



City of Westminster

Committee Agenda

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

Meeting Date: **Tuesday 15th January, 2019**

Time: **6.30 pm**

Venue: **Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR**

Members: **Councillors:**
Melvyn Caplan (Chairman)
Angela Harvey
David Boothroyd
Elizabeth Hitchcock

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 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, Georgina Wills, Committee and Governance Officer.

**Tel: 020 7641 7513; Email: gwillis@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.

(To Follow)

4. PLANNING APPLICATIONS

Applications for decision

Schedule of Applications

1. **LORDS CRICKET GROUND, GROUND FLOOR, ST JOHN'S WOOD ROAD, LONDON, NW8 8QN**

(Pages 5 - 70)

2. **FIRST TO THIRD FLOOR LONG ACRE LONDON WC2E 9SX**

(Pages 71 - 124)

**Stuart Love
Chief Executive
7 January 2019**

Agenda Annex

CITY OF WESTMINSTER
 PLANNING APPLICATIONS SUB COMMITTEE – 15th January 2019
 SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Item No	References	Site Address	Proposal	Resolution
1.	RN(s) : 18/08510/FULL Regent's Park	Lords Cricket Ground, Ground Floor St John's Wood Road London NW8 8QN	Demolition of the existing Compton & Edrich stands and redevelopment comprising the erection of a new stand to provide up to 11,500 seats, relocation of the existing floodlights, provision of new hospitality facilities, retail and food and beverage floorspace, hard and soft landscaping, servicing facilities, and all necessary ancillary and enabling works, plant and equipment.	
Recommendation <ol style="list-style-type: none"> 1. Grant conditional permission, subject to referral to the Mayor of London and subject to the completion of a section 106 agreement to secure: <ol style="list-style-type: none"> a) A carbon offset payment of up to £26,220 (index linked and payable on commencement of development). b) Mayor's CIL payment of £115,700 and c) Offering local employment opportunities during construction and operation of the new stands and d) S106 Monitoring costs. 2. If the S106 legal agreement has not been completed within 6 weeks of the date of the Sub-Committee's resolution then: <ol style="list-style-type: none"> a) The Director of Place Shaping and Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorised to determine and issue the decision under Delegated Powers; however, if not; b) The Director of Planning shall consider whether the permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which would have been secured; if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers. 				
Item No	References	Site Address	Proposal	Resolution
2.	RN(s) : 18/04254/FULL St James's	First To Third Floor 64-65 Long Acre London WC2E 9SX	Use of part ground, first, second, third and new internal mezzanine floors as eight residential dwellings (Class C3); installation of footbridge across internal lightwell at second floor level, plant machinery and internal lift; associated external alterations, including changes to fenestration.	
Recommendation Grant conditional permission, including a condition to secure the following benefits: <ol style="list-style-type: none"> i) Mitigation of the potential increased demand for on street residents parking 				

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Agenda Item 1

Item No.

1

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 15 January 2019	Classification For General Release	
Report of Executive Director Growth Planning and Housing		Ward(s) involved Regent's Park	
Subject of Report	Lords Cricket Ground, Ground Floor , St John's Wood Road, London, NW8 8QN		
Proposal	Demolition of the existing Compton & Edrich stands and redevelopment comprising the erection of a new stand to provide up to 11,500 seats, relocation of the existing floodlights, provision of new hospitality facilities, retail and food and beverage floorspace, hard and soft landscaping, servicing facilities, and all necessary ancillary and enabling works, plant and equipment.		
Agent	DP9		
On behalf of	MCC		
Registered Number	18/08510/FULL	Date amended/ completed	4 October 2018
Date Application Received	4 October 2018		
Historic Building Grade	Compton & Edrich stands – unlisted The Pavilion is Grade II*, Grace Gates Grade II Listed, Grade II Listed relief sculpture		
Conservation Area	St John's Wood		

1. RECOMMENDATION

<p>1. Grant conditional permission, subject to referral to the Mayor of London and subject to the completion of a section 106 agreement to secure:</p> <ul style="list-style-type: none"> a) A carbon offset payment of up to £26,220 (index linked and payable on commencement of development). b) Mayor's CIL payment of £115,700 and c) Offering local employment opportunities during construction and operation of the new stands and d) S106 Monitoring costs. <p>2. If the S106 legal agreement has not been completed within 6 weeks of the date of the Sub-Committee's resolution then:</p> <ul style="list-style-type: none"> a) The Director of Place Shaping and Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorised to determine and issue the decision under Delegated Powers; however, if not;
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b) The Director of Planning shall consider whether the permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which would have been secured; if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2. SUMMARY

This proposal relates to the demolition of the existing Compton and Edrich stands at the east side of the ground and the construction of a new stand providing 11,500 seats (increasing the overall capacity of the ground by 2,500 to a new total capacity of approximately 31,500) and new hospitality facilities, retail and food and beverage floorspace, landscaping, servicing facilities, enabling works and plant and equipment. Two large flexible restaurant/hospitality suite spaces are proposed within the stand at level 2 (350-400 covers in total). This spaces are proposed to be used as event spaces outside of match days and available for use all year round. The proposal also involves the relocation of two of the ground's four floodlights.

Two neighbour objections have been received on the grounds of design and that the new stand is too high and not in scale with surrounding area and on the grounds that the increase in capacity is unacceptable and the increase in local traffic, congestion and disruption to residents this will cause. The City Council's Arboricultural Manager has objected to the application on the grounds of the loss of 12 mature trees and inadequate replacement planting.

The St Johns Wood Society generally welcomes the design of the proposal but have concerns regarding the impact of the new stand on views from and amenity to Cavendish Close. They have requested that disturbance to residents living near North and East gates created by the proposed hospitality areas being used outside of match days be mitigated, that the 12 mature trees which are to be lost are adequately replaced and further mitigation to relieve pressure created by additional capacity at the "pinch point" on the corner of Wellington Road and Wellington Place.

The Greater London Authority supports the principle of the proposed expansion and improvements in land use terms however have advised that the application does not comply fully with the London Plan. They have suggested possible remedies in terms of conditions, legal agreements and clarifications that could address these deficiencies with regard to, climate change and transport.

The key issues are

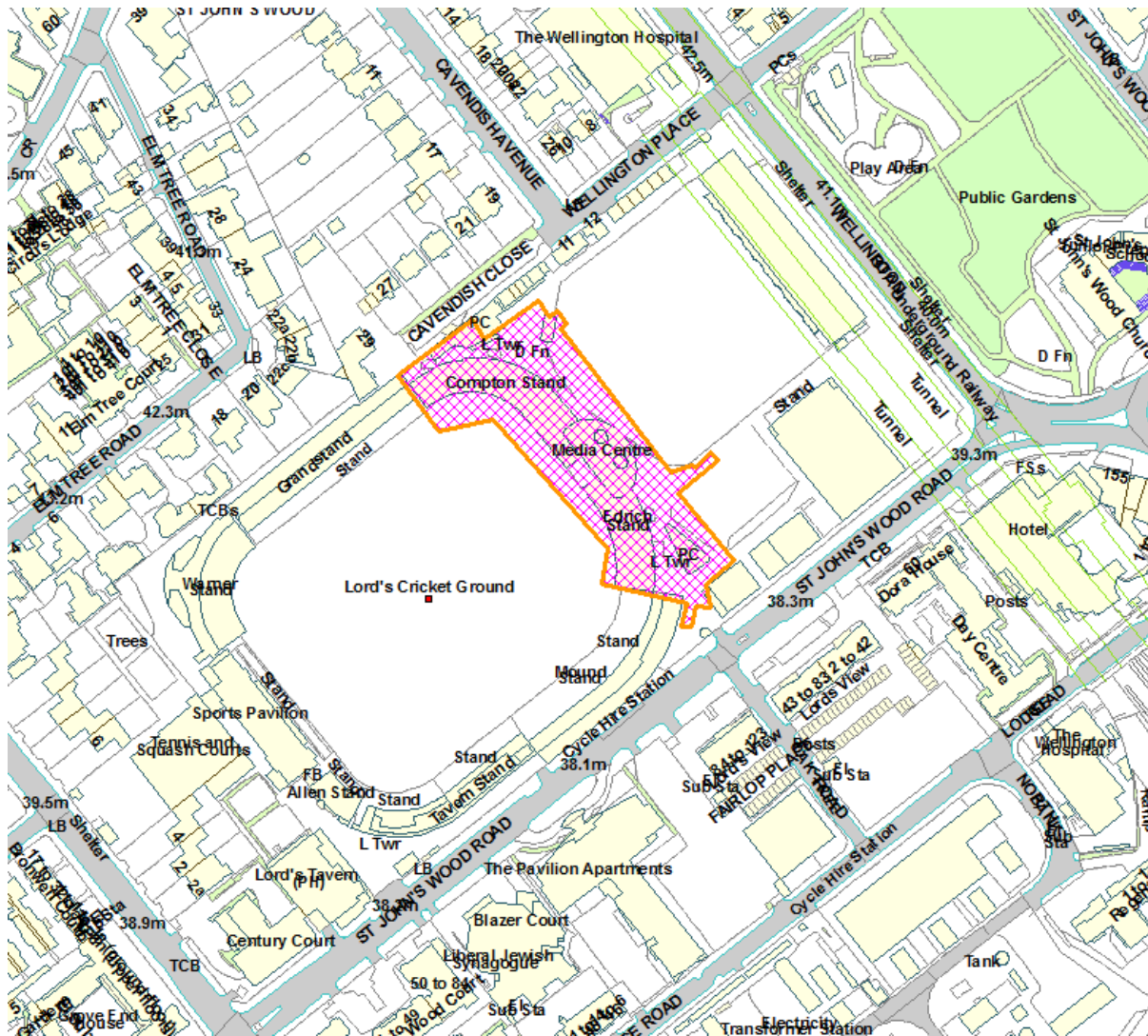
- The impact of the proposal on the amenities of adjoining residents, in particular those on Cavendish Close.
- The impact of the new stand on the character and appearance of the St John's Wood Conservation Area and the setting of listed buildings inside and outside the ground.
- The impact of the demolition of the Clock Tower building (an unlisted building of merit) on the character and appearance of the St John's Wood Conservation Area.
- The impact of the new stand on the setting of the Media Centre.
- The impact of the loss of 12 mature trees on the character and appearance of the St John's Wood Conservation Area, and whether adequate replacement planting is being proposed.
- The impact of the proposed increase in a capacity on the amenities of adjoining residents and transportation infrastructure.
- The impact of the use of the proposed hospitality/restaurant facilities all year round on

adjoining residents.

- The impact of the proposed relocation of floodlights on the amenities of surrounding residents in terms of light pollution.

The provision of improved facilities and capacity at the Ground are supported in land use terms as is the high quality design of the proposed new stand. The loss of the unlisted building of merit is acceptable in this case. It is considered that the impact of the proposal on local transport infrastructure and the amenity of neighbouring residents can be adequately mitigated through conditions and a legal agreement. It is therefore recommended that subject to referral to the Mayor of London, conditional permission is granted subject to the completion of a Section 106 Agreement.

3. LOCATION PLAN



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4. PHOTOGRAPHS



View of the existing Compton and Edrich stands



Existing Compton and Edrich stands from the pavilion end of the ground, and the Media Centre



View of the rear of the existing stands and media centre from the nursery ground



Clock Tower Building (to be demolished)



Full Toss Bar building from the South (to be demolished)

5. CONSULTATIONS

WARD COUNCILLORS (REGENT'S PARK)

Any response to be reported verbally

GREATER LONDON AUTHORITY (GLA)

The principle of the proposed expansion and improvements are supported in land use terms. Advise that the application does not comply with the London Plan but the following possible remedies could address these deficiencies with regard to urban design, climate change and transport.

- Proposal must demonstrate compliance with London Plan Policies D1, D3 and D11, all of which strive to achieve safe and secure environments and incorporate safe emergency evacuation.
- Further clarification is required with regard to the site-wide energy network, heating, renewable energy and surface water drainage. The final agreed energy strategy should be appropriately secured by the Council, along with contributions towards off-site mitigation
- Cycle parking, blue badge parking, and active and passive electric vehicle charging points should be provided in line with the draft London Plan and the Mayor's Transport Strategy. Further information is required to enable a full assessment of the impact of the increased capacity on St John's Wood Station and the surrounding pedestrian environment. Financial contributions may be required for any necessary physical changes and/or additional staffing that are necessary to support the development and towards increased cycle parking in the local area. An Event Management Plan and Travel Plan should be secured by condition or s106.

TRANSPORT FOR LONDON

Whilst TfL is not opposed to the principle of development, TfL believes that the proposals do little to contribute towards achieving Mayoral targets and policy set within the Draft London Plan and Mayor's Transport Strategy (MTS). The applicant should review the current level of car parking and a reduction could inter alia allow space for an increase in cycle parking towards current standards. Provision within the car park should be made for electric vehicles and blue badge holders. Further information is requested on the proposed catering/retail/hospitality offer and the staff numbers associated with this. Due to the existing strain on London Underground services at St John's Wood Station, soft travel demand management schemes should be included as part of the External Crowd Management Plan review, which TfL should be involved in. The finalised version of this plan should be produced prior to the opening of the new stands. Financial contributions will be sought for any necessary physical changes and/or additional staffing necessary consequent upon the development. The applicant should also engage with TfL to discuss designing and funding a more permanent solution to increasing pedestrian comfort in the area. An additional taxi bay should be provided given the expected increase in Taxi/PHV usage. A delivery booking system should be implemented prior to the opening of the new stands to prevent queuing on the TLRN. The Travel Plan should be reviewed to set targets which aim for stimulation of further

modal shift and reduction in car journeys to the site. A CLP and finalised DSP/Travel Plan should be secured by condition.

HISTORIC ENGLAND

On balance supports the application on heritage grounds. Demolition of the Clock Tower will result in some harm however this is considered relatively low. The development will have little impact on the setting of the designated heritage assets within the ground and its wider setting and will provide a range of public benefits.

HISTORIC ENGLAND ARCHEOLOGY

Agree that no below ground archeological work is required. Request a condition requiring that a written scheme of historic building investigation is submitted prior to any demolition.

NATURAL ENGLAND

Have no comments on this application.

DESIGNING OUT CRIME

No objection.

ST JOHN'S WOOD SOCIETY

Welcome the quality of design of the stand however make the following comments. The scale, height and mass of the stand is excessive when considered in the context of the adjacent Media Centre and other stands at the ground and the smaller scale residential buildings in the Conservation Area. Concern relating to views from Cavendish Close and St Johns Wood Road. Impact of solid wall to rear of Compton Stand will have a significant negative impact on the amenity of Cavendish Close residents and the setting of those residential buildings within the Conservation Area. Request that these factors are reconsidered to mitigate impact. Query how the proposed green wall can be maintained. End of Edrich stand is prominently visible and less well resolved than rest of proposals. Request disturbance to residents living near North and East gates created by the proposed hospitality areas being used outside of match days be mitigated by ensuring that the arrival and departure of guests, staff and refuse collection are controlled and managed in a neighbourly way at all times. Regret loss of 12 mature trees and requests Council's Arboricultural Manager ensures replacement trees provide amenity value to Cavendish Close residents and appropriate to the character of the site and wider Conservation Area. Regret loss of old Clock Tower and request a new home within the site is found for the clock itself. Request further improvements made to signage and stewarding of pedestrians outside the ground to mitigate pressure created by additional capacity at the pinch point on the corner of Wellington Road and Wellington Place.

THE ST MARYLEBONE SOCIETY

Support the project and design.

FRIENDS OF REGENTS PARK & PRIMROSE HILL

Any response to be reported verbally.

THAMES WATER UTILITIES LTD

Any response to be reported verbally.

ENVIRONMENT AGENCY (THAMES REGION)

Any response to be reported verbally.

LONDON FIRE BRIGADE

Any response to be reported verbally.

DESIGN COUNCIL

Any response to be reported verbally.

LOCAL FLOOD AUTHORITY

Any response to be reported verbally.

THE ROYAL PARKS

Any response to be reported verbally.

WASTE PROJECT OFFICER

No objection subject to condition requiring provision is made according to plans and permanently made available.

ARBORICULTURAL SECTION

Objection. Consider that the cumulative loss of twelve trees would be highly detrimental to amenity, and would have a harmful effect on the character and appearance of the conservation area. Would support refusal on this basis.

Three trees proposed to be retained are at risk of damage during construction and changes in levels and even if survive their amenity value would be greatly diminished by crown reduction. Impact of construction on trees in Cavendish Close not addressed. One of these trees is likely to be in conflict with climbers proposed on the new stand. All likely to be effected by excavation of foundations.

Proposed replacement tree planting is inadequate. Nettle trees planted in ground would not reach stature of lost trees. Trees in pots would be short lived and never make a meaningful landscaping contribution.

Proposed climbers on the new stand likely to be difficult to establish due to orientation and lack of soil depth. No details of irrigation and maintenance. Considered high chance would fail.

Recommended that a section 106 contribution for tree planting off site is sought for no less than £50,000 to mitigate the trees being lost.

ENVIRONMENTAL SCIENCES

No objection subject to the GLA agreeing the applicant's approach to the Air Quality Assessment. Recommends conditions requiring a contaminated land assessment, the submission of a supplementary acoustic report, restriction on noise from plant including emergency plant, details of ventilation system, details and restrictions on floodlighting, and the noise form the PA system.

HIGHWAYS PLANNING

Undesirable but could be made acceptable if more cycle parking spaces provided.

Increase in capacity of 2500 would have a limited impact in terms of traffic considering number of times a year full capacity would be reached. Travel Plan should be secured

by condition. Servicing takes place off street and likely to be acceptable subject to Servicing Management Plan being secured by condition. Does not support TfL's request for further taxi ranking because of the very few times a year that it would be required. Would support replacement of existing car parking with cycle parking to provide additional 112 cycle parking spaces and the introduce disabled parking and electrical vehicle charging.

WCC ECONOMY TEAM

Request employment and skills opportunities for residents during development and end use. Expect an Employment & Skills plan and a financial contribution to an employment fund.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 2333
Total No. of replies: 12
No. of objections: 3
No. neither objecting nor supporting 1
No. in support: 8

3 letters of objection on the following grounds

Land Use

Objection to increase in capacity and the increase in local traffic, congestion and disruption to residents this will cause.

Design

New stand too high and not in scale with surrounding area.
Wasted opportunity to create an aesthetically pleasing structure.
Floodlights should be integrated
Bulk of green wall adjacent to Cavendish Close

Amenity

Overshadowing of lower floors of Cavendish Close property.
Sense of enclosure and overlooking

Other

Comments on behalf of Swift Conservation on the missed opportunity to provide measures for swifts including nesting boxes.

8 letters of support on the following grounds

Land use

Enhance facilities for local people
Employment/economic benefits
Increased capacity

Design

High quality and complimentary to Media Centre

Amenity
No detrimental effect on neighbourhood

Transport/Access
Enhanced disability access

PRESS ADVERTISEMENT / SITE NOTICE: Yes (multiple notices on public highway surrounding the Ground)

6. BACKGROUND INFORMATION

6.1 The Application Site

Lords Cricket Ground is approximately 6.9 hectares in area and is bounded by the north by Wellington Place /Cavendish Close to the north, Wellington Road to the east, St John's Wood Road to the south and Grove End Road to the west. The majority of the Ground is located within the St John's Wood Conservation Area, with the exception of the 1960's Thomas Lord Building which fronts onto St John's Wood Road.

The Ground contains a number of historic buildings and structures namely ;the Grade II* listed pavilion designed by Thomas Verity in 1889-90, the Grade II listed Grace Gates fronting St John's Wood Road (by Sir Herbert Baker 1923) and the Grade II listed relief sculpture by Gilbert Bayes on the corner of St John's Wood Road and Wellington Road. The Ground also contains modern iconic buildings such as the Mound Stand designed by Hopkins (1987), the new Grandstand designed by Grimshaw(1998) and the Media Centre designed by Future Systems (1999 Stirling Prize winner).

The proposal relates to the Compton and Edrich stands and adjoining land located at the north east side (Nursery End) of the ground between the grounds main cricket pitch and the nursery cricket pitch. The existing stands, designed by Michael Hopkin & partners were completed in 1991. The site also includes the Media Centre, which is located between the existing Compton and Edrich stands and is to be retained. This building was designed by Future Systems and completed in 1999. The Clock Tower and Full Toss Bar buildings are to be demolished. The Clock Tower building is a three storey brick Victorian building located to the North of the site on the boundary to Cavendish Close. The Full Toss Bar building is a one storey 1930's brick building located behind the Edrich stand.

To the north of the site are a number of large individual houses on Cavendish Close and to the south are residential blocks of flats, Lords View One and Lords View Two on St Johns Wood Road. The site also includes two of the grounds four floodlights which are partly retractable and extend to their full height on a number of days and evening each cricket season.

6.2 Recent Relevant History

There have been a large number of planning decisions at Lords Cricket Ground and the following are relevant in the determination of this latest proposal.

Permission was granted in February 2016 for demolition of the existing Tavern Stand, Allen Stand, Thomas Lord Building, MCC Office Building and Scorers' Box and redevelopment comprising the erection of new stand, new Thomas Lord Building with an expanded basement and relocated public house, new Harris Garden Building, new Scorers' Box, internal and external alterations to the Pavilion, a new shop in the Bowlers' Annexe together with relocation of the floodlight, hard and soft landscaping, servicing facilities and all necessary ancillary and enabling works, plant and equipment.

Permission was granted in June 2014 for the demolition of the existing Warner Stand and its redevelopment to provide a new stand of 2922 seats with match day control facilities, restaurant, bars and catering outlets together with new landscaping, servicing and enabling works including plant and equipment. Relocation of one of the existing temporary floodlights from the rear of the Warner Stand so that the base of the floodlight mast is within the new stand. Erection of new glazed link between the new stand and the listed Bowlers Pavilion facade. This redevelopment is now completed.

In respect of the floodlights within the Ground, planning permission was granted in 2009 for the installation of four retractable floodlight masts (maximum of 12 matches and four practice matches per year) and the erection of a new substation for a five year period. Various permissions have since been granted for the floodlights, including separate permissions for the integrated floodlight within the new Warner stand which has now been completed and an integrated floodlight within the proposed redevelopment of the Tavern Stand and Allen Stand. The most recent permissions granted in February 2018 allowed for the continued use of the floodlights until January 2020 operating for a maximum of 14 days, a maximum of 15 evenings and 2 evening practice matches.

7. THE PROPOSAL

The proposal is for the next phase of the Lords Masterplan. It involves the demolition of the existing Compton & Edrich stands and two adjacent buildings, the Clock Tower and Full Toss Bar buildings and the redevelopment of the site to accommodate a new stand. The new stand will accommodate up to 11,500 seats for spectators and new hospitality facilities, retail and food and beverage floorspace. The new stand will result in an increase of approximately 2,500 seat when compared with the existing stands and will increase the overall capacity of the Ground to 31,500 (an increase on the existing capacity of 8.6%).

The new stand will become the tallest stand in the Ground. At the highest point of its curving roof it will be approximately 5.5 meters taller than the Media Centre, 4.3 meters higher than the masts of the adjacent Mound Stand and 7.5 meters taller than the Grade II* listed pavilion at the other end of the Ground. Because of the slope from south to north on the site its height above ground level is greater to the south of the site where it is a maximum of 28.37metres high.

Two large flexible restaurant/hospitality suite spaces are proposed within the new stand at level 2. As restaurants they would have approximately 350-400 covers. This spaces are proposed to be used as event spaces outside of match days and available for use all year round. The existing Compton and Edrich stands do not include internal toilet and food and beverage facilities. Spectators have to leave the stands to access facilities in

adjacent buildings such as the Full Toss Bar and in other stands. The new stand allows spectators to access facilities accommodated within the stand via internal circulation space. The land use of the new stand is considered to be a D2 use with the new hospitality spaces/ restaurants, retail and spectator facilities all ancillary uses within that overall use.

Table 1: floorspace figures

Existing GIA (sqm)	Proposed GIA (sqm)	+/- GIA (sqm)
0	2,998	+ 2,998
503 (Clock Tower)	0	-503
181 (Full Toss Bar)	0	-181
683	2,998	+2,314

The footprint of the proposed stand would be larger than the existing stands and would encroach slightly on the adjacent nursery ground. The proposal would also involve the removal of 12 mature trees adjacent to the new stand.

The proposal also includes hard and soft landscaping, servicing facilities, plant and equipment and the relocation of the existing two floodlights located at the Nursery End of the Ground.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Increase in capacity

One objection has been received to the increase in capacity and the resultant increase in local traffic, congestion and disruption to residents this will cause.

It is recognised that the proposed increase in capacity of 2,500 seats is a bigger increase than proposed in the other recent phases of the Lords Masterplan (1082 in the replacement of the Tavern and Allen Stands and 90 in the replacement of the Warner Stand) however it would still represent a relatively modest 8.6% increase of the current capacity (29,000) or a 8.3% increase of the capacity if the Tavern and Allen Stands which were granted permission in 2015 were completed. Such an increase is not considered to represent an overdevelopment of the ground, especially considering the limited occasions that the Ground is likely to reach this capacity. So long as it is shown that the increase in spectators can be managed effectively, especially in terms of crowd arrival and dispersal, transport capacity and management of egress and impact on local residential amenity (which will be assessed in the relevant sections below) the increase in capacity is considered to be acceptable.

The St John's Wood Society have also requested disturbance to residents living near North and East gates created by the proposed hospitality areas being used outside of match days be mitigated by ensuring that the arrival and departure of guests, staff and refuse collection are controlled and managed in a neighbourly way at all times.

The proposal is supported by the Mayor of London in land use terms as it would help sustain and expand London's international sporting offer and profile in accordance with the London Plan and draft London Plan. The proposal would increase the capacity of the ground and improve spectator facilities, accessibility and circulation within the ground.

The GLA officers have stated that given the relatively modest increase in seating and the proposed improvements to circulation and access, they consider that any impact could be reliably mitigated through suitable controls, and as such, the additional capacity does not raise any strategic concerns. They have stated that appropriate crowd controls/event management plan should be secured by condition or s106 agreement.

Hospitality uses

The proposal includes the provision of two large flexible restaurant/hospitality suite spaces are proposed within the stand at level 2. As restaurants they would have 350-400 covers cumulatively. These spaces are proposed to be used as event spaces outside of match days and available for use all year round.

In dealing with the new Warner stand, conditions were imposed to limit the hours of the new restaurant (08.00-23.00 hours), to limit the number of days it could be used each year (100 days per calendar year and no post function cleaning/waste disposal until after 10am the next morning when no functions or cricket matches are taking place given its proximity to residents in Elm Tree Road.

In dealing with the redevelopment of the Tavern Stand and Allen Stand the proposed restaurant was limited to the same hours however given the new restaurant location some distance away from nearby residents it was not considered that the proposed use throughout the year would harm the amenities of nearby residents.

Although larger than the restaurant proposed in the Tavern and Allen stands redevelopment (350-400 covers split between the two suites compared with 150 in the Tavern and Allen), the proposed event spaces/restaurants are located some distance from the nearest residential properties. In the case of the hospitality space within the Compton Stand, approximately 45 metres from the nearest residential window in Cavendish Close and in the case of the hospitality space in the Edrich Stand, approximately 70 metres from the nearest residential windows in Lords View. Under these circumstances it is considered that limiting the hours of use of these facilities to those imposed on the other restaurant within the ground, i.e. between 8am and 11pm would be sufficient to ensure the amenities of nearby residents are protected without the need to restrict the number of days a year that they are used for hospitality events.

8.2 Townscape and Design

Lord's Cricket Ground is a large site lying within the St John's Wood Conservation Area. In addition to the listed buildings within the site, notably the grade II* Pavilion, there are also a number of listed buildings within the immediate vicinity of the site, including the grade II* Church of St John the Baptist to the east, as well as several grade II listed houses fronting Cavendish Close and Cavendish Avenue to the north of the ground.

The cricket ground has been on this site since the early part of the nineteenth century, expanding towards the end of the nineteenth century to include the Nursery Ground on the eastern side of the site. The earliest surviving building on the site is Verity's Pavilion of 1890 (now grade II* listed) and the array of buildings and stands which now occupy the site reflect a piecemeal and organic evolution. Over the years stands and other buildings have been added and replaced, as the requirements of the club and the demands of the game have evolved. Today Lord's is one of the pre-eminent cricket grounds in the world and in terms of its architecture is noteworthy as being a series of individual buildings, each with its own individual characteristics, as opposed to a uniform character often associated with sporting stadia.

In terms of its relationship to the St John's Wood Conservation Area, the cricket ground is somewhat a distinct and separate entity. The prevailing character of the conservation area is that of a leafy and relatively low density residential suburb. The area was initially developed during the first half of the nineteenth century as a fashionable new residential suburb and despite changes in building style, including the construction of several larger mansion blocks in the area, the character and appearance of the area remains spacious, green and overwhelmingly residential. Thus an international sports venue within this context is inevitably something of a contrast and this is acknowledged in the conservation area audit which states:

"Lord's Cricket Ground, with its mixture of sporting architecture and open spaces, forms another enclave of distinct character in the south of the conservation area. Here the buildings, which necessarily turn their backs upon the surrounding townscape, represent a catalogue of cricketing architecture from the 1889 pavilion to the ultra-modern media centre, opened in 1999." (page 20)

Nevertheless with its essential open spaces (the playing areas and lawns), the spaciousness between buildings and the many trees within the site, the ground still complements the character of the conservation area, while being distinct from it. In many respects it is the historic importance of the site which is its biggest contribution to the significance of the conservation area.

The Proposal

The scheme involves the redevelopment of the stands at the eastern end of the main playing area. This involves the demolition of the existing Edrich and Compton Stands, as well as several smaller adjacent structures, including the North Clock Tower and former dressings rooms/workshops along the northern boundary of the site behind the Compton Stand; and the Full Toss Bar and toilet block located behind the Edrich Stand.

The existing Compton and Edrich Stands were designed by Michael Hopkins & Partners and completed in 1991. They are of the same design and construction and are both two tier stands. The stands have several deficiencies notably the spectator experience for those in the lower tier where the space can be cold and dark and where sightlines to the playing area are poor. There are columns in the lower tier which mean that a considerable number of seats offer a restricted view. The stands also do not offer modern standards in terms of accessibility or space per seat.

Without a roof the stands are the lowest perimeter buildings to the main playing area, which has benefits in opening views out beyond the ground particularly to the trees to the east, as well as reinforcing the character of the ground as a series of stands rather than a viewing bowl of uniform design.

In redeveloping the site to provide new stands the proposal will provide increased public seating capacity (from 9,000 to 11,500), provide accessible stands with facilities including toilets, lifts, food and beverage provision; as well as improved spectator sightlines.

In order to provide these replacement stands, with the larger capacity and improved facilities, the replacement buildings require a larger footprint, which is why there are other buildings proposed for demolition, as well as the removal of twelve trees.

The two new stands will be three tier structures, which will appear as a pair, albeit slightly asymmetric. The top and bottom tiers will be the main areas of seating for public, while the middle tier will be for debenture seating and include debenture lounges and kitchens. The upper tiers will feature a curved canopy roof, which sweep down towards the Media Centre, which sits between the two new stands. The new stands will be taller than the current stands and will exceed the height of the Media Centre at their highest points. The canopies wrap around the ends of the stands and will in many respects be the principal design features. The primary structure of the canopies is a series of radiating steel ribs which will be exposed to the soffit of the canopy. The external skin is a layer of white aluminium plates, aimed to complement the Media Centre and the top of the Mound Stand.

The Nursery facing facades of the stands will express the steel columns that support the structure and feature a double-height colonnade to the base of the building. Above this colonnade a high-level continuous walkway will link the two stands and run behind the Media Centre, significantly assisting spectator movement as well as reducing pressure on the ground level concourse. Facing materials to the upper floors in this façade are either a grey aluminium panel (for lift cores and middle tier structures) or cast glass blocks for the upper tier. The overall effect is well-ordered and provides visual interest. The interplay of elements provides relief and there remains considerable visual permeability, which complements the character of the ground.

As the Nursery elevation wraps round to the Grandstand the massing and materiality change in response to the context of Cavendish Close, with the aluminium and glass blocks giving way to a greened façade in the form of a cabled green wall.

The new footprint of the stands will require a repositioning of the two floodlights at this end of the ground, as well as a re-positioning of the digital screens.

Impacts of Proposal

North Clock Tower and former Dressing Rooms/Workshops

The clock tower and adjoining former dressing rooms/workshops are late 19th century buildings, originally both 2 storey by Frank Verity constructed of red and yellow stock brick, with a slate roof and located in northern corner of the site. A mansard roof was

added to the former dressing rooms/workshops in the late twentieth century. They are collectively identified as unlisted buildings of merit within the St John's Wood Conservation Area Audit.

All of these buildings are to be demolished to accommodate the replacement stand, whose footprint and upper levels would encroach onto the site of these buildings. With respect to the clock tower building, while this has attractive visual qualities and is in sound condition, it is unlisted and reasonably tucked away from main public areas within a corner of a private sporting facility. Given this, its contribution is necessarily limited and as such, its loss will have a very limited impact on the character and appearance of the St John's Wood Conservation Area.

The loss of undesignated heritage assets, such as unlisted buildings of merit does cause harm to the designated asset of the conservation area, albeit in this case, the degree of harm is less than substantial and at a low level of harm within this spectrum.

'Great weight' should be afforded to harm to heritage assets and any harm must be weighed against and outweighed by public benefits in the interests of achieving sustainable development, as advised by the NPPF.

In this case, the clock and surrounding brickwork will be salvaged for relocation as such, with the public benefits outlined elsewhere, the loss of this building is considered acceptable.

Full Toss Bar and Toilets

This single storey, triangular building dates from the 1930s. It has not been identified as an unlisted building of merit with the conservation area audit, although is nevertheless a component in the assemblage of buildings within the ground reflecting its organic and piecemeal development. As with the North Clock Tower and adjoining buildings, the Full Toss Bar and Toilets are to be demolished to accommodate the footprint and upper levels of the new stand. The building does make a modest contribution to the history and architecture of the ground but its loss will have minimal impact and will not harmfully impact upon the significance of the St John's Wood Conservation Area.

Compton & Edrich Stands

The new stands require the demolition of the present stands, given these are unlisted functional structures, without intrinsic architectural value, there are no design objections and their loss would not have an adverse impact upon the St John's Wood Conservation Area.

Impact on Media Centre and Pavilion

A significant impact of the new stands will be their visual relationship to the setting of the Media Centre. The Media Centre is an iconic building within Lords and the St John's Wood Conservation Area. Designed by Future Systems in 1997, it won the Stirling Prize in 1999 and is widely regarded as a building of significant architectural merit. While the Media Centre is not a listed building, it is an 'unlisted building of merit' within the

conservation area audit and the relationship of adjacent buildings and their impact on its setting are an important design consideration.

The new stands have been designed to reflect the Media Centre's curved form and their canopies will, in a similar manner to the Media Centre, be clad in white metal. The spaces between the edges of stands and the Media Centre allow visual separation, preserving the building's character and striking architectural form, readily appreciable in views from the cricket playing area and surrounding stands, as well as rear views from the Nursery area. Walkways suspended behind, create physical links between corporate functions in the stands and functions in the Media Centre, without detracting from the building's independent form. Given their design and notwithstanding the additional height the stands are considered to have an acceptable relationship with the Media Centre.

Impact on the Pavilion

The Pavilion is a grade II* listed building which dates from the late 19th century. It is an iconic and landmark building within the ground. While some distance away on the opposite side, the new stands will nevertheless form part of the wider setting to the Pavilion. However, notwithstanding the scale of the new stands, the Pavilion has always formed part of a complex of stands of varying scales and that relationship will continue. As such the new stands would not harmfully affect the setting of this listed building.

As noted, the scale of the new Compton and Edrich stands is significantly larger than at present, but the architectural form follows their function. The function relates clearly to the use as a stand within a sports complex and as a complementary form to the Media Centre, even if higher. The increased size of the stands, rather than having a negative impact, have a complementary relationship to the Media Centre, the pavilion and the other stands forming the Lords complex.

Views from the conservation area and setting of adjacent listed buildings

Given their increased height and the form of their curved roofs, the stands will have greater visibility from the public realm. In particular, they will be visible in views from Wellington Place and Cavendish Close, which adjoin the site boundary.

Historic England also notes that the proposed development will be visible in some views through the conservation area and within the setting of listed buildings, including St John's Wood Church (grade II*). However, as has been demonstrated by the detailed Townscape and Visual Assessment accompanying the application, the impact on designated heritage assets would be limited and any harm caused would be minor. While the new stands will appear in views and be intervisible with listed buildings, they do not significantly change the townscape context.

Perhaps the greatest appreciation of increased height and bulk is in closer views of the northern stand from Wellington Place and Cavendish Close. However, there is already a change in scale and character in this area as it is the interface between the distinct character of Lords and the adjoining and more typical St John's Wood townscape to the north. The scale differential is not harmful to setting of the houses on these streets and

wider views of the stands and lighting from within the conservation area is an existing condition and thus the impact would to a large extent preserve the character and appearance of the conservation area. Overall the impacts on the conservation area and on the setting of adjacent listed buildings is not considered to be harmful and where any harm does occur, such as the loss of unlisted buildings of merit and the greater prominence of the new stands, the harm is considered to be less than substantial.

It is recommended that details of the proposed green wall at the boundary of the site adjacent to Cavendish Close are reserved by condition as the submission does not clearly illustrate its finished appearance and this would be a particularly sensitive part of the structure, especially for those residents in Cavendish Close.

Comments have been received on behalf of the owner of a property at 23 Cavendish Close, in relation to this green wall and refer to an amended design for this wall which has been discussed with the applicant. This revised design aims to reduce the walls bulk by eliminating the framework proposed to support planting and stepping back the top storey. These amended designs have not been submitted as part of the application and are the result of a dialogue between the owners representative and the applicant to address the owners concerns. As discussed above, this aspect of the proposal is reserved by condition which will enable its detailed design to be finessed and it is considered that an appropriate design can be achieved, however the amendments detailed in the letter have not been submitted and the owner makes it clear that without them they would strongly object to this part of the proposal.

In terms of the NPPF, the minor harm to the conservation area caused by the loss of the clock tower and workshops, design of the rear elevation and views from directly outside the site, are outweighed by the significant public benefits outlined below.

Archaeology

Historic England have stated that they agree that no below ground archaeological work is required, however have requested a condition requiring that a written scheme of historic building investigation is submitted prior to any demolition.

Conclusion

The scheme allows the significant capacity improvements to a major sporting /leisure venue which is an integral part of the London visitor offer. The scheme creates short and long term economic benefits including from pre-construction, construction and long term employment opportunities. The improvements will benefit the reputation of one the world's most famous sporting arenas – the Home of Cricket, within the UK and worldwide.

In addition, notwithstanding the harm identified, the proposals reflect an opportunity for an interesting new architectural composition, complementing the existing buildings within the Lords complex and the St Johns Wood Conservation Area.

Subject to conditions, the development can be considered acceptable in terms of statutory duties, the NPPF, policies S25, S28 of our City Plan; and DES 1, 9 and 10 of our UDP.

8.3 Residential Amenity

The new stand will be substantially larger than the existing stands that it will replace, in terms of footprint, height and bulk. The existing stands are approximately 10 metres high compared to the proposed stands maximum height of approximately 28.5 metres, although the structure is significantly lower where it is closest to residential properties at the boundary of the site adjacent to Cavendish Close. Here a green wall has a height of 17 metres above street level.

The new stand will therefore have implication for daylight and sunlight and outlook for adjacent properties in Cavendish Close to the north and Lords View to the south. In assessing the impact regard has been had to the advice set out in the BRE guidelines and policies S29 in the City Plan and ENV13 in the UDP.

Sunlight and Daylight

The applicant has submitted a Daylight, Sunlight and Overshadowing Report which assesses the impact of the proposal on neighbouring properties. The most affected properties are 19 to 29 Cavendish Close and residential blocks of flats Lords View One and Lords View Two. All have been assessed in terms of the three methods set out in the BRE Guidelines, Vertical Sky Component (VSC), No Sky Line (NSL) and annual Probable sunlight Hours (APSH).

The reports show that a number of properties will have isolated alterations in daylight/ and or sunlight amenity which fall below the recommended guidelines, however the report states that in each case the changes are considered minor and may not be perceptible to the inhabitants. The report concludes that it is considered that the proposal broadly accords with the guidance produced by BRE and thus conform to policy.

Of the properties assessed Lords View One, Lords View Two, 25 Cavendish Close and 27 Cavendish Close were found to be fully compliant with the BRE Guidelines in terms of impact on sunlight and daylight. The following properties were shown to have isolated fails in the report.

19 Cavendish Close

All windows and rooms comply with BRE guidelines in terms of impact on daylight. Two windows do not comply with the BRE Guidelines in terms of sunlight although one serves a non-habitable room and therefore is not considered. The remaining window located on the first floor will see a small change in winter APSH from 6% to 4%. The BRE guidelines recommend a winter APSH of 5% however it is not considered that 1 of multiple windows serving this property marginally failing the recommended level of winter APSH would have an unacceptable impact on the amenity of the occupiers.

21 Cavendish Close

Two of the 13 windows assessed would technically be below the Guidelines with regards to Vertical Sky Component (VSC) however these serve a non-habitable room (an entrance hallway) and therefore are not considered to have an unacceptable impact on amenity. One of the nine rooms assessed at lower ground floor level would also be slightly below the guidelines as it would experience a 28% reduction in daylight distribution (NSL) which is in excess of the 20% recommended in the BRE Guidelines. However the one window serving the room remains compliant with only a 5.39% reduction with regards to VSC and therefore the impact is considered to be negligible.

23 Cavendish Close

Two rooms located at lower ground floor level will experience alterations of 25%-26% (NSL) which is in excess of the 20% recommended in the Guidelines, however the windows serving the rooms adhere to the recommended criteria in terms of VSC) and it is unlikely that the reduction will be noticeable. A site visit to the property by the case officer showed that one of these rooms was a cinema room/TV room and the other a kitchen. Both rooms benefitted from a second window facing into a lightwell at the rear and therefore the losses are not considered to be material.

29 Cavendish Close

13 of 14 windows fully comply with VSC Guidelines and all rooms fully comply with daylight distribution analysis. A lower ground floor windows fails the guidelines in terms of VSC but already has very low levels. The reduction from 5.3% to 4% VSC is considered de minimis and unlikely to result in a perceptible change in daylight amenity. The room it serves would fully comply with the daylight distribution analysis (NSL).

In terms of sunlight, 2 windows at the property would see an alteration in APSH which would fail to meet the Guidelines. One at ground floor level would see a reduction in summer from 10% to 7% APSH, however this room is served by four other windows which receive excellent levels of APSH therefore the loss would not result in an unacceptable impact on sunlight amenity to the room the window serves. The second window would experience a reduction in APSH from 18% to 14%. The report states that such a change to lower ground floor windows is not unusual and the overall impact to sunlight amenity of this property would be negligible.

Although there are some rooms or windows where the proposal would result in minor breaches in the BRE Guidelines in terms of daylight and sunlight to three properties as listed above these are not considered to be sufficient to result in an unacceptable reduction in residential amenity to these properties for the reasons listed above. As stated in the Guidance these guidelines should be interpreted flexibly and it is not considered that the overall impact of the proposal on these properties would be perceptible to the inhabitants or have a detrimental impact on their amenity in terms of sunlight and daylight.

Sense of Enclosure

The proposed increase in size of the stands inevitably has implications for surrounding residential properties in terms of sense of enclosure. Because of the distance to the nearest residential property from the new stand to the South East of the site (55 metres from the stand to Lords View One) the sense of enclosure on the windows of the flats there would not be significant and is considered to be within acceptable levels.

To the North, the structure is built right up to the boundary of the Lords site and is therefore much closer (30 metres) to the nearest residential properties on Cavendish Close. A green wall which rises to 17 metres above street level is proposed to screen the stand where it is closest to this boundary. Adjacent to the green wall is a similar sized lift enclosure and beyond this as the stand curves away from the boundary the roof of the larger part of the stand emerges. It is acknowledged that the outlook from the front windows of several properties on Cavendish Close will change significantly as a result of the proposal however due to the distance from the windows of these properties, the retained planting which will help soften the impact and the fact that the larger part of the structure and roof is set further back from this boundary it is considered on balance that the sense of enclosure on the properties on Cavendish Close is acceptable and the proposal complies with policies S29 in the City Plan and ENV13 in the UDP.

Comments have been received on behalf of the owner of the property at 23 Cavendish Close, in relation to the green wall on the boundary of the site with Cavendish Close and refer to an amended design for this wall which has been discussed with the applicant. This revised design aims to reduce the walls bulk by eliminating the framework proposed to support planting and stepping back the top storey. These amended designs have not been submitted as part of the application and are the result of a dialogue between the owners representative and the applicant to address the owners concerns. The owner makes it clear that they would strongly object to this part of the proposal without these amendments on overshadowing and sense of enclosure and privacy terms. However the proposal has been considered on the basis of the submitted design, without the set back and removal of plant framework, and for the reasons outlined in this report is considered to be acceptable in amenity terms.

Privacy

The external cladding of the rear of the stand is mostly frosted glass at third floor level and mostly a metal cassette rainscreen system at first floor level. These materials are not sufficiently transparent to result in any loss of privacy to nearby residential dwellings. The floorspace to the rear of the stands is largely used for toilet blocks and back of house facilities for the restaurants/hospitality spaces. There are glazed and openable elements in the rear façade serving the hospitality floorspace within however these overlook the Nursery ground and will not result in loss of privacy to surrounding residential properties.

There is an external concourse wrapping around the rear of the stand at second floor level including a bridge link between the two stands. This stops short of the boundary with Cavendish Close adjacent to a lift enclosure which also acts as a shield against direct views to the closest property. Where it is closest to these properties the concourse would be approximately 40 metres from the nearest residential window of a property on Cavendish Close. It is not considered that this would result in any significant loss of privacy to these properties. The point where this concourse is closest to residential properties on St Johns Wood Road to the South East of the site the distance is 55 metres to the nearest residential windows in Lords View. At this part of the building there is also a concourse at third floor level. This is not considered to present an overlooking issue for those properties.

There is also a concourse at first floor level. Because this is set further back than the upper concourse levels, offers less of a vantage point due to its lower height and on the Cavendish Close side is more effectively screen by existing vegetation and eventually the green wall it is considered to present even less of a potential overlooking issue than the concourse levels already discussed. It should be noted that all of these concourse levels are relatively narrow and designed for crowd circulation rather than suited for the public to seat or dwell for any length of time.

The upper tier of the seating areas have views out of the stand prevented by the roof structure and a surrounding wall in the case of the extended upper tier adjacent to Cavendish Close.

Light Pollution

The proposal involves the relocation of the two retractable floodlights at the Nursery End of the Ground. The floodlight located between the Compton Stand and Grand Stand will be relocated by approximately 12 metres, closer to the Grand Stand and 7.6 metres closer to the boundary with Cavendish Close. The floodlight located between the Edrich Stand and the Mound Stand will move 19.5 metres closer to St Johns Wood Road.

In dealing with this application, regard has been had to Policy S29 (Health, Safety and Well Being) in the City Plan and Policy ENV10 (Light Pollution) in the adopted UDP. Policy S29 states that the Council will resist proposals that result in an unacceptable loss of residential amenity. Policy ENV10 seeks to reduce light pollution and requires that when planning permission is granted for developments which include the installation of lighting apparatus, conditions be attached to ensure: a) no glare or conflict with street or traffic lighting's) minimal upwards light spill; and c) that energy efficient lighting is used. Regard has also been had to the guidance note produced by the Institute of Lighting Engineers (ILE) on Reduction of Obtrusive Light (2005). The ILE designates four environmental zones:

E.1 Intrinsically dark landscapes: National Parks, Areas of Outstanding Natural Beauty.

E.2 Low district brightness areas: Rural, small village or relatively dark urban locations.

E.3 Medium district brightness areas: Small town centres or urban locations.

E.4 High district brightness area: Town /city centres with high levels of night time.

The guidance sets out maximum lux levels before 23.00 hours and after 23.00 hours.

The City Council in its current City Plan and UDP does not specify Environmental Zones for the City. In dealing with previous applications for the floodlights, conditions were imposed to restrict light spill from the floodlights to a maximum of 20 lux. Since their operation, regular monitoring before each season has confirmed that the floodlights are operating below the originally predicted lux levels and in fact have reduced over time.

The lighting systems attached to the masts will be identical to those which have previously been granted permission and the same restrictions in terms of the number of days allowed to operate and the hours of operation would be imposed to any permission.

The Lighting Impact Assessment submitted with the application has concluded that a comparison of light intrusion across all windows overlooking the cricket ground will be reduced by an average of 1.2%. About half the windows will have slightly lower illuminance levels whilst the illuminance for the other half will see a slight increase. Apart from the new positions and the different aiming angles the proposed system is identical to the current one and it is not considered that the proposal would result in a significant increase in light spill such that it would have a detrimental impact on surrounding residential amenity subject to conditions restricting the times and frequency of use.

Noise

As part of the application a Noise Impact Report has been submitted in relation to the mechanical plant and public address (PA) system proposed. The City Council's Environmental Sciences Team have assessed this and have no objection to the proposal on noise grounds subject to conditions requiring the submission of a supplementary acoustic report, standard plant noise and vibration restrictions, restriction on the noise from the PA system and from emergency plant and details of the ventilation system proposed. It is recommended that these conditions are attached to any planning permission to protect residential amenity.

Increase in visitors/activity

The introduction of event spaces/restaurants within the new development which are intended to be used year round will increase visitor activity on non-match days. When used as restaurants the spaces will facilitate between 350-400 covers. The anticipated maximum capacity when used for drink receptions is 550. The maximum staffing requirement would be 77 meaning that in the worst case scenario up to 627 additional people would be visiting the venue on non-match days. Lords currently has hospitality venues for events such conferences, weddings, dinners and charity events with a maximum capacity of about 3,500.

Access to the new stands would be via the North Gate on Wellington Place. The north gate entrance is not directly adjacent to any residential properties, located at the corner of Wellington Road and Wellington Place it is also separated from the nearest windows of the Wellington Hospital by the service entrance and car park and car park access ramp serving the hospital. It is not considered that the likely increase in numbers visiting these facilities on non-match days will cause a significant detrimental impact on residential amenity, considering the location of the North Gate entrance, the distance of the venues from residential properties (in the case of the hospitality space within the Compton Stand, approximately 45 metres from the nearest residential property in Cavendish Close and in the case of the hospitality space in the Edrich Stand, approximately 70 metres from the nearest residential property at Lords View) and the limited number of extra visitors subject to a condition restricting the opening hours of the venues to between 08.00 hours and 23.00 hours.

With regard to servicing, the applicant has submitted a Delivery and Servicing Plan which outlines the ground's servicing strategy, the impact the requirements of the new stand will have on this and the mitigation measures proposed to reduce the impact both on the highway and residential amenity. It is proposed that servicing for the new stands will feed into the existing system and that the bulk of deliveries will continue to be made

via the Grace Gate loading area with goods distributed to the new stand using trolleys, pallet trucks and fork lift trucks. Most servicing will take place between 07.00 and 18.00 hours. The Delivery and Servicing Plan states that it is not considered that there will be a significant uplift in deliveries partly because goods for the new facilities will be consolidated with existing deliveries for other areas of the ground rather than generate new trips. Although no specific predictions are made for non-match days it is anticipated that in the worst case scenario an anticipated uplift of approximately 10 light goods vehicles and two heavy goods vehicles in the two weeks prior to a test match and four light goods vehicles on each day of a test match. The applicant states that servicing impacts will be mitigated through an improved delivery booking system and improving management of servicing activity. Subject to the submission of a final version of the Delivery and Servicing Plan outlining these mitigation measures secured by condition it is not considered that the impact of servicing necessary for the development would cause significant harm to surrounding residential amenity.

Considering the increase in capacity of 2,500 represents only a 8.6% increase in the ground's full capacity and that it is anticipated this figure is likely to be reached only 14 times a year it is not considered that the proposal this would result in an unacceptable impact on the amenity of nearby residential properties.

8.4 Transportation

The proposal will result in an increase in additional trips as a result of the increase in the capacity of the new stands and the expansion of hospitality facilities and proposed use all year round.

Car Parking

This proposal does not result in any changes to the existing car parking within the Ground. Transport for London (TfL) and the GLA in their Stage 1 review have stated that the lack of accessible car parking spaces (which the Draft London Plan requires to be 10%) and lack of provision for electric vehicles (the Draft London Plan requires 20% active and the remaining passive provision) is unacceptable. The applicant has offered to convert one existing car parking space at the ground to provide for an accessible parking space. There is no intention to provide electric charging points on site and the applicant has stated that they would provide such infrastructure when and if necessary.

As no changes are proposed to the existing parking arrangement and car parking is not included within the development site there would be no obligation on the applicant to make this provision however they have agreed to a condition requiring the provision of the accessible parking space that they have offered.

Cycle Parking

Transport for London (and the GLA) have stated that the current 38 on street spaces should be supplemented by permanent and temporary on-site provision and contributions towards increased cycle parking in the local area to meet new and existing demand. The 2,500 extra seats alone should result in the provision of 83 short stay parking spaces according to the London Plan. The applicant does not propose to make any contribution to off street visitor cycle parking.

A cycle parking survey contained within the applicants Travel Assessment demonstrates that there is spare cycle parking capacity in the area and that the current provision will adequately accommodate the increase in capacity. Although it is regrettable that the applicant is not intending to make better provision to encourage and facilitate the expected mode shift based on the findings within the Travel Assessment and the limited number of days that the ground will be used to capacity a refusal on these grounds would not be sustainable.

In terms of employer parking TfL have stated that the current provision should also be increased to meet new and increased demand. The applicant has offered to provide 10 additional cycle parking spaces on site for the estimated increase of 77 staff in line with the London Plan standards.

TfL have suggested that the large amount of readily available car parking at the ground may be contributing to the lack of demand for cycling by employees and the City Council's Highways Manager has suggested that some could be converted to cycle parking. As the car parking already exists on site and is not being added to as part of this application it would not be reasonable to insist car parking is reduced to accommodate increased cycle parking.

Servicing

There will be more servicing required because of the extra facilities on non-match days and because of the need to cater for 2,500 extra people on major match days, but it is all to be handled off street and the Highways Planning Manager considers the proposed arrangements acceptable however and has asked that the submitted Servicing and Delivery Plan is secured by condition. TfL have requested that a delivery booking system to address congestion and safety issues and prevent deliveries queuing on St Johns Wood Road should be introduced prior to the occupation of the building and that a final version of the Delivery and Servicing Plan should be secured by condition.

Public Transport Impact

Underground

The submitted Transport Assessment has indicated that 72% of total trips to the Ground on match days arrive via St Johns Wood Station. TfL and the GLA Stage 1 response have both have concerns that that the proposed travel demand management by the applicant may not be effective and that this could lead to station closures and safety issues for the general public and spectators. They have stated that these impacts need to be further explored and financial contributions made for any physical changes and or additional staffing that is necessary to support the development.

The applicant has stated that the additional network PM peak hour departure trips for a weekday international match, as a result of the development, will result in approximately 184 additional Underground trips (shared across all stations including Baker Street and Warwick Avenue) which would not significantly increase the demands on the Underground network. The applicant undertakes to continue to promote the existing

demand management scheme working closely with TfL and undertakes to continue to promote these measures and discuss enhancement through an External Crowd Management Plan which could be secured by condition. It is considered that securing such a plan through a condition to be approved in consultation with the City Council and TfL would adequately address these concerns.

Buses

TfL do not considered the development will have an adverse effect on existing bus services.

Taxis

The submitted Transport Assessment suggests as many as 6.4% of visitors on a weekday T20 game and 12.2% on a Saturday International game travel by taxis and PHV's (private hire vehicles) to the site. TfL have noted that this is a higher mode share than it would expect and that it has not been demonstrated how the additional demand can be accommodated. They also highlight ongoing issues with emergency vehicles parking in the taxi rank and PHV waiting on nearby streets and suggest that an additional taxi rank and formalised drop off/pick up points for PHV's is required.

However the City Council's Highways Manager has pointed out that it should be considered how many times a year the stadium is likely to be at full capacity and if it is a good use of kerbside space when it would not be used for 90% of the time, therefore it is not considered that TfL's request for an additional taxi rank is necessary in this instance. The applicant has undertaken to discuss measures to manage and mitigate such impacts with WCC and TfL as part of the consultation on an External Management Plan to be secured by condition. This is considered an appropriate approach.

Walking

The Transport Assessment indicates that two locations on Wellington Road and on St Johns Wood Road will experience uncomfortable pedestrian conditions at the beginning of matches which reach full spectator capacity. TfL have requested that to mitigate these impacts appropriate crowd management should be secured in an Event Management Plan together with permanent mitigation to deliver pedestrian comfort and safety.

The applicant does not considered that the increased numbers generated by the development should trigger the need to fund physical improvements to the public realm but has indicated their willingness to engage with WCC/TfL on developing its External Crowd Management Plan to improve peak demand conditions around the ground on match days. Due to the limited number of days that full or near to full capacity will be reached and the small amount of time on these days where these conditions will occur is not considered reasonable to require the applicant to fund permanent physical changes to the public realm. It is however necessary to agree an effective plan to manage match day crowds to ensure that the impact is mitigated and therefore this should form part of an External Management Plan to be secured by condition and agreed in consultation with TfL.

Construction Management

TfL have requested that a Construction and Logistics Plan should be secured by condition and agreed in consultation with TfL. This has been accepted by the applicant.

8.5 Economic Considerations

The applicant has indicated that an Ashes test match at Lords Cricket Ground contributed nearly £9 million to the Westminster economy, while international fixtures contribute circa £16 million. In addition to this, the MCC invests around £2 million into the game of cricket each year, funding elite youth cricket and teaching in more than 4,000 schools. It is acknowledged that the Cricket Ground generates economic benefits for the Westminster and London economy and the increase of capacity and improvement of facilities some of which will be used outside of match days is likely to result in those economic benefits increasing.

The City Council's Employer Engagement Manager has asked for the applicant to produce an Employment and Skills plan and consider a financial contribution to an employment fund as part of a S106 agreement. The applicant has pointed out that the MCC currently undertake a significant amount of local community engagement work including work experience, apprenticeships and careers support for young people and engagement with local schools, elderly groups and people living with dementia. It has however agreed to formalise these commitments as part of a S106 agreement offering local employment opportunities during construction and operation of the new stands.

8.6 Access

Disabled access within the new stands

There is no access or seating for mobility impaired visitors within the existing Compton and Edrich Stands. The proposed stands will provide 345 seats for disabled spectators and has incorporated the principles of inclusive design. Wheelchair user spaces will make up 1% of the seating capacity of the stands and amenity seats at 2% of the seats. an accessible WC and changing facilities would be located at ground floor and lifts will be placed at each stair cores to ensure that mobility impaired spectators have access to all areas of the stands. This will be a significant improvement on the stands that they replace and are welcomed.

Impact of new capacity on arrivals and egress and safety

The provision of supporting facilities within the new stand will reduce the need for pedestrian movement between stands during events which will help reduce overcrowding and the proposals will help alleviate pinch points and create a more logical, covered circulation route at the Nursery Ground end of the Ground.

In terms of access and egress from the site the applicant has indicated that the routes within the grounds and entry/exit points will continue to operate as existing with additional signage and steward positioning being provided during egress at shorter (T20)

events. The proposal includes redefining the Nursery pitch boundary and improving circulation to the North Gate

The access arrangements are considered a reasonable approach considering the modest increase in capacity and the limited occasions that the extra capacity facilitated by the new stands is likely to be used (full capacity in the current ground is currently reached on 14 days a year). The GLA has requested that details relating to crowd management and emergency/fire evacuation should be secured in line with draft London Plan Policies D1, D3 and D11.

8.7 Other UDP/Westminster Policy Considerations

Sustainability

The applicant's Sustainability Statement has stated that a BREEAM 2014 New Construction assessment will be undertaken to cover the development and that a preliminary assessment shows the development will target a Very Good rating. Westminster's City Plan and the London Plan have no fixed BREEAM requirement for new construction developments. Westminster's City Plan aspires to high levels of Sustainable design for new developments. It is considered that achieving a Very Good BREEAM rating would be acceptable particular considering the unique circumstances of the site and the building.

Policy 5.2 of the London Plan refers to minimising carbon dioxide emissions and states that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

1. Be Lean-Use less energy.
2. Be Clean-Supply energy efficiently.
3. Be Green-Use renewable energy.

Policy 5.2 also states that where specific targets cannot be fully achieved on-site, any shortfall may be provided off-site or through a cash in lieu contribution to secure delivery of carbon dioxide savings elsewhere.

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

Policy S39 of the City Plan states that major development should be designed to link to and extend existing heat and energy networks in the vicinity, except where the City Council considers that it is not practical or viable to do so.

Policy S40 requires all major development to maximise on-site renewable energy generation to achieve at least a 20% reduction in carbon dioxide emissions, and where feasible, towards zero carbon emissions, except where the Council considered it not appropriate or practical due to site-specific considerations.

CO2 Emissions

An Energy Statement has been submitted with the application. This has predicted that after adopting the "Lean, Clean Green" approach outlined in the London Plan the

proposal will deliver a reduction in CO2 emissions of 17.8% after applying a range of fabric and system efficiencies and adopting low carbon energy sources in the form of a ground source heat pump. This is less than the GLA and Westminster target of 35%.

The GLA has stated that the applicant should further investigate increasing energy efficiency through improvements to the building fabric, details of future proofing the development to enable connection to a district heating network, consider the integration of PV's to the roof.

Although the applicant has stated a commitment to future proof the development for connection to a district heating network, they have asked that in the absence of any nearby infrastructure and viable connection and the careful technical and financial consideration required to provide the details requested by the GLA they have asked that this request is set aside.

The applicant does not consider that the new stands provide any viable surface to locate effective PV arrays because of the curvature of the surface and its orientation.

As the applicant does not consider any alternative measures are technically or economically feasible given the specific characteristics of the development and therefore has offered an offset payment to make up the shortfall.

As the proposed development would achieve a 17.8% reduction in CO2 emissions compared to the GLA and Westminster City Council target of 35% the cumulative shortfall (over a 30 year period as detailed in the Draft New London Plan Policy S12), of 276 tonnes of carbon dioxide would need to be mitigated through a carbon offset payment of £26,220. It is recommended that this is secured via a legal agreement.

Air Quality

All major developments must demonstrate that they would be air quality neutral. An Air Quality Assessment has been submitted with the application which states that as there will be no additional car parking, any additional trips would be dispersed widely across the transport network, and that any utilisation of the increased capacity will be restricted to 14 match days each year, and therefore any additional vehicle trips would be minimal and therefore likely that the development would be air quality neutral.

For building emissions, the applicant has stated that they are proposing zero-emission ground source heat pumps, and replacing an older boiler with an ultra-low NOx boiler of the same capacity, and have concluded that there will likely be a reduction in total NOx emissions and therefore the development would be air quality neutral.

Whilst there is a methodology for calculating air quality neutral benchmarks, and comparing development emissions with benchmarked emissions, the information required for these calculations was not available. The City Council's Environmental Sciences has stated that this is acceptable subject to the approach being agreed with the GLA. The GLA has confirmed that they are satisfied with this approach.

Trees

Eleven mature London plane trees and one mature horse chestnut tree are proposed to be removed to facilitate the development. The majority of the trees are protected by virtue of a tree preservation order, the remainder are protected by virtue of being within St John's Wood Conservation Area. The applicant has proposed replacement planting including five *Celtis australis* trees planted in the ground and four multi stemmed *Celtis australis* trees planted outside the site boundary planted in pots. A green wall consisting of climbers on cables supports is also proposed to the elevation of the new stand on the boundary with Cavendish Close.

The City Council's Arboricultural Manager has objected to the proposal on the grounds of the loss of these trees and inadequate tree planting and landscaping. The Arboricultural Manager has stated that proposed replacement trees do not have a good form, and will not reach a stature equivalent to the London planes, so would never replace the amenity that the existing trees provided. The trees which are proposed in pots would be short lived, and shrubby in habit, and would not make any meaningful landscape contribution. The size the proposed stands are such that large growing trees are necessary to offset the scale of the development. London plane trees are typical of the area and are tolerant of the likely difficult growing environment and would be a superior choice. There is also concerns regarding the value of the proposed climbers on the Cavendish Close elevation of the stand which are likely to be difficult to establish, given the north facing aspect and limited soil volume. No details of how these would be irrigated or maintained are provided and given that Cavendish Close is private and gated, it appears that maintenance would be difficult. The Arboricultural Manager has suggested that if permission is recommended, hard and soft landscaping should be reserved by condition (notwithstanding the proposed tree species and locations), and that a section 106 contribution to tree planting offsite is sought for no less than £50000.

The applicant has responded to the Arboricultural Manager comments by stating that as part of the Lord's masterplan, additional tree planting is proposed adjacent to the south eastern edge of the Nursery Pitch. Although it is acknowledged that these trees do not form part of this planning submission, they are a key aspect of the Lord's masterplan which MCC have a proven track record of delivering. The applicant has requested that the application be considered in the context of the Lord's masterplan and that the additional tree provision within the wider site, which will come forward in the future phases of the scheme, provide suitable mitigation for the short-term loss of trees within the site. The total number of trees will exceed the current provision in a manner that will allow the development and growth of the ground whilst providing an inviting environment for visitors and neighbours.

It is most regrettable that 12 mature trees are to be lost, the proposed replacement planting would not replace them in terms of amenity value. The applicant has declined to make a financial contribution to enable replacement provision outside of the site. However it is acknowledged that as part of the masterplan for the ground future planting is planned and that the proposal as a whole will involve substantial other public benefits and for that reason on balance it is not considered that the proposal should be refused because of the loss of the trees.

Sustainable Urban Drainage

The proposal will result in an increase of impermeable surfacing by paving some of the Nursery Ground outfield behind the stand which generates potential to increase surface water run-off if no mitigation is provided. A Sustainable Urban Drainage Plan has been submitted with the application. Because of the heavily constrained site the plan concludes that the most appropriate means of controlling surface water is through the use of below ground attenuation tanks. The plan states that sufficient attenuation and flow control devices will be provided to result in an 80% reduction in peak storm water flow for the 1 in 100 year event (taking into account climate change) when compared with the existing site. This is reduced to a 68% reduction once foul water flows (which will increase as a result of the increased sanitary facilities proposed in the new stand) are taken into account.

The applicant has stated that the site constraints and existing drainage arrangements would make it impossible to achieve runoff rates not exceeding the greenfield rate. It is noted that the London Plan requires developments to utilise sustainable urban drainage systems unless there are practical reasons for not doing so. It is recognised that there are significant constraints on the site which have been detailed in the applicants submitted Sustainable Urban Drainage Plan. The sites only viable discharge option discharges into an existing combined sewer which is the Under these circumstances, in this particular case a 80% reduction in surface water peak flows (68% once foul water flows are taken into account) is a significant improvement and is considered acceptable in this particular case.

The GLA has stated that the proposal does not comply with London Plan Policy 5.13 and draft London Plan Policy SI.13 as it does not give appropriate regard to the drainage hierarchy and greenfield run off rate. They have requested further details of how Suds measures at the top of the hierarchy will be included within the development and how further reduction in the runoff rate will be achieved.

It is therefore recommended that an updated Sustainable Urban Drainage Plan is submitted for approval in consultation with the GLA which addresses these concerns.

Ecology

An Ecological Appraisal has been submitted with the application. This report sets out a number of recommendations which would contribute to the enhancement of the biodiversity value of the proposed development site. A survey of the buildings to be demolished and trees to be removed showed some potential roosting features for bats. A desk top study showed records for a number of protected/priority birds within a 1km radius of the site. It is recommended that a condition is attached to any permission requiring that prior to the removal or pruning of trees proposed as part of the development, they are inspected by a tree climbing arborist in the presence of a licensed bat worker for the presence of bat roosts.

The Ecological Appraisal recommendations include the installation of at least two bat boxes on retained trees on site and the planting of native shrub or climbing species with a known benefit to nocturnal invertebrates.

Comments have been received from the Swift Conservation organisation who have requested that measures are for swifts are provided as part of the development, particularly nesting boxes. The applicant has agreed to providing these. It is recommended that the measures suggested in the ecological appraisal and additional measures for swifts and other endangered urban bird species are provided as part of the development to enhance biodiversity.

8.8 Westminster City Plan

The City Council is currently working on a complete review of its City Plan. Informal consultation on the first draft of Westminster's City Plan 2019-2040 started on Monday 12 November 2018 and will close on Friday 21 December 2018. Following this informal consultation, any representations received will be considered and the draft plan will be revised in advance of formal consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012. Given the very early stage of the consultation process and having regard to the tests set out in para. 48 of the NPPF, the policies of the emerging draft City Plan are given little to no weight at the present time.

8.9 Neighbourhood Plans

There is no Neighbourhood Plan in place for the area the application site is within.

8.10 London Plan

The application is referable to the Mayor of London as the relocated floodlights are over 30 m in height. The GLA's stage 1 response (which is set out in the background papers and summarised in the Consultations section of this report) supports the proposal in land use terms but has asked for clarification on a number of issues including transportation, drainage and energy. It states that the application does not comply with the London Plan but suggests possible remedies which could address these deficiencies with regard to urban design, climate change and transport. The GLA's stage 1 response has stated that following should be secured by condition of S106 agreement: appropriate Crowd Control/Event Management Plan; levels of illuminance and hours of operation of floodlights and Carbon offset contribution. It states that S106 or a S278 agreement may be required for cycle parking within the surrounding area.

If the Council resolves to make a draft decision, the Mayor needs to be consulted again under Article 5 and to allow him 14 days to decide to allow the draft decision to proceed unchanged or to direct the Council to refuse the application or to issue a direction for the GLA to determine the application.

8.11 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.

Further to the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the City Council cannot impose a pre-commencement condition (a condition which must be discharged before works can start on site) on a planning permission without the

written agreement of the applicant, unless the applicant fails to provide a substantive response within a 10 day period following notification of the proposed condition, the reason for the condition and justification for the condition by the City Council.

During the course of this application a notice was served relating to the proposed imposition of a pre-commencement condition to secure the applicant's adherence to the City Council's Code of Construction Practice during the demolition/excavation and construction phases of the development, the approval of tree protection measures, approval of a Contaminated Land investigation, approval of a construction management plan/logistics plan and approval of a Sustainable Urban Drainage Plan.

The applicant has agreed to the imposition of these conditions.

8.12 Planning Obligations

The draft 'Heads' of agreement are proposed to cover the following issues:

- a) A carbon offset payment of up to £26,220 (index linked and payable on commencement of development).
- b) Mayors CIL payment of £11,570.
- c) Offering local employment opportunities during construction and operation of the new stands and
- d) Section 106 monitoring costs.

The applicant has offered in their Heads of Terms adherence to the Code of Construction Practice, however this can be reserved by condition by Sub Committee.

8.13 Environmental Impact Assessment

This scheme is not considered to require an Environmental Impact Assessment, and this was confirmed by the City Council in a screening opinion dated 13 August 2018 (18/06343/EIASCR).

8.14 Other Issues

Statement of Community Involvement

The applicant in their Statement of Community Involvement sets out that from May 2018 to September 2018 there has been an extensive programme of both targeted and open consultation held with stakeholders and the local community. Exhibitions were held on 24 and 27 May during a Test Match and Public exhibitions took place 13 June 2018, 9 to 13 August 2018 and 5 September. Meetings took place with the St Johns Wood Society, the Lords Community Group and the Chairman of Elm Tree Road Residents Association and a drop in session for residents of Cavendish Close and the St Johns Wood Society was also organised. In addition meetings took place with ward Councillors in September 2018.

A meeting between the applicant and Councillor Mohindra on 28th September 2018. A note of that meeting is included within the background papers accompanying this report.

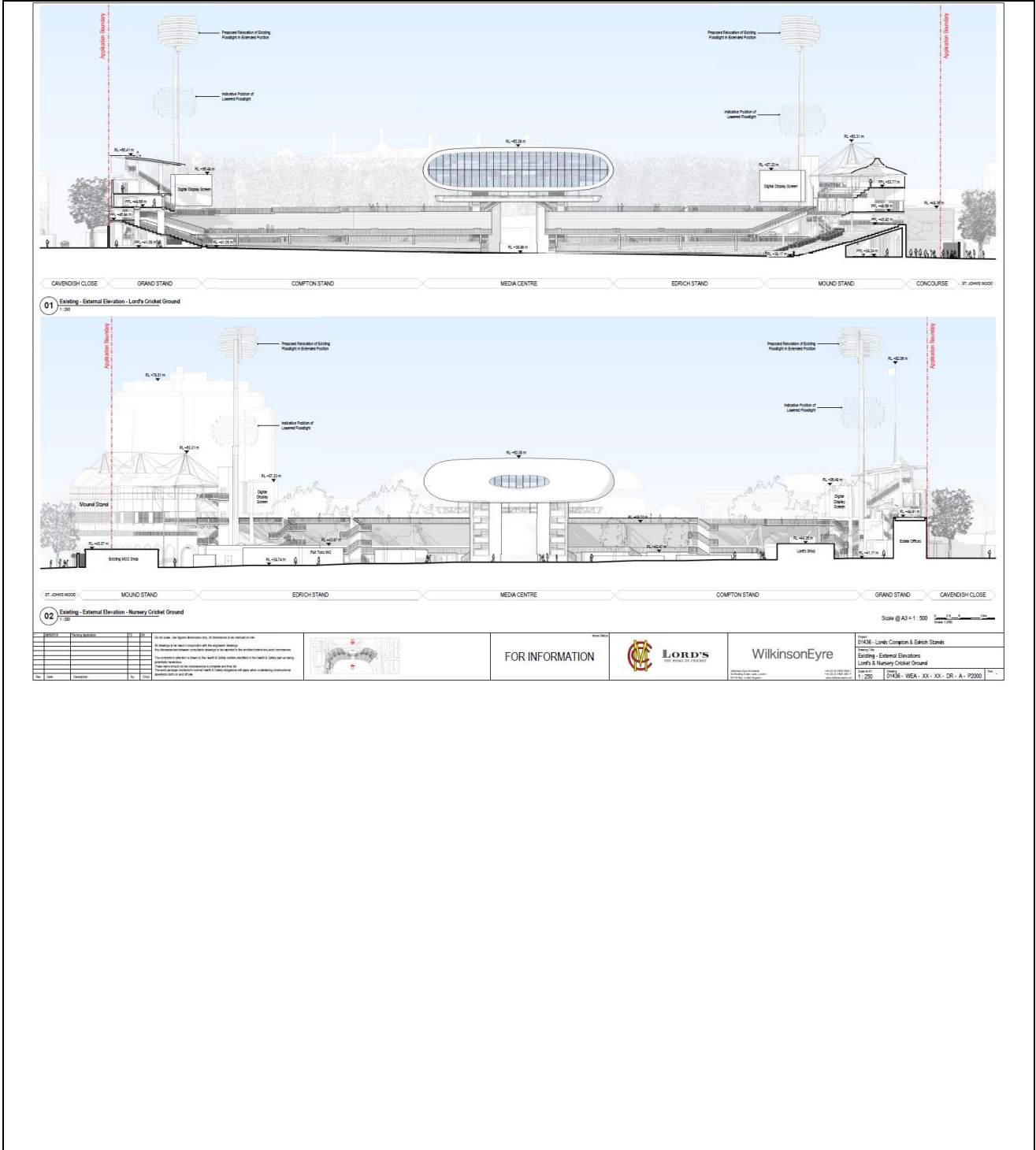
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: RICHARD LANGSTON BY EMAIL AT rlangston@westminster.gov.uk
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9. KEY DRAWINGS







NO.	DATE	DESCRIPTION	BY

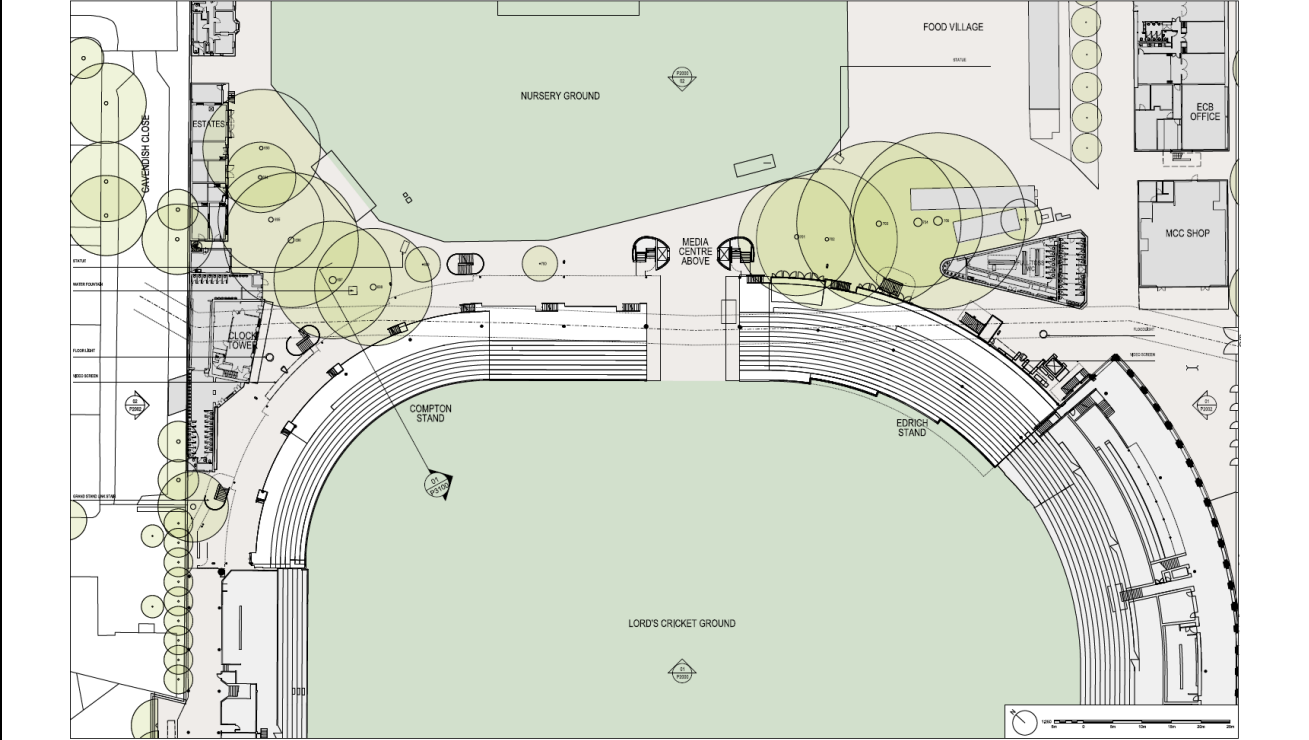
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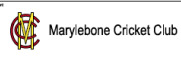


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 Drawing Title: Lord's & Nursery Cricket Ground
 Drawing No: 1:250
 Date: 01/06/16
 Scale: 1:250
 Project No: 01436 - WEA - XX - XX - CR - A - P2000



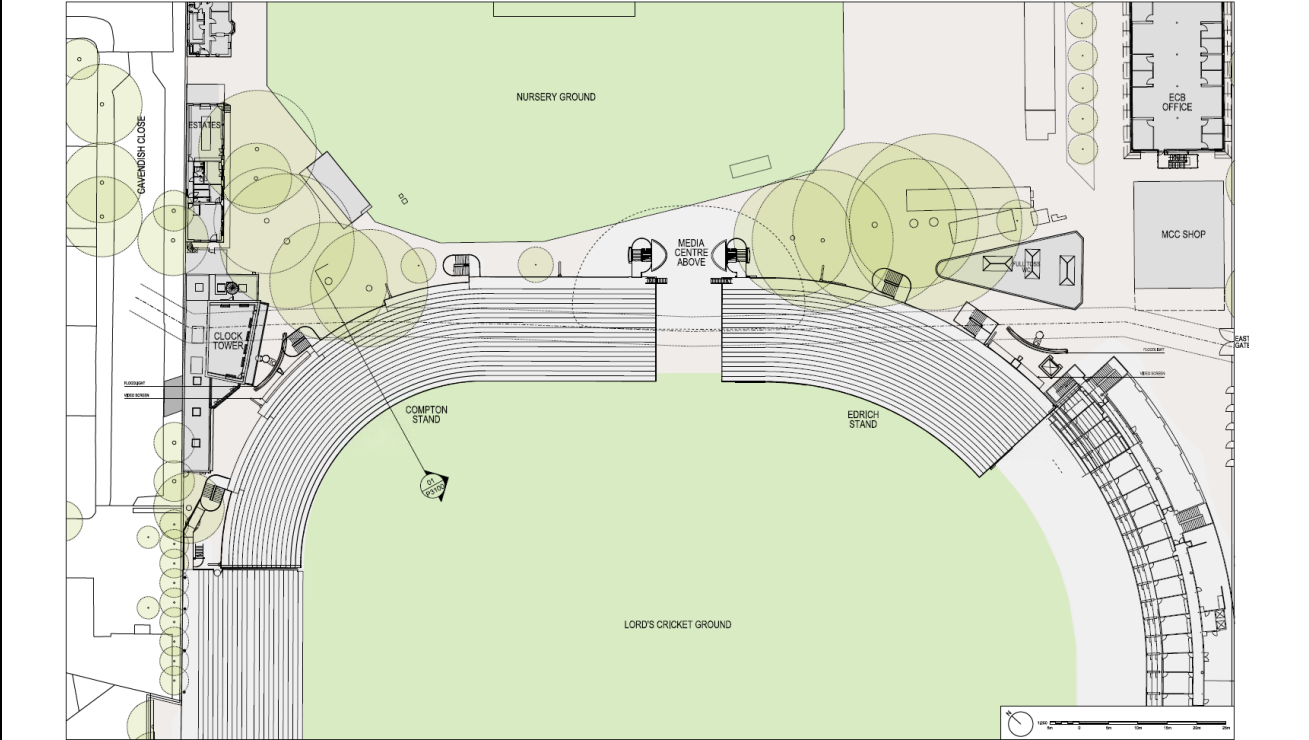
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6	15/05/2018	Issue for Planning
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PLANNING



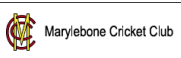
WilkinsonEyre

01438 - LORD'S COMPTON & EDRICH STANDS
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 Date: 15/05/2018
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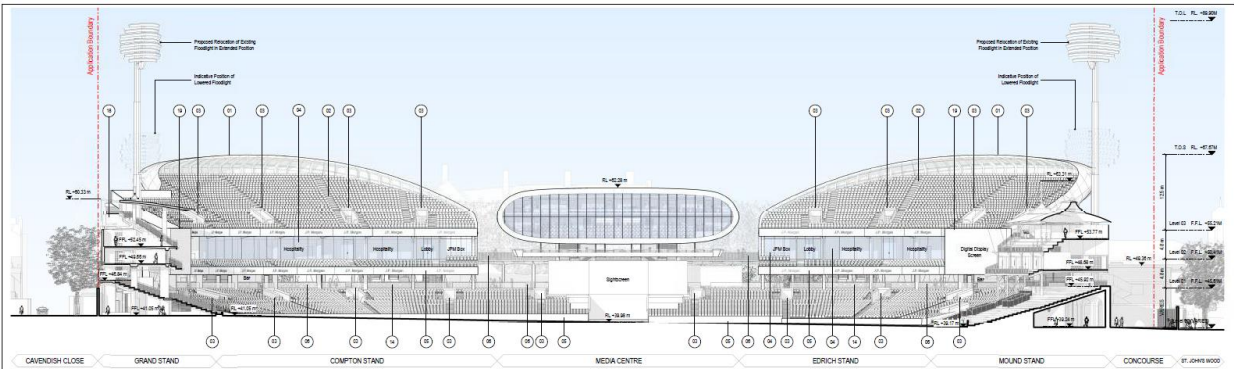
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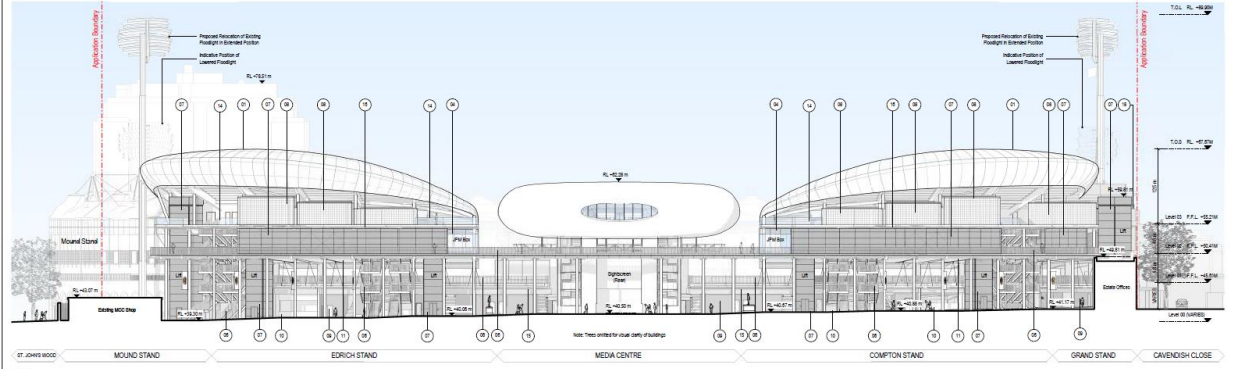


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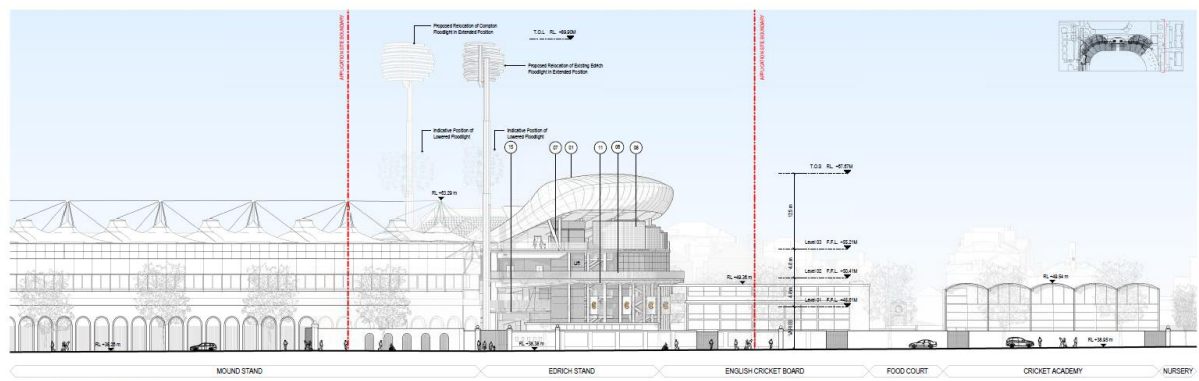


01 Proposed - External Elevation - Lord's Cricket Ground

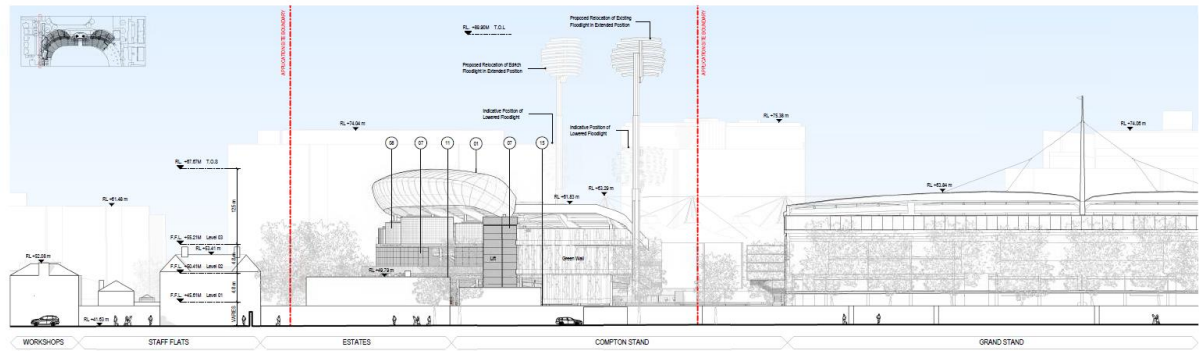


02 Proposed - External Elevation - Nursery Cricket Ground

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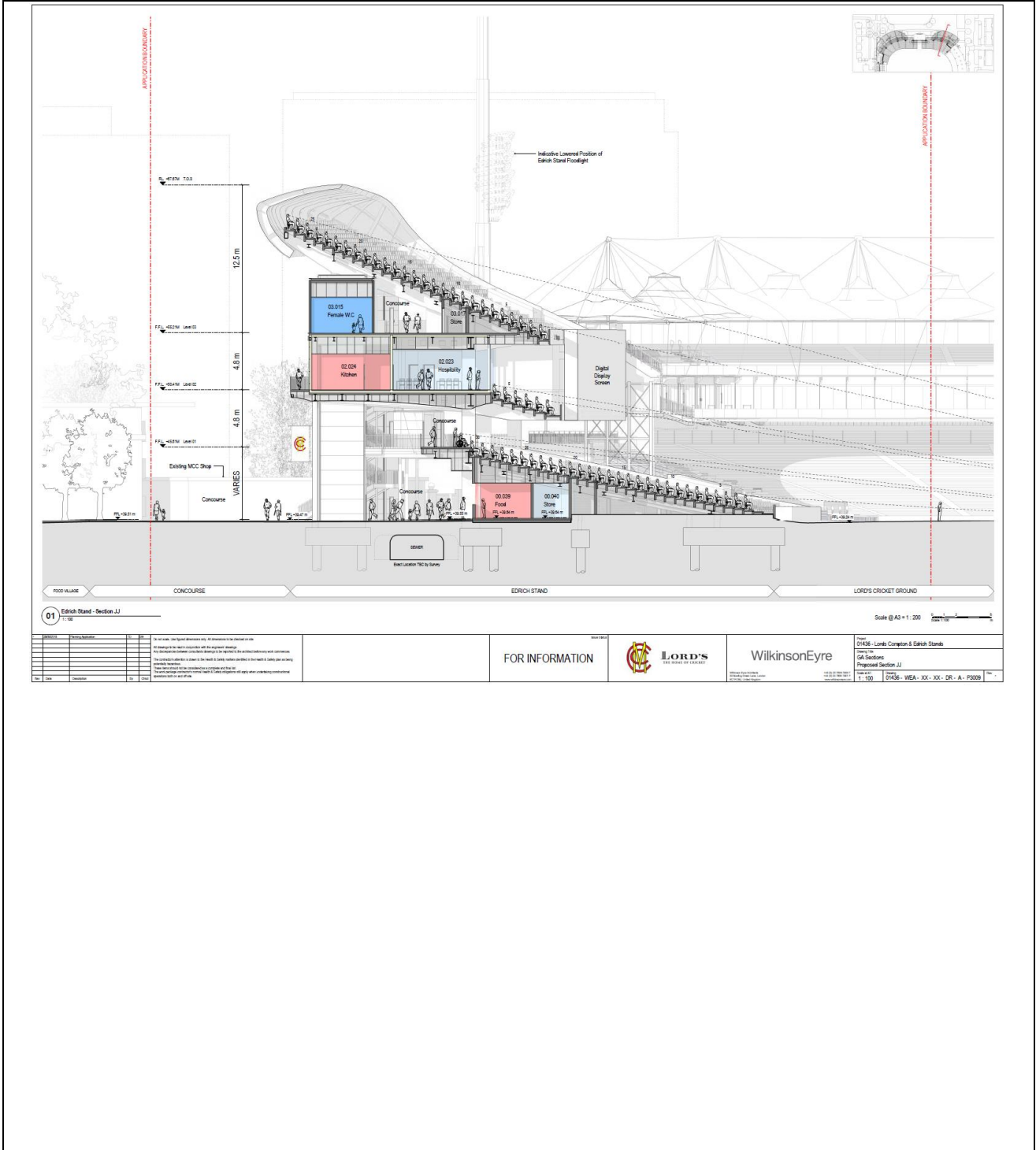


01 Proposed - St. John's Wood Road Elevation
1:250



02 Proposed - Carvedish Close Elevation
1:250

<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>No.</th> <th>Date</th> <th>Revised By</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		No.	Date	Revised By	Description					<p>NOTES</p> <ol style="list-style-type: none"> 1. All work shall be carried out in accordance with all applicable codes of practice. 2. All work shall be carried out in accordance with the approved drawings. 3. The Contractor shall be responsible for the safety of all workers and the public. 4. The Contractor shall be responsible for the safety of all workers and the public. 5. The Contractor shall be responsible for the safety of all workers and the public. 6. The Contractor shall be responsible for the safety of all workers and the public. 7. The Contractor shall be responsible for the safety of all workers and the public. 8. The Contractor shall be responsible for the safety of all workers and the public. 9. The Contractor shall be responsible for the safety of all workers and the public. 10. The Contractor shall be responsible for the safety of all workers and the public. 	<p>FOR INFORMATION</p>	<p>LORD'S THE TOWER OF LONDON</p>	<p>WilkinsonEyre</p>	<p>Project: 01436 - Lords' Complex & Edrich Stands Discipline: External Elevations Drawing: St. John's Wood Road & Carvedish Close Scale: 1:250 Drawing No: 01436 - WEA - XX - XX - CR - A - P2000</p>
No.	Date	Revised By	Description											



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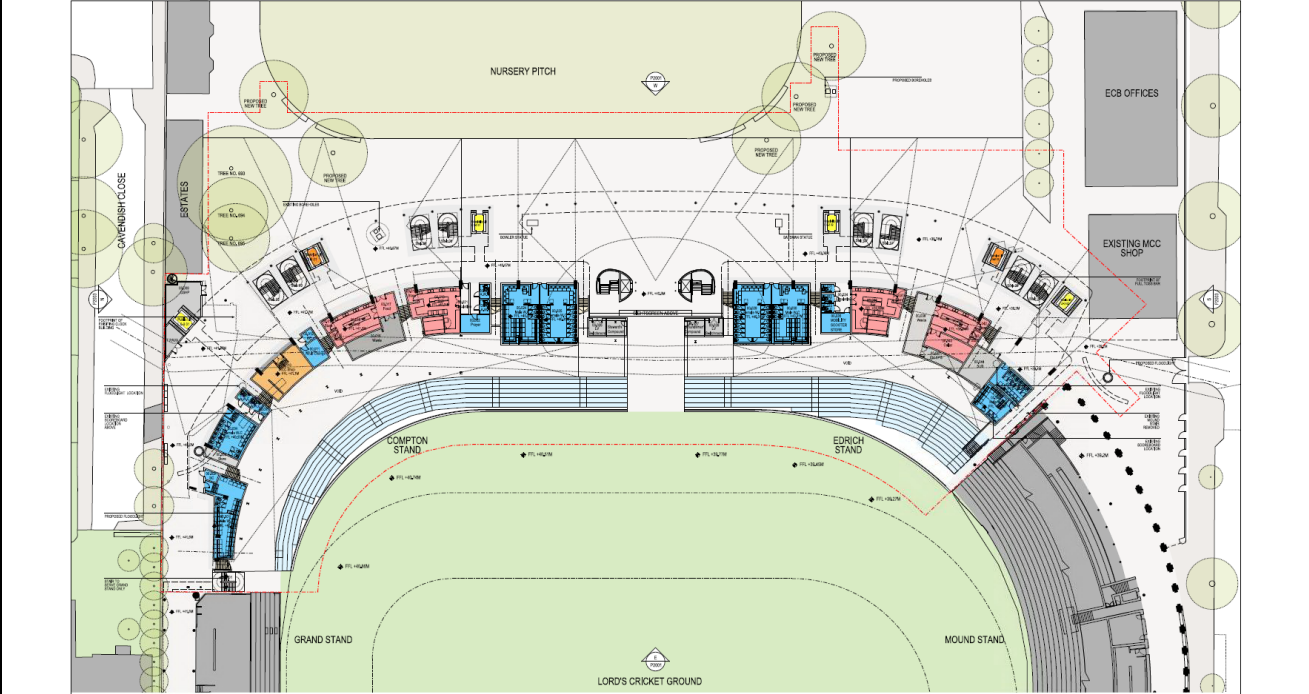
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NO.	DESCRIPTION	DATE

FOR INFORMATION



Project	D1436 - Lord's Complex & Edrich Stands
Discipline	GA Sections
Proposed Section	Proposed Section JJ
Scale	1:100
Revision	D1436 - WEA - XX - XX - DR - A - P3036



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CHECKED BY: [Name]
PROJECT: [Name]

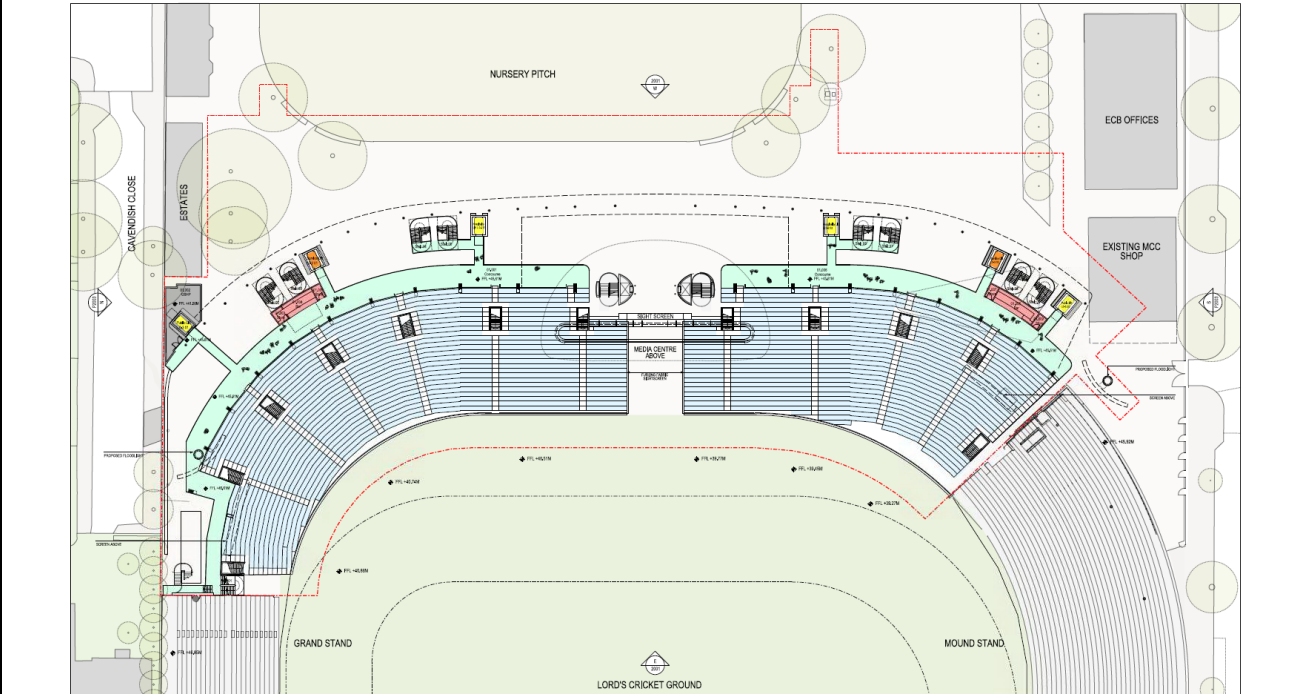
C&E Development Site

PLANNING

Marylebone Cricket Club

WilkinsonEyre

01406 - LORD'S COMPTON & EDRICH STANDS
GA Plans
Proposed Ground Floor Plan
1:500 01406 - M&A - XX - DR - A - P1001



01 First Floor Plan
SCALE: 1:500

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PROJECT: [Name]

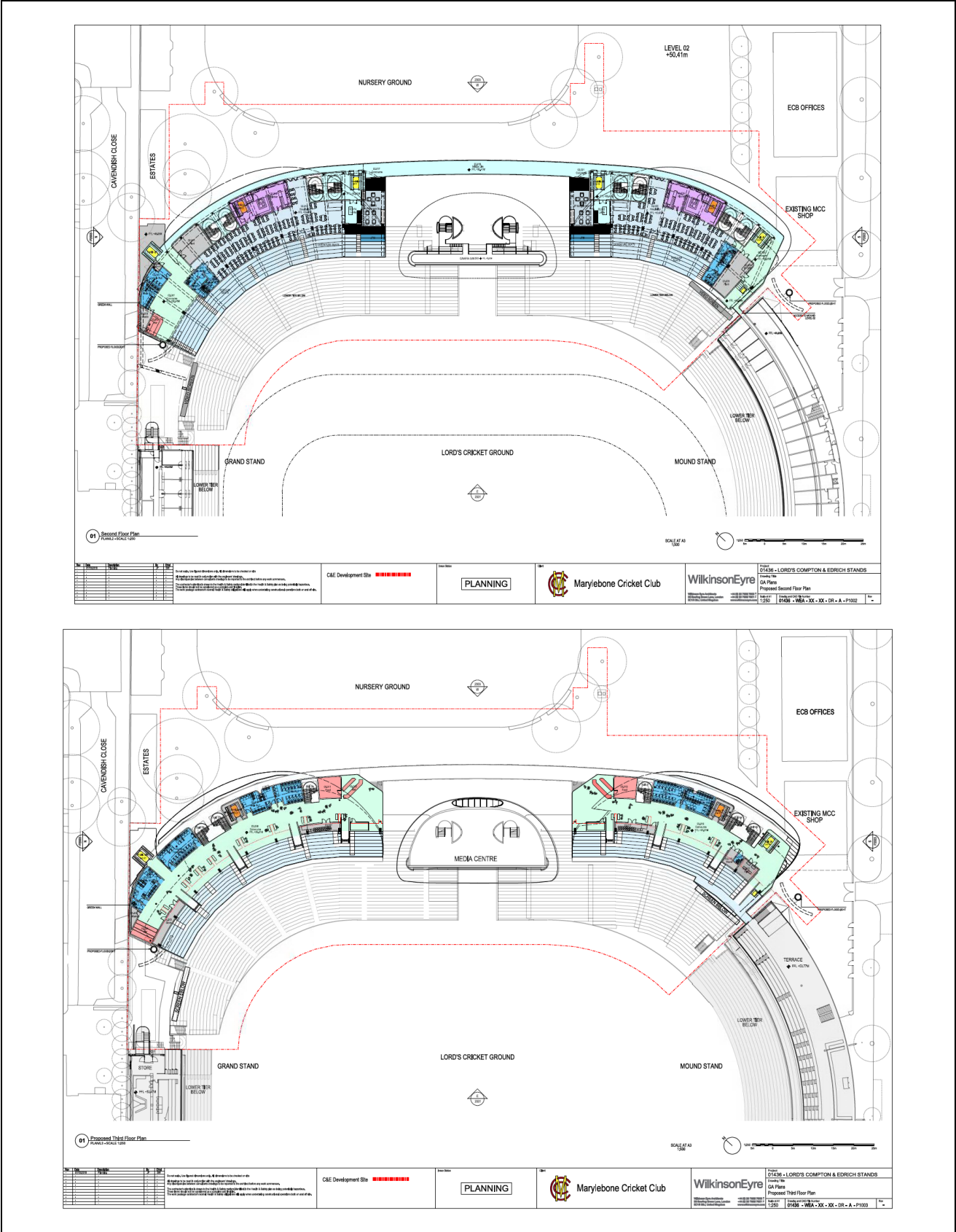
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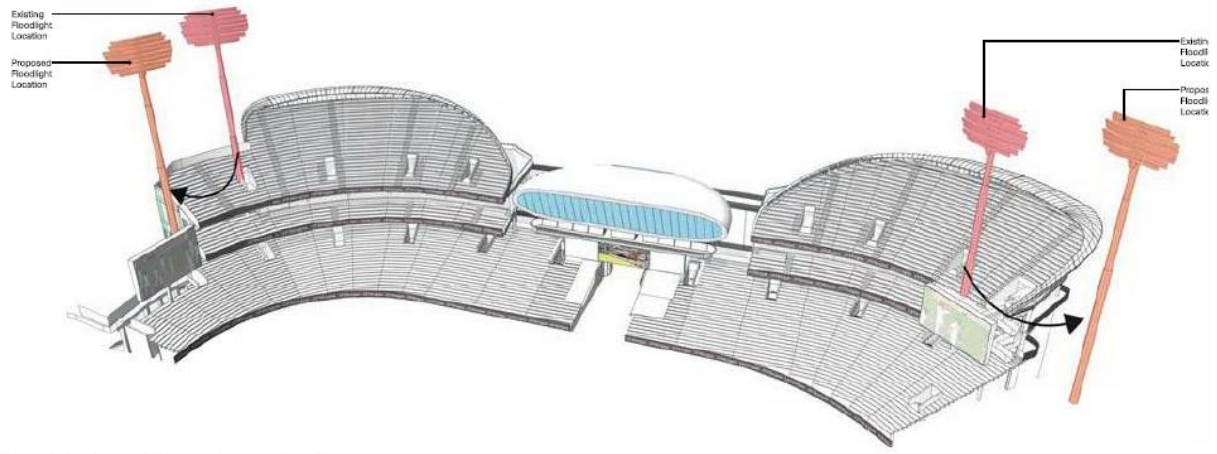
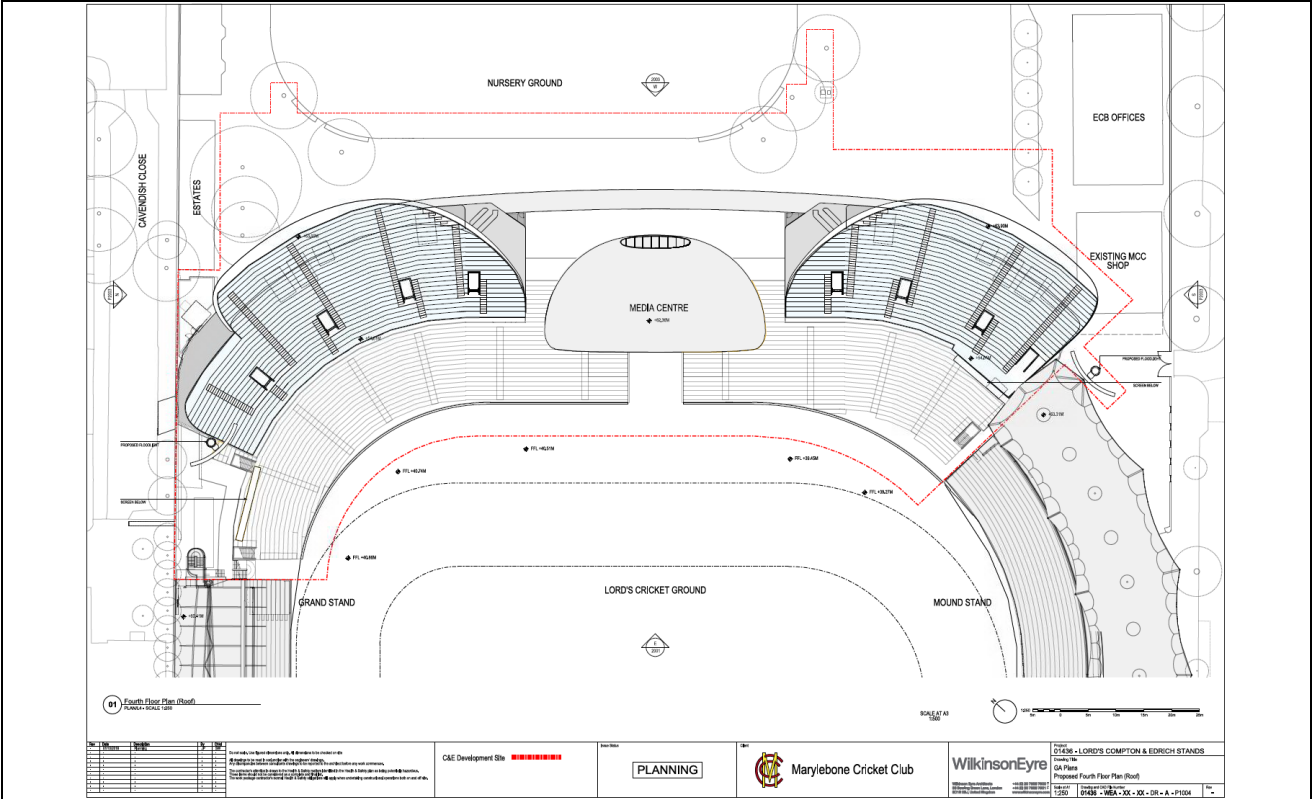
PLANNING

Marylebone Cricket Club

WilkinsonEyre

01406 - LORD'S COMPTON & EDRICH STANDS
GA Plans
Proposed First Floor Plan
1:500 01406 - M&A - XX - DR - A - P1001





New Positions for the Existing Floodlights

DRAFT DECISION LETTER

- Address:** Lords Cricket Ground, Ground Floor , St John's Wood Road, London, NW8 8QN
- Proposal:** Demolition of the existing Compton & Edrich stands and redevelopment comprising the erection of a new stand to provide up to 11,500 seats, relocation of the existing floodlights, provision of new hospitality facilities, retail and food and beverage floorspace, hard and soft landscaping, servicing facilities, and all necessary ancillary and enabling works, plant and equipment.
- Plan Nos:** 01436-WEA-XX-XX-DR-A-P0001; 01436-WEA-XX-XX-DR-A-P0002; 01436-WEA-XX-XX-DR-A-P0003; 01436-WEA-XX-XX-DR-A-P1000RevA; 01436-WEA-XX-XX-DR-A-P1001; 01436-WEA-XX-XX-DR-A-P1002RevA; 01436-WEA-XX-XX-DR-A-P003RevA; 0101436-WEA-XX-XX-DR-A-P004; 436-WEA-XX-XX-DR-A-P1100; 01436-WEA-XX-XX-DR-A-P; 01436-WEA-XX-XX-DR-A-P1101; 01436-WEA-XX-XX-DR-A-P1200; 01436-WEA-XX-XX-DR-A-P1201; 01436-WEA-XX-XX-DR-A-P2000; 01436-WEA-XX-XX-DR-A-P2001; 01436-WEA-XX-XX-DR-A-P2002; 01436-WEA-XX-XX-DR-A-P2003; 01436-WEA-XX-XX-DR-A-P2200; 01436-WEA-XX-XX-DR-A-P3000; 01436-WEA-XX-XX-DR-A-P3001; 01436-WEA-XX-XX-DR-A-P3004; 01436-WEA-XX-XX-DR-A-P3005; 01436-WEA-XX-XX-DR-A-P3006; 01436-WEA-XX-XX-DR-A-P3009; 01436-WEA-XX-XX-DR-A-P3020; 01436-WEA-XX-XX-DR-A-P3021; 01436-WEA-XX-XX-DR-A-P3022; 01436-WEA-XX-XX-DR-A-P3023; 01436-WEA-XX-XX-DR-A-P3024; 01436-WEA-XX-XX-DR-A-P3100; 01436-WEA-XX-XX-DR-A-P3200; Site Waste Management Plan; Arboricultural Impact Assessment; Community Involvement Statement; Daylight Sunlight and Overshadowing Report; Delivery and Servicing Plan; Design and Access Statement; Ecological Appraisal; Energy Statement; Land Contamination Study; Landscape Statement; Noise Impact Report; Operational Waste Management Strategy; Planning Statement; Sustainable Urban Drainage Plan; Sustainability Statement; Townscape Visual Impact Assessment; Transport Assessment; Travel Plan; Heritage Assessment; Air Quality Assessment; Lighting Impact Assessment dated December 2018;

Case Officer: Richard Langston

Direct Tel. No. 020 7641 7923

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 residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 A detailed Operational Management Plan for the event/restaurant spaces within the second floor of the stand shall be submitted to and approved by the City Council as local planning authority 3 months prior to their use.

The Operational Management Plan shall include the hours of use, measures to mitigate noise disturbance to local residents both on match days and non-match days. The use shall be carried out in accordance with the approved plan.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and TACE 10 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

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

- 1) methodology for dismantling and storing the clock and associated brickwork to the buildings gable;
- 2) Proposed location and methodology for repair and restoration of the clock and brickwork elsewhere in the Ground;
- 3) Proposed heritage interpretation (eg. information plaque) of the retained elements;

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

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

Reason:

To ensure that these features are safely dismantled, stored and reinstated elsewhere in the ground as a reminder of the Grounds historic past.

- 5 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 work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved materials. (C26BD)

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 (November 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 samples of the ground surface materials, including planters, benches, railings, bollards etc with plans annotated to show where the materials are to be located. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved materials. (C26BD)

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 (November 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 detailed drawings and details of installation, irrigation, species and proposed maintenance of the proposed green wall at the boundary of the site adjacent to Cavendish Close, prior to the installation of the green wall.

The green wall as approved shall be provided within one planting season of the final completion of the new stand and shall not be removed unless agreed in writing by the City Council.

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 (November 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 No demolition of the Clock Tower or Full Toss Bar building shall take place until a written scheme of historic building investigation (Wintertree Software Inc.) has been submitted to and approved by the local planning authority in writing. For buildings that are included within the Wintertree Software Inc., no demolition or development shall take place other than in accordance with the agreed Wintertree Software Inc., which shall include the statement of significance and research objectives and

- A. The programme and methodology of site investigation and recording and the nomination of a competent person (s) or organisation to undertake the agreed works.
- B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the Wintertree Software Inc.

Reason:

To ensure that the Historic Environmental Record (HER) is kept up to date.

- 9 The permission for the use of the floodlights being relocated shall be limited until 22 January 2010. On or before the expiry date of this permission, the floodlights and masts shall be removed from the ground.

Reason:

The City Council has granted planning permission for a further temporary permission in order to assess the impact upon the amenities of surrounding residents and this part of the St John's Wood Conservation Area as set out in S11, S25, S26, S28, S29, S32, S38 in our City Plan that we adopted in November 2016 and DES 1, DES 3, DES 9, DES 10, ENV6, ENV7, ENV10, ENV16 of our Unitary Development Plan that we adopted in January 2007.

- 10 The retractable floodlights hereby approved shall only be used in accordance with the following:-
- a) for the illumination of Lord's Ground for the playing of cricket (and not for any other purpose)
 - b) for a maximum of 14 Days
 - c) for a maximum 15 Evenings and 2 Evening practice matches
 - d) for all competitive County matches finishing before 19.30 hours throughout a period commencing on 1 April and expiring on (but including) 30 September in any year and not at all outside this period.
 - e) Where the floodlights are used during an Evening, the operating capacity of the floodlights shall be reduced by 50% from 21.50 hours, and be further reduced to 10% of their operating capacity from 22.30 hours and be turned off by 23.00 hours.
 - f) Where the floodlights are used on any Day they shall be switched off no later than 19.30 hours.
 - g) No spectators shall attend Evening practice matches.

For the purpose of this Condition :

- i) The day use means a period commencing at 10.00 and ending at 19.30 hours.
- ii) The daytime use of the floodlights shall only be used when there are bad light conditions (as agreed by the Head of Cricket and the umpire)
- iii) The daytime use shall only be used in connection with existing Test Matches, One Day Internationals and domestic finals.
- iv) Evening means an occasion when a match takes place that it is scheduled to be played wholly or partly in the evening under floodlights and covers the period from the start of the match until 23.00 hours.
- v) If the masts are erected for a Day match, this will be counted as one of the permitted 14 Days whether or not the floodlights are switched on.
- vi) The applicant under the terms of this condition is not permitted to swap between the Day and

Evening permitted number of matches, and any un-used Day or Evening matches from one season cannot be carried forward to the next.

Reason:

To protect the amenities of neighbouring residents and the environment in general and to ensure that the floodlights are only used for cricket matches and for no other purposes as set out in S29 and CS32 in our City Plan which we adopted in November 2016 and ENV13, ENV10, ENV6 and ENV7 of our Unitary Development Plan that we adopted in January 2007.

- 11 The maximum vertical illuminate into windows outside the Ground due to the floodlights shall not exceed the predicted lux values identified in the submitted Lighting Impact Assessment dated December 2018 plus 10%. If lux values exceed this figure, a scheme of mitigation shall be prepared and submitted to the City Council as local planning authority to identify the measures to be taken to address the light spill. The floodlights shall be not used if these lux values are exceeded until appropriate mitigation measures and a scheme of implementation has been approved in writing by the City Council.

Reason:

To ensure that the proposed floodlights do not cause unacceptable levels of light pollution to nearby residents as set out in S29 of our City Plan that we adopted in November 2016 and ENV10 of our Unitary Development Plan that we adopted in January 2007.

- 12 The head frames to the retractable floodlights shall be removed and stored no later than 2 weeks after the close of each cricket season and re-erected no earlier than 2 weeks prior to the start of each cricket season .

Reason:

To make sure that the appearance of the structures are suitable and that they contribute 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 our City Plan that we adopted in November 2016 and DES1, DES3 and DES9 of our Unitary Development Plan that we adopted in January 2007.

- 13 The floodlight masts (except the moving parts) shall be painted light grey and maintained in that colour unless otherwise agreed in writing by the City Council as local planning authority.

Reason:

To make sure that the appearance of the floodlights are suitable and that they contribute 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 our City Plan that we adopted in November 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.

- 14 Prior to the commencement of use of the floodlights (for competitive games and practice sessions), the applicant shall submit a scheme for the testing, commissioning ,monitoring and evaluation to demonstrate that the floodlights showing compliance with the maximum vertical illuminate values as identified under the submitted Lighting Impact Assessment dated December 2018 plus 10%.

Reason:

To ensure that the relocated temporary floodlights do not cause unacceptable levels of light pollution to nearby residents as set out in S29 of Westminster City Plan adopted in November 2016 and ENV10 of our Unitary Development Plan that we adopted in January 2007.

- 15 Except for the commissioning and testing approved under the terms of Condition 14 the floodlights hereby approved shall only be fully extended on the Day or Evening of intended use. Prior notification of intended Day and Evening use each season shall be given in writing to the Local Planning Authority before the start of each season. Any alterations to such intended use in a season shall be notified to the Council as soon as reasonably practicable. The floodlights in respect of Day use shall be lowered to their retractable positions at the end of each day of play and no later than 20.00 hours. The floodlights in respect of Evening use must not be lowered after 23.00 hours and no later than 09.00 hours on the following morning after use.

Reason:

To protect the environment of neighbouring residents. This is set out in S29 in our City Plan that we adopted in November 2016 and ENV6 of our Unitary Development Plan that we adopted in January 2007.

- 16 No alcoholic drinks shall be served within the Ground beyond 21.00 hours at floodlit cricket matches.

Reason:

To facilitate the efficient dispersal of crowds following floodlit matches and to safeguard environmental quality.

- 17 The restaurant/event spaces located at second floor level of the new stands shall only be open from 08.00 to 23.00 hours daily.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and TACE 10 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 18 The provision for the storage of waste and recyclable materials, as shown on drawing numbers 01436 -WEA-XX -XX - DR-A -P1000 Rev A, 01436 -WEA-XX -XX - DR-A -P1002 Rev A and 01436 -WEA-XX -XX - DR-A -P1003 Rev A., is to be made permanently available and used for no other purpose.

No waste should be left or stored on the public highway.

Reason:

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

- 19 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes the number, size, species and position of trees and shrubs. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping and planting within one planting season of completing the development (or within any other time limit we agree to in writing).

If you remove any trees or find that they are dying, severely damaged or diseased within five years of planting them, you must replace them with trees of a similar size and species.
(C30CB)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the St Johns Wood Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

- 20 **Pre Commencement Condition.** You must apply to us for approval of a method statement explaining the measures you will take to protect the trees on and close to the site. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved in writing what you have sent us. You must then carry out the work according to the approved details. (C31CC)

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 21 (a) You must arrange for an arboricultural consultant who is registered with the Arboricultural Association, or who has the level of qualifications or experience (or both) needed to be registered, to supervise the development. You must apply to us for our approval of the supervision schedule. You must apply to us for our approval of the details of such supervision including:
- o identification of individual responsibilities and key personnel.
 - o induction and personnel awareness of arboricultural matters.
 - o supervision schedule, indicating frequency and methods of site visiting and record keeping
 - o procedures for dealing with variations and incidents.

You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. You must then adhere to the approved supervision schedule.

(b) You must produce written site supervision reports as detailed in part (a) after each site monitoring visit, demonstrating that you have carried out the supervision and that the tree protection is being provided in accordance with the approved scheme. If any damage to trees,

root protection areas or other breaches of tree protection measures occur then details of the incident and any mitigation/amelioration must be included You must send copies of each written site supervision record to us within five days of the site visit.

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 22 **Pre Commencement Condition.** Prior to the commencement of any demolition or construction on site the applicant shall submit an approval of details application to the City Council as local planning authority comprising evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of any demolition or construction cannot take place until the City Council as local planning authority has issued its written approval of such an application (C11CC)

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 23 **Pre Commencement Condition.** You must carry out a detailed site investigation to find out if the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology and general requirements outlined in 'Contaminated Land Guidance for Developers submitting planning applications' - produced by Westminster City Council in January 2018.

You must apply to us for approval of the following investigation reports. You must apply to us and receive our written approval for phases 1, 2 and 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed but before it is occupied.

Phase 1: Desktop study - full site history and environmental information from the public records.

Phase 2: Site investigation - to assess the contamination and the possible effect it could have on human health, pollution and damage to property.

Phase 3: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate.

(C18AA)

Reason:

To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in STRA 34 and ENV 8 of our Unitary Development Plan that we adopted in January 2007. (R18AA)

- 24 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant in the new stand will comply with the Council's noise criteria as set out in Condition(s) 25 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. (R51AB)

- 25 (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 (November 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. (R46AB)

- 26 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. (R48AA)

- 27 (1) Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10 dB one metre outside any premises.

(2) The emergency plant and generators hereby permitted may be operated only for essential testing, except when required by an emergency loss of power.

(3) Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays.

Reason:

As set out in S32 of Westminster's City Plan (November 2016) and ENV 7 (B) of our Unitary

Development Plan that we adopted in January 2007. Emergency and auxiliary energy generation plant is generally noisy, so a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing and other non-emergency use is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby. (R50AB)

- 28 You must apply to us for approval of details of the ventilation system to get rid of cooking smells, including details of how it will be built and how it will look. You must not begin the use allowed by this permission until we have approved what you have sent us and you have carried out the work according to the approved details. (C14AB)

Reason:

To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

- 29 The design of the PA system in the Compton and Edrich stands should not exceed the Operational Noise Limits as stated in Section 4 of the acoustic report from Burohappold Engineering, ref 041088, dated 1 October Revision 00. This restriction on the noise levels for the public address system does not apply when being used for emergency crowd control and safety announcements.

Reason:

To safeguard the amenity of occupiers of noise sensitive properties and the area in general, as set out in S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.

- 30 Before you begin to use the new stand you must apply to us for approval of an updated Travel Plan. The Travel Plan must include details of:
- (a) A comprehensive survey of all users of the Ground ;
 - (b) Details of local resident involvement in the adoption and implementation of the Travel Plan;
 - (c) Targets set in the Plan to increase a modal shift to sustainable means of transport such as cycling and reduce car journeys to the Ground and ;
 - (d) 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 a period of 5 years from the date the new stand is occupied.

At the end of the first and third years of the life of the Travel Plan, you must apply to us for approval of reports monitoring the effectiveness of the Travel Plan and setting out any changes you propose to make to the Plan to overcome any identified problems.

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 (November 2016) and TRANS 2, TRANS 3 and TRANS 15 of our Unitary Development Plan that we adopted in January 2007. (R45AB)

- 31 You must provide the access for people with disabilities as shown on the approved drawing(s) and as outlined in the Design and Access Statement dated October 2018 before you use the building.

Reason:

To make sure that there is reasonable access for people with disabilities and to make sure that the access does not harm the appearance of the building, as set out in S28 of Westminster's City Plan (November 2016) and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R20AC)

- 32 You must apply to us for approval of details of secure cycle storage for staff use. You must not occupy 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 purposes.

Reason:

To provide cycle parking spaces for people using the development as set out in the London Plan.

- 33 Pre-Commencement Condition : No development shall take place, including any works of demolition, until a construction management plan/logistics plan for the proposed development has been submitted to and approved in writing by the City Council in consultation with Transport for London. You must then abide by the terms and agreement of the construction management plan/ logistics plan at all times.

Reason:

The site is located in a sensitive part of the road network with several Transport for London assets in close proximity. Transport for London have requested this condition.

- 34 You must apply to us for approval of details of the accessible parking space you intend to provide (as per the letter from 13th December 2018 from Burohappold Engineering). You must not occupy the development until we have approved what you have sent us. You must then provide the accessible parking space in line with the approved details prior to occupation. You must not use the accessible parking space for any other purposes.

Reason:

To secure the accessible car parking space offered and ensure that is of a suitable standard to meet the requirements of disabled users.

- 35 A Delivery and Servicing Management Plan (DSP) for the development shall be submitted to and approved by the City Council in consultation with Transport for London 3 months prior to occupation of the new stand. This approved DSP shall be maintained for the life of the development. The SMP should be a practical document for everyday use and should identify process, storage locations, hours of servicing, scheduling of deliveries (including a Delivery Booking System), details of delivery vehicles sizes and staffing arrangements. The development shall be carried out in accordance with the approved SMP, unless an alternative SMP has been submitted and approved by the City Council.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 36 An External Crowd Management Plan (ECMP) for the stands operation shall be submitted to and approved by the City Council in consultation with Transport for London 3 months prior to occupation of the new stand. The ECMP must cover all aspects of crowd management outside the ground and visitors travel to the ground for match days and other events. In particular it must outline measures that will be taken to effectively manage increased spectator numbers at peak times that will result from the increased capacity and address Transport for London's concerns with regard to arrangements for pick up and set down for disabled visitors to the site and taxis and private hire vehicles, facilitating the use of sustainable modes of transport for spectators, management of increased visitor numbers travelling to the ground via St John's Wood underground station and mitigating uncomfortable pedestrian conditions around the ground.

You must comply with the approved (ECMP) for the lifetime of the development, unless an alternative ECMP has been submitted and approved by the City Council.

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 (November 2016) and TRANS 2, TRANS 3 and TRANS 15 of our Unitary Development Plan that we adopted in January 2007.

- 37 Prior to the removal or pruning of trees proposed as part of the development, they must be inspected by a tree climbing arborist in the presence of a licensed bat worker for the presence of bat roosts as outlined in the submitted Ecological Appraisal.

Reason:

To reduce the effect the development has on the biodiversity of the environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43AB)

- 38 You must apply for the approval of details of the following bio-diversity features before you start to use any part of the development, as set out in your application and in your email dated 7th January 2019.

bird and bat boxes

You must not remove any of these features.

Reason:

To increase biodiversity of the environment as set out in S28 of Westminster's City Plan adopted in November 2016 and ENV 17 of our Unitary Development Plan that we adopted in

January 2007.

- 39 Pre-Commencement Condition : No development shall take place, until a revised Sustainable Urban Drainage Plan for the proposed development has been submitted to and approved in writing by the City Council in consultation with the Greater London Authority. You must then carry out the development in accordance with the approved plan. The features set out in this plan shall be provided and shall not be removed unless authorised by the City Council as local planning authority.

Reason:

To ensure the development complies with policy 5.13 in the London Plan (March 2015) in respect to sustainable urban drainage/design.

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 (November 2016), Unitary Development Plan, neighbourhood plan (where relevant), 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 The written scheme of investigation, required by condition 8, will need to be prepared and implemented by a suitably professionally accredited heritage practice in accordance with Historic Englands Guidelines for Archeological Projects in Greater London.
- 3 Some of the trees on the site are protected by a Tree Preservation Order. You must get our permission before you do anything to them. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I30AA)
- 4 This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I32AA)
- 5 Condition requires you to submit a method statement for works to a tree(s). The method statement must be prepared by an arboricultural consultant (tree and shrub) who is registered with the Arboricultural Association, or who has the level of qualifications or experience (or both) needed to be registered. It must include details of:

- * the order of work on the site, including demolition, site clearance and building work;
 - * who will be responsible for protecting the trees on the site;
 - * plans for inspecting and supervising the tree protection, and how you will report and solve problems;
 - * how you will deal with accidents and emergencies involving trees;
 - * planned tree surgery;
 - * how you will protect trees, including where the protective fencing and temporary ground protection will be, and how you will maintain that fencing and protection throughout the development;
 - * how you will remove existing surfacing, and how any soil stripping will be carried out;
 - * how any temporary surfaces will be laid and removed;
 - * the surfacing of any temporary access for construction traffic;
 - * the position and depth of any trenches for services, pipelines or drains, and how they will be dug;
 - * site facilities, and storage areas for materials, structures, machinery, equipment or piles of soil and where cement or concrete will be mixed;
 - * how machinery and equipment (such as excavators, cranes and their loads, concrete pumps and piling rigs) will enter, move on, work on and leave the site;
 - * the place for any bonfires (if necessary);
 - * any planned raising or lowering of existing ground levels; and
 - * how any roots cut during the work will be treated.
- 6 The tree surgery which you propose in the tree report and other supporting documents is not agreed as it is insufficiently detailed and/ or it is not necessary to implement the planning permission. A separate tree works application and to seek consent under the terms of the Town and Country Planning Act 1990 (as amended
- 7 With reference to condition 22 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work. The Code does require the submission of a full Site Environmental Management Plan or Construction Management Plan as appropriate 40 days prior to commencement of works (including demolition). These documents must be sent to environmentalsciences2@westminster.gov.uk.
- Appendix A or B must be signed and countersigned by Environmental Sciences prior to the submission of the approval of details of the above condition.
- You are urged to give this your early attention
- 8 The development for which planning permission has been granted has been identified as potentially liable for payment of the Mayor of London 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.

- 9 Please contact a Metropolitan Police Crime Prevention Design Adviser about suitable security measures for your development. You should also check whether these features will need planning approval.

You should contact:

020 8217 3813 or by email docomailbox.ne@met.police.uk

He is based at:

Lower Ground
Bow Road Police Station
111-117 Bow Road
London E3 2AN
(I74AA)

- 11 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.
- 12 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to
- A carbon offset payment of up to £26,220 (index linked and payable on commencement of development).
 - Mayors CIL payment of £115,700 and
 - Offering local employment opportunities during construction and operation of the new stands.
 - Section 106 monitoring costs.

13 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)

14 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.

15 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)

- 16 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)
- 17 You may need to get separate permission under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 if you want to put up an advertisement at the property. (I03AA)
- 18 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)
- 19 When you carry out the work, you must not intentionally kill, injure or take a bat, or intentionally or recklessly damage, destroy or block access to any structure or place that a bat uses for shelter. These would be offences under the Wildlife and Countryside Act 1981, the Habitats Regulations 1994 and the Countryside and Rights of Way Act 2000. For more advice, please speak to our Biodiversity Project Manager on 020 7641 1951. (I81DA)
- 20 When you carry out the work, you must avoid taking, damaging or destroying the nest of any wild bird while it is being built or used, and avoid taking or destroying the egg of any wild bird. These would be offences (with certain exceptions) under the Wildlife and Countryside Act 1981, the Habitats Regulations 1994 and the Countryside and Rights of Way Act 2000. For more advice, please speak to our Biodiversity Project Manager on 020 7641 1951. (I81CA)

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

BACKGROUND PAPERS - Lords Cricket Ground, Ground Floor, St John's Wood Road, London, NW8 8QN 18/08510/FULL

1. Application form
2. Note of meeting with Chair of Planning dated 28th September 2018
3. Stage 1 Referral Report from the Greater London Authority dated 10 December 2018
4. Response from Transport for London dated 7th November 2018
5. Response from Historic England (Listed Builds/Con Areas), dated 30 October 2018
6. Response from Historic England (Archaeology) dated 26 October 2018
7. Response from Natural England, dated 29 October 2018
8. Response from the Metropolitan Police (Design Out Crime) dated 26 November 2018
9. Response from St John's Wood Society, dated 19 November 2018
10. Response from The St Marylebone Society, dated 6 November 2018
11. Response from Waste Project Officer, dated 22 October 2018
12. Response from Arboricultural Section - Development Planning, dated 27 November 2018
13. Response from Environmental Sciences dated 19 December 2018
14. Response from Highways Planning - Development Planning, dated 6 December 2018
15. Response from Employer Engagement Manager dated 10 December 2018
16. Letter from Swift Conservation, dated 12 November 2018
17. Letter from occupier of 91 Century Court, Grove End Road, dated 21 October 2018
18. Letter from occupier of Flat 14, Ascot Court, dated 6 November 2018
19. Letter from occupier of 53 Greencoat Place, London, dated 4 January 2019
20. Letter from occupier of Flat 38, Kingsmill, dated 28 December 2018
21. Letter from occupier of 24 Victoria Square, London, dated 4 January 2019
22. Letter from occupier of Flat 53, Wellington Court, dated 4 January 2019
23. Letter from occupier of Flat 10, Beverly House, dated 4 January 2019
24. Letter from occupier of 37 Montagu Square, London, dated 5 January 2019
25. Letter from occupier of 17 Cato Street, London, dated 5 January 2019
26. Letter from occupier of 28 Woronzow Road, London, dated 6 January 2019
27. Letter from representative of owner of 23 Cavendish Close dated 5 January 2019

Agenda Item 2

Item No.
2

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 15 January 2019	Classification For General Release	
Addendum Report of Executive Director Growth Planning and Housing		Ward(s) involved St James's	
Subject of Report	First To Third Floor, 64-65 Long Acre, London, WC2E 9SX,		
Proposal	Use of part ground, first, second, third and new internal mezzanine floors as eight residential dwellings (Class C3); installation of footbridge across internal lightwell at second floor level, plant machinery and internal lift; associated external alterations, including changes to fenestration.		
Agent	Camberwell & Metropolitan		
On behalf of	Technosite Limited		
Registered Number	18/04254/FULL	Date amended/ completed	22 May 2018
Date Application Received	22 May 2018		
Historic Building Grade	Unlisted		
Conservation Area	Covent Garden		

1. RECOMMENDATION

Grant conditional permission, including a condition to secure the following benefits:

- i) Mitigation of the potential increased demand for on street residents parking

2. SUMMARY

The application was reported to Planning Applications Sub Committee on 9 October 2018 where the committee resolved to defer the application to allow the applicant to address the following concerns:

- i) To consider redesigning the internal layout of the application site in order to improve the level of natural light to the proposed flats, in particular those facing the internal lightwell and those affected by the staircase link situated over the lightwell;
- ii) To address concerns raised by Environmental Health regarding inadequate means of escape in case of a fire; and
- iii) To improve the quality of residential accommodation provided.

A copy of the previous committee report is provided in this agenda and a copy of the committee

minutes provided as a background paper.

In order to address the concerns of the Planning Applications Sub Committee, the applicant has made a number of changes to the internal layout of proposed flats. These changes seek to improve the level of natural light and improve the quality of residential accommodation and largely relate to the internal lightwell. These are the erection of a glazed extension projecting into the lightwell at first floor level (Flat 1C), the installation of Juliet balcony windows at second floor level within the lightwell (Flats 2C and 2D), the use of glass for the bridge across the lightwell and slightly larger windows at first, second and third floor levels facing the lightwell (Flats 1B, 2B and 3A). The applicant also proposes to provide an additional rooflight to Flat 2D to the bedroom.

The applicant has also looked into the use of 'Intelligent Glass' for the glazing in the lightwell at first and second floor level. This type of glass is frosted when the power is off and clear when the power is on. The applicant considers that this type of glazing may allow more light into the rooms. Officers consider that this type of solution is not suitable as the obscure glazing may not be provided on a permanent basis and the use of such technology would be difficult to enforce. Given that it is necessary for windows at first and second floor level within the lightwell to have obscure glass for privacy reasons, it is recommended that 'standard' obscure glass is used. Our standard condition requires a sample of the obscure glass to be submitted for our approval.

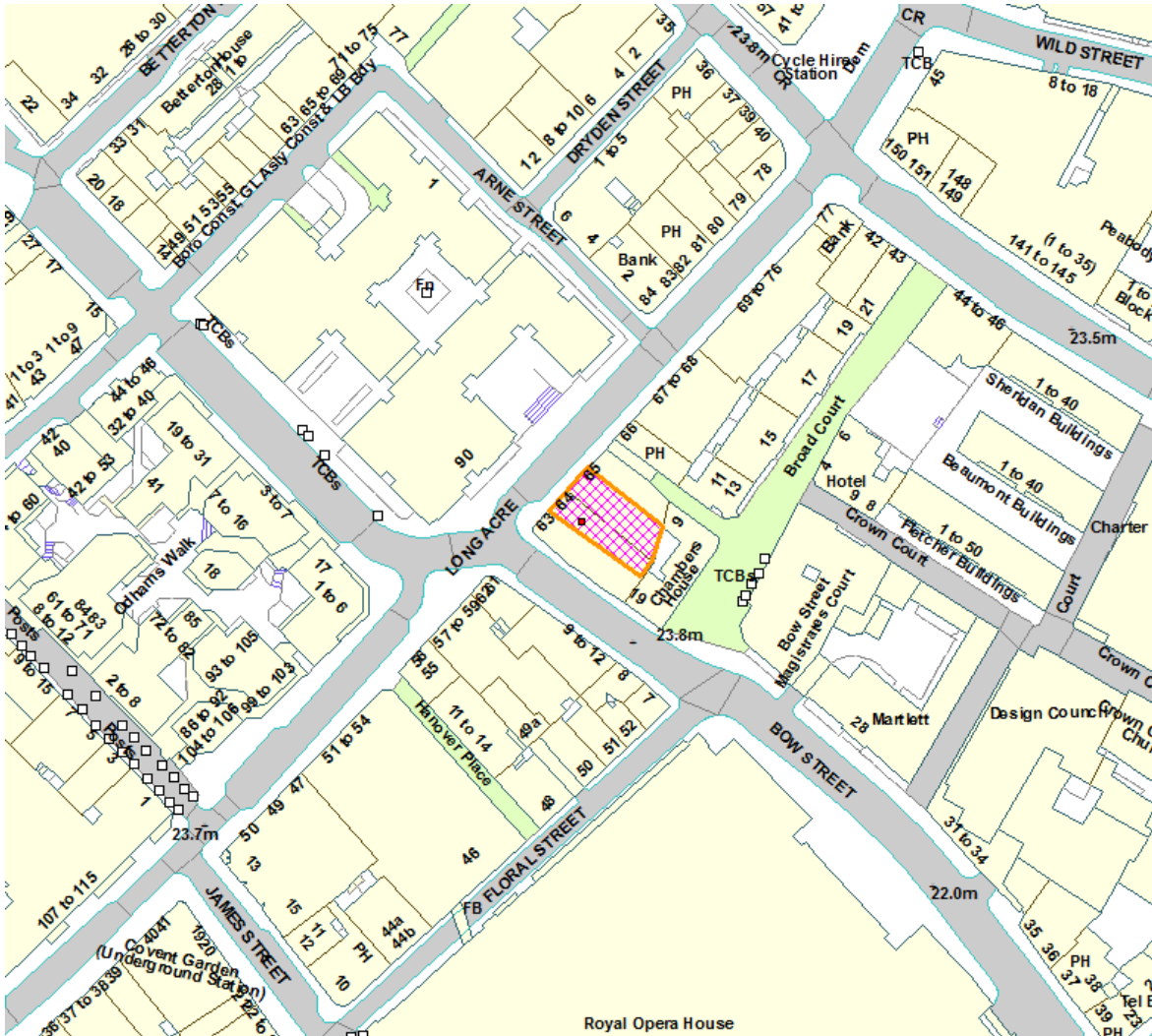
An updated daylight and sunlight report has been provided which takes into account the revisions set out above. The report concludes that all of the proposed rooms within the flats now surpass the minimum recommended Average Daylight Factor (ADF) set out in the BRE. Environmental Health have raised no objection to the amended proposals on natural light and ventilation grounds and on this basis it is considered that the flats will receive an acceptable amount of natural light.

In relation to means of escape in case of fire, Environmental Health state that the revised drawings show improved arrangements with respect to compartmentalisation, separation and protected escape (the revised plans show the installation of a fire escape window at third floor mezzanine level for Flat 3A). On this basis Environmental Health no longer object to the proposals on these grounds. Building Control have also been consulted on the revised proposal and advise that the applicant will need to engage a fire engineer at the earliest opportunity to ensure the project will comply with Part B (Fire Safety) of the Building Regulations.

In design terms, the amendments are largely contained within the internal lightwell and would not harm the character of the building or Covent Garden Conservation Area.

Given the limited scale and location of the proposed amendments, further public consultation was not considered necessary. However, additional responses have been received from Environmental Health and Building Control and these have been provided as background papers.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

ENVIRONMENTAL HEALTH

-Objection withdrawn.

-The revised drawings show improved arrangements with respect to compartmentalisation, separation and protected escape. The use of sprinkler systems may be acceptable either in themselves or as additional facilities to compartmentalisation but can only be approved by Building Control and/or the London Fire Brigade from whom separate approval should be sought.

- The amended proposals raise no concern in terms of natural light and ventilation.

-Concern was initially raised that the openable windows of flats facing onto the internal lightwell could lead to noise problems for occupiers. This could be mitigated by requiring that the bathroom windows facing the lightwell are fixed shut. This would minimise the risk of noise transference across the internal light-well and allow the other rooms to be openable for ventilation purposes. The bathrooms could be provided with mechanical extract ventilation.

BUILDING CONTROL

-The proposal does not appear to comply with the conventional guidance of Approved Document B for compliance with Part B (Fire Safety) of the Building Regulations 2010. This project is likely to require a fire engineered approach and it is important for the applicant to engage a fire engineer at the earliest opportunity to ensure the project will comply with Part B (Fire Safety) of the Building Regulations.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MATTHEW MASON BY EMAIL AT mmason@westminster.gov.uk

6. KEY DRAWINGS

Proposed Elevation 1 (Front)



ELEVATION 1 (North-West)

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Proposed Elevation 2 (North East Elevation)



←----- 64 LONG ACRE -----→

ELEVATION 2 (North East Elevation)

Proposed Elevation 3 (South East Elevation)

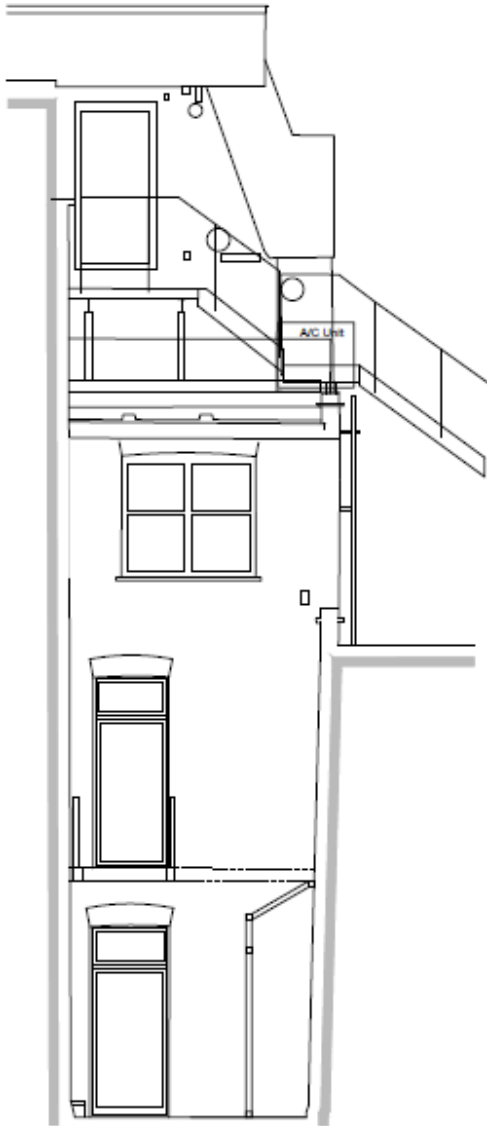


←----- 64 LONG ACRE -----X----- 65 LONG ACRE ----->

ELEVATION 3 (South East Elevation)

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Elevation 4 (South West Elevation)



←----- 65 LONG ACRE ----->

ELEVATION 4 (South West Elevation)

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Elevation 5 (North West)

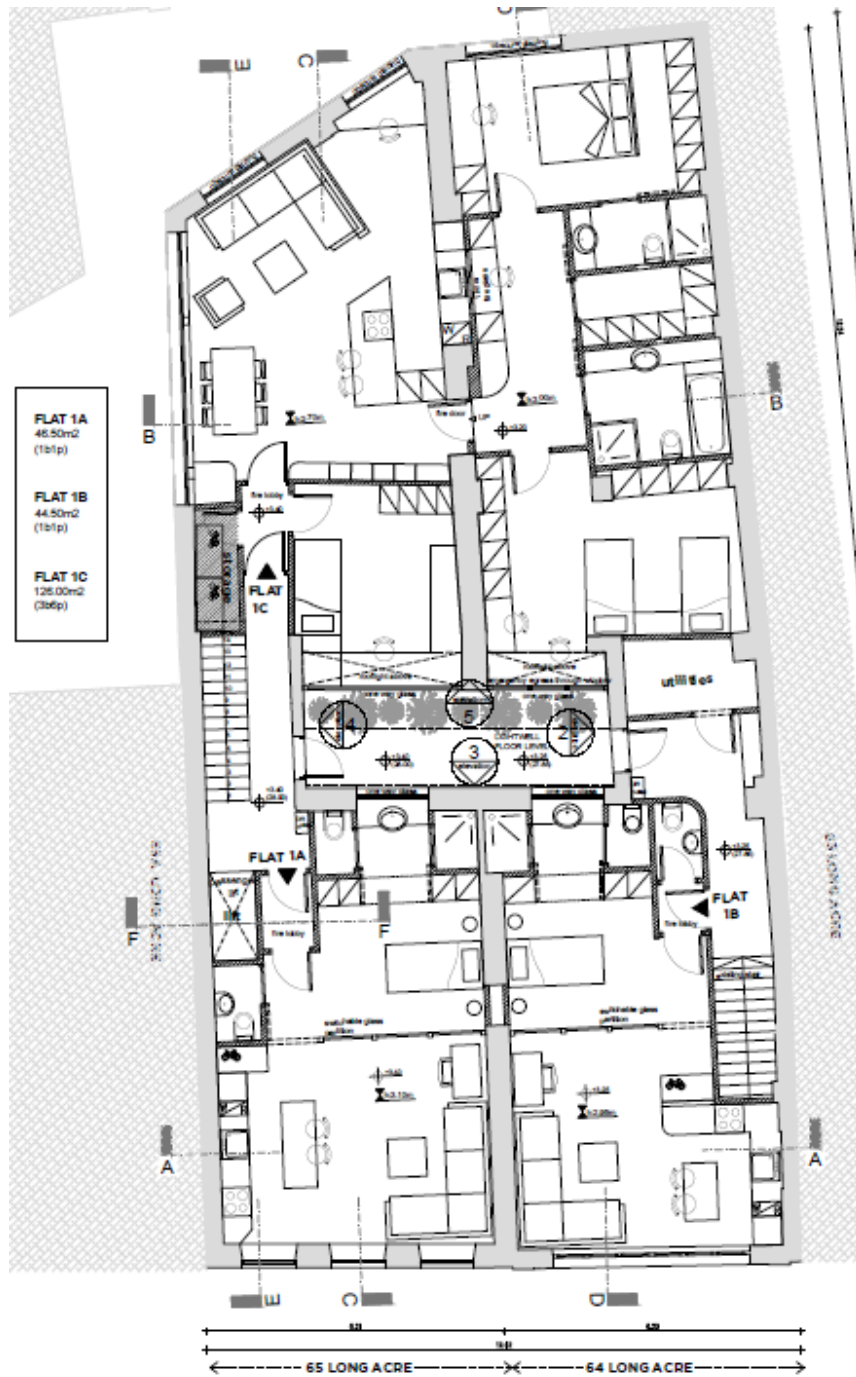


ELEVATION 5 (North West)

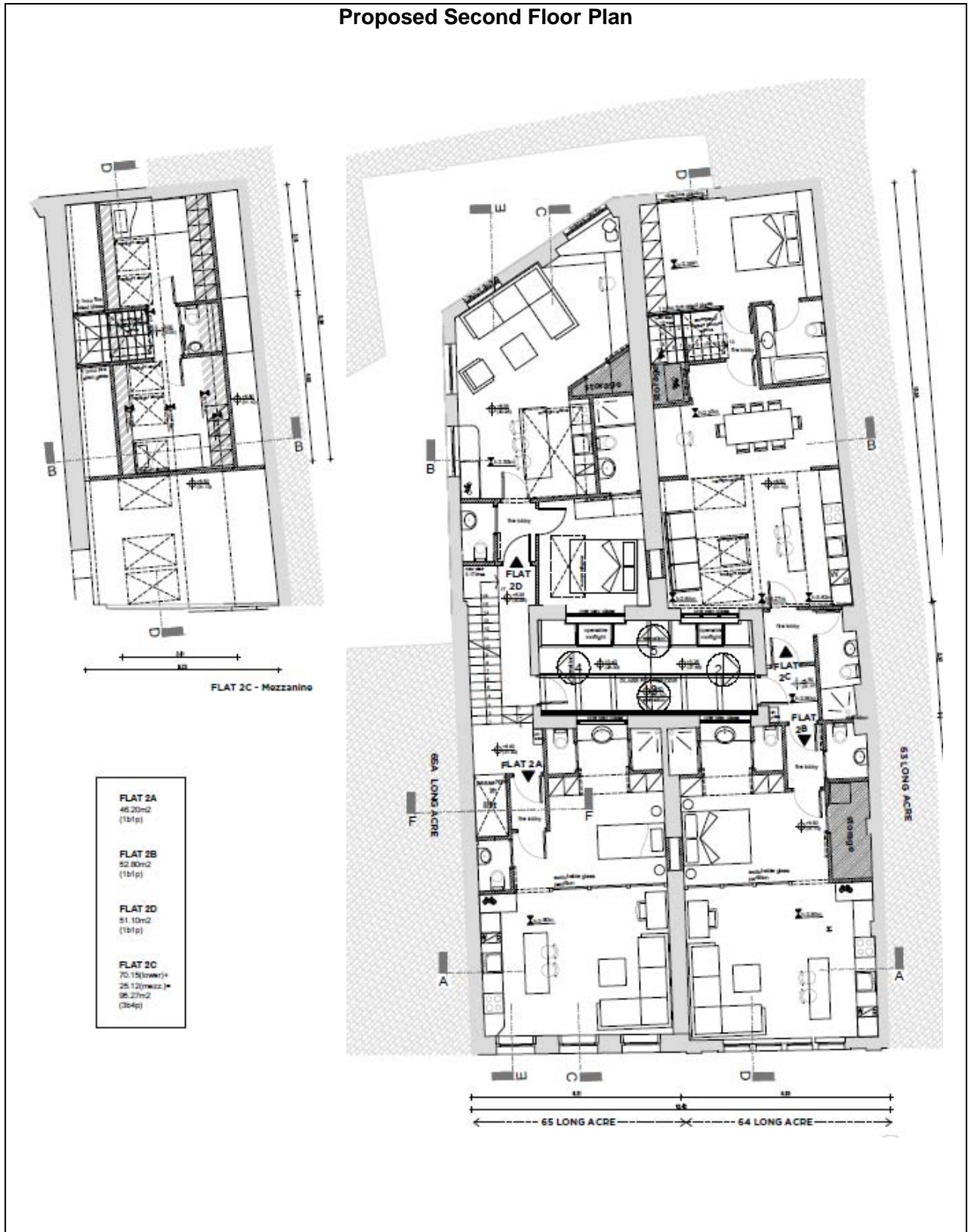
Proposed Ground Floor Plan



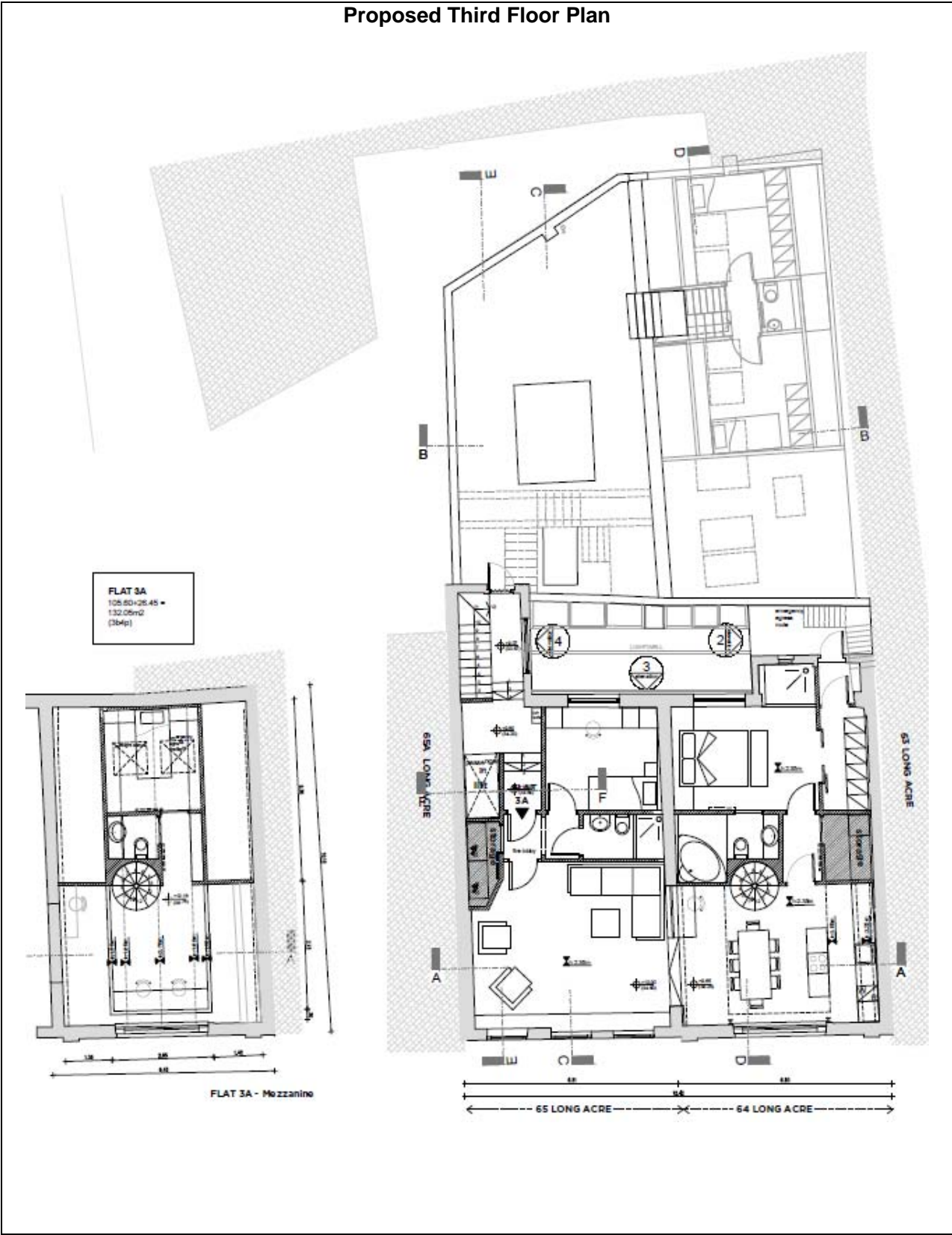
Proposed First Floor Plan



Proposed Second Floor Plan



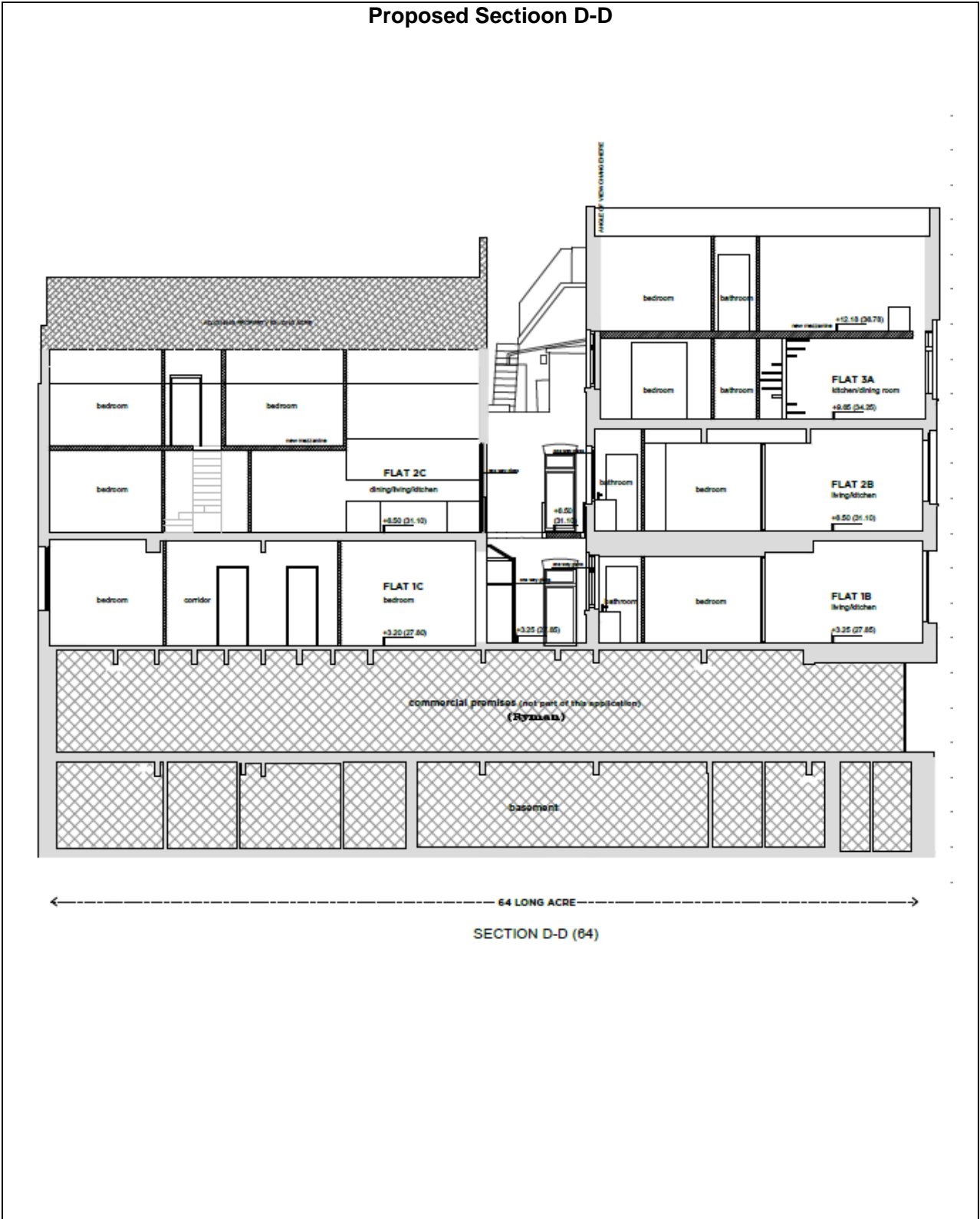
Proposed Third Floor Plan



Proposed Roof Plan



Proposed Section D-D



DRAFT DECISION LETTER

- Address:** First To Third Floor, 64-65 Long Acre, London, WC2E 9SX,
- Proposal:** Use of part ground, first, second, third and new internal mezzanine floors as eight residential dwellings (Class C3); installation of footbridge across internal lightwell at second floor level, plant machinery and internal lift; associated external alterations, including changes to fenestration.
- Reference:** 18/04254/FULL
- Plan Nos:** A.01; A.02; A.04 Rev. B; A.06 Rev. D; A.08 Rev. D; A.10 Rev. D; A.12 Rev. E; A.14 Rev. C; A.16 Rev. A; A.18 Rev. A; A.20 Rev. B; A.22; A.24 Rev. B; A.26 Rev. D; A.28 Rev. B; A.30 Rev. B; Report 13527-NIA-01-RevD dated 14 September 2018.

For Information:

Planning, Design and Access Statement dated 22 May 2018; Appendices to Planning, Design and Access Statement dated 22 May 2018; Addendum to the Planning, Design and Access Statement dated 23 July 2018; Daylight and Sunlight Study dated 11 December 2018.

Case Officer: Ian Corrie

Direct Tel. No. 020 7641 1448

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 residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 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 Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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 submit detailed drawings at a scale of 1:10 and sections at 1:5 of the following parts of the development:

- i. Windows, including roof lights;
- ii. Glass footbridge.

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 Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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 Notwithstanding what is shown on the approved drawings you must apply to us for approval of details of the following part of the development:

- Full width screening for plant machinery on roof of 64 Long Acre (Elevation and Section drawings at 1:50 and 1:10 including specifications),

You must not install the plant machinery on the roof of 64 Long Acre until we have approved what you have sent us. You must then install the full width screening according to the approved drawings. You must then maintain the screening for as long as the plant machinery is in situ.

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 Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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 Notwithstanding what is shown on the approved drawings you must apply to us for approval of details of the following part of the development:

-Acoustic enclosures for plant machinery on roof of 64 Long Acre (Elevation and Section drawings at 1:50 and 1:10 Including Specifications),

You must not use the approved plant machinery on the roof of 64 Long Acre until we have approved what you have sent us. You must then install the acoustic enclosures according to the approved drawings. You must then maintain the acoustic enclosures for as long as the plant machinery is in situ.

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 Covent Garden Conservation Area and to protect the environment of people in neighbouring properties. This is as set out in S25, S28 and S29 of Westminster's City Plan (November 2016) and ENV 13, 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 (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 (November 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. (R46AB)

- 8 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. (R48AA)

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

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise. (R49AA)

- 10 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. (R49BA)

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- 11 The glass that you put in the windows at first and second floor levels in the rear lightwell and the windows in the main rear elevation at first and second floor levels must not be clear glass and the windows shall be fitted with devices to limit the extent of opening. You must apply to us for approval of a sample of the glass (at least 300mm square) and full particulars of the restrictors. You must not start work on the relevant parts of the development until we have approved the details. You must then fit the type of glass and restrictors we have approved and must not change them without our permission.

Reason:

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

- 12 You must not use the roofs of the buildings for sitting out or for any other purpose. You can however use the roof to escape in an emergency.

Reason:

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

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

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2016 (R22FA)

- 14 You must provide the waste store shown on drawings A06 Rev. B, A08 Rev. B and A10 Rev. B before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the residential accommodation. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

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

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Reason:

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

16 **Pre commencement condition.**

You must not start work on the site until we have approved appropriate arrangements to secure the following:

-A scheme to mitigate on-street parking demand for the additional residential units proposed.

In the case of each of the above benefits, you must include in the arrangements details of when you will provide the benefits, and how you will guarantee this timing. You must only carry out the development according to the approved arrangements.

Reason:

To make sure that the development provides the planning benefits that have been agreed, as set out in S33 of Westminster's City Plan (November 2016) and in TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R19AC)

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 (November 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 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.

- 4 The sound insulation in each new unit of a residential conversion should meet the standards set out in the current Building Regulations Part E and associated approved documents. Please contact our District Surveyors' Services if you need more advice. (Phone 020 7641 7240 or 020 7641 7230). (I58AA)
- 5 Under the Greater London Council (General Powers) Act 1973, as amended by the Deregulation Act 2015, you need planning permission to use residential premises as 'temporary sleeping accommodation' (i.e. where the accommodation is occupied by the same person or persons for less than 90 consecutive nights) unless the following two conditions are met:
1. The number of nights in any single calendar year in which the property is used to provide 'temporary sleeping accommodation' does not exceed 90 [ninety].
 2. The person who provides the sleeping accommodation pays council tax in respect of the premises under Part 1 of the Local Government Finance Act 1992 (where more than one person provides the sleeping accommodation, at least one of those persons must pay council tax in respect of the premises).
- This applies to both new and existing residential accommodation. Please see our website for more information: <https://www.westminster.gov.uk/short-term-letting-0>.
- Also, under Section 5 of the Greater London Council (General Powers) Act 1984 you cannot use the property for any period as a time-share (that is, where any person is given a right to occupy all or part of a flat or house for a specified week, or other period, each year).
- 6 Under condition 16, we are likely to accept a legal agreement under section 106 of the Town and County Planning Act to secure Car club membership for residents of the 7 additional flats, as set out in the letter dated 25 September 2018 from Ian Corrie. Please look at the template wordings for planning obligations (listed under 'Supplementary planning guidance') on our website at www.westminster.gov.uk. Once the wording of the agreement has been finalised with our Legal and Administrative Services, you should write to us for approval of this way forward under this planning condition. (I77AA)
- 7 You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website <https://www.westminster.gov.uk/contact-us-building-control>
- 8 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 9 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)

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

PREVIOUS REPORT

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CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 9 October 2018	Classification For General Release	
Report of Director of Planning	Ward(s) involved St James's		
Subject of Report	First To Third Floor, 64-65 Long Acre, London, WC2E 9SX,		
Proposal	Use of part ground, first, second, third and new internal mezzanine floors as eight residential dwellings (Class C3); installation of footbridge across internal light well at second floor level, plant machinery and internal lift; associated external alterations, including changes to fenestration.		
Agent	Camberwell & Metropolitan		
On behalf of	Technosite Limited		
Registered Number	18/04254/FULL	Date amended/ completed	22 May 2018
Date Application Received	22 May 2018		
Historic Building Grade	Unlisted		
Conservation Area	Covent Garden		

1. RECOMMENDATION

Grant conditional permission, including a condition to secure the following benefits:
i) mitigation of the potential increased demand for on street residents car parking

2. SUMMARY

<p>The application site is comprised of the first to third floors of 64 and 65 Long Acre, with entrances at ground floor level. The buildings are unlisted and located within the Covent Garden Conservation Area and Core Central Activities Zone (Core CAZ). The basement and part ground floor levels of the building are currently in commercial use, a language school (Class D1) is situated over the first to third floors at no.64 and first and second floors at no. 65, with a residential unit at third floor level at no. 65.</p> <p>Planning Permission is sought for use of part ground, first, second, third and two new internal mezzanine floors as eight residential dwellings (5 x 1 bed and 3 x 3 bed). Associated works to the building include the installation of a footbridge across the internal lightwell at second floor level, plant machinery and alterations to the fenestration.</p>

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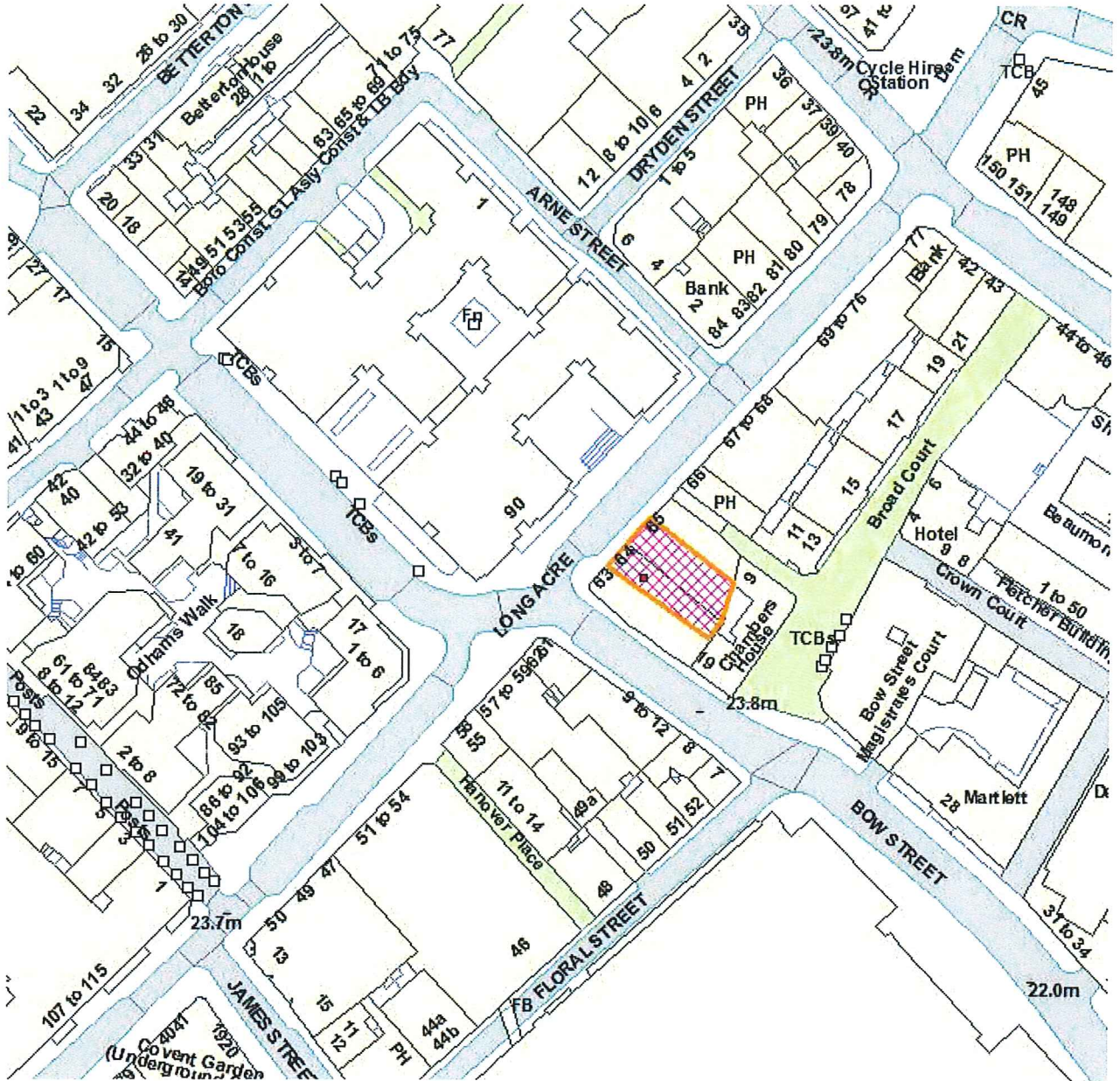
The key issues for consideration are:

- Loss of social and community infrastructure
- the principle of new residential accommodation
- Increase in on-street parking stress

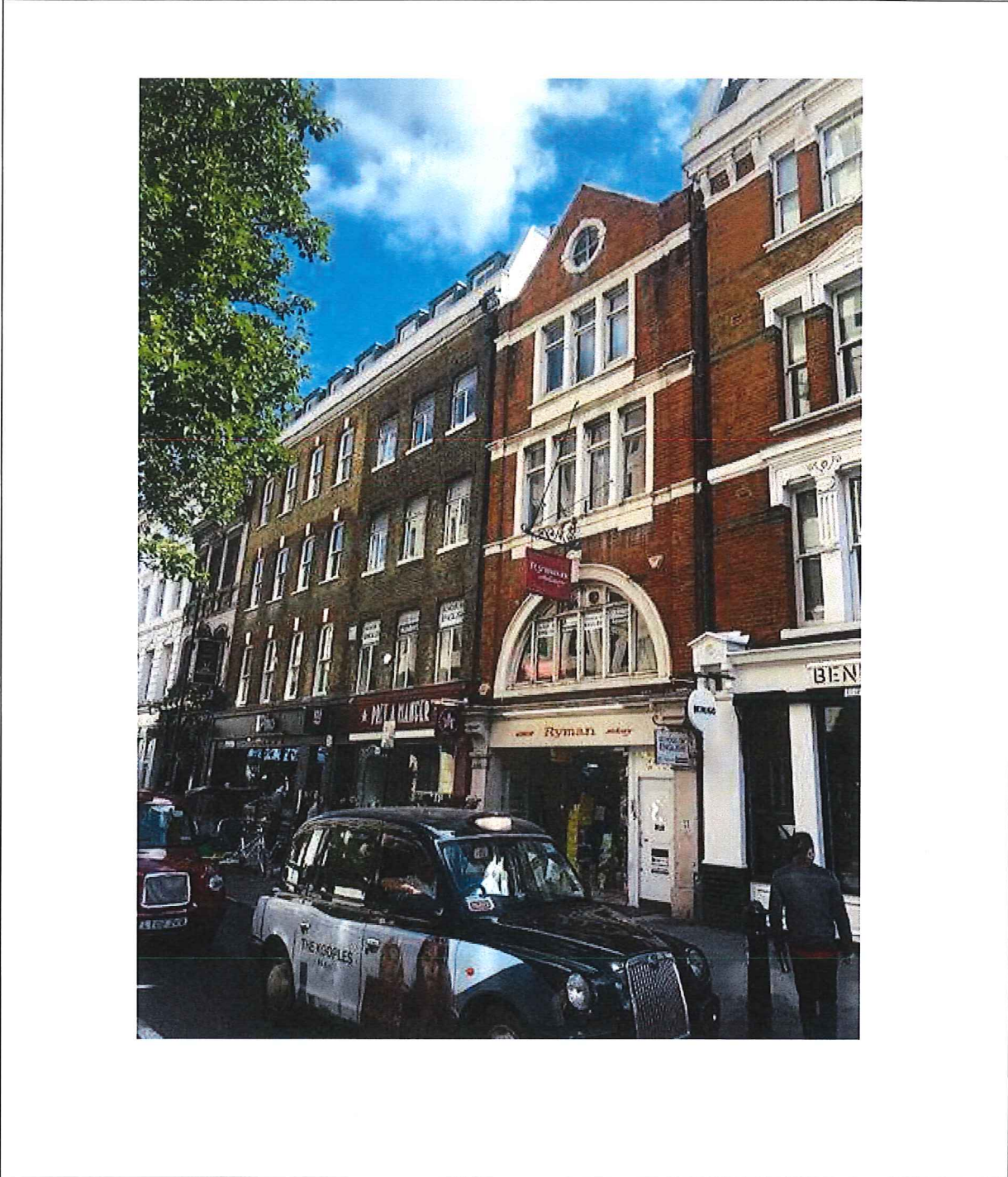
As set out in the report, the proposed development is considered acceptable in land use, design, highways and amenity terms subject to the proposed conditions including a Grampian condition to secure mitigation for the increased pressure on on-street residential car parking.

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3. LOCATION PLAN



4. PHOTOGRAPHS



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5. CONSULTATIONS

COVENT GARDEN COMMUNITY ASSOCIATION

- No objection to change of use to residential but would prefer a mix of residential (Class C3) and small office use (Class B1)
- Tight control on short term rental is requested as this could reduce the stock of permanent housing and harm the amenity of permanent residents.

ENVIRONMENTAL HEALTH

- Objection
- Arrangements for means of escape in case of fire appear to be inadequate.
- Concern that the rooms shown on the mezzanine level are not provided with openable windows for ventilation.
- Concerns that one of the rooms may not be provided with adequate natural light and that one of the rooms is a "Remote Room".
- Conditions relating to sound insulation and plant machinery recommended.

HIGHWAYS PLANNING MANAGER

- Objection
- No off street parking would be provided and it is considered that the proposals would increase pressure on the existing on-street parking to an unacceptable level.
- Inadequate cycle parking provision.

WASTE PROJECT OFFICER

- No objection
- The proposed storage arrangements for waste and recyclable materials are in line with the requirements of the City Council.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 28
Total No. of replies: 1
No. in support: 1

One letter of support from commercial occupier of ground and basement levels 65 Long Acre (Pret a Manger).

-The redevelopment of the site would bring broader public benefits including the repair of the building's failing infrastructure and prevention of the vacant building being occupied by squatters.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is comprised of the first to third floors of 64 and 65 Long Acre, with entrances at ground floor level. The buildings are unlisted and located within the Covent

Garden Conservation Area and Core Central Activities Zone (Core CAZ). The basement and part of the ground floor are currently in commercial use with Ryman Stationary located at no. 64 and Pret A Manger located at no. 65. The lawful use of the first to third floors at no.64 and first and second floors at no. 65 is a language school (Class D1) last occupied by Edgware Academy. There is an existing residential unit at third floor level at no. 65.

The language school occupier vacated the property in September 2015. The building was illegally occupied by squatters in January 2018 and has been temporarily occupied on a not-for-profit basis to prevent further anti-social activity since.

6.2 Recent Relevant History

There is no recent relevant history.

7. THE PROPOSAL

The proposals involves the change of use of the language School (Class D1), a small amount of retail space a ground floor level and the reconfiguration of the existing residential unit, to provide eight residential dwellings. (5 x 1 bed and 3 x 3 bed).

Internally the works include the installation of a passenger lift between ground and first floor levels and the installation of two mezzanine floors. Externally, the works are primarily minor in nature and located to the rear. These include changes to the fenestration and installation of a footbridge across the internal lightwell at second floor level. Plant machinery is also proposed at main roof level and on the fire escape above third floor level.

	Existing GIA (sqm)	Proposed GIA (sqm)	Net Floor Area (Sqm GIA)
Language School (Class D1)	536.61	0	-536.61
Residential (Class C3)	59.72	649.14	+589.42
Sandwich Shop (Class A1)	1.24	0	-1.24
Total	597.57	649.14	+51.57

8. DETAILED CONSIDERATIONS

8.1 Land Use

Loss of Social and Community Use (Class D1)

UDP Policy SOC1 and City Plan Policy S34 seek to protect and improve social and community facilities in Westminster. UDP Policy SOC 1 (D) states that all community facilities will be protected. Under SOC 1(E), schemes involving the redevelopment or change of use of community facilities are required to include adequate replacement facilities. Where the facility is surplus to the needs of the existing provider, any new

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development should include an alternative community facility. Where adequate replacement facilities are not proposed, the City Council will normally refuse planning permission.

City Plan Policy S34 states that; *'all social and community floorspace will be protected except where existing provision is being reconfigured, upgraded or is being re-located in order to improve services and meet identified needs as part of a published strategy by a local service provider. In all such cases, the council will need to be satisfied that the overall level of social and community provision is improved and that there is no demand for an alternative social and community use for that floorspace. In those cases where the council accepts a loss or reduction of social and community floorspace the priority replacement use will be the priority use for the area.'*

The language school occupier (Edgware Academy) vacated the property in September 2015, after trading was considered to be commercially unviable. The applicant has provided marketing particulars dated April 2016 and other evidence that the property has been marketed for Use Class D1 purposes by Ashwell Rogers (letting agents) and Robin Calver (chartered surveyors). A schedule has also been provided, showing that at total of 17 parties showed interest in the property between 1 October 2015 and January 2017 (11 for Use Class D1 purposes). The applicant asserts that no offers were received during this period due to the size, inefficient layout and condition of the property and argues that there is no demand for an alternative, commercially viable, social and community use for the floorspace being offered at the premises. It is noted that the property was illegally occupied by squatters in January 2018 and has been temporarily occupied on a not-for-profit basis to prevent further anti-social activity.

Based on the evidence provided, the City Council is satisfied that there is no demand for an alternative community use in this location. It is also considered that language schools offer very little "social" benefit to the local community and are essentially commercial enterprises. In these circumstances, a departure from the policy requirement to protect existing social and community uses is considered justifiable. The priority replacement use within the Core CAZ is office floorspace (Use Class B1), however given the increased emphasis for the Council to achieve and exceed its borough housing targets, the principle of residential accommodation as a replacement is again considered justifiable.

It is noted that the Covent Garden Community Association (CGCA) have not objected to the proposals but would prefer a mixed of residential (Use Class C3) and small office use (Use Class B1). The CGCA's concerns about short-term letting is also noted and it is recommended that an informative is attached, reminding the applicant that planning permission is required to use residential premises as 'temporary sleeping accommodation' (i.e. where the accommodation is occupied by the same person or persons for less than 90 consecutive nights).

Loss of Retail (Class A1)

The applicant states that 1.24sqm of A3 floorspace will be lost at ground floor level associated with the sandwich shop at no.65 "Pret-a-Manager". Whilst the lawful use of the unit has not been established, this type of operation usually falls within Use Class A1.

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City Plan Policy S21 seeks to protect A1 retail throughout Westminster except where the council considers that the unit is not viable, as demonstrated by long-term vacancy despite reasonable attempts to let. However, given the small amount of floorspace in question, it is considered that the loss would not impact the viability of the unit and is acceptable in this instance.

Creation of Residential Accommodation (Class C3)

City Plan Policy S14 states that the council will work to achieve and exceed borough housing targets set out in the London Plan and that the number of residential units on developments sites will be optimised.

The mix of the proposed units is as follows: 5 x 1 bed and 3 x 3 bed which provides 37.5% family sized accommodation (3 or more beds), which is in accordance with UDP policy H5. In terms of floor area, the residential units would all provide a good standard of accommodation, consistent with the guidance in the technical Housing Standards- Nationally Described Space Standard (2015).

Environmental Health have raised concern that the main living area in flat 2C (on the second floor) may not receive adequate natural light. The application is supported by a daylight and sunlight study based on the numerical tests laid down in the Building Research Establishment (BRE) guide "Site Layout Planning for Daylight and Sunlight: a good practice guide" by PJ Littlefair 2011. The study finds that 17 of the 23 rooms exceed the minimum recommended Average Daylight Factor (ADF). The 6 rooms that fail are all bedrooms, which are considered to be less important (in terms of levels of natural light) than living/kitchen rooms. Accordingly, it is considered that the flats will receive an acceptable amount of natural light, not uncommon for such a dense urban environment.

The proposed dwellings all have windows facing into internal lightwell, which are in close proximity to one and other. The drawings show that the windows at first and second level will have obscure glazing to prevent direct overlooking between the dwellings, it is recommended that this is secured by condition. Environmental Health initially raised concerns about ventilation and overheating, as future occupants may consider it necessary to keep the internal lightwell windows closed to prevent noise and disturbance. Comfort cooling is now proposed, which will prevent overheating if the occupiers choose to keep windows closed.

Conditions have been added to ensure that the design and structure of the development shall be of such a standard that it will protect residents within the same building and in adjoining buildings from noise and vibration from the development.

On balance, the proposed dwellings would provide an acceptable standard of accommodation.

8.2 Townscape and Design

The application site 64 and 65 Long Acre consists of two buildings of differing character. 64 Long Acre is a four storey building that was purpose built as a motor car depot in 1912-13. The buildings design accords with that of the buildings on the corner, No. 63

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Long Acre and No. 18 Bow Street. The front elevation is of red brick and includes a glazed shop front at ground floor level with a separate doorway providing access to the application site and upper floors. The façade includes decorative stucco columns and detailing around the upper windows, including the impressive arched first floor window. The windows are similar at second and third floor levels, although they are four panes wide at the lower and only three at the upper. The fourth floor includes a circular window set within the gable.

65 Long Acre is a five storey building including a mansard, built in a traditional Georgian style. The front elevation is constructed in London stock brick, pierced by three windows at each storey (first, second and third) with three dormers at fourth floor level. The metal framed windows have limited detailing and the buildings design overall accords with that of the neighbouring No.66. The ground floor includes a modern glazed shop front and doorway (blocked) to the upper floors. The rear of both buildings are much altered and add little to the overall character of the conservation area. The proposed works consists of:

Enlargement of Windows in Light Well – The proposed windows are slightly larger, but within the lightwell and completely enclosed. Accordingly, it is considered that the works are of no harm to the character of the building or conservation area.

Enlargement of Three Roof Lights (North East Elevation) – The roof lights are located to the rear and surrounded by other roof lights. Enlargement will not harm the character of the building or conservation area.

Installation of Footbridge in Light Well and Formation of Associated Doors- The works would be completely enclosed within the lightwell and are not considered harmful to the character of the building or conservation area.

Addition of Two Roof Lights (Main Roof Level) – The proposed roof lights would be located to the back of the main roof, which already includes numerous AC units. The roof lights would not be visible from street level and are not considered harmful.

Plant – Air conditioning units are proposed on the roof of no. 64 Long Acre and the rear fire escape above third floor level. There are a number of existing air conditioning units on the roof of no. 64, which serve adjacent buildings. The proposed units on the roof of no.64 would be visible from limited views at street level. Accordingly, an amending condition is recommended to ensure that full width screening is provided to reduce the impact of the plant. The plant to the fire escape would not be visible from street level and is not considered harmful. Subject to this condition, it is considered that the proposed plant machinery is acceptable in design and conservation terms.

8.3 Residential Amenity

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

The site is surrounded by a number of residential properties. The rear windows of the , property are in close proximity to a number of residential windows at Chambers House

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on Broad Court. In order to prevent direct overlooking and loss of privacy, a condition is recommended to ensure so that the rear windows of the kitchen/ living room areas in flats 1C (first floor) and 2D (second floor) will not be clear glass and will have limited opening. Subject to this condition, it is considered that the proposals would not lead to an unacceptable degree of overlooking or loss of privacy to surrounding properties.

Given the position of the proposed plant and its scale and massing, it is considered that there will be no significant loss of light or sense of enclosure to surrounding residential or commercial properties.

The applicant has submitted an acoustic report demonstrating that the proposals can meet the City Council's policies for noise and this has raised no objection from the City Council's Environmental Health Manager or neighbouring properties. The City Council's standard noise conditions have been attached. Additionally, a condition is recommended to ensure that the enclosures referenced in the applicant's acoustic report are provided before the plant machinery is used.

A condition is recommended to ensure that the roofs of the buildings are not used for sitting out or for any other purpose.

Overall, it is considered that the proposals would meet City Plan policy S29 and UDP policy ENV 13 and are therefore acceptable in terms of amenity.

8.4 Transportation/Parking

The Highways Planning Manager recommends refusal of the application due to lack of off-street parking

Policy TRANS23 details an 80% on-street car park occupancy threshold above which the provision of additional vehicles to the on-street parking environment will result in an unacceptable level of deficiency.

Council's most recent day time parking survey (2015) indicates that the parking occupancy of Residents' Bays and Shared Use Bays within a 200m radius of the development site is 79% (based on only 61 out of the available 77 bays being occupied). Accordingly, if just one of the proposed residential dwellings requires on-street parking, this would take the area over the 80% threshold, and the highways planning manager has objected on this basis. However, given the benefits of providing new residential accommodation and the proximity of excellent public transport links, it is considered that on balance the residential use is acceptable in highways terms subject to appropriate mitigation for the potential increased pressure on on-street parking locally. The applicant has agreed to meet the costs of providing a scheme to mitigate on-street parking demand for the additional residential units. This is likely to be lifetime membership of a car club for the additional residential units on site (i.e. 7 units).

The London Plan requires 1 cycle parking space per 1 bed residential unit and 2 spaces for all others. The plans include space for bicycle storage within the individual units, in accordance with this requirement. Whilst a communal bike store on the lower levels of the building would be preferable, this is considered to be acceptable given the

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constraints of the site. A condition is recommended to ensure that the proposed cycle parking is retained.

8.5 Economic Considerations

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

8.6 Access

Access will remain from doors at 64 and 65 Long Acre respectively. A new passenger lift will be installed between ground and third floor levels at 65 Long Acre.

8.7 Other UDP/Westminster Policy Considerations

Refuse /Recycling

The proposed storage arrangements for waste and recyclable materials are considered to be in line with the requirements of the Council. A condition is recommended to ensure that the proposed arrangements are made permanently available and used for no other purpose.

8.8 Neighbourhood Plans

No neighbourhood plan is in place for this area.

8.9 London Plan

This application raises no strategic issues.

8.10 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.

8.11 Planning Obligations

The estimated Mayor's CIL payment is: £3,723.22

The estimated WCC CIL payment is: £33,701.28

8.12 Environmental Impact Assessment

This application is not of a sufficient scale to require an Environmental Impact Assessment.

8.13 Other Issues

Building Regulations

Environmental Health have raised concern that the arrangements for means of escape in case of fire appear to be inadequate, one of the rooms is a "Remote Room" and that

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the mezzanine level windows should be openable to allow for purge ventilation. Whilst these concerns are noted, they are matters to be considered under the building regulations and are not a material planning considerations.

Pre commencement condition

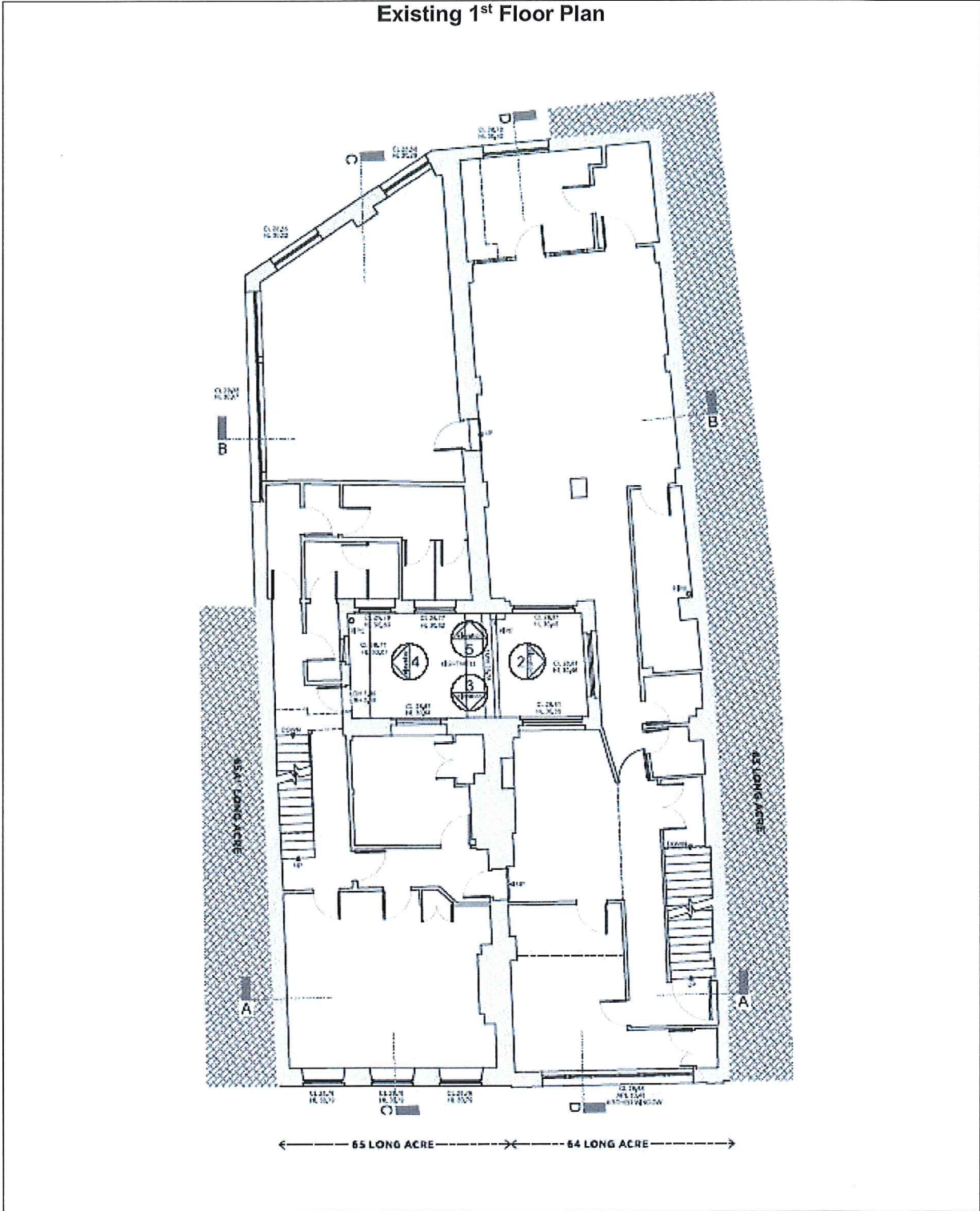
Further to the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the City Council cannot impose a pre-commencement condition (a condition which must be discharged before works can start on site) on a planning permission without the written agreement of the applicant, unless the applicant fails to provide a substantive response within a 10 day period following notification of the proposed condition, the reason for the condition and justification for the condition by the City Council.

A notice has been served relating to the proposed imposition of a pre-commencement condition to secure the mitigation against the pressure on on-street parking spaces caused by the development, as already discussed in Section 8.4 of this report. Any substantive response received will be reported verbally.

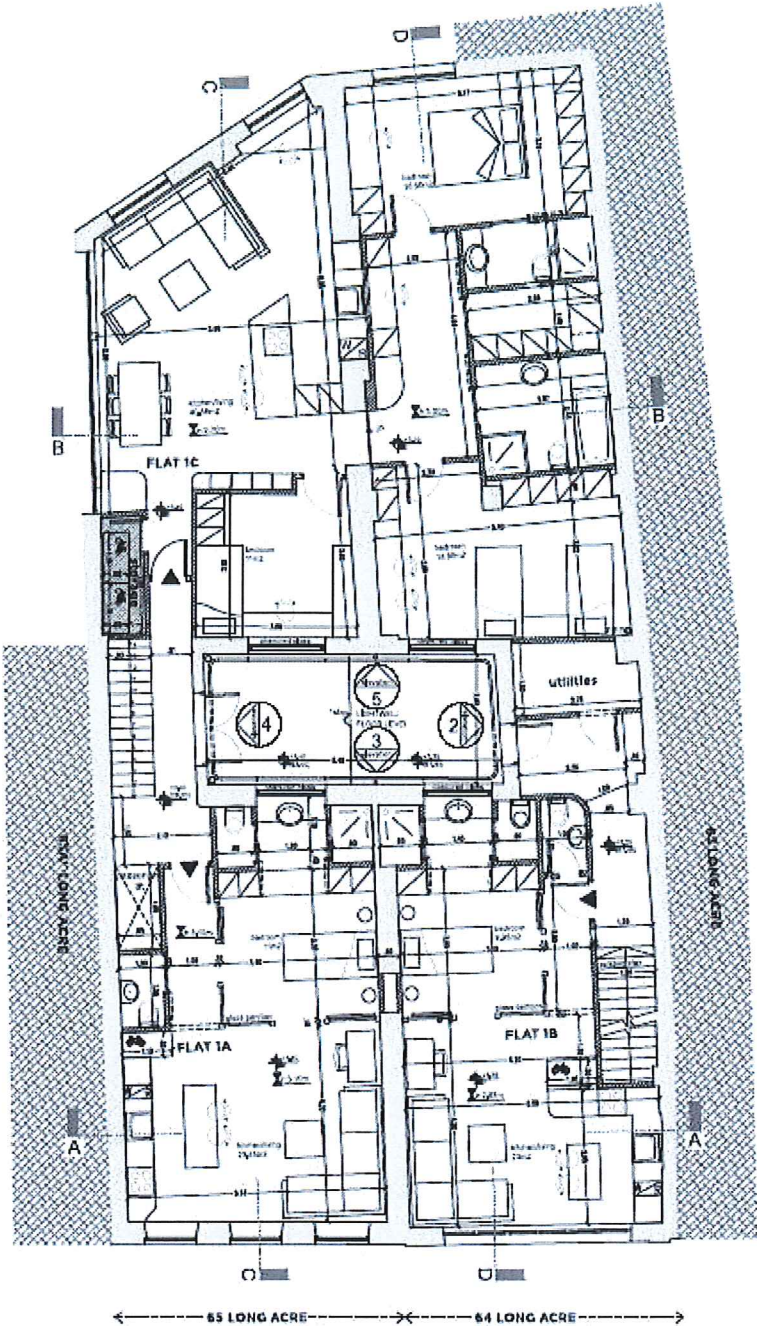
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: LOUISE FRANCIS BY EMAIL AT lfrancis@westminster.gov.uk
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9. KEY DRAWINGS



Proposed 1st Floor Plan

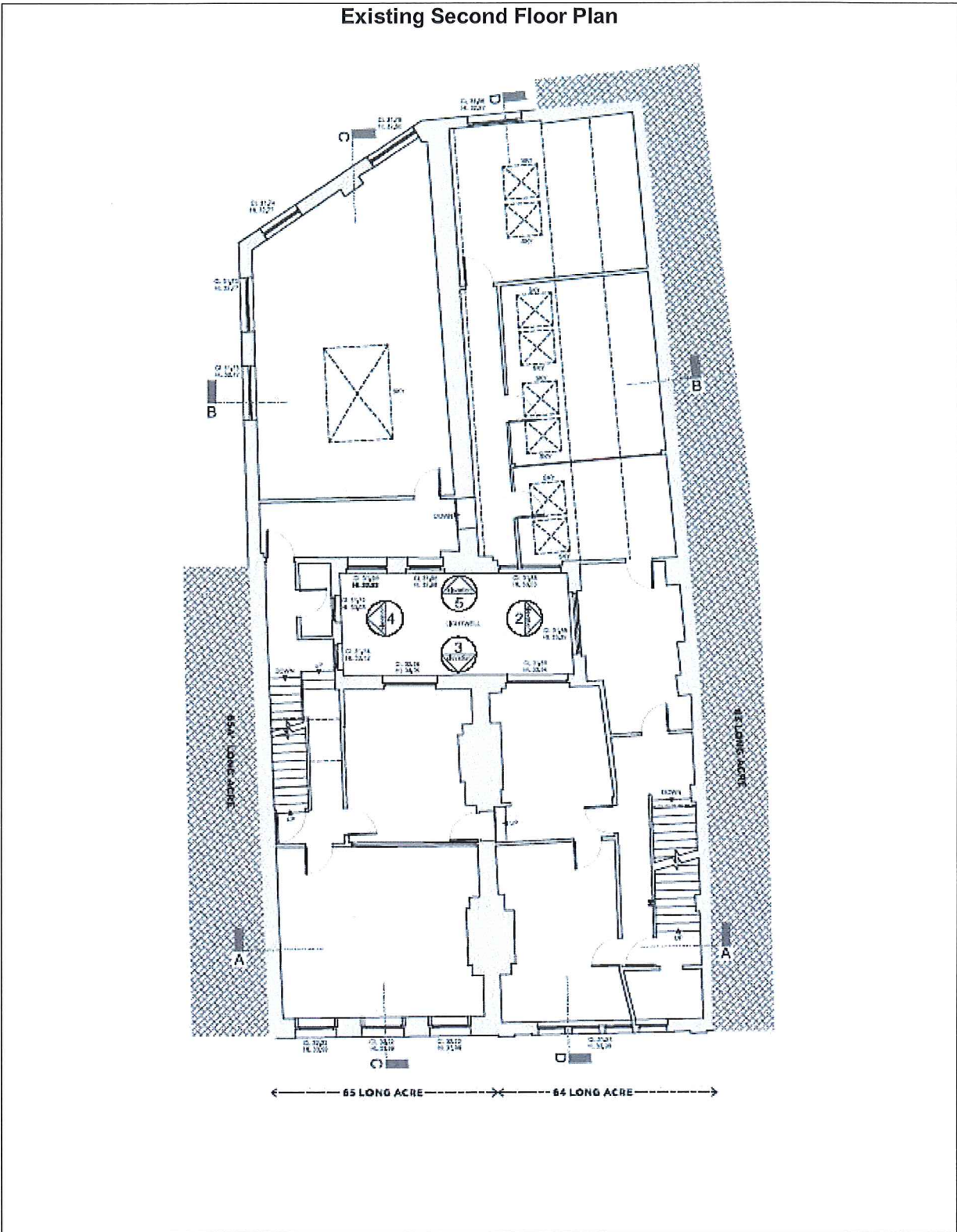


FLAT 1A_ 46.50m² (1b1p)

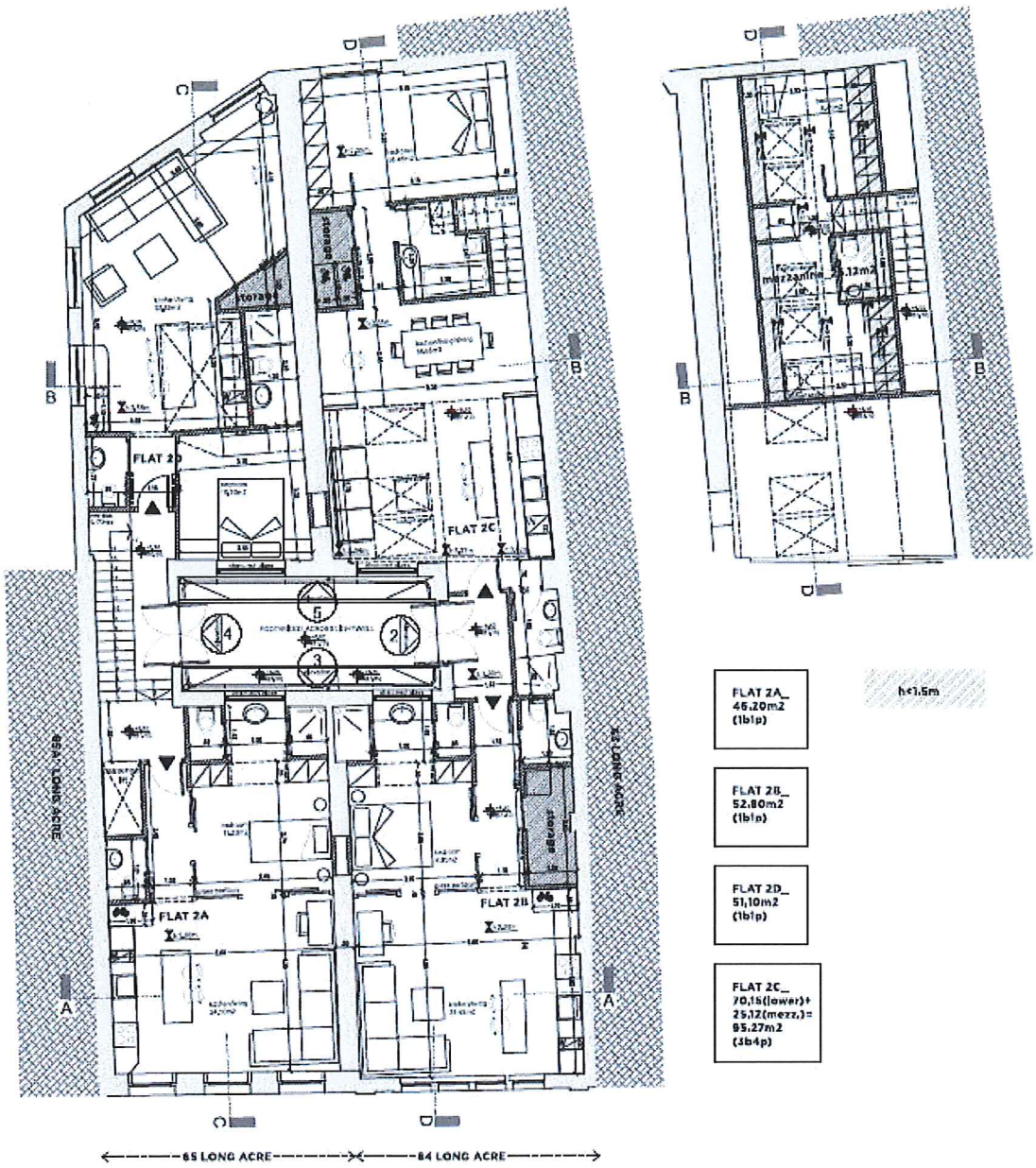
FLAT 1B_ 44.50m² (1b1p)

FLAT 1C_ 120.10m² (3b5p)

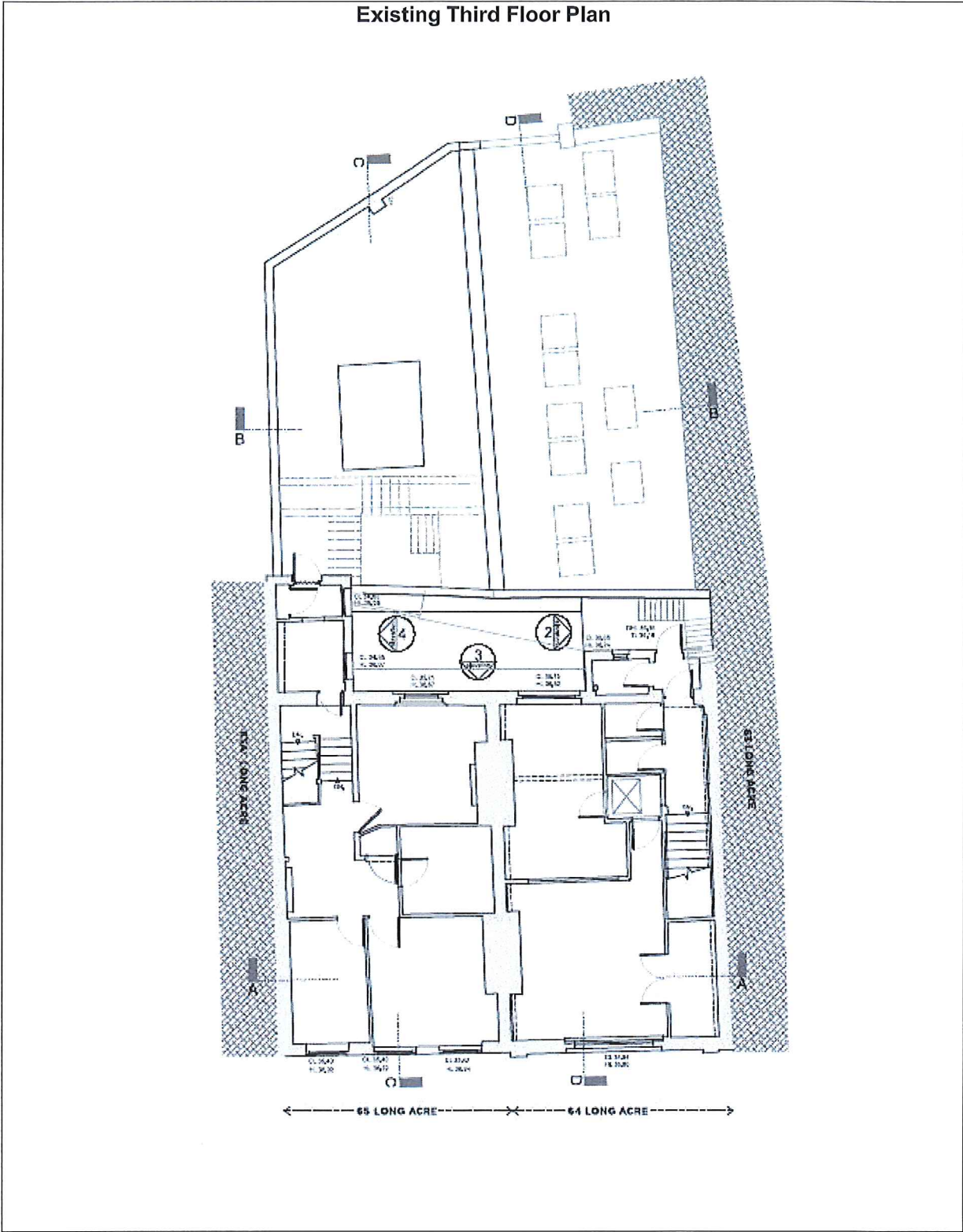
Existing Second Floor Plan



Proposed Second Floor Plan

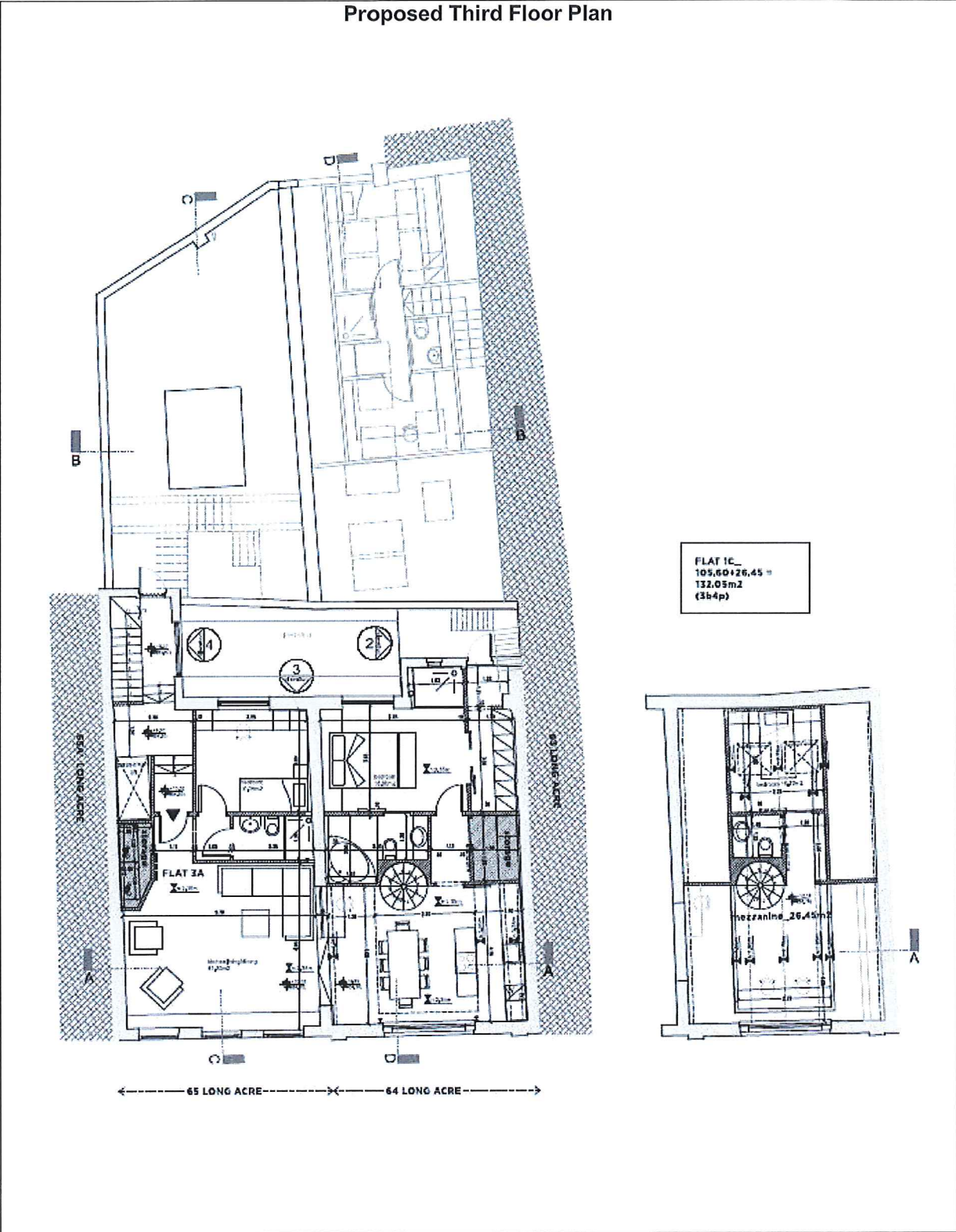


Existing Third Floor Plan

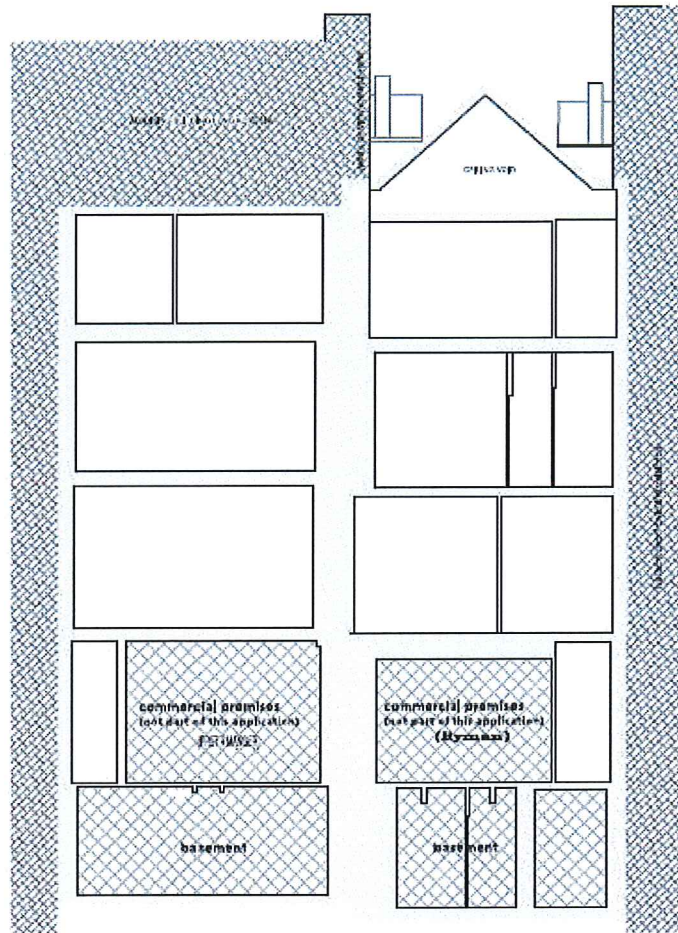


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Proposed Third Floor Plan

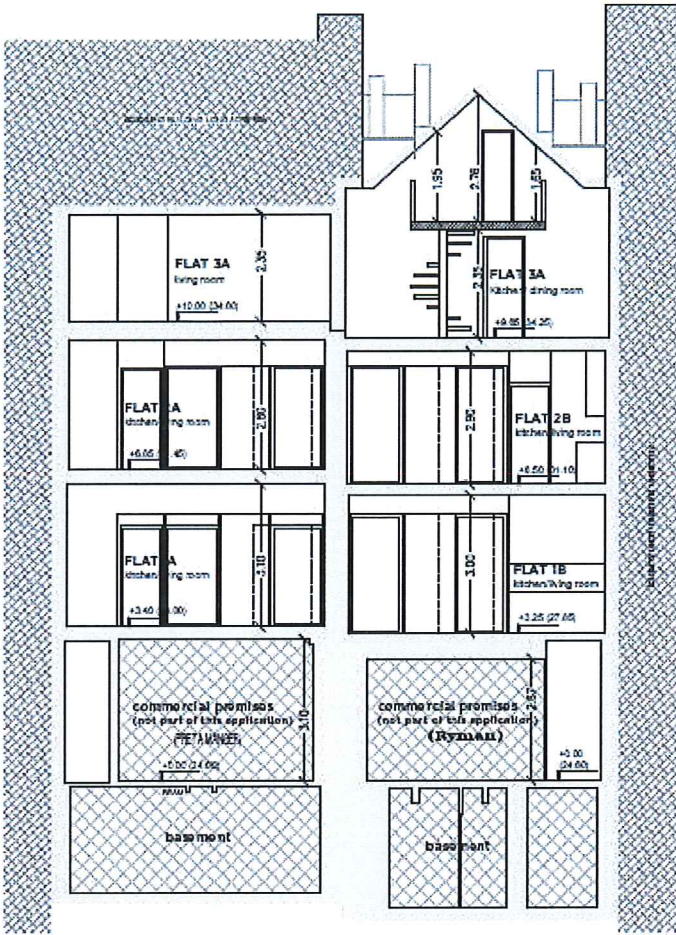


Existing Section A-A (Front)



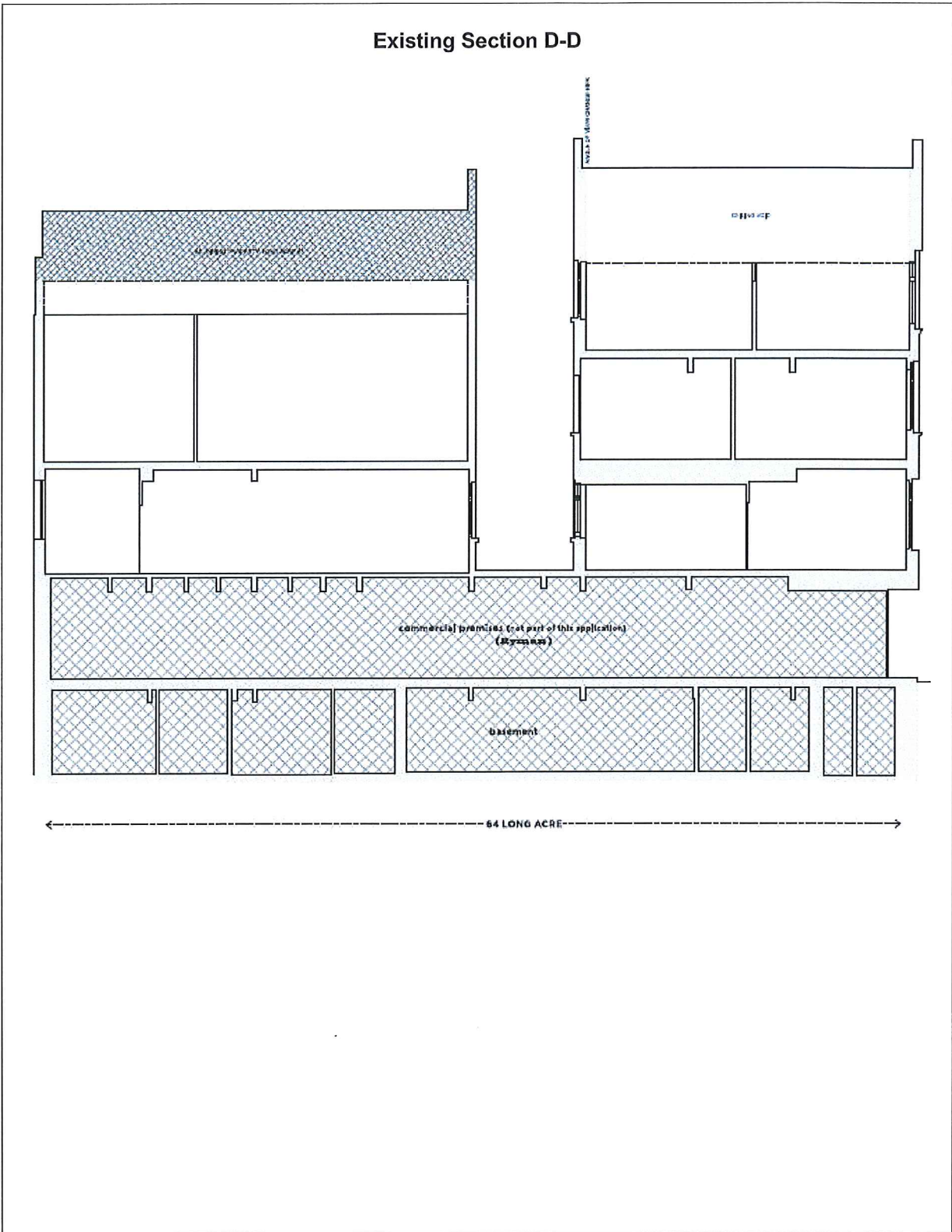
6 ACRE --->←----- 65 LONG ACRE----->←----- 64 LONG ACRE----->←----- 63 LONG ACRE

Proposed Section A-A (Front)

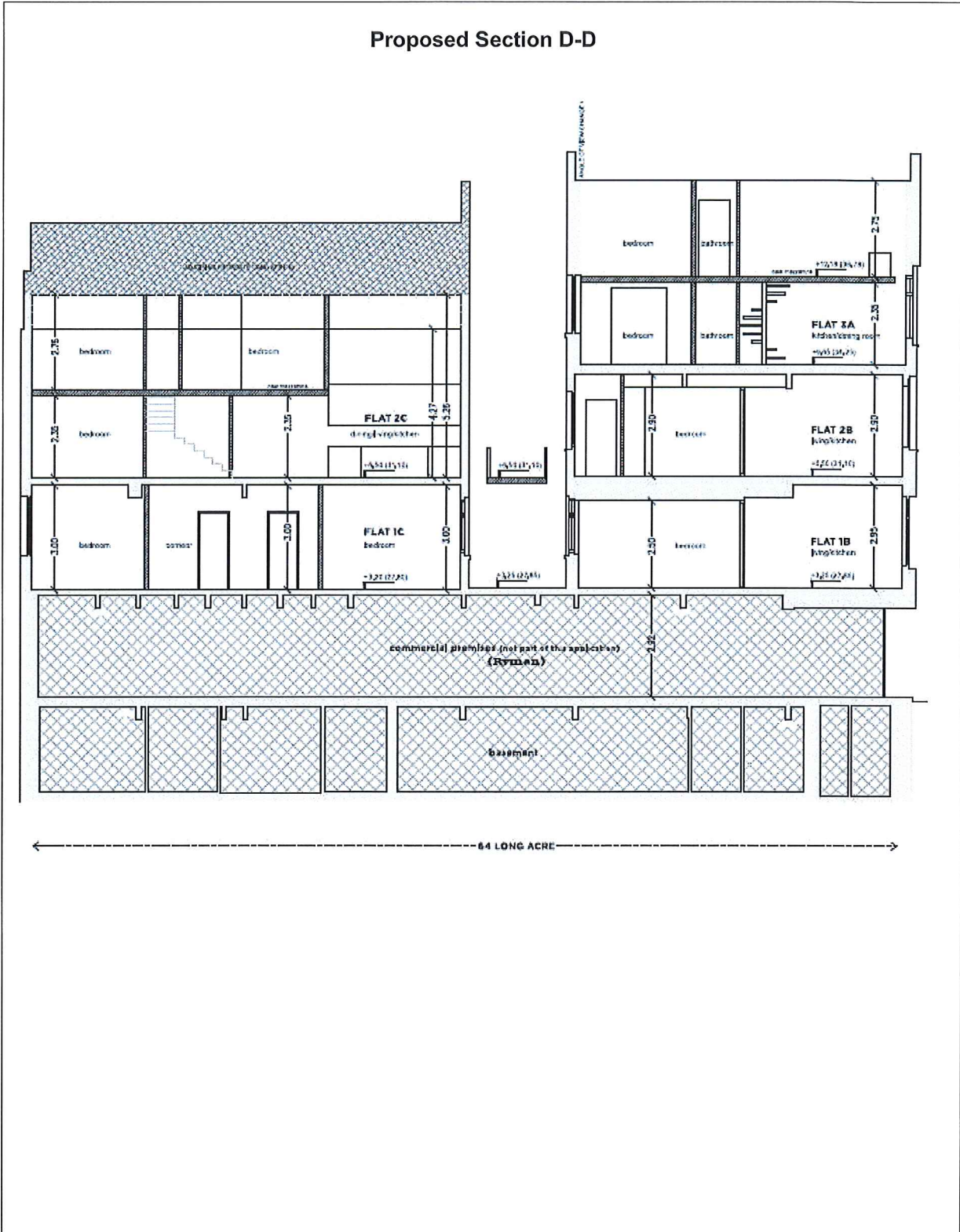


1 CRE → 65 LONG ACRE → 64 LONG ACRE → 63 LONG A

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Proposed Section D-D



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DRAFT DECISION LETTER

Address: First To Third Floor, 64-65 Long Acre, London, WC2E 9SX,

Proposal: Use of part ground, first, second, third and new internal mezzanine floors as eight residential dwellings (Class C3); Installation of footbridge across internal lightwell at second floor level, plant machinery and internal lift: External alterations, including changes to fenestration.

Reference: 18/04254/FULL

Plan Nos: A.01; A.02; A.04; A.06 Rev. B; A.08 Rev. B; A.10 Rev. B; A12 Rev. C; A.14 Rev. C; A.16; A.18; A.20; A.22; A.24; A.26 Rev. B; A.28 Rev. A; A.30; Report 13527-NIA-01-RevD dated 14 September 2018.

For Information:
Planning, Design and Access Statement dated 22 May 2018; Appendices to Planning, Design and Access Statement dated 22 May 2018; Daylight and Sunlight Study dated 24 April 2018; Addendum to the Planning, Design and Access Statement dated 23 July 2018.

Case Officer: Ian Corrie

Direct Tel. No. 020 7641 1448

- 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.

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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 (November 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 Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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 submit detailed drawings at a scale of 1:10 and sections at 1:5 of the following parts of the development:

-Windows, including roof lights,

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 Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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 Notwithstanding what is shown on the approved drawings you must apply to us for approval of details of the following part of the development:

- Full width screening for plant machinery on roof of 64 Long Acre (Elevation and Section drawings at 1:50 and 1:10 including specifications),



You must not install the plant machinery on the roof of 64 Long Acre until we have approved what you have sent us. You must then install the full width screening according to the approved drawings. You must then maintain the screening for as long as the plant machinery is in situ.

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 Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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 Notwithstanding what is shown on the approved drawings you must apply to us for approval of details of the following part of the development:

-Acoustic enclosures for plant machinery on roof of 64 Long Acre (Elevation and Section drawings at 1:50 and 1:10 Including Specifications),

You must not use the approved plant machinery on the roof of 64 Long Acre until we have approved what you have sent us. You must then install the acoustic enclosures according to the approved drawings. You must then maintain the acoustic enclosures for as long as the plant machinery is in situ.

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 Covent Garden Conservation Area and to protect the environment of people in neighbouring properties. This is as set out in S25, S28 and S29 of Westminster's City Plan (November 2016) and ENV 13, 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 (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,

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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 (November 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. (R46AB)

- 8 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.

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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. (R48AA)

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

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise. (R49AA)

- 10 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. (R49BA)

- 11 The glass that you put in the windows at first and second floor levels in the rear elevation must not be clear glass and the windows shall be fitted with devices to limit the extent of opening. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant parts of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission. (C21DB)

Reason:

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



- 12 You must not use the roofs of the buildings for sitting out or for any other purpose. You can however use the roof to escape in an emergency.

Reason:

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

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

Reason:

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

- 14 You must provide the waste store shown on drawings A06 Rev. B, A08 Rev. B and A10 Rev. B before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the residential accommodation. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

- 15 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 (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 16 **Pre Commencement Condition.**

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Occupation of the flats hereby approved shall not commence until we have approved appropriate arrangements to secure the following.

-A scheme to mitigate on-street parking demand for the additional residential units proposed.

In the case of each of the above benefits, you must include in the arrangements details of when you will provide the benefits, and how you will guarantee this timing. You must only carry out the development according to the approved arrangements.

Reason:

To make sure that the development provides the planning benefits that have been agreed, as set out in S33 of Westminster's City Plan (November 2016) and in TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R19AC)

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

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- 5 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.
- 6 Under the Greater London Council (General Powers) Act 1973, as amended by the Deregulation Act 2015, you need planning permission to use residential premises as 'temporary sleeping accommodation' (i.e. where the accommodation is occupied by the same person or persons for less than 90 consecutive nights) unless the following two conditions are met:
1. The number of nights in any single calendar year in which the property is used to provide 'temporary sleeping accommodation' does not exceed 90 [ninety].
 2. The person who provides the sleeping accommodation pays council tax in respect of the premises under Part 1 of the Local Government Finance Act 1992 (where more than one person provides the sleeping accommodation, at least one of those persons must pay council tax in respect of the premises).
- This applies to both new and existing residential accommodation. Please see our website for more information: <https://www.westminster.gov.uk/short-term-letting>
- Also, under Section 5 of the Greater London Council (General Powers) Act 1984 you cannot use the property for any period as a time-share (that is, where any person is given a right to occupy all or part of a flat or house for a specified week, or other period, each year).
- 7 Under condition 16, we are likely to accept a legal agreement under section 106 of the Town and County Planning Act to secure Car club membership for future residents, as set out in the letter dated 25 September 2018 from Ian Corrie. Please look at the template wordings for planning obligations (listed under 'Supplementary planning guidance') on our website at www.westminster.gov.uk. Once the wording of the agreement has been finalised with our Legal and Administrative Services, you should write to us for approval of this way forward under this planning condition. (I77AA)

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.