



City of Westminster

Committee Agenda

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

Meeting Date: **Tuesday 1st September, 2015**

Time: **Time Not Specified**

Venue: **Rooms 5, 6 & 7 - 17th Floor, City Hall**

Members: **Councillors:**
Andrew Smith
Melvyn Caplan
Jonathan Glanz
Jason Williams

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, Joe McBride, Committee and Governance Officer.

**Tel: 020 7641 2341; Email: jmcbride@westminster.gov.uk
Corporate Website: 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 any changes to the membership.

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

- | | |
|-------------------------------------------------------------------|--------------------------|
| 1. EBURY BRIDGE CENTRE, SUTHERLAND STREET, LONDON SW1V 4LH | (Pages 3 - 40) |
| 2. MARBLE ARCH, LONDON, W1H 7DX | (Pages 41 - 52) |
| 3. 21 ANDOVER PLACE, LONDON, NW6 5ED | (Pages 53 - 76) |
| 4. 6 AND 10 MOUNT ROW, LONDON, W1K 3SA | (Pages 77 - 106) |
| 5. 168-170 RANDOLPH AVENUE, LONDON, W9 1PE | (Pages 107 - 118) |
| 6. 42 QUEENSWAY, LONDON, W2 3RS | (Pages 119 - 136) |
| 7. FLAT 6, 34 MAIDA VALE, LONDON, W9 1RS | (Pages 137 - 146) |

Charlie Parker
Chief Executive
26 August 2015

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Agenda Item

CITY OF WESTMINSTER
 PLANNING APPLICATIONS COMMITTEE – 1 SEPTEMBER 2015
 SCHEDULE OF APPLICATIONS TO BE CONSIDERED

ITEM No	References/ Ward	SITE ADDRESS	PROPOSAL
1	15/05733/FULL Churchill	EBURY BRIDGE CENTRE, SUTHERLAND STREET, LONDON SW1V 4LH	Erection of a mixed use development including the Sir Simon Milton Westminster University Technical College (UTC) (Class D1) in a building of ground, part three/part five upper floors with terrace at fifth floor level and an 11 storey residential building of 47 flats (Class C3). Excavation of a basement level across the site to provide 23 car parking spaces for the residential units, mini bus parking for the UTC, cycle parking and plant, and plant at main roof level.
	<p>Recommendation</p> <p>For Committee's consideration:</p> <p>1. Does the Committee consider that the public benefits of providing a new educational institution and 47 residential units outweigh:</p> <p>a. the lack of affordable housing provision in the light of the applicant's viability case.</p> <p>b. any harm caused to the character and appearance of the adjacent conservation areas.</p> <p>c. the impact on the amenity of surrounding residents.</p> <p>2. Subject to 1. above and referral to the Mayor of London and the formal comments of the Environment Agency, grant conditional permission including conditions to secure the following:</p> <p>a. Car club membership for all of the residential flats for a minimum period of 25 years, and unallocated car parking in the basement.</p> <p>b. Highway works.</p> <p>c. Public art provision.</p> <p>d. Construction monitoring.</p> <p>e. Street tree planting.</p>		
2	15/04407/COFUL Knightsbridge And Belgravia	MARBLE ARCH, LONDON, W1H 7DX	Use as a temporary Christmas event including structures and attractions (including food, drink and craft sales) between 1 December 2015 to 1 January 2016, 1 December 2016 to 1 January 2017, 1 December 2017 to 1 January 2018 (with set up and site clearance a week either side of the event), opening between 11.00 and 20.00 daily. (Council's Own Development)
	<p>Recommendation</p> <p>Grant conditional permission under Regulation 3 of the Town and Country Planning General Regulations 1992.</p>		
3	15/04397/FULL Maida Vale	21 ANDOVER PLACE, LONDON, NW6 5ED	Installation of roof extension to school building to create additional play space and ancillary accommodation with mechanical plant.
	<p>Recommendation</p> <p>Grant conditional permission.</p>		

CITY OF WESTMINSTER
 PLANNING APPLICATIONS COMMITTEE – 1 SEPTEMBER 2015
 SCHEDULE OF APPLICATIONS TO BE CONSIDERED

ITEM No	References/ Ward	SITE ADDRESS	PROPOSAL
4	15/03264/FULL 15/03265/LBC West End	6 AND 10 MOUNT ROW, LONDON, W1K 3SA	Use of the property for retail purposes (Class A1) and associated internal and external works and internal demolition works.
	Recommendation 1. Grant conditional permission and conditional listed building consent. 2. Agree the reasons for granting listed building consent as set out within Informative 1 of the draft decision letter.		
5	15/05674/FULL Maida Vale	168-170 RANDOLPH AVENUE, LONDON, W9 1PE	Variation of Condition 2 of planning permission dated 23 March 2006 (RN: 06/00671) for the continued use as mixed use coffee shop (sui generis) at Nos. 168-170; namely, to extend opening hours.
	Recommendation Grant conditional permission.		
6	15/05309/FULL Lancaster Gate	42 QUEENSWAY, LONDON, W2 3RS	New projecting rooflight to main roof level, with two additional rooflights to the rear sloping roof to provide additional floorspace and new windows and doors to the side elevation facing onto the existing rear terrace to Flat 6.
	Recommendation Grant conditional permission.		
7	15/06764/FULL Abbey Road	FLAT 6, 34 MAIDA VALE, LONDON, W9 1RS	Replacement timber doubled glazed bay windows and doors (first floor front elevation).
	Recommendation Grant conditional permission.		

Agenda Item 1

Item No.
1

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 1 September 2015	Classification For General Release	
Report of Director of Planning		Wards involved Churchill	
Subject of Report	Ebury Bridge Centre, Sutherland Street, London, SW1V 4LH		
Proposal	Erection of a mixed use development including the Sir Simon Milton Westminster University Technical College (UTC) (Class D1) in a building of ground, part three/part five upper floors with terrace at fifth floor level and a 11 storey residential building of 47 flats (Class C3). Excavation of a basement level across the site to provide 23 car parking spaces for the residential units, mini bus parking for the UTC, cycle parking and plant, and plant at main roof level.		
Agent	CBRE		
On behalf of	BY Development Limited		
Registered Number	15/05733/FULL	TP / PP No	TP/2679
Date of Application	25.06.2015	Date amended/ completed	25.06.2015
Category of Application	Major		
Historic Building Grade	Unlisted		
Conservation Area	Outside Conservation Area, but adjacent to boundaries with the Peabody Avenue and Pimlico Conservation Areas		
Development Plan Context - 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		
Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

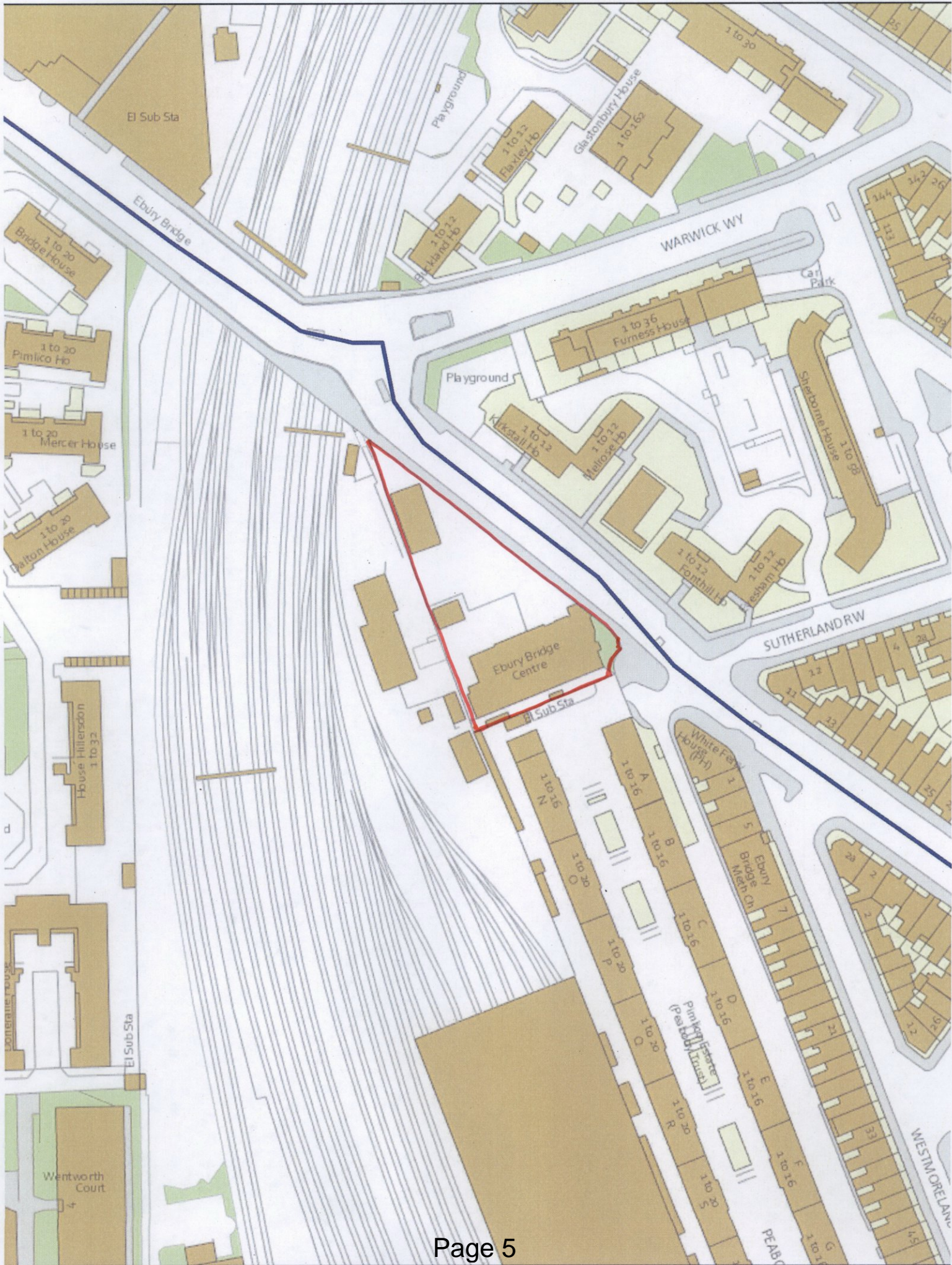
1. RECOMMENDATION

For Committee's consideration:

1. Does the Committee consider that the public benefits of providing a new educational institution and 47 residential units outweigh:
 - a. the lack of affordable housing provision in the light of the applicant's viability case.
 - b. any harm caused to the character and appearance of the adjacent conservation areas.
 - c. the impact on the amenity of surrounding residents.

Item No.
1

2. Subject to 1. above and referral to the Mayor of London and the formal comments of the Environment Agency, grant conditional permission including conditions to secure the following:
 - a. Car club membership for all of the residential flats for a minimum period of 25 years, and unallocated car parking in the basement.
 - b. Highway works.
 - c. Public art provision.
 - d. Construction monitoring.
 - e. Street tree planting.





EBURY BRIDGE CENTRE, SUTHERLAND STREET, SW1

2. SUMMARY

This proposal represents an opportunity to secure the delivery of a regionally significant education institution, the University Technical College (UTC). It will serve both the acknowledged needs of industry and the employment prospects of young people and is to be provided with minimum public subsidy. The education and residential uses proposed accord with adopted policies across all tiers of Government, and at the very local level, with the Planning Brief adopted in 2009. However, the reliance on accompanying enabling development to minimise the extent of public subsidy and by doing so guaranteeing timely delivery, makes it difficult to fully reconcile other competing interests. In particular, other policy objectives are challenged, primarily those serving to a) fully protect the light enjoyed by neighbours, b) to provide affordable housing, and c) to prevent height incursions beyond the limits first proposed in the Planning Brief.

Officers consider that the change in lighting conditions, whilst regrettable and which are understandably subject to strong local objections, is acceptable in these special circumstances. In terms of the remaining objectives, a judgement is required on the priority to be afforded to each objective. These are all capable of being supported in policy terms but, increasingly in respect of all community proposals seeking to minimise the reliance on public subsidy, they can only do so at the expense of other policy objectives.

In terms of affordable housing, this can be provided but would be at the expense of the UTC. The development has been shown by independent assessors to be capable of supporting either the UTC or some affordable housing but not both.

In terms of height, this can be reduced without undue compromise to the architectural composition. Officers acknowledge that the residential building does project beyond the limits proposed by the Brief. However, any harm to the significance of the adjoining conservation areas is capable under the terms of the NPPF of being offset by the public benefits that might otherwise be lost. Our independent assessors also conclude that any substantive reduction in the extent of the enabling development would be fatally prejudicial to the delivery of the UTC.

The Committee's views are sought in terms of these competing interests.

3. CONSULTATIONS

COUNCILLOR GASSANLY

Whilst supports the proposed UTC object to the residential element of this planning application.

Raise an objection to the appearance, height and bulk of the proposed residential building which will be substantially taller than nearby buildings and the design is not in keeping with the character or architectural styles of the area. It will result in a loss of sunlight and daylight to nearby residential buildings and noise and a loss of privacy from the proposed terrace on the UTC. The number of proposed parking spaces is significantly lower than the number of the proposed flats which will result in an increase in congestion and on-street parking.

MARK FIELD MP

Enclose correspondence from a constituent principally concerned about the density and height of the proposed development and the additional strain placed on parking locally.

GREATER LONDON AUTHORITY (GLA)

Receipt of consultation: Stage 1 response to be reported verbally.

TRANSPORT FOR LONDON

For the proposal to comply with the transport policies of the London Plan the following matters should be addressed: reduce car parking levels; increase cycle parking and identify long and short stay provision; ensure any wheelchair accessible spaces are safe to use; EVCPs at 20% active and 20% passive (or higher); unallocated car parking provision; and secure a Travel Plan, Construction Logistics Plan, Delivery and Servicing Management Plan by S106 agreement or condition.

Contributions towards Legible London wayfinding should be included within S106. Bus service impact feedback to be provided separately.

HISTORIC ENGLAND (ARCHAEOLOGY)

Request for additional information. This information has been submitted and any further response will be reported verbally.

ENVIRONMENT AGENCY

Object, applicant's Flood Risk Assessment does not comply with national guidance, and a revised report is required.

Object and recommend that the Council refuses permission as the Flood Risk Assessment does not comply with the requirements set out in the Technical Guide to the NPPF.

NETWORK RAIL

Request that the developer must ensure that both during construction and after the completion of the works, that the proposal must not encroach onto Network Rail's land, affect the safety, operation or integrity of the railway and its infrastructure, undermine its support zone, damage the infrastructure, place additional load on cuttings, adversely affect any railway land or structure, oversoil or encroach on their air space or cause to destruct or interfere with any works or proposed works Network Rail proposes both now or in the future.

THAMES WATER

No objection subject to Grampian condition reserving a drainage strategy, piling method statement and Informatives.

NATURAL ENGLAND

No comment.

WESTMINSTER SOCIETY

Support the application. The lowest level of the frontage facing Sutherland Street of fair-faced concrete will be a target for graffiti artists and more thought should be given to this aspect of the scheme.

HIGHWAYS PLANNING MANAGER

The UTC is not proposed to have any car parking, other than one space for a mini bus which is acceptable. The 47 residential units are to have 23 parking spaces, which are intended to be unallocated with all residents eligible to apply for a 'right to park permit' within the basement. Car parking for the residential units is at a level comparable to, but higher than, the car ownership found in the local ward (33% of households have a car, with 0.4 vehicles per dwelling in Churchill Ward). This level of provision and the fact that it will be unallocated should minimise the amount of on-street parking by residents of the development which is acceptable. The applicant is also offering 25 year car club membership for each unit.

Cycle parking for the residential development is in line with Council and London Plan policies. 44 cycle parking spaces proposed for the UTC fall short of Council and London Plan policies.

At the very least a School Travel Plan should be secured by condition to show how the number of cycle parking spaces might be increased in the future should pupils require it.

The applicant has explained how on-street servicing could work in a way which is considered acceptable. The footway is widened along the front of the development, which is to be welcomed and complies with highway standards.

ENVIRONMENTAL HEALTH

Objection on environmental noise grounds as the development is unlikely to provide a suitable standard of amenity to the dwellings, in particular the bedrooms on the railway elevation.

Recommend conditions in relation to façade treatment, plant noise and extraction and internal noise levels between structures.

BUILDING CONTROL

No objection.

CRIME PREVENTION DESIGN ADVISER

The design of the building complies with the principles of secured by design.

ARBORICULTURAL MANAGER

The loss of the Silver Birch would have a detrimental affect on the local amenity. New landscaping is welcome and it is recommended that details be secured by condition. Street trees should be secured along Sutherland Street.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 597; Total No. of Replies: 31

Six Foyer Notices to the six blocks on the opposite side of the railway tracks.

31 letters have been received from surrounding residents including Abbots Manor Residents Association, Westmoreland Triangle Residents Association, Peabody Avenue Estate, Balvaird Place Management Company and 13 Sutherland Street Residents Association on the following grounds:

Land Use

- The 2009 Planning Brief by Westminster City Council for the site has been totally disregarded.
- The proposed development will result in an overly high density, negatively affecting a quiet residential area.
- Overdevelopment of the site.
- The area is deficient in open space which should be provided instead of the residential development on the site.
- Either the UTC or residential should be provided, not both.
- No affordable housing is proposed.
- The UTC will have an adverse impact on local residents with inadequate provision made for lunch time and before and after school.
- The UTC should be self financing and not at the expense of the local community.
- There is a need for a technical college in the area?

Design

- The proposed development is completely out of keeping with the area, specifically the listed buildings on Sutherland Street and the Peabody Conservation Area.
- The design, height and size of the proposed development is not consistent with the character and architectural styles in the surrounding area.

- The proposed building is at least twice the height of all buildings in the immediate vicinity and will dominate the area. The height of the building contravenes the Planning Brief which set a maximum height of six storeys.
- The proposed building will be a giant carbuncle.
- The proposed fascia slabs in the design are not in keeping with Pimlico and does not conform with the traditional Pimlico colour palette.
- Loss of views from surrounding buildings.
- The Sir Simon Milton sign on the front of the building is too large and out of keeping.
- Oversailing of the building above ground level is unsympathetic to the character of the Pimlico and Peabody Conservation Areas.
- 11 storey building will blight the location.

Amenity

- Loss of sunlight and daylight to nearby residential properties.
- There will be big losses of light to flats in Kirkstall House which will have a serious negative impact on the quality of life of residents within the building.
- Loss of privacy, overlooking and noise from the proposed communal area/roof terrace on top of the UTC building which may be used late at night and at the weekends.

Highways

- The number of available on-street car parking spaces in the area is very limited. The proposed development only provides 50% parking for residents and none for visitors/students or teachers of the UTC, which will have a negative impact on parking facilities in the area.
- Residents should not be able to apply for Respark permits.
- Increase in congestion in the area.
- Overcrowding on the C10 bus which is already a busy bus route with an erratic service, proposed educational use will generate additional demand.
- The UTC should provide disabled parking.

Other

- Increase in rubbish likely to accumulate in surrounding streets.
- Noise and disturbance caused during construction work.
- The high building will create a wind tunnel.
- The consultation process for the development has been flawed.
- The majority of residents who attended the Abbots Manor Residents Association meeting did not demonstrate any great animosity for the scheme.

ADVERTISEMENT/SITE NOTICE: Yes.

4. BACKGROUND INFORMATION

4.1 The Application Site

The site is triangular in shape. It is bounded by Sutherland Street to the east, which provides the site frontage, and lies immediately opposite Kirkstall House, a residential block on the Abbots Manor Estate, Peabody Avenue Estate to the south and Network Rail land and the overground railway lines out of Victoria Station to the west.

The site is currently vacant. A Victorian school building which was last used by Westminster Adult Education Service (WAES) was demolished on the southern part of the site in March 2014. The remaining/northern part of the site was last used as a temporary Council cleansing depot.

Nearby listed buildings include the White Ferry Public House in Sutherland Street (Grade II) and Nos. 11, 13 to 31 (odd) Sutherland Street which are Grade II listed.

The site falls outside of a conservation area, but is located adjacent to the Pimlico and Peabody Avenue Conservation Areas. It is located outside the Core Central Activities Zone (CAZ). The area is predominantly residential in character, and to the west are the railway tracks serving Victoria Station and a signalling facility.

4.2 Relevant History

Numerous temporary permissions have been granted for the use of part of the education centre car park and temporary structures as a Council street sweeping depot from 16 June 2003 until 31 January 2013.

An application under Part 31 of the General Permitted Development Order for the demolition of the Victorian school building and two portacabins located within the site boundary was determined as Prior Approval not required in March 2014.

A Planning Brief for the site was adopted in February 2009.

5. THE PROPOSAL

Permission is sought for the erection of a mixed use development comprising of the Sir Simon Milton Westminster University Technical College (UTC) (Class D1) in a building of ground and part three/part five upper floors with terrace at fifth floor level to the south of the site with its main entrance on Sutherland Street; and a 11 storey residential building of 47 flats (16 x 1-bed, 18 x 2-bed and 13 x 3-bed) on the northern part of the site with separate access on the northern 'prow'.

It is proposed to excavate a basement level across the site to provide 23 car parking spaces for the residential units in a 'drive in' car park, cycle parking and plant, with further plant at main roof level. A parking space for the UTC mini bus is also proposed.

The proposed UTC is scheduled to open in 2017 (subject to planning) and is expected to welcome 75, 14 to 16 year olds and 150, 17 to 18 year olds in its first year, with a capacity up to 550 students. It is proposed that local residents will have access to the sports hall and roof terrace for community uses outside college hours, and this is to be managed as part of a community agreement.

42 cycle spaces for the UTC are proposed and 78 cycle spaces for the residential. A dedicated waste store is proposed at basement level for the UTC, and waste/recycling for the flats at ground floor level.

University Technical Colleges or UTCs were introduced by Central Government under the Education Act 2011 and the Academies Act 2010 and provide secondary school education between the ages of 14 -18. Students attending the UTC will benefit from a more technical orientated course of studies, combining national curriculum requirements with technical and vocational elements. Each UTC is associated to a sponsor University, which in this case is the University of Westminster alongside which the City of Westminster College and Employers Alliance (which includes Network Rail (the lead employer partner), Transport for London, Land Securities, Crossrail, BT Fleet, Sir Robert McAlpine and Alstom) will have a key role in designing the school curriculum which will be tailored to the needs of construction, transport and engineering industries.

The Sir Simon Milton Foundation will provide scholarships and bursary awards to help

students to progress into apprenticeships and higher education, with an emphasis on attracting those from less advantaged backgrounds. The Employer Alliance companies are committed to offering training and employment opportunities to students who have attended the UTC.

6. DETAILED CONSIDERATIONS

6.1 Land Use

The existing and proposed land uses can be summarised as follows:

Table 1

Use	Existing (m2)	Proposed (m2) GEA
Education (class D1)	Former WAES building now a vacant site	5,755
Residential	0	6,069
Total		11,824 (Applicant's calculations)

The University Technical College

Policy Context

The NPPF places great importance on ensuring that there are sufficient school places to meet the needs of existing and new communities. The framework identifies that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen the choice of education. The document places an obligation on planning decisions to deliver the new social facilities that communities need.

Policy 3.16 (Recreation and Enhancement of Social Infrastructure) and 3.18 (Education Facilities) of the London Plan specify education provision as essential to meet the needs of a growing and diverse population and that proposals delivering education and skills learning should be supported and only be reduced where there are demonstrable negative local impacts which substantially outweigh the desirability of establishing a new school.

The City Council's main policies regarding education facilities are set out in SOC 1 and SOC 3 of the Unitary Development Plan (UDP) and S34 of Westminster's City Plan: Strategic Policies (the City Plan). These policies aim to protect all social and community floorspace.

Policy SOC 1 relates to community facilities in general. It states that community facilities will be required to: be located as near as possible to the residential areas they serve; not harm the amenity of the surrounding area, including the effect of any traffic generated by the proposal; and be safe and easy to reach on foot, by cycle and by public transport. The policy goes on to state that existing community facilities will be protected.

Policy SOC 3 relates to education facilities. It aims to ensure that the needs of education and training facilities are met. The policy states that such facilities should be designed so that they can be used for other community uses outside teaching hours.

Policy S10 of Westminster's City Plan: Strategic Policies adopted November 2013 relates to Pimlico and states that the area will be primarily for residential use with supporting retail, social and community and local arts and cultural provision.

Item No.
1

A Planning Brief for the site was published in February 2009 in response to the City Council's review of its land ownership and operational requirements for the WAES. The Brief identifies that the site characteristics and policy context indicate that a social and community use or a residential-led development which includes an element of community facility provision would be the preferred development of the site.

Consideration of the UTC

The Planning Brief sets out the land use expectations for the site based on the then policy framework and the Council's intentions regarding the provision of adult education services. With the rationalisation of WAES (which now operates from a new facility in Lisson Grove and two satellite facilities at Pimlico School and the Amberley Centre), the site has become surplus to these requirements. The Brief and current policy in S34 of the City Plan then requires the site to be developed for other community uses except where specific circumstances prescribed by the policy apply. In these cases the loss of the community use can be justified and an alternative residential use supported.

The current proposal meets the policy and the requirements of the Brief as the educational use is continued and considerably increased in floorspace. Since the adoption of the latter, there has been an emergence of a strong presumption in favour of new educational uses at national, regional and borough level. All three tiers of policy, in particular national policy as set out in the NPPF, and Policy 3.18 of the London Plan 2015 all point to a prioritisation of educational use. New permitted development rights further emphasise this, linking in to the Government's initiatives of encouraging new free schools and academies as well as other more established forms of provision.

The proposed UTC is a free school falling within the Government's approach to improving and widening access and participation as part of the scope of secondary education. It specifically caters for 14 to 18 year olds and will join a small group of UTCs already established across London. The service it provides to Westminster residents is unique, meeting a known and continuing need for technical and vocational training. It will also serve pupils outside Westminster and is therefore able to demonstrate a regional significance.

The provision of the UTC at the size proposed more than meets the educational expectations for the site set out in policy and the Brief. It also constitutes a significant public benefit going well beyond the immediate neighbourhood.

The UTC includes sports and meeting facilities which will be available for wider community use outside teaching times. This again comprises a public benefit and through more modern and better designed facilities will improve upon the community uses previously available in the now demolished building. Should permission be granted, a community management agreement could be secured by condition, which will also cover hours of use.

Residential Use

The Brief and up to date Policies S14 of the City Plan and H3 of the UDP all support residential use on the site. Policy H5 of the UDP seeks to ensure an appropriate mix of unit sizes is achieved in all housing developments, with 33% of units to be family sized. 47 market flats are proposed of which 13 are family sized (28%) which falls just short of the Council's target of 33%. Given the location of the building adjacent to the busy overground railway lines, the mix of unit sizes is considered acceptable in this instance.

All units exceed the minimum unit size standards set out in the London Plan and individual room sizes specified in the London Housing Design Guide. 27 of the units are dual aspect and 45 of the flats will have access to their own private balcony.

Policy H8 of the UDP relates to the provision of homes for long term needs. The applicant has confirmed that all of the units will meet the Lifetime Homes Standards and that 10% will be designed to be easily adaptable to meet the needs of a wheelchair user.

Density

The residential element produces a density of 1,134 habitable rooms per hectare (hrh) which is in excess of the UDP range of 250-500hrh and just over the 1100hrh identified in the London Plan. Despite the objections received, the proposal is not considered to represent an overdevelopment of the site in density terms.

Affordable Housing

Policy S16 of the City Plan states that in housing developments of either 10 or more additional units or more than 1,000m² of additional residential floorspace, it will be expected to provide a proportion of the floorspace as affordable housing. The quantum of affordable housing required in each case is set out in the Council's Affordable Housing Interim Guidance Note. In this case the additional 6069m² (GEA) of residential floorspace proposed would require the provision of 2124.15m² (35% of floorspace) of on-site affordable housing or a payment in lieu towards the Council's affordable housing fund of £11,735,398.

The new residential block sits on a relatively small floor plate with most of the site coverage taken up by the lower UTC. This limits the residential building to one core. For design and amenity reasons it would be difficult to add any further significant amount of residential floorspace let alone the floorspace required to accommodate around 22 affordable flats. With these constraints it is accepted that no practical scope is evident to allow the affordable housing to be provided in addition to the current market flats. It can only come about through the considerable reduction in market units within the proposed building envelope.

Independent consultants, Lambert Smith Hampton, appointed by the City Council to assess the viability case put forward by the applicant, has confirmed that the scheme would not be viable if any of the market flats were replaced on site with affordable units, nor can the proposals support a payment in lieu to the Council's affordable housing fund. They also confirm that any reduction in the quantum of market floorspace would also endanger the viability of the scheme and agree that any surplus likely to be realised is at the low end of commercial acceptability.

Financing for the UTC comprises funding from Central Government, direct funding from the Council, and a significant contribution from the enabling development (the market flats). There will be no on-going rental income from the UTC. There is no further flexibility available to replace the enabling funding with additional funds from these other sources. Any requirement therefore on the developer to provide a payment to the affordable housing fund would fatally prejudice the timely delivery of the UTC.

In considering the amount of affordable housing required on individual sites, Policy H4 of the UDP allows the Council to take into account any particular costs associated with the development of the site, and whether the provision of affordable housing would make it difficult to meet other planning objectives that need to be given priority in developing the site. It is clear that the costs of the UTC can reasonably comprise such particular costs, and that its delivery is reasonably capable of taking priority in the light of strong support for such uses across all levels of adopted policy.

In the light of the viability case, the Committee is asked to consider whether the public benefits associated with delivering the regionally significant UTC are sufficient to set aside the provision of affordable housing, either on site, off site or as a payment in lieu in this instance.

6.2 Townscape and Design

The site is currently cleared of buildings. It previously contained a red brick Victorian Board School, later converted to college use. It has a challenging environment with the busy Sutherland Street/Warwick Way junction to the north and east and the main railway line approach to Victoria Station to the west. The triangular shape of the site also raises difficulty in site planning and layout and its location at the apex of development to the south gives the site a heightened significance in terms of its townscape role. Any development here would be prominent in views from the north and west and, therefore, assume something of the status of a landmark building in the local townscape.

The site is not in a conservation area, but the Peabody Avenue and Pimlico Conservation Areas are adjacent to the south and south east. These each have distinct characters, with the Peabody Estate being a consistent built form of buff London stock brick worker's housing of four to five storeys and Pimlico being a more varied, but still consistent, pattern of three to four storey neo classical terraces, predominantly in stucco. There are a number of listed buildings within the Pimlico Conservation Area, immediately to the east of the site, but the defining feature of this area is its uniformity rather than outstanding individual buildings.

To the north and north east is a modern development of flats, the Abbots Manor Estate, dating from the 1960-70s. They vary in height from six to eight storeys with the singular exception of the 23 storey tower of Glastonbury House. On the other side of the railway lines is the Ebury Bridge Estate, with consent for partial demolition and redevelopment with residential apartment blocks of 10, 12 and 14 storeys. To the north, on the corner of Buckingham Palace Road and Ebury Bridge is a modern development of 10 storeys.

In townscape and historic building terms, the site is relatively unconstrained, largely surrounded by modern developments and transport infrastructure with the notable exception of the two conservation areas to the south and south east of the site. Any development of the site should attempt to reflect the differing scale and character of the townscape to the south and north.

The scale, height and form of development

The form of the development is dictated to some extent by the shape of the site and the need to accommodate two very distinct uses. The scale of surrounding development suggests that the development on the southern part of the site needs to be lower than that on the northern part. In response, the new UTC has been located on the southern part of the site. It is designed in brick, to reflect the materials of the previous School Board on the site and the adjacent Peabody Estate. It is located slightly further north (i.e. away from the adjacent Peabody buildings) than the previous building on the site and is approximately 3.2m higher to the parapet and 4m higher overall (approx. 24m above ground level). This increase in scale and height is comparatively minor and the verified view from the Peabody Estate does not show this element as being out of scale or harmful to the conservation area character. On Sutherland Street, the new building is closer to the site boundary than the previous, and therefore the increase in scale is slightly more apparent than may otherwise have been. However, in townscape terms the height and scale of development of this part of the site does not seem harmful to either the adjacent Pimlico Conservation Area character or the more modern development on the other side of Sutherland Street.

The residential development is concentrated on the northern part of the site where there are less townscape constraints. The proposal is for a residential tower of 10 storeys over ground level, giving an approximate height above ground level of 38m (bearing in mind the sloping ground level). This is considerably higher than the immediately surrounding development which is between four to six storeys. However, in the slightly wider vicinity there is a higher

scale of development from between eight-14 storeys. Bearing in mind that the residential tower is located on the apex of the site and has some significance as a local landmark, it is not necessarily considered that an increase on this part of the site is unacceptable in townscape terms.

UDP Policy DES 1 states that development should “maintain the character, urban grain, scale and hierarchy of existing buildings and the spaces between them.” Given the variety of scale and height of surrounding development, it is considered that the principle of a higher element on the northern part of the site is sound. UDP Policy DES 3 relates to high buildings and while the height of this proposal is not of the scale that requires engagement with all the provisions of this policy, it is useful to test the impact of the tower on the key identified receptors in terms of visual impact – conservation areas, London squares, canal views, Royal Parks, the Thames Policy Area and listed buildings. The proposed tower would have no impact on any London squares, the Royal Parks, or river views. The impact on the adjacent listed buildings is minimal as they are too distant to have any direct relationship. However, it is clear that there is a not insignificant impact on the adjacent conservation areas.

The proposed tower is clearly higher than the scale of development within the conservation areas immediately adjacent and therefore is open to views. From the Peabody Avenue Conservation Area, the tower is clearly seen from the central avenue, rising above the brick UTC building in the foreground. The impact is shown on Verified View 3. While visible, the view is partly masked by the line of trees, and even without these, it is not considered that the impact on this view is such as to seriously harm the strongly defined character of this area. There is no impact on other views from the conservation area.

With regard to the Pimlico Conservation Area, the site is located at the extreme north east corner of the conservation area and therefore the visual impact is restricted to relatively small parts of the conservation area and, in particular, to those streets aligned with the development (Sutherland Street and Westmoreland Place) as the grid layout and scale of surrounding buildings prevents any views from most of the conservation area. The impact on these views is shown in Verified Views 2 and 4. View 2 shows the view from Sutherland Street and the tower is clearly visible, although visually separated from the stucco terrace by the brick UTC building, it does appear as something of a termination to the long view and is not read as part of the conservation area setting.

While the impact of this view is considered harmful, the level of harm is considered relatively minor. Verified View 4 shows the impact on Westmoreland Place and the fleeting view of the tower is considered so minor as to not register as harmful from this viewpoint. Given the overall scale of the Pimlico Conservation Area, it is considered that the visual impact on the Sutherland Street view constitutes only minor harm, it would be less than substantial in terms of the guidance in the NPPF, and could be considered to be outweighed by the public benefits that the scheme provides.

The detailed design

The two elements of the proposal, UTC and residential flats, have their own distinct built form and materiality that helps to reduce the overall visual scale of development and introduce a logic and legibility to the scheme.

The UTC is rendered in brick, reflecting the previous building on the site and the nearby Peabody Estate. The fenestration is of a scale that suggests an institutional use, but still reflects the nature of the brick and the scale of surrounding development. A large feature window to the corner marks its street presence and the glazed entrance atrium provides a welcoming and interactive frontage to Sutherland Street. Metal panels to the ground floor form a solid and durable base, while on the railway side they extend up the side of the sports hall providing a clear visual separation between the residential and UTC elements of the scheme.

The residential tower is given a more overt presence by the use of large pre-cast reconstituted stone panels, offset to provide a greater variety to the facade. The panels have a vertical fluting to provide additional texture and articulation, while the metal trim and framing will be a dark colour. The exact colour and texture of pre-cast panels and metalwork would be conditioned for future approval. The entrance to the residential block is on the north corner under a vertical stack of balconies which provide a strong visual anchor to this prominent corner. The ground floor to Sutherland Street is disappointing in as much that it largely consists of metal panels and doors accessing refuse stores and other ancillary spaces. While it is understood that there is very limited opportunities for locating these necessary ancillary facilities, it is hoped that the cladding can be enlivened by some other means, perhaps public art or discrete lighting. In summary, it is considered that the detailed design of the buildings is an appropriate response to the site constraints, and opportunities.

The 2009 Planning Brief for this site envisaged development of the site to be no higher than the existing Ebury Bridge Centre building. However, further analysis of the site and its impact on key views has suggested that the northern part of the site closest to the railway line could take a higher building with only limited impact on the adjacent townscape and views. The scale of development proposed for the southern part of the site corresponds broadly with the requirements of the Brief. At the time the Brief was drafted, it was not considered that the site would be likely to be developed with two different buildings in different uses and therefore no real consideration was given to the different constraints that may apply to the northern part of the site as opposed to the southern part. Also, as with any development brief, the site could not be analysed in the depth that has been possible with the current proposal and nor was there the benefit of verified views analysis.

6.3 Amenity (Sunlight/Daylight/Privacy)

Policy ENV13 of the UDP relates to protecting amenities, daylight and sunlight, and environmental quality. Policy ENV 13 (D) states that the City Council will resist proposals which result in a material loss of daylight/sunlight, particularly to existing dwellings and educational buildings. Policy ENV 13 (E) goes on to state that developments should not result in a significant increase in sense of enclosure, overlooking, or cause unacceptable overshadowing, particularly on gardens, public open space or on adjoining buildings, whether in residential or public use.

The site has been cleared and as such neighbouring properties currently experience high levels of daylight and sunlight. Inevitably, any new development which seeks to build up to the site boundaries will reduce light and outlook received by the neighbouring properties. The proposed UTC building will be approximately the same height as the former WAES building and steps down to three storeys in the middle section of the site. The residential building rises some 11 storeys (approximately 38m high) at the northern end of the site where there has been no previous buildings.

Strong objections have been received from surrounding residents on amenity grounds, principally loss of light, loss of privacy/overlooking and overbearing impact.

Sunlight and daylight

The City Council generally has regard to the standards for daylight and sunlight as set out in the Building Research Establishment (BRE) 'Site Layout Planning for Daylight and Sunlight' (as revised 2011). The applicant's consultants GIA have carried out the necessary tests using the methodology set out in the BRE guidelines. Daylight and sunlight tests have been carried out on the nearest, most affected residential properties on the Abbots Manor Estate, Peabody Estate, the Ebury Bridge Estate (on the opposite side of the railway lines) and at the northern end of Westmoreland Terrace (Nos. 1, 3, 5 and The White Ferry Public House) and Sutherland Street (Nos. 11, 12 and 13).

The recommendation in the BRE guide is that reductions of over 20% of existing daylight levels are likely to be noticeable. The daylight report shows that a number of windows within Furness House, Melrose House and Fonthill House on the Abbots Manor Estate and Block A and N on the Peabody Avenue will experience transgressions outside the BRE guidelines. However, the biggest losses will be experienced by residents within Kirkstall House, and the report therefore focuses on this block.

Kirkstall House is six storeys high and comprises 12 flats, two flats per floor. Each flat contains four windows on the Sutherland Street frontage, two of which serve bedrooms and two serve the main living room. Every window to this frontage breaches BRE guidelines and the proposal will therefore result in a material worsening of daylight standards to these properties. The results of the VSC assessment for each of the living room windows (the main habitable room) are shown in the table below.

Table 2: Loss of Daylight to Kirkstall House

Floor level	Existing VSC	Proposed VSC	% Loss VSC
First floor (ground level)	29	9	69
Flat 1	28.5	8.5	70.2
Flat 2	27.5	8.5	69.1
	28.5	9.5	66.7
Second floor			
Flat 3	19	2.5	86.8
	36	16	55.6
Flat 4	35.5	17	52.1
	17	4.5	73.5
Third floor			
Flat 5	19.5	2.5	87.2
	36.5	17	53.4
Flat 6	36	18	50
	18	5.5	69.4
Fourth floor			
Flat 7	19.5	2.5	87.2
Flat 8	37	18.5	50
Fifth Floor			
Flat 9	20	3	85
	37.5	19.5	48
Flat 10	Not known		

Item No.
1

Sixth floor	20.5	4.5	78
Flat 11	32.5	15.5	52.3
	32.5	17	47.7
Flat 12	20	9	55

The most affected window in each of the living rooms is the smaller of the two windows and is located beneath a balcony. The BRE guidelines acknowledge that existing windows with balconies above them typically receive less daylight, and that even a modest obstruction opposite may result in a large relative impact on the VSC. With the exception of the flats on the first/ground floor, the larger living room window to each of the flats will retain VSC levels of 15.5 or above which is not dissimilar to that experienced in the lower floors of properties generally in the Pimlico area, which is characterised by properties of four/five storeys in height.

In respect of sunlight, the BRE guide suggests that a dwelling will appear reasonably well sunlit provided that at least one main window wall faces within 90% of due south and it receives at least a quarter of annual probable sunlight hours (APSH), including 5% of APSH during the winter months. As with the tests for daylighting, the guidance recommends that any reduction below this level should be kept to a minimum; if a window will not receive the amount of sunlight suggested, and the available sunlight hours is less than 0.8 times their former value, either over the whole year or just in winter months, then the occupants of the existing building will notice the loss of sunlight; if the overall annual loss is greater than 4% of APSH, the room may appear colder and less cheerful and pleasant.

Due to the open existing site the proposal will result in reduced sunlight to Kirkstall House. However, the sunlight analysis demonstrates that all of the larger windows serving the main living rooms at second floor level and above will satisfy the BRE guidelines for both annual and winter sunlight hours. The smaller windows will see losses in winter and annual sunlight well in excess of BRE guidelines because of the presence of the balconies. At first/ground floor level the living room windows will retain good winter sunlight, but APSH will fall to about 20.

There is no doubt that the daylight and sunlight losses to flats in the lower floors of Kirkstall House are undesirable and regrettable, and fall at the extreme of what can reasonably be considered acceptable even for a Central London location. In mitigation, the flats affected will remain adequately lit albeit with a much reduced outlook and sense of airiness. Such losses would be unavoidable even with a new building on the site that mirrors the height of Kirkstall House. The only means of protecting substantively the existing lighting conditions would be to reduce any new building to a maximum height of three or four storeys, falling below the obstruction already caused by the overhanging balconies to the affected flats. If this were to be done the floorspace then available on the site would be considerably below that necessary to deliver the public benefits in the scheme and the opportunity for the new UTC would be lost. Officers conclude therefore that these exceptional circumstances are sufficient in this instance to justify the losses of amenity to neighbouring flats.

Privacy

A large terrace is proposed at fifth floor level on the UTC which is also proposed to be used for community use. The residential blocks opposite on the Abbots Manor Estate are some 22m away and the windows on the flank elevation of Peabody Avenue 16m. It is not therefore considered that it will result in any significant overlooking/loss of privacy to the surrounding residents. Planting is proposed around the perimeter of the terrace which could be secured through condition, and the hours of usage of the terrace through the Community Use agreement which will be required should permission be granted.

Item No.
1

Noise

Plant is proposed in the basement and within a plant enclosure at main roof level. Conditions are recommended to secure full details and a supplementary acoustic report when plant has been selected, location and hours finalised, and the attenuation measures are available to confirm compliance with the Council's standard noise condition.

6.4 Transportation/Servicing

Car parking

The applicant has submitted a Transport Assessment in support of their application.

Policy TRANS 23 of the UDP sets out the Council's policy on off-street parking for residential development which is based on a maximum standard of one off-street parking space per residential unit of two bedrooms or less; and 1.5 off-street parking spaces per residential unit of three bedrooms or more. The City Council encourages the provision of parking up to the maximum standard.

The proposed car park utilises a ramp and drive in arrangement which is welcomed. 23 car parking spaces are proposed for 47 residential units, which falls short of the Council's maximum standard. The applicant states that the parking spaces will be unallocated with all residents eligible to apply for a 'right to park permit' within the basement. The intention is to minimise potential for overspill parking to on-street in the surrounding area.

The Highways Planning Manager is satisfied with the level of car parking proposed, on the basis that it is at a level comparable to, but higher than, the car ownership found in the local ward (33% of households have a car, with 0.4 vehicles per dwelling in Churchill Ward). While residents will still be able to obtain residents' parking permits if they wish, the level of provision and the fact that it will be unallocated should minimise the amount of on-street parking by residents of the development. The applicant has also offered car club membership for each of the flats for 25 years. Should permission be granted, it is recommended that this be secured by condition.

No car parking is proposed for the UTC, other than one space for a mini bus. The Highways Planning Manager raises no objection to this element of the scheme.

Cycle Parking

78 cycle parking spaces are proposed for the residential element of the scheme which exceeds Council policy and meets the London Plan requirement of one per dwelling for one bedroom or fewer and two spaces per dwelling for two bedrooms or more.

For the UTC 20 cycle parking spaces are proposed for students and 22 for staff which falls short of the London Plan policy (which requires one space per eight staff/students and one further short stay space per 100 students), and therefore require 80 spaces.

The cycle parking standards are intended to be aspirational and to encourage greater use of cycling as the mode of travel. Should permission be granted, a condition is recommended requiring a revised School Travel Plan to show how the number of cycle parking spaces might be increased in the future should pupils require them.

Servicing

Servicing is proposed to take place on street. The Highways Planning Manager is satisfied that servicing can be accommodated on street.

The proposal involves the removal of a 6m section of on-street residents parking on Sutherland Street to be replaced with single yellow line to provide vehicular access to the UTC

Item No.
1

workshops. Whilst this will result in the loss of daytime parking spaces, these spaces will be available at night when there is the greatest demand by residents.

Building Line

The proposal includes the widening of the footway along Sutherland Street which will increase the area of footway available to pedestrians which is welcomed. The building will overhang the footway but will be over the required 1m from the vehicular carriageway and will have 2.6m vertical clearance.

6.5 Economic Considerations

The economic benefits generated by the proposal are welcomed.

6.6 Access

The needs of the disabled and ambulant disabled have been integrated into the design of the new buildings. There is level pedestrian access provided to both the UTC and the residential building from Sutherland Street with level lift access to all floor levels including the external balcony and terrace areas. The building design is in accordance with the Equality Act (2010) and will comply with Part M (access to and use of buildings) of the Building Regulations.

6.7 Other UDP/Westminster Policy Considerations

Archaeology

Historic England (Archaeology) advise that no decision should be made until a revised archaeological desk-based assessment (DBA) has been assessed. The DBA concludes that the site has moderate archaeological potential for remains associated with the Anglo Saxon and Medieval periods.

The response from Historic England (Archaeology) will be reported verbally to Committee.

It is anticipated that the revised DBA has addressed their concerns, and the protection of these heritage assets can be secured by conditions, if the Committee are minded to approve.

Air Quality

The proposed development is situated in an area of poor air quality and a range of mitigation measures are proposed to safeguard the future educational and residential users which can be controlled by condition.

Contaminated Land

Environmental Health advise that elevated levels of measuring lead polyaromatic hydrocarbons and petroleum hydrocarbons have been identified on site and, as such, a remediation strategy will be required and this can be reserved by condition.

Electro-Magnetic Interference

Environmental Health recommend a condition regarding the submission of further information regarding Electro-Magnetic interference from the substation prior to the occupation of the residential flats.

Noise Ingress to the Proposed Uses

Environmental Health object to the proposal on the grounds that the residential development is unlikely to provide a suitable standard of amenity, in particular the bedrooms located on the railway elevation and recommend that the layout be redesigned and the external balconies amended to winter gardens.

The applicant has submitted an acoustic strategy for both the educational and residential components of the development to demonstrate that the amenity of the future occupiers can be safeguarded. Again, these measures can be secured by condition.

6.8 London Plan

The proposal would attract a payment to the Mayor's Community Infrastructure Levy which could be dealt with by way of an Informative.

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

For reasons outlined in Section 6.1 of this report, it is not viable to provide any on site or a contribution in lieu of affordable housing, and Committee's views are being sought.

The applicant is willing to provide in addition to the unallocated car parking, free car club membership for a period of 25 years. It is recommended, if Committee are minded to approve, that this offer should apply to all 47 private flats.

It is also recommended that the applicant pay for the associated highway works, provide public art, pay for new street trees and towards construction monitoring.

The applicant had indicated that out of the £200,000 earmarked for planning obligations, that a contribution is made towards play space improvements. However, this proposal falls below the 50 residential threshold set out in the Council's SPG on Planning Obligations. It is considered that the sum identified for play space improvements be used towards construction monitoring.

Transport for London has requested a contribution towards Legible London signage, but the applicant has identified that it is not possible to make further contributions, and this request is not considered necessary in the circumstances.

6.11 Environmental Assessment including Sustainability and Biodiversity Issues

Environmental Assessment

The City Council determined on 26 November 2014 that this proposal was not of sufficient

scale to have significant effects on the environment, and therefore an Environmental Assessment was not required under the 2011 EIA Regulations. The EIA Regulations changed in 2015, but this proposal under the new Regulations would not trigger an Environmental Impact Assessment (EIA).

Sustainability

Policy S28 of the City Plan requires developments to incorporate exemplary standards of sustainable design and inclusive design and architecture.

Policy S38 states that major development should be designed to link to and extend existing heat and energy networks in the vicinity, except where the City Council considers that it is not practical or viable to do so. Policy S39 considers renewable energy and states that all major development throughout Westminster should maximise on-site renewable energy generation to achieve at least 20% reduction of carbon dioxide emissions, and where feasible, towards zero carbon emissions, except where the Council considers that it is not appropriate or practicable due to the local historic environment, air quality and/or site constraints.

The applicant has submitted Energy and Sustainability Reports in support of their application. It is proposed to deliver a 38% improvement in carbon emissions based on the current Building Regulations. It achieves this through energy efficiency measures which include improved fabric insulation, air tightness, high efficiency fans and cooling plant, heat recovery on ventilation systems and daylight control of lighting. It is also proposed to connect to the nearby Pimlico District Heating Undertaking. The use of renewable energy in the form of a 185m² array of photovoltaic panels is proposed at main roof level on both the UTC and the residential building (11%).

London Plan policy requires 20% of car parking spaces in developments to have electric vehicle charging points and should permission be granted, it is recommended that this be secured by condition.

The existing site is considered to be of low biodiversity interest.

A green roof is proposed on the roof of the lower section of the UTC building and the applicant states that they intend on providing insect hotels, bat and bird boxes. Should permission be granted, it is recommended that these be secured by condition.

Biodiversity/Trees

It is proposed to remove a Silver Birch tree which provides amenity value. The Arboricultural Manager considers its loss is regrettable. New landscaping is proposed around the site and should permission be granted, it is recommended that this be secured by condition, including the provision of street trees along Sutherland Street.

6.12 Other Issues

Basement Excavation/Construction

Building Control have advised that the structural methodology is considered acceptable.

The applicant has submitted a Construction Management and Logistics Plan to ensure that the amenities of surrounding residents are safeguarded during the construction. It is accepted that the excavation of the basement and the construction of the UTC and the flats are likely to cause noise, disturbance and disruption, and the applicant has agreed to make contributions towards construction monitoring to mitigate the impact on surrounding residents.

Flood Risk

The site is located within Flood Zone 3. The Environment Agency object to the applicant's

Item No.
1

submitted Flood Risk Assessment (FRA) on the basis that it fails to comply to national advice. They state that the submitted report fails to address that the site is within an area at risk during a breach event. The applicant has been requested to amend their FRA and any response received from the Environment Agency will be reported to Committee.

Wind Conditions

Objections have been raised on the grounds that the 11 storey building will cause a wind tunnel. It is not considered that the proposal will create environmental problems at street level in terms of wind.

Railway Lines/Network Rail

Adjacent to the application site is the land owned by Network Rail. Network Rail have set out a number of requirements which have been passed to the applicant to address.

The applicant states that the proposal has been developed with the future redevelopment of the Network Rail land. The proposed new building located next to the western boundary is not a 'good neighbour' (i.e. being set back from the boundary taking its fair share of light) and therefore windows in the western elevation will not be afforded to the same degree of protection in terms of their light, outlook and privacy should a planning application be submitted in the future.

Statement of Community Involvement

The applicant has carried out extensive consultation prior to the submission of this application, which have included public exhibitions in November 2014 and April 2015 and over 7,000 leaflets have been distributed. The applicant in their Statement of Community Involvement states that significant and noticeable changes to the scheme have taken place, in reducing scale, massing and overall height, splitting the educational and residential on a vertical level rather than a horizontal, reducing number of flats from 60 to 47 and proposing 23 on-site parking spaces.

6.13 Conclusion

This proposal represents an opportunity to secure the delivery of a regionally significant education institution. It will serve both the acknowledged needs of industry and the employment prospects of young people and is to be provided with minimum public subsidy. The education and residential uses proposed accord with adopted policies across all tiers of Government, and at the very local level, with the Planning Brief adopted in 2009. However, the reliance on accompanying enabling development to minimise the extent of public subsidy and by doing so guaranteeing timely delivery, makes it difficult to fully reconcile other competing interests. In particular, other policy objectives are challenged, primarily those relating to a) affordable housing, b) townscape and design in relation to the 11 storey building and c) impact on the amenities of surrounding residents.

Officers consider that the loss of light, whilst regrettable and which are understandably subject to strong local objection, is acceptable in these special circumstances. In terms of the remaining objectives, a judgement is required on the priority to be afforded to each objective. These are all capable of being supported in policy terms but, increasingly in respect of all community proposals seeking to minimise the reliance on public subsidy, they can only do so at the expense of other policy objectives.

In terms of affordable housing, this can be provided but would be at the expense of the UTC. The development has been shown by independent assessors to be capable of supporting either the UTC or some affordable housing but not both. The applicant's viability report sets out the reasons why it is not possible to provide affordable housing.

In terms of height, this can be reduced without undue compromise to the architectural composition. Officers acknowledge that the residential building does project beyond the limits proposed by the 2009 Planning Brief. However, any harm to the significance of the adjoining conservation areas is capable under the terms of the NPPF of being offset against the public benefits of the scheme. Our independent assessors also conclude that any substantive reduction in the extent of the enabling development would be fatally prejudicial to the delivery of the UTC.

The Committee's views are sought in terms of these competing interests. If the Committee are minded to approve, this application will need to be referred back to the Mayor of London.

BACKGROUND PAPERS

1. Application form.
2. E-mail from Councillor Gassanly dated 21 July 2015.
3. Letter from Greater London Authority dated 15 July 2015.
4. Letter from Transport for London dated 4 August 2015.
5. Letter from Historic England undated.
6. Letter from Natural England dated 7 July 2015.
7. Letter from Thames Water dated 24 July 2015.
8. Letter from Westminster Society dated 29 July 2015.
9. Memorandum from Highways Planning Manager dated 16 July 2015.
10. Response from Environment Agency.
11. Response from Network Rail dated 28 July 2015.
12. Memoranda from Environmental Health dated 21 July 2015 and 11 August 2015.
13. Memorandum from Arboricultural Manager dated 28 July 2015.
14. Memorandum from Building Control.
15. Memorandum from Designing Out Crime Officer dated 17 July 2015.
16. Letter from Rt Hon Mark Field MP dated 3 August 2015.
17. Letter from Peabody dated 16 July 2015.
18. Letter from 23 Lindsay Square, SW1 dated 28 July 2015.
19. Letter from Abbots Manor Residents Association dated 6 August 2015.
20. Letter from 15 Westmoreland Terrace, SW1 dated 24 July 2015.
21. Letter from Westmoreland Triangle Residents Association dated 19 July 2015.
22. Letter from 28 Westmoreland Terrace, SW1 dated 22 July 2015.
23. Letter from resident of Westmoreland Terrace, SW1 dated 19 July 2015.
24. Letter from 2 Sutherland Street, SW1 dated 20 July 2015.
25. Two Letters from Flat 12, Kirkstall House, SW1 dated 22 July 2015.
26. Letter from 13 Sutherland Street, SW1 dated 22 July 2015.
27. Letter from Flat 4 Bella Best House, Westmoreland Terrace, SW1 dated 20 July 2015.
28. Letter from 43 Westmoreland Terrace, SW1 dated 19 July 2015.
29. Letters from Flat 6, Kirkstall House, SW1 dated 6 July 2015.
30. Letter from Flat 9, Melrose House, SW1 dated 17 July 2015.
31. Letter from 14 Sutherland Street, SW1 dated 3 August 2015.
32. Letter from 8 Sutherland Street, SW1.
33. Letter from 26 Clarendon Street, SW1.
34. Letter from 19-21 Sutherland Street, SW1.
35. Letter from 4a Cumberland Street, SW1.
36. Letter from 27 Sutherland Street, SW1.
37. Letter from 5 Westmoreland Place, SW1 dated 26 July 2015.
38. Letter from 1 Westmoreland Place, SW1 dated 22 July 2015.
39. Letter from 71 Westmoreland Terrace, SW1 dated 28 July 2015.

Item No.
1

- 40. Letter from 53 Westmoreland Terrace, SW1.
- 41. Letter from 25 Sutherland Street, SW1.
- 42. Letter from 10 Westmoreland Terrace, SW1 dated 16 July 2015.
- 43. Three letters containing no names or addresses.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT AMANDA COULSON ON 020 7641 2875 OR BY E-MAIL – acoulson@westminster.gov.uk





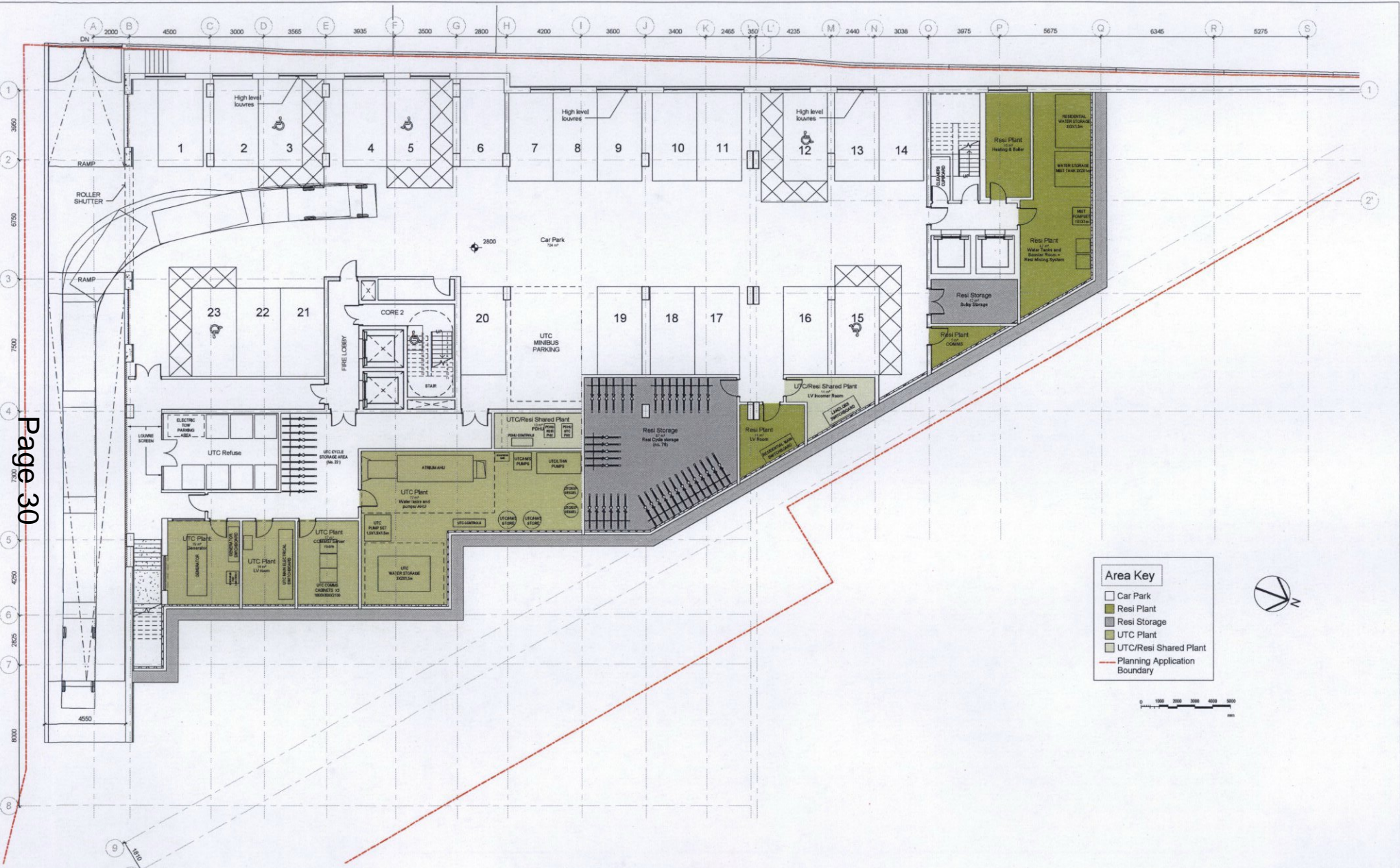
4.0 University Technical College (UTC) Design

CENTRAL VOLUME

The lower volume at the centre of the site or northern part of the UTC, fronts Sutherland Street with a 3 storey atrium formed of a variety of elegant glazed and metal panels, ranging from transparent / translucent and opaque. The glazing at Ground Floor will incorporate the UTC signage and feature surround to demark the entrance. The intention is to generate transparency into the functioning and activity of the UTC as well as to reinforce the impressive space of the Atrium. To the west (rail track elevation) the Main Hall is entirely metal clad and has been designed as a continuation of the Basement and Ground Floor. Three high level windows are provided in the Main Hall to allow natural light to penetrate the space. The Main Hall roof will partially house a plant space. The plant will be enclosed with metal louvres, both vertically and horizontally (capped) to shield the Residential occupants from viewing the plant equipment. The louvres will also act as an acoustic barrier (wherever required) to meet the appropriate regulations. The remainder of this roof will be covered with extensive green roof providing a pleasant outlook for both the UTC occupants and the adjacent residents

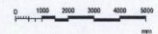


VIEW OF UTC ENTRANCE



Area Key

- Car Park
- Resi Plant
- Resi Storage
- UTC Plant
- UTC/Resi Shared Plant
- Planning Application Boundary



NOTES:

- DO NOT SCALE FROM THE DRAWING. ALL DIMENSIONS MUST BE CHECKED/VERIFIED ON SITE.
- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE LATEST ARCHITECTURAL, STRUCTURAL AND BUILDING SERVICES DRAWINGS AND SPECIFICATIONS.
- ALL DIMENSIONS IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL LEVELS IN METRES UNLESS NOTED OTHERWISE.
- ANY DISCREPANCIES NOTED ON SITE ARE TO BE REPORTED TO THE ENGINEER IMMEDIATELY.
- THIS DRAWING MUST NOT BE USED FOR INSTALLATION PURPOSES. THE CONTRACTOR SHALL PRODUCE INSTALLATION DRAWINGS.

ALL REVISIONS

Rev	DATE	REVISION HISTORY	Des	Dwn	Chk	App
B	24/01/15	PLANNING APPLICATION SUBMISSION	SR	SR	SR	SR
A	15/01/15	PAGE 7 SUBMISSION	SR	SR	SR	SR



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Designed by	Designer		
Drawn by	Author		
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Approved	Approver		

ORIGINATOR

SHEPPARD ROBSON

SCALE: 1:100 @ A1

BM FILE NAME: ECU-SRO-A31-ALL-01-CTL

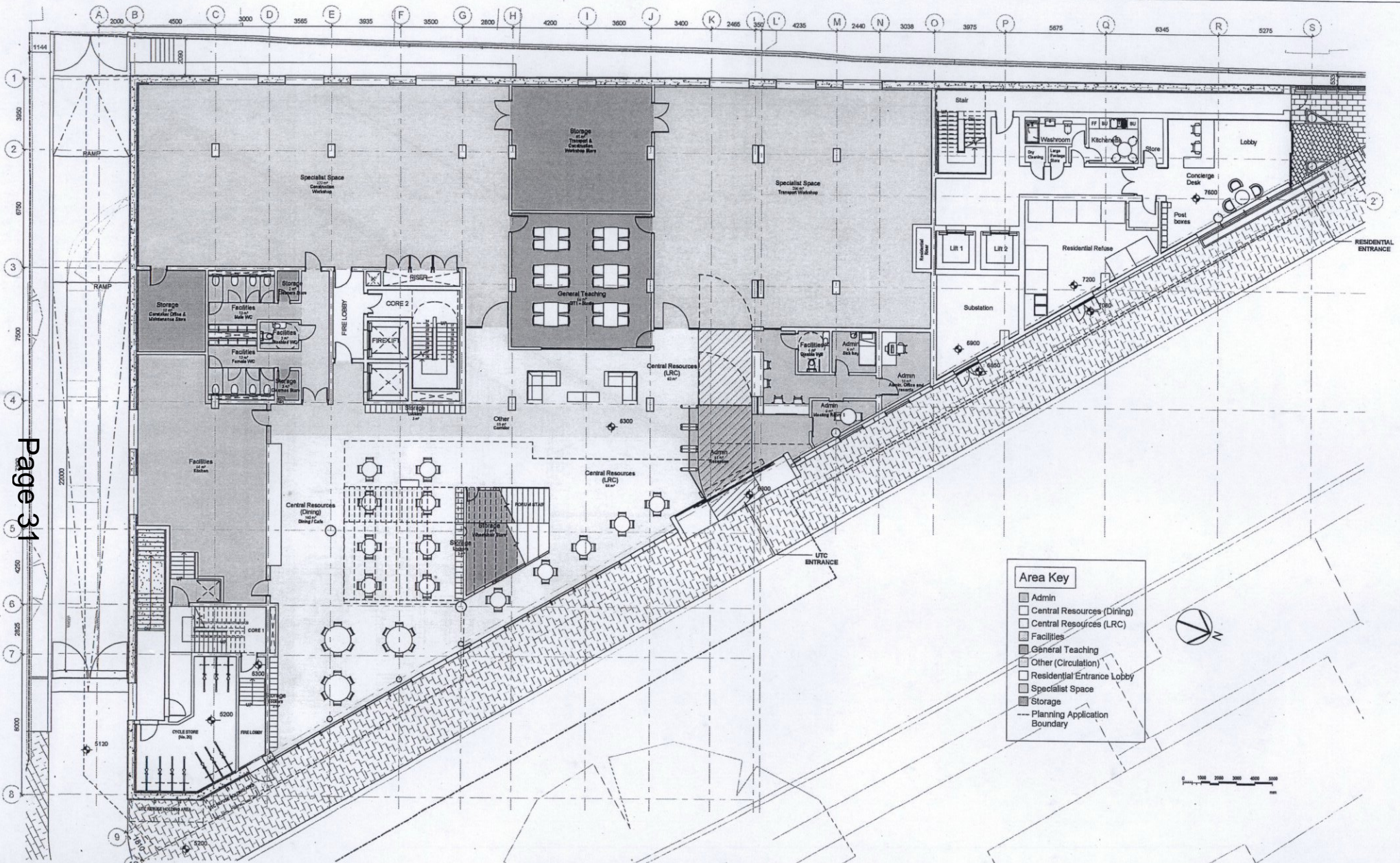
FIRST ISSUE DATE: 26/02/15

PROPOSED STATUS: FOR PLANNING

DRAWING TITLE

Ebury Bridge Centre
 Lower Ground Floor Plan

PROJECT	ISSUER	TRADE	AREA	TYPE	LEVEL	SEQUENCE	REV
ECW	SRO	A31	ALL	GA	LG	202001	B



Area Key

- Admin
- Central Resources (Dining)
- Central Resources (LRC)
- Facilities
- General Teaching
- Other (Circulation)
- Residential Entrance Lobby
- Specialist Space
- Storage
- Planning Application Boundary

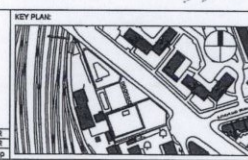
Page 31

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ALL REVISIONS

Rev	DATE	REVISION HISTORY	Des	Drw	Chk	App
B	24/06/15	PLANNING APPLICATION SUBMISSION	SR	SR	SR	SR
A	16/04/15	STAGE 2 SUBMISSION	SR	SR	SR	SR



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ORIGINATOR

SHEPPARD ROBSON

SCALE 1 : 100

DATE 12/02/15

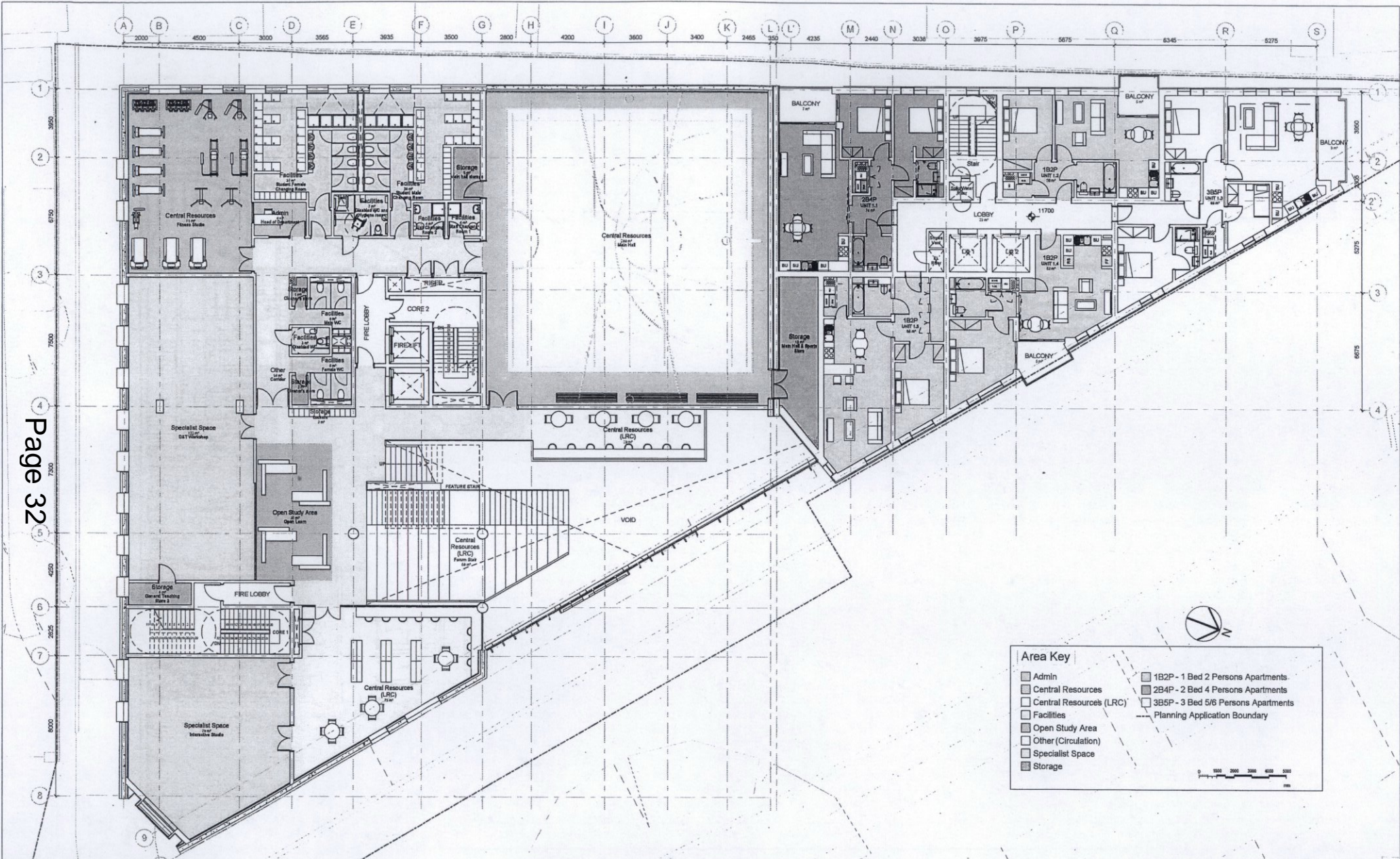
STATUS FOR PLANNING

DRAWING TITLE

Ebury Bridge Centre

Ground Floor Plan

PROJECT	ISSUER	TRADE	AREA	TYPE	LEVEL	SEQUENCE	REV
ECW	SRO	A31	ALL	GA	GND	202002	B



Page 32

Area Key

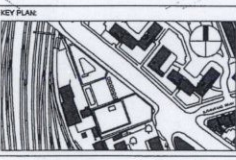
- Admin
- Central Resources
- Central Resources (LRC)
- Facilities
- Open Study Area
- Other (Circulation)
- Specialist Space
- Storage
- 1B2P - 1 Bed 2 Persons Apartments
- 2B4P - 2 Bed 4 Persons Apartments
- 3B5P - 3 Bed 5/6 Persons Apartments
- Planning Application Boundary

NOTES:

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ALL REVISIONS

Rev	DATE	REVISION HISTORY	Des	Dwn	Chk	App
B	24/02/15	PLANNING APPLICATION SUBMISSION	BR	BR	BR	BR
A	10/04/15	STAGE 2 SUBMISSION	BR	BR	BR	BR



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SHEPPARD ROBSON

SCALE: 1:100

FIRST ISSUE DATE: 12/02/15

PROPOSED STATUS: FOR PLANNING

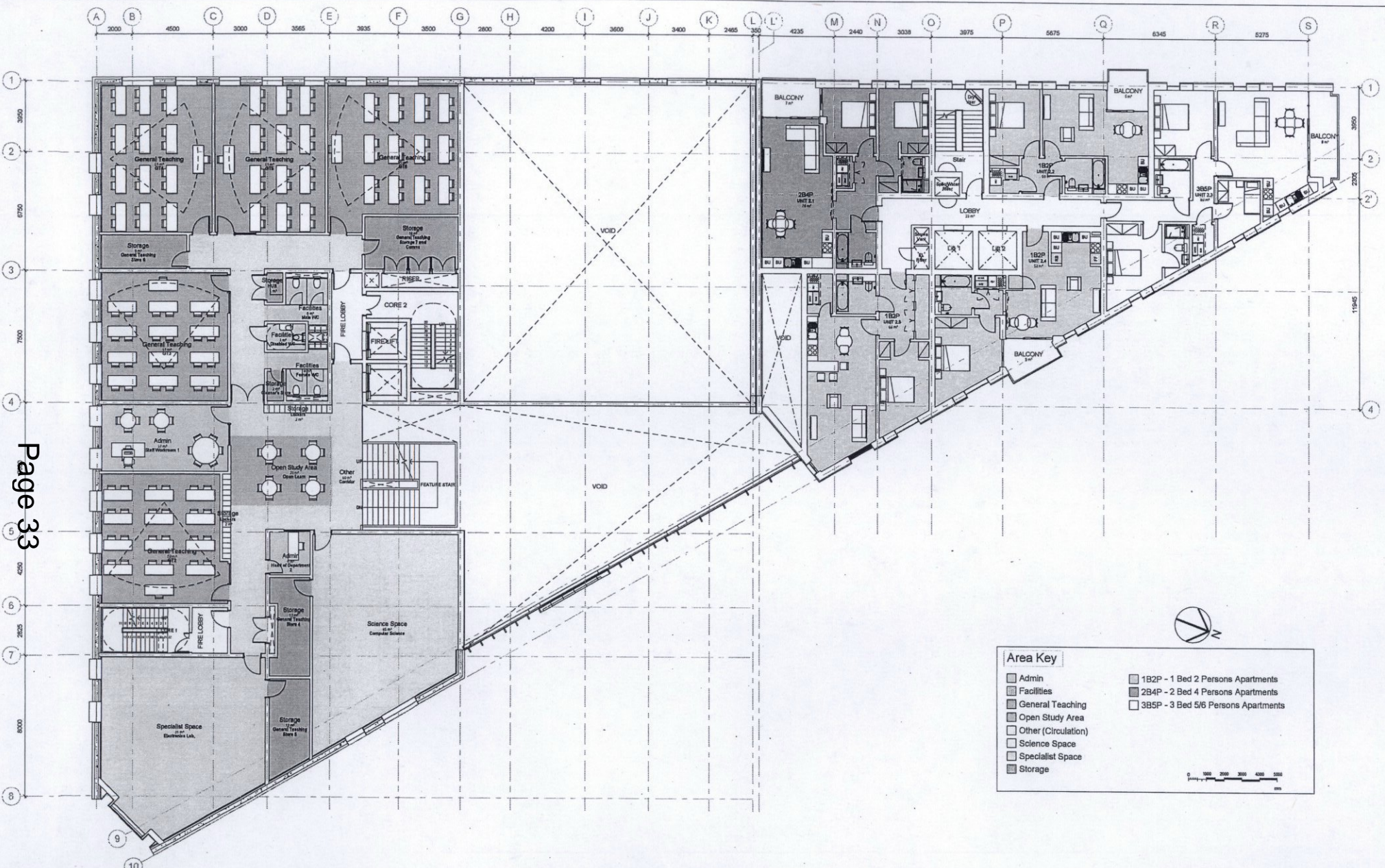
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DRAWING TITLE

Ebury Bridge Centre

Level 1 Plan

PROJECT	ISSUER	TRADE	AREA	TYPE	LEVEL	SEQUENCE	REV
ECW	SRO	A31	ALL	GA	01	202003	B



Page 33

Area Key

	Admin		1B2P - 1 Bed 2 Persons Apartments
	Facilities		2B4P - 2 Bed 4 Persons Apartments
	General Teaching		3B5P - 3 Bed 5/6 Persons Apartments
	Open Study Area		
	Other (Circulation)		
	Science Space		
	Specialist Space		
	Storage		

NOTES:

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ALL REVISIONS

Rev	DATE	REVISION HISTORY	Dwg	Drw	Chk	App
B		34/06/15 PLANNING APPLICATION SUBMISSION	SR	SR	SR	SR
A		10/04/15 STAGE 2 SUBMISSION	SR	SR	SR	SR



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Approved	Approver	

ORIGINATOR

SHEPPARD ROBSON

SCALE: 1 : 100

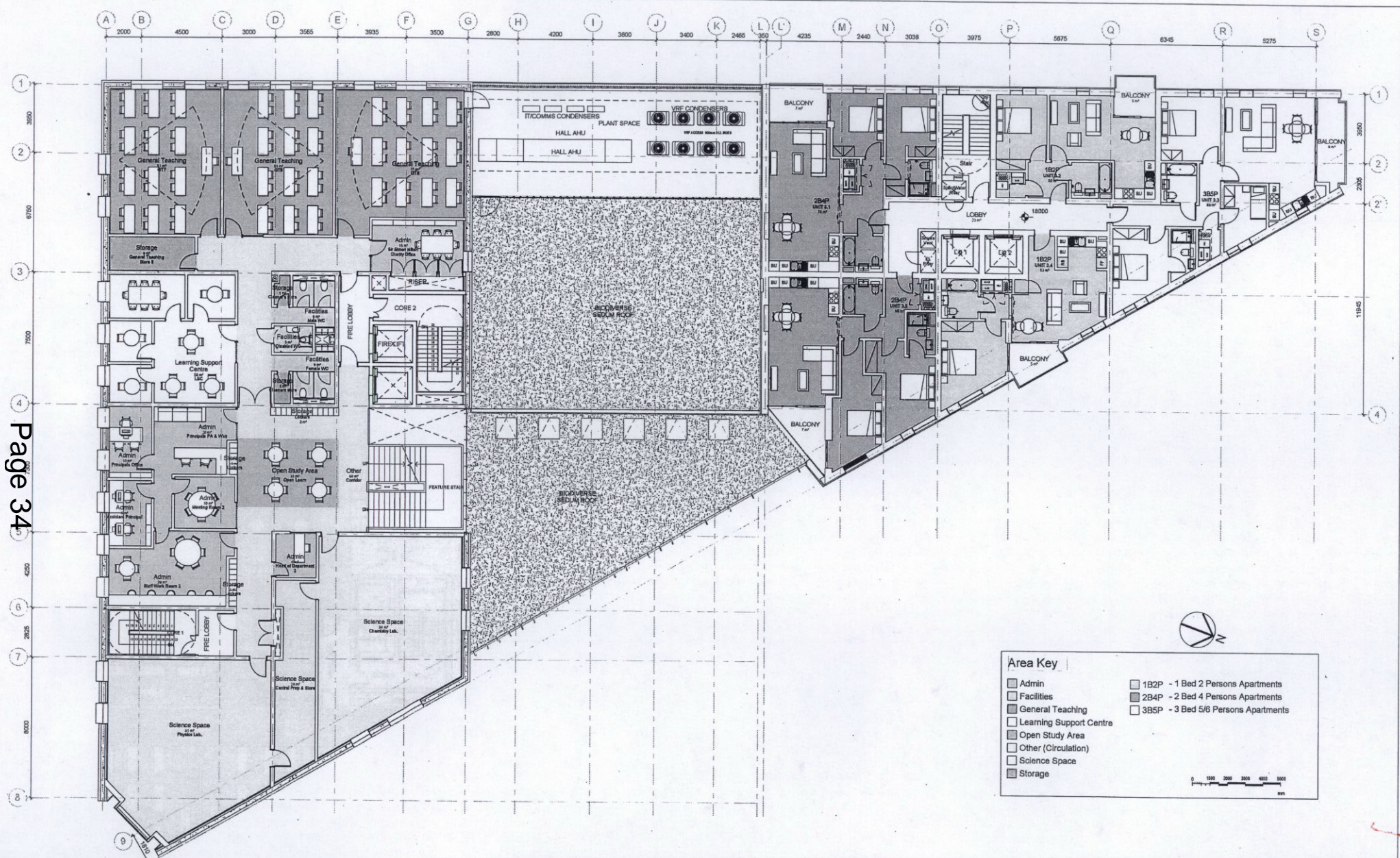
FIRST ISSUE DATE: 12/02/15

PROPOSED STATUS: FOR PLANNING

DRAWING TITLE

Ebury Bridge Centre
 Level 2 Plan

PROJECT	ISSUER	TRADE	AREA	TYPE	LEVEL	SEQUENCE	REV
ECW	SRO	A31	ALL	GA	02	202004	B



Page 34

Area Key

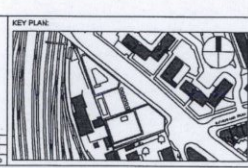
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	Facilities		2B4P - 2 Bed 4 Persons Apartments
	General Teaching		3B5P - 3 Bed 5/6 Persons Apartments
	Learning Support Centre		
	Open Study Area		
	Other (Circulation)		
	Science Space		
	Storage		

NOTES:

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ALL REVISIONS

Rev	DATE	REVISION HISTORY	Desg	Chw	CHK	App
1		CLIENTS PLANNING APPLICATION SUBMISSION				
2		ISSUE FOR STAGE 1 SUBMISSION				



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ORIGINATOR

SHEPPARD ROBSON

SCALE: 1:100

FIRST ISSUE DATE: 12/02/15

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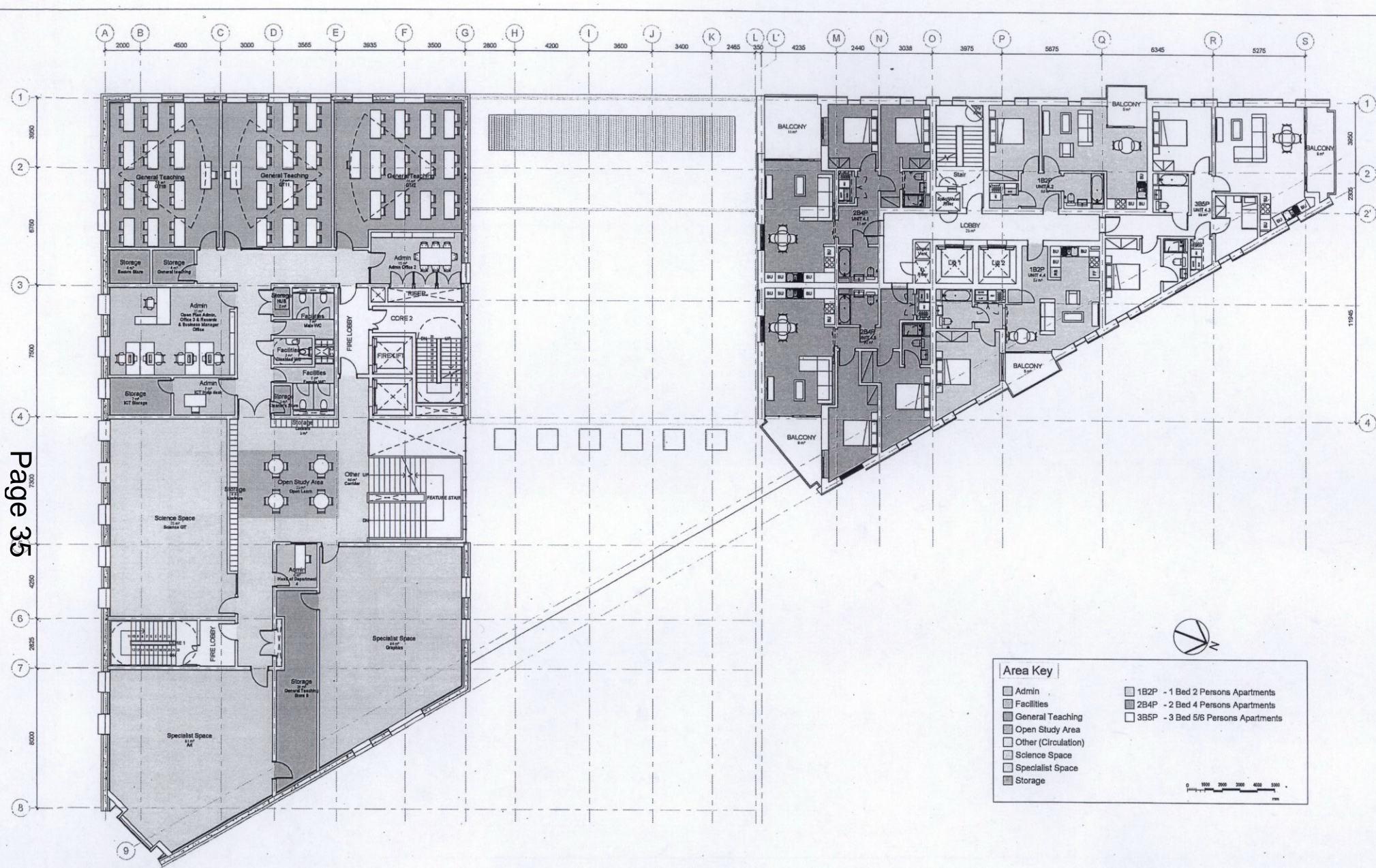
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DRAWING TITLE

Ebury Bridge Centre

Level 3 Plan

PROJECT	ISSUER	TRADE	AREA	TYPE	LEVEL	SEQUENCE	REV
ECW	SRO	A31	ALL	GA	03	202005	B



Page 35

Area Key

	Admin		1B2P - 1 Bed 2 Persons Apartments
	Facilities		2B4P - 2 Bed 4 Persons Apartments
	General Teaching		3B5P - 3 Bed 5/6 Persons Apartments
	Open Study Area		
	Other (Circulation)		
	Science Space		
	Specialist Space		
	Storage		

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ALL REVISIONS

Rev	DATE	REVISION HISTORY	Dwg	Drw	CHK	App
B	24/06/15	PLANNING APPLICATION SUBMISSION	ER	ER	ER	ER
A	10/04/15	STAGE 2 SUBMISSION	ER	ER	ER	ER



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SCALE: 1 : 100

FIRST ISSUE DATE: 12/02/15

PROPOSED STATUS: FOR PLANNING

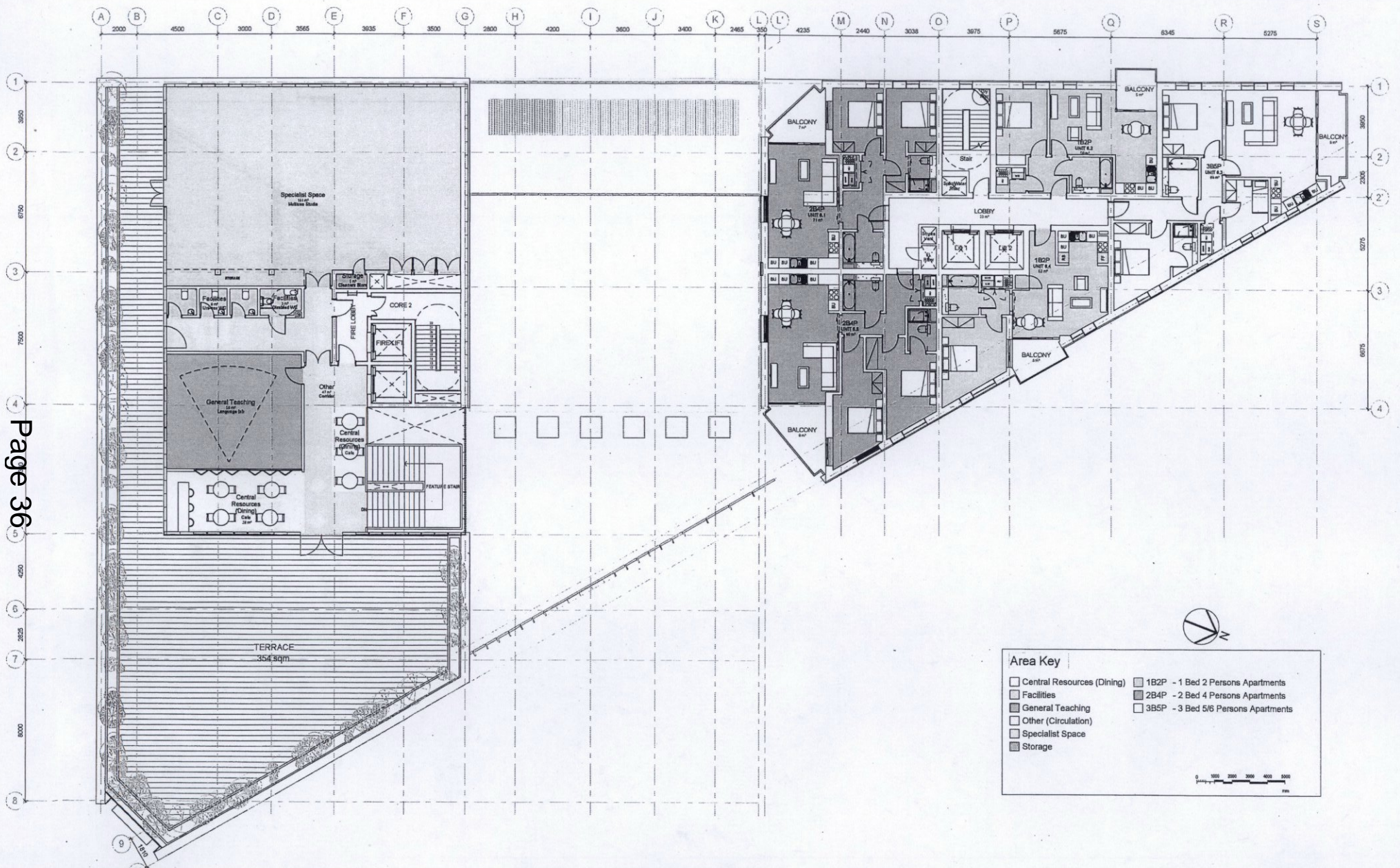
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DRAWING TITLE

Ebury Bridge Centre

Level 4 Plan

PROJECT	ISSUER	TRADE	AREA	TYPE	LEVEL	SEQUENCE	REV
ECW	SRO	A31	ALL	GA	04	202006	B



Page 36

Area Key

- Central Resources (Dining)
- Facilities
- General Teaching
- Other (Circulation)
- Specialist Space
- Storage
- 1B2P - 1 Bed 2 Persons Apartments
- 2B4P - 2 Bed 4 Persons Apartments
- 3B5P - 3 Bed 5/6 Persons Apartments

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NOTES

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ALL REVISIONS

Rev	DATE	REVISION HISTORY	BR	SR	BR	BR
1		1/24/2015 PLANNING APPLICATION SUBMISSION	BR	SR	BR	BR
2		1/24/2015 STAGE 2 SUBMISSION	BR	SR	SR	BR
			Dwg	Dwg	CHK	App



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ORIGINATOR

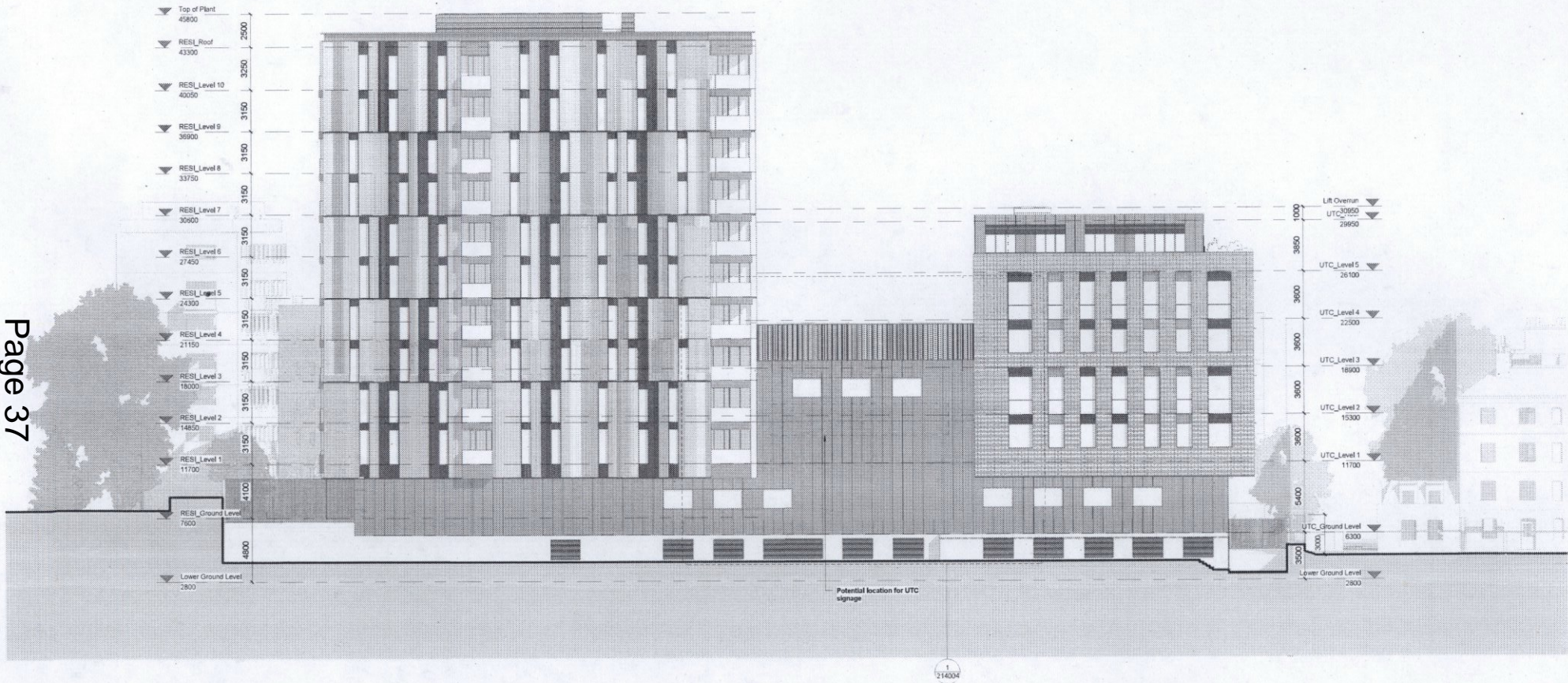
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SCALE: 1:100 @ A1
FIRST ISSUE DATE: 12/02/15
PROPOSED STATUS: FOR PLANNING

DRAWING TITLE

Ebury Bridge Centre
Level 5 Plan

PROJECT	ISSUER	TRADE	AREA	TYPE	LEVEL	SEQUENCE	REV
ECW	SRO	A31	ALL	GA	05	202007	B



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ALL REVISIONS

Rev	DATE	REVISION HISTORY	Dwg	Dwg	CRK	App
1	24/05/15	PLANNING APPLICATION SUBMISSION	BR	BR	SR	BR
2	10/04/15	TENDERS STAGE SUBMISSION	SR	SR	SR	SR



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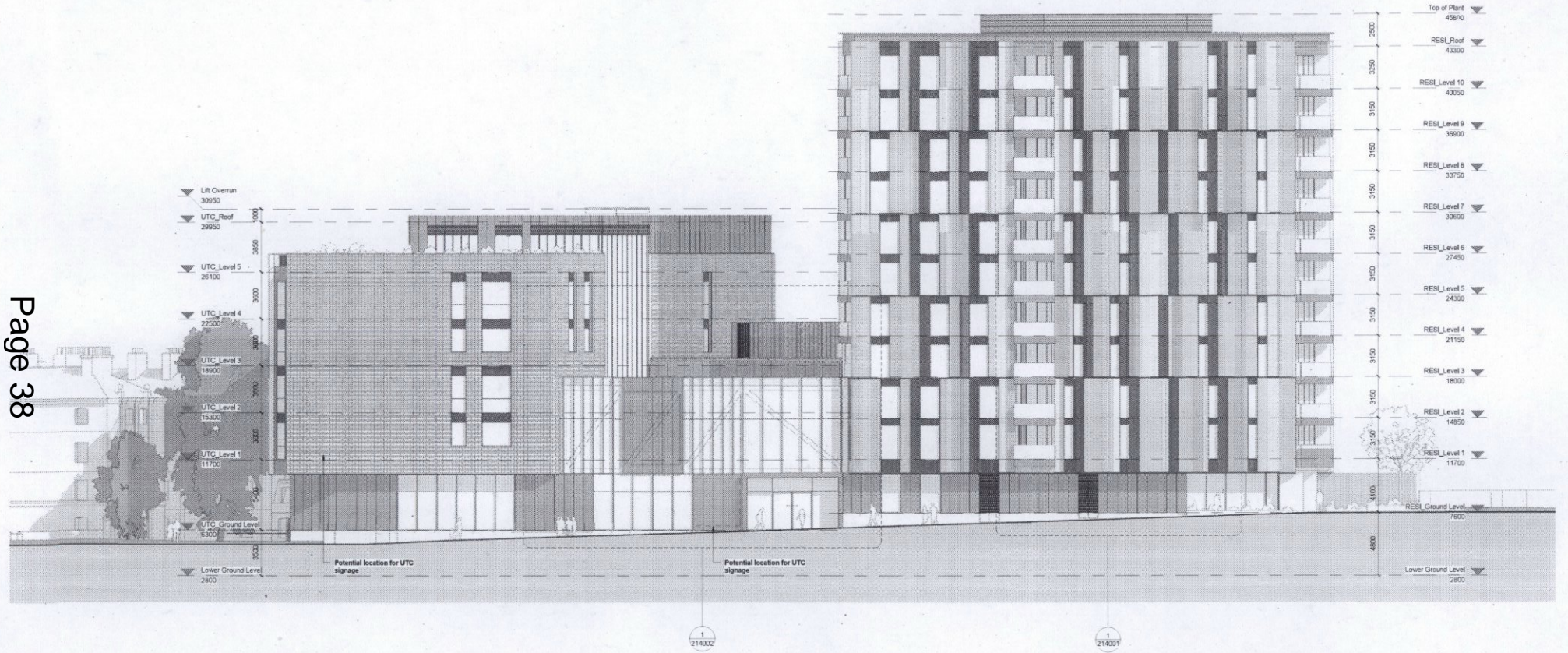
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SCALE: 1 : 150 @ A1
FIRST ISSUE DATE: 10/04/15
PROPOSED STATUS: FOR PLANNING

DRAWING TITLE

Ebury Bridge Centre
West Elevation

PROJECT	ISSUER	TRADE	AREA	TYPE	LEVEL	SEQUENCE	REV
ECW/SRO	A31	ALL	ELV	SL	202054	B	



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ALL REVISIONS

Rev	DATE	REVISION HISTORY	Dwg	Drw	CNA	App
B	24/05/17	PLANNING APPLICATION SUBMISSION	SR	SR	SR	SR
A	10/04/15	STAGE 2 SUBMISSION	SR	SR	SR	SR



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Approved: Approver		

ORIGINATOR

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SCALE: 1:150 @ A1
 FIRST ISSUE DATE: 10/04/15
 PROPOSED STATUS: FOR PLANNING

DRAWING TITLE

Ebury Bridge Centre
East Elevation

PROJECT	ISSUER	TRADE	AREA	TYPE	LEVEL	SEQUENCE	REV
ECW/SRO	A31	ALL	ELV	SL	202053	B	



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ALL REVISIONS

Rev	DATE	REVISION HISTORY	Desg	Dwg	Chk	App
B	14/06/15	PLANNING APPLICATION SUBMISSION	SR	SR	SR	SR
A	10/04/15	STAGE 2 SUBMISSION	SR	SR	SR	SR

KEY PLAN

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ORIGINATOR

DRIVING TITLE

Ebury Bridge Centre
 South Elevation

SCALE
 1 : 150

BM FILE NAME
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FIRST ISSUE DATE
 10/04/15

PROPOSED STATUS
 FOR PLANNING

PROJECT	ISSUER	TRADE	AREA	TYPE	LEVEL	SEQUENCE	REV
ECW	SRO	A31	ALL	ELV	SL	202052	B

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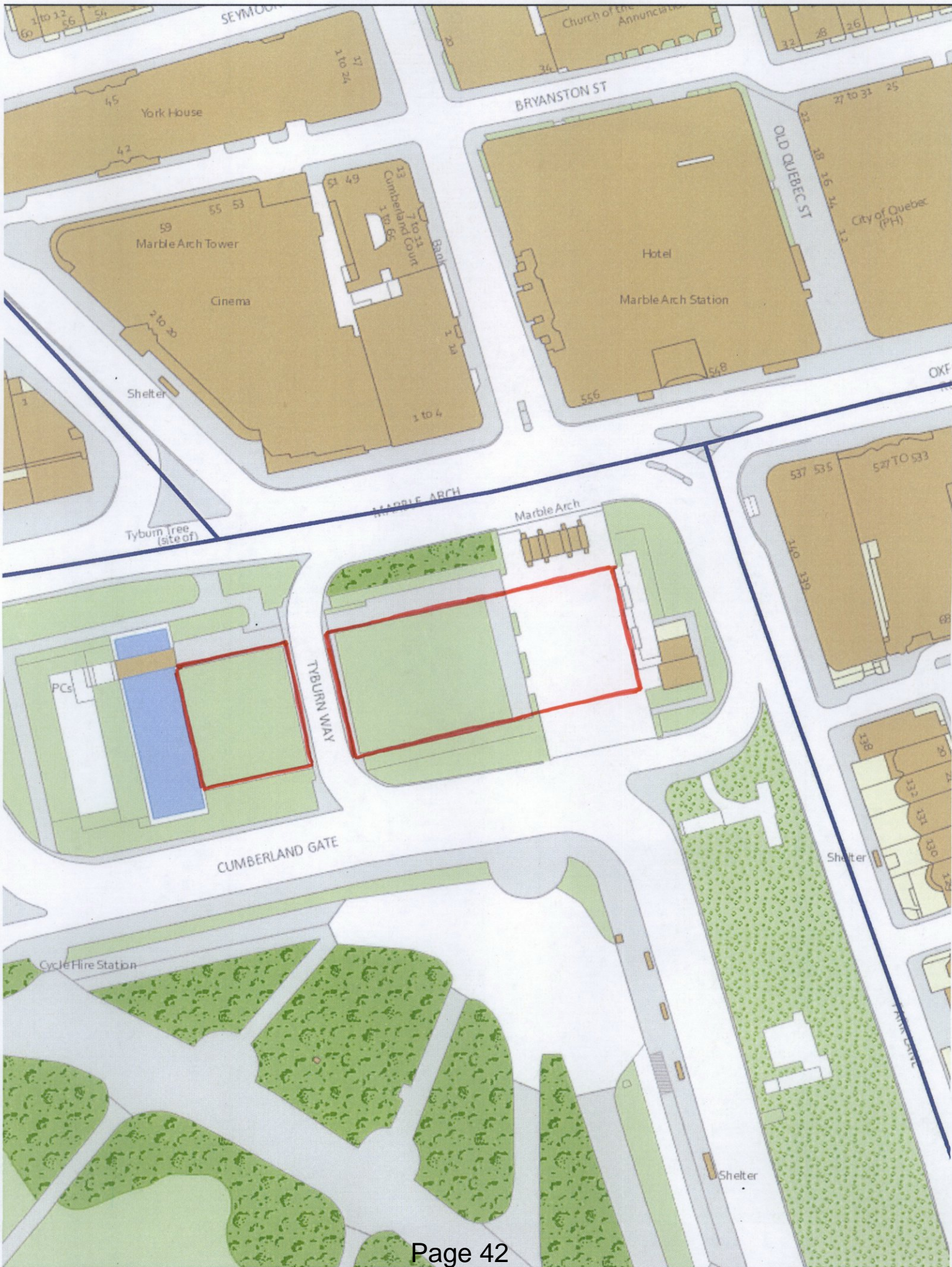
Agenda Item 2

Item No.
2

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 1 September 2015	Classification For General Release	
Report of Director of Planning		Wards involved Knightsbridge And Belgravia	
Subject of Report	Marble Arch, London, W1H 7DX		
Proposal	Use as a temporary Christmas event including structures and attractions (including food, drink and craft sales) between 1 December 2015 to 1 January 2016, 1 December 2016 to 1 January 2017, 1 December 2017 to 1 January 2018 (with set up and site clearance a week either side of the event), opening between 11.00 and 20.00 daily. (Council's Own Development)		
Agent	Wildstone Planning		
On behalf of	Westminster City Council		
Registered Number	15/04407/COFUL	TP / PP No	TP/21761
Date of Application	19.05.2015	Date amended/ completed	12.06.2015
Category of Application	Other		
Historic Building Grade	Grade I Listed Building		
Conservation Area	Royal Parks		
Development Plan Context - 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		
Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

Grant conditional permission under Regulation 3 of the Town and Country Planning General Regulations 1992.





2. SUMMARY

The application site comprises the traffic islands which are located at the western end of Oxford Street on its south side. Before the creation of the road traffic gyratory around the islands they were part of Hyde Park and still contain the Grade I listed Marble Arch monument, which is on the eastern island. The islands are largely open, containing planted gardens including many mature trees and with a paved piazza in front of the monument, are part of designated Metropolitan Open Land (MOL) and within the Royal Parks Conservation Area. At the time of writing the report there was a fairground wheel on the site, which does not require planning permission as it has permitted development for 28 days.

This is a Council's own application to allow use of the area of land on the eastern island for a temporary Christmas event with structures and attractions, including a maze and food, drink and craft sales, for a temporary period throughout each December for the next three years until 2018. A festive media screen associated with the event and installed on the western island has already been granted advertisement consent (in July 2015). The proposed dates for the use of the land for the Christmas event are between 1 December 2015 to 1 January 2016, 1 December 2016 to 1 January 2017, 1 December 2017 and 1 January 2018 (with set up and site clearance a week either side of the event). The hours of opening to members of the public will be between 11.00 and 20.00 daily.

The key issues are:

- The impact of structures associated with the temporary event on the character and setting of the Grade I listed Marble Arch and the Royal Parks Conservation Area.
- The impact of structures associated with the temporary event on the character of the setting of the Metropolitan Open Land (Hyde Park).
- The impact of the temporary event on the amenity of neighbouring occupiers.

The event area would be divided into three areas. Zone 1 contains the festive media screen which has been approved under a separate advertisement consent. Zone 2 will contain a maze measuring 20m x 15m. At the heart of the maze will be a 4.5m Christmas tree and a 'festive lodge' selling refreshments will be located at the entrance to the maze. Zone 3 would be located directly south of the Marble Arch and will house food, beverage and arts and crafts concessions within wooden street stalls.

There have been previous proposals for temporary events and structures on the Marble Arch traffic islands. In 2011 the City Council refused an application for temporary structures and ice rink arena which was proposed to promote the Sochi Winter Olympics. These proposals were significantly larger and bulkier than that currently proposed, consisting of two temporary pavilions up to 11.5m in height, a covered bridge across Tyburn Way and a 725 person seater ice arena covering 550m². It was also proposed to use the traffic island for a longer period than the current proposal, for six months from May until October.

In 2003 and 2004 the City Council granted permission for the use of the Marble Arch island for a temporary 10 week period for an ice rink. The proposals also involved a single storey restaurant building and an L-shaped single storey pavilion structure.

In design and land use terms the proposed event and its associated structures conflict with UDP Policy ENV14 which states "Planning permission will not be granted on or under Metropolitan Open Land unless the development is essential and ancillary to maintaining or enhancing the land as valuable open space..." There is also potential concern about the visual impact of the event on the setting of the Grade I listed Marble Arch, the character and

appearance of this part of the Royal Parks Conservation Area and whether it serves to protect or enhance that character and appearance and impact on Metropolitan Open Land.

Such a proposal, if proposed to be permanent or in situ for a long period of time, would be highly contentious and would normally be unacceptable in terms of the impact on the sensitive open setting. However, despite the impact of the proposed event on the Grade I listed Marble Arch, conservation area and Metropolitan Open Land, there is considered to be sufficient flexibility to allow the proposal given that it will be present for a comparatively short period of six weeks over the Christmas period, a time of year when such events are not unusual. With the exception of the Christmas tree at the centre of the maze (measuring 4.5m), it will comprise of comparatively modest sized structures which will limit the impact on the listed structure and conservation area, as opposed to a large single structure. In addition, the event is located in the busy north east corner of Hyde Park, at the junction between Oxford Street and Edgware Road, which will again limit the impact of the event. It is not, therefore, considered that the event will cause sustained harm to the character and appearance of this part of the Royal Parks Conservation Area or the Grade I listed Marble Arch.

In amenity terms, the applicant has advised that the event's opening hours will be 11.00-20.00 hours and that no amplified sound or live entertainment are proposed. There may be more noise during assembly and de-assembly one week either side of the event, but given the site's busy location at the junction between Edgware Road and Oxford Street it is considered unlikely that this will cause harm to neighbouring residents' amenity. A condition is recommended to require the submission of a noise report to demonstrate that generators and plant associated with the event will operate below background noise levels at any nearby residential property and that noise nuisance can be prevented. The applicant will also submit a noise management report.

The site is well located for public transport and there will be no parking on-site. At this stage detailed plans showing the layout of the maze, or the number and layout of the street stalls has not been provided. It is recommended that a condition is imposed which requires more detailed layout plans prior to any works commencing on site. This will allow the City Council to ensure that pedestrian movement from the pedestrian crossings to the north and south of Marble Arch and access to Marble Arch Underground Station are unhindered. The Highways Planning Manager has confirmed no objection to the proposal subject to receipt of satisfactory layout plans and the imposition of a condition requiring a detailed servicing management plan for the event.

Given that the proposed event is for a temporary period over a limited period of three years, it is considered that, subject to appropriate conditions, the proposals are acceptable in land use, transport, design and amenity terms.

3. CONSULTATIONS

HISTORIC ENGLAND

Flexible authorisation received.

MARYLEBONE ASSOCIATION

Objections to the temporary festive media screen (this has already been granted temporary advertisement consent).

In terms of the event itself, the proposed opening hours of 11.00-20.00 appear reasonable, however, it is unclear why operations generating excessive noise need to run from 07.00-22.00 (the hours proposed for assembly and de-assembly of the event) and if officers are minded to approve the application this should be reduced, for example 08.00-21.00.

TRANSPORT FOR LONDON

Any response to be reported verbally.

ENVIRONMENTAL HEALTH

No objection.

HIGHWAYS PLANNING MANAGER

No objection subject to the imposition of relevant conditions requiring further details regarding servicing and waste storage.

THE ROYAL PARKS

Any response to be reported verbally.

BAYSWATER RESIDENTS ASSOCIATION

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 495; Total No. of Replies: 0.

ADVERTISEMENT/SITE NOTICE: Yes

BACKGROUND PAPERS

1. Application form.
2. Comments from the Marylebone Association dated 14.7.2015.
3. Comments from Historic England dated 29.06.2015.
4. Memorandum from Environmental Health dated 09.07.2015.
5. Memorandum from Highways Planning Manager dated 18.08.2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT PAUL QUAYLE ON 020 7641 2547 OR BY E-MAIL pquayle@westminster.gov.uk

DRAFT DECISION LETTER

Address: Marble Arch, London, W1H 7DX

Proposal: Use as a temporary Christmas event including structures and attractions (including food, drink and craft sales) between 1 December 2015 to 1 January 2016, 1 December 2016 to 1 January 2017, 1 December 2017 to 1 January 2018 (with set up and site clearance a week either side of the event), opening between 11.00 and 20.00 daily. (Council's Own Development)

Plan Nos: 3007/PP/01; 3007/PP/02; 3007/PP/03; 3007/PP/10; 3007/PP/11; Installation and Operation Management Statement.

Case Officer: Billy Pattison

Direct Tel. No. 020 7641 3267

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 The temporary Christmas event allowed by this permission shall only be open to the public between 01 December 2015 to 1 January 2016, 01 December 2016 to 1 January 2017, 01 December 2017 and 1 January 2018. The structures associated with the temporary event can be erected from one week before the event opens to the public and shall be removed within one week of the event closing to the public. You must then return the land to its previous condition and use.

Reason:

The use is not as set out in DES1, DES5, DES9, DES12, DES15 and ENV14 of our Unitary Development Plan that we adopted in January 2007. Use for more than a limited period would be harmful to the objectives of the Plan. (R03AB)

- 4 You must not open the Christmas event to customers outside the following times: between 11.00 and 20.00 hours.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29

of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 5 No music shall be played at any times.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 6 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 7 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and 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. (R13AC)

- 7 (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 the 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.

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

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)

- 9 The land shall be reinstated to its condition prior to the development taking place, including any replacement planting, within one month of the event closing to the public each year.

Reason:

To safeguard the setting of the adjacent Grade I listed building, the openness of Metropolitan Open Land and to preserve the character and appearance of the Royal Parks Conservation Area as set out S25 and CS 28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 9, DES10, DES 12 and ENV 14 of our Unitary Development Plan that we adopted in January 2007.

- 10 Before any work begins each year we must approve detailed drawings at a scale of 1:100 of the layout of both Zone 2 and Zone 3, and detailed drawings at a scale of 1:50 of the elevations of all structures. You must then ensure that the event is installed in accordance with the approved layout plans and structures for that year and retained as such until the event is disassembled.

Reason:

In the interests of public safety and to avoid obstructing pedestrians as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TACE 11 of our Unitary Development Plan that we adopted in January 2007. (R25AC)

- 11 You must apply to us for approval of details of a noise management plan demonstrating how you will manage noise levels at the event responsibly to minimise disruption to local residents and businesses. You must not open the event to members of the public until we have approved what you have sent us. The event shall then be managed in accordance with the approved report.

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)

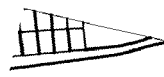
- 12 Prior to the occupation of the development, you shall submit and have approved in writing by the local planning authority, a detailed servicing management strategy for the Christmas event. All servicing shall be undertaken in accordance with the approved strategy unless otherwise agreed in writing by the local planning authority.

Reason:

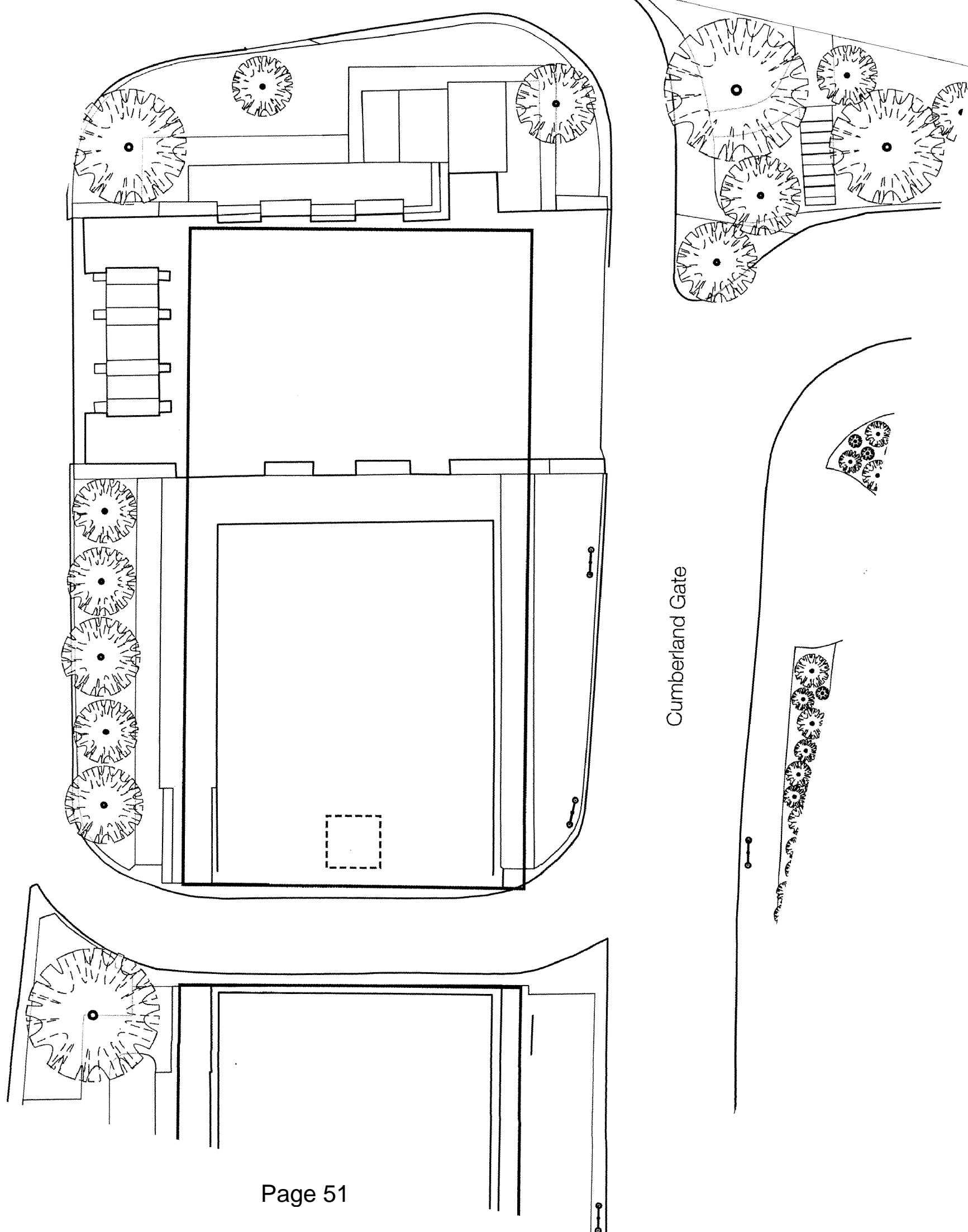
To ensure that the servicing facility operates as designed and does not impact on the safety or operation of the highway as required by Policy TRANS 20 of our Unitary Development Plan that we adopted in January 2007.

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.



Park Lane



Park Lane



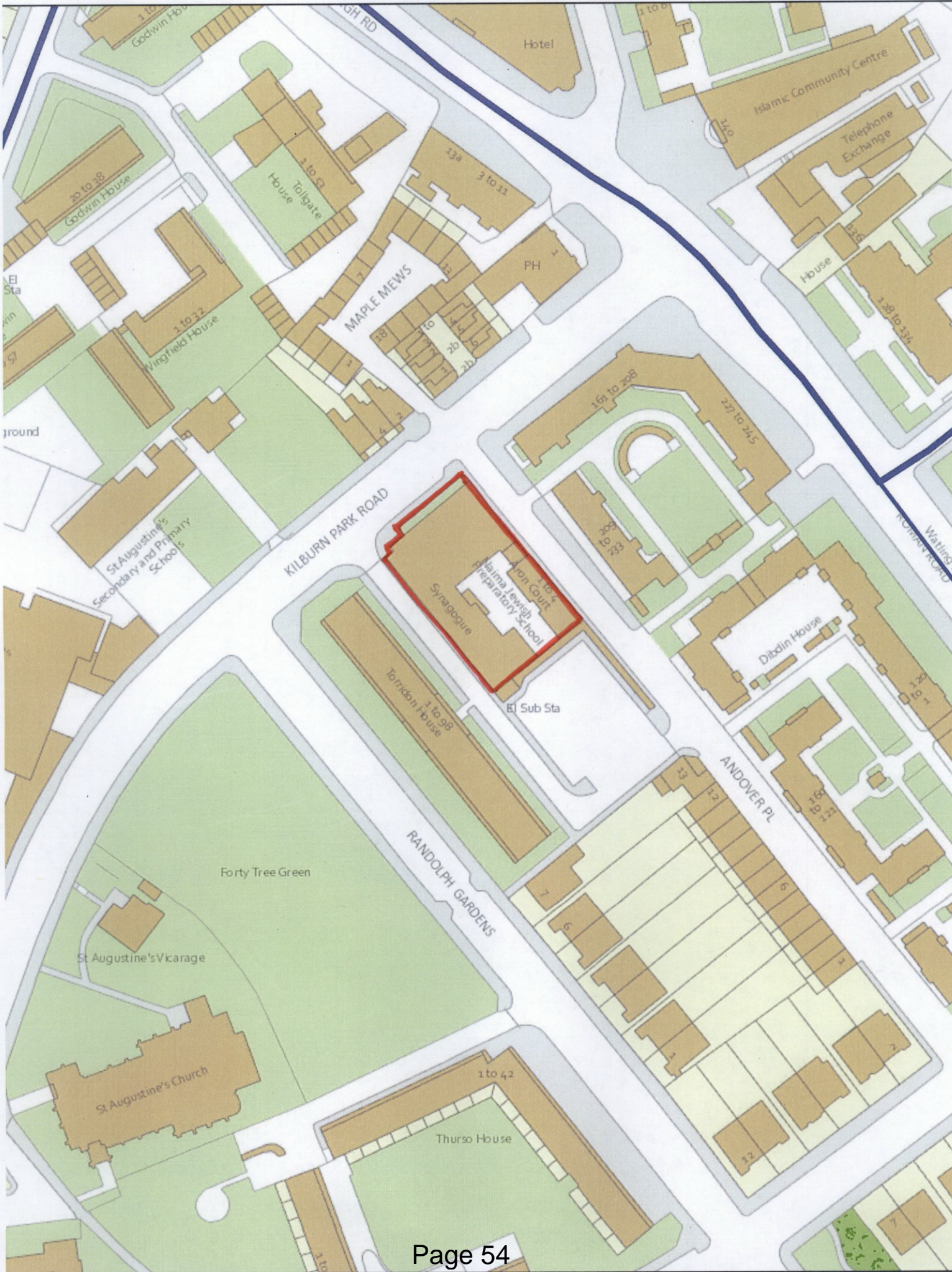
Agenda Item 3

Item No.
3

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 1 September 2015	Classification For General Release	
Report of Director of Planning	Wards involved Maida Vale		
Subject of Report	21 Andover Place, London, NW6 5ED		
Proposal	Installation of roof extension to school building to create additional play space and ancillary accommodation with mechanical plant.		
Agent	Ed Toovey Architects		
On behalf of	Naima JPS		
Registered Number	15/04397/FULL	TP / PP No	TP/2063
Date of Application	18.05.2015	Date completed	18.05.2015
Category of Application	Minor		
Historic Building Grade	Unlisted		
Conservation Area	Outside Conservation Area		
Development Plan Context - 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		
Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

Grant conditional permission.





21 ANDOVER PLACE, NW6
Page 55

Item No.
3

2. SUMMARY

The application site is an unlisted Jewish Preparatory School and Synagogue, located on the east side of Kilburn Park Road on the corner of Andover Place and outside of a conservation area. The proposal seeks approval for the construction of a roof extension to accommodate a covered play space, and additional storage and WC's. The applicant has stated that there will be no increase in the number of pupils as a result of the proposal.

Permission was granted by the Planning Applications Committee on 9 October 2012 (12/05713/FULL) for a roof extension of a "squared" form in the same location. A further application for a roof extension with a curved roof form was refused by the Planning Applications Committee on 16 December 2014 (14/04737/FULL) on design grounds. An appeal has been made against this refusal but has yet to be determined. The current proposal differs from the refused scheme in that it creates a symmetrical central bay with subservient side wings and uses standing seam zinc as the principal facing material. The current application involves only a minor change in floorspace created, a reduction of 6m² compared to the 2012 approved scheme.

The key issues are:

- The impact of the proposal on the amenity of neighbouring residents.
- The impact of the proposal on the building and the area in design terms.

The NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools. Although the proposal does not involve an expansion in school places it does involve the alteration and expansion of facilities. It is considered that the new amended proposal now addresses the earlier design concerns and it is recommended that conditional approval is granted.

3. CONSULTATIONS

PADDINGTON WATERWAYS AND MAIDA VALE SOCIETY
Any comments to be reported verbally.

HIGHWAYS PLANNING MANAGER
No objection.

ENVIRONMENTAL HEALTH
No objection subject to conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS:
No. Consulted: 212; Total No. of Replies: 0.

ADVERTISEMENT/SITE NOTICE: Yes

4. BACKGROUND INFORMATION

4.1 The Application Site

The application site is a Jewish Preparatory School and Synagogue (D1 use) occupying a rectangular site bounded by Kilburn Park Road to the north, Andover Place to the east and a

service road that serves Torridon House, a block of flats, to the west. The site is not listed and does not lie within a conservation area.

4.2 Planning History

Planning permission was granted by the Planning Applications Sub-Committee on 9 October 2012 for the erection of a roof extension of the existing school buildings to create additional classrooms and covered play space (RN:12/05713/FULL).

Planning permission was refused by the Planning Applications Committee on 16 December 2014 for the installation of a roof extension to school building to create additional indoor play space with associated mechanical plant on the grounds of the poor design of the proposal. An appeal has been made against this refusal but has yet to be determined by the Planning Inspectorate.

5. THE APPLICATION

Planning permission is sought for the installation of a roof extension to the school building to create additional indoor play space with associated mechanical plant, which seeks to overcome the earlier reason for refusal.

6. DETAILED CONSIDERATIONS

6.1 Land Use

The proposed new internal play space (481m²) will enhance the existing facilities on offer to pupils, and there will be no increase in the overall number of pupils. There are no objections in land use terms to this proposal and it is in accordance with Policies SOC1 and SOC4 in the Unitary Development Plan (UDP) and S34 in the City Plan, which encourage the provision of new and enhanced educational facilities.

The applicant has stated that there will be no increase in the amount of children attending the school as a result of the proposal. This could be controlled by condition and would address previous concerns raised by neighbouring residents that the proposed enlargement of the school building would lead to intensification of the site.

The previous permission included a condition that the enclosed play space should not be used outside of the hours 08.30 and 19.00 hours unless all windows serving the play space are closed. It is recommended that same condition could be attached to minimise noise disturbance

6.2 Townscape and Design

The existing school building is an undistinguished design in brick and pre-cast concrete. There are no listed buildings in the immediate vicinity and the site lies outside a conservation area, although the Maida Vale Conservation Area lies close by to the south. The surrounding urban context is varied in both scale and architectural style. Immediately to the south west is an 11 storey modern block of flats, while adjoining to the north east is a five storey block of flats with a mansard pitched roof form. To the north west, on the other side of Kilburn Park Road, is a four storey above basement period stucco building.

The two storey school building is considerably lower than its immediate neighbours and the surrounding townscape in general. As such, the extension to the building to introduce greater height does not have any adverse impact on the surrounding townscape and could be

considered as bringing a more acceptable scale of development to this part of the street scene. There is no design objection to the principle of extending the height of this building.

In the scheme approved in 2012 the architectural approach for the extension was considered to provide a coherent and logical extension to the building without extending the current aesthetic of brick and concrete panels, and without replicating the architectural expression of the original building.

The current proposal differs from the approved scheme, in that it introduces a curved roof extension, with side wings to the extension along the east and west elevation which have a pitched roof. This design has developed in order to bring about the desired internal layout for the school. The principal facing material will be a standing seam zinc which will cover the main curved roof and the side wings. The zinc will be pre-patinated to give it an already weathered and natural appearance. The windows will be polyester powder coated aluminium frames.

As with the previously approved scheme, the proposed extension is considered to successfully complement the form and modelling of the original building (which itself is to be refurbished). While the curved roof form will have a striking and assertive visual impact, it is considered that the proposal will have an overall architectural integrity and in the context of a varied townscape, the design is considered acceptable. Furthermore, the use of a standing seam zinc facing material is durable and appropriate as a roofing material which will enhance the overall design.

The proposal is considered to accord with design Policies DES 1 and DES 6 of our UDP and S28 of our City Plan.

6.3 Amenity

6.3.1 Daylight and Sunlight and Sense of Enclosure

The applicant has submitted a Daylight and Sunlight Report in support of their application. The report assesses the impact of the development on Dibdin House, Torridon House and within 1-10 Vale Side House. Torridon House is located 13m from the proposed extension, Dibdin House is 10m away, and the Kilburn Park Road properties opposite are 22m away.

The applicant's Daylight and Sunlight Report concludes that the proposed development would not result in any significant loss of daylight or sunlight to surrounding residential properties and the proposal would accord with Policy ENV13 in the UDP and Policy S29 in the City Plan on this basis.

Although the roof extension will inevitably change the outlook from some neighbouring properties, it is not considered that the impact would result in a material increase in sense of enclosure. As such, the proposal would accord with Policy ENV13 in the UDP and S29 in the City Plan.

6.3.2 Overlooking

All windows proposed in the roof extension which could facilitate overlooking (on the north elevation) are shown as frosted glass. Openable windows and the upper section of glazing are proposed at high level to the south and north elevations, however, it is not considered that this would result in overlooking and the objections to the proposal on this ground are therefore not considered sustainable. Policies ENV13 in the UDP and S29 in the City Plan are satisfied.

Item No.
3

6.3.3 Noise Disturbance of Activity

The proposed play space would be enclosed, albeit with openable windows to allow for ventilation, and therefore noise from the use of this space by children will be limited.

The school intends that the local community and sports groups will be able to use the indoor play space out of school hours and this is generally encouraged under Policies SOC7 and S34. However, in order to mitigate any noise disturbance during evenings and weekends, it is considered that a condition should be placed on the permission to restrict the use outside of school hours to only take place when the windows of the play space are shut.

6.3.4 Noise Disturbance from Plant

The mechanical plant proposed is internal to the building and will exhaust through louvred panels on the north, south and east elevations. An acoustic report regarding the proposed plant was submitted during the course of the application and further consultation took place. Environmental Health have assessed this and have no objection to the proposal provided the standard noise conditions are attached to any planning permission granted.

6.4 Transportation/Parking

It is not intended that the number of children attending the school will increase as a result of the proposal and on this basis the Highways Planning Manager does not consider that the development would have any significant highway or transportation implications.

6.5 Economic Considerations

None relevant.

6.6 Access

No alterations are proposed to the current vehicle and pedestrian access arrangements to the school. It is proposed to extend lift access up to the new roof extension to provide level access to the new internal floorspace. As such, the proposal is acceptable in access terms and accords with Policy DES1 in the UDP.

6.7 London Plan

Policy 3.18 in the London Plan 2011 states that ‘proposals which enhance education and skills provision will be supported, including new build, expansion of existing facilities or change of use to educational purposes’. As such, it is considered that the proposed development is in accordance with the London Plan 2011.

6.8 National Planning Policy 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

The proposed development is of insufficient scale to generate a requirement to provide planning obligations.

6.10 Environmental Assessment including Sustainability and Biodiversity Issues

It is regrettable that the development does not incorporate sustainable or biodiversity features (e.g. green roofs or photovoltaic panels). However, no such features were included in the scheme approved in 2012. The requirement for the extension to comply with the latest Building Regulations would improve the school's overall thermal performance relative to that of the existing school.

6.11 Other Issues

Although not generally required for such developments, a Construction Management Plan has been submitted with the application. It intends that construction and delivery vehicles will service the site from Kilburn Park Road. This is the logical location due to the wider width of this road and the greater distance from neighbouring properties when compared with Andover Place and Torridon House. Licenses for any works that impact on the highway will need to be agreed with Highways Licensing prior to their implementation.

7. CONCLUSION

The NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools. Although the proposal does not involve an expansion in school places it does involve the creation of additional facilities and this latest design is considered to be an improvement which now overcomes the earlier reason for refusal.

BACKGROUND PAPERS

1. Application form.
2. Memorandum from Highways Planning Manager dated 9.06.15.
3. Memorandum from Environmental Health dated 12.06.15.
4. Copy of previous permission.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT AMANDA COULSON ON 020 7641 2875 OR BY E-MAIL – acoulson@westminster.gov.uk

DRAFT DECISION LETTER

Address: 21 Andover Place, London, NW6 5ED

Proposal: Installation of roof extension to school building to create additional play space and ancillary accommodation with mechanical plant.

Plan Nos: 1124B/GL/001; 1124B/GA/001; 1124B/GA/002; 1124B/GA/003; 1124B/GA/011; 1124B/GA/012; 1124B/GA/014; 1124B/GA/015; 1124B/GA/016; 1124B/GE/001; 1124B/GE/002; 1124B/GE/003; 1124B/GE/004; 1124B/GE/011; 1124B/GE/012; 1124B/GE/013; 1124B/GE/014; 1124B/GL/002; 1124B/GS/001; 1124B/GS/002; 1124B/GS/003; 1124B/GS/011; 1124B/GS/012; 1124B/GS/013; Design and Access Statement; Daylight and Sunlight Report; Acoustic Report; Construction Management Plan.

Case Officer: Richard Langston

Direct Tel. No. 020 7641 7923

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 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.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 4 of our Unitary Development

Plan that we adopted in January 2007. (R26CD)

- 4 You must apply to us for approval of detailed drawings of the following parts of the development - typical windows and rooflights. 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 drawings.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

- 5 The number of pupils on the school premises shall be limited to not more than 180 pupils at any one time.

Reason:

In order to safeguard the amenities of neighbouring residents and the area in general as set out in S29 and CS32 of our City Plan that we adopted in November 2013 and ENV6 and ENV13 of our Unitary Development Plan that we adopted in January 2007.

- 6 The enclosed play space at second floor level hereby approved shall not be used outside of the hours of 08:30 and 19:00 hours unless all windows serving the play space are closed and maintained closed for the duration of the use of the play space.

Reason:

In order to safeguard the amenities of neighbouring residents and the area in general as set out in S29 and CS32 of our City Plan that we adopted in November 2013 and ENV6 and ENV13 of our Unitary Development Plan that we adopted in January 2007.

- 7 You must then carry out the development in accordance with the approved Construction Management Plan.

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.

- 8 The glass that you put in the bottom sections of the glazing on the Kilburn Park Road elevation and the glazing on the Andover Place and west elevation of the second floor level play space must not be clear glass, and, notwithstanding the window configurations shown on the submitted drawings, you must fix the obscure glazed windows on the east and west elevations permanently shut. 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.

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)

- 9 (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.

- 10 The plant/machinery hereby permitted shall not be operated except between 07.00 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.

- 11 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.

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 need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)

- 3 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 4 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 5 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 6 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

24 Hour Noise Team
Environmental Health Service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

- 7 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:

* Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the

hazard arising be reduced to a safe level if avoidance is not possible;

* This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

- 8 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained.
- Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following:
- * Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings;
 - * Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase;
 - * Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained;
 - * Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the centre of particularly wide staircases where necessary;
 - * Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.
- 9 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.
- * Window cleaning - where possible, install windows that can be cleaned safely from within the building.
 - * Internal atria - design these spaces so that glazing can be safely cleaned and maintained.
 - * Lighting - ensure luminaires can be safely accessed for replacement.
 - * Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).
- More guidance can be found on the Health and Safety Executive website at

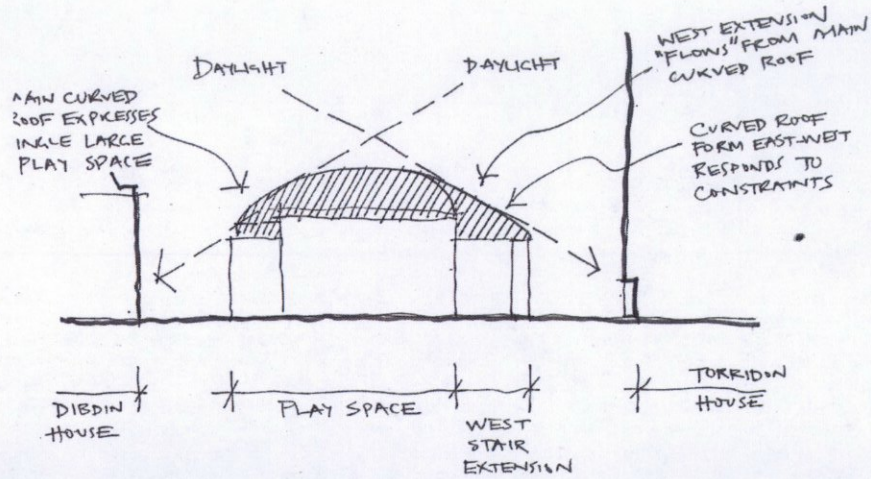
www.hse.gov.uk/falls/index.htm.

Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (180CB)

- 10 You are advised of the need to vary Condition 7 if you change the approved Construction Management Plan .

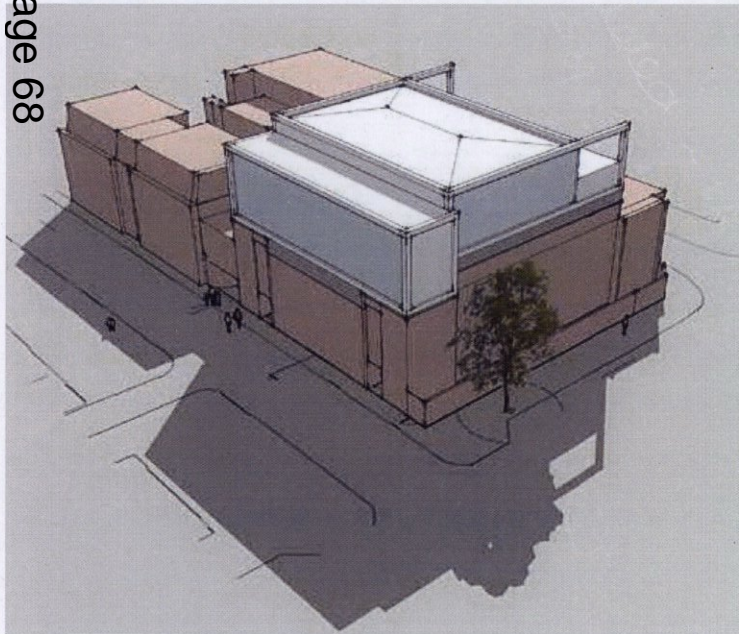
Previous schemes - refused
(subject to appeal)

Design process: design

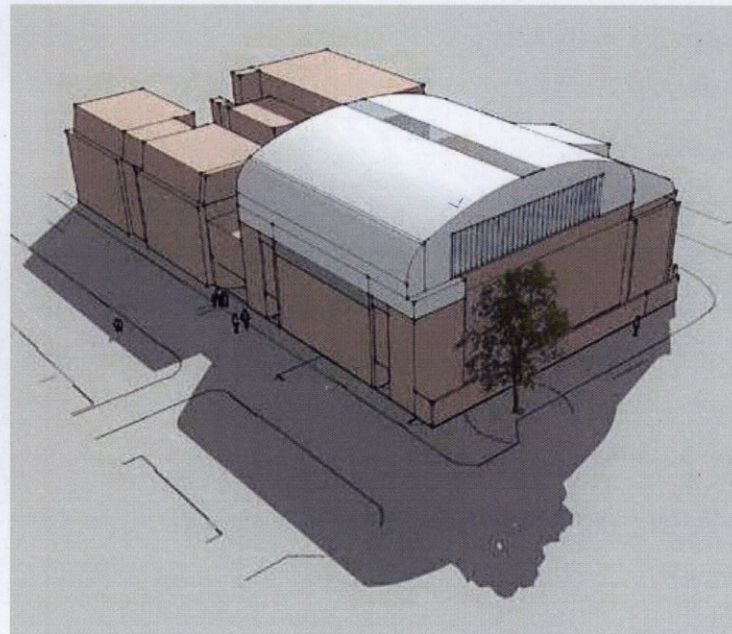


Early sketch section of the new proposal

Page 68



Consented scheme: 3D massing model from north-east 9 Oct 2012



This design proposal: 3D massing model from north-east
REFUSED SCHEME (16 DECEMBER 2014)

A new start

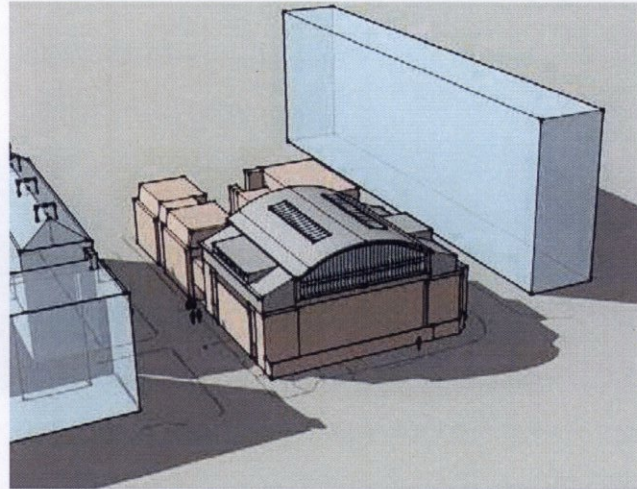
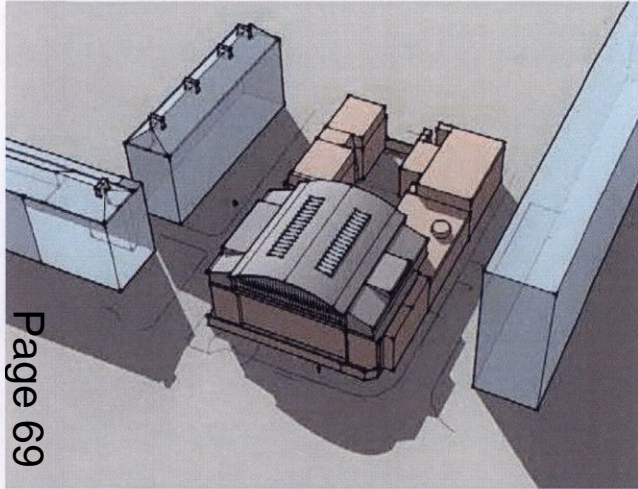
The conclusion from this process was that the requirements could better generate a new design that avoided the compromises of adapting the 'consented scheme'.

The opportunity was there to shape the form to respond to daylighting requirements at the same time.

The result was the curved roof form to the main play space, expressing the single School community area under one embracing, sheltering roof, with the west extension to accommodate the stair and lift connection under a roof that 'peels off' the main roof, still curving downward.

This design directly addresses the site constraints, while offering the School a dramatic but sensitive large play space on the second floor, while linking down well to the lower levels and the main School stair.

Appearance: massing

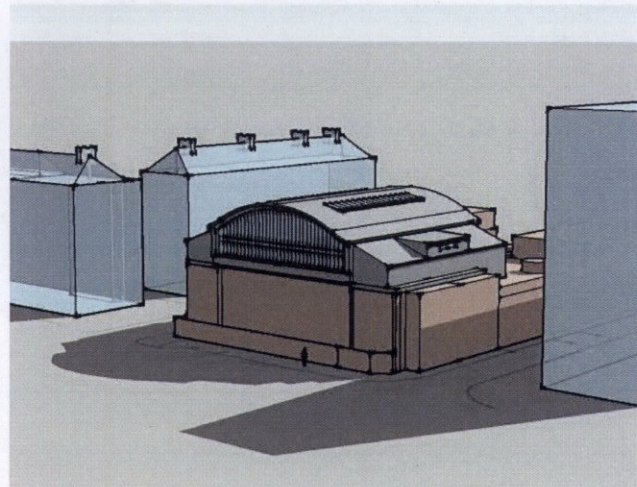
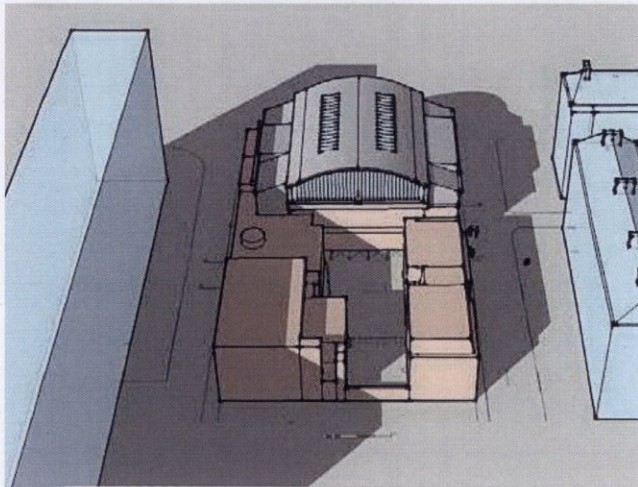


The illustrations show the 3D Concept massing model with the proposed extension, seen against Dibden House to the east, and Torridon House to the west.

The massing model shows how the curved roof form provides a subtle, graceful conclusion to the roof, while the side wings to east and west are clearly differentiated with their pitched roofs.

The gutters to the main curved roof are continuous front to back, which clearly separates the forms of primary and secondary spaces.

It also shows how the intention to bring the eaves down from the consented scheme to east and west significantly has been realised.

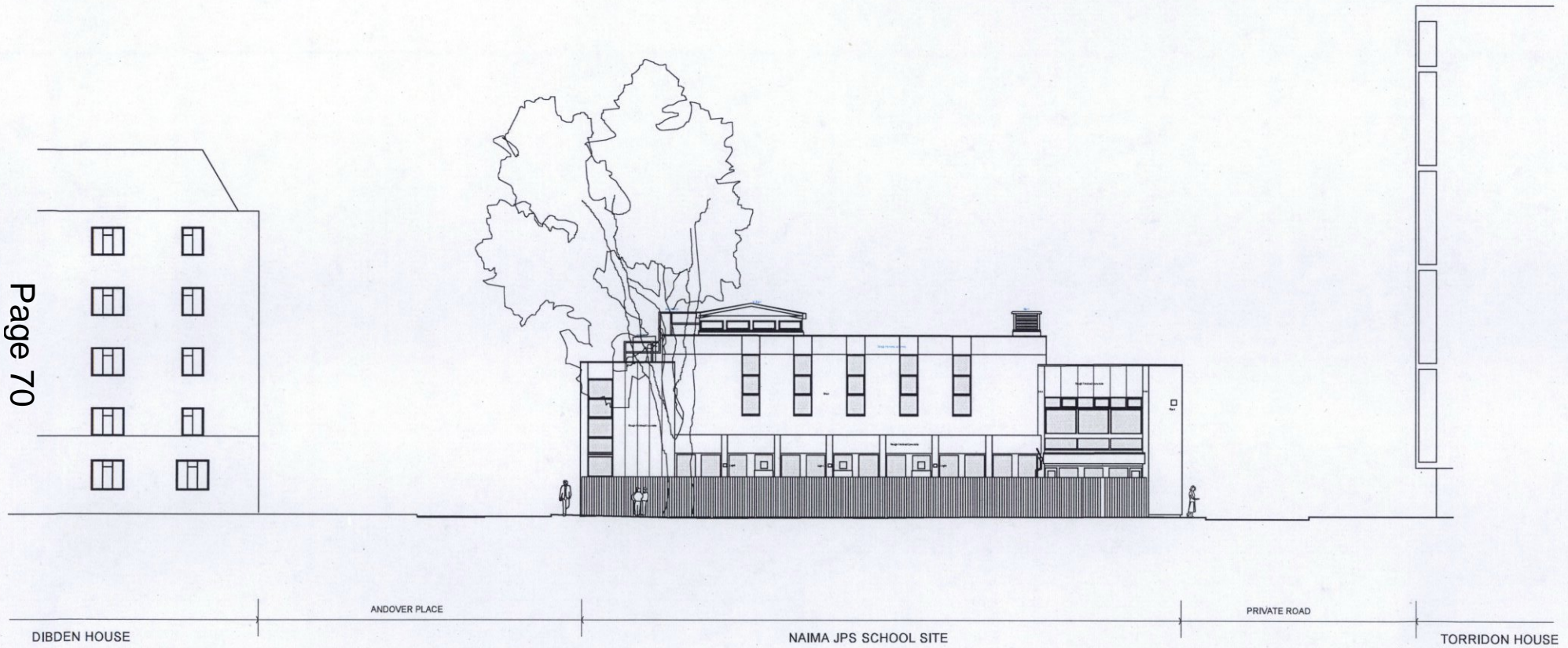


The consistent zinc material reinforces the clarity of this proposal as a roof "studio" extension.

At the public consultation neighbours commented that the existing building appearance could also be improved. As a result of this consultation the proposed construction works project will now also include cleaning of brickwork and concrete, and repainting of key elements of the existing building fabric so that the whole building is enhanced by these proposals.

Existing materials

- Wall finishes: Concrete panels, fair-face dark brown brickwork, painted rendered masonry
- Roof finishes: Flat felt roofing
- Windows/rooflight: Metal glazing systems with single glazed units
- Glazing: Clear glass
- Rainwater goods: Concealed gutters and internal downpipes
- Louvers: Painted metal louvres



NORTH ELEVATION EXISTING

0 2 4 6 8 10 M

ed tooveyarchitects

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london n1 7sh
07880 725763
edttoovey@yahoo.co.uk

Revisions:

PLANNING ISSUE

Rev

Naima JPS Roof Extension Project

Elevation North Existing

April 2015

Drwg No. 1124B /GE / 001 -

Scale 1:200 @ A3

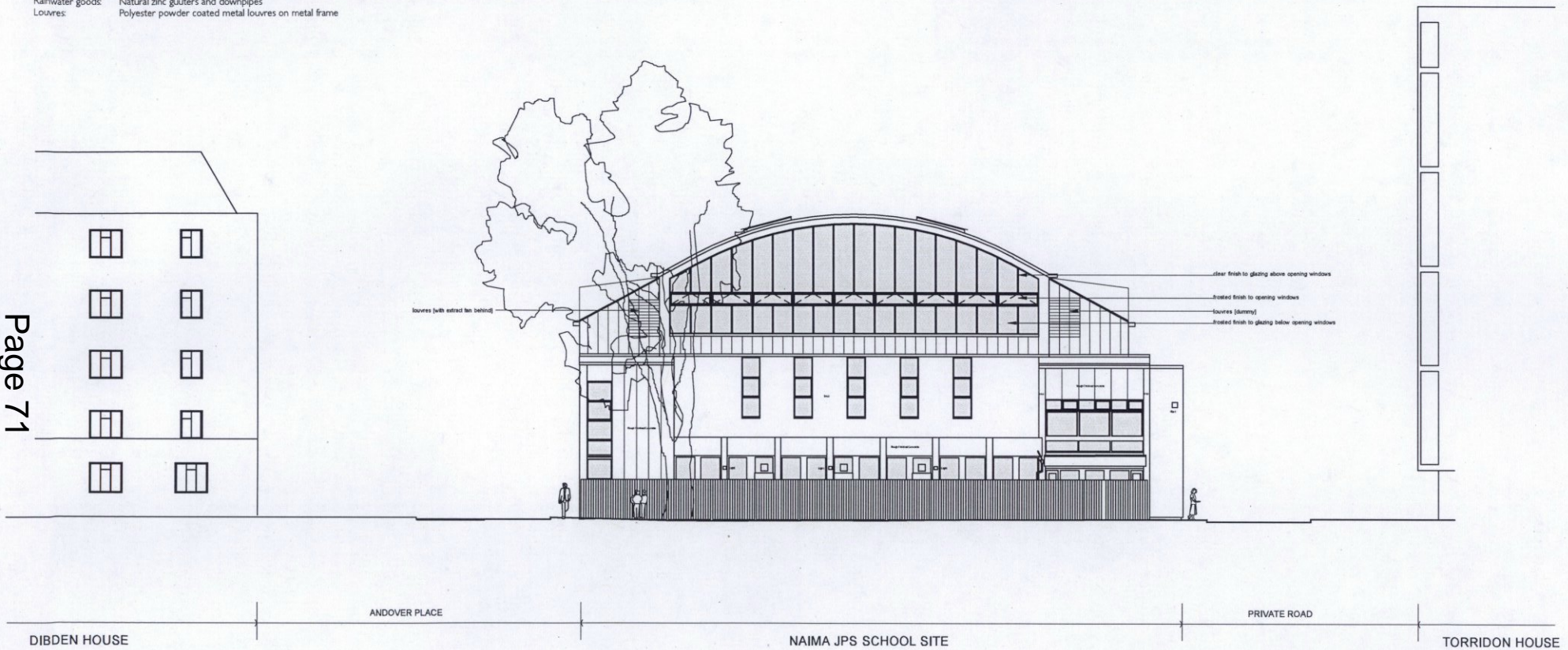
Existing materials

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- Clazing: Clear glass
- Rainwater goods: Concealed gutters and internal downpipes
- Louvers: Painted metal louvers

Proposed materials for roof extension:

- Wall finishes: Standing seam natural zinc cladding
- Roof finishes: Standing seam natural zinc cladding
- Windows: Polyester powder coated aluminium framing with clear / translucent glass
- Rooflights: Polyester powder coated aluminium framing with clear/translucent glass
- Rainwater goods: Natural zinc gutters and downpipes
- Louvers: Polyester powder coated metal louvers on metal frame

Page 71



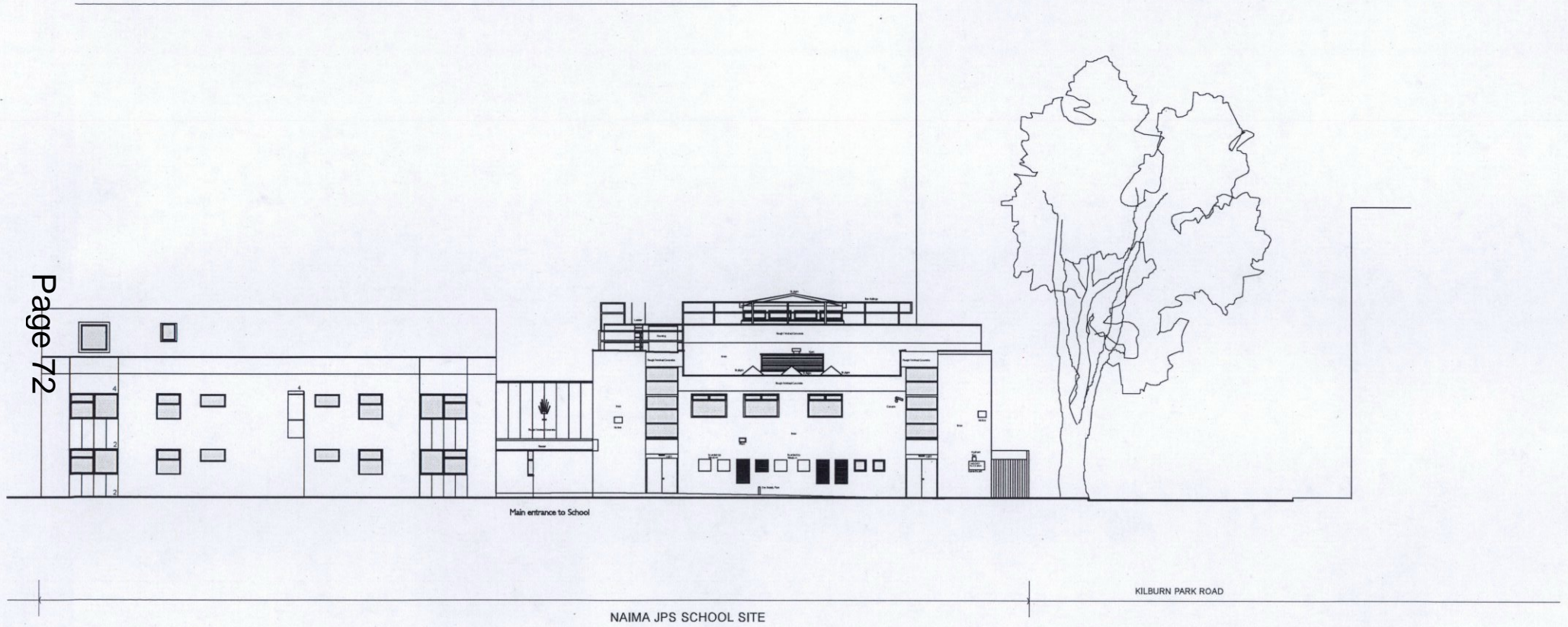
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<p>ed toovey architects</p> <p>studio 401 royle building 31 wenlock road london n1 7sh 07880 725763 edtoovey@yahoo.co.uk</p>	<p>Revisions:</p> <p>PLANNING ISSUE</p> <p>Rev</p>	<p>- Do not scale - Always take site measurements to verify dimensions - Refer to M&E Engineers drawings for all services</p>	<p>Naima JPS Roof Extension Project</p> <p>Elevation North Proposed</p> <p>April 2015</p> <p>Drwg No. 1124B /GE / 011 -</p> <p>Scale 1:200 @ A3</p>
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Existing materials:

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- Roof finishes: Flat felt roofing
- Windows/rooftlight: Metal glazing systems with single glazed units
- Glazing: Clear glass
- Rainwater goods: Concealed gutters and internal downpipes
- Louvers: Painted metal louvers

Page 72



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Revisions:

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- Do not scale
- Always take site measurements to verify dimensions
- Refer to M&E Engineers drawings for all services

Naima JPS Roof Extension Project

Elevation East Existing

April 2015

Drwg No. 1124B /GE / 003 -

Scale 1:200 @ A3

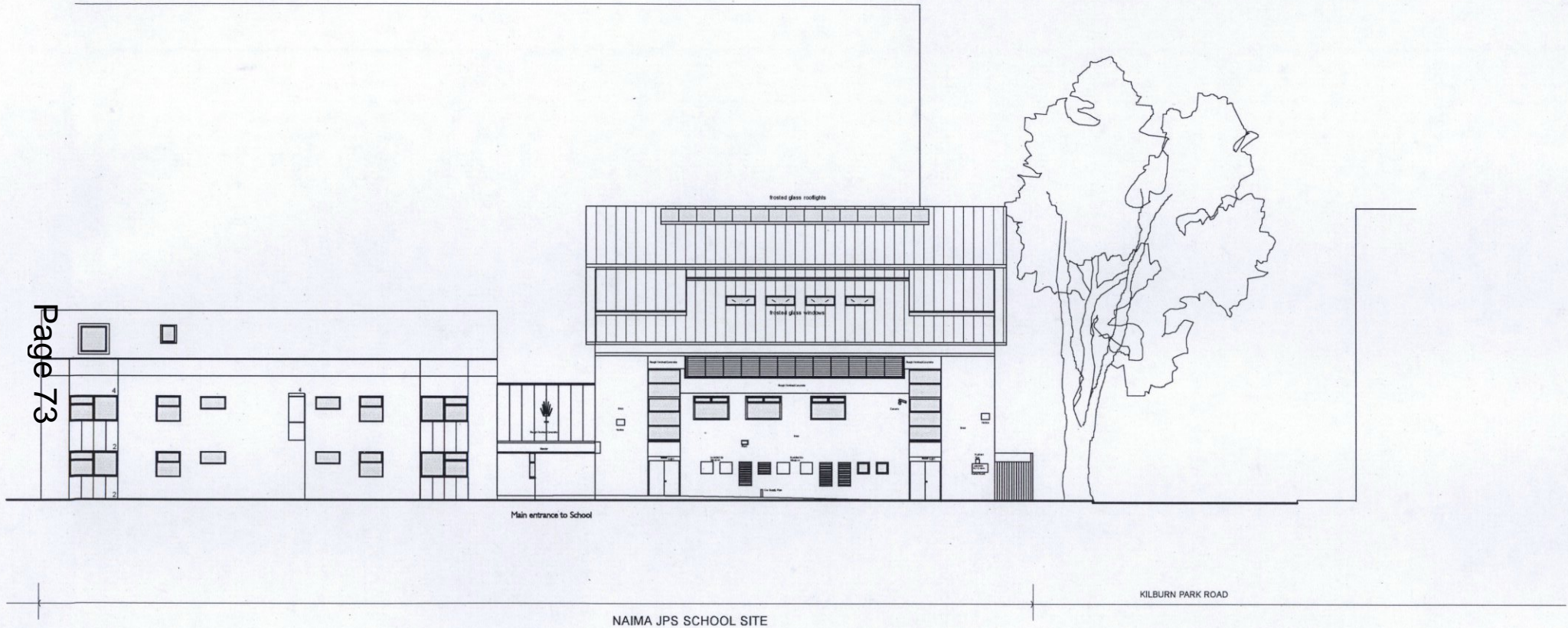
Existing materials:

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- Louvers: Polyester powder coated metal louvers on metal frame

Page 73



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Revisions:

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- Do not scale
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Naima JPS Roof Extension Project

Elevation East Proposed

April 2015

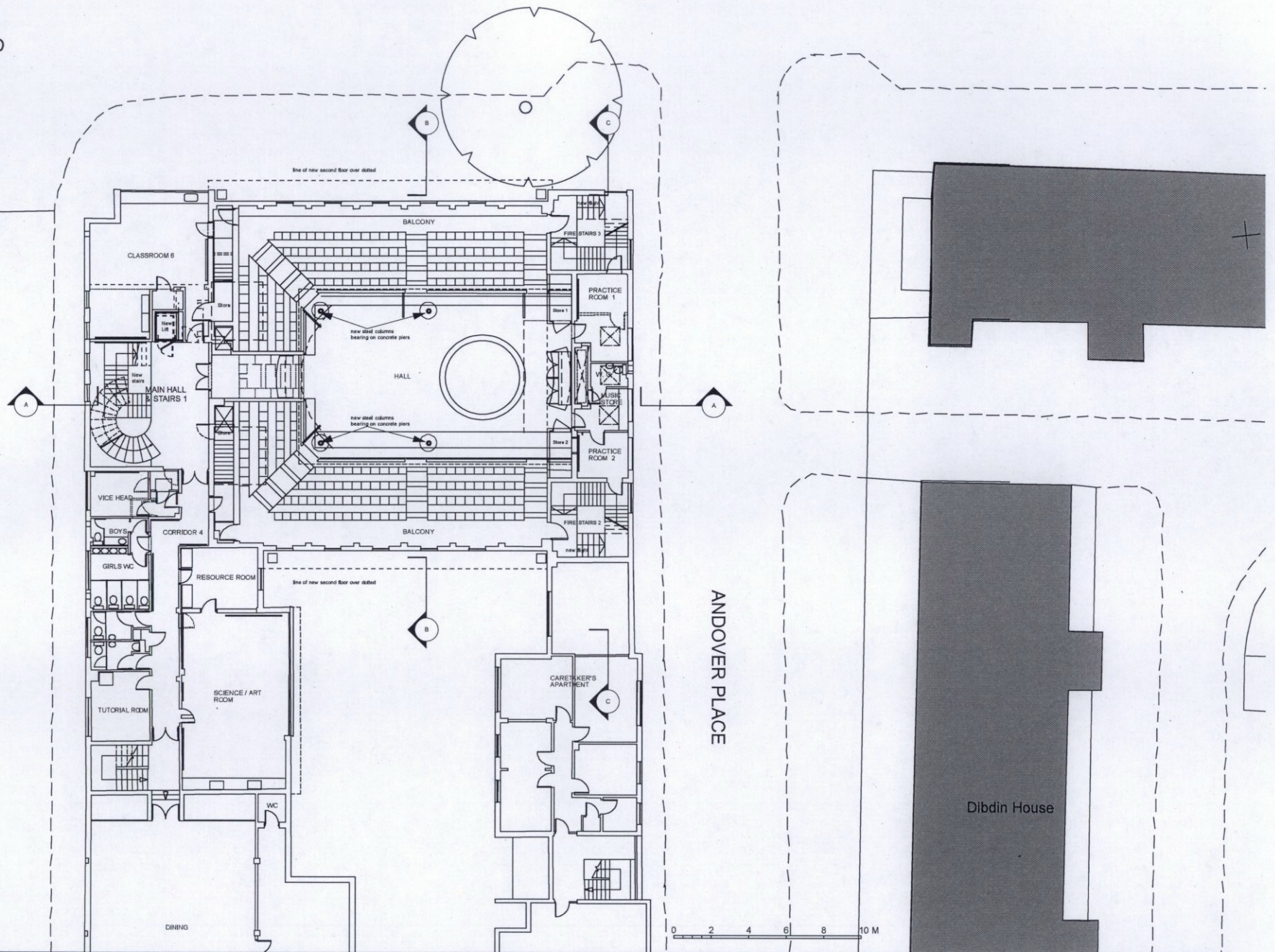
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Scale 1:200 @ A3

KILBURN PARK ROAD

Page 74

Torrordon House



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Revisions:

PLANNING ISSUE

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Naima JPS Roof Extension Project

First Floor Plan Proposed

April 2015

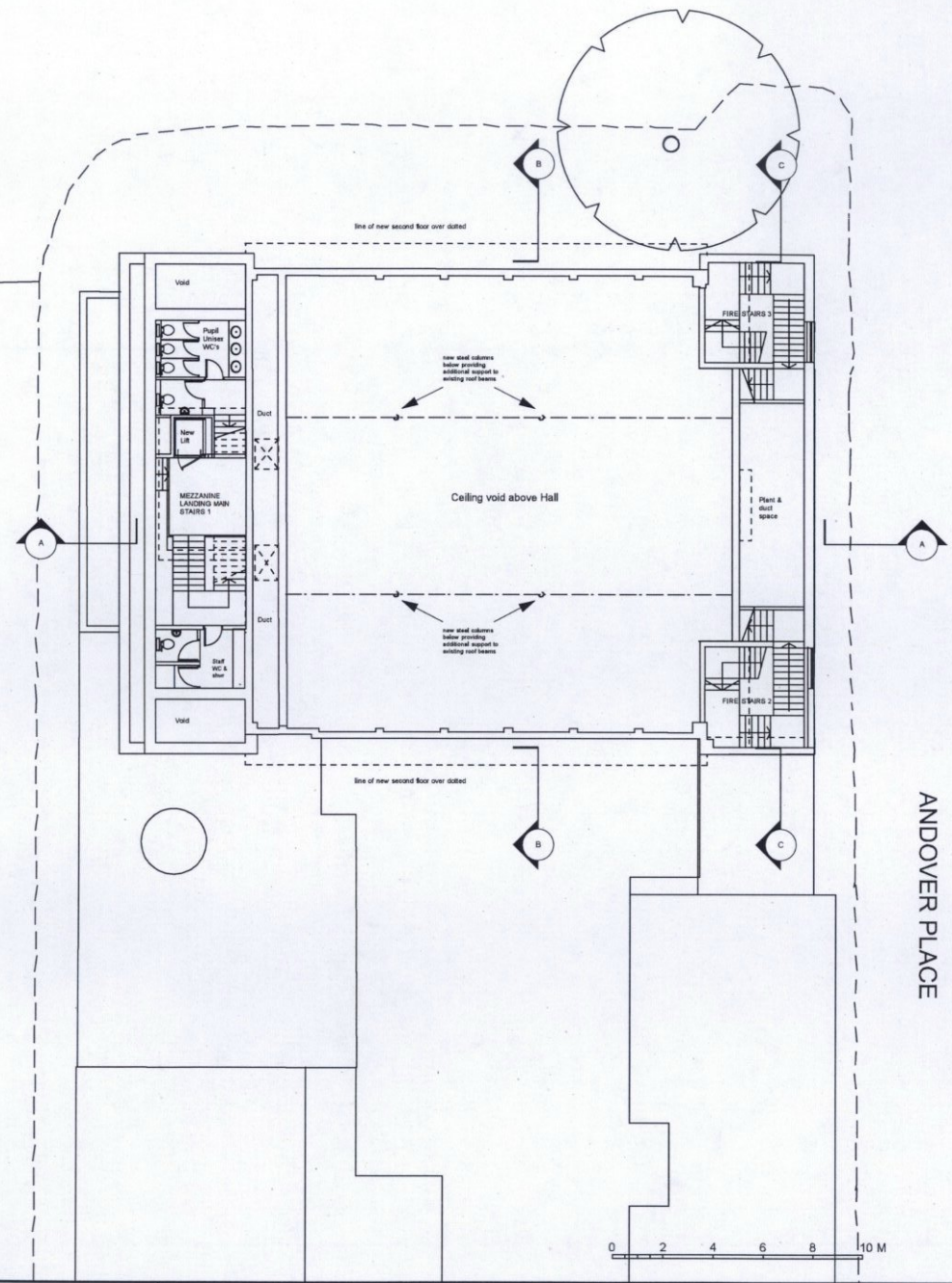
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KILBURN PARK ROAD

Page 75

Torridon House



ANDOVER PLACE

DIBDIN HOUSE

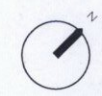
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Revisions:

PLANNING ISSUE

Rev



Naima JPS Roof Extension Project

Mezzanine Plan Proposed

April 2015

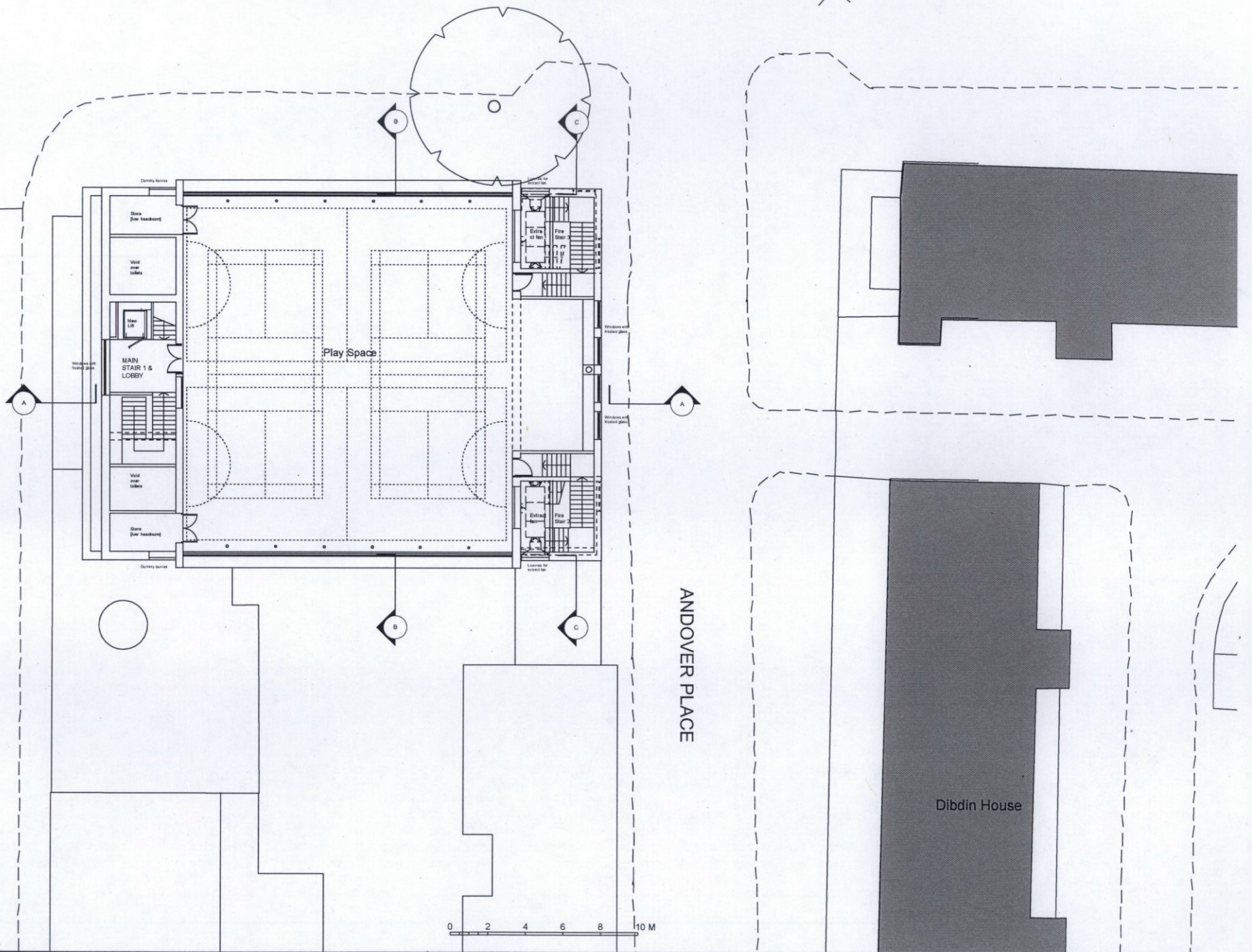
Drwg No. 1124B/GA/014 -

Scale 1:200 @ A3

KILBURN PARK ROAD

Page 76

Torridon House



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Revisions:

PLANNING ISSUE

Rev



Naima JPS Roof Extension Project

Second Floor Plan Proposed

April 2015

Drwg No. 1124B /GA / 015 -

Scale 1:200 @ A3

Agenda Item 4

Item No.
4

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 1 September 2015	Classification For General Release	
Report of Director of Planning	Wards involved West End		
Subject of Report	6 and 10 Mount Row, London, W1K 3SA		
Proposal	Use of the property for retail purposes (Class A1) and associated internal and external works and internal demolition works.		
Agent	Gerald Eve LLP		
On behalf of	Grosvenor West End Properties		
Registered Number	15/03264/FULL 15/03265/LBC	TP / PP No	TP/22759/19268/ 23646/22962
Date of Application	14.04.2015	Date amended/ completed	14.04.2015
Category of Application	Other		
Historic Building Grade	Grade II Listed Building		
Conservation Area	Mayfair		
Development Plan Context - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Within London Plan Central Activities Zone Within Core Central Activities Zone		
Stress Area	Outside Stress Area		
Current Licensing Position	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 within Informative 1 of the draft decision letter.





2. SUMMARY

Nos. 6 and 10 Mount Row is a four storey office building (Class B1). The building is Grade II listed and located within the Mayfair Conservation Area. The site falls within the Core Central Activities Zone (CAZ).

There is an alleyway splitting the building at ground floor level, providing access to No. 8 Mount Row, which is a single family dwellinghouse located to the rear of the site. Surrounding land uses include retail and commercial uses at nearby Mount Street and Davies Street, with residential uses.

Planning permission and listed building consent are sought for the use of the property for retail purposes (Class A1) and associated internal and external works and internal demolition works.

The key issues for consideration are:

- The acceptability of the proposal in land use terms.
- The impact on residential amenity.
- The impact on the surrounding highway network in terms of servicing and deliveries.

For the reasons set out in the main report, the applications are considered acceptable in land use, design and historic building terms, amenity and highways terms and comply with the policies set out in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (the City Plan).

3. CONSULTATIONS

RESIDENTS SOCIETY OF MAYFAIR AND ST JAMES'S

Objection-this change of use must be resisted to consider the implications on residential amenity and the spreading of commercial use creeping into residential enclaves.

HISTORIC ENGLAND

No objection. Authorisation to grant as seen fit.

HIGHWAYS PLANNING MANAGER

No objection subject to condition for servicing management plan.

ENVIRONMENTAL HEALTH

No objection.

LONDON AND MIDDLESEX ARCHAEOLOGICAL SOCIETY

No objections subject to conditions and an advance agreement on advertising.

ANCIENT MONUMENTS SOCIETY

No response to date.

THE GEORGIAN GROUP

No response to date.

SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS

No response to date.

TWENTIETH CENTURY SOCIETY

No response to date.

THE VICTORIAN SOCIETY

No response to date.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 70; Total No. of Replies: 10.(from four respondents)

Objections have been raised on the following grounds:

Land Use

- Unrestricted A1 use-no specific retailer is identified and no control over the nature of occupier parking impacts, servicing, deliveries and limitations on the opening hours will have an impact upon surrounding residential amenity.

Amenity

- The use of the third floor roof terrace-previously has a low key use; however, concern is that this could be used for customer entertaining or temporary display or storage of goods. Potential impact on residential amenity to 12-14 Mount Row, however, conditions imposing hours of its use and screening measures are welcomed.
- The 21 Davies Street Residents Association support a restriction to the use of the terrace to staff only and within significantly reduced hours. The previous tenants used the terrace during normal office hours, 7 days a week with access for both staff and customers which does not feel right in a residential area.

Objections in respect to the acoustic report and the installation of two air conditioning units have been overcome following removal of the air conditioning units from the proposed scheme. The agent has advised that the applicant will be seeking to establish their plant requirements more concisely with an application submitted at a later date.

ADVERTISEMENT/SITE NOTICE: Yes

4. BACKGROUND INFORMATION**4.1 The Application Site**

The application site relates to Nos. 6 and 10 Mount Row. The building comprises of ground and three upper floors and is currently in office use. There is an alleyway splitting the building at ground floor level, providing access to No. 8 Mount Row, which is a single family dwellinghouse located to the rear of the site.

The area has a mixed character. Mount Row generally has a residential use, with commercial uses generally provided on Davies Street with retail at ground floor level and offices on the upper floors.

The building is Grade II listed and located within the Mayfair Conservation Area. The site falls within the Core Central Activities Zone (CAZ).

4.2 Relevant History

There is no recent planning history relating to either 6 or 10 Mount Row, however, there is some historical planning history which includes:

6 Mount Row:

August 2003 – listed building consent granted for internal alterations involving opening up party wall between 6 and 10 Mount Row at first and second floor levels.

10 Mount Row:

August 1998 – listed building consent granted for alterations to internal partitions on ground to third floors. Permitted 3 August 1998.

5. THE PROPOSAL

Permission and listed building consent are sought for the use of the property for retail purposes (Class A1) and associated internal and external works and internal demolition works.

The proposal involves the introduction of 563m² of retail floorspace. The ground, first and second floors providing retail functions with the basement providing plant and storage area and the third floor ancillary retail and back of house functions.

During the course of the application, the application has been amended, removing two air condenser units that were proposed to be sited on the third floor rear terrace.

The agents have confirmed that the external terrace will only be used by staff of the retail units within the proposed opening hours of 09:00-20:00 Monday – Saturday and 11:00 – 17:00 on Sundays. They are also amenable to provide screening for the terrace, which can be controlled by condition.

6. DETAILED CONSIDERATIONS**6.1 Land Use****6.1.1 Loss of office (Class B1) use**

There are no current policies within the UDP or City Plan which protect existing offices. Although this is under review, but at the present time the application is considered acceptable in land use terms.

6.1.2 Proposed retail (Class A1) use

Policy S6 and S21 of the City Plan states that the provision of new retail floorspace is encouraged throughout the Core CAZ.

Whilst objections have been received relating to the proposed use as retail, it is considered that this change of use would allow retail growth, contributing to its vibrancy, activity and function as a world class shopping destination.

The use of 6 and 10 Mount Street for retail use is consistent with the Council's retail policies and refusal on this basis could not be sustained.

The increase of retail floorspace would not trigger a requirement to provide new residential accommodation under Policy S1 of the City Plan.

6.2 Townscape and Design

Internally, very little of interest survives except basic room dimensions and some semblance of circulation spaces. The interior has been extensively altered, probably pre listing (May 1990). The ground floor front room of No.10 retains a historic moulded ceiling above modern suspended ceilings and the applicant proposes to expose this, as well as remove later partitions which obscure an original brick chimney breast.

At upper levels the further widening of existing openings and the insertion of new openings are proposed between the party walls. Despite the external appearance, the two properties have been linked at first and second floor levels since the mid-80s and the proposals formalise this without unduly disrupting the plan form. There are few elements of interest in the remaining internal works and the removal of and re-erection of various partitions at all floor levels is considered acceptable.

Externally, the lightwell that leads up to the terrace at fourth floor level contains interesting pargetting (external paintwork) and a great preponderance of soil and drainage pipes. Some of these will be removed with several of the likely original ones kept, despite the wishes of the applicant to remove all of them.

At terrace level the removal of the plant and associated enclosure is welcomed in design terms. As such, the external proposals are acceptable.

6.3 Amenity

Policy 29 of the City Plan and ENV13 of the UDP seek to protect and improve the residential environment.

An objection has been received from the freeholder of 12-14 Mount Row, which abuts the application site to the west, to the proposed introduction of an un-restricted retail use within the building and the potential use of the rear terrace, which are both likely to have an impact upon residential amenity.

The application details that the proposed opening hours are 09:00-20:00 Monday – Saturday and 11:00-17:00 on Sundays. The agent has confirmed that the use of the terrace will be used by the staff of the retail unit as a break out area, and would not be used as an extension of the retail use. The terrace is accessed through the back of house/ancillary retail area which is to be located on the third floor. It is envisaged that the public will not have access to the third floor and the frequency of its use by staff will be commensurate with the office staff that currently occupy the building.

The residential apartments (13-15 Davies Street) abutting the third floor rear terrace to the east, are positioned extending beyond the edge of the terrace, with a blank wall on the eastern elevation. Given this, the balconies are considered to be adequately screened from the use of the balcony and given the distance, provide a level of noise mitigation and therefore would not harm the residential amenity of the occupiers of these apartments.

To the west, 12-14 Mount Row is split to provide two residential properties. The objector identifies that a master bedroom to one of the properties is located closest to the party wall, and leads out onto a terrace at third floor level. There is an existing conservatory positioned on the far western side of the property on the rear terrace. The objector has highlighted that

there are no additional screening measures proposed between the boundary of 12-14 Mount Row. The boundary comprises of a small parapet wall. In order to address these concerns, the agent is amenable to a condition requiring details to be submitted to provide adequate screening of the two neighbouring terrace areas. An appropriate screen would be in the form of a planted screen, with vegetation maintained to a height of 1.8m. The conservatory is an adequate distance away that a screen is unlikely to result in any overshadowing.

Conditions to control the opening hours and restricting the use of the terrace to staff only between the hours the premises are open, are considered adequate to maintain the amenities of neighbouring residential properties. A condition requiring screening to be provided between the application site and 12-14 Mount Row would further protect the amenities of adjoining residential occupiers.

6.4 Highways, Servicing and Parking

6.4.1 Servicing

TRANS20 requires convenient access to all premises for servicing vehicles. The site is located within a Controlled Parking Zone, which means that loading and unloading is permitted from single yellow lines.

An A1 food store of this size may generate different levels/types of servicing which would have an adverse impact on the highway network. A condition therefore has been attached limiting the A1 class to non-food retailing as the servicing provisions would be inadequate for this use.

The Highways Planning Manager has requested a servicing management plan to outline how servicing will occur on a daily basis, to ensure that the time items spend on the highway is minimised. This will need to include the hours of servicing.

6.4.2 Parking

It is not considered that the proposals would have a significant impact on the level of demand for on-street parking in the area. The site has a good level of public transport accessibility.

One cycle parking space is required per 300m² of A1 retail floorspace. As such, the Highways Planning Manager has requested the provision of one cycle parking space, which will be secured by condition.

6.5 Economic Considerations

Any economic benefits of the development are welcome.

6.6 Other UDP/Westminster Policy Considerations

6.6.1 Refuse storage

The submitted drawings do not indicate the provision for the storage of waste and recyclable material. However, there is adequate space within the building for this to be provided. These additional details will be secured by condition.

6.7 London Plan

Policy 2.10 states that the Central Activities Zone should support and improve the retail offer of the CAZ for residents, workers and visitors, especially Knightsbridge and the West End, as global shopping destinations.

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 these applications are considered to be consistent with the NPPF unless stated otherwise.

6.9 Planning Obligations

The proposal is of insufficient scale as to trigger a requirement for planning obligations.

6.10 Environmental Assessment including Sustainability and Biodiversity Issues

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

6.11 Access

Access to both Nos.6 and 10 Mount Row is via the arched passageway, which is level with the public highway but 200mm below the ground floor levels of both 6 and 10 Mount Row.

Given the listed nature of the buildings, any internal ramp would be disruptive to the building's fabric and therefore disabled access will be provided by a portable ramp.

6.12 Conclusion

The proposal gives rise to land use, design, highways and amenity issues. Notwithstanding the objections that have been received, the applications are considered to be acceptable. Accordingly, approval is recommended, subject to relevant conditions.

BACKGROUND PAPERS

1. Application form.
2. Letter from Historic England dated 29 April 2015.
3. Letter from Residents Society of Mayfair and St James's dated 19 May 2015.
4. Memorandum from Highways Planning Manager dated 7 May 2015.
5. Memorandum from Environmental Health dated 29 April 2015.
6. Letter from London and Middlesex Archaeological Society dated 3 July 2015.
7. Letters from Knight Frank on behalf of owner of 12-14 Mount Row dated 13 July 2015 and 14 May 2015.

8. Letters from the occupier of Penthouse B 21 Davies Street both dated 30 April 2015.
9. Letters from the occupier of Apartment 7 21 Davies Street and as Chairman of the 21 Davies Street Resident's Association, two dated 28 April 2015, one dated 27 April 2015 and one dated 13 August 2015.
10. Two letters from the occupier of Flats 2-5 21 Davies Street dated 28 April 2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT PAUL QUAYLE ON 020 7641 2547 OR BY E-MAIL –pquayle@westminster.gov.uk

DRAFT DECISION LETTER

- Address:** 6 and 10 Mount Row, London, W1K 3SA
- Proposal:** Use of the property for retail purposes (Class A1) and associated internal and external works and internal demolition works.
- Plan Nos:** Proposed Plans- 21271-01-AR-07-099, 100A, 101A, 102, 103C, 104C, 110D, 111, 112A, 113C, 114C, 120, 121A, 107A (proposed condition-retention of cast iron riser).
Demolition Plans- 21271-01-AR-07-159, 160, 161, 162, 163, 164.
- Case Officer:** Lindsay Jenkins **Direct Tel. No.** 020 7641 5707

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 protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 4 Customers shall not be permitted within the retail (A1) premises before 09:00 or after 20:00 on Monday to Saturday (not including bank holidays and public holidays) and before 11:00 or after

17:00 on Sundays, bank holidays and public holidays. (C12BD)

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6, ENV 7 and ENV13 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 5 You must not let customers use the third floor roof terrace. The roof terrace may only be used by staff of the retail (A1) use between the hours of 09:00 and 20:00 Monday to Saturday (not including bank holidays and public holidays) and 11:00 and 17:00 on Sundays, bank holidays and public holidays.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and 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. (R13FB)

- 6 Notwithstanding the provisions of Class A1 of the Town and Country Planning (Use Classes) Order 1987 as amended April 2005 (or any equivalent class in any order that may replace it) the retail accommodation hereby approved shall not be used as a supermarket/food outlet (or similar) unless otherwise agreed in writing by the City Council as local planning authority.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 7 You must apply to us for approval of detailed drawings of the following parts of the development - screening to the western boundary of the third floor rear terrace. The screen must be at least 1.8m high.

You must not allow the staff of the A1 use to use the third floor terrace until we have approved what you have sent us and the screen has been installed. You must thereafter maintain the screen at a minimum height of 1.8m.

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 details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the retail (A1) use. (C14EC)

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)

- 9 You must apply to us for approval of details of secure cycle storage for the retail (A1) use. You must not start any work on this part of the development until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation and make it available at all times to everyone using the retail (A1) use. You must not use the cycle storage for any other purpose.

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.

- 10 You must not commence the A1 use allowed by this permission until a Service Management Plan has been submitted to and approved by the City Council. You must not commence the A1 use until we have approved what you have sent us. You must then carry out the measures included in the servicing management plan at all times that the A1 (retail) is in use

The service management plan should identify the hours of servicing, delivery process, storage locations, scheduling of deliveries and staffing arrangements; as well as how delivery vehicle size will be managed and should clearly outline how servicing will occur on a day to day basis.

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)

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 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:
- * Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;
 - * This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the

design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

- 3 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

DRAFT DECISION LETTER

Address: 6 and 10 Mount Row, London, W1K 3SA

Proposal: Use of the property for retail purposes (Class A1) and associated internal and external works and internal demolition works.

Plan Nos: Proposed Plans- 21271-01-AR-07-099, 100A, 101A, 102, 103C, 104C, 110D, 111, 112A, 113C, 114C, 120, 121A, 107A (proposed condition-retention of cast iron riser).
Demolition Plans- 21271-01-AR-07-159, 160, 161, 162, 163, 164.

Case Officer: Lindsay Jenkins

Direct Tel. No. 020 7641 5707

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 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 Mayfair 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)

- 3 You must apply to us for approval of detailed drawings of the following parts of the development

Screening to the western boundary of the third floor rear terrace. The screen must be at least 1.8m high.

You must not allow the staff of the A1 use to use the third floor terrace until we have approved what you have sent us and the screen has been installed. You must thereafter maintain the hedge at a minimum height of 1.8m until the residential use granted by this permission ceases.

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)

- 4 You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

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 Mayfair 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)

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 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

Notes



A 444a-15 Updated elevation, Flag poles and lighting MARM
to the facade and roof By Authorised

Rev Date Details

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Client:
Grosvenor

Project:
6-10 Mount Row

Title:
Proposed Front Elevation

(unchanged)

Date Drawn Checked Authorised
March 2015 MM AJM AJM

Scale:
1:50@A1

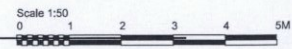
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Drawing number:
21271-01-AR-07-120

Client Drawing number:
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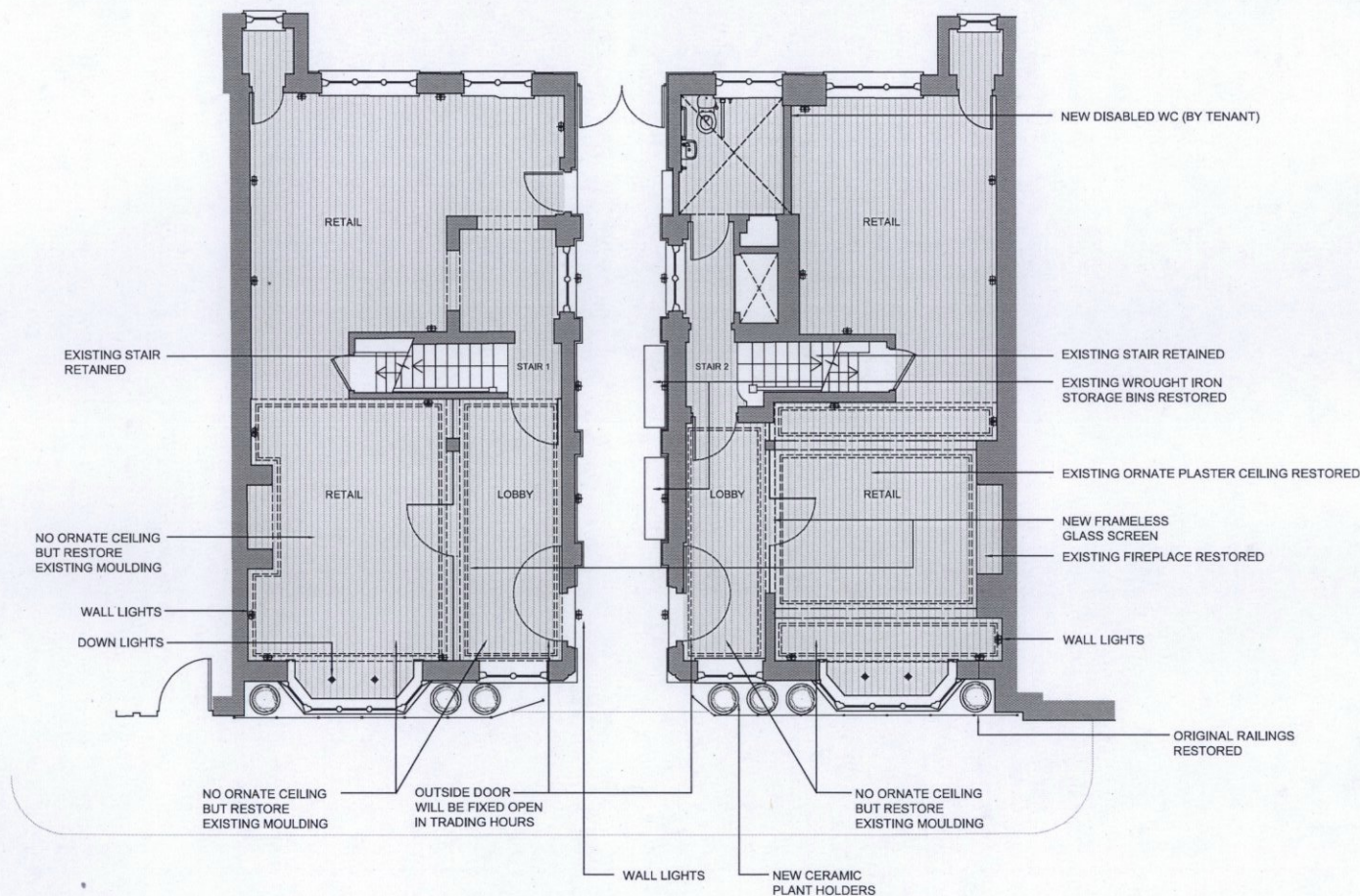
© Copyright - Aukett Swanke Robinson Ltd. 10-10-10 100% by Aukett Swanke

Datum Line 20.00m





Notes
Internal historic features
exposed and restored



A 24-Mar-15 Structure reviewed and updated. M/MAM
Rev Date By Authorised

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Web: www.aukettswanke.com

Client
Grosvenor

Project
6-10 Mount Row

Title
Proposed Ground Floor Plan

Date	Drawn	Checked	Authorised
Feb.2015	MM	AJM	AJM

Scale
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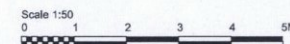
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21271-01-AR-07-100	A

Client Drawing number
CLIENT_NO

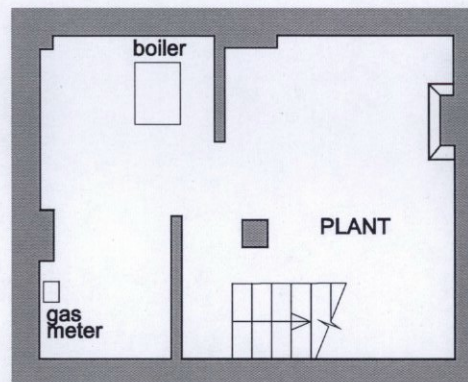
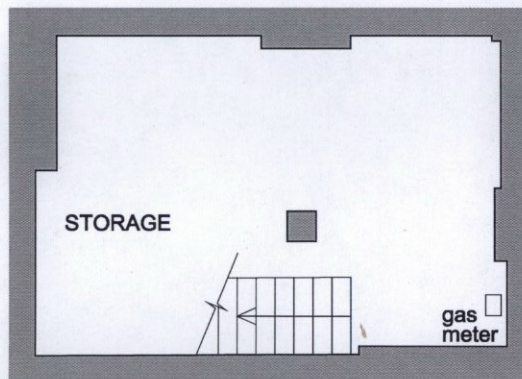
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Notes

Page 95



Revisions By Authorized

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Client
 Grosvenor

Project
 6-10 Mount Row

Title
 Proposed Basement floor

Date	Drawn	Checked	
Feb.2015	MM	AJM	AJM

Scale
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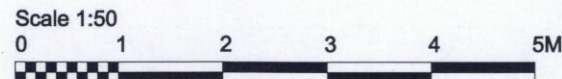
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Drawing number 21271-01-AR-07-099 Rev /

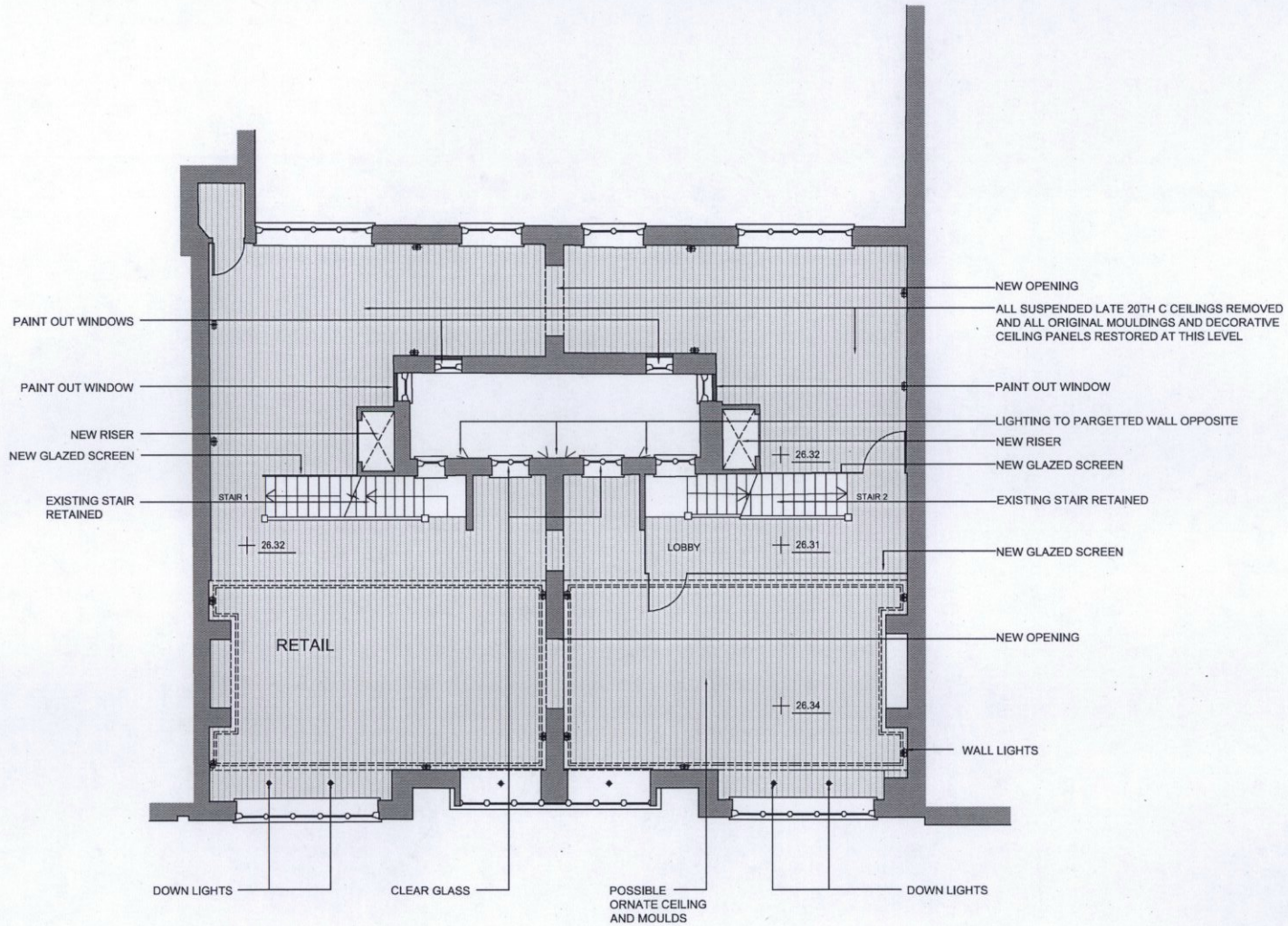
Client Drawing number

CLIENT NO





Notes
Internal historic features exposed and restored



Page 96

A 24-May-15 Light well windows reviewed and updated. M/MAM
Rev Date By Authorised

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Clients
Grosvenor

Project
6-10 Mount Row

Title
Proposed First Floor Plan

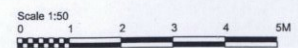
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Feb.2015	MM	AJM	AJM

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Issue status

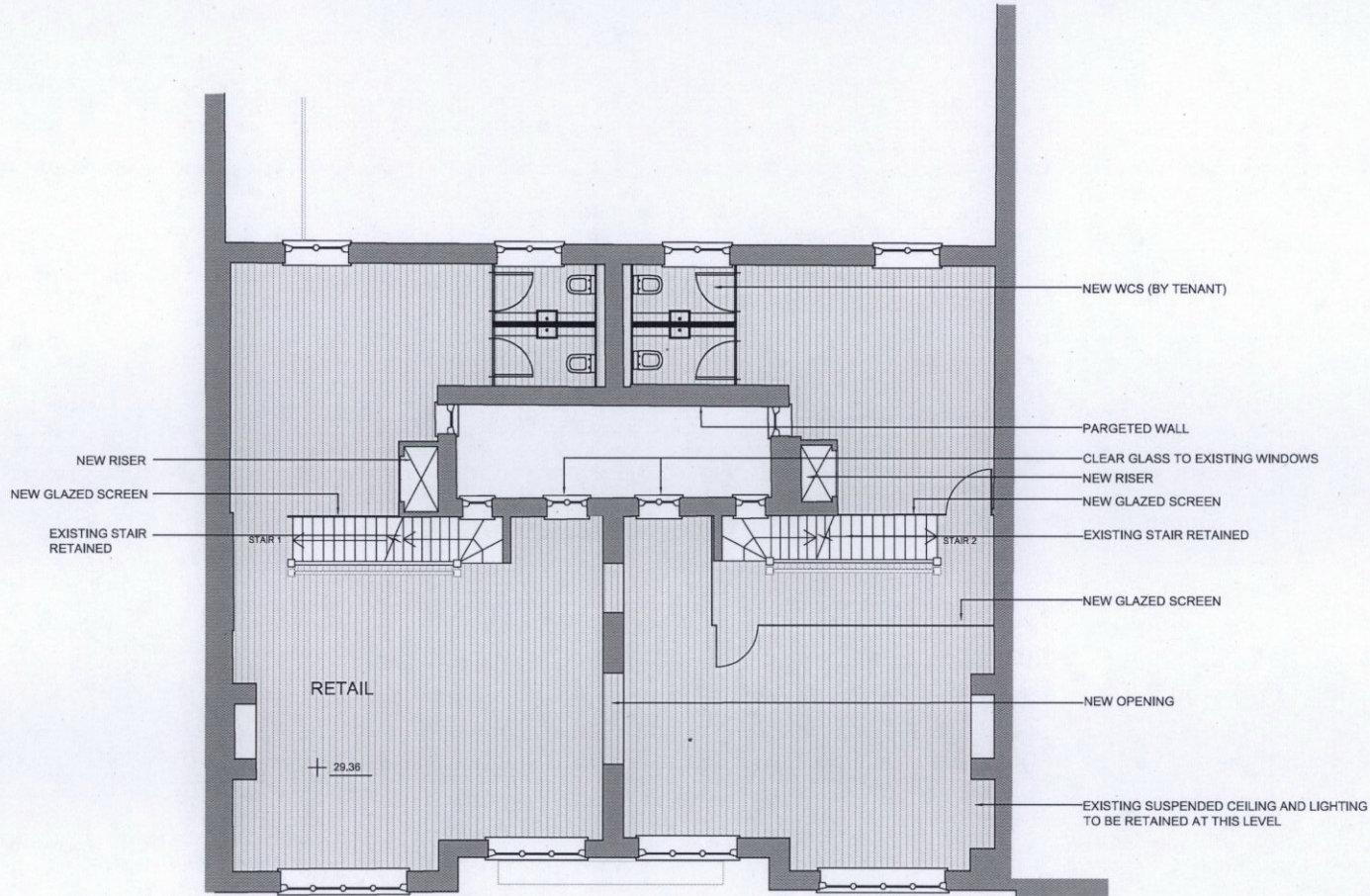
PLANNING

Drawing number	21271-01-AR-07-101	A
Client Drawing number	CLIENT_NO	





Notes
Internal historic features
exposed and restored



Page 97

Rev Date By Authorised

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Client
Grosvenor

Project
6-10 Mount Row

Title
Proposed Second Floor Plan

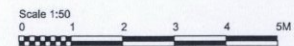
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Feb. 2015	MM	AJM	AJM

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PLANNING

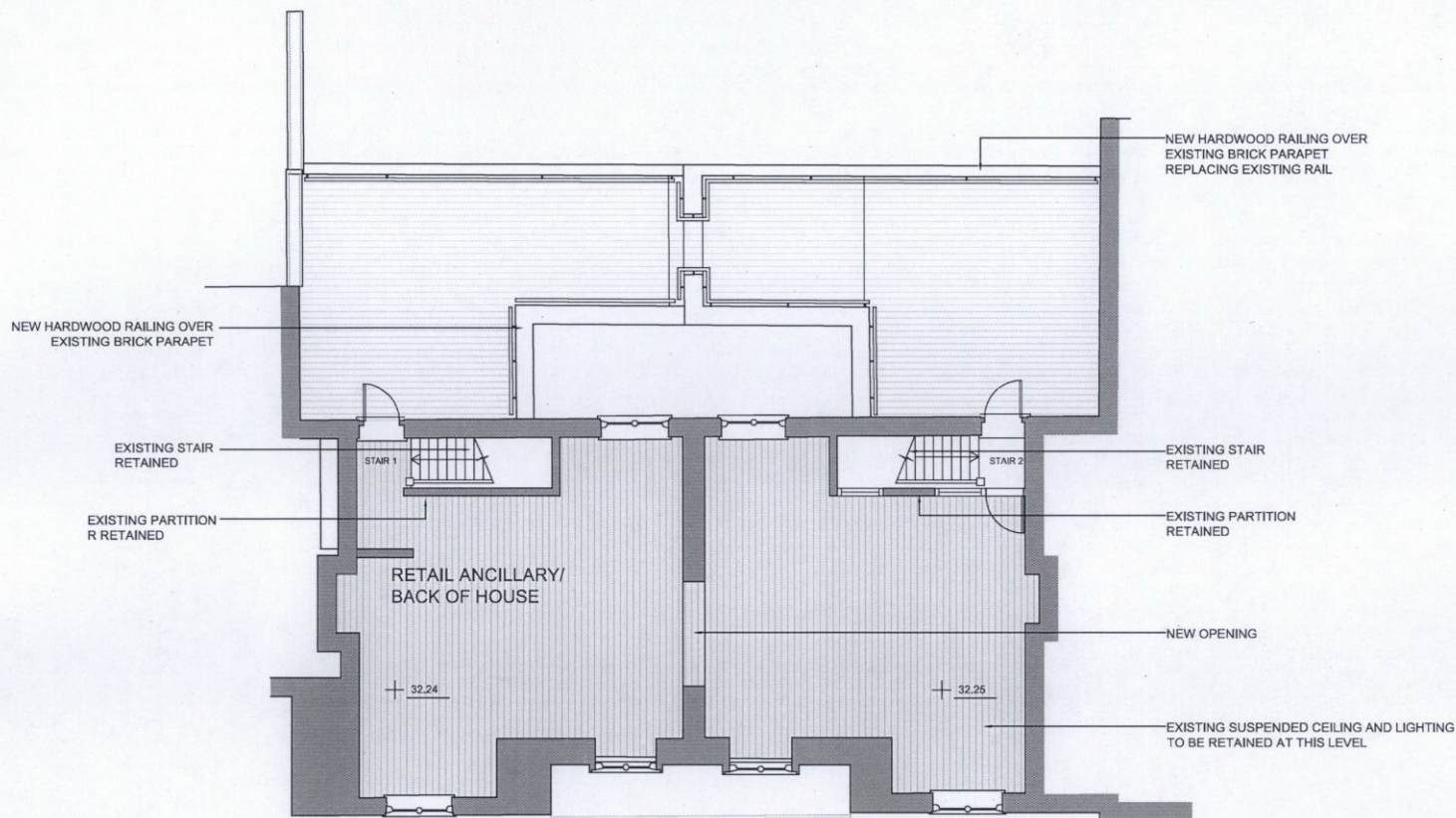
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21271-01-AR-07-102	/
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CLIENT_NO	

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Notes
Internal historic features
exposed and restored



C	30-Jun-15	A/C units and enclosures removed. Issued for planning	MM/MM
B	10-Jun-15	Floor Enclosure Abstract	CHAM
A	04-Jun-15	Floor Enclosure Abstract	CHAM
Rev	Date	By	Authorised

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Client
Grosvenor

Project
6-10 Mount Row

Title
Proposed Third Floor Plan

Date	Drawn	Checked	Authorised
Feb.2015	MM	AJM	AJM

Scale
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Issue status

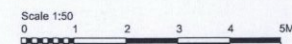
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21271-01-AR-07-103	C

Client Drawing number

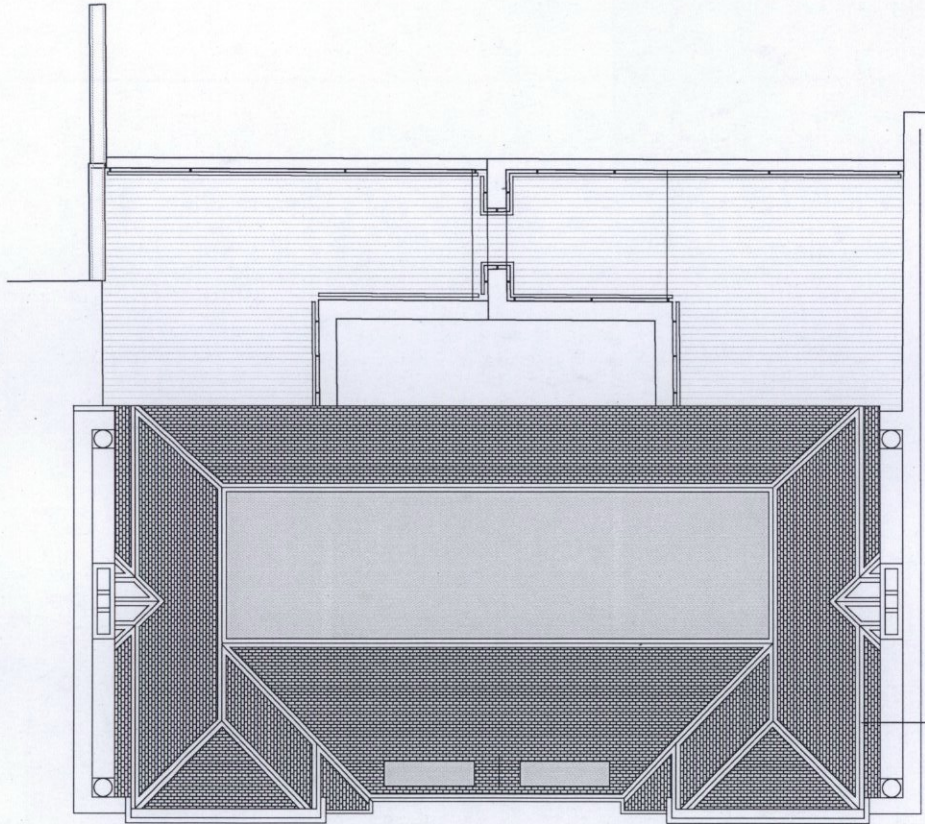
CLIENT_NO

© Copyright Aukett Swanke Robinson Ltd. 30-Jun-15 10:17 AM By: Vassilios Katsaris





Notes
Internal historic features
exposed and restored



NO CHANGES TO THE ROOF
FORM OR MATERIALS

C	30-Jun-15	Ac units and enclosures removed, issued for Planning.	MM/AJM
B	25-Jun-15	Ac units size revised and location amended, issued for Planning.	MM/AJM
A	16.02.2015	REMOVED PITCHED ROOF	MM/AJM

Rev Date Details By Authorised

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Client:
Grosvenor

Project:
6-10 Mount Row

Title:
Roof plan

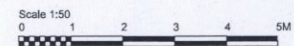
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Feb.2015	MM	AJM	AJM

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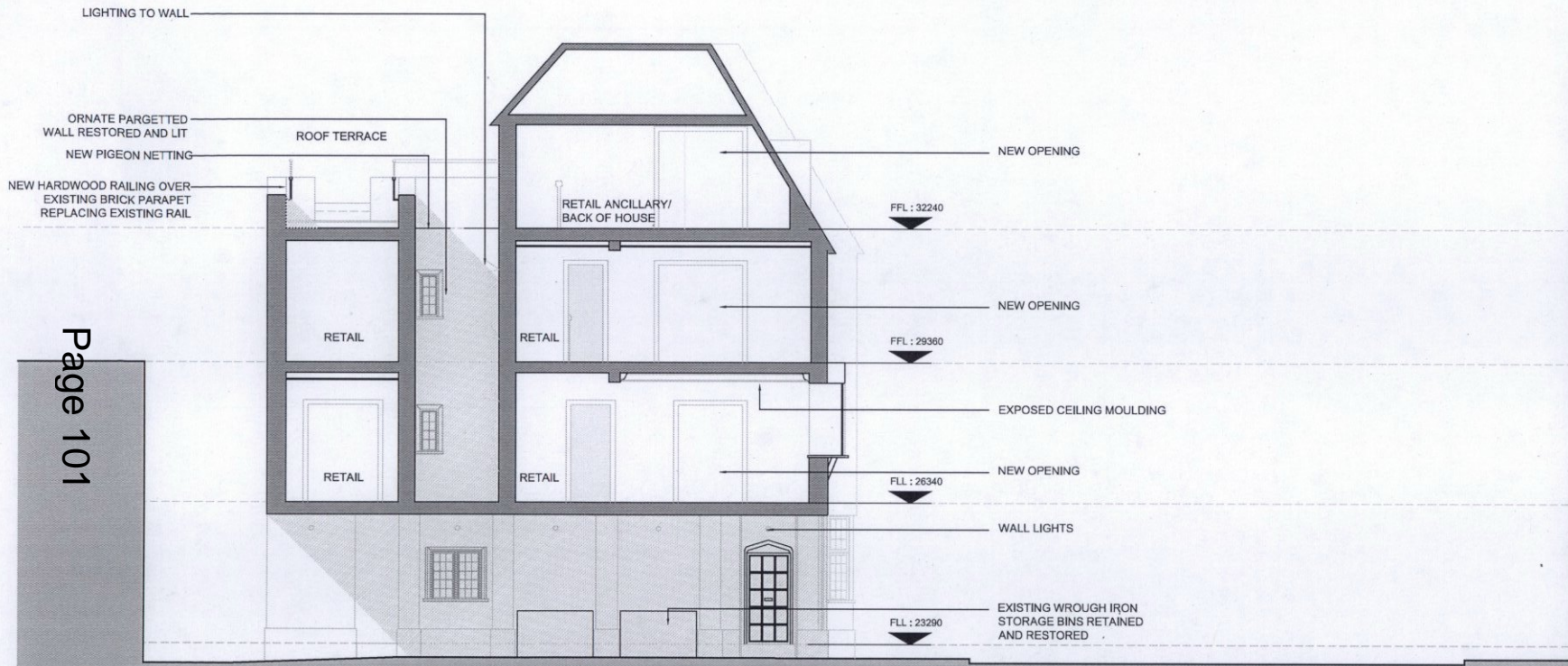
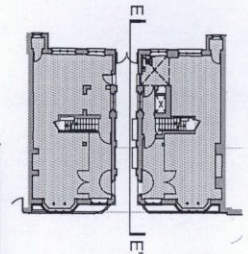
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PLANNING

Drawing number	Rev
21271-01-AR-07-104	C

Client Drawing number:
CLIENT_NO



Notes



Page 101

Rev	Date	By	Authorised
C	30-Jun-15	AK	AK
B	10-Jun-15	AK	AK
A	04-Jun-15	AK	AK

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Client:
 Grosvenor

Project:
 6-10 Mount Row

Title:
 PROPOSED SECTION E-E

Date	Drawn	Checked	Authorised
Feb.2015	MM	AJM	AJM

Scale:
 1:50@A1

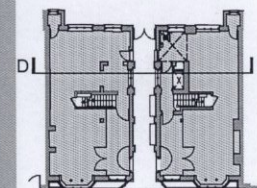
Issue status

PLANNING

Drawing number	Rev
21271-01-AR-07-114	C

Client Drawing number
 CLIENT_NO

Notes



NEW PIGEON NETTING

ORNATE PARGETTED WALL RESTORED AND LIT

FFL : 32240

FFL : 29360

FFL : 26340

FFL : 23290

ROOF TERRACE

ROOF TERRACE

RETAIL

RETAIL

RETAIL

RETAIL

RETAIL

RETAIL

C	10-Jun-15	Plant Enclosure Altered.	CHAM
B	9-Jun-15	Plant Enclosure Overlaid.	CHAM
A	24-Mar-15	Structure and Rtg and wholovs reworked and locked.	MVAW

Rev Date By Authorised

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Client
Grosvenor

Project
6-10 Mount Row

Title
PROPOSED SECTION D-D'

Date	Drawn	Checked	Authorised
Feb.2015	MM	AJM	AJM

Scale
1:50@A1

Section status
PLANNING

Drawing number
21271-01-AR-07-113

Client Drawing number
CLIENT_NO

Client No

Notes



NEW HARDWOOD RAILING OVER
EXISTING BRICK PARAPET
REPLACING EXISTING RAIL

A 20-Jun-15 AC Units and enclosures removed. Issued M/MAM
for Planning.

Rev Date Details By Authorised

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Client:
Grosvenor

Project:
6-10 Mount Row

Title:
Proposed Rear Elevation

Date	Drawn	Checked	Authorised
April 2015	MM	AJM	AJM

Scale:
1:50@A1

Issue status

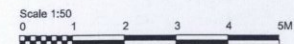
PLANNING

Drawing number	Rev
21271-01-AR-07-121	A

Client Drawing number

CLIENT NO

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Existing condition.

CASE COPY
 TP:
 SN:
 ADDRESS:



Proposed condition.
 Retention of one cast iron riser.

21271-01-AR-10-107 CAST IRON PIPEWORK IN LIGHTWELL- SKETCH PROPOSALS.

Revision	Date	Reason for Issue	Revision by	Checked by	Authorised by
-	09/06/15		CH	AJM	AJM
A	10/06/15	Gerald Eve's Email.	CH	AJM	AJM

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Agenda Item 5

Item No.
5

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 1 September 2015	Classification For General Release	
Report of Director of Planning		Wards involved Maida Vale	
Subject of Report	168-170 Randolph Avenue, London, W9 1PE		
Proposal	Variation of Condition 2 of planning permission dated 23 March 2006 (RN: 06/00671) for the continued use as mixed use coffee shop (sui generis) at Nos. 168-170; namely, to extend opening hours.		
Agent	Pegasus Planning Group Ltd		
On behalf of	Starbucks Coffee Co (UK) Ltd		
Registered Number	15/05674/FULL	TP / PP No	TP/22459/15162
Date of Application	24.06.2015	Date amended	24.06.2015
Category of Application	Non DCLG		
Historic Building Grade	Unlisted		
Conservation Area	Maida Vale		
Development Plan Context - 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 Maida Vale Local Shopping Centre (Core Frontage)		
Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

Grant conditional permission.





2. SUMMARY

Planning permission is sought to amend the operational hours of the premises to allow opening during the following times 06.30-20.30 Monday to Friday and 07.30-20.30 Saturday and Sunday. The current hours are 07.00-19.30 Monday to Friday and 07.30-19.30 on Saturdays and Sundays.

Objections have been received from Councillor Prendergast, the Paddington Waterways and Maida Vale Society and three local residents, on grounds that the existing operational hours are adequate and that the operation of Starbucks, which is poorly managed, continues to result in causing problems including those of noise and disturbance, litter and inconsiderate parking.

The key issue in this case is:

- The impact of the increase in operational hours of the premises on the amenities of local residents and local environmental quality.

It is considered that in order to strike a balance between the commercial demands of the use and the protection of residents amenities, that the proposed later operational hours during weekdays until 20.30 is supported, subject to the applicant submitting for approval an operational management plan prior to commencement of these additional operational hours and for a temporary period of one year, however, the hours of morning opening and weekend closing remain as existing. On this basis the proposal as proposed to be amended accords with relevant Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (City Plan), and is therefore recommended for approval.

3. CONSULTATIONS

COUNCILLOR PRENDERGAST

Objection, additional opening hours would have a significant, harmful and detrimental impact on this quiet residential road. Starbucks are the only business trading on the road in a high density housing area, they cause noise and disturbance, litter and anti-social parking by customers and is a poorly managed premises. City Inspectors have spent a lot of time attempting to educate the managers (in relation to waste presentation and litter) without success. There are also ongoing problems with mess associated with external tables and chairs. Cars are left in the bays designated for the local doctor's practice, and residents find themselves boxed in.

PADDINGTON WATERWAYS AND MAIDA VALE SOCIETY

Objection, existing hours are appropriate, neighbours views should be taken into consideration.

HIGHWAYS PLANNING MANAGER

Any response to be reported verbally.

ENVIRONMENTAL HEALTH

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 76; Total No. of Replies: 3.

Three objections received on the following grounds:

- Noise and nuisance as a result of the proposed extended hours.

- Litter as there is no longer a bin outside the premises, residents suffer from the litter dropped by customers.
- Anti-social and dangerous parking by customers.
- External tables and chairs exacerbate impact of litter and obstruction.
- Detrimental impact will be exacerbated by increased hours of use.
- Company has demonstrated that it cannot be trusted to comply with regulations or show any concern for residents or the street environment.

ADVERTISEMENT/SITE NOTICE: Yes

4. BACKGROUND INFORMATION

4.1 The Application Site

No.168-170 Randolph Avenue is a three storey plus basement building located on the eastern side of Randolph Avenue close to the junction with Elgin Avenue and Maida Vale Underground Station. The site operates under a planning permission for a mixed A1/A3 use granted in 2006. The site forms part of the Maida Vale Local Shopping Centre (Core Frontage) and is located within the Maida Vale Conservation Area.

4.2 Relevant History

Planning permission was granted on 23 March 2006 for the continued use of the premises as a mixed use coffee shop (Class A1/A3) sui generis. This was subject to a number of conditions restricting the use including:-

1. No cooking of raw or fresh food.
2. Hours of operation 07.00-19.30 Monday to Friday and 07.30 to 19.30 on Saturdays and Sundays.
3. Personal to Starbucks.

Planning permission was subsequently granted in 2006, 2007, 2008, 2009, 2010, 2011 and 2013 (the latter of which also included the provision of a waste bin outside the premises) for the placing of three tables and six chairs on the highway in connection with Starbucks between the hours of 09.00 and 21.00.

In July 2014 an application for use of the public highway for the placing of three tables, six chairs and one waste bin in connection with Starbucks from 06:00 - 22:00 Monday to Friday, 07:00-22:00 Saturdays and 07:30 - 21:00 Sundays, was withdrawn on officer advice.(14/00356/TCH).

An officers meeting with Starbucks followed whereby the lawful planning position in respect of both the use of the building and the external tables and chairs was discussed together with on-going management concerns raised by local residents in respect of unsocial hours of servicing, noise and disturbance, litter, inconsiderate parking and general management issues.

Planning permission was granted on 3 February 2015 for use of two areas of the public highway for the siting of three tables, six chairs and one waste bin in connection with Starbucks Coffee. (14/10399/TCH). The Planning Applications Committee had resolved to grant conditional permission subject to reduced hours of 09.00 to 19.00 Monday to Saturday and 10.00-18.00 on Sunday, however, due to an administrative error the decision notice granted permission between 09.00 to 19.30 Monday to Saturday and 10.00-18.00 on Sundays. The applicant's agent was made aware of this error and was requested to return

the decision notice so that a revised notice could be issued, however, whilst this request was originally declined, the applicant has now co-operated and the correct decision notice has been issued and the table and chairs can therefore be put on the pavement between 09.00 and 19.00 Monday to Saturday and 10.00-18.00 on Sundays, until 03.02.2016.

11.05.2015 Withdrawn application by applicant (due to be reported to Planning Applications Committee 12.05.2015) for variation of Condition 2 (hours of opening) of planning permission dated 23 March 2006 (RN: 06/00671/FULL), for continued use as mixed use coffee shop Class A1/A3 (sui generis) at Nos. 168-170 Randolph Avenue, namely to extend the opening hours of the premises from 19.30 until 21.00 daily. (15/02135/FULL)

5. THE PROPOSAL

Planning permission is sought to vary Condition 2 (hours of opening) of planning permission dated 23 March 2006 namely to open the premises earlier at 06.30 (rather than 07.00) on Monday to Friday and to close later at 20.30 (rather than 19.30) seven days a week.

6. DETAILED CONSIDERATIONS

6.1 Land Use

The existing use of the premises by Starbucks is operated under the 2006 permission which granted conditional permission for a mixed use coffee shop (Class A1/A3), a sui generis use.

6.2 Townscape and Design

It is not considered that the proposed extension of opening hours will have a harmful impact on the character and appearance of this part of the Maida Vale Conservation Area.

6.3 Amenity

The premises lie on the edge of the Maida Vale Local Shopping Centre (Core Frontage) and in close proximity to the Maida Vale Underground Station, but also in close proximity to a number of local residents. Any proposed intensification of the use will therefore need to assess the potential impact on residents amenities. A key consideration is therefore whether the increase in operational hours of Starbucks (to open half hour earlier during weekdays at 06.30 rather than 07.00 and to close one hour later daily at 20.30 rather than 19.30) would be significantly detrimental to the amenities of local residents and local environmental quality.

Representations have been received from Councillor Prendergast, the Paddington Waterways and Maida Vale Society along with three local residents of Randolph Avenue and Elgin Mews North, on grounds that Starbucks already cause a nuisance during their existing operational hours. The representations cite resident's continued negative experience of the Starbucks premises over the years. The key issue raised relates to the management of the operation of Starbucks on a daily basis and in relation to consistent noise and disturbance and negative impact on environmental quality and residents amenities from servicing, use of external tables and chairs, noise and disturbance, litter and inconsiderate parking.

Policy SS7 of the UDP seeks to restrict proposals within the local centres that would harm residential amenity or local environmental quality. Given the sui generis use comprises A1/A3, TACE8 of the UDP and S24 of the City Plan relating to entertainment uses are also relevant and these policies also seek to restrict uses where they adversely impact upon residential amenity or local environmental quality. These policies clearly seek to strike a balance between the demands of commercial uses and their impact on resident's amenity.

Policy S29 of the City Plan seeks to resist proposals that would result in an unacceptable material loss of residential amenity.

It is evident from the representations received from Councillor Prendergast and from three local residents that the existing use has and continues to have a harmful impact on residential amenity, by virtue of the cumulative impact of customer behaviour and irresponsible management. This includes inconsiderate car parking including double parking, blocking access to Elgin Mews North, parking on the zebra crossing zig zag lines, dropping of litter and cigarette butts, poor waste presentation for collection, absence of collection of litter from external tables which result in paper cups, napkins, straws being blown into the street and mews.

In relation to the previously withdrawn application, officers had recommended the imposition of an appropriate condition requiring Starbucks to provide (before commencement of any additional hours of operation) an operational management plan, which sets out how they will address the issues through responsible management of the premises and what measures they will put in place to deal with the above issues. In support of this current application the applicant has sought to comment on the issues raised, but has not provided an operational management plan.

In relation to store management practices, the applicant has indicated that the store do not take deliveries of goods or have waste collected outside of store opening hours and that staff members regularly check the external tables and chairs to remove litter several times an hour and that staff ensure that the floor and area surrounding the seating area are clear of rubbish. The applicant states that litter is a matter relating to the external seating and not relevant to the determination of this application. They state that the external furniture including the external litter bin is removed and stored within the coffee shop when trading is finished and the area swept and cleared. They also indicate that rubbish and recycling is collected daily by an external contractor.

In relation to both dropped litter and inconsiderate parking by customers of Starbucks, the applicant indicates that Starbucks cannot be held responsible for the actions of their customers.

It is regrettable that the applicant has not sought to provide an operational management plan that clearly sets out measures to minimise the associated negative impact of the activities associated with this use. It is considered that the applicant could go further to address the issues raised by local residents so as to reduce the impact of the use on local environmental quality and local residents amenities within the vicinity of the site.

For the above reasons, it is considered appropriate and necessary in order to support (with variation) this proposal to require the submission and approval of an appropriately detailed operational management plan. Subject to the submission of such, an increase in operational hours during the working week (Monday to Friday) until 20.30 is supported, for a temporary period of one year in order to monitor the situation. However, given the issues surrounding these premises and the proximity of residents, an increase in operational hours at the weekend is not supported, as this is a time when residents can expect more peace and quiet and respite from commercial activity. It is therefore proposed to restrict the closing time during the weekend so as to remain at 19.30.

In terms of the proposed earlier opening of the premises at 06.30 during weekdays, rather than 07.00, this is not supported by officers. This is on the basis that if the premises are to open at 06.30 then staff and activities are likely to occur prior to that time. Therefore due to the proximity of the site to residents and the activities associated with the use, which is

evident from local residents, has and continues to cause noise and disturbance, it is not considered that such early opening hours can be supported.

The recommendation therefore seeks to strike a balance between the demand of the commercial uses and the protection of resident's amenity and local environmental quality.

The applicant has suggested that the opening hours of three other restaurants in the vicinity of the site and the proximity of the Maida Vale Underground Station set a precedent for later operational hours at Starbucks. However, each case is dealt with on its merits and the issues associated with Starbucks are very much specific to the nature of their premises, its operation and location.

For the reasons set out above, subject to a condition to require a detailed operational management plan to be submitted for approval prior to the additional hours being operated, the proposal as restricted to exclude later operational hours at the weekend and exclude earlier opening hours during weekdays, is supported by officers for a temporary period of one year. This will enable the applicant the opportunity to address the issues raised by residents over a one year period and for any improvements or otherwise to be considered in any future applications to extend hours of operation. On this basis the proposal as proposed to be amended accords with relevant UDP and City Plan policies, and is therefore recommended for approval in accordance with Policies SS7, TACE8 of our UDP and S24 and S29 of the City Plan.

6.4 Transportation/Parking

The key highways consideration relates to inconsiderate car parking of customers visiting Starbucks. Local residents state that a number of customers inconsiderately park outside the premises whilst they visit the premises and this includes double parking in Randolph Avenue, parking on the zig zag lines of the zebra crossing and parking across the vehicular access to Elgin Mews North. This anti-social behaviour in the form of inconsiderate car parking is unneighbourly and has a detrimental impact on resident's amenities. The Highways Planning Manager has indicated that this illegal parking is an enforcement related issue. Notwithstanding this, it is considered that Starbucks could through an operational management plan put measures in place to seek to prevent customers from undertaking these activities.

6.5 Economic Considerations

Not applicable.

6.6 Equalities and Diversities (including Disabled Access)

Not applicable.

6.7 Other UDP/Westminster Policy Considerations

None.

6.8 London Plan

The proposal does not raise strategic issues.

6.9 National Policy/Guidance considerations

Regard has been had to the relevant advice in the National Planning Policy Framework (NPPF).

6.10 Planning Obligations

Not applicable in the determination of this planning application.

6.11 Environmental Assessment including Sustainability and Biodiversity Issues

Not applicable.

6.12 Conclusion

The proposed later operational hours during weekdays until 20.30 is supported, but only subject to the applicant submitting for approval an operational management plan prior to commencement of these additional operational hours and only for a temporary period of one year. This is on the basis that this will enable the applicant the opportunity to address the issues raised by residents over a one year period and for any improvements or otherwise to be considered in any future applications to extend hours of operation. On this basis the proposal as proposed to be amended accords with Policies SS7 and TACE8 of our UDP and Policies S24 and S29 of our City Plan and is therefore recommended for approval.

BACKGROUND PAPERS

1. Application form.
2. Memo from Environmental Health dated 03.08.2015
3. Letter from Councillor Prendergast dated 03.08.2015
4. Response from Paddington Waterways and Maida Vale Society dated 31.07.2015
5. Representation from occupier of 1 Elgin Mews North dated 01.08.2015.
6. Representation from occupier of 177A Randolph Avenue dated 12.08.2015
7. Representation from occupier of 177C Randolph Avenue dated 10.08.2015
8. Memorandum from Highways Planning Manager dated 17.8.2015.
9. Copy of the permission dated 23 March 2006.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT AMANDA COULSON ON 020 7641 2875 OR BY E-MAIL – acoulson@westminster.gov.uk

DRAFT DECISION LETTER

Address: 168–170 Randolph Avenue, London, W9 1PE

Proposal: Variation of Condition 2 of planning permission dated 23 March 2006 (RN: 06/00671) for the continued use as mixed use coffee shop (sui generis) at Nos. 168-170; namely, to extend opening hours.

Plan Nos: Pegasus Group letter 24.06.2015 and attachments.

Case Officer: Sarah Whitnall

Direct Tel. No. 020 7641 2929

Recommended Condition(s) and Reason(s):

- 1 You must not cook raw or fresh food on the premises. (C05DA)

Reason:

The plans do not include any kitchen extractor equipment. For this reason we cannot agree to unrestricted use as people using neighbouring properties would suffer from cooking smells. This is as set out in S24 and S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 5 of our Unitary Development Plan that we adopted in January 2007. (R05EC)

- 2 Up until 31st August 2016 you must not open the premises to customers, and you must not allow customers on the premises, outside of the following times: between 07.00 to 20.30 Monday to Friday and 07.30 to 19.30 on Saturdays and Sundays. After this one year period, you shall revert to the following hours

After this time you must not open the premises to customers, and you must not allow customers on the premises, outside of the following times: between 07.00 to 19.30 Monday to Friday and 07.30 to 19.30 on Saturdays and Sundays 07.00 to 19.30 Monday to Friday and 07.30 to 19.30 on Saturdays and Sundays.

You must not open the premises to customers and you must not allow customers on the premises outside of the permitted hours set out in this condition.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 3 Only Starbucks Coffee (UK) Ltd can carry out the mixed A1/A3 use. No one else may benefit from this permission. (C06AA)

Reason:

Because of the special circumstances of this case we need to control future use of the premises if Starbucks Coffee Company (UK) Ltd leaves. This is as set out in SS7, TACE8 of our Unitary Development Plan that we adopted in January 2007 and S24 and S29 of our Westminster City Plan: Strategic Policies that we adopted November 2013. (R06AB)

- 4 You must provide the waste and recycling store shown on drawing BRS.0435_02_01A. You must clearly mark it and make it available at all times to everyone using the building. You must store waste inside the property and only put it outside just before it is to be collected. You must not use the waste store for any other purpose. (C14DB)

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)

- 5 The additional operational hours by Condition 2 to close at 20.30 hours Monday to Friday hereby allowed shall not take place until an Operational Management Plan has been submitted to and approved in writing by the City Council as local planning authority. The plan shall show how you will prevent the use causing a nuisance to people in the area and being detrimental to local environmental quality. The plan shall provide the following details:

- (i) Starbucks contact number for residents to report issues;
- (ii) Details of waste management including arrangements (employee responsibility and times and dates) for waste presentation, collection of Starbucks litter from external tables and chairs and from the streets within the vicinity of the site including Randolph Avenue and Elgin Mews North.
- iii) Details of measures to discourage and minimise anti social parking by customers.

You must not operate the additional hours until we have approved what you have sent us. You must then operate the premises in accordance with the measures included in the operational management plan at all times.

Reason:

To make sure that the additional operational hours will not cause a nuisance for people in the area and that local environmental quality will be protected. This is as set out in policies SS7 and TACE8 of our Unitary Development Plan that we adopted in January 2007 and policies S24 and S29 of the Westminster City Plan: Strategic Policies that we adopted November 2013.

- 6 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.

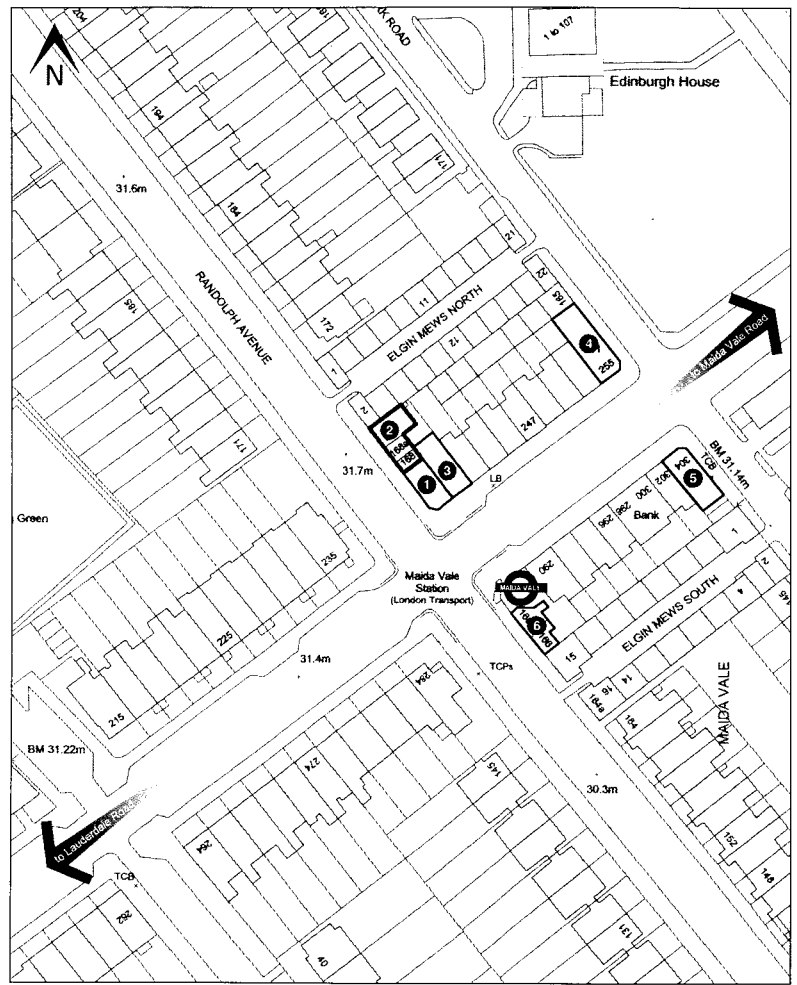
Reason:

For the avoidance of doubt and in the interests of proper planning.

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.

OPENING HOURS PLAN



KEY

□ SITE LOCATION

STORE OPENING TIMES

SITE NO.	DESCRIPTION	USE CLASS	OPENING TIMES
1	WINE RACK	A1	11:00-22:00
2	STARBUCKS (SITE)	A1	07:00-19:30
3	THAI RICE	A3	16:00-23:00
4	ELGIN PUBLIC HOUSE	A4	08:00-00:00
5	CONVENIENCE STORE	A1	07:30-23:30
6	THE BANANA TREE	A3	12:00-23:00

MAIDA VALE UNDERGROUND TIMES

DAY	EARLIEST	LATEST
MONDAY - SATURDAY	05:42	00:45
SUNDAY	07:18	23:59

168/170 RANDOLPH AVENUE, MAIDA VALE, LONDON - OPENING HOURS PLAN



Agenda Item 6

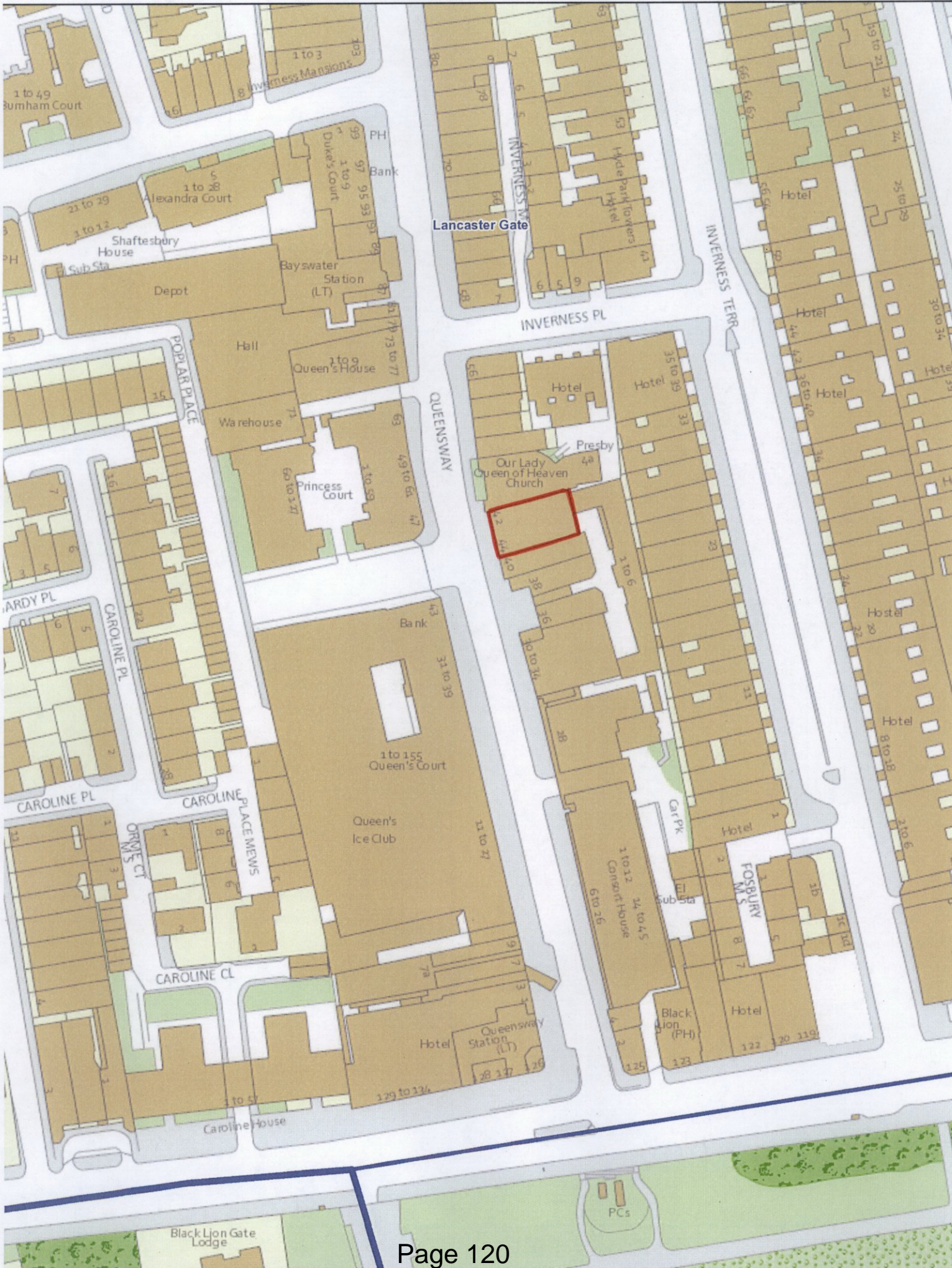
Item No.

6

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 1 September 2015	Classification For General Release	
Report of Director of Planning	Wards involved Lancaster Gate		
Subject of Report	42 Queensway, London, W2 3RS		
Proposal	New projecting rooflight to main roof level, with two additional rooflights to the rear sloping roof to provide additional floorspace and new windows and doors to the side elevation facing onto the existing rear terrace to Flat 6.		
Agent	TPM Limited		
On behalf of	Mr Richard Collinge		
Registered Number	15/05309/FULL	TP / PP No	TP/8099
Date of Application	15.06.2015	Date amended/ completed	15.06.2015
Category of Application	Other		
Historic Building Grade	Unlisted		
Conservation Area	Queensway		
Development Plan Context - 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		
Stress Area	Within Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

Grant conditional permission.



Lancaster Gate



2. SUMMARY

This application relates to a proposal to extend Flat 6 on the top floor of the building through extension into a loft space, and to replace windows and doors to the flat, and to install skylights to the roof above. Objections have been received from a resident of the adjoining flat on grounds of loss of sunlight and daylight, increased sense of enclosure and overlooking.

The key issues are:

- The impact on the amenities of the adjoining flat at No. 42 Queensway.
- The acceptability of the proposed alterations in design terms.

Notwithstanding the objections received, the works proposed are considered acceptable in design and amenity grounds, are considered in accordance with relevant policies contained within the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (the City Plan) and the application is recommended for approval.

3. CONSULTATIONS

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

Holding objection and comment that they are considering the matter further. State that without access to the site it is difficult to fully assess the application and the effects on the neighbours in terms of overlooking, loss of light and sense of enclosure. State that they are not happy with the large rooflight as this will be visible from the roadway area opposite (between Queen's Court and Princess Court) and from Poplar Place. Query why the rooflight cannot be flush so as not to be visible.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 27; Total No. of Replies: 4
Four letters from the same objector.

Responses received from one adjoining resident objecting on the following grounds:

Amenity

- Loss of privacy to the adjoining terrace and noise disturbance generally resulting from the installation of new folding doors opening onto applicant's terrace.
- Loss of privacy to the adjoining terrace from windows to new loft accommodation.
- Concern that if folding doors onto applicant's terrace folded back towards objector's terrace they would shade the objector's terrace.
- Concern about noise and disruption during the construction works.

ADVERTISEMENT/SITE NOTICE: Yes

4. BACKGROUND INFORMATION

4.1 The Application Site

No. 42-44 Queensway is an unlisted building located in the Queensway Conservation Area which is in use as flats to the upper floors and with commercial units to ground floor. The application relates to one of the top floor flats (No. 6).

4.2 Recent Relevant History

No relevant planning history.

5. THE PROPOSAL

Planning permission is sought for the addition of a new projecting rooflight to main roof level in association with the use of the loft space as part of the habitable accommodation of the top floor flat, with two additional rooflights proposed to the rear sloping roof, and new windows and doors to the side elevation facing onto the existing rear terrace.

6. DETAILED CONSIDERATIONS

6.1 Land Use

The work proposed involves an extension to the existing residential unit, expanding it from a one bedroom flat to a two bedroom flat, and the principle of additional residential floorspace in land use terms is supported by Policy H3 of the UDP.

6.2 Townscape and Design

The front elevation of the building is an attractive Victorian property with sash windows, classical detailing and a traditionally detailed and slate clad mansard structure. To the rear, however, the buildings have been extended back to the full height and width at some point in the mid to later 20th century, and with the mansard being both partly extended back over this rear extension and also partly cut away to allow for the flat roofs occupied by an existing terrace to the applicant's property and the immediately adjacent terrace of a separate flat at this floor level, with this open space also incorporating a lightwell and space of the communal staircase which rises up to this level in a highly glazed form. The rear of the building therefore has a much more modern character than the attractive front elevation.

The new rooflight to main roof level will project up above the height of the existing mansard by 300mm, with the upstand of this rooflight being faced in lead. This rooflight is proposed in association with the conversion of the loft space within the building to habitable accommodation, and the 300mm projection above the flat roof of the existing mansard allows an internal floor to ceiling height to the loft space accommodation of approximately 2.1m. The skylight and upstand will not be visible from street level on Queensway, though it will very likely be visible in views from street level from the west end of the section of street west of Queensway located between Princess Court and Queen's Court mansion blocks, and in this same view between these mansion blocks from in front of the garages on Poplar Place. Notwithstanding the upstand to the skyline of the building that this would represent, these views are not readily visible to the significant majority of people walking within the area, and in these views the roofline is already cluttered by numerous ariels and flue outlets. In the private views possible from the surrounding buildings the rooflight would be seen in context with the unorthodox mansard structure present on this building, would be seen present on the large flat roof area to its centre, and it is not considered that it would unduly clutter its impression. The South East Bayswater Residents Association query why the rooflight cannot be flush so as not to be visible, and whilst the concerns on grounds of its visibility are noted, given the limited internal floor to ceiling height being created, to reduce this down further would make the internal space unusable for habitable accommodation.

The two new rooflights to the rear roofslope of the building will only be visible in views from a limited number of rear elevation windows to buildings on Inverness Terrace to the east. These rooflights are small in size, and will not unduly clutter the rear roofslope of the building.

The doors and windows comprising the new glazed screen facing onto the existing rear terrace will have a striking modern character, however, they replace an existing bay extension of particularly poor quality, and they will be seen in context with the modernised character of this rear terrace area and not seen in Page 123 the traditionally detailed front elevation of

the building. Given this, though a modern addition to the building, they are not considered as a reason for refusal.

The new window facing south from the new loft accommodation will be contained below the ridge line of both the main front and main rear sections of the mansard, and though it will be visible in a view from the terrace to the adjoining flat, it will be seen in this view in context with the glazed communal stair core, and in context with the more modern character of this rear area of the building. This window is therefore considered appropriate in design terms.

Overall therefore, the scheme complies with the City Council's design and conservation policies, including City Plan Policies S25 and S28 and UDP Policies DES 1, DES 5 and DES 9.

6.3 Amenity

Policies S29 of the City Plan and ENV13 of the UDP seek to protect residential amenity in terms of light, privacy and sense of enclosure of surrounding properties. The application has attracted objection on amenity grounds from the occupier of the adjoining flat to this floor level, which has several rear facing windows and a terrace located immediately adjacent to the existing terrace to the applicant's flat. The South East Bayswater Residents Association have also queried whether there would be an impact on the amenity of the adjoining occupier.

The objector has expressed concern about the overlooking into their rear terrace from the south facing window to the new loft accommodation, and overlooking from a terrace in front of this area. The new loft accommodation will have a south facing window which will look directly back over the roof of the communal staircase structure and back into a lightwell area beyond. There will be more oblique and restricted views from this window back, between a gap formed by the sections of the applicant's own property and the objector's property, and the objector's terrace. Given the set back of this window however, the oblique angle of view, the narrow gap through which views would be possible, and that it relates to an external terrace already heavily overlooked by both the applicant's internal accommodation and immediately adjacent external terrace, it is not considered that the impact of overlooking from this window would be so significant as to warrant a refusal of permission. There is one window to the objector's property which faces onto this lightwell, however, it faces east, and therefore the south facing window at a floor level above its location would not overlook this window to the detriment of the objector's privacy.

With regards to overlooking from a terrace area adjacent to this window referred to by the objector, the applicant has confirmed that the reference to a 'terrace' in this area on the submitted drawings was an error and that they do not intend to create a new external terrace adjacent to the loft accommodation. A condition is also recommended preventing its use as a terrace.

The objector also expresses concern about overlooking onto their terrace from the new doors and windows. There is an existing bay extension with a pair of doors and two windows facing out with clear views over the objector's terrace immediately adjacent. The concerns about overlooking are noted, but given the existing overlooking possible from the existing doors and windows, and particularly given that the two terraces are immediately adjacent to each other, it is not considered that a reason for refusal could be sustained on loss of privacy. It is not considered that the installation will result in such a material loss of amenity to the adjoining flat.

The objector also raised concerns regarding the doors opening towards their terrace.

Item No.
6

However, the plans show the doors opening to the east side of the opening and therefore away from the neighbour's terrace.

The concerns expressed on grounds of the disturbance during the construction work are noted and understood, however, the hours of works are restricted by condition.

Overall, though the concerns of the objector are noted, it is considered that the proposal will not materially impact upon the amenity of neighbouring properties and will accord with Policy S29 of the City Plan and ENV13 of the UDP.

6.4 Transportation/Parking

The proposals would not result in any increase in residential units and there would therefore be no significant increase in demand for parking in the area.

6.5 Economic Considerations

Not applicable.

6.6 Equalities and Diversities

Not relevant in the determination of the application.

6.7 Other UDP/Westminster Policy Considerations

None.

6.8 London Plan

The proposal does not raise 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. 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

Not applicable.

6.11 Environmental Assessment including Sustainability and Biodiversity Issues

The proposal is of an insufficient scale to require an environmental assessment.

6.12 Other Issues

No other issues raised.

6.13 Conclusion

For the reasons set out in this report, the proposed development is considered acceptable, subject to the recommended conditions, and would accord with the relevant design, amenity and land use policies within the UDP and City Plan.

BACKGROUND PAPERS

1. Application form.
2. Letter from South East Bayswater Residents Association dated 31 July 2015.
3. Emails and letters received from occupant of flat within 42-44 Queensway dated 16 February 2015, 21 July 2015, 24 July 2015 and 30 July 2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT AMANDA COULSON ON 020 7641 2875 OR BY E-MAIL – acoulson@westminster.gov.uk

DRAFT DECISION LETTER

Address: 42 Queensway, London, W2 3RS

Proposal: New projecting rooflight to main roof level, with two additional rooflights to the rear sloping roof, to provide additional floorspace and new windows and doors to the side elevation facing onto the existing rear terrace to Flat 6.

Plan Nos: E001, D300C, E300, D100C, E100, D200C, E200, D201, E201, Design and Access Statement (including Heritage Statement), email from Richard Collinge dated 2nd August 2015

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 Queensway 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 upstand to the new rooflight above the 'master bedroom', 'landing' and 'ensuite' rooms (as described on drawing D100C) shall be faced in lead

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 Queensway 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 The new windows and external doors shall be formed in glazing framed in painted timber framing

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 Queensway 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)

- 6 Notwithstanding the annotation on drawing D100C, you must not use the the flat roof adjacent to the 'master bedroom' (as described on drawing D100C) for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21AA)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: 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.

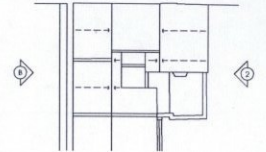
Notes:
 1. Do not scale from this drawing.
 2. All dimensions to be checked on site by the contractor and such dimensions to be his responsibility.
 3. Report all drawing errors, omissions and discrepancies to the architect.



1 Front Elevation
 Scale: 1:100

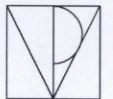


2 Rear Elevation
 Scale: 1:100



Date	Description	By	Chk	Rev
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TPM Limited
 5 Union Wharf, Burlington
 London N1 7BL
 T: +44 (0) 20 7226 7454
 E: info@tpm-studio.co.uk



Client:
 Richard Collinge

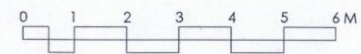
Project:
 Flat 6, 42-44 Queensway
 London W2

Drawing Title:
 Existing Front & Rear Elevation

Status:
PLANNING

Status:
 1:100 @A3 Date:
 12/12/2014

Project No: Drawing No: Rev:
 1002 E300 -





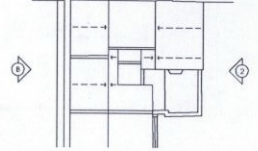
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- Loft Floor Level
FFL: +13.500 M
- Eaves Level
FFL: +11.900 M
- Fourth Floor Level
FFL: +11.200 M
- Third Floor Level
FFL: +8.400 M
- Second Floor Level
FFL: +5.600 M
- First Floor Level
FFL: +2.800 M
- Ground Floor Level
FFL: +0.000 M

① **Front Elevation**
Scale: 1:100



② **Rear Elevation**
Scale: 1:100

- Notes:
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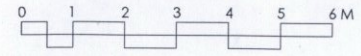
Project:
Flat 6, 42-44 Queensway
London W2

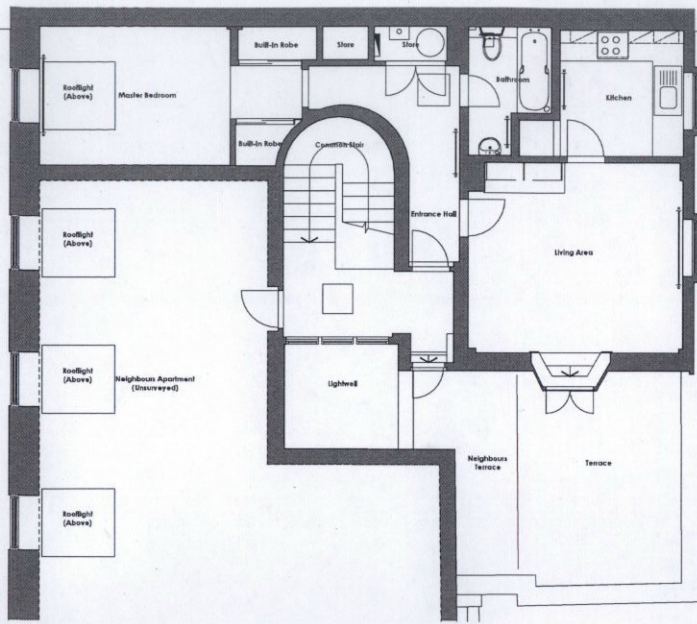
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Proposed Front & Rear Elevation

Status:
PLANNING

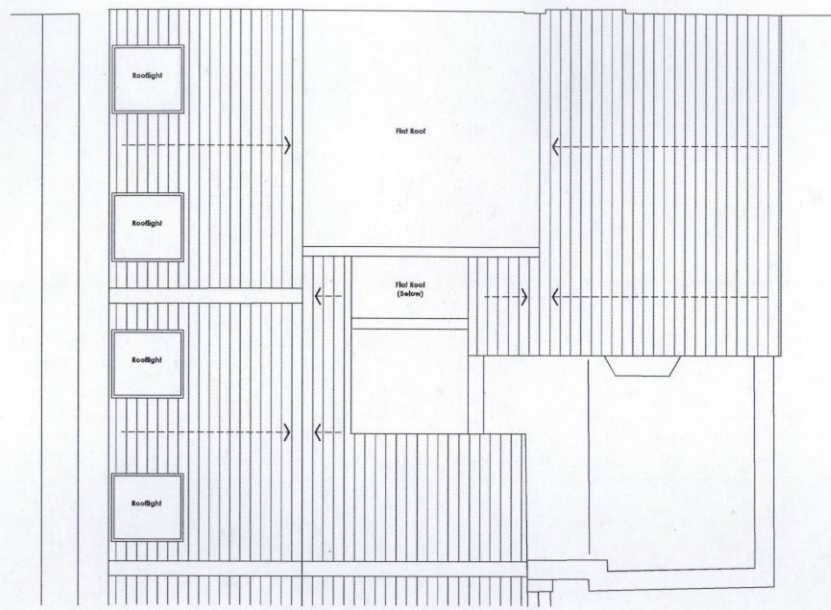
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12/12/2014

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1002 D300 C

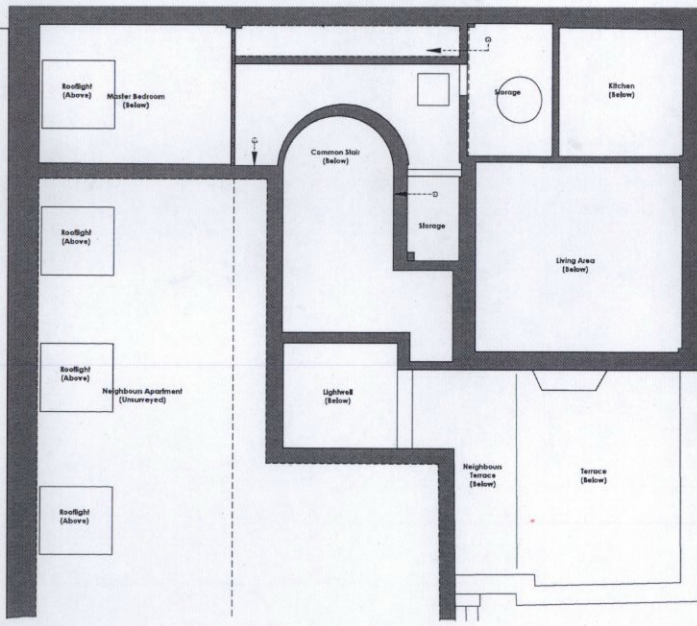




Fourth Floor Plan
Scale: 1:100



Roof Plan
Scale: 1:100



Loft Floor Plan
Scale: 1:100

Notes:
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Date	Description	By	Chk	Rev
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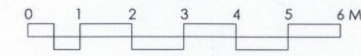
Project:
 Flat 6, 42-44 Queensway
 London W2

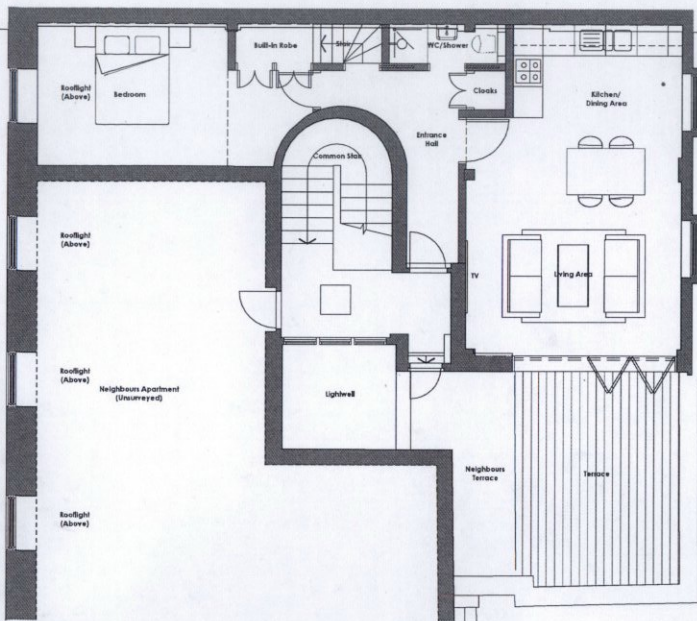
Drawing Title:
 Existing Fourth, Loft & Roof Plan

Status:
PLANNING

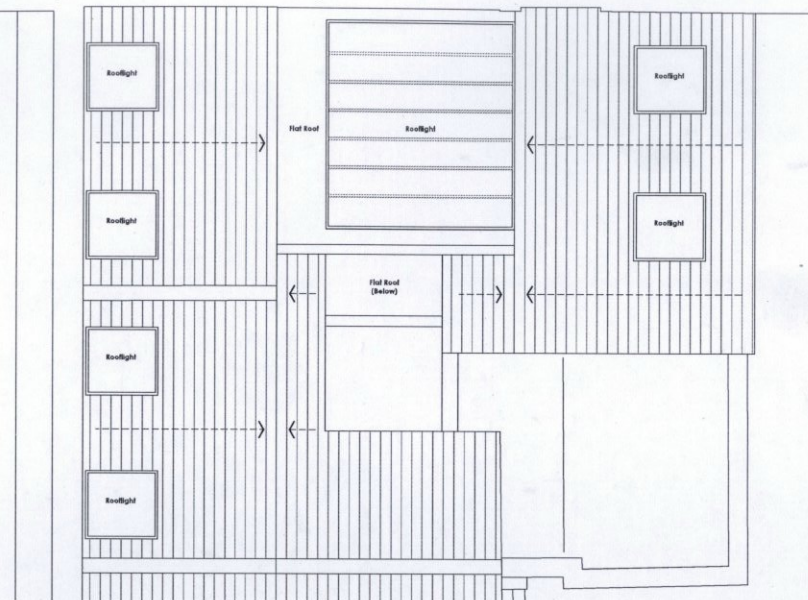
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Project No: 1002 Drawing No: E100 Rev: -

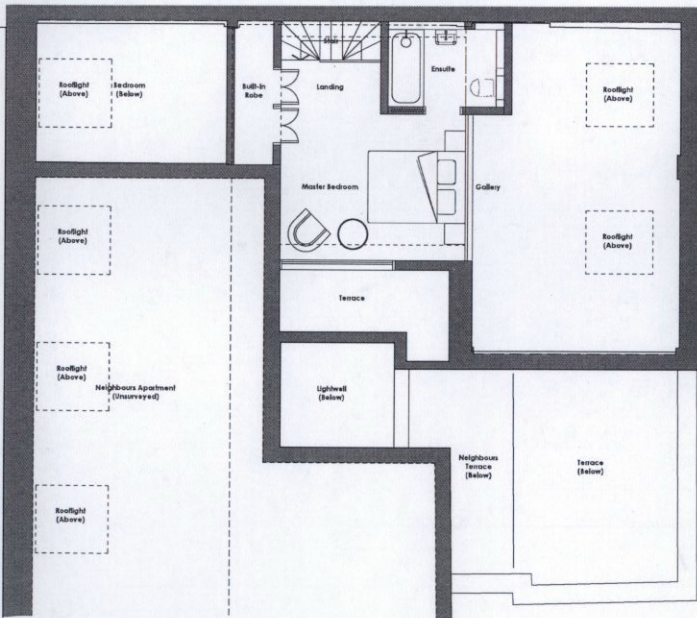




Fourth Floor Plan
Scale: 1:100



3 Roof Plan
Scale: 1:100



2 Loft Floor Plan
Scale: 1:100

Notes:
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3. Report all drawing errors, omissions and discrepancies to the architect.

Date	Description	By	Chk	Rev
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Client:
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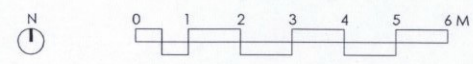
Project:
Flat 6, 42-44 Queensway
London W2

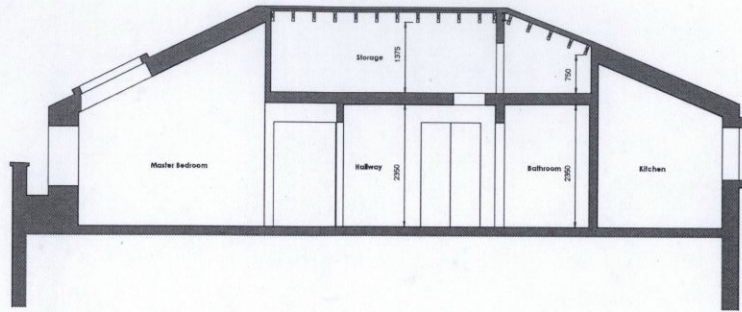
Drawing Title:
Proposed Fourth, Loft & Roof Plan

Status:
PLANNING

Status: 1:100 @A3 Date: 12/12/2014

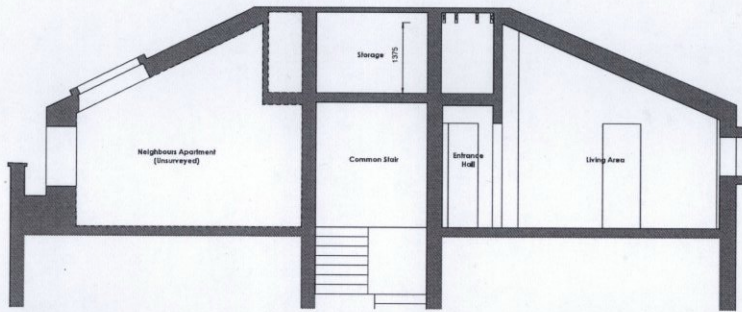
Project No: 1002 Drawing No: D100 Rev: C





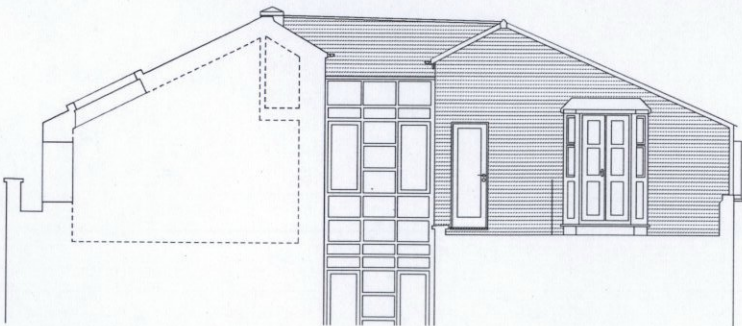
1 Section A-A
Scale: 1:100

- Ridge Level
FFL: +15.500 M
- Loft Floor Level
FFL: +13.750 M
- Eaves Level
FFL: +11.900 M
- Fourth Floor Level
FFL: +11.200 M



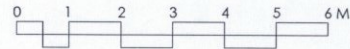
2 Section B-B
Scale: 1:100

- Ridge Level
FFL: +15.500 M
- Loft Floor Level
FFL: +13.750 M
- Eaves Level
FFL: +11.900 M
- Fourth Floor Level
FFL: +11.200 M

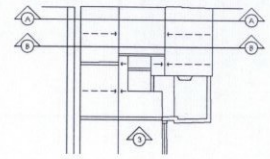


3 Side Elevation
Scale: 1:100

- Ridge Level
FFL: +15.500 M
- Loft Floor Level
FFL: +13.750 M
- Eaves Level
FFL: +11.900 M
- Fourth Floor Level
FFL: +11.200 M

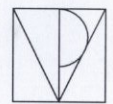


Notes:
1. Do not scale from this drawings.
2. All dimensions to be checked on site by the contractor and such dimensions to be his responsibility.
3. Report all drawing errors, omissions and discrepancies to the architect.



Date	Description	By	Chk	Rev

TPM Limited
5 Union Wharf, Islington
London N1 7BL
T: +44 (0) 20 7226 7454
E: info@tpm-studio.co.uk



Client:
Richard Collinge

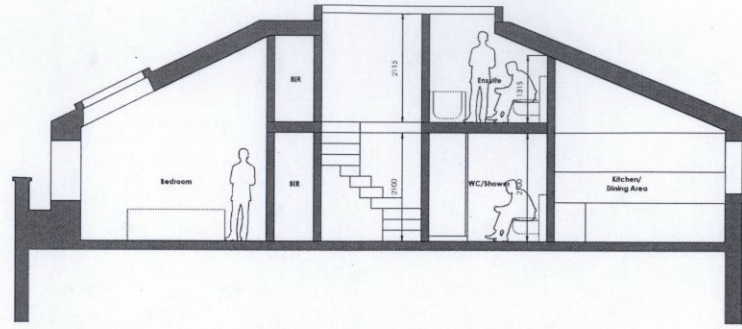
Project:
Flat 6, 42-44 Queensway
London W2

Drawing Title:
Existing Section A-A, B-B
& Side Elevation

Status:
PLANNING

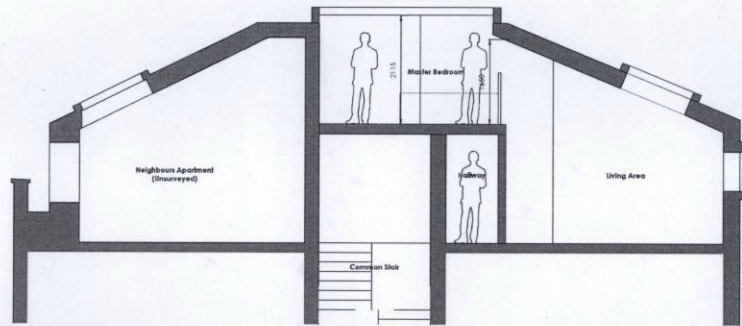
Status: 1:100 @A3 Date: 12/12/2014

Project No: 1002 Drawing No: E200 Rev: -



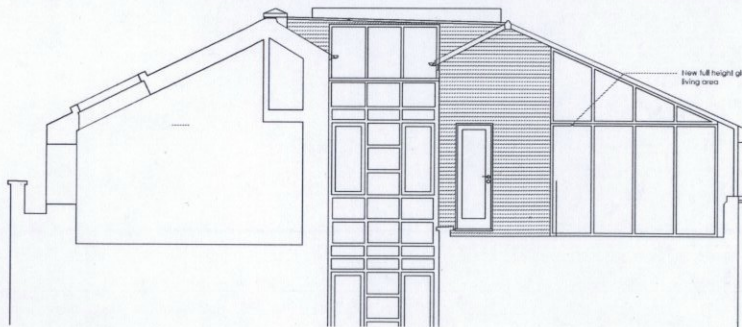
1 Section A-A
Scale: 1:100

- Ridge Level
FFL: +15.850 M
- Loft Floor Level
FFL: +13.500 M
- Eaves Level
FFL: +11.900 M
- Fourth Floor Level
FFL: +11.200 M



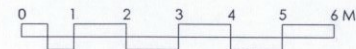
2 Section B-B
Scale: 1:100

- Ridge Level
FFL: +15.850 M
- Loft Floor Level
FFL: +13.500 M
- Eaves Level
FFL: +11.900 M
- Fourth Floor Level
FFL: +11.200 M

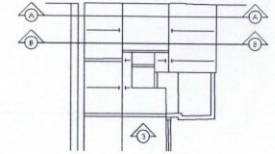


3 Side Elevation
Scale: 1:100

- Ridge Level
FFL: +15.850 M
- Loft Floor Level
FFL: +13.500 M
- Eaves Level
FFL: +11.900 M
- Fourth Floor Level
FFL: +11.200 M



Notes:
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2. All dimensions to be checked on site by the contractor and such dimensions to be his responsibility.
3. Report all drawing errors, omissions and discrepancies to the architect.



Date	Description	By	Chk	Rev

TPM Limited
5 Union Wharf, Islington
London N1 7BL
T: +44 (0) 20 7226 7454
E: info@tpm-studio.co.uk



Client:
Richard Collinge

Project:
Flat 6, 42-44 Queensway
London W2

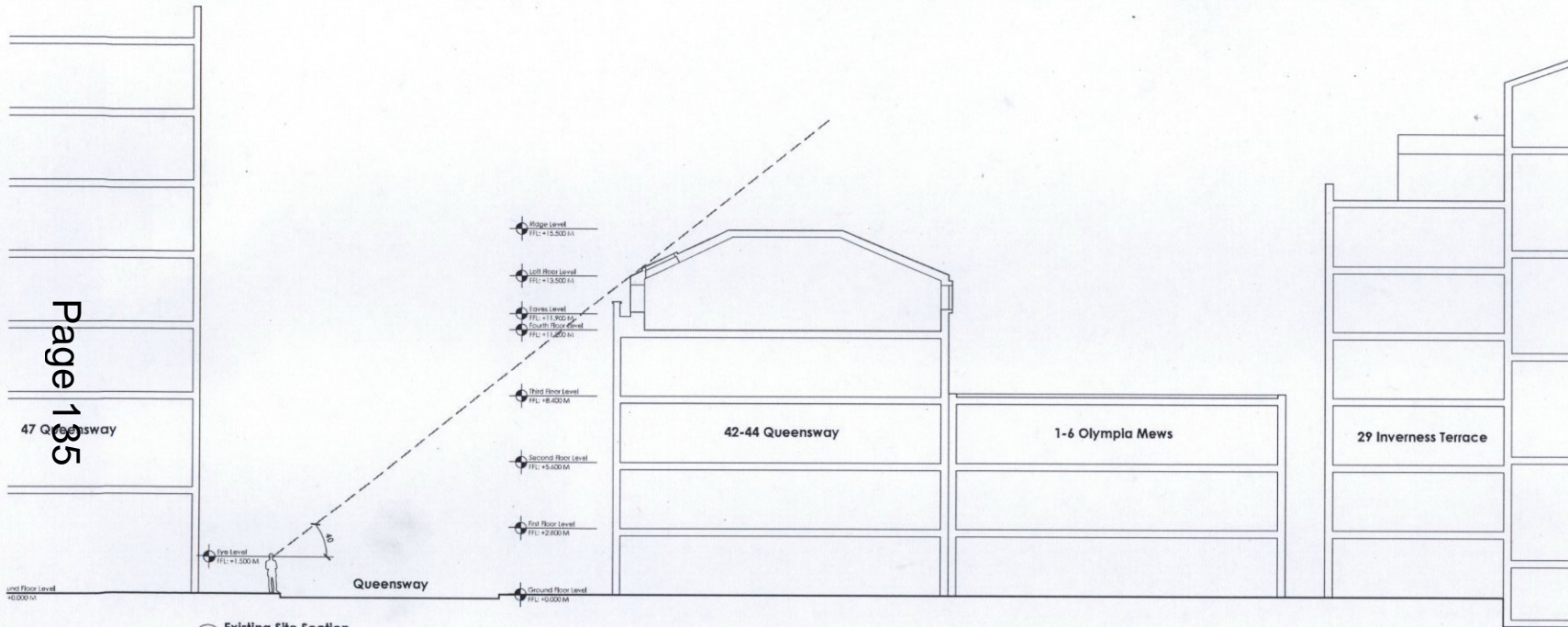
Drawing Title:
Proposed Section A-A, B-B
& Side Elevation

Status:
PLANNING

Status:
1:100 @A3 Date:
12/12/2014

Project No: Drawing No: Rev:
1002 **D200** **C**

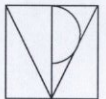
- Notes:
1. Do not scale from this drawing.
 2. All dimensions to be checked on site by the contractor and such dimensions to be his responsibility.
 3. Report all drawing errors, omissions and discrepancies to the architect.



1 Existing Site Section
Scale: 1:200

Date	Description	By	Chk	Rev
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TPM Limited
5 Union Wharf, Billington
London N1 7BL
T: +44 (0) 20 7226 7454
E: info@tpm-studio.co.uk



Client:
Richard Collinge

Project:
Flat 6, 42-44 Queensway
London W2

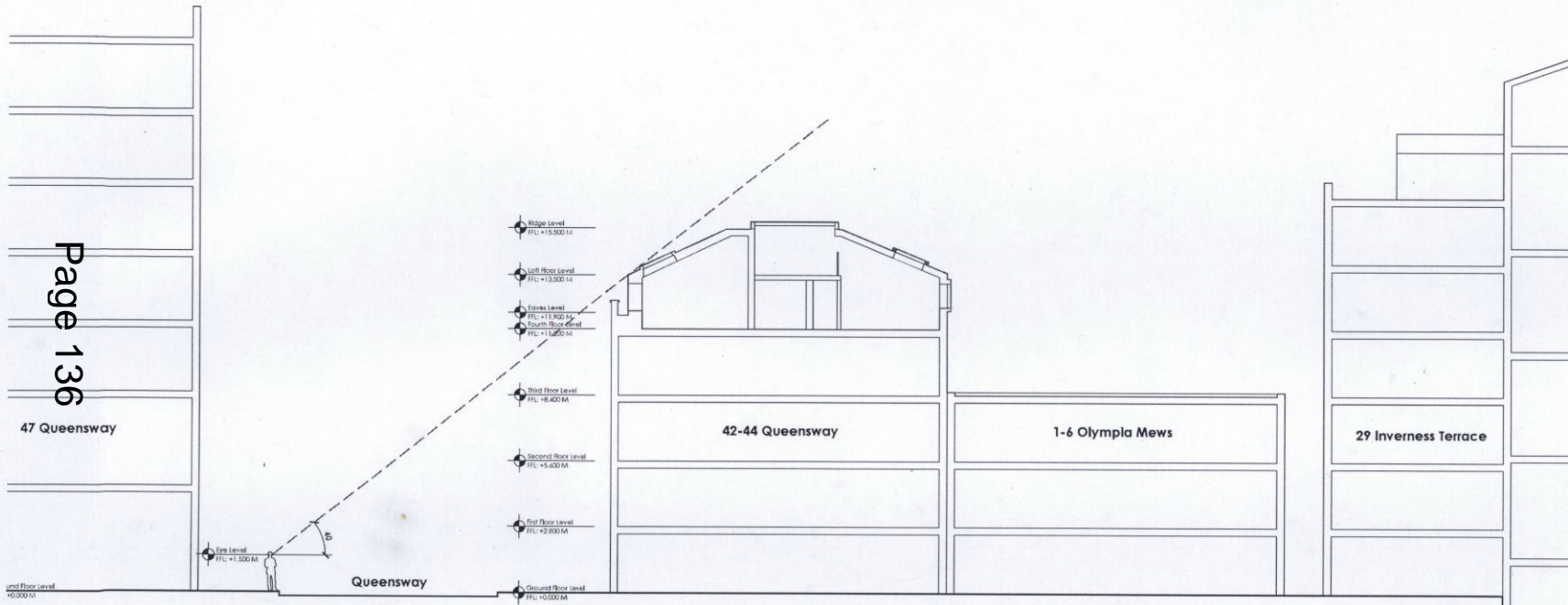
Drawing Title:
Existing Site Section with
Sight Lines

Status:
PLANNING

Status:
1:200 @A3 Date:
12/12/2014

Project No: 1002 Drawing No: E201 Rev: -

- Notes:
1. Do not scale from this drawings.
 2. All dimensions to be checked on site by the contractor and such dimensions to be his responsibility.
 3. Report all drawing errors, omissions and discrepancies to the architect.



1 Proposed Site Section
Scale: 1:200

Page 136
47 Queensway

Date	Description	By	Chk	Rev
------	-------------	----	-----	-----

TPM Limited
5 Union Wharf, Islington
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T: +44 (0) 20 7226 7454
E: info@tpm-studio.co.uk



Client:
Richard Collinge

Project:
Flat 6, 42-44 Queensway
London W2

Drawing Title:
Proposed Site Section with
Sight Lines

Status:
PLANNING

Status: 1:200 @A3 Date: 12/12/2014

Project No: 1002 Drawing No: D201 Rev: -

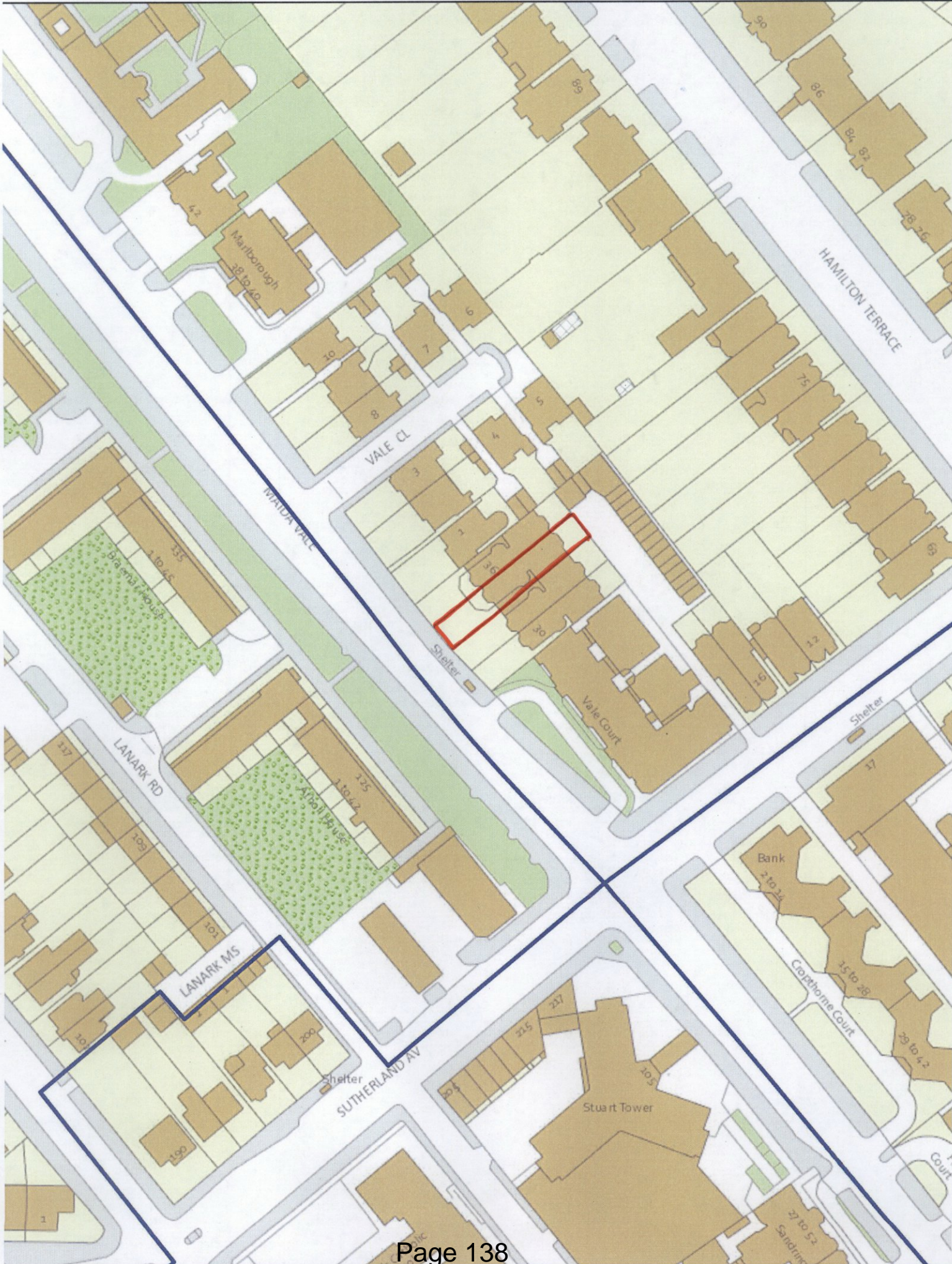
Agenda Item 7

Item No.
7

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 1 September 2015	Classification For General Release	
Report of Director of Planning	Wards involved Abbey Road		
Subject of Report	Flat 6, 34 Maida Vale, London, W9 1RS		
Proposal	Replacement timber doubled glazed bay windows and doors (first floor front elevation).		
Agent	Mr Peter Freeman		
On behalf of	Mr Peter Freeman		
Registered Number	15/06764/FULL	TP / PP No	TP/10301
Date of Application	24.07.2015	Date amended/ completed	24.07.2015
Category of Application	Other		
Historic Building Grade	Unlisted		
Conservation Area	St John's Wood		
Development Plan Context - 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		
Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

Grant conditional permission.





FLAT 6, 34 MAIDA VALE, W9

2. SUMMARY

This planning application has been submitted by Councillor Freeman and relates to the replacement of the single glazed windows and doors to the first floor front bay with new timber doubled glazed windows and doors to match the existing fenestration pattern.

The replacement windows and doors to the bay are considered to respect the host building and comply with Policies S25 and S28 in the City Plan and DES5 and DES9 in the UDP. The application is recommended for conditional approval.

3. CONSULTATIONS

ST JOHN'S WOOD SOCIETY
No objections.

PADDINGTON WATERWAYS AND MAIDA VALE SOCIETY
Provided the replacement units use low reflective glass to minimise the appearance of double glazed units and the sections and profiles match the existing, no objections.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS
No. Consulted: 8; Total No. of Replies: 0.
Any responses received will be reported verbally to Committee.

ADVERTISEMENT/SITE NOTICE: Yes

4. BACKGROUND INFORMATION

4.1 The Application Site

This application relates to the first floor flat (No. 6) in this unlisted Edwardian building located on the east side of Maida Vale. The building is located within the St John's Wood Conservation Area.

This building is a lateral conversion with No. 36 and comprises of eight flats.

4.2 Planning History

None relevant in the determination of this planning application.

5. THE PROPOSAL

This proposal is for replacement double glazed timber windows and doors to the front bay of this flat. This application is being reported to Committee for a decision, as it has been submitted by Councillor Freeman.

6. DETAILED CONSIDERATIONS

6.1 Land Use

Not relevant in the determination of this planning application.

6.2 Townscape and Design

The proposed replacement double glazed windows and doors are timber and will match the fenestration pattern of the existing. The proposal is considered acceptable in design terms and complies with Policies DES1, DES5 and DES9 in the adopted UDP and S25 and S28 in the City Plan.

6.3 Residential Amenity

This application raises no amenity issues for existing residents in the building or adjoining.

6.4 Transportation and Parking

Not relevant in the determination of this application.

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

This application raises no strategic issues.

6.9 Central Government Advice

Regard has been had to the detailed advice set out in the National Planning Policy Framework (NPPF).

6.10 Planning Obligations

Not relevant in the determination of this application.

6.11 Environmental Assessment including Sustainability and Biodiversity Issues

Not relevant in the determination of this application.

6.12 Conclusion

It is recommended to grant conditional permission.

BACKGROUND PAPERS

1. Application form.
2. Response from the St John's Wood Society dated 11.8.2015.
3. Response from the Paddington Waterways and Maida Vale Society dated 14.8.2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT AMANDA COULSON ON 020 7641 2875 OR BY E-MAIL – acoulson@westminster.gov.uk

DRAFT DECISION LETTER

Address: Flat 6, 34 Maida Vale, London, W9 1RS

Proposal: Replacement timber doubled glazed bay windows and doors (first floor front elevation).

Plan Nos: Site location plan, Manufacturer's specifications of the replacement windows and doors, survey manual, photographs x 2.

Case Officer: Amanda Coulson **Direct Tel. No.** 020 7641 2875

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 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 All new windows and doors shall be painted white and maintained in that colour.

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.

Customer Name:	Mr P Freeman	Purchase Agreement No.	SO2708AT
Customer Address:	Flat 6, 34 Maidavale, Maida Vale, LONDON, W9 1RS		
Home Telephone:		Daytime Telephone:	
Customer Service Centre:	Southern (44)		
Surveyor Name:	Mr Dan Brooks	Surveyor Code:	DB105

Any illustrations are to show openings and design styles as viewed from inside, and are not drawn in proportion or to scale with each other



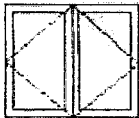
1) Lounge Window-Timber Casement Windows
 T4, 736 mm. wide x 580 mm. high, External Finish: Arctic White, Glass Whole Frame: 4mm Clear, Grgn/Lead Style Lvl 1: Authentic Georgian, Internal Finish: Arctic White, Sealed Unit Type: Energy Saver Plus, Spacer Colour: Black, Toughened Glass, Window Boards: D:Matching Paint Finish



2) Lounge Door 1-Timber French Doors
 TF20, 760 mm. wide x 2050 mm. high, Door Handle Style: Modern, External Finish: Arctic White, Furniture Finish: Chrome, Glass Whole Frame: 4mm Clear, Internal Finish: Arctic White, Profile Style: Flush, Sealed Unit Type: Energy Saver Plus, Spacer Colour: Black



3) Lounge Window 2-Timber Casement Windows
 T4, 1434 mm. wide x 580 mm. high, External Finish: Arctic White, Glass Whole Frame: 4mm Clear, Grgn/Lead Style Lvl 1: Authentic Georgian, Internal Finish: Arctic White, Sealed Unit Type: Energy Saver Plus, Spacer Colour: Black, Toughened Glass, Window Boards: D:Matching Paint Finish



4) Lounge Door 2-Timber French Doors
 TF24, 1460 mm. wide x 2050 mm. high, B Dimension: 730, Door Handle Style: Modern, Door Hinge Finish: Gold, External Finish: Arctic White, Feature Panel: 1, Furniture Finish: Gold, Glass Whole Frame: 4mm Clear, Hung: Right, Internal Finish: Arctic White, Opening: In, Profile Style: Storm Proof, Sealed Unit Type: Energy Saver Plus, Spacer Colour: Black



5) Lounge Window 3-Timber Casement Windows
 T4, 736 mm. wide x 580 mm. high, External Finish: Arctic White, Glass Whole Frame: 4mm Clear, Grgn/Lead Style Lvl 1: Authentic Georgian, Internal Finish: Arctic White, Sealed Unit Type: Energy Saver Plus, Spacer Colour: Black, Toughened Glass, Window Boards: D:Matching Paint Finish



6) Lounge Door 3-Timber French Doors
 TF20, 760 mm. wide x 2050 mm. high, Door Handle Style: Modern, External Finish: Arctic White, Furniture Finish: Chrome, Glass Whole Frame: 4mm Clear, Internal Finish: Arctic White, Profile Style: Flush, Sealed Unit Type: Energy Saver Plus, Spacer Colour: Black



7) Lounge Building Works-Building Works
 BS1, ,



8) Lounge Building Works 2-Access Equipment
 BD1, , Elevation: Front, Full Scaffolding: Yes, Minimum Available Depth(mm): 670, No of Storeys: 2, To Fit Windows: Yes, Working Platform Height(m): 3

Handwritten signature: J.L. Brooks !!



Everest Core Products

SY022-201505191804

Date: 19/05/2015

PURCHASE AGREEMENT - (1 of 1)

Between the company Everest Limited, Cuffley, Hertfordshire EN6 4SG and the Customer who is:-

Customer Name	: Mr Peter Freeman	Email:	pafreeman@btinternet.com
Customer Address	: Flat 6, 34 Maida Vale, London, London, W9 1RS		
Install Address	: Flat 6, 34 Maida Vale, London, London, W9 1RS		
Home Phone	: [REDACTED]	Work Phone:	
		Mobile Phone:	

Illustrations are to show the openings and design styles as viewed from the inside. All colours are the best representation of actual colours although may vary due to the performance of the laptop and printer used.



1) Lounge - Door 1 (Front)

Timber French Doors, Design:TF25, Dimension:150cmx270cm, External Finish:Arctic White, Internal Finish:Arctic White. Opening:In, Hung:Left, Feature Panel:1, Door Handle Style:Modern, Door Handle Finish:Chrome, Hinge Finish:Chrome, Sealed Unit Type:Energy Saver Plus, Glass/Panel:4mm Clear, Grn Lead Style L0:Authentic Georgian, Hardwood Threshold:Upto 28cm



2) Lounge - Door 2 (Front)

Timber French Doors, Design:TF21, Dimension:80cmx270cm, External Finish:Arctic White, Internal Finish:Arctic White, Sealed Unit Type:Energy Saver Plus, Glass/Panel:4mm Clear, Grn Lead Style L0:Authentic Georgian, Hardwood Threshold:Upto 28cm



3) Lounge - Door 3 (Front)

Timber French Doors, Design:TF21, Dimension:80cmx270cm, External Finish:Arctic White, Internal Finish:Arctic White, Sealed Unit Type:Energy Saver Plus, Glass/Panel:4mm Clear, Grn Lead Style L0:Authentic Georgian, Hardwood Threshold:Upto 28cm