Item	No.
6	

CITY OF WESTMINSTER			
PLANNING APPLICATIONS	Date	Classification	
COMMITTEE	28 July 2015	For General Rele	ease
Report of	111	Wards involved	
Director of Planning		Abbey Road	
Subject of Report	106 Hamilton Terrace, London, NW8 9UP		
Proposal	Excavation of a basement beneath existing building, part of front and rear gardens, demolition of rear facade, extensions to the rear and at roof level in connection with the use of the building as a single house.		
Agent	Nathaniel Lichfield & Partners		
On behalf of	Mrs Wendy Alamouti		
Registered Number	15/02336/FULL	TP / PP No	TP/3574
Date of Application	16.03.2015	Date amended	12.06.2015
Category of Application	Minor		
Historic Building Grade	Unlisted		
Conservation Area	St John's Wood		

# 1. RECOMMENDATION

Grant conditional permission.







Front elevation (top) and rear elevation (bottom)

106 HAMILTON TERRACE, NW8

Item No.

#### 2. SUMMARY

This proposal is for the conversion of this unlisted detached building from four flats to a single house, the excavation of a basement under the main house and part of the rear and front gardens, the demolition of the rear facade and its rebuilding, the additions to the rear and at roof level.

The St John's Wood Society object to the proposed basement on overdevelopment grounds and loss of rear garden, the impact on trees and to the alterations at roof level. Three objections have been received from neighbours to the cumulative impact of a number of basements taking place in the street, the adverse impact on amenity, further risk of structural damage and loss of on street parking during construction.

## The key issues are:

- The conversion of this building back to a single house;
- The impact of the proposed extensions and basement excavation on the appearance of this house and on the appearance and character of this part of the St John's Wood Conservation Area;
- The impact on the amenities of surrounding residents;
- The impact of the proposed basement on the trees in the existing and adjoining rear gardens.

The proposal does result in a net loss of three flats, however, returning the building back to use as a single family house in this part of the City is acceptable in land use terms and accords with Policy S14. Despite the objections received the proposed rear extensions and the basement are considered to be in scale with the host building, will preserve the conservation area and will not harm the amenities of neighbours. Raising the front roof slope is not ideal, but the applicant has demonstrated that its overall visual impact will be limited and a similar proposal to increase the roof pitch was granted next door at No. 108. The proposal results in the removal of a number of trees in the rear garden which are considered to be of low value and their loss can be compensated by new planting. The scheme has been amended to address the concerns raised by the Arboricultural Manager regarding modifications to layout to show piling locations ensuring these are located outside root protection areas. The formal views of the Arboricultural Manager will be reported verbally to Committee.

#### 3. CONSULTATIONS

## ST JOHN'S WOOD SOCIETY

Object - unacceptable overdevelopment of the site. This double basement represents an unacceptable excessive basement excavation under more than 50% of the historic garden space. The piling is not indicated on the plans so the basement will be greater than indicated. There are a number of trees and street trees which will be impacted by this development and request the Tree Officer inspects the site.

Object to front rooflight and to the raised roof level which will be overly dominant and visible from the street.

## ARBORICULTURAL MANAGER

Within the rear garden of No. 106, trees T1 (Holm Oak), T4 (Birch), T5 (Cork Oak), T6 (Loquat) and T10 (Yew) can be removed. The applicant's report refers to the recently removed Hawthorn tree in the rear garden of No. 108 but the Council has not agreed to the removal of this tree and concerned that the proposed basement should be reduced slightly in this location to ensure that the piling rig can operate without affecting this tree. At 104 Hamilton Terrace, T3 (Holly) may be affected and suggest a minor reduction in the size of the

Item No.

6

basement. Also concerned about the impact on the Purple Leaf Plum (T2) and recommend reductions in the footprint so the rig can operate. Request additional information regarding soil depths in the front and rear gardens.

#### **BUILDING CONTROL**

The structural method statement is considered to be acceptable.

## ENVIRONMENTAL HEALTH

To be reported verbally.

## HIGHWAYS PLANNING MANAGER

Acceptable in transportation terms.

## ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 39; Total No. of Replies: 3.

Three objections received to date.

## Amenity

The cumulative impact of basements being carried out at No. 102 and 108 Hamilton
 Terrace and the impact on residents' amenities of another large basement in the street.

#### Other Matters

- Works at No. 102 have caused structural damage to No. 104 forcing a resident to move out and concerned that the proposed basement at No. 106 will cause further structural damage.
- When works start on site, parking bays get suspended which affects residents, the crane/mixers/loading vehicles should not be allowed on weekdays from 07.00 to 09.00 and the evening between 17.00 to 19.00 as this disrupts the free flow of traffic. Electricity supply cut off as a result of other works at the rear and the noise of drillers/excavation.
- Request more time to comment as consultations sent out over the Easter weekend.

ADVERTISEMENT/SITE NOTICE: Yes

**REVISED SCHEME** 

ARBORICULTURAL MANAGER To be reported verbally.

## 4. BACKGROUND INFORMATION

## 4.1 The Application Site

No. 106 Hamilton Terrace is an unlisted detached building located on the east side of Hamilton Terrace within the St John's Wood Conservation Area. The building is in use as four flats and is designated as an unlisted building of merit in the St John's Wood Conservation Audit.

## 4.2 Planning History

In 2008 a Certificate of Lawfulness was issued in respect of internal alterations to combine the lower ground floor flat and the upper floor flat into one unit. It appears that this work has not taken place.

ltem	No.

#### 5. THE PROPOSAL

Planning permission is sought for alterations and extensions to the existing building in connection with its conversion back to a single house. The proposal includes the demolition of the rear elevation of the building, the addition of a full width and full height four storey rear extension, the creation of a single storey rear extension at ground floor level and the creation of a basement under the main house and under parts of the front and rear gardens. A central projecting bay is also proposed at first floor level on the rear elevation. At roof level, a mansard roof extension is proposed to the rear part of the roof with projecting rear dormers, and this scheme also involves raising slightly the front roof pitch and the side chimney stacks.

At the front of the property, the existing lightwells are shown to be increased and a new lightwell at the rear to serve the lower ground floor and basement levels.

A number of trees are proposed to be removed in the existing rear garden.

The application has been amended to address the comments made by the Council's Arboricultural Manager.

## 6. DETAILED CONSIDERTIONS

#### 6.1 Land Use

The proposal is for the conversion from four flats into a single house. This proposal does represent a reduction in the number of units, but in this case, the proposal seeks to reinstate the original use as a single house, which in St John's Wood accords with Policy S14.

The St John's Wood Society objects to the proposal on the grounds that its represents an overdevelopment of the site and that the basement covers more than 50% of the historic garden space. The St John's Wood Society refers to a double basement, but this scheme is for a single basement and enlarging the lower ground floor.

In the context of recent decisions in Hamilton Terrace, given the size of this house, its rear garden and the footprint of adjacent houses, the proposed extensions are not considered to represent an overdevelopment of the site. Therefore, the objection raised by the local amenity society cannot be supported.

According to the agent, the existing rear garden is approximately 526m2 in area and the proposed basement extension into the garden is less than 50% of this area in the region of 240m2. It is recognised that the basement does extend some distance into the rear garden, but the external manifestations associated with the basement is a rear lightwell, which is located next to the main house, are relatively modest.

## 6.2 Townscape and Design.

The proposal involves fairly extensive alterations and extensions to the existing building including works to demolish the existing rear elevation of this unlisted building of merit.

This property is an attractive mid Victorian villa with a painted stucco front façade with full height projecting bays either side of the main entrance rising to first floor level. The rear elevation by comparison is brickwork with a small addition. Unlike other houses in Hamilton Terrace, this property has not been significantly altered or extended at the rear. There is a large rear garden, mostly laid to lawn with a number of trees. Towards the end of the garden, there is a Birch tree (T4) which has major decay in the lower trunk.

ltem	No.
6	

The proposed works of demolition to the rear façade and extending the footprint of the building with extensions at the rear may sound excessive, but the proposed full height rear extension will bring the rear extension in line with its neighbour at No. 104. The proposal is considered to be in scale with the host building and will not extend as far as the rear elevation of No. 108 Hamilton Terrace. Although the full height rear extension is technically contrary to Policy DES5, in this context, the extensions are considered acceptable in townscape terms and will preserve the appearance and character of this part of the St John's Wood Conservation Area.

The St John's Wood Society objects to the raised roof level which they consider to be overly dominant and visible from the street and to the front rooflight.

The alterations at roof level, involve raising the height of the front pitch, the installation of a small 'conservation' rooflight and adding a mansard with three dormers at the rear.

The existing roof is screened by the existing parapet and pediment. The proposal to increase the front pitch will make the main roof structure and the raised chimney stacks more visible from street level. The agent has submitted marked up photographs to show the proposed raised roof position from a number of locations on the other side of Hamilton Terrace.

Whilst it is regrettable that the original roof form which was designed not to be seen from street level (as screened by a parapet and a pediment) is being raised, the increase in height when seen from the other side of the street is considered to be marginal and the City Council recently gave permission to raise the front roof pitch of No. 108.

The proposed rooflight to the front slope is considered to be small and its visual impact will be limited. Overall, it is not considered that the works to the front slope will be so harmful to the appearance of the property or to this part of the St John's Wood Conservation Area to warrant refusal of permission.

The alterations to enlarge the front lightwells and the rear lightwell are considered to be acceptable in design terms.

## 6.3 Residential Amenity

There is a single storey extension at the rear of No. 104 which has two rooflights in the roof. It is not considered that the proposed extensions at the rear will harm the amenities of the adjoining residents at either 104 and 108 Hamilton Terrace or the residents at the rear in Abercorn Close.

A condition is recommended to ensure that the new windows in the side elevations are obscured glazed and fixed shut to protect the amenities of adjoining residents.

It is recognised that the construction of the basement will be disruptive for neighbours and that a large basement next door at No. 108 was only recently completed a few months ago and other developments taking place in Hamilton Terrace. The applicant has submitted a fairly detailed CMP, but it does not include the contractors details at this stage, therefore it is recommended to reserve details of an updated CMP and to control the hours of basement excavation is recommended by condition.

## 6.4 Transportation/Highways

The Highways Planning Manager raises no objection to the proposed development.

One of the objectors raises the loss of residents parking bays during the construction period. The submitted CMP identifies that a number of on-street spaces will be suspended to create a

ltem	No.
6	

loading area and to accommodate a skip in front of the site, but this loss of bays will be temporary and be subject to Highways Licensing approval.

## 6.5 Equalities and Diversities

No change to access arrangements into this building.

#### 6.6 Economic Considerations

Not relevant in the determination of this householder application.

## 6.7 Other Westminster/UDP Considerations

#### Plant/Noise

The basement includes plant rooms that are externally vented and the applicant's noise report confirms that the plant will comply with the Council's standard noise conditions. The formal views of Environmental Health are awaited and will be reported verbally to Committee. Conditions are proposed to ensure that the plant complies with the Council's noise conditions and to reserve the details of the external intake/extract points.

#### 6.8 London Plan

This proposal raises no strategic issues.

#### 6.9 Central Government Advice

Regard has been had to the advice in Central Government's National Planning Policy Framework (NPPF) which came into effect on 27 March 2012.

## 6.10 Planning Obligations

Not relevant in the determination of this householder application.

## 6.11 Environmental Assessment including Sustainability and Biodiversity Issues

## **Biodiversity/Trees**

The applicant states that two Grade C trees and one Grade U tree will be removed and two unclassified trees will be removed from the rear garden and transplanted in the site. One of the trees to be removed is a mature Birch tree in the rear garden which appears at first glance to be in good condition, but this tree has major decay in the lower trunk. It is proposed that this tree be removed and replaced with another Birch.

The Arboricultural Manager raises no objections to the removal of the existing trees, but has raised concerns about the extension of the basement excavation on the health of trees in adjoining gardens at Nos. 104 and 108 Hamilton Terrace and the two street trees and has requested further information from the applicant's arboriculturist.

The applicant's original arboricultural report refers to a Hawthorn tree in the rear garden of No. 108 being removed. The Arboricultural Manager advised that the Council has not agreed to this tree being felled, and this matter has been passed onto the Planning Enforcement Team to investigate.

The applicant has submitted a revised arboricultural report and made modifications to the layout to show piling locations to ensure these are located outside the root protection areas.

Item	No.	
6		

and supplied sections to show the levels and soil depth above the constructed basement. The formal views of the Arboricultural Manager will be reported to Committee.

A condition will reserve landscaping including replacement planting for the trees to be removed.

#### 6.12 Other Matters

#### **Basement Excavation**

Objections have been received from neighbours concerned about structural implications and damage. Building Control state that the structural approach for the construction of the proposed basement is acceptable. A hydrology report has also been submitted to demonstrate that the proposal will have no undue impact on ground water flows nor increase the risk of localised flooding.

In respect of the comments made regarding structural damage to No. 102, whilst this is unfortunate, this application is supported by a qualified structural engineer's report which demonstrates that the works can be undertaken without damage to adjacent properties.

Residents' concerns about the cumulative impact of a number of similar developments in the street are understood. If Committee agrees to grant permission the applicant will have three years to start the work, and it is recommended to impose a condition to secure a CMP. In respect of the comments made to loss of electricity as a result of another development, again this is not a planning ground to refuse this application.

## **Consultation Period**

In addition to consultation letters, the application has been advertised in the local newspaper and a site notice erected on site, therefore residents have been given adequate time to make comments.

## 6.13 Conclusion

It is therefore recommended to grant conditional permission.

## **BACKGROUND PAPERS**

- 1. Application form.
- 2. Email from St John's Wood Society dated 15.4.2015.
- 3. Memorandum from Highways Planning Manager dated 8.4.2015.
- 4. Email from Building Control dated 16.4.2015.
- Memorandum from the Arboricultural Manager dated 6.5.2015.
- Email from 104 Hamilton Terrace, London, NW8 dated 19.4.2015.
- 7. Email from 102 Hamilton Terrace, London, NW8 dated 19.4.2015.
- 8. Email from 104 Hamilton Terrace, London, NW8 dated 20.4.2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT AMANDA COULSON ON 020 7641 2875 OR BY E-MAIL – acoulson@westminster.gov.uk

#### DRAFT DECISION LETTER

Address:

106 Hamilton Terrace, London, NW8 9UP

Proposal:

Excavation of a basement beneath existing building, part of front and rear gardens, demolition of rear facade, extensions to the rear and at roof level in connection with

the use of the building as a single house.

Plan Nos:

Covering letter dated 16 March 2015; Design and Access Statement. Photo Report

House.

1404-PL 001 A; 002B;003B;006A; 007 B; 008A; 009A; 010 A; 021A; 022 A;023A; 031 A; 032 A .106 A; 107A, 108A, 109A; 110A; 126;127;128;129;130 ;201E;

202E;203E;205-1 E; 205-2 E; 206 D, 207D; 208C;209C; 210B; 211B; 221 B; 222 C

;223D; 224 C; 231 D; 232 B. 233 A,

Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan dated 12

June 2015

Structural Engineering Report and Subterranean Construction Method Statement Rev P4 dated 11/6/2015 (for information only) Construction Traffic Management Plan: Environmental Performance Statement; Environmental Noise Survey and

Plant Assessment and Environ Selection Matrix.

Case Officer:

Amanda Coulson

**Direct Tel. No.** 020 7641 2875

# 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 basement excavation work, you must carry out any building work which can be heard at the boundary of the site only:
  - \* between 08,00 and 18.00 Monday to Friday;
  - \* between 08.00 and 13.00 on Saturday: and
  - \* not at all on Sundays, bank holidays and public holidays.

You must carry out basement excavation work only:

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

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

## Reason:

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

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

#### Reason:

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

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

## Reason:

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

You must apply to us for approval of detailed drawings at a scale of 1:20 of the following parts of the development - new windows. 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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

You must not form any windows or other openings (other than those shown on the plans) in the outside walls of the building without our permission. This is despite the provisions of Classes A of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order (England) 2015 (or any order that may replace it). (C21EB)

#### Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

The glass that you put in the windows in the north and south (side) elevation of the house must not be clear glass, and you must fix it permanently shut. 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 part 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. This is as set out

in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

8 The slate to be used at roof level shall be a natural grey slate.

#### Reason:

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

9 All new windows and doors shall be timber framed unless otherwise shown on the approved plans.

## Reason:

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

- (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 5 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
  - (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
  - (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:
  - (a) A schedule of all plant and equipment that formed part of this application;
  - (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
  - (c) Manufacturer specifications of sound emissions in octave or third octave detail;

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

#### Reason:

As set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(2) of our Unitary Development Plan that we adopted in January 2007 (UDP), so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: 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.

11 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.

You must apply to us for approval of detailed drawings at a scale of 1:20 of the following parts of the development - details of intake /extract ducts to serve plant room. 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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

13 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 5 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 John's 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: Strategic Policies adopted November 2013 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)

14 You must implement the tree protection measures as set out in your Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan dated 12 June 2015. You must maintain the protection measures until the completion of the construction work.

If you wish to alter or vary the tree protection measures, technical details or specifications which are set out in that report, you must apply for our approval.

#### 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: Strategic Policies adopted November 2013 and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- Pre-Commencement Condition: You must arrange for an Arboricultural Consultant who is registered with the Arboricultural Association, or has the level of qualifications or experience (or both) needed to be registered to supervise the tree protection works as set out in Condition for the duration of the development as set out in paragraph 5.7 of your Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan dated 12 June 2015. You must apply to us for approval of the details of such supervision including:
  - i) identification of the individual responsibilities and key personnel
  - ii)induction and personnel awareness of arboricultural matters
  - iii)supervision schedule, indicating timing and frequency of site visits
  - iv) method of reporting supervision to the City Council and record keeping procedures for dealing with variations and incidents

You must not carry out any demolition of the rear elevation or start any excavation works or take any equipment/machinery into the site until we have approved what you have sent us. The development shall be carried out in accordance with the approved supervision schedule.

#### 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: Strategic Policies adopted November 2013 and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

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

#### Reason:

Because these would harm the appearance of the building, and would not meet S25 or S28, or both, of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R26HC)

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

## Reason:

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

## Informative(s):

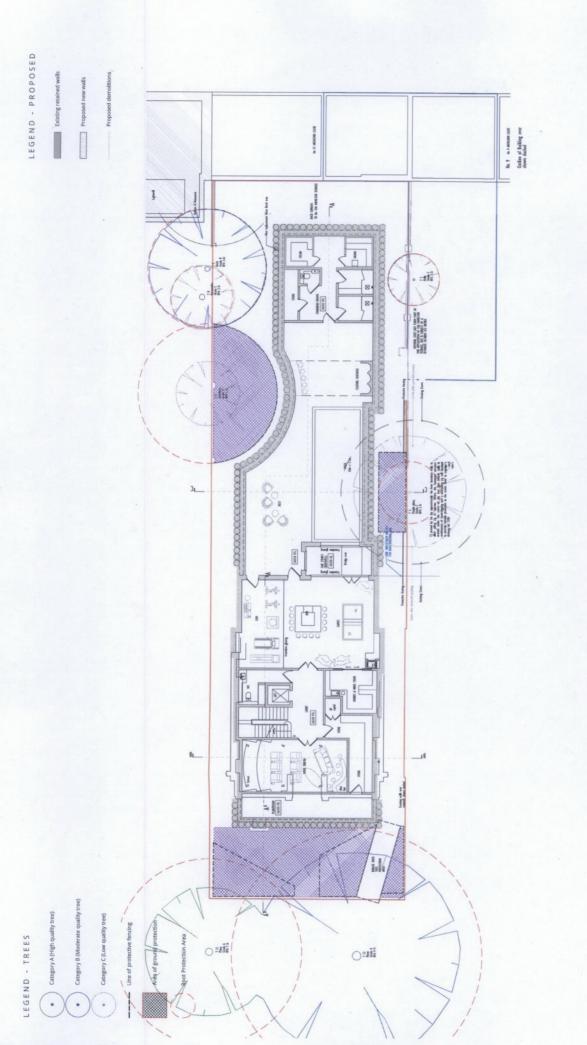
- In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic 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.
- 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)
- 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.
- We recommend you speak to the Head of the District Surveyors' Services about the stability and condition of the walls to be preserved. He may ask you to carry out other works to secure the walls. Please phone 020 7641 7240 or 020 7641 7230. (I22AA)
- Please let our arboricultural team (020 7641 2922) know when you are going to start work on the site. It would be useful if you could give us at least five working days' notice of this date. This will allow us to inspect your tree-protection measures during the work. (192BA)
- 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)

- 7 Please contact our Tree Officer on 020 7641 6096 or 020 7641 2922 to arrange a site inspection before you start digging foundations near the tree referred to in condition \*\*\*\*. (I34AA)
- 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)
- 9 Under Section 25 of the Greater London Council (General Powers) Act 1973 you need planning permission to use residential premises as temporary sleeping accommodation. To make sure that the property is used for permanent residential purposes, it must not be used as sleeping accommodation by the same person for less than 90 nights in a row. This applies to both new and existing residential accommodation.
  - 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). (I38AB)
- 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 <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a> Further details on the Mayor of London's Community Infrastructure Levy can be found on our website at: <a href="http://www.westminster.gov.uk/services/environment/planning/apply/mayoral-cil/">http://www.westminster.gov.uk/services/environment/planning/apply/mayoral-cil/</a>. You are reminded that payment of the CIL charge is mandatory and there are strong

You are reminded that payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay.





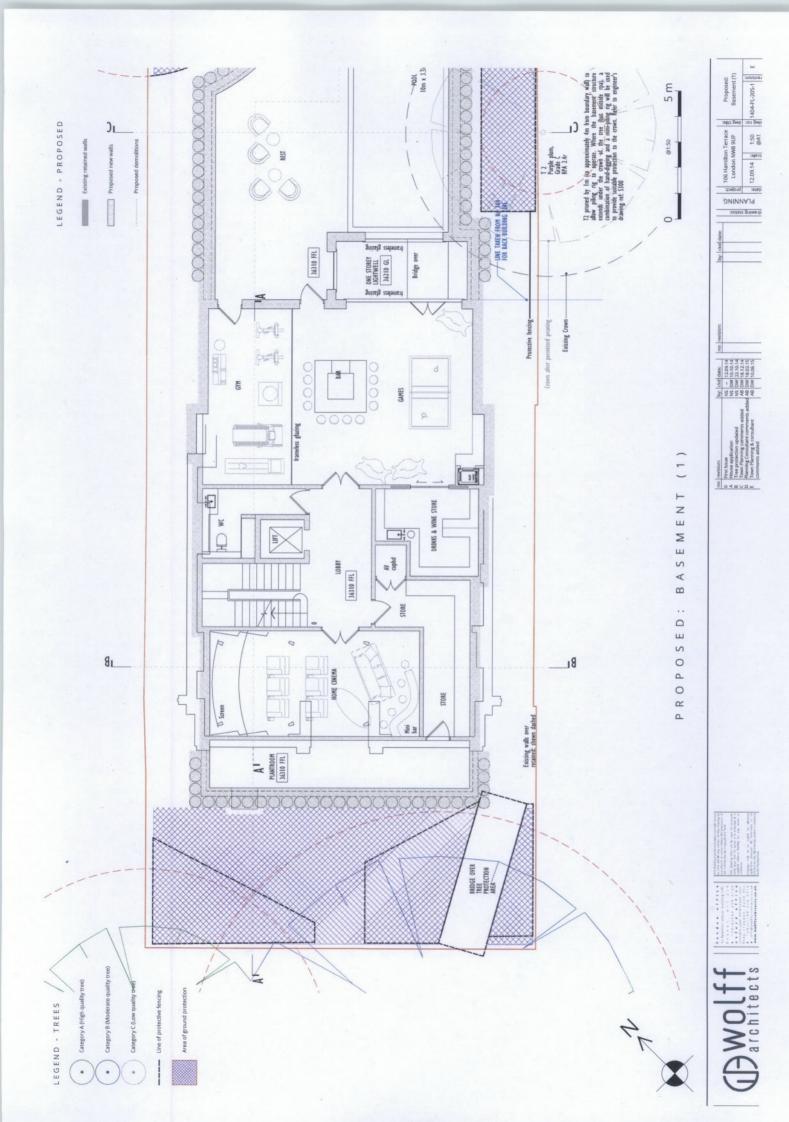
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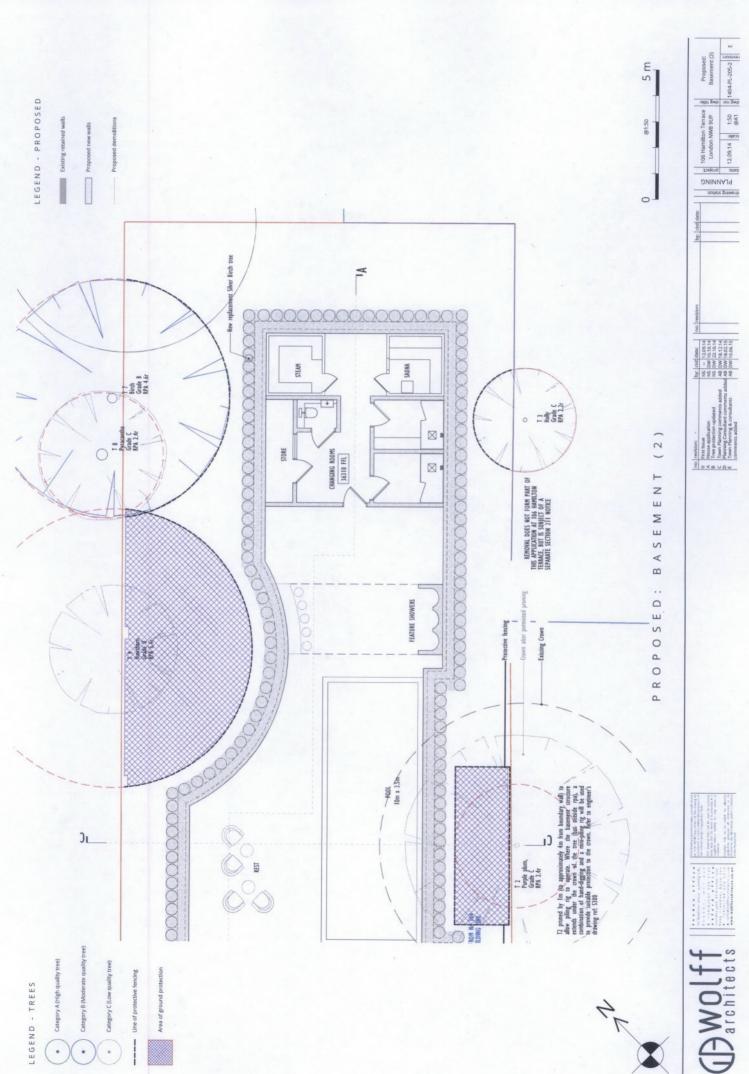


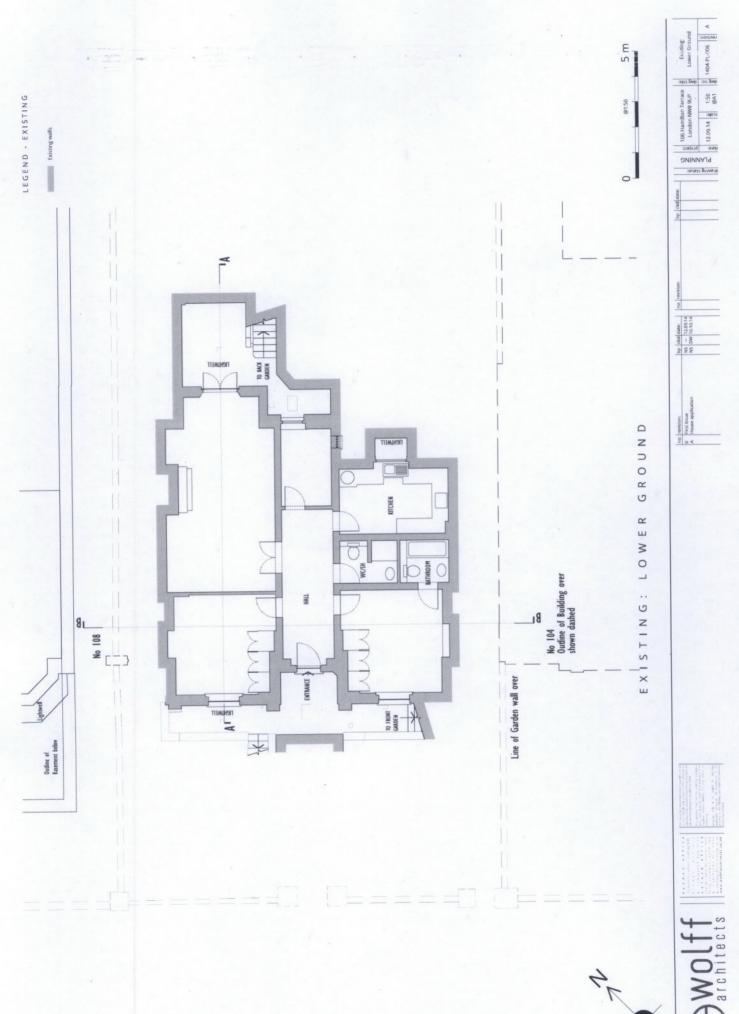
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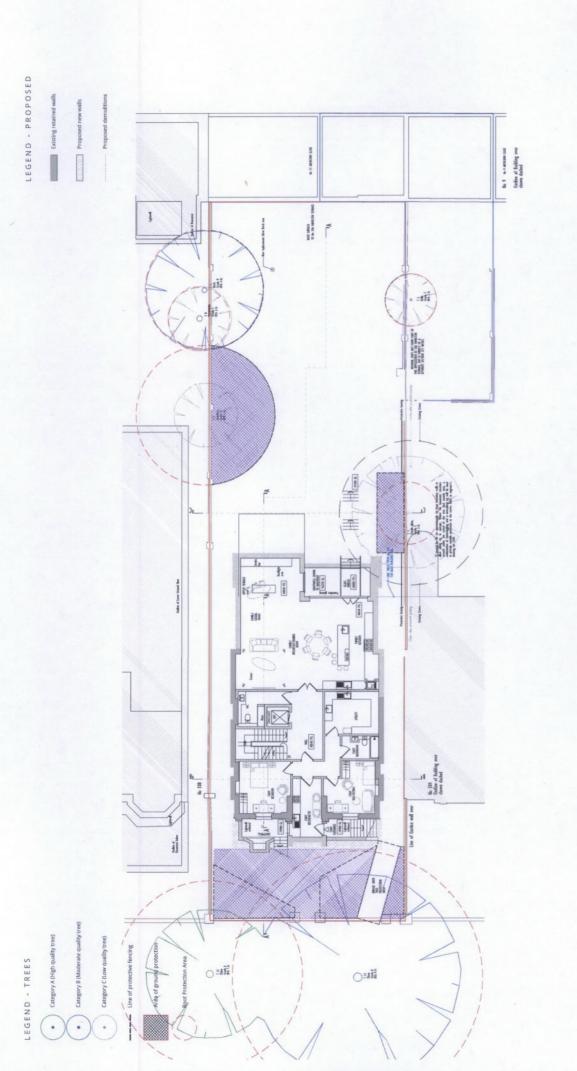
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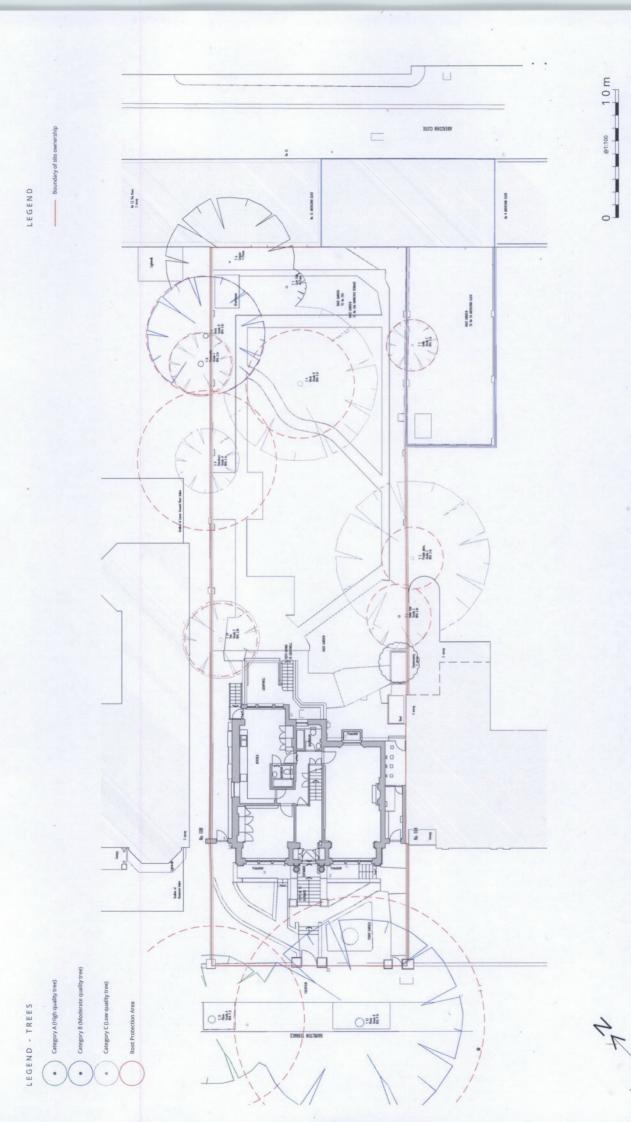


1404-PL-202 (E Proiposed: Site plan, Lower ground

106 Hamilton Terrace

106 Hamilton Terrace
London NW8 9UP
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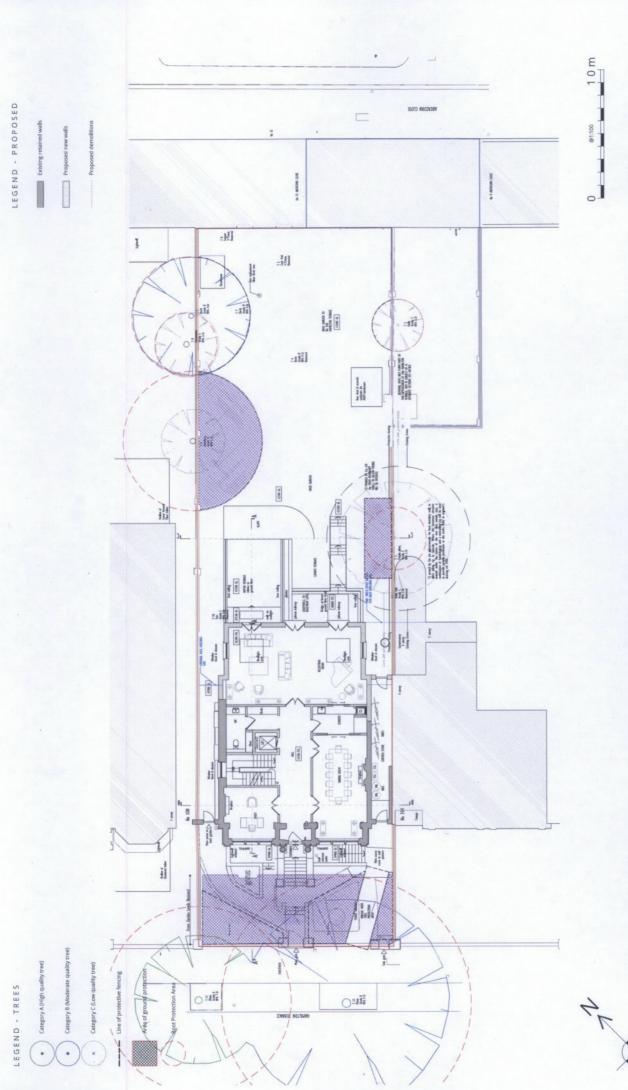
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Existing GF Layout Site Plan

1404-PL-003





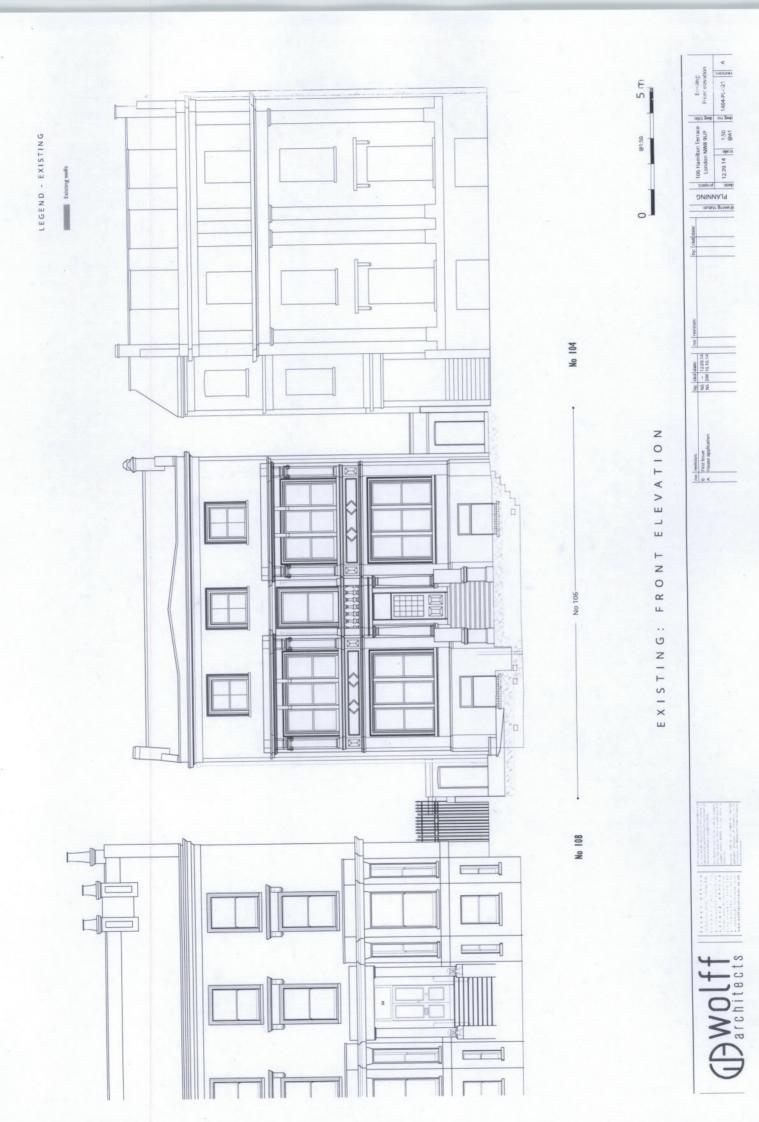
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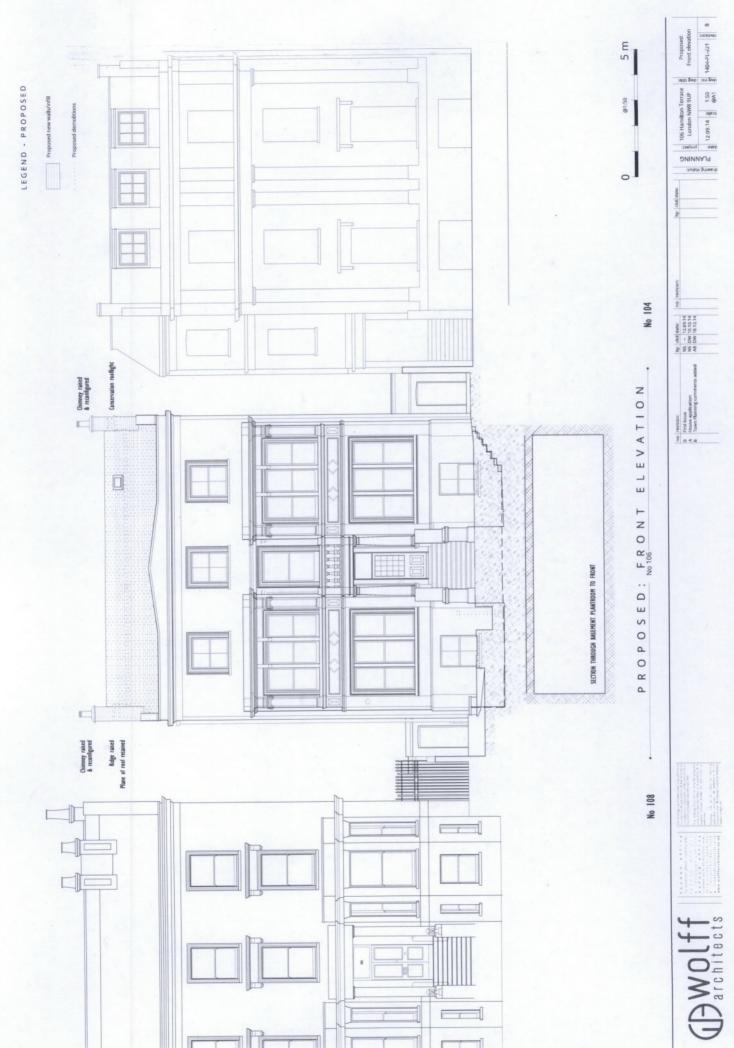


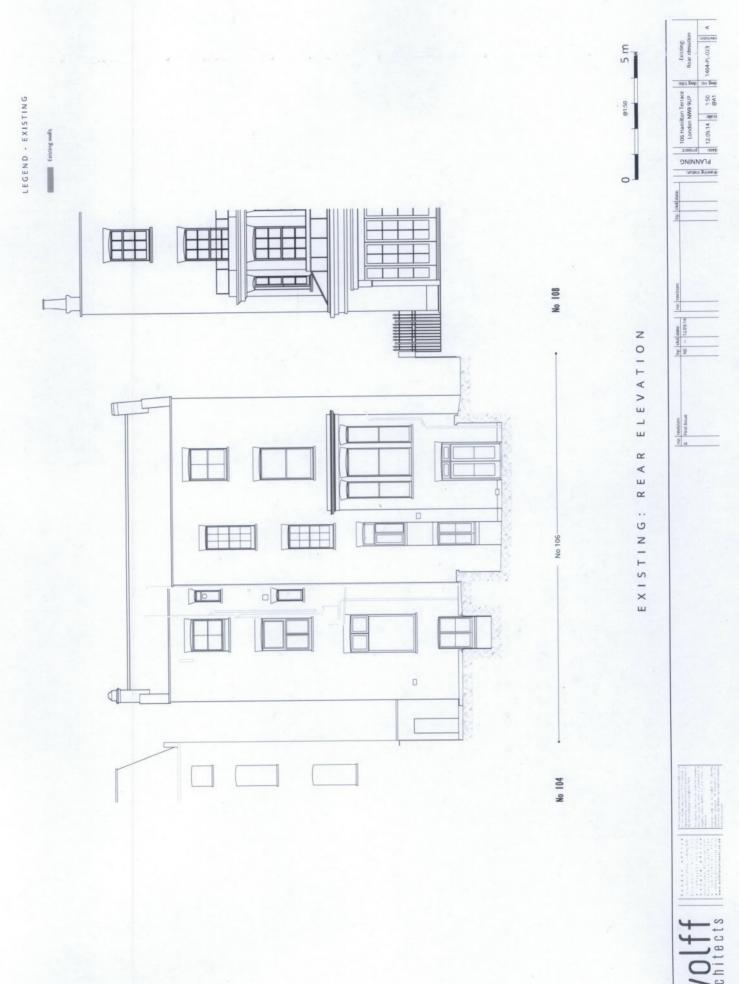


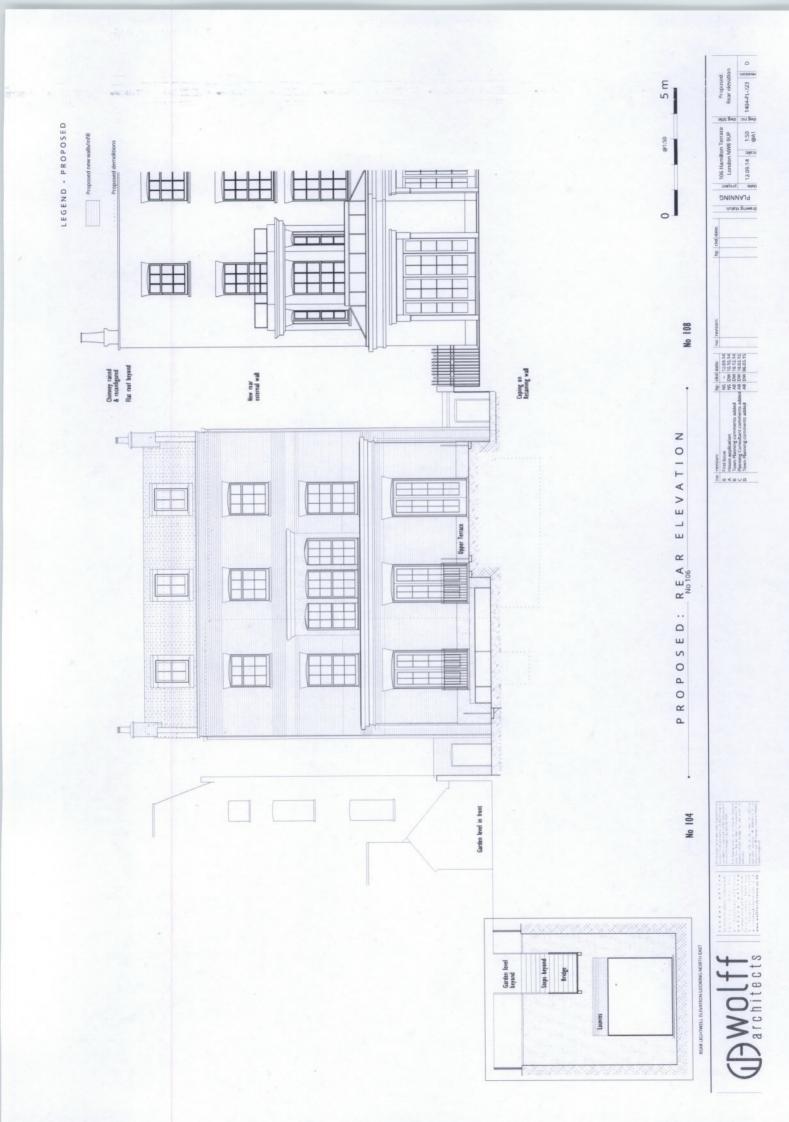


PLANNING











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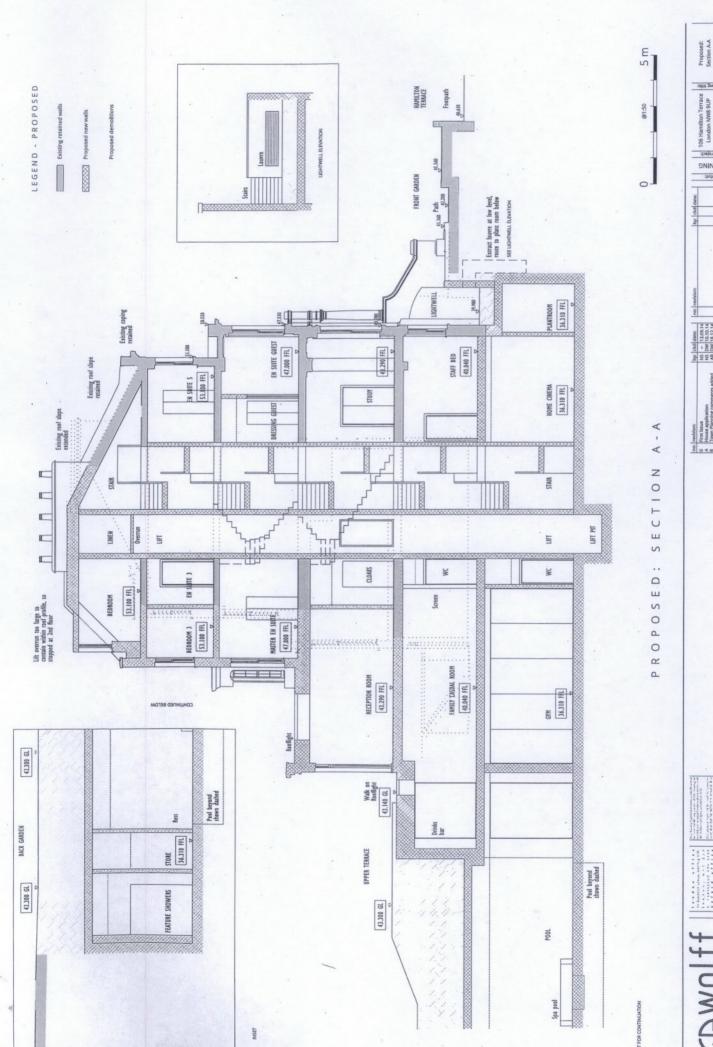
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FRONT GARDEN SILMO KITCHEN

HAMILTON TERRACE

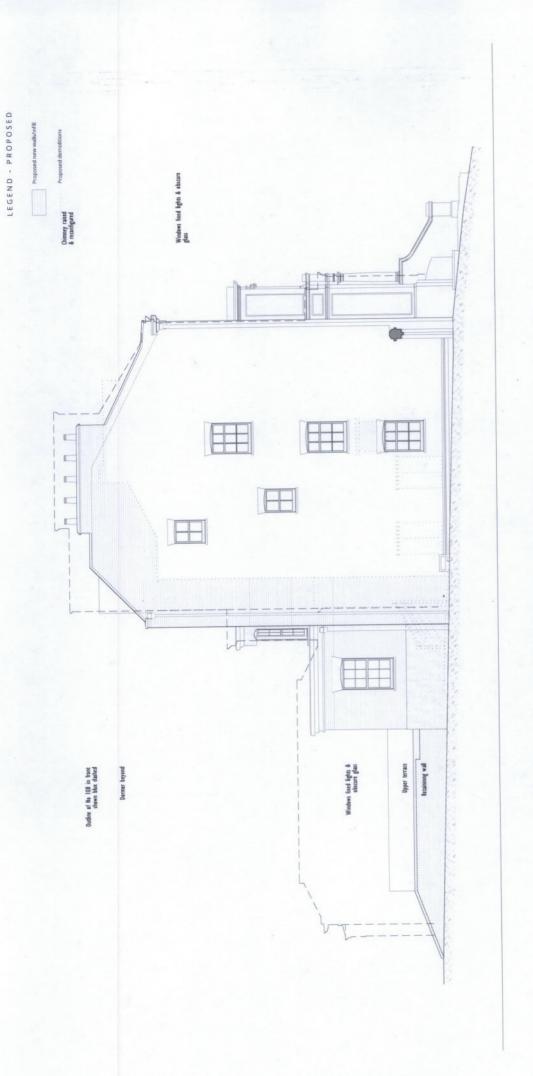
BACK GARDEN

A - A SECTION EXISTING:



105 Hamilton Terrace London NWB 9UP 12.09.14 <u>W</u> 1:50 PLANNING

1404-PL-231 E



PROPOSED: NW FLANK ELEVATION

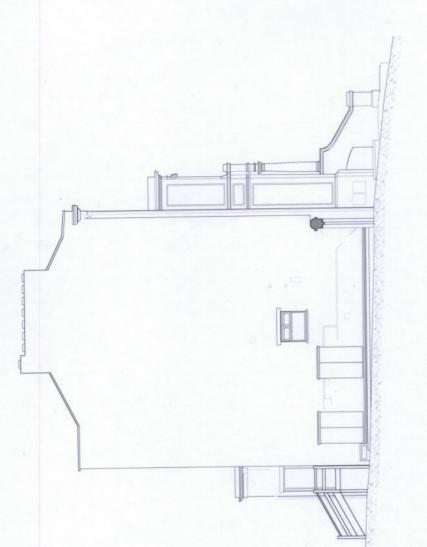
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Volff (100 months)

Existing walls



EXISTING: NW FLANK ELEVATION

5 m

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MOLFF Children Communication C



Wolff Architects Limited trading as Wollf Architects
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