

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 26 May 2015	Classification For General Release	
Report of Director of Planning		Wards involved St James's	
Subject of Report	10 Henrietta Street, London, WC2E 8PS		
Proposal	Use of part ground floor and first to fourth floors to provide three flats (2 x 1 bed and 1 x 2 bed) (Class C3), use of the rear fourth floor flat roof as a terrace, installation of replacement mechanical plant within enclosures at rear first floor level and associated external works.		
Agent	Gerald Eve LLP		
On behalf of	Capital & Counties CG Limited		
Registered Number	14/12551/FULL 14/12552/LBC	TP / PP No	TP/9613
Date of Application	19.12.2014	Date amended/ completed	19.12.2014
Category of Application	Other		
Historic Building Grade	Grade II Listed Building		
Conservation Area	Covent Garden		
Development Plan Context - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Within London Plan Central Activities Zone Within Core Central Activities Zone		
Stress Area	Within Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

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





10 HENRIETTA STREET, WC2

2. SUMMARY

10 Henrietta Street is a six storey building with retail (Class A1) at basement and ground floor level and offices (Class B1) on the upper floors. The building is Grade II listed and within the Covent Garden Conservation Area, Core Central Activities Zone and West End Special Retail Policy Area. Permission and consent are sought for the use of part ground floor and first to fourth floors to provide three flats (2 x 1 bed and 1 x 2 bed) (Class C3), use of the rear fourth floor flat roof as a terrace and installation of replacement mechanical plant at rear first floor level.

The key issues in this case are:

- The impact of the proposals upon the land use of the property in terms of the loss of office accommodation and provision of residential floorspace.
- The impact of the proposals upon the special interest of the listed building and the character and appearance of the conservation area.
- The impact of the proposals upon the amenities of neighbouring residents.

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

3. CONSULTATIONS

COVENT GARDEN COMMUNITY ASSOCIATION

Objection to the loss of office space and in particular the loss of small office space.

COVENT GARDEN AREA TRUST

No objection.

CLEANSING MANAGER

No objection subject to conditions.

ENVIRONMENTAL HEALTH

- Second floor flat toilet is not accessible from a circulation space.
- Windows to the residential units must be openable.

HIGHWAYS PLANNING MANAGER

Concern raised over the lack of cycle parking provision.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 11; Total No. of Replies: 0.

ADVERTISEMENT/SITE NOTICE: Yes.

4. BACKGROUND INFORMATION

4.1 The Application Site

10 Henrietta Street is a six storey building with retail (Class A1) at basement and ground floor level (which are currently vacant) and offices (Class B1) on the four upper floors. The building is Grade II listed and within the Covent Garden Conservation Area, Core Central Activities Zone and West End Stress Area.

The property is located on the south side of Henrietta Street close to Covent Garden Piazza. Henrietta Street is largely characterised by commercial premises at ground floor level (retail, offices and restaurant uses) and a mix of office and residential uses on the upper floors.

4.2 Relevant History

Permission and listed building consent were granted on the 16 December 2014 for the installation of two replacement rooflights and the removal of an extract duct (rear ground floor roof) (14/09686/FULL and 14/09327/LBC).

5. THE PROPOSAL

Permission and consent are sought for the change of use from offices (approximately 315m² of floorspace) at part ground floor and the upper floors to provide 2 x 1 bed and 1 x 2 bed flats (Class C3). The installation of railings is sought in connection with the use of the rear fourth floor flat roof as a terrace. Replacement mechanical plant is proposed at rear first floor level with acoustic enclosures.

6. DETAILED CONSIDERATIONS

6.1 Land Use

It is proposed to retain the retail use at basement and ground floor levels of No. 10.

Loss of office floorspace

Paragraph 51 of the NPPF states that Local Planning Authorities should normally approve planning applications for the change of use of buildings within Class B use to residential use where there is an identified need for housing in that area, provided there is no strong economic reasons why such development would be inappropriate.

Policy S47 of the City Plan advises that 'when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework....to secure development that improves the economic, social and environmental conditions in the area'.

The City Plan also includes a mixed use Policy S1, which supports uses that support the vitality, function and character of the area. The loss of the lawful offices on the upper levels to provide residential accommodation is considered to comply with this policy, with the area characterised by a mix of such uses on the upper levels. Given the benefits of providing residential floorspace and as residential uses are in keeping with the area, the proposed change of use is considered acceptable in this instance.

The principle of providing residential on site accords with Policy S14 of the City Plan and saved Policy H3 of the UDP which seeks to increase residential floorspace.

The Covent Garden Community Association has objected to the proposed use as this would result in the continuing loss of office space. As highlighted above, whilst there will be a loss of office space, the Council does not have a policy to protect office floorspace and a refusal on these grounds cannot be sustained.

Residential mix

Policy S15 of the City Plan and saved Policy H5 of the UDP seeks the provision of a range of housing sizes normally requiring 33% of housing units to be family sized (3+ bedrooms) and 5% of the family housing to have five or more habitable rooms.

The proposal seeks to provide 2 x 1 bed residential units and 1 x 2 bed residential unit. The one bedroom units will occupy the first and second floor levels with the two bed unit occupying the third and fourth floor. The proposed units meet the minimum standards as specified in the London Plan (2011).

Although no family sized units are provided, given the constraints of this Grade II listed building, the proposed mix is considered acceptable in this instance. The two bedroom flat will have access to a roof terrace.

Residential standards

It is accepted that the background noise levels in this area of the City can be high. Saved Policy ENV6 of the UDP states that residential developments are required to provide adequate protection from existing background noise. The Noise Report submitted with the application has been assessed by Environmental Health officers.

The report states that the proposed residential units will be mechanically ventilated and will not require passive ventilation or for the windows to be openable. Whilst Environmental Health has raised no objection to the units being mechanically ventilated they have stated that it is not acceptable for the windows of the habitable rooms to be unopenable. The applicant has stated that ventilation could be achieved by opening, which would be at the resident's discretion. Subject to conditions, the proposed residential is considered acceptable in terms of internal noise levels.

Environmental Health has raised concern over the toilet to the second floor not being accessible from circulation space. The toilet is located within the rear part of the extension and is accessed from the bedroom. Given that the building is listed, the use of space is dictated by the existing configuration of the floorplan and it is not possible to introduce circulation space within this area without compromising the listed building.

Affordable Housing

Policy S16 of the City Plan requires the provision of affordable housing if the proposed residential use provides 10 or more residential units, or provides over 1000m² of new residential floorspace. The proposal does not trigger the requirement for affordable housing to be provided on site.

6.2 Townscape and Design

External alterations

On the front elevation it is proposed to replace the entrance door to the upper floors to match the existing door. This is considered acceptable and a condition is recommended to secure details of the new door. On the rear elevation a new access door and railings are proposed to the proposed fourth floor terrace, which are considered acceptable, as is the proposed metal staircase from the first floor to the rear courtyard.

The proposal had sought to change the windows on the rear elevation to provide double glazed units. It is unclear whether the existing double glazing on the rear elevation has consent, notwithstanding this, unlike No. 9 Henrietta Street where the rear elevation has been rebuilt, the rear of No. 10 has not been rebuilt and is of some age, therefore the insertion of double glazed units is not considered to be an appropriate alteration. The applicant has agreed to install secondary glazing to the existing window reveals on the rear elevation. Conditions are recommended to ensure that the existing windows on the rear elevation are single glazed and to secure details of the secondary glazing.

At roof level new slates are proposed alongside the salvaged existing slates. Thermal insulation will also be inserted into the roof space before the slates are re-laid. A condition is recommended to ensure that the slates are natural slate to match existing.

Internal alterations

The existing first floor is open plan. The proposals divide the rear room to the front along what would have been the historical partition. The rear room is then further divided from the entrance lobby, bathroom and cupboards. The walls of the rear link section are also to be removed. The dividing of the front and rear rooms is considered to return the building to its original plan form, the rear room and link have been previously altered as identified in the Historic Building report. These works are considered acceptable in listed building terms.

At second floor level the rear room is to be divided to create an entrance lobby with a new door opening between the front and rear rooms. The division of this room is unfortunate, however, at this level and being within the rear this is not considered to be harmful to the listed building. Similarly, at third floor level a new door is proposed between the front and rear rooms and an entrance lobby is created.

The fourth floor is a modern addition and therefore of no historical interest. At this level the existing walls are to be removed and the internal arrangement completely altered.

The proposed alterations are considered acceptable in design and listed building terms.

6.3 Amenity

It is proposed to use the existing rear fourth floor flat roof as a terrace as part of the third and fourth floor flat. The terrace will be accessed from the bedroom. The terrace would be approximately 15m from the nearest residential property identified as 34-35 Maiden Lane. It is not considered that it will give rise to loss of privacy or overlooking to the adjoining properties.

Mechanical plant is proposed to the rear first floor flat roof for both the proposed residential units and the existing retail unit. A Noise Assessment report has been submitted with the proposal which has been assessed by Environmental Health officers. They have confirmed that the proposed air conditioning units with the acoustic enclosure is likely to comply with the City Council's noise conditions. On this basis and subject to conditions to control noise from plant the proposed mechanical plant is considered acceptable.

6.4 Transportation/Parking

Part B of saved Policy TRANS 23 states that where the on street parking threshold in an area is over 80% then this will result in an unacceptable level of deficiency and increase parking stress in the area. In this instance the night time parking level is 62%. With the inclusion of all legal spaces (e.g. single yellow line, metered bays, pay and display and shared use) this reduces to 46%. Daytime parking level is 79%. Car level ownership in the St James's ward is 32%. The Highways Planning Manager has raised no objection to the proposals in terms of saved Policy TRANS 23.

Policy S41 seeks to encourage sustainable forms of transport and this is reinforced by supported Policy TRANS 10A which requires one cycle space to be provided for each new flat. The Highways Planning Manager has required the provision of secure cycle spaces. The applicant has stated that due to the lack of space at basement level and that there is no lift, it has not been possible to design in cycle provision. The basement and ground floor levels are occupied by the existing retail unit. Externally there is no space available as the ground floor courtyard area is not accessible to the proposed flats. At first floor level there is already mechanical plant proposed and there is insufficient space to securely accommodate three cycle spaces. Whilst this is regrettable, given the existing site constraints and that the site is well placed in terms of accessing public transport, the lack of secure cycle provision is considered acceptable in this instance.

6.5 Economic Considerations

The proposal will result in a reduction of 315m² of office floorspace in the CAZ. However, this is unlikely to have a significant economic impact. The provision of three residential units will increase the housing stock in the City which will generate economic benefits within this area.

6.6 Other UDP/Westminster Policy Considerations

Central Government's National Planning Policy Framework (NPPF) came into effect on 27 March 2012. It sets out the Government's planning policies and how they are expected to be applied. The NPPF has replaced almost all of the Government's existing published planning policy statements/guidance as well as the circulars on planning obligations and strategic planning in London. It is a material consideration in determining planning applications.

Until 27 March 2013, the City Council was able to give full weight to relevant policies in the Core Strategy and London Plan, even if there was a limited degree of conflict with the framework. The City Council is now required to give due weight to relevant policies in existing plans "according to their degree of consistency" with the NPPF. Westminster's City Plan: Strategic Policies was adopted by Full Council on 13 November 2013 and is fully compliant with the NPPF. For the UDP, due weight should be given to relevant policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the NPPF, the greater the weight that may be given).

The UDP policies referred to in the consideration of these applications are considered to be consistent with the NPPF unless stated otherwise.

6.7 London Plan

The proposal does not raise strategic issues.

6.8 Planning Obligations

Not applicable.

6.9 Environmental Assessment including Sustainability and Biodiversity Issues

The proposal is of insufficient scale to require an environmental assessment.

6.10 Other Issues

Not applicable.

6.11 Conclusion

The principle of new residential units in this location is acceptable. Subject to conditions, the applications are acceptable in design and amenity terms. In all other respects the proposals are considered acceptable.

BACKGROUND PAPERS

1. Application forms.
2. E-mail from the Covent Garden Area Trust dated 23 January 2015.
3. E-mail from the Covent Garden Community Association dated 31 January 2015.
4. E-mail from Environmental Health dated 20 January 2015.
5. Memorandum from the Cleansing Manager dated 23 January 2015.

6. Memorandum from the Highways Planning Manager dated 4 February 2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT VINCENT NALLY ON 020 7641 5947 OR BY FAX 020 7641 2339 OR BY E-MAIL – vnally@westminster.gov.uk

DRAFT DECISION LETTER

Address: 10 Henrietta Street, London, WC2E 8PS

Proposal: Use of part ground floor and first to fourth floors to provide three flats (2 x 1 bed and 1 x 2 bed) (Class C3), use of the rear fourth floor flat roof as a terrace, installation of replacement mechanical plant within enclosures at rear first floor level and associated external works.

Plan Nos: 1429-0050 Rev. PL1, 1429-0150 Rev. PL1, 1429-0151 Rev. PL1, 1429-0152 Rev. PL1, 1429-0153 Rev. PL1, 1429-0154 Rev. PL1, 1429-0155 Rev. PL1, 1429-0156 Rev. PL1, 1429-0250 Rev. PL1, 1429-0252 Rev. PL1, 1429-0253 Rev. PL1, 1429-0350 Rev. PL1, 1429-0351 Rev. PL1, 1429-1150 Rev. PL1, 1429-1151 Rev. PL1, 1429-1152 Rev. PL1, 1429-1153 Rev. PL1, 1429-1154 Rev. PL1, 1429-1155 Rev. PL1, 1429-1156 Rev. PL1, 1429-1250 Rev. PL1, 1429-1252 Rev. PL1, 1429-1253 Rev. PL1, 1429-1350 Rev. PL1, 1429-1351 Rev. PL1, 1429-0950 Rev. PL1, 1429-0951 Rev. PL1, 1429-0952 Rev. PL1, 1429-0953 Rev. PL1, 1429-0954 Rev. PL1, 1429-0955 Rev. PL1, 1429-0956 Rev. PL1, 1429-0980 Rev. PL1, 1429-WS12 Rev. PL1, 1429-WS13 Rev. PL1, 1429-WS14 Rev. PL1, 1429-WS15 Rev. PL1, Residential planning noise report (14262-R04-A) dated 16 December 2014, manufacturers specification of acoustic enclosure, Historic Building Report dated December 2014 and Design and Access Statement dated December 2014.

Case Officer: Zulekha Hosenally

Direct Tel. No. 020 7641 2511

Recommended Condition(s) and Reason(s):

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

Reason:

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

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

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

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

Reason:

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

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

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted

November 2013 and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

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

- i) Doors.
- ii) Windows including the automatic opening vent (AOV) to the rear second floor window.

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

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

Reason:

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

- 5 All new railings are to be painted black and retained in that colour.

Reason:

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

- 6 All new roof slates are to be natural slate to match the existing slates.

Reason:

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

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

- The windows on the rear elevation shall be single glazed sash windows.

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

Reason:

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

- 8 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number 1429-WS12 Rev. PL1, 1429-WS13 Rev. PL1, 1429-WS14 Rev. PL1 and 1429-WS15 Rev. PL1. You must clearly mark them and make them available at all times to everyone using the flats. (C14FB)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

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

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

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

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

Reason:

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

protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

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

Reason:

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

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

Reason:

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

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

Reason:

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

- 13 You must install the acoustic enclosure around the mechanical plant at rear first floor level. You must not operate the mechanical plant until the acoustic louvre have been installed. Thereafter these acoustic louvre must remain for as long as the unit remains in situ.

Reason:

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

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 3 Conditions 9 and 10 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 4 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 5 This development has been identified as potentially liable for payment of the Mayor of London's Community Infrastructure Levy (CIL). Responsibility for paying the levy runs with the ownership of the land, unless another party has assumed liability. We will issue a CIL Liability Notice to the landowner or the party that has assumed liability with a copy to the planning applicant as soon as practicable setting out the estimated CIL charge.
If you have not already done so you must submit an **Assumption of Liability Form** to ensure that the CIL liability notice is issued to the correct party. This form is available on the planning portal at <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>
Further details on the Mayor of London's Community Infrastructure Levy can be found on our website at: <http://www.westminster.gov.uk/services/environment/planning/apply/mayoral-cil/>.
You are reminded that payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay.

DRAFT DECISION LETTER

- Address:** 10 Henrietta Street, London, WC2E 8PS
- Proposal:** Use of part ground floor and first to fourth floors to provide three flats (2 x 1 bed and 1 x 2 bed) (Class C3), use of the rear fourth floor flat roof as a terrace, installation of replacement mechanical plant within enclosures at rear first floor level and associated internal and external works.
- Plan Nos:** 1429-0050 Rev. PL1, 1429-0150 Rev. PL1, 1429-0151 Rev. PL1, 1429-0152 Rev. PL1, 1429-0153 Rev. PL1, 1429-0154 Rev. PL1, 1429-0155 Rev. PL1, 1429-0156 Rev. PL1, 1429-0250 Rev. PL1, 1429-0252 Rev. PL1, 1429-0253 Rev. PL1, 1429-0350 Rev. PL1, 1429-0351 Rev. PL1, 1429-1150 Rev. PL1, 1429-1151 Rev. PL1, 1429-1152 Rev. PL1, 1429-1153 Rev. PL1, 1429-1154 Rev. PL1, 1429-1155 Rev. PL1, 1429-1156 Rev. PL1, 1429-1250 Rev. PL1, 1429-1252 Rev. PL1, 1429-1253 Rev. PL1, 1429-1350 Rev. PL1, 1429-1351 Rev. PL1, 1429-0950 Rev. PL1, 1429-0951 Rev. PL1, 1429-0952 Rev. PL1, 1429-0953 Rev. PL1, 1429-0954 Rev. PL1, 1429-0955 Rev. PL1, 1429-0956 Rev. PL1, 1429-0980 Rev. PL1, 1429-WS12 Rev. PL1, 1429-WS13 Rev. PL1, 1429-WS14 Rev. PL1, 1429-WS15 Rev. PL1, Residential planning noise report (14262-R04-A) dated 16 December 2014, manufacturers specification of acoustic enclosure, Historic Building Report dated December 2014 and Design and Access Statement dated December 2014.

Case Officer: Zulekha Hosenally

Direct Tel. No. 020 7641 2511

Recommended Condition(s) and Reason(s):

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

Reason:

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

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

Reason:

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

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

- i) Doors.
- ii) Windows including the automatic opening vent (AOV) to the rear second floor window.
- iii) Secondary glazing.

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

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

Reason:

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

- 4 You must apply to us for approval of detailed drawings which indicate the proposed pipework and service routes. You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings.

Reason:

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

- 5 All new railings are to be painted black and retained in that colour.

Reason:

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

- 6 All new roof slates are to be natural slate to match the existing slates.

Reason:

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

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

- The windows on the rear elevation shall be single glazed sash windows.

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

Reason:

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

- 8 You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to

this permission. You must protect those features properly during work on site. (C27KA)

Reason:

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

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

Reason:

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

Informative(s):

- 1 **SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT -**
In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan July 2011, Westminster's City Plan: Strategic Policies adopted November 2013, and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council decided that the proposed works would not harm the character of this building of special architectural or historic interest.

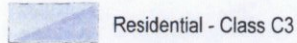
In reaching this decision the following were of particular relevance:

S25 and S28 of Westminster's City Plan: Strategic Policies and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.3 and 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:
- * any extra work which is necessary after further assessments of the building's condition;
 - * stripping out or structural investigations; and
 - * any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents.

It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)



Residential - Class C3



Residential Common Area

Water Services

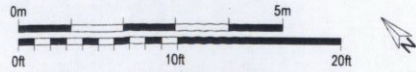
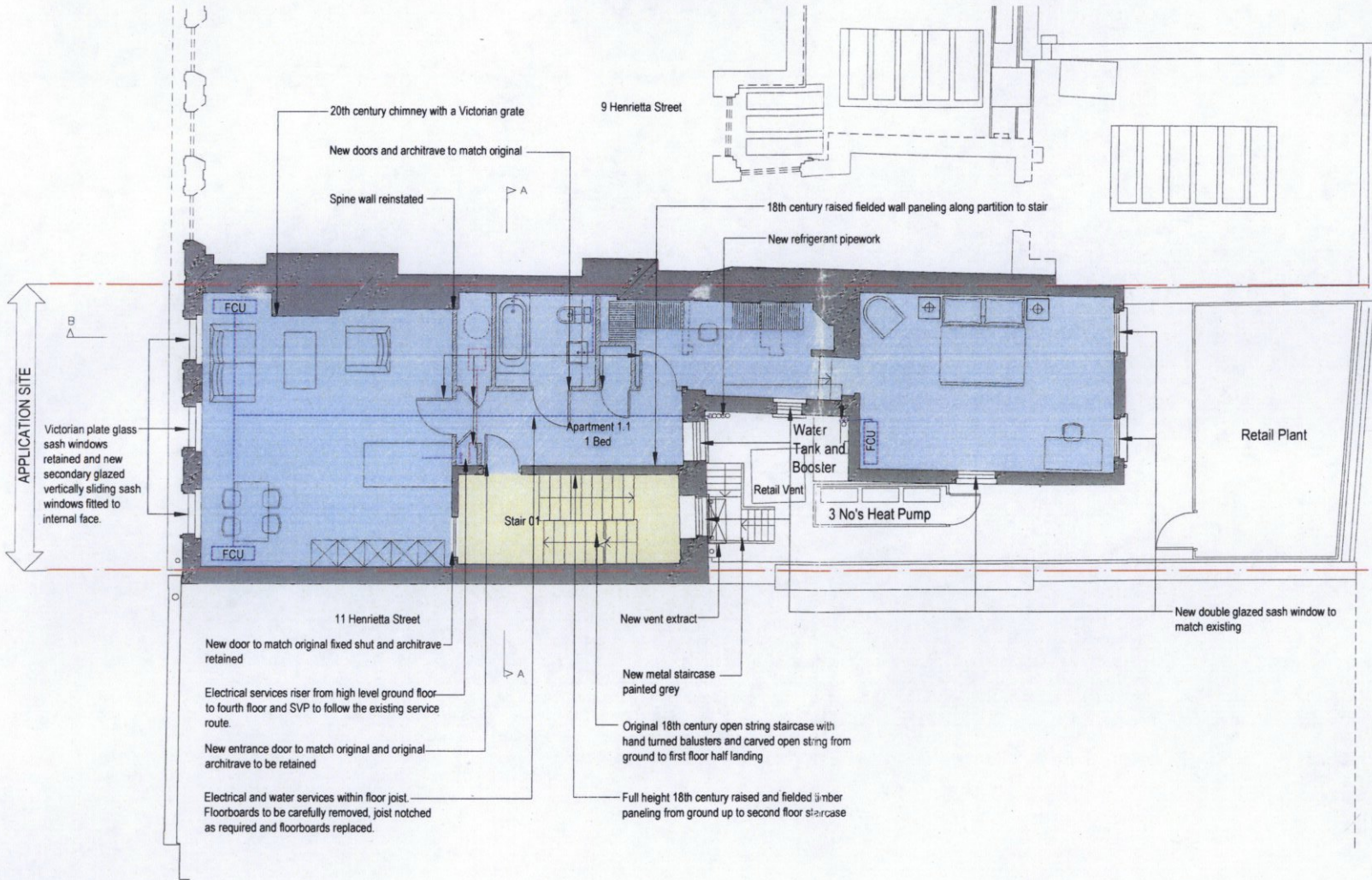
Electrical Services

Drainage Services

General Notes

- All damaged original 18th century paneling, cornices, skirting, brickwork, stone and leadwork to be repaired/made good as necessary.
- All lowered ceiling to be removed
- All non-original floorboards to be replaced

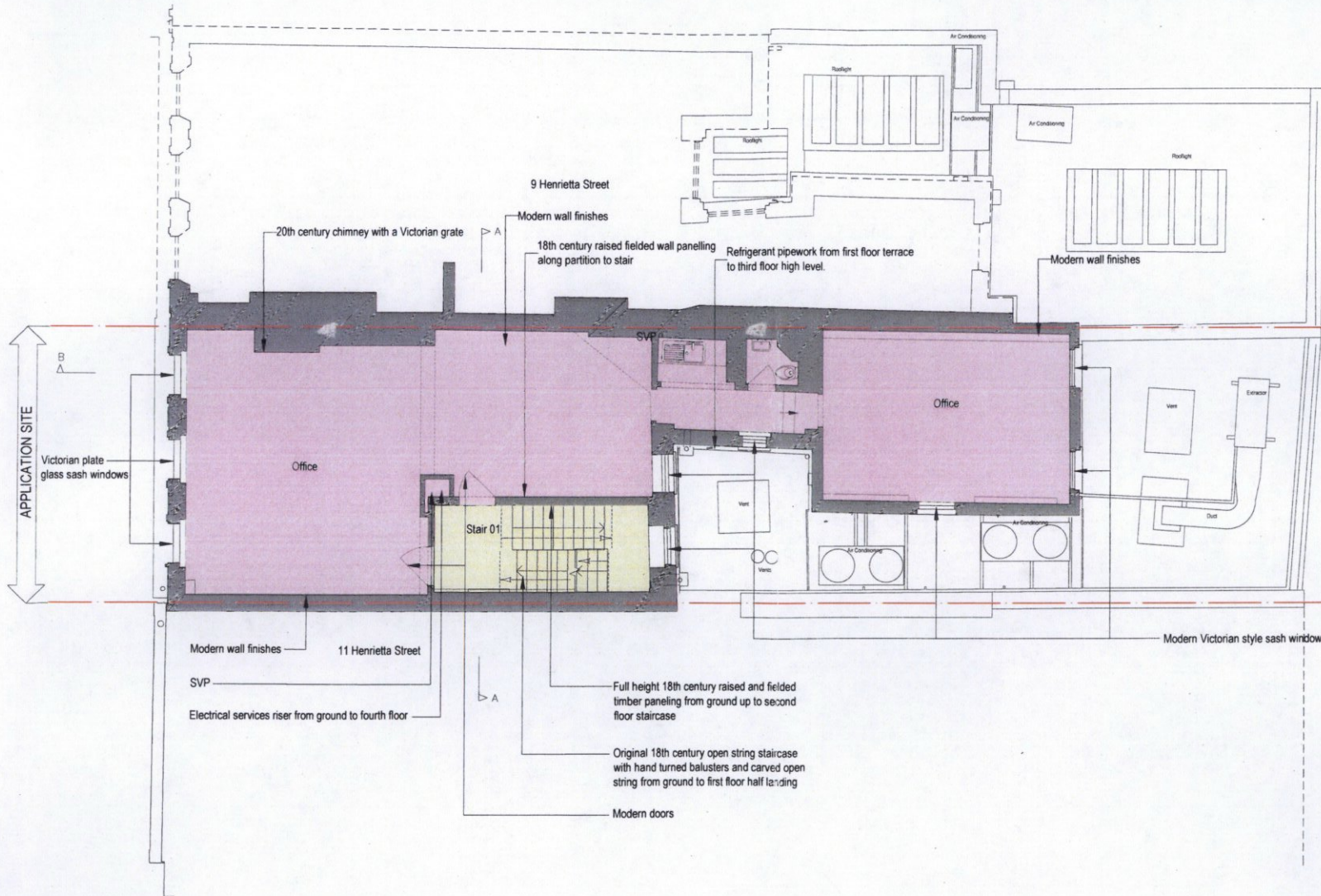
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 - Design development
 - Accurate site survey, site levels and dimensions need to be fully evaluated.
 - Allowance for construction methods and building tolerances.
 - Local authority consents
 m: date: drawn by: checked by: description:
 PL1 17.11.14 SPD CD Issued for Planning



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 RN:
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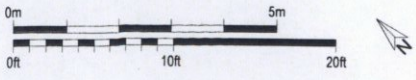
FOR PLANNING		
BRIMELOW McSWEENEY ARCHITECTS <small>26 Great Queen Street, Covent Garden, London WC2B 5RL Tel: 020 7831 7835 Fax: 020 7831 7836 email: admin@brimelow-architects.co.uk</small>		
project 10 Henrietta Street Covent Garden, London		
title Proposed First Floor Plan		
scale 1:100@A1/1.50@A3	date 26-06-14	drawn SW
drawing no. 1429-1152	revision PL1	

- Office - Class B1
- Common Area

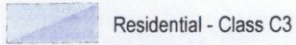


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 The work has been conducted in accordance with the Code of Measuring Practice, 3th Edition (2007) using the stated options NA, GA, GSA. They are approved and relate to the likely uses of the building at the current state of the design. Any decisions to be made on the basis of these predictions, whether as to project viability, pricing, tender agreements and the like, should make allowance for the following:
 Design development
 Accurate site survey, site levels and information need to be fully evaluated
 Allowance for construction methods and building tolerances
 Local authority comments
 rev date drawn by checked description
 PL1 18.07.14 SPD CD issued for Planning

CASE COPY
 TP:
 RN:
 ADDRESS:



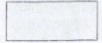
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<small>21 Great Queen Street, Covent Garden, London WC2B 5SL Tel: 020 7631 7825 - Fax: 020 7631 7826 - email: admin@brimelow-architects.co.uk</small>		
<small>project</small> 10 Henrietta Street London		
<small>title</small> Existing First Floor Plan		
<small>scale</small> 1:50@A1/1:100@A3	<small>date</small> 24-06-14	<small>drawn</small> SW
<small>drawing no</small> 1429-0152	<small>revision</small> PL1	



Residential - Class C3

Water Services

General Notes



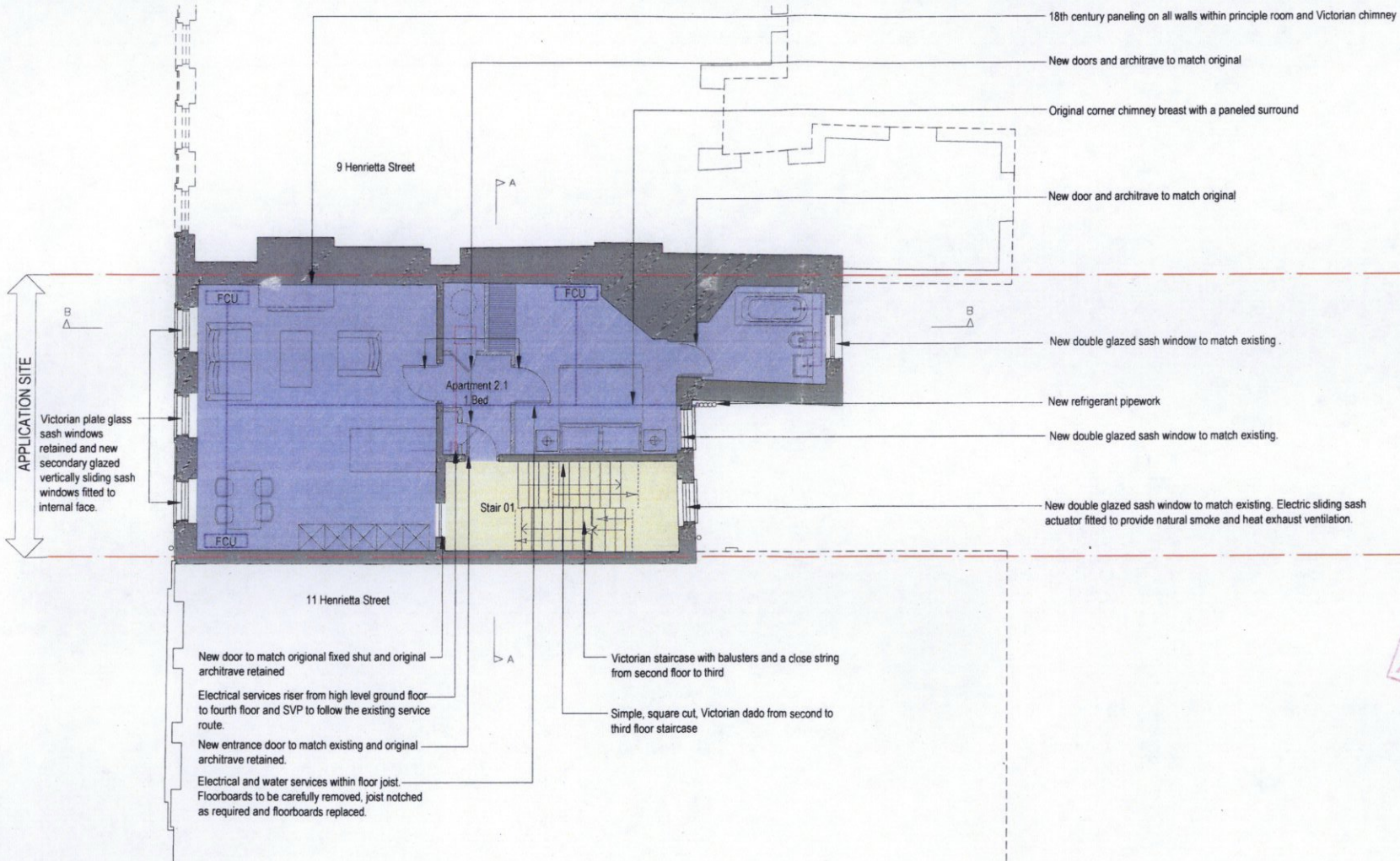
Residential Common Area

Electrical Services

Drainage Services

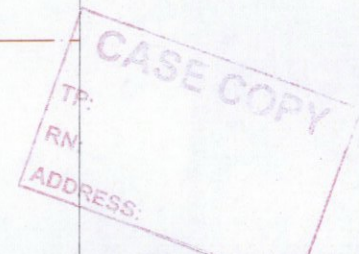
- All damaged original 18th century paneling, cornices, skirting, brickwork, stone and leadwork to be repaired/made good as necessary.
- All lowered ceiling to be removed
- All non-original floorboards to be replaced

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 (2005) using the standard office NA, GC, CEA. They are approximate and liable to the likely errors
 of the building at the current state of the design. Any decisions to be made on the basis of these
 predictions, whether in respect of viability, pre-tender, lease agreements and the like, should make
 reference to the following:
 - Design development
 - Accurate site survey, see levels and dimensions noted to be fully evaluated
 - Assistance for construction methods and building solutions
 - Local authority comments
 rev date drawn by checked by description
 PL1 17.11.14 SPO CD issued for Planning

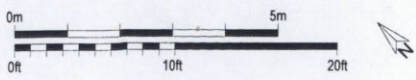


- 18th century paneling on all walls within principle room and Victorian chimney
- New doors and architrave to match original
- Original corner chimney breast with a paneled surround
- New door and architrave to match original
- New double glazed sash window to match existing.
- New refrigerant pipework
- New double glazed sash window to match existing.
- New double glazed sash window to match existing. Electric sliding sash actuator fitted to provide natural smoke and heat exhaust ventilation.

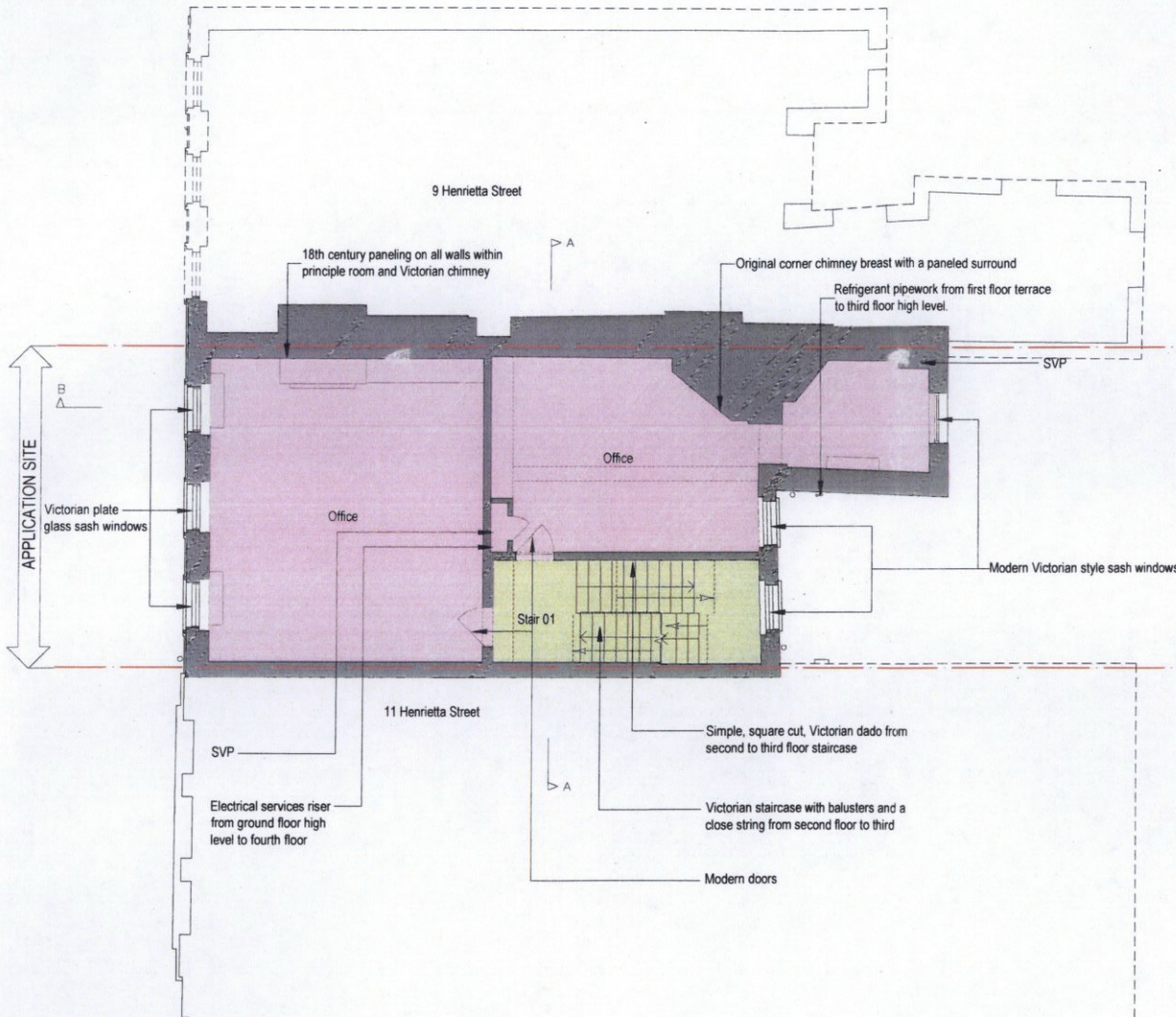
- New door to match original fixed shut and original architrave retained
- Electrical services riser from high level ground floor to fourth floor and SVP to follow the existing service route.
- New entrance door to match existing and original architrave retained.
- Electrical and water services within floor joist. Floorboards to be carefully removed, joist notched as required and floorboards replaced.
- Victorian staircase with balusters and a close string from second floor to third
- Simple, square cut, Victorian dado from second to third floor staircase



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<small>20 Great Queen Street, Covent Garden, London WC2B 9SL tel: 020 7831 7830 - fax: 020 7831 7830 - email: admin@brimelow-architects.co.uk</small>		
<small>project</small> 10 Henrietta Street Covent Garden, London		
<small>title</small> Proposed Second Floor Plan		
<small>scale</small> 1:50@A1/1:100@A3	<small>date</small> 26-06-14	<small>drawn</small> SW
<small>drawing no</small> 1429-1153	<small>revision</small> PL1	

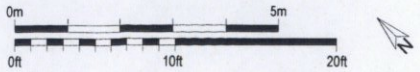


- Office - Class B1
- Common Area








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 (2007) using the standard values NA, GA, GEA. They are approximate and relate to the likely areas
 of the building in the current state of the design. Any decisions to be made on the basis of these
 predictions, whether as to project viability, pre-letting, lease agreements and the like, should make
 allowance for the following:
 Design development
 Accurate site survey, site levels and dimensions, need to be fully evaluated
 Allowance for construction methods and building tolerance
 Local authority comments
 rev: 088 drawn by: chris description:
 PL1 18.07.14 SPC CD Issued for Planning

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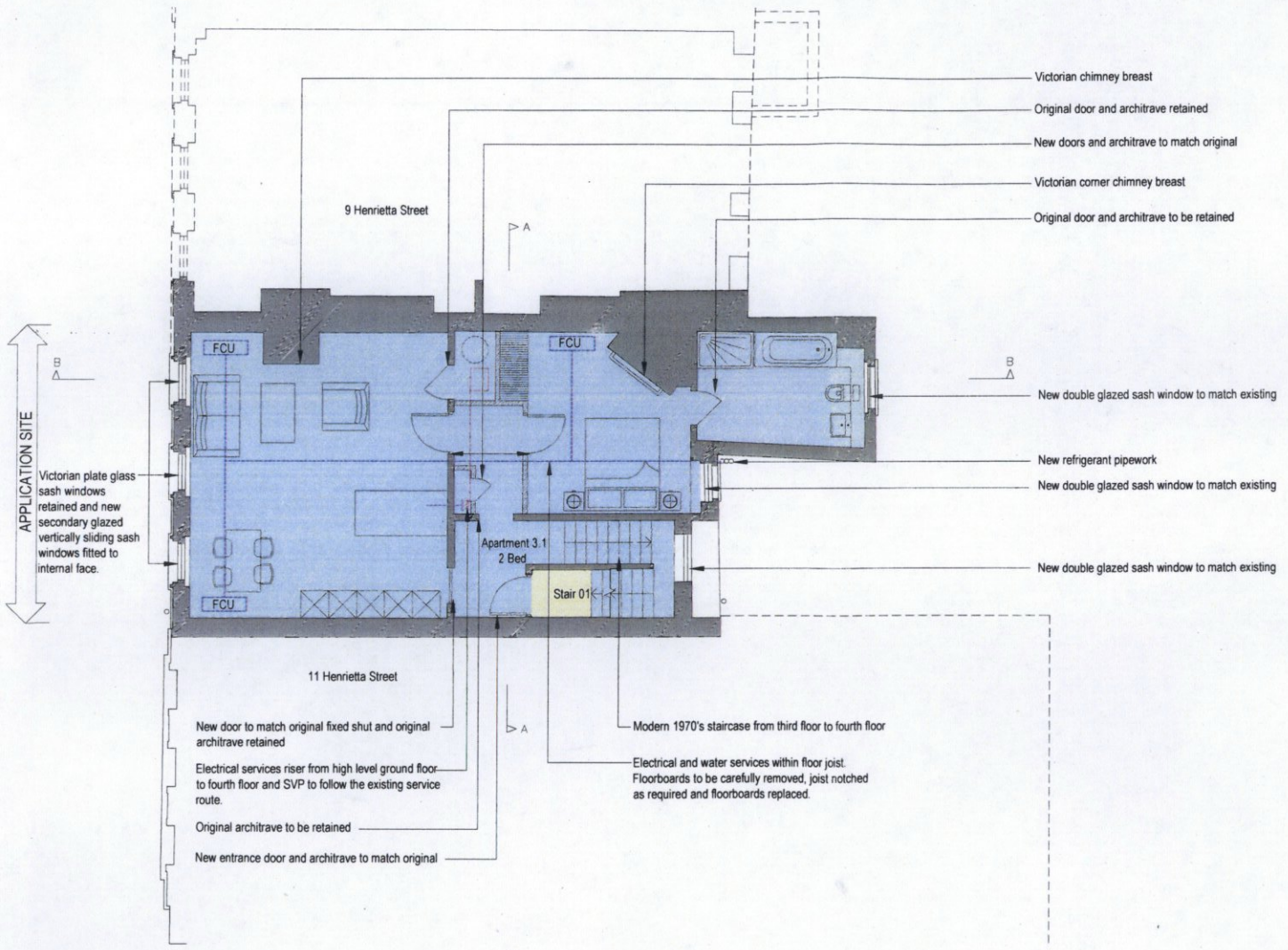


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25 Great Queen Street, Covent Garden, London WC2B 5SE, Tel: 020 7631 7839 - Fax: 020 7631 7839 - email: admin@brimelow-architects.co.uk		
project: 10 Henrietta Street London		
title: Existing Second Floor Plan		
scale:	date:	drawn:
1:50@A1/1:100@A3	24-06-14	SW
drawing no:	revision:	
1429-0153	PL1	

-  Residential - Class C3
-  Residential Common Area
-  Water Services
-  Electrical Services
-  Drainage Services

General Notes

- All damaged original 18th century paneling, cornices, skirting, brickwork, stone and leadwork to be repaired/made good as necessary.
- All lowered ceiling to be removed
- All non-original floorboards to be replaced



- Victorian chimney breast
- Original door and architrave retained
- New doors and architrave to match original
- Victorian corner chimney breast
- Original door and architrave to be retained
- New double glazed sash window to match existing
- New refrigerant pipework
- New double glazed sash window to match existing
- New double glazed sash window to match existing

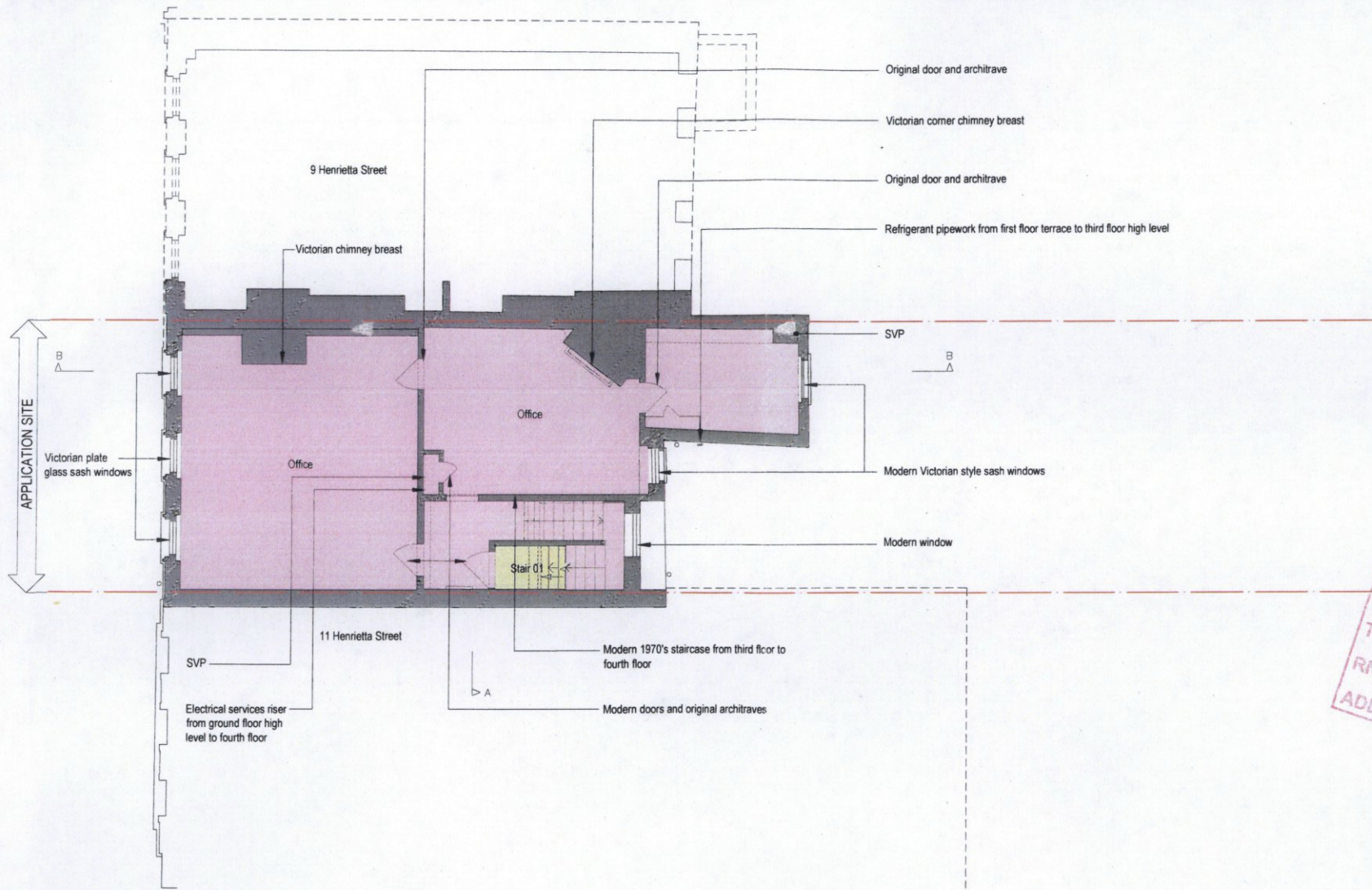
- New door to match original fixed shut and original architrave retained
- Electrical services riser from high level ground floor to fourth floor and SVP to follow the existing service route.
- Original architrave to be retained
- New entrance door and architrave to match original
- Modern 1970's staircase from third floor to fourth floor
- Electrical and water services within floor joist. Floorboards to be carefully removed, joist notched as required and floorboards replaced.

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 2007 using the standard N.A. G.A. G.E.A. They are approximate and refer to the level of the
 ground at the corners of the site. Any decisions to be made on the basis of these
 provisions, whether as to price, liability, pre-letting, lease agreements and the like, should make
 reference to the following:
 - Design developments
 - Accessible site survey, see levels and dimensions need to be fully evaluated
 - Allowance for construction methods and building experience
 - Local authority comments
 rev: 006 date: 26-06-14 drawn by: chd description:
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25 Great Queen Street, Covent Garden, London WC2B 9RL Tel: 020 7831 7835 - Fax: 020 7831 7830 - Email: admin@brim-architects.co.uk		
project 10 Henrietta Street Covent Garden, London		
site Proposed Third Floor Plan		
scale 1:50@A1/1:100@A3	date 26-06-14	drawn SW
drawing no 1429-1154	revision PL1	

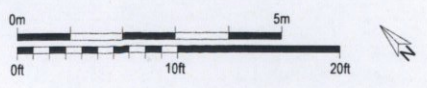
Office - Class B1
Common Area





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 (GMP) using the stated options NA, GA, GEA. They are approximate and refer to the study areas
 of the building at the current state of this design. Any decisions to be made on the basis of these
 positions, whether as to contract validity, planning, lease agreements and the like, should make
 allowance for the following:
 - Design development
 - Accurate site surveys, site levels and dimensions need to be fully evaluated
 - Allowance for construction methods and building tolerances
 - Local authority constraints
 Rev: date: drawn by: checked by: description:
 PL1: 18.07.14: SPD: CD: Issued for Planning

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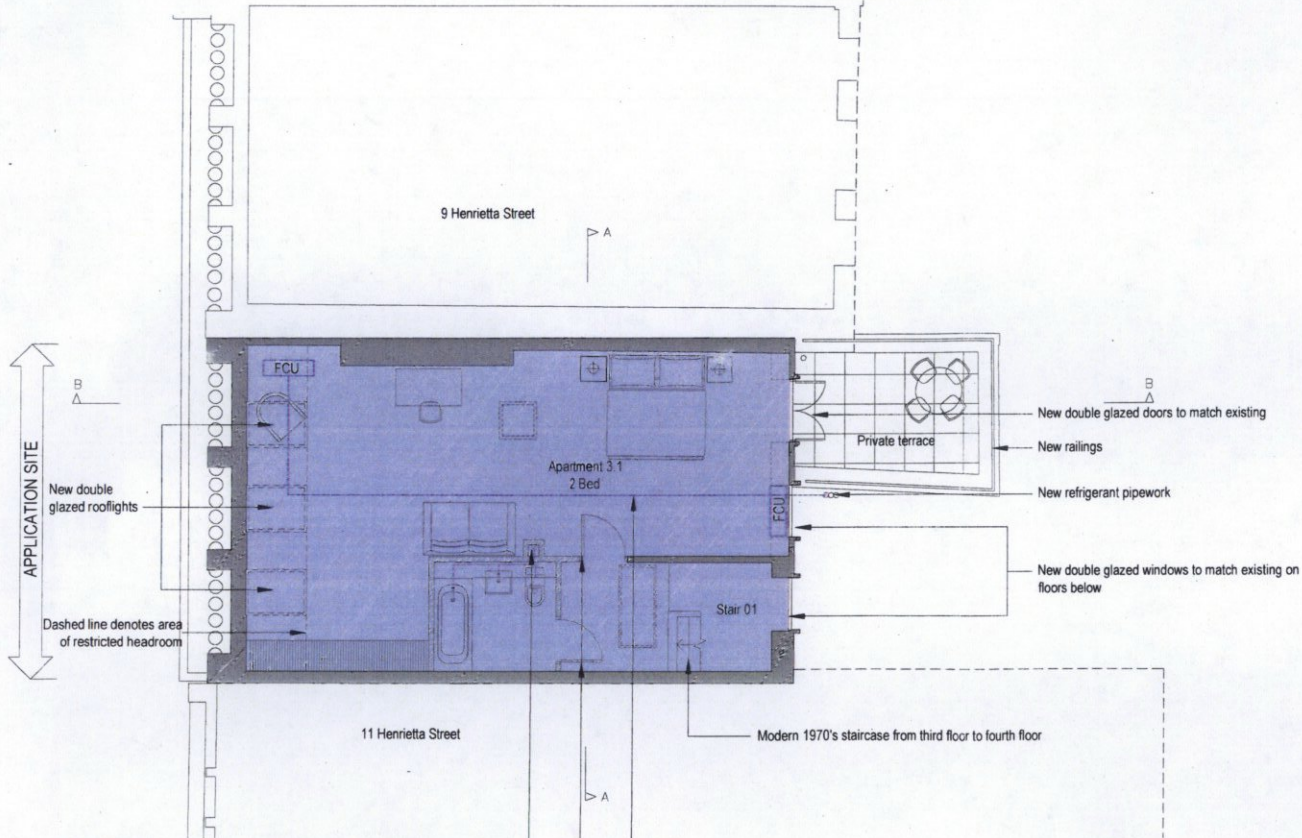
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26 Great Queen Street, Covent Garden, London WC2B 9SL tel: 020 7831 7835 fax: 020 7831 7835 email: admin@brimelow-architects.co.uk		
project: 10 Henrietta Street London		
title: Existing Third Floor Plan		
scale: 1:50@A1/1:100@A3	date: 24-06-14	drawn: SW
drawing no: 1429-0154	revision: PL1	



-  Residential - Class C3
-  Residential Common Area
- Water Services
- Electrical Services
- Drainage Services

General Notes

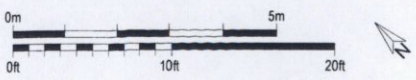
- All damaged original 18th century paneling, cornices, skirting, brickwork, stone and leadwork to be repaired/made good as necessary.
- All lowered ceiling to be removed
- All non-original floorboards to be replaced



Electrical services riser from high level ground floor to fourth floor and SVP to follow the existing service route.

New doors and architrave to match original doors on floors below

Electrical and water services within floor joist. Floorboards to be carefully removed, joist notched as required and floorboards replaced.



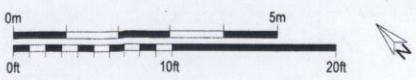
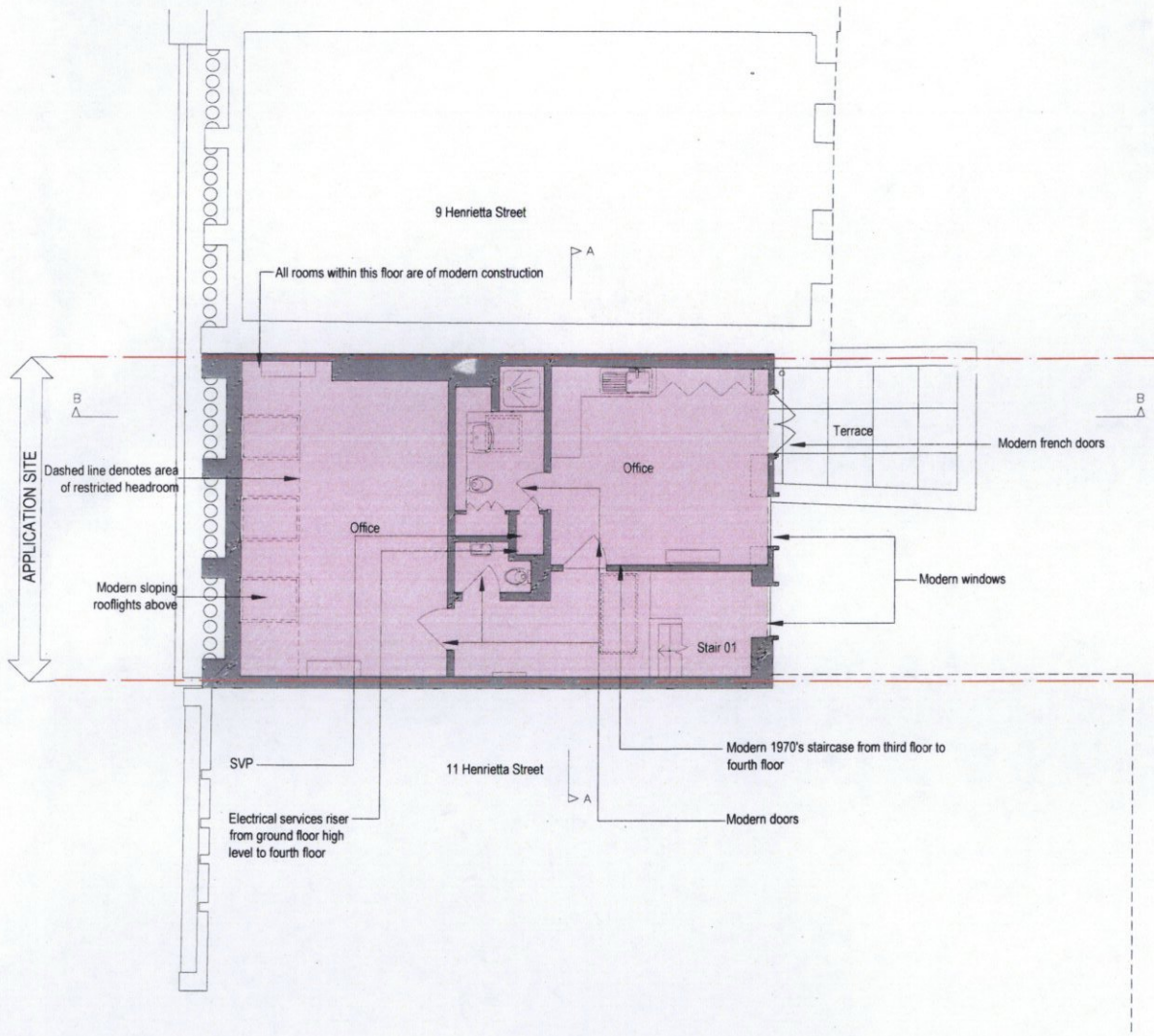
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 - Design developments
 - Approved site survey, see levels and dimensions need to be fully reviewed
 - Allowance for construction methods and building tolerances
 - Local authority comments
 We date: 26/06/14 drawn by: chad denison
 PL1 17.11.14 SPD CD Issued for Planning

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RN:

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project 10 Henrietta Street Covent Garden, London		
site Proposed Fourth Floor Plan		
scale	date	drawn
1:50@A11:100@A3	26-06-14	SW
drawing no	revision	
1429-1155	PL1	

- Office - Class B1
- Common Area



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 Design development
 Appropriate site survey, site levels and dimensions need to be fully evaluated
 Allowance for construction methods and building tolerances
 Load carrying capacities
 see also drawn by CHDJ decoration
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 ADDRESS:

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project 10 Henrietta Street London		
title Existing Fourth Floor Plan		
scale 1:50@A1/1:100@A3	date 24-06-14	drawn SW
drawing no. 1429-0155	revision PL1	