



City of Westminster

Committee Agenda

Title:

Planning Applications Committee (2)

Meeting Date:

Tuesday 7th June, 2016

Time:

6.30 pm

Venue:

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

Members:

Councillors:

Peter Freeman (Chairman)
Melvyn Caplan
Paul Church
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
Corporate Website: www.westminster.gov.uk**

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

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To note any changes to the membership.

2. DECLARATIONS OF INTEREST

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

3. MINUTES

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

4. PLANNING APPLICATIONS

Applications for decision

Schedule of Applications

- | | |
|---|--------------------------|
| 1. 78-110 ROCHESTER ROW, LONDON | (Pages 5 - 34) |
| 2. MARYLEBONE FLYOVER, LONDON | (Pages 35 - 42) |
| 3. 124-126 ST JOHN'S WOOD HIGH STREET, LONDON, NW8 7SG | (Pages 43 - 62) |
| 4. 29 ABERCORN PLACE, LONDON, NW8 9DU | (Pages 63 - 82) |
| 5. 22 MONTPELIER SQUARE, LONDON, SW7 1JR | (Pages 83 - 104) |
| 6. 15 BRYANSTON SQUARE, LONDON, W1H 2DN | (Pages 105 - 120) |
| 7. 29 RIDING HOUSE STREET, LONDON, W1W 7DX | (Pages 121 - 132) |
| 8. 16 CONDUIT STREET, LONDON, W1S 2XN | (Pages 133 - 148) |

PART 2 (IN PRIVATE)

9. 207 SHIRLAND ROAD, LONDON, W9 2EX

**(Pages 149 -
174)**

**Charlie Parker
Chief Executive
27 May 2016**

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Agenda Item

CITY OF WESTMINSTER
 PLANNING APPLICATIONS COMMITTEE – 7th June 2016
 SCHEDULE OF APPLICATIONS TO BE CONSIDERED

ITEM NO	REFERENCES	SITE ADDRESS	PROPOSAL	APPLICANT
1	RN NO(s): 16/01732/FULL Vincent Square	78-110 Rochester Row London, SW1P 1JP	Erection of a roof extension to provide six residential units (use class C3) and associated alterations.	
Recommendation Grant conditional permission				
2	RN NO(s): 16/02445/ADV Little Venice	Marylebone Flyover London W2	Removal of existing internally illuminated 6m x 3m advertising display (landscape format), to be replaced with an internally illuminated digital advertising unit (portrait format) 7.5m x 5m.	
Recommendation Refuse advertisement consent - harmful to amenity				
3	RN NO(s): 16/01126/FULL Regent's Park	124-126 St John's Wood High Street London NW8 7SG	Erection of a new 3 storey dwelling with terrace accessed from Charles Lane including the rearrangement of the existing rear access to the flats above 124-126 St John's Wood High Street and the retail space at ground and basement level.	
Recommendation Grant conditional permission.				
4	RN NO(s): 16/02545/FULL Abbey Road	29 Abercorn Place London NW8 9DU	Use of part of the existing roof level services structure as one self-contained flat with associated external alterations, including insertion of new windows and rooflights.	
Recommendation Grant conditional permission.				
5	RN NO(s) : 16/01036/FULL 16/01411/LBC Knightsbridge And Belgravia	22 Montpelier Square London SW7 1JR	Erection of a single storey rear extension at first floor level and remodelling and extended the infill extensions at lower ground and ground floor levels.	
Recommendation 1. Grant conditional permission. 2. Grant conditional listed building consent. 3. Agree the reasons for granting listed building consent as set out within Informative 1 of the draft decision letter.				

CITY OF WESTMINSTER
 PLANNING APPLICATIONS COMMITTEE – 7th June 2016
 SCHEDULE OF APPLICATIONS TO BE CONSIDERED

6	RN NO(s) : 16/01689/FULL 16/01690/LBC Bryanston And Dorset Square	15 Bryanston Square, London W1H 2DN	Erection of single storey roof extension and installation of seven condenser units at new roof level in connection with a single family dwelling (Class C3). Internal alterations.	
Recommendation 1. Refuse permission and listed building consent – design and conservation grounds				
7	RN NO(s): 16/01426/FULL West End	29 Riding House Street London W1W 7DX	Use of the ground floor as residential floorspace (Class C3) to enlarge the existing dwelling at basement, first and second floor levels. Alterations to front and rear elevations.	
Recommendation Grant conditional permission.				
8	RN NO(s): 15/06533/FULL West End	16 Conduit Street London W1S 2XN	Dual/alternative use of the second floor for either office (Class B1a) or residential (Class C3) use (1 x 2 bedroom unit). Installation of 4 external grilles at second floor level on the Mill Street elevation and 1 external grille on Conduit Street elevation.	
Recommendation Grant conditional permission.				

CITY OF WESTMINSTER
 PLANNING APPLICATIONS COMMITTEE – 7th June 2016
 SCHEDULE OF APPLICATIONS TO BE CONSIDERED

That under Section 100 (A) (4) and Part 1 of Schedule 12A to the Local Government Act 1972 (as amended), the public and press be excluded from the meeting for the following item(s) of business because they involve the likely disclosure of exempt information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

9	CONFIDENTIAL ITEM		
	RN NO(s): 15/10588/CLEU D Harrow Road	207 Shirland Road London W9 2EX	Use of the ground and basement floors as a retail unit Class (A1).
	Recommendation Issue Certificate		

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Agenda Item 1

Item No.

1

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 7 June 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Vincent Square	
Subject of Report	78 - 110 Rochester Row, London, SW1P 1JP		
Proposal	Erection of a roof extension to provide six residential units (use class C3) and associated alterations.		
Agent	Turley		
On behalf of	Wrenton Limited		
Registered Number	16/01732/FULL	Date amended/ completed	26 February 2016
Date Application Received	26 February 2016		
Historic Building Grade	Unlisted		
Conservation Area	N/A		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

78 – 110 Rochester Row is a part-five part-six storey building in mixed office and residential use built in the 1980s. The application site is not listed or located within a conservation area. It is adjacent to the Vincent Square Conservation Area to the east and north and opposite two Grade II listed buildings.

Planning permission is sought for a single storey roof extension over the majority of the roof to provide six residential units (use class C3). The extension would be of a mansard design and would replace the existing plant and lift overrun structures. The existing rooftop plant would be relocated to the basement. Associated alterations at basement and ground floor level are proposed. The existing basement car park would be re-configured and spaces allocated to the new residential units.

The main issues for consideration are:

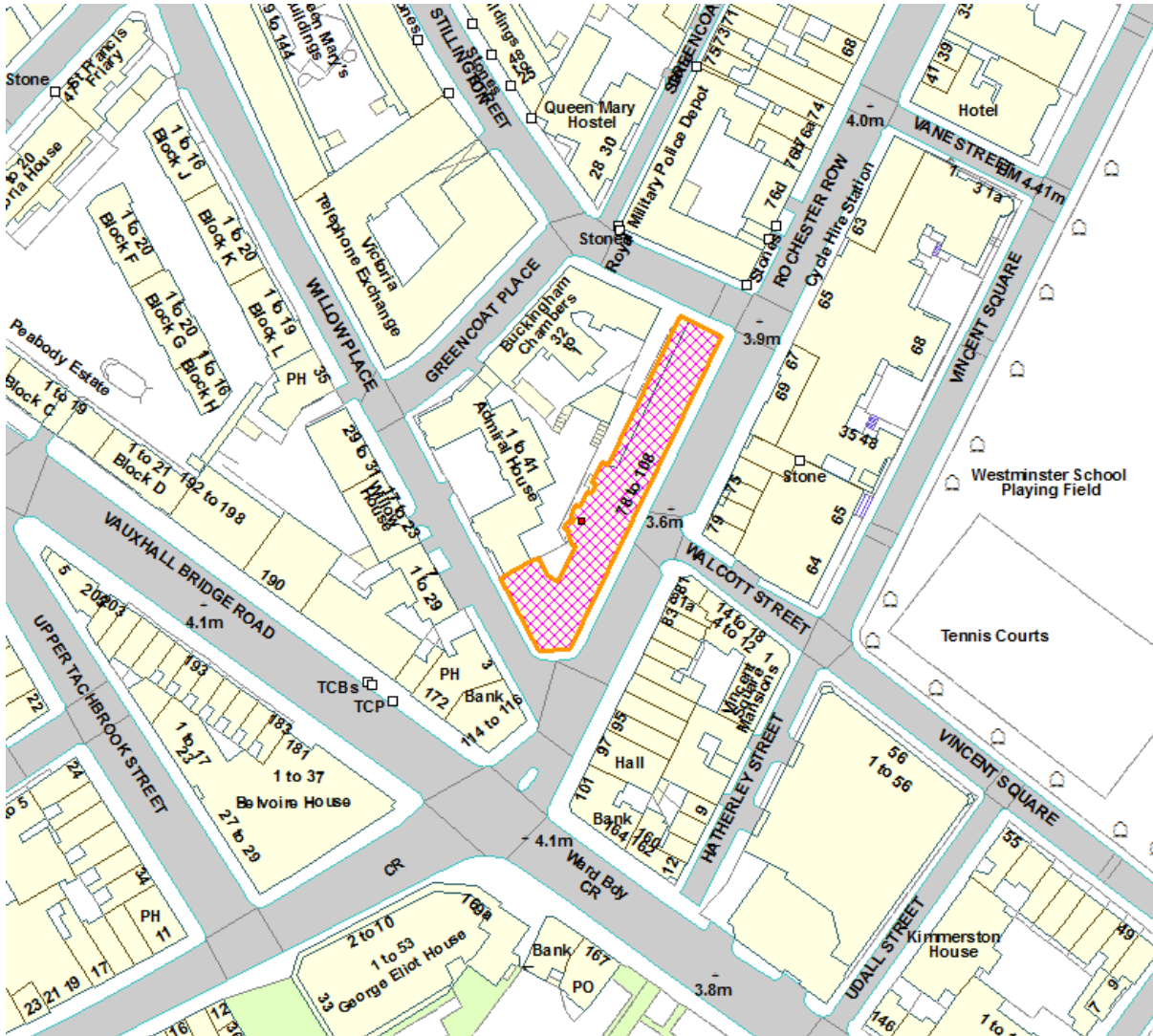
- The acceptability of the proposals in land use terms;
- The impact of the proposed roof extension on the character and appearance of the building and the setting of the adjacent conservation area and nearby listed buildings;
- The impact of the proposed extension on the amenity of neighbouring residents; and

- The impact of the proposals on the surrounding highway network.

The residential units are supported in principle by the development plan and would provide an acceptable standard of accommodation. The roof extension would not harm the character and appearance of the existing building or the setting of the adjacent Vincent Square Conservation Area or listed buildings opposite. Whilst the amenity concerns of local residents are understood, the proposals are not considered to significantly harm the amenity of neighbouring residents to justify refusal of permission. The proposals would also provide satisfactory car and cycle parking.

The proposed development is considered to be acceptable in land use, design, amenity, and transportation terms and would comply with relevant policies in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (City Plan).

3. LOCATION PLAN



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4. PHOTOGRAPHS



78 – 110 Rochester Row
(View along Rochester Row/ junction with Willow Place)



78 – 110 Rochester Row

5. CONSULTATIONS

WESTMINSTER SOCIETY

No objection

HIGHWAYS PLANNING MANAGER

No objection

CLEANSING MANAGER

No objection

ENVIRONMENTAL HEALTH

Concerned about means of escape in case of fire from new flats.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 220

No. of replies: 10 (incl. 3 from one neighbour)

Objections from neighbouring residents on some or all of the following grounds:

Design

- The proposed extension would be visually unacceptable because it would not be in-keeping with the scale and massing of other buildings within the area, and because there is insufficient architectural detail within the submitted drawings.
(This issue is considered in section 8.2 of the report).

Amenity

- The proposed extension would result in a loss of daylight, loss of sunlight and overshadowing of the occupants of the flats opposite on Rochester Row and an existing flat (Flat 17) within the application building;
- The proposed extension would result in loss of privacy through overlooking of the flats opposite on Rochester Row;
- The proposed extension would result in loss of outlook and increased overbearing of the occupants of flats opposite on Rochester Row and an existing flat within the application building;
(These issues are considered in section 8.3 of the report).

Parking

- The proposed flats would result in additional on-street parking stress in the area.
(This issue is considered in section 8.4 of the report).

Construction

- The construction of the development would result in harmful noise and disturbance.
(This issue is considered in section 8.12 of the report).

Other

- The proposed extension would result in loss of views over the building currently enjoyed by occupants of flats opposite on Rochester Row;
- The impact of the proposed extension would result in the loss of property values;

- Granting planning consent in this instance would set a precedent for similar development to other buildings in the area;

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

This application site is located on north-west side of Rochester Row, close to the junction with Vauxhall Bridge Road. The building is part-five part-six storeys high, plus a basement level. The building is in mixed office and residential use, with a shared car park at basement level. The existing roof level includes roof plant and lift overrun structures, as well as the upper floor of an existing flat (Flat 17) and its associated roof terrace to the south-west corner of the building.

The application site is not listed or located within a conservation area. It is adjacent to the Vincent Square conservation area to the east and north and opposite two Grade II listed buildings.

The building dates from the 1980s and given its location has a strong presence in the townscape. It is comparable in height and scale to neighbouring buildings which are between four and six storeys high.

6.2 Recent Relevant History

None relevant.

7. THE PROPOSAL

Planning permission is sought for a single storey roof extension over the majority of the roof to provide six residential units (use class C3). The extension would be of a mansard design and would replace the existing plant and lift overrun structures. The existing rooftop plant would be relocated to the basement. Associated alterations at basement and ground floor level are proposed. An expansion of the existing refuse store at ground floor level to the rear is proposed. Cycling parking spaces are proposed at basement level, the existing car parking spaces would be re-configured to improve the layout and eight car parking spaces currently allocated to employees of the offices would be re-allocated to the occupiers of the new residential flats. Twenty photovoltaic panels would be arranged on top of part of the new roof of the extension.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Polices H3 of the UDP and S14 of the City Plan seek to encourage the provision of more residential floorspace, including the creation of new residential units. Accordingly, the provision of residential flats on this site is supported in principle.

Policy H5 of the UDP specifies that the Council will ensure an appropriate mix of unit sizes is achieved and would normally expect at least one-third of the units to be 'family sized' (i.e. having three or more bedrooms). The proposed mix of units would fall short of this requirement as one of the six would provide three bedrooms and the other five would provide one or two bedrooms. Policy H5 also notes that there will be some flexibility in how the requirement is applied. In particular, the mix in a development will also be subject to the suitability of the site for family housing in terms of site characteristics and the local environment. Given the combination of the location of the site close to the busy Vauxhall Bridge Road, the mixed use nature of the existing building, the proposed units being within a mansard roof extension and that the site constraints do not allow for the private or shared outside amenity spaces normally provided with family sized flats, the proposed mix is considered appropriate in this instance.

The proposed units are considered to provide an adequate internal living environment, the floor spaces would exceed the minimums areas set out in The London Plan. All the flats would afford prospective occupiers with acceptable levels of natural light as the majority windows face a southerly direction.

The sizes of the flats are set out below:

Unit 21: 3 bedroom 98 sqm
Unit 22: 1 bedroom 50 sqm
Unit 23: 2 bedroom 64 sqm
Unit 24: 2 bedroom 70 sqm
Unit 25: 2 bedroom 70 sqm
Unit 26: 1 bedroom 54 sqm

8.2 Townscape and Design

Concern has been raised regarding the visual acceptability of the proposal.

Policy DES 6 considers, amongst other issues, the appropriateness of new roof extensions, including their height and design. The roof extension would replace numerous existing structures at roof level which are considered to negatively impact on the building. The roof extension would rationalise the roofscape and improve the relationship between roof level and the floors below. The height of the extension is not markedly higher than the existing structures and is comparable in height to neighbouring properties. The principle and height of the extension are therefore acceptable. The extension is also of mansard design and so slopes away from the perimeter of the roof, further reducing its visual bulk and ensuring that it does not dominate the existing building. In this form, the extension would successfully integrate into the host property, improving the roof scape and contributing positively to the townscape and setting of the adjacent conservation area and listed buildings.

On top of the proposed extension, photovoltaic panels are proposed. These would be set back from the perimeter of the roof and therefore would not dominate the building. Subject to further detailed drawings of the framework and integration with the extension, the panels would not harm the existing building or its setting.

Subject to the recommended conditions, the proposed extension would not harm the character or appearance of the existing building and would preserve the setting of the adjacent conservation area and listed buildings. Accordingly, the proposal would be consistent with Policies S25 and S28 of the City Plan and Policies DES 1, DES 5, DES 6, DES 9 and DES 10 of the UDP.

8.3 Residential Amenity

Several objections have been received in relation to the potential loss of light from the proposed extension. UDP Policy ENV 13 seeks to protect existing premises, particularly residential, from a loss of daylight and sunlight as a result of new development. Permission would not normally be granted where developments result in a material loss of daylight or sunlight.

Regard is to be had to BRE's "Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice" (2011) ("the BRE Guide"). The BRE Guide stresses that the numerical values are not intended to be prescriptive in every case and are intended to be interpreted flexibly depending on the circumstances since natural lighting is only one of many factors in site layout design. For example, in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.

The applicant has submitted a Daylight and Sunlight Report to demonstrate compliance with the BRE Guide. This study has assessed windows likely in residential use to neighbouring buildings and that are most likely to be affected by the new extension in comparison to the existing building. These buildings are as follows:

- 67-69 Rochester Row
- 75 Rochester Row
- 81 Rochester Row
- 81a Rochester Row
- 83 Rochester Row
- 85 Rochester Row
- 87 Rochester Row
- 89 Rochester Row
- 91 Rochester Row
- 93 Rochester Row
- 95 Rochester Row
- 3 Willow Place
- Willow House, Willow Place
- Admiral House, Willow Place
- Buckingham Chambers
- 78-110 Rochester Row (Flat 17)

Daylight

In assessing daylight levels, the Vertical Sky Component (VSC) is the most commonly used method. It is a measure of the amount of light reaching the outside face of a window. If the VSC achieves 27% or more, the BRE advise that the window will have the potential to provide good levels of daylight. The BRE Guide also recommends consideration of the

distribution of light within rooms served by these windows. Known as the No Sky Line (NSL) method, this is a measurement of the area of working plane within these rooms that will receive direct daylight from those that cannot. With both methods, the BRE Guide also suggest that reductions from existing values of more than 20% should be avoided as occupiers are likely to notice the change.

The use of the affected rooms has a major bearing on the weight accorded to the effect on residents' amenity as a result of material losses of daylight. For example, loss of light to living rooms, dining rooms, bedrooms, studies and large kitchens (if they include dining space and are more than 12.6 sqm) are of more concern than loss of light to non-habitable rooms such as stairwells, bathrooms, small kitchens and hallways.

Flats within Surrounding Buildings

The proposed extension would not result in VSC losses exceeding the BRE Guide, and it would not result in NSL losses exceeding the BRE Guide, to any window. The figures within the Daylight and Sunlight Report demonstrate that in terms of daylight the extension would not result in any noticeable loss for neighbouring residents.

Flat 17 within the Application Building

The proposed extension would not result in VSC losses exceeding the BRE Guide, and it would not result in NSL losses exceeding the BRE Guide, to any window. The figures within the Daylight and Sunlight Report demonstrate that in terms of daylight the extension would not result in any noticeable loss for occupiers of Flat 17.

Sunlight

The BRE guidelines state that rooms will appear reasonably sunlit provided that they receive 25% of annual probable sunlight hours, including at least 7% of annual winter sunlight hours. A room will be adversely affected if the resulting sunlight level is less than the recommended standards and reduced by more than 20% of its former values and if it has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

Flats within Surrounding Buildings

The Daylight and Sunlight Report concludes that the proposal would not result in sunlight loss exceeding BRE guidance for the residents who occupy flats opposite on Rochester Row.

The report indicates that there could be transgressions to a number of rooms within Admiral House and Buckingham Chambers to the rear of the application site. External inspection indicates that the windows identified with sunlight loss greater than 20% are unlikely to be sole windows to habitable rooms. Notwithstanding this, given the overall high level of compliance with BRE guidance for all other relevant windows despite the application site's location in a dense urban area, an objection to the development on this basis would not be sustainable in this instance.

Flat 17 within the Application Building

The Daylight and Sunlight Report concludes that the proposal would not result in sunlight loss exceeding BRE guidance for the residents who occupy Flat 17.

Sense of Enclosure

Objections have been raised with regard to loss of outlook, increased sense of enclosure and overbearing impact to neighbouring properties.

The proposed extension would increase the height of the building and would increase its bulk. The increase would be relatively modest compared to the existing roof structures and would be comparable to neighbouring buildings. The properties opposite on Rochester Row are approximately 15.5 horizontal metres away from the front elevation of the application site. Given the relatively modest height increase and the relatively large separation distance between the proposed extension and nearby residential properties, the proposal would not result in a significant increased sense of enclosure for the occupants of the residential properties on the opposite side of Rochester Row.

Located to the rear are Admiral House and Buckingham Chambers whose elevations vary in distance from the application building, but whose windows do not face directly toward the application site. Therefore the views of the proposed extension would be oblique. Accordingly, the proposal would not result in a significant increased sense of enclosure for the occupants of the residential properties within Admiral House and Buckingham Chambers

Located within the application building, Flat 17 has an existing roof level room and roof terrace. There is an access door from the flat to the roof terrace and the extension would be near to this door. The room the door serves has large windows looking south-west, and these are the main windows. It is not considered that the extension would result in an undue increased sense of enclosure to this dual aspect room or the garden as the main aspect is looking in the other direction from the extension would remain unchanged.

Privacy

Objections have been raised with regard to loss of privacy to neighbouring properties. The proposed flats would be located above existing flats/ offices which already have an outlook toward other flats both to the front and rear of the application building. Numerous adjacent flats also have balconies which allow overlooking. In this context the proposed extension, and modest balcony, would not result in a significant increase in overlooking in comparison to the existing situation and is therefore consistent with Policy ENV13 of the UDP and Policy S29 of the City Plan.

8.4 Transportation/Parking

Car Parking

Concerns have been raised with regard to increases in on-street car parking demand. There are currently 25 car parking spaces within the basement. These would be re-configured and eight would be allocated to the new residential flats from the office use. The Highway Planning Manager has stated that the loss of office car parking would be acceptable. The site has a PTAL score of 6b, the highest score possible, which indicates that the offices on site are highly accessible by public transport. Notwithstanding this, if there were some displacement of cars from the off-street spaces to on-street car parking

bays, it would happen outside of the peak on-street residential parking demand times (which is over night) as the cars would be associated with the office use.

The eight spaces provided exceed that required by Policy TRANS 23 of the UDP. The Highway Planning Manager does not object to this overprovision as these spaces are existing parking spaces which are to be re-allocated. Therefore, subject to the arrangements being secured by condition, the proposal is considered to comply with Policy TRANS 23 of the UDP.

Cycle Parking

Policy 6.9 of the London Plan requires the provision of two cycle parking spaces per residential unit of two or more bedrooms, and one space per one bedroom unit. This would equate to 10 spaces. The existing basement level provides 12 cycle parking spaces. It is proposed to provide 26 cycle parking spaces in the re-configured basement. Subject to a condition to ensure these spaces are provided; the proposal would be consistent with Policy 6.9 of the London Plan.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size.

8.6 Access

The proposed flats would all be accessible by lifts and will be single level. Accordingly, they would provide suitable accommodation for disabled persons.

8.7 Other UDP/Westminster Policy Considerations

Plant

The plant equipment located at roof level would be re-located to the basement floor level. This location would be an improvement in terms of appearance. Further, the basement location is likely to have no greater impact in terms of noise than the current location. However, no acoustic report has been submitted with the application and therefore there is not the information to establish a design criterion at the nearest sensitive receptor, nor is it understood specifically what plant is proposed to be installed and what the predicted noise levels would be at the nearest sensitive receptor. Therefore, this further detail and an acoustic report are recommended to be secured by condition in order to demonstrate that the plant would comply with ENV 7 of the UDP. With this ensured, the proposals would not harm the amenity of neighbouring properties.

Refuse /Recycling

The submitted drawings indicate that the existing waste and recyclable material area would be expanded to provide for the additional residential units. The Cleansing Manager is satisfied with this provision. Subject to a condition to ensure this storage is provided and used for no other purpose, the arrangement would be acceptable.

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 National Planning Policy Framework (NPPF) unless stated otherwise.

8.10 Planning Obligations

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

8.11 Environmental Impact Assessment

An Environmental Impact Assessment is not required for a development of this size.

8.12 Other Issues

Fire Strategy

Environmental Health objects to the proposals on the grounds that there is unsatisfactory means of escape from the flats in the event of fire. Planning permission deals with the use of land, the appearance of buildings, landscaping considerations, highway access and the impact that the development will have on the general environment. Building Regulations are concerned with how a building is constructed, including fire safety, and this would be separate to planning permission. Nonetheless, the applicant has revised the internal layouts to address the concerns raised by the Environmental Health and has provided a fire strategy. The revised layouts do not materially alter the scheme.

Construction Impact

Concerns have been raised regarding noise and disturbance that could be generated by construction work.

A condition is recommended to ensure noisy building work is not carried out at anti-social hours so neighbours are not unduly harm by construction work. In addition, an informative is added to encourage the applicant to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable.

9. BACKGROUND PAPERS

1. Application form.
2. Response from Westminster Society, dated 29 March 2016.
3. Memo from Highways Planning Manager dated 28 April 2016.
4. Response from Environmental Health dated 22 March 2016.

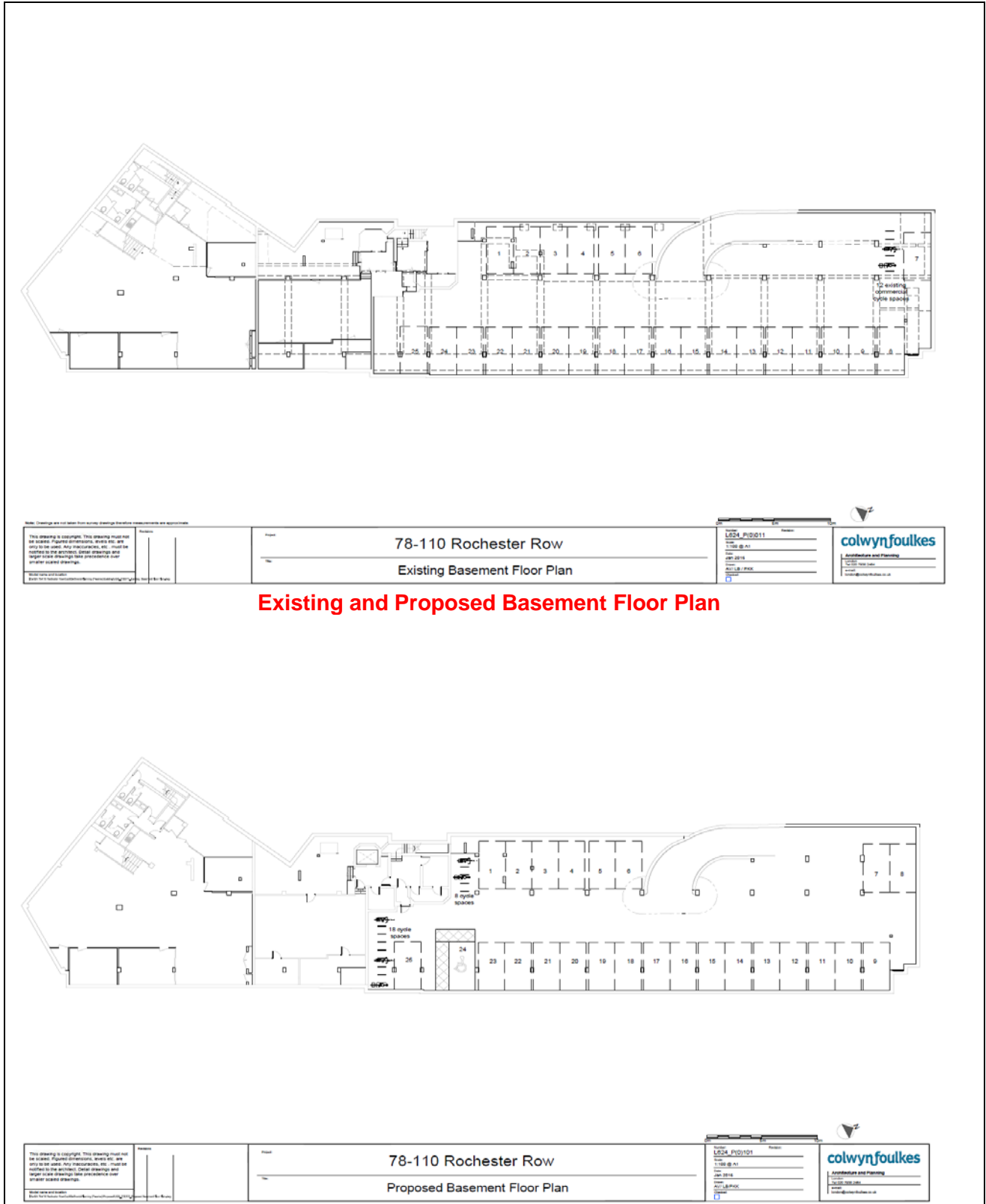
5. Memo from Cleansing Manager dated 04 April 2016.
6. Letters on behalf of and from occupier of Flat 17, 102 Rochester Row dated 11 March 2016 (x2) and 19 May 2016.
7. Letter from occupier of Flat 12, 75 Rochester row dated 20 March 2016.
8. Letter from occupier of Flat 7 Vincent Sq. Mansions, Walcott Street dated 22 March 2016.
9. Letter from on behalf of Managing Agents of the Leaseholders at 75 Rochester Row dated 1 April 2016.
10. Letter from occupier of Flat 13, 75 Rochester Row dated 1 April 2016.
11. Letter from occupier of Flat 14, 75 Rochester Row dated 1 April 2016
12. Letter from occupier of Flat 11, 75 Rochester Row dated 4 April 2016
13. Letter from occupier of 75 Rochester Row dated 4 April 2016

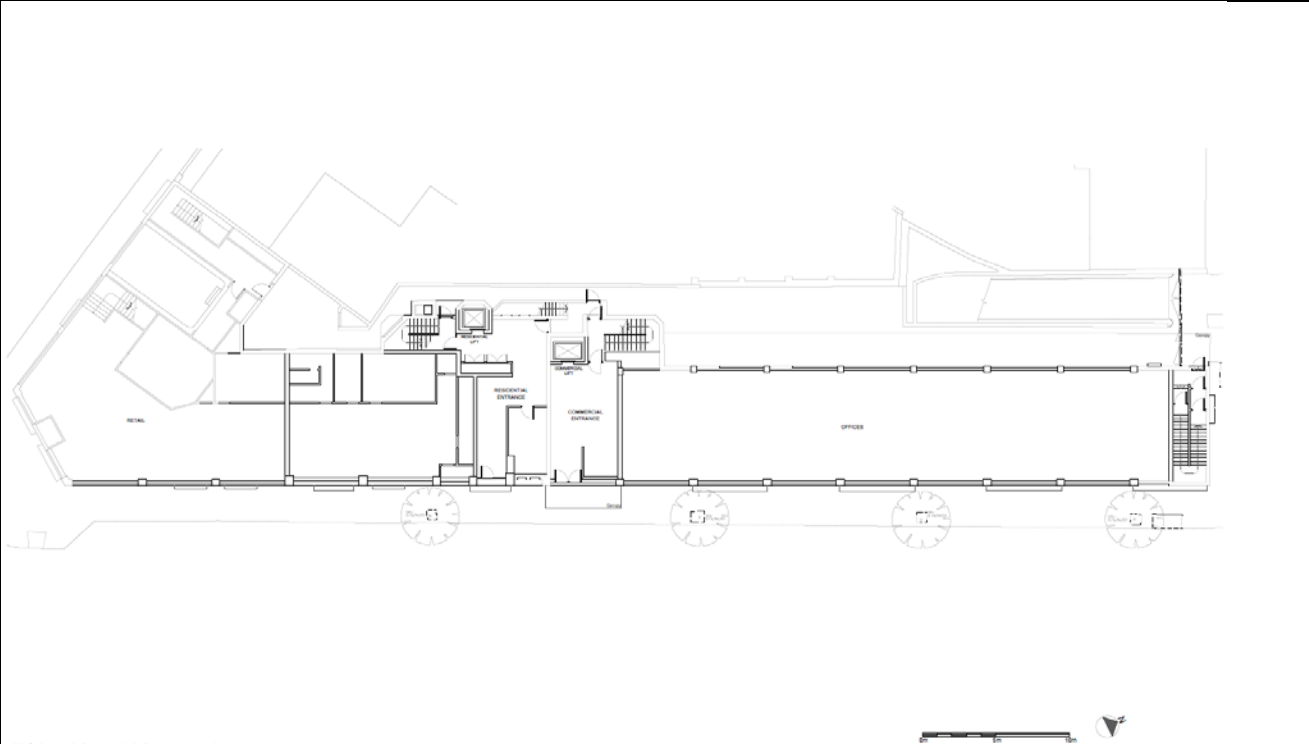
Selected relevant drawings

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

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT JOSHUA HOWITT ON 020 7641 2069 OR BY EMAIL AT jhowitt@westminster.gov.uk

10. KEY DRAWINGS





Note: Changes are not shown from survey drawings. All dimensions are approximate.

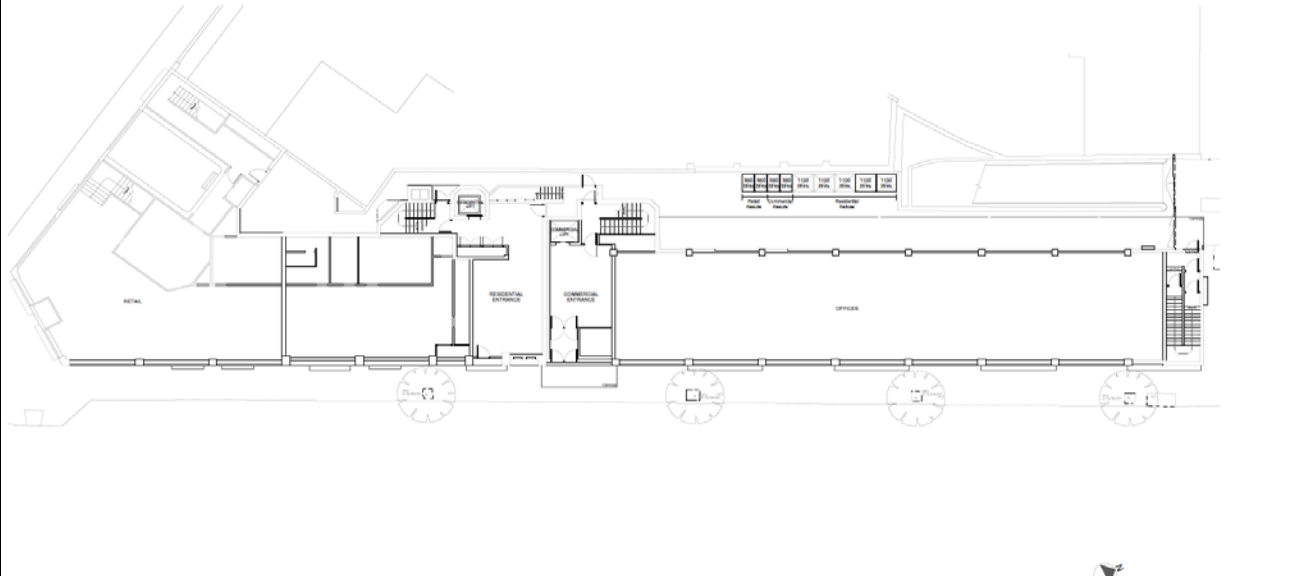
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Project: 78-110 Rochester Row
Title: Existing Ground Floor Plan

Project: 78-110 Rochester Row
Title: Existing Ground Floor Plan



Existing and Proposed Ground Floor Plan



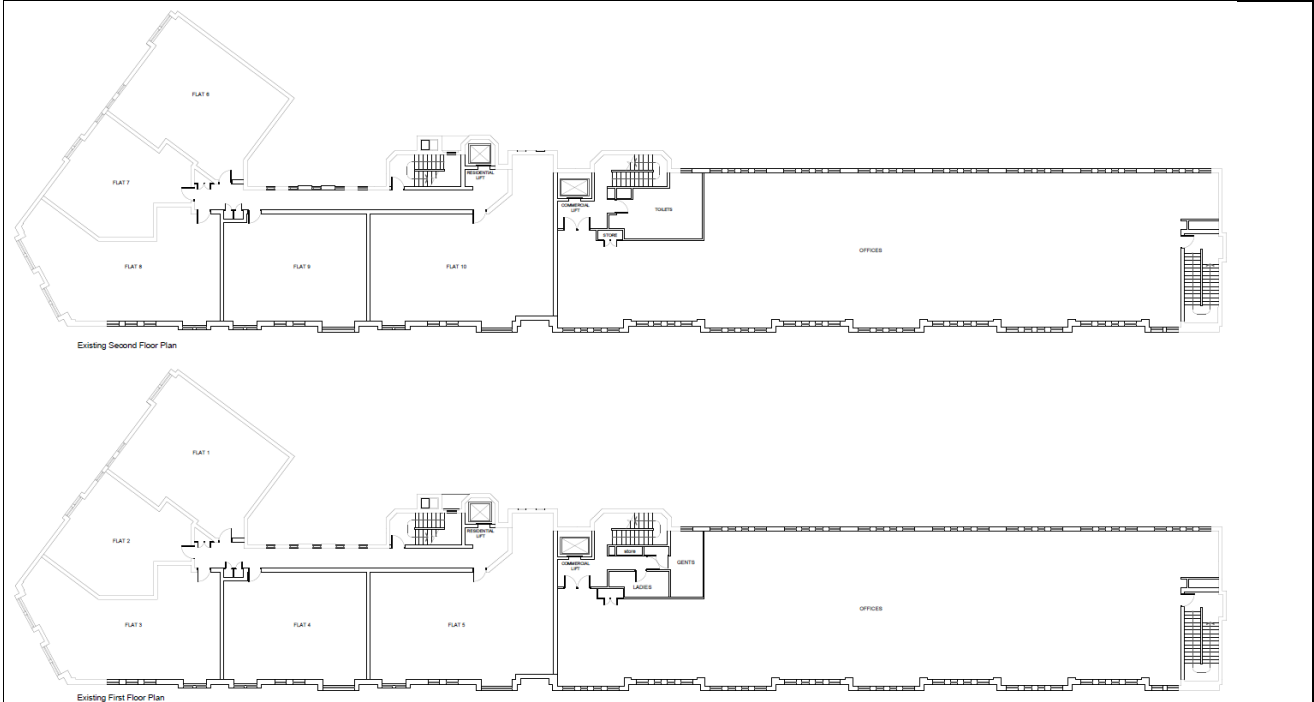
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Project: 78-110 Rochester Row
Title: Proposed Ground Floor Plan

Project: 78-110 Rochester Row
Title: Proposed Ground Floor Plan





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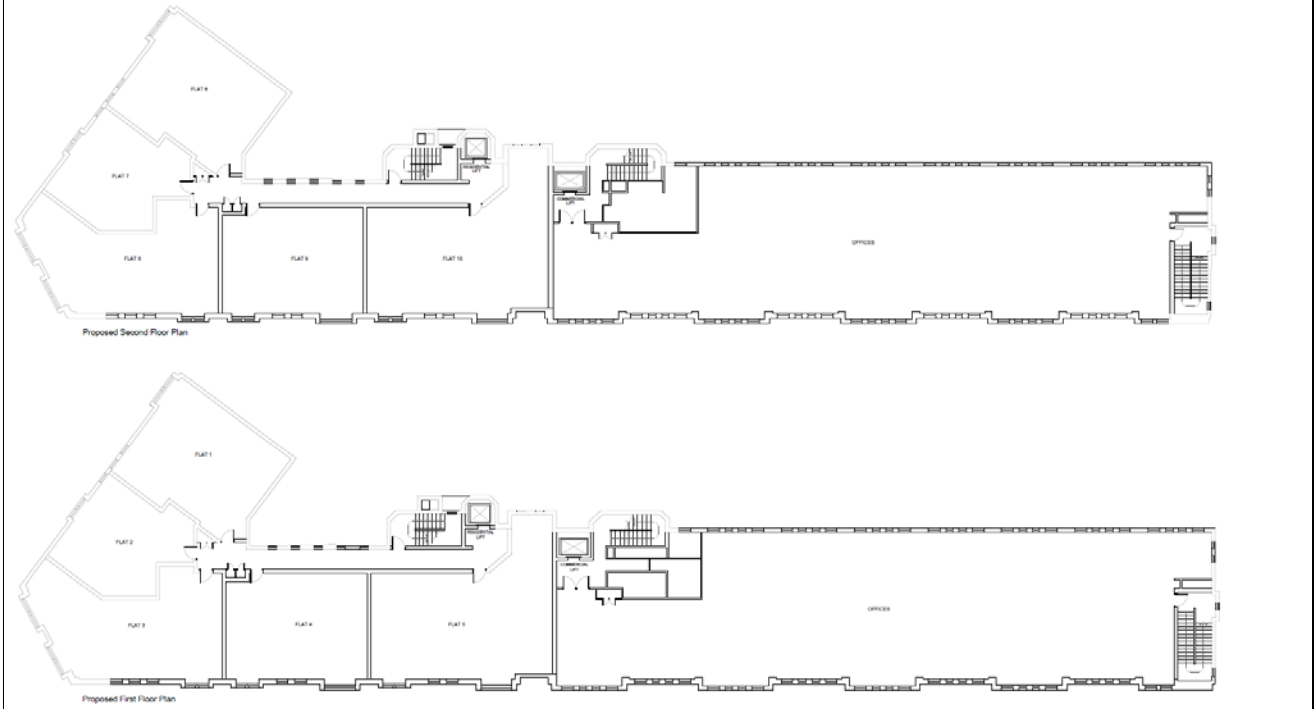
Revision	
1	Issue for Construction

Project: 78-110 Rochester Row
 Title: Existing First & Second Floor Plan

Client: LGS4 P10112	Architect: colwynfoulkes
Date: 17/03/2016	Architect's Registration No: 14122
Scale: A1	Architect's Website: www.colwynfoulkes.co.uk
Author: JAM/2016	
Checker: AUL/LB/PJK	

colwynfoulkes
 Architecture and Planning
 100-102, 100-102, 100-102
 100-102, 100-102, 100-102

Existing and Proposed First and Second Floor Plans



Note: Drawings are not taken from survey drawings therefore measurements are approximate.

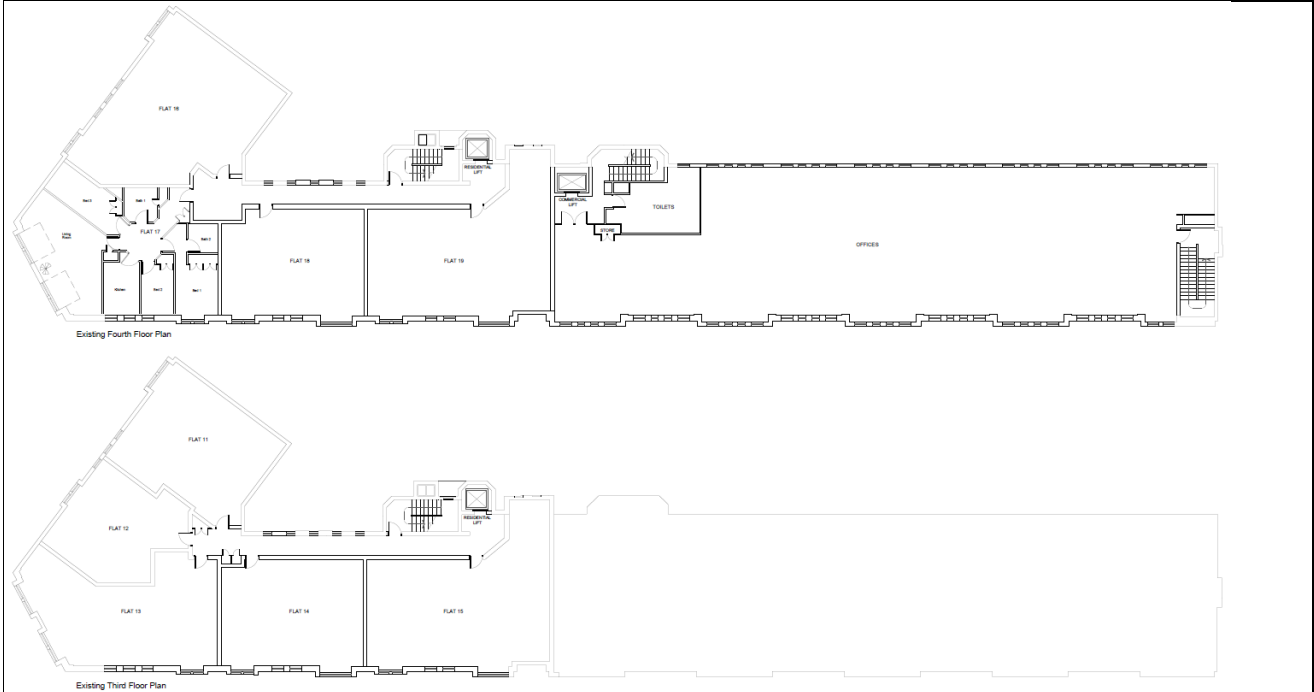
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Revision	
1	Issue for Construction

Project: 78-110 Rochester Row
 Title: Proposed First & Second Floor Plan

Client: LGS4 P101103	Architect: colwynfoulkes
Date: 17/03/2016	Architect's Registration No: 14122
Scale: A1	Architect's Website: www.colwynfoulkes.co.uk
Author: JAM/2016	
Checker: AUL/LB/PJK	

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 100-102, 100-102, 100-102
 100-102, 100-102, 100-102

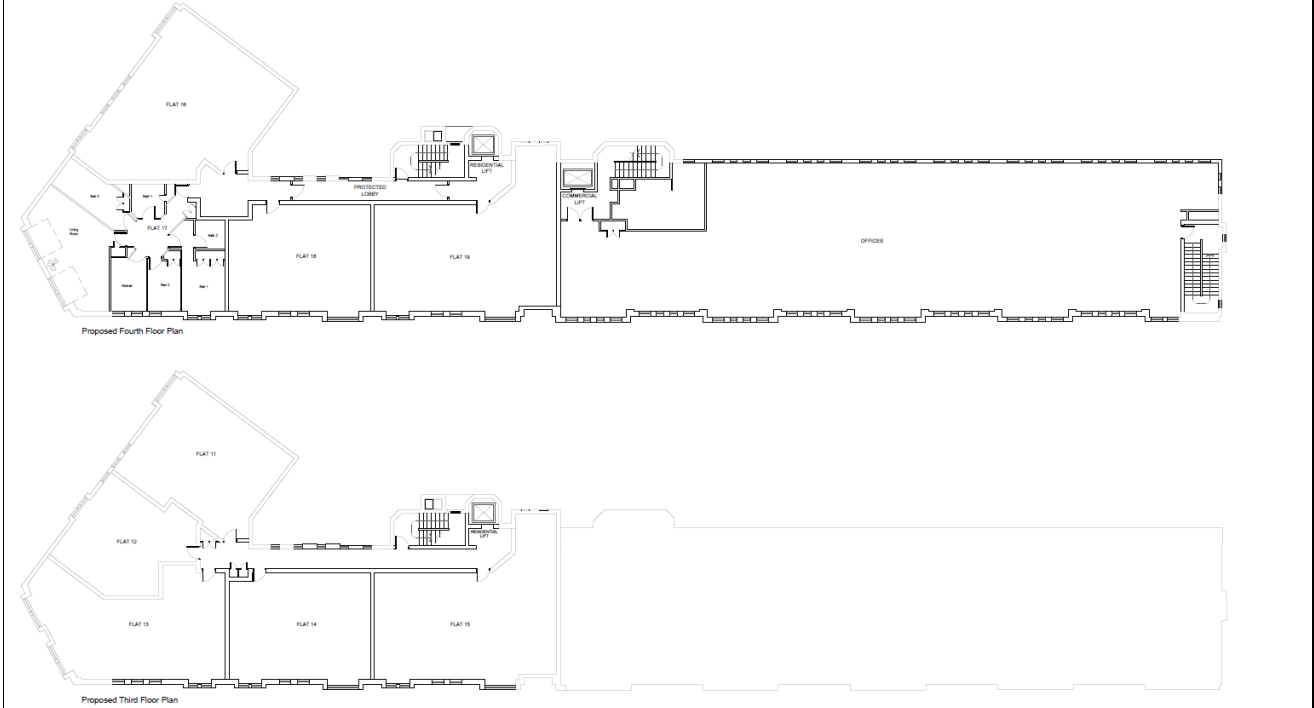


Note: Drawings are not taken from survey drawings therefore measurements are approximate.

This drawing is copyright. This drawing must not be scaled. Figure dimensions, notes etc. are only to be used. Any inaccuracies, etc. must be notified to the architect. Detail drawings and larger scale drawings take precedence over smaller scaled drawings.

<p>78-110 Rochester Row</p> <p>Existing Third & Fourth Floor Plan</p>	<p>Project: L024 P10013</p> <p>Date: 17/05/2016</p> <p>Scale: 1:100 @ A1</p> <p>Drawn: JPM 2016</p> <p>Checked: AUL/LB/PJK</p> <p>Project: 78-110 Rochester Row</p>	<p>colwynfoulkes</p> <p>Architecture and Planning</p> <p>140-150, 152-154</p> <p>100, High Street, Chester, CH1 1JL</p> <p>01244 513333</p> <p>colwyn@colwynfoulkes.co.uk</p>
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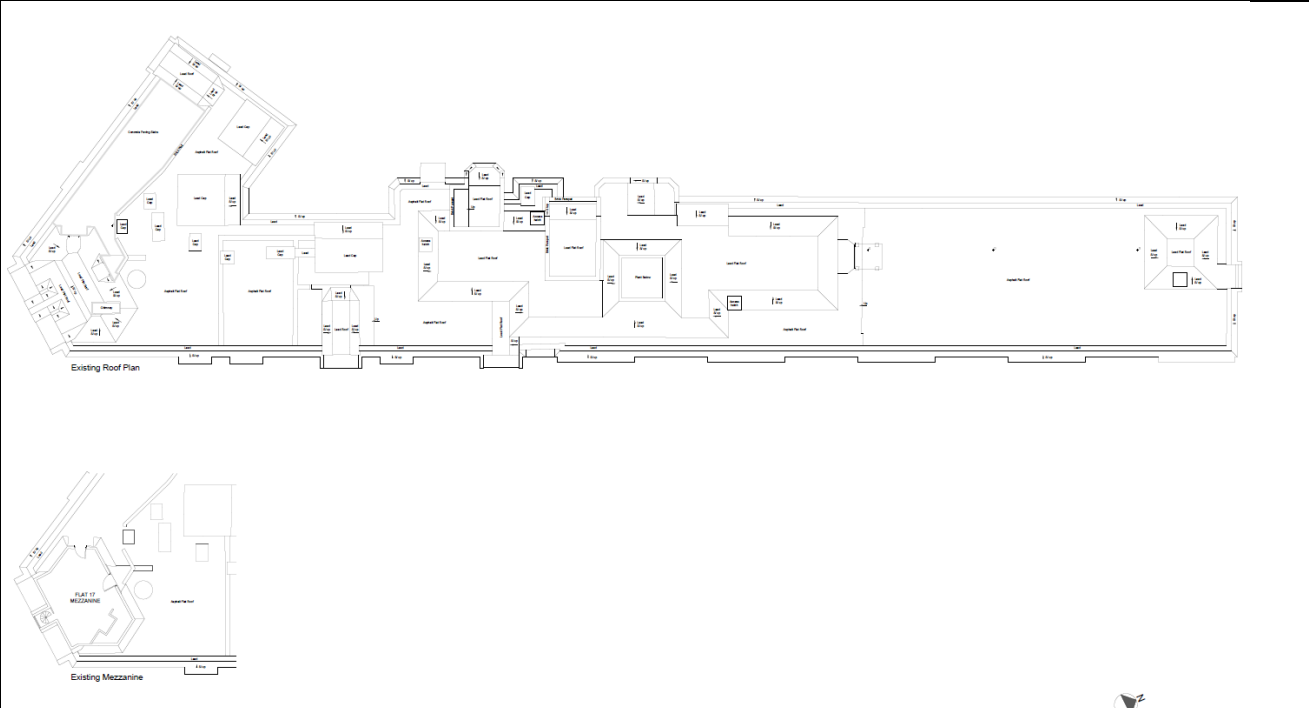
Existing and Proposed Third and Fourth Floor Plan



Note: Drawings are not taken from survey drawings therefore measurements are approximate.

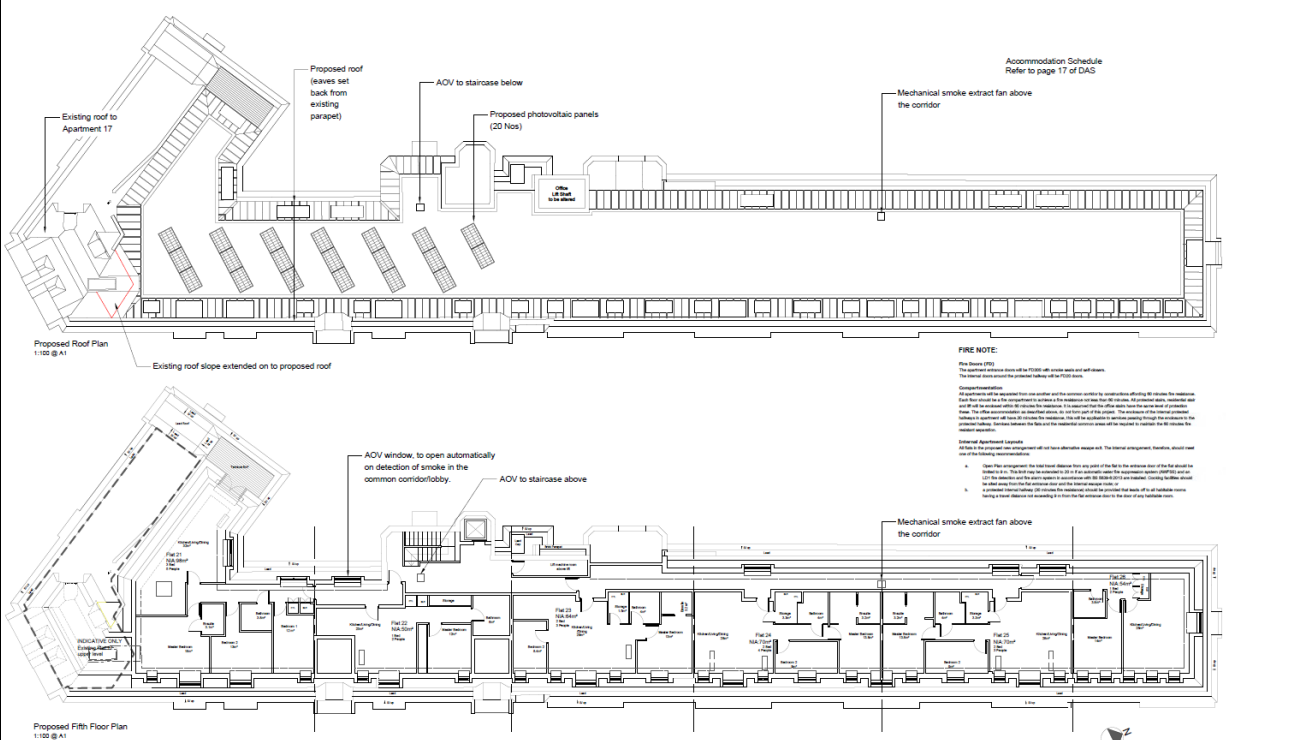
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<p>78-110 Rochester Row</p> <p>Proposed Third & Fourth Floor Plan</p>	<p>Project: L024 P10104</p> <p>Date: 17/05/2016</p> <p>Scale: 1:100 @ A1</p> <p>Drawn: JPM 2016</p> <p>Checked: AUL/LB/PJK</p> <p>Project: 78-110 Rochester Row</p>	<p>colwynfoulkes</p> <p>Architecture and Planning</p> <p>140-150, 152-154</p> <p>100, High Street, Chester, CH1 1JL</p> <p>01244 513333</p> <p>colwyn@colwynfoulkes.co.uk</p>
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<p>This drawing is copyright. This drawing must not be scaled. Figure dimensions, areas etc. are only to be used for information, etc. must be referred to the architect. Clear drawings and larger scale drawings take precedence over smaller scaled drawings.</p> <p>Scale: none and section 1:100 (to be used for information only)</p>	<p>Project: 78-110 Rochester Row</p> <p>Title: Existing Mezzanine & Roof Plan</p>	<p>Revision: L024_P101014 Date: 11/05 @ A1 Job: 2016 Arch: LBP/POK Author: [initials]</p>	<p>Architecture and Planning 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000</p>

Existing and Proposed Fifth (Mezzanine) and Roof Floor Plan



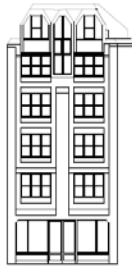
<p>This drawing is copyright. This drawing must not be scaled. Figure dimensions, areas etc. are only to be used for information, etc. must be referred to the architect. Clear drawings and larger scale drawings take precedence over smaller scaled drawings.</p> <p>Scale: none and section 1:100 (to be used for information only)</p>	<p>Project: 78-110 Rochester Row</p> <p>Title: Proposed Fifth Floor Plan and Roof Plan</p>	<p>Revision: L024_P101015 Date: 11/05 @ A1 Job: 2016 Arch: LBP/POK Author: [initials]</p>	<p>Architecture and Planning 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000</p>



Existing East Elevation (Rochester Row)



Existing South Elevation (Willow Place)



Existing South Elevation (Corner between Willow Place and Rochester Row)



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	<p>78-110 Rochester Row</p> <p>Existing East & South Elevations</p>		

Existing and Proposed East and South Elevations



Proposed East Elevation (Rochester Row)



Proposed South Elevation (Willow Place)



Proposed South Elevation (Corner between Willow Place and Rochester Row)



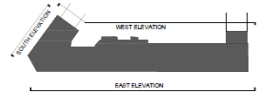
<p>This drawing is copyright. This drawing must not be copied, altered, reproduced, or used in any way without the written consent of the architect. Detail drawings and large scale drawings are preliminary and subject to change without notice or liability.</p> <p>Scale: 1:500</p>	<p>Project: 78-110 Rochester Row</p>	<p>Client: L24_P10001</p> <p>Drawn: T152 @ A1</p> <p>Check: JF 2018</p> <p>Date: 11/11/2018</p> <p>Project: 78-110 Rochester Row</p>	<p>colwynfoulkes</p> <p>Architecture and Planning</p> <p>100-102 Old Street, London EC1A 1RS</p> <p>020 7553 1000</p> <p>info@colwynfoulkes.co.uk</p>
	<p>78-110 Rochester Row</p> <p>Proposed East & South Elevations</p>		



Existing West Elevation



Existing North Elevation



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Scale: 1:100 @ A1
 Date: 2014
 Author: AUI LBP/OK

Project: 78-110 Rochester Row
 Title: Existing West & North Elevations

Number: L024_P10/021
 Title: 1:100 @ A1
 Date: Jan 2014
 Author: AUI LBP/OK



Existing and Proposed West and North Elevations

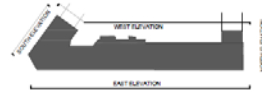


Proposed West Elevation



Proposed North Elevation

Materials:
 Roof - Clad in Lead to match existing
 Dormers - Clad in Lead with double glazed windows set in polyester powder coated aluminum frames, colour to match existing windows.



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Scale: 1:100 @ A1
 Date: 2014
 Author: AUI LBP/OK

Project: 78-110 Rochester Row
 Title: Proposed West & North Elevations

Number: L024_P10/022
 Title: 1:100 @ A1
 Date: Jan 2014
 Author: AUI LBP/OK



Item No.
1

DRAFT DECISION LETTER

Address: 78-110 Rochester Row, London, ,

Proposal: Erection of a roof extension to provide six residential units (use class C3) and associated alterations.

Reference: 16/01732/FULL

Plan Nos: L624_P(0)001, L624_P(0)010, L624_P(0)011, L624_P(0)012, L624_P(0)013, L624_P(0)014, L624_P(0)020, L624_P(0)021, L624_P(0)101, L624_P(0)102, L624_P(0)103, L624_P(0)104 rev:A, L624_P(0)105 rev:A, L624_P(0)201, L624_P(0)202, L624_P(0)301.

Case Officer: Joshua Howitt

Direct Tel. No. 020 7641 2069

Recommended Condition(s) and Reason(s):

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

Reason:

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

- 2 You must carry out any building work which can be heard at the boundary of the site only:

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

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

Reason:

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

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 5 You must apply to us for approval of detailed elevations and sections (Scale 1:20) showing the proposed photovoltaic panels including their supporting framework and their integration with the design of the main body of the extension.

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 drawings. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 6 You must apply to us for approval of details of the eight on-site car parking spaces to be maintained for the exclusive use of the residential units. You must not start any work on this part of the development until we have approved what you have sent us. You must provide each car parking space in line with the approved details prior to occupation. You must not use the car parking for any other purpose.

Reason:

To provide parking spaces for people using the development as set out in TRANS 23 of our Unitary Development Plan that we adopted in January 2007.

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

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

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

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 9 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window

of it;

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

Reason:

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

- 10 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.

- 11 The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

- 12 The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

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

- 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 9 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 You must apply to us for approval of sound insulation measures and a Noise Assessment Report to demonstrate that the residential units will comply with the Council's noise criteria set out in Condition 11 of this permission. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the details approved before the residential units are occupied and thereafter retain and maintain.

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

- 15 You must not use the roof of the 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. 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)

- 16 The three bedroom residential units shown on the approved drawings must be provided and thereafter shall be permanently retained as accommodation which (in addition to the living space) provides three separate rooms capable of being occupied as bedrooms.

Reason:

To protect family accommodation as set out in S15 of Westminster's City Plan: Strategic Policies adopted November 2013 and H 5 of our Unitary Development Plan that we adopted in January 2007. (R07DC)

- 17 You must provide the following environmental sustainability features (environmentally friendly features) before you start to use any part of the development, as set out in your application.

Photovoltaic panels

You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan: Strategic Policies adopted November 2013. (R44AC)

Informative(s):

- 1 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. (150AA)

- 2 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 3 Asbestos is the largest single cause of work-related death. People most at risk are those working in the construction industry who may inadvertently disturb asbestos containing materials (ACM's). Where building work is planned it is essential that building owners or occupiers, who have relevant information about the location of ACM's, supply this information to the main contractor (or the co-ordinator if a CDM project) prior to work commencing. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/asbestos/regulations.htm (I80AB)
- 4 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:

* Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;

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

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

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

- 5 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 6 The supplementary acoustic report relating to plant must include:
- (a) A schedule of all plant and equipment installed;
 - (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 all most affected noise sensitive receptor locations and the most affected windows;
 - (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) The lowest existing L A90 (15 minutes) measurement as already established.
 - (g) New noise monitoring data, measurement evidence and any calculations demonstrating that plant complies with the planning condition.
- 7 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 8 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)

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.

Item No.
2

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 7 June 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Little Venice	
Subject of Report	Marylebone Flyover, London, W2		
Proposal	Removal of existing internally illuminated 6m x 3m advertising display (landscape format), to be replaced with an internally illuminated digital advertising unit (portrait format) 7.5m x 5m.		
Agent	Mr Thomas Johnston		
On behalf of	JCDecaux UK Ltd		
Registered Number	16/02445/ADV	Date amended/ completed	18 March 2016
Date Application Received	18 March 2016		
Historic Building Grade	Unlisted		
Conservation Area			

1. RECOMMENDATION

Refuse advertisement consent – harmful to amenity

2. SUMMARY

The application site lies adjacent to the Marylebone Road at the point where it becomes the Westway and at the eastern end of the flyover. The site is on land owned by Transport for London and is at the rear of Edgware Road Underground Station (Metropolitan, District and Circle Line). The site lies outside a conservation area and there are no listed buildings in the immediate vicinity. The local environment could be described as harsh and has poor townscape qualities.

There are two advertisement hoardings already on the site: one at the western end which measures 12m x 2.5m and one at the eastern end which measures 6m x 3m. Both hoardings are internally illuminated and the base of both adverts is 2.8m above the footway. Consent was granted for advertisement hoardings on this site in 1987 and advertisement hoardings have been in this location since that time. This application only relates to the replacement of the eastern advertisement.

A replacement advertisement for this eastern part of the site was granted consent in January 2016. This new sign has not been installed but was the same size as the existing sign (6m x 3m) and was also in a landscape format. The differences between the approved sign and the existing sign were that it was positioned 700mm higher and was a digital screen. Several conditions were imposed on this consent including restrictions on the intensity of illumination, no moving images, sequential change

between advertisements shall be no more than one every 10 seconds.

This current application is for a digital screen measuring 7.5m x 5m which would be in a portrait format. As a result the highest part of the advertisement would be 11.1m above the ground, as opposed to 6.4m for the current sign and 7.1m for the approved sign. Thus the new sign would have a larger digital screen and would be noticeably higher than the current advertisements on the site.

The section of the road onto which the sign faces forms part of the Transport for London's Road Network. The consultation response received from TfL has confirmed that they have no objection to the principle of a replacement advertisement screen in this location, but they have requested that a number of conditions are imposed. These are similar to those imposed on the January 2106 consent.

While the principle of advertising on this site has been accepted and the January 2016 consent has indicated an acceptance of new technology, there is concern that the size and proportions of the new sign will have an adverse impact upon amenity.

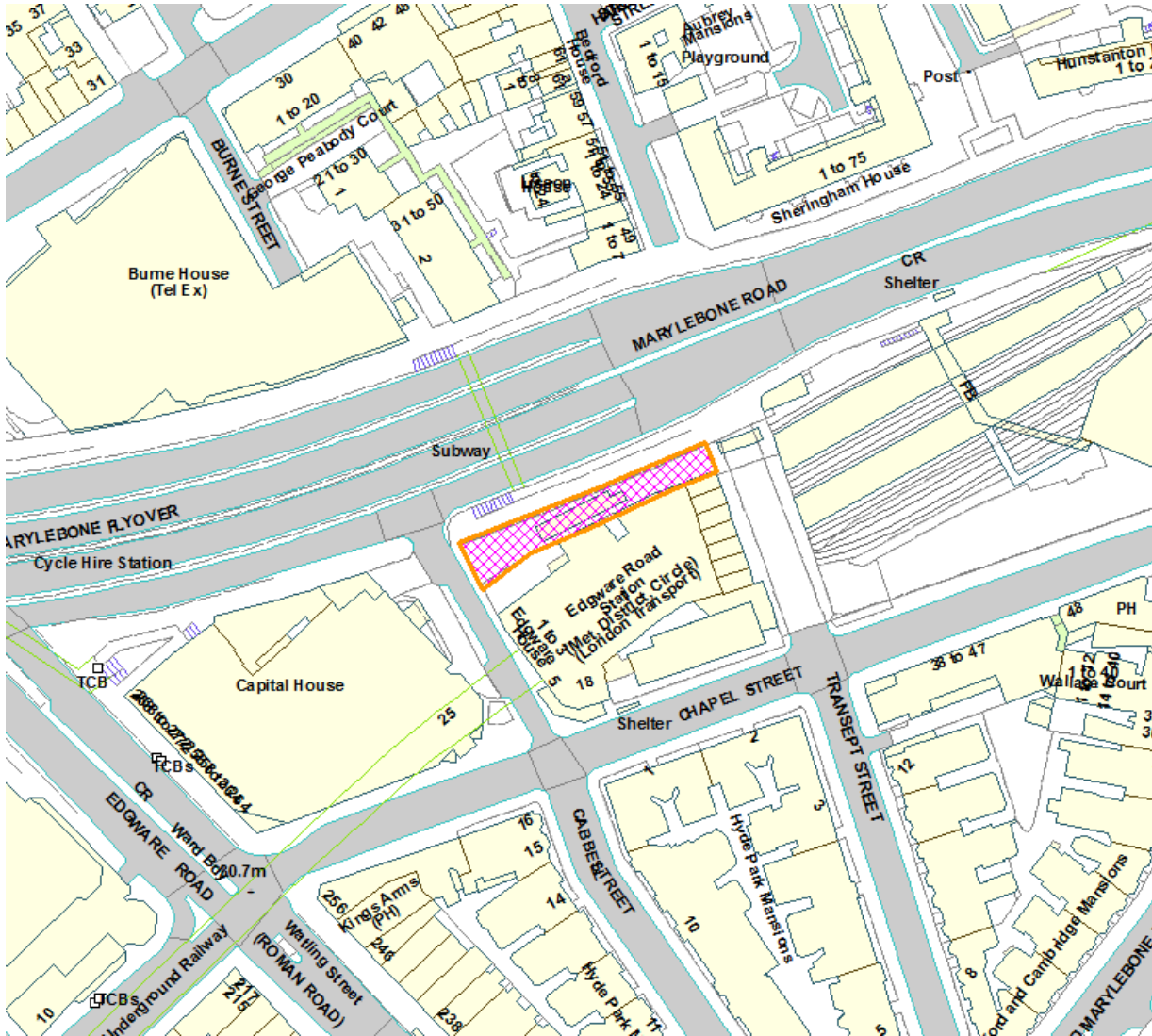
Policy DES 8 of the UDP is the main policy relating to advertisements and this indicates that consent will be granted for signs that are well designed and sensitively located within the street scene, but also indicates that consent will not be granted for high level signs.

In this case, the existing and approved landscape signs have as their backdrop the buildings to the south, namely the buildings on the south side of Chapel Street and also Capital House to the west and Griffith House to the east. This results in the signs sitting below these background buildings in most of the main views of the signs. By raising the height and changing the proportions of the sign, the proposed new sign will more prominently break above this backdrop and mean that the sign will become far more obtrusive and discordant within the townscape. This is considered to have an adverse impact upon amenity and is considered contrary to DES 8.

On the basis of the imposition of certain conditions Transport for London have raised no objection in principle to the advertisement and as such it is considered that the proposal would not raise public safety issues.

It is therefore recommended that consent is refused because the height and size of the advertisement would have a harmful impact upon amenity.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Photo above is close up of existing sign viewed from south side of Marylebone Road; photo below is from north side of road. The site of the proposed sign is where the existing sign on the left of picture is located.



5. CONSULTATIONS

Highways Planning Manager:
Any response to be reported verbally.

Transport For London:
No objection in principle, subject to imposition of various conditions.

Paddington Waterways & Maida Vale Society:
No objection.

The St Marylebone Society:
Object to principle of advertisement displays especially illuminated ones facing onto the Westway. If to be accepted the advertisements should not be moving or flash and the brightness should be limited.

6. RELEVANT PLANNING HISTORY

86/05002/ADV

ERECTION OF TWO 96 SHEET ULTRAVISION DISPLAY UNITS
Grant consent 4 March 1987

15/10677/ADV

Replacement of existing internally illuminated 6mx3m advertising display with an internally illuminated digital advertising unit.
Grant consent 26 January 2016

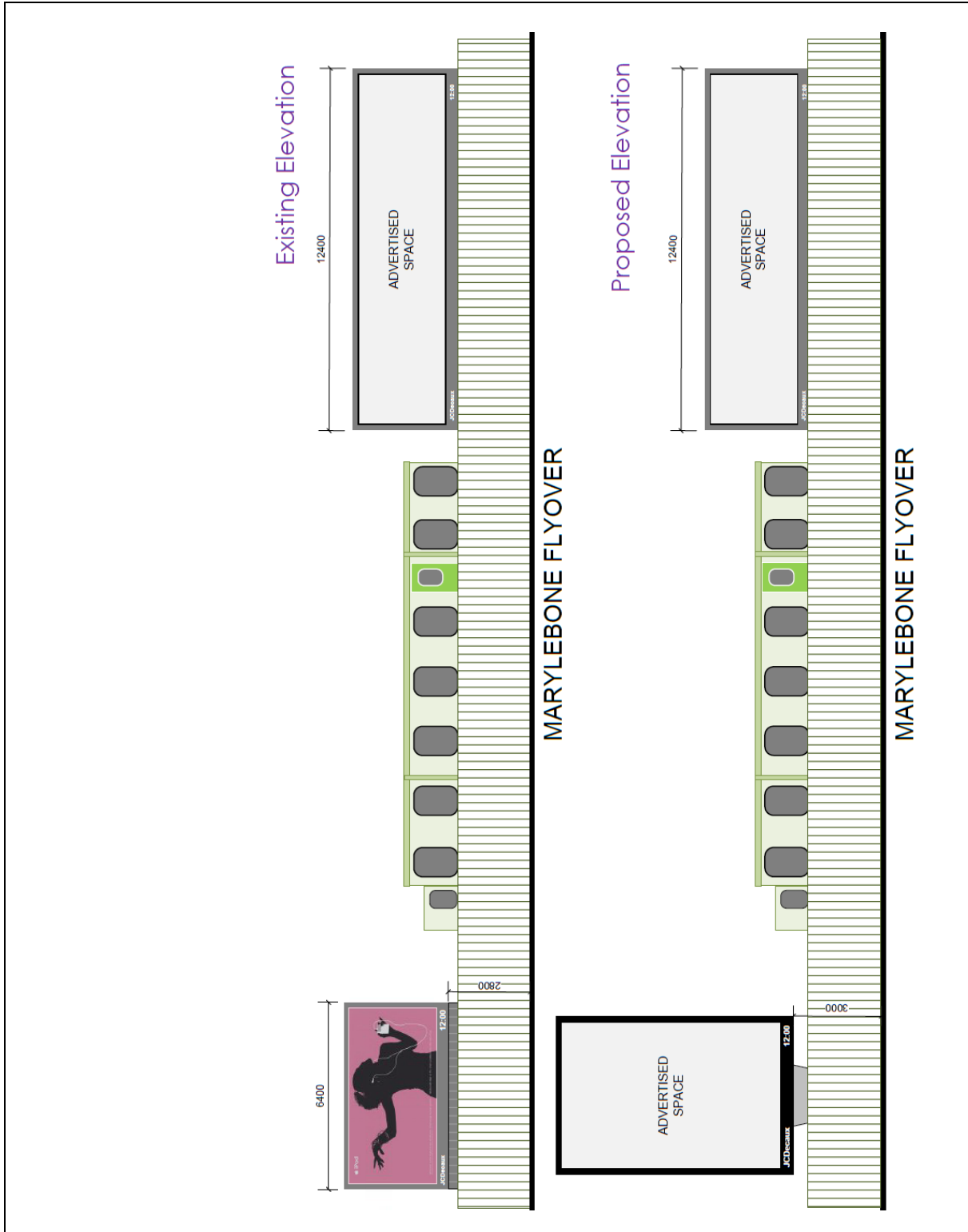
7. BACKGROUND PAPERS

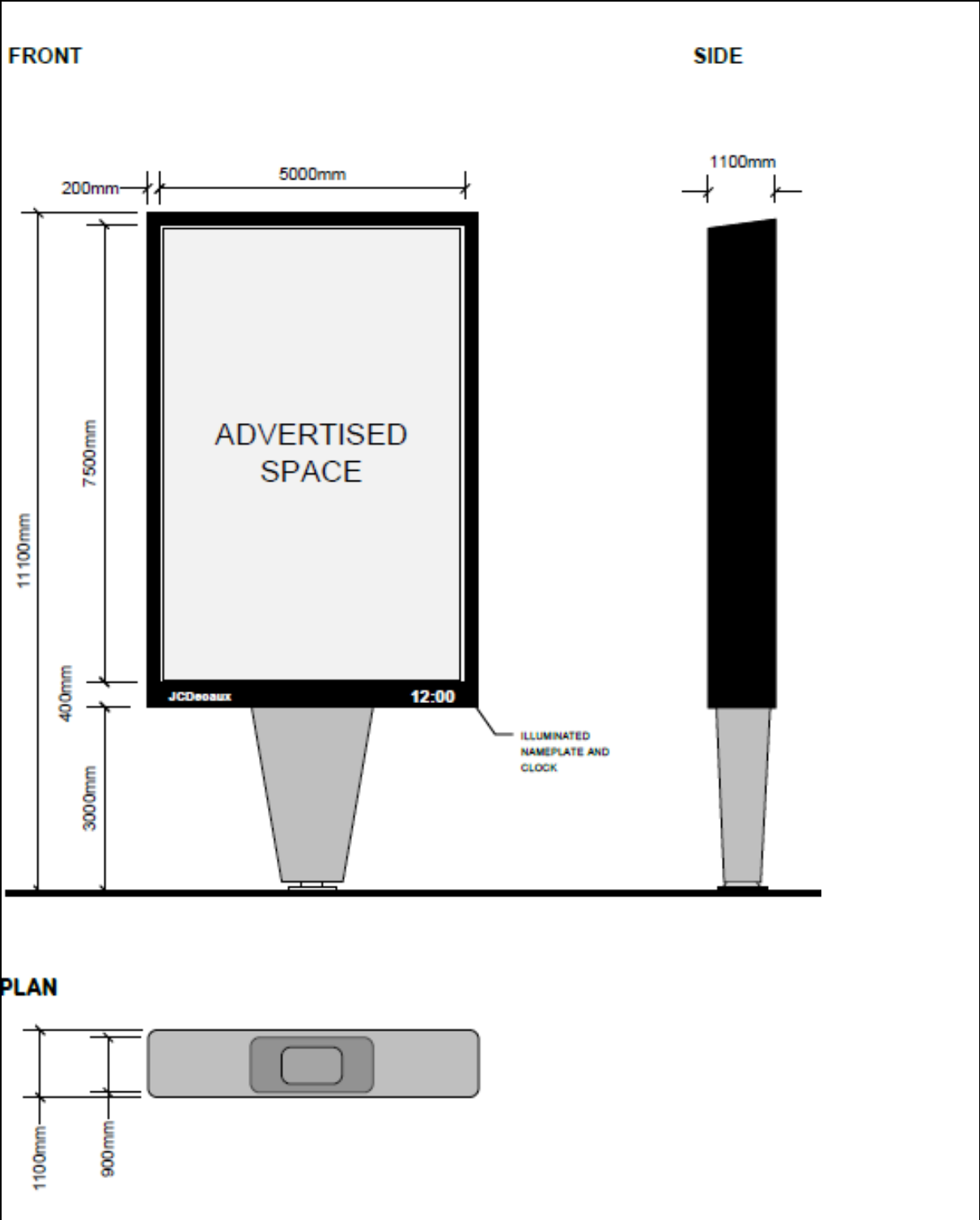
1. Application form
2. Response from Transport For London - Borough Planning, dated 1 April 2016
3. Response from The St Marylebone Society, dated 12 April 2016
4. Response from Paddington Waterways & Maida Vale Society, dated 14 April 2016

(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 TOM BURKE ON 020 7641 2357 OR BY EMAIL AT NorthPlanningTeam@westminster.gov.uk

8. KEY DRAWINGS





DRAFT DECISION LETTER

Address: Marylebone Flyover, London, ,

Proposal: Removal of existing internally illuminated 6mx3m advertising display, to be replaced with an internally illuminated digital advertising unit.

Reference: 16/02445/ADV

Plan Nos: A01090 - document titled 'Land at Marylebone Flyover / Cabbell Street - Advertising Proposal, Planning Submission'.

Case Officer: Tom Burke

Direct Tel. No. 020 7641 2357

Recommended Condition(s) and Reason(s):

Reason:

Because of its size and height the proposed advertisement would harm the appearance of the building and the appearance (amenity) of the area. This would not meet S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 8 of our Unitary Development Plan that we adopted in January 2007. (X15BC)

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.

Agenda Item 3

Item No.

3

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 7 June 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Regent's Park	
Subject of Report	124-126 St John's Wood High Street, London, NW8 7SG		
Proposal	Erection of a new 3 storey dwelling with terrace accessed from Charles Lane including the rearrangement of the existing rear access to the flats above 124-126 St John's Wood High Street and the retail space at ground and basement level.		
Agent	Mr Simon Martland		
On behalf of	Mr Ray Kerr		
Registered Number	16/01126/FULL	Date amended/ completed	22 February 2016
Date Application Received	9 February 2016		
Historic Building Grade	Unlisted		
Conservation Area	St John's Wood		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

124-126 St John's Wood High Street are not listed but are located within the St John's Wood Conservation Area. The buildings are currently in use as retail (Class A1) on the basement and ground floor levels, with residential flats on the upper floors.

This application relates to the land and buildings located to the rear of the site which have access from Charles Lane. There is currently a strip of land which is used as a parking space adjacent to 2 Charles Lane. There are also out buildings used for storage and a yard for the retail use. Two existing metal stairs provide access from Charles Lane up to the residential flats on the upper levels of the building.

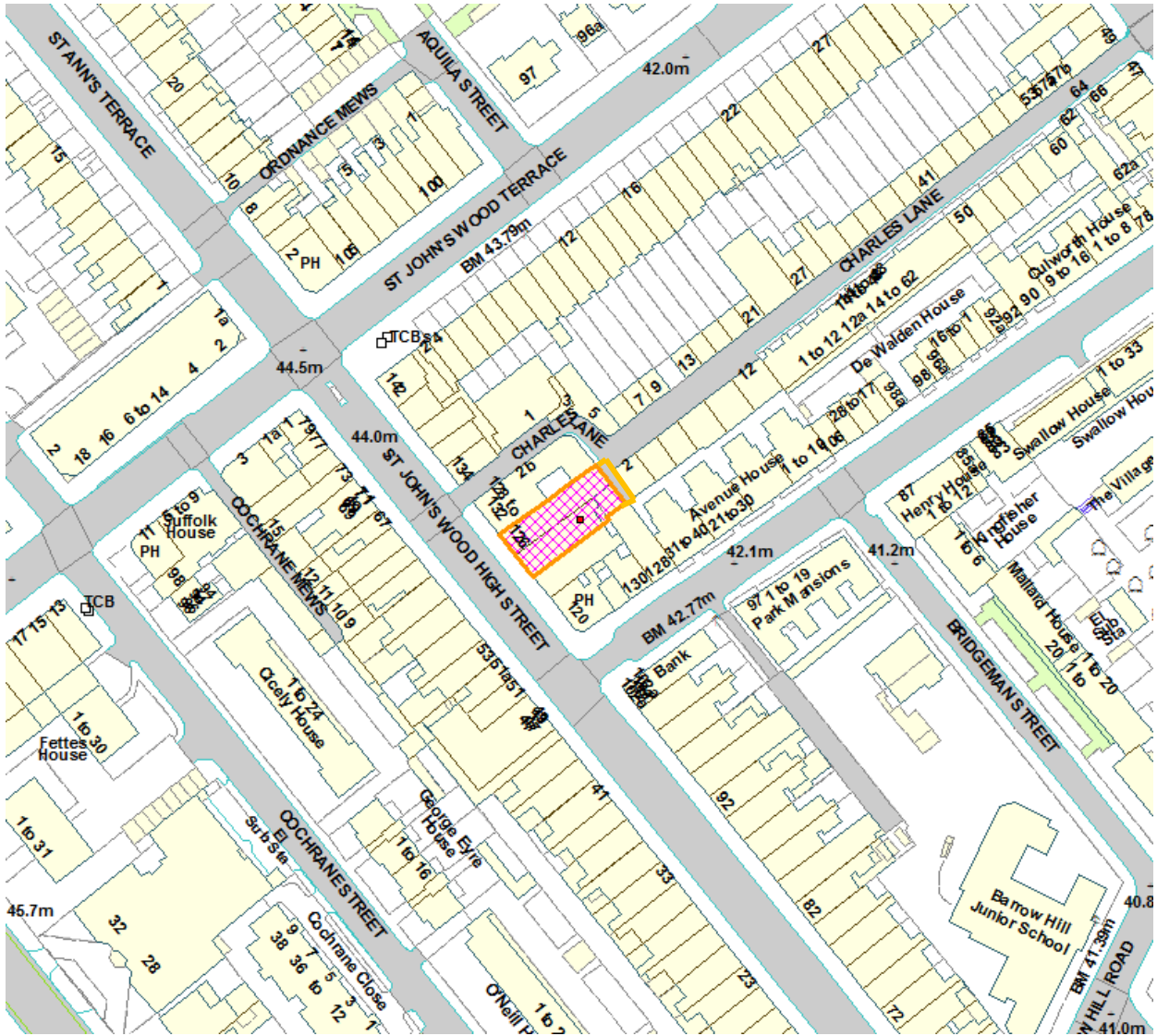
Planning permission is sought to erect a new dwelling adjacent to 2 Charles Lane, with associated alterations to the access arrangements to the existing flats. Objections have been received from the local amenity society and surrounding residents in relation to access arrangements, amenity and overdevelopment.

The key issues in this case are:

- * The impact of the development on the character and appearance of the conservation area.
- * The impact of the development on the amenity of neighbouring properties.

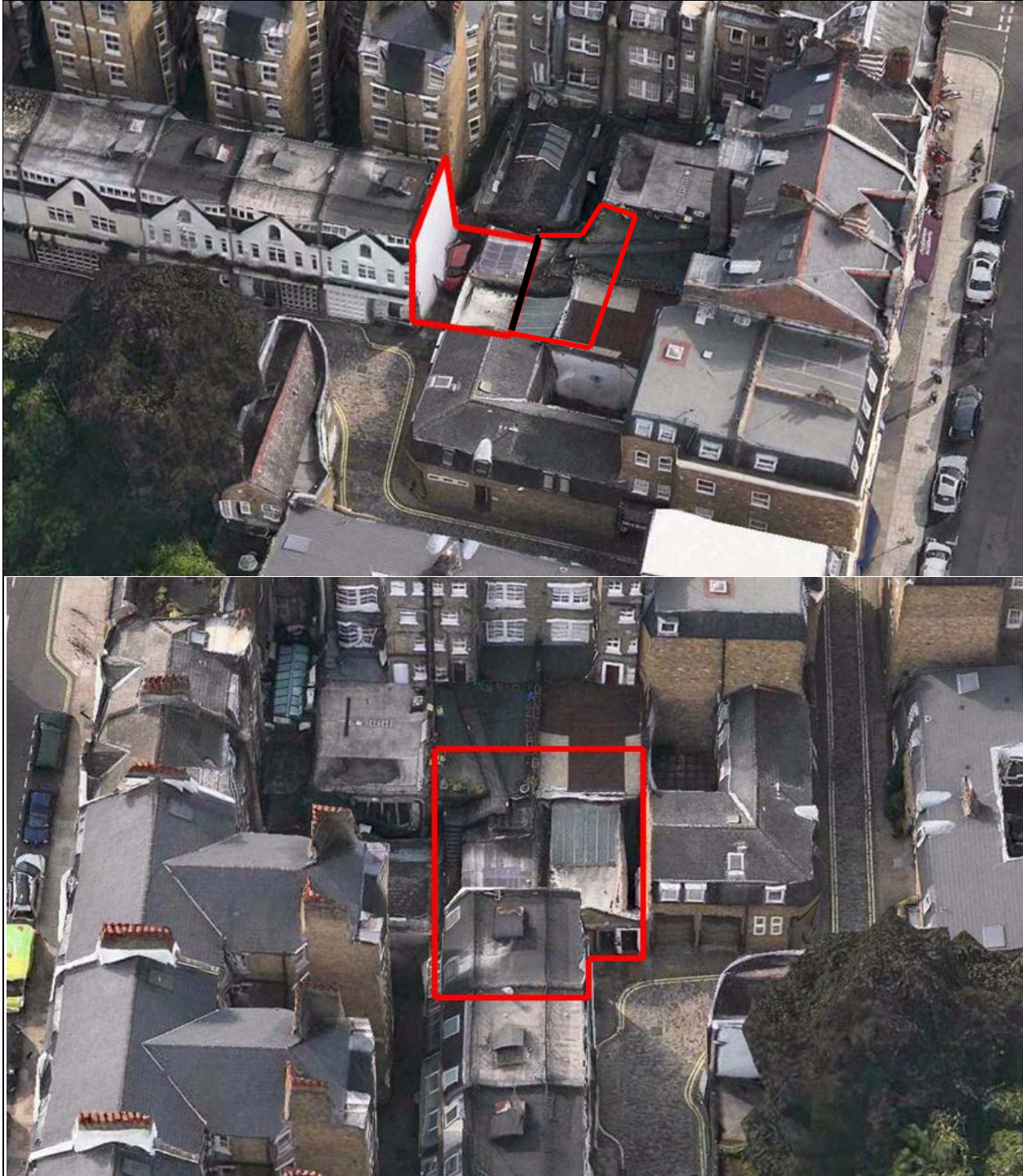
Notwithstanding the objections received, the proposed development is considered to be acceptable and would accord with the relevant policies in Westminster's City Plan: Strategic Policies adopted in November 2013 (the City Plan) and the Unitary Development Plan adopted in January 2007 (the UDP).

3. LOCATION PLAN



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4. PHOTOGRAPHS



Aerial Shots with site outlined in red (approximate)



View of the site from Charles Lane

View from rear of 124 St Johns Wood High Street



5. CONSULTATIONS

ST JOHNS WOOD SOCIETY:

Raise objection on the following grounds: Overdevelopment of the site; access to existing properties will be compromised; impact on emergency escape from both the rear of the retail unit and the residential properties who currently use the area to be developed for access and as an emergency escape route; increased sense of enclosure to neighbouring properties; impact of construction due to limited access to the mews.

HIGHWAYS PLANNING MANAGER:

No objection.

CLEANSING:

No objection subject to a condition to secure the provision of a revised plan to show waste and recyclable storage.

ENVIRONMENTAL HEALTH:

No objection.

BUILDING CONTROL:

No objection.

ADJOINING OWNERS/OCCUPIERS:

No. consulted: 57; No. of replies: 3 letters of objection from adjacent residents raising some or all of the following points:

Amenity:

- Loss of light to neighbouring properties.

Highways:

- No parking provided.

Other:

- Overdevelopment of the site.

1 Letter of support from a resident who welcomes the removal of rubbish from the area and the provision of car parking.

ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

This application relates to a site which does not include any listed buildings, but is located within the St John's Wood Conservation Area. 124-126 St Johns Wood High Street are a pair of attractive red brick buildings set over basement, ground and three upper levels. The ground and basement levels are currently in retail use by Boots Pharmacy (Class A1), the upper levels are in use as residential flats (Class C3). The

entrance to the residential accommodation is located at rear first floor level, with external access via two metal stairs which lead up from Charles Lane. A flat on the upper levels of No. 124 currently has the use of a car parking space, accessed from Charles Lane.

6.2 Recent Relevant History

None.

7. THE PROPOSAL

Permission is sought for the demolition of the existing structures to the rear of the site and the erection of a new dwellinghouse over ground, first and second floor levels. The ground floor will provide two car parking spaces, access to the existing flats above the retail unit on the high street, access to the new dwelling and the re-provision of a yard for the retail unit. The proposals include a new access enclosure up to the flat roof at rear first floor level, providing access to the existing flats above the retail unit. A terrace is also proposed to the side of the new dwelling at first floor level.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposals result in the loss of 65sqm of retail space, which is contrary to policy S21 of the City Plan which requires that existing A1 uses are protected. While the proposals do result in the loss of some floorspace, the retail unit will still be approximately 440sqm following the works. The proposals will also include internal works to provide improved access to the basement, which is currently only used in part by Boots due to poor existing access.

The small loss of retail floorspace is considered acceptable, with the vast majority of the unit being retained as existing. The internal works to provide better access to the basement area also welcomed.

8.2 Townscape and Design

The existing site is of poor design quality, presenting a cluttered appearance to this corner of the mews, with the existing structures of somewhat industrial appearance. The replacement of these structures with a new building is welcomed in principle.

The proposal is for a traditionally detailed building, with a brickwork frame around ground floor timber doors and garage door, and a first floor front elevation faced in render with several vertically orientated window openings set slightly back from the elevation to give an appropriate depth to the appearance of the building. In these respects the building essentially follows the cladding materials of the relatively long run of properties to the immediate east of this application site. The building does not turn the corner of this section of the mews but instead continues projecting back into the site with the area above ground floor level to the west end of this main section of the mews given over to a roof terrace. In arranging the building in this manner the house is able to achieve some

outdoor amenity space. The detailing of the mansard roof does not fully follow Supplementary Planning Guidance (particularly in terms of set back from parapets etc.) though it largely follows the approach of the mansard roofs to the run of buildings to the immediate east.

Overall, the building will sit in place of a poor section of townscape, and it is faced in traditional materials and with some traditional detailing which will help it integrate into the area successfully.

The proposals also include a new shopfront to St John's Wood High Street, which is considered an improvement upon the existing. Overall, the scheme is considered acceptable in design terms and in accordance with Westminster Policies S28, DES1, DES 4, DES 5 and DES9.

8.3 Residential Amenity

Objections have been received from the local amenity society and local residents on the grounds of loss of light and increased sense of enclosure. Given the orientation of the site and the existing adjacent properties, it is not considered that the properties on Charles Lane would see a significant loss of amenity as a result of the proposed works, with the most affected properties being located to the rear of the site on Allitsen Road and the rear windows of the residential units above the application site on St Johns Wood High Street.

31-40 Avenue House, Allitsen Road:

This property is located to the rear of the new dwelling to the south east of the site. A daylight and sunlight report has been submitted with the application, which confirms that all windows except for two pass the requirements as set out within the Building Research Establishment (BRE) Guidelines. The two windows which fail are located at lower ground floor level, but have existing very low levels of light with one window's Vertical Sky Component (VSC) reduced from 6.6 to 5.1 (22.7% loss) and the other window reducing from 10.5 to 7.8 (25.7% loss).

No objection has been received from these occupiers, and it is understood from an adjacent resident that these most affected windows serve flats used as hospital staff accommodation. Typically a good VSC value would be in excess of 27%, it is therefore apparent that the existing levels are well below this level, given this it is considered that while a breach of the BRE guidelines has occurred, the actual loss of daylight is not so severe to warrant withholding permission. In addition the outlook from the remainder of the blocks is similar to as proposed, with windows in close proximity to the rear building line of Charles Lane, which is to be extended, replicating this relationship.

In terms of increased sense of enclosure the nearest windows already have quite a constrained view, looking directly onto the rear of 2 Charles Lane, however they do have oblique views over the existing application site, which is currently relatively unobstructed, with the exception of a ground floor retaining wall. The next most affected windows which look out obliquely across the application site are slightly further set back and appear to have opaque glazing and will therefore be less affected. The remaining windows in properties to the rear of Allitsen Road, in the properties approaching the junction with St John's Wood High Street are further set back, and divided from the

application site, by existing single storey extensions at lower ground floor level. In summary, given the most affected windows have a limited existing outlook, it is not considered that the impact would be so significant to warrant withholding permission.

124-126 St John's Wood High Street:

The existing windows look out onto the rear first floor flat roof and the flank wall of No. 2 Charles Lane beyond. As a result of the development, this flank wall will be brought forward and closer to these existing rear windows. There will also be an access enclosure located in front of this flank wall.

The applicants daylight and sunlight report states that all windows will meet the requirements as set out within the BRE guide as a result of the proposed development. In terms of sense of enclosure, while the new building will bring additional bulk, it is considered to be sufficiently separated as to be considered acceptable in these terms.

Terrace:

A new terrace is proposed at first floor level, which will look down Charles Lane. The provision of this terrace is welcomed, providing amenity space for the new dwelling. Due to level of the terrace, it will not result in a loss of amenity to the occupiers of properties on St John's Wood High Street, and is sufficiently set away from the properties on Charles Lane to be considered acceptable in amenity terms.

8.4 Transportation/Parking

There is one existing car parking space accessed from Charles Lane which is currently used by the resident who occupies the upper floors of 124 St John's Wood High Street. This resident has an agreement with the existing landlord allowing her use of this space. The resident has raised concerns verbally that she will not be given the same parking space should the proposals be granted and that the new car parking space will be difficult to manoeuvre into from the street. There is an existing section of kerb located in front of No.2 Charles Lane, however it is not considered that this would cause such an obstruction as to restrict access into the new garage. In addition the allocation of this secondary parking space to this resident is a private matter between the landlord and the tenant.

The Highways Planning Manager has not raised objection to this application, which provides two parking spaces. A condition is recommended to secure this provision.

8.5 Economic Considerations

Not applicable to a scheme of this scale.

8.6 Access

Access to the new dwelling is to be from Charles Lane at ground floor level.

Access to the existing flats above the retail unit are also to remain from Charles Lane, however from a new shared stair enclosure. Concern has been raised from a resident that the new access will not be acceptable as it will be harder to negotiate furniture/large deliveries and will be a more threatening space. In terms of security, the new access will

be shared by the new dwelling and all the flats above Boots. Shared access to flats is a common occurrence and will in some respects improve safety, due to increased observation and presence from the other residents. While the concerns in relation to deliveries of large items is noted, this is not a planning issue.

8.7 Other UDP/Westminster Policy Considerations

A condition is recommended for the submission of revised plans to show the provision of storage for waste and recycling.

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 National Planning Policy Framework (NPPF) unless stated otherwise.

8.10 Planning Obligations

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

8.11 Environmental Impact Assessment

Not applicable to a scheme of this scale.

8.12 Other Issues

Concerns have been raised in relation to the impact of the construction of the development on the surrounding street network. Given the relatively constrained nature of the site, a construction management plan has been submitted with the application. While it would not usually be necessary for developments of this type, given the objections received and as one has been submitted with the application, it is recommended that this is secured by condition.

Concerns have also been received in relation to overdevelopment of the site. While the small size of the site is noted, the development proposals are considered to be acceptable for the reasons set out within this report.

9. BACKGROUND PAPERS

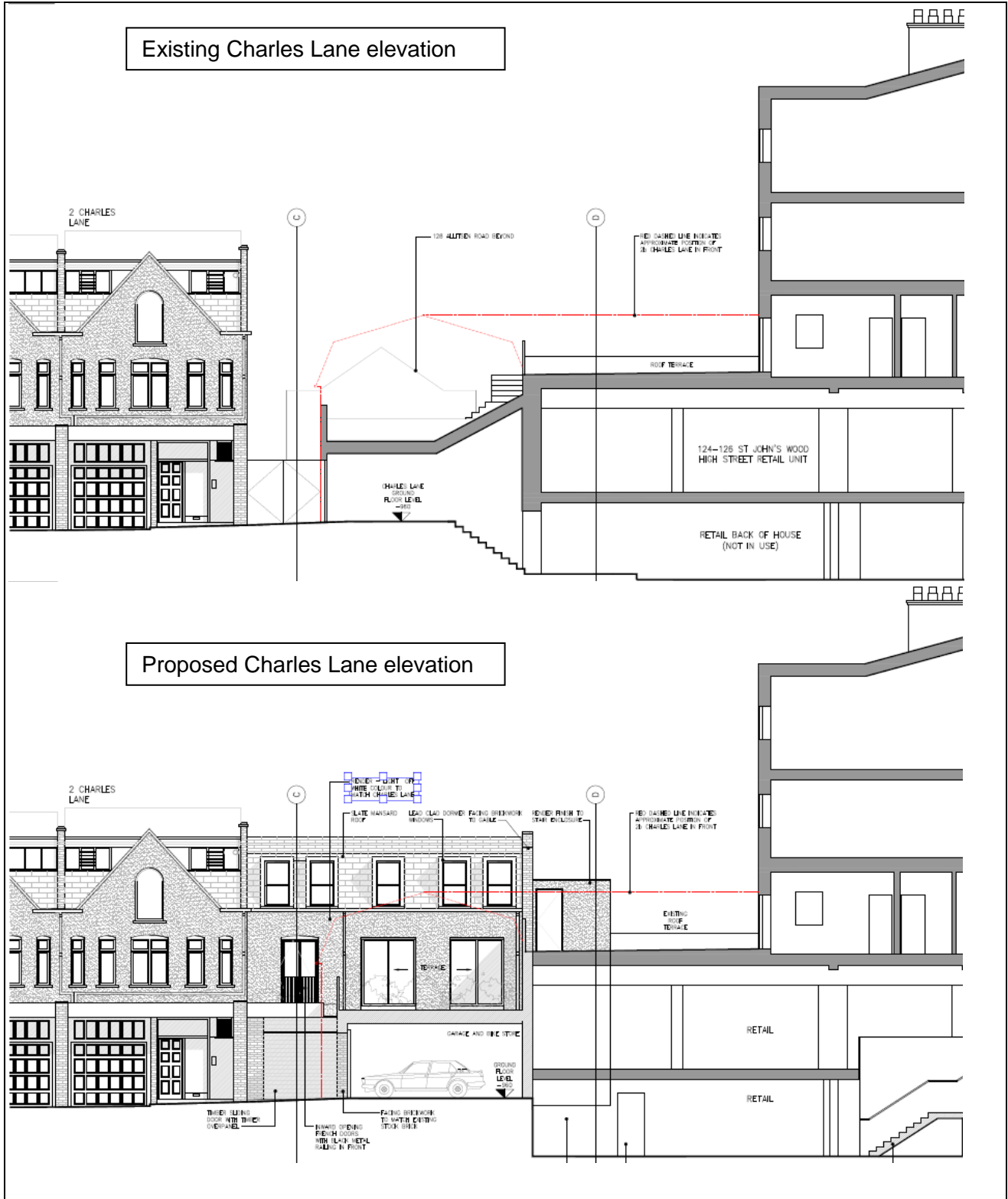
1. Application form
2. Response from The St John's Wood Society, dated 1 April 2016
3. Response from Building Control, dated 7 March 2016
4. Response from Cleansing, dated 8 March 2016
5. Response from Highways Planning Manager, dated 10 March 2016
6. Response from Environmental Health, dated 7 March 2016

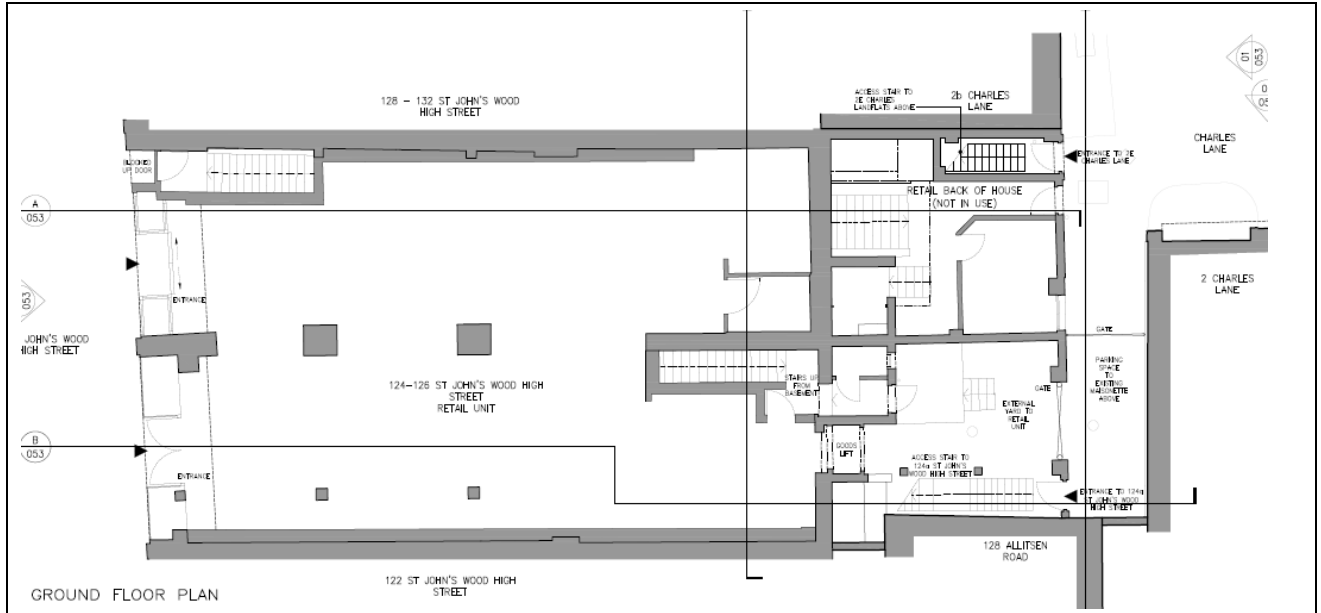
7. Letter from occupier of 5 Charles Lane, St John's Wood, dated 6 March 2016
8. Letter from occupier of 2B Charles Lane, London, dated 1 April 2016
9. Email from occupier of 124A St John's Wood High Street, London, dated 25 February 2016

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

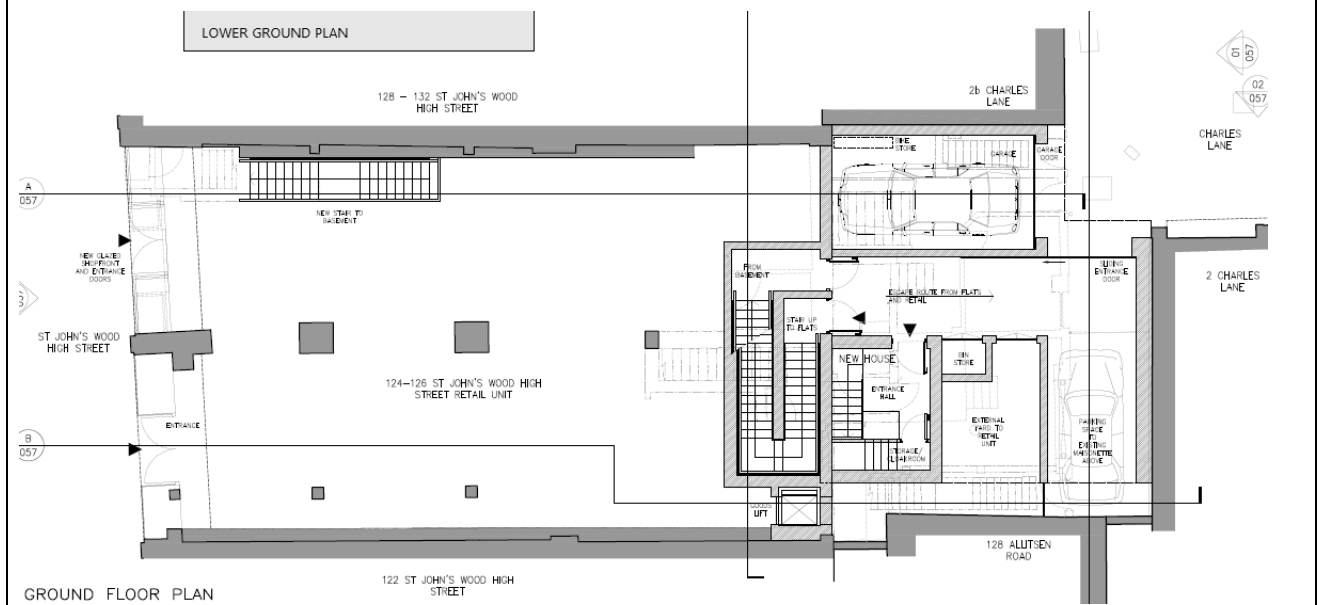
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT RUPERT HANDLEY ON 020 7641 2497 OR BY EMAIL AT northplanningteam@westminster.gov.uk

10. KEY DRAWINGS

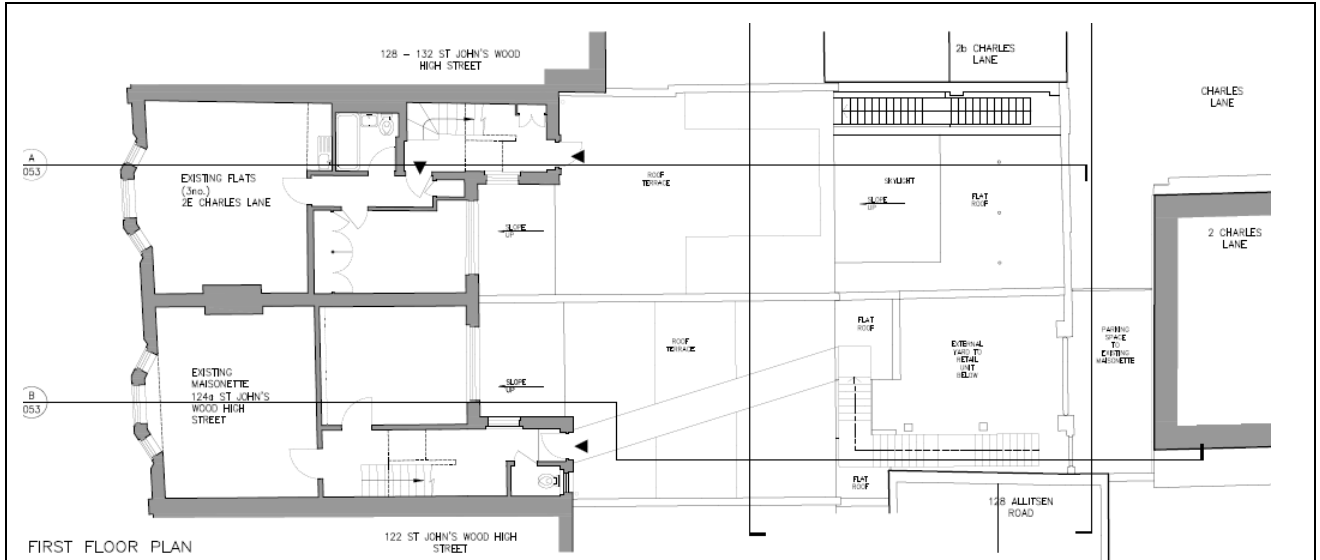




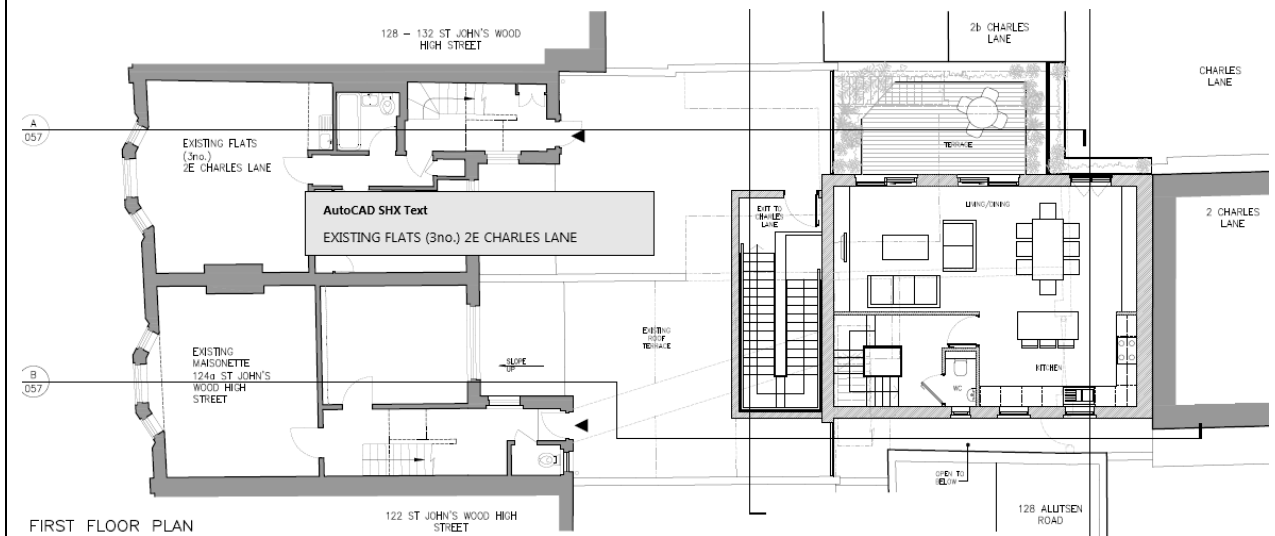
Existing Ground floor plan



Proposed ground floor plan



Existing first floor plan



Proposed first floor plan

DRAFT DECISION LETTER

Address: 124-126 St John's Wood High Street, London, NW8 7SG,

Proposal: Erection of a new 3 storey dwelling with terrace accessed from Charles Lane including the rearrangement of the existing rear access to the flats above 124-126 St John's Wood High Street and the retail space at ground and basement level.

Plan Nos: 1181-050; 1181-051; 1181-052 A; 1181-053; 1181-055; 1181-056 A; 1181-057 A; Design, access and heritage statement; Daylight and Sunlight Report by CHP Surveyors Limited; Letter dated 29 January 2016 from Savills; Construction Management Plan by Mcdonald architects dated December 2015.

Case Officer: Rupert Handley

Direct Tel. No. 020 7641 2497

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

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

Reason:

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

- 2 You must carry out any building work which can be heard at the boundary of the site only:

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

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

Reason:

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

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

Reason:

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

Plan that we adopted in January 2007. (R26BE)

- 4 The pitched roof structure to second floor level shall be clad in natural slates to pitched roof slopes, lead to flat roofs, and with dormers clad in lead to sides, cheeks and roofs.

Reason:

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

- 5 The new railings to the first floor roof terrace shall be formed in black metal.

Reason:

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

- 6 You must provide each car parking space shown on the approved drawings and each car parking space shall only be used for the parking of vehicles of people living in the residential part of this development. (C22BA)

Reason:

To provide parking spaces for people living in the residential part of the development as set out in STRA 25 and TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R22BB)

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

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

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

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of

Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 9 You must provide access to the existing flats located on the upper floors of 124-126 St John's Wood High Street prior to the occupation of the new residential dwelling as shown on the hereby approved drawings. Access shall be retained thereafter.

Reason:

To make sure that there is reasonable access to existing residents and to ensure that the amenity of existing residents is not negatively affected, as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV13 of our Unitary Development Plan that we adopted in January 2007.

- 10 You must apply to us for approval of detailed plans, sections and elevations of the following parts of the development - the new garage doors to show how they will operate and provide access to both residents and vehicles. 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 details.

Reason:

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

- 11 The Construction Management Plan dated December 2015 shall be adhered to throughout the construction period.

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.

- 12 You must not enlarge, improve or alter the building without our permission. This is despite the provisions of Classes A, B, C of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development (England) Order 2015 (or any order that may replace it).

Reason:

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

- 13 The facing brickwork must match the existing adjacent work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

Reason:

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

Informative(s):

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

- 4 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 5 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 6 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: www.westminster.gov.uk/cil

Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form** **immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**

CIL forms are available from the planning on the planning portal:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

Forms can be submitted to CIL@Westminster.gov.uk

Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.

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Agenda Item 4

Item No.

4

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 7 June 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Abbey Road	
Subject of Report	29 Abercorn Place, London, NW8 9DU		
Proposal	Use of part of the existing roof level services structure as one self-contained flat with associated external alterations, including insertion of new windows and rooflights.		
Agent	BPTW Partnership		
On behalf of	Mr Steven Goldstone		
Registered Number	16/02545/FULL	Date amended/ completed	23 March 2016
Date Application Received	21 March 2016		
Historic Building Grade	Unlisted		
Conservation Area	St John's Wood		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The application seeks approval for the use of part of the existing roof level services structure as a self-contained flat with associated external alterations, including insertion of new windows and rooflights within the existing roof level structure.

Permission was previously granted in 2008, 2010 and 2013 for identical development at roof level to that now proposed. None of the previous permissions have been implemented. Permission was sought in 2015 for the erection of a larger replacement extension at roof level (15/04018/FULL), but this application was withdrawn in July 2015, in response to concerns raised by officers (see Section 6.2.2 of this report for full planning history).

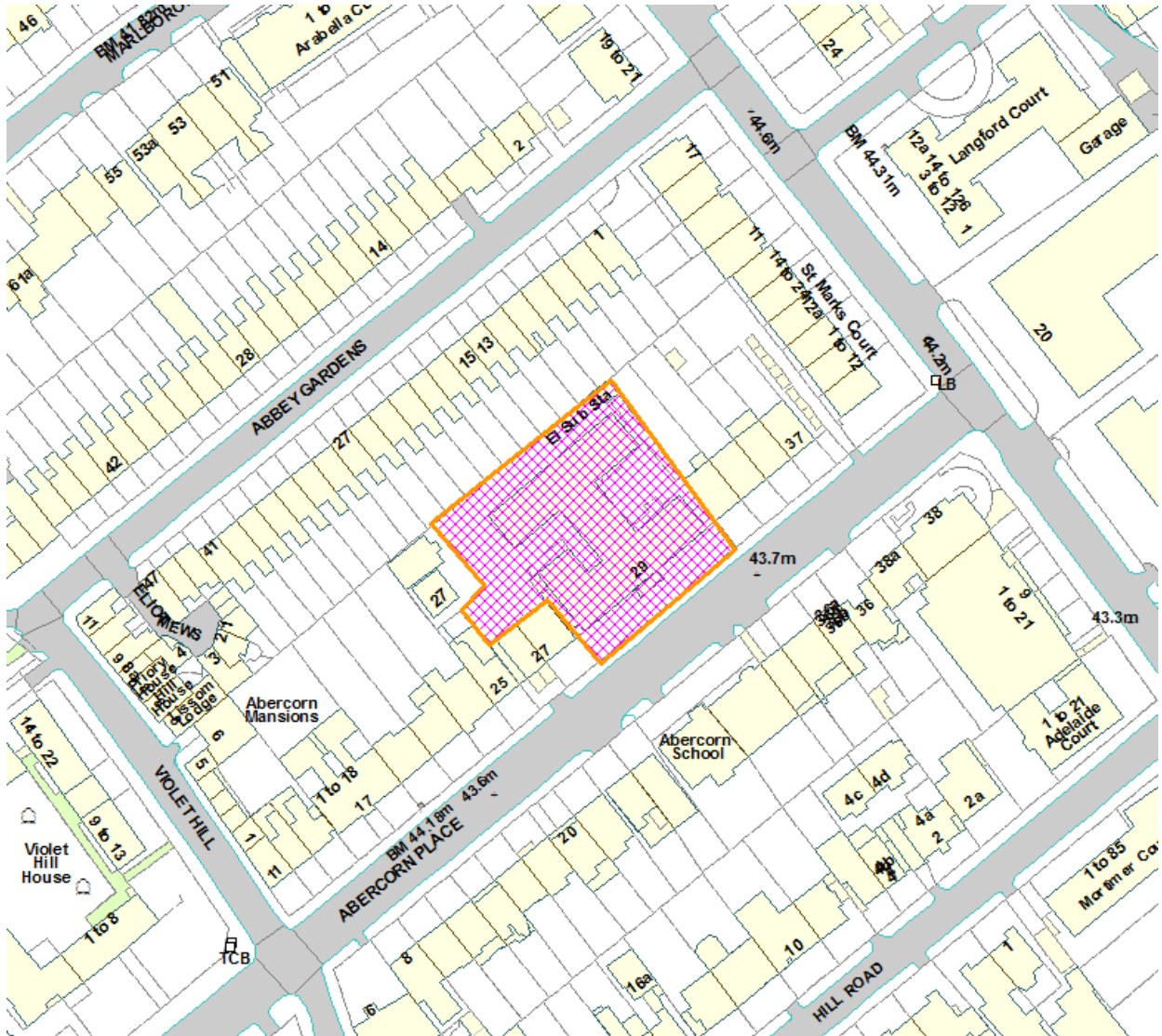
The key issues in this case are:

- The impact on the appearance of the building and the character and appearance of the St. John's Wood Conservation Area.
- The impact on the amenity of neighbouring residents.

- The impact on the availability of on-street residents parking in the vicinity of the site.

Subject to the recommended conditions, the proposed development is considered to accord with the relevant policies in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (City Plan) and the application is therefore recommended for approval.

3. LOCATION PLAN



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 All rights reserved License Number LA 100019597

4. PHOTOGRAPHS

View of front (south east) and side (south west) elevations (top) and view of bricked up fenestration to south western elevation to be opened up (bottom).

5. CONSULTATIONS

ST. JOHN'S WOOD SOCIETY

No objection. Assume services will be contained within the building.

BUILDING CONTROL

No objection. Note that the means of escape strategy will need to be carefully assessed and the additional loading to the roof slab justified.

CLEANSING

No objection. Condition recommended to secure details of waste and recycling storage.

HIGHWAYS PLANNING MANAGER

Objection. The 2011 survey of on-street residents parking in the vicinity of the site indicates that whilst night time parking availability is below the level of serious deficiency (68%), during daytime hours parking occupancy is above the level of serious deficiency at 98%. Not convinced that car club membership would overcome objection to lack of off-street parking. Condition recommended to secure details of cycle storage.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 349; Total No. of Replies: 13.

2 emails/ letters making the all or some of the following neutral or supporting statements:

- Pleased that this scheme would not change the existing roof structure unlike scheme submitted in 2015 and will therefore not result in a loss of light to existing flats.
- No objection on basis this scheme is as submitted and approved previously in 2008, 2010 and 2013.

18 emails/ letters received from 14 respondents raising objection on all or some of the following grounds:

Amenity Issues

- Noise disturbance.
- Noise from use of new staircase up to the new flat.
- Occupiers of the proposed residential unit could suffer noise disturbance from remaining plant room.
- Roof access from flat would allow for use as a terrace and could lead also to roof level clutter to the detriment of the appearance of the building.

Design Issues

- The massing of the proposed scheme will not sit well within the building structure.
- Appearance of proposed scheme will have a detrimental impact on the surrounding area.
- Adverse impact on the character and appearance of the conservation area.
- Would raise this period building by another level and would be an eyesore.
- Windows would not align with the windows in the floors below.

Other Issues

- Insufficient on-site car parking.

- Not clear how new flat will be accessed and flat would not have lift access.
- Proposal may affect the safety of the building and reduce the value of the flats within the building.
- Noise and disturbance from construction works.
- Increased costs to leaseholders who do not wish to subsidise the development.
- Complaint that notification letter of application was not received from freeholder or planning agent and only aware as a result of City Council consultation letter.
- More time requested for comments.
- No indication of duration of the period of construction works.
- Not clear how materials and equipment for construction will be transferred to roof level.
- Strain on utilities within the building.
- Where will plant at roof level be relocated to? Should not be at expense of basement storage and laundrette.
- Adverse impact on existing lifts in building.
- Question if height of roof as proposed is correct.
- Need to think about handrails and window balls for window cleaners/ maintenance.
- Adverse impact on water pressure within the building.
- Construction Environmental Management Plan should be submitted to mitigate the impact of construction works on the occupiers of the building.
- No on-site energy efficiency measures proposed.
- Utilities in the building (i.e. those in the roof level structure) would not be protected and they would be interrupted during construction works. Assurance should be given that this will not happen.
- Adverse impact on service charge.

ADVERTISEMENT/SITE NOTICE: Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site comprises a large 9 storey residential mansion block, which is not listed, but is located within the St. John's Wood Conservation Area. The current application relates to the roof level services structure located at main roof level above the existing top floor of habitable accommodation.

6.2 Recent Relevant History

08/00275/FULL

Use of part of existing roof level services structure as one self contained two bedroom flat with associated external alterations, including insertion of new windows and rooflights.
Application Permitted 13 March 2008

10/02755/FULL

Extension of time for the commencement of development granted planning permission on 13 March 2008 (extant permission: RN: 08/00275) namely, for use of part of existing roof level services structure as one self contained two bedroom flat with associated external alterations, including insertion of new windows and rooflights.
Application Permitted 19 May 2010

13/00836/FULL

Extension of time for the commencement of development granted planning permission on 19 May 2010 (extant permission: RN: 10/02755) namely, for use of part of existing roof level services structure as one self-contained two bedroom flat with associated external alterations, including insertion of new windows and rooflights.

Application Permitted 22 April 2013

15/04018/FULL

Demolition of existing roof level plant room and erection of single storey roof extension with two roof terraces for use as a self-contained residential flat (Class C3).

Application Withdrawn 7 July 2015

7. THE PROPOSAL

The current application seeks permission for the use of part of the existing roof level services structure as a self-contained flat with associated external alterations. The external alterations proposed comprise the insertion of new windows and rooflights in the existing flat roof, brick build roof level services structure.

The services structure is partially disused and the proposal would utilise the redundant space with the existing structure to provide a single additional two bedroom flat. Access to the new flat would be formed from 8th floor level (current top floor level) via a new staircase created within a redundant lift shaft.

The scheme proposed by the current application is identical to the planning permissions for the same development at roof level, which were approved in 2008, 2010 and 2013 (see Section 6.2 of this report). The 2013 permission expired without being implemented in April 2016, after the submission of the current application.

A planning application for a larger replacement roof structure to provide a larger flat at roof level with external roof terraces was withdrawn in July 2015 in response to concerns raised by officers on design and amenity grounds.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The creation of one additional self contained residential flat would accord with Policy H3 of the Unitary Development Plan (UDP) and S14 in the City Plan, which seek to ensure that residential development makes efficient use of residential floorspace. The existing roof level services structure is partially redundant and therefore there should not be any need to convert other communal areas of the building, such as at basement level, to accommodate displaced plant and equipment. Therefore the scheme is considered to remain acceptable in principle in use terms, as it was previously in 2013.

The size of the proposed flat is considered to be satisfactory and would be consistent with the Government's Nationally Described Technical Housing Standards and the standards set out in Policy 3.5 in the London Plan (2015).

The scheme would not provide external amenity space. However, as there are site specific amenity reasons for not providing this (see amenity section of this report), the benefit of providing an extra unit of accommodation is considered to outweigh the lack of amenity space.

As with previous applications, objection has been raised on grounds that the proposed flat would place greater pressure on the existing shared services in the host building. However, given that only one additional flat is proposed, it is not considered that refusal could be sustained on these grounds. The existing lift service room and water tanks would be retained within the remainder of the existing structure. Concern has been expressed by one objector that the new flat may suffer from noise disturbance from the consolidated plant room. However, this concern can be addressed by a condition requiring the structure of the new flat to be such that it would protect future occupiers from noise emanating from the consolidated plant room.

8.2 Townscape and Design

The application does not propose to alter the height, bulk or footprint of the existing largely redundant roof level service structure and therefore the objections raised on the basis that the form of the structure at roof level would harm the appearance of the building and the character and appearance of the St. John's Wood Conservation Area cannot be supported as a ground to withhold planning permission.

The alterations are limited to the insertion of four windows to the west elevation, one window to the north elevation and the insertion of seven rooflights in its roof. The proposed windows to the south western elevation would be located within existing bricked up window reveals and on this basis (i.e. that an original/ historic pattern of fenestration is being reinstated to this structure), it is not considered that the objection on the grounds that the fenestration would not align with the fenestration of the main body of the building can be supported.

Objectors argue that there is no rationale to their location, but clearly there is a rationale and this is to reinstate fenestration within the original/ historic openings within the roof level structure. In any event the building and its distinct roof level service structure are largely seen in oblique views and therefore the precise alignment of the windows would not be readily appreciable and misalignment would not therefore cause the degree of harm alleged by the objectors.

The insertion of rooflights in the roof of the existing structure and the provision of a new window in a discreet location in the set back north elevation would not have a significant effect on the appearance of the building or the character and appearance of the conservation area.

As such, it is not considered that the proposed alterations to the existing roof level structure would harm the appearance of the host building or the character and appearance of the St. John's Wood Conservation Area. The proposals would accord with Policies DES1, DES5, DES6 and DES9 in the UDP and Policies S25 and S28 in the City Plan. The proposals would also be consistent with Policies 7.4, 7.6 and 7.8 in the London Plan (as amended).

8.3 Residential Amenity

As the proposal does not alter the height or bulk of the existing roof structure, the proposal would not have an impact on daylight or sunlight or cause an increased sense of enclosure to neighbouring properties.

It is not considered that the proposed new windows would result in a material loss of privacy to neighbours given their limited number proposed and their location relative to windows to flats on the lower floors.

One objector has raised concern that the roof of the building could be used as a terrace, causing overlooking to neighbouring windows, and associated clutter could be placed on the roof to the detriment of the appearance of the building. A condition is recommended to prevent the use of the roof as a terrace and this addresses these concerns. As such, in terms of daylight and sunlight loss, overlooking and sense of enclosure, the proposals would accord with Policy ENV13 in the UDP and Policy S29 in the City Plan.

Concern has been expressed by one objector that the proposal to form a staircase to roof level within the existing redundant service lift would cause noise disturbance to the adjacent flat once the development is complete and the new flat occupied. However, the noise from the use of this stair is likely to be infrequent and less intrusive than the reuse of the lift shaft for its original purpose (i.e. the provision of a lift). As such, permission could not be withheld on this ground and the scheme accords with Policy ENV6 in the UDP and Policy S32 in the City Plan.

8.4 Transportation/Parking

The Highways Planning Manager has raised objection to the current application and one objector raises concern on the grounds of lack of off-street parking. However, the site does not have any substantive curtilage land on which parking could reasonably be provided, which is not already used to provide parking for existing occupants, and the level of serious deficiency has only been breached in the vicinity of the site during daytime hours. Furthermore, the site is in close proximity to public transport routes and only one additional flat is proposed. On this basis and as the same development was previously approved in 2013 on the basis of the same 2011 parking survey data, it is not considered that refusal of the application on lack of off-street parking grounds could reasonably be sustained.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

Access to the proposed flat is to be provided via a new dedicated staircase from the communal parts at 8th floor level, which are accessible by lift from the ground floor level. The lack of level access within the building to the new flat is regrettable but given this is a single additional private flat, as per the previously approved schemes for the same development, it is not considered that permission could be withheld on accessibility grounds.

8.7 Other UDP/Westminster Policy Considerations

The Cleansing Manager has advised that a condition should be imposed requiring details of waste and recycling provision and this condition is recommended in the draft decision letter appended to this report. Given the location of the new flat at roof level and as it would not benefit from lift access from 8th floor level, it is not considered to be reasonable to require cycle storage with the new flat.

Objections have been raised on grounds that the scheme does not include on-site energy efficiency measures. However, the scheme proposed is of limited scale and for design reasons is largely limited to conversion of the existing roof level services structure. The measures possible in terms of energy efficiency are therefore likely to be largely limited to matters that are controlled by compliance with the latest Building Regulations and therefore it would be unreasonable to make more onerous requirements of this small scale application in terms of demonstrating the energy efficiency measures that are to be employed. In terms of renewable energy provision, such as provision of photovoltaic panels, this falls outside of the limited scope of the current application and there is no policy requirement for development of this small scale to include proposals for on-site renewable energy generation (Policy S40 in the UDP applies only to major development of 10 new residential units or more).

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 of insufficient scale to require an Environmental Impact Assessment.

8.12 Other Issues

Objections have been raised on grounds of disruption as a result of construction works, adverse impact on flat values and as the development would be for the benefit of the freeholder and not the leaseholders and other occupiers of the building. However, refusal of permission could not be sustained on grounds relating to disturbance from construction and on the basis of who benefits from the development/ the impact on the value of existing flats in the building.

A condition is recommended to control the hours of construction works in order to limit disturbance caused to neighbouring residents and in light of the significant concern raised during the course of the current application a further condition is recommended to secure a construction management plan that outlines how materials and equipment will be transported to roof level and how lift access for existing residents will be maintained during the period of construction works. However, to go further and require the submission of a Site Environmental Management Plan (SEMP) or to seek to control the duration or time period when works could be carried out, as has been suggested by objectors, would be unreasonable given the limited scope of the development and the scale of construction works required to carry out the development.

Concern has been expressed by one objector that he did not receive notification of the application from the applicant prior to the application. However, one objection letter was received in direct response to notification by the applicant and the applicant has certified that the correct notification has been carried out. It is possible that the objector is a tenant of a flat in the building or a leaseholder with less than 7 years interest in the building and therefore the applicant would not have been required to notify him/ her of the application. Nevertheless the objector was alerted to the application by the City Council's consultation exercise, which provided at least 21 days for comment on the application. As such, it is not considered that further time for third parties to comment on the application is necessary and this request cannot therefore be supported.

One objector highlights the need to think about provision of handrails and window balls for window cleaners/ maintenance workers. However, this is outside the scope of the current application and in any event railings are already provided at roof level. If further railings or safety clip devices are required at roof level, these measures will require separate planning permission and will be assessed on their own planning merits as part of a separate planning application.

9. BACKGROUND PAPERS

1. Application form.
2. Email from the St. John's Wood Society dated 19 May 2016.
3. Email from Building Control dated 13 April 2016.
4. Memo from the Highways Planning Manager dated 13 April 2016.
5. Memo from the Cleansing Manager dated 15 April 2016.
6. Letters from the owner of Flat 30, 29 Abercorn Place dated 7 April 2016 and 5 May 2016.
7. Letter from the occupier of 13 Abbey Gardens dated 16 April 2016.
8. Emails from the occupier of Flat 42, 29 Abercorn Place dated 17 April 2016 and 15 May 2016.
9. Email from the occupier of 15 Abbey Gardens dated 20 April 2016.
10. Emails from the occupier of Flat 147, 29 Abercorn Place dated 25 April 2016, 4 May 2016 and 16 May 2016.
11. Email from the occupier of Flat 107, 29 Abercorn Place dated 27 April 2016.
12. Email from the occupier of 10 York Terrace West (owner of Flat 56, 29 Abercorn Place) dated 5 May 2016.
13. Email from the occupier of Flat 172, 29 Abercorn Place dated 5 May 2016.
14. Letter from Rackham Planning on behalf of 29 Abercorn Place Right to Manage

- Company Limited dated 5 May 2016.
15. Letter from the occupier of Flat 166/167, 29 Abercorn Place dated 9 May 2016.
 16. Email from the occupier of 43 Sergeants Lane, Manchester (owner of Flat 55, 29 Abercorn Place) dated 15 May 2016.
 17. Email from the occupier of Flat 52, 29 Abercorn Place dated 15 May 2016.
 18. Email from the occupier of 9 Oak Lodge, 67 West Heath Road, London (owner of Flat 26, 29 Abercorn Place) dated 16 May 2016.
 19. Letter from the occupier of Flat 121, 29 Abercorn Place dated (received) 20 May 2016.
 20. Letter from the occupier of Flat 124, 29 Abercorn Place dated (received) 20 May 2016.
 21. Email from the occupier of 134 Churchill House, Borehamwood dated 23 May 2016.

Selected relevant drawings

Existing and proposed plans, elevations and sections.

(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 OLIVER GIBSON ON 020 7641 2680 OR BY EMAIL AT NorthPlanningTeam@westminster.gov.uk

10. KEY DRAWINGS

The drawings show the existing and proposed 8th floor and roof plans for a building at Abercorn Place. The existing 8th floor plan (Scale 1:100) shows a large open space with a central staircase and several rooms. The proposed 8th floor plan (Scale 1:100) shows a similar layout but with a new staircase and additional rooms. The existing roof plan (Scale 1:100) shows a flat roof with a central staircase and several rooms. The proposed main roof plan (Scale 1:100) shows a similar layout but with a new staircase and additional rooms. A site plan (Scale 1:1250) shows the building's location on Abercorn Place. The title block contains the following information:

<p>PROJECT: 24 Abercorn Place 24 Abercorn Place 24 Abercorn Place</p>	<p>DATE: 2019/05/20 DRAWN: JAP/APP/20 CHECKED: JAP/APP/20 SCALE: 1:100 SHEET: 1 OF 1</p>	<p>CLIENT: MWH PROJECT TITLE: Roof Rehabilitation at 24 Abercorn Place</p>	<p>TAL ARC LTD Architectural Services 1000 10th Ave SW Vancouver, BC V6H 3G9 TEL: 604-275-1111 FAX: 604-275-1112 WWW: talarc.com</p>
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Existing Roof Plan Scale 1:100

Proposed Roof Plan Scale 1:100

---ABERCORN PLACE---

CASE COPY
 TP:
 FIG:
 ADDRESS:

DATE	NO.	PROJECT	CLIENT	ARCHITECTURE	PLANNING	TALARC LTD.
		10 Abercorn Place 10 Abercorn Place LONDON SW6	10 Abercorn Place 10 Abercorn Place LONDON SW6	10 Abercorn Place 10 Abercorn Place LONDON SW6	10 Abercorn Place 10 Abercorn Place LONDON SW6	TALARC LTD. Architectural Services 100 St. John Street, London, E.C1A 4JH Tel: 020 7453 8888 www.talarc.co.uk

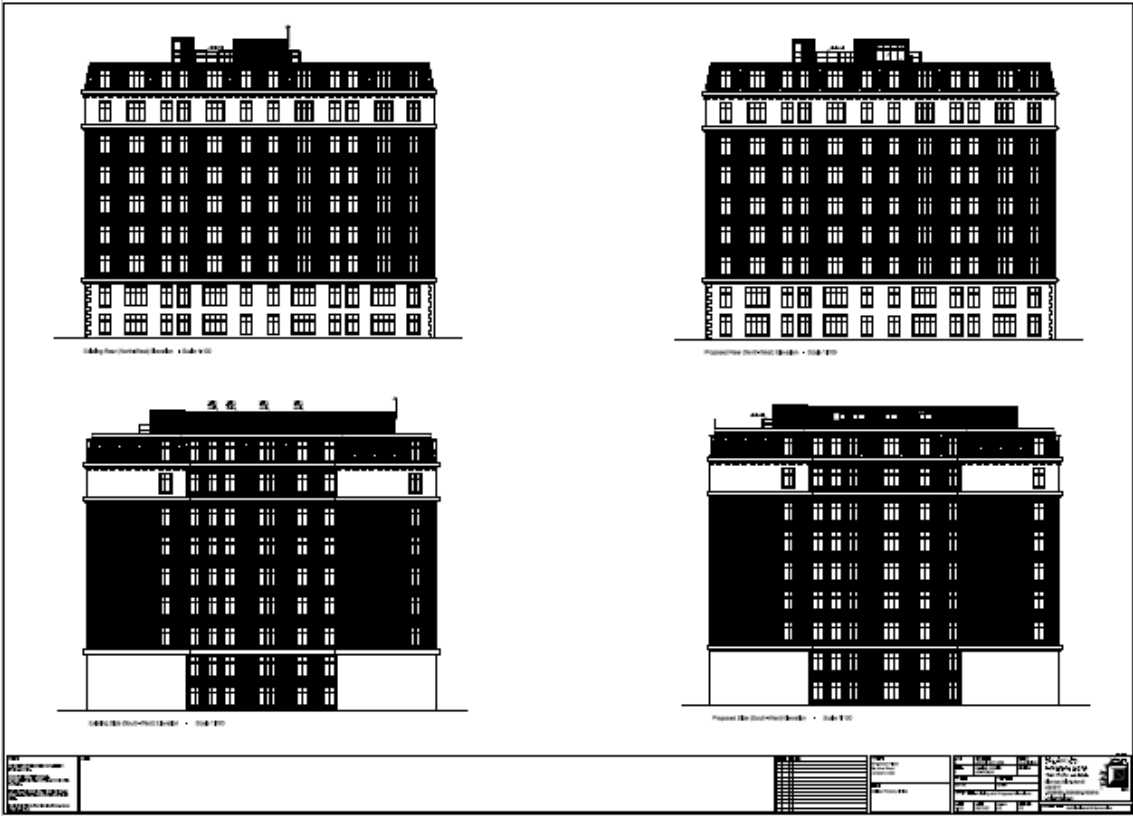
10 Abercorn Place (Existing) (Scale 1:100)

10 Abercorn Place (Proposed) (Scale 1:100)

10 Abercorn Place (Existing) (Scale 1:100)

10 Abercorn Place (Proposed) (Scale 1:100)

DATE	NO.	PROJECT	CLIENT	ARCHITECTURE	PLANNING	TALARC LTD.
		10 Abercorn Place 10 Abercorn Place LONDON SW6	10 Abercorn Place 10 Abercorn Place LONDON SW6	10 Abercorn Place 10 Abercorn Place LONDON SW6	10 Abercorn Place 10 Abercorn Place LONDON SW6	TALARC LTD. Architectural Services 100 St. John Street, London, E.C1A 4JH Tel: 020 7453 8888 www.talarc.co.uk



DRAFT DECISION LETTER

Address: 29 Abercorn Place, London, NW8 9DU,

Proposal: Use of part of the existing roof level services structure as one self-contained flat with associated external alterations, including insertion of new windows and rooflights.

Reference: 16/02545/FULL

Plan Nos: Site location plan, AP-PP3-01, AP-PP3-02, AP-PP3-03, AP-PP3-04, AP-PP3-05, Design and Access Statement by Tal Arc Limited, 3 x site photographs and Planning Statement dated March 2010.

Case Officer: Oliver Gibson

Direct Tel. No. 020 7641 2680

Recommended Condition(s) and Reason(s):

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

Reason:

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

- 2 You must carry out any building work which can be heard at the boundary of the site only:, ,
* between 08.00 and 18.00 Monday to Friday;, * between 08.00 and 13.00 on
Saturday; and, * not at all on Sundays, bank holidays and public holidays., , Noisy work
must not take place outside these hours. (C11AA)

Reason:

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

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

Reason:

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

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

Reason:

To protect the privacy and environment of people in neighbouring properties, 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 All windows hereby approved must be constructed in painted timber and maintained in that material.

Reason:

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

- 6 You must apply to us for approval of detailed drawings of the following parts of the development: , - A typical proposed section through the rooflights in context with the roof of the building., , You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these detailed drawings. (C26DB)

Reason:

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

- 7 You must paint all new outside rainwater and soil pipes black and keep them that colour. (C26EA)

Reason:

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

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

Reason:

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

- 9 **Pre Commencement Condition.** No development shall take place, including any works of demolition, until a construction management plan for the proposed development has been submitted to and approved in writing by the City Council as local planning authority. The plan must include the following details: , (i) Details of how construction materials and equipment will be transported between ground level and roof level., (ii) Details of how demolition material and other construction waste is transported from roof level to ground level., (iii) Details of how lift access to all existing flats will be maintained during construction works., , You must not start work until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

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

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of

Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 11 The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

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

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 For the avoidance of doubt the Construction Management Plan required under condition shall be limited to the items listed. Other matters such as noise, vibration, dust and construction methodology will be controlled under separate consents including the Control of Pollution Act 1974 and the Building Regulations. You will need to secure all necessary approvals under these separate regimes before commencing relevant works.
- 4 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more

information please contact the Considerate Constructors Scheme directly on 0800 783 1423, sitenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

- 5 The sound insulation in each new unit of a residential conversion should meet the standards set out in the current Building Regulations Part E and associated approved documents. Please contact our District Surveyors' Services if you need more advice. (Phone 020 7641 7240 or 020 7641 7230). (I58AA)

- 6 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: , www.westminster.gov.uk/cil, , Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**, , CIL forms are available from the planning on the planning portal: , <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>, , Forms can be submitted to CIL@Westminster.gov.uk, , **Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.**

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.

Item No.
5

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 7 June 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Knightsbridge And Belgravia	
Subject of Report	22 Montpelier Square, London, SW7 1JR		
Proposal	Erection of a single storey rear extension at first floor level and remodelling and extended the infill extensions at lower ground and ground floor levels.		
Agent	Hill Mitchell Berry Architects		
On behalf of	Choong Lee		
Registered Number	16/01036/FULL 16/01411/LBC	Date amended/ completed	18 February 2016
Date Application Received	27 January 2016		
Historic Building Grade	II		
Conservation Area	Knightsbridge		

1. RECOMMENDATION

<ol style="list-style-type: none"> 1. Grant conditional permission. 2. Grant conditional listed building consent. 3. Agree the reasons for granting listed building consent as set out within Informative 1 of the draft decision letter.
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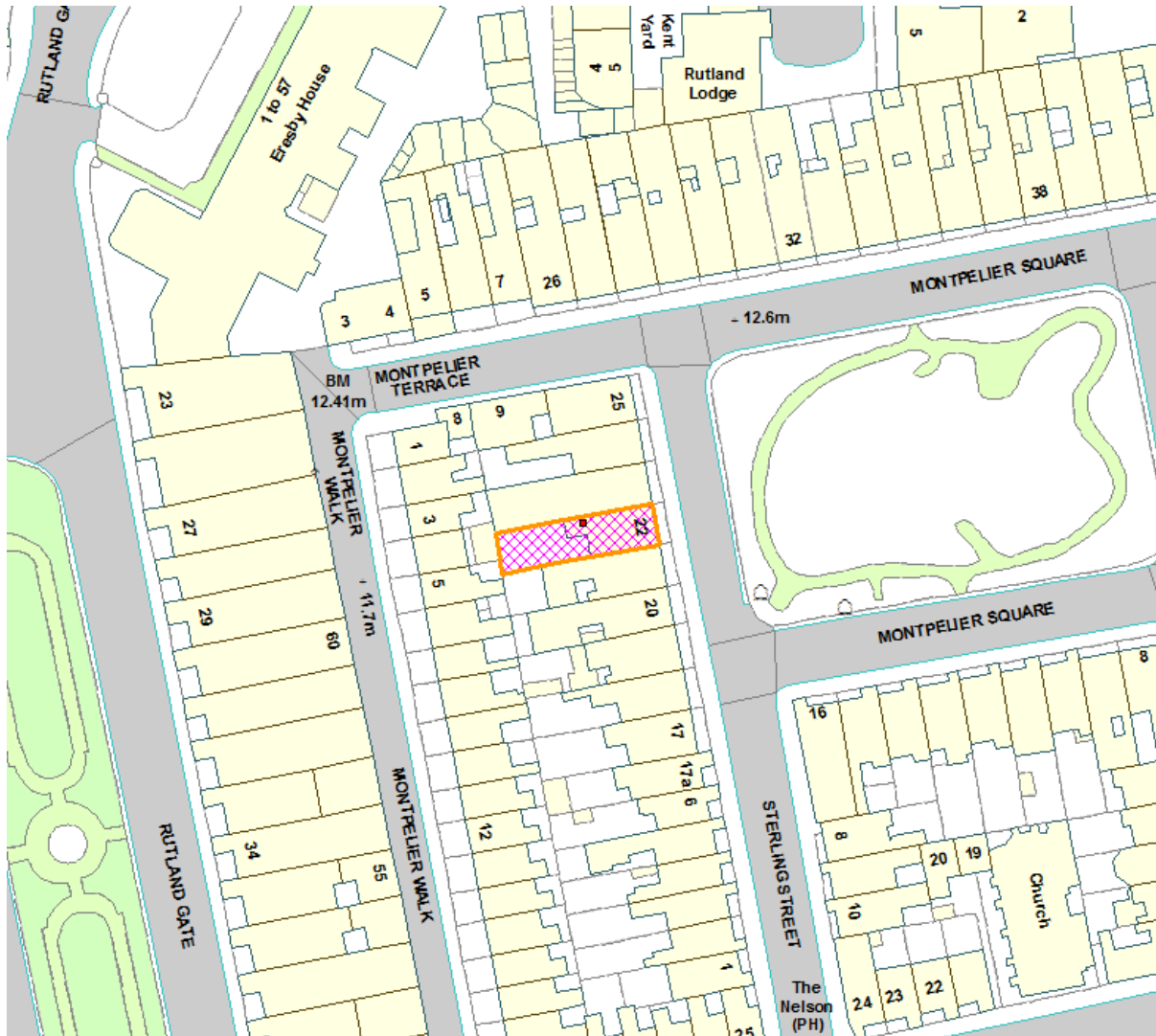
2. SUMMARY

<p>22 Montpelier Square is a single family mid terrace townhouse comprising of basement, ground, three upper floors and a mansard. The building is Grade II listed and located within the Knightsbridge Conservation area.</p> <p>Planning permission and listed building consent are sought for the erection of a rear extension at first floor level and remodelling and extending the infill extensions at lower ground and ground floor levels; and associated internal alterations.</p> <p>The key issues in this case are:</p> <p>* The impact of the proposals upon the special architectural or historic interest (significance) of the</p>

listed building and the character and appearance of the Knightsbridge Conservation Area;
* The impact of the proposals upon the amenity of neighbouring residents.

The proposals are considered to comply with the Council's policies in relation to amenity, design and conservation as set out in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (City Plan) and the applications are recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS





5. CONSULTATIONS

KNIGHTSBRIDGE ASSOCIATION:

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 20

No. of replies: 1

No. of objections: 1

No. in support: 0

Objection from neighbour on following grounds:

Amenity

- Loss of light to first floor rear study.
- Loss of light and view to the conservatory on the ground floor.
- No windows should be installed in the side elevation.

PRESS ADVERTISEMENT/ SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is located on the west side of Montpelier Square, within the Knightsbridge Conservation Area. No. 22 Montpelier Square is a grade II listed mid-terrace townhouse which comprises basement, ground, three upper floors and a mansard.

6.2 Recent Relevant History

15/03802/LBC

Internal alterations at lower ground, ground and first floor levels.

Application Permitted 9 June 2015

7. THE PROPOSAL

Planning permission and listed building consent are sought for the erection of a rear extension at first floor level and remodelling and extended the infill extensions at lower ground and ground floor levels. Minor alterations are also proposed internally.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposal to extend this single family dwelling is considered acceptable in principle and is in line with Policy H3 of the UDP and S14 of the City Plan.

8.2 Townscape and Design

The rear of the building currently exhibits a two-storey, half width rear closet wing extension and a brick infill extension at lower ground floor level and a glazed infill conservatory at ground floor level.

The proposals seek to remodel the lower ground floor extension and provide a new extension at ground floor level, which would be set back from the closet wing extension by approximately 0.8m. The proposals also include the erection of an extension at rear first floor level. The depth of the extension has been amended in order to protect the residential amenity of No. 23 (this is further discussed in section 8.3).

The wider terrace in which the application site is located exhibits a varied pattern of rear closet wing extensions; in some instances these are extensive. Given the proposed extension would terminate well below the penultimate storey, and conforms to the general rear building line of the terrace and is appropriately detailed, the first floor extension is acceptable in listed building and design and townscape terms.

The proposed remodelling of the existing lower ground and ground floor infill extensions will result in the lower ground floor extension extending to the same depth as the existing closet wing extension, and the ground floor extension will extend further forward by approximately 1m, but not to the same extent as the existing closet wing extension. Both storeys will have timber framed glazed elevations, similar in style to an orangery, with the ground floor terminating with a lantern roof light. The remodelled extension is no higher than the existing and the overall design retains the solid void relationship between the two extensions. The proposals are acceptable in design terms.

Internally the works are isolated to the lower ground, ground and first floor levels and largely impact upon the rear extension, with minor works affecting the main historic core of the building. The minor works include the formation of a single opening between the front and rear rooms at ground floor level and a door to the rear of the lobby to access the rear wing. Following offer advice the door proposed has been revised from a pocket door to a traditional hinged door.

The proposals comply with polices DES1, DES5, DES9, and DES10 of the UDP; S25 and S28 of the City Plan, and the guidance within the City Council's SPG: Repairs and Alterations to Listed Buildings.

8.3 Residential Amenity

The proposed remodelled lower ground and ground floor extensions do not project further forward of the existing closet wing extension. The extensions nearest to No. 21 would be set against the existing flank wall of No. 21. The extensions at these levels would not cause a material sense of enclosure, overlooking or loss of light to No. 21.

The depth of the proposed first floor extension was originally proposed at 2.9m. However following an objection from the residential occupier of No. 23 the depth of the extension has been reduced to 1.5m. The rear first floor window of No. 23 serves a study, and the modification to the depth of the extension is not considered to cause a material loss of light or sense of enclosure to this room. At ground floor level of No. 23 there is a large glazed

conservatory which serves as a breakfast/dining area. Whilst the extension would be visible to anyone using the ground floor conservatory, the height and depth of the proposed first floor extension is not considered to cause a material loss of light or sense of enclosure to justify a refusal of permission.

The proposed first floor extension is to be used as a cloak room, there is a single window proposed to the rear of the extension but no windows are proposed in the side elevations. The proposal is not considered to harm the amenity of neighbouring residents in terms of overlooking. Conditions are recommended preventing the applicant from forming any windows or other openings in the side elevations of the first floor extension; and to prevent the flat roof area of the ground floor extension from being used as a roof terrace.

8.4 Transportation/Parking

Not applicable.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size.

8.6 Access

8.7 Other UDP/Westminster Policy Considerations

Not applicable.

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

Not applicable.

8.12 Other Issues

Not applicable.

9. BACKGROUND PAPERS

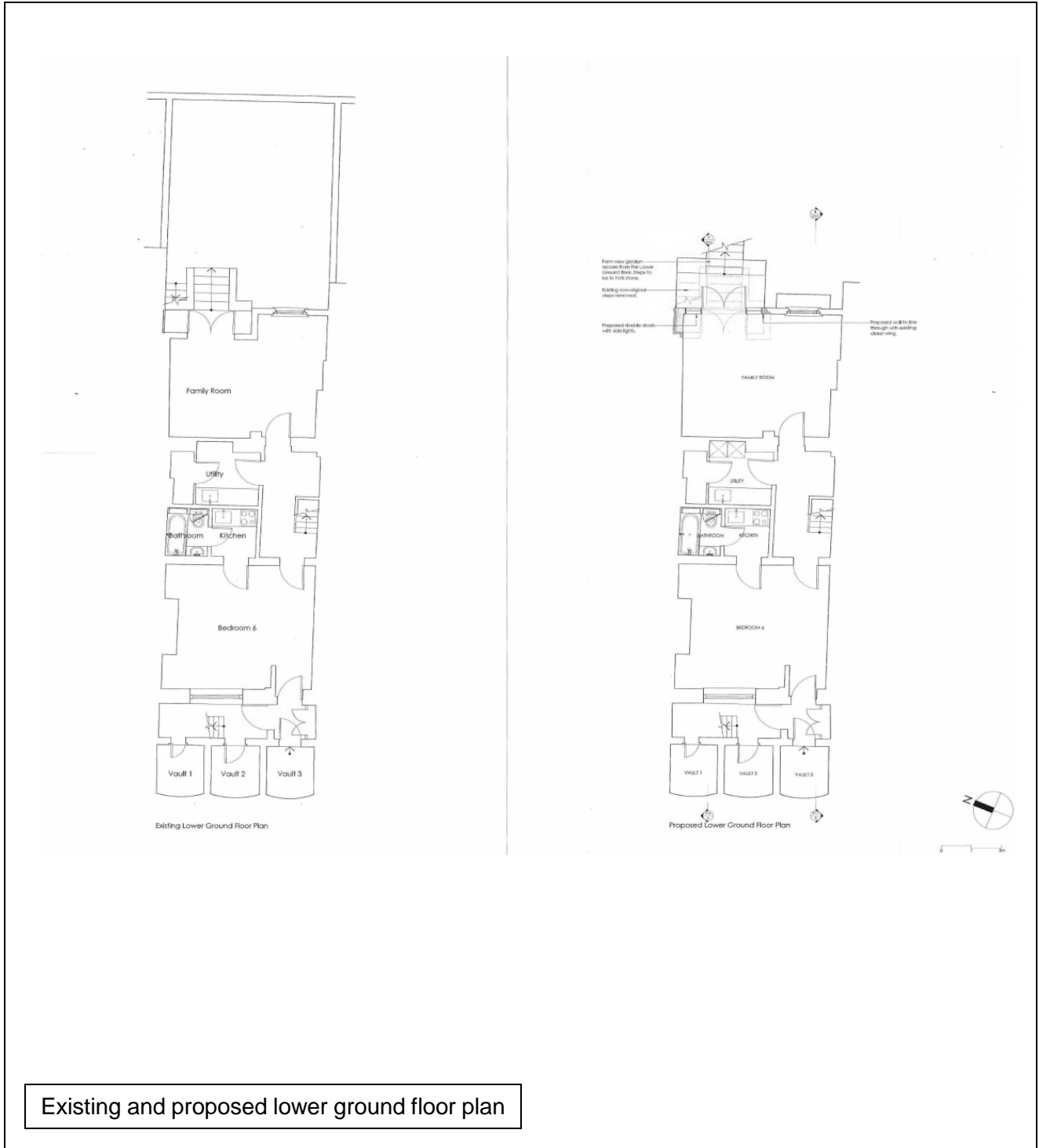
1. Application form.
2. Response from Knightsbridge Association dated 26 March 2016.
3. Letter and e-mail from occupier of 23 Montpelier Square, London dated 20 April 2016 and 27 April 2016.

Selected relevant drawings

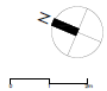
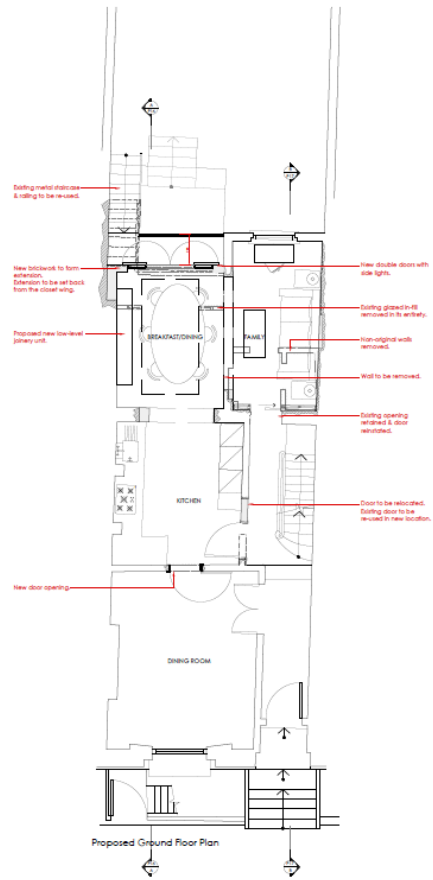
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT DAVID DORWARD ON 020 7641 2408 OR BY EMAIL AT SouthPlanningTeam@westminster.gov.uk

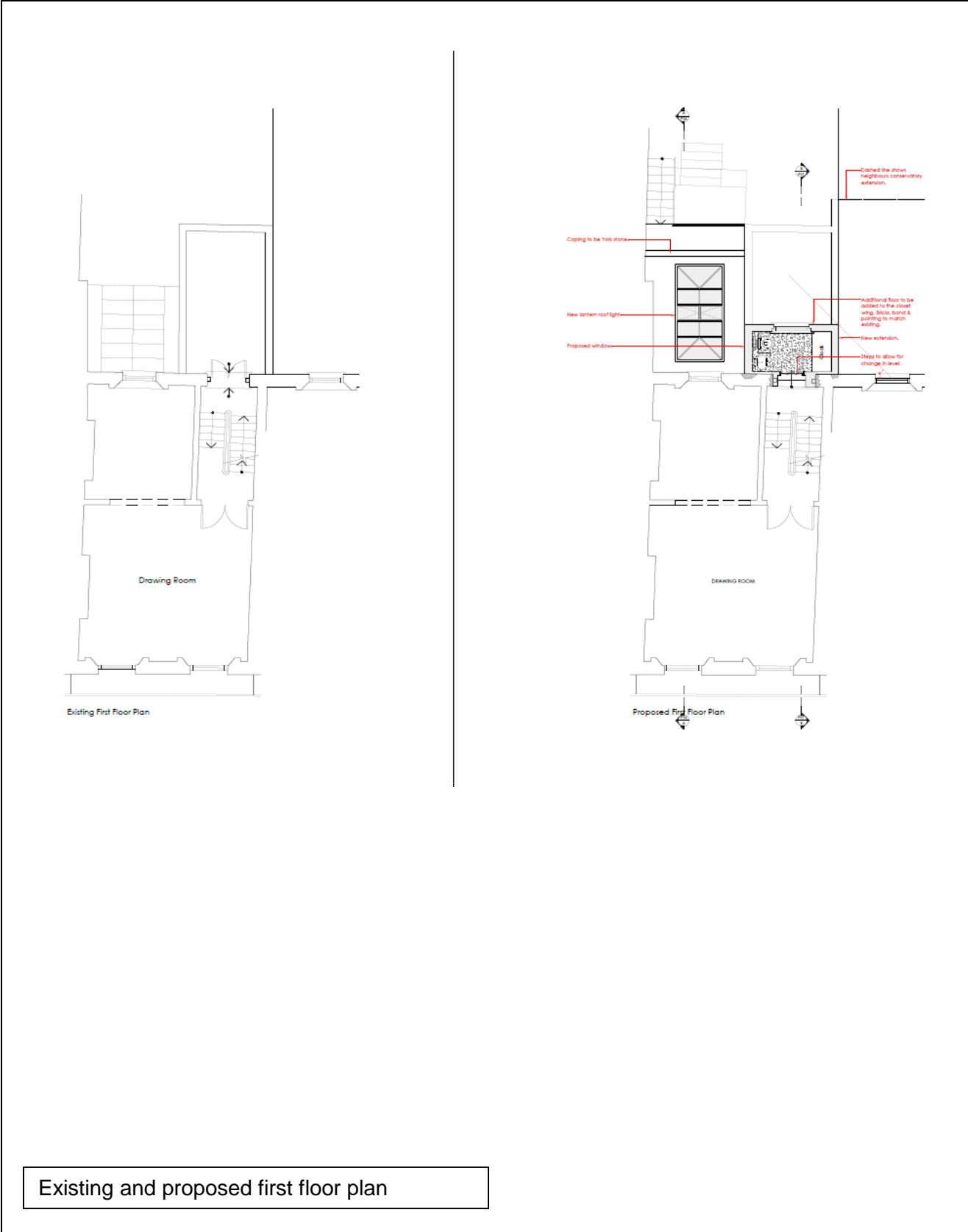
10. KEY DRAWINGS



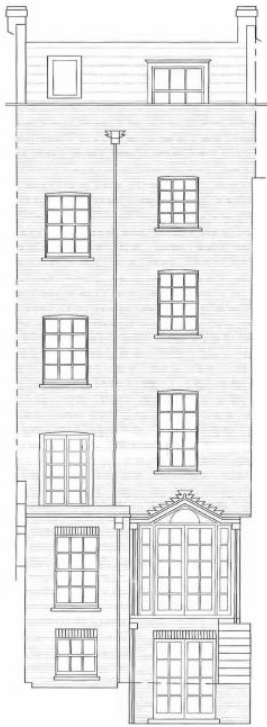
Existing and proposed lower ground floor plan



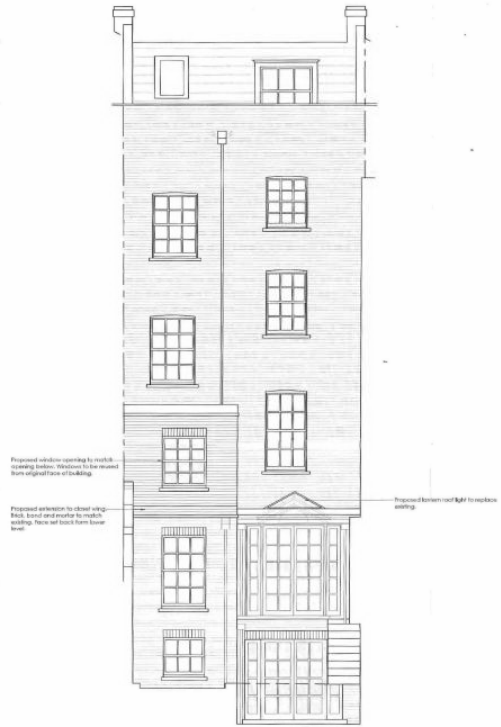
Existing and proposed ground floor plan



Existing and proposed first floor plan



Existing Rear Elevation



Proposed Rear Elevation

Existing and proposed rear elevation



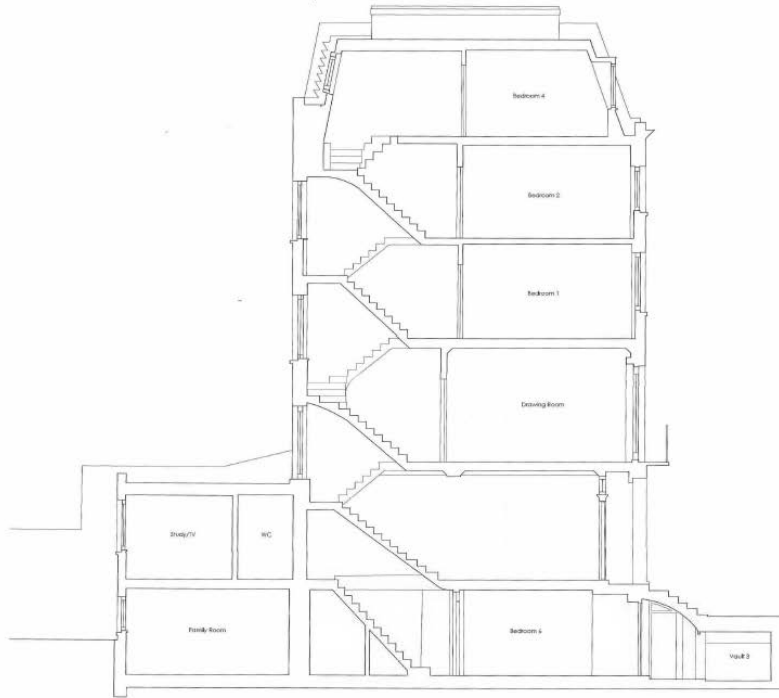
Existing Section A-A



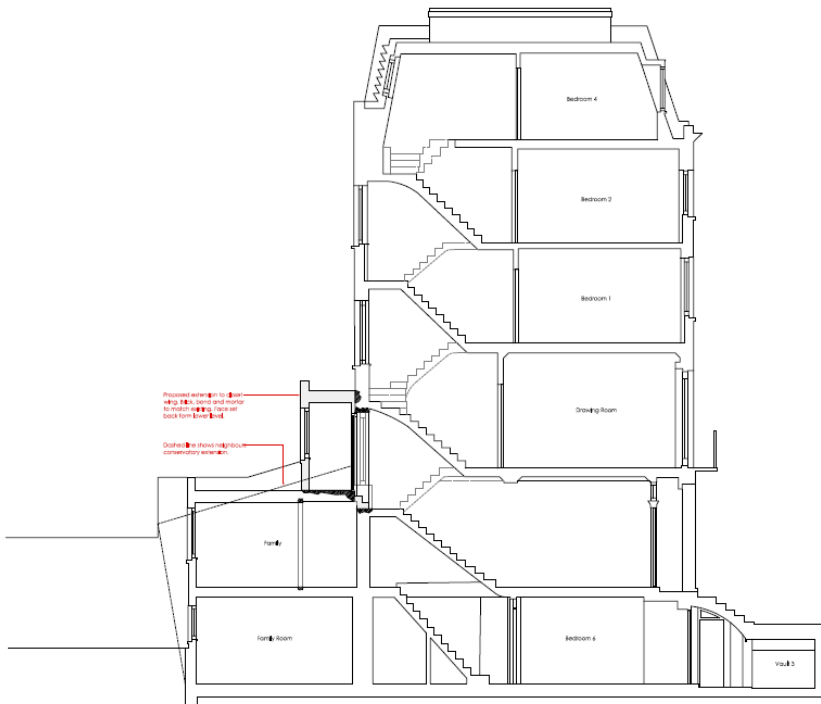
Proposed Section A-A

- Existing metal staircase to be removed
- Proposed wall to be brought with existing floor edge.
- Existing rectangular steps removed.
- Form new granite access from the lower ground floor level to the first floor.

Existing and proposed section AA



Existing Section B-B



Proposed Section B-B

Existing and proposed section BB

DRAFT DECISION LETTER

Address: 22 Montpelier Square, London, SW7 1JR,

Proposal: Erection of a rear extension at first floor level and remodelling and extending the infill extensions at lower ground and ground floor levels.

Reference: 16/01036/FULL

Plan Nos: 1523-P01, 1523-P05, 1523-P06, 1523-P07 Rev. C, 1523-P08 Rev. B, 1523-P09 Rev. B, 1523-P10 Rev. B, 1523-P11 Rev. B, 1523-P12, 1523-P13 Rev. A, 1523-P14, 1523-P15, 1523-P17 Rev. B, 1523-P18 Rev. A, 1523-P19, 1523-P20 and Heritage Statement dated January 2016 prepared by Adelaide Jones.

Case Officer: Zulekha Hosenally

Direct Tel. No. 020 7641 2511

Recommended Condition(s) and Reason(s):

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

Reason:

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

- 2 You must carry out any building work which can be heard at the boundary of the site only:

* between 08.00 and 18.00 Monday to Friday;
* between 08.00 and 13.00 on Saturday; and,
* not at all on Sundays, bank holidays and public holidays.
Noisy work must not take place outside these hours. (C11AA)

Reason:

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

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the 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 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the 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 paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 5 The new windows shall be timber framed, single-glazed to match existing.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the 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 paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 6 You must not use the roof of the 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. 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)

- 7 You must not form any windows or other openings (other than those shown on the plans) in the outside walls of the first floor extension building without our permission. This is despite the provisions of Classes A of Part 1 of Schedule 2 to the Town and Country Planning General

Permitted Development Order (England) 2015 (or any order that may replace it). (C21EB)

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)

- 8 The flat roof area to the rear of the first floor rear extension, as shown on drawing number 1523-P07 Rev. C, must not be used as a terrace or for sitting out or for any other purpose. You can however use the flat roof area to escape in an emergency.

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.

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.

DRAFT DECISION LETTER

Address: 22 Montpelier Square, London, SW7 1JR

Proposal: Erection of a single storey extension at rear first floor level and remodelling and extended the infill extensions at lower ground and ground floor levels. Associated internal alterations.

Reference: 16/01411/LBC

Plan Nos: 1523-P01, 1523-P05, 1523-P06, 1523-P07 Rev. C, 1523-P08 Rev. B, 1523-P09 Rev. B, 1523-P10 Rev. B, 1523-P11 Rev. B, 1523-P12, 1523-P13 Rev. A, 1523-P14, 1523-P15, 1523-P17 Rev. B, 1523-P18 Rev. A, 1523-P19, 1523-P20 and Heritage Statement dated January 2016 prepared by Adelaide Jones.

Case Officer: Zulekha Hosenally

Direct Tel. No. 020 7641 2511

Recommended Condition(s) and Reason(s):

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

Reason:

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

- 2 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the 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 paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 3 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the 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 paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

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

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan July 2011, Westminster's City Plan: Strategic Policies adopted November 2013, and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations. The City Council decided that the proposed works would not harm the character of this building of special architectural or historic interest. In reaching this decision the following were of particular relevance: S25 and S28 of Westminster's City Plan: Strategic Policies and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.3 and 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.
- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:
- * any extra work which is necessary after further assessments of the building's condition;
 - * stripping out or structural investigations; and,
 - * any work needed to meet the building regulations or other forms of statutory control. Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents., , It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

Item No.
5

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 6

Item No.

6

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 7 June 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Bryanston And Dorset Square	
Subject of Report	15 Bryanston Square, London, W1H 2DN		
Proposal	Erection of single storey roof extension and installation of seven condenser units at new roof level in connection with a single family dwelling (Class C3). Internal alterations.		
Agent	Savills		
On behalf of	Mr Saeed Omeir Yousef Ahmed Almheiri		
Registered Number	16/01689/FULL 16/01690/LBC	Date amended/ completed	26 February 2016
Date Application Received	25 February 2016		
Historic Building Grade	Grade II		
Conservation Area	Portman Estate		

1. RECOMMENDATION

1. Refuse planning permission and listed building consent – design and conservation grounds

2. SUMMARY

The application site is a grade II listed building located with the Portman Estate conservation area. The building comprises basement, ground and three upper floors and is used as a single family dwelling. Planning permission and listed building consent are sought for the removal of the existing roof and erection of a single storey sheer roof extension. The existing roof will then be relocated on top of the new fourth floor. The proposal also includes the installation of seven condenser units within the roof valley at roof level.

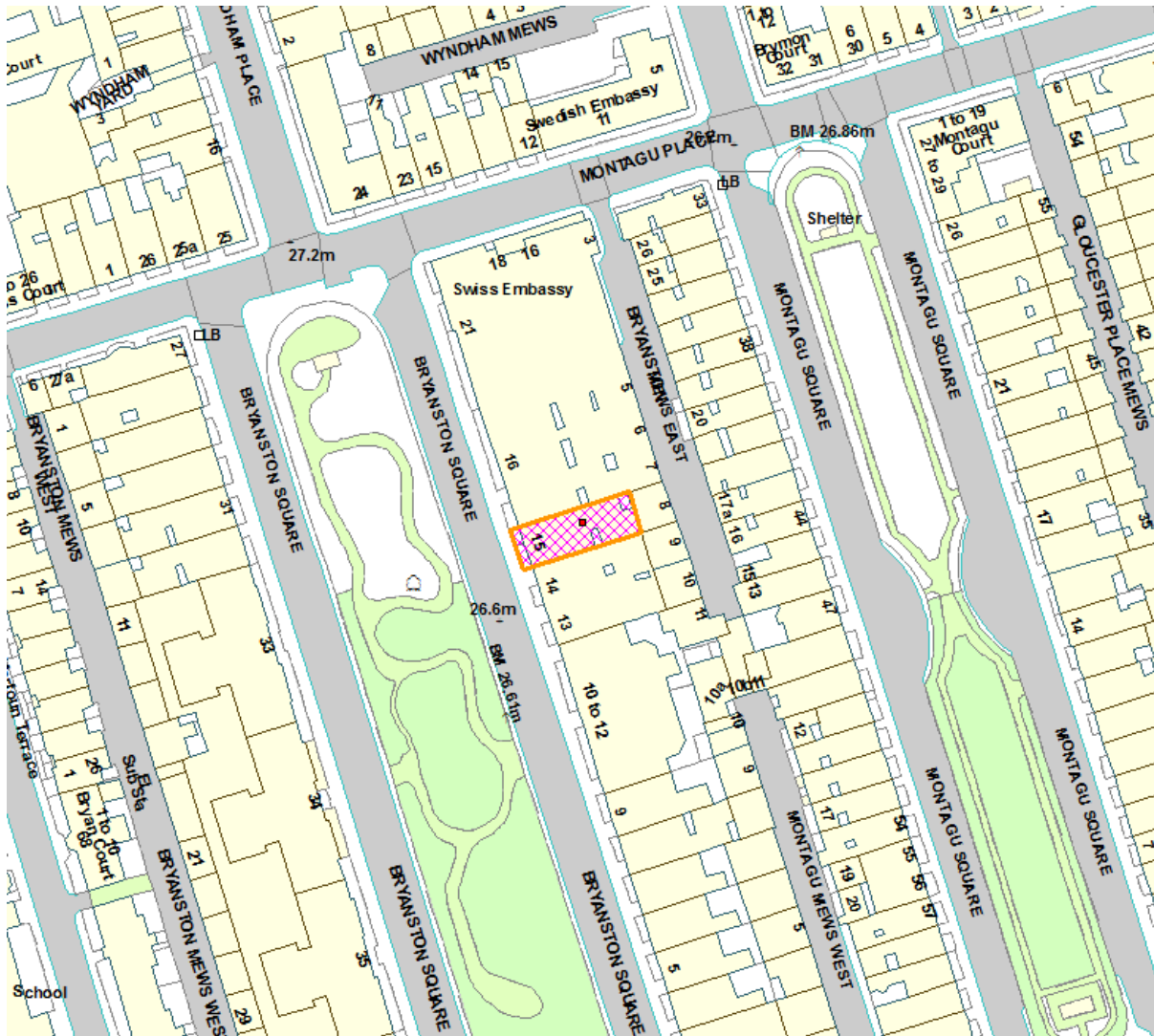
The key issues for consideration are:

- The impact of the extension on residential amenity;
- The impact of the air condenser units on residential amenity; and
- The impact of the proposal on the special interest of the listed building and the character and appearance Portman Estate conservation area.

The roof extension and installation of plant is considered acceptable in amenity terms. However, the

building has an original roof, and the extension is considered to cause harm to this heritage asset. The proposal is also considered unacceptable in design and conservation terms and does not comply with the relevant policies within the Unitary Development Plan (UDP) or Westminster's City Plan: Strategic Policies (City Plan) and both application are accordingly recommended for refusal.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Photograph 1: Application property (with scaffolding in front)



5. CONSULTATIONS

MARYLEBONE ASSOCIATION

Any response to be reported verbally.

ENVIRONMENTAL HEALTH

No objection subject to conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 109

Total No. of replies: 6

No. of objections: 6

No. in support: 0

Six objections received on some or all of the following grounds:

Amenity

- Loss of daylight and sunlight
- Noise and heat/adverse environmental nuisance from plant
- Excessive amount of plant
- Overlooking
- Disruption during course of construction

Listed Building Grounds

- Alter the character of the building and the Square

Highways

- Impact on parking

Building Control

- Removal of fire escapes from neighbouring properties

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is on the eastern side of Bryanston Square and is a grade II listed building located within the Portman Estate Conservation Area. The property comprises basement, ground and first to third floors and is a single family dwelling (Class C3).

6.2 Recent Relevant History

Planning permission and listed building consent were granted on 21 July 2015 for the use of the building as a single family dwelling (Class C3). Alterations including excavation to provide a new basement level; the demolition of the existing rear extensions on lower ground and ground floors and the erection of replacement extensions, with terraces on

ground and first floors; the installation of six air conditioning units at main roof level and internal alterations were also approved (RN: 15/01949/FULL and 15/01950/LBC). These works are currently being implemented.

Planning permission and listed building consent were later granted on 11 March 2016 allowing amendments to the July 2015 scheme which included internal alterations and alterations to the fenestration and creation of a terrace lightwell (RN: 15/10357/FULL & 15/10356/LBC).

7. THE PROPOSAL

Planning permission and listed building consent are sought for the removal of the existing roof and erection of a single storey sheer roof extension to create a new fourth floor level. The existing roof would then be relocated above this additional storey. Seven condenser units at the new roof level (one more unit than previously permitted) are also proposed and they will be situated within the roof valley.

This application follows consent for excavation of a new basement level. The new basement level is shown on the proposed drawings, but it is not part of this current application.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The increase in residential floorspace as a result of the extension is considered acceptable and complies with UDP Policy H3 and S14 of the City Plan.

8.2 Townscape and Design

The building is an original Georgian house, dating from the early nineteenth century. It makes a positive contribution to the Portman Estate Conservation Area. It is a rare survivor in that it has not been extended or altered at roof level. It has its original façade, four storeys high, and king post truss roofs, with their ridges parallel to the facade. Such roofs are rare in the Portman Estate Conservation Area, and the West End generally, because so many buildings have been altered or extended at roof level. In listed building terms the facade and the roof contribute much to the special architectural and historic interest. The existing roof and the façade also contribute significantly to the character and appearance of the conservation area. There is a strong presumption to retain these elements of the building.

The proposal seeks to raise the building by one sheer storey and relocate the existing roof at the new level. One objection was received on the grounds that the additional storey would substantially alter the character of the listed building and the hierarchy of spaces within the building. They also expressed concern that the proposal would adversely affect the uniformity of the Georgian architectural design of Bryanston Square. One objection was made on the grounds of the visual impact of the proposal.

It is considered that the proposed works would be harmful to the appearance and special interest of the building, through the loss of its original proportions and hierarchy. The proposal would also diminish the contribution made by the listed building to the character and appearance of the Portman Estate Conservation Area. The fact that the adjoining buildings are higher than the application site does not provide a justification for the additional floor in listed building terms. The objections received are considered to be sustainable.

The harm caused to the heritage assets is not outweighed by any public benefits and the proposal is unacceptable in principle. It is contrary to the City Council's policies in particular strategic policy S25 and Unitary Development Plan policies DES 1, DES 5, DES 6, DES 9 and DES 10.

8.3 Residential Amenity

Sunlight and Daylight

Policy S29 of the City Plan aims to improve the residential environment of Westminster whilst UDP Policy ENV13 aims to protect and improve residential amenity, including sunlighting and daylighting to existing properties. In implementing Policy ENV13 the advice of the Building Research Establishment (BRE) with regard to natural lighting values is used.

Under the BRE guidelines the amount of daylight received to a property may be assessed by the Vertical Sky Component which is a measure of the amount of sky visible from the centre point of a window on its outside face. If this achieves 27% or more, the window will have the potential to provide good levels of daylight. The guidelines also suggest that reductions from existing values of more than 20% should be avoided as occupiers are likely to notice the change.

In terms of sunlight, the BRE guidance states that if any window receives more than 25% of the Annual Probable Sunlight Hours (APSH) where the total APSH is 1486 hours in London), including at least 5% during winter months (21 September to 21 March) then the room should receive enough sunlight. If the level of sunlight received is below 25% (and 5% in winter) and the loss is greater than 20% either over the whole year or just during winter months, then the loss would be noticeable. Only those windows facing within 90 degrees of due south require testing.

Objections have been received from 32 Bryanston Square opposite the application site and from 9 Bryanston Mews East, behind the application site, on the grounds of loss of daylight and sunlight.

A daylight and sunlight report has been submitted as part of the application which assesses the impact of the development on residential properties at 7, 8 and 9 Bryanston Mews East, which are to the rear of the application site. The report does not assess 32 Bryanston Square due to this property being located on the western side of Bryanston Square and, as this is a wide street, it is not considered that there will be a detrimental impact on this property.

The report demonstrates that a number of windows at the surrounding properties will experience small losses in daylight. The maximum losses in VSC are 12%; well below the 20% threshold above which losses in daylight are noticeable. The losses in APSH and APSH during the winter months are all also very small. The report demonstrates that all windows and rooms in the surrounding tested properties will be fully compliant with BRE guidelines for daylight and sunlight with the proposal in place. The objections in this regard are therefore not sustainable.

Overlooking

An objection has been received from the occupant of 9 Bryanston Mews East, located to the rear of the application site, on the grounds of increased overlooking as a result of the proposal. While the proposed extension is sheer both on the front and rear elevations, it is not considered there will be a significant increase in overlooking to properties at the rear as the proposal would be no closer than the existing building.

8.4 Transportation/Parking

One objection has been received on the grounds that the proposal would be likely to impact the limited parking available in Bryanston Square. As the proposal does not create and increase in dwellings, there will not be any significant increase in pressures on local parking. This application raises no transportation/parking issues.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

The application raises no access issues.

8.7 Other UDP/Westminster Policy Considerations

Plant

The proposed scheme seeks to install seven condenser units in the centre of the valley roof. Objections have been received on the grounds of noise and adverse environmental impacts as a result of the proposed units.

An acoustic report has been submitted in support of the application which details existing background noise levels. Environmental Health have raised no objection to the application subject to appropriate noise conditions which requires all plant to operate at a level 10dB below background noise levels.

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

Not applicable

8.12 Other Issues

Impact during Construction

Objection was received on the grounds of the impact on nearby residents during construction. It would be unreasonable to withhold permission on these grounds. Had the application been acceptable, a condition restricting the hours of construction would have been applied.

Loss of fire escapes

Objection was received on the grounds of the removal of the fire escape access from 13 and 14 Bryanston Square. This objection is not considered a planning matter and would be dealt with through building control regulations.

9. BACKGROUND PAPERS

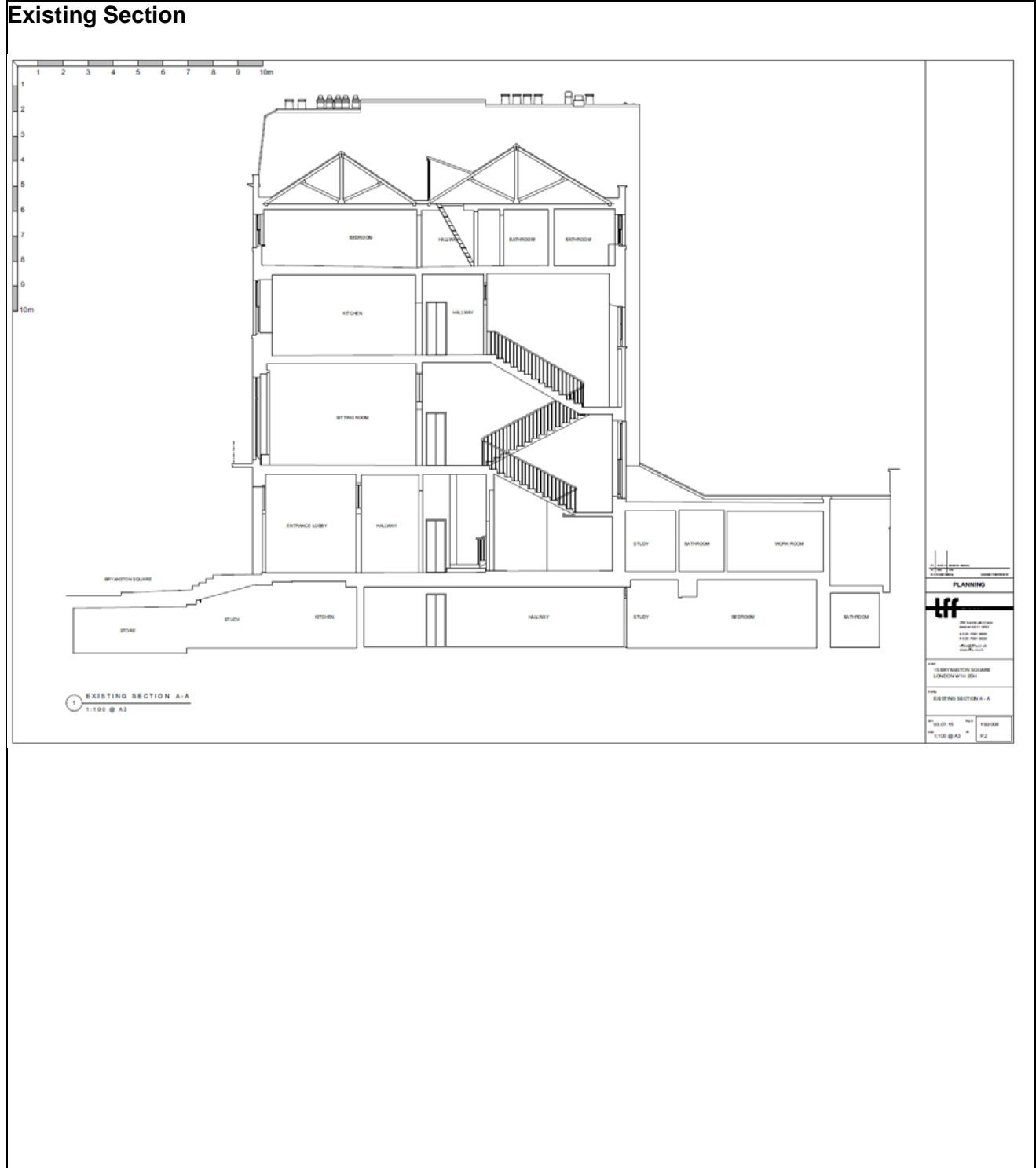
1. Application form
2. Response from Plant And Equipment, dated 29 March 2016
3. Letter from occupier of 14 Bryanston Square, London, dated 4 April 2016
4. Letter from occupier of Fladgate LLP, 16 Great Queen Street, dated 6 April 2016
5. Letter from occupier of 14 Bryanston Square, London, dated 4 April 2016
6. Letter from occupier of 32 Bryanston Square, London, dated 8 April 2016
7. Letter from occupier of 8 Bryanston Mews East, London, dated 31 March 2016
8. Letter from occupier of 9 Bryanston Mews East, London, dated 20 March 2016
9. Letter from occupier of 10 Bryanston Mews East, London, dated 21 March 2016

Selected relevant drawings

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

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT ADAM JONES ON 020 7641 1446 OR BY EMAIL AT centralplanningteam@westminster.gov.uk

10. KEY DRAWINGS



Proposed Section (The additional basement and works to the rear of the property shown do not form part of this application as they have been approved previously Rn: 15/10357/FULL & 15/10356/LBC)



Existing (Left) and Proposed (Right) Front Elevation



DRAFT DECISION LETTER

Address: 15 Bryanston Square, London, W1H 2DN,

Proposal: Erection of single storey extension and installation of seven condenser units at roof level.

Reference: 16/01689/FULL

Plan Nos: 192 050 Rev. P1 ; 192/081 Rev. P1 ; 192/080 Rev. P1 ; 192 065 Rev. P1 ; 192 037 Rev. P1 ; 192 036 Rev. P1 ; 192 038 Rev. P1 ; 192/021 Rev. P1

Case Officer: Adam Jones

Direct Tel. No. 020 7641 1446

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

Because of the loss of the original height and proportions of the building, and the loss of the existing original architectural relationship between the roof and the top floor, the additional storey would harm the special architectural and historic interest of this grade 2 listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the Portman Estate Conservation Area. This would not meet S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 5, DES 6, DES 9, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (X17AC)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way so far as practicable. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.
- 2 The additional basement and works to the rear of the property shown on drawing number 192 050 Rev. P1 do not form part of this application as they have been approved in a previous application (Rn: 15/10357/FULL & 15/10356/LBC)

Item No.
6

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.

DRAFT DECISION LETTER

Address: 15 Bryanston Square, London, W1H 2DN,
Proposal: Erection of additional storey and installation of seven condenser units at roof level.
Reference: 16/01690/LBC
Plan Nos: 192 050 Rev. P1 ; 192/081 Rev. P1 ; 192/080 Rev. P1 ; 192 065 Rev. P1 ; 192 037 Rev. P1 ; 192 036 Rev. P1 ; 192 038 Rev. P1 ; 192/021 Rev. P1

Case Officer: Adam Jones

Direct Tel. No. 020 7641 1446

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

Because of the loss of the original height and proportions of the building, and the loss of the existing original architectural relationship between the roof and the top floor, the additional storey would harm the special architectural and historic interest of this grade 2 listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the Portman Estate Conservation Area. This would not meet S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (X17CB)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way so far as practicable. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.
- 2 The additional basement and works to the rear of the property shown on drawing number 192 050 Rev. P1 do not form part of this application as they have been approved in a previous application (Rn: 15/10357/FULL & 15/10356/LBC)

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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Item No.
7

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 7 June 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	29 Riding House Street, London, W1W 7DX		
Proposal	Use of the ground floor as residential floorspace (Class C3) to enlarge the existing dwelling at basement, first and second floor levels. Alterations to front and rear elevations.		
Agent	Lambert Smith Hampton		
On behalf of	Mrs Penelope Brudenell-Bruce		
Registered Number	16/01426/FULL	Date amended/ completed	17 February 2016
Date Application Received	17 February 2016		
Historic Building Grade	Unlisted		
Conservation Area	East Marylebone		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

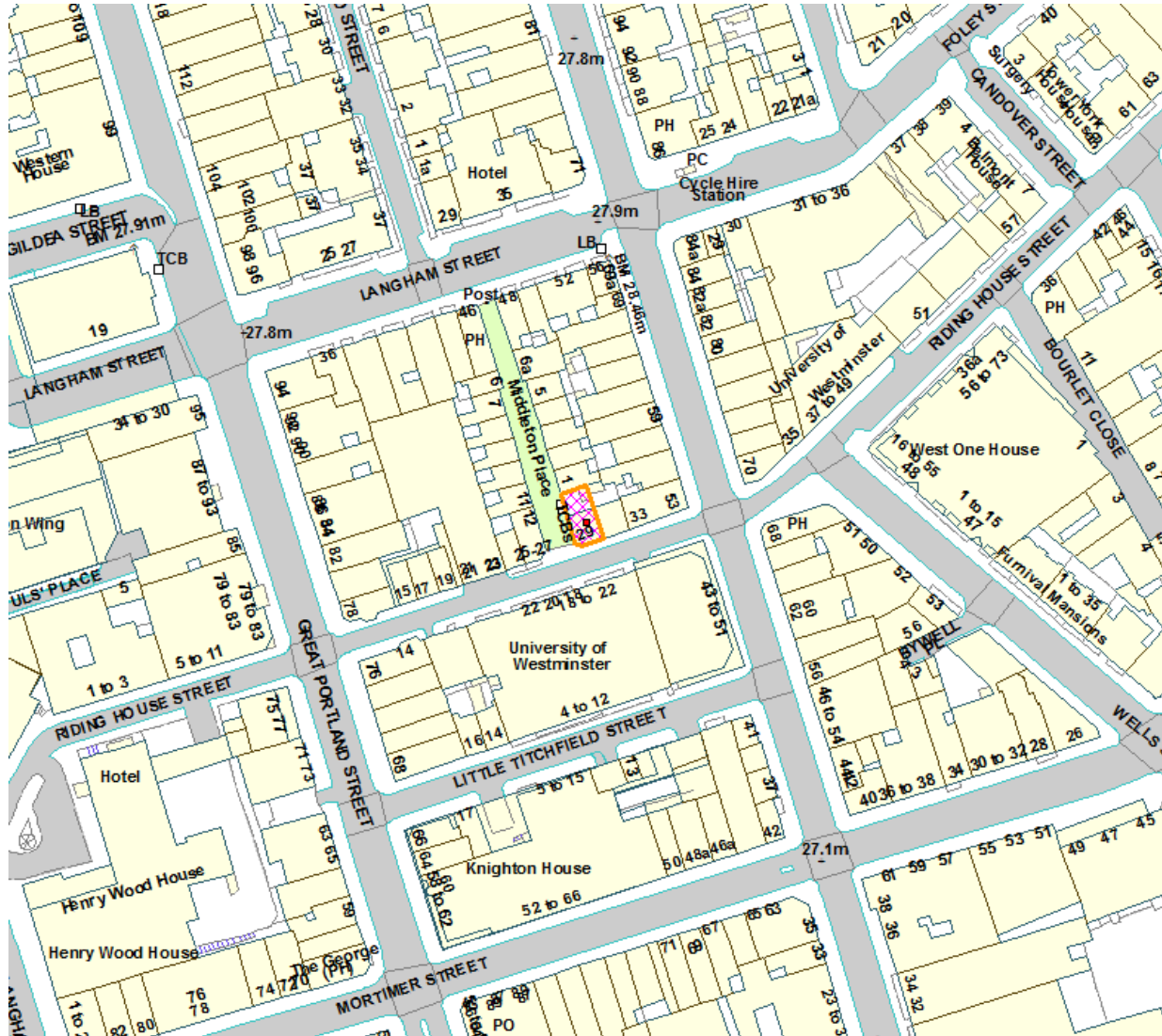
No. 29 Riding House Street is an unlisted building located within the East Marylebone Conservation Area which is lawfully a shop (Class A1) at part ground floor and a dwelling (Class C3) at basement, part ground, first and second floor levels. The site is located outside of the Core Central Activities Zone (Core CAZ) and is not located in a designated shopping centre. It is understood that the retail unit has been vacant for in excess of for 16 years. It is not known what the retail unit was last used as. Permission is sought to use the ground floor retail unit as residential floorspace (Class C3) in order to extend the existing dwelling occupying the remainder of the building.

The key considerations in the case are:

- The loss of the 32 m2 retail (use class A1) floorspace at ground floor level; and
- The impact of the proposed physical alterations on the character and appearance of the building and the wider East Marylebone Conservation Area.

It is considered that the length of time the shop has been vacant, its small size and its location on the periphery of the Great Titchfield Street Local Centre in an area with little retail character represent exceptional reasons to depart from the normal presumption in favour of protecting retail floorspace and to allow its use for residential purposes.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Middleton Place & Riding House Street Elevations



Riding House Street Elevation



Street Context
(North side of Riding House Street)



Street Context
(South side of Riding House Street)

5. CONSULTATIONS

WARD COUNCILLORS FOR WEST END

To be reported verbally.

FITZROVIA NEIGHBOURHOOD ASSOCIATION

To be reported verbally.

CLEANSING

No objection.

HIGHWAYS PLANNING

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 12

Total No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is located on the north side of Riding House Street at its junction with Middleton Place. It comprises an unlisted building situated within the East Marylebone Conservation Area but outside of the Core CAZ or any of the local or district shopping centres. The property is four storeys comprising ground to second floors plus a basement level. Works associated with the 2015 permission detailed below are currently being implemented.

The basement, part ground and upper floors are in use as a dwelling, access to which is gained from a separate entrance accessed from the Middleton Place entrance.

At part ground floor there is a small retail unit totalling 32 sqm. The unit is currently vacant and boarded up and there is no evidence of recent use. Correspondence on the planning history file indicates that the unit was last in use in 2000 and there is no record of the retail floorspace being occupied at any time since. It is therefore likely that the unit has remained vacant for the last 16 years. Access to the ground floor retail unit is achieved through a front entrance door on the corner of Riding House Street and Middleton Place.

6.2 Recent Relevant History

Planning permission was granted on 4 June 1991 for a new mansard storey with roof terrace to extend the flat on the upper floors. This permission was not implemented.

In 1998 a planning application for a three storey extension fronting Middleton Place and a mansard storey over the enlarged building to facilitate the use of the first to fourth floors as

three flats with additional retail space at ground floor level was withdrawn before determination.

On 10 October 2013 a planning application was submitted for a similar excavation at basement level but for the use of the entire property for residential purposes. However, this application was withdrawn following concern being expressed from Officers that the unit has not been marketed.

On the 20 January 2015 permission was granted for excavation beneath the rear courtyard to enlarge the existing basement level and to use the extended basement and courtyard as part of existing residential flat (Class C3) at part ground, first and second floor level and minor external alterations including changes to ground floor retail shopfront and blocking up of rear first floor window.

7. THE PROPOSAL

This application proposes the change of use of the ground floor retail unit (class A1) to residential floorspace (Class C3) in order to enlarge the existing dwelling over basement, first and second floor levels. Minor external alterations to the front and rear elevations are also proposed.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Loss of retail (32 m2)

As set out above, the site is located outside of the Core CAZ and is not located in a designated shopping centre. It is located to the north-west of the Great Titchfield Street Local Centre. Whilst it is adjacent to a barber (Class A1), there is little retail character in the vicinity of the site.

City Plan Policy S21 states that existing retail floorspace will be protected throughout the City except where it has been demonstrated to be unviable through long term vacancy despite reasonable attempts to let it. UDP Policy SS8 is similar, stating that planning permission will not be granted for proposals that would result in the loss of a shop or launderette use.

The applicant has provided marketing information from Lambert Smith Hampton who has been marketing the property since September 2014 to date (21 months) as both an independent retail or office unit.

There was 17 inquires. However, due to a number of reasons, primarily the size of the unit, security concerns due to access from the rear courtyard and the general arrangement of the property, most of the parties did not follow up their initial query. One offer was received. However, it was requested that the lease to be on-standard and to have numerous break clauses within the lease. These terms are not considered to be acceptable to a reasonable landlord. Another occupier requested a toilet be provided within the premises prior to it entering into a lease at the applicant's cost. This alteration

would have resulted in a loss of rentable floor area which is likely to put off other interested parties if the specification did not suit them. There was also no guarantee that the potential occupier would have committed to a lease even if the toilet was installed.

Officers attempted to have the marketing information independently assessed by an independent consultant who specialise in retail property. Three known consultants were approached but they were not willing to undertake the commission. One stated that they work exclusively in the West End and the City of London therefore they do not have the expertise in this location and the other two consultancies were not interested as a commission of this scale would compromise their current workload.

As a result, the agent provided an in house marketing assessment conducted by a member of staff who was not involved in the marketing of the premises. It was advised that the site was offered at a reasonable market rate for the area and the 21 month marketing campaign has demonstrated that this unit is no longer viable for retail purposes in accordance with adopted planning policy.

It is regrettable that the marketing information was not independently assessed and therefore this marketing information can only be given limited weight. However, the fact that the unit is outside of the Core CAZ or a designated shopping centre, has been vacant for approximately 16 years, is small in size, is in area that has little retail character and is close to the Great Titchfield Street Local Centre that offers alternative retail facilities, means that there are considered to be exceptional circumstances to justify the loss of a retail unit.

Residential use

The proposed enlargement of the existing dwelling by incorporating the ground floor retail unit as part of the overall unit, would be supported in principle by City Plan Policy S14 and UDP Policy H3, both of which promote additional residential provision.

8.2 Townscape and Design

The proposed works to the shopfront at 29 Riding House Street are acceptable in design and conservation terms. Notwithstanding our preference for timber glazing bars to traditional shopfronts, the proposed new steel glazing bars to the shopfront were permitted by the 2015 permission. Given the existing condition, and the change of use, the proposed steel windows are acceptable in this case. The proposed Juliet balcony is acceptable, and the loss of the door on the corner is acceptable subject to a rendered finish to match the existing.

A condition is recommended to be imposed restricting 'permitted development' rights to alter the shopfront. This is in order to ensure that this attractive shopfront is retained and to ensure that the former retail appearance of the building is not lost.

8.3 Residential Amenity

The proposed physical alterations would have no detrimental impact on the residential amenity of any neighbouring properties.

8.4 Transportation/Parking

The works do not result in any net increase of residential units at the site and there would therefore be no material impact on parking or transportation matters.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size.

8.6 Access

The existing single family dwelling does not have step free access and no alterations are proposed.

8.7 Other UDP/Westminster Policy Considerations

Refuse /Recycling

No specific waste store for waste and recyclable materials is illustrated on the plans. These details will be secured by a planning condition prior to the commencement of the residential use.

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

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

8.11 Environmental Impact Assessment

The proposal is of insufficient scale as to trigger an environmental assessment.

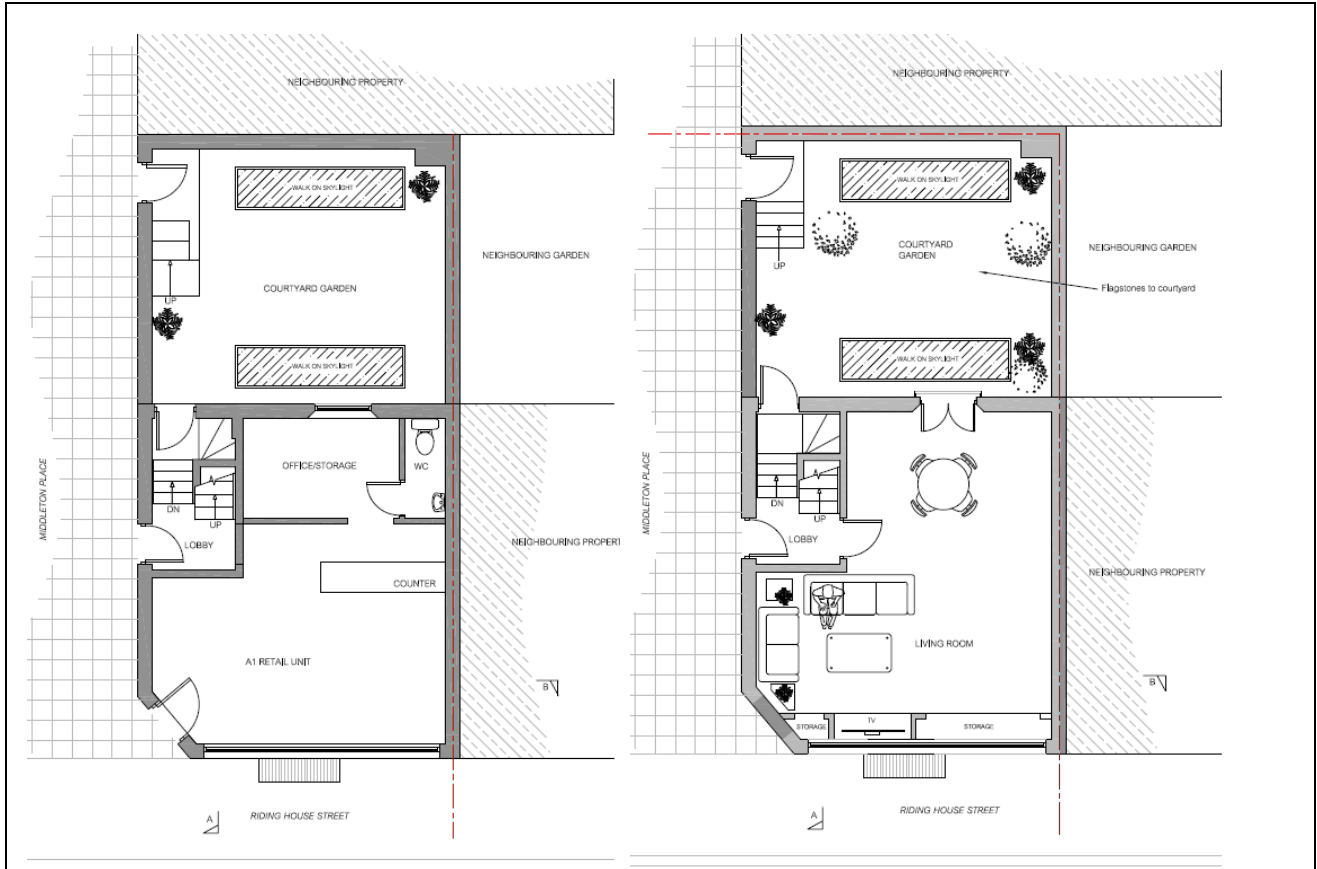
9. BACKGROUND PAPERS

1. Application form
2. Memorandum from Cleansing dated 11 March 2016
3. Memorandum from Highways Planning Manager dated 09 May 2016

(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 MARK HOLLINGTON ON 020 7641 2523 OR BY EMAIL AT mhollington2@westminster.gov.uk

10. KEY DRAWINGS

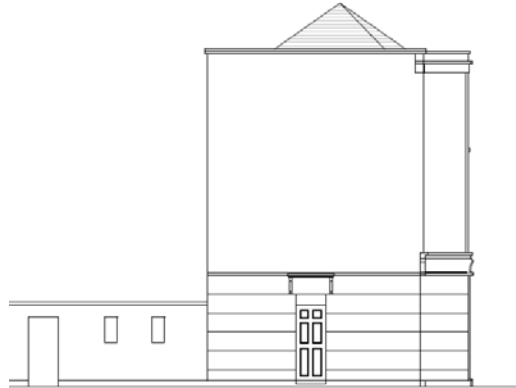


EXISTING GROUND FLOOR PLAN

PROPOSED GROUND FLOOR PLAN



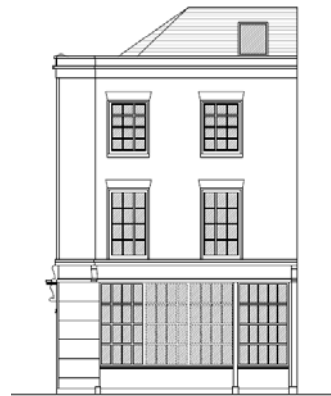
EXISTING WEST ELEVATION



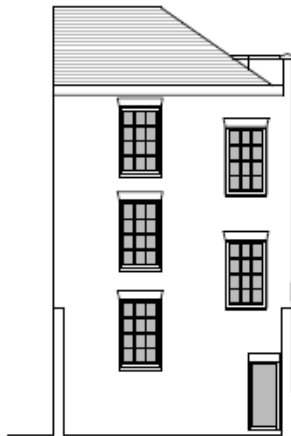
PROPOSED WEST ELEVATION



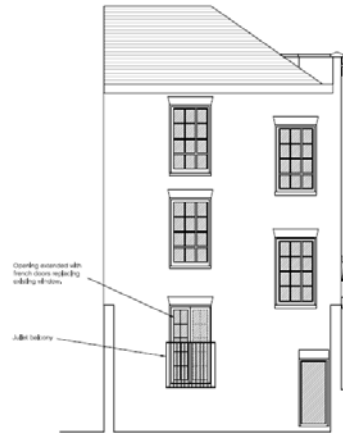
EXISTING SOUTH ELEVATION



PROPOSED SOUTH ELEVATION



EXISTING NORTH ELEVATION



PROPOSED NORTH ELEVATION

DRAFT DECISION LETTER

Address: 29 Riding House Street, London, W1W 7DX,

Proposal: Use of the ground floor as residential (Class C3) in connection with the existing single family dwelling at basement, first and second floor levels. Alterations to front and rear elevations.

Reference: 16/01426/FULL

Plan Nos: Drawings 131000/1002, 131000/1005, 131000/1006, 131000/1007

Case Officer: Damian Lavelle

Direct Tel. No. 020 7641 5974

Recommended Condition(s) and Reason(s):

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

Reason:

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

- 2 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 East Marylebone 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)

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

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

Reason:

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

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

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 5 You must not make any alteration to the shopfront hereby approved (other than the replacement glazing shown on the approved drawings) without our permission. This is despite the provisions of Class A of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order (England) 2015 (or any order that may replace it).

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

Informative(s):

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

Item No.
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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.

Agenda Item 8

Item No.

8

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 7 June 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	16 Conduit Street, London, W1S 2XN		
Proposal	Dual/alternative use of the second floor for either office (Class B1a) or residential (Class C3) use (1 x 2 bedroom unit). Installation of 4 x external grilles at second floor level on the Mill Street elevation and 1 x external grille on Conduit Street elevation.		
Agent	Rolfe Judd Planning		
On behalf of	BMO Real Estate Partners		
Registered Number	15/06533/FULL	Date amended/ completed	17 July 2015
Date Application Received	17 July 2015		
Historic Building Grade	Unlisted		
Conservation Area	Mayfair		

1. RECOMMENDATION

Grant conditional permission

2. SUMMARY

The application site is a corner building on Conduit Street with Mill Street to the northern elevation of the building. The basement and ground floor are in Class A1 use with ancillary use to the A1 at first floor level and the third and fourth floors floor in residential use (Class C3). The second floor is currently in office use (Class B1). The building is unlisted, in the Mayfair conservation area and within the Central Activities Zone.

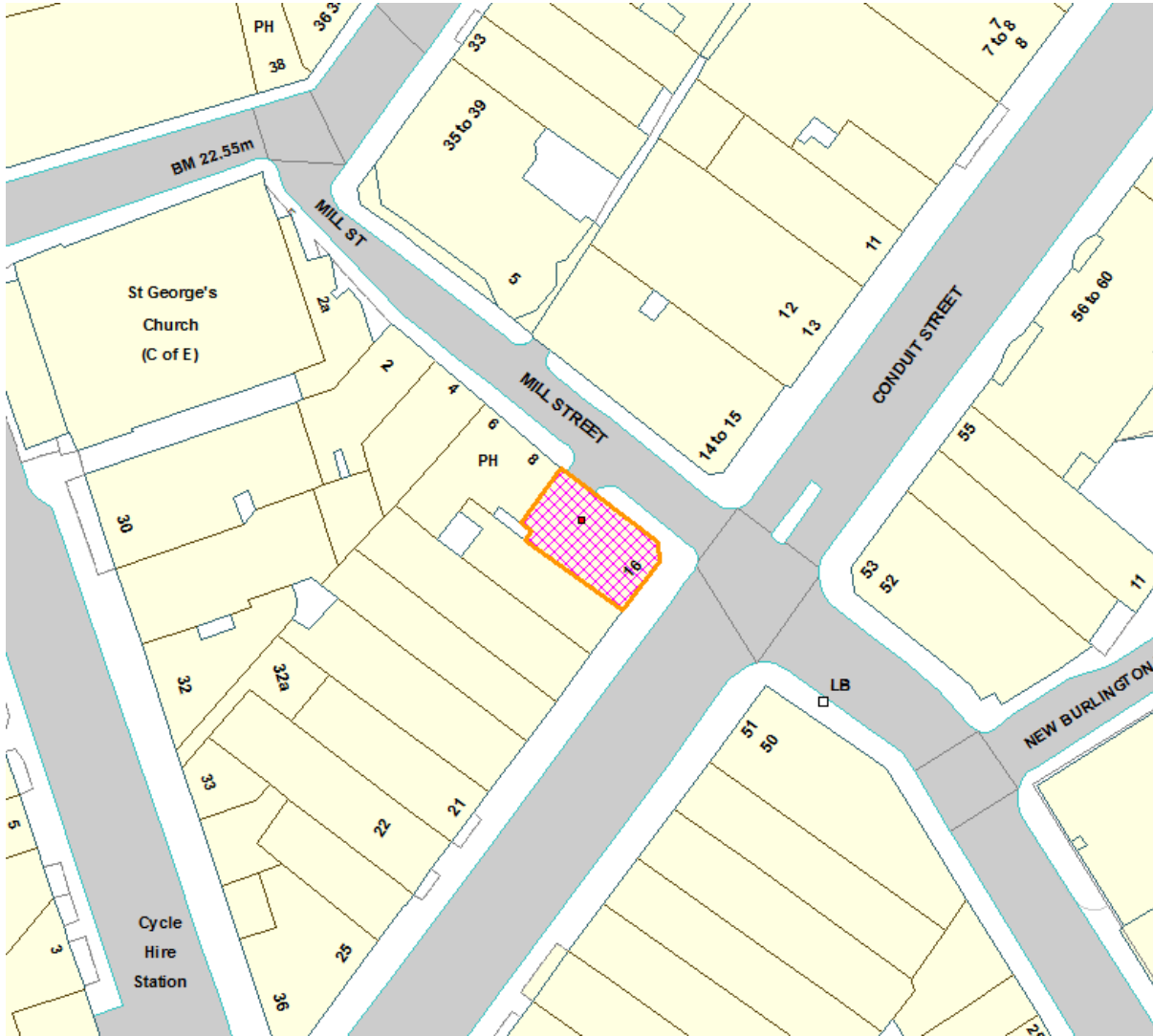
Permission is sought for the dual/alternative use of the second floor for either continued office (Class B1) use or as a residential (Class C3) use. Four external grilles at second floor level on the Mill Street elevation and one external grille on Conduit Street elevation are proposed to be installed. The key issues for consideration are:

- * The loss of lawful office use at second floor level.
- * The residential use could conflict with the established commercial activity at an adjoining public house.

The application is acceptable in land use, design, amenity and highways terms and is in accordance with the policies set out in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic

Policies (City Plan).

3. LOCATION PLAN



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4. PHOTOGRAPHS

Photograph 1. View of Conduit Street and Mill Street frontage showing proposed grilles



5. CONSULTATIONS

Residents Society of Mayfair & St. James's:
No objection

Environmental Health:
No objection

Highways Planning:
Parking pressures remain below the stress level. No cycle parking.

The application has been re-advertised following the addition of the vents to ensure the residential units can be passively ventilated when the windows are closed.

Comments following revised scheme

Residents Society of Mayfair & St. James's:
Preferred option for residential. Some visual concerns-grilles appear to be integrated. No sustainable objection.

EH Consultation:
No objection subject to condition relating to use of rear flat roof.

Cleansing:
No objection subject to condition.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 26
Total No. of replies: 2
No. of objections: 2
No. in support: 0

Two letters of objection have been received from the adjoining public house citing that the residential use could conflict with established commercial activity.

The first letter dated 7th September 2015 states that the public house has a lawful (RN: 12/05809/FULL and 12/12061/FULL) roof terrace at first floor level which is occupied by patrons between 09:00 until 23:00. There is concern that nearby residential uses may impact on its operation if noise complaints are received.

The second letter dated 21st October 2015 states that their own environmental noise consultants (RBA Acoustics) have reviewed the noise assessments in support of separate application proposals at 18 Conduit Street (RN: 15/05543/FULL and 15/07348/FULL). Concern is raised with the lack of consideration given to the noise impacts on the proposed residential development from the existing and established terrace associated with the public house. Request that provision should be made for legal clauses in the proposed flat's tenancy agreements preventing future tenants from lodging complaints against the pub.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is a corner building on Conduit Street with Mill Street to the northern elevation of the building. The building consists of ground and four upper floors. The basement and ground floor are in Class A1 use with ancillary use to the A1 at first floor level and the third and fourth floors floor in residential use (Class C3). The second floor is currently in office use (Class B1). The building is unlisted, in the Mayfair conservation area and within the Central Activities Zone.

6.2 Recent Relevant History

None.

7. THE PROPOSAL

Permission is sought for the dual/alternative use of the second floor for either continued office (Class B1) use or as a residential (Class C3) use.

Revisions to the scheme have been proposed in order that the internal noise levels within the flats comply with the Council's noise policy. It is proposed to provide secondary glazing with the installation of 4 external grilles at second floor level on the Mill Street elevation and 1 external grille on Conduit Street elevation in order that the flat can be ventilated.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Loss of office use

There are no adopted policies within the UDP or City Plan which safeguard the existing office use. However, the City Council recognises that adopted development plan policies relating to office and mixed use policies are out of date and that, given recent pressures to convert office buildings to residential use, there is now an under supply of office accommodation within the borough, eroding the character of commercial areas resulting in a need to protect existing office floorspace. However, this objective still needs to be balanced against the requirement to provide new homes.

Consequently, interim measures, (set out in an initial statement dated 1 march 2015), have been drawn up in relation to the consideration of applications involving the replacement of offices with new residential floorspace. From 1st September 2015, any such applications will be determined under a 'presumption in favour of sustainable development' in line with national policy. This means that within the Core CAZ (and in other specified locations) housing is no longer acceptable in principle where it results in the loss of office floorspace. A further statement (dated 22 July 2015) confirmed that the

loss of offices will be acceptable where they are to other commercial uses, or outside of the Core CAZ or other specified locations.

The current application was submitted in July 2015 and therefore is not subject to consideration under the interim measures or emerging policies.

The City Council is in the process of making changes to City Plan Policy S20 (Offices and other B1 Floorspace) in order to restrict office to residential conversions in the Core CAZ and Named Streets. This emerging policy was subject to examination on 9 March 2016 and the changes made are currently subject to public consultation. Given that this policy is subject to public consultation and has not been deemed sound, it can currently be afforded little weight in the determination of this application.

The application allows for the re-introduction of office accommodation in this location which is supported by UDP policy COM 1 and S1 and S20 of the adopted City Plan.

Residential use

Policies H3 of the UDP and S15 of the Council's City Plan: Strategic Policies seek to maximise the amount of land or buildings in residential use. The residential use is proposed to comprise of a two bedroom unit and measure 63.9sqm, which comply with the minimum size requirements as stipulated within the London Plan.

It is noted that the proposal does not provide for an appropriate mix of unit sizes and the City Council normally require 33% of units in housing development to be family sized. This requirement however, will be applied with some flexibility, and given that only one unit is to be provided within the scope of this application, with an existing residential flat at third and fourth floor levels and internal access restricted, it would be difficult to refuse permission on the ground of a lack of a family sized unit.

Affordable housing

As the size of the flat would provide less than 1000sqm of new residential accommodation, there is no requirement to provide affordable housing.

8.2 Townscape and Design

The building is a Jacobean Revival building in red brick with stone banding and stone mouldings to the window openings. Subject to an amending condition requiring the proposed external grilles to be hidden behind terracotta coloured air bricks, the external alterations therefore are considered acceptable in design and conservation terms.

8.3 Residential Amenity

The application does not include any extensions that would impact on adjoining properties. The majority of the windows are at the front of the building with an outlook over Conduit Street and Mill Street. A bathroom window is located on the rear elevation overlooking the flat roof. It is not considered that the use of the second floor for residential purposes would result in any loss of privacy to neighbouring properties.

8.4 Transportation/Parking

There is no prospect of providing off street parking and the area is well served by public transport. Cycle parking is not indicated to be provided and given the constraints of the site, in terms of lack of vaults, and location on the second floor with no lift access, cycle parking could not be considered a reasonable requirement. A refusal could not be sustained on these grounds.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

The access to the second floor will be via the existing communal hallway which is accessed from Conduit Street. There are no proposed changes to the current access arrangements.

8.7 Other UDP/Westminster Policy Considerations

Impact on the Public House

An objection has been received from the operator of an adjoining public house who has a lawful first floor roof terrace to the rear. The operator is concerned that residential uses within the adjoining building may have an impact on the use of the terrace, in terms of noise and disturbance. The terrace was permitted in 2012, with conditions restricting its use including hours of operation (09:00-23:00), restrictions on playing music, and the capacity of the terrace which is restricted to 40.

The third and fourth floors of the application building are currently in residential use and evidence has been provided confirming that they have been since 2005. The agent has confirmed that the application does not propose the flat roof to be used as a terrace by the occupiers of the flat at second floor level. Given that the application does not propose a roof terrace, little weight is given to the objector's comments in this regard and it is not necessary for the Environmental Health office to consider any aspects that do not form part of the application.

However, a condition shall be imposed to control the use of the flat roof with access to be allowed for maintenance purposes.

A Noise Survey and Impact Assessment accompanying the application recommends that additional sound insulation measures should be incorporated prior to the occupation of the floor as residential to provide ensure the development achieves internal noise criteria. The agent has advised that they will provide secondary glazing and the unit will be ventilated in the form of vents in the façade. The Environmental Health Officer has not objected to these revisions. A condition is recommended to be imposed to ensure that these noise mitigation features are installed prior to the use of the second floor for residential use.

Conduit Street is located within central London, located between Regent Street and New Bond Street, whilst the area is predominately retail at ground floor, the area has entertainment uses, including A3 and A4 uses. The current conditions imposed to the adjoining public house are considered adequate to protect surrounding residential amenity.

The objectors considers it necessary to determine existing noise levels at the nearby terrace and to draw up a legal agreement that the occupiers of 16 Conduit Street cannot raise any noise complaints. Given that evidence has been presented confirming that third and fourth floors of 16 Conduit Street have been occupied in residential use since 2005 and that the noise levels within the proposed additional flat will meet the maximum levels set out within UDP Policy ENV 6 through the installation of noise mitigation measures, this request is considered to be over and above what could be reasonably required. There have been no records of complaints being made to the Council's Noise Team in respect to the use of the terrace.

With conditions imposed on the use of the terrace and noise mitigation measures, it is considered that any future residential occupier would be adequately protected from external noise sources. Therefore the objection from the public house is not sustainable in this regard.

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

There are no environmental impact issues associated with this proposed development.

8.12 Other Issues

9. BACKGROUND PAPERS

1. Application form
2. Response from Residents Society Of Mayfair & St. James's, dated 18 and 21 March 2016
3. Response from Residents Society Of Mayfair & St. James's, dated 10 September 2015
4. Response from EH Consultation, dated 8 March 2016
5. Response from EH Consultation, dated 29 April 2016
6. Response from EH Consultation, dated 15 December 2015
7. Response from EH Consultation, dated 22 September 2015

8. Response from Highways Planning - Development Planning, dated 27 October 2015
9. Response from Cleansing - Development Planning, dated 2 March 2016
10. Letter from occupier of Riverside House, 26 Osiers Road, dated 9 September 2015
11. Letter from occupier of Riverside House, 26 Osiers Road, dated 21 October 2015

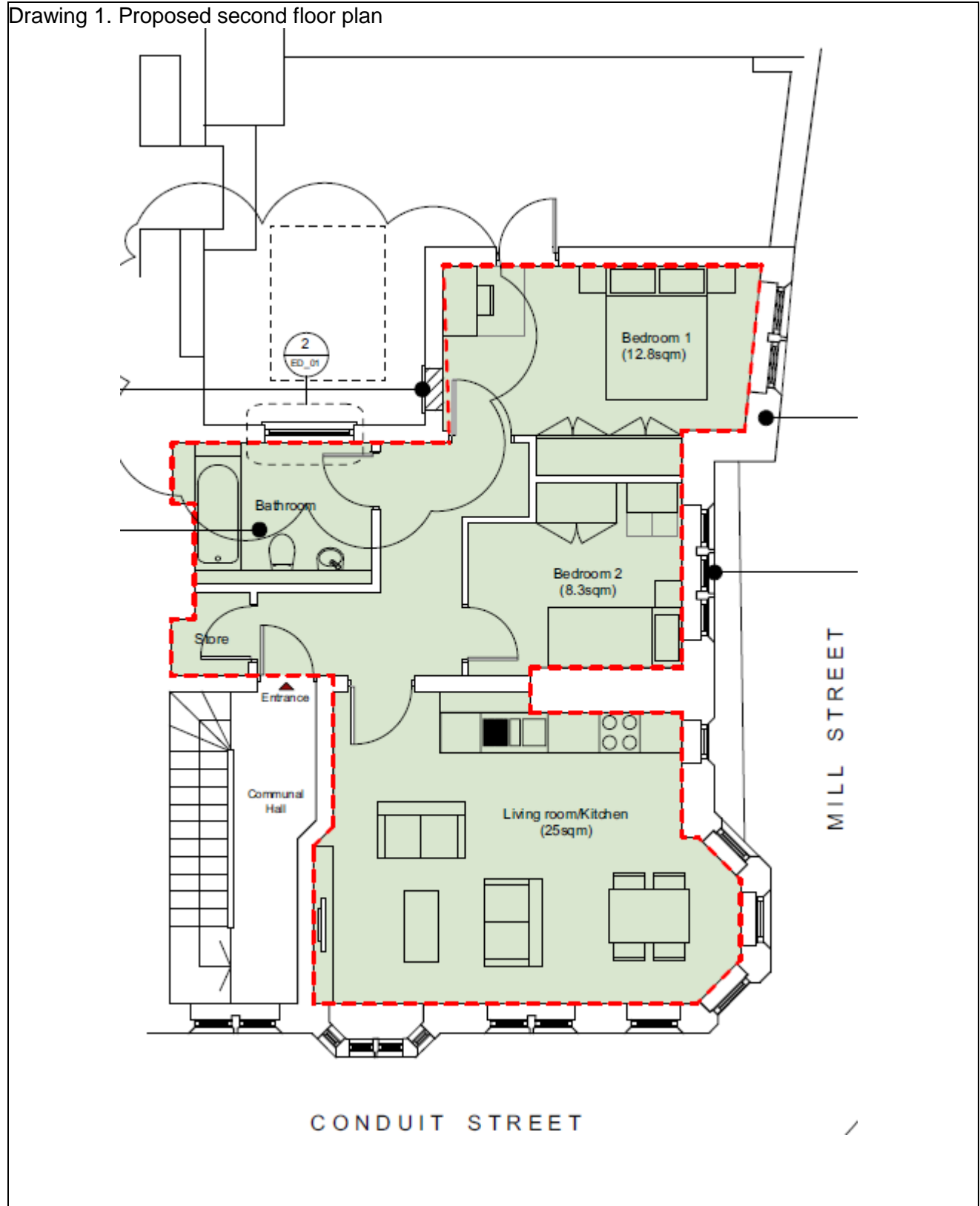
Selected relevant drawings

(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 LINDSAY JENKINS ON 020 7641 5707 OR BY EMAIL AT ljenkins@westminster.gov.uk

10. KEY DRAWINGS

Drawing 1. Proposed second floor plan



Drawing 2. Proposed Elevations



CONDUIT STREET ELEVATION

MILL STREET ELEVATION

DRAFT DECISION LETTER

Address: 16 Conduit Street, London, W1S 2XN,

Proposal: Dual/alternative use of the second floor for either office (Class B1a) or residential (Class C3) use (1 x 2 bedroom unit). Installation of 4 x external grilles at second floor level on the Mill Street elevation and 1 x external grille on Conduit Street elevation.

Reference: 15/06533/FULL

Plan Nos: 205(GA)01 PL2, (GE)01 PL2, 205 (ED) 01 PL1, 205(VW)01 PL1.

Case Officer: Lindsay Jenkins

Direct Tel. No. 020 7641 5707

Recommended Condition(s) and Reason(s):

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

Reason:

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

- 2 The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

- 3 You must not use the rear roof at second floor level as a balcony or for any other purpose. You can however use the roof to escape in an emergency. (C21CA)

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13FB)

- 4 You must carry out any building work which can be heard at the boundary of the site only:

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

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

Reason:

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

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

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 6 Prior to the occupation of the second floor as residential (Class C3) you must install secondary glazing and the external grilles as shown on the approved drawings and these features shall be retained in place for as long as the second floor is in residential (Class C3) use.

Reason:

To protect the living conditions of people who may use the property in future as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13DC)

- 7 You must apply to us for approval of detailed drawings showing the following alteration to the scheme:

- The proposed external grilles hidden behind terracotta-coloured air bricks.

You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

Reason:

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

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 This development has been identified as potentially liable for payment of the Mayor of London's Community Infrastructure Levy (CIL). Responsibility for paying the levy runs with the ownership of the land, unless another party has assumed liability. We will issue a CIL Liability Notice to the landowner or the party that has assumed liability with a copy to the planning applicant as soon as practicable setting out the estimated CIL charge., If you have not already done so you must submit an **Assumption of Liability Form** to ensure that the CIL liability notice is issued to the correct party. This form is available on the planning portal at <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> , Further details on the Mayor of London's Community Infrastructure Levy can be found on our website at: <http://www.westminster.gov.uk/services/environment/planning/apply/mayoral-cil/> . **You are reminded that payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay.**
- 3 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 4 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:

* Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;

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

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

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

- 5 The sound insulation in each new unit of a residential conversion should meet the standards set out in the current Building Regulations Part E and associated approved documents. Please contact our District Surveyors' Services if you need more advice. (Phone 020 7641 7240 or 020 7641 7230). (I58AA)

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 9

By virtue of paragraph(s) 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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