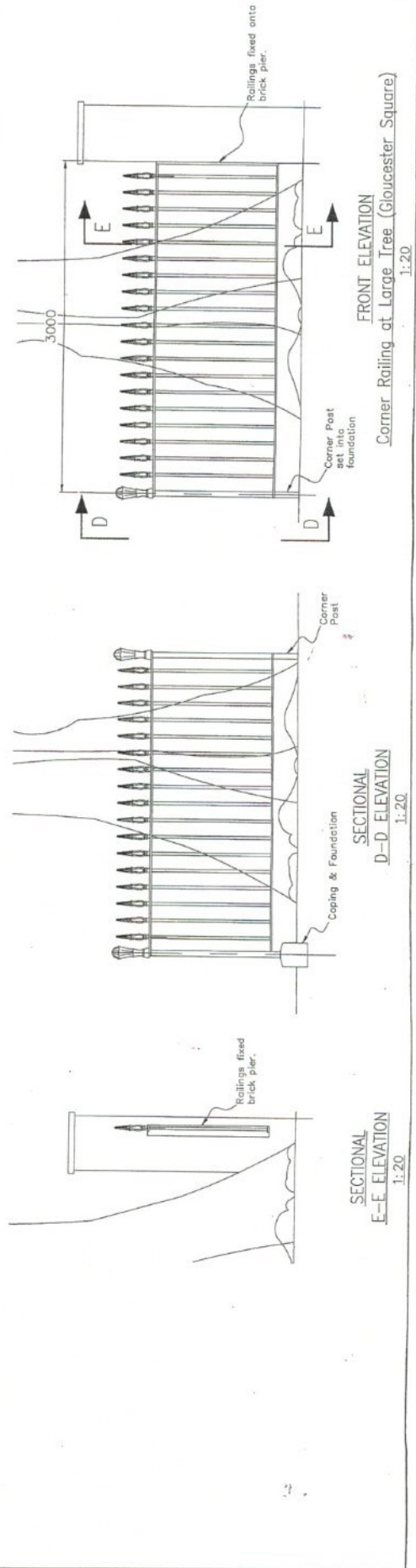
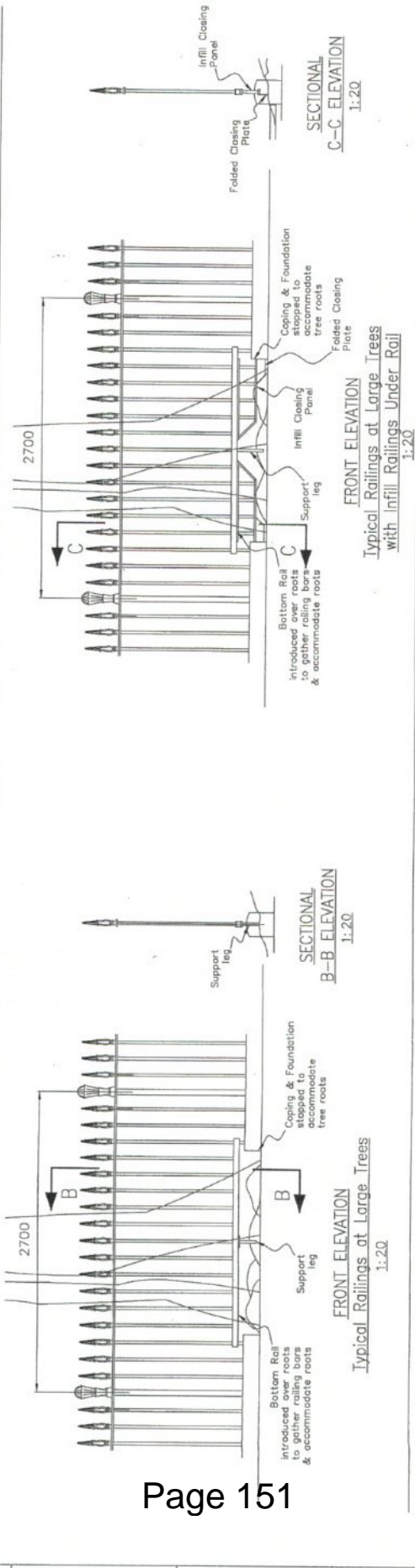
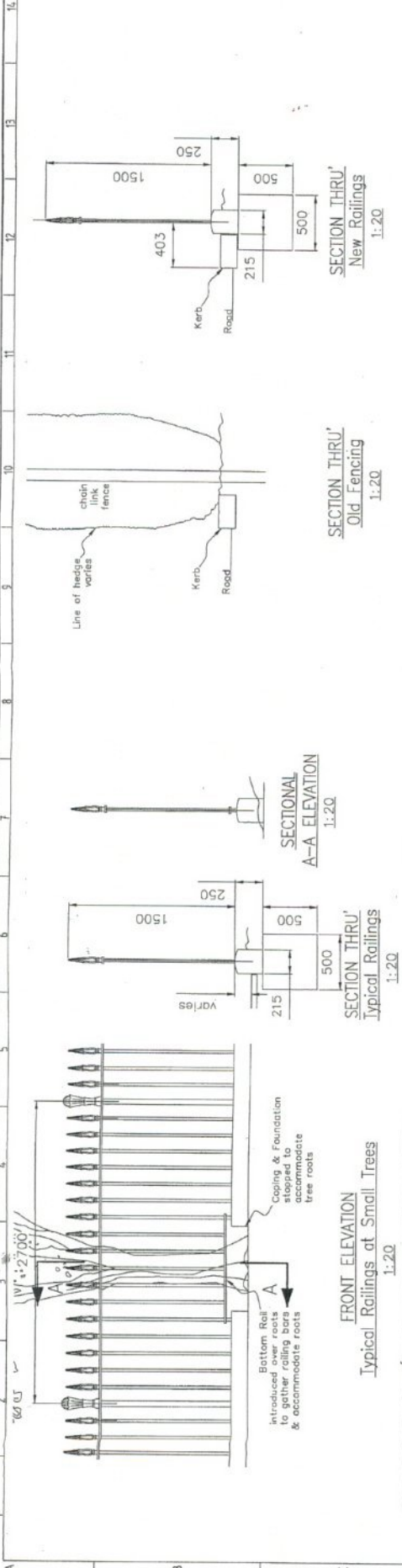
**THE CHURCH COMMISSIONERS FOR ENGLAND**

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Client Reference:	22-08-18
Drawn By:	SEE DATA
Checked By:	SEE DATA
Scale:	1:20
Drawn Date:	10/11/2022
Drawn Time:	10:14

**RAILINGS AT TREE LOCATIONS**  
 GA

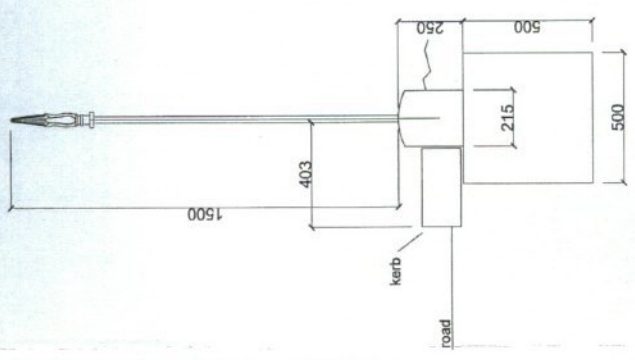
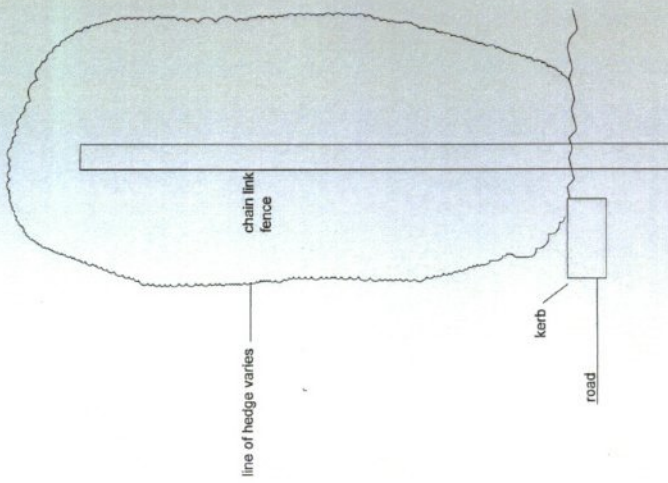
**METALCRAFT**  
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 Fax: 020 8822 1716  
 E-mail: sales@metalcraft.co.uk

**Preliminary Proposals**



**General Notes**

- 1. This drawing must not be scaled.
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 25 dia bars @ 150 c/c  
 50 dia posts  
 60 x 115 flat top rail  
 100 x 100 x 100 angle  
 Bars welded in to stone coping.  
 Bars finished in to stone coping.



Rev	Date	Description
C	04-05-15	Single gate added
B	07-04-15	Height revised
A	27-03-15	Height revised to 1500

REVISIONS			
Rev	Date	Description	By

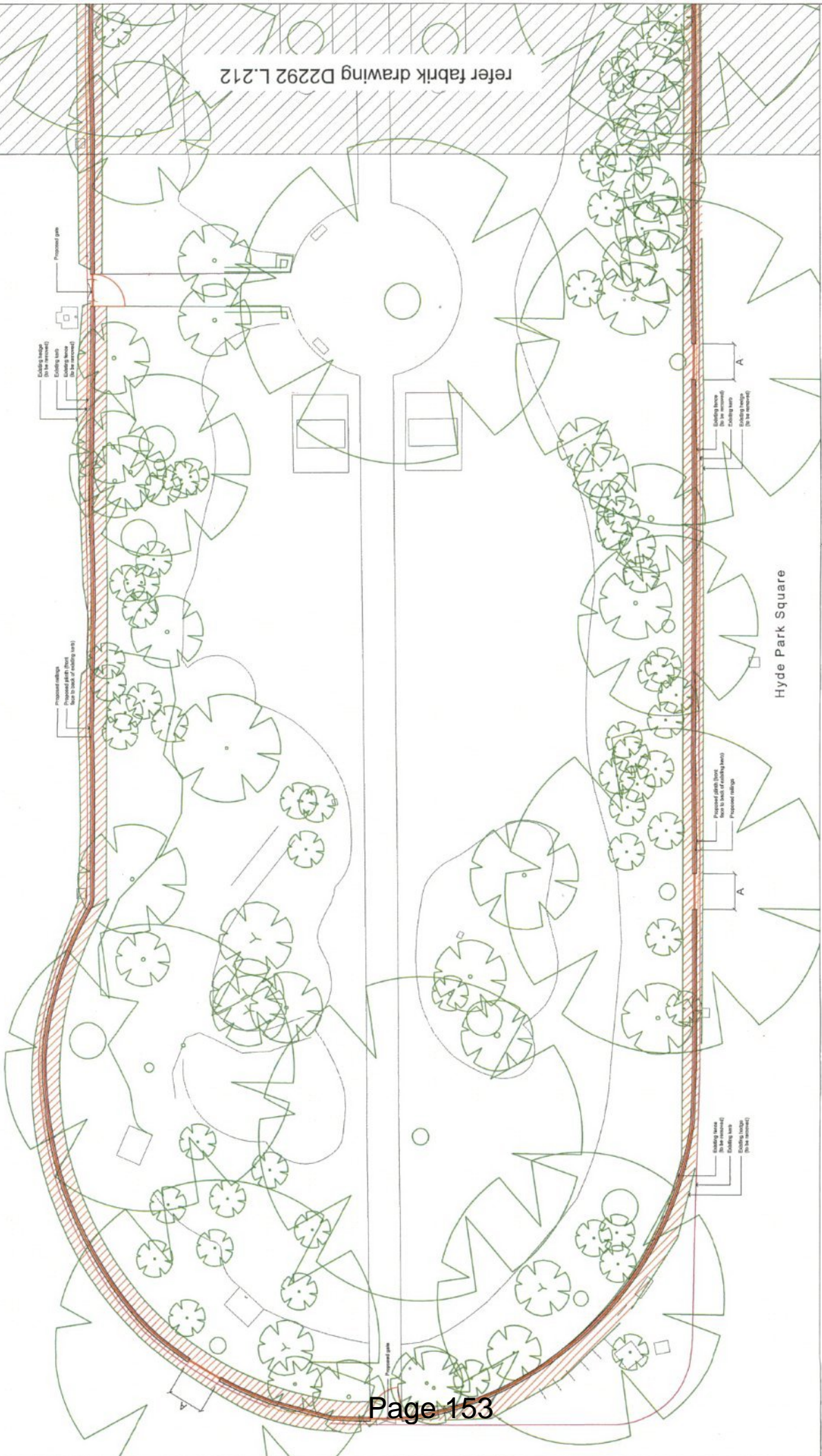
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CLIENT	The Church Commissioners
PROJECT	Hyde Park Square & Gloucester Square
DRAWING TITLE	Before and after conditions
DRAWN BY	FW
CHECKED BY	SAK
DATE	14/05/15
SCALE	1:1
PROJECT No.	1400015
Drawing No.	1400015
[C] - Prelim-02	

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Hyde Park Square



refer fabrik drawing D2292 L.212

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**Project**  
 Sussex Square, Gloucester Square & Hyde Park Square,  
 London  
 for The Church Commissioners

**Drawings**  
 Hyde Park Square: General Arrangement Plan  
 (Sheet 1 of 2)

**Scale**  
 1:100 @ A1

**Date**  
 Aug '15

**Drawn**  
 AW

**Revision**  
 B

**Drawing No.**  
 D2292 L.211

**Legend**

	Existing trees retained		Existing wall
	Existing hedge		Existing fence
	Existing hedge to be removed		Existing lawn
	Proposed trees		Proposed lawn
	Proposed plants		Proposed path
	Proposed seating		Proposed wall

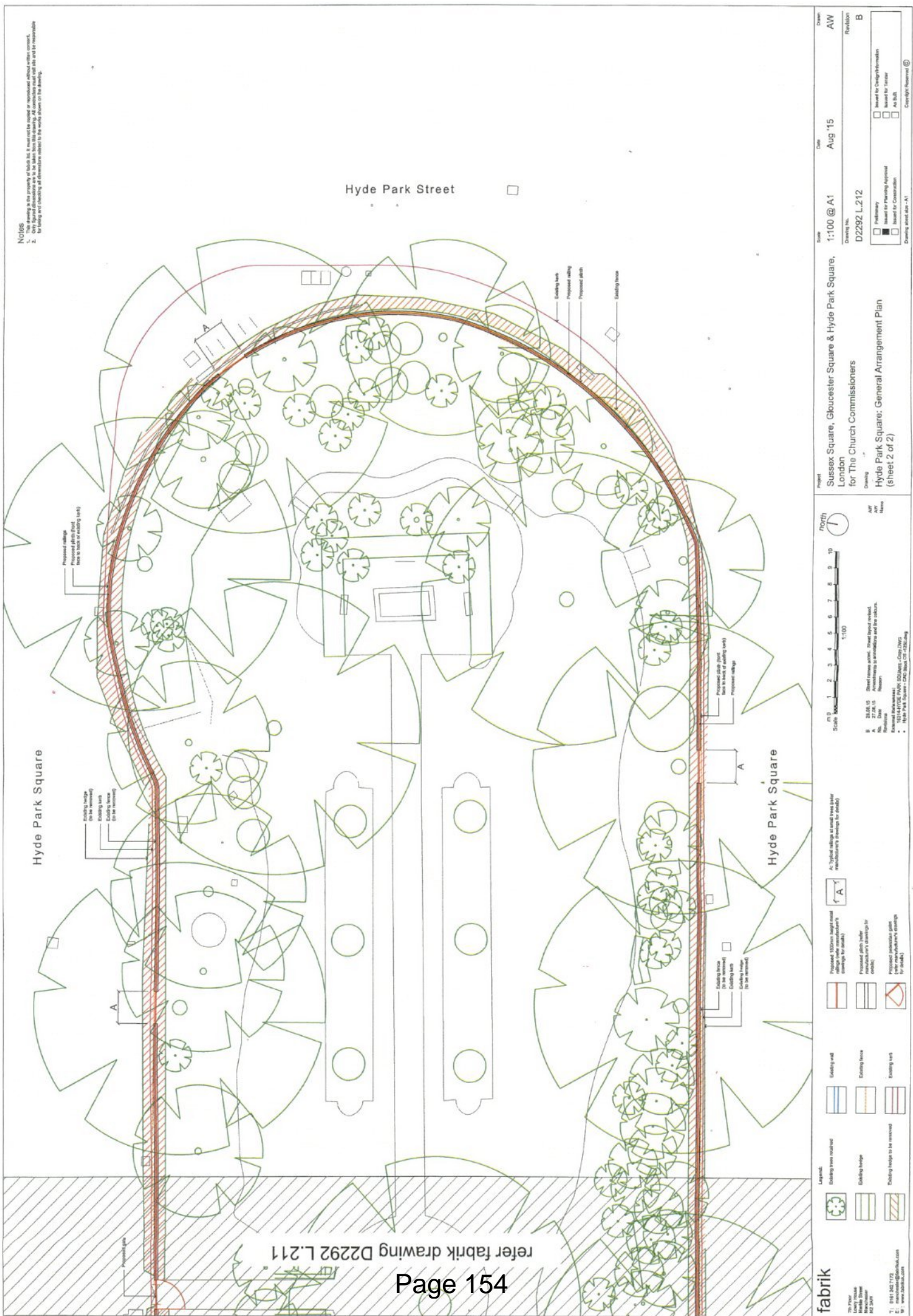
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<input type="checkbox"/>	Issued for Planning Approval	<input type="checkbox"/>	Issued for Tender
<input type="checkbox"/>	Issued for Construction	<input type="checkbox"/>	As Built

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NG006

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Hyde Park Street

Hyde Park Square

Hyde Park Square

refer fabrik drawing D2292 L.211

Client	AW
Date	Aug '15
Scale	1:100 @ A1
Project	Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners
Drawing No.	D2292 L.212
Revision	B

Hyde Park Square: General Arrangement Plan (sheet 2 of 2)

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---	--

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<input type="checkbox"/> Existing trees retained <input type="checkbox"/> Existing hedge <input type="checkbox"/> Existing path <input type="checkbox"/> Existing hedge to be removed <input type="checkbox"/> Existing path to be removed	<input type="checkbox"/> Proposed 300mm height road edge (per manufacturer's specification) (per path) <input type="checkbox"/> Proposed path buffer (per manufacturer's specification) (per path) <input type="checkbox"/> Proposed path to be removed (per path)
--	--

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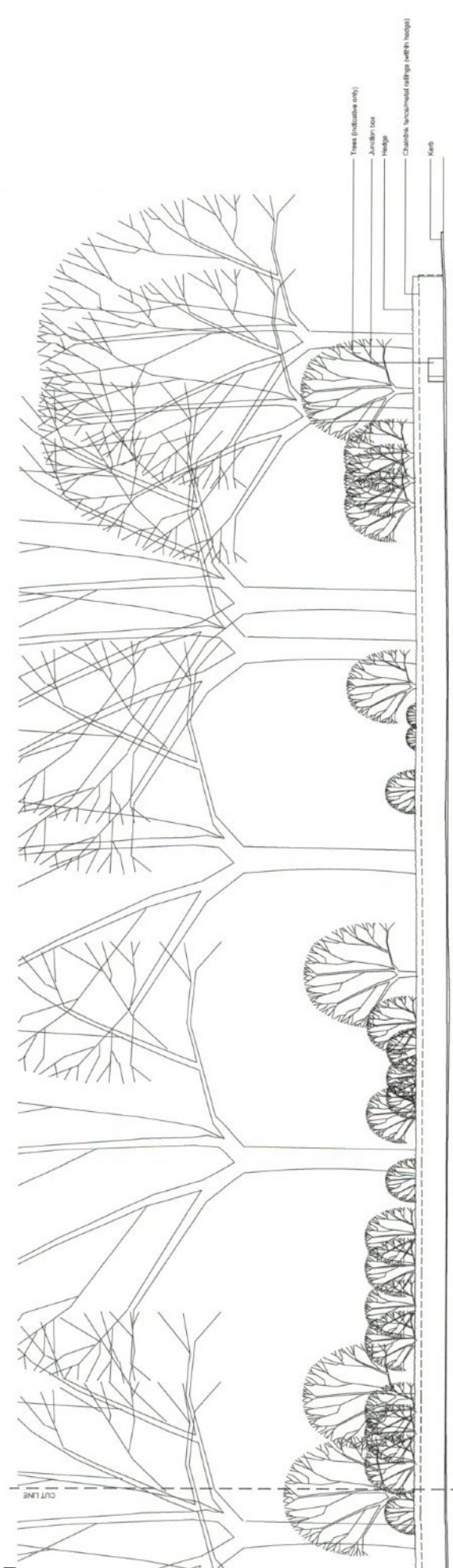
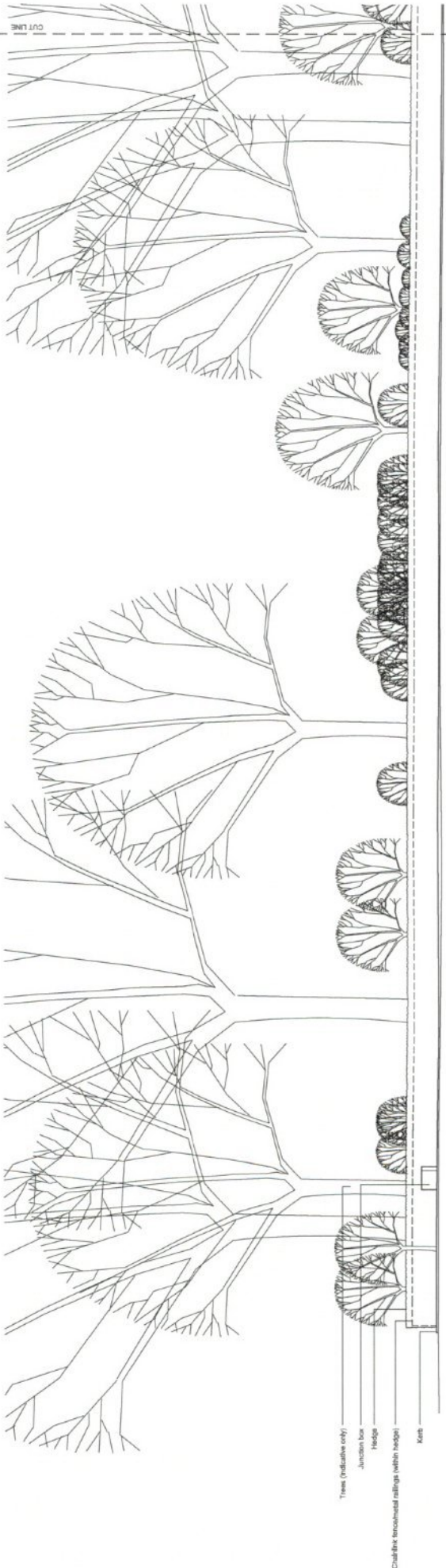
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Scale: 1:100  
 North  
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 0 1 2 3 4 5 6 7 8 9 10  
 0 1 2 3 4 5 6 7 8 9 10  
 0 1 2 3 4 5 6 7 8 9 10

28.06.15  
 No. Date  
 1511441415E (AW) (2015) (2015) (2015)  
 1511441415E (AW) (2015) (2015) (2015)  
 Hyde Park Square - CAD Block (2015) (2015) (2015)

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m 0 1 2 3 4 5 6 7 8 9 10  
Scale 1:100

Project: Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners  
Drawing No: D2292 L 423  
Drawing Date: Feb '15  
Scale: 1:100 @ A1  
Revision: AW

Project: Hyde Park Square: Existing Elevations  
Sheet: 1

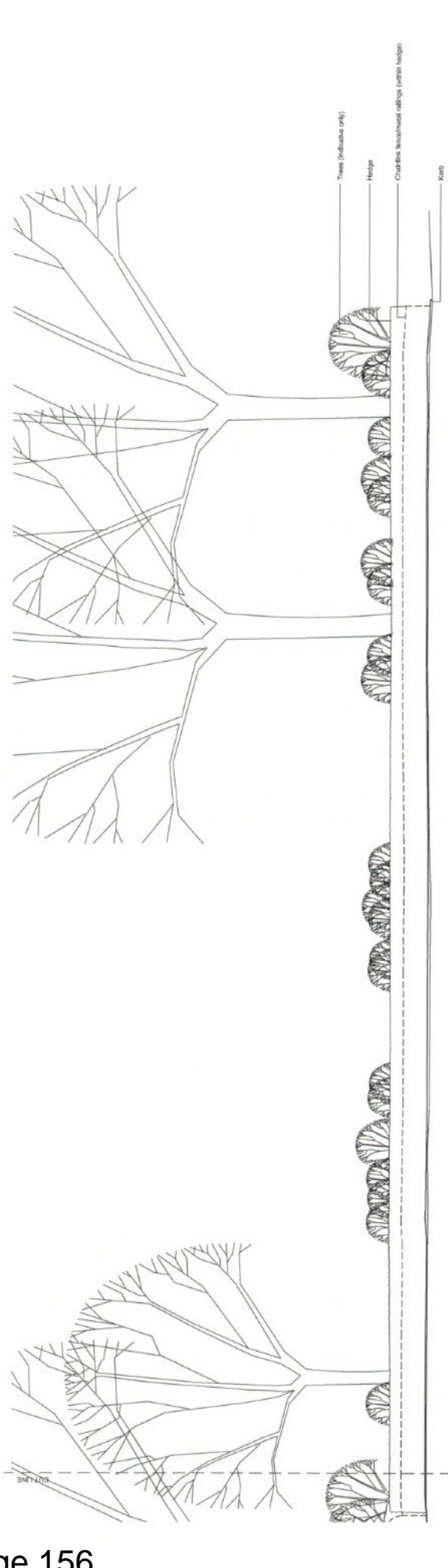
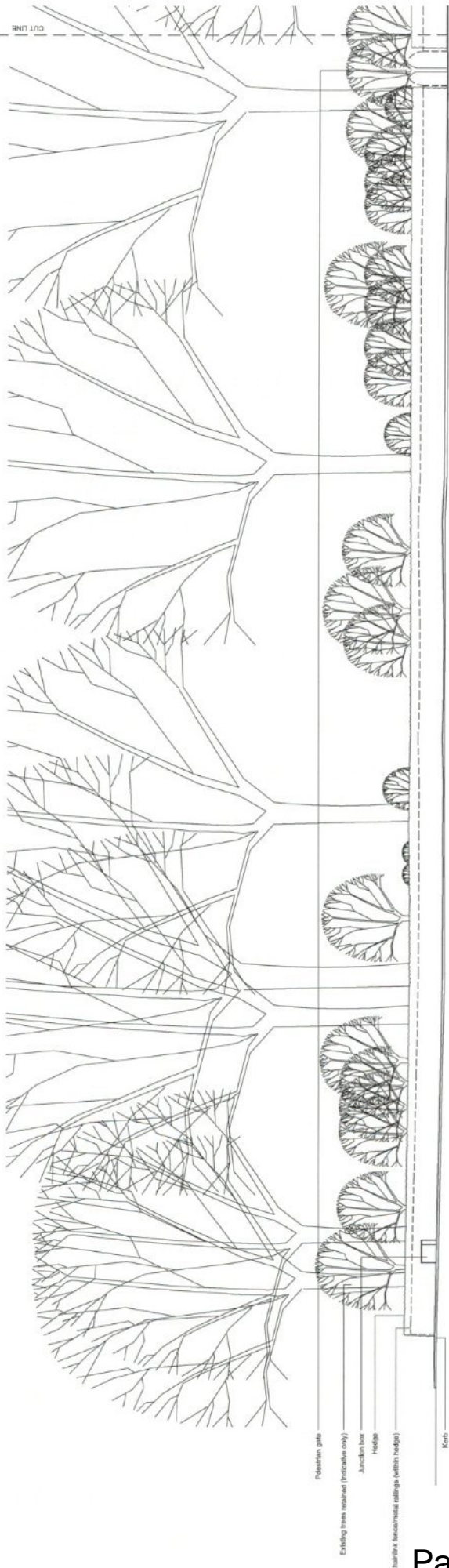
No.	Date	Revision	Name
1	10/10/2014	Initial Release	
2	10/10/2014	Revised Release	

1. Approved by the Client for Construction

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Elevation 2

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 S9 2JW  
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**Project**  
 Sussex Square, Gloucester Square & Hyde Park Square,  
 London  
 for The Church Commissioners

**Drawing**  
 Hyde Park Square: Existing Elevations  
 Sheet 2

**Client**  
 The Church Commissioners

**Drawn by**  
 [Name]

**Checked by**  
 [Name]

**Date**  
 Feb 15

**Scale**  
 1:100 @ A1

**Revision**  
 AW

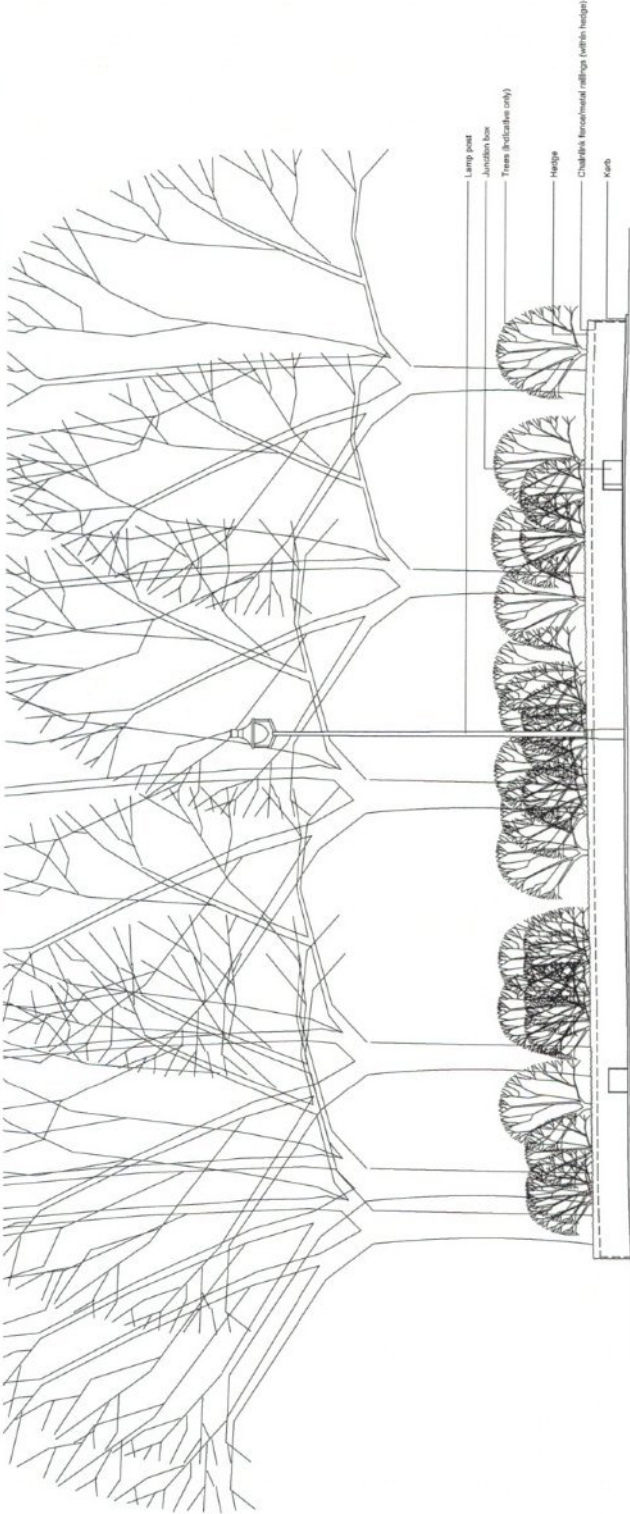
**Notes**

- Preliminary
- Final for Construction
- Final for Design/Developers
- Final for Tender
- As Built

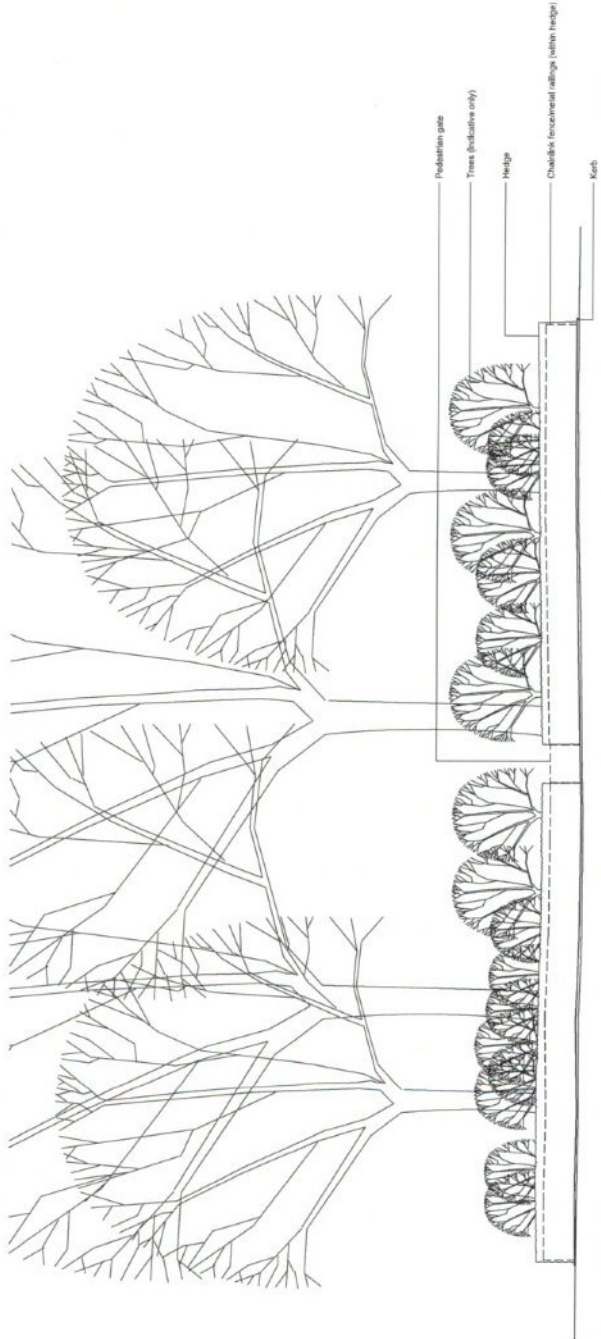
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3. All dimensions are to be taken from the drawing. All dimensions must be shown on the drawing.



Elevation 3



Elevation 4

Scale: 1:100  
 0 1 2 3 4 5 6 7 8 9 10  
 South

Project: Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners  
 Drawing No: D2292 L-425  
 Date: Feb 15  
 Revision: AW  
 Drawing sheet size: A1  
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Hyde Park Square: Existing Elevations  
 Sheet 3

No. Date Author  
 1 15/02/15 AW  
 2 15/02/15 AW  
 3 15/02/15 AW  
 4 15/02/15 AW  
 5 15/02/15 AW  
 6 15/02/15 AW  
 7 15/02/15 AW  
 8 15/02/15 AW  
 9 15/02/15 AW  
 10 15/02/15 AW

Project: Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners  
 Drawing No: D2292 L-425  
 Date: Feb 15  
 Revision: AW

Hyde Park Square: Existing Elevations  
 Sheet 3

No. Date Author  
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 2 15/02/15 AW  
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 8 15/02/15 AW  
 9 15/02/15 AW  
 10 15/02/15 AW

Project: Sussex Square, Gloucester Square & Hyde Park Square, London for The Church Commissioners  
 Drawing No: D2292 L-425  
 Date: Feb 15  
 Revision: AW

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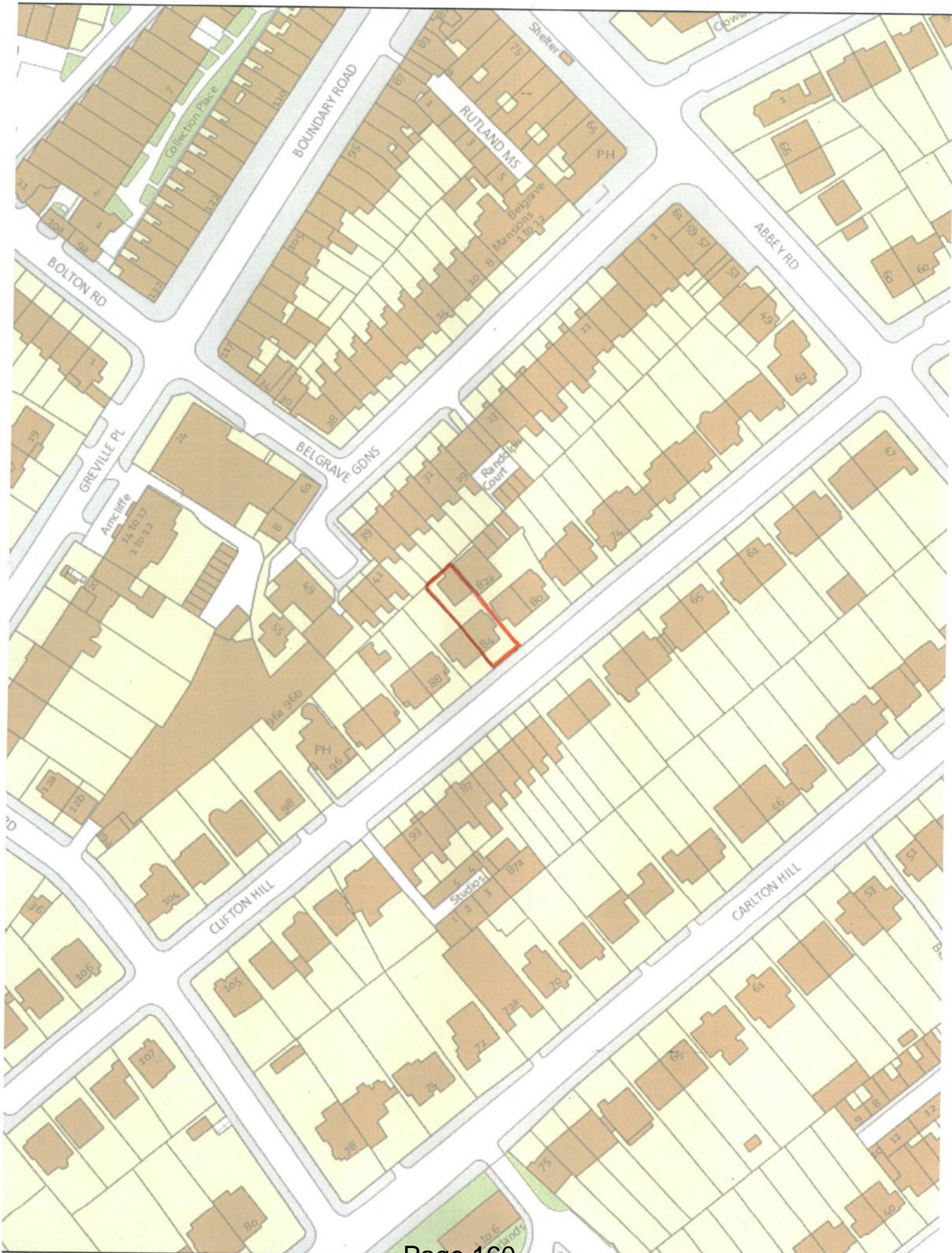
# Agenda Item 4

Item No.
4

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 24 November 2015	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning	<b>Wards involved</b> Abbey Road		
<b>Subject of Report</b>	<b>84 Clifton Hill, London, NW8 0JT</b>		
<b>Proposal</b>	Alterations to the existing garden studio including excavation of a new basement level with associated lightwell, revised footprint and new fenestration and excavation of a staircase under the main building with a glazed bridge.		
<b>Agent</b>	Hogarth Architects		
<b>On behalf of</b>	Mr Suhrud Mehta		
<b>Registered Number</b>	15/04945/FULL 15/04946/LBC	<b>TP / PP No</b>	TP/4376
<b>Date of Application</b>	03.06.2015	<b>Date amended/ completed</b>	23.06.2015
<b>Category of Application</b>	Other		
<b>Historic Building Grade</b>	Grade II Listed Building		
<b>Conservation Area</b>	St John's Wood		
<b>Development Plan Context</b> - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Outside London Plan Central Activities Zone  Outside Central Activities Zone		
<b>Stress Area</b>	Outside Stress Area		
<b>Current Licensing Position</b>	Not Applicable		

## 1. RECOMMENDATION

1. Grant conditional permission and conditional listed building consent.
2. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.



9 Sep 2015 09:15:18



84 CLIFTON HILL, NW8

Page 161

## 2. SUMMARY

The application site comprises a Grade II listed semi-detached villa with a studio building in the rear garden located in the St John's Wood Conservation Area. Approval has already been given in March 2013 for the excavation of a basement area under part of the rear garden which links the main house with the studio and subsequently in October 2014 for a much larger basement under the studio to create 41m<sup>2</sup> of additional floorspace, create a lightwell at the side of the studio building and for external alterations. Planning permission and listed building consent are now sought in respect of alterations to the existing garden studio including excavation of a new basement level with associated lightwell, revised footprint and new fenestration and excavation of a staircase under the main building with a glazed bridge. Objections have been received from the St John's Wood Society and four neighbouring occupiers.

The key issues in this case are:

- The impact of the proposed development on the character, appearance and special interest of this Grade II listed building and the St John's Wood Conservation Area;
- The impact of the proposal on the amenity of neighbouring residents;
- The impact of the excavation works on adjoining trees.

The proposal is considered to be acceptable in both design and amenity terms as well as in respect of its impact on trees in accordance with the relevant policies in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (the City Plan). It is therefore recommended for approval.

## 3. CONSULTATIONS

### HISTORIC ENGLAND

No objection.

### THAMES WATER

No objections raised. Informatives provided.

### ENVIRONMENT AGENCY

No comments are made in respect of this application.

### ST JOHN'S WOOD SOCIETY

The St John's Wood Society does not object to the replacement of the existing garden studio. However, we object to the glazed bridge to the studio as this structure would result in the studio reading as a large extension to the main building which would have a harmful impact on the character and setting of this Grade II listed building. We request that the hard landscaping is further reduced in size to allow for the planting of a garden which would be more fitting in this setting. We query if it is possible to properly maintain the proposed green roof. We request that the impact on neighbours is carefully assessed especially in terms of light pollution.

### HIGHWAYS PLANNING MANAGER

No objection.

### ENVIRONMENTAL HEALTH

Any response to be reported verbally.

### ARBORICULTURAL MANAGER

No objections subject to an updated tree report.

## BUILDING CONTROL

The structural method statement is considered to be acceptable. An investigation of existing structures and geology has been undertaken and found to be of sufficient detail. The existence of groundwater, including underground rivers, has been researched and the likelihood of local flooding or adverse effects on the water table has been found to be negligible. The basement is to be constructed using piled walls with internal RC retaining walls which is considered to be appropriate for this site. The proposals to safeguard adjacent properties during construction are considered to be acceptable.

## ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 54; Total No. of Replies: 4

The following concerns were raised:

### Design

- The building, including the studio, is Grade II listed and in the important St John's Wood Conservation Area and should therefore be protected;
- The proposal will destroy a beautiful Grade II listed building and is out of keeping with the character and appearance of the conservation area;
- The link would be harmful to the setting of the main house;
- The studio should not be allowed to be an extension to the main building;
- The works set a bad precedent for the street, are unwarranted and unnecessary.

### Structural Issues

- Increased risk of subsidence to neighbouring properties as well as subject property.

### Increasingly harmful applications

- What was originally a particularly odd request to link the two buildings by a small underground corridor (the owner apparently unwilling to walk the 10 paces above ground between the two buildings) has now become a request for full scale invasive underground works to an architecturally important building in the St John's Wood Conservation Area;
- Each successive application has asked for more and more extensive and invasive works and the series of applications evidence what I would call "creeping" planning. More and more is being asked in each application. The applicant's tactic has been to ask the Council to agree to invasive works in stages, as opposed to in one application, in the hope that a gradual series of applications will mask the fact that the end result of what is being proposed is in fact very serious and invasive excavation works to a Grade II listed building which will also be detrimental to the conservation area;
- Dubious planning tactics where an initial, seemingly innocuous application is made in the knowledge that, if granted, a series of further, far more major, applications will be submitted. The Council needs to see through this and reject this further application for such major works to a Grade II listed building and garden studio which will harm our cultural heritage;
- The approved work should not be exceeded as in the past there has been experience of this happening and planning permission being requested retrospectively.

### Construction

- There is a moving belt earth mover, which is sometimes in use for five and a half days in the week. It is very noisy and disruptive and is causing distress to the residents living nearby;
- Further suspension of parking bays is not acceptable;
- It is the long term residents who always have to endure the noise, mess and general inconvenience to their lives in a quiet street in a supposedly conservation area, although

what is thought to be conserved is unclear, as it is certainly not the peace and tranquillity of the people who actually live there.

ADVERTISEMENT/SITE NOTICE: Yes.

#### 4. BACKGROUND INFORMATION

##### 4.1 The Application Site

No.84 Clifton Hill is a Grade II listed semi-detached villa within the St John's Wood Conservation Area, in use as a single family dwelling. The building has a large detached former artist's studio in the rear garden used in conjunction with the house.

The studio building appears to date from the post-war period and is not of special architectural interest, although it does have some historic interest as an indicator of the former uses of the houses as the homes of artists for which St John's Wood is renowned. It is not thought the studio was used by any prominent artists. The studio, while not physically attached to the main house, is listed by reason of being a structure within the curtilage of a listed building.

##### 4.2 Relevant History

7.10.2014 – Planning permission and listed building consent granted in respect of alterations to existing garden studio building including excavation of basement below studio to link with the main house and side lightwell. (RN: 14/01890/FULL and 14/01891/LBC).

15.08.2013- Approval of Details of trees, landscaping scheme, omit the rooflight to the basement link and Construction Management Plan pursuant to Conditions 4, 5, 6 and 7 of planning permission dated 13 March 2013 (RN: 12/08339). (13/04216/ADFULL).

13.3.2013 – Planning permission and listed building consent granted in respect of alterations to single family dwellinghouse including; internal alteration to main house, alterations to rear ground floor garden access, internal and external alterations to garden studio, formation of external store at lower ground floor level to front elevation and associated internal and external alterations. Excavation to create new basement link between the main house and studio. (RN: 12/08339/FULL and 12/08340/LBC).

10.7.2012 – Planning permission and listed building consent granted in respect of alterations to single family dwellinghouse including; internal alteration to main house, alterations to rear ground floor garden access, internal and external alterations to garden studio, formation of external store at lower ground floor level to front elevation and associated internal and external alterations. (RN: 12/02223/FULL and 12/00772/LBC).

#### 5. THE PROPOSAL

Planning permission and listed building consent are sought in respect of alterations to the existing garden studio including excavation of a new basement level with associated lightwell, revised footprint and new fenestration and excavation of a staircase under the main building with a glazed bridge. The height of the studio has been reduced by 200mm during the course of this application.

Approval has already been given in March 2013 for the excavation of a basement area under part of the rear garden which links the main house with the studio and subsequently in October 2014 for a much larger basement under the studio to create 41m<sup>2</sup> of additional floorspace, create a lightwell at the side of the studio building and for external alterations.

These applications are again seeking permission for the basement link to the studio building, the basement underneath the studio building, a lightwell and external alterations. However, further excavation is proposed under the main building to accommodate a larger staircase, an internal glazed bridge, an alteration to the footprint of the studio building and the installation of a green roof to the studio building.

At the time of the site visit, it was evident that excavation works were underway to implement the 2013 permission.

## **6. DETAILED CONSIDERATIONS**

### **6.1 Land Use**

The proposal is considered to accord with Policy H3 of the UDP, which states that extensions to residential properties are acceptable in principle.

### **6.2 Townscape and Design**

Objections have been received from neighbouring residents on grounds that the proposal would cause harm to the listed building and the wider conservation area.

The rear studio building, although listed by virtue of being a curtilage building, is not considered to be of intrinsic interest itself. The building dominates the rear garden and the setting of the main listed building due to its proximity to the house. The removal of the traditionally styled (but modern double glazed) timber windows in the studio are acceptable given it is a post-war structure. The insertion of aluminium windows and doors are not traditional features but given the building's age, and other improvements to its appearance by incorporating a green roof and the reduction in height, these changes are considered acceptable.

As part of this application, the studio would be reduced in width but increased in length to bring it closer to the main house. The reduction in width has created a gap between the studio and the recently constructed lightwell. Such arrangements are not normally encouraged, especially when lightwells are located at the end of a garden. However, it is considered that it may not be so harmful as to warrant a refusal in this instance.

The link to the main house would remain at subterranean level which is considered to be appropriate. The studio would therefore not appear as an extension to the main building as neighbours have stated. The glazed bridge would be inside the main building and is considered to be acceptable.

Despite the objections received, it is not considered that the basement excavation under the studio building, which has previously been approved, will harm the special architectural and historic interest of this listed house.

### **6.3 Amenity**

The external manifestations of the basement would be limited to a lightwell at the end of the garden. This lightwell, in its currently proposed size and location, has previously been approved and it is understood that it has now been constructed. The difference in this case is that the reconfigured footprint of the studio would result in a gap between the lightwell and the studio. The St John's Wood Society has raised concern about potential light pollution, however, it is considered that given the high boundary treatment, the metal grille above the lightwell and the previous permissions, permission could not be reasonably withheld in this instance. It is considered that the proposed basement extension, once built, would have no

significant impact on the amenities of neighbouring properties and would therefore comply with Policy ENV13 of the UDP and Policy S29 of the Westminster City Plan.

The studio building would be reduced in height and would therefore improve the amenities of the occupiers of properties to the rear of the site. Given the existing high boundary treatment, the additional glazing would not cause a material loss of privacy or increased light pollution to neighbouring occupiers. The alterations to the studio also meet the objectives of Policy ENV13 of the UDP and Policy S29 of the Westminster City Plan.

#### **6.4 Highways/Parking Issues**

The proposal does not represent an increase in residential units or a loss of parking and as such the proposal is not contrary to Policy TRANS23.

#### **6.5 Equalities and Diversities**

Not relevant in the determination of this application.

#### **6.6 Economic Considerations**

Not relevant in the determination of this application.

#### **6.7 Other UDP/Westminster Policy Considerations**

None relevant.

#### **6.8 London Plan**

The proposals do not raise strategic issues and does not have significant implications for the London Plan.

#### **6.9 National Policy/Guidance Considerations**

Central Government's National Planning Policy Framework (NPPF) came into effect on 27 March 2012. It sets out the Government's planning policies and how they are expected to be applied. The NPPF has replaced almost all of the Government's existing published planning policy statements/guidance as well as the circulars on planning obligations and strategic planning in London. It is a material consideration in determining planning applications.

Until 27 March 2013, the City Council was able to give full weight to relevant policies in the Core Strategy and London Plan, even if there was a limited degree of conflict with the framework. The City Council is now required to give due weight to relevant policies in existing plans "according to their degree of consistency" with the NPPF. For the UDP, due weight should be given to relevant policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the NPPF, the greater the weight that may be given).

The UDP policies referred to in the consideration of these applications are considered to be consistent with the NPPF unless stated otherwise.

#### **6.10 Planning Obligations**

Not relevant in the determination of this application.



## **6.11 Environmental Assessment including Sustainability and Biodiversity Issues**

The proposal is considered to be acceptable with regards to Policy ENV16 of the UDP. The basement link is not located 1.2 metres beneath the ground level as required by the City Council's basement SPD, however, much of the excavation which has previously been approved is already underway.

The St John's Wood Society have requested further soft landscaping instead of hard landscaping. Such a request would normally be supported, however, the current scheme already provides greater soft landscaping than earlier schemes and by reconfiguring the footprint of the outbuilding, increases the amount of useable garden space. They also query how the green roof would be maintained, however, it is considered that there is sufficient space to two sides of the building to provide adequate access for maintenance.

Whilst the lightwell has not been moved since the previous permission, it is recommended that an up-to-date report outlining tree protection measures is sought by condition.

## **6.12 Other Issues**

### **6.12.1 Basement Excavation**

The impact of this type of development is at the heart of concerns expressed by residents across many central London Boroughs, heightened by well publicised accidents occurring during basement constructions. Residents are concerned that the excavation of new basements is a risky construction process with potential harm to adjoining buildings and occupiers. Many also cite potential effects on the water table and the potential increase in the risk of flooding. Such concerns have been raised by neighbouring occupiers who specifically refer to potential subsidence as a result of the works.

Studies have been undertaken which advise that subterranean development in a dense urban environment, especially basements built under existing vulnerable structures is a challenging engineering endeavour and that in particular it carries a potential risk of damage to both the existing and neighbouring structures and infrastructure if the subterranean development is ill-planned, poorly constructed and does not properly consider geology and hydrology.

While the Building Regulations determine whether the detailed design of buildings and their foundations will allow the buildings to be constructed and used safely, the National Planning Policy Framework March 2012 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by land instability.

The NPPF goes on to state that in order to prevent unacceptable risks from land instability, planning decisions should ensure that new development is appropriate for its location. It advises that where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

The NPPF advises that planning decisions should ensure that a site is suitable for its new use taking account of ground conditions and land instability and any proposals for mitigation, and that adequate site investigation information, prepared by a competent person, is presented.

Officers consider that in the light of the above it would be justifiable to adopt a precautionary approach to these types of development where there is a potential to cause damage to adjoining structures. To address this, the applicant has provided a structural engineer's report explaining the likely methodology of excavation. Any report by a member of the relevant

professional institution carries a duty of care which should be sufficient to demonstrate that the matter has been properly considered at this early stage.

The purpose of such a report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the site, existing structural conditions and geology. It does not prescribe the engineering techniques that must be used during construction which may need to be altered once the excavation has occurred. The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act.

Building Control have assessed the reports provided and consider that the proposed construction methodology appears satisfactory. Should permission be granted, these statements will not be approved, nor will conditions be imposed requiring the works to be carried out in accordance with them. The purpose of the reports is to show that there is no foreseeable impediment to the scheme satisfying the Building Regulations in due course. It is considered that this is as far as this matter can reasonably be taken as part of the consideration of the planning application. Detailed matters of engineering techniques, and whether these secure the structural integrity of the development and neighbouring buildings during the course of construction, are controlled through other statutory codes and regulations, cited above. To go further would be to act beyond the bounds of planning control.

The City Council have been preparing guidance and policies to address the need to take into consideration land instability, flood risk and other considerations when dealing with basement applications. Last year the City Council adopted the Supplementary Planning Document 'Basement Development in Westminster' (24 October 2014), which was produced to provide further advice on how current policy can be implemented in relation to basement development - until the formal policy can be adopted. Consultation on a revised formal policy, 'Draft Basements Policy', is currently underway, and will form part of the local plan (replacing the UDP) once adopted.

The basement guidelines and basements policy documents have different status in the planning process. The SPD having now been adopted can be given considerable weight (known as material weight or a material consideration). It is expected that weight will be attached to the draft policy for all applications submitted after 1 November 2015.

#### **6.12.2 Construction Management**

A Construction Management Plan (CMP) has been approved in relation to the 2013 permission which has already been implemented and which is very similar to this proposal. It is therefore considered appropriate to require this permission to be carried out in accordance with the approved CMP, unless an alternative plan is approved by the City Council. A further condition is recommended to control the hours of construction works, particularly noisy works of excavation, which whilst it is inevitable that all construction works will have some impact on neighbours, should go some way to addressing the concerns of residents.

#### **6.12.3 Number of Planning Applications**

Concerns have been raised by neighbouring occupiers about the way in which the applicant has submitted successive applications, with each one being progressively worse than the last. Whilst it may be the case that each application has proposed more substantial works than the last, it is not within planning control to restrict the number of applications that can be submitted.

### 6.13 Conclusion

The proposal is considered to be acceptable in both design and amenity terms as well as in respect of its impact on trees in accordance with the relevant policies in the UDP and the City Plan. Both applications are therefore recommended for approval.

### BACKGROUND PAPERS

1. Application forms
2. Email from Environment Agency dated 7 July 2015
3. Email from Thames Water dated 7 July 2015
4. Emails from Historic England dated 14 July 2015
5. Email from Building Control dated 9 July 2015
6. Memorandum from the Highways Planning Manager dated 13 July 2015
7. Emails from Historic England dated 14 July 2015
8. Objection from the St John's Wood Society dated 16 July 2015
9. Memorandum from the Arboricultural Manager dated 11 August 2015
10. Objection from the owner/occupier of 82 Clifton Hill dated 17 August 2015
11. Objection from the owner/occupier of 71A Clifton Hill dated 18 August 2015
12. Objection from the owner/occupier of 80 Clifton Hill dated 21 August 2015
13. Objection from the owner/occupier of First Floor, 82 Clifton Hill dated 27 August 2015

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT SARAH WHITNALL ON 020 7641 2929 OR BY E-MAIL – [swhitnall@westminster.gov.uk](mailto:swhitnall@westminster.gov.uk)

**DRAFT DECISION LETTER**

**Address:** 84 Clifton Hill, London, NW8 0JT

**Proposal:** Alterations to the existing garden studio including excavation of a new basement level with associated lightwell, revised footprint and new fenestration and excavation of a staircase under the main building with a glazed bridge.

**Plan Nos:** L(-1)100, P133(BE)-210, P133(BE)-210.1, P133(BE)-310, P133(BE)-413, L(-2)300 A, L(-2)301, L(-2)302 A, L(-3)300 A, L(-3)301 A, L(-4)300 A, L(-2)\_301 Proposed vs Approved Lower Ground Floor Plan, Design and Access Statement, Historic Building Impact Assessment, Arboricultural Survey, Constraints and Impact Assessment.

**Case Officer:** Claire Berry **Direct Tel. No.** 020 7641 4203

**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 basement excavation work, you must carry out any building work which can be heard at the boundary of the site only:
  - \* between 08.00 and 18.00 Monday to Friday;
  - \* between 08.00 and 13.00 on Saturday; and
  - \* not at all on Sundays, bank holidays and public holidays.

You must carry out basement excavation work only:

  - \* between 08.00 and 18.00 Monday to Friday; and
  - \* not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11BA)

Reason:  
To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)
- 3 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 St John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 4 **Pre Commencement Condition.** You must apply to us for approval of the ways in which you will protect the trees which you are keeping, as shown on drawing nos. tr-1114-14(B) and L(-2)300. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. The tree protection must follow the recommendations in section 7 of British Standard BS5837: 2005. You must then carry out the work according to the approved details. (C31AC)

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 5 You must carry out the development in accordance with the Construction Management Plan approved on 15.08.2015 under Ref: 13/04216/ADFULL. This is unless an alternative Construction Management Plan is submitted and approved by the City Council.

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

- 6 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes the number, size, species and position of trees and shrubs. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping and planting within one planting season of completing the development (or within any other time limit we agree to in writing).

If you remove any trees or find that they are dying, severely damaged or diseased within five years of planting them, you must replace them with trees of a similar size and species. (C30CB)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the St John's Wood Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

- 7 You must not use the roof of the building 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. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 8 You must apply to us for approval of the proposed metal grille to the lightwell. 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.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

**DRAFT DECISION LETTER**

**Address:** 84 Clifton Hill, London, NW8 0JT

**Proposal:** Alterations to the existing garden studio including excavation of a new basement level with associated lightwell, revised footprint and new fenestration and excavation of a staircase under the main building with a glazed bridge.

**Plan Nos:** L(-1)100, P133(BE)-210, P133(BE)-210.1, P133(BE)-310, P133(BE)-413, L(-2)300 A, L(-2)301, L(-2)302 A, L(-3)300 A, L(-3)301 A, L(-4)300 A, L(-2)\_301 Proposed vs Approved Lower Ground Floor Plan, Design and Access Statement, Historic Building Impact Assessment, Construction Management Plan Statement and Arboricultural Survey, Constraints and Impact Assessment.

**Case Officer:** Claire Berry **Direct Tel. No.** 020 7641 4203

**Recommended Condition(s) and Reason(s):**

- 1 The works 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 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

**Reason:**

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the St John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AG)

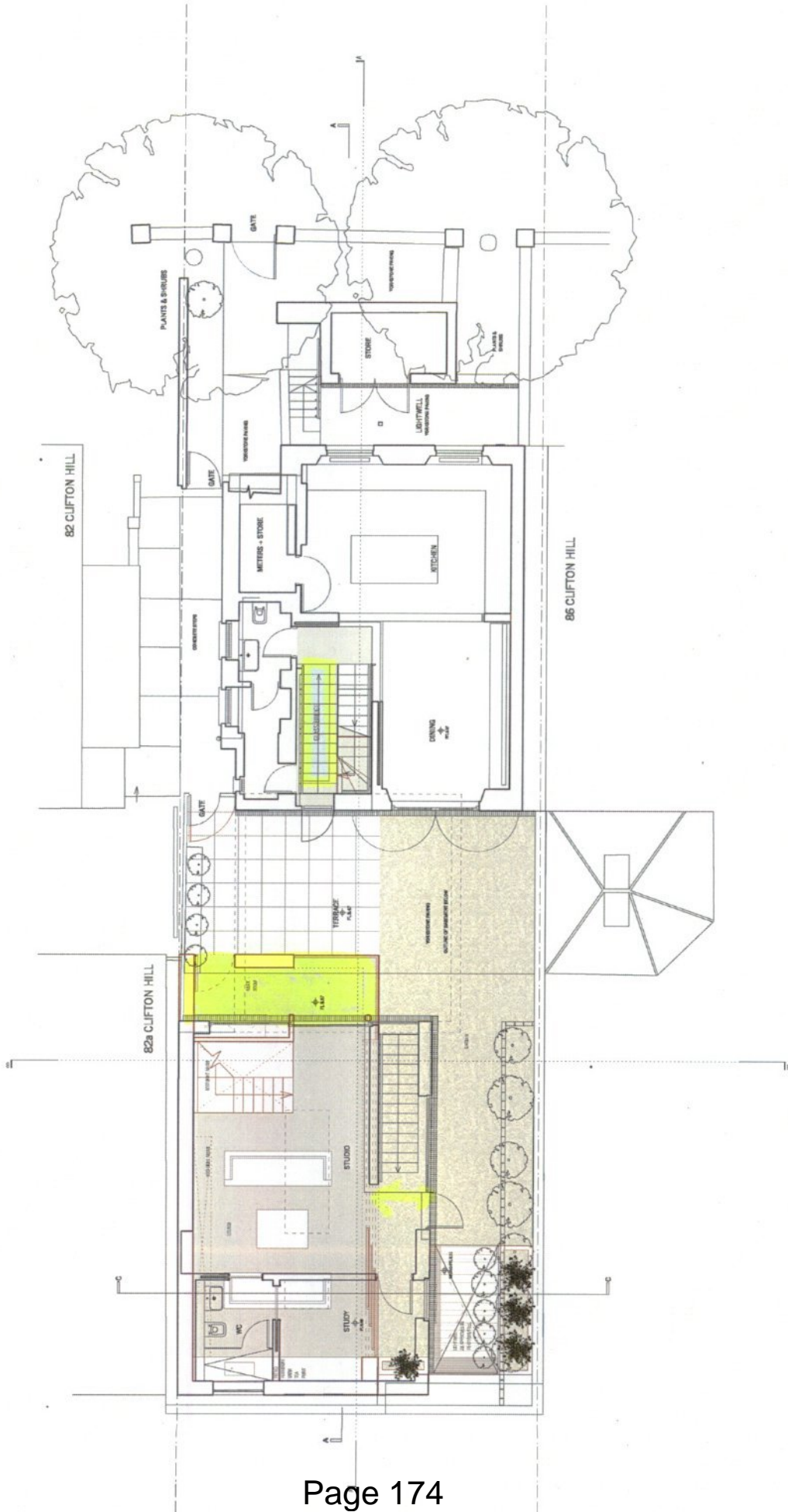
**Informative(s):**

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan July 2011, Westminster's City Plan: Strategic Policies adopted November 2013, and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council decided that the proposed works would not harm the character of this building of special architectural or historic interest.

In reaching this decision the following were of particular relevance:

S25 and S28 of Westminster's City Plan: Strategic Policies and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.3-2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.



BY	DATE	SCALE	DATE	BY
DEPT: Subord & Ben Mehta				
TITLE: 84 Clifton Hill				Ngaramah Architects
TITLE: Proposed vs. Approved Lower Ground Floor Plan				
PROJECT: 11111111111111111111				
DATE: 11/11/2021				
SCALE: 1:100				
PROJECT: 11111111111111111111				
DATE: 11/11/2021				
SCALE: 1:100				



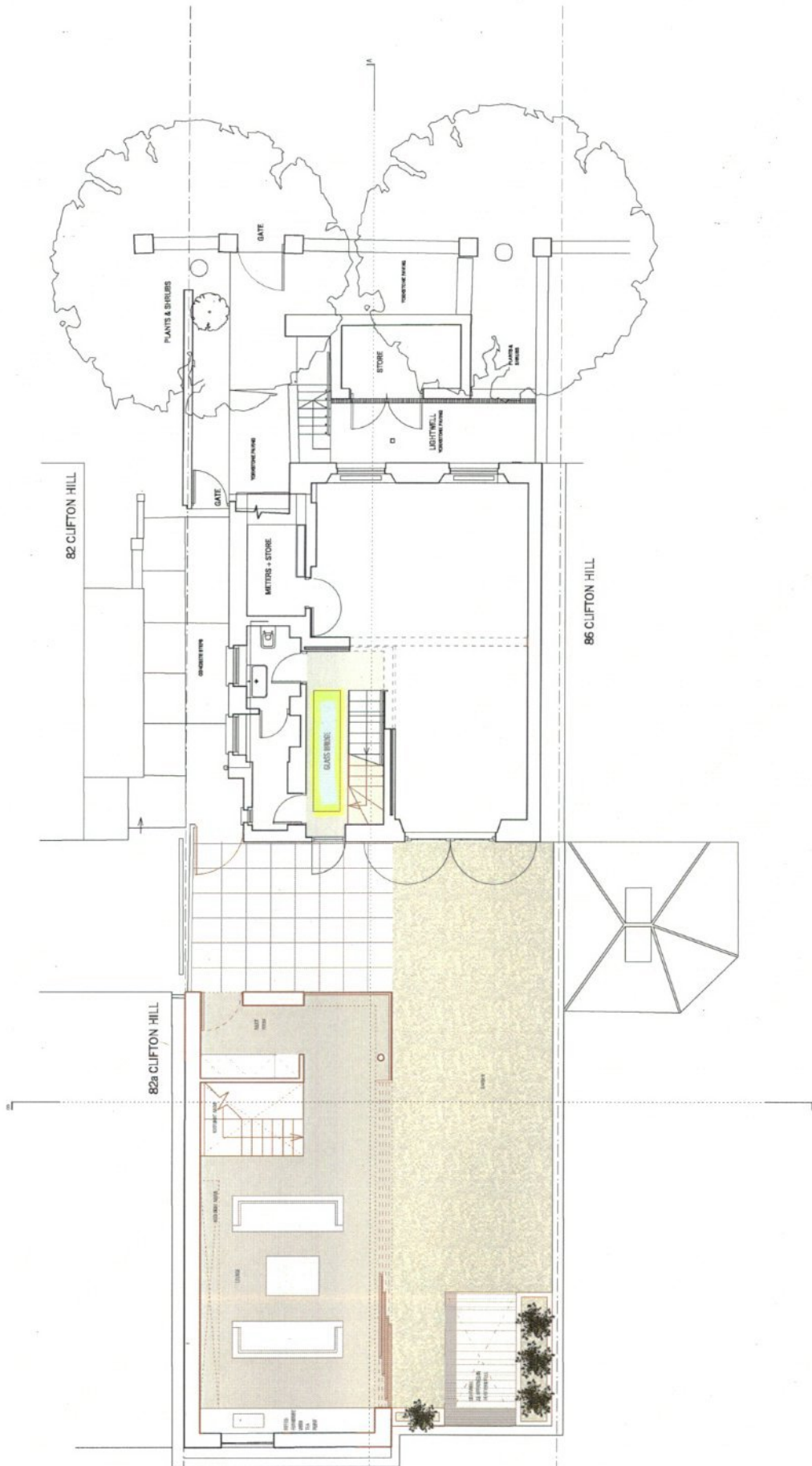
- KEY
- Existing
  - Proposed
  - To be removed
  - Proposed
  - Proposed
  - Proposed



PROPOSED VS. APPROVED LOWER GROUND FLOOR PLAN

Do not scale from this drawing.  
 Use only figured dimensions.  
 All dimensions to be checked on site.  
 Any errors or omissions must be  
 reported to the architect.





**PROPOSED LOWER GROUND FLOOR PLAN**

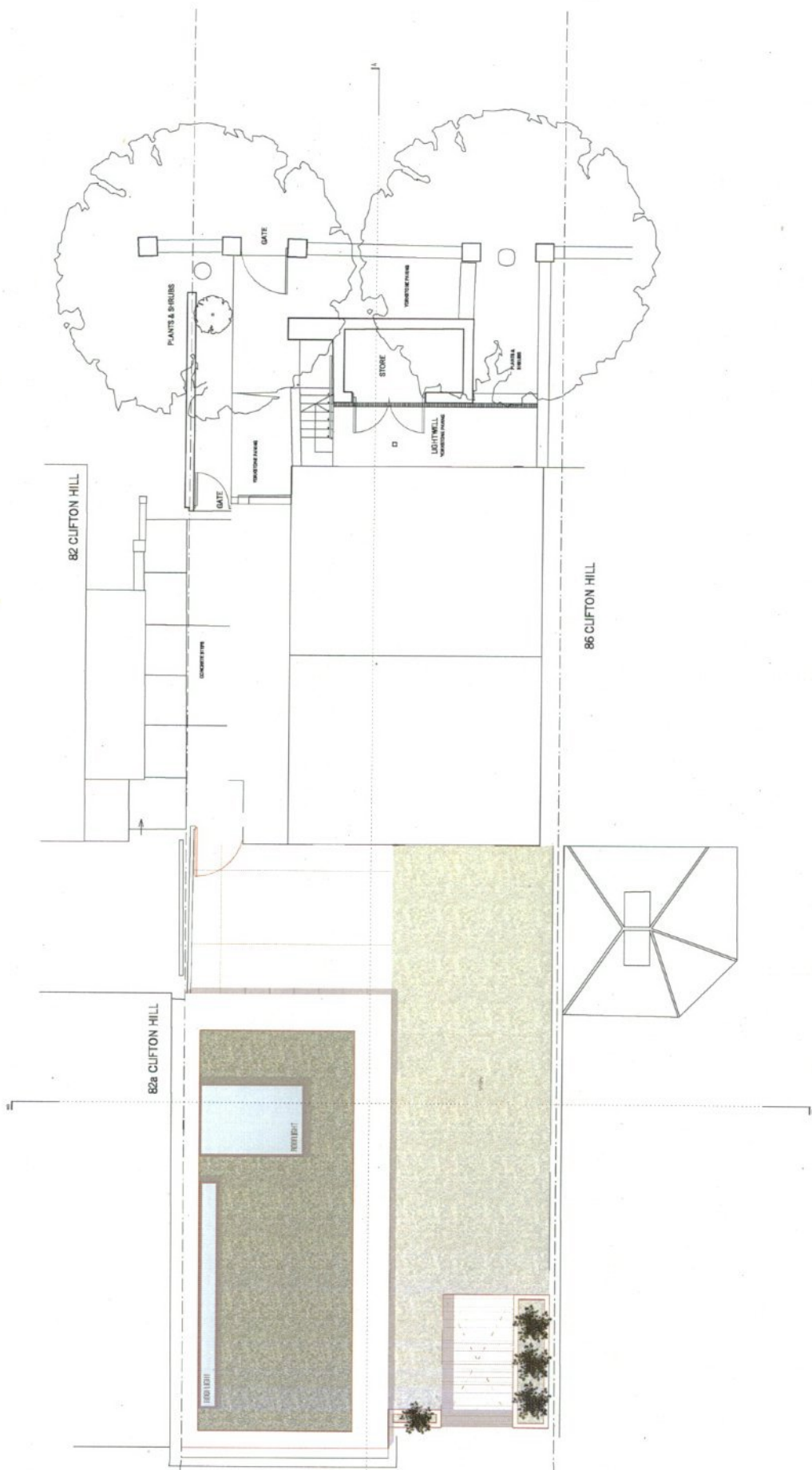
Do not scale from this drawing.  
 Use only figured dimensions.  
 All dimensions to be checked on site.  
 Any errors or omissions must be reported to the architect.



- KEY**
- \_\_\_\_\_ dimensions
  - \_\_\_\_\_ approved scheme
  - \_\_\_\_\_ in situ structure
  - \_\_\_\_\_ proposed scheme
  - \_\_\_\_\_ range



A		Add fill over spread		14.03.2015		DF
REV	DATE	BY	CHKD	DATE	BY	DF
001		Sahand & Rina	Melita			
PROJECT				84 Clifton Hill		
TITLE				Proposed Lower Ground Floor Plan		
PROJECT NO	ISSUES NO	SCALE	DATE	DATE	DATE	DATE
1471	0003	1:100	14/03/15	14/03/15	14/03/15	14/03/15
DESIGNER				Sahand & Rina Melita		
DRAWN				Sahand & Rina Melita		
CHECKED				Sahand & Rina Melita		
APPROVED				Sahand & Rina Melita		



A		Auriferum Group		ACQUISITION OF	
DATE	REV	DATE	REV	DATE	REV
2024	1	2024	1	2024	1
PROJECT NO: 1471		PROJECT NO: 1471		PROJECT NO: 1471	
DRAWING NO: U-2502		DRAWING NO: U-2502		DRAWING NO: U-2502	
DATE: May 15, 2024		DATE: May 15, 2024		DATE: May 15, 2024	
DRAWN BY: Planning		DRAWN BY: Planning		DRAWN BY: Planning	
CHECKED BY: VP		CHECKED BY: VP		CHECKED BY: VP	
PROJECT NAME: Proposed Roof Plan		PROJECT NAME: Proposed Roof Plan		PROJECT NAME: Proposed Roof Plan	
PROJECT LOCATION: 86 Clifton Hill		PROJECT LOCATION: 86 Clifton Hill		PROJECT LOCATION: 86 Clifton Hill	
CLIENT: Srinivas & Rita Mehta		CLIENT: Srinivas & Rita Mehta		CLIENT: Srinivas & Rita Mehta	
ARCHITECT: Srinivas & Rita Mehta		ARCHITECT: Srinivas & Rita Mehta		ARCHITECT: Srinivas & Rita Mehta	



KEY

	existing
	proposed
	as built
	boundary
	footprint
	orientation

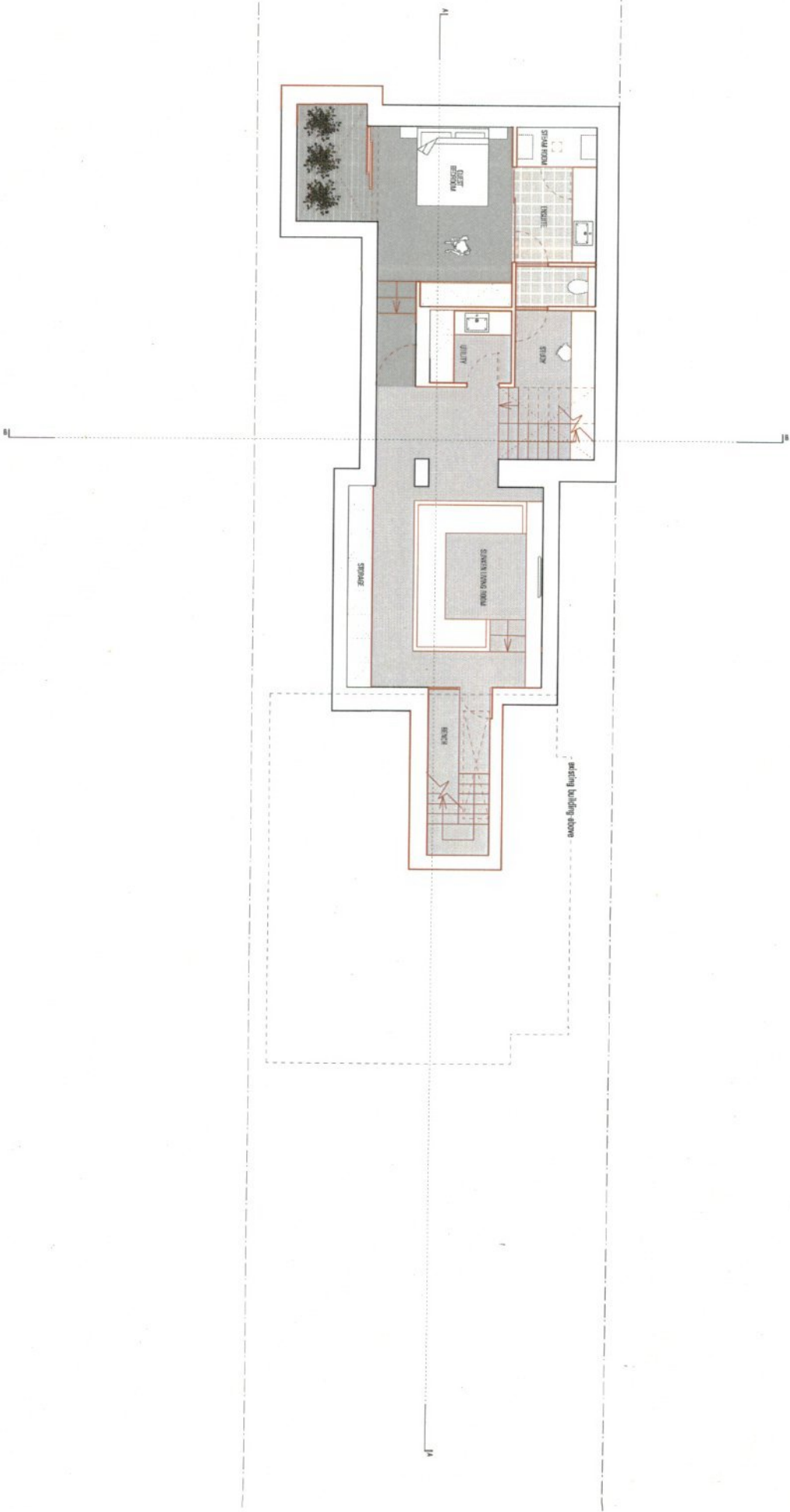


**PROPOSED ROOF PLAN**

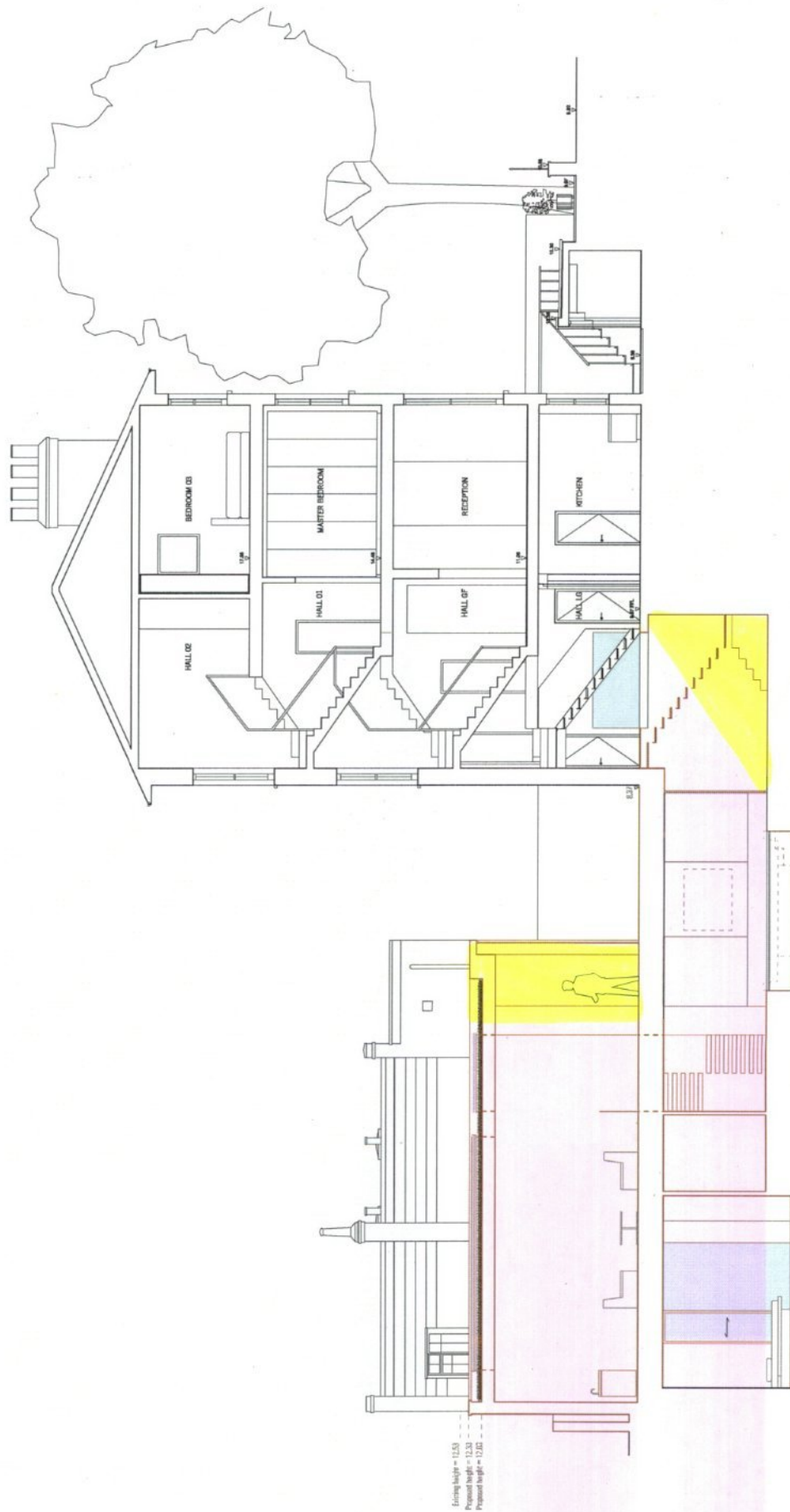
Do not scale from this drawing.  
 Use only figured dimensions.  
 All dimensions to be checked on site.  
 Any errors or omissions must be reported to the architect.

**PROPOSED BASEMENT PLAN**

Do not scale from this drawing.  
 Use only figured dimensions.  
 All dimensions to be checked on the  
 Any errors or omissions must be  
 reported to the architect.



PROJECT	141	DATE	12/2021	SCALE	AS SHOWN	DESIGNER	VP	DATE	12/2021
PROJECT	141	DATE	12/2021	SCALE	AS SHOWN	DESIGNER	VP	DATE	12/2021
PROJECT	141	DATE	12/2021	SCALE	AS SHOWN	DESIGNER	VP	DATE	12/2021



Existing height = 11.53  
 Proposed height = 12.28  
 Proposed height = 12.25

**PROPOSED SECTION AA**

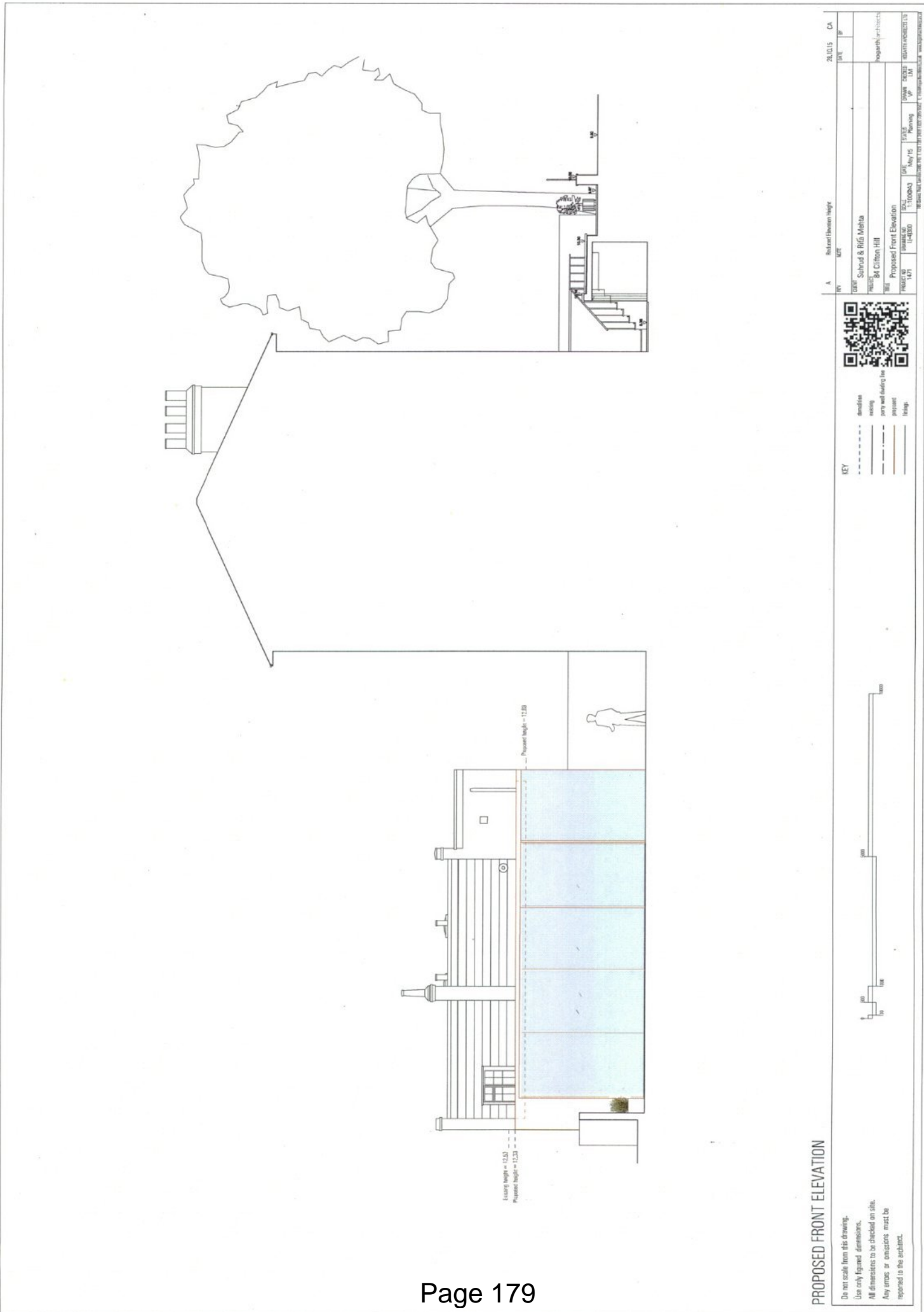
Do not scale from this drawing.  
 Use only figured dimensions.  
 All dimensions to be checked on site.  
 Any errors or omissions must be reported to the architect.

**KEY**

- structure
- ceiling
- party wall (solid line)
- partition
- fittings



A		Notes noted with 200mm		14.03.2015	DF
BY	DATE	DR	SCALE	DATE	BY
DEPT: School & Rita Mehta					
PROJECT: 84 Clifton Hill					Wongahill Architects
TITLE: Proposed Section AA					
PROJECT NO: 173320					
DATE: 14.03.2015	SCALE: 1:100	DATE: 14.03.2015	SCALE: 1:100	DATE: 14.03.2015	SCALE: 1:100
PROJECT: 84 Clifton Hill	PROJECT: 84 Clifton Hill	PROJECT: 84 Clifton Hill	PROJECT: 84 Clifton Hill	PROJECT: 84 Clifton Hill	PROJECT: 84 Clifton Hill



**KEY**

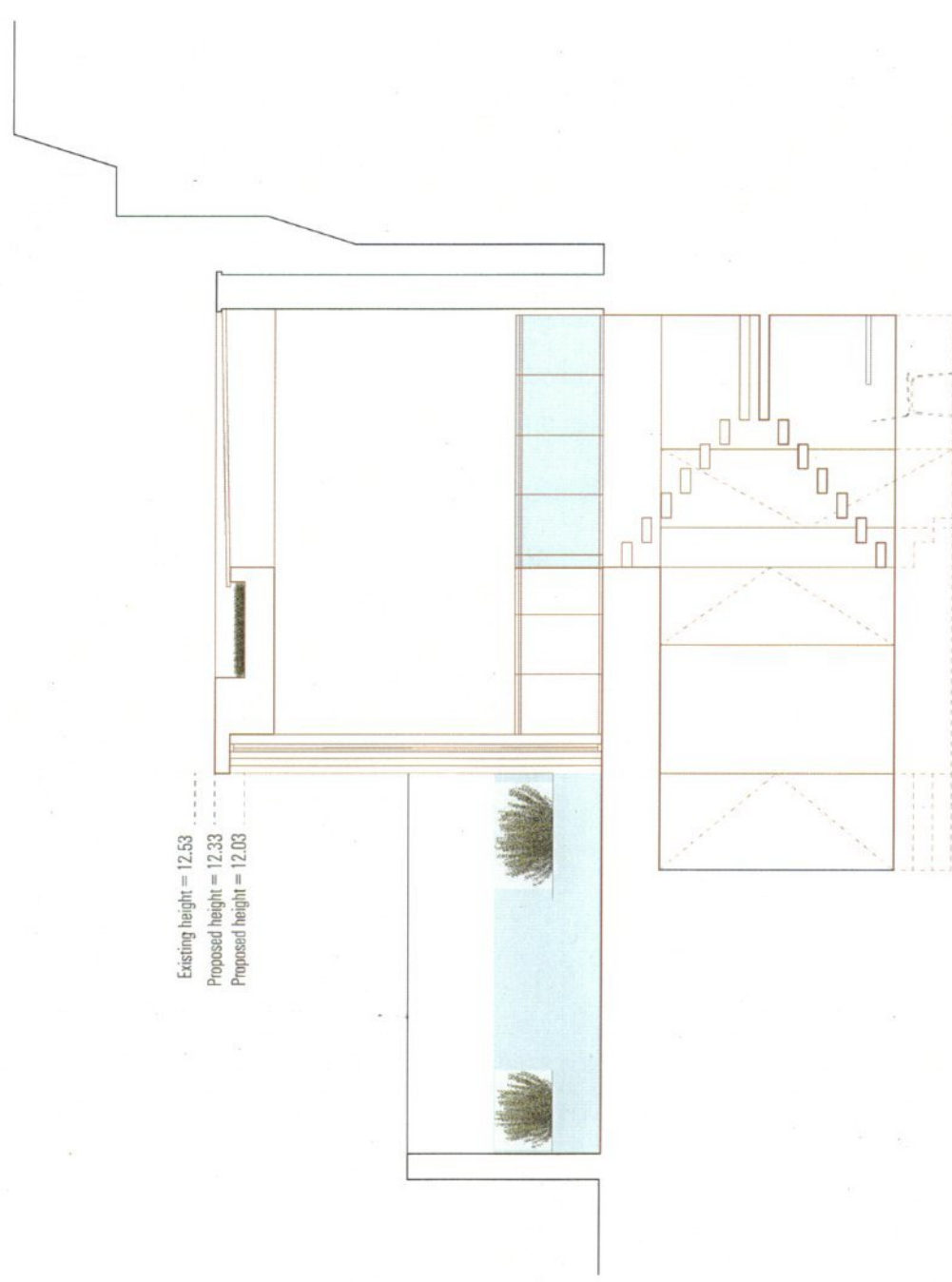
- window
- door
- porch wall (solid) line
- porch wall (dashed) line
- ramp



**PROPOSED FRONT ELEVATION**

Do not scale from this drawing.  
 Use only figured dimensions.  
 All dimensions to be checked on site.  
 Any errors or omissions must be reported to the architect.

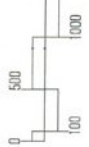
A		Revised Elevation Height		28.10.15	CA
BY	DATE	PROJECT	CLIENT	DATE	BY
		11111 Proposed Front Elevation	11111 Proposed Front Elevation	11/11/15	AP
		11111 Proposed Front Elevation	11111 Proposed Front Elevation	11/11/15	AP
		11111 Proposed Front Elevation	11111 Proposed Front Elevation	11/11/15	AP



Existing height = 12.53  
 Proposed height = 12.33  
 Proposed height = 12.03

**PROPOSED SECTION BB**

Do not scale from this drawing.  
 Use only figured dimensions.  
 All dimensions to be checked on site.  
 Any errors or omissions must be reported to the architect.



**KEY**

- Existing
- New
- Proposed
- Proposed
- Proposed



NO.	A	Proposed Section BB	28.03.15	CA
DATE	28.03.15	PROJECT	84 Clifton Hill	CLIENT
DESIGNER	84 Clifton Hill	ARCHITECT	Proposed Section BB	PROJECT NO.
SCALE	1:100	DATE	28.03.15	PROJECT NO.
PROJECT NO.	84 Clifton Hill	PROJECT NO.	84 Clifton Hill	PROJECT NO.

# Agenda Item 5

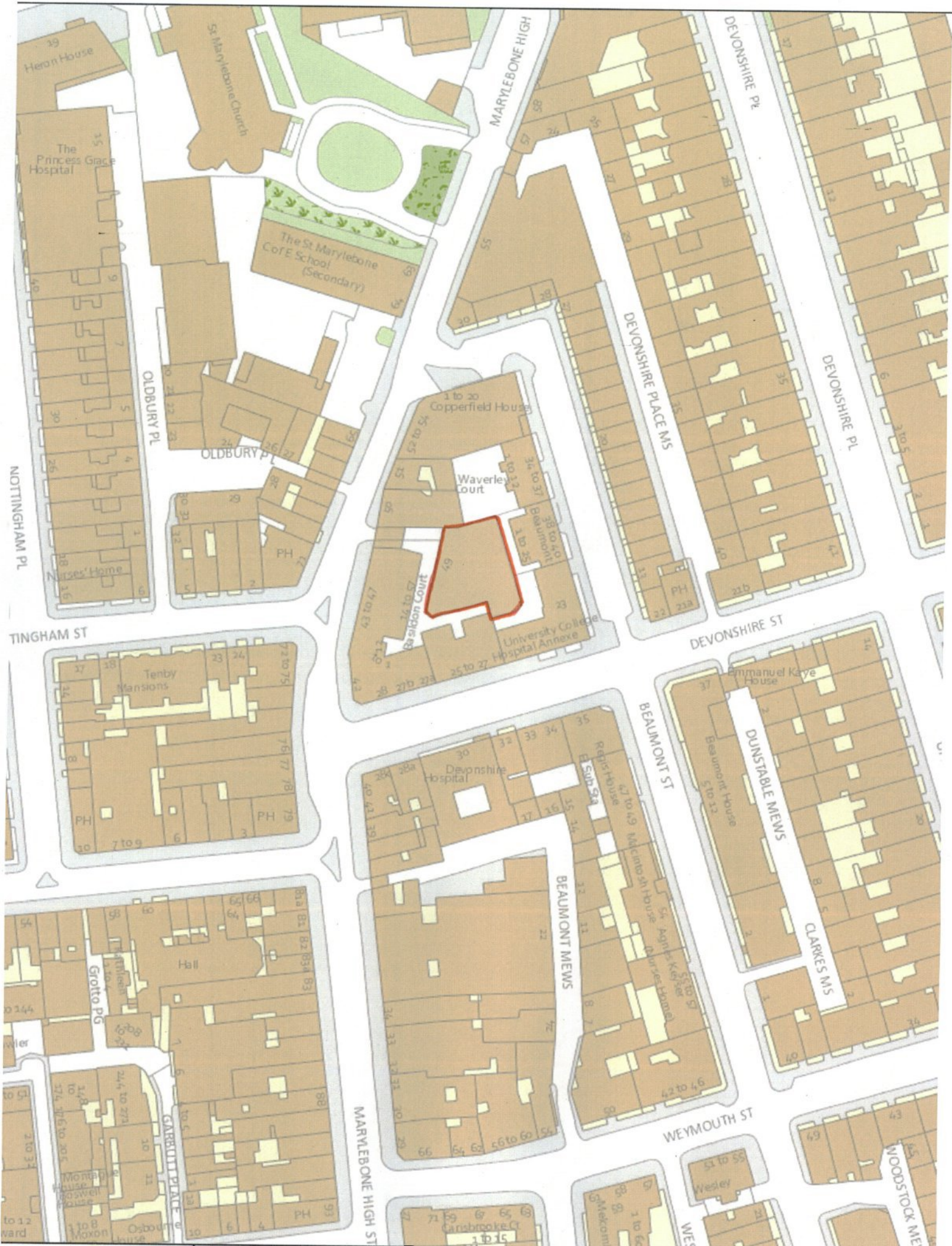
Item No.
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5
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<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 24 November 2015	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Wards involved</b> Marylebone High Street	
<b>Subject of Report</b>	<b>49 Marylebone High Street, London, W1U 5ED</b>		
<b>Proposal</b>	Installation of four new recessed vent louvres and one replacement louvre on the southern elevation at lower ground floor level to serve a new internal ventilation system.		
<b>Agent</b>	Nicholas Taylor + Associates		
<b>On behalf of</b>	X Barre London Ltd		
<b>Registered Number</b>	15/08304/FULL	<b>TP / PP No</b>	TP/10767
<b>Date of Application</b>	07.09.2015	<b>Date amended/ completed</b>	07.09.2015
<b>Category of Application</b>	Minor		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Harley Street		
<b>Development Plan Context</b> - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Within London Plan Central Activities Zone Outside Central Activities Zone		
<b>Stress Area</b>	Outside Stress Area		
<b>Current Licensing Position</b>	Not Applicable		

## 1. RECOMMENDATION

Grant conditional permission.







49 MARYLEBONE HIGH STREET, W1

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## 2. SUMMARY

The application site comprises a three storey building on a backland site comprising basement, ground and first floor levels. The building, which is unlisted and located within the Harley Street Conservation Area, is predominately utilised as a medical facility. The property is surrounded by other buildings which are primarily in commercial use on the lower floors, fronting Marylebone High Street and Devonshire Street, with residential flats on the upper floors. The lawful use of the upper floors of the building is a dual/alternative use as either/or office (Class B1) or non-residential institution (Class D1).

In July 2015 permission was granted for the temporary use (until January 2024) of part of the lower ground floor of the property as an exercise/dance studio (Class D2). In order to protect the amenity of neighbouring residents, conditions were imposed to prevent disturbance from noise within the premises and requiring all windows and lower ground floor levels to be fixed shut and fitted with secondary glazing. This permission has not yet been implemented.

The current scheme is for the installation of four new louvres and the replacement of an existing vent opening above an emergency door on the southern boundary wall to serve an upgraded internal ventilation system for the dance studio. The ventilation system is proposed to be fitted within silencers to ensure that sound from the fitness studio does not break out of the building. Furthermore, Condition 2 of the July 2015 permission prevents amplified sound from the gym from being audible outside the premises.

Objections have been received both to the principle of the use, including disturbance from internal activity, and to potential noise disturbance from the operation of the new ventilation system. The application is supported by an acoustic report. This has been assessed by the Environmental Health officer who has raised no objection subject to conditions.

In these circumstances, subject to controls over the level of noise emissions and the hours of plant operation, it is not considered the objections can be supported.

## 3. CONSULTATIONS

### MARYLEBONE ASSOCIATION

No comments received.

### ENVIRONMENTAL HEALTH

No objection subject to condition.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 83; Total No. of Replies: 4.

Four objections to the proposal on the following grounds:

- Existing noise levels are excessive.
- Concerns that additional plant louvres will exacerbate noise levels.
- Concerns over ongoing maintenance of plant.

ADVERTISEMENT/SITE NOTICE: Yes

#### 4. HISTORY

In July 2015 permission was granted subject to condition (ref: 15/03629/FULL) for the temporary use of part of the lower ground floor of the property as an exercise/dance studio (Class D2). In order to protect the amenity of neighbours in proximity to the site the following conditions were imposed:

- No amplified sound from the gym hereby permitted shall be audible from outside the premises.
- All windows at lower ground floor level will be fixed shut and retained in this manner permanently.
- You must implement all of the acoustic mitigation measures as detailed in Section 5 of the Noise Impact Assessment (12483.NIA.01 RevB) before the use hereby approved can operate. You must thereafter maintain these measures to the specified standard for as long as the use is in operation.
- You must install secondary glazing to all the windows at lower ground floor level as shown on drawing 101 and to the specification detailed in the Noise Impact Assessment (12483.NIA.01 RevB) before the use hereby approved can operate. You must thereafter maintain the secondary glazing in this form for as long as the use is in operation.
- Customers shall not be permitted within the exercise/dance studios premises before 06:00 or after 22:00 on Monday to Saturday (not including bank holidays and public holidays) and before 09:00 or after 18:00 on Sundays, bank holidays and public holidays.

Compliance with the above conditions is required for the lifetime of the development thus all equipment shall be maintained as necessary to ensure compliance.

#### BACKGROUND PAPERS

1. Application form.
2. Memorandum from Environmental Health dated 1 October 2015.
3. Letter from the occupier of Flat 09, 28 Devonshire Street dated 18 October 2015.
4. Letter from the occupier of Flat 24, 28 Devonshire Street dated 19 October 2015.
5. Letter from the occupier of Flat 42, 28 Devonshire Street dated 20 October 2015
6. Letter from the occupier of Flat 45, 28 Devonshire Street dated 28 October 2015

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT LOISE FRANCIS ON 020 7641 2488 OR BY E-MAIL – [lfrancis@westminster.gov.uk](mailto:lfrancis@westminster.gov.uk)

**DRAFT DECISION LETTER**

**Address:** 49 Marylebone High Street, London, W1U 5ED

**Proposal:** Installation of four new recessed vent louvres and one replacement louvre on the southern elevation at lower ground floor level to serve a new internal ventilation system.

**Plan Nos:** Drawings: 103, 102 RevA, 100.

**Case Officer:** Damian Lavelle

**Direct Tel. No.** 020 7641 5974

**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 carry out any building work which can be heard at the boundary of the site only:

- \* between 08.00 and 18.00 Monday to Friday;
- \* between 08.00 and 13.00 on Saturday; and
- \* not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

**Reason:**

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 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 Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 4 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.

- 5 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:
- (a) A schedule of all plant and equipment that formed part of this application;
  - (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
  - (c) Manufacturer specifications of sound emissions in octave or third octave detail;
  - (d) The location of most affected noise sensitive receptor location and the most affected window of it;
  - (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
  - (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
  - (g) The lowest existing LA90, 15 mins measurement recorded under (f) above;
  - (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
  - (i) The proposed maximum noise level to be emitted by the plant and equipment.

## Reason:

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

excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 6 The plant/machinery hereby permitted shall not be operated except between 06:00 hours and 23:00 hours daily.

**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: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.

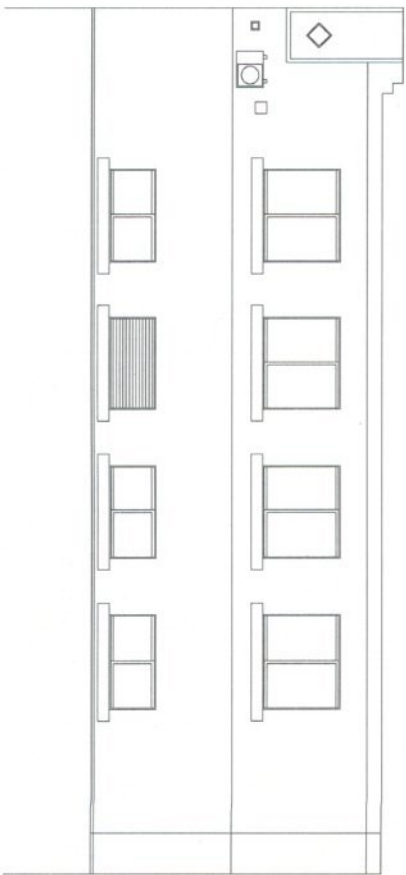
- 7 Each of the louvres hereby approved shall be fitted with a Vent Industrial Attenuators (250mm x 1200mm) and this equipment shall be retained for as long as the louvres are in situ.

**Reason:**

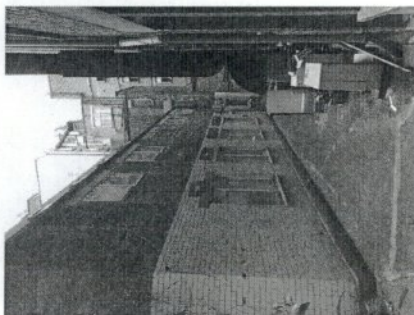
To safeguard the amenity of occupiers of noise sensitive properties and the area generally by ensuring that the plant/machinery hereby permitted is not operated at hours when external background noise levels are quietest thereby preventing noise and vibration nuisance as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 Conditions 4, 5, 6 and 7 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (182AA)



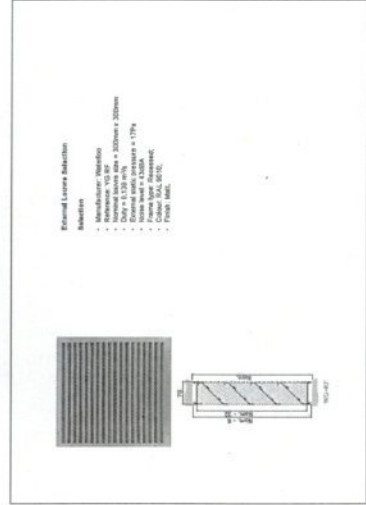
1 Existing South Elevation  
Scale: 1:50



3 View of External Elevation  
Fitness Suite Intake and Discharge Louvers



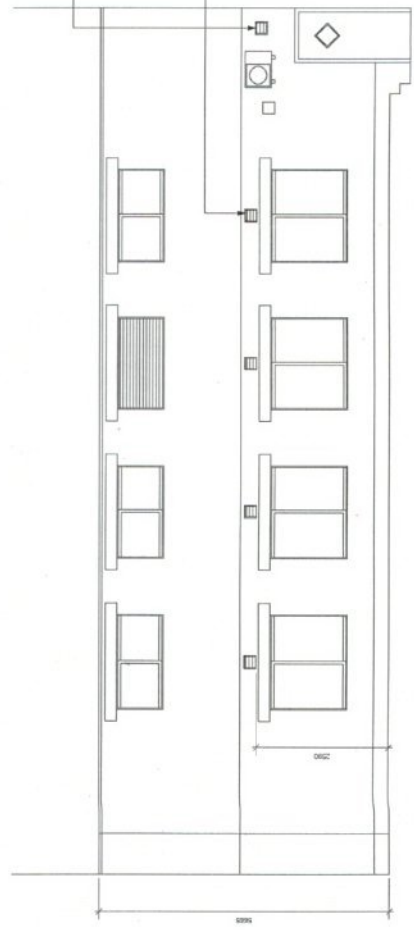
4 View of External Elevation  
Fitness Suite Intake and Discharge Louvers



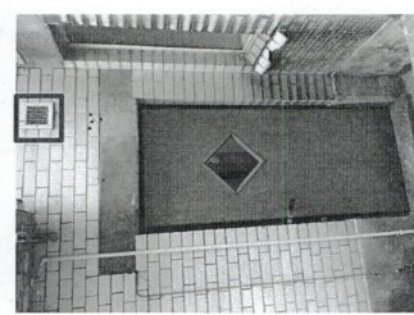
Proposed for the Ventilation of the Changing Rooms  
We are proposing to replace the current fitness suite intake and discharge louvers with a new design. The new design will be a standard size for the building and will be a standard size for the building.

Fitness Suite Intake and Discharge Louvers  
The fitness suite intake and discharge louvers are proposed to be replaced with a new design. The new design will be a standard size for the building and will be a standard size for the building.

NOTE:  
FOR FULL DSBING AND SPECIFICATIONS PLEASE REFER TO IAE PROPOSALS



2 Proposed South Elevation  
Scale: 1:50



5 View of External Elevation  
Ventilation of the Changing Rooms

James Cookson Architects  
15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

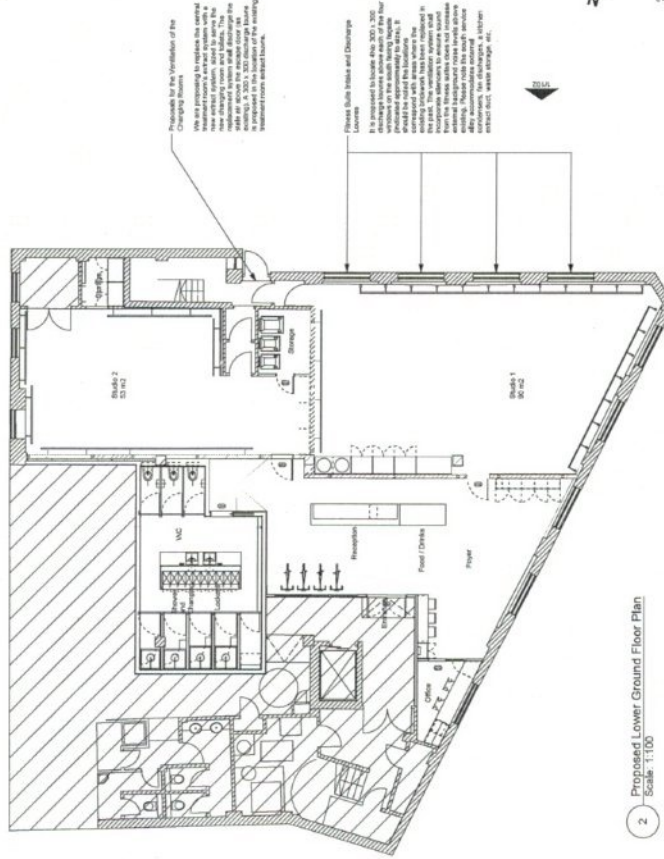
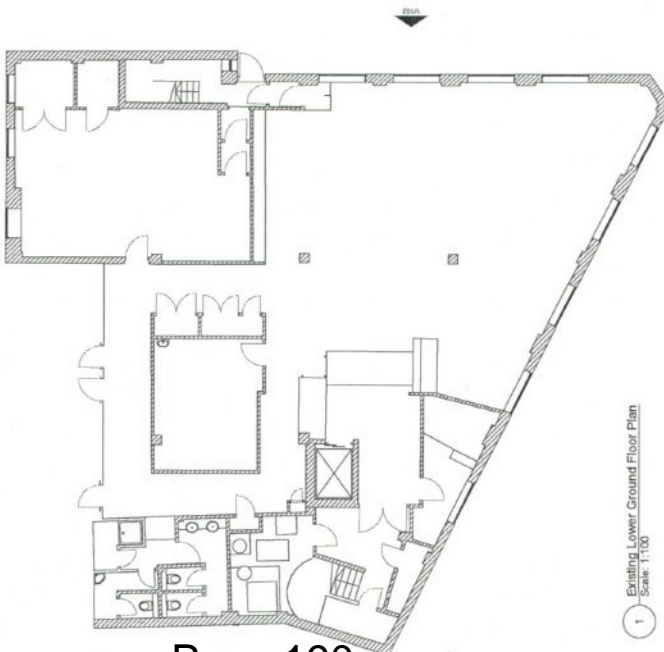
Project  
Xtend Bare London

Existing and Proposed  
External Elevation

DATE	SCALE	DESCRIPTION
August 2015	1:50	Planning Application
PROJECT NUMBER	075	102
		A

Key

Not part of the demise



**Proposed for the Verification of the Changing Rooms**  
 The existing changing rooms are proposed to be replaced with a new system with a new air conditioning system and a new air conditioning system. The new air conditioning system will be installed in the existing rooms and the new air conditioning system will be installed in the existing rooms. The new air conditioning system will be installed in the existing rooms and the new air conditioning system will be installed in the existing rooms.

**Proposed for the Verification of the Floor Slab, Bulk Tanks and Drainage**  
 The existing floor slab, bulk tanks and drainage system are proposed to be replaced with a new system. The new system will be installed in the existing rooms and the new system will be installed in the existing rooms. The new system will be installed in the existing rooms and the new system will be installed in the existing rooms.



Anna Eckhardt Studio 30  
 Station House E 113B Agnes Street  
 Architecture London W1B 3AT  
 T +44(0)20779 8889  
 E info@annaec.com  
 www.annaec.com

project  
 Xtend Bare London

drawings  
 Existing and Proposed  
 Lower Ground Floor Plan

Drawn by	AG	Scale	As Shown	Date	Discharge Conditions
Issue	075	Date	1:50	075	103
Project Number	075				