



City of Westminster

# Committee Agenda

Title: **Planning Applications Committee (3)**

Meeting Date: **Tuesday 3rd May, 2016**

Time: **6.30 pm**

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

Members: **Councillors:**

Andrew Smith (Chairman)  
Louise Hyams  
Robert Rigby  
Ruth Bush

**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, Tristan Fieldsend, Committee and Governance Officer.**

**Tel: 020 7641 2341; Email: [tfieldsend@westminster.gov.uk](mailto:tfieldsend@westminster.gov.uk)  
Corporate Website: [www.westminster.gov.uk](http://www.westminster.gov.uk)**

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

## **AGENDA**

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

#### **1. MEMBERSHIP**

To note that Councillor Bush has replaced Councillor Grahame.

#### **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. **130 WESTBOURNE GROVE, LONDON W11 2RR**

**(Pages 3 - 20)**

2. **43 DRURY LANE, LONDON WC2B 5RT**

**(Pages 21 - 34)**

3. **10 FAIRHOLT STREET, LONDON SW7 1EG**

**(Pages 35 - 62)**

**Charlie Parker  
Chief Executive  
22 April 2016**

# Agenda Item

CITY OF WESTMINSTER  
 PLANNING APPLICATIONS COMMITTEE - 3 May 2016  
 SCHEDULE OF APPLICATIONS TO BE CONSIDERED

ITEM No.	References / Ward	SITE ADDRESS	PROPOSAL	APPLICANT
1	RN 16/00891/FULL  Bayswater	130 Westbourne Grove London W11 2RR	Excavation of a basement with front and rear lightwells, erection of a single storey rear extension at lower ground floor level and associated works to rear and front gardens	
Recommendation Grant conditional permission				
2	RN 15/09908/FULL  St James's	43 Drury Lane London WC2B 5RT	Variation of Condition 3 of planning permission dated 25 August 2015 (RN : 15/04293) for the use of an area of the public highway measuring 2.5m x 7.5m for the placing of four tables, eight chairs, two parasols and four planters in connection with the adjacent ground floor restaurant unit (Class A3). Namely, to extend the time the tables, chairs and planters may remain on the pavement from 21.00 until 23.00, with the tables, chairs and planters to be stacked away after 21.00.	
Recommendation Grant conditional permission				
3	RN 15/11506/FULL  Knightsbridge And Belgravia	10 Fairholt Street London SW7 1EG	Demolition of existing building behind retained ground floor front facade; excavation to enlarge existing lower ground floor and creation of new basement level; erection of extensions at ground and first floor level including the creation of a roof terrace at first floor level; erection of new mansard roof extension; installation of mechanical plant; and associated alterations; all in connection with use as a single family dwelling.	
Recommendation Grant conditional permission				

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# Agenda Item 1

Item No.
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<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 3 May 2016	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Bayswater	
<b>Subject of Report</b>	130 Westbourne Grove, London, W11 2RR		
<b>Proposal</b>	Excavation of a basement with front and rear lightwells, erection of a single storey rear extension at lower ground floor level and associated works to rear and front gardens.		
<b>Agent</b>	Bchitecture		
<b>On behalf of</b>	Ms Miriam Dalton		
<b>Registered Number</b>	16/00891/FULL	<b>Date amended/ completed</b>	2 February 2016
<b>Date Application Received</b>	2 February 2016		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Westbourne		

## 1. RECOMMENDATION

Grant conditional permission.
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## 2. SUMMARY

The application site is a basement flat within a mid terrace six storey building located on the north side of Westbourne Grove. The property is not listed but lies within the Westbourne Conservation Area.

Permission is sought for excavation of a basement beneath the existing lower ground floor level as an extension to the lower ground floor flat. The basement would include front and rear lightwells. A single storey rear extension at lower ground floor level and associated works are also proposed.

The key considerations are:

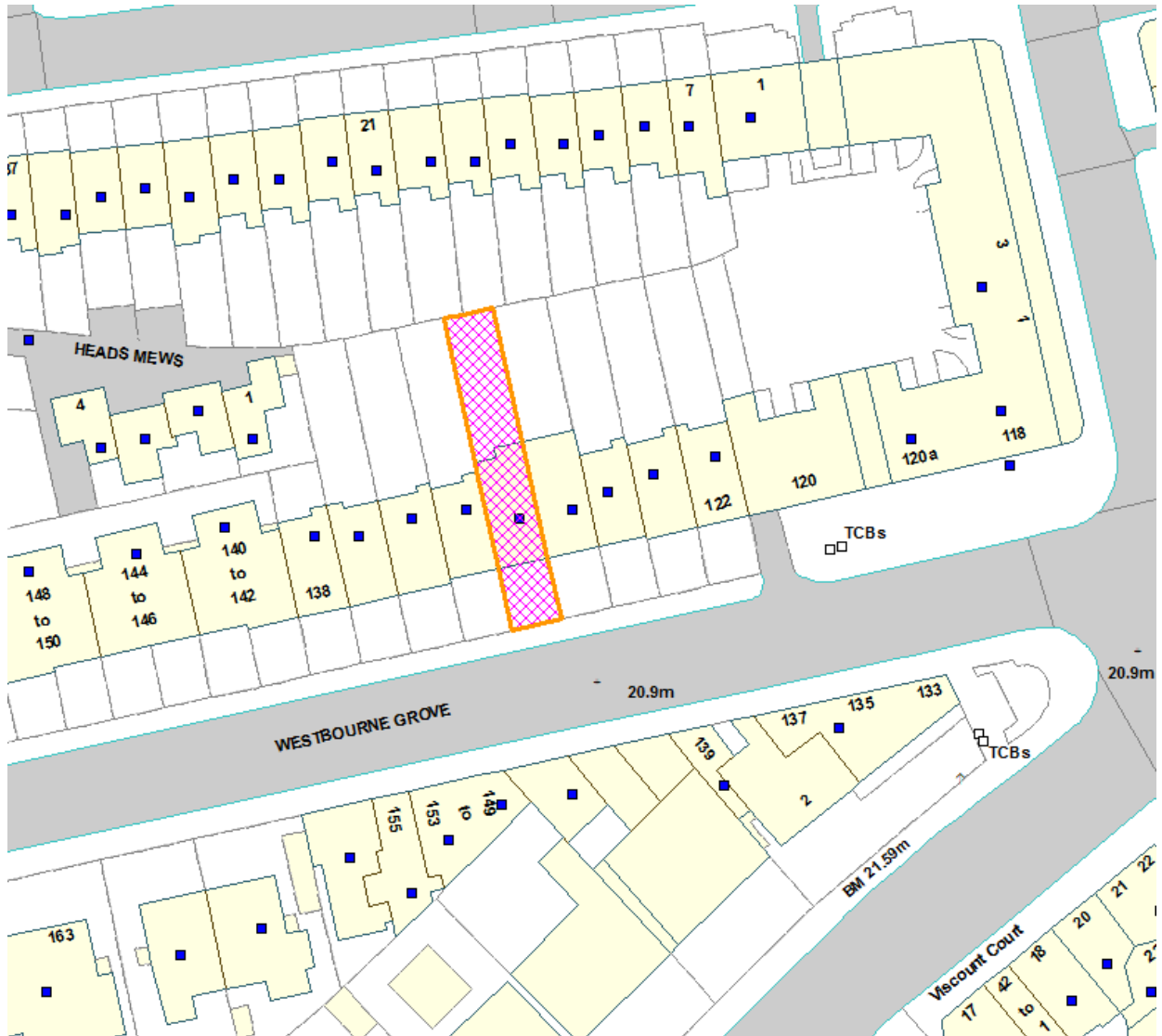
- Impact on the character and appearance of this building and the conservation area;
- Impact on the residential amenity of the occupants of neighbouring properties; and
- Impact of the basement excavation on the structural stability of this and neighbouring buildings.

The proposed development would be consistent with relevant operative and emerging development plan policy in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (the City Plan). As such, the application is recommended for approval subject to the conditions set out in the

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draft decision letter.

### 3. LOCATION PLAN



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4. PHOTOGRAPHS





## 5. CONSULTATIONS

### ROYAL BOROUGH OF KENSINGTON & CHELSEA

No objection.

### NOTTING HILL EAST NEIGHBOURHOOD FORUM

We see no attempt for compensatory greening or suds and do not like such extensive building under the garden. Covet continuous pumping through basement cavity wall all going free of charge into the drains into the aquifer. However if greened the final modern aesthetic is welcomed.

### ARBORICULTURAL MANAGER

No objection. The only tree in this garden is a mediocre Ash located beyond where the proposed extension would be located. The proposal is unlikely to harm trees on neighbouring sites.

### BUILDING CONTROL

Any comments to be reported verbally.

### ENVIRONMENTAL HEALTH

No objection. Note that the plans propose a number of bedrooms at basement floor level. The means of escape appear adequate. Building control should ensure that fire rated doors are applied to the kitchen area to minimise risk and fire spread. Recommend a condition controlling hours of construction.

### HIGHWAYS PLANNING

No objection.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 13;  
Total No. of replies: 6;  
No. of objections: 6;  
No. in support: 0.

#### Design:

- The proposal would harm the character of these areas by building into the gardens and causing more crowding and overlooking.

#### Other:

- Parking suspensions to allow for construction will result in even less parking spaces for residents in an area where on-street parking is already scarce;
- The proposed excavation will harm the structural stability of this building / the existing building is not strong enough to support this excavation;
- The proposed extension would result in poor accommodation for occupants;
- This development would cause great distress for occupants within this building;
- The applicant shows complete disregard for maintaining the common parts of this building and would be unlikely to minimise nuisance attached to this type of project;

- The proposal constitutes a double storey basement. Double basements are prohibited under the policies of the London Borough of Islington, Kensington and Chelsea and Westminster;
- The proposal would damage mains water, gas and electricity supplies to 126/128 Westbourne Grove;
- 124 Westbourne Grove is also planning vast construction work and 126/128 are already showing signs of bulging and cracking. Cumulatively, that project and this project would be foolish; and

ADVERTISEMENT / SITE NOTICE: Yes

## **6. BACKGROUND INFORMATION**

### **6.1 The Application Site**

The application site is a basement flat within a mid terrace six storey building located on the north side of Westbourne Grove. The property is not listed but lies within the Westbourne Conservation Area.

### **6.2 Recent Relevant History**

#### 14/05314/FULL

Erection of single storey rear extension at basement level and extension to rear terrace area. Alteration of the existing front entrance steps to the basement area comprising construction of new steps and railings at garden flat.

Granted 29 August 2014

## **7. THE PROPOSAL**

Permission is sought for excavation of a basement beneath the existing lower ground floor level as an extension to the lower ground floor flat. The basement would include front and rear lightwells. A single storey rear extension at lower ground floor level and associated works are also proposed.

The applicant has amended the proposal to provide a solid brick subdivision between the windows on the rear elevation of the proposed extension. Given the minor nature of this amendment, no further consultation has been undertaken.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Land Use**

Policy H3 of the Unitary Development Plan (adopted 2007) ("the UDP") supports extensions to existing residential properties in principle. Accordingly, the proposal is supported in principle.

## 8.2 Townscape and Design

### Basement

The bulk of the basement extension would be located below the above ground building, rear garden and extension where it would have no discernible impact on the character and appearance of this building or the conservation area.

The new lightwell proposed at the front would be discreetly located at the bottom of an original lightwell. The metal railings proposed are also of a traditional design and would match existing railings within the area. There is also a variety of boundary treatments and front garden layouts in this part of Westbourne Grove and the proposed railings would be consistent with this feature of the area. It is also noted that similar railings were granted planning permission under the 2014 approval. Similarly, the rear lightwell would be located immediately adjacent to the above ground building, would have a modest rearward projection and would include glass balustrades to minimise its visibility. Accordingly, the proposed basement extension would preserve the character and appearance of the Westbourne Conservation Area and would be consistent with Policies DES1, DES5 and DES9 of the UDP, policies S25 and S28 in the City Plan and the Basement SPD.

With regards to emerging policy CM28.1 of the City Plan, the proposed basement extension would not extend beneath more than 50% of the rear garden and would not exceed one storey below the lowest original floor level (i.e. lower ground floor level). Accordingly, this is not a double basement as contended by local residents.

It is noted that the proposed basement does not provide a margin of undeveloped garden land adjacent to no's 128 and 132, as is required by emerging basement policy CM28.1. It is also noted that it does not include a 1.2 metre soil layer above the basement. However, the proposed basement would underlie less than one quarter of the rear garden beyond the lower ground floor rear extension to be constructed and the length of boundaries affected would be limited to approximately 4 metres. It would also be covered in a terrace that is unlikely to be replaced with substantial planting at a later date given its close proximity to the rear of this building. Accordingly, an objection to the development on this basis would not be sustainable.

### Rear Extension

The rear extension would be constructed of brick to match the existing building. A full width extension would not normally be considered acceptable but the bulk and scale of the extension proposed has been approved relatively recently and under the same policy context (see ref: 14/05314/FULL). The applicant has also amended the scheme to introduce a brick pier between the windows to reflect the vertical emphasis of the original building and to provide adequate separation between the two parts of the building. The rear of this terrace is a chaotic mix of extensions of different scales, detailed design and materials. The rear elevation is visible from a limited number of private viewpoints only. Given the context and the limited visibility the proposed extension is considered to be acceptable in design terms. The application is in accordance with policies DES 1, DES 5 of the UDP and S25 and S28 of the City Plan.

### **8.3 Residential Amenity**

Given its subterranean location, the proposed basement extension would not cause unacceptable loss of amenity for the occupiers of neighbouring properties in terms of loss of light, increased sense of enclosure or increased overlooking.

The rear extension would have the same dimensions as the extension approved in 2014. It would exceed the height of the existing boundary wall with No.132 by approximately 0.4 metres and would exceed the height of the boundary wall with No.128 by approximately 0.3 metres. Planting runs along the boundary with No.128 far exceeding the height of the proposed extension so there will be no noticeable change in the level of light or enclosure to No.128's closest rear basement opening. No.132 has several trees and bushes immediately adjacent to their rear elevation reducing the light received by their basement windows and creating a high level of enclosure. The rear extension will marginally increase this level of enclosure but the impact on the neighbouring basement flats amenities is not considered to be sufficiently material to justify a reason for refusal.

The proposed extension would not include any openings on its flank elevations whilst those in the rear elevation would be orientated toward the rear garden and largely screened from neighbouring properties by existing boundary treatments. Accordingly, the proposed extension would not result in significant overlooking of neighbouring properties. To further safeguard the amenity of neighbouring property occupiers, a condition is recommended to prevent use of the roof of the extension as a terrace.

The application is considered acceptable on amenity grounds and is in accordance with policies ENV 13 of the UDP and policy S29 of the City Plan.

### **8.4 Transportation/Parking**

The proposal does not represent an increase in residential units or a loss of parking and as such the proposal is not contrary to policy TRANS23 of the UDP.

### **8.5 Economic Considerations**

No economic considerations are applicable for a development of this size

### **8.6 Access**

The proposals do not alter the access arrangements into or within the building.

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

#### Trees

The proposal does not involve the removal of any protected trees. The Arboricultural Manager is also satisfied that the works can take place without harming trees within the vicinity of the site. Accordingly, the proposal would be consistent with policy S38 of the City Plan and policy ENV 16 of the UDP.

## 8.8 London Plan

This application raises no strategic issues.

## 8.9 National Policy/Guidance Considerations

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

## 8.10 Planning Obligations

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

## 8.11 Environmental Impact Assessment

The proposed development is not large enough to warrant an Environmental Impact Assessment.

## 8.12 Other Issues

### Standard of Accommodation

The Environmental Health Officer has noted that the basement extension would have inadequate means of fire escape and natural light and ventilation. This is a Building Regulations matter, rather than a planning one and would be addressed under those regulations. With regards to natural light and ventilation levels, the proposed extension would be used as part of the existing flat, rather than as a residential unit in its own right and is therefore consistent with the Basement SPD. Accordingly, an objection to the development on this ground could not be sustained.

### Basement Excavation

Residents are concerned that the excavation of new basements is a risky construction process with potential harm to adjoining buildings and occupiers. Many also cite potential effects on the water table and the potential increase in the risk of flooding. Such concerns have been raised by many neighbouring occupiers.

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

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

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

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

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

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

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

The City Council have been preparing guidance and policies to address the need to take into consideration land instability, flood risk and other considerations when dealing with basement applications. The City Council adopted the Supplementary Planning Document 'Basement Development in Westminster' (October 2014), which was produced to provide further advice on how current policy can be implemented in relation to basement development. The emerging basement policy has also gained significant weight and is currently being examined by the Planning Inspectorate. The relevant considerations from the emerging basement policy have been considered earlier in this report.

Given the above, and in these circumstances, though noting the strong objections which have been received, the objections on these grounds are not considered sustainable

### Construction Management

Objections have been received from neighbouring residents regarding the effects of the proposed construction, including noise, parking and traffic disturbance.

Whilst planning permission cannot be withheld on the basis of these objections, a Construction Management Plan has been submitted with the application. This is considered appropriate and reasonable at application stage. However, a condition is recommended to secure a more fully detailed construction management plan prior to the commencement of works. A further condition is recommended to control the hours of construction works, particularly noisy works of excavation. This is the most that can be achieved under planning law.

### Objectors Concerns

The issues raised by objectors are largely addressed above. The following is also noted.

With regards to potential damage to mains water, gas and electricity supplies, developments like that proposed are routinely constructed throughout the City in similar circumstances without causing loss of mains water, gas and electricity supplies. Accordingly, an objection to the development on this basis would not be sustainable.

The applicant's treatment of communal part of the existing building are a private matter and not a material planning consideration.

With regards to the cumulative impact of this and other development on the structural integrity of this terrace, the applicant has provided sufficient information to indicate that the development can take place without causing structural failure of this terrace. For the purposes of a planning application, this is the most that can reasonably be asked for at this stage.

Given the small scale of the rear extension and that the basement is largely below the original building, it is not considered reasonable to require a green roof and SUDs for the proposal.

## **9. BACKGROUND PAPERS**

1. Application form.
2. Representation from Notting Hill East Neighbourhood Forum dated 8 March 2016.
3. Response from Environmental Health dated 29 February 2016.
4. Response from Arboricultural Manager dated 29 February 2016.
5. Letter from Royal Borough Kensington and Chelsea dated 9 March 2016.
6. Letter from occupier of 128 Westbourne Grove dated 23 February 2016.
7. Letter from occupier of 128 Westbourne Grove dated 24 February 2016.
8. Letter from occupier of 126 Westbourne Grove dated 25 February 2016.
9. Letter from occupier of 130 Westbourne Grove dated 29 February 2016.
10. Letter from occupier of Flat 2 130 Westbourne Grove dated 29 February 2016.
11. Letter from occupier of 130 Westbourne Grove dated 29 February 2016.

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**Selected relevant drawings**

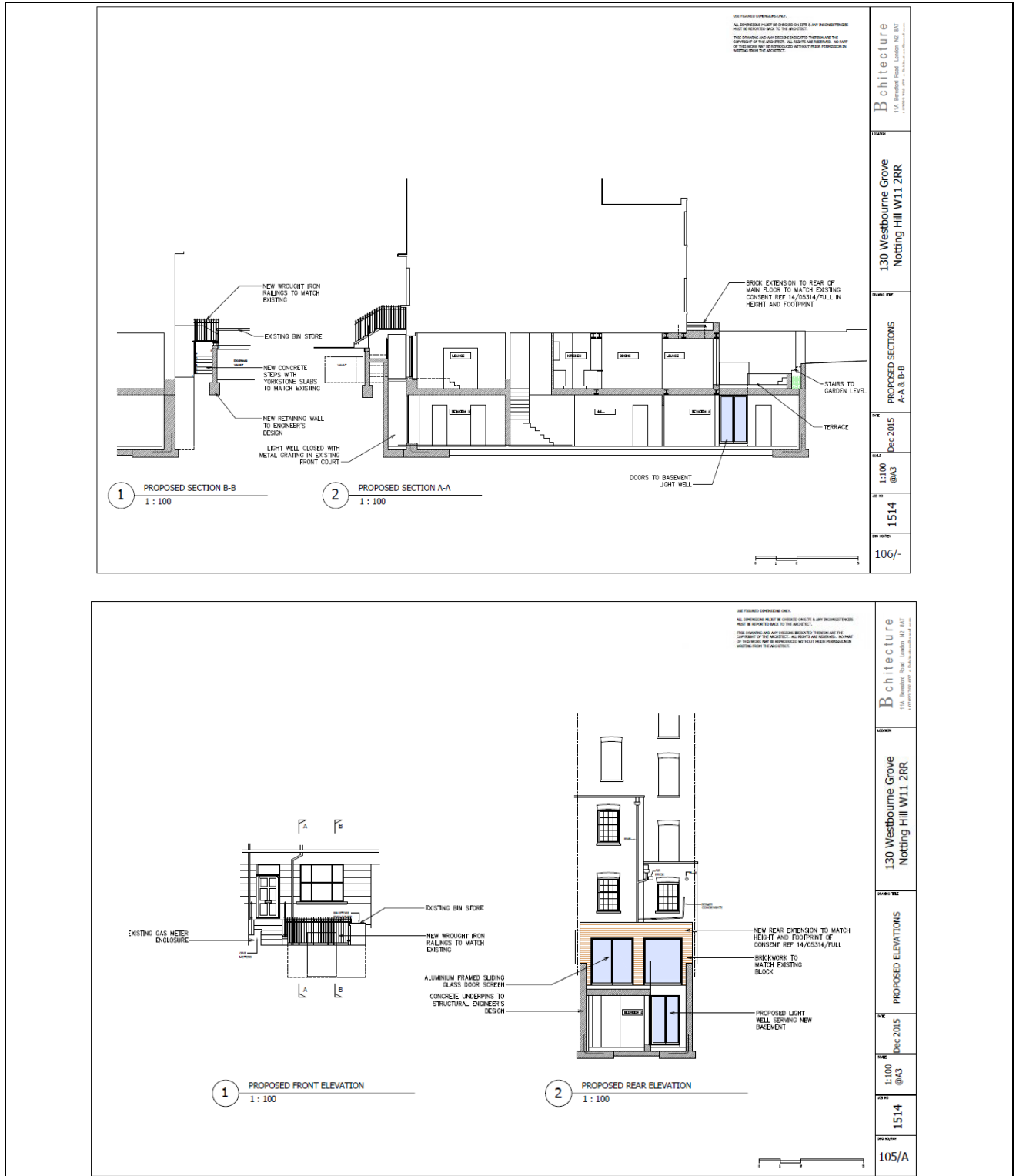
Proposed plans, sections and elevations.

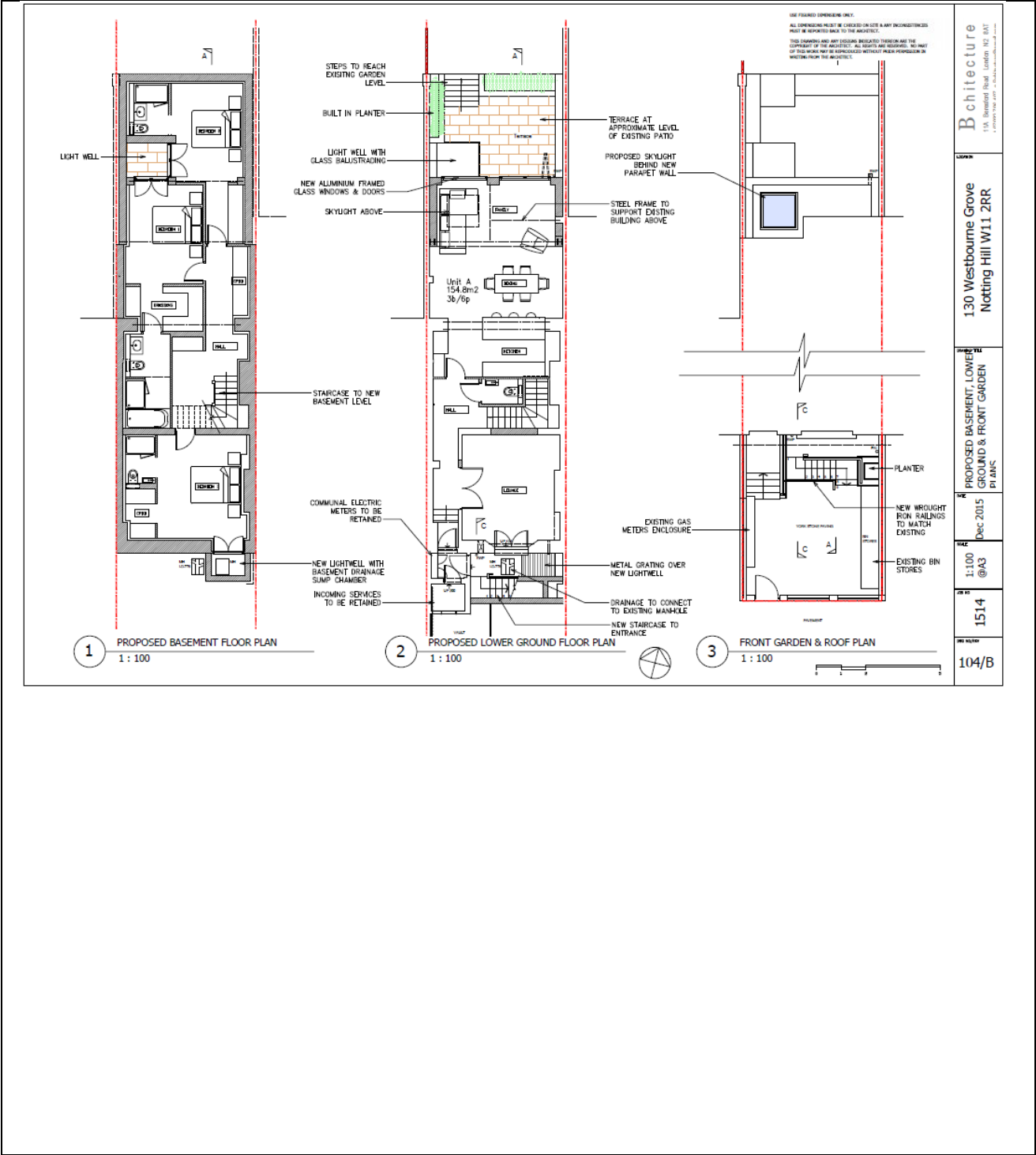
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT DAVID DORWARD ON 020 7641 2408 OR BY EMAIL AT [NorthPlanningTeam@westminster.gov.uk](mailto:NorthPlanningTeam@westminster.gov.uk)



10. KEY DRAWINGS





**DRAFT DECISION LETTER**

- Address:** 130 Westbourne Grove, London, W11 2RR,
- Proposal:** Excavation of a basement with front and rear lightwells, erection of a single storey rear extension at lower ground floor level and associated works to rear and front gardens.
- Reference:** 16/00891/FULL
- Plan Nos:** Site Location Plan, 100/-, 101/A, 102/-, 103/-, 104/B, 105/A, 106/-.

FOR INFORMATION ONLY – Design and Access Statement, Construction Management Plan (January 2016), Ground Investigation Report by Soiltechnics (January 2016), Basement Impact Assessment Report by Soiltechnics (January 2016), Drawings 01, 101, 102, 103, 104 and 105.

**Case Officer:** Nathan Barrett

**Direct Tel. No.** 020 7641 5943

**Recommended Condition(s) and Reason(s):**

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

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

- 2 Except for basement excavation work, you must carry out any building work which can be heard at the boundary of the site only:
  - \* between 08.00 and 18.00 Monday to Friday;
  - \* between 08.00 and 13.00 on Saturday; and
  - \* not at all on Sundays, bank holidays and public holidays.

You must carry out basement excavation work only:

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

Noisy work must not take place outside these hours. (C11BA)

Reason:

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

- 3 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are

shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Westbourne 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 You must not use the roof of the lower ground floor extension for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

Reason:

To protect the privacy and environment of people in neighbouring properties, 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 **Pre Commencement Condition.** Notwithstanding the construction management plan submitted, no development shall take place, including any works of demolition, until a construction management plan for the proposed development has been submitted to and approved in writing by the City Council as local planning authority. The plan shall provide the following details:
- i. a construction programme including a 24 hour emergency contact number;
  - ii. parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
  - iii. locations for loading/unloading and storage of plant and materials used in constructing the development;
  - iv. erection and maintenance of security hoardings (including decorative displays and facilities for public viewing, where appropriate);
  - v. wheel washing facilities and measures to control the emission of dust and dirt during construction; and
  - vi. a scheme for recycling/disposing of waste resulting from demolition and construction works.
  - vii. You must not start work until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan: 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.

- 2 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)
- 3 This permission is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council and as a consequence we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.

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# Agenda Item 2

Item No.
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<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 3 May 2016	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> St James's	
<b>Subject of Report</b>	43 Drury Lane, London, WC2B 5RT		
<b>Proposal</b>	Variation of Condition 3 of planning permission dated 25 August 2015 (RN : 15/04293) for the use of an area of the public highway measuring 2.5m x 7.5m for the placing of four tables, eight chairs, two parasols and four planters in connection with the adjacent ground floor restaurant unit (Class A3). Namely, to extend the time the tables, chairs and planters may remain on the pavement from 21.00 until 23.00, with the tables, chairs and planters to be stacked away after 21.00.		
<b>Agent</b>	GL Hearn		
<b>On behalf of</b>	Barrafina Ltd		
<b>Registered Number</b>	15/09908/FULL	<b>Date amended/ completed</b>	5 November 2015
<b>Date Application Received</b>	23 October 2015		
<b>Historic Building Grade</b>	Grade II		
<b>Conservation Area</b>	Covent Garden		

## 1. RECOMMENDATION

Grant conditional permission.
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## 2. SUMMARY

This application relates to Barrafina, a restaurant on the western side of Drury Lane on the corner with the pedestrianised Broad Court. The building is Grade II listed and lies within the Covent Garden Conservation Area.

An application was considered by Planning Committee on 25<sup>th</sup> August 2015 for use of an area of the public highway measuring 2.5m x 7.5m for the placing of four tables, eight chairs, two parasols and four planters in connection with the adjacent ground floor restaurant unit (Class A3) (15/04293/FULL). Committee resolved that conditional permission be granted, subject to an amended condition (condition 3) requiring the tables, chairs and associated furniture to be removed from the pavement after 21.00.

This latest application seeks to vary Condition 3 of planning permission dated 25<sup>th</sup> August 2015,

namely, to extend the time the tables, chairs, and planters may remain on the pavement from 21:00 until 23.00, with the tables, chairs, and planters to be stacked away and not used by customers after 21:00.

The consented scheme allows the outdoor furniture to be on the pavement between 12.00 and 21.00. The restaurant operator has advised that due to the internal size of the restaurant, there is not sufficient storage space for the tables, chairs, and planters to be stored inside at 21.00 as the restaurant will be full with customers until closing time.

The applicant has advised that there is sufficient space for the parasols to be stored indoors by 21.00. A bespoke hanging system has been designed so that the poles can be stored at high level, whilst their bases can be stored in the basement level storeroom. The only available indoor storage space for the tables, chairs, and planters is within the main restaurant area as there is not sufficient space within either the corridor or basement storage area. The applicant maintains that they would have to wait until customers have left the main restaurant at 23.00 until the remaining furniture can be stored inside.

As such, it is proposed to vary the wording of condition 3 to allow the furniture to be stacked from 21.00 and stored outside until 23.00 when the restaurant closes. The applicant originally requested to store the furniture outside until midnight. However this has been amended to 23.00 at the request of the Highways Planning Manager who advises that the licensed area must revert to highway to facilitate the washing down by the Cleansing Department.

Objections have been received from the Covent Garden Community Association, the Covent Garden Area Trust and three neighbouring residents. The objections are on grounds that the tables and chairs are located in a quiet residential area close to residential windows, and the breaking down and removing of the street furniture after the restaurant has closed would cause noise and disturbance to neighbouring residents. The objectors point out that the 21.00 limit was imposed because of the residential nature of the area. Objectors are also concerned if the tables and chairs are left outside unattended then this may become a gathering place and lead to antisocial behaviour, which happens in other parts of Covent Garden.

It is common in the Covent Garden area and throughout the city for external tables and chairs to be located in close proximity to residential properties. The proposal would not extend the hours that the tables and chairs will be used by customers, which will remain between 12.00 and 21.00 daily.

The applicant has confirmed that the furniture will be stacked at 21.00 at which time it will be chained down to avoid antisocial behaviour. In response to concerns raised regarding potential noise and disturbance from moving the furniture inside the restaurant at 23.00, the applicant is proposing a number of mitigation measures, namely:

- The planters will be on wheels, so do not have to be dragged into the restaurant;
- The chairs will be fitted with nylon glides to their feet to act as buffers, which should limit any noise disturbance even if dragged whilst stacked;
- The tables will also be fitted with nylon glides to limit noise disturbance but are expected to be carried inside.

The applicant advises that if they are unable to stack the furniture outside from 21.00, they would not be able to implement the original permission to use the public highway for tables and chairs as there is not enough storage space within the restaurant to store the furniture, whilst the restaurant is in use.



The applicant intends that the seating will provide a pleasant afternoon and evening seating area for customers and add to the vitality of the local area, without impacting negatively on the amenity of neighbouring residents.

On balance, it is considered that an extension to the time the furniture may remain on the pavement from 21:00 until 23.00, with the furniture stacked away after 21:00, would not be so harmful to neighbouring residents to justify refusing permission. Given that the permission would be granted for a temporary one year period only, this would enable any future applications to be reviewed in light of any complaints which may be received over this period.

Condition 2 has also been amended which requires the tables and chairs to be laid out as shown on the plans. An additional plan has been submitted as part of this application to show where the tables, chairs and planters would be stacked from 21.00.

Condition 5 has also been amended to renew the temporary one year period for use of the public highway for tables and chairs, given that the applicant has yet to implement the original permission dated 25<sup>th</sup> August 2015.

Subject to conditions, the proposals are considered acceptable and comply with Policies ENV 13 of the UDP and S28 of the City Plan.

### 3. LOCATION PLAN



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4. PHOTOGRAPHS



## 5. CONSULTATIONS

### COVENT GARDEN COMMUNITY ASSOCIATION

Objection raised on the grounds that the tables and chairs are opposite residential properties and breaking down and removing the street furniture harms residential amenity through noise and disturbance from dragging the furniture. The 21.00 limit was imposed because of the residential nature of the area. Also, stacking the tables and chairs will not prevent antisocial behaviour from passers-by using them, which happens in other parts of Covent Garden.

### COVENT GARDEN AREA TRUST

Objection raised on the grounds that the tables and chairs are opposite residential properties and breaking down and removing the street furniture harms residential amenity through noise and disturbance from dragging the furniture. The 21.00 limit was imposed because of the residential nature of the area. Also, stacking the tables and chairs will not prevent antisocial behaviour from passers-by using them, which happens in other parts of Covent Garden.

### HIGHWAYS PLANNING MANAGER

Object to allowing tables and chairs to remain on the pavement after 23.00 as the licensed area must revert to highway to facilitate the washing down by the Cleansing Department (The application has subsequently been revised to make the terminal time 23.00).

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 43;

Total No. of Replies: 3.

Three objections received from adjacent residents, objecting to any extension to the time limit of 21.00 on grounds of noise and disturbance in a residential area.

ADVERTISEMENT/SITE NOTICE: Yes.

## 6. BACKGROUND PAPERS

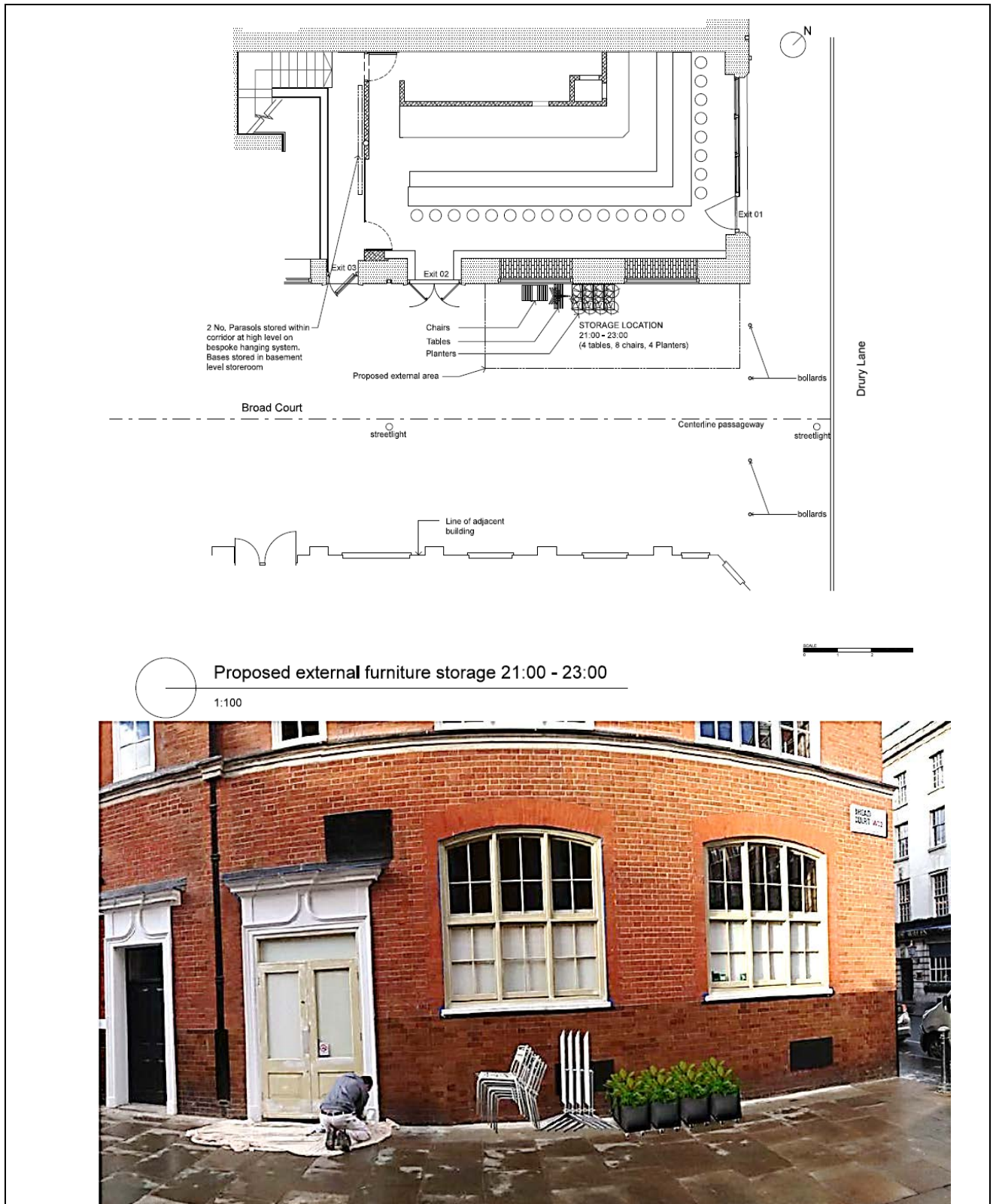
1. Application form
2. Response from Highways Planning – Development Planning, dated 14 December 2015.
3. Responses from Covent Garden Community Association dated 8 February 2016 and 11 December 2015.
4. Responses from Covent Garden Area Trust dated 12 February 2016 and 14 December 2015.
5. Letter from occupier of Flat 11, 44-46 Drury Lane dated 14 December 2015.
6. Letter from occupier of Flat 6, 44-46 Drury Lane dated 6 December 2015.
7. Letters from occupier of Flat 14, 44-46 Drury Lane dated 4 February 2016 and 7 December 2015.

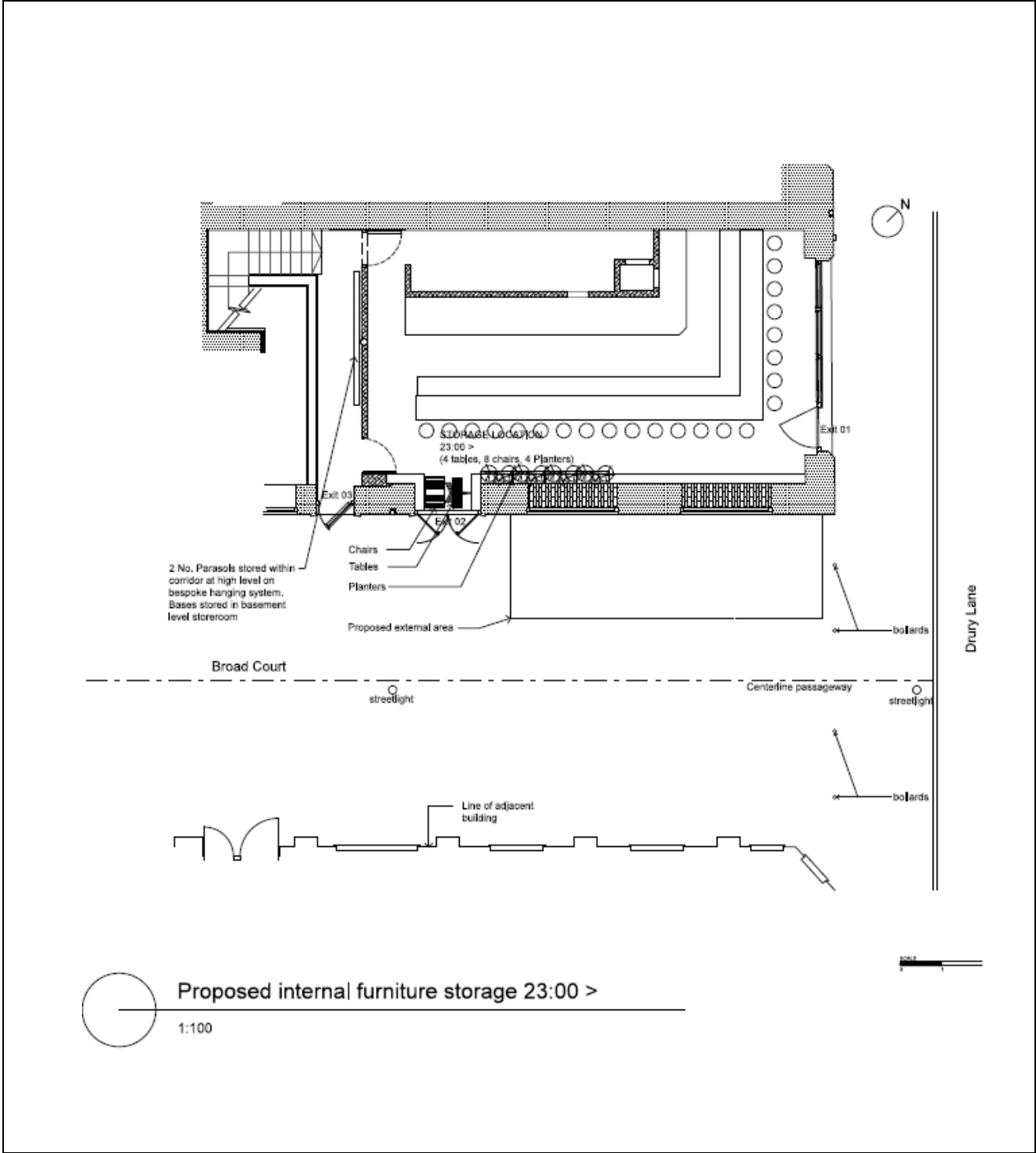
### Selected relevant drawings

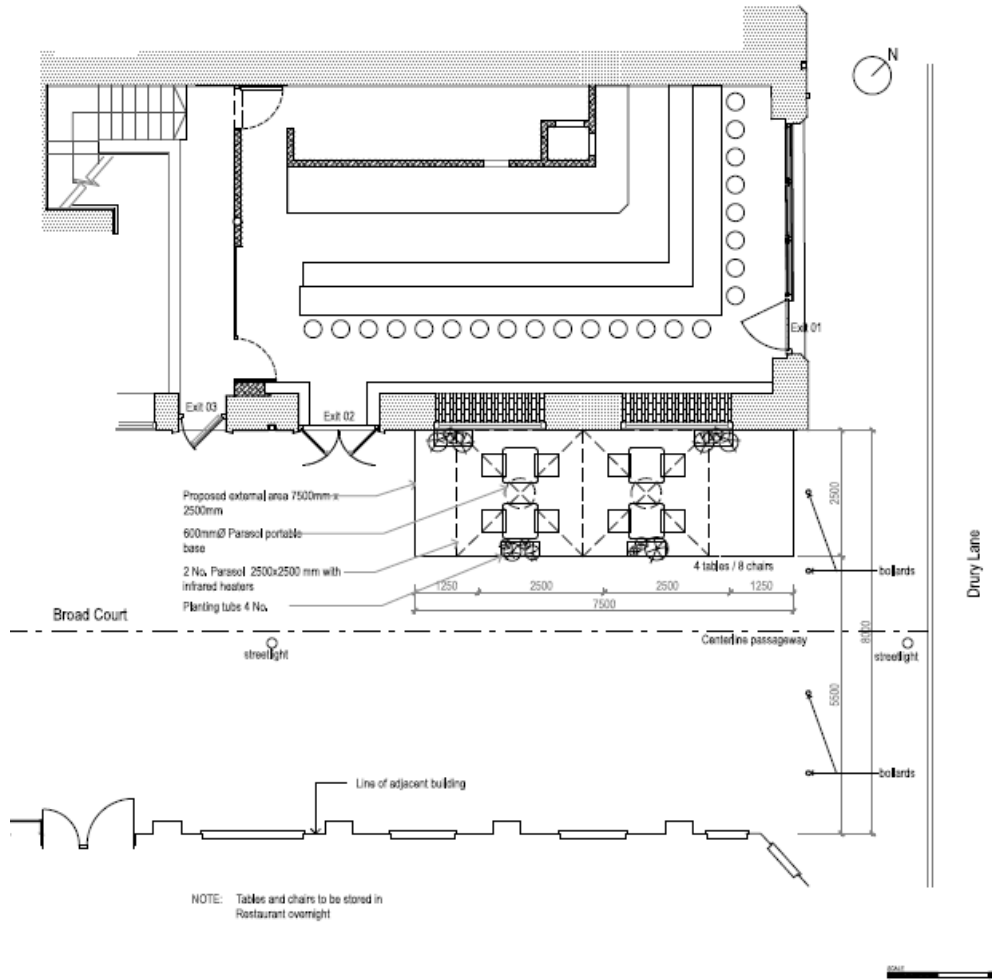
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT SEBASTIAN KNOX ON 020 7641 4208 OR BY EMAIL AT [SouthPlanningTeam@westminster.gov.uk](mailto:SouthPlanningTeam@westminster.gov.uk)

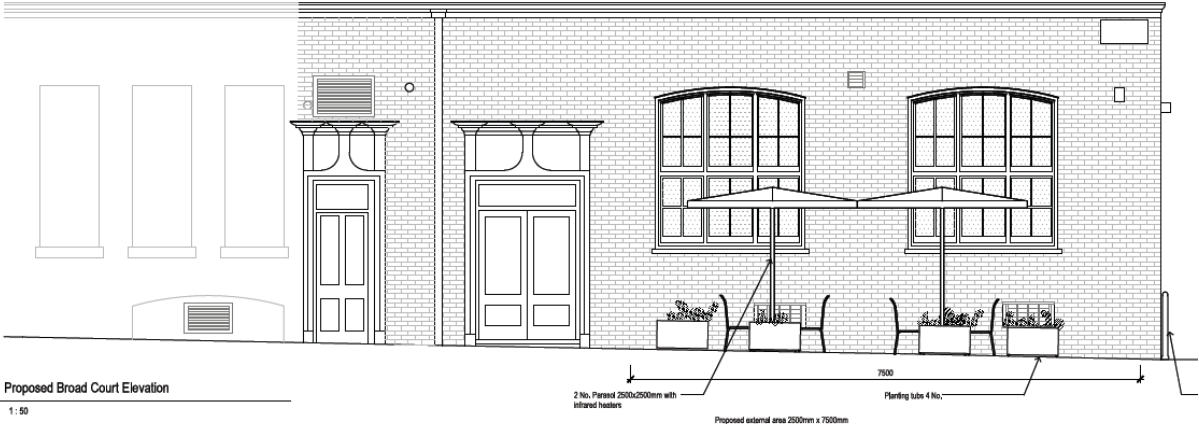
7. KEY DRAWINGS







**Approved tables and chairs layout under planning permission 15/04293/FULL**



1 Proposed Broad Court Elevation  
1:50



2 Proposed Drury Lane Elevation  
1:50

**Approved tables and chairs elevations under planning permission 15/04293/FULL**



**DRAFT DECISION LETTER**

**Address:** 43 Drury Lane, London, WC2B 5RT,

**Proposal:** Variation of Condition 3 of planning permission dated 25 August 2015 (RN : 15/04293) for the use of an area of the public highway measuring 2.5m x 7.5m for the placing of four tables, eight chairs, two parasols and four planters in connection with the adjacent ground floor restaurant unit (Class A3). Namely, to extend the time the tables, chairs and planters may remain on the pavement from 21:00 until 23.00, with the tables, chairs and planters to be stacked away after 21:00.

**Reference:** 15/09908/FULL

**Plan Nos:** As previously approved: , BF.D157 P B; BF.D 158 P C; Site location plan; photomontage; Planning, Design and Access Statement dated 14 May 2015; Email from Catherine L'Estrange dated 22 July 2015.

As amended by:, Covering letter from GL Hearn dated 23 October 2015; BF.D 160 P A; BF.D 161 P A; visual of stacked furniture. Email from Catherine L'Estrange dated 20 April 2016.

**Case Officer:** Sebastian Knox

**Direct Tel. No.** 020 7641 4208

**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 not put the tables and chairs in any other position than that shown on drawing BF.D157 P B and BF.D 158 P C between 12.00 and 21.00 and in any other position than that shown on drawing BF.D 160 P A between 21.00 and 23.00 (C25AA)

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 TACE 11 of our Unitary Development Plan that we adopted in January 2007. (R25AC)

- 3 You can only put the tables, chairs, parasols and planters on the pavement between 12.00 and 23.00 Monday to Sunday, with the tables, chairs and planters to be stacked away and not used by customers between 21:00 and 23.00.

Reason:

To protect neighbouring residents from noise and disturbance as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and TACE 11 of our Unitary Development Plan that we adopted in January 2007.

- 4 The tables and chairs must only be used by customers of the restaurant at 43 Drury Lane. (C25CA)

Reason:

We cannot give you permanent permission as the area in question is, and is intended to remain, public highway and Section 130 (1) of the Highways Act 1980 states that "It is the duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority". We also need to assess the effect of this activity regularly to make sure it meets 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. For the above reasons, and not because this is seen a form of trial period, we can therefore only grant a temporary permission.

- 5 This use of the pavement may continue until 30 April 2017. You must then remove the tables and chairs. (C25DA)

Reason:

We cannot give you permanent permission as the area in question is, and is intended to remain, public highway and Section 130 (1) of the Highways Act 1980 states that "It is the duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority". We also need to assess the effect of this activity regularly to make sure it meets 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. For the above reasons, and not because this is seen a form of trial period, we can therefore only grant a temporary permission.

- 6 You can only put out on the pavement the tables, chairs and other furniture/equipment shown on drawing BF.D157 P B; BF.D 158 P C and photomontage.

Reason:

To make sure that the type and appearance of the tables and chairs (and where appropriate other

furniture or equipment) is suitable and that no additional furniture, equipment or screening is placed on the pavement to the detriment of the character and appearance of the area. This is as set out in TACE 11 and DES 7 of our Unitary Development Plan that we adopted in January 2007.

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You cannot put tables and chairs in the area unless you have a street trading licence., , If you want to know about the progress of your application for a licence, you can contact our Licensing Service on 020 7641 8549. If you apply for a licence and then decide to change the layout of the tables and chairs, you may have to apply again for planning permission. You can discuss this with the planning officer whose name appears at the top of this letter., , Please remember that once you have a licence you must keep the tables and chairs within the agreed area at all times. (I47AB)
- 3 You must keep the tables and chairs within the area shown at all times. We will monitor this closely and may withdraw your street trading licence if you put them outside this area. (I48AA)
- 4 You are reminded that the planters and umbrellas must be removed each night along with the table and chairs.
- 5 For the avoidance of doubt this permission only relates to the proposals set out in the description of development and does not allow for alterations to the shopfront.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.

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# Agenda Item 3

Item No.
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3
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<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 3 May 2016	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Knightsbridge And Belgravia	
<b>Subject of Report</b>	<b>10 Fairholt Street, London, SW7 1EG</b>		
<b>Proposal</b>	Demolition of existing building behind retained ground floor front facade; excavation to enlarge existing lower ground floor and creation of new basement level; erection of extensions at ground and first floor level including the creation of a roof terrace at first floor level; erection of new mansard roof extension; installation of mechanical plant; and associated alterations; all in connection with use as a single family dwelling.		
<b>Agent</b>	Nathaniel Lichfield & Partners		
<b>On behalf of</b>	Grandlane Developments Ltd		
<b>Registered Number</b>	15/11506/FULL	<b>Date amended/ completed</b>	23 March 2016
<b>Date Application Received</b>	10 December 2015		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Knightsbridge		

## 1. RECOMMENDATION

Grant conditional permission.
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## 2. SUMMARY

10 Fairholt Street, the former Swag and Tails Public House, is an unlisted building of merit within the Knightsbridge Conservation Area. The building comprises basement, ground and one upper storey.

Permission is sought for demolition of the existing building behind a retained ground floor front facade; excavation to enlarge the existing lower ground floor and creation of a new basement level; erection of extensions at ground and first floor level including the creation of a roof terrace at first floor level; erection of a new mansard roof extension; installation of mechanical plant; and associated alterations; all in connection with use as a single family dwelling.

A similar application was approved by committee on 31 March 2015 (14/11233/FULL). Works have recently commenced on site to implement this permission.

This latest application is broadly similar to the permission dated 31 March 2015. The most notable

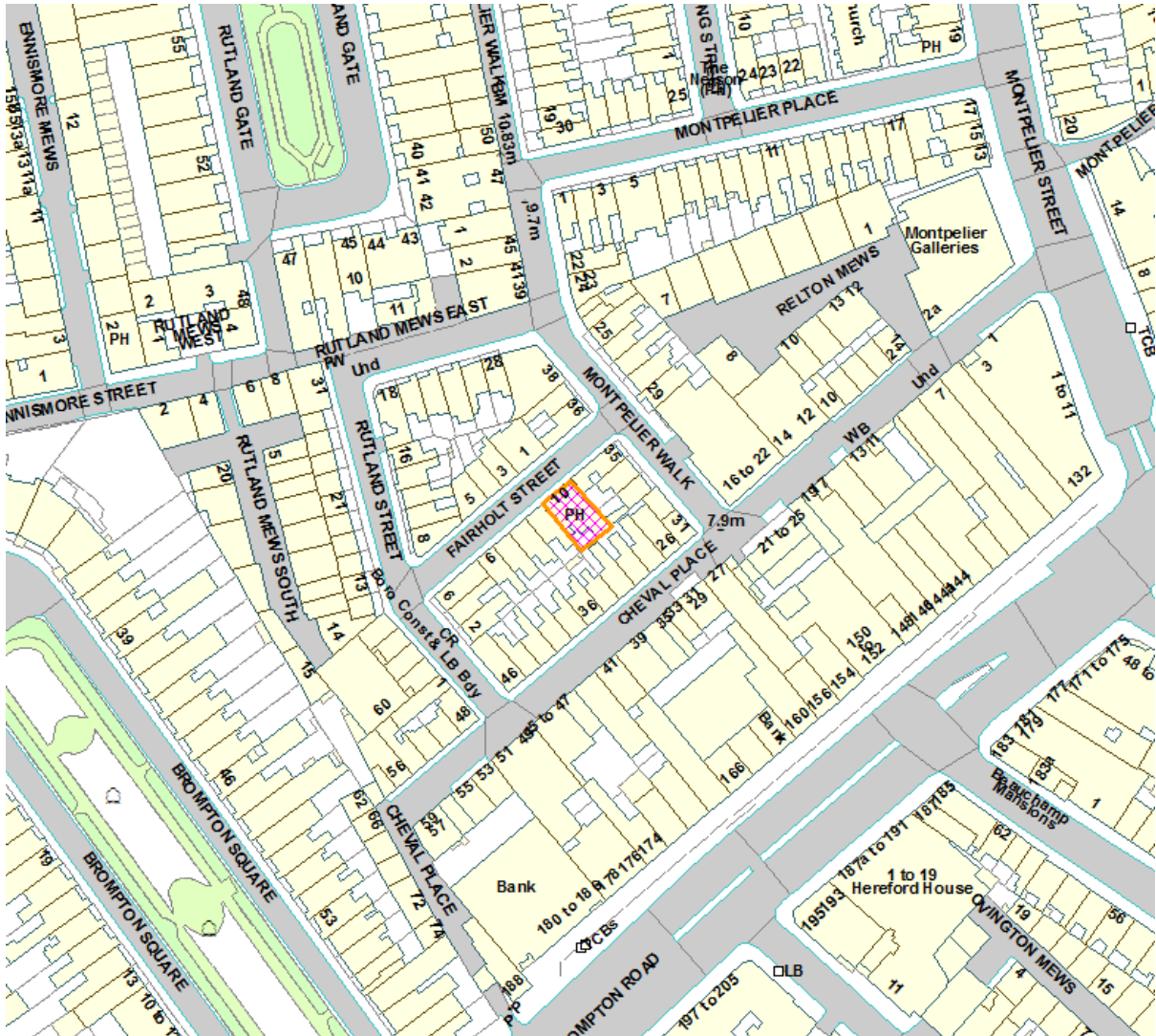
alteration is to the approved mansard, which has slightly increased in height, shape, and bulk. The detailed design of the mansard as well as the front and rear elevations has also altered.

The key considerations are:

- Impact on the character and appearance of this building and the conservation area;
- Impact on the residential amenity of the occupants of neighbouring properties; and
- Impact of the basement excavation on the structural stability of this and neighbouring buildings.

The proposed development would be consistent with relevant operative and emerging development plan policy in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (the City Plan). As such, the application is recommended for approval subject to the conditions set out in the draft decision letter.

### 3. LOCATION PLAN



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4. PHOTOGRAPHS



Front elevation (prior to works)



Front elevation (existing)





**View from rear/ within site (existing)**

## 5. CONSULTATIONS

### KNIGHTSBRIDGE ASSOCIATION:

Objection on following grounds:

#### Amenity

- The increase in size of the mansard roof level will have a detrimental impact on adjacent houses in Montpelier Walk.

#### Design

- The increase in size of the mansard roof level is not in scale with the building as whole and out of character to the area.

#### Construction Management

- Construction Management Plan should address: control of dust and emissions, size of vehicles, awareness of local street conditions, wheel and street washing facilities, no parking bays to be suspended other than in Fairholt Street, a transport assessment, impact of multiple basement developments taking place in the locality.
- The same construction management plan condition should be applied as per the 2015 permission requiring consultation with the Knightsbridge Association.
- Scaffolding permit has expired and should be re-applied for.

### BUILDING CONTROL:

The structural method statement and soil/ hydrology is considered acceptable.

### ENVIRONMENTAL HEALTH:

No objection subject to standard conditions.

### HISTORIC ENGLAND:

Do not consider it is necessary for this application to be reported to English Heritage.

### HIGHWAYS PLANNING MANAGER:

Any response to be reported verbally.

### ARBORICULTURAL MANAGER:

No objection.

### ENVIRONMENT AGENCY:

No comment.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS:

No. Consulted: 36;

Total No. of Replies: 2.

Objections from neighbours on one or more of the following grounds:

#### Amenity

- The increase in size of the mansard roof level will have a detrimental impact on adjacent houses in Montpelier Walk in terms of sense of enclosure, and loss of light.

#### Design

- The increase in size of the mansard roof level is not in scale with the building as whole and out of character to the area.

#### Construction Management

- Construction Management Plan should address: control of dust and emissions, awareness of local street conditions, wheel and street washing facilities, no parking bays to be suspended other than in Fairholt Street, a transport assessment, impact of multiple basement developments taking place in the locality.
- The same construction management plan condition should be applied as per the 2015 permission requiring consultation with the Knightsbridge Association.

#### ADVERTISEMENT/SITE NOTICE:

Yes

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

No.10 Fairholt Street, the former Swag and Tails Public House, is an unlisted building of merit within the Knightsbridge Conservation Area. The building is located outside the Central Activities Zone as defined in the UDP and it is not located within a designated shopping centre or frontage. The building has been vacant since approximately May 2009 and it comprises basement, ground and one upper storey. The site is a short distance from Brompton Road with its retail and commercial uses, however, Fairholt Street itself has a quiet residential character.

### 6.2 Recent Relevant History

There have been a number of planning decisions relating to this site.

Planning permission was granted on 26 February 2013 for:

Extension of existing basement level; erection of extensions at rear ground and first floor levels including the creation of roof terrace at first floor level; erection of new mansard roof extension; alterations to elevations including creation of new garage and front door; all in connection with use as a single family dwelling (Ref. 12/01003/FULL).

Most recently, planning permission was granted on 31 March 2015 for:

Demolition behind retained ground floor front façade; excavation to enlarge existing lower ground floor and create new basement level; erection of extensions at ground and first floor level including the creation of roof terrace at first floor level; erection of new mansard roof extension; alterations to elevations including new front door; all in connection with use as a single family dwelling (14/11233/FULL).

Works have commenced on site to implement the 2015 permission.

## **7. THE PROPOSAL**

This latest application is broadly similar to the permission dated 31 March 2015 (14/11233/FULL). The most notable alteration is to the approved mansard, which has slightly increased in height, shape, and bulk. The detailed design of the mansard as well as the front and rear elevations has also altered.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Land Use**

The recent planning permissions granted in 2013 and 2015 agreed the loss of the loss of the public house. The provision of new residential accommodation is supported under Policies S14 of the City Plan and H3 of the UDP.

### **8.2 Townscape and Design**

The works are generally identical to those already approved in 2015. The most notable alteration is to the approved mansard, which has increased in height, shape and bulk slightly, by approximately 320mm. The design of the mansard has also altered. Due to the increase in height the massing is slightly greater which provides a balance with the overall appearance of the building. The dormers have also been aligned to the windows below, which is considered an improvement on the previous scheme.

The detailed design of windows has slightly altered on the front and rear elevations. To the front, the first floor windows have been slightly enlarged and to the rear, sliding louvers have been added to windows for privacy and light control. The alterations are considered acceptable and would not harm the character or appearance of the conservation area.

In respect of the basement development, emerging policy CM28.1 of the City Plan states that basement developments to residential buildings should not involve excavation of more than one storey below the original floor level. The proposed basement is more than one storey which does not comply with this policy. However, the proposed basement is identical to that which was approved on 31 March 2015 and works have commenced on site to implement this permission. This is a significant material consideration in the assessment of this planning application and could be considered the applicant's 'fallback' position. Accordingly, an objection to the basement development on this basis would not be sustainable.

### **8.3 Residential Amenity**

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

The works are generally identical to those already approved in 2015. The most notable alteration is to the approved mansard, which has slightly increased in height, shape, and bulk. In comparison to the 2015 permission, the mansard is approximately 320mm higher and encroaches approximately 265mm closer to the boundary with properties in Montpelier Walk.

The main issue is the impact of the enlarged mansard roof on the amenity of the occupants of neighbouring properties, particularly those residents in Montpelier Walk, in terms of sense of enclosure and loss of light.

The height of the proposed mansard roof is still considered to be broadly consistent with the height of the existing buildings in the terrace. It is not considered that the additional impact in height and bulk would result in a material loss of light or increased overshadowing to surrounding residential occupiers. The massing of the extension satisfies the requirements of the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight' (2011).

It is also considered that the hipped mansard design is still sufficiently set back from the rear elevation of properties in Montpelier Walk, which would help to minimise the apparent increase in bulk of the development. It is not considered that the development would result in an unacceptable degree of sense of enclosure to these properties.

Given its subterranean location, the proposed two storey basement extension would not cause unacceptable loss of amenity for the occupiers of neighbouring properties in terms of loss of light, increased sense of enclosure or increased overlooking.

The other alterations and extensions including terraces above ground are similar to the building envelope of the extant 2015 permission, and are not considered to adversely affect neighbours in terms of light, privacy, sense of enclosure.

Subject to conditions, the proposals would not adversely affect neighbouring residential amenity and as such accord with Policies S29 of the City Plan and ENV13 of the UDP.

#### **8.4 Transportation/Parking**

It is not considered that the change of use from a public house to a single family dwelling would result in an increased impact on traffic generation in the area and is likely to alleviate on street parking pressure compared to when the public house was operating. It is also considered that there would be ample space within the dwelling to store several bicycles. The proposals are considered acceptable in highways terms and accord with Policies TRANS10 and TRANS23 of the UDP

#### **8.5 Economic Considerations**

No economic considerations are applicable for a development of this size

#### **8.6 Access**

The provision for disable access will be improved by the installation of a lift providing full and level access to all floors. Living areas on the lower ground floor lead into the courtyard garden with a level threshold between internal and external finishes.

## 8.7 Other UDP/Westminster Policy Considerations

### Mechanical plant

Mechanical plant is proposed at basement level. An acoustic report has been submitted as part of the application which includes background noise surveys around the site and, from this are set targets for the operation of the new plant which must be below existing background noise levels.

The proposals are acceptable subject to conditions relating to plant noise and vibration. On this basis, it is not considered that the plant operation would adversely affect the amenities of neighbouring residents.

### Trees

The Arboricultural Manager has no objection to the proposals. There was a Tree of Heaven, in an adjacent garden at 9 Fairholt Street but this has recently been removed with the agreement of the Arboricultural Manager.

## 8.8 London Plan

This application raises no strategic issues.

## 8.9 National Policy/Guidance Considerations

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

## 8.10 Planning Obligations

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

## 8.11 Environmental Impact Assessment

The proposed development is not large enough to warrant an Environmental Impact Assessment.

## 8.12 Other Issues

### Basement Excavation

Residents are concerned that the excavation of new basements is a risky construction process with potential harm to adjoining buildings and occupiers. Many also cite potential effects on the water table and the potential increase in the risk of flooding. Such concerns have been raised by many neighbouring occupiers.

Studies have been undertaken which advise that subterranean development in a dense urban environment, especially basements built under existing vulnerable structures is a challenging engineering endeavour and that in particular it carries a potential risk of damage to both the existing and neighbouring structures and infrastructure if the

subterranean development is ill-planned, poorly constructed and does not properly consider geology and hydrology.

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

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

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

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

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

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

The City Council have been preparing guidance and policies to address the need to take into consideration land instability, flood risk and other considerations when dealing with basement applications. The City Council adopted the Supplementary Planning Document 'Basement Development in Westminster' (October 2014), which was produced to provide further advice on how current policy can be implemented in relation to basement

development. The emerging basement policy has also gained significant weight and is currently being examined by the Planning Inspectorate. The relevant considerations from the emerging basement policy have been considered above.

Given the above, and in these circumstances, though noting the strong objections which have been received, the objections on these grounds are not considered sustainable

#### Construction Management

The Knightsbridge Association and neighbouring residents have raised concerns in relation to the management of construction traffic during construction. Applications cannot reasonably be refused on these grounds. The Construction Management Plan (CMP) submitted as part of the application is considered acceptable. The document demonstrates how the basement will be excavated and the proposed measures to minimise disruption are considered appropriate to this site.

However, a condition is recommended to secure a more fully detailed construction management plan to be submitted to and approved in consultation with the Knightsbridge Association.

The applicant is advised by informative to consult and liaise regularly during works with the Knightsbridge Association and site neighbours particularly with regard to construction management issues.

A further condition is recommended to control the hours of construction works, particularly noisy works of excavation. This is the most that can be achieved under planning law.

### **9. BACKGROUND PAPERS**

1. Application form.
2. Responses from the Knightsbridge Association dated 04 January 2016 and 21 January 2016.
3. Response from Environmental Health dated 12 January 2016.
4. Response from Historic England (Listed Builds/Con Areas) dated 21 December 2015.
5. Response from Building Control dated 21 April 2016.
6. Response from Environment Agency (Thames Region) dated 22 December 2015.
7. Response from Arboricultural Manager dated 05 January 2016.
8. Letter from Ada Architects Ltd on behalf of the owner/ occupier of 34 Montpelier Walk dated 04 January 2016.
9. Letters from owner/ occupier of 2 Rutland Street dated 28 December 2015 and 29 December 2015.

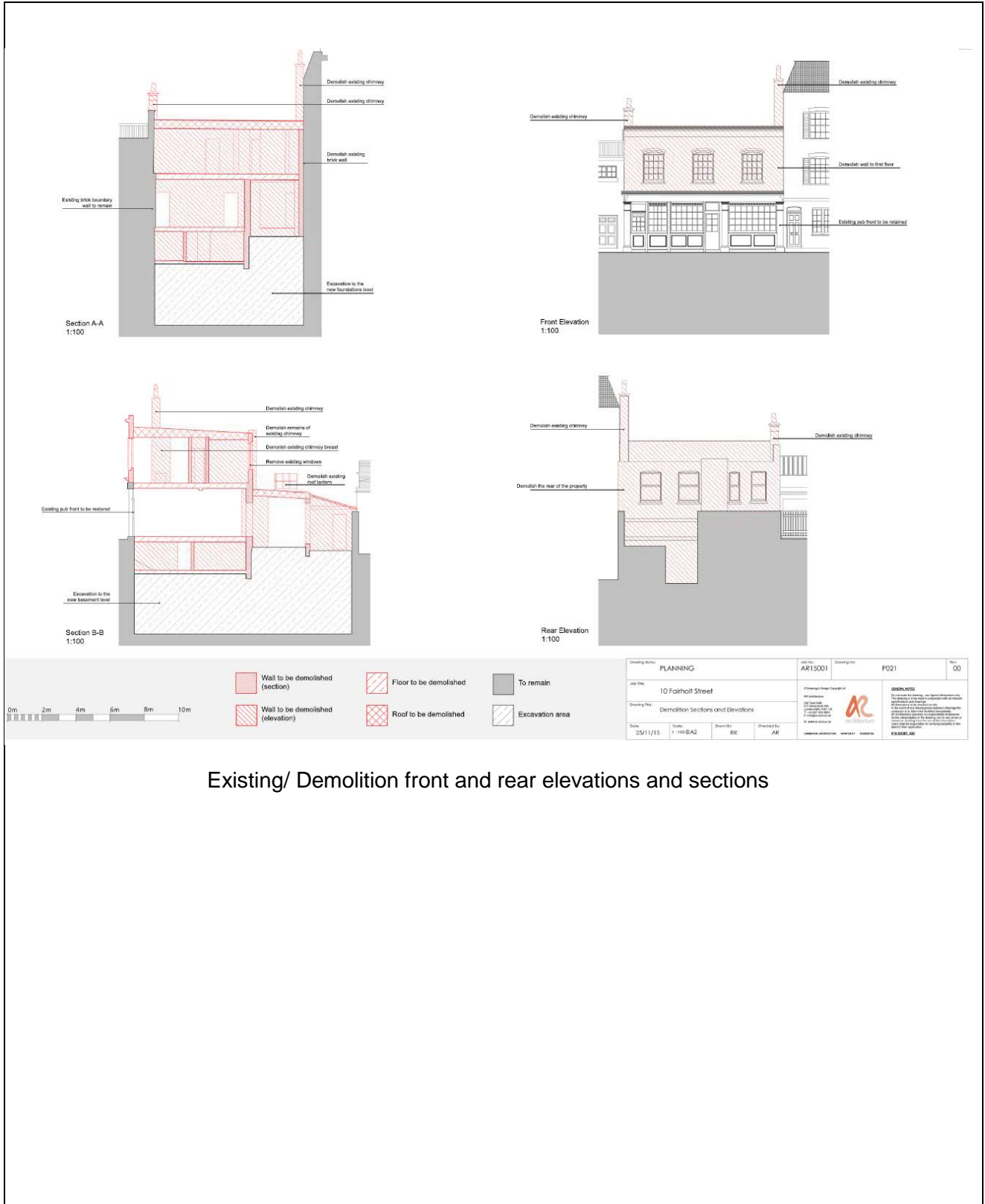
#### **Selected relevant drawings**

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

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT DAVID DORWARD ON 020 7641 2408 OR BY EMAIL AT [ddorward@westminster.gov.uk](mailto:ddorward@westminster.gov.uk)



### 10. KEY DRAWINGS



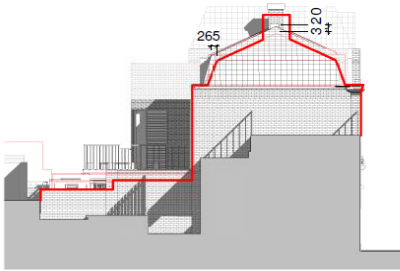
Existing/ Demolition front and rear elevations and sections



Front Elevation  
1 : 100



Proposed Rear Elevation  
1 : 100

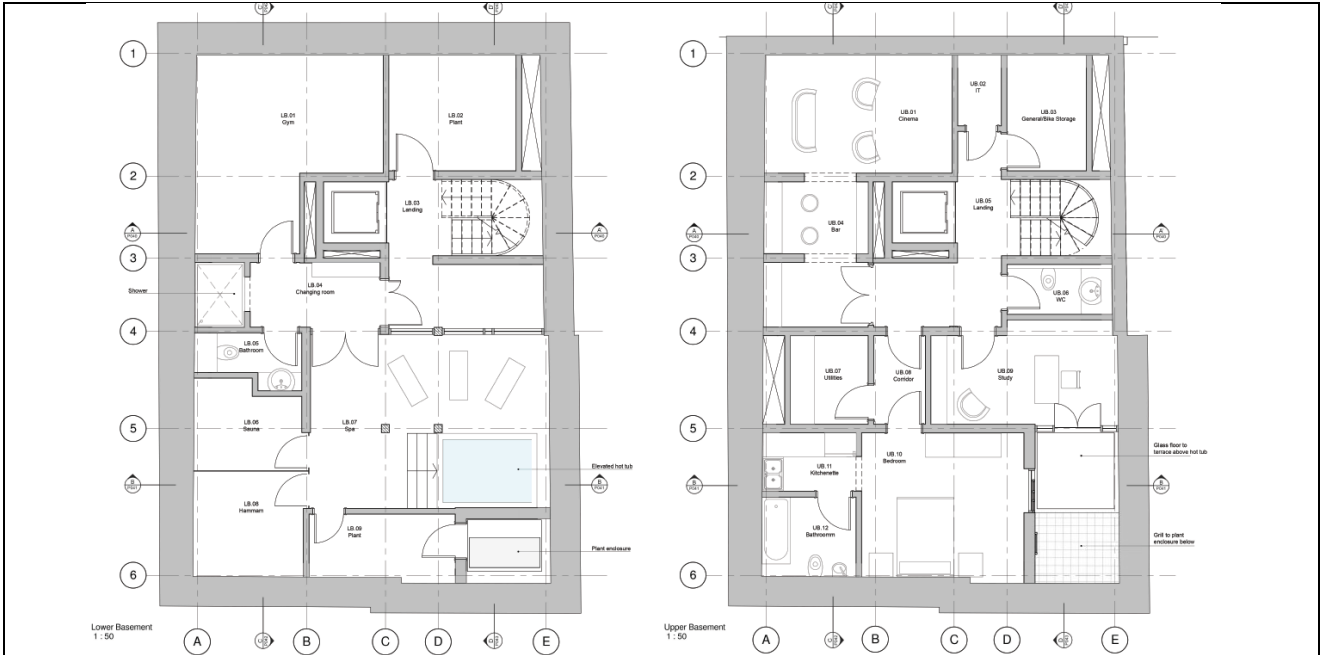


Proposed Side Elevation  
1 : 100

Outline of 2015 Planning Approved scheme shown in red.

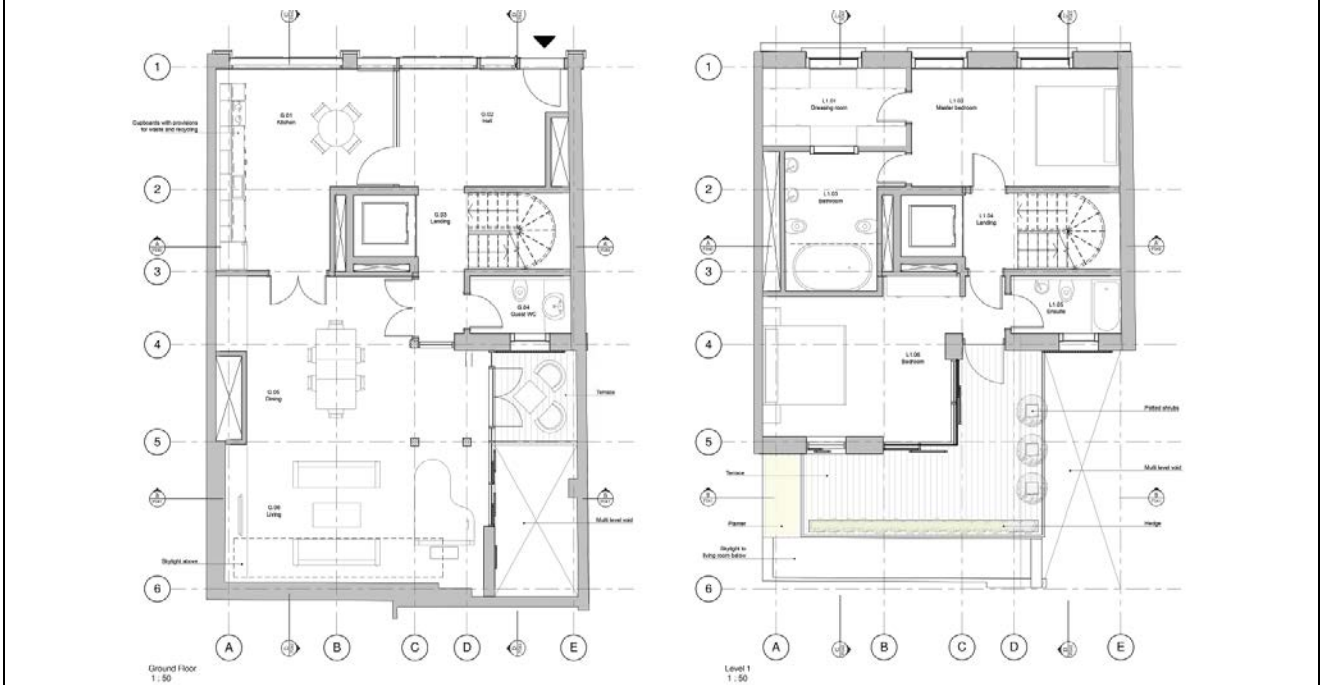
Number	Date	Description	Drawings/Notes	Project No.	Drawing No.	Rev.
			FOR INFORMATION	AR15001	POSS	
			Job No: 10 Fairholt Street			
			Drawing Title: Overlay			
			Date: 01/11/16	Scale: 1:1000 A2	Drawn By: RR	Checked By: SV

Proposed elevations/ overlay drawing with outline of 2015 permission



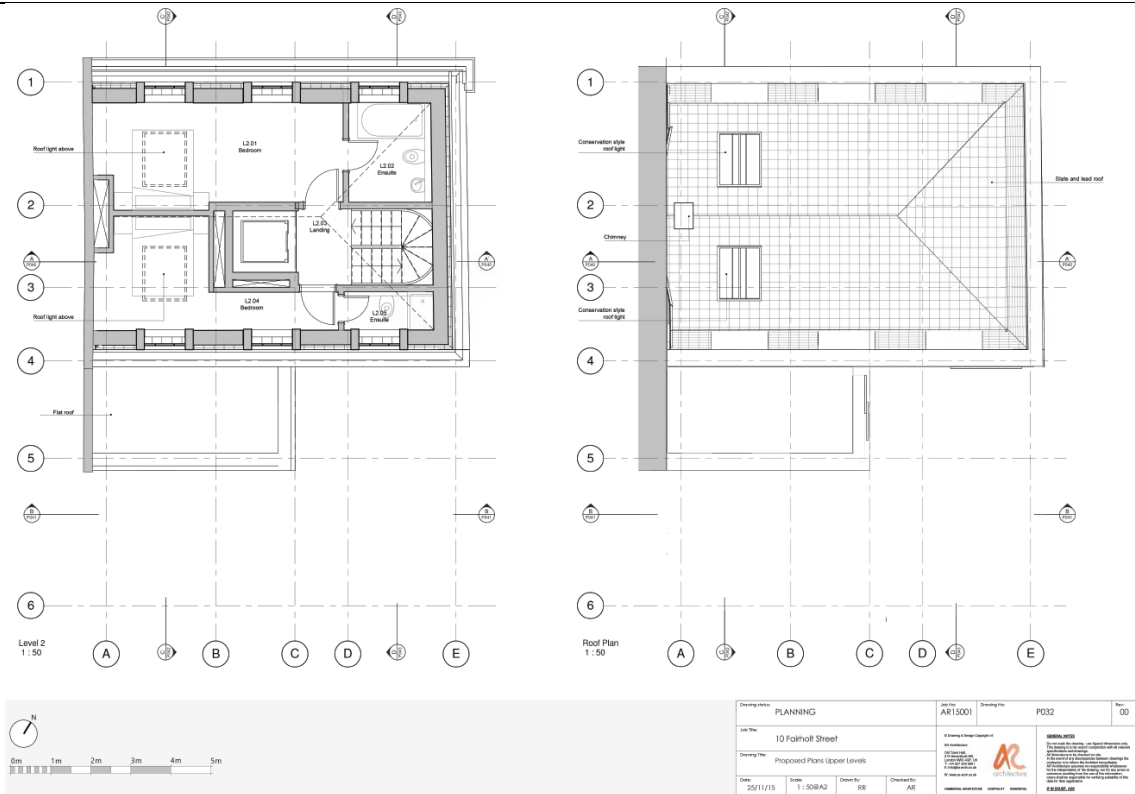
Drawing title	PLANNING	AR15001	Drawing No.	P030	Scale	00	
Job title	10 Fairhall Street		Project Manager	AR			
Drawing title	Proposed Plans Basement Levels		Project Engineer	AR			
Date	25/11/15	Scale	1:500A2	Drawn by	RR	Checked by	AR

Proposed plans lower and upper basement floor levels

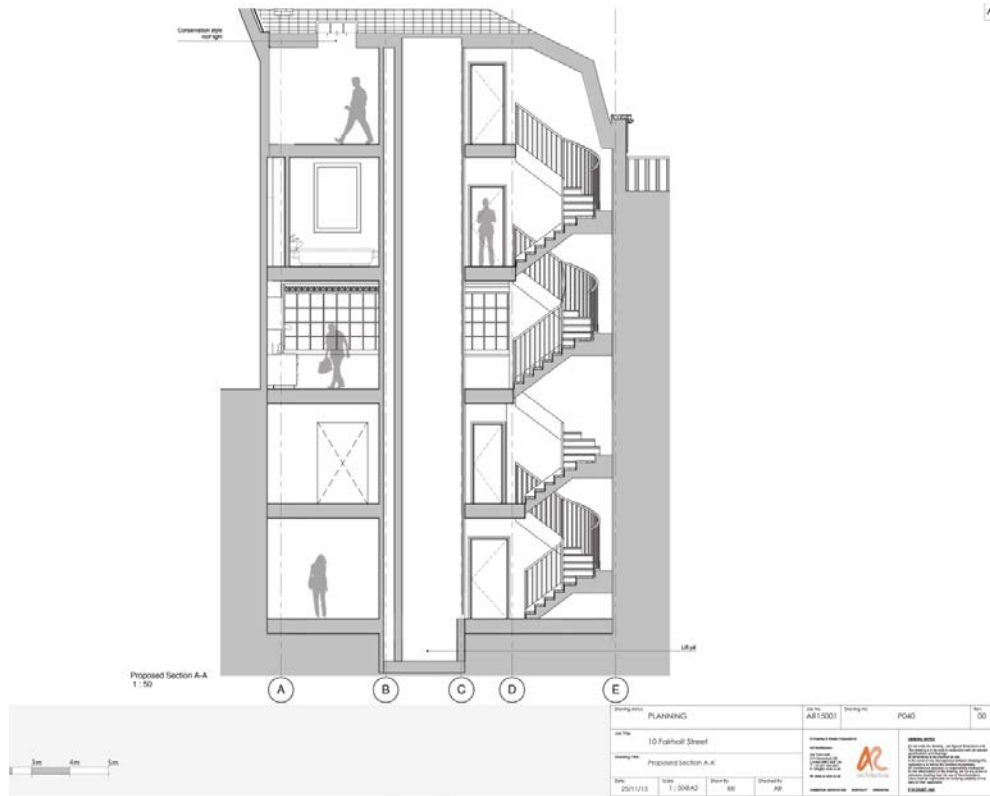


Drawing title	PLANNING	AR15001	Drawing No.	P031	Scale	00	
Job title	10 Fairhall Street		Project Manager	AR			
Drawing title	Proposed Plans Ground Floor and First Level		Project Engineer	AR			
Date	25/11/15	Scale	1:300A2	Drawn by	RR	Checked by	AR

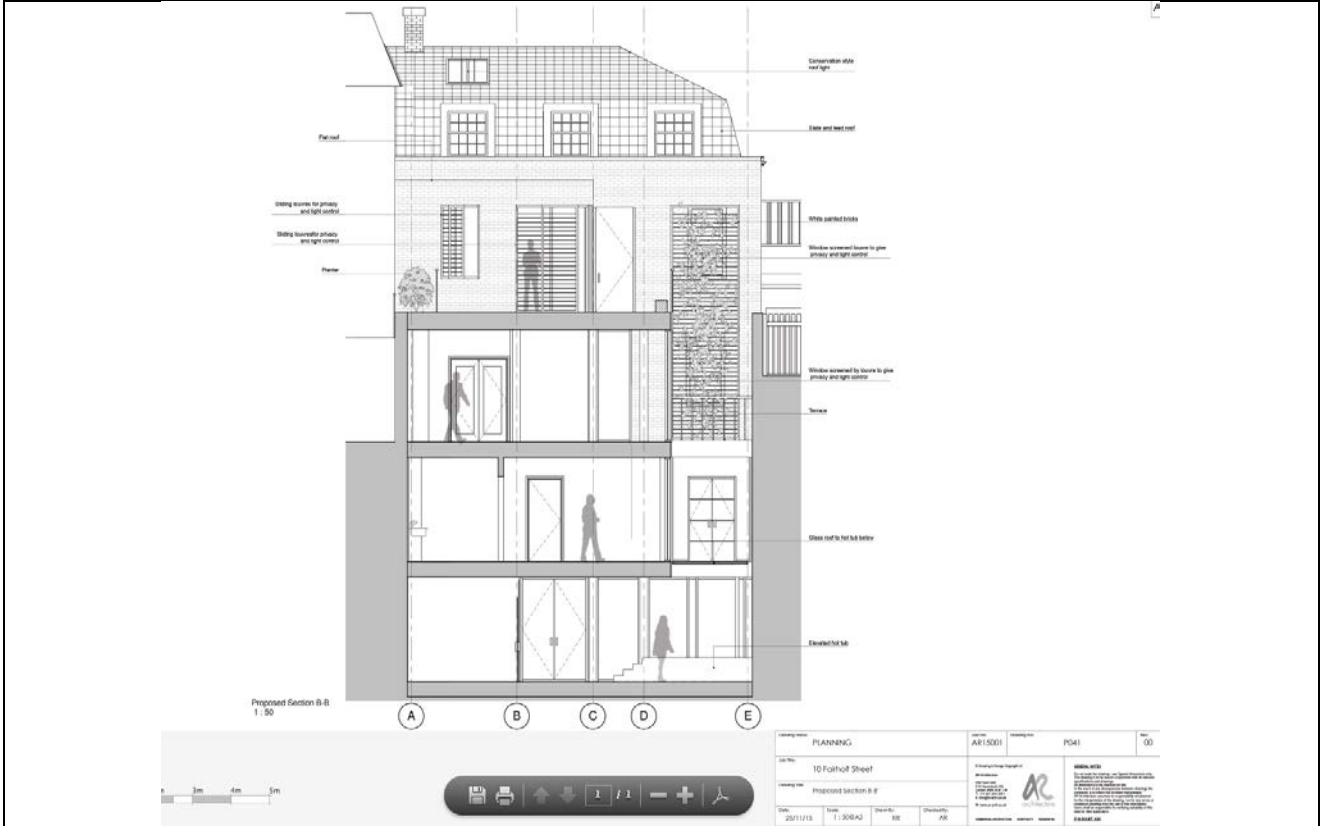
Proposed plans ground and first floor levels



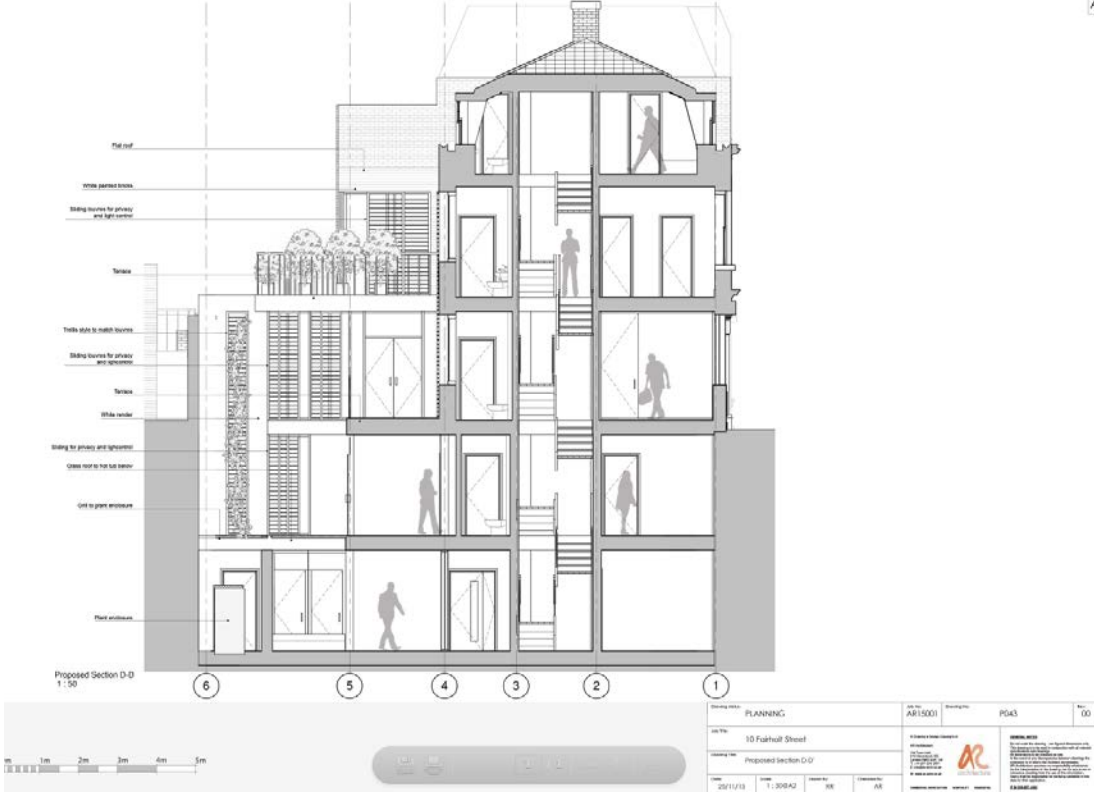
Proposed plans upper ground floor levels



Proposed section AA



Proposed section BB



Proposed section DD

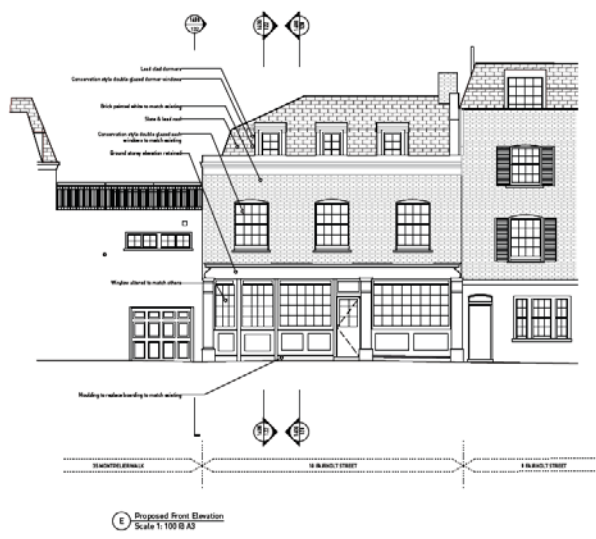


Front Elevation  
1:50



Drawing title	PLANNING	AR15001	Drawing No.	PG50	Rev.	00
Job title	10 Faitholt Street		Client			
Drawing No.	Proposed front Elevation		Author			
Date	25/1/15	Scale	1:50&A2	Drawn by	AR	

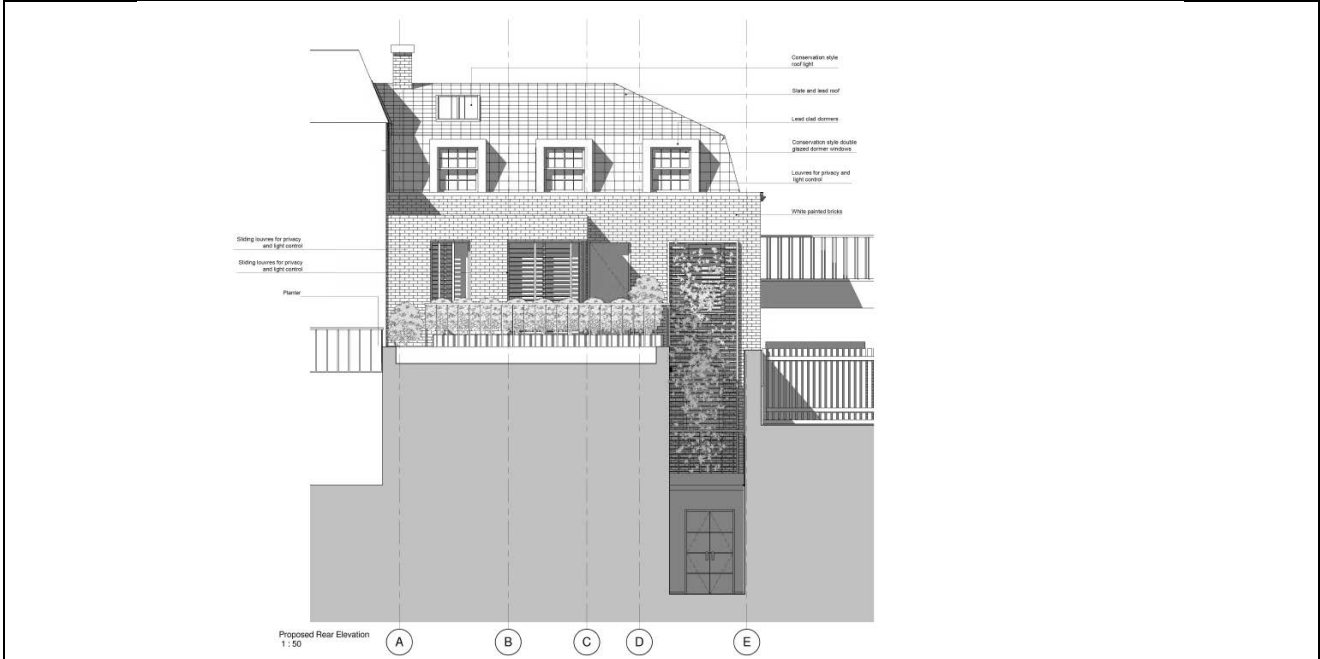
Proposed front elevation



Proposed front Elevation  
Scale 1:100 @ A3

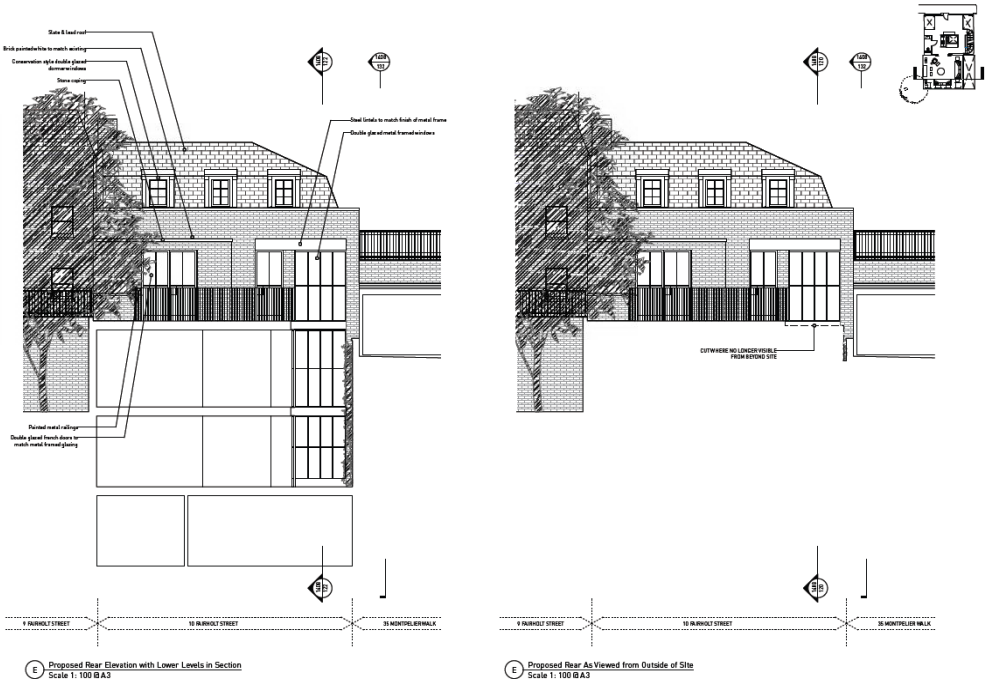
<p>Notes:                  Address and details see Structural Engineers drawings, referenced on site plan in common section of any works &amp; other drawings.                  Notes, details and dimensions, are to be referred to the Architect &amp; to the responsibility of the contractor.                  Use in conjunction with all relevant Architects drawings and all other Contractor's information.</p>	<table border="1"> <thead> <tr> <th>Revision</th> <th>Date</th> <th>Description</th> <th>Issued</th> <th>Drawn</th> <th>Checked</th> </tr> </thead> <tbody> <tr> <td>01</td> <td>20.01.2015</td> <td>PLANNING</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Revision	Date	Description	Issued	Drawn	Checked	01	20.01.2015	PLANNING				<p><b>TDO</b>                  80 Broad Suffolk Street, London SE1 0SE                  020 7742 8700 tdo@tdoarchitects.com                  www.tdoarchitects.com © TDO Architects Ltd 2015</p>
Revision	Date	Description	Issued	Drawn	Checked									
01	20.01.2015	PLANNING												

Approved 2015 permission front elevation



Drawing title:	PLANNING	Job No:	AR1501	Drawing No:	POS1	Rev:	00
Job Title:	10 Fairholt Street	Architect:	AR	Scale:	1:50	Author:	AR
Drawing No:	Proposed Rear Elevation	Client:	1:509A2	Drawn By:	BC	Checked By:	AR
Date:	22/11/15	Project:	1:509A2	Drawn:	BC	Checked:	AR

Proposed rear elevation



Proposed Rear Elevation with Lower Levels in Section  
Scale 1:100 @ A3

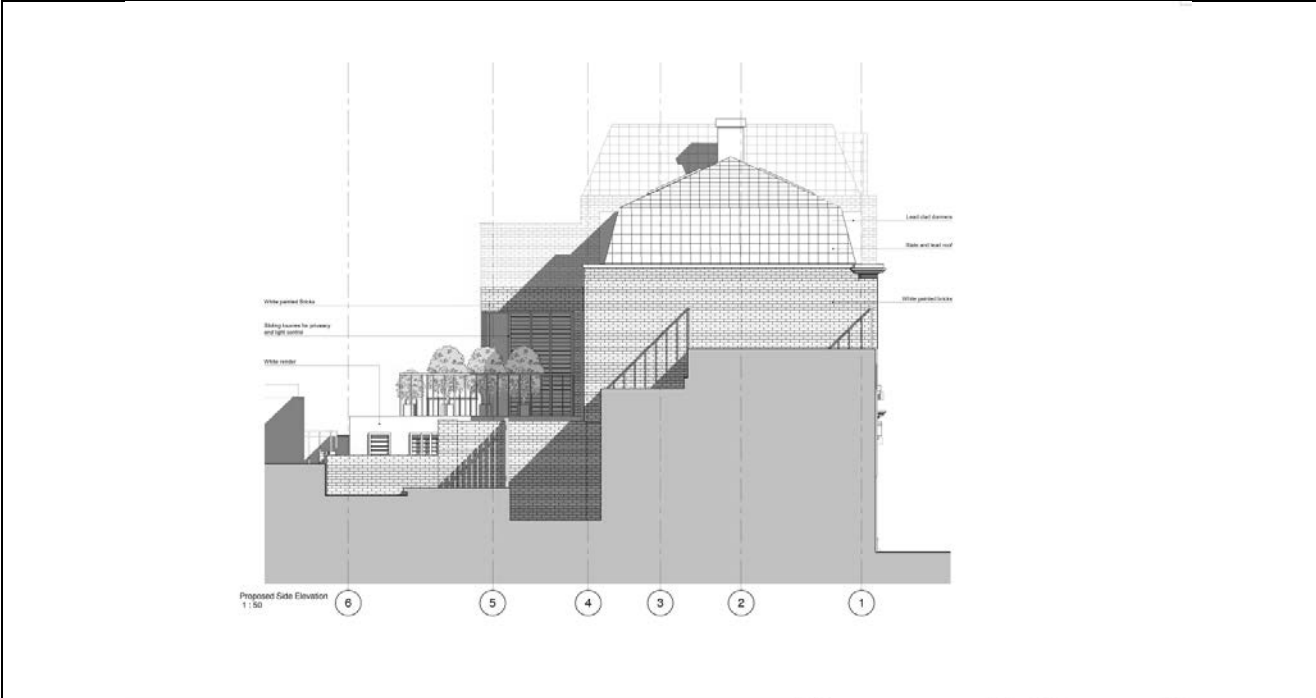
Proposed Rear As Viewed from Outside of Site  
Scale 1:100 @ A3

1. Do not scale this drawing.
2. For structural dimensions and details see Structural Engineers drawings.
3. All dimensions are to be checked on site prior to commencement of any work, or preparation of any shop drawings.
4. All entries to be checked, correct and dimensions, are to be reported to the Architect.
5. All temporary works to be responsibility of the contractor.
6. This drawing is to be used in conjunction with all relevant Architects drawings and specifications and with other consultants information.

Revision	Date	Description	Revision	Date	Description
P2	26.02.2015	PLANNING			
P3	12.03.2015	PLANNING			

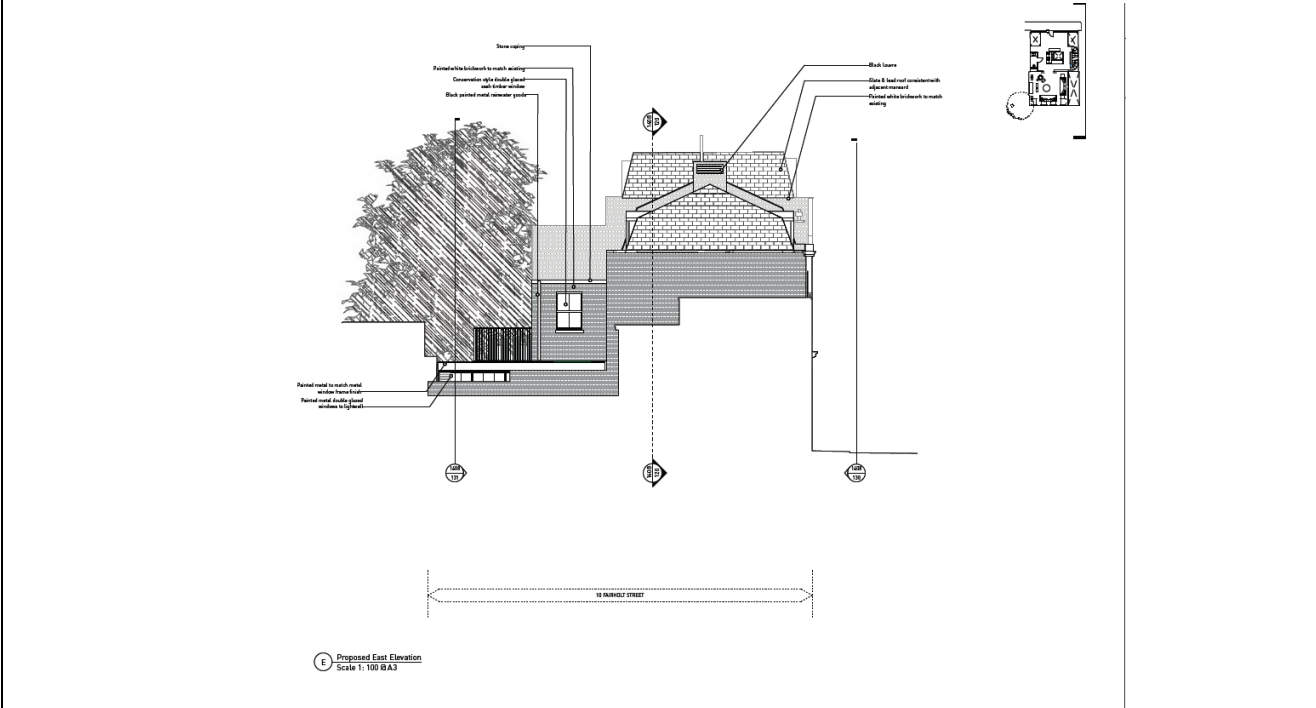
**TDO**  
 88 Great South Street, London SE1 0SE  
 020 7726 8787 tdo@tdo-architecture.com  
 www.tdo-architecture.com © 1998-2015 TDO

Approved 2015 permission rear elevation



Project Name	PLANNING	Project No.	ART15001	Revision No.	PG02	Date	00
Client Name	10 Fulham Street	Project Description	Proposed Side Elevation	Author	AR	Checked	
Date	25/11/15	Scale	1:50/BA2	Sheet No.	02	Discipline	AE

Proposed side elevation



**REVISIONS**  
Dimensions and details on Structural Engineers drawings, to be checked on site prior to commencement of any works or any stage drawings.  
All errors, omissions and discrepancies, are to be reported to the architect.  
The architect is responsible for the construction.  
The client is responsible for all relevant architect's drawings and not with other Consultant's information.

Revision	Date	Description	Revision	Date	Description
P2	25.02.2015	PLANNING			

**TDO**  
10 Fulham Street, London SE1 1BE  
020 7593 8787 tdo@tdoarchitects.com  
tdoarchitects.com @tdoarchitects

Approved 2015 permission side elevation



**DRAFT DECISION LETTER**

**Address:** 10 Fairholt Street, London, SW7 1EG,

**Proposal:** Demolition of existing building behind retained ground floor front facade; excavation to enlarge existing lower ground floor and creation of new basement level; erection of extensions at ground and first floor level including the creation of a roof terrace at first floor level; erection of new mansard roof extension; installation of mechanical plant; and associated alterations; all in connection with use as a single family dwelling.

**Reference:** 15/11506/FULL

**Plan Nos:** P000, P001, P010, P011, P012, P0202, P021, P030, P031, P032, P040, P041, P042, P043, P050, P051, P052, P053, P060, P061; Design and Access Statement by AR Architecture; Planning and Heritage Statement by NLP; Daylight and Sunlight Assessment by Daylight and Sunlight (UK) Ltd; Environmental Noise Survey by Hann Tucker; Construction Management Plan by Grandlane; Engineering Report by CTP (for information purposes).

**Case Officer:** David Dorward

**Direct Tel. No.** 020 7641 2408

**Recommended Condition(s) and Reason(s):**

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

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

- 2 Except for basement excavation work, you must carry out any building work which can be heard at the boundary of the site only:

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

You must carry out basement excavation work only:

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

Noisy work must not take place outside these hours. (C11BA)

Reason:

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

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Knightsbridge 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 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

To 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 Knightsbridge 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)

- 5 You must apply to us for approval of a sample panel of brickwork for the front and rear elevations which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample.

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 Knightsbridge 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 All new outside rainwater and soil pipes must be made out of metal and painted black. (C27HA)

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

- 7 You must not use the flat roof at rear second floor level for sitting out or for any other purpose. You can however use the roof for maintenance purposes or to escape in an emergency. (C21AA)

Reason:

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

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

- All new windows.

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 this part of the Knightsbridge 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)

- 9 The new railings hereby approved shall be painted black 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 Knightsbridge Conservation Area. This is as set out

in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 10 You must apply to us for approval of detailed drawings showing how waste is going to be stored and how materials for recycling will be stored separately. You must not occupy the residential unit until we have approved what you have sent us. The provision for waste and recycling storage is to be made permanently available and used for no other purpose.

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling 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. (R14CC)

- 11 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:
- (a) A schedule of all plant and equipment that formed part of this application;
  - (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
  - (c) Manufacturer specifications of sound emissions in octave or third octave detail;
  - (d) The location of most affected noise sensitive receptor location and the most affected window of it;
  - (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;

- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 12 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 13 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 11 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

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

- 14 No development shall take place, including any works of demolition, until a construction management plan for the proposed development has been submitted to and approved in writing by the City Council in consultation with the Knightsbridge Association.

The plan shall consider the issues set out in Appendix 2 of our Supplementary Planning Document - Basement Development in Westminster. These include measures to mitigate dust and to confirm the other relevant codes and standards that you will need to comply with.

You must not start work until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

Reason:

To protect the 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.

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

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)
- 3 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 This permission is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council and as a consequence we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution

applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.

- 5 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.
- 6 Conditions 12 and 13 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 7 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)

- 8 You should consult regularly with the Knightsbridge Association's Transport and Environment Committee and also site neighbours about Construction Management issues.
- 9 Thames Water have offered the following advice:

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required.

You can contact Thames Water on 0845 850 2777 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.