



City of Westminster

Committee Agenda

Title:

Planning Applications Committee (3)

Meeting Date:

Tuesday 6th September, 2016

Time:

6.30 pm

Venue:

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

Members:

Councillors:

Andrew Smith (Chairman)
Louise Hyams
Barbara Grahame
Robert Rigby



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. CARLTON COURT, 120 MAIDA VALE, LONDON, W9 1QA | (Pages 3 - 28) |
| 2. 8 CONNAUGHT SQUARE, LONDON, W2 2HG | (Pages 29 - 48) |
| 3. 16 - 17 MONTAGU SQUARE, LONDON, W1H 1LE | (Pages 49 - 70) |
| 4. DUDLEY HOUSE, NORTH WHARF ROAD, LONDON, W2 1LE | (Pages 71 - 82) |
| 5. 34 CHEVAL PLACE, LONDON, SW7 1ER | (Pages 83 - 102) |

**Charlie Parker
Chief Executive
26 August 2016**

Agenda Item

CITY OF WESTMINSTER

PLANNING APPLICATIONS COMMITTEE – 6th September 2016

SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Item No	References	Site Address	Proposal	Applicant
1.	RN NO(s) : 16/05230/FULL Abbey Road	Carlton Court 120 Maida Vale London W9 1QA	Demolition of existing five storey building and out buildings and erection of a part five and part three storey serviced apartment hotel building (Use Class C1) with restaurant and spa facilities in newly excavated basement and erection of single storey stair structure in rear garden to provide access to the basement.	
Item No	References	Site Address	Proposal	Applicant
2.	RN NO(s) : 14/11257/FULL 14/11258/LBC Hyde Park	8 Connaught Square London W2 2HG	Use as a single dwellinghouse, excavation of basement floor below rear extensions and rear lightwell, erection of infill extension at lower ground level within rear lightwell, installation of mechanical plant on rear first floor level terrace and associated internal and external alterations.(ADDENDUM REPORT)	
Item No	References	Site Address	Proposal	Applicant
3.	RN NO(s) : 16/03933/FULL 16/03934/LBC Bryanston And Dorset Square	16 - 17 Montagu Square London W1H 1LE	Amalgamation of ground and front basement residential units (Class C3) within No. 16 Montagu Square and No. 16a Montagu Square to create one maisonette (Class C3) over ground and front basement floor levels. Excavation beneath one of the vaults to allow the use as habitable accommodation and internal alterations.	
Item No	References	Site Address	Proposal	Applicant
4.	RN NO(s) : 16/07520/COGA DF Hyde Park	Dudley House North Wharf Road London W2 1LE	Details of revised cladding material (replacement of brick slips with terracotta cladding) pursuant to Condition 42 of planning permission dated 29 April 2016 (RN: 15/11458/COFUL).	

CITY OF WESTMINSTER

PLANNING APPLICATIONS COMMITTEE – 6th September 2016

SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Item No	References	Site Address	Proposal	Applicant
5.	RN NO(s) : 16/02416/FULL Knightsbridge And Belgravia	34 Cheval Place London SW7 1ER	Excavation to create single storey basement extension, the erection of a single storey ground floor rear extension and the reconfiguration of the front mansard dormer.	
Recommendation Grant conditional permission.				

Agenda Item 1

Item No.

1

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 6 September 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Abbey Road	
Subject of Report	Carlton Court, 120 Maida Vale, London, W9 1QA,		
Proposal	Demolition of existing five storey building and out buildings and erection of a part five and part three storey serviced apartment hotel building (Use Class C1) with restaurant and spa facilities in newly excavated basement and erection of single storey stair structure in rear garden to provide access to the basement.		
Agent	Mr Amin Taha		
On behalf of	Honosa Ltd		
Registered Number	16/05230/FULL	Date amended/ completed	22 June 2016
Date Application Received	3 June 2016		
Historic Building Grade	Unlisted (but adjacent to grade II listed buildings to the south)		
Conservation Area	St John's Wood		

1. RECOMMENDATION

Refuse permission - design, amenity, overheating/ventilation and trees.

2. SUMMARY

Carlton Court is a mid twentieth century building, which is currently in use as serviced apartments (Use Class C1). The building comprises of two parts, a five storey building which fronts onto Maida Vale and a thinner three storey building which extends back into the application site. To the rear of the site there are existing garage structures, some of which have been converted to ancillary storage and office space for the hotel. There are currently two access routes down either side of the building. The rear area is currently all hard standing and used for parking.

The building and outbuildings are unlisted however the buildings to the south are Grade II Listed. The site is located outside of the Central Activities Zone (CAZ) and is not on a CAZ frontage or within a special policy area.

There have been two recent planning applications for redevelopments of different scale and form at the site, both of which were withdrawn following officer comments that they were not acceptable.

Permission is again sought for the demolition of the existing building and outbuildings and erection of a replacement part five, part three storey building to be used as serviced apartments with ancillary restaurant, bar and lounge at ground floor level. A basement is also to be excavated, both under the main building and out under the rear garden to provide a pool and spa facilities. The rear garden is to be re-landscaped and will feature a single storey extension, which provides light and access down to the basement facilities.

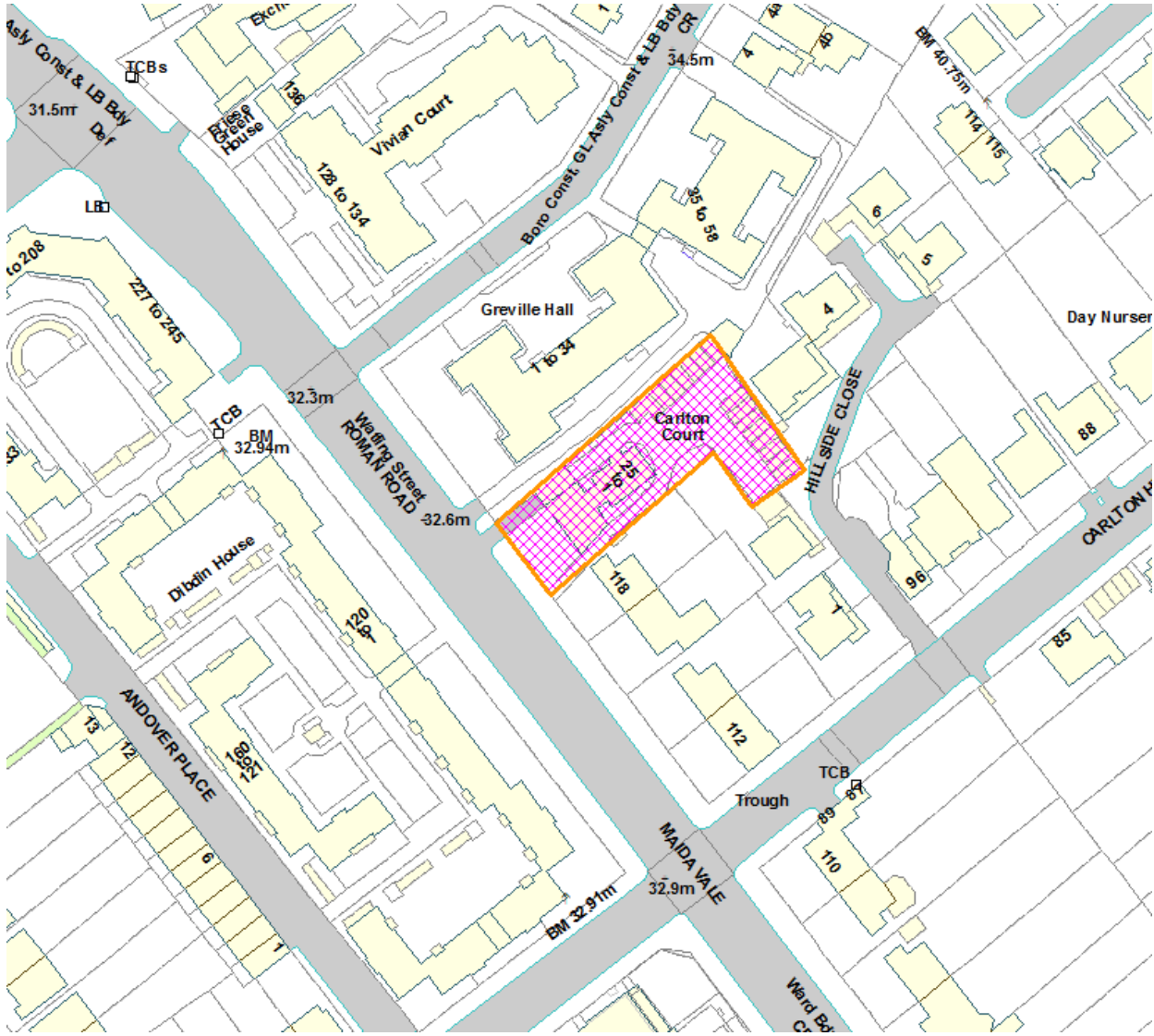
The key issues with this application are:

- * The impact of the redevelopment on the character and appearance of the conservation area and adjacent listed buildings.
- * The land use implications of a hotel redevelopment in this location.
- * The environmental impact of the redevelopment including the impact on amenity of nearby residents.
- * The impact of the redevelopment on trees.

Objections have been received on the grounds of loss of amenity, loss of parking and in relation to disturbance and potential harm to adjacent residences as a result of the excavation and construction works.

The submitted drawings and supporting documents include numerous errors, inconsistencies and insufficient information, which has resulted in an inability for the development proposals to be suitably assessed by officers. The application is therefore considered to be contrary with policies in Westminster's City Plan (City Plan) and the Unitary Development Plan (UDP) and is recommended for refusal on the grounds of insufficient information, which renders the application unacceptable in terms of design, amenity, ventilation/cooling and tree grounds.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front elevation above; rear yard below





rear elevation above



view from rear of northern side of buildings adjacent to Greville Hall

5. CONSULTATIONS

WARD COUNCILLORS:

Any response to be reported verbally.

LONDON BOROUGH OF CAMDEN:

Any response to be reported verbally.

TRANSPORT FOR LONDON (TfL):

No objection.

HISTORIC ENGLAND:

No comment, application should be determined in line with national and local policy guidance.

ENVIRONMENT AGENCY:

Confirmation that they did not need to have been consulted.

THAMES WATER:

Recommendations in relation to waste and water conditions and informatives.

ST JOHNS WOOD SOCIETY:

No objection to demolition of the existing building. Comment that the design of the replacement building is not of sufficiently high quality for the St John's Wood Conservation Area; that there is no distinguishable entrance visible from the street; poor choice of facing materials. They also query how windows would be cleaned, where the lift overrun would be located and that no plant equipment is shown.

PADDINGTON WATERWAYS AND MAIDA VALE SOCIETY:

No objection, but comment that neighbour's and St John's Wood Society's views should be taken into consideration.

ENVIRONMENTAL HEALTH:

No objection subject to standard noise conditions in relation to the proposed plant. It is noted that the background noise levels are above WHO Guideline levels to the front of the building and below WHO Guidelines to the rear of the building. Therefore the relevant condition will depend on what plant is to be installed and where.

BUILDING CONTROL:

The submitted structural information is acceptable. Comment that the layout of the building does not appear to comply with Building Regulations.

ARBORICULTURAL OFFICER:

Objection on the grounds of incorrect and insufficient information.

GO GREEN OFFICER:

Confirm that the proposed percentage reduction on carbon emissions is acceptable.

HIGHWAYS PLANNING MANAGER:

No objection.

CLEANSING MANAGER:

Raise no objection subject to servicing taking place off street.

ADJOINING OWNERS/OCCUPIERS:

No. consulted: 77

No. of replies: 6 letters of objection from 4 residents raising some or all of the following points:

Amenity:

- Increased noise and disturbance as a result of the rear area being used as a terrace, particularly given previous erection of a marquee and use as a Shisha bar.
- The rear flat roof at third floor level could be used as a terrace which would cause noise issues.
- Concerns that the proposed skylight within the garden may block out sunlight or result in loss of privacy to adjacent flats.
- Impact of development on 'rights to light' on residents within Greville Hall.

Highways:

- Query as to what parking is provided following the removal of the existing parking facilities.

Other matters:

- Concerns in relation to building works and their impact on adjacent residential building, their occupants and their services.
- Concerns that basement of adjacent Greville Hall will become more water logged than existing.
- The demolition of the garages will disturb existing waste facilities for adjacent residents.
- Concerns in relation to subsidence and rising damp.
- Noise, dirt and disturbance from building works.

ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION**6.1 The Application Site**

Carlton Court is located on the eastern side of Maida Vale in the St John's Wood Conservation Area. It is currently occupied by a mid 20th century hotel building which is set over ground and four upper levels at the front and three storeys high at the rear. There is also a plant room at fifth floor roof level. To the rear of the site there are existing garage structures, some of which have been converted to ancillary storage and office space for the hotel. There are currently two access routes to the rear down either side of the building. The rear area is currently all hard standing and used for parking. The site is located outside of the Central Activities Zone (CAZ) and is not on a CAZ frontage or within a special policy area.

The buildings themselves are unlisted however the buildings to the south are Grade II Listed. To the north of the property on Maida Vale is a residential block of flats called Greville Hall, which face onto both Maida Vale and Greville Place, which runs between the application site and Greville Hall. To the east on Maida Vale are large two and three-storey residential dwellings, within a private development called Hillside Close.

6.2 Recent Relevant History

Two applications have recently been submitted, one in 2014 and one in 2015, which both included the demolition of the existing building and redevelopment, to provide a mixture of serviced apartments and new residential dwellings. Both applications were withdrawn following comments from officers that they were unacceptable in terms of design, amenity, affordable housing, substandard accommodation, tree works and on sustainability grounds.

A certificate application was granted on 13 August 2009, which established the lawful use of the building as a hotel (Class C1). It is considered that this remains to be the lawful use.

Records indicate that enforcement action was taken in 2012 in relation to a marquee which was erected to the rear of the site, used for shisha smoking. The marquis and associated activities stopped prior to the issuing of a formal enforcement notice.

7. THE PROPOSAL

Planning permission is sought in relation to the demolition of the existing five storey hotel (Class C1) and single storey ancillary garage buildings to the rear, and to rebuild a part five storey part three storey building with a newly excavated basement to be used as an aparthotel (Class C1) consisting of 12 suites and 8 rooms. The new basement includes spa and pool facilities and the ground floor includes a hotel restaurant, bar and lobby. The rear garden is to be landscaped to provide gardens to the hotel. A single storey structure is also proposed, which provides light and access down to the basement.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposals are for the re-provision of an aparthotel on the site. Similar to the existing use, the rooms are to be in the form of serviced apartments / studios, whereby each room has its own cooking facilities. The development will result in a net increase of 655sqm floorspace (from 1139sqm to 1794sqm).

Policies TACE 1 of the UDP and S23 of The City Plan seek to protect existing hotels where they do not have significant adverse effects on residential amenity. As there are no reported issues in relation to the existing hotel (since the ceasing of the shisha smoking in 2012), the retention of a hotel is considered to be in accordance with these policies.

Policy TACE 2 of the UDP relates to new hotels and extensions to existing hotels and states that outside the CAZ, CAZ Frontages and special policy areas, planning permission for new hotels would not be granted. The policy does allow for extensions to existing hotels, where they are appropriate in design terms, where facilities to non-residents are not lost, where the extension would not result in intensification of use of facilities by non-residents, where there would be no adverse effects on residential amenity and no loss of permanent residential accommodation.

Pool and Spa:

The proposals include the provision of a basement pool and spa facilities. In order to comply with UDP policy TACE 2 (C), should the proposals have been considered acceptable in other terms a condition would have been recommended to ensure that these facilities are not available to non-residents of the hotel to confirm that that the use is not intensified.

New restaurant and bar:

The proposals result in the creation of a new restaurant/bar and lobby area at ground floor level. There is an existing restaurant area in the current hotel, which is not restricted by conditions as it formed part of the certificate of lawful existing use. The existing restaurant is small, with around 24 covers and a small kitchen located towards the rear of the building. It appears to largely just provide breakfast to hotel guests and tea and coffee making facilities. The proposals result in the provision of a much larger ground floor restaurant, lounge and bar area with around 64 covers in the restaurant (which matches the number of covers required should the hotel be at full capacity), 5 in the bar and a further 18 in the lounge.

It is unknown if the restaurant would not be operated as a stand-alone facility, however the elevations do not show any signage so it is assumed that it would be ancillary to the primary hotel use (Class C1), despite this the impact of the restaurant needs to be assessed against the City Council's entertainment policies.

In this instance, the proposal involves the provision of a restaurant measuring approximately 123sqm, which increases to 338sqm if you include the lounge / entrance area and therefore policy TACE 9 of the UDP applies. The existing restaurant is of approximately 65sqm. Similarly to policy TACE 2, Policy TACE 9 states that permission will only be granted for restaurant uses (between 150m² and 500m²) where the City Council is satisfied that there is no adverse effect on residential amenity or local environmental quality, and no adverse effect on the character or function of the area. In reaching decisions, the City Council will have particular regard to factors including the number of people on the premises, the opening hours, servicing and arrangements to safeguard amenity (such as means of extraction/ventilation etc). Policy S24 in The City Plan is similarly worded.

Therefore, in order to satisfy these policies, the proposals need to demonstrate that they would not have a negative impact on the character of the area or have a negative impact on the amenities of neighbours.

There are currently no conditions which would limit the use of the rear area of hard standing for ancillary hotel uses, however the current layout of the hotel does not lend itself to such activity, with the rear used for parking, with access out to the rear via a side exit. The new restaurant is located towards the rear of the building, adjacent to the re-landscaped garden. Neither the plans nor the elevations confirm if the rear facing fenestration is to be windows or doors, however it is likely that access would be provided out onto the rear. The proposed redevelopment will inevitably result in the gardens being used more intensively than existing, which would have an impact on the amenities of surrounding residents in terms of noise from general activity.

Given the location of hotel bedrooms on the upper levels, it would be in the interests of the hotel to ensure that the restaurant and rear garden are properly managed. Should the proposals have been considered acceptable in other terms, a condition would have been recommended to ensure that the restaurant and bar were only used by hotel guests in order to protect both the character of the area and the amenity of neighbours. Allowing an unrestricted use would likely give rise to an

increase in activity from non-residents coming and going from the site and in providing a more intensively used restaurant, to the detriment of the area. Conditions would also have been recommended to ensure that the rear garden was not accessed after 10pm and for the submission of an operational management plan to show how guests would be managed in order to protect the amenity of surrounding residents.

In summary, despite the location of the site, which is not characterised by hotels or restaurants, given that the proposal involves the relocation of an existing restaurant from within the same site, and subject to the aforementioned conditions, it is not considered that the proposed ancillary ground floor facilities would have a significant adverse effect on the character or function of the area.

The ventilation and plant requirements for the hotel and its facilities are discussed in section 8.7 of this report.

8.2 Townscape and Design

The building itself is not listed, though the 19th century villa buildings located to the immediate south of the application site are Grade 2 listed. The existing main building is noted in the St John's Wood Conservation Area Audit as having a neutral contribution to the conservation area. Whilst of limited design quality in itself, it does at least incorporate yellow stock brickwork as the principal facing material, with use of stucco to highlight particular features - most notably the base to the composition at ground floor level, and in this regard, the general use of materials sits reasonably comfortably with the character of the surrounding area where brick and stucco are the dominant facing materials and commonly have ground floors picked out in white painted stucco with exposed brickwork above. The windows are arranged in horizontal openings, however have a distinct vertical rhythm of white coloured framing to the glazing. Overall, the block is not of high design quality, however it sits not uncomfortably in the context of Maida Vale. Its demolition would be considered acceptable in principle subject to a suitable replacement building. The single storey blocks to the rear of the site have no design interest, and their demolition is uncontentious.

The St John's Wood Society note that though they have no objection to the demolition of the existing building, they consider that the design of the replacement building is not sufficiently high for the conservation area, and they make particular reference to their concerns about the lack of a distinguishable entrance visible from the street, and the choice of facing materials. Officers share some of these concerns, and do not consider that the proposed new building is of sufficient quality and appropriate character to sit appropriately in this Maida Vale context. It is also notable that the drawings which have been submitted to accompany this application are inconsistent in terms of how they represent the development proposed, and the following comments are to be taken within this context.

In terms of the height and bulk of the proposed new building, the lack of full clarity on this issue is not considered appropriate for a significant new development to this prominent site.

Notwithstanding the inconsistencies between submitted drawings, a suggestion of the applicant's general intentions in terms of the bulk of the building is included in a site plan hatched to show areas of additional and reduced footprint. This sketch and other drawings shows the proposed width of Maida Vale frontage narrowing slightly to the north side as compared to the existing building, and as such the building would retain a significantly narrower frontage than the mansion block to the north side and one roughly comparable to the width of the numbers of paired villa buildings to the south in Maida Vale. The height of the proposed building appears roughly

comparable to the main roof level to the existing block, though with a relatively modest increase in massing to the rear extension of the building as compared to the existing. The main roof level of the proposed building is slightly lower than existing, though the pitched roof mansard of the existing top floor is replaced by a sheer storey giving a small degree of additional bulk to the impression of the building. Though an accurate set of drawings would have been required to allow for a full assessment, the impression given as the application submission stands is that the height and bulk of the new building could have the potential to be considered acceptable in principle.

The development of only the frontage block to the site, and creation of a particularly large garden to the rear could be argued to represent a sub-optimum development of the site, however this is not considered as a reason for refusal in itself.

The principal issue of concern with regards to the new building proposed is in relation to its architectural approach and quality, and in this respect the scheme is considered unacceptable. Though the submitted plan drawings show a quite different arrangement of building in terms of scale and positioning of the windows, the elevations and visual perspective submitted appear to largely tally with each other, and these show a highly striking new development.

The basic design approach of the building is for each elevation to comprise a continuous grid of particularly large windows set into and slightly recessed behind a relatively slender framework of yellow stock brickwork. Overall, the building is not considered appropriate in terms of its design to make a positive contribution to the character of the townscape of Maida Vale. Notwithstanding that the building is proposed for a hotel use, it nonetheless stands out unacceptably in context with the more low key residential uses predominating in the surrounding area, and in officers consideration appears with a scale of window opening and with a styling/visual impression giving it a more industrial aesthetic and more overtly commercial character, rather than one more successfully integrated to the Maida Vale townscape where the strongly defined pattern to the street is for buildings to have a more restrained architectural character with a greater visual solidity to their elevations.

The front and rear elevations have a variation to the window grid not found to the side elevations, with the two bays flanking the pair of central windows to each floor level being notably narrower than the surrounding windows. The impression is somewhat lost to the rear as this design detail is not carried through onto the rear extension, though on the front it is readily appreciable and is emphasised further by the projecting oriel windows being found only on the outer pair of bays. Though this rhythm of bays introduced into the composition of the front elevation adds some interest, the remainder of the elevations largely have an impression of an undifferentiated grid of windows which in its repetitive nature and large scale of window openings is not considered appropriate. There is also little distinction given to the treatment of any of the floor levels with regards to a differentiation in design or use of differing brickwork textures or bonding patterns (for instance) to give the composition a defined base or strong definition of floor levels, and also no clear sense of a strongly defined termination of the roofline to the façade (with this parapet line further cluttered by the prominent railings shown to the edge of each façade on the elevation drawings). This largely unelaborated brickwork facing together with the scale and repetitive nature of the window openings gives an overall impression of a rather monolithic block with an overly imposing architectural unity, especially given that the approach is taken onto the side elevations (and therefore around the entire development) where the standard pattern in the area is for buildings to have a more restrained approach to side elevations differentiating the appearance of the building as it responds to the varying site conditions to each elevation (also in

order to protect residential amenity, considered elsewhere in this report). At night time when lit from within, this very significantly glazed development could have an overwhelmingly dominant visual impact.

The design approach of the grid of largely undifferentiated windows mitigates against the main entrance to this relatively large new development being a distinctive point in the composition, which negates the possibility for some detailed design interest to be introduced or for the main entrance to be a focal point for the front elevation as would be a standard approach for new buildings. This has been raised as a particular point of concern by the St John's Wood Society. The design of the oriel window features are shown in some detail in the submission, and they appear of attractive detailed character in themselves and appear relatively well integrated into the design of the building. They do not in themselves however overcome the concerns set out more generally with regards to the design approach of the building.

The scale of the windows is particularly striking, and is considered out of character with the surrounding townscape context, and particularly when seen in context with the run of listed buildings to the south, including the paired villa building at nos. 116-118 to the immediate south side of this site. The windows are very considerably larger than the much smaller sash window proportions of this pair of listed buildings to the south side, and the proximity and striking nature of the new building proposed would unacceptably impact upon the setting of those listed buildings.

It is noted however that though the drawings do not show such features, the new building is likely to incorporate a new lift overrun and new plant structure to the main roof level (as noted elsewhere within this report) and some drawings do show railings around the parapets and a very large 'V' shaped projecting roof structure, and whilst these may not be anticipated to be of the bulk of the existing plant room/lift structure they could nonetheless represent unattractive structures likely to clutter the roofline of the building.

The large scale of the windows proposed has implications for the potential for overheating within the building, an issue considered elsewhere in this report. It is also of note that the submitted acoustic report states that plant will be located within two basement plant rooms and with 'louvre intakes/outlets at various levels above ground floor level', and with plant also proposed to roof level. No drawings show such equipment however, and the lack of information on such equipment allowing for a full consideration of what could be unattractive and cluttering features to the building is not considered appropriate.

The submitted demolition drawing shows the existing front boundary wall as being removed, and a comparison of the existing and proposed plan drawings show a new boundary frontage which differs in a number of respects from the existing. The drawings however differ from the visual montage submitted which essentially shows no boundary treatment other than two very low level planters. There is therefore no clarity on the design or height of this new boundary wall, which is not considered appropriate given its openness to view from a wide stretch of Maida Vale. This is of particular concern given that some of the information submitted could be interpreted to show a very open arrangement to the frontage, with consequent inappropriate loss of definition between the pavement and building frontage. With regards to the frontage wall, from the information on the plan drawings the front boundary wall appears only to have vehicular entrances and does not appear to have any form of continuous pavement/pedestrian route from the public footway to the front door to allow for the ease of pedestrian entrance onto the site which is not an appropriate arrangement, however had the application as a whole being considered acceptable then this issue could have been resolved by further negotiation/conditions.

The St John's Wood Society raise queries about how the windows would be cleaned, where the lift overrun would be located and that no plant equipment is shown, and these issues are considered pertinent, as no such equipment is shown and though the detailed design of the oriel window features around the elevations has some detailed design interest in itself, nonetheless the method of cleaning such projecting glazed structures is not made clear in the submission.

It is recognised that the existing building on site dates from the mid 20th century and is only recognised as being of neutral interest within the St John's Wood Conservation Area Audit, however notwithstanding its limited architectural qualities, its use of render and brickwork and its scale and proportioning of window openings give it a restrained character which does not sit uncomfortably within the Maida Vale townscape. Given all the above comments, the architectural approach taken for the proposed new building is not considered appropriate for this prominent Maida Vale site within the St John's Wood Conservation Area, and it is considered overly visually striking in itself, of inappropriate styling to successfully integrate with the surrounding townscape character and of detriment to the setting of the adjoining listed buildings to the south side. In addition, the accuracy and consistency of the plans is also a concern of significance with regards to a consideration of the scheme. As such, the proposals are considered contrary to policies DES 1, 7, 9 and 10 in our Unitary Development Plan, and policies S25 and S28 in our City Plan.

8.3 Residential Amenity

Light and Sense of Enclosure:

Policy ENV13 of the UDP and Policy S29 of the City Plan seek to protect the amenities of neighbouring occupiers. Concerns have been raised by neighbours in respect of the impact of the proposed development on their light, outlook and privacy.

The proposed main street facing part of the building would appear to be shorter than the existing building as it does not include a plant/lift over run at fifth floor level, it has also been pulled in from the boundary with Greville Hall by approximately 0.5m. The new building retains the same stepped nature as the existing building with the main street facing part of the building being wider and taller than the three storey building which extends out to the rear. However, the main front section is deeper than the existing building, with a depth of 14.6m compared to the existing building which is 9.1m deep. The three storey rear extension is also slightly wider than existing, measuring 12.3m wide rather than 9.4m as existing.

The north elevation drawing submitted with the application incorrectly indicates the existing building line, as it shows that the proposed bulk is similar to existing, however the plans show that the building is to be built out further as outlined above, the submitted information is therefore conflicting. On the basis that the plans are correct, given that they show the internal arrangement of the rooms, the additional bulk, namely at third floor level, will have an impact on the amenity of neighbouring residents, particularly Greville Hall to the north which has windows looking onto the site. Two objections have been received from residents within this block.

The extended flank wall would be clearly visible from the windows in the side of Greville Hall and the windows of the one-bedroom flats that occupy the south west corner which are approximately 8m away. The BRE report carried out by GL Hearn and submitted as part of the application acknowledges that there are 5 windows which would be negatively affected however it also notes that it is likely that the rooms served by these windows are also served by windows in the east facing elevation of Greville Hall. Despite an officer request for a complete daylight sunlight report, the report is incomplete as it includes no figures to specify exactly what these losses are, and no

details to confirm what massing of proposed building has been tested. Despite this, an officer site visit undertaken as part of one of the previous applications confirmed that whilst the living rooms of these one bedroom flats are served by windows on the south, west and north facing elevations, the sole bedrooms are served by a single window in the south elevation facing the application site.

Given the lack of exact figures it is not clear how badly the 5 windows which do not pass the BRE VSC test fail in order to make a detailed assessment. In addition, without accurate plans and elevations it is also hard to assess the impact in terms of sense of enclosure. It is considered that insufficient information has been provided to make this assessment. The proposals are therefore considered to be contrary to policies ENV13 and S29.

Objections have also been received on the grounds of rights to light as a result of a proposed structure within the rear garden, which provides access down into the basement. In relation to the garden structure, given its location set away from the boundaries, its height limited to a single storey and given the existing garage structures which are to be removed (retaining the existing boundary walls behind), it is not considered that this structure will have a material impact on adjacent residents. In relation to rights of light objection from a resident within Greville Hall, this is a separate legal procedure, which would be a private matter between the applicant and the affected neighbours.

Overlooking:

Objections have been received on the grounds of noise and general disturbance, but mainly on the grounds that the third floor flat roof would be used as a terrace. Comments in relation to the use of the rear garden by hotel guests are addressed within the Land Use section of this report (Section 8.1).

The plans submitted with the application indicate that the rear flat roof is not to be used as a terrace and is to feature a green roof. No railings have been shown around this roof. In order to ensure that this roof, or indeed the roof of the main building is not used as a terrace, a condition would have been recommended to limit access for emergency use only should the proposals have been considered acceptable in other terms.

There are currently no windows in the northern or southern sides of the main street facing building. Section 3.3 of the design and access statement states that 'the north and south elevations omit all windows with the exception of one at high level, and deeply recessed. The removal of windows allows acceptable levels of privacy from and into Greville Hall, Hillside Close and the 2 storey villa'. All of the application drawings indicate that windows are proposed in the north and south elevations. There is also a discrepancy between the size of the windows; with the plans showing small windows to serve each of the rooms, but the elevations show very large windows. Furthermore the submitted overheating analysis details that the windows will be opaque glazed, with the top part left clear in order to protect amenity but to provide additional light into the rooms, this detail is not reflected on the elevations.

The most affected property in terms of overlooking is Greville Hall to the north, particularly given that the main north facing elevation of the building currently has no window openings. While the provisions of some small windows, with opaque glazing may be acceptable, the proposals for large windows as shown on the elevation drawings are considered to be unneighbourly. Even if these windows are to be completely opaque, residents would still maintain the perception of feeling overlooked as a result of the new windows and associated light spill. On the assumption that the elevations correctly show the amount of fenestration, the proposals are considered to

have a negative impact on residents within Greville Hall, contrary to policies ENV13 and S29 and are therefore recommended for refusal.

8.4 Transportation/Parking

Currently parking is provided on the existing hard standing to the rear of the site. The garages which surround the end of the site, are no longer used for the parking of vehicles. Policy TRANS 22 of the UDP states that car parking facilities would not normally be permitted for hotels. The plans provided with the application do not indicate the provision of any car parking on site, with the rear hard standing re-landscaped and the garages removed to provide a hotel garden area. However, the Transport Statement submitted with the application states in Section 1 that there will be 10 spaces provided, in Section 7 that there will be 9 spaces and in Section 9 that there will be a maximum of 12 spaces provided. On the presumption that the submitted plans are correct, should the proposals have been considered acceptable in other terms, a condition would have been attached to ensure that no car parking is provided on site in accordance with Policy TRANS22.

Similarly, in relation to cycle parking, the Transport Statement indicates that 20 cycle parking spaces will be provided. The submitted ground floor plan shows 10 spaces provided at the rear of the garden. The Highways Planning Manager has confirmed that 10 spaces is policy compliant. Should the proposals have been considered acceptable in other respects, a condition would have been attached to secure this cycle parking provision.

8.5 Economic Considerations

Economic considerations are not required for a development of this scale.

8.6 Access

The site benefits from a forecourt, which allows for off street vehicle access. There is also currently access down either side of the building, providing access to the parking to the rear of the site. Only one of these access points would be retained to the southern side of the site, which is due to this section of land being under separate ownership. A private forecourt to the front is being retained.

It is unclear from the submitted drawings how pedestrians would access the site, with the plans only showing the vehicular access to the front forecourt (retained as existing). Should the proposals have been considered acceptable in other terms, a condition would have been attached to show how pedestrians and disabled access would have been provided.

8.7 Other UDP/Westminster Policy Considerations

The Basement Revision and Mixed Use Revision to the City Plan were submitted to the Secretary of State in December 2015. The independent examination was held in March 2016. Following the examination, a further consultation was held between 20 April and 5 June 2016, inviting responses to the proposed main modifications. Having considered the responses, none of the matters raised bring forward new issues which were not considered by the Inspector at the examination hearings in March.

Therefore, in accordance with Paragraph 216 of the National Planning Policy Framework, the Council will take the Basement Revision and Mixed Use Revision into account as a material consideration with significant weight in determining planning applications, effective from Tuesday 7 June 2016. One exception applies, in relation to the Basement Revision, specifically the application of the Code of Construction Practice [Policy CM28.1 Section A2b], which will be applied to applications received after the date of publication of the Code of Construction Practice document (26 July 2016). As this application was received prior to this date the Code of Construction Practice does not relate to this application.

The implications of the revisions to the City Plan for the development subject of this report are outlined in section 8.12 of this report.

Plant equipment and ventilation:

The submitted drawings have no reference to any plant or ventilation equipment. The applicant has provided a late submission stating that it would be possible to naturally ventilate the development. However, both the submitted acoustic report and the Overheating Analysis Reports refer to plant equipment being required to cool the building. Environmental Health has not raised objection to the proposals, however have stated that the submitted acoustic report confirms that background noise is above WHO guidelines to the front and below WHO guidelines to the rear. Therefore depending on the location of any plant equipment, a different condition would apply.

No details have also been provided in relation to ventilation equipment for the proposed restaurant, however a large kitchen is shown at basement level, which would therefore require ventilation. As the proposals do not indicate any plant or plant enclosure, it would not be reasonable to condition the submission of details, as this would likely result in a material alteration to the proposed scheme, such as a new plant room, which would have both noise and design implications, and potentially implications in terms of light and sense of enclosure, dependant on its proposed location. As the hotel would unlikely be able to operate with no plant in place (as confirmed by the overheating report which states that mechanical ventilation is required), the proposals are recommended for refusal on the grounds of insufficient information to demonstrate that such works would not have a negative impact in terms of design and amenity (including noise, smells, loss of light or increased sense of enclosure).

Refuse /Recycling:

The Cleansing Manager has received revised proposals in relation to the provision of waste storage. While no objection has been received in relation to these amendments, he does note that the servicing of the waste remains unclear. As the proposals are for the total redevelopment of the site, it would be expected that all servicing requirements would be off street. Should the proposals have been acceptable on other grounds, a condition would have been recommended to ensure that all servicing was undertaken off street.

Trees:

The Arboricultural Officer has raised objection to the proposed works as the submitted tree report appears to relate to the withdrawn 2015 application, given all of the appendixes relate to that case and not the current proposals. It is therefore not clear if the works outlined within the bulk of the report relate to the current proposals or the previous application. The application is therefore recommended for refusal on the grounds of insufficient information to demonstrate that the proposals would not cause harm to trees.

If the Arboricultural report is correct an objection is still raised as it states that pruning to allow access for the piling rig and high sided vehicles would be required to trees along the south boundary, including the London plane T9, and also T10 and T15-T19, which are located in the front and rear gardens of 188 Maida Vale. Branches of these trees overhang the property boundary by up to 4m, at varying heights. If the branches of these trees need to be pruned back to the property boundary it would be detrimental to the appearance and long term condition of the trees and would not be acceptable. Details of the extent of pruning have not been provided and are required.

T9 has already been heavily pruned on the Carlton Court side and further pruning should be minimised. The report makes reference to previous reduction points, but some of these previous reduction points are the result of unauthorised pruning works far in excess of what would have been agreed by the City Council, and therefore these reduction points should not be assumed to be acceptable.

The report does refer to pruning of smaller diameter branches only but does not give enough detail of the extent of pruning required. Should the proposals have been considered acceptable a detailed pruning specification for all of the trees on site would be required, in addition to details of the access requirements for vehicles and machinery.

The proposed tree protection is the existing hard surfacing and boundary wall, but depending on the extent of pruning proposed it may be appropriate and necessary to install additional tree protective fencing along a different line in order to ensure that tree branches are not damaged accidentally. It would also need to be demonstrated that the existing tarmac has the weight bearing capacity to support machinery of this weight without causing soil compaction. The Arboricultural Officer considered that additional ground protection would be required, but no construction management details appear to have been submitted, it is difficult to know what the construction impacts on the trees would be. Should the proposals have been considered acceptable, details of tree protected would have been secured by condition.

Given the level of landscaping proposed, with the hard standing to the rear of the site being replaced by gardens, a condition would have been imposed for the submission of a landscaping scheme to ensure that this is appropriate to the site.

Biodiversity:

The proposals include the provision of green roofs above the main building and the rear three storey building which are welcomed. Should the proposals have been considered acceptable, a condition would have been recommended to demonstrate the type of green roof proposed and how these would function with the proposed PV panels, which would affect the type of plants that could be planted under and adjacent to the PV panels.

Sustainability:

The scheme is required to achieve a 40% carbon reduction above Part L of the 2010 Building Regulations to meet policy 5.2 of the London Plan. The proposal would deliver a 37% carbon reduction when measured against Part L of the 2013 Building Regulations. The Go Green Officer has confirmed that a 35% reduction against the 2013 regulations is the comparable to a 40% reduction against the 2010 regulations. The 37% reduction is therefore considered to comply with the requirements of policy 5.2 of the London Plan. Should the proposals have been considered acceptable, a condition would have been applied to ensure that this was provided.

The submitted Energy Assessment states that no renewable energy sources are proposed, with only a Combined Heat and Power unit along with heat recovery. The submitted drawings however are annotated to show that solar panels are proposed on the roof. The number and location of panels has not been provided. Should the proposals have been considered acceptable in other terms a condition would have been attached to show the location of the panels, which would also need to be located so that they are acceptable in design terms.

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. As the proposals result in the creation of more than 100sqm of additional floorspace, an informative would have been included to advise the applicant of the requirement of a CIL payment.

8.11 Environmental Impact Assessment (EIA)

The application is of insufficient scale to trigger the requirement of an EIA.

8.12 Other Issues

Basement:

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

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

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

The NPPF goes on to state that in order to prevent unacceptable risks from land instability, planning decisions should ensure that new development is appropriate for its location. It advises

that where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

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

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

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

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

The City Council have been preparing guidance and policies to address the need to take into consideration land instability, flood risk and other considerations when dealing with basement applications. The City Council has adopted the Supplementary Planning Document 'Basement Development in Westminster' (24th October 2014), produced to provide further advice on how current policy can be implemented in relation to basement development. In July the City Council adopted a consolidated version of The City Plan, which includes a new basement policy CM28.1.

During the course of the application, the proposals were amended slightly to provide additional soil depth above the rear basement. The revised proposals are considered in accordance with the adopted policy.

Construction impact:

In terms of the impact of construction on the amenity of neighbours and the operation of the local highway network, should the proposals have been considered acceptable in other terms a condition would have been recommended for the submission of a condition would have been recommended to secure a fully detailed construction management plan prior to the commencement of works. A further condition would be recommended to control the hours of construction works, particularly noisy works of excavation.

Other Matters

An objection has been received on the grounds that the proposed demolition of the garages to the rear of the site would impact on a waste store located on the other side at a neighbouring property. The applicant has confirmed that the wall to the rear of the garages would be retained, and therefore would have no impact on the waste store.

9. BACKGROUND PAPERS

1. Application form
2. Response from Transport For London, dated 22 July 2016
3. Response from Historic England, dated 12 July 2016
4. Response from the Environment Agency, dated 7 July 2016
5. Response from Thames Water, dated 13 July 2016
6. Two responses from the St John's Wood Society, dated 26 July 2016
7. Response from the Paddington Waterways & Maida Vale Society, dated 10 August 2016
8. Response from Environmental Health, dated 11 July 2016
9. Response from Building Control, dated 4 August 2016
10. Response from the Arboricultural Manager, dated 15 August 2016
11. Response from the Go Green Programme Manager, dated 13 July 2016
12. Response from the Cleansing Manager, dated 11 August 2016
13. Response from the Highways Planning Manager, dated 23 August 2016
14. Two letters from the occupier of Flat 21, Greville Hall, Greville Place, dated 11 & 15 July 2016
15. Letter from the occupier of 2 Hillside Close, London, dated 16 July 2016
16. Letter on behalf of the Hillside Close Management Limited, dated 16 August 2016
17. Letter from the occupier of 3 Hillside Close, London, dated 21 July 2016
18. Letter from the occupier of 33 Greville Hall, Greville Place, dated 1 August 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 THE PRESENTING OFFICER: NATHAN BARRETT BY EMAIL AT nbarrett@westminster.gov.uk.

10. KEY DRAWINGS

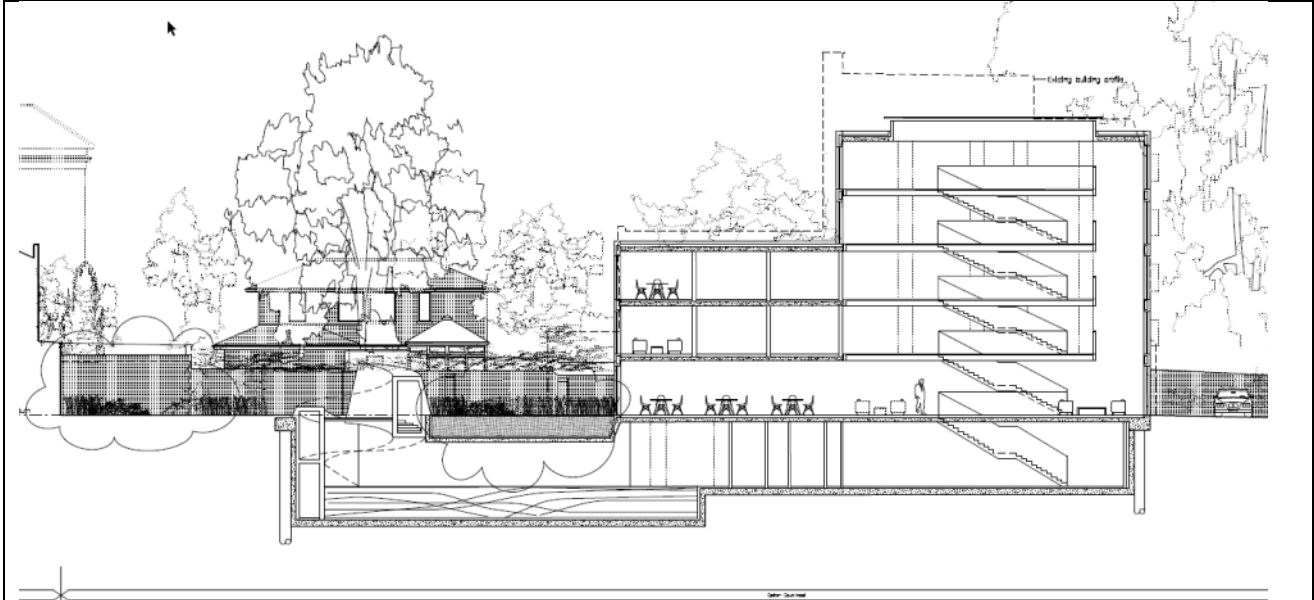




EXISTING MAIDA VALE ELEVATION



PROPOSED MAIDA VALE ELEVATION



PROPOSED LONG SECTION



VISUALISATION OF MAIDA VALE ELEVATION

DRAFT DECISION LETTER

Address: Carlton Court, 120 Maida Vale, London, W9 1QA

Proposal: Demolition of existing five storey building and out buildings and erection of a part five and part three storey serviced apartment hotel building (Use Class C1) with restaurant and spa facilities in newly excavated basement and erection of single storey stair structure in rear garden to provide access to the basement.

Plan Nos: Overheating Analysis by eight associates dated 31/05/2016; Energy Assessment by eight associates dated 31/05/2016; Daylight and Sunlight Report by GL Hearn dated 1 April 2016; Design and Access Statement by Amin Taha Architects Ltd dated May 2016; Arboricultural Impact Assessment by Oisín Kelly, Arboricultural Consultant dated 15 October 2015; Plant Noise Assessment by Multidisciplinary Consulting dated 24 September 2014; Transport Statement by Honosa Ltd dated April 2016; 208-00 A; 208-000 A; 208-051 A; 208-052 A; 208-053 A; 208-054 A; 208-055 A; 208-056 A; 208-100 A; 208-101 A; 208-102 A; 208-103 A; 208-104 A; 208-151 A; 208-202 B; 208-203 D; 208-204 A; 208-205 A; 208-206 A; 208-207 A; 208-208 A; 208-250 A; 208-251 A; 208-252 A; 208-252 B; 208-253 A; 208-254 A; 208-255 A; 208-300 A; 208-301 A; 208-900. For information only: Structural Engineering Report for Planning dated June 2015.

Case Officer: Rupert Handley

Direct Tel. No. 020 7641 2497

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

Reason:

- 1 Insufficient, inaccurate and conflicting information has been submitted and as a result you have not demonstrated that the detailed design of the development would not harm the appearance of this site or the setting of the adjoining pair of listed buildings to the immediate south. As such the proposal would fail to maintain or improve (preserve or enhance) the character and appearance of the St John's Wood Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (July 2016) and DES 1, DES 9 and DES 10 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007.

Reason:

- 2 Insufficient, inaccurate and conflicting information has been submitted and as a result you have not demonstrated that the proposed building, by reason of its height and depth would not result in a material loss of light or a material increased sense of enclosure to the detriment of the amenities of the occupiers of Greville Hall; or that it would not result in a loss of privacy to the detriment of the amenities of the occupiers of Greville Hall due to the size and number of windows to the north facing flank wall. The proposal is therefore contrary to policy S29 of Westminster's City Plan (July 2016) and policy ENV13 of the Unitary Development Plan adopted in January 2007.

Reason:

- 3 Your plans do not include suitable arrangements for ventilation/cooling and getting rid of cooking smells as outlined in your supporting documents. This means that any plant equipment, ducting or acoustic enclosures associated with the ventilation/cooling of the building and the ventilation of your restaurant could result in a loss of amenity or nuisance to the people in surrounding

residential properties and could fail to maintain or improve (preserve or enhance) the character and appearance of the St John's Wood Conservation Area. This would not meet S24, S25, S28, S29 and S32 of Westminster's City Plan (July 2016) and ENV 5, ENV 6, ENV 13, DES 1, DES 9 and DES 10 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007.

Reason:

- 4 Insufficient detail has been submitted to demonstrate that the proposal would not result in damage to or loss of trees on and adjacent to the site. In the absence of this information the proposal would be harmful to the trees and the character and appearance of this part of the St John's Wood Conservation Area contrary to policies S25, S28 and S38 of Westminster's City Plan (July 2016) and policies ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of the Unitary Development Plan adopted in January 2007.

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way so far as practicable. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (July 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. The necessary amendments to make the application acceptable are substantial and would materially change the development proposal. They would require further consultations to be undertaken prior to determination, which could not take place within the statutory determination period specified by the Department of Communities and Local Government. You are therefore encouraged to consider submission of a fresh application incorporating the material amendments set out below which are necessary to make the scheme acceptable.

Required amendments:

- a) From the information on the plan drawings, the front boundary wall appears only to have vehicular entrances and does not appear to have any form of continuous pavement to allow for the ease of pedestrian entrance onto the site, nor in the same regard for wheelchair access without those wheelchairs utilising the internal driveway. Notwithstanding this, had the application as a whole been considered acceptable such issues could have been addressed through securing revised drawings showing a more appropriate access arrangement, and this issue is not considered as a reason for refusal.
- b) Confirmation if the proposed basement pool and spa facilities and the ground floor restaurant, bar and lobby are to be used by non-residents of the hotel. Details of how these facilities will be managed to ensure that they do not cause a negative impact on the character of the area or the amenity of adjacent residents.
- c) The drawings amended so that they correlate. For example the plans do not correlate with the elevations in terms of the fenestration locations or sizes or the size and location of the building (particularly when comparing the East elevation to the plans).
- d) Details of ventilation for the proposed restaurant kitchen.
- e) Details of plant / cooling equipment as required within the Overheating Report.
- f) Updated supporting documents to relate to the currently proposed works.
- g) Updated daylight and sunlight report to include all parts and calculations.

Item No.
1

h) Details of how the building and its facilities will be serviced off-street.

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 6 September 2016	Classification For General Release	
Addendum Report of Director of Planning		Ward(s) involved Hyde Park	
Subject of Report	8 Connaught Square, London, W2 2HG		
Proposal	Excavation of basement floor below lower ground floor of main house and rear extensions, infill extension at lower ground level within rear lightwell, installation of mechanical plant on rear first floor level terrace and associated internal and external alterations.		
Agent	Obsidian London Ltd		
On behalf of	Mr Mubashir Mukadam		
Registered Number	14/11257/FULL & 14/11258/LBC	Date amended/ completed	25 May 2016
Date Application Received	12 November 2014		
Historic Building Grade	II		
Conservation Area	Bayswater		

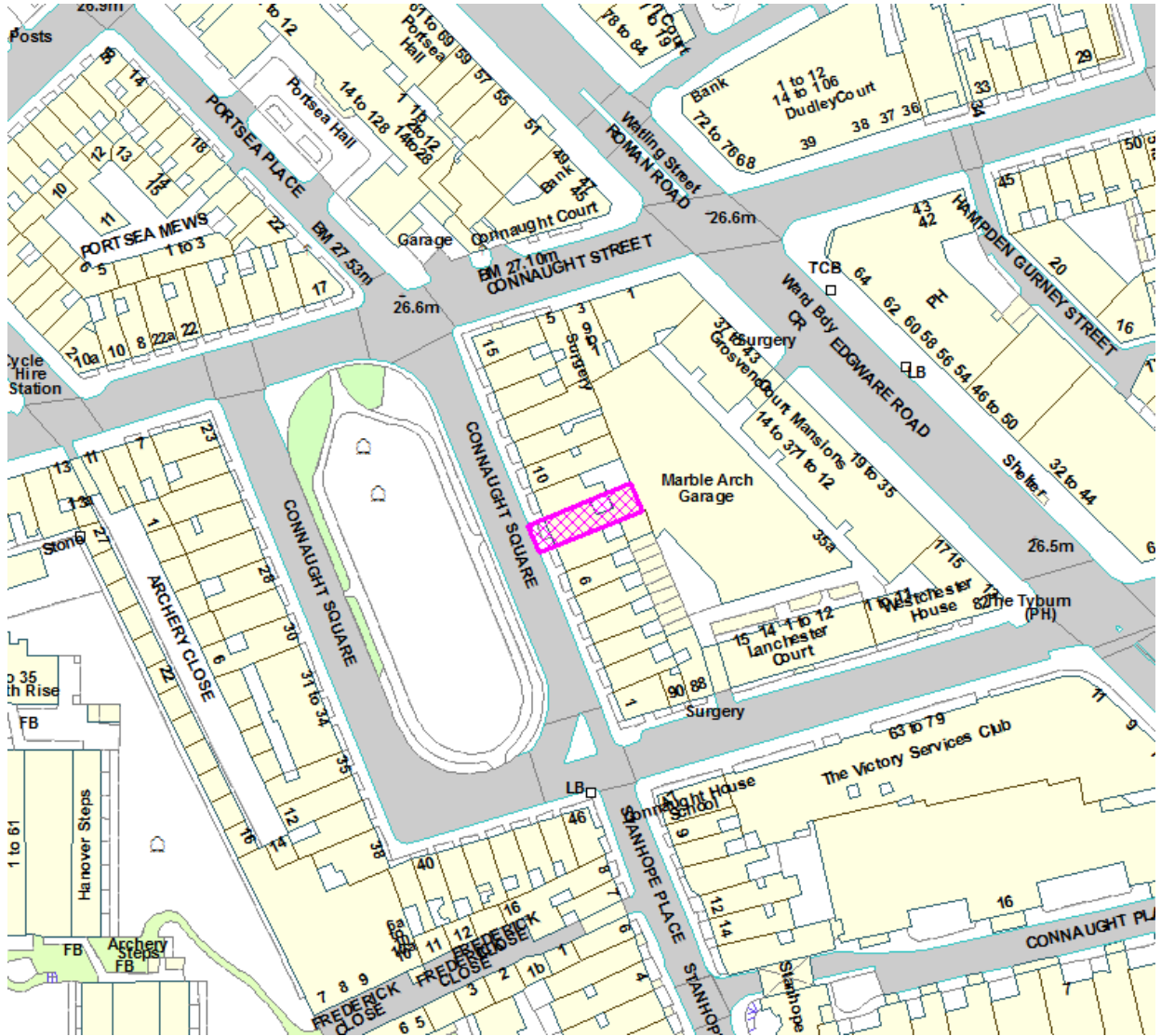
1. RECOMMENDATION

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

2. SUMMARY

<p>This proposal for planning permission and listed building consent was previously reported to the Planning Applications Committee on 12 July 2016, at which, the application was deferred to allow the Committee to visit the application site prior to determining the application. The site visit is due to take place on the 30 August 2016 and the application is being reported back to the Committee for its further consideration and determination.</p>

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

ADDITIONAL REPRESENTATIONS CIRCULATED TO THE PLANNING APPLICATIONS COMMITTEE ON 12 JULY 2016 AFTER PUBLICATION OF COMMITTEE REPORT

WARD COUNCILLORS (COUNCILLORS COX, ACTON & FLORU)

Ask that the application is deferred for a site visit. Would be the first basement development in Connaught Square, which is one of the most historically and architecturally significant parts of the Bayswater Conservation Area. Key issue is the impact upon the hierarchy of spaces within the building. Question whether the proposal is in effect a double basement.

HYDE PARK ESTATE ASSOCIATION

Shocking and alarming example of overdevelopment of existing Georgian house. Connaught Square is one of the most significant and historically important squares in London. Proposal would harm this listed building. Construction works would cause noise and disturbance to neighbouring residents. Proposal would change the character of the square.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

11 emails from 9 respondents raising objections on all or some of the following grounds:

Design:

- Excessive addition to this listed terrace, despite amendment, which would detrimentally affect the fabric, character and layout of the listed building.
- Out of keeping with square and its historic context.
- Excavation to the depth of the swimming pool would amount to the depth of a double basement.
- Proposed basement would have a greater floor to ceiling height than the existing lower ground and ground floors, thereby disrupting the hierarchy of space.
- The flow of movement through the house would also be altered.
- Potential for damage to listed features during construction works.

Amenity

- Altered lower ground floor and basement would lack natural light and ventilation, necessitating mechanical ventilation.
- Concern that external plant will lead to noise disturbance to neighbours.

Other Matters

- Difficult to review amended application due to the number of documents displayed on the Council's website.
- Applicant should be made to make a fresh application to be assessed under current policy.
- Do not consider development to be sustainable development.
- Unsure if revised scheme relates to planning and listed building consent applications.
- Concerned that some documents do not appear to reflect the revised scheme.
- Limited weight should be attributed to supporting statements as liability of authors is limited.
- Increased structural risk to neighbouring properties.
- Noise and disruption from construction works.

- Concern that the Tyburn Brook is located beneath these properties.
- If permission is to be granted, request that conditions are imposed to control plant noise, damp and to prevent swimming pool from being an 'endless pool' with a wave-creating motor.
- Disruption to traffic and parking disruption during construction works.

No further representations have been received since the application was reported to the Planning Applications Committee on 12 July 2016.

6. BACKGROUND PAPERS

1. Report to Planning Applications Committee of 12 July 2016 and minutes and background papers, including report, minutes and background papers of meetings on 12 February 2016 and 28 July 2015.

ADDITIONAL REPRESENTATIONS CIRCULATED TO THE PLANNING APPLICATIONS COMMITTEE ON 12 JULY 2016 AFTER PUBLICATION OF COMMITTEE REPORT

2. Email from Councillor Cox, Councillor Acton and Councillor Floru dated 5 July 2016.
3. Email from the Hyde Park Estate Association dated 5 July 2016.
4. Email from the occupier of 7 Connaught Square dated 29 June 2016.
5. Emails (x2) from the occupier of 9 Connaught Square dated 30 June 2016.
6. Letter from the occupiers of 7 and 9 Connaught Square dated 30 June 2016.
7. Email from the occupier of 11 Connaught Square dated 30 June 2016.
8. Email from the occupier of 17 Connaught Square dated 1 July 2016.
9. Email from the occupier of 30 Connaught Square dated 3 July 2016.
10. Email from the occupier of an unspecified property in Connaught Square dated 3 July 2016.
11. Email from the occupier of 36 Connaught Square dated 4 July 2016.
12. Email from the occupier of 6 Connaught Square dated 5 July 2016.

Selected Relevant Drawings

Existing and proposed plans, elevations and sections.

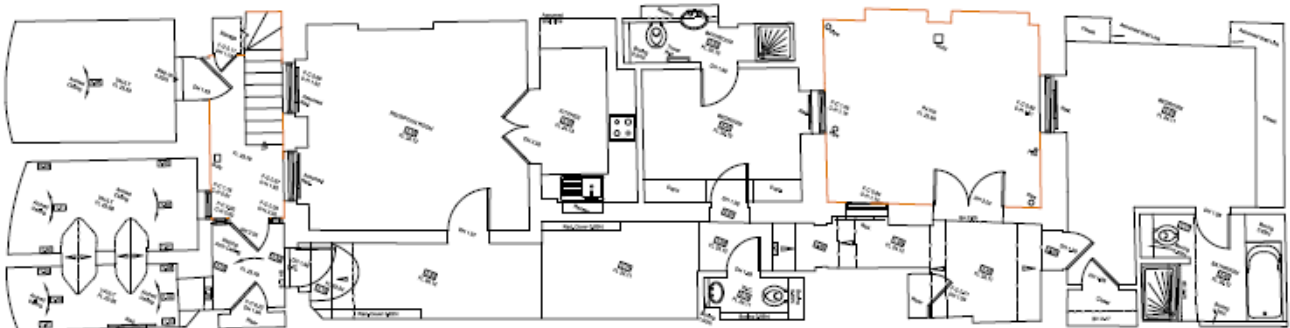
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

<p>IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT NATHAN BARRETT ON 020 7641 5943 OR BY EMAIL AT NorthPlanningTeam@westminster.gov.uk</p>

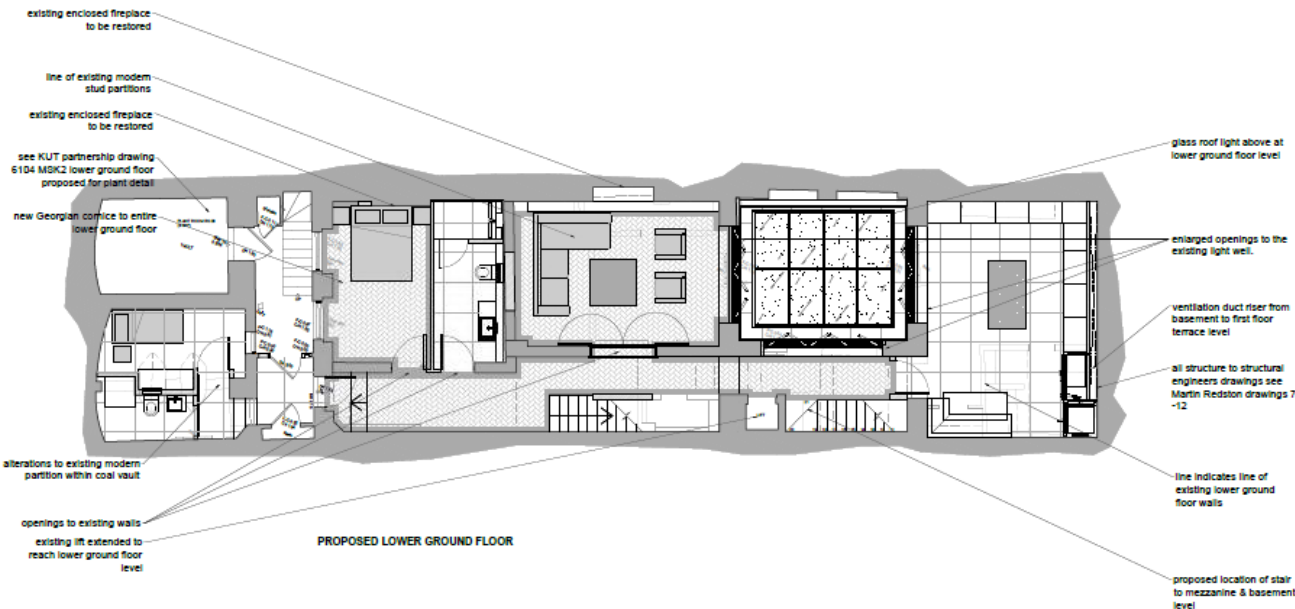
7. KEY DRAWINGS

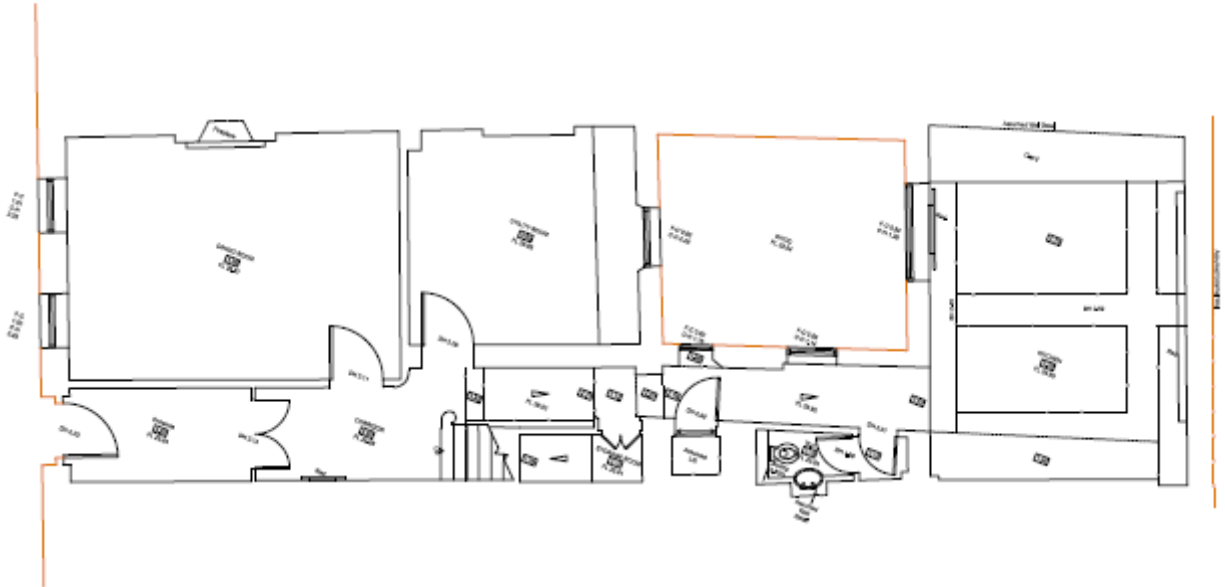


PROPOSED NEW BASEMENT

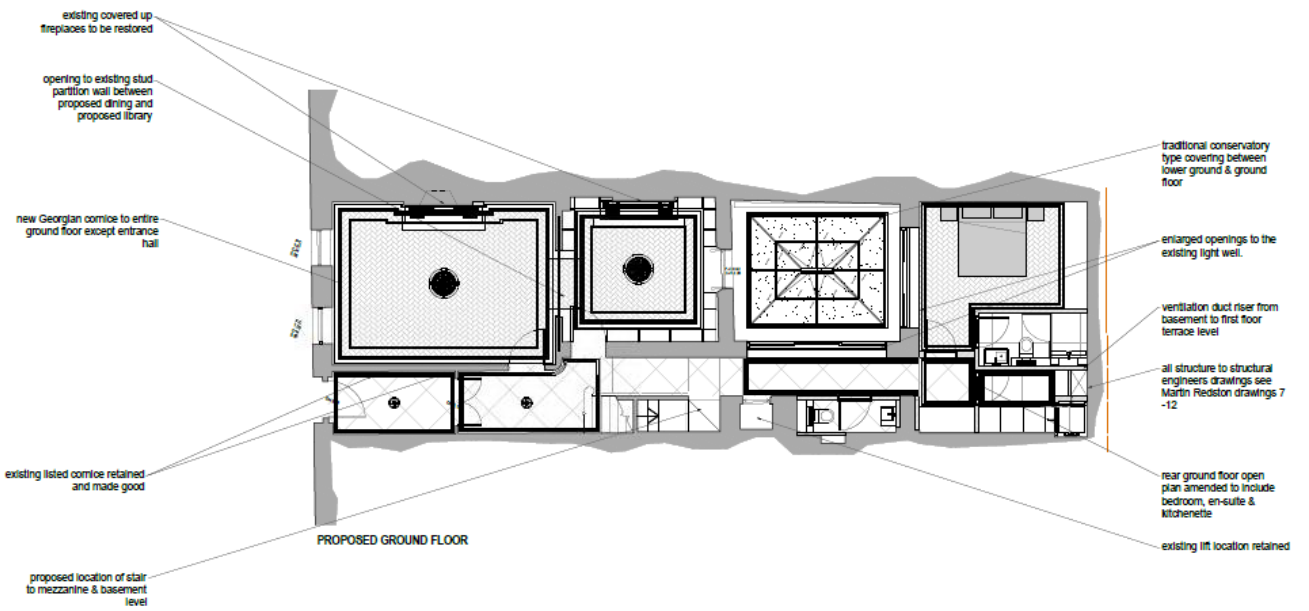


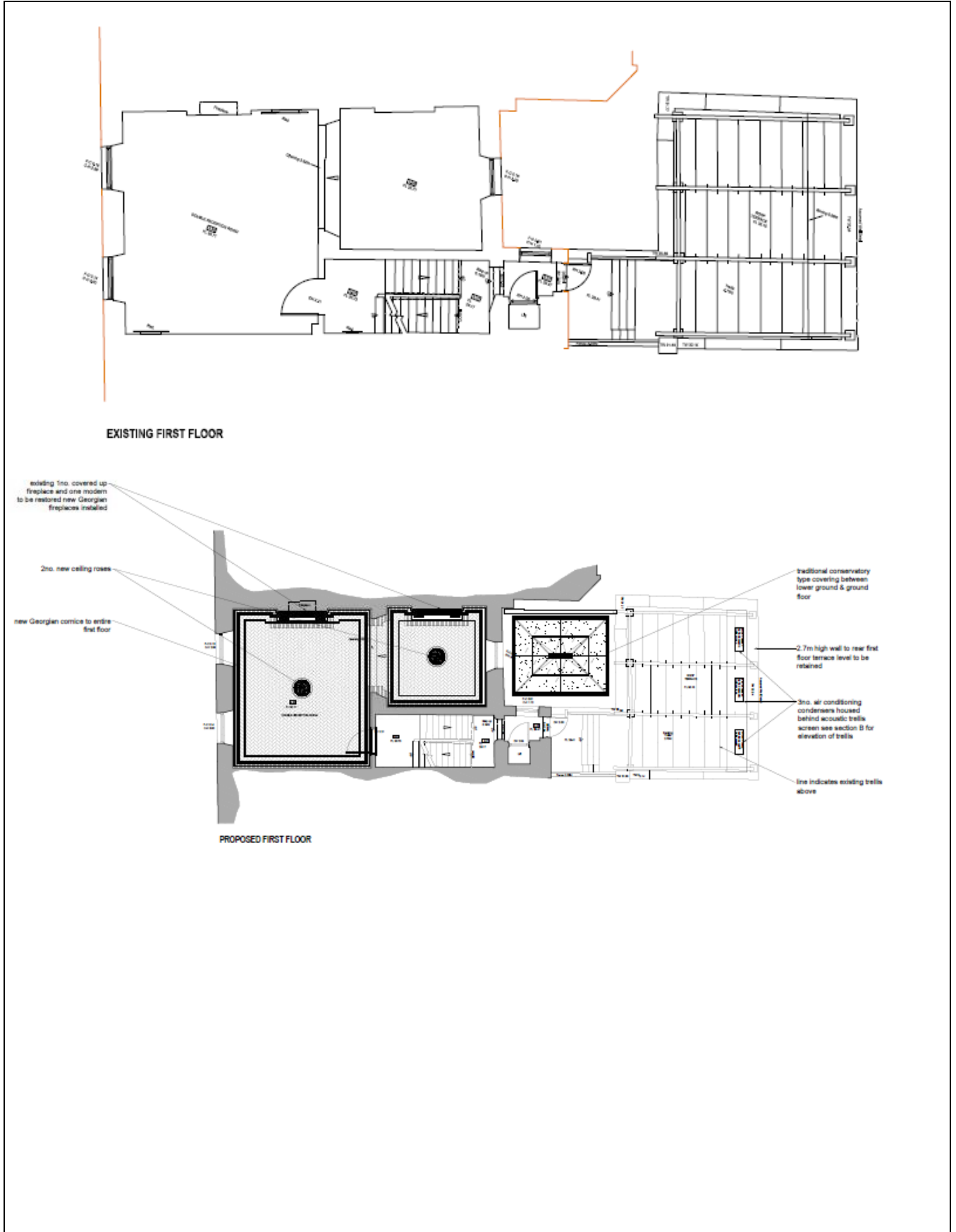
EXISTING LOWER GROUND FLOOR





EXISTING GROUND FLOOR







Elevation 1

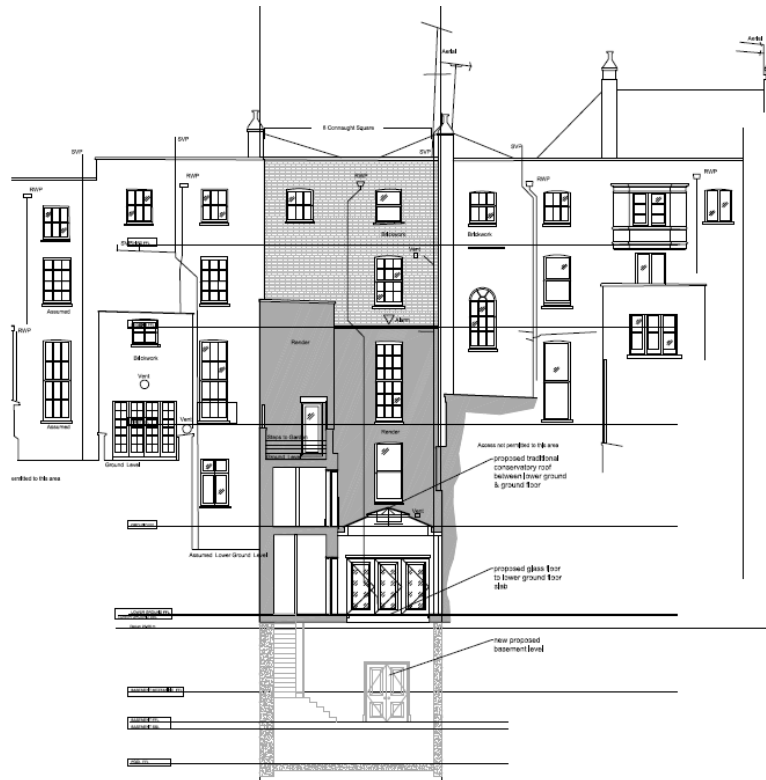
Existing Front Elevation



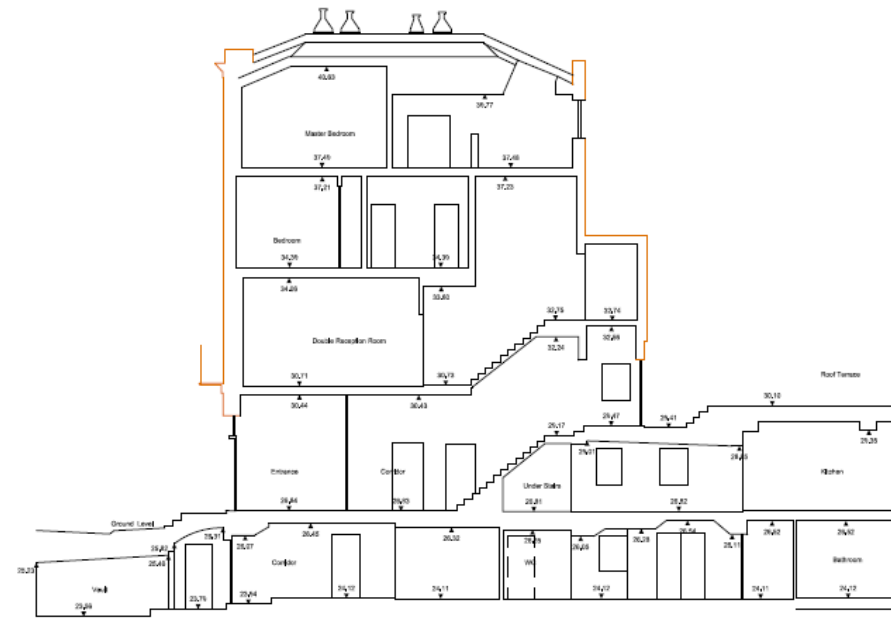
Proposed Front Elevation



Existing Rear Elevation

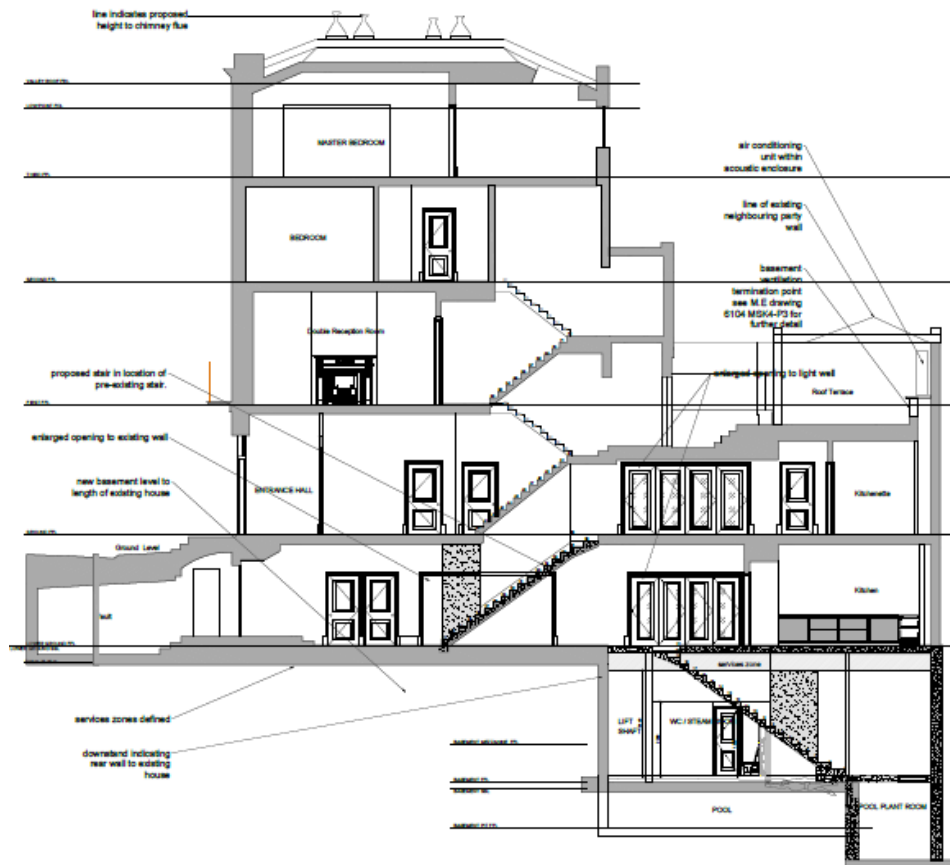


Proposed Rear Elevation



Datum 23.00 m
Section A

Existing Section



Proposed Section

DRAFT DECISION LETTER - 14/11257/FULL

Address: 8 Connaught Square, London, W2 2HG,

Proposal: Use as a single dwellinghouse, excavation of basement floor below rear extensions and rear lightwell, erection of infill extension at lower ground level within rear lightwell, installation of mechanical plant on rear first floor level terrace and associated internal and external alterations.

Plan Nos: (EX) 01 Rev.A, (EX) 02, (EX) 03, (EX) 04, (EX) 05, (EX) 06, (EX) 07 Rev.A, (EX) 08 Rev.A, (EX) 09 Rev.A, (EX) 10 Rev.A, (DD) 01 Rev.B, (DD) 02 Rev.B, (DD) 03 Rev.A, (DD) 04 Rev.A, (DD) 05 Rev.A, (DD) 06 Rev.B, (DD) 07 Rev.C, (DD) 08 Rev.A, (DD) 09 Rev.B, (PL) 01 Rev.D, (PL) 03 Rev.B, (PL) 04 Rev.A, (PL) 05 Rev.B, (PL) 06 Rev.A, (PL) 07 Rev.B, (PL) 09 Rev.A, (PL) 10 Rev.D, (PL) 11 Rev.C, (PL) 12 Rev.D, (PL) 13 Rev.B, Planning, Design and Access Statement dated November 2014 (as amended by revised drawings here listed), Heritage Supporting Statement by Turleys dated October 2014, Heritage Assessment by Ettwein Bridges Architects dated October 2014, Construction Management Plan by Addstow (for information only - see Condition 3), Environmental Noise Assessment dated 8 September 2015 (Issue 3), Construction Method Statement by Martin Redston Associates dated 24 May 2016 (including structural drawings 2C, 3C, 4C, 5C, 6C, 7E, 8D, 9C, 10C, 11C and 12C) (for information - see Informative 2), Structural Calculation by Martin Redston Associates and Basement Impact Assessment dated November 2015 (Ref: 15/24237-2), including Factual Report on Ground Investigation dated November 2015 (Ref: 15/24237) (for information - see Informative 2). Mechanical Services drawings SK1/P5, SK2/P5, SK3/P5, SK4/P5, SK5/P5, SK6/P5 and SK7/P5 and SK8/P2 (approved in respect of mechanical services shown only).

Case Officer: Oliver Gibson

Direct Tel. No. 020 7641 2680

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

You must carry out basement excavation work only:

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

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

Reason:

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

- 3 **Pre Commencement Condition.** Notwithstanding the submitted construction management plan, no development shall take place, including any works of demolition, until a detailed construction management plan for the proposed development has been submitted to and approved in writing by the City Council as local planning authority. The plan shall provide the following details:
- (i) a construction programme including a 24 hour emergency contact number;
 - (ii) parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - (iii) locations for loading/unloading and storage of plant and materials used in constructing the development;
 - (iv) erection and maintenance of security hoardings (including decorative displays and facilities for public viewing, where appropriate);
 - (v) wheel washing facilities and measures to control the emission of dust and dirt during construction; and
 - (vi) a scheme for recycling/disposing of waste resulting from demolition and construction works.

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

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

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

Reason:

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

- 5 You must apply to us for approval of detailed drawings of the following parts of the development:
- (a) Elevations and sections at a scale of 1:20 of new conservatory roof over rear lightwell.
 - (b) Plan and elevation at a scale of 1:20 of screen/ trellis around mechanical plant on rear first floor terraces.
 - (c) Elevations and sections of new doors to front lightwell (elevations at 1:20 and sections at 1:5).
 - (d) New external light fittings.

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

- 6 (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.

- 7 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.

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

- Provision of the mechanical plant noise attenuation measures set out in Part 6 of the Environmental Noise Assessment dated 8 September 2015 (102625.ad Issue 3).

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 prior to operation of the mechanical plant and vents located on the first floor rear terrace and thereafter you must not remove the noise attenuation measures unless or until the mechanical plant at first floor level has been permanently removed. (C26DB)

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.

- 9 You must not operate the plant/ machinery that we have allowed (other than to carry out the survey required by this condition) until you have carried out and sent us a post-commissioning noise survey and we have approved the details of the survey in writing. The post-commissioning noise survey must demonstrate that the plant/ machinery complies with the noise criteria set out in conditions 6 and 7 of this permission.

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.

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 permission is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council and as a consequence we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.
- 3 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)
- 4 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)
- 5 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)
- 6 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.

- 7 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.
- 8 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)

- 9 Conditions 6, 7, 8 and 9 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 10 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)

DRAFT DECISION LETTER - 14/11258/LBC

Address: 8 Connaught Square, London, W2 2HG,

Proposal: Excavation of basement floor below rear extensions and rear lightwell, erection of infill extension at lower ground level within rear lightwell, installation of mechanical plant on rear first floor level terrace and associated internal and external alterations.

Plan Nos: (EX) 01 Rev.A, (EX) 02, (EX) 03, (EX) 04, (EX) 05, (EX) 06, (EX) 07 Rev.A, (EX) 08 Rev.A, (EX) 09 Rev.A, (EX) 10 Rev.A, (DD) 01 Rev.B, (DD) 02 Rev.B, (DD) 03 Rev.A, (DD) 04 Rev.A, (DD) 05 Rev.A, (DD) 06 Rev.B, (DD) 07 Rev.C, (DD) 08 Rev.A, (DD) 09 Rev.B, (PL) 01 Rev.D, (PL) 03 Rev.B, (PL) 04 Rev.A, (PL) 05 Rev.B, (PL) 06 Rev.A, (PL) 07 Rev.B, (PL) 09 Rev.A, (PL) 10 Rev.D, (PL) 11 Rev.C, (PL) 12 Rev.D, (PL) 13 Rev.B, Planning, Design and Access Statement dated November 2014 (as amended by revised drawings here listed), Heritage Supporting Statement by Turleys dated October 2014, Heritage Assessment by Ettwein Bridges Architects dated October 2014, Construction Management Plan by Addstow (for information only - see Condition 3), Environmental Noise Assessment dated 8 September 2015 (Issue 3), Construction Method Statement by Martin Redston Associates dated 24 May 2016 (including structural drawings 2C, 3C, 4C, 5C, 6C, 7E, 8D, 9C, 10C, 11C and 12C) (for information - see Informative 2), Structural Calculation by Martin Redston Associates and Basement Impact Assessment dated November 2015 (Ref: 15/24237-2), including Factual Report on Ground Investigation dated November 2015 (Ref: 15/24237) (for information - see Informative 2). Mechanical Services drawings SK1/P5, SK2/P5, SK3/P5, SK4/P5, SK5/P5, SK6/P5 and SK7/P5 and SK8/P2 (approved in respect of mechanical services shown only).

Case Officer: Oliver Gibson

Direct Tel. No. 020 7641 2680

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 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 Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 3 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 our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

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

- (a) Elevations and sections at a scale of 1:20 of new conservatory roof over rear lightwell.
- (b) Plan and elevation at a scale of 1:20 of screen/ trellis around mechanical plant on rear first floor terraces.
- (c) Elevations and sections of all new internal and external doors (elevations at 1:20 and sections at 1:5).
- (d) Plans and elevations of all air conditioning fan coil units and associated joinery enclosures, ducting and pipe runs.
- (e) All restored fireplaces and new chimney pieces.
- (f) All new cornices.
- (g) New opening between front and rear rooms at ground floor level.
- (h) New opening between hallway and rear room at lower ground floor level.
- (i) New structural glazed floor between basement and lower ground floor level.
- (j) New staircase between ground floor and lower ground floor.
- (k) External light fittings.

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

Informative(s):

- 1 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)

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

Item No.
3

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 06 September 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Bryanston And Dorset Square	
Subject of Report	16 - 17 Montagu Square, London, W1H 1LE		
Proposal	Amalgamation of ground floor flat within Nos. 16 and 17 Montagu Square and front basement flat within No. 16 Montagu Square to create one maisonette (Class C3) over ground and front basement floor levels. Excavation beneath one of the pavement vaults and erection of extension at front basement level, both in order to provide additional residential accommodation as part of new residential maisonette. Internal alterations.		
Agent	D-Raw Ltd.		
On behalf of	Mr Simon Granger		
Registered Number	16/03933/FULL and 16/03934/LBC	Date amended/ completed	26 May 2016
Date Application Received	28 April 2016		
Historic Building Grade	II		
Conservation Area	Portman Estate		

1. RECOMMENDATION

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

2. SUMMARY

<p>Planning permission and listed building consent are sought to amalgamate the existing three-bedroom flat that spans the ground floor level of No. 16 and the majority of the ground floor of No. 17 with the front one-bedroom basement flat of No. 17 to create a maisonette (Class C3) over basement and ground floor levels. A number of internal alterations are proposed to facilitate this amalgamation, including the insertion of a new staircase from ground floor to lower ground floor. It is also proposed to excavate beneath one of the pavement vaults and erect a new link extension in the front lightwell to enable this pavement vault to be incorporated into the new maisonette.</p> <p>The main issues for consideration are:</p>
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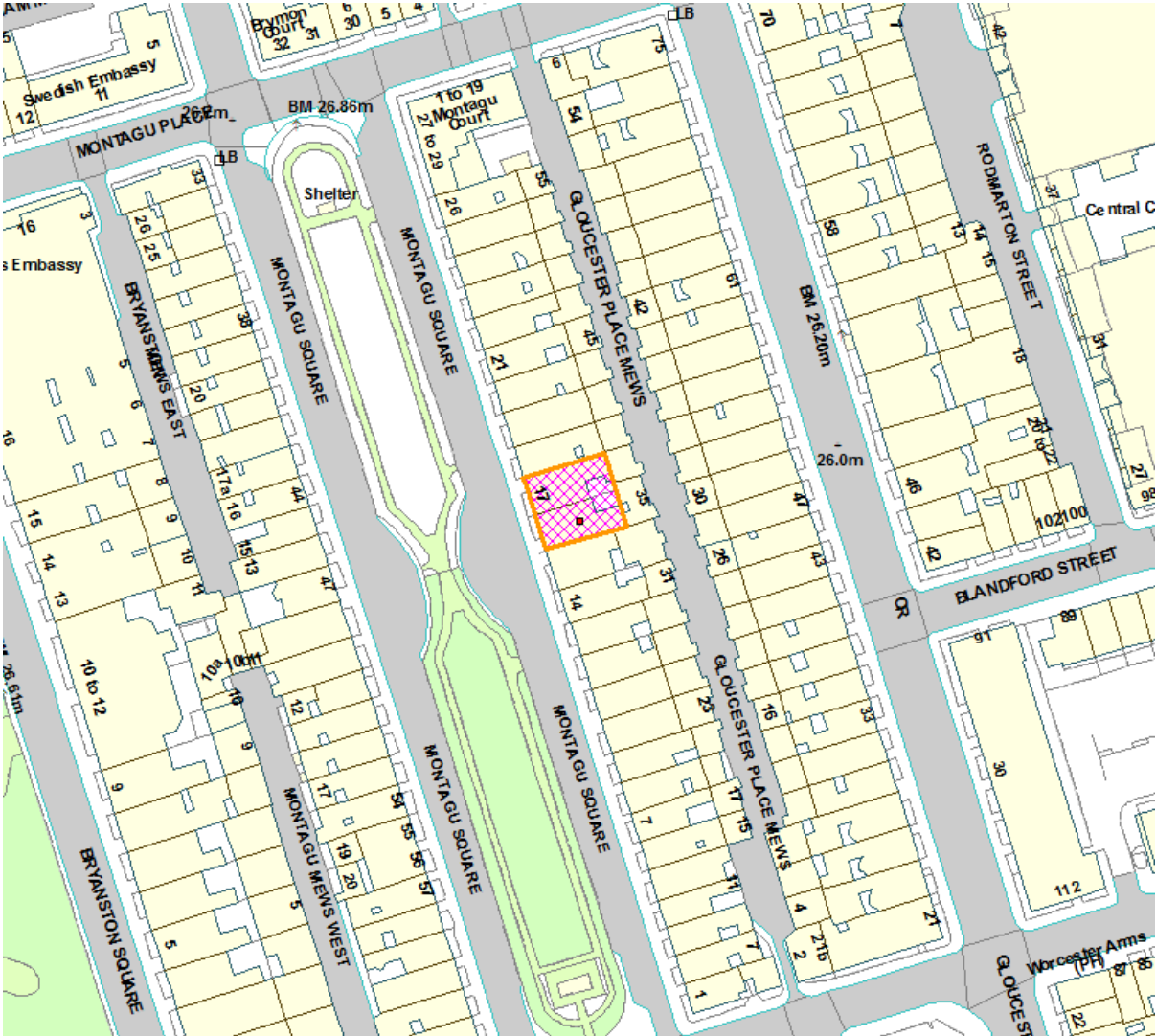
- The loss of a residential unit.
- The impact of the proposal on the special interest of this Grade II listed building.
- The impact of the external works on the character and appearance of the Portman Estate Conservation Area.

The loss of the basement flat is contrary to City Plan Policy S14 as it would cause the loss of a residential unit without creating a 'family sized' unit (the existing ground floor flat is already such a unit). However, the existing basement is of a poor standard through being single aspect and having poor light levels. As such, on balance, the loss of this residential unit is considered to be acceptable. Combined with the existing ground floor flat, the enlarged basement level would provide a good standard of accommodation when the accommodation provided is viewed as a whole.

The proposed works to the listed building would not usually be considered acceptable as the proposed location for the new staircase is historically inaccurate. However, as the property has been radically altered in the past and its historic interest internally is limited, on balance, the installation of a new staircase in the proposed location is acceptable. The modest extension beneath the ground floor entrance bridge within the front lightwell is also acceptable in design, listed building and conservation terms.

The scheme is considered to be acceptable on land use, design and listed building grounds. Furthermore, it would not harm the special interest of this listed building or harm the character and appearance of the Portman Estate Conservation Area. As such, it is recommended that conditional permission and listed building consent be granted.

LOCATION PLAN



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3. PHOTOGRAPHS



4. CONSULTATIONS

MARYLEBONE ASSOCIATION

No objection

ENVIRONMENTAL HEALTH

No objection

HIGHWAYS PLANNING

No objection

BUILDING CONTROL

No objection

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 21

Total No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

5. BACKGROUND INFORMATION

5.1 The Application Site

Nos. 16 and 17 Montagu Square are both Grade II listed buildings located within the Portman Estate Conservation Area. The properties consist of basement, ground and first to fourth floors and are all in use as residential flats (Class C3). The ground floor flat extends across both Nos. 16 and 17 Montagu Square while the basement flat only occupies the front half of No. 16.

5.2 Recent Relevant History

Internal alterations and replacement of the windows at the ground floor flat were permitted in July 2013 (RN: 13/03932/LBC). A variation of this consent was refused in September 2013 (RN: 13/08873/LBC) due to an unjustified amount of further internal demolition damaging the special interest of the listed building.

6. THE PROPOSAL

Planning permission and listed building consent are sought to amalgamate the existing three-bedroom flat at ground floor level of No. 16 and the majority of the ground floor of No. 17 with the front one-bedroom basement flat of No. 16 to create a maisonette (Class C3) over ground and part basement floor levels, to undertake a number internal alterations to facilitate this amalgamation (including the insertion of a new staircase from ground floor to lower ground floor), to excavate beneath one of the pavement vaults and erect a new link extension in the front lightwell to enable this pavement vault to be incorporated within the new maisonette.

7. DETAILED CONSIDERATIONS

7.1 Land Use

City Plan Policy S14 states that *"All residential uses, floorspace and land will be protected. Proposals that would result in a reduction in the number of residential units will not be acceptable..."*. There are three exceptions to this policy. These are: (i) When, affordable housing is reconfigured or redeveloped to meet affordable housing need; (ii) A converted house is being returned to a family-sized dwelling or dwellings; or (iii) Two flats are being joined to create a family sized dwelling. The Council identifies residential units containing three or more bedrooms as family sized dwellings.

The existing ground floor flat measures 190sqm and is a family-sized flat containing three bedrooms. The basement flat measures 42sqm and is a one-bed flat. As the ground floor flat is already family sized, the proposal will not create a family sized dwelling and therefore none of the listed exceptions apply to this application. As the proposal will result in the loss of the basement residential unit, it is contrary to City Plan Policy S14.

Environmental Health has assessed the existing basement flat and advised that the existing basement flat is of a poor standard due to a lack of natural light and single aspect. Environmental Health advises that the use of the basement as part of the existing ground floor flat is preferable as there would be no issues of compliance with the Housing Act. Due to the requirement to maintain the central corridor due to listed building constraints, there is little opportunity to radically alter the layout of this flat to improve its quality. When taken as a whole, despite the lack of light to the basement area, the proposed maisonette would be of a good standard.

In light of this advice it is considered that the basement flat's poor standard, on balance, represents an exceptional circumstance that would allow the loss of this residential unit.

The existing vaults at basement level under the highway are currently not accessible. The vault which is proposed to become part of the new maisonette and be used as a 'TV room' is currently sealed and has no access. As a result, there would be no loss of communal space to the occupiers of the flats in No. 16 Montagu Square. There is therefore no objection to the incorporation of this communal floorspace within the demise of the new flat.

7.2 Townscape and Design

The special interest of the lower ground floor is limited, with little historic decorative detailing surviving. However, the original plan form with a dividing central corridor is clearly legible; a layout which is characteristic of properties in the group. The original submission involved the removal of this central corridor by demolishing the existing dividing walls which retain vertical timber dado boarding. This proposal was subsequently revisited in design terms and the proposal revised showing the retention of the existing walls and boarding, aside from two small opens to the front end.

This revision showed the use of the area as a bathroom, which was considered unacceptable in listed building terms, requiring much intervention into the historic panelling to service the facilities. A further revision was submitted showing the walls and

panelling largely retained, with the area being used as a wardrobe space. The small sections of panelling which are to be removed to create new openings should be relocated to the infilled sections to the rear of the corridor. Missing panelling should be replicated and continued throughout the corridor space. This is recommended as a condition of any listed building consent.

The proposed location for the new staircase is historically inaccurate. However, it is noted that the staircase cannot be moved to a more suitable location due to the ownership patterns of the units within the building. It is also noted that this property has been radically altered in the past and its historic interest internally is limited. It is therefore considered that, on balance, the installation of a new staircase in this location is acceptable in this instance. The relocation of the staircase to a more suitable location in the future would be welcomed. The proposed glass balustrade to the new staircase is unacceptable in listed building terms and it is therefore recommended that an amending condition be imposed requiring the submission of revised drawings showing a metal balustrade of simple design.

The proposal also involves the widening of an existing link in the front area, to link the lower ground floor to one of the existing vaults. The other two vaults will be retained as existing. The proposal demonstrates that this link will not project beyond the footprint of the stairwell above and the traditional fenestration enables the extension to be read as a lightweight link, which is considered consistent with others in the group. The replacement of the existing door with a new sash window is also a characteristic feature of the group. These elements of the application are therefore considered acceptable in design terms.

In light of the above, the proposals are considered compliant with UDP Policies DES 1, DES 5, DES 9 and DES 10 and acceptable in design, conservation and listed building terms.

7.3 Residential Amenity

The proposal raises no amenity concerns.

7.4 Transportation/Parking

The Highways Planning Manager has assessed the application and raised no objection to the proposal. UDP Policy TRANS19 restricts the lateral and vertical extent of new or extended basement areas under the adjacent highway. However, the proposal is to drop the floor level of the vault, which is policy-compliant as it would not reduce the vertical depth beneath the public highway.

A Council District Surveyor has also assessed the application and the proposed works to the vaults and raises no objection. Both the District Surveyor and Highways Planning Manager have advised that, as the proposal involves works under the highway, an informative should be included to advise the applicant to acquire Technical Approval from the City Council's highways engineers before beginning excavation. It is recommended that this informative is added.

7.5 Economic Considerations

The proposal does not raise any material economic considerations.

7.6 Access

None of relevance.

7.7 Other UDP/Westminster Policy Considerations

None of relevance.

7.8 London Plan

This application raises no strategic issues.

7.9 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.

7.10 Planning Obligations

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

7.11 Environmental Impact Assessment

Not applicable

7.12 Other Issues

None applicable

8. BACKGROUND PAPERS

1. Application form
2. Response from Marylebone Association, dated 15 June
3. Response from Highways Planning – Development Planning, dated 14 June 2016
4. Response from Environmental Health Consultation, dated 17 June 2016
5. Response from Building Control, dated 29 June 2016
6. 2016
7. Second response from Environmental Health Consultation, dated 03 August 2016
8. Second response from Building Control - Development Planning, dated 08 August 2016

Selected relevant drawings

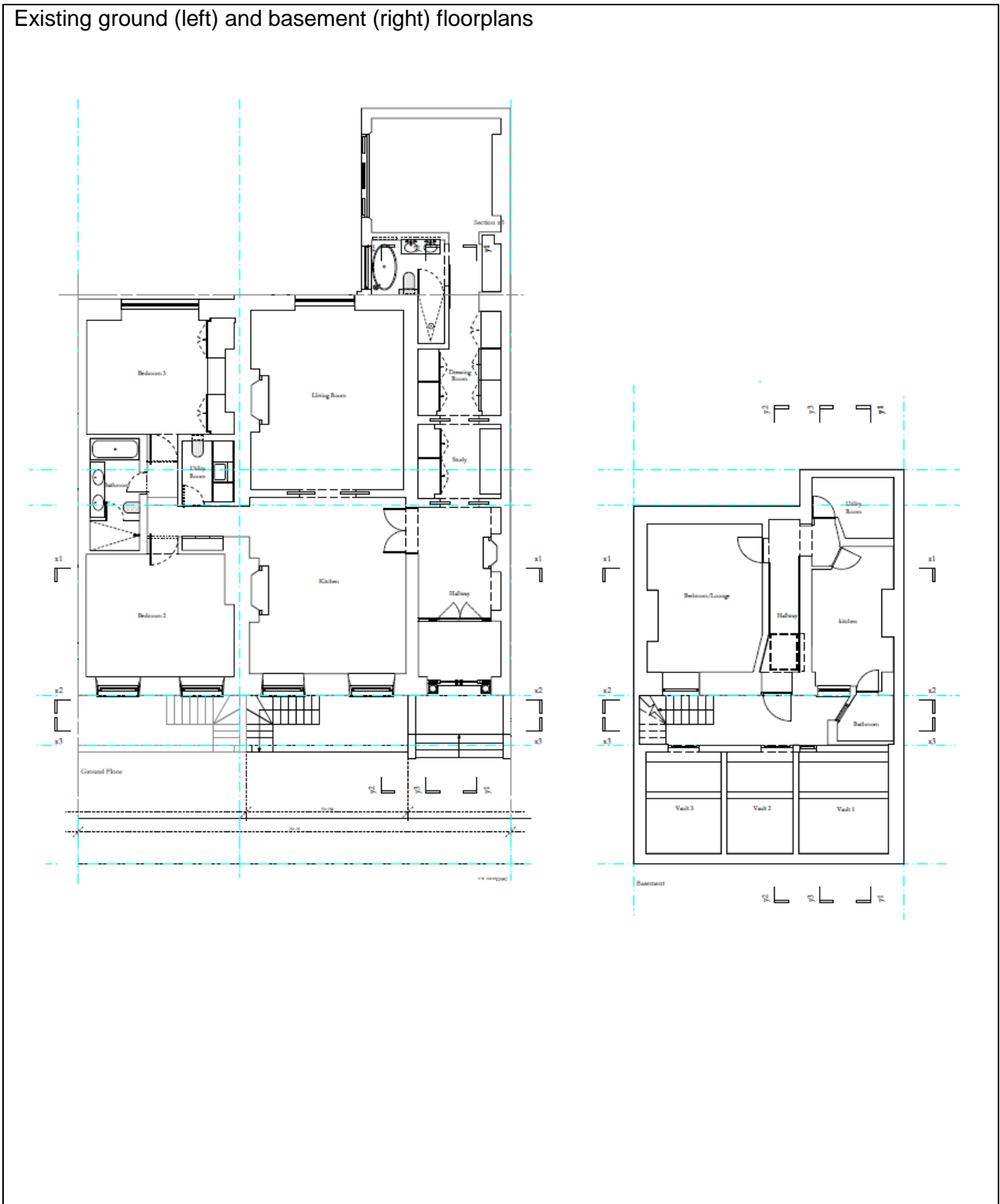
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

Item No.
3

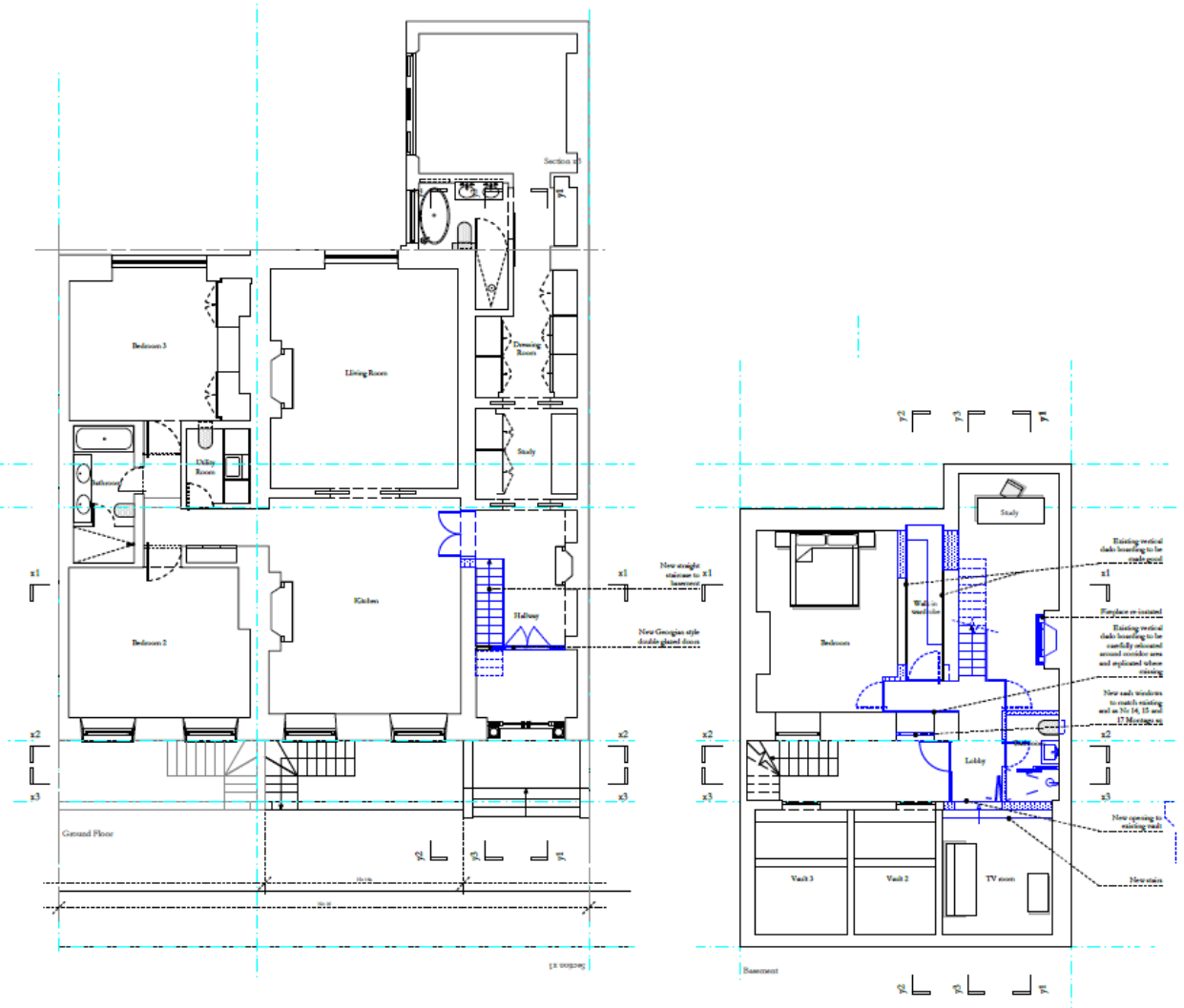
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: NATHAN BARRETT BY EMAIL AT nbarrett@westminster.gov.uk

9. KEY DRAWINGS

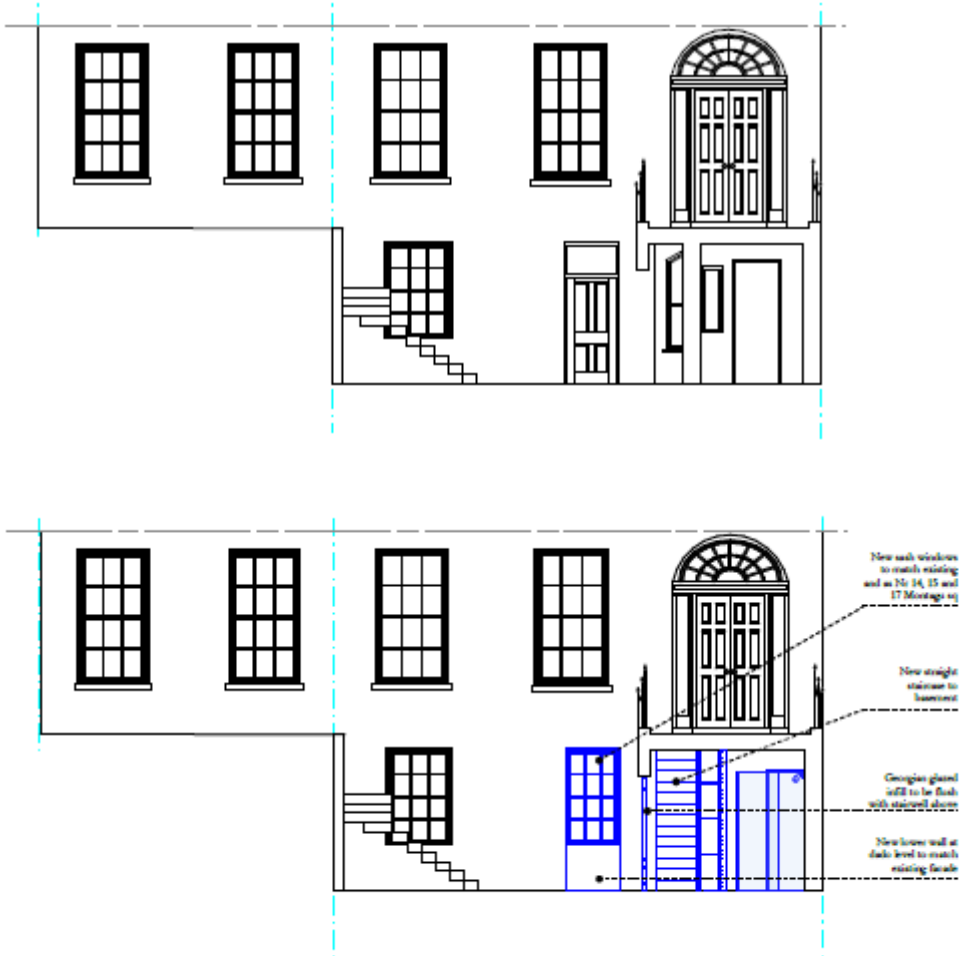
Existing ground (left) and basement (right) floorplans



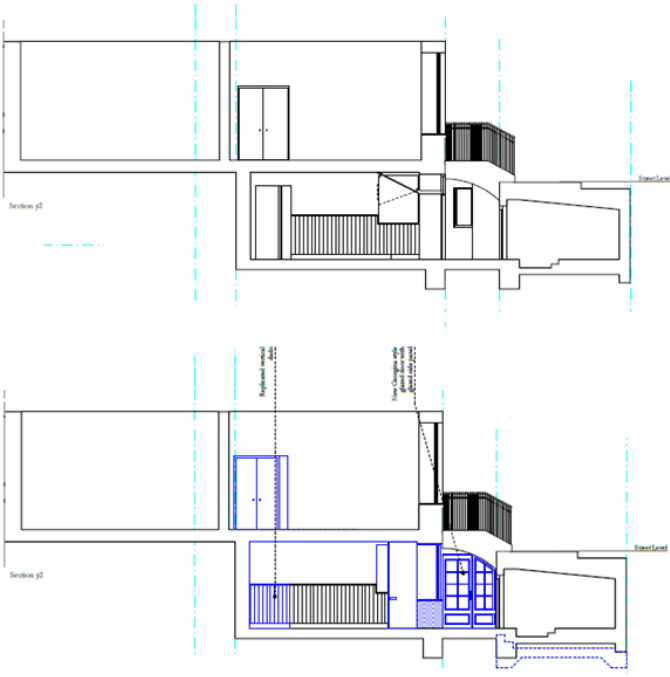
Proposed ground (left) and basement (right) floorplans



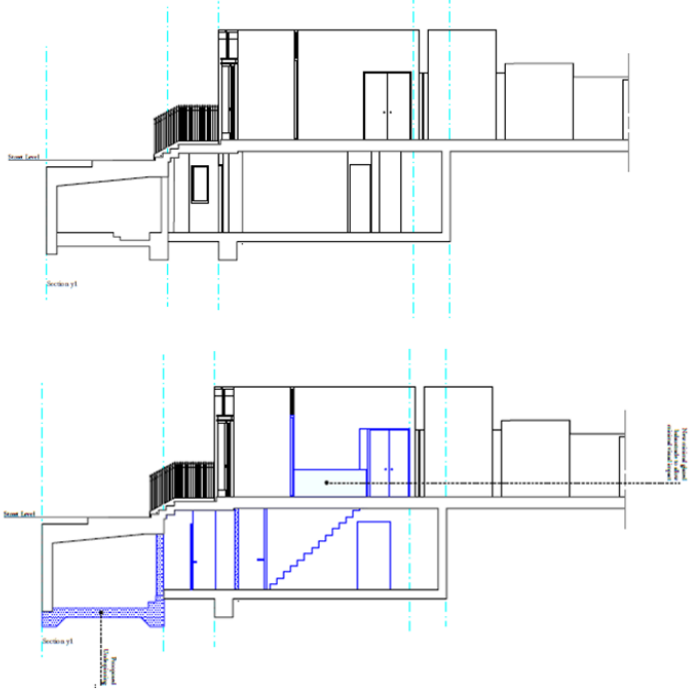
Existing (top) and proposed (bottom) front elevation/section



Existing (top) and proposed (bottom) section y2



Existing (top) and proposed (bottom) section y1



DRAFT PLANNING DECISION LETTER

Address: 16 - 17 Montagu Square, London, W1H 1LE,

Proposal: Amalgamation of ground and front basement residential units (Class C3) within No. 16 Montagu Square and No. 16a Montagu Square to create one maisonette (Class C3) over ground and front basement floor levels. Excavation beneath one of the vaults to allow the use as habitable accommodation.

Reference: 16/03933/FULL

Plan Nos: 2.2 REV C and 2.1 REV C.

Case Officer: Adam Jones

Direct Tel. No. 020 7641 1446

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 occupiers. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) 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 Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both

and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 4 You must apply to us for approval of 1:1 details of the following parts of the development - external windows and doors. 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 Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 5 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building unless they are shown on the approved drawings. (C26KA)

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 Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 6 The facing rendered brickwork must match the existing original work in terms of colour and texture. 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 Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 7 The maisonette (Class C3) over ground and front basement floor level hereby approved 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 (July 2016) and H 5 of our Unitary Development Plan that we adopted in January 2007. (R07DC)

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 (July 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 3 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.
- 4 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)

- 5 You will need technical approval for the works to the highway (supporting structure) prior to commencement of development. You are advised to contact Andy Foster (0207 641 2541) in Engineering & Transportation Projects to progress the applicant for works to the highway.

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 LISTED BUILDING DECISION LETTER

Address: 16 - 17 Montagu Square, London, W1H 1LE,

Proposal: Installation of a staircase between basement and ground floor levels, internal alterations at basement level and excavation beneath pavement vault.

Reference: 16/03934/LBC

Plan Nos: 2.2 REV C and 2.1 REV C.

Case Officer: Adam Jones

Direct Tel. No. 020 7641 1446

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

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

Reason:

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

- 2 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme – replacement of the glazed balustrade shown on drawing 2.2 Rev B with a traditional metal balustrade. 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 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 (July 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph SPG/HB1-3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 3 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 (July 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph SPG/HB1-3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

4 You must apply to us for approval of detailed drawings of the following parts of the development –

- (i) Windows
- (ii) Doors and
- (iii) Fireplaces.

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 protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

5 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 Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) 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 disturb existing vertical boarding on the lower ground floor unless changes are shown on the approved drawings. Where removal of this boarding is approved, it should be retained and relocated to the new walls shown on drawing 2.2 Rev B.

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 (July 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph SPG/HB1-3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

7 The new joinery work must exactly match the existing original work unless differences are shown on the drawings we have approved. (C27EA)

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 (July 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph SPG/HB1-3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 9 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building unless they are shown on the approved drawings. (C26KA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

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

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 11 You must not disturb existing original features in the vault (flagstone flooring, vaulting etc) unless changes are shown on the approved drawings. (C27MA)

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 (July 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph SPG/HB1-3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

Informative(s):

- 1 The special interest of this listed building has been taken into account when considering the impact of the new staircase. The staircase was considered acceptable due to the special circumstances of the case. However, the City Council would not normally consider a staircase in this location acceptable in principle in a Listed Building of this type.
- 2 With regards to the detailed design of the new staircase, you are advised that a metal balustrade of a simple design may be considered more favourably by the City Council. Detail of the new balustrade must be submitted as per Condition 2. You are advised to refer to the City Council's 'Repairs and Alterations to Listed Buildings' Supplementary Planning Guidance (1995).
- 3 **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 (July 2016), 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.

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.
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CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 6 September 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Hyde Park	
Subject of Report	Dudley House, North Wharf Road, London, W2 1LE		
Proposal	Details of revised cladding material (replacement of brick slips with terracotta cladding) pursuant to Condition 42 of planning permission dated 29 April 2016 (RN: 15/11458/COFUL).		
Agent	Child Graddon Lewis		
On behalf of	Westminster City Council		
Registered Number	16/07520/COGADF	Date amended/ completed	10 August 2016
Date Application Received	5 August 2016		
Historic Building Grade	Unlisted		
Conservation Area			

1. RECOMMENDATION

Approve details.

2. SUMMARY

On 22 March 2016 the Planning Applications Committee resolved to grant conditional planning permission for demolition of the existing buildings at Nos.139-147 Harrow Road and Dudley House and redevelopment of the site to provide a building ranging in height from 7 storeys to 22 storeys to provide between 187 and 197 residential units (Class C3); a new secondary school (Class D1); a replacement church (Class D1); and a retail unit (flexible Class A1/A2/A3 use).

The current application seeks approval of details of a revised cladding material for the aforementioned development; namely to replace the brick slips cladding system proposed at the time of the original planning application with a terracotta rainscreen cladding system. The application is made pursuant to Condition 42 of planning permission dated 29 April 2016.

Condition 42 was imposed in order to address the concerns expressed by officers that the use of applied brick slips to an insulated base was not a facing material that would deliver a high quality new development. Officers had particular concerns regarding whether such a cladding system would be able to give the appearance of genuine brickwork and also had concerns about its longevity.

These concerns were shared by the Committee. Condition 42 states:

'Notwithstanding the brick slip panel system shown to residential part of the development shown on the drawings, you must apply to us for approval of detailed drawings and a sample panel showing the following alteration(s) to the scheme:

- A revised form of brick construction or cladding to the development.

You must not start on these parts of the work until we have approved (i) the detailed drawings and (ii) a sample panel of the revised brick construction/ cladding, which also demonstrates (in the event that brick construction is proposed) the bond(s), finish(es), pointing and mortar proposed. You must then carry out the work according to the approved detailed drawings and sample.'

The applicant has revisited the choice of facing material in light of the concerns shared by officers and the Committee with regard to the use of brick slips and they have looked at a range of alternative facing materials. Their preference is to use a terracotta rainscreen cladding system.

Terracotta is a natural product and its method of construction and finish give it an appreciable crafted quality that cannot be achieved by cladding systems that are more reliant on more mass produced materials. The terracotta cladding would allow the design of the approved development to remain largely unaltered as the thickness and application of the system is not dissimilar to the previously proposed brick slips. However, it is considered that the terracotta cladding system would provide the building with a more refined appearance and would enhance its architectural integrity, by virtue of being clad honestly in a terracotta rainscreen; rather than seeking to mimic the appearance of a brick built building.

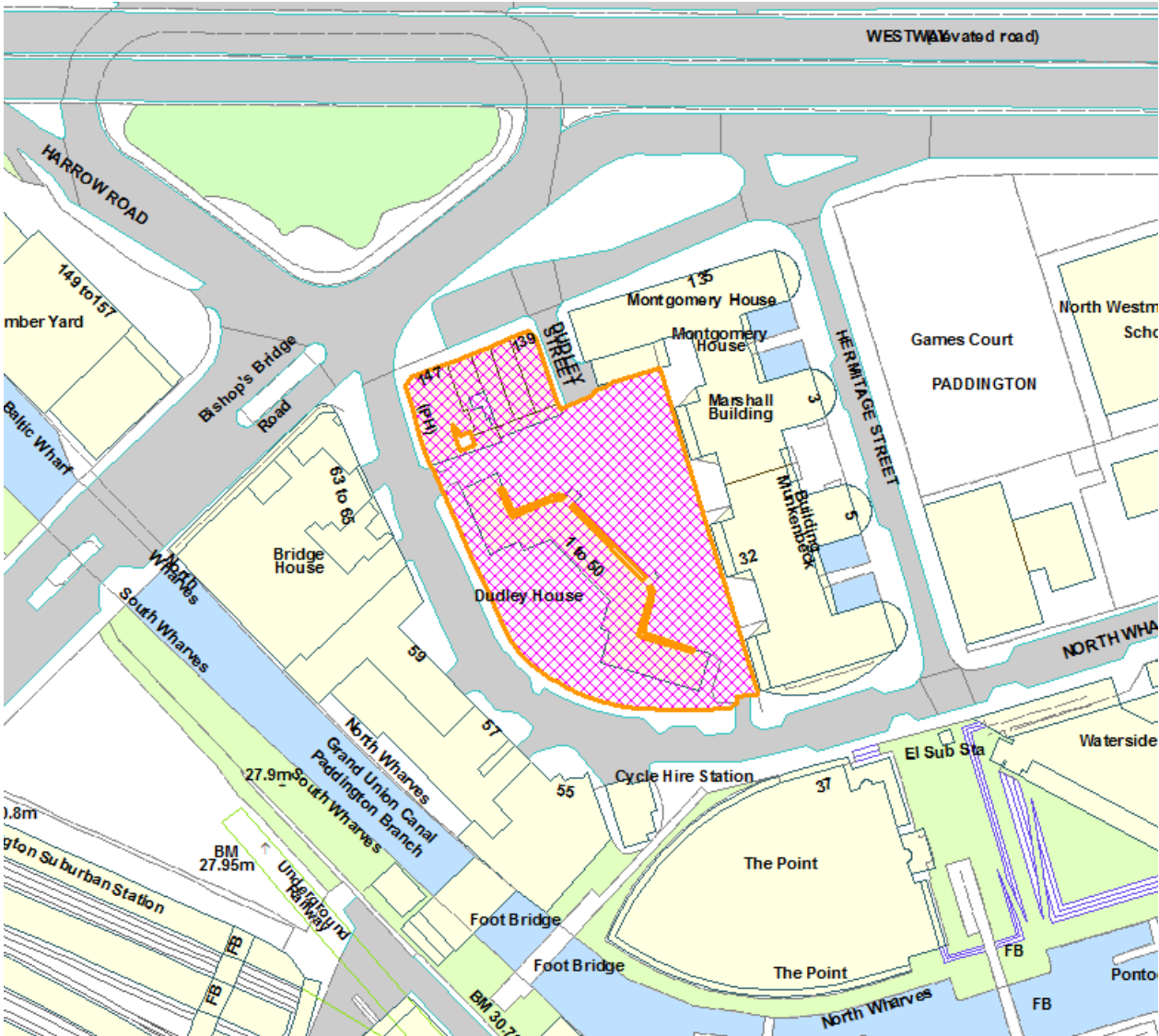
The residential element of the development would be clad in a range of grey coloured terracotta and the use of a number of different tonal colours of terracotta cladding is welcome and would assist in providing visual interest to the facades of the building. The terracotta to the residential block would be horizontally laid in a stacked pattern.

The school block would remain in a darker colour, as was proposed at planning application stage, with the terracotta cladding being a dark blue on the upper floors, with the base of the building differentiated from the upper floors in a bronze/ gold coloured terracotta. The terracotta cladding to the school block would comprise of differing shades of blue and bronze/ gold, be vertically stacked to provide additional visual separation from the residential block and would be of differing lengths to provide greater visual interest to the façade and ensure that the joints in the cladding system align with the window dimensions within the façade (i.e. cladding joints would neatly align with the heads and cills of the windows).

To assist the Committee in its deliberations, samples of the proposed terracotta rainscreen cladding will be available to view at the committee meeting.

Overall the proposed terracotta rainscreen cladding system is considered to be a significant improvement upon the brick slip cladding proposed at planning application stage. The proposed cladding system would ensure that the appearance of the building is appropriate for this part of the City and accords with Policy DES1 in the Unitary Development Plan and S28 in the City Plan. The requirements of Condition 42 have therefore been met and it is recommended that the details submitted are approved.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Site as seen from North Wharf Road (bottom) and from Harrow Road Gyratory (top) in June 2016.

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5. CONSULTATIONS

WARD COUNCILLORS (CHURCH STREET, LITTLE VENICE AND HYDE PARK WARDS)
Any response to be reported verbally.

BAYSWATER RESIDENT ASSOCIATION
Any response to be reported verbally.

HYDE PARK ESTATE ASSOCIATION
Any response to be reported verbally.

NOTTING HILL EAST NEIGHBOURHOOD FORUM
Any response to be reported verbally.

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

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION
Any response to be reported verbally.

ST. MARYLEBONE SOCIETY
Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED
No. Consulted: 18 (All persons who made representations on the original planning application have been consulted).
Total No. of replies: 0.
No. of objections: 0.
No. in support: 0.

SITE NOTICE: Yes.

6. BACKGROUND PAPERS

1. Application form.

Selected relevant drawings

As approved and as proposed elevations and CGIs.

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

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: NATHAN BARRETT BY EMAIL AT nbarrett@westminster.gov.uk .
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7. KEY DRAWINGS



As approved scheme (left) with brick slip cladding and as now proposed with terracotta cladding (right).



1 NORTH ELEVATION
1 : 200

0m 2m 4m 6m 8m 10m
SCALE BAR 1:100 @ A0

North Elevation – Planning application scheme (brick slips) top and as now proposed (terracotta cladding) bottom.



1 WEST ELEVATION
1:200

0m 2m 4m 6m 8m 10m
SCALE BAR 1:100 @ A0

West Elevation – Planning application scheme (brick slips) top and as now proposed (terracotta cladding) bottom.



1 EAST ELEVATION
1:200

East Elevation – Planning application scheme (brick slips) top and as now proposed (terracotta cladding) bottom.



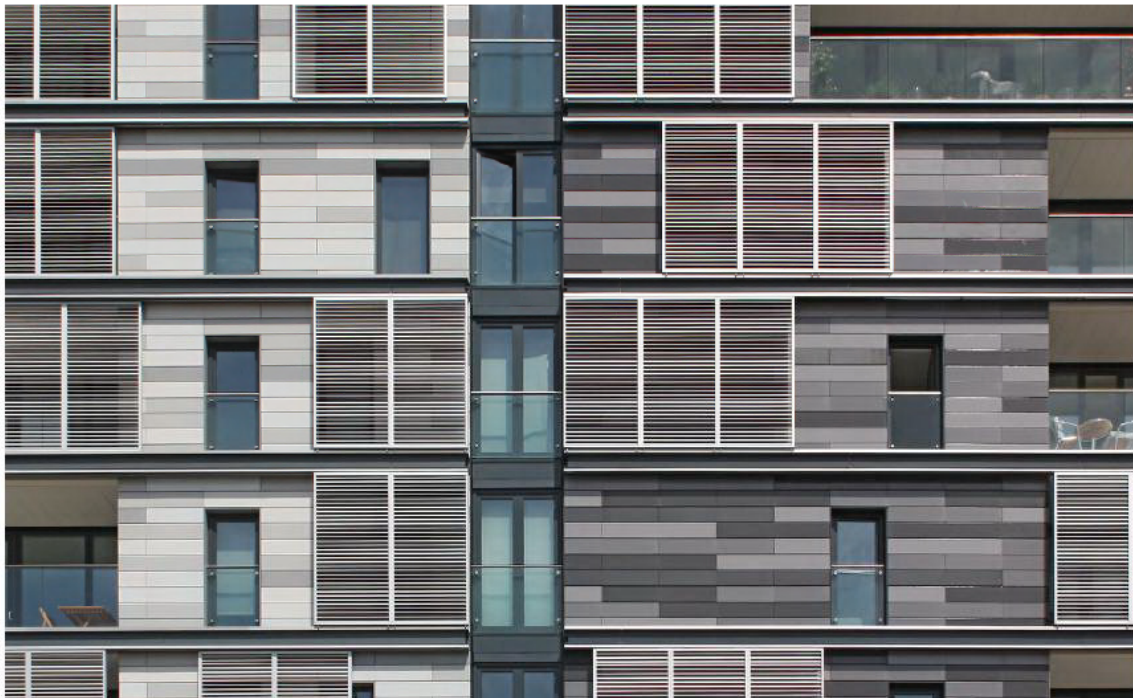
1 SCHOOL MAIN ENTRANCE ELEVATION
1:100

South Elevation – Planning application scheme (brick slips) top and as now proposed (terracotta cladding) bottom.



① DETAIL 01 - RESIDENTIAL WEST ELEVATION TYPICAL MODULE
1 : 50

Typical detailing using terracotta cladding to residential part of development (above).



Example image of grey terracotta cladding, similar to that proposed on the residential element of the building.

DRAFT DECISION LETTER

Address: Dudley House , North Wharf Road, London, W2 1LE

Proposal: Details of revised cladding material (replacement of brick slips with terracotta cladding) pursuant to Condition 42 of planning permission dated 29 April 2016 (RN: 15/11458/COFUL).

Plan Nos: P14-050_CGL-Z1-XX-EL-A-13(100)001_F1,
P14-050_CGL-Z1-XX-EL-A-13(100)002_F1,
P14-050_CGL-Z1-XX-EL-A-13(100)001_F1,
P14-050_CGL-Z1-XX-EL-A-13(100)002_F1,
P14-050_CGL-Z1-XX-EL-A-13(100)003_F1,
P14-050_CGL-Z1-XX-EL-A-13(100)004_F1,
P14-050_CGL-Z1-XX-EL-A-13(100)005_F1,
P14-050_CGL-Z1-XX-SE-A-12(101)001_F1,
P14-050_CGL-Z5-XX-DT-A-15(500)001_1,
P14-050_CGL-Z5-XX-DT-A-15(500)002_1,
P14-050_CGL-Z5-XX-DT-A-15(500)003_1,
P14-050_CGL-Z5-XX-DT-A-15(500)004_1,
P14-050_CGL-Z5-XX-DT-A-15(500)005_1,
P14-050_CGL-Z5-XX-DT-A-15(500)006_1,
P14-050_CGL-Z6-XX-DT-A-15(600)001_F1,
P14-050_CGL-Z6-XX-DT-A-15(600)008_F1, Post Planning Approval - Alternative Cladding Solutions Statement by CGL dated 15 April 2016 and indicative samples of terracotta cladding.

Case Officer: Oliver Gibson

Direct Tel. No. 020 7641 2680

Unconditional or if an Advert Application only the standard advert conditions

Informative(s):

- 1 This permission fully meets Condition 42 of the planning permission dated 29 April 2016. However, you are reminded that this condition agrees only the principle of the alternative cladding material. Precise colour and texture finishes of the terracotta cladding are to be approved pursuant to Condition 5. (I11AA)

Item No.
5

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 6 September 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Knightsbridge And Belgravia	
Subject of Report	34 Cheval Place, London, SW7 1ER,		
Proposal	Excavation to create single storey basement extension; erection of a single storey ground floor rear extension and the reconfiguration of the front mansard dormer.		
Agent	Mr Benedict Goodall		
On behalf of	Ms Lisa Mutter		
Registered Number	16/02416/FULL	Date amended/ completed	14 April 2016
Date Application Received	17 March 2016		
Historic Building Grade	Unlisted		
Conservation Area	Knightsbridge		

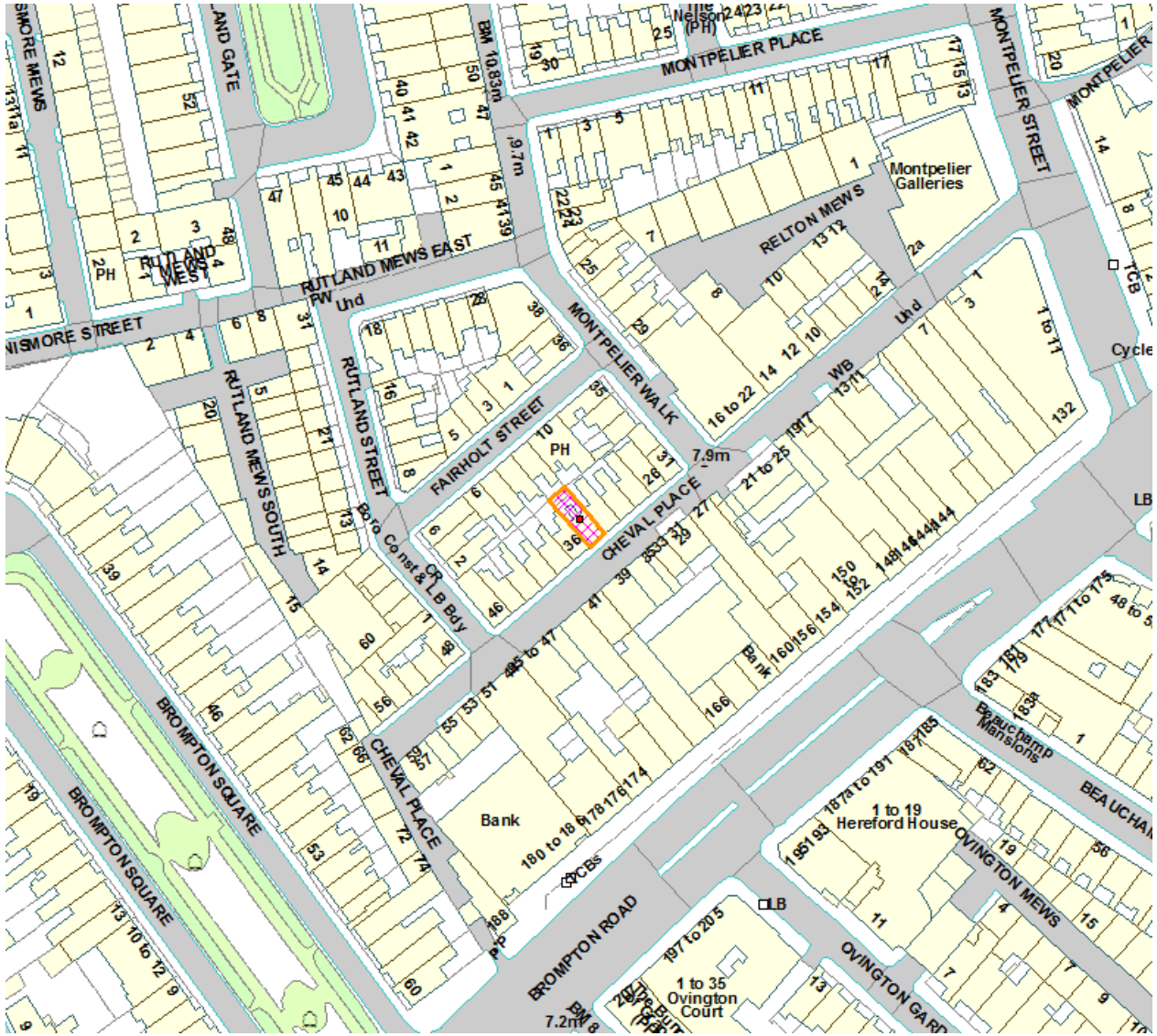
1. RECOMMENDATION

1. Grant conditional permission.

2. SUMMARY

<p>An application has been submitted seeking planning permission for excavation to create a single storey basement extension, the erection of a single storey ground floor rear extension and the reconfiguration of the front mansard dormer at No. 34 Cheval Place.</p> <p>The key issues for consideration are:</p> <ul style="list-style-type: none"> * The impact of the proposals on the appearance of the building and character of the surrounding Knightsbridge Conservation Area. * The impact of the proposals on the amenity of neighbouring residents. <p>The proposals are considered to comply with the Council's policies in relation to design, conservation and amenity as set out in Westminster's City Plan: Strategic Policies (City Plan) and the Unitary Development Plan (UDP) and the application is accordingly recommended for approval.</p>

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front of No. 34 Cheval Place



View from first floor of No. 10 Fairholt Street looking towards Nos. 32 and 34 Cheval Place (tree in adjacent garden of No. 9 Fairholt Street has since been felled).

5. CONSULTATIONS

ROYAL BOROUGH OF KENSINGTON AND CHELSEA

No objection.

KNIGHTSBRIDGE ASSOCIATION

Comments from Association's Transport and Environment Committee - construction management plan should address: control of dust and emissions, size of vehicles, awareness of local street conditions, wheel and street washing facilities, 'just-in-time' delivery system, interaction with other developments taking place in the locality.

BUILDING CONTROL

Structural method statement acceptable.

HIGHWAYS PLANNING MANAGER

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 41

Total No. of replies: 2

No. of objections: 2

No. in support: 0

Two letters received from neighbouring residents raising the following issues:

Basement Construction

*Basement does not comply with the Council's guidance on basement extensions

*Construction Management Plan should address: control of dust and emissions, size of vehicles, awareness of local street conditions, wheel and street washing facilities, 'just-in-time' delivery system, interaction with other developments taking place in the locality.

Amenity

*Loss of light.

*Loss of privacy and increased sense of enclosure

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

No. 34 Cheval Place is an unlisted single-family dwelling located within the Knightsbridge Conservation Area.

6.2 Recent Relevant History

No relevant recent planning history.

7. THE PROPOSAL

Planning permission is sought for excavation to create a single storey basement extension, the erection of a single storey ground floor rear extension and the reconfiguration of the front mansard dormer.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposal seeks to extend the existing single family dwelling house which is acceptable in principle in land use terms and in accordance with H3 of the UDP and S14 of Westminster's City Plan.

8.2 Townscape and Design

Due to the very enclosed nature of the site the proposed above-ground elements of the scheme would have no impact on the character or appearance of the conservation area. The minor alterations to the front mansard are consistent with the design of the mansard roofs on adjoining buildings in this terrace.

The below-ground elements of the proposed basement would have no visual impacts upon completion of the work.

For these reasons the proposals would comply with relevant national and local design and conservation policies, in particular DES 1, DES 5 and DES 10 of the UDP.

8.3 Residential Amenity

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

It is not considered that the creation of a new basement storey under the existing property will materially impact upon the amenity of neighbouring properties in terms of loss of privacy, daylight or sense of enclosure.

With regard to the single storey ground floor rear extension, an objection has been raised on the grounds of loss of light, loss of privacy and increased sense of enclosure by the occupier of 8 Fairholt Street at the rear. The proposed rear extension will extend outwards from the existing rear elevation of the building by approximately 1.2 m. The extension is full width and will abut the party walls with the adjoining properties either side on Cheval Place.

On the boundary with No. 32 Cheval Place there are higher level conservatory window panes which will be partially obstructed by the extension. Given the remaining extent of glazing to conservatory and the higher level of these panes this is not considered to raise amenity issues sufficient to merit a refusal of the application on these grounds. On the boundary with No. 36 the extension will rise above the existing garden party wall however

given its modest depth it is again not considered to raise any significant amenity concerns. No objections have been received from either of these properties.

With regard 8 Fairholt Street at the rear, given the high boundary walls and enclosed nature of the site, the proposed extension at rear ground floor level would be virtually hidden from even the upper floors of properties in Fairholt Street and so it is not considered that the rear extension would lead to a material increase in sense of enclosure, loss of privacy or loss of light to these properties.

As such, the proposals are considered acceptable in amenity terms, in accordance with Policies S29 of the City Plan and ENV13 of the UDP.

8.4 Transportation/Parking

As the enlarged property will continue to be used as a single family dwelling, the proposals are considered acceptable in Highways terms.

8.5 Economic Considerations

Not applicable.

8.6 Access

The access arrangements are unchanged by these proposals.

8.7 Other UDP/Westminster Policy Considerations

Basement Excavation

In line with policy CM28.1 of the City Plan (adopted July 2016), the new basement will have a floor to ceiling height of approx. 2.7m. To provide light, an appropriately proportioned rear light-well sits parallel with the new rear building line created by the single storey rear ground floor extension.

The concrete retaining wall to the lightwell has been set back to leave a 300mm construction free zone from the face of the party fence wall to the outside edge of the concrete retaining wall, thus meeting the requirement of CM28.1 of the City Plan (adopted July 2016) to leave a proportion of undeveloped area surrounding the basement.

The outside edge of the lightwell retaining wall is 2.64m back from the face of the rear elevation and is therefore under the 4m maximum as required by CM28.1 of the City Plan (adopted July 2016).

The existing small rear courtyard is fully paved except for two planters in the corners. These are to be retained and there is a fully permeable zone along the rear edge of the site to allow water to percolate into the soil.

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 proposals are of insufficient scale to generate a requirement for any planning obligations.

8.11 Environmental Impact Assessment

The proposals are of an insufficient scale to require an environmental impact assessment.

8.12 Other Issues

Basement

With regard to the construction of the basement itself, the applicant has provided a structural engineer's report explaining the likely methodology of excavation. Any report by a member of the relevant professional institution carries a duty of care which should be sufficient to demonstrate that the matter has been properly considered at this early stage.

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

This report has been considered by our Building Control officers who have advised that the structural approach appears satisfactory. We are not approving this report or conditioning that the works shall necessarily be carried out in accordance with the report. Its purpose is to show, with the integral professional duty of care, that there is no reasonable impediment foreseeable at this stage to the scheme satisfying the Building Regulations in due course. This report will be attached for information purposes to the decision letter.

Construction impact

The Knightsbridge Association and a neighbouring resident have raised concerns in relation to the Construction Management Plan on the grounds that it fails to address matters such as: the control of dust and emissions, size of vehicles, awareness of local street conditions, wheel and street washing facilities, 'just-in-time' delivery system, and the interaction with other developments taking place in the locality.

The applicant has submitted a Construction Management Plan (CMP) as part of the application. The document is considered useful as a first draft but a condition is recommended requiring the submission of a more detailed CMP to ensure that the

basement excavation process is carefully managed to minimise the environmental impact and to mitigate noise and nuisance for residents.

A further condition is recommended to control the hours of construction works; noisy basement excavation work can only be carried out between the hours of 08.00 to 18.00 Monday to Friday.

9. BACKGROUND PAPERS

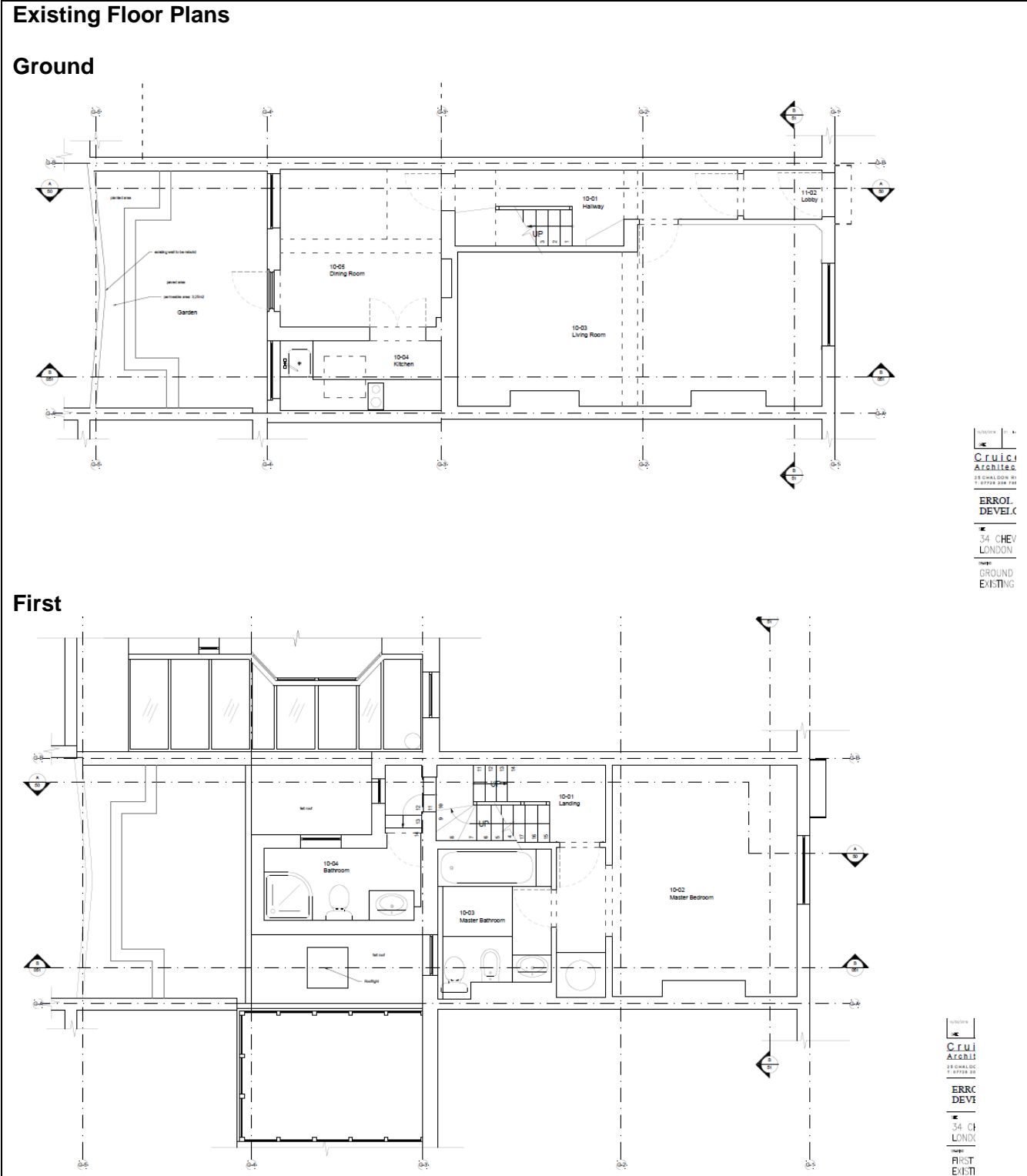
1. Application form
2. Letter from Royal Borough of Kensington and Chelsea, dated 8 August 2016
3. Letter from Knightsbridge Association (Transport and Environment Committee), dated 22 April 2016
4. Response from Building Control - Development Planning, dated 27 April 2016
5. Response from Highways Planning Manager, dated 26 July 2016
6. Letter from occupier of 2 Rutland Street, dated 22 April 2016
7. Letter from occupier of 8 Fairholt Street, dated 19 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 THE PRESENTING OFFICER: LOUISE FRANCIS BY EMAIL AT lfrancis@westminster.gov.uk.

KEY DRAWINGS



Existing Elevations



36 Cheval Place

34 Cheval Place

32 Cheval Place

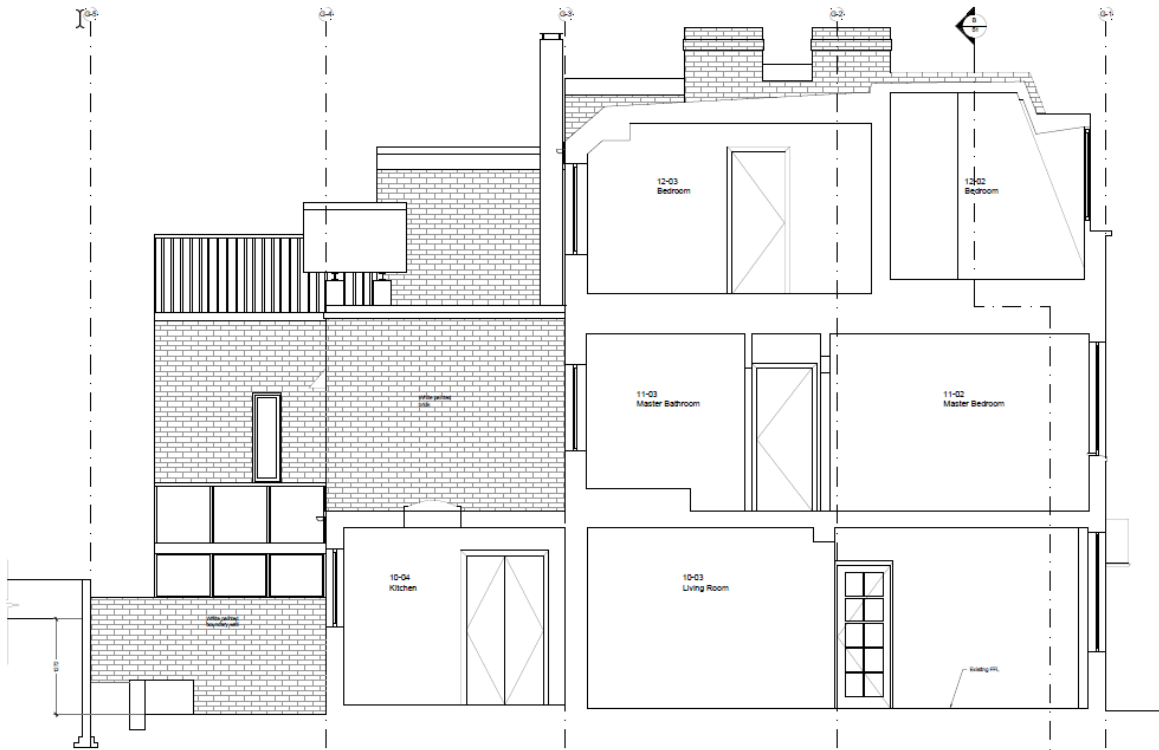
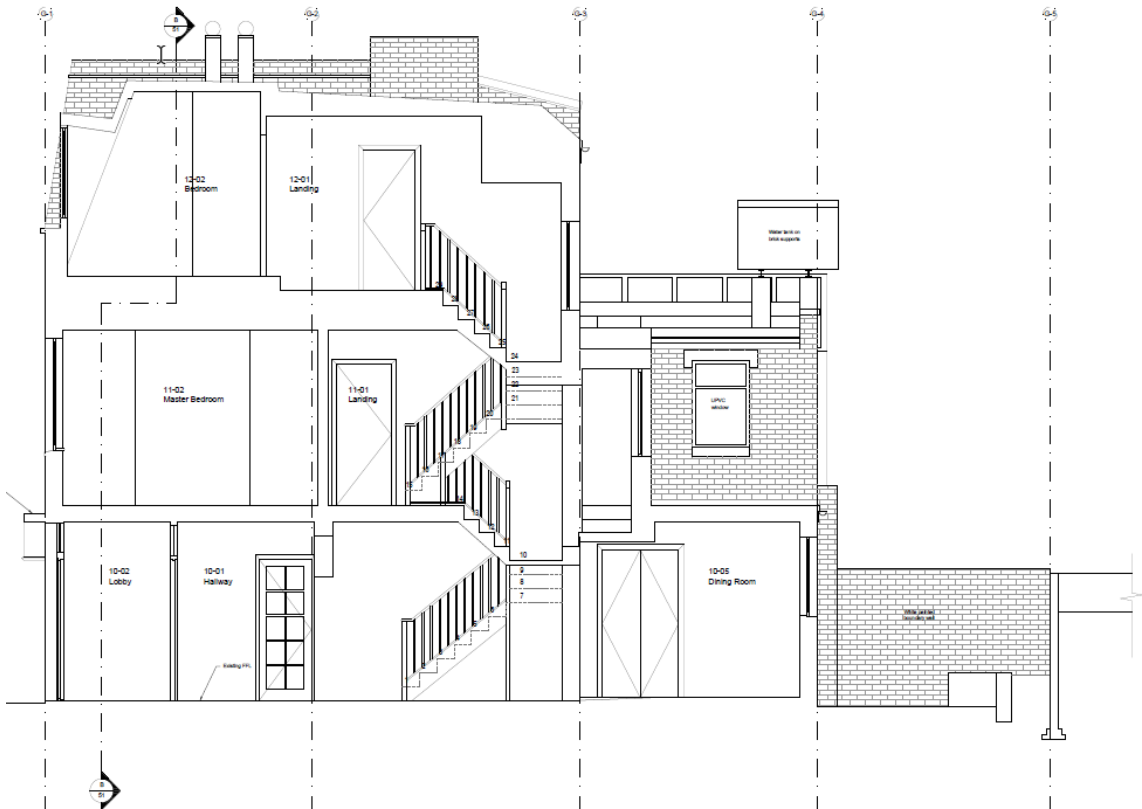


32 Cheval Place

34 Cheval Place

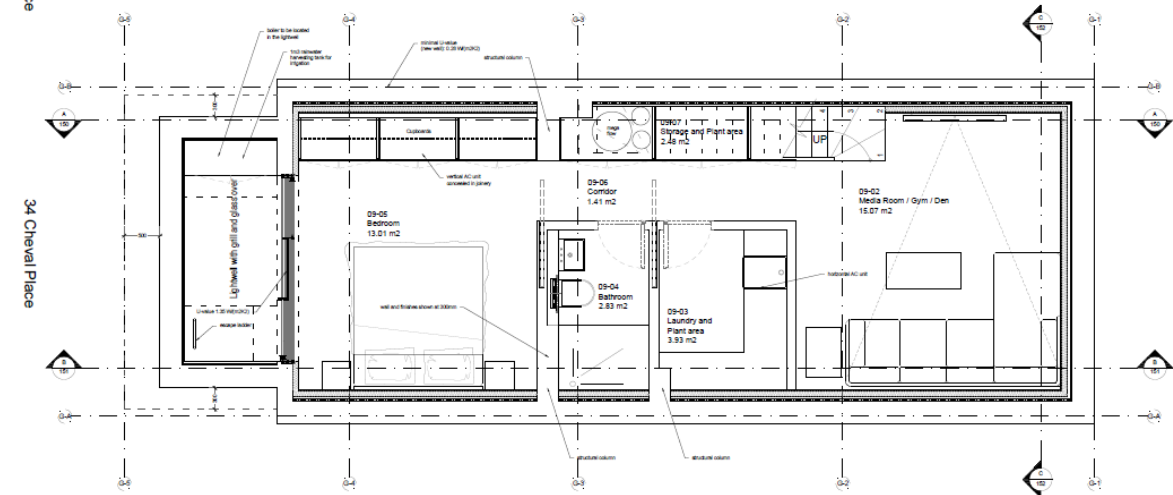
36 Cheval Place

Existing Sections

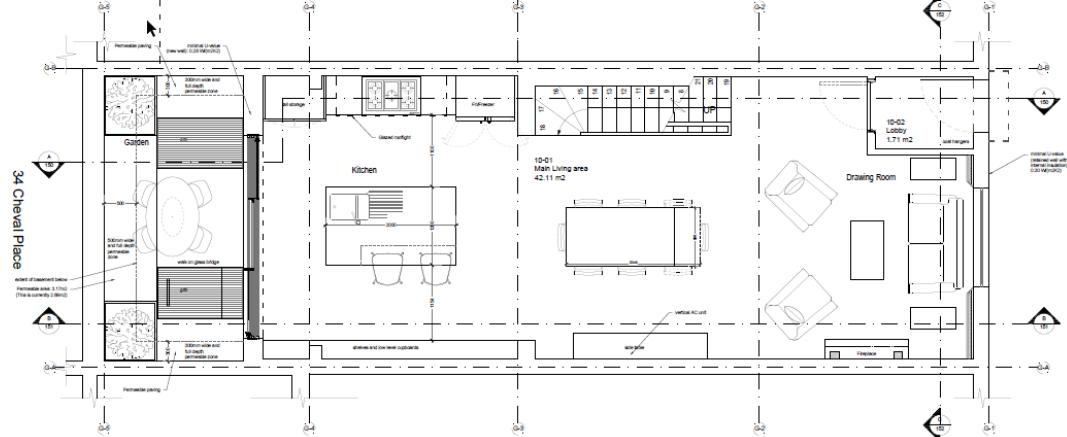


Proposed Floor Plans

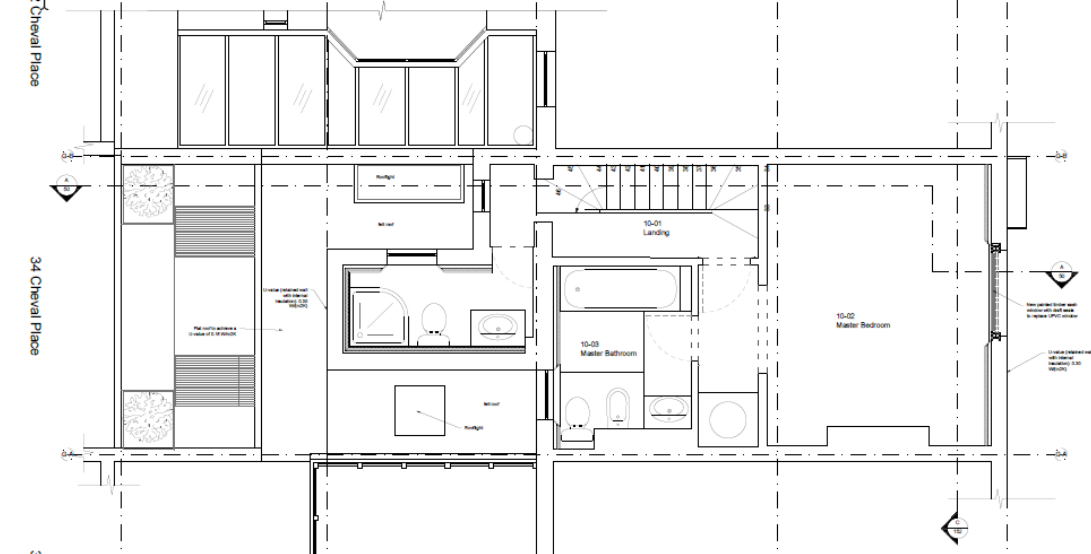
Basement



Ground



First



Proposed Sections



DRAFT DECISION LETTER

Address: 34 Cheval Place, London, SW7 1ER,

Proposal: Excavation to create single storey basement extension, the erection of a single storey ground floor rear extension and the reconfiguration of the front mansard dormer.

Plan Nos: 077 001 Rev 01; 010 Rev 01; 011 Rev 01; 012 Rev 01; 013 Rev 01; 020 Rev 01; 021 Rev 01; 050 Rev 01; 51 Rev 01; 052 Rev 01; 080; 109-1 Rev 02; 110-1 Rev 02; 111-1 Rev 02; 112-1 Rev 02; 113-1 Rev 01; 120-01 Rev 02; 121-1 Rev 02; 150-1 Rev 02; 151-1 Rev 02; 152-1 Rev 02; Construction Management Plan dated 15 March 2016, prepared by Crucie Goodall Architecture and Design; (for information only) Structural Engineers Structural Methodology Statement Rev B dated 15 March 2016, prepared by Engineers HRW.

Case Officer: Sebastian Knox

Direct Tel. No. 020 7641 4208

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

You must carry out piling, excavation and demolition work only:

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

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) 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 (July 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007.
(R26BE)

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

Reason:

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

- 5 {b 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 shall provide the following details:
- (i) a construction programme including a 24 hour emergency contact number;
 - (ii) parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - (iii) locations for loading/unloading and storage of plant and materials used in constructing the development;
 - (iv) erection and maintenance of security hoardings (including decorative displays and facilities for public viewing, where appropriate);
 - (v) wheel washing facilities and measures to control the emission of dust and dirt during construction; and
 - (vi) a scheme for recycling/disposing of waste resulting from demolition and construction works.

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

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

- 6 You must apply to us for approval of details of the following parts of the development:

Detailed drawings of the new rear doors at basement and ground floor levels, sections and elevation (scaled 1:10 and 1:5);

You must not start any work on these parts of the development until we have approved what you

have sent us. You must then carry out the work according to these drawings and samples (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 Knightsbridge Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 7 The new windows hereby approved must be traditional timber frame, slim line double-glazed, sliding sash windows.

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 (July 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

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 (July 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 3 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)
- 4 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)

- 5 You must apply for a licence from our Highways Licensing Team if you plan to block the road or pavement during structural work to support the building. Your application will need to show why you cannot support the building from private land. For more advice, please phone 020 7641 2560. (I36AA)
- 6 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.
- 7 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

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

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

Phone: 020 7641 2000

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

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

- 9 For the avoidance of doubt the Construction Management Plan required under condition 5 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.

Please note that the Council has recently adopted a new version of the Code of Construction Practice. Proposals for basement extensions such as the one approved as part of this application will in future require the submission to the Council's Environmental Inspectorate for its approval of a Site Environmental Management Plan or Construction Management plan well before work can commence. Full guidance is given on the Council's website at <https://www.westminster.gov.uk/code-construction-practice>.