



City of Westminster

Committee Agenda

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

Meeting Date: **Tuesday 27th 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:**

Tony Devenish (Chairman)
Ruth Bush
Christabel Flight
Tim Mitchell

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. ROYAL AIR FORCE CLUB, 128 PICCADILLY, LONDON, W1J 7PY | (Pages 5 - 44) |
| 2. SELWYN HOUSE, 15 CLEVELAND ROW, LONDON, SW1A 1DH | (Pages 45 - 68) |
| 3. 145 OXFORD STREET, LONDON, W1D 2JD | (Pages 69 - 90) |
| 4. 57 BERWICK STREET, LONDON, W1F 8SR | (Pages 69 - 90) |
| 5. 46 LANGHAM STREET, LONDON, W1W 7AX | (Pages 91 - 104) |
| 6. 5-7 SUTHERLAND AVENUE, LONDON, W9 2HE | (Pages 105 - 114) |
| 7. 65 MARLBOROUGH PLACE, LONDON, NW8 0PT | (Pages 115 - 134) |

8. MAIDA VALE, LONDON, W9

**(Pages 135 -
144)**

**Charlie Parker
Chief Executive
19 September 2016**

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Agenda Annex

CITY OF WESTMINSTER
 PLANNING APPLICATIONS COMMITTEE – 27th September 2016
 SCHEDULE OF APPLICATIONS

Item No	References	Site Address	Proposal	
1.	RN NO(s) : 16/05289/FULL 16/05771/LBC West End	Royal Air Force Club, 128 Piccadilly London W1J 7PY	Demolition of rear extension on ground, first and first floor mezzanine levels and erection of replacement extension on ground, first, first floor mezzanine and second to fifth floor levels to provide additional accommodation to existing private members' club (sui generis) and installation of plant at roof level. Internal alterations at basement level.	
Item No	References	Site Address	Proposal	
2.	RN NO(s) : 16/00854/FULL St James's	Selwyn House 15 Cleveland Row London SW1A 1DH	Erection of extension at third floor level and roof level to create new fourth/ loft floor level and associated alterations including mechanical plant and rooflights in connection with enlargement of single family dwellinghouse.	
Item No	References	Site Address	Proposal	
3.	RN NO(s) : 16/05969/FULL West End	145 Oxford Street London W1D 2JD	Erection of mansard roof extension to create new fourth floor; erection of rear extensions at first to third floor levels; erection of plant enclosure, cycle parking enclosure and new terrace at second floor level; use of first floor as retail (Class A1), use as part ground, second, third and new fourth floor as office (Class B1) floorspace; and installation of replacement windows, new shopfront and associated works including alterations to the chimney at Green Man Public House (No. 57 Berwick Street).	
Item No	References	Site Address	Proposal	
4.	RN NO(s) : 16/05985/LBC	57 Berwick Street London W1F 8SR	Alterations to the Chimney at the Green Man Public House.	

CITY OF WESTMINSTER
 PLANNING APPLICATIONS COMMITTEE – 27th September 2016
 SCHEDULE OF APPLICATIONS

	West End			
Recommendation 1. Grant conditional listed building consent, subject to no substantive additional issues being raised prior to the expiry of the consultation period on 29 September 2016. 2. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.				

Item No	References	Site Address	Proposal	
5.	RN NO(s) : 16/07002/TCH West End	46 Langham Street London W1W 7AX	Use of the public highway for the placing of five picnic benches in Middleton Place and one on Langham Street frontage, enclosed by a total of nine canvas barriers, in two areas measuring 10m x 1.5m x 1.5m x 1.8m	
Recommendation Grant conditional permission.				

Item No	References	Site Address	Proposal	
6.	RN NO(s) : 12/07598/FULL Westbourne	5-7 Sutherland Avenue London W9 2HE	Use of basement floors of Nos.5-7 Sutherland Avenue and Nos.346-348 Harrow Road as a community centre (Class D2) by the Asian Muslim Cultural Centre. (ADDENDUM REPORT)	
Recommendation Grant conditional permission.				

Item No	References	Site Address	Proposal	
7.	RN NO(s) : 16/02209/FULL Abbey Road	65 Marlborough Place London NW8 0PT	Retention of children's swing, slide structure and play structures in rear garden of property and erection of timber storage shed and attenuated plant enclosure with surrounding timber screening	
Recommendation Grant conditional permission.				

Item No	References	Site Address	Proposal	
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CITY OF WESTMINSTER
 PLANNING APPLICATIONS COMMITTEE – 27th September 2016
 SCHEDULE OF APPLICATIONS

8.	<p>RN NO(s) : 15/11073/FULL</p> <p>Maida Vale</p>	<p>Maida Vale London W9</p>	<p>Installation on the footway adjacent to Dundee House, 145 Maida Vale, of a Cycle Hire docking station in an area measuring 48.7m x 1.85m, containing a maximum of 37 docking points and a terminal. (ADDENDUM REPORT)</p>	
<p>Recommendation Grant conditional permission.</p>				

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Agenda Item 1

Item No.

1

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 27 September 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Royal Air Force Club	Royal Air Force Club, 128 Piccadilly, London, W1J 7PY		
Proposal	Demolition of rear extension on ground, first and first floor mezzanine levels and erection of replacement extension on ground, first, first floor mezzanine and second to fifth floor levels to provide additional accommodation to existing private members' club (sui generis) and installation of plant at roof level. Internal alterations at basement level.		
Agent	Nicholas Taylor & Associates		
On behalf of	RAF Club		
Registered Number	16/05289/FULL & 16/05771/LBC	Date amended/ completed	28 June 2016
Date Application Received	6 June 2016		
Historic Building Grade	Grade II		
Conservation Area	Mayfair		

1. RECOMMENDATION

- i. Grant conditional permission.
- ii. Grant conditional listed building consent.
- iii. Agree reasons for granting listed building consent as set out in informative 1 of the decision notice.

2. SUMMARY

The application premises is a Grade II listed private members' club (the RAF Club) on the north side of Piccadilly. Permission and listed building consent are sought for alterations including the partial demolition of the existing "Squash Court Wing" at the rear of the club, including part of an adjacent stair, and for the erection of a replacement extension on ground, first, first floor mezzanine and second to fifth floors, with plant to the roof. This new accommodation would provide additional club bedrooms, a business lounge, a fitness suite and ancillary office accommodation for the club. Minor internal alterations are also proposed at basement level.

The key issues are:

* the acceptability of the loss of the existing squash courts on land use and historic buildings grounds;

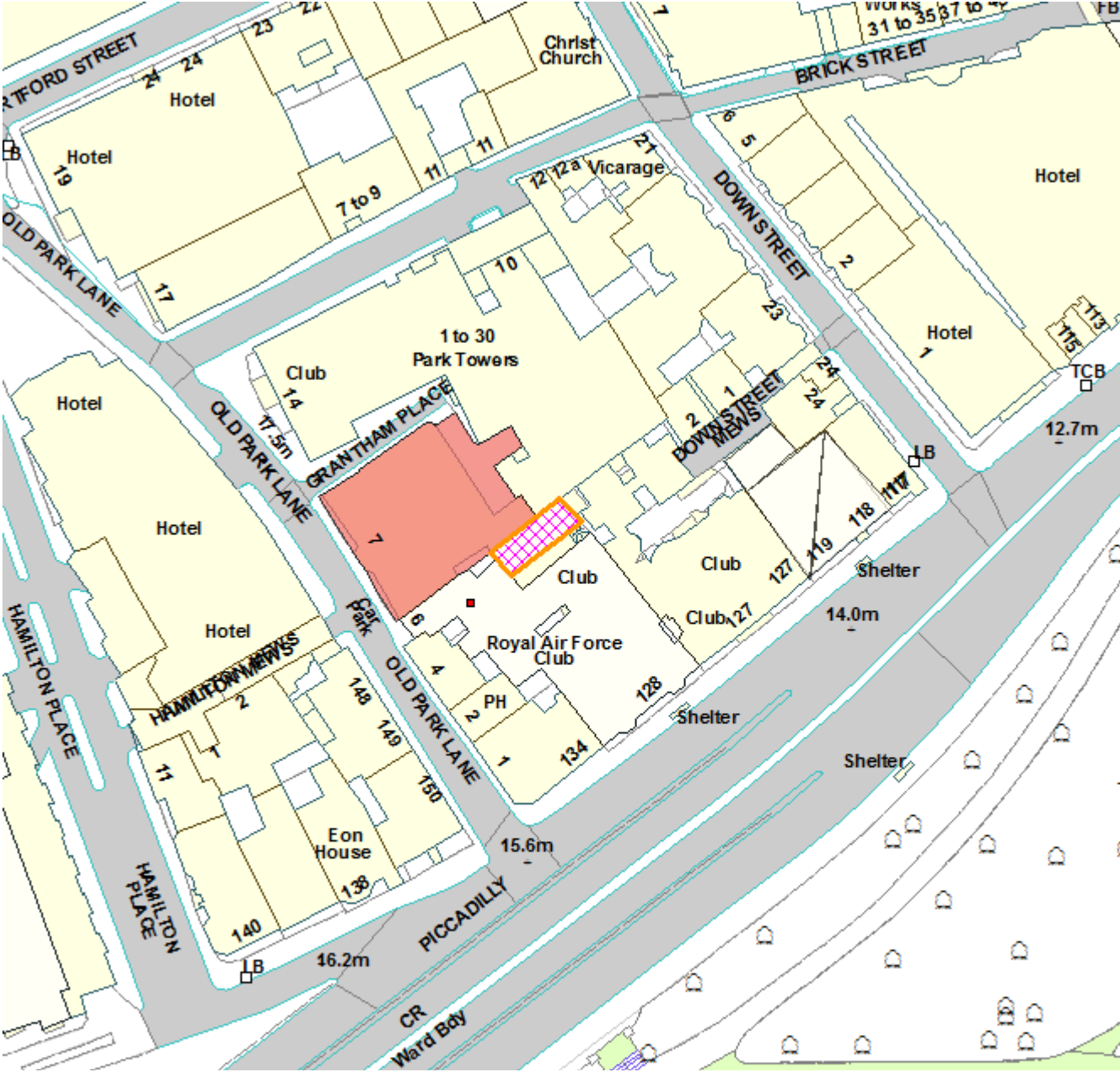
* the impact of the proposals upon both the special interest of the listed building and the character and appearance of this part of the Mayfair conservation area

* the impact of the proposals on neighbours' amenity.

Objections have been received on land use and historic buildings grounds, specifically to the principle of the loss of the squash courts, which objectors believe to be both a recreational and historic asset.

The proposals are considered acceptable in land use terms. As ancillary club accommodation, the squash courts cannot be protected as a sporting facility. Additionally, the courts are not considered to be of such special interest, either architecturally or historically, to support objections to their loss on historic buildings grounds. The proposed replacement extension and basement alterations, are considered acceptable in terms of their impact upon the listed building and the character and appearance of the conservation area. Subject to conditions, it is not considered that the proposals would adversely affect the amenities of neighbouring properties. The applications comply with relevant UDP and City Pan policies and are therefore recommended for approval.

3. LOCATION PLAN



4. PHOTOGRAPHS



Front Elevation



View over squash wing (pre-construction of 3 Down Street Mews)



Existing view from Grantham Place

5. CONSULTATIONS

HISTORIC ENGLAND

Do not wish to comment.

RESIDENTS' SOCIETY OF MAYFAIR & ST. JAMES'S

Any response to be reported verbally.

ENVIRONMENTAL HEALTH

No objection subject to conditions

HIGHWAYS PLANNING

No objection subject to conditions

TWENTIETH CENTURY SOCIETY

Any response to be reported verbally

THE VICTORIAN SOCIETY

Any response to be reported verbally

ANCIENT MONUMENTS SOCIETY

Any response to be reported verbally.

COUNCIL FOR BRITISH ARCHAEOLOGY

Any response to be reported verbally.

SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS

Any response to be reported verbally.

THE GEORGIAN GROUP

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 60

Total No. of replies: 340

No. of objections: 55

- Loss of an historic asset which has an association with the Bath Cup
- Loss of historic fabric (by Gradige).
- Loss of the oldest non-standard squash court outside the USA
- Loss of a sporting facility detrimental to the development of the sport, adverse impact on inter-club squash competition
- Deficiency of squash courts in the area
- Erodes the multifunctional character of the club

No. in support: 285

- Courts underutilised, are in a poor state of repair. The cost of their maintenance is not justifiable based on their limited use
- Squash courts are of a substandard size and cannot be used for competitions. No ladies' changing facilities are available in association with the courts' use.
- A number of alternative courts available in the vicinity
- The proposed gym would cater for the needs of a higher proportion of club members
- New bedroom facilities are in demand and provide affordable access to London
- Increase in revenue would contribute to the on-going maintenance of the club and secure its long term future
- Age alone does not give the squash courts historic value

ADVERTISED / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The property is a Grade II listed building on the north side of Piccadilly, between its junctions with Down Street and Old Park Lane. There are limited views of the rear of the property from Grantham Place. The site is located within the Mayfair conservation area and the Core Central Activities Zone.

The building, which is in lawful use as a private members' club (*sui generis*), has been occupied by the RAF Club since 1922. Developed from three Portland stone mansions, dating from 1888, the building is significant for both its grand exterior, and its interiors, with remodelling by Aston Webb for the RAF club in 1918, following its acquisition

The club provides a range of facilities on basement to fifth floors. Some areas are open to members of the general public, including meeting rooms, a dining and lounge area, and function rooms. The remaining parts of the building provide a library, offices, storage and temporary overnight sleeping accommodation for club members (92 bedrooms) . A 1920s extension at the rear of the site provides two squash courts (on ground and first floors) for use by club members and their guests and club offices at first floor mezzanine level.

6.2 Recent Relevant History

None.

7. THE PROPOSAL

The scheme involves the partial demolition of the existing rear "Squash Court Wing" (on ground, first and first floor mezzanine levels), the demolition of part of an existing stair extension at rear second to fourth floors, adjacent to the squash court wing, and the construction of a replacement extension on ground, first, first floor mezzanine and second to fifth floors, to provide 17 additional club bedrooms, with en-suite bathrooms, a business lounge, a fitness suite and offices for staff for use. A

plant enclosure would be located on the western side of the roof. Minor internal alterations are proposed at basement level

The proposal would provide 619 sqm (GEA) of new club floorspace.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The club is located within the Central Activities Zone. UDP policy CENT 1 gives priority and protection to those activities, including London clubs, which make a significant contribution to the special role of Central London. The existing use is considered contribute both to the character and function of this part of the Central Activities Zone (CAZ) and the Mayfair conservation area.

- **Loss of Squash Courts**

The applicants have advised that one of the existing courts has not been in use for a number of years and that, of the Club's 24,000 members, fewer than 50 play squash at the Club and only 6 of the 17 players who represent the Club's squash team are Club members. In addition, the upper court is in a poor state of repair and has no viewing facility. Because of these shortcomings and the courts' non-standard size, neither court is suitable for competitions. There are also no female changing facilities. The club contends that the proposed gym, with male and female changing rooms, would be used by a greater proportion of Club members than the squash courts

A significant number of objections have been received on the grounds that the demolition of the squash courts would result in the loss of a sports facility to the detriment of the character of the club, to the development of the game of squash, and squash players, and to inter-club squash competition. Objectors also state that there are few alternative squash courts in the area. However, there are alternative squash court facilities at Le Méridien, Piccadilly and Royal Automobile Club, Pall Mall, both approximately 1 km from the RAF Club..

The existing use of building is as a private members' club (sui generis). The squash courts are ancillary to this to this use and could be converted to provide any other form of ancillary club accommodation, e.g. kitchens, without the need for planning permission. In these circumstances, the loss of the existing squash courts cannot justifiably form the basis of a recommendation for refusal in land use terms and objections received on these grounds cannot be supported.

8.1.2 Extension of club premises

The scheme would provide additional club bedrooms, staff offices and three small meeting/conference rooms, available to the public. As this is a sui generis use most akin to a hotel, it is considered most appropriate to assess the proposal in relation to policies for hotel development. UDP policy TACE 2 and S23 of the City Plan state

that permission will be granted for extensions to existing hotels in streets within the Core CAZ which do not have a predominantly residential character where there would be no adverse environmental and traffic effects and where adequate on-site facilities are provided for developments including significant amounts of new visitor accommodation, including drop-off space for coaches and taxis.

Given the site location, the extension of the club is considered acceptable in principle in land use terms and would contribute to the character and function of this part of the core CAZ. The impact of the proposals upon local amenities and the local highway network is discussed in sections 8.3 and 8.4 below.

8.2 Townscape and Design

- **Loss of Squash Courts**

The oldest, purpose-built, squash courts in Britain today are said to be those at Elstree School, Woolhampton near Newbury, which date from the 1880s. It is acknowledged that squash courts which pre-date the 1970s are rare.

The popularity of squash exploded in the early 1920s following the first professional Squash Championship, and the standardisation of rules in 1923. In London, squash saw its first surge in popularity in London clubs. The development of the RAF club courts coincides with this. The courts are of a non-standard width, suggesting that they may predate the regularisation of the game in 1923. The RAF Club beat the Bath Club in 1929.

In addition to the RAF Club, five other London clubs include squash courts - the Naval and Military, Queens, The Oxford and Cambridge, the RAC and Lansdowne clubs, none of these courts are listed in their own right. There are four, purpose-built, listed squash courts elsewhere in the country:

- Built for the RAF at RAF Duxford, Whittlesford, Cambridge, 1935, grade II
- At Doxford Hall, Northumberland, c.1910, grade II
- At Barrington Court, Barrington, South Somerset, 1921-5 grade II
- At Rivercourt House, now Latymer Prep School, Upper Mall, Hammersmith, c.1930, grade II

Historic England identifies four types of heritage value; evidential, historical, aesthetic and communal.

Aesthetic

The main architectural significance of the RAF club rests with the main block fronting Piccadilly (originally three mansions dating from 1888) and the central wing, which is of good architectural quality.

The 1922 extension, which houses the courts, is a building produced in a time of austerity with walls of sandy coloured blockwork, somewhat crudely laid. The interior does not contain architectural detail beyond doors and windows of the 1920s which, while of good quality, are not sufficiently noteworthy to warrant protection in their own right.

Objections have been received to the loss of historic fabric on the basis that the courts were constructed by Gradige (a developer rather than a renowned architect).

The 1922 squash court wing is not considered to be of architectural value.

Historic

The historic value of the courts rests in their significance as part of the development of the game of squash, and the development of the RAF club in general.

In terms of the latter, the historic value is considered to be very modest. The club was established in 1918, with sporting facilities, including billiards and squash added later. In terms of the history and development of the club, the game of squash is a minor contributor to the overall significance.

As part of their contribution to the development of the game of squash in the capital, the courts' historic value is greater. As identified above, courts of this vintage are rare, and the establishment of the game in members' clubs represents an important part of its evolution. In addition, the number of surviving courts in London clubs is limited.

A number of consultation responses identify the RAF courts as amongst the earliest examples in the country. If this was the case, their historic value would be strong. However, given the existence of other similar courts, and a small number of listed courts of much earlier date, the historic value of the RAF Club courts is considered to be moderate.

Communal

The large number of consultation responses from squash players, both RAF Club members, and from the wider sporting community, attests to the fact that the courts do hold communal value as a place that people perceive as a source of identity, distinctiveness, social interaction and coherence. However, this social value is considered to be comparatively modest.

Evidential

Listings based on evidential value are based on significant places, primarily those which increase knowledge of the past. This relates mainly to archaeology, and is not relevant in this case.

In these circumstances, the demolition of the existing squash courts is considered acceptable in historic building terms and objections to the loss of historic fabric and the historic use cannot be supported. However, it is considered appropriate to impose a condition requiring the building recording of the existing squash courts.

8.2.2 Proposed Extension

The views of the extension are limited to private views from adjacent buildings and public views from the end of Grantham Place. Its height is similar to that of the existing central wing, and although it would appear somewhat taller from Grantham

Place, being closer to the plot boundary. However, the height and bulk of the proposed extension are considered acceptable.

All windows to the new extension are on the south elevation, facing into a lightwell. The Grantham Place elevation features no openings or other visual interest. Given that only a limited portion of the elevation is visible from Grantham Place, and given that the context is of a, utilitarian, backland area in which a featureless elevation is not out of place, this is considered unobjectionable in design and townscape terms.

The extension would be faced in a, natural finish, terracotta cladding system (off white), with white, glazed, terracotta tile cladding to the lightwell elevation. The roof storey would be formed in zinc. These materials are considered sympathetic to the host building (subject to colour). Samples of all facing materials are reserved by condition.

The proposed plant enclosed would be discreetly located on the western side of the roof.

Subject to conditions, the proposed extension is considered acceptable in terms of its impact on the special interest of the listed building and on upon the character and appearance of this part of the Mayfair conservation area.

8.2.3 Internal Alterations

The proposed internal works at basement level are minor in nature and do not affect the special interest of the listed building.

The proposals therefore comply with S28 of Westminster's City Plan: Strategic Policies and DES 1, DES 5, DES 6; DES 9, DES 10 of Westminster's Unitary Development Plan (adopted January 2007).

8.3 Residential Amenity

Policy ENV13 seeks to protect and safeguard the amenities of existing residential properties from development proposals including in relation to the levels of daylight and sunlight received, overlooking and increased sense of enclosure.

The closest residential property to the proposed extension is a residential scheme for two houses which is currently under construction at 3 Down Street Mews. Other neighbouring properties are in non-residential use.

8.3.1 Extension to the Club use

Subject to conditions, it is not considered that the extension to the club use, and associated activities, would have a material impact on neighbours' amenities.

8.3.2 Sunlight and Daylight

The application is supported by a daylight/sunlight report based on guidance published by the Building Research Establishment (BRE).

The reports assesses the impact of the development upon the new houses at 3 Down Street Mews, based on the approved drawings for that development.

8.3.2.1 Daylight

Vertical Sky Component (VSC) is the method used to measure the amount of light reaching the outside face of a window. If the VSC achieves 27% or more, the window will have the potential to provide good levels of daylight. Reductions of more than 20% should be avoided as such losses are likely to be noticeable. The BRE guidance is clear that numerical values are not intended to be prescriptive in every case and are intended to be interpreted flexibly depending on the site circumstances.

The distribution of daylight within individual rooms can also be assessed using the No-Sky Line (NSL) test. Where a significant proportion of the working plane (which can receive direct skylight) lies beyond the NSL, the distribution of daylight within the room will seem poor and supplementary electric lighting will be required. The British Standard suggests that a significant area would be more than 20%. However, it is acknowledged that if an existing building contains single aspect rooms, which are particularly deep, then a greater movement of the NSL line may be unavoidable. In all cases, testing need only be undertaken in the case of habitable rooms.

The submitted assessment shows that the proposal would result in the following reductions in VSC and NSL to windows serving the new house at 3 Down Street Mews, closest to the boundary with the application premises.

- Windows to two ground floor bedrooms would see VSC reductions of 40 and 52%. However, the actual losses are 0.68 and 0.93% but the proportional reductions are high because existing VSC levels are so low (2.26 and 1.04%). The NSL assessment shows that these rooms would experience reductions of 27 and 46%.
- Both windows to a first floor bedroom see a reduction in VSC of 54%. Again, the actual reductions are limited to 1.98% and 2.6% and existing VSC levels are low (4.8 and 3.67%). The assessment shows that this room would see a reduction in NSL of 33%.
- One window to a, triple aspect, living room at second floor level would see a reduction in VSC of 45%. Again, existing levels are already low (4.95%). However, two other windows to this room would be unaffected and the room would not see any overall reduction in NSL.
- Two windows to a triple aspect living room at third floor level would experience losses of VSC of 48 and 34%. However, three other windows are unaffected. This room would not see any reduction in NSL and the greater proportion of the room (96%) would continue to receive direct skylight.
- The third floor kitchen would not see any reduction in VSC. The NSL assessment shows that this room, which is also served by skylights, would

see a 27% reduction in NSL but that a significant proportion of the room (73%) would continue to receive direct skylight.

In these circumstances, given that the most significant impact is on bedroom windows, which are afforded a lesser degree of protection than principal living rooms, as the existing lighting level to these rooms are already poor, and as the principal living rooms on the upper floors would continue to be well lit, it is not considered that, in this built up central location, the losses of light to the neighbouring house would have a significant impact on the amenities of future occupiers.

8.3.2.2 Sunlight

Although some windows to the new houses at 3 Down Street Mews face within 90 degrees of due south, and would normally require testing to assess the impact of the proposed extension on sunlight levels, the proposed extension is located to the north of these windows. Consequently the sunlight analysis shows that the proposal would not result in the reduction of sunlight levels received.

8.3.3 Sense of Enclosure

At its highest point, the proposed extension would be approximately 6m higher than the roof ridge to the existing squash court wing. At fifth floor terrace level the extension would project approximately 4.5m above the height of the existing boundary wall with 3 Down Street Mews.

The aspect from ground and first floor bedroom windows to the adjacent house, which looks out onto a narrow lightwell, is governed by the height and proximity of the existing site boundary wall and it is not considered that the proposed increase in height would have a material increase on the sense of enclosure to these windows. In the case of second and third floor living rooms windows facing the site, the increase in height will be more apparent. However, these are triple aspect living rooms, where other windows face away from the proposed development. Consequently, it is not considered that any increased sense of enclosure to the affected windows would be so significant as to justify a recommendation for refusal.

8.3.4 Overlooking

Whilst the proposed scheme introduces a number of windows, they face the existing members' club. However, the accommodation at fifth floor, which is stepped back from the boundary with the neighbouring houses, is served by an access door leading out onto a fourth floor terrace. The use of this terrace would provide opportunity to look down into the lightwell serving the adjoining house. In these circumstances, it is considered appropriate to impose an amending condition requiring the installation of some form of barrier, ideally planters, preventing access to the outer edge of the terrace, thereby minimising the potential for overlooking into the adjacent lightwell. Subject to this modification, it is not considered that the proposals would result in any material loss of privacy to neighbouring properties.

8.3.5 New Plant

New plant for air conditioning and ventilation would be provided on the roof of the proposed extension. In addition, an existing low-level kitchen extract system is to be replaced by a new system discharging at roof level.

An acoustic report has been submitted as part of the application. This has been reviewed by Environmental Health Officers who raise no objection to the proposals subject to standard conditions relating to plant noise and vibration.

The application is therefore to comply with the City Council's noise policies ENV7 and ENV13 of the UDP. The proposals will not therefore materially harm the amenity of neighbouring properties.

8.4 Transportation/Parking

8.4.1 Parking

No car parking is provided. The site is within a Controlled Parking Zone. The site has a high level of public transport accessibility. It is therefore considered that the proposal will be unlikely to have a significant impact on on-street car parking in the area.

8.4.2 Servicing

The submitted drawings indicate that there are servicing access doors in the rear of the property. Site servicing takes place from Old Park Lane. The site is located within a Controlled Parking Zone, where loading and unloading is permitted to take place on single yellow lines. The largest regular service vehicle expected to be associated with the proposed development in this location is likely to be the refuse collection or laundry vehicle. These vehicles will service the club in a similar fashion to other commercial properties in the area. Given the use of the proposed extension, it is not considered that the development would have a significant impact on existing servicing requirements or would have an adverse impact on the highway network.

8.4.3 Trip Generation by Mode

The applicants have not provided any information regarding the likely increase in person trips by mode as a result of the proposal. However, given the size and nature of the development it is considered that any increase in trip patterns relating to the development this proposal is unlikely to have an adverse impact on the safety or operation of the highway or public transport network in the vicinity. Given the nature of the development, it is not considered that the scheme would result in any material increase in taxi movements or would generate coach traffic.

8.4.4 Waste

The drawings submitted with the application did not indicate provision for the storage for additional waste and recyclable material. As the proposal is an extension of an existing use and the proportional uplift in area, it is considered that the existing

storage on-site is sufficient; however for avoidance of doubt, a condition has been imposed to secure details to ensure that the proposal does not have adverse impact on the highway.

8.4.5 Cycle parking

The proposed application does not include cycle parking. The Highways Planning Manager has requested that three on-site cycle spaces be provided for staff members. A condition has been added to secure these spaces.

8.5 Economic Considerations

Any economic benefits generated by the development are welcome.

8.6 Access

The existing members' club provides access for wheelchair via the Old Park Lane entrance where there is a lift to the ground floor. The proposed extension includes new to aid members with reduced mobility.

8.7 London Plan

This application raises no strategic issues.

8.8 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.

8.9 Planning Obligations

The Mayoral CIL and Westminster CIL required as a result of this proposal is £34,513.00 and £113,600.00 respectively.

8.10 Biodiversity

City Plan policy S38 requires new developments to maximise opportunities to enhance biodiversity.

A condition has been imposed requiring the provision of a barrier at the edge of the proposed roof terrace, ideally in the form of planters. The planting of these external spaces would improve the site's contribution to the biodiversity of the area, which is

8.11 Environmental Impact Assessment

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

9 BACKGROUND PAPERS

- 1. Application form

2. Letter from Historic England dated 5 July 2016
3. Memorandum from Cleansing dated 11 March 2016
4. Memorandum from Highways Planning dated 09 May 2016
5. Response from Environmental Health dated 4 August 2016
6. Letter from occupier of 2, Little Horwood Manor, Little Horwood, dated 20 July 2016
7. Letter from occupier of 51 Whitehouse Crescent, Gorebridge, dated 20 July 2016
8. Letter from occupier of 72 Wessex Gardens, Twyford, dated 20 July 2016
9. Letter from occupier of PO Box 926629, Dubai, dated 20 July 2016
10. Letter from occupier of 11 Tockenham Corner, Tockenham, dated 20 July 2016
11. Letter from occupier of 7 Brownlow Close, Newark, dated 20 July 2016
12. Letter from occupier of Harthill House, harthill Drive Redlynch, dated 20 July 2016
13. Letter from occupier of 28 Knightscroft Avenue, Rustington, dated 20 July 2016
14. Letter from occupier of 3 Swan Mead, Hemel Hempstead, dated 21 July 2016
15. Letter from occupier of 4 Beacon View, Northall, dated 21 July 2016
16. Letter from occupier of Bartons, 17 Fairway, dated 22 July 2016
17. Letter from occupier of Le Perail, I Route du Perail, dated 26 July 2016
18. Letter from occupier of Nutford Barn, Blandford Forum, dated 20 July 2016
19. Letter from occupier of 6 Loughborough Drive, Broughton, dated 24 July 2016
20. Letter from occupier of 2 The Steading, Earlsall rd, dated 20 July 2016
21. Letter from occupier of 7 Station Road, Topsham, dated 20 July 2016
22. Letter from occupier of Lower Gaskyns, Church Street, dated 20 July 2016
23. Letter from occupier of Moulin du Gavot, St Maximin, dated 20 July 2016
24. Letter from occupier of 119 Scotby Rd, Carlisle, dated 20 July 2016
25. Letter from occupier of 7 Lynwood Grove, Heaton Chapel, dated 20 July 2016
26. Letter from occupier of 3 Brokes Crescent, Reigate, dated 20 July 2016
27. Letter from occupier of 45 Tabley Road, London, dated 21 July 2016
28. Letter from occupier of Elmsdale, Alexandra Road, dated 21 July 2016
29. Letter from occupier of 22 Cedars Avenue, Rickmansworth, dated 21 July 2016
30. Letter from occupier of 56 Canwick Avenue, Bracebridge Heath, dated 20 July 2016
31. Letter from occupier of c/o Gp Capt Richards, (RAF), dated 20 July 2016
32. Letter from occupier of Housemaster's House Middleton B, Christ's Hospital, dated 20 July 2016
33. Letter from occupier of Bear Lane, Hare Hatch, dated 21 July 2016
34. Letter from occupier of 32, Priory Road, dated 1 August 2016
35. Letter from occupier of 87 Theydon Grove, Epping, dated 8 August 2016
36. Letter from occupier of 5 Warner's Grove, St Ives, dated 20 July 2016
37. Letter from occupier of 3 Swine Hill, Harlaxton, dated 20 July 2016
38. Letter from occupier of 136 Ridge Lane, Flat Rock, dated 21 July 2016
39. Letter from occupier of 12 Peverill Heights, Swanage, dated 20 July 2016
40. Letter from occupier of 12 Friars Rd, Christchurch, dated 20 July 2016
41. Letter from occupier of Flat A, 28a, Sheen Lane, dated 20 July 2016
42. Letter from occupier of Stone Hayes, Chittlehamholt, dated 20 July 2016
43. Letter from occupier of Quince Cottage, 4 The Bramblings, dated 21 July 2016
44. Letter from occupier of Roughwood House, Calthorpe Road, dated 21 July 2016
45. Letter from occupier of 5 Stable Cottages, Temple Lane, Temple, dated 22 July 2016
46. Letter from occupier of 6 Buscott Drive, Ashbourne, dated 25 July 2016
47. Letter from occupier of 206-10240 Ryan Rd, Richmond, dated 21 July 2016
48. Letter from occupier of 6 Thornes Park, Monckton Road, dated 21 July 2016
49. Letter from occupier of 9 Park Lawn Road, Weybridge, dated 23 July 2016

50. Letter from occupier of 43 Allard Way, Saffron Walden, dated 23 July 2016
51. Letter from occupier of 146 Wycombe Road, Prestwood, dated 26 July 2016
52. Letter from occupier of 4 Camellia Way, Wokingham, dated 27 July 2016
53. Letter from occupier of 4 Adam & Eve Mews, London, dated 27 July 2016
54. Letter from occupier of 37 Oaklands, Cirencester, dated 2 August 2016
55. Letter from occupier of Old Forge Cottage, Halnaker, dated 21 July 2016
56. Letter from occupier of 1 Rue du Pressoir, Dinan, dated 21 July 2016
57. Letter from occupier of 12 Carr Ave, Carterton, dated 21 July 2016
58. Letter from occupier of 14, Allen's Orchard, Brampton, dated 22 July 2016
59. Letter from occupier of Bryngwyn House, Llangadog, dated 24 July 2016
60. Letter from occupier of Minfor, Borth, dated 20 July 2016
61. Letter from occupier of 57 Seymour Drive, Dartmouth, dated 20 July 2016
62. Letter from occupier of 49, New Road, Chatteris, dated 20 July 2016
63. Letter from occupier of Calenzana, Frith End Rd, dated 20 July 2016
64. Letter from occupier of 8 Martin Close, Lee On The Solent, dated 20 July 2016
65. Letter from occupier of Carabrae, Tottingworth Park, Broad Oak, dated 24 July 2016
66. Letter from occupier of Penny Mead Farm, Upthorpe Road, dated 20 July 2016
67. Letter from occupier of 84 Lawrence Moorings, Sheering Mill Lane, dated 20 July 2016
68. Letter from occupier of 198 Old Woking Road, Woking, dated 20 July 2016
69. Letter from occupier of 34 Kingfisher Grove, Three Mile Cross, dated 20 July 2016
70. Letter from occupier of 38 Carlton Park Avenue, Raynes Park, dated 31 July 2016
71. Letter from occupier of 160 St Anns Hill, London, dated 2 August 2016
72. Letter from occupier of 75 Cornwall Way, Ainsdale, dated 2 August 2016
73. Letter from occupier of Flat 1, 140 Warwick Way, dated 3 August 2016
74. Letter from occupier of Oak House, 12 Proudfoot Way, dated 24 July 2016
75. Letter from occupier of Wayside House, Brenchley Road, dated 1 August 2016
76. Letter from occupier of FC321, PO Box 926629, dated 20 July 2016
77. Letter from occupier of 8, Bishop's Way, Buckden, dated 20 July 2016
78. Letter from occupier of Wheelers Farm, Warren Lane, dated 20 July 2016
79. Letter from occupier of 48 Middle Furlong, Didcot, dated 22 July 2016
80. Letter from occupier of EJSU NW Germany, Goch, dated 23 July 2016
81. Letter from occupier of Oak View College Lane, Ellisfield, dated 24 July 2016
82. Letter from occupier of 72 Sheldons Court,, Winchcombe Street, dated 20 July 2016
83. Letter from occupier of Keystone House, 158 Edwards Lane, dated 20 July 2016
84. Letter from occupier of 49 Conningsby Drive, Pershore, dated 20 July 2016
85. Letter from occupier of Trinity Hill Bungalow, Trinity Hill, Medstead, dated 20 July 2016
86. Letter from occupier of Darlington House, Darlington Place, dated 20 July 2016
87. Letter from occupier of Primrose Cottage, Donnington, dated 20 July 2016
88. Letter from occupier of Mill Lade Cottage, Tilquhillie, dated 20 July 2016
89. Letter from occupier of 43 Arbory Street, Castletown, dated 20 July 2016
90. Letter from occupier of 104A Kelmscott Road, London, dated 3 August 2016
91. Letter from occupier of 5 Shenstone Close, Wokingham, dated 21 July 2016
92. Letter from occupier of Kon. Wilhelminalaan 1-b, Schalkhaar, dated 22 July 2016
93. Letter from occupier of PLP, J5 Division, Shape, dated 20 July 2016
94. Letter from occupier of Rosebine Cottage, 25 Main Street, dated 20 July 2016
95. Letter from occupier of Brookfield House, Green Lane, Ivinghoe, dated 20 July 2016
96. Letter from occupier of 46 Milbank Way, Steventon, dated 20 July 2016
97. Letter from occupier of Villa 6b, 38 Street, Al Garhood, dated 20 July 2016

98. Letter from occupier of 4 Windsor Quay, Farm Yard, dated 20 July 2016
99. Letter from occupier of Bentworth Hall West Wing, Bentworth, dated 20 July 2016
100. Letter from occupier of 34 Tor O Moor Road, Woodhall Spa, dated 20 July 2016
101. Letter from occupier of 35 Briar Vale, Whitley Bay, dated 20 July 2016
102. Letter from occupier of 85 Charlwood Street, LONDON, dated 20 July 2016
103. Letter from occupier of 12 Pinfold, Walnut Tree, dated 20 July 2016
104. Letter from occupier of 36 Bradnam Beeches, Walters Ash, dated 20 July 2016
105. Letter from occupier of 7 Cleveland Road, Chichester, dated 20 July 2016
106. Letter from occupier of 163, London, dated 20 July 2016
107. Letter from occupier of PO Box 5362, West End, dated 20 July 2016
108. Letter from occupier of 14 Abelia Close, West End, dated 21 July 2016
109. Letter from occupier of Brambles, Cox Green, Rudgwick, dated 21 July 2016
110. Letter from occupier of 37 Wainfleet Road, Harrogate, dated 22 July 2016
111. Letter from occupier of 16 Birch Close, Milton, dated 24 July 2016
112. Letter from occupier of 3 Brierville, Durham, dated 25 July 2016
113. Letter from occupier of 4 Copenhagen Gardens, London, dated 28 July 2016
114. Letter from occupier of 24 Highgrove Meadows, Priorslee, dated 27 July 2016
115. Letter from occupier of White House, Abberton, dated 2 August 2016
116. Letter from occupier of East Lodge, Frittenden, dated 1 August 2016
117. Letter from occupier of 18 Wycombe Place, London, dated 1 August 2016
118. Letter from occupier of 97 Green Lane, Edgware, dated 1 August 2016
119. Letter from occupier of 32A Storey's Way, Cambridge, dated 2 August 2016
120. Letter from occupier of 132 Vestry Road, London, dated 3 August 2016
121. Letter from occupier of Flat 342, Eden House, Water Gardens Square, dated 3 August 2016
122. Letter from occupier of 117 Hughenden Road, High Wycombe, dated 20 July 2016
123. Letter from occupier of 25 Lexham Gardens, London, dated 8 August 2016
124. Letter from occupier of 5 Hawkshead Road, London, dated 28 July 2016
125. Letter from occupier of 4 Fearn's Mead, Warley, dated 11 August 2016
126. Letter from occupier of Park Cottage, Frog Lane, Kingsdon, dated 20 July 2016
127. Letter from occupier of 19 Southfield Drive, YEOVIL, dated 20 July 2016
128. Letter from occupier of 3 Windmill Field, Abbeymead, dated 20 July 2016
129. Letter from occupier of Beech House, Upper Anstey Lane, dated 20 July 2016
130. Letter from occupier of 22 Brands Close, Ramsey, dated 20 July 2016
131. Letter from occupier of 4 Beaufort Drive, Bourne, dated 20 July 2016
132. Letter from occupier of The Coach House, Middle Street, dated 21 July 2016
133. Letter from occupier of 41 Gwell an nans, Probus, dated 21 July 2016
134. Letter from occupier of Birch House, Poppy Close, dated 21 July 2016
135. Letter from occupier of 38 Trenchard Avenue, Wendover, dated 25 August 2016
136. Letter from occupier of 39, Sibsey Road, Boston, dated 25 July 2016
137. Letter from occupier of 61 St Leonards Street, Stamford, dated 21 July 2016
138. Letter from occupier of 26 Fenwick Road, London, dated 2 August 2016
139. Letter from occupier of 52a Leander Road, London, dated 3 August 2016
140. Letter from occupier of 18 Old Tannery Drive, Lowdham, dated 22 July 2016
141. Letter from occupier of 24 Chester Terrace, Brighton, dated 19 July 2016
142. Letter from occupier of 4 The Atrium, Torquay, dated 20 July 2016
143. Letter from occupier of The Gable House, Mill Road, Horstead, dated 20 July 2016
144. Letter from occupier of 3 Succoth Place, Edinburgh, dated 20 July 2016
145. Letter from occupier of 14 Bloomfield Grove, Bath, dated 20 July 2016
146. Letter from occupier of Alfriston House, Trinity, Jersey, dated 20 July 2016

147. Letter from occupier of The Knipp, School lane, dated 20 July 2016
148. Letter from occupier of 479A Kingston Road, London, dated 19 July 2016
149. Letter from occupier of 58 Kinnoul Road, London, dated 1 August 2016
150. Letter from occupier of 54 Hugh Street, London, dated 1 August 2016
151. Letter from occupier of 30 West Street, Dorking, dated 2 August 2016
152. Letter from occupier of Flat 4, Craven Hill Gardens, dated 30 July 2016
153. Letter from occupier of 1 The Forty, Bishopstone, dated 20 July 2016
154. Letter from occupier of 29 Thornton Crescent, Wendover, dated 1 August 2016
155. Letter from occupier of 6 Clarence House, Rushcroft Road, dated 3 August 2016
156. Letter from occupier of 18 Queen St, Billingham, dated 3 August 2016
157. Letter from occupier of 46 West End Drive, Ilkeston, dated 1 August 2016
158. Letter from occupier of 6 Netheravon Close, Salisbury, dated 18 July 2016
159. Letter from occupier of 119 Salisbury Avenue, Cheltenham, dated 20 July 2016
160. Letter from occupier of The Laurels, Vale Avenue, dated 20 July 2016
161. Letter from occupier of The Folly, Wield Road, Medstead, dated 20 July 2016
162. Letter from occupier of Bailey Lodge, Culmstock Road, dated 20 July 2016
163. Letter from occupier of Parbrook Farm House, Parbrook, dated 20 July 2016
164. Letter from occupier of 7 Saxon Road, Southport, dated 20 July 2016
165. Letter from occupier of 18 Ford Crescent, Bradworthy, dated 20 July 2016
166. Letter from occupier of The Officers' Mess, RAF Linton on Ouse, dated 20 July 2016
167. Letter from occupier of 43 Church Rd, Wheatley, dated 20 July 2016
168. Letter from occupier of White Cottage, Marlow, dated 20 July 2016
169. Letter from occupier of 34 Third Avenue, Watford, dated 20 July 2016
170. Letter from occupier of 7 Rose Cottage Lane, Staplefield, dated 21 July 2016
171. Letter from occupier of 11 Chichester Close, Bury St Edmunds, dated 21 July 2016
172. Letter from occupier of 9 Grenville Court, Ponteland, dated 21 July 2016
173. Letter from occupier of Hoarstone Cottage, Hundley Way, Charlbury, dated 21 July 2016
174. Letter from occupier of 14 Park Avenue, Clitheroe, dated 21 July 2016
175. Letter from occupier of 10 Penmorvah, Mylor Bridge, dated 22 July 2016
176. Letter from occupier of Panfield, Hornbury Hill, Minety, dated 23 July 2016
177. Letter from occupier of Flat 6, 14 Hermand Street, dated 24 July 2016
178. Letter from occupier of Officers' Mess, RAF Lossiemouth, dated 25 July 2016
179. Letter from occupier of 17 The Steadings, Ford, dated 25 July 2016
180. Letter from occupier of West Knighton House, West Knighton, dated 27 July 2016
181. Letter from occupier of 6 Littledown Road, Cheltenham, dated 20 July 2016
182. Letter from occupier of 69 Elmhurst Way, Carterton, dated 20 July 2016
183. Letter from occupier of 8 Herkomer Road, Bushey, dated 20 July 2016
184. Letter from occupier of 11 Pirleyhill Gardens, Falkirk, dated 20 July 2016
185. Letter from occupier of Holly Cottage, Duke St, Stanton, dated 22 July 2016
186. Letter from occupier of 41 Chadwick Place, Long Ditton, dated 22 July 2016
187. Letter from occupier of St John's College, Cambridge, dated 23 July 2016
188. Letter from occupier of 34 Oliffe Close, Aylesbury, dated 23 July 2016
189. Letter from occupier of 5217 88th Ave SE, Seattle, Washington, USA, dated 24 July 2016
190. Letter from occupier of 10 Daws Hill Lane, High Wycombe, dated 24 July 2016
191. Letter from occupier of Warren House, Warren Road, Little Horwood, dated 27 July 2016
192. Letter from occupier of 39 Stockwell Road, London, dated 1 August 2016
193. Letter from occupier of 28 Shelley House, Churchill Gardens, dated 19 July 2016

194. Letter from occupier of 28 Shelley House, Churchill Gardens, dated 29 July 2016
195. Letter from occupier of 4 Kent Mews, Stapleton, dated 20 July 2016
196. Letter from occupier of Sycamore, Marlborough Road, dated 20 July 2016
197. Letter from occupier of 12 Tall Trees, Baunton Lane, dated 20 July 2016
198. Letter from occupier of Pen-y-coed, 6 Arnhem Drive, dated 20 July 2016
199. Letter from occupier of 20 Eliot Close, Newport Pagnell, dated 20 July 2016
200. Letter from occupier of 12 Abrahams Close, Trowbridge, dated 20 July 2016
201. Letter from occupier of San Lorenzo In Bibbiano 14, San Leo Bastia, PG, dated 20 July 2016
202. Letter from occupier of 9 Church View, Llanblethian, dated 20 July 2016
203. Letter from occupier of 19 Clos du Vivier, La Grande Route de Rozel, dated 21 July 2016
204. Letter from occupier of High Onn Manor, Stafford, dated 28 July 2016
205. Letter from occupier of 1B Ryelaw Road, Church Crookham, dated 6 August 2016
206. Letter from occupier of Crowlands, Chapel Lane, dated 22 July 2016
207. Letter from occupier of Hamilton House, Radnage, dated 21 July 2016
208. Letter from occupier of 41, Bramble Bank, dated 20 July 2016
209. Letter from occupier of 6 Anson Avenue, Wiltshire, dated 20 July 2016
210. Letter from occupier of 4 The Paddock, Lymm, dated 20 July 2016
211. Letter from occupier of Greenmount, Hungerford Hill, Hyde, dated 20 July 2016
212. Letter from occupier of Lincoln house, school lane, dated 20 July 2016
213. Letter from occupier of 10 Chaldon Way, Coulsdon, dated 20 July 2016
214. Letter from occupier of 37 Oaklands, Cirencester, dated 20 July 2016
215. Letter from occupier of 10 The Street, Lydiard Millicent, dated 20 July 2016
216. Letter from occupier of 29 Baldwin Way, Swindon, dated 20 July 2016
217. Letter from occupier of 1 Rosemary Close, Abbeydale, dated 20 July 2016
218. Letter from occupier of 4 Fielden Road, Benson, dated 20 July 2016
219. Letter from occupier of Northwood HQ, Northwood, dated 20 July 2016
220. Letter from occupier of The Old Stables, 5B North End, dated 21 July 2016
221. Letter from occupier of 3 Warren Close, Churchdown, dated 21 July 2016
222. Letter from occupier of Southbank, 95 Medstead Road, dated 24 July 2016
223. Letter from occupier of 9 Primrose Mansions, London, dated 1 August 2016
224. Letter from occupier of Tawny Wood, East Hill Road, dated 11 August 2016
225. Letter from occupier of Ivors, High Cross Road, dated 11 August 2016
226. Letter from occupier of Tollymore, Mill Road, Little Melton, dated 2 August 2016
227. Letter from occupier of Flat 4 Gateway House, 2a Balham Hill Rd, dated 3 August 2016
228. Letter from occupier of 1 Kelham Gardens, Marlborough, Wiltshire, dated 2 August 2016
229. Letter from occupier of 111 Altenbug Gardens, London, dated 3 August 2016
230. Letter from occupier of 77 Tennyson Street, London, dated 19 July 2016
231. Letter from occupier of RAF Scampton, Lincoln, dated 19 July 2016
232. Letter from occupier of 62 The Ridgeway, Southborough, dated 20 July 2016
233. Letter from occupier of 2 Wingfield Avenue, Worcester, dated 20 July 2016
234. Letter from occupier of 45 Mill Road, Lewes, dated 20 July 2016
235. Letter from occupier of 9 Oxborough Close, Widnes, dated 20 July 2016
236. Letter from occupier of 39, Station Road, Barnes, dated 20 July 2016
237. Letter from occupier of 36 Hampton Park Road, Hereford, dated 20 July 2016
238. Letter from occupier of Ballarat House, Frog Street, dated 18 August 2016
239. Letter from occupier of Hadley House, Smallbrook Gardens, Staverton, dated 21

July 2016

- 240. Letter from occupier of 1 Woodbridge Road, Knowle dated 21 July 2016
- 241. Letter from occupier of Brosiweg 18, Dornach, dated 25 July 2016
- 242. Letter from occupier of Beggars Roost, Farnham Road, Odiham, dated 20 July 2016
- 243. Letter from occupier of 2 Springfield Place, Packhorse Road, dated 21 July 2016
- 244. Letter from occupier of 4 The Old Orchard, Burwash, dated 27 July 2016
- 245. Letter from occupier of Grove lodge, 20 Grove road, dated 28 July 2016
- 246. Letter from occupier of 76C Grove Park Road, London, dated 20 July 2016
- 247. Letter from occupier of Apartment 15, Albert Bridge Road, dated 20 July 2016
- 248. Letter from occupier of Watercombe House, Huish Champflower, dated 20 July 2016
- 249. Letter from occupier of The Bath House, Bath Street, dated 20 July 2016
- 250. Letter from occupier of Cleveland, The Hill, Stanstead, dated 20 July 2016
- 251. Letter from occupier of 49 Shaftesbury Way, Twickenham, dated 20 July 2016
- 252. Letter from occupier of 55 Chiltley Way, Liphook, dated 20 July 2016
- 253. Letter from occupier of 24 Barn Owl Way, Washingborough, dated 20 July 2016
- 254. Letter from occupier of 26 Grimms Meadow, Walter's Ash, dated 20 July 2016
- 255. Letter from occupier of The Firs, Keinton Mandeville dated 20 July 2016
- 256. Letter from occupier of Green Oak House, Coldharbour Lane, Patching, dated 1

August 2016

- 257. Letter from occupier of 16 Dartmoor Drive, Huntingdon, dated 20 July 2016
- 258. Letter from occupier of Well Cottage, Bow Brickhill, dated 20 July 2016
- 259. Letter from occupier of Damson House, Northwood Green, dated 20 July 2016
- 260. Letter from occupier of Willow Tree Cottage, Pendock, dated 20 July 2016
- 261. Letter from occupier of 35 Towles Pastures, Castle Donington, dated 20 July 2016
- 262. Letter from occupier of 5 Linden Lea, Down Ampney, dated 20 July 2016
- 263. Letter from occupier of Higher Yartyford, Membury, dated 20 July 2016
- 264. Letter from occupier of Southwinds, 2 Nile Street, dated 20 July 2016
- 265. Letter from occupier of 2 Fairlawn, Swindon, dated 21 July 2016
- 266. Letter from occupier of 57 Wilton Avenue, London, dated 21 July 2016
- 267. Letter from occupier of 6 Bernersmede, 61 Blackheath Park, dated 21 July 2016
- 268. Letter from occupier of 12 Norfolk Court, 16 The Avenue, dated 21 July 2016
- 269. Letter from occupier of 1 Burton St, Shrewsbury, dated 21 July 2016
- 270. Letter from occupier of 9 Bluebell Crescent, Woodley, dated 2 August 2016
- 271. Letter from occupier of MOD Main Building, Whitehall, dated 2 August 2016
- 272. Letter from occupier of 15 van rappardstraat, Amsterdam, dated 3 August 2016
- 273. Letter from occupier of Cysgod y Graig, Clawddnewydd, dated 20 July 2016
- 274. Letter from occupier of 2 Conniston Close, Marlow, dated 22 July 2016
- 275. Letter from occupier of 3 Roman Way, Longtown, dated 23 July 2016
- 276. Letter from occupier of Romany, Tavistock, dated 23 July 2016
- 277. Letter from occupier of 5 Lower Shrubbery, Radley College, dated 25 July 2016
- 278. Letter from occupier of 26 Old School Lane, Clifton, dated 25 July 2016
- 279. Letter from occupier of 4 Oakwood Drive, Melksham, dated 26 July 2016
- 280. Letter from occupier of London, London, dated 1 August 2016
- 281. Letter from occupier of 4, Bewley Mews, Bewley Lane, Lacock, dated 22 July 2016
- 282. Letter from occupier of Woodgate, Wilderness Lane, dated 20 July 2016
- 283. Letter from occupier of Sandlings, Aldeburgh, dated 20 July 2016
- 284. Letter from occupier of 21 St Mary's Cr, Rogiet, dated 20 July 2016
- 285. Letter from occupier of 18, Townsend Close, dated 20 July 2016
- 286. Letter from occupier of 5205824S, Gp Capt, British Loan Service Team, dated 21

July 2016

287. Letter from occupier of 111 Rivermead Court, Ranelagh Gardens, dated 30 July 2016
288. Letter from occupier of 18 Park Crescent, Twickenham, dated 2 August 2016
289. Letter from occupier of Moertsjoegraend 11, Taeby, dated 21 July 2016
290. Letter from occupier of 1 The Grove, Crowborough, dated 24 July 2016
291. Letter from occupier of 1 Church Road, Stevington, dated 15 August 2016
292. Letter from occupier of 11 Wangara Street, Canberra, dated 25 July 2016
293. Letter from occupier of 15 Tudor Walk, Honington, dated 22 July 2016
294. Letter from occupier of 30 Sydnal Lane, RAF Cosford, dated 20 July 2016
295. Letter from occupier of The Manse, 10 The Chiping, dated 20 July 2016
296. Letter from occupier of Moorside, Intake Lane, dated 20 July 2016
297. Letter from occupier of 73a brook street, Wymeswold, dated 20 July 2016
298. Letter from occupier of 41 Walsingham Road, Enfield, dated 20 July 2016
299. Letter from occupier of 11 Cromer Road, Aylsham, dated 20 July 2016
300. Letter from occupier of 12 Mill Paddock, Letcombe Regis, dated 20 July 2016
301. Letter from occupier of 3 Rosehill Way, Leven Bank Estate, dated 20 July 2016
302. Letter from occupier of 24 Brampton Drive, Carterton, dated 21 July 2016
303. Letter from occupier of 16 Durfold Road, Horsham, dated 21 July 2016
304. Letter from occupier of Fermoor, 24 Swanton Drive, dated 20 July 2016
305. Letter from occupier of 24 Fleming Court, London, dated 4 August 2016
306. Letter from occupier of 25 Ringwood Way, Hampton, dated 21 July 2016
307. Letter from occupier of 5 Cotswold Avenue, Sticker, dated 22 July 2016
308. Letter from occupier of 10 OAKLANDS WAY, TADWORTH, dated 24 July 2016
309. Letter from occupier of Minstead Cottage., Magnolia Close, dated 24 July 2016
310. Letter from occupier of 9 Harewood Drive, Cold Ash, dated 20 July 2016
311. Letter from occupier of 150 Furzebrook Road, Wareham, dated 10 August 2016
312. Letter from occupier of 350 Church St., Fredericton, NB Canada, dated 20 July 2016
313. Letter from occupier of 39 chelmer way, ely, dated 20 July 2016
314. Letter from occupier of 14 Southwood Close, Worcester Park, dated 17 July 2016
315. Letter from occupier of 39 Station Road, Wallingford, dated 20 July 2016
316. Letter from occupier of 42 Cheyne Walk, London, dated 21 July 2016
317. Letter from occupier of 43 Riverview, Long Bennington, dated 22 July 2016
318. Letter from occupier of 375 Swain's Drive, Peachtree City, GA, dated 24 July 2016
319. Letter from occupier of 10 Devonshire Road, Horsham, dated 20 July 2016
320. Letter from occupier of 130 Great Meadow Road, Bradley Stoke, dated 20 July 2016
321. Letter from occupier of 17 Weavers Row, Halstead, dated 21 July 2016
322. Letter from occupier of 5, Northumberland St, Alnwick, dated 21 July 2016
323. Letter from occupier of 2 norwich road, holt, dated 21 July 2016
324. Letter from occupier of Forge Cottage, Keevil, dated 22 July 2016
325. Letter from occupier of 8700003C Sqn Ldr C M Collins, JPSU, dated 30 July 2016
326. Letter from occupier of 4 Old Rectory Gardens, Stanton, dated 24 July 2016
327. Letter from occupier of 13 Scholars Way, Amersham, dated 20 July 2016
328. Letter from occupier of 27 Auckland Road, London, dated 1 August 2016
329. Letter from occupier of 27 Auckland Road, London, dated 1 August 2016
330. Letter from occupier of 80 Brook Street, Lye, dated 20 July 2016
331. Letter from occupier of 16 Autumn Walk, Wargrave, dated 20 July 2016
332. Letter from occupier of 23 Mayford Grange, 99 Westfield Rd, dated 20 July 2016
333. Letter from occupier of 41, Ball Road, Pewsey, dated 20 July 2016
334. Letter from occupier of 16 Cairnside, High Wycombe, dated 20 July 2016

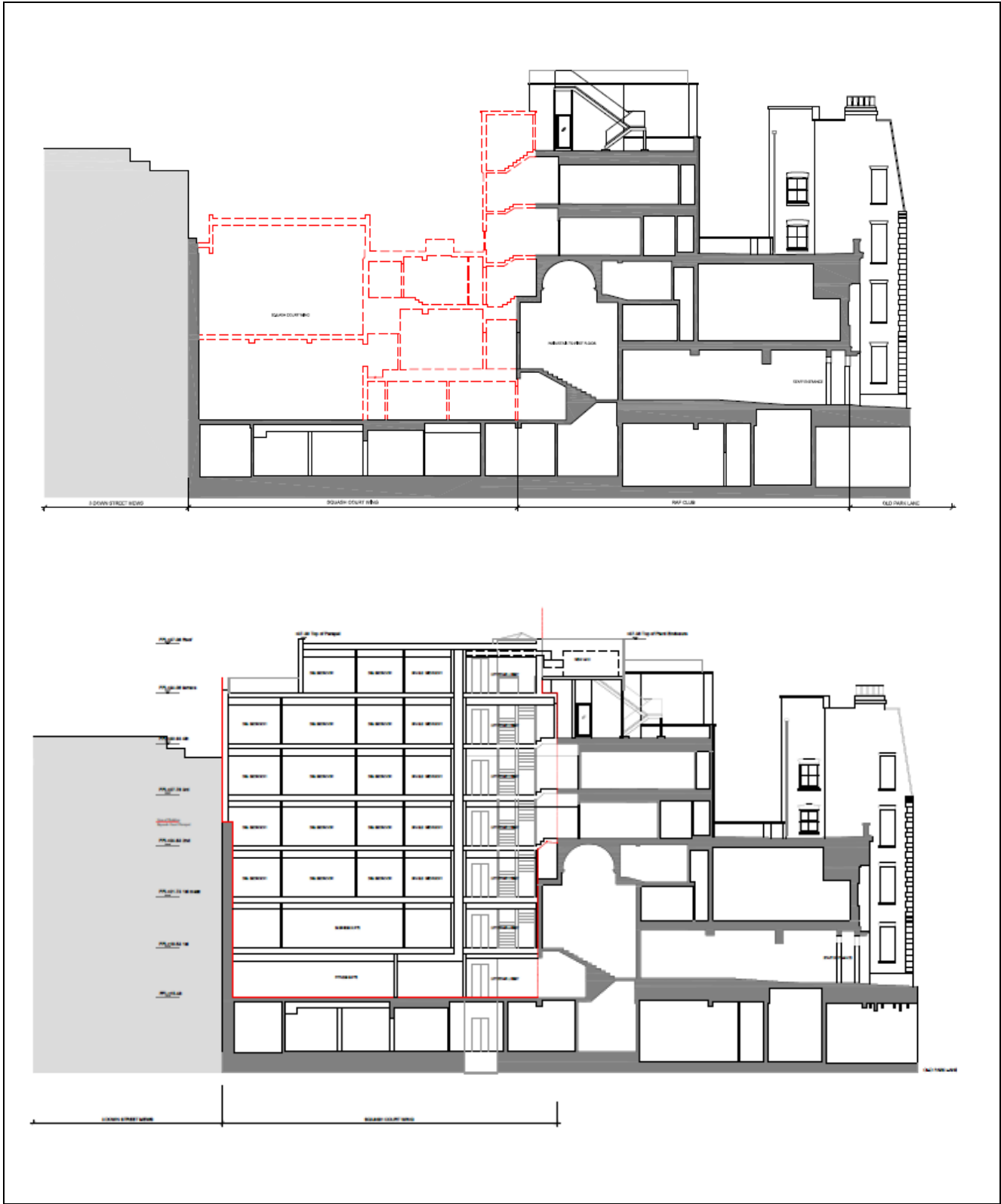
335. Letter from occupier of The Laurels, Beat Lane, Rushton Spencer, dated 21 July 2016
336. Letter from occupier of 7 Nettleham Close, Lincoln, dated 19 July 2016
337. Letter from occupier of 61 Harbour Passage East, Hilton Head, SC USA, dated 24 July 2016
338. Letter from occupier of Little Dorrit, Nup End Lane, dated 23 July 2016
339. Letter from occupier of Cumberland House, St Mary's Rd, Manton, dated 21 July 2016
340. Letter from occupier of Wester Overton, Pluscarden, dated 25 July 2016
341. Letter from occupier of 8701131M, Chaplaincy, dated 21 July 2016
342. Letter from occupier of 146 Lynn Road, Ely, dated 1 August 2016
343. Letter from occupier of 32 Priory Road, Hampton, dated 1 August 2016
344. Letter from occupier of 48 Park Road, Brentwood, dated 2 August 2016
345. Letter from occupier of 52 Allington Road, Newick, dated 22 July 2016
346. Letter from occupier of 32 Bridewell Place London, dated 12 September 2016

Selected relevant drawings

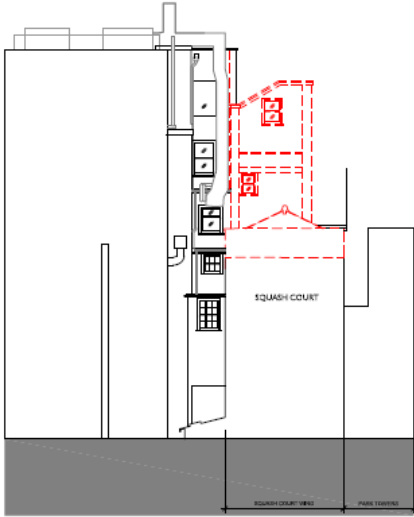
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: SARA SPURRIER BY EMAIL AT SSPURRIER@WESTMINSTER.GOV.UK

10 KEY DRAWINGS



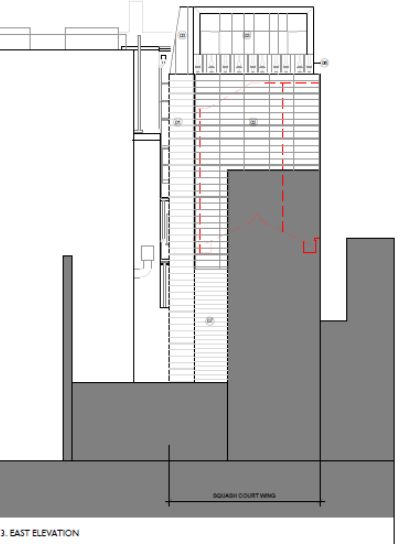




3. EAST ELEVATION



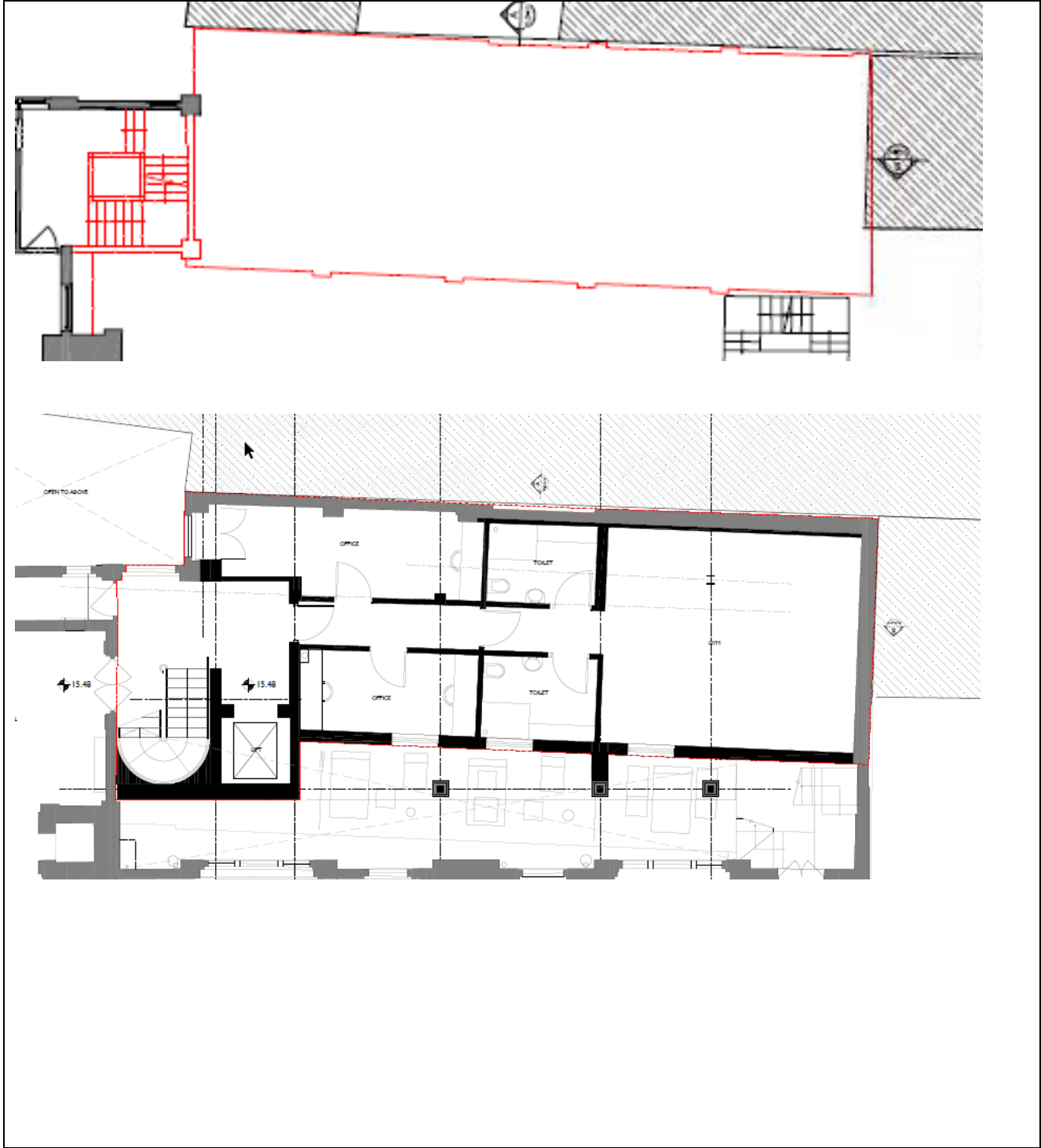
4. WEST ELEVATION



3. EAST ELEVATION



4. WEST ELEVATION





DRAFT DECISION LETTER

- Address:** Royal Air Force Club, 128 Piccadilly, London, W1J 7PY,
- Proposal:** Demolition of ground, first and first floor mezzanine levels and erection of replacement extension on ground, first, first floor mezzanine and second to fifth floor level to provide additional accommodation to existing private members' club (sui generis) and installation of plant at roof level.
- Reference:** 16/05289/FULL
- Plan Nos:** PL(2-)100, PL(2-)101, PL(2-)102, PL(2-)103, PL(2-)104, PL(2-)105, PL(2-)106, PL(2-)107, PL(2-)108 PL(2-)111A, PL(2-)112 A, PL(2-)20 A, PL(2-)21 A.PL(2)02 A, PL(2)03 A, PL(2)04 A, PL(2)05 A, PL(2)06 A, PL(2)02 A, PL(2)03 A, PL(2)04 A, PL(2)05 A, PL(2)06 A, PL(2)07 A, PL(2)08 A, PL(2)08 A, PL(2)09 A, PL(2)10 A, PL(2)11 A, PL(2)12 A, PL(2)21 A, PL(2)22 A.

Case Officer: Damian Lavelle

Direct Tel. No. 020 7641 5974

Recommended Condition(s) and Reason(s):

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

Reason:

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

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

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

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

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing LA90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of

Westminster's City Plan (July 2016), 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.

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

Reason:

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

- 5 You must put up the plant screen/enclosure shown on the approved drawings before you use the machinery. You must then maintain it in the form shown for as long as the machinery remains in place.

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

Reason:

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

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

Reason:

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

- 8 Non-residential guests shall not be permitted within the fitness suite, meeting rooms or offices premises before 07:00 or after 23:00 each day. (C12AD)

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 and ENV 7; of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 9 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 Mayfair 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)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair 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)

- 11 (a) You must apply to us for approval of a written scheme of investigation for a programme of building recording of the existing squash courts. This must include details of the suitably qualified person or organisation that will carry out the archaeological work. You must not start work until we have approved what you have sent us.
- (b) You must then carry out the building recording according to this approved scheme. You must produce a written report of the investigation and findings, showing that you have carried out the archaeological work and development according to the approved scheme. You must send copies of the written report of the investigation and findings to us, to Historic England, and to the Greater London Sites and Monuments Record, 1 Waterhouse Square, 138-142 Holborn, London EC1N 2ST.
- (c) You must not use any part of the new building until we have confirmed that you have carried out the building recording according to this approved scheme.

Reason:

To protect the archaeological heritage of the City of Westminster as set out in S25 of Westminster's City Plan (July 2016) and DES 11 of our Unitary Development Plan that we

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adopted in January 2007. (R32BC)

- 12 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 Mayfair 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)

- 13 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:

-Measures to prevent access to the edge of the fifth floor terrace.

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 privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 14 The terrace at fifth floor level must only be used in connection with the proposed accommodation and shall not be used for entertainment purposes.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 15 You must apply to us for approval of details for the storage of three cycles spaces for the private members club use. You must not start any work on this part of the development until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose.

Reason:

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

- 16 You must apply to us for approval of details of how waste is going to be stored on the site. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the waste store in line with the approved details, and clearly mark it and make it available at all times to everyone using the ^IN;. You must not use the waste store for any other purpose. (C14CD)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (July 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

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 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.

- * Window cleaning - where possible, install windows that can be cleaned safely from within the building.
- * Internal atria - design these spaces so that glazing can be safely cleaned and maintained.
- * Lighting - ensure luminaires can be safely accessed for replacement.
- * Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).

More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm.

Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)

- 5 You must ensure that the environment within a workplace meets the minimum standard set out in the Workplace (Health, Safety and Welfare) Regulations 1992 with respect to lighting, heating and ventilation. Detailed information about these regulations can be found at www.hse.gov.uk/pubns/indg244.pdf. (I80DB)

- 6 Asbestos is the largest single cause of work-related death. People most at risk are those working in the construction industry who may inadvertently disturb asbestos containing materials (ACM_s). Where building work is planned it is essential that building owners or occupiers, who have relevant information about the location of ACM_s, supply this information to the main contractor (or the co-ordinator if a CDM project) prior to work commencing. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/asbestos/regulations.htm (I80AB)

- 7 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained.
- Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following:
- * Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings;

- * Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase;
- * Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained;
- * Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the centre of particularly wide staircases where necessary;
- * Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.

- 8 Buildings must be provided with appropriate welfare facilities for staff who work in them and for visiting members of the public.

Detailed advice on the provision of sanitary conveniences, washing facilities and the provision of drinking water can be found in guidance attached to the Workplace (Health, Safety and Welfare) Regulations 1992. www.opsi.gov.uk/SI/si1992/Uksi_19923004_en_1.htm

The following are available from the British Standards Institute - see <http://shop.bsigroup.com/>:

BS 6465-1:2006: Sanitary installations. Code of practice for the design of sanitary facilities and scales of provision of sanitary and associated appliances

BS 6465-3:2006: Sanitary installations. Code of practice for the selection, installation and maintenance of sanitary and associated appliances. (I80HA)

- 9 Manual-handling accidents account for 38% of all reported accidents. Careful consideration at the design stage can eliminate or reduce the need for manual handling within buildings, for example the location of delivery areas in relation to store rooms and access to and the position of plant rooms.

There is more guidance on the Health and Safety Executive website at <http://www.hse.gov.uk/msd/index.htm>. (I80EB)

- 10 Please make sure that the lighting is designed so that it does not cause any nuisance for neighbours at night. If a neighbour considers that the lighting is causing them a nuisance, they can ask us to take action to stop the nuisance (under section 102 of the Clean Neighbourhoods and Environment Act 2005). (I39AA)

- 11 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)

- 12 Your proposals include demolition works. If the estimated cost of the whole project exceeds £300,000 (excluding VAT), the Site Waste Management Plan (SWMP) Regulations 2008 require you to prepare an SWMP before works begin, to keep the Plan at the site for inspection, and to retain the Plan for two years afterwards. One of the duties set out in the Regulations is that the developer or principal contractor "must ensure, so far as is reasonably practicable, that waste produced during construction is re-used, recycled or recovered" (para 4 of the Schedule to the Regulations). Failure to comply with this duty is an offence. Even if the estimated cost of the project is less than £300,000, the City Council strongly encourages you to re-use, recycle or recover as much as possible of the construction waste, to minimise the environmental damage caused by the works. The Regulations can be viewed at www.opsi.gov.uk.
- 13 Conditions 3 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)
- 14 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 15 Please contact our Environmental Health Service (020 7641 2000) to make sure you meet their requirements under the Control of Pollution Act 1974 and the Environmental Protection Act 1990. (I07AA)
- 16 Please contact our Environmental Health Service (020 7641 2971) to register your food business and to make sure that all ventilation and other equipment will meet our standards. Under environmental health law we may ask you to carry out other work if your business causes noise, smells or other types of nuisance. (I06AA)

- 17 One or more of the uses we have approved are referred to as being 'sui generis'. This means that the use or uses are not in any particular class. Any future plans to materially (significantly) change the use that we have approved will need planning permission. (I78AA)
- 18 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.
- 19 The following guidance is recommended with regard to the provision of adequate natural ventilation:
- o Natural ventilation should allow for cooling in summer months.
 - o Low-level background ventilation should be designed to prevent excessive heat loss or draughts.
 - o It should be controllable, and properly installed.
- 20 The following guidance is recommended with regard to the provision of adequate heating:
- o The heating system should be appropriate to the design, layout and construction to allow for the whole of the dwellings to be adequately and efficiently heated.
 - o Heating should be controllable by the occupants.
- The heating system should take into account the structural thermal insulation properties of the property to minimise heat loss.
- 21 The preferred means of protecting the amenity of the future occupants of 3 Down Street Mews from the terrace at fifth floor level are fixed planters.

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

DRAFT DECISION LETTER

Address: Royal Air Force Club, 128 Piccadilly, London, W1J 7PY

Proposal: Demolition of ground, first and first floor mezzanine levels and erection of replacement extension on ground, first, first floor mezzanine and second to fifth floor level to provide additional accommodation to existing private members' club (sui generis) and installation of plant at roof level. Minor internal alterations at basement level.

Plan Nos: PL(2-)100, PL(2-)101, PL(2-)102, PL(2-)103, PL(2-)104, PL(2-)105, PL(2-)106, PL(2-)107, PL(2-)108 PL(2-)111A, PL(2-)112 A, PL(2-)20 A, PL(2-)21 A. PL(2)02 A, PL(2)03 A, PL(2)04 A, PL(2)05 A, PL(2)06 A, PL(2)02 A, PL(2)03 A, PL(2)04 A, PL(2)05 A, PL(2)06 A, PL(2)07 A, PL(2)08 A, PL(2)08 A, PL(2)09 A, PL(2)10 A, PL(2)11 A, PL(2)12 A, PL(2)21 A, PL(2)22 A.

Case Officer: Damian Lavelle

Direct Tel. No. 020 7641 5974

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

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

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

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area.

This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 4 (a) You must apply to us for approval of a written scheme of investigation for a programme of building recording of the existing squash courts. This must include details of the suitably qualified person or organisation that will carry out the archaeological work. You must not start work until we have approved what you have sent us.
- (b) You must then carry out the building recording according to this approved scheme. You must produce a written report of the investigation and findings, showing that you have carried out the archaeological work and development according to the approved scheme. You must send copies of the written report of the investigation and findings to us, to Historic England, and to the Greater London Sites and Monuments Record, 1 Waterhouse Square, 138-142 Holborn, London EC1N 2ST.
- (c) You must not use any part of the new building until we have confirmed that you have carried out the building recording according to this approved scheme.

Reason:

To protect the archaeological heritage of the City of Westminster as set out in S25 of Westminster's City Plan (July 2016) and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32BC)

- 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 protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (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 apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:

- Means of protecting the amenity of the future occupants of 3 Down Street Mews from the terrace at fifth floor level.

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 neighbouring residents from noise nuisance, as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13AC)

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT -
In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan July 2011, Westminster's City Plan (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 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

Agenda Item 2

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CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 27 September 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	Selwyn House, 15 Cleveland Row, London, SW1A 1DH,		
Proposal	Erection of extensions at third floor level and roof level to create new fourth floor loft level and associated alterations including mechanical plant and rooflights in connection with enlargement of single family dwellinghouse.		
Agent	GMA Architecture Ltd		
On behalf of	Mrs Rusdan Makhashvili		
Registered Number	16/00854/FULL	Date amended/ completed	7 March 2016
Date Application Received	1 February 2016		
Historic Building Grade	Unlisted Building of Merit		
Conservation Area	St James's		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

Selwyn House is identified as an unlisted building of merit in the St. James's Conservation Area Audit. The building is on an island site at the western end of Cleveland Row, overlooking Green Park. It comprises basement, lower ground, garage level, ground and three upper floors, and was converted to a single family dwellinghouse in 2011.

Planning permission is sought for an infill extension at third floor level and a roof extension to create a new fourth floor loft level and associated alterations including mechanical plant and rooflights in connection with enlargement of single family dwellinghouse.

The key issues are:

- * The impact of the proposal on the character and appearance of nearby listed buildings and the St. James's Conservation Area.
- * The impact on the amenity of neighbouring residents.

The proposed development is considered to be acceptable in land use, design and amenity terms and would accord with policies within the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (City Plan). As such, it is recommended that conditional planning permission is granted.

3. LOCATION PLAN



4. PHOTOGRAPHS



Selwyn House, 15 Cleveland Row
Front elevation



**Selwyn House, 15 Cleveland Row
Rear elevation**

5. CONSULTATIONS

WESTMINSTER SOCIETY

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 18; Total No. of Replies: 6

Objections received from residents and commercial occupiers opposite on some or all of the following grounds:

Amenity

- Loss of daylight and sunlight to adjoining residential windows and terraces at Nos. 9 – 13 Cleveland Row.
- Loss of airflow.

ADVERTISEMENT/SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

Selwyn House, 15 Cleveland Row is identified as an unlisted building of merit in the St. James's Conservation Area Audit. The building is on an island site at the western end of Cleveland Row, overlooking Green Park and in close proximity to the Stable Yard entrance to St. James's Palace. It comprises basement, lower ground, garage level, ground and three upper floors, and was recently in use as offices before it was converted to a single family dwellinghouse in 2011.

6.2 Recent Relevant History

16/01438/FULL

Replacement of garage doors with new garage doors to the rear elevation.

Application Permitted 12 April 2016

15/04624/FULL

Internal alterations at ground floor level to create additional internal car parking and car lift.

Application Permitted 28 August 2015

14/06514/FULL

Excavation to lower the basement floor level and create a basement extension with swimming pool under rear of property, rear lower ground floor infill extension, installation of enclosure and mechanical plant at main roof level and associated external alterations including replacement garage door, windows, doors and new rooflights.

Application Permitted 6 January 2015

10/09260/FULL

Use as a single dwelling house (Class C3).

Application Permitted 11 January 2011

7. THE PROPOSAL

Planning permission is sought for the erection of an extension at third floor level and main roof level to create a new fourth floor loft level and associated alterations including mechanical plant and rooflights in connection with enlargement of the existing single family dwelling house.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The extension would enlarge the existing third floor level and provide two additional bedrooms within the new loft level. In land use terms the creation of a larger single family dwelling house is considered to be acceptable in accordance with Policy H3 of the UDP and Policy S14 of the City Plan.

8.2 Townscape and Design

A new infill extension is proposed at third floor level which will raise the height of the existing parapet wall to the south east elevation. A new decorative cornice will be introduced to match that on the other elevations and this element of the proposal is considered acceptable in design and conservation terms.

The existing horseshoe roof is to be removed and a new 40 degree pitched roof with flat top introduced which will be 0.75m higher than existing. The limited increase in ridge height will not be readily visible from the street and only glimpses of the new roof will be seen from Green Park through the existing bottle balustrade. The new roof will be constructed with natural slate and conservation rooflights and it is recommended that the details be secured by condition.

An open top plant enclosure is proposed within an existing brick structure and will not harm the appearance of the building. The proposals are therefore considered acceptable in design and conservation terms in accordance with policies DES 1, DES 5, DES6 and DES9 of the UDP and S28 of Westminster's City Plan: Strategic Policies.

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.

Objections have been received from adjoining residential and commercial occupiers within nos. 9-13 Cleveland Row (nos.9, 10 and 11 are in residential use and nos. 12 and 13 are in office use) on the grounds that the proposals will result in a loss of daylight and sunlight to their properties. The proposed infill extension at third floor level is opposite these properties.

The application property is separated from the adjacent properties at nos. 8-13 Cleveland Row by a narrow street, whose front windows face directly onto the south east flank elevation of the application building, which is also higher than these properties. As a result these properties already experience relatively poor levels of light and outlook. The applicant has carried out an assessment on surrounding properties using the BRE guidelines: Site Layout Planning for Daylight and Sunlight 2011.

Daylight VSC

The BRE guidelines suggest that a 27% Vertical Sky Component (VSC) is indicative of a 'good level' of daylight. The BRE guidelines state that daylight levels may be adversely affected if the VSC measured at the centre of an existing main window is less than 27% and less than 0.8 times its former value. Should windows achieve sufficient levels of VSC they are seen as compliant in terms of daylight.

Of the windows tested, two windows within no.10 Cleveland Row at second and third floor level will experience reductions in VSC exceeding BRE targets. The applicant's daylight report incorrectly identifies this property as commercial, however, it is in use as a single family dwelling house. These windows currently receive a relatively low level of daylight (8.4% and 15.8% VSC) and following the development would experience VSC levels of 6.5% and 12.06%. The actual loss in VSC to these windows is therefore relatively minor (approximately 3%), however, the low starting point significantly exacerbates the percentage losses. These rooms are also served by a further window which are VSC compliant and the rooms appear to be in use as bedrooms and are not therefore main habitable rooms.

Daylight Distribution

The applicants has also carried out the Daylight Distribution test whereby a room may be adversely affected if, following the development, the area of the working plane that can receive direct skylight is less than 0.8 times its former value.

The rooms within 10 Cleveland Row pass the daylight distribution test, however, two windows within No.9 Cleveland Row at third floor level fail to achieve the residential daylight standard. The applicants daylight report also incorrectly identifies this property as commercial, however, the property is in use as a single family dwelling house. These rooms currently receive low daylight distribution levels (3.71% and 6.46 existing) and following the development the area of the working plane that would receive direct skylight would be 2.2 and 4.01 (0.59 and 0.62 times its former value). Again the low starting point significantly exacerbates the percentage losses and given the rooms location at third floor level it is unlikely to be in use as a main habitable room.

Sunlight

In respect of sunlight, the BRE guide suggests that a dwelling will appear reasonably well sunlit provided that at least one main window wall faces within 90% of due south and it receives at least a quarter of annual probable sunlight hours (APSH), including 5% of

APSH during the winter months. The front windows within nos. 8 – 13 Cleveland Row are not within 90 degrees of due south and as such do not need to be tested.

Given the close relationship between the application building and 8-12 Cleveland Row, these properties already experience a poor level of light and outlook. Whilst there will be transgressions in excess of the BRE guidelines to two rooms in Nos. 9 and 10 Cleveland Row, it is not considered that the application could reasonably be refused on amenity grounds.

8.4 Transportation/Parking

The dwelling has two existing off street car parking spaces which will be unaffected by the proposals. It is not considered that the creation of a larger house would have a material impact on traffic generation or on-street parking pressure in this area.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

The application does not propose any alteration to the existing means of access to this private residential dwelling.

8.7 Other UDP/Westminster Policy Considerations

Mechanical Plant

Mechanical plant is proposed at roof level in the same location as previously approved on 06 January 2015. Conditions are recommended to secure an acoustic report to ensure that the plant complies with the Council's standard noise condition.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

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

8.10 Planning Obligations

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

8.11 Environmental Impact Assessment

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

9. BACKGROUND PAPERS

1. Application form.
2. Response from Westminster Society dated 29 March 2016.
3. Letter from occupier of Stornoway House, 13 Cleveland Row dated 13 May 2016.
4. Letters from the occupier of 9 Cleveland Row dated 10 July 2016.
5. Letter from occupier of 10 Cleveland row dated 9 May 2016.
6. Letter from occupier of Right of Light Consulting on behalf of 12 & 13 Cleveland Row dated 21 June 2016.
7. Letter from occupier of 11 Cleveland row dated 6 May 2016.

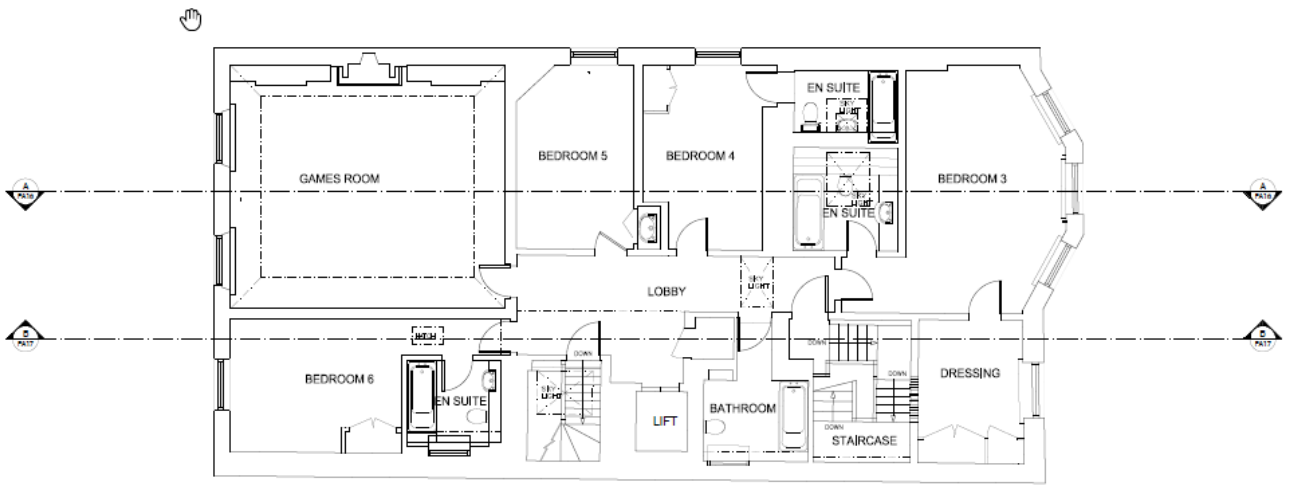
Selected relevant drawings

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

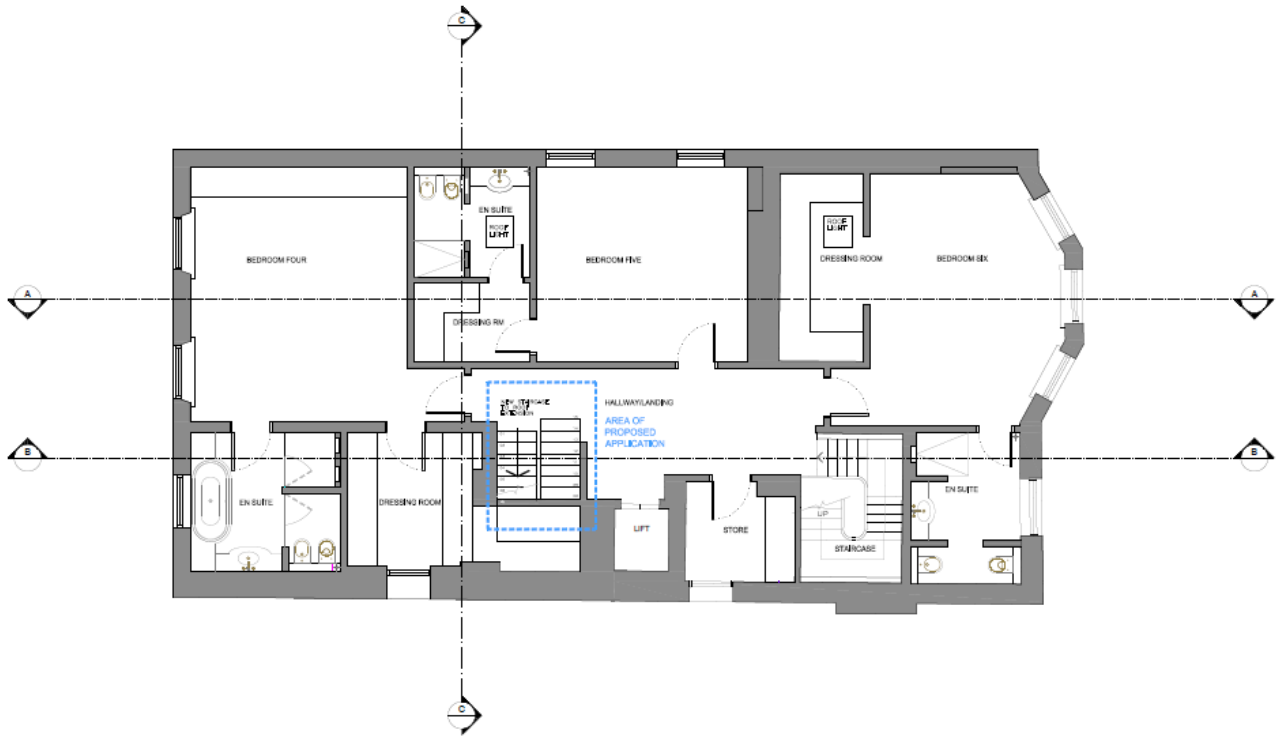
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: JULIA ASGHAR BY EMAIL AT JASGHAR@WESTMINSTER.GOV.UK

10. KEY DRAWINGS

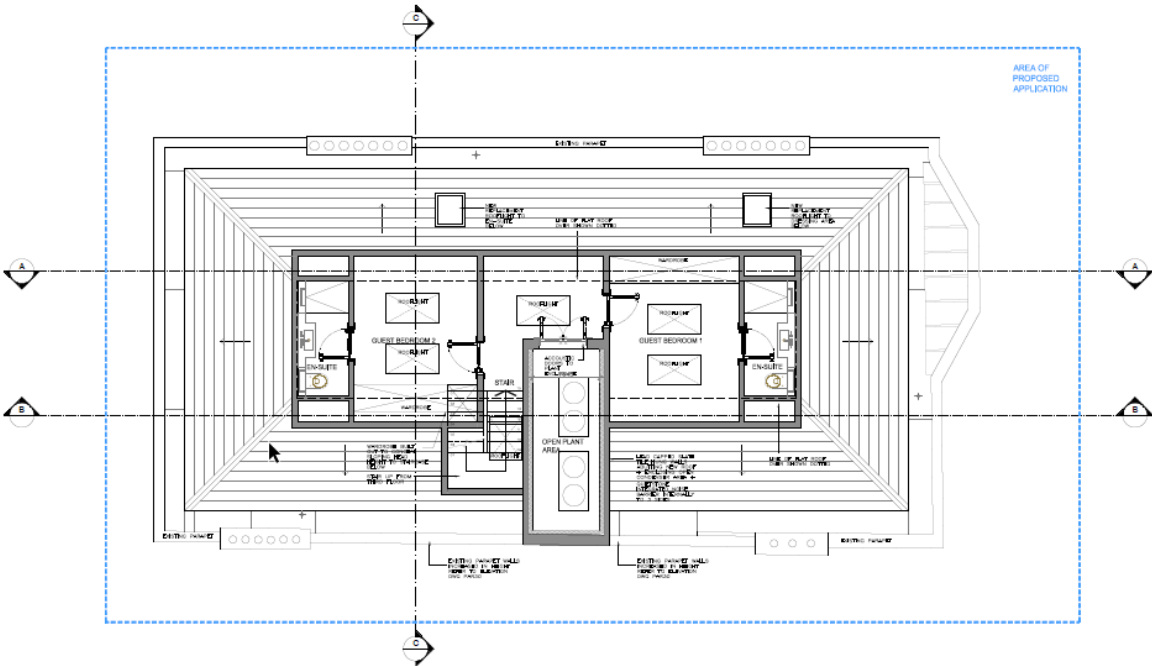
Existing third floor plan



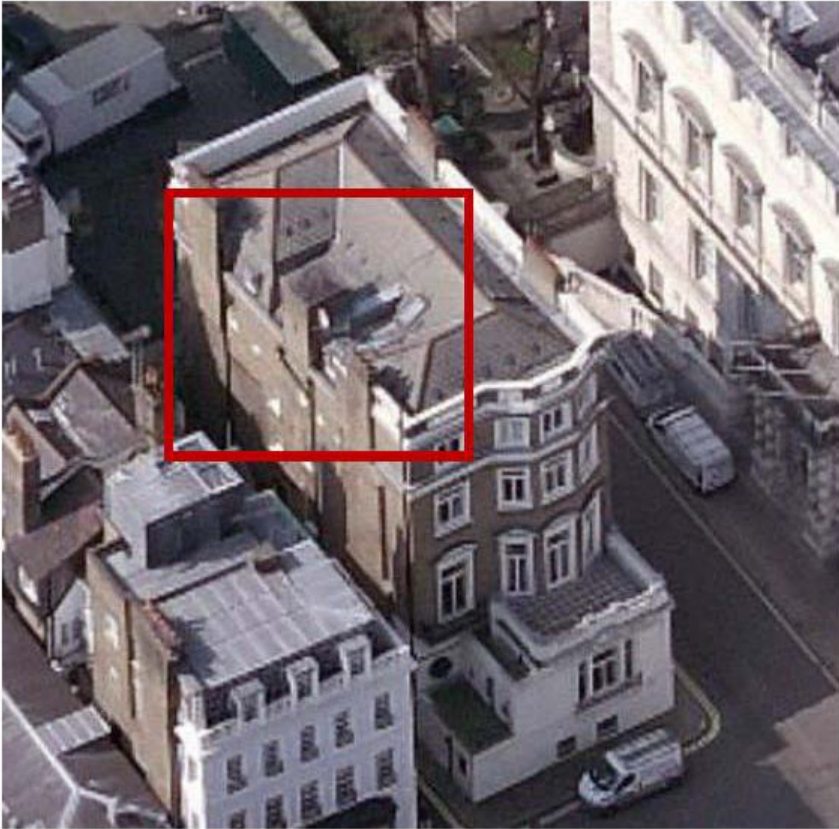
Proposed third floor plan



Proposed fourth/ loft floor plan



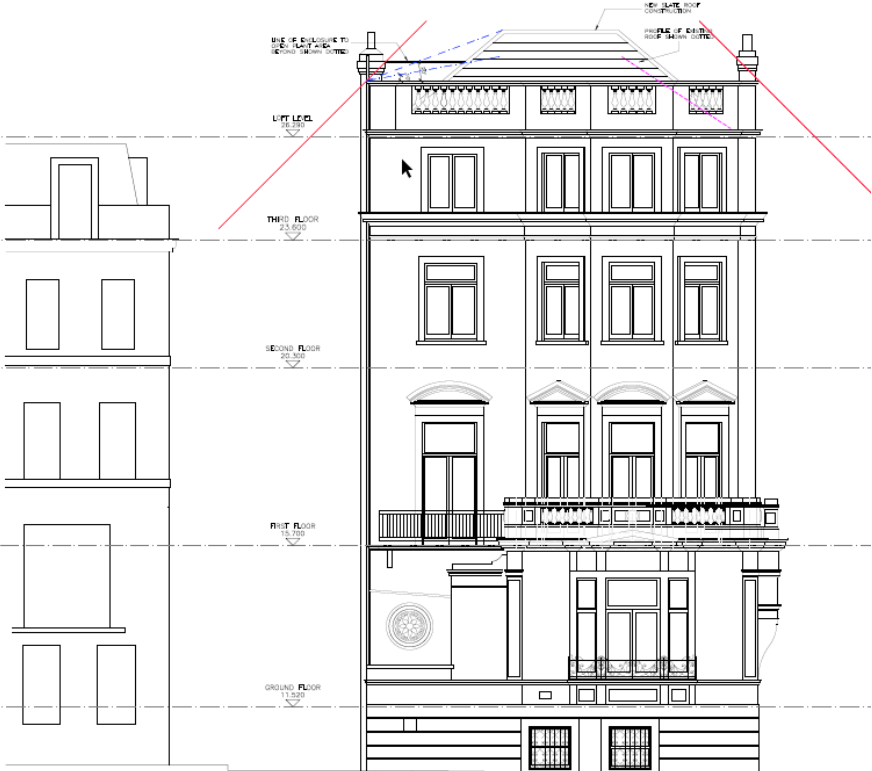
Aerial view/ existing roof



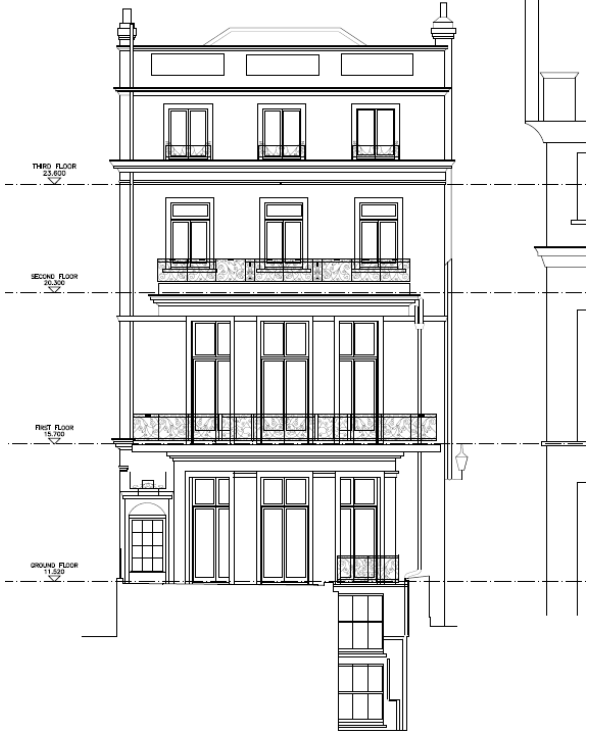
Existing North East/ Front elevation



Proposed North East/ Front elevation



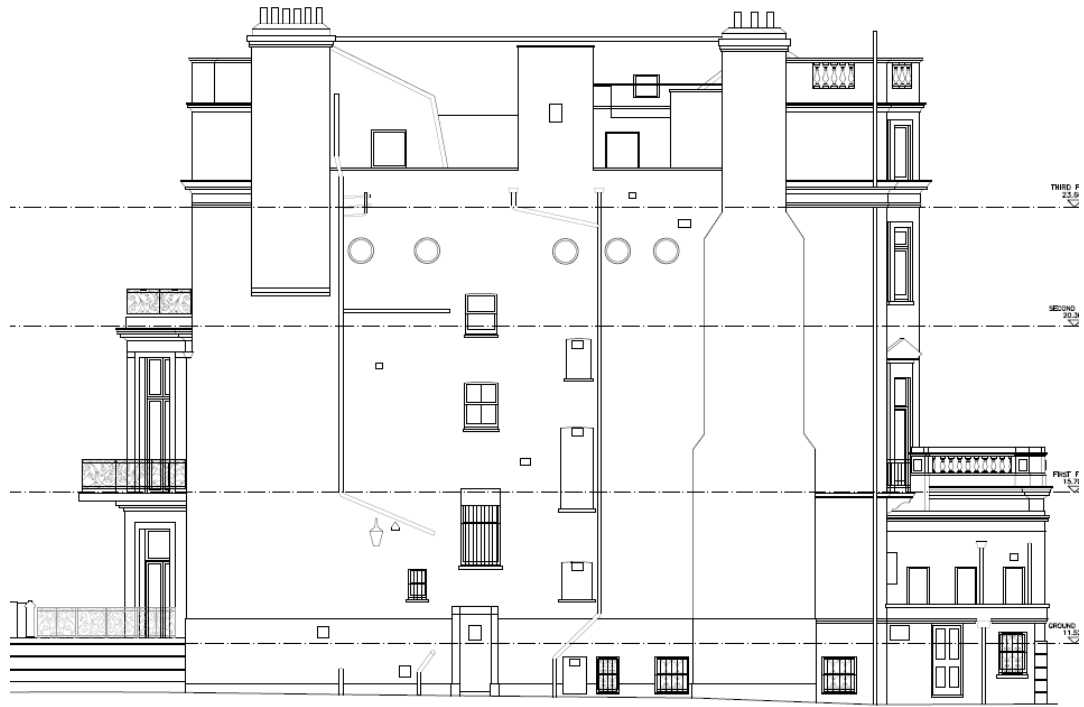
Existing South West/ rear elevation



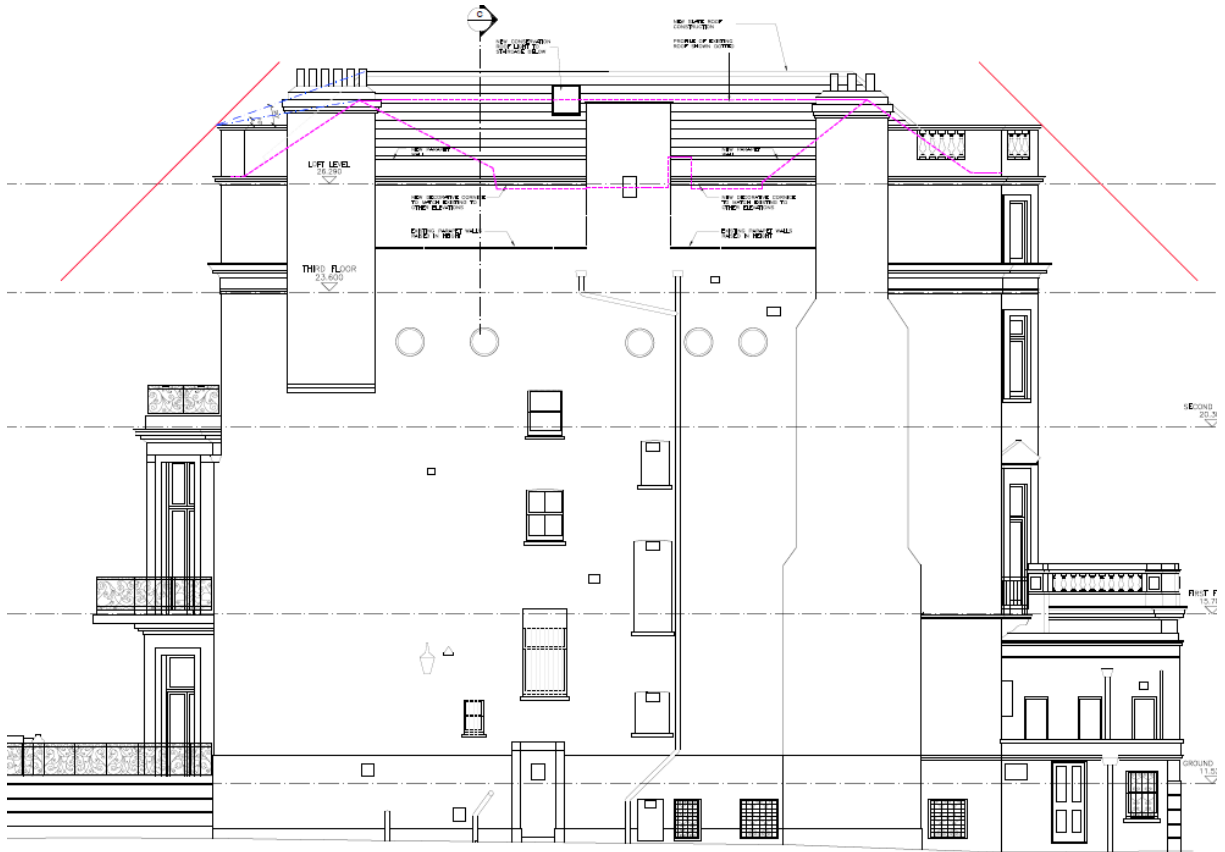
Proposed South West/ rear elevation



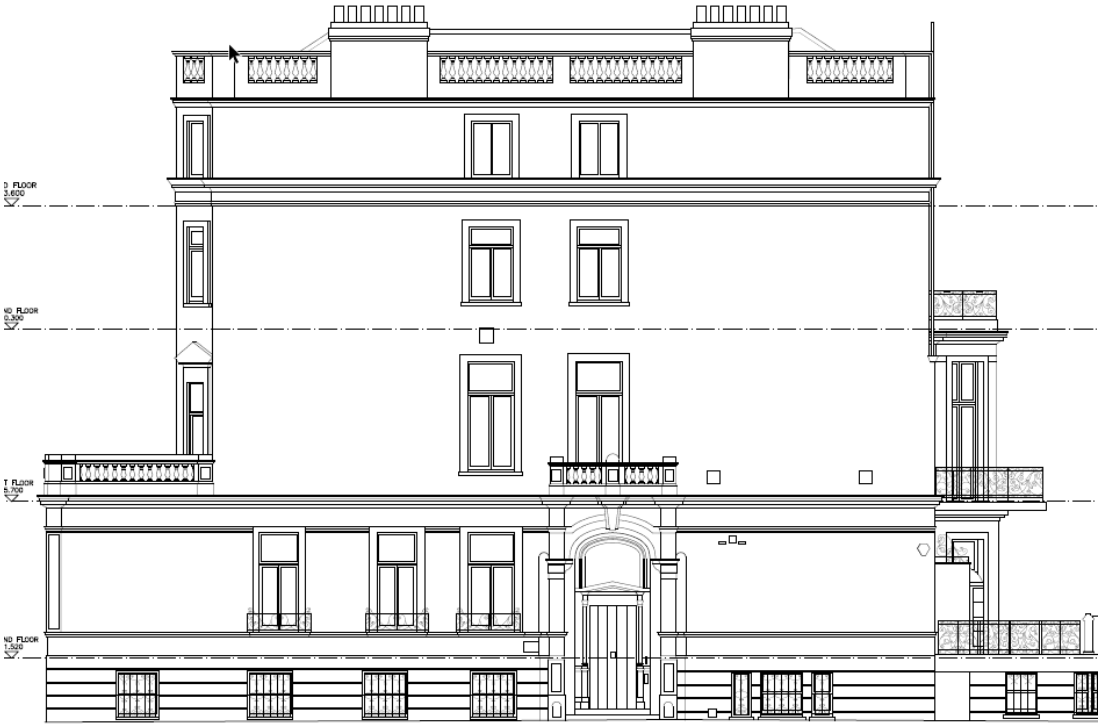
Existing South East side elevation



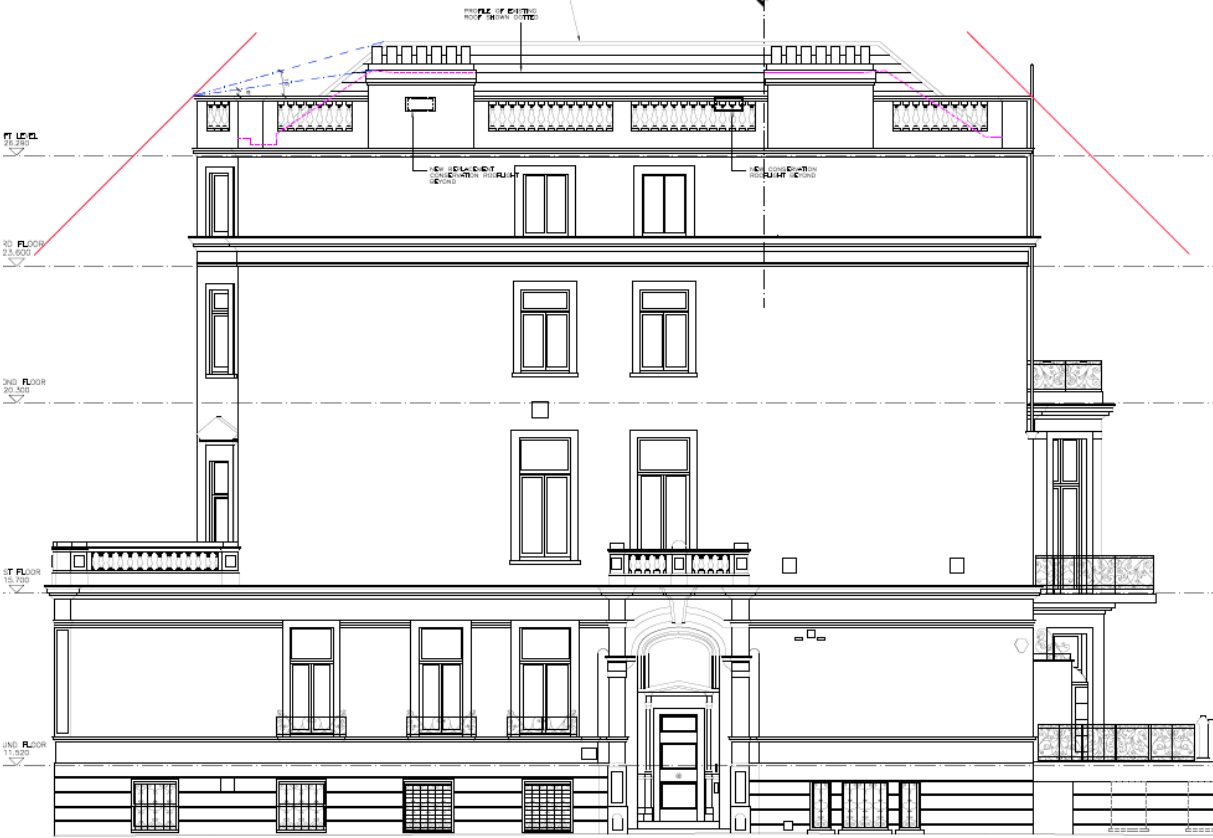
Proposed South East side elevation



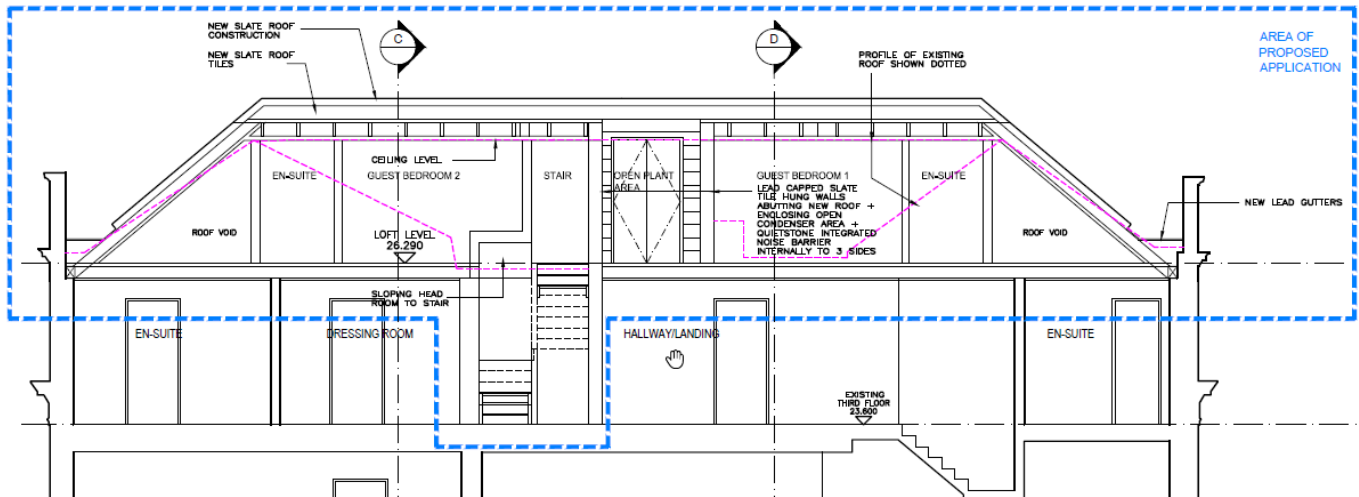
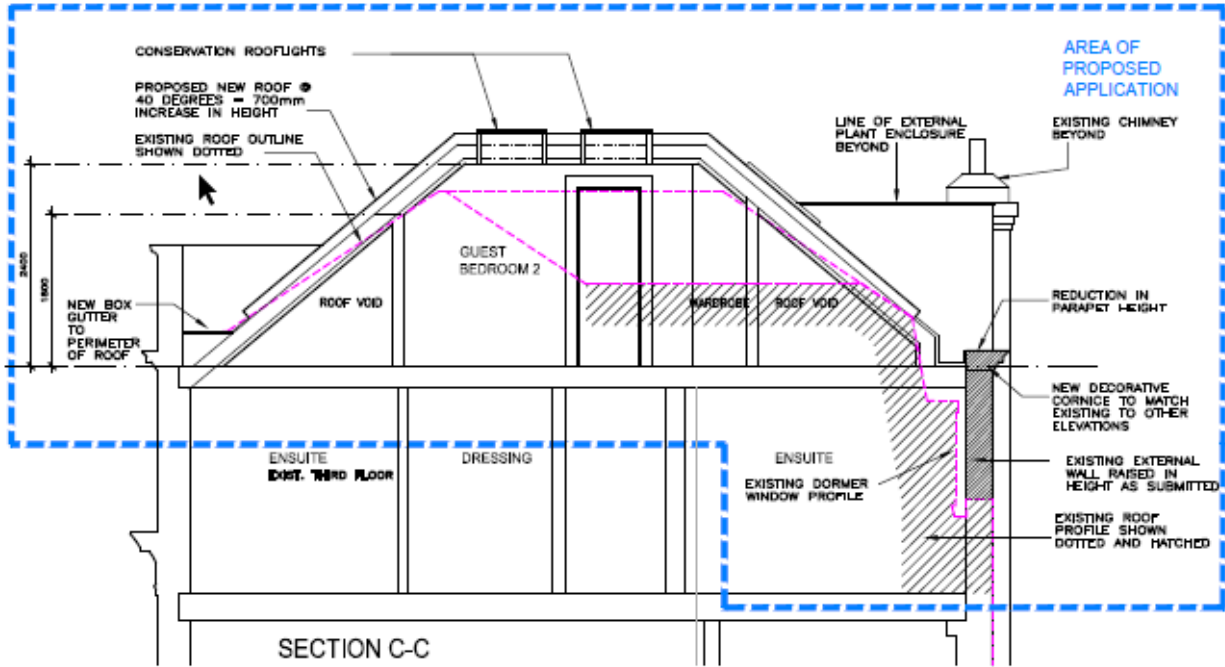
Existing North West side elevation



Proposed North West side elevation



Overlay Drawings/ Existing and Proposed sections



DRAFT DECISION LETTER

Address: Selwyn House, 15 Cleveland Row, London, SW1A 1DH,

Proposal: Erection of extension at third floor level and roof level to create new fourth/ loft floor level and associated alterations including mechanical plant and rooflights in connection with enlargement of single family dwellinghouse.

Reference: 16/00854/FULL

Plan Nos: PA 01, PA 02, PA 09, PA 10, PA 11, PA 12, PA 13, PA 14, PA 16 Rev A, PA 17 Rev A, PA R 27 PA R 28, PA R 29, PA R 30 Rev A, PA R 31, PA R 32, PA R 35, PA R 37 Rev A, PA R 50; Daylight and Sunlight Study by behan partnership ltd dated 12.11.2015.

Case Officer: David Dorward

Direct Tel. No. 020 7641 2408

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 St. James's 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 paint all new outside rainwater and soil pipes black and keep them that colour.
(C26EA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St. James's 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 The new decorative cornice is to be constructed to match the existing and painted white.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St. James's Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (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 You must apply to us for approval of detailed drawings at a scale of 1:10 and sections at 1:5 of the new windows and rooflights. You must not start work on these parts of the development until we have approved what you have sent us. You must then carry out the works according to the approved details.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St. James's Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (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 You must apply to us for approval of a slate sample. You must then carry out the work using the approved material.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St. James's 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)

- 8 (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 5 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 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.
- (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:
- (a) A schedule of all plant and equipment that formed part of this application;
 - (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
 - (c) Manufacturer specifications of sound emissions in octave or third octave detail;
 - (d) The location of most affected noise sensitive receptor location and the most affected window of it;
 - (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
 - (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
 - (g) The lowest existing LA90, 15 mins measurement recorded under (f) above;
 - (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
 - (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

As set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(2) of our Unitary Development Plan that we

adopted in January 2007 (UDP), 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 (July 2016), 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 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.

- 10 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 9 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

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 (UDP), 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 (July 2016), 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 (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 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)

- 3 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 are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 5 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.
- 6 You are advised that the use of a standard double glazing is unlikely to be acceptable as it generally requires bulky frames, which are not compatible with the character and appearance of the conservation area.
- 7 Conditions 9 and 10 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)

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

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Agenda Item 3

Item No.

3 & 4

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 27 September 2016	Classification For General Release	
Report of Director of Planning		Ward involved West End	
Subject of Report	Application 1 - 145 Oxford Street, London W1D 2JD Application 2 - 57 Berwick Street, London W1F 8SR		
Proposal	Application 1 - Erection of mansard roof extension to create new fourth floor; erection of rear extensions at first to third floor levels; erection of plant enclosure, cycle parking enclosure and new terrace at second floor level; use of first floor as retail (Class A1), use as part ground, second, third and new fourth floor as office (Class B1) floorspace; and installation of replacement windows, new shopfront and associated works including alterations to the chimney at Green Man Public House (No. 57 Berwick Street). Application 2 - Alterations to the Chimney at the Green Man Public House.		
Agent	Montagu Evans LLP		
On behalf of	Mr Thor 145 Oxford Street SARL		
Registered Number	Application 1 - 16/05969/FULL Application 2 - 16/05985/LBC	Date amended/ completed	27 June 2016
Date Application Received	24 June 2016		
Historic Building Grade	145 Oxford Street – Unlisted 57 Berwick Street – Grade II		
Conservation Area	Soho		

1. RECOMMENDATION

<p>Application 1</p> <ol style="list-style-type: none"> Grant conditional permission, subject to no substantive additional issues being raised prior to the expiry of the consultation period on 29 September 2016. <p>Application 2</p> <ol style="list-style-type: none"> Grant conditional listed building consent, subject to no substantive additional issues being raised prior to the expiry of the consultation period on 29 September 2016. Agree the reasons for granting listed building consent as set out within Informative 1 of the draft decision letter.
--

2. SUMMARY

No. 145 Oxford Street is a vacant, unlisted, building located at the junction of Oxford Street and Berwick Street, within the Soho Conservation Area. Its lawful use is for (Class A1) retail purposes on basement and ground floors, as offices (Class B1) on part first floor and as a language school (Class D1) on the remainder of the first, second and third floors. It adjoins a Grade II public house, 57 Berwick Street, to the south.

Permission is sought for alterations to the Oxford Street building (Application 1) including the erection of a fourth floor mansard roof extension, rear extensions on first to third floors, the provision of a cycle store, plant area and office terrace on the rear second floor roof and for the use of the first floor as additional retail accommodation and the use of the second to fourth floors as offices, accessed via an enlarged entrance on Berwick Street. Listed building consent is also sought to extend the chimney stack to the adjacent public house (Application 2) to accommodate the roof extension on the main site.

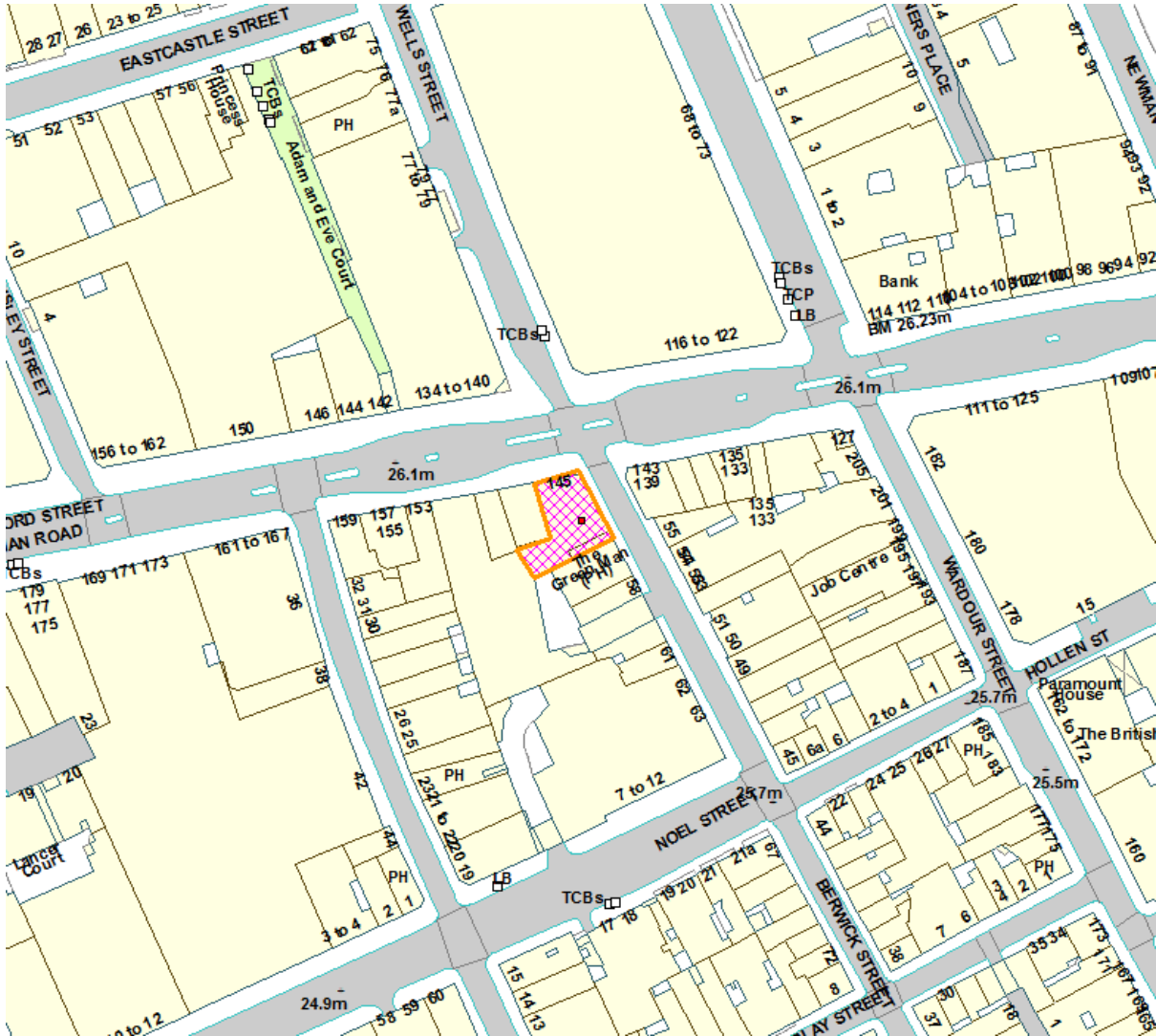
The applications are almost identical to schemes approved on 14 June 2016, with some minor design alterations. However, while the approved scheme secured a contribution to the City Council's affordable housing fund (£723,000) in lieu of the provision of on-site housing to offset the increase in commercial floorspace, changes to the mixed use policy in the City Plan (July 2016), mean that the scheme no longer triggers a requirement to provide new residential floorspace and will no longer deliver an affordable housing contribution.

The key issues for consideration are:

- the impact of the proposed alterations upon the special interest of the listed building at 57 Berwick Street, the setting of adjacent listed buildings and the character and appearance of the Soho Conservation Area .
- the acceptability of the loss of the language school in land use terms.

For the reasons set out in the main report, the proposals are considered acceptable in land use and amenity terms. In addition, they are considered acceptable in terms of their impact upon the special interest of the listed building, the setting of adjacent listed buildings and the character and appearance of the Soho Conservation Area. The schemes therefore comply with adopted Unitary Development Plan (UDP) and City Plan policies and are recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

SOHO SOCIETY:

No objection.

ENVIRONMENTAL HEALTH:

No objection.

CLEANSING:

No objection subject to revised plans showing arrangements for the separate storage of waste and recyclable materials.

HIGHWAYS PLANNING:

No objection subject to a condition securing cycle parking associated with the enlarged shop unit.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 73

Total No. of replies: 0

No. of objections: 0

No. in support: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Sites

These applications relate to 145 Oxford Street, an unlisted building located on the corner of Oxford Street and Berwick Street, and 57 Berwick Street, a Grade II listed public house ("The Green Man"), located immediately to the south. Both sites are within the Soho conservation area. The neighbouring building on Oxford Street, no. 147, is also Grade II listed.

The lawful use of 145 Oxford Street, which is vacant, is for (Class A1) retail purposes on basement and ground floors, as offices (Class B1) on part first floor and as a language school on the remainder of the first, second and third floors.

The site is located within the Core CAZ, the West End Special Retail Policy Area and on a Primary Frontage of the West End International Shopping Centre.

6.2 Recent Relevant History

14 June 2106: Permission granted for alterations to 145 Oxford Street including the erection of a fourth floor mansard roof extension, rear extensions on first to third floors levels; the erection of plant enclosure and cycle parking enclosure and the creation of a new office terrace all at rear second floor level; use of part ground, part first and second to fourth floors as offices (Class B1); use of first floor as retail floorspace (Class A1); installation of replacement windows, new shopfront and associated works.

28 June 2001: Permission granted for the use of part of first floor and continued use of remainder of first floor, second and third floors as a non-residential education and training centre (Class D1).

14 June 2016: Listed building consent granted for alterations to the chimney serving the public house at 57 Berwick Street.

7. THE PROPOSAL

Planning permission is sought for alterations to 145 Oxford Street (application 1) including the erection of a fourth floor mansard roof extension, rear additions at first floor level, within an existing sunken area, extending into an existing rear lightwell on first to third floors and for the provision of a cycle store, plant area and office terrace at rear second floor level. Further, it is proposed to use the first floor for retail purposes (Class A1) and to use the second, third and new fourth floors as offices (Class B1) floorspace. Finally, replacement windows, a new shopfront and an enlarged office entrance are also proposed.

To accommodate the mansard roof extension on the Oxford Street building, listed building consent is sought to raise the height of the existing chimney stack at 57 Berwick Street (application 2). Notice of this application has been served upon the owner of this building.

The floorspace changes proposed are summarised as follows:

	As existing (sq.m GIA)	As proposed (sq.m GIA)	Change
Language School (Class D1)	351	0	-351
Office (Class B1)	125	487	+362
Shops (Class A1)	408	568	+160
Plant	0	25	+25
Total	884	1,080	+196

The applications are identical to those approved by the City Council on 14 June 2016 (Refs: 16/00933/FULL and 16/00935/LBC) save for the following changes:

- The height of the cycle store / plant area at rear second floor level would be increased by 0.2m.
- The footprint of the plant at rear second floor level has slightly increased and the area for cycle storage has slightly decreased (although this will accommodate the same number of bicycles by double stacking them, necessitating the increase in height of the cycle store).
- A rooflight is now proposed at rear second floor level.
- The alterations of the detailed design of the new ground floor office entrance on Berwick Street.

This application originally proposed the flexible use of the first floor for either office (Class B1) and / or retail purposes (Class A1) and the creation of a large office entrance on the Berwick street frontage. However, this would have resulted in an unacceptable loss of 35 sq.m (GIA) of retail floorspace on the Primary Shopping Frontage. Consequently, the application was revised to omit the first floor office use and the enlarged office foyer.

8. DETAILED CONSIDERATIONS

8.1 Land Use

In land use terms, the revised proposal is identical to the scheme approved on 14 June 2016. However, the application must be assessed against land use policies in the revised City Plan (adopted July 2016). This latest version of the City Plan makes changes to:

- Policy S1 (Mixed Use in the Central Activities Zone). This policy now introduces higher thresholds before any increases in commercial floorspace trigger a requirement to provide new residential floorspace, and applies only to increases in office floorspace (Class B1) rather than to increases in all commercial floorspace.
- City Plan Policy S20 (Offices and Other B1 Floorspace) now includes a target for additional office floorspace capacity for at least 58,000 new jobs (774,000 sq.m commercial floorspace) between 2016/17 and 2036/37 (2,900 new jobs per annum).

8.1.1 Loss of language school

Notwithstanding the protection afforded to the language school by City Plan Policy S34 and UDP Policy SOC 1, its loss was previously considered acceptable on the basis that the language school had been vacant for 12 years, that language schools are a private commercial facility, of little value to the local community, and that the increase in retail floorspace resulting from the loss of the language school at first floor level would assist in attracting better quality retail uses to the eastern end of Oxford Street, where there is a demand for larger shop units.

There has been no change in relevant policy since the previous scheme was determined. Consequently, the loss of the language school is, again, considered acceptable for the reasons set out above.

8.1.2 Increase in retail floorspace

As previously, the proposed increase in retail floorspace is welcome as it will enhance the unique status and offer of the West End Special Retail Policy Area and enhance the contribution that this site makes to the character and function of the West End International Shopping Frontage, in accordance with City Plan Policies S6, S7, S21 and UDP Policies SS3 and SS4.

8.1.3 Increase in office floorspace

Again, the proposed increase in office floorspace is acceptable in principle given the site's location within the Core CAZ, in accordance with City Plan Policies S6 and S20. The

additional office floorspace will assist in meeting the floorspace and job targets set out within City Plan Policy S20.

8.1.4 Mixed use policy

Based upon the previous mixed use policies, S1 in the City Plan (November 2013) and UDP (CENT 3) (both now superseded) the approved scheme secured a policy-compliant contribution of £732,000 towards the City Council's Affordable Housing Fund. These policies required an equivalent amount of residential floorspace to be provided on site to offset increases in commercial floorspace over 200 sqm (where deemed to be appropriate and practicable); and policy CENT 3 set out a formula for calculating the required contribution to the City Council's affordable housing fund in lieu of on-site provision, where neither on-site nor off-site residential provision was accepted as being inappropriate or impractical.

The newly adopted City Plan (July 2016) includes a revision to City Plan Policy S1. This policy has raised the threshold above which the residential requirement is triggered.

1. Where the net additional floorspace (of all uses)
 - is less than 30% of the existing building floorspace; or
 - is less than 400 sq.m (GIA) (whichever is the greatest); or
2. Where the net additional B1 floorspace is less than 30% of the existing building floorspace (of all uses)

no residential floorspace will be required.

The existing building measures 884 sq.m (GIA). The net increase in floorspace (of all uses) is 174 sq.m (GIA) (excluding the plant area which could not be used as commercial floorspace). This increase is both less than 30% of the existing floorspace (which would be 265 sq.m GIA) and less than 400 sq.m (GIA). Consequently, the development is not required to provide any residential floorspace or a contribution to the Affordable Housing Fund.

8.2 Townscape and Design

There is no objection to the revised design of the proposed office entrance, subject to a condition requiring the submission of a detailed drawing of the decorative metal screen..

The additional rooflight on the proposed flat roof at rear second floor will be inconspicuous and the modest increase in the height of the plant enclosure / cycle store will not have a harmful visual impact.

Consequently, the proposed alterations to the Oxford Street building are, again, considered acceptable in terms of their impact on the character and appearance of the Soho Conservation Area and will not harm the special interest or setting of the neighbouring listed buildings. The proposed extension of the chimney stack at 57 Berwick Street is also considered acceptable in terms of its impact on the special interest of the

listed building. Consequently, the proposals comply with the City Council's urban design and conservation policies, including City Plan Policies S25 and S28, and UDP Policies including DES 1, DES 5, DES 6, DES 9 and DES 10.

8.3 Residential Amenity

The closets residential uses to the site are the manager flat on the top floor of the public house at 57 Berwick Street, opposite the site at 55 Berwick Street and further to the south at the rear of 151 Oxford Street.

UDP Policy ENV 13 states that the City Council will normally resist proposals which result in a material loss of daylight or sunlight to neighbouring properties. Similarly, City Plan Policy S29 seeks to ensure that development proposals safeguard the amenities of neighbouring residents in terms of privacy, outlook and noise.

Daylight and Sunlight

The application is supported by the previous daylight/sunlight assessment based on guidance published by the Building Research Establishment 'Site layout planning for daylight and sunlight: a guide to good practice' (September 2011). The most commonly used BRE method for assessing daylighting matters is the 'vertical sky component' (VSC), which measures the amount of sky that is visible from the outside face of a window. Using this method, if an affected window is already relatively poorly lit and the light received by the affected window would be reduced by 20% or more as a result of the proposed development, the loss would be noticeable and the adverse effect would have to be taken into account in any decision-making. The BRE guidelines seek to protect daylighting to living rooms, kitchens and bedrooms.

The neighbouring window on the upper floors of the neighbouring public house (57 Berwick Street) is located adjacent to the proposed cycle store. However, this window is fitted with obscure glass and is presumed to serve a non-habitable room. The original daylight analysis shows that the impact on this window is, at just over 4%, well within acceptable parameters. It is not considered that the proposed increase in the height of the cycle store, by 0.2m, would have a significant impact on this reported value.

The report also shows that the impact upon other residential properties within the vicinity of the site, which are unaffected by the proposed changes, would be well below 20% (maximum 6.09%).

With regard to sunlighting, the BRE guidelines state that rooms will appear reasonably sunlit provided that they receive 25% of annual probable sunlight hours, including at least 5% of winter sunlight hours. A room will be adversely affected if this is less than the recommended standards and reduced by more than 20% of its former values, and the total loss over the whole year is greater than 4%. Only windows facing within 90 degrees of due south of the proposed development need to be tested. The sunlight analysis shows that the maximum reduction in annual sunlight levels to neighbouring windows would be 6.5%. There would be no loss of winter sun.

All of these losses are well within the allowable losses set out within the BRE Guide (2011) and therefore the amenity of the affected neighbouring residences will not be materially harmed by the proposed development.

Privacy

The proposed terrace will also not cause harm by overlooking to the neighbouring flat within 57 Berwick Street as it will be visually screened from the affected windows by the proposed cycle store. The upper floors of the adjacent building on Oxford Street (No. 147) are in lawful use as a language school.

8.4 Transportation/Parking

As previously, a condition is recommended to secure the provision of cycle storage for the enlarged retail. The scheme is otherwise considered acceptable on highways/servicing grounds.

8.5 Economic Considerations

Any economic benefits generated by the scheme are welcomed.

8.6 Access

All external entrances will be step-free and fully accessible.

The office floors are to be served by a new 8-person lift, which will be suitable for wheelchair use with room for standing passengers.

8.7 Other UDP/Westminster Policy Considerations

Noise

As with the approved development, a condition is recommended ensuring that the plant complies with the relevant criterion within UDP Policy ENV 7 during the hours of operation (between 07.00 hours and 23.00 hours daily). This is with the exception of the plant associated with the communications room that is sufficiently quiet to be able to operate 24 hours a day.

Refuse /Recycling

As previously, a condition is recommended to be imposed requiring the applicant to apply to the City Council for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately.

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

As set out above, due to the changes made to City Plan Policy S1, the scheme does not trigger any planning obligations.

The scheme is liable to make a payment of £49,400 under the Westminster CIL. This remains unchanged from the extant permission.

8.11 Environmental Impact Assessment

The scheme is of insufficient scale to require the submission of an Environmental Statement.

8.12 Other Issues

Officers have recently undertaken a wider consultation exercise and the consultation period will expire on 29 September. The applications are recommended for approval subject to no new substantive issues being raised prior to the expiry of the consultation period.

9. BACKGROUND PAPERS

1. Application form.
1. Response from Soho Society, dated 4 July 2016.
2. Response from The Project Manager (Waste) dated 16 March 2016.
3. Response from Highways Planning, dated 7 July 2016.
4. Response from Environmental Health, dated 21 July 2016.

Selected relevant drawings

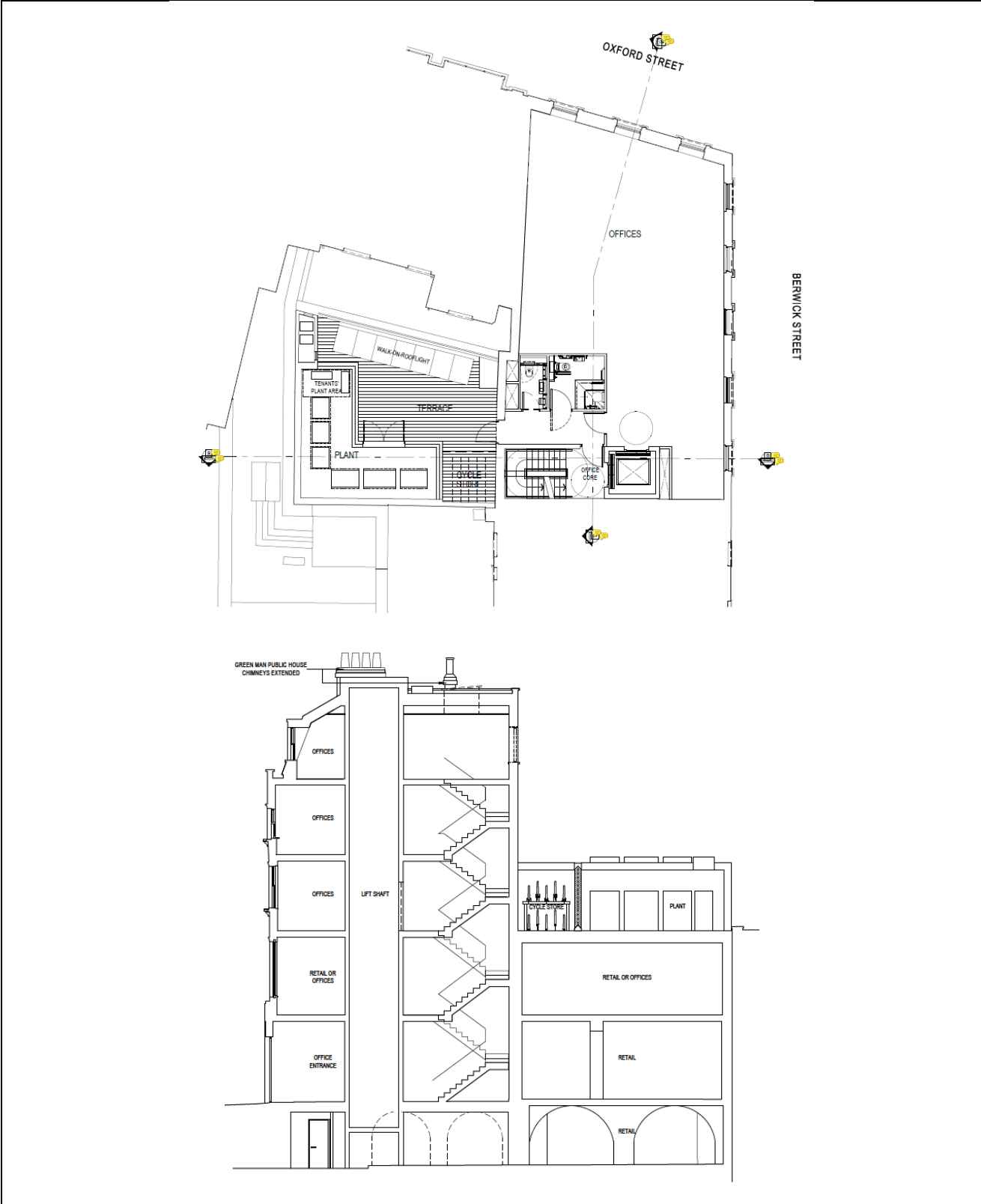
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: SARA SPURRIER BY EMAIL AT SSPURRIER@WESTMINSTER.GOV.UK

10. KEY DRAWINGS

Montage of proposed scheme





DRAFT DECISION LETTER (REF: 16/05969/FULL)

Address: 145 Oxford Street, London, W1D 2JD,

Proposal: Erection of mansard roof extension to create new fourth floor; erection of rear extensions at first to third floor levels; erection of plant enclosure, cycle parking enclosure and new terrace at second floor level; use of first floor as dual alternative use as retail (Class A1) and / or office (Class B1), use as part ground, second, third and new fourth floor as office floorspace (Class B1); and installation of replacement windows, new shopfront and associated works including alterations to the chimney at Green Man Public House (No. 57 Berwick Street).

Reference: 16/05969/FULL

Plan Nos: T20 P-1 Rev. T2, P00 Rev. T4, P01 Rev. T3, P02 Rev. T2, P03 Rev. T2, P04 Rev. T2, P05 Rev. T2, E01 Rev. T4, E02 Rev. T3, E03 Rev. T3, E04 Rev. T2, E05 Rev. T4, E06 Rev. T2, S01 Rev. T3 and S02 Rev. T3.

Case Officer: Mark Hollington

Direct Tel. No. 020 7641 2523

Recommended Condition(s) and Reason(s):

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

Reason:

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

- 2 The mansard roof slopes shall be clad in natural slate and the dormers shall be clad in lead. The window openings on the rear facade shall have traditional brick arches over.

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 Soho 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)

- 3 You must apply to us for approval of detailed drawings at a scale of 1:10 of the following parts of the development -

- (i) All new windows and dormers.
- (ii) The decorative metal grille to the ground floor office entrance on Berwick Street.

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

You must then carry out the work according to these drawings. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho 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 The new brickwork shall be built in Flemish bond using a traditional yellow London stock brick.

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 Soho 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 apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. (C27DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho 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 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:

Because these would harm the appearance of the building, and would not meet S25 or S28, or both, of Westminster's City Plan (July 2016) and DES 1 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R26HC)

- 7 The vents in the rear facade shall be formed in black finished metal, fixed flush with the adjacent brickwork and retained in that colour.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the

character and appearance of this part of the Soho 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)

- 8 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)

- 9 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 Soho 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)

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

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (July 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 11 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest,

shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

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

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

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

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (July 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

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

Reason:

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

- 13 The plant/machinery hereby permitted shall not be operated except between 07.00 hours and 23.00 hours daily. This is with the exception of the plant associated with the communications room that can operate 24 hours a day.

Reason:

To safeguard the amenity of occupiers of noise sensitive properties and the area generally by ensuring that the plant/machinery hereby permitted is not operated at hours when external background noise levels are quietest thereby preventing noise and vibration nuisance as set out in S32 of Westminster's City Plan (July 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.

- 14 You must put up the plant screen shown on the approved drawings before you use the machinery. You must then maintain it in the form shown for as long as the machinery remains in place. (C13DA)

Reason:

To protect neighbouring residents from noise nuisance and to make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Harley Street Conservation Area. This is as set out in S25, S28, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6, ENV 7, 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.

- 15 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose.

Reason:

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

- 16 You must apply to us for approval of details of secure cycle storage for the retail unit at basement, ground and first floor level. You must not occupy the first floor until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table

6.3) of the London Plan 2015.

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

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (July 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

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 For the purpose of Condition 16, provision for at least three cycle parking spaces should be provided within the application site.
- 3 Conditions 11 and 13 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)

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

DRAFT DECISION LETTER (REF: 16/05985/LBC)

Address: 57 Berwick Street, London, W1F 8SR,

Proposal: Alterations to the Chimney at the Green Man Public House.

Plan Nos: T20 P-1 Rev. T2, P00 Rev. T4, P01 Rev. T3, P02 Rev. T2, P03 Rev. T2, P04 Rev. T2, P05 Rev. T2, E01 Rev. T4, E02 Rev. T3, E03 Rev. T3, E04 Rev. T2, E05 Rev. T4, E06 Rev. T2, S01 Rev. T3 and S02 Rev. T3.

Case Officer: Mark Hollington

Direct Tel. No. 020 7641 2523

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 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 building and to make sure the development contributes to the character and appearance of the Soho 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)

- 3 The new brickwork shall be built in Flemish bond using a traditional yellow London stock brick.

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 Soho 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)

- 4 You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. (C27DB)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Soho 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)

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan July 2011, Westminster's City Plan (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 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

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Item No.
5

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 27 September 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	46 Langham Street, London, W1W 7AX,		
Proposal	Use of the public highway for the placing of five picnic benches in Middleton Place and one on Langham Street frontage, enclosed by a total of nine canvas barriers, in two areas measuring 10m x 1.5m x 1.5m x 1.8m		
Agent	Mr Eren Munir		
On behalf of	Samuel Smith (Southern)		
Registered Number	16/07002/TCH	Date amended/ completed	29 July 2016
Date Application Received	22 July 2016		
Historic Building Grade	Unlisted		
Conservation Area	East Marylebone		

1. RECOMMENDATION

Grant conditional permission for a temporary period of one year.

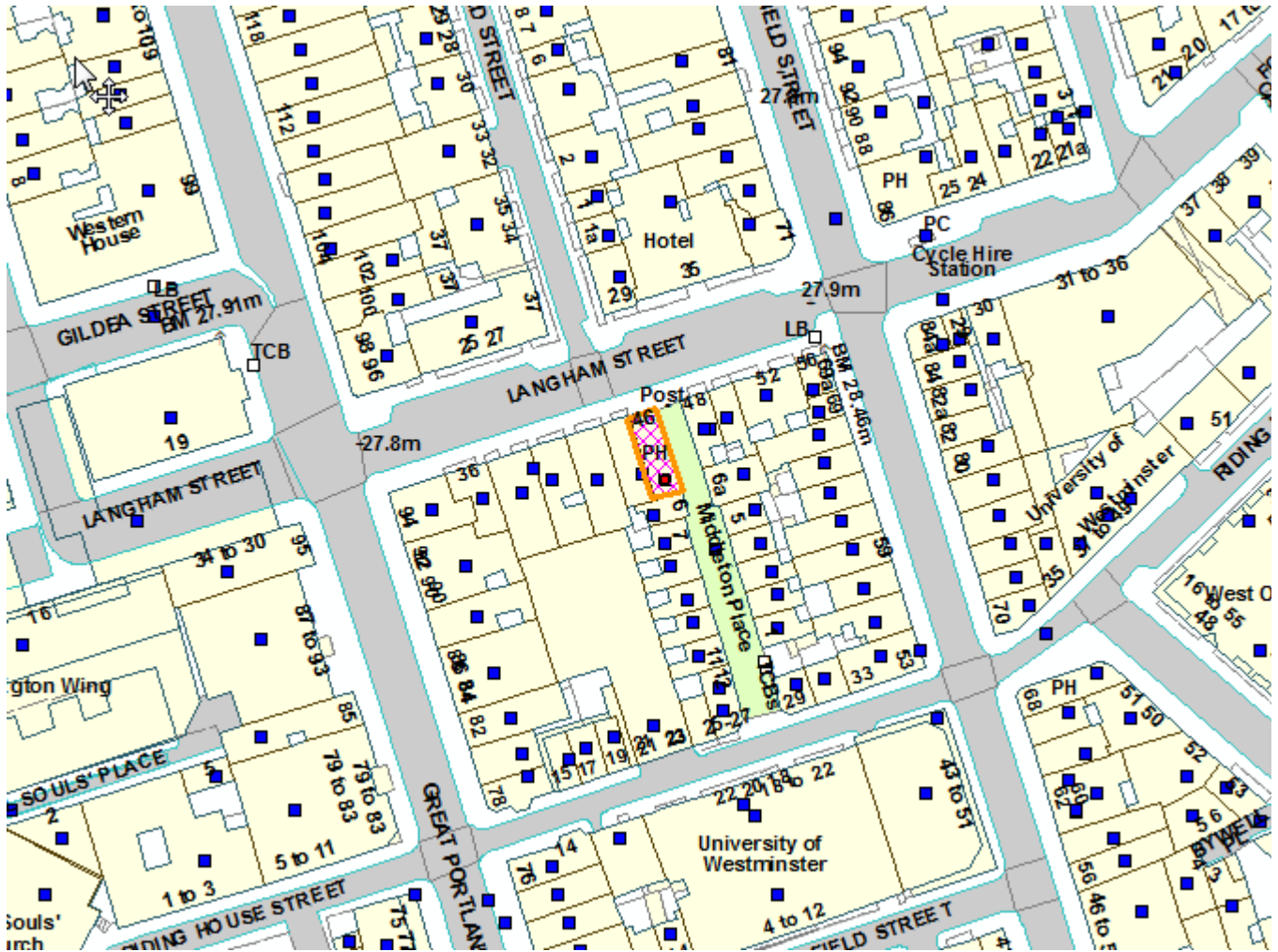
2. SUMMARY

The application site is a public house located on the southern side of Langham Street at its junction with Middleton Place. The immediate area is characterised by a mixture of residential and office uses although Middleton Place is primarily in residential use.

There is a long history of permissions for the placing of place tables and chairs outside the property, the last granted in June 2014 for a temporary period of two years. Objections have been received on the grounds of late night disturbance, highways obstruction and increased litter generation and on the basis that the management Plan previously submitted by the applicants has not been adhered to and that the proposed seating area is larger than that previously permitted.

Subject to conditions, the scheme is considered acceptable on highways and amenity grounds. However, it is recommended that permission is granted for a temporary period of one year to enable the situation to be monitored.

3. LOCATION PLAN



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4. PHOTOGRAPHS





5. CONSULTATIONS

COUNCILLOR ROBERTS

The terminal hours for the use of the tables and chairs should be reduced to 22:00 or 22:30 hours.

FITZROVIA NEIGHBOURHOOD ASSOCIATION

Objection on grounds of late night noise disturbance.

Objection would be withdrawn if:

- * No outside drinking permitted past 22.30, and benches made unusable at that time
- * The Management Strategy Plan is adhered to.

HIGHWAYS PLANNING MANAGER

No objection

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 62

Total No. of replies: 3

No. of objections: 3

No. in support: 0

Objections on the following grounds:

- * Noise disturbance and nuisance;
- * Use of a larger area than previously approved;
- * Highway obstruction;
- * Applicants do not comply with undertakings in the management plan.
- * Litter generation

ADVERTISED/ SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is a public house located on the southern side of Langham Street on the corner with Middleton Place, which is a pedestrianised residential mews. The application property comprises basement storage, customer bars/seating areas on ground and first floor, a second floor kitchen and an ancillary staff flat at third floor level.

The premises licence permits the public house to open to customers until 23.00 hours on Monday to Saturday and until 22.30 hours on Sundays, with special arrangement for public holidays and Bank Holidays.

The surrounding area is characterised by a mixture of residential and office uses. The neighbouring property at 44 Langham Street has residential accommodation on the upper floors. Middleton Place is predominantly residential in use.

6.2 Relevant history

There is a history of permission for the placing of tables and chairs outside the premises dating back to 1986.

Most recently, further temporary permissions were granted on 30 June 2011 and 30 October 2012, for one year. The last permission, which the current application seeks to renew, was approved by the Planning Application Sub-Committee on 24 June 2014. Although officers recommended that permission be granted for a temporary period of one year, the Sub-Committee granted permission for a two year period.

It is noted that the two most recent permissions (2012 and 2014) approved plans which differed slightly from those approved in previous years.

7. THE PROPOSAL

Permission is sought for the use of public highway for the placing of 5 wooden picnic benches on Middleton Place, in an area measuring 10m x 1.5m, and 1 picnic bench in Langham Street, in an area measuring 1.5m x 1.8m, enclosed by a total of 9 canvas barriers'

The submitted plans show an "outside drinking area" contained behind the canvas barriers.

As previously, it is proposed that, to prevent their use, the picnic benches would be up-ended and chained to the wall at 23.00 hours, when the canvas barriers would also be removed from the highway.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The use of the highway for tables and chairs in connection with eating and drinking establishments is considered under Unitary Development Plan (UDP) Policy TACE 11 and Policy S41 of the City Plan. These policies permit tables and chairs where there would be no adverse obstruction on the highway and no unreasonable harm to the local residential amenity. Each of these matters is discussed in the sections of this report below.

8.2 Design/townscape

The proposed picnic benches are considered acceptable in townscape terms and, being impermanent, would not harm the character and appearance of the East Marylebone Conservation Area. The use of the barriers is considered acceptable on the basis that, in this instance, they do not display advertising. An informative to this effect would be attached if permission is granted.

8.3 Amenity

The nearest residential accommodation is located above the public house and adjacent, at 44 Langham Street. There are also several residential dwellings in Middleton Place in close proximity to the site.

Objections have been received from three local residents, which re-iterate objections to previous applications. These relate to the principle of late night drinking outside the premises (and associated noise disturbance), the fact that external drinking is not confined to the area immediately outside the public house, resulting in noise disturbance and litter generation from pub customers drinking outside residential properties and obstructing their doorways. Other concerns relate to the fact that the submitted Management Plan is not adhered to.

The Fitzrovia Neighbourhood Association has objected to the application on similar grounds but has stated that it would withdraw its objection if outside drinking was not permitted after 22.30 hours, and the picnic benches made unusable after that time, and if the terms of the Management Plan was adhered to. The Association has stated that the barriers are rarely deployed (perhaps once a week), that patrons obstruct the pavement and drink on neighbours' steps and that the benches are not chained and can be lowered and used through the night.

Councillor Roberts considers that, in view of objectors' concerns, the terminal hour for the use of the tables picnic benches should be reduced to 22.00 or 22.30 hours, rather than the 23.00 hours as currently proposed, and previously permitted.

Many of the concerns detailed above relate to the principle of outside drinking, which is a matter for licensing, rather than to the proposed external seating. These issues were brought to the attention of the new operator, Samuel Smith, during the consideration of a 2011 application (as the brewery had taken control of the premises in 2010). At that time, the applicants were keen to address residents' concerns over problems associated with external drinking and submitted a Management Strategy, which was designed to show how drinking outside the premises within the designated seating area, would be controlled and this area managed and maintained. The management strategy makes clear that any customers stepping outside of the area would not be served.

This Management Strategy forms part of the current application and is included in the background papers. It proposed the demarcation of an area to which customers, standing or seated, would be confined to keep them away from neighbouring residential properties. This area is to be regularly monitored by staff and those customers not keeping within it would not be served. The Management Plan also provides a direct telephone number for neighbours to report instances of customers not keeping within the marked area/or causing nuisance. As part of a wider commitment to reducing noise disturbance there is a commitment that the premise would not provide music, entertainment or television and would not serve 'alcopops'.

It is noted that complaints have been made to the City Council's Licensing Team relation to noise disturbance (and highways obstruction). However, there do not appear to be any active complaints. The Street Trading Licence was renewed in August 2016 (until 08.01.2017) for the placing of tables and chairs on the highways. This permits the use of the external seating until 23:00 hours on Monday to Saturday and 22:30 hours on Sundays and Bank Holidays

The City Council's Planning Enforcement Team has not received any complaints relating to the use of the public house, nor the mis-use of the tables and chairs

As stated above, objections principally relate to the principle of late night drinking outside the premises, in particular to permitted drinking hours and “vertical drinking” in parts of Middleton Place, outside of the designated seating area, rather than to the placing of limited seating on the highway and the management of that area. In these circumstances, the removal of the seating would have no impact on objectors’ concerns about late night disturbance and the use of other parts of the highway. In the absence of any permitted external seating it appears likely that the area vacated by the picnic benches could be taken over by a (potentially) greater number of “vertical” drinkers. This is not an activity that requires the benefit of planning permission, being a licensing matter beyond the scope of planning control. It is important therefore to differentiate between the impact of activity taking place within the seating area, which is the subject of this planning application, and the drinking activity currently occurring elsewhere on the public highway. In these circumstances, and as the premises licence permits drinking until 23.00 hours, it is not considered that it would be justifiable to limit the use of the seating area to 22.00 or 23.00 hours, as requested.

In view of objectors’ concerns, officers have asked the applicants to respond to claims that the terms of the Management Strategy are not currently being adhered to. Any response received will form part of the Committee presentation. However, in view of the fact that the objections do not directly relate to the principle of the external seating, and its use, the proposals are considered acceptable on amenity grounds.

It is noted that an application, which did not involve proposals to install canvas barriers would be likely to be considered acceptable as there is no policy requirement for barriers to be provided, and many applications for external seating are approved without them.

8.4 Highways

Objections have been received on the grounds that the proposed seating area is larger than has previously been approved. However, the proposed plans are identical to those which were most recently approved.

The Westminster Way, which requires a minimum 2m width of public highway beyond the proposed seating area to be maintained, free of physical obstructions to allow for pedestrian traffic. The plan shows an unobstructed highway width of 2.6m on Middleton Place and 2.8m on Langham Street.

The Highways Planning Manager has expressed concern that there are no openings between the canvas barriers and that the service corridor between the picnic benches and the canvas barriers, at 0.2m wide, does not accord with the 0.9m width recommended in the Highways Planning Guide. However, as these arrangements are identical to those approved in 2012 and 2014, no objection has been made to the current application..

As detailed above, objections on the grounds that pub customers congregate in Middleton Place and on Langham Street, obstructing the highway and access to neighbouring

premises are not directly relevant to the current application and cannot justifiably form the basis of a recommendation for refusal.

As previously, outside the permitted hours of use, the picnic benches would be chained upright to the side of the public house premises and the barriers will be stored within the premises.

The proposal is therefore considered acceptable on highways grounds.

8.5 Conclusion

Whilst the City Council does not dispute there are problems associated with patrons of the public house, particularly in summer months, much of this is a result of drinkers standing on the highway in the pedestrianised Middleton Place and is not due to activity contained within the cordoned-off seating area. These problems would not cease if the application for picnic benches were to be refused since standing outside a public house to drink is not an activity that falls within planning control. Furthermore it is considered that benches within the contained area outside the premises, properly managed, allows the public house to contain the patrons in an area, preventing any obstruction in Middleton Place and Langham Street.

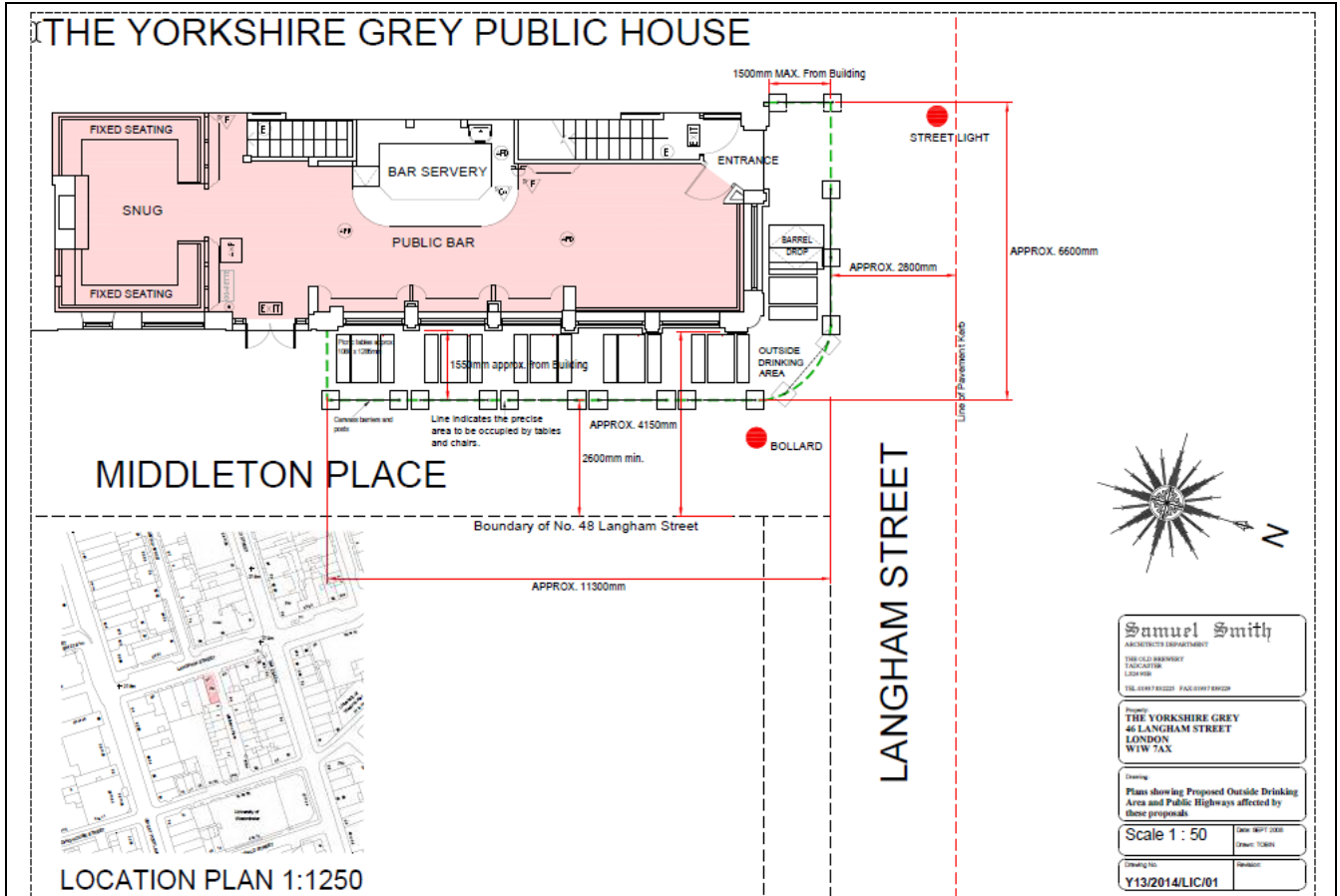
9. BACKGROUND PAPERS

1. Application form and Management Strategy Plan received 22 July 2016
2. E-mail from Councillor Roberts dated
3. Letter from the Fitzrovia Neighbourhood Association dated 26 August 2016 (enclosures)
4. Memorandum from the Highways Planning Manger dated 14 September 2016
5. Letter from occupier of 42 Langham Street, dated 5 September 2016
6. E-mail from occupier of 44 Langham Street, dated 7 September 2016
7. Email from occupier Flat 4, 56 Langham Street, dated 7 September 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: SARA SPURRIER BY EMAIL AT sspurrier@westminster.gov.uk

10. KEY DRAWINGS



Item No.
5

DRAFT DECISION LETTER

Address: 46 Langham Street, London, W1W 7AX,

Proposal: Use of public highway for the placing of nine canvas barriers and five picnic benches in Middleton Place and one on Langham Street frontage , in two areas measuring 10m x 1.5m x 1.5m x 1.8m

Reference: 16/07002/TCH

Plan Nos: Y13/2014/LIC/01, Management Strategy Plan received 22.07.2016

Case Officer: Shaun Retzback

Direct Tel. No. 020 7641 6027

Recommended Condition(s) and Reason(s):

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

Reason:

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

- 2 You must not put the picnic benches in any other position than that shown on drawing Y13/2014/LIC/01. (C25AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (July 2016) and TACE 11 of our Unitary Development Plan that we adopted in January 2007. (R25AC)

- 3 You can only put the picnic benches and barriers on the pavement for use by public house customers between 10.00 and 23.00 Monday to Saturday and 12.00 and 22.30 Sundays and Bank Holidays. Outside these times the picnic benches shall be removed from the pavement or securely chained upright to the side of the public house premises and the barriers will be stored within the premises.

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (July 2016) and TACE 11 of our Unitary Development Plan that we adopted in January 2007. (R25AC)

- 4 The picnic benches must only be used by customers of the existing public house. (C25CA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (July 2016) and TACE 11 of our Unitary Development Plan that we adopted in January

2007. (R25AC)

- 5 This use of the pavement may continue until 30 September 2017. You must then remove the picnic benches and barriers. (C25DA)

Reason:

We cannot give you permanent permission as the area in question is, and is intended to remain, public highway and Section 130 (1) of the Highways Act 1980 states that "It is the duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority". We also need to assess the effect of this activity regularly to make sure it meets S41 of Westminster's City Plan (July 2016) and TACE 11 of our Unitary Development Plan that we adopted in January 2007. For the above reasons, and not because this is seen a form of trial period, we can therefore only grant a temporary permission.

- 6 You must carry out the measures included in your management strategy received on 22 July 2016.

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan (July 2016) and TACE 11; and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 7 The area of footway is to be maintained in a clean and tidy condition at all times, litter receptacles are to be provided and the footway is to be thoroughly washed down each day after trading has ceased.

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (July 2016) and TACE 11 of our Unitary Development Plan that we adopted in January 2007. (R25AC)

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 cannot put tables and chairs in the area unless you have a street trading licence., , If you want to know about the progress of your application for a licence, you can contact our Licensing Service on 020 7641 8549. If you apply for a licence and then decide to change the layout of the tables and chairs, you may have to apply again for planning permission. You can discuss this with

the planning officer whose name appears at the top of this letter., , Please remember that once you have a licence you must keep the tables and chairs within the agreed area at all times. (I47AB)

- 3 You must keep the tables and chairs within the area shown at all times. We will monitor this closely and may withdraw your street trading licence if you put them outside this area. (I48AA)
- 4 You are advised that customers not seated on the benches should be confined to the 'outside drinking area' shown on the floor plan.
- 5 You are advised that if the use of the highway continues to cause problems for local residents, planning permission is unlikely to be granted in the future.
- 6 The text on the free standing barriers has not been approved as part of this application. This should be subject to an application for advertisement consent. However this is unlikely to be approved and therefore barriers without text should be used.

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

Agenda Item 6

Item No.

6

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 27 September 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Westbourne	
Subject of Report	5-7 Sutherland Avenue, London, W9 2HE,		
Proposal	Use of basement floors of Nos.5-7 Sutherland Avenue and Nos.346-348 Harrow Road as a community centre (Class D2) by the Asian Muslim Cultural Centre (ADDENDUM REPORT)		
Agent	Mr Lukman Vika		
On behalf of	Mr Ahmed Issa		
Registered Number	12/07598/FULL	Date amended/ completed	3 December 2012
Date Application Received	27 July 2012		
Historic Building Grade	Unlisted		
Conservation Area			

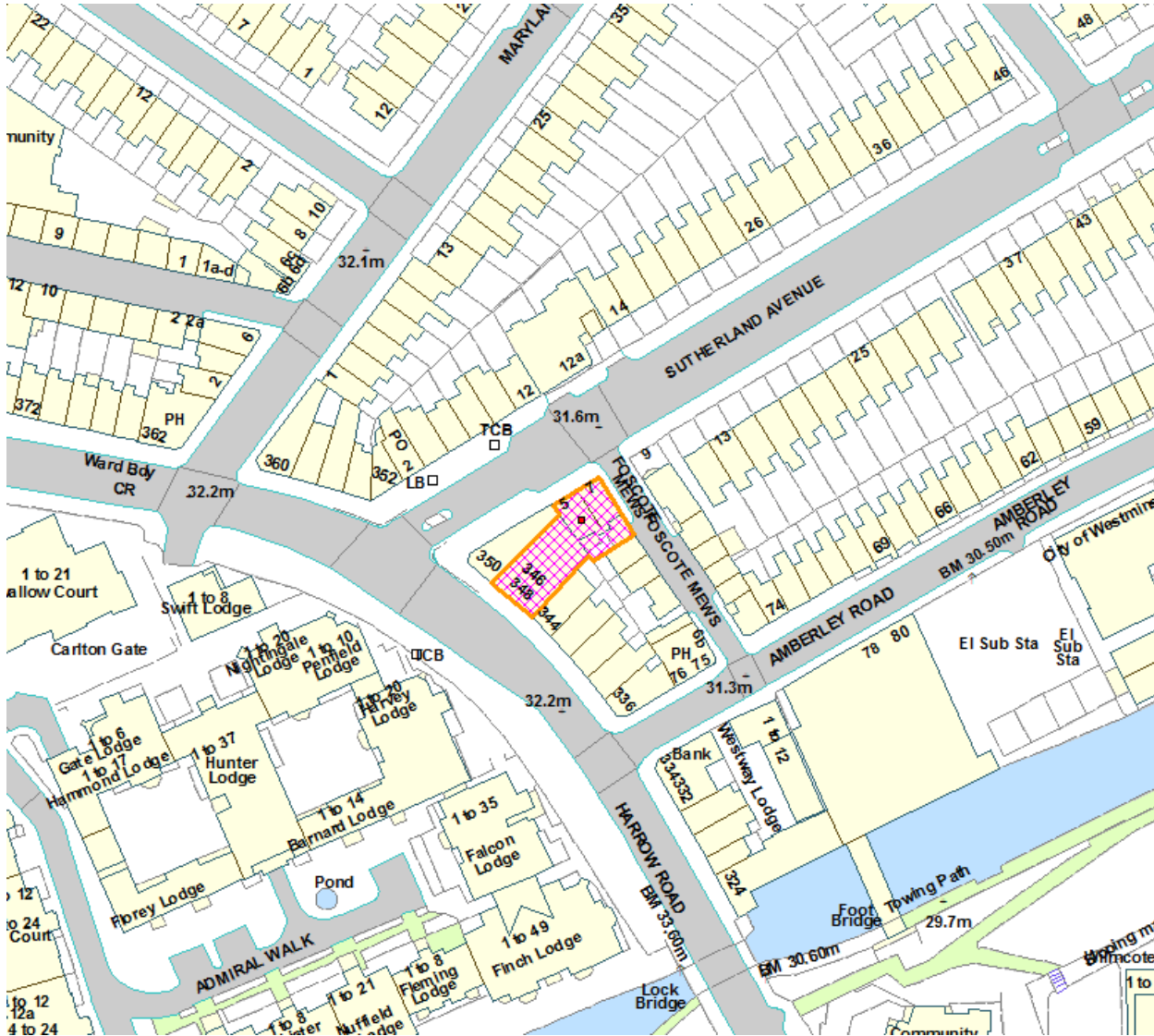
1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

<p>This proposal for planning permission was previously reported to the Planning Applications Committee on 9th August 2016. At that meeting the application was deferred to allow the Committee to visit the application site prior to determining the application. The site visit took place on 19 September 2016 and the application is being reported back to the Committee for its further consideration and determination.</p>
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3. LOCATION PLAN



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4. PHOTOGRAPHS

Sutherland Avenue elevation (top) and Harrow Road elevation (bottom).



5. CONSULTATIONS

No further representations have been received since the Committee meeting on 9th August 2016.

6. BACKGROUND PAPERS

1. Committee Report for Committee on 9th August 2016.
2. Minute from Planning Applications Meeting on 9th August 2016.
3. Representations as reported to the Planning Committee on 9th 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)

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

7. KEY DRAWINGS

The drawings are arranged as follows:

- EXISTING BASEMENT FLOOR PLAN:** Located in the top left, showing the current layout of the basement level.
- EXISTING GROUND FLOOR PLAN:** Located in the top middle, showing the current layout of the ground floor. It is bounded by **FOSCOTE MEWS** to the north, **SUTHERLAND AVENUE** to the west, and **HARROW ROAD** to the south.
- EXISTING FRONT ELEVATION:** Located in the top right, showing the current facade of the building.
- PROPOSED 346/8 BASEMENT FLOOR PLAN:** Located in the bottom left, showing the proposed layout for the new basement level.
- PROPOSED GROUND FLOOR PLAN:** Located in the bottom middle, showing the proposed layout for the new ground floor.
- GENERAL NOTE:** A detailed text block on the right side of the page, providing project information and conditions.
- TITLE BLOCKS:** Two title blocks are present on the right side, one for the existing drawings and one for the proposed drawings. Both include the **COMPASS** logo and project details.
- Handwritten Annotations:** The words "CASE COPY" are written in red ink on the right side of the page, near the title blocks.

DRAFT DECISION LETTER

Address: 5-7 Sutherland Avenue, London, W9 2HE,

Proposal: Use of basement floors of Nos.5-7 Sutherland Avenue and Nos.346-348 Harrow Road as a community centre (Class D2) by the Asian Muslim Cultural Centre.

Reference: 12/07598/FULL

Plan Nos: 01A, 03, 04B and Design and Access Statement by Compass Architectural and Consultants.

Case Officer: Victoria Coelho

Direct Tel. No. 020 7641 6204

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 Only the Asian Muslim Cultural Centre can carry out the community centre use. No one else may benefit from this permission.

Reason:

Because of the special circumstances of this case we need to control future use of the premises if the Asian Muslim Cultural Centre leaves. This is as set out in SOC1 of our Unitary Development Plan that we adopted in January 2007. (R06AB)

- 3 The community centre use allowed by this permission can continue until 27 September 2017. After that the land must return to its previous condition and use. (C03AA)

Reason:

So that we can assess the effect of the use and make sure it meets SOC1, TRANS2, TRANS22 and ENV6 of our Unitary Development Plan that we adopted in January 2007 and S34, S29, S32 and S34 of Westminster's City Plan that we adopted in July 2016. (R03CB)

- 4 You must not allow more than 80 people into the basement community centre at any one time. (C05HA)

Reason:

To protect the environment of the neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 and SOC 1 of our Unitary Development Plan that

we adopted in January 2007. (R21CC)

- 5 No amplified music or prayers shall be played on the premises.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S29, S32 and S34 of Westminster's City Plan (July 2016) and ENV 6 and SOC1 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 6 The basement community centre use hereby approved shall only be accessed via the entrance on Harrow Road. The entrance in Sutherland Avenue shall only be used as a means of emergency escape in the event of emergency. The access on Fosco Mews shall only be used as a means for disabled access or as a means of escape in the event of emergency.

Reason:

To protect the noise environment of the neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 and SOC 1 of our Unitary Development Plan that we adopted in January 2007. (R21CC)

- 7 Within 2 months of the date of this permission, you must apply to us for approval of an Community Centre Management Plan that includes details of how you manage the following aspects of the community centre use:

(a) How visitors entering and leaving the community centre will be controlled so that they do not cause noise disturbance to neighbouring residents or obstruct the public highway.

(b) Measures to be put in place to encourage visitors to park vehicles in accordance with local parking restrictions.

(c) Measures to minimise noise breakout from the community centre when it is in use.

You must then operate the community centre use in accordance with the Community Centre Management Plan that we approve, unless or until we approve an alternative Community Centre Management Plan.

Reason:

To make sure that the use will not cause a noise nuisance for people in the area and to prevent obstruction of the public highway outside the premises. This is as set out in S29, S32 and S41 of Westminster's City Plan (July 2016) and ENV 6, TRANS 3 and TRANS22 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 8 Users and visitors of the community centre shall not be permitted within the premises before 05:00 or after 00:00 hours (midnight) each day. (C12AD)

Reason:

To protect neighbouring residents from late night noise nuisance, 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. (R13FB)

- 9 Within 2 months of the date of this decision letter you must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the community centre within one month of the date on which we approve the details that you submit pursuant to this condition. (C14EC)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (July 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 10 Within 2 months of the date of this decision letter, you must apply to us for approval of a Travel Plan. The Travel Plan must include details of:

- (a) A comprehensive survey of all users of the community centre;
- (b) Targets set in the Plan to reduce car journeys to the community centre;
- (c) Details of how the Travel Plan will be regularly monitored and amended, if necessary, if targets identified in the Plan are not being met over the year long period of this permission.

You must then carry out the community centre use in accordance with the Travel Plan that we approve.

Reason:

In the interests of public safety, to avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S41 of Westminster's City Plan (July 2016) and TRANS 2, TRANS 3 and TRANS 15 of our Unitary Development Plan that we adopted in January 2007. (R45AB)

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 advised that the advertisement above the entrance to the community centre in Harrow Road may require the benefit of separate advertisement consent.

- 3 In respect of the Travel Plan required by Condition 10, at the end of this temporary one year permission you should review the effectiveness of the Travel Plan and set out in a report any changes you would make to the Plan to overcome any identified problems. This report and an amended Travel Plan should be submitted along with any future planning application you may make to continue the use of the basement area as a community centre beyond the expiry of this temporary permission.
- 4 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: , www.westminster.gov.uk/cil , Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form** , CIL forms are available from the planning on the planning portal: , <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> , Forms can be submitted to CIL@Westminster.gov.uk , **Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.**

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

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Item No.
7

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 27 September 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Abbey Road	
Subject of Report	65 Marlborough Place, London, NW8 0PT,		
Proposal	Retention of children's swing, slide structure and play structures in rear garden of property and erection of timber storage shed and attenuated plant enclosure with surrounding timber screening		
Agent	Mr Phil Miller		
On behalf of	Mr Ross Turner		
Registered Number	16/02209/FULL, and 16/02210/LBC	Date amended/ completed	15 April 2016
Date Application Received	11 March 2016		
Historic Building Grade	Grade II		
Conservation Area	St John's Wood		

1. RECOMMENDATION

1. Grant conditional permission.
2. Grant conditional listed building consent.
3. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.

2. SUMMARY

No. 65 Marlborough Place a single dwelling house located on the south side of the street. The property is a Grade II listed building and is located within the St John's Wood Conservation Area.

Without permission, children's play equipment was installed to the south-east corner of the rear garden of the property adjacent to the boundary wall with no. 63 Marlborough Place, and a shed and air conditioning equipment were installed to the rear south-west corner of the garden. These applications propose the retention of the children's play equipment following removal of a raised climbing platform and retention of a shed. These applications also propose the installation of air conditioning equipment with an enclosure and include timber screening around both the shed and enclosure.

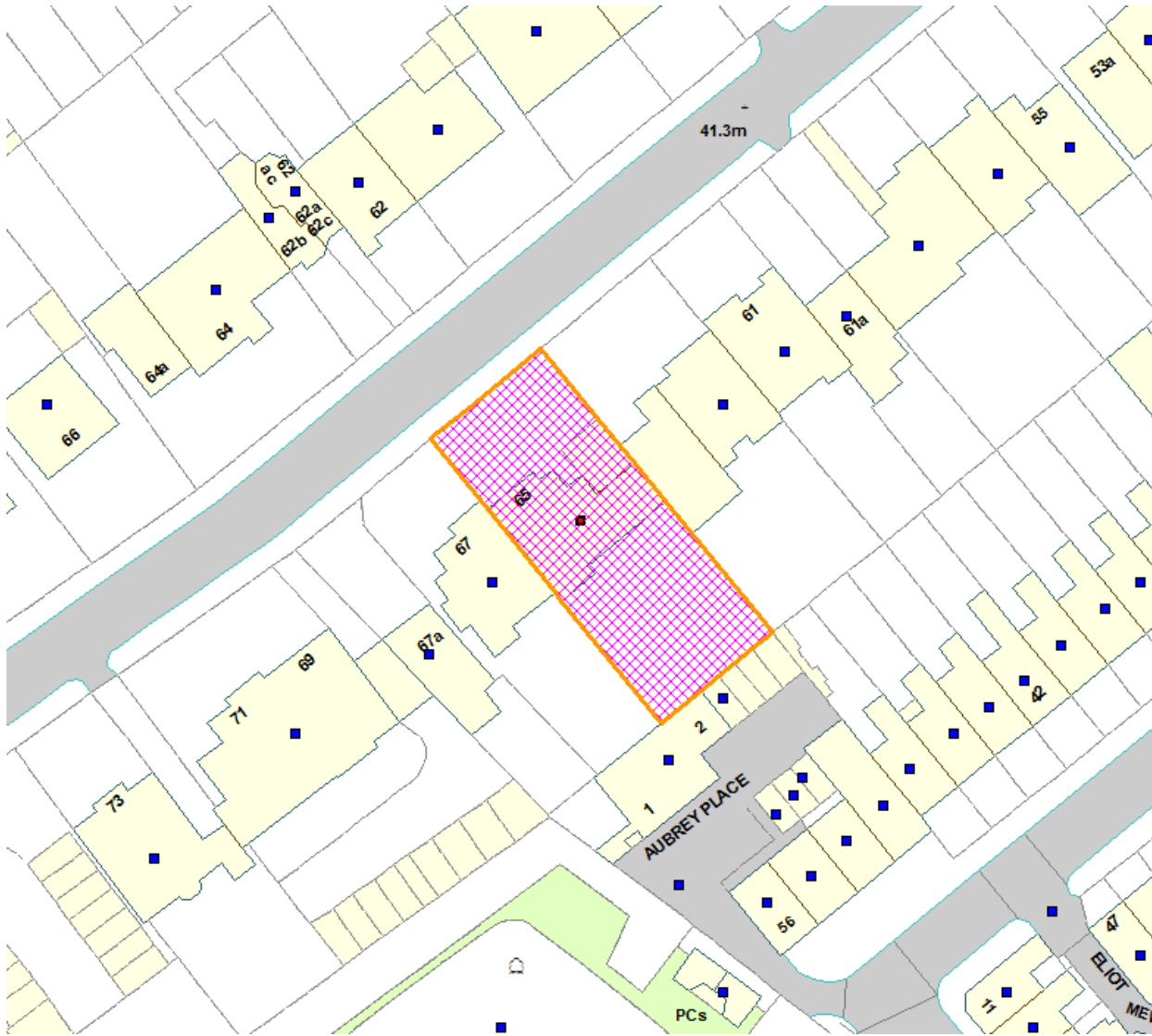
The key issues for consideration are:

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

- The impact on the amenity of neighbouring residents.

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 (the City Plan) and the Unitary Development Plan (UDP) and the applications for planning permission and listed building consent are recommended for approval subject to the conditions set out in the draft decision letters appended to this report.

3. LOCATION PLAN



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4. PHOTOGRAPHS









5. CONSULTATIONS

ST JOHN'S WOOD SOCIETY

Object to the location of the proposed plant enclosure and to the children's play equipment. State that the unneighbourly location of the plant along the rear boundary is likely to cause a significant loss of amenity to neighbours through environmental noise. Express concern that the neighbours will be impacted by a loss of privacy.

ENVIRONMENTAL HEALTH

No objection to the application on environmental noise or nuisance grounds.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 10

Total No. of replies: 7

No. of objections: 7

No. in support: 0

7 objections received from 3 surrounding residents. In summary, objections have been raised on all or some of the following grounds:

- Concern expressed about noise from plant and request that a post-installation noise compliance survey is required by condition.
- Request that plant equipment is located away from the boundary with no. 1 Aubrey Place.
- Statement made that noise reports should be treated with caution.
- Concern expressed about overlooking from children's play equipment, and that the equipment violates the 2008 planning regulations.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site comprises a single dwelling house located on the south side of the street. The property is a Grade II listed building dating from the 1850's and is located within the St John's Wood Conservation Area. The building comprises a lower ground, ground, and first floor level, and contains generous front and rear gardens.

6.2 Recent Relevant History

No relevant history.

7. THE PROPOSAL

The applications propose the creation of an enclosure to the rear of the garden to contain air conditioning equipment, a timber shed adjacent and the retention of children's play equipment to the rear garden though in a relocated position away from its current position on the side boundary with no. 67 Marlborough Place.

8. DETAILED CONSIDERATIONS

8.1 Land Use

No. 65 Marlborough Place is in use as a single dwellinghouse and there are no proposals to alter this use and as such the application does not raise any land use issues.

8.2 Townscape and Design

The building is grade 2 listed and is located within the St John's Wood Conservation Area. All the works proposed in this application are contained within the rear garden to the property.

The shed and the air conditioning would be enclosed behind a timber screen to the south-west corner of the rear garden, with the screen being 2.1m in height, and the shed and acoustic enclosure not rising higher than this timber screen. These structures are seen in context with the three storey height of the adjoining building to Aubrey Place and would not be higher than the adjoining garden wall between the application property and 67 Marlborough Place. The timber screening and the timber shed are features which will integrate appropriately into this garden setting, and together they successfully screen the louvred enclosure within which is the proposed air conditioning units. The pipework connecting the air conditioning units back to the main house will run through an underground conduit adjacent to the western side boundary wall within the rear garden which is considered a suitably discreet manner of incorporating the pipework.

In their amended form, the children's play equipment is a relatively discreet installation formed in timber and it does not appear out of character in this large rear garden setting.

The proposals are therefore considered acceptable in townscape and design terms and would accord with policies S25 and S28 in the City Plan; and DES 1, DES 5, DES 9 and DES 10 in the UDP.

8.3 Residential Amenity

Privacy

As currently installed, the children's play equipment comprises a slide, a raised platform with ladder access with a separate section incorporating swings, and an enclosed play house with round window, and this equipment is located in the south-east corner of the rear garden. The raised platform is sited immediately adjacent to the side boundary wall with 63 Marlborough Hill. The application when initially submitted proposed the retention of the equipment installed, though with a lowering of the height of the raised platform. Objections were received on grounds that the amended raised platform structure would still allow overlooking into the adjoining rear garden of 63 Marlborough Hill.

The application has been revised during the course of the process and the raised platform structure has been removed from the application proposals. The raised platform structure was the only piece of equipment which by its height and proximity to the boundary wall raised overlooking issues of any significance, and its removal from the scheme is

considered to address this issue and to address the concerns raised by the neighbouring residents.

Given the above, the proposals are therefore considered acceptable in amenity terms and in line with policy S29 in the City Plan and policy ENV 13 in the UDP.

8.4 Transportation/Parking

There are no transportation issues which arise from the proposal.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

The scheme does not alter the existing means of access to this grade II listed private dwelling house.

8.7 Other UDP/Westminster Policy Considerations

Noise

As set out above, without permission one air conditioning unit has already been installed to the rear garden of this property, in a location at the south-west corner adjacent to the rear elevation of no. 1 Aubrey Place and the garden wall with no. 67 Marlborough Place. The application seeks permission for two units within this location, and for these units to be set within an aluminium louvred enclosure, and for this enclosure to be visually screened off from the main rear garden of the application property by a timber screen.

Surrounding residents have raised concerns about the implications of the air conditioning equipment in terms of noise disturbance. Specific concerns have been raised regarding the implications for noise impact to 1 Aubrey Place which is immediately adjacent to the proposed plant equipment.

When initially submitted, the application was accompanied by an acoustic report which did not adequately consider the impact upon no. 1 Aubrey Place. This adjoining building has a brickwork wall facing onto the rear garden of no. 65 Marlborough Place. However, this wall contains several air bricks which lead through into rooms within the house, and there are also windows on east and west facing elevations of the adjacent Aubrey Place buildings. A revised acoustic report has been submitted giving due consideration to the anticipated impact upon the nearest affected property in Aubrey Place, which has been assessed by Environmental Health officers, who conclude that the proposed mechanical plant is capable of according with Policies ENV6 and ENV7 in the UDP and Policy S32 in the City Plan.

Notwithstanding this, given the somewhat unorthodox relationship between the plant proposed and the adjoining building represented by the air bricks, and given the strong concerns raised by the objector at no. 1 Aubrey Place, it is considered appropriate in this instance to impose a condition requiring a post commissioning acoustic report to be

submitted. This would have to demonstrate that the plant/ machinery installed complies with the noise criteria set out in the other standard noise condition recommended on the draft decision letter. Subject to these conditions, the proposed plant would not be considered to result in any adverse impact upon the amenity of neighbouring residents, and the objections raised on this ground are not considered sustainable in this context.

It is noted that in the objection letters received, concerns are also raised about the noise emitted from plant equipment to the front of the property. However, this does not form part of this current application submission, and the concerns are not considered sustainable with regards to the current application submission. The Planning Enforcement Team are aware of the issue raised related to the plant equipment to the front garden.

Trees

The equipment proposed is not in directly proximity with any trees, and as such would not adversely affect the tree cover of the site or surroundings.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

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

8.10 Planning Obligations

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

8.11 Environmental Impact Assessment

The proposals are of insufficient scale to require an Environmental Impact Assessment.

8.12 Other Issues

None applicable.

9. BACKGROUND PAPERS

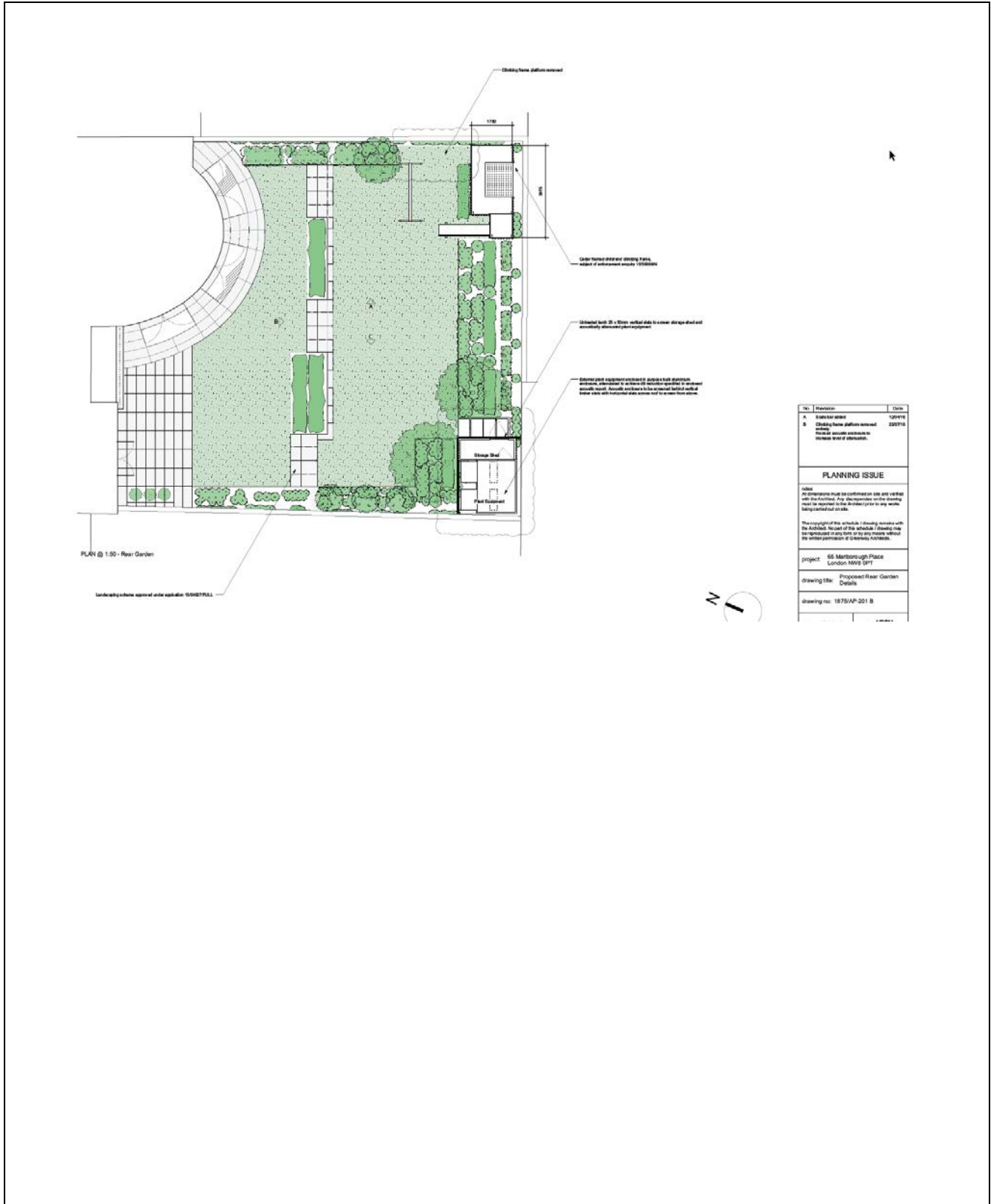
1. Application form
2. Responses from St John's Wood Society, dated 27 May 2016 and 8 August 2016.
3. Response from Environmental Health Officer, dated 1 August 2016.
4. Letter from occupier of Garden Flat, 67 Marlborough Flat, dated 22 May 2016.
5. Letter from occupier of 63a Marlborough Place, London, dated 11 May 2016.
6. Letters from occupier of 1 Aubrey Place, London, dated 24 May 2016, 21 June 2016, 27 June 2016, 31 July 2016 and 4 September 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: NATHAN BARRETT BY EMAIL AT NBARRETT@WESTMINSTER.GOV.UK.

10. KEY DRAWINGS



DRAFT DECISION LETTER

Address: 65 Marlborough Place, London, NW8 0PT,

Proposal: Retention and re-location, with proposed alterations, to childrens' climbing frame, slide and play structures in rear garden of property and erection of timber storage shed and attenuated plant enclosure

Reference: 16/02209/FULL

Plan Nos: Location plan, 1875/EE/02A, 1875/EP-01A, 1875/AE-202B, 1875/AP-201B, Acoustic Report from EMTEC dated 21st July 2016

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

Recommended Condition(s) and Reason(s):

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

Reason:

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

- 2 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 St John's Wood 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 put up the screen surrounding the air conditioning/plant equipment to the rear garden shown on the approved drawings before you use the machinery. You must then maintain it in the form shown for as long as the machinery remains in place. (C13DA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (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 The aluminium enclosure surrounding the air conditioning/plant equipment shall be finished to a dark grey colour, and shall be maintained in that colour chosen thereafter

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St John's Wood 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 (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 5 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 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.

(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:

As set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(2) of our Unitary Development Plan that we adopted in January 2007 (UDP), 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 (July 2016), 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 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 condition 6 of this permission.

Reason:

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 (UDP), 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 (July 2016), 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 (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.

DRAFT DECISION LETTER

Address: 65 Marlborough Place, London, NW8 0PT,

Proposal: Erection of plant to rear garden within acoustic enclosure

Plan Nos: Location plan, 1875/EE/02A, 1875/EP-01A, 1875/AE-202B, 1875/AP-201B, Acoustic Report from EMTEC dated 21st July 2016, email from Greenway Architects dated 8th September 2016, annotated rear garden plan dated 8th September 2016

Reference: ~~16602209/BCLL~~

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

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 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 sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 3 You must put up the screen surrounding the air conditioning/plant equipment to the rear garden shown on the approved drawings before you use the machinery. You must then maintain it in the form shown for as long as the machinery remains in place. (C13DA)

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 sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 4 The timber screen surrounding the air conditioning/plant equipment shall be stained a dark brown or painted a dark green colour, and shall be maintained in that colour chosen thereafter

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 sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan July 2011, Westminster's City Plan (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 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.

Agenda Item 8

Item No.

8

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 27 September 2016	Classification For General Release	
Addendum Report of Director of Planning		Ward(s) involved Maida Vale	
Subject of Report	Maida Vale, London, W9,		
Proposal	Installation on the footway adjacent to Dundee House, 145 Maida Vale, of a Cycle Hire docking station in an area measuring 48.7m x 1.85m, containing a maximum of 37 docking points and a terminal (ADDENDUM REPORT)		
Agent	Catherine Larmouth		
On behalf of	Transport for London		
Registered Number	15/11073/FULL	Date amended/ completed	30 November 2016
Date Application Received	27 November 2015		
Historic Building Grade	Unlisted		
Conservation Area			

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The application was originally reported to the Planning Applications Committee on 15 March 2016 with a recommendation by officers that planning permission should be granted. The Committee resolved to defer determination of the application for further consultation with Ward members and to enable Transport for London to provide further justification for the chosen location of the docking stations.

Subsequently Transport for London (TfL) have provided additional information relating to their decision to locate the docking station in the position on Maida Vale that is the subject of this application. The location is part of extending the cycle hire network into the Maida Vale area. For this network to work effectively, sites are chosen approximately 300 metres apart and not too far from the existing network.

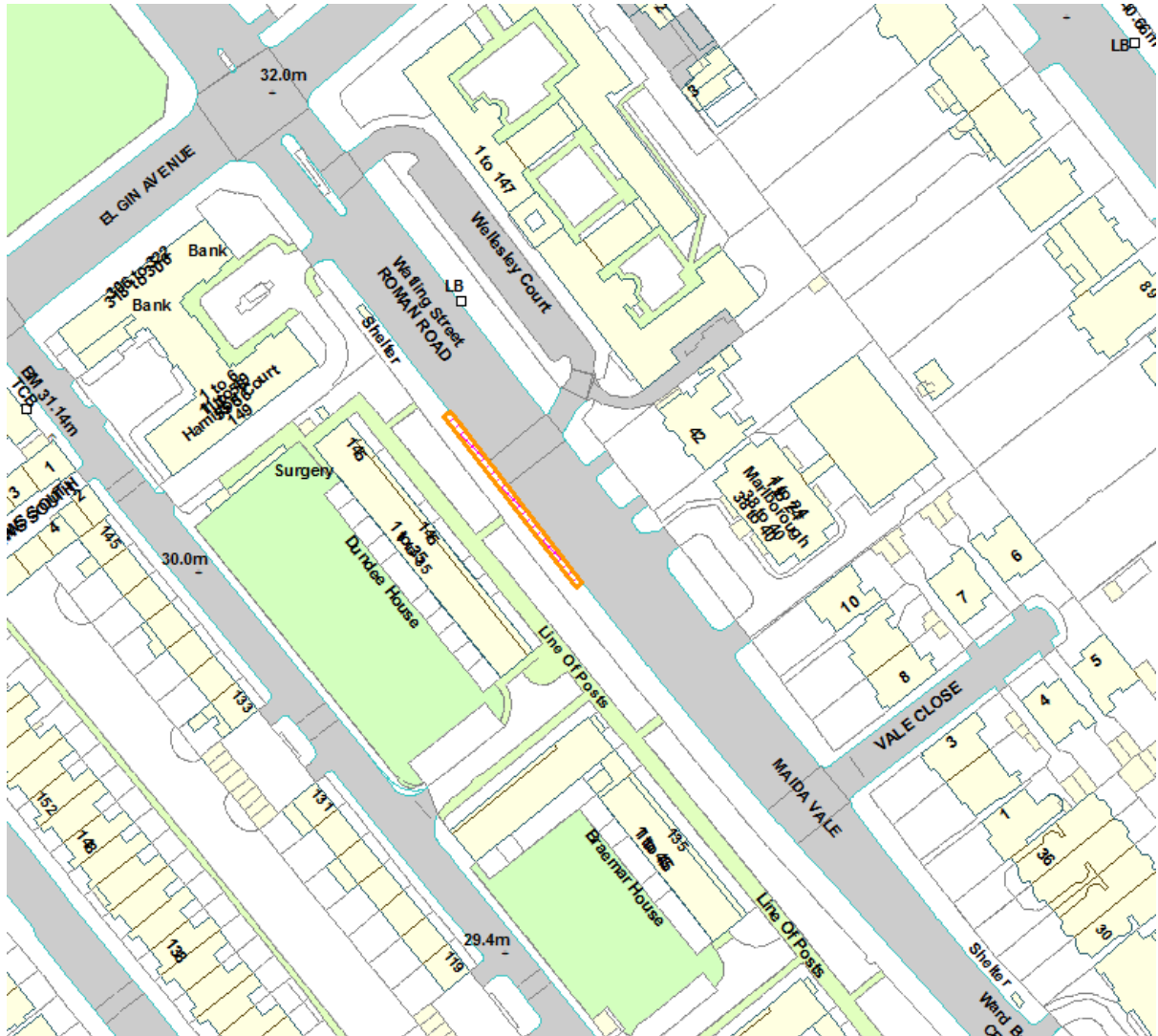
TfL have investigated other locations nearby that would fit into the network, for example immediately outside Maida Vale Station. However, such locations proved difficult because of the limited carriageway and pavement space which would necessitate the loss of car parking spaces and the fact these would be even closer to residential dwellings. The Maida Vale site is a very short walk from the station and is on a wide area of footway meaning that pedestrian flows are not detrimentally affected and no car parking spaces would be lost. The location is also further away from residential properties than other locations that were considered.

The explanation for the chosen location was sent to ward Councillors for Consultation on the 25 April 2016. A response was received from Councillor Prendergast on 2nd June 2016 stating that in the absence of a better location there does not appear to be another suitable alternative but the location under consideration and does not raise any further objections to the proposal. However she has asked that the Committee consider the safety aspect, the impact of the proposal aesthetically and the comments of resident's in nearby housing blocks. Having discussed the issue with local residents representatives Councillor Prendergast also acknowledges the need for the docking station but requests that the docking station is not a large one.

The safety and design aspects of the scheme and the comments of local residents have been considered and discussed in detail in the Committee Report dated 15th March 2016. In terms of the size of the docking station, the proposal involves 37 Docking stations which is an average size. The minimum considered by TfL is 27 as this number reduces operational redistribution requirements (i.e. the need for the small vans to fill up docking stations or remove cycles) as the natural distribution by users works effectively. The proposal is slightly more in this location because the site is on the edge of the scheme where demand is often higher due to a greater catchment area (i.e. no other docking points to the north).

For the above reasons and those outlined in the initial Committee Report dated 15 March 2016 the proposal is recommended for conditional approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

CONSULTATION WITH WARD MEMEBERS FOLLOWING DEFERRAL AT PLANNING APPLICATIONS COMMITTEE (2) FOLLOWING ADDITIONAL JUSTIFICATION ON LOCATION FROM TRANSPORT FOR LONDON

COUNCILLOR JAN PRENDERGRAST

In the absence of a better spot can't see that there is another alternative. Many local residents are asking for the extension of this Bicycle scheme and she cannot raise any further objections. Would like the committee to consider the safety aspect, the lovely stretch of leafy road that the site will spoil and any further comments from the residents of the housing blocks close by. Has discussed the proposals with local resident representatives and the need is acknowledged as is the lack of a better place to put the docking station. Request that the cycle station is not a very large one.

OTHER MAIDA VALE COUNCILLORS

Any response to be reported verbally.

6. BACKGROUND PAPERS

1. Committee Report for Committee on 15th March 2016
2. Minute from Planning Applications Meeting on 15 March 2016
3. Representations as reported to the Planning Committee on 15th March 2016

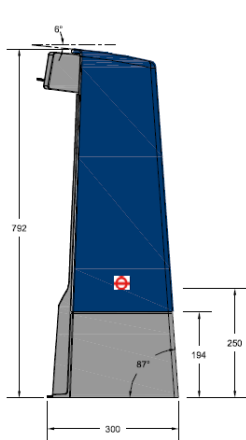
CONSULTATION RESPONSES FOLLOWING DEFERRAL AT PLANNING APPLICATIONS COMMITTEE (2) ON 15 MARCH 2016

4. Email from Transport for London dated 25th April 2016
5. Email from Councillor Prendergast dated 2nd June 2016

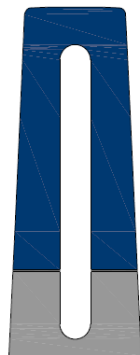
Selected relevant drawings

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

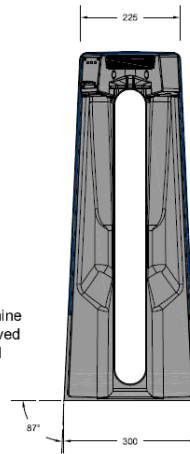
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: NATHAN BARRETT BY EMAIL AT nbarrett@westminster.gov.uk.



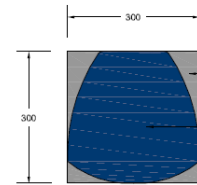
1. All dimensions in millimetres
2. For fixings and foundations see separate drawing



Machine grooved detail



- Material** - Permanent mould, gravity cast aluminium alloy, A356.2-T61
- Finish** - Polyester Powder coat, gloss finish
- Colours** - Dark Blue, Pantone 296C
- Silvergrey RAL 9007
- Decal Roundel Colour** - M:93, Y:100
- Foundation Box Cover** - Galvanised steel with anti-slip coating



Docking Point and Foundation Box Cover - Plan View at Docking Point base



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DOCKING POINT DESIGN

SANTANDER CYCLES

SITE NAME VARIOUS		SITE NO: ALL	
		BOROUGH ALL	
		POSTCODE ALL	
Drawn SH	Scale 1:10 @ A4	Dep. No. CHS-OP-03	Rev. 3
Checked cm	Date: 24/02/11	File Path & Name	

DRAFT DECISION LETTER

Address: Maida Vale, London, W9,

Proposal: Installation on the footway adjacent to Dundee House, 145 Maida Vale, of a Cycle Hire docking station in an area measuring 48.7m x 1.85m, containing a maximum of 37 docking points and a terminal.

Reference: 15/11073/FULL

Plan Nos: 01-610189LOC; 01-610189; 01-610189-GA, CHS_DP_03Rev3: TDE-FW-T-PL RevA; TDE-FW-01-PLRevA; Planning, Design and Access Statement November 2015.

Case Officer: Richard Langston

Direct Tel. No. 020 7641 7923

Recommended Condition(s) and Reason(s):

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

Reason:

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

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

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

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

Reason:

To protect the environment of neighbouring 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 site 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.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted

in January 2007. (R26AD)

- 4 The management and redistribution of bicycles to the docking station hereby approved shall take place only between 08.00 and 22.00.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

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.

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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